

ATTACHMENT A

**THIS IS A DRAFT COPY ONLY AND IS NOT AN OFFICIAL COPY OF THE FINAL,
ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-34-22-1) FROM IND. PK. (INDUSTRIAL PARK DISTRICT) TO R-3A (MULTIFAMILY RESIDENCE DISTRICT).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX, as follows:

SECTION 1. The zoning of a 22.46-acre property located approximately 600 feet south of the southwest corner of 19th Avenue and Rose Garden Lane in a portion of Section 24, Township 4 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from "Ind. Pk." (Industrial Park District), to "R-3A" (Multifamily Residence District).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit "B."

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations,

violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

1. The development shall be in general conformance with the conceptual site plan date stamped July 21, 2022, as modified by the following stipulations and approved by the Planning and Development Department.
2. All building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or overhang canopies, as approved by the Planning and Development Department.
3. The development shall be limited to 1 story and 20 feet in height within 100 feet of the west property line.
4. The common open space areas shall provide a minimum of 5 active or passive recreational elements, located throughout the property, as generally shown on the site plan date stamped July 21, 2022. Recreational elements meeting this requirement shall include, but are not limited to, swimming pools, playground sets, ramadas, dog parks, fire pits, and barbeque areas; and shall not include lawn or turf areas, as approved by the Planning and Development Department.
5. The perimeter setbacks on all sides of the site shall be landscaped and shall include minimum 50 percent 2-inch caliper and minimum 50 percent 3-inch caliper trees planted 20 feet on center or in equivalent groupings, as approved by the planning and development department.
6. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper drought-tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25 percent shade at maturity, as approved by Planning and Development Department.
7. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
8. The developer shall provide secured bicycle parking per Section 1307 of the Zoning Ordinance. In addition, inverted U- and/or artistic bicycle racks shall be provided for guests, with a minimum of 0.05 spaces per unit, located near the clubhouse or distributed throughout the site and installed per the requirements of Section 1307.H of the Zoning Ordinance, as approved by the Planning and Development Department.
9. A 20-foot-wide shared use path easement (SUPE) shall be provided along 19th

Avenue and a minimum 10-foot-wide shared use path (SUP) shall be constructed within the easement in accordance with the MAG supplemental detail and as approved by the Planning and Development Department. Where conflicts or restrictions exist, the developer shall work with the Site Planning section on an alternate design through the technical appeal process.

10. The sidewalks along 19th Avenue and Monona Drive shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide a minimum of 75 percent shade, as approved or modified by the Planning and Development Department.
11. The developer shall construct a knuckle design at the corner of 20th Avenue and Monona Drive connecting the roadway and sidewalk, as approved by the Planning and Development Department.
12. No vehicular access shall be provided to 21st Avenue along Monona Drive.
13. The developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
14. The property owner shall record documents that disclose the existence, and operational characteristics of Deer Valley Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
15. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground-disturbing activities within a 33-foot radius of the discovery, notify the City Archaeologist, and allow time for the Archaeology Office to properly assess the materials.
16. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims form. The waiver shall be recorded with the Maricopa County Recorder's Office and delivered to the City to be included in the rezoning application file for record.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the

decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 12th day of October, 2022.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:
A – Legal Description (1 Page)
B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-34-22-1

A portion of the Southeast quarter of Section 24, Township 4 North, Range 2 East of the Gila and Salt River Base and Meridian, being more particularly described as follows:

BEGINNING at the Northwest Subdivision corner of the FINAL PLAT FOR TCA PLAZA, recorded in Book 1064 of Maps, Page 42, records of Maricopa County, Arizona, said point being monumented with a brass cap flush with the pavement of 21st Avenue said point also being North 89 degrees 49 minutes 07 seconds West 1330.21 feet from the Northeast corner of said FINAL PLAT FOR TCA PLAZA, being monumented with a brass cap flush with the pavement of the centerline intersection of 19th Avenue and Monona Drive;

Thence along the North line of said FINAL PLAT FOR TCA PLAZA, South 89 degrees 49 minutes 07 seconds East 1330.21 feet to the Northeast corner of said FINAL PLAT FOR TCA PLAZA;

Thence along the East line of said FINAL PLAT FOR TCA PLAZA, South 00 degrees 04 minutes 16 seconds East 733.61 feet to the Southeast corner of said FINAL PLAT FOR TCA PLAZA;

Thence along the South line of said FINAL PLAT FOR TCA PLAZA, North 89 degrees 52 minutes 42 seconds West 1328.57 feet to the Southwest corner of said FINAL PLAT FOR TCA PLAZA;

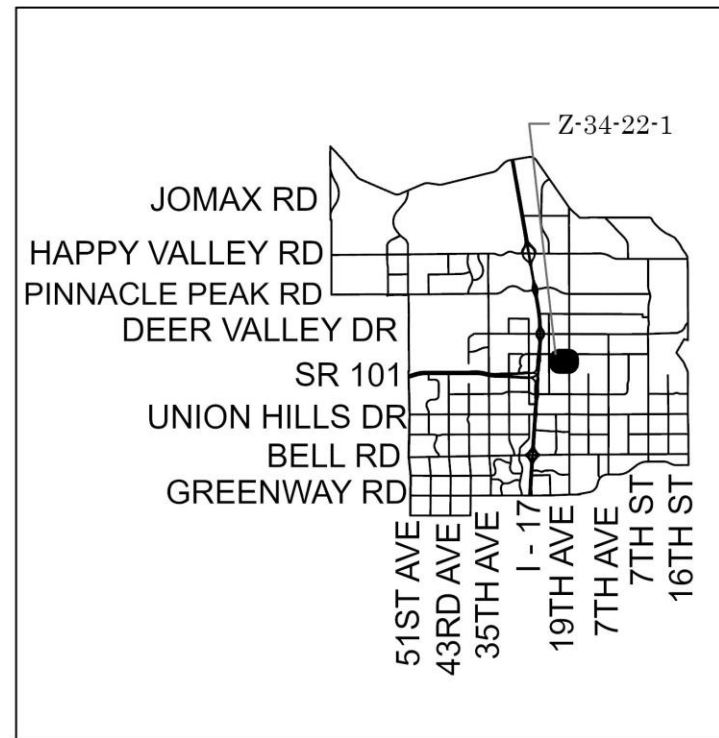
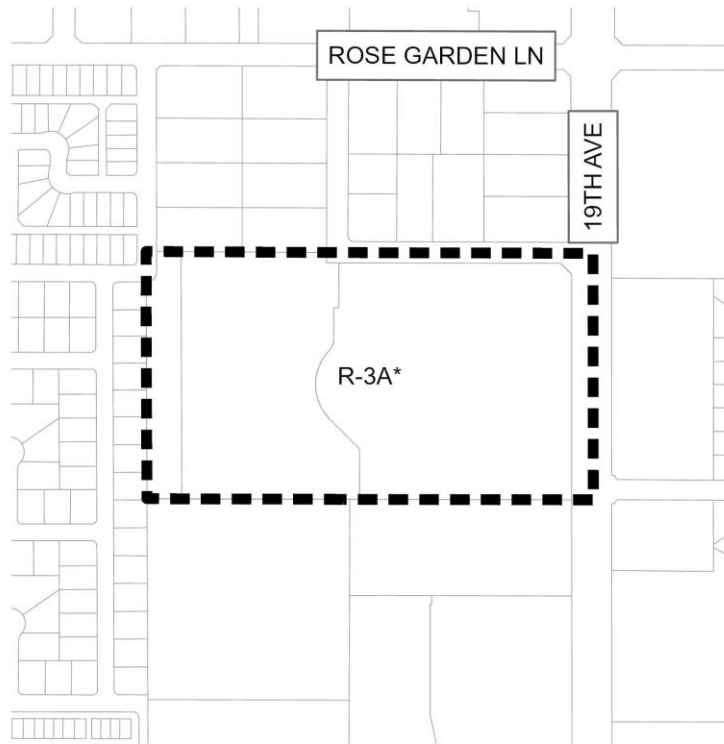
Thence along the West line of said FINAL PLAT FOR TCA PLAZA, North 00 degrees 11 minutes 54 seconds West 735.00 feet to the POINT OF BEGINNING,

ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: ■■■■■

Zoning Case Number: Z-34-22-1
Zoning Overlay: N/A
Planning Village: Deer Valley



NOT TO SCALE



Drawn Date: 9/13/2022