

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-70-21-5) FROM R1-6 (SINGLE-FAMILY RESIDENCE 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 6.50-acre site located approximately 500 feet south of the southeast corner of 75th Avenue and Camelback Road in a portion of Section 24, Township 2 North, Range 1 East, as described more specifically in Exhibit "A," is hereby changed from "R1-6" (Single-Family Residence 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 site plan date stamped December 14, 2021, 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, pop-outs, recesses, variation in window size and location, pitched roofs and/or overhang canopies, as approved by the Planning and Development Department.
3. Building elevations adjacent and oriented to 75th Avenue and the Grand Canal shall contain a minimum of 25 percent brick, masonry, stone or another exterior accent material to provide a decorative and aesthetic treatment, as approved by the Planning and Development Department.
4. The south landscape setback shall be planted with minimum 3-inch caliper trees planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
5. Resident bicycle parking shall be provided at a rate of 0.25 spaces per dwelling unit, up to a maximum of 50 spaces, as approved by the Planning and Development Department. These spaces shall be located near building entrances or common areas and may be provided through a combination of inverted U-bicycle racks, artistic style racks, "Secure/Covered Facilities" or "Outdoor/Covered Facilities" as defined in Appendix K or the Comprehensive Bicycle Master Plan.
6. The developer shall replenish the existing landscape area within the 75th Avenue right-of-way with minimum 2-inch caliper large canopy shade trees placed minimum 20-feet on center and near the sidewalk to provide thermal comfort for pedestrians, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
7. Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.
8. The developer shall dedicate 70 feet of right-of-way along the east side of 75th Avenue, as approved by the Planning and Development Department.
9. The developer shall construct a minimum of two 8-foot-wide shaded pedestrian pathways constructed of decorative material such as brick, pavers or

alternative material providing access to the Grand Canal Trail, as approved by the Planning and Development Department.

10. 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.
11. 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.
12. 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 2nd day of March, 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 (3 Pages)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-70-21-5:

PARCEL NO. 1:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 40 FEET EAST AND 33 FEET SOUTH OF THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 EAST;

THENCE SOUTH ALONG A LINE PARALLEL WITH AND 40 FEET EAST OF THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 532.90 FEET TO THE TRUE POINT OF BEGINNING;

THENCE EAST 508.25 FEET ALONG A LINE PARALLEL WITH THE NORTH LINE OF SAID SECTION 24, TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE GRAND CANAL;

THENCE SOUTH 41 DEGREES 56 MINUTES 30 SECONDS EAST, ALONG THE SOUTH RIGHT-OF-WAY OF SAID GRAND CANAL 217.31 FEET TO A POINT;

THENCE WEST PARALLEL WITH THE NORTH SECTION LINE, A DISTANCE OF 656.25 FEET TO A POINT ON THE EAST LINE OF 75TH AVENUE, SAID POINT BEING 40 FEET EAST AND 1877 FEET NORTH OF THE WEST QUARTER CORNER OF SAID SECTION 24;

THENCE NORTH 160.00 FEET ALONG SAID EAST LINE, TO THE TRUE POINT OF BEGINNING. EXCEPT THE WEST 30 FEET THEREOF.

PARCEL NO. 2:

THE NORTH HALF OF THAT PART OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 70 FEET EAST AND 33 SOUTH OF THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 EAST;

THENCE SOUTH ALONG A LINE PARALLEL WITH AND 70 FEET EAST OF THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 532.90 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH A DISTANCE OF 60 FEET POINT;

THENCE EAST 452.96 FEET ALONG A LINE PARALLEL WITH THE NORTH LINE OF SECTION 24 TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE GRAND CANAL;

THENCE SOUTH ALONG THE SOUTH RIGHT-OF-WAY LINE OF THE GRAND CANAL TO A POINT BEING THE NORTHEAST

CORNER OF THE PROPERTY CONVEYED IN JOINT TENANCY WARRANTY DEED RECORDED AS DOCKET 6900, PAGE 365;

THENCE SOUTH 89 DEGREES 37 MINUTES 50 SECONDS WEST A DISTANCE OF 502.96 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL NO. 3:

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT 70.00 FEET EAST AND 33.00 FEET SOUTH OF THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 24;

THENCE SOUTH, ALONG A LINE PARALLEL TO AND 70.00 FEET EAST OF THE WEST LINE OF SAID NORTHWEST QUARTER, 692.90 FEET TO THE POINT OF BEGINNING;

THENCE EAST 656.25 FEET, ALONG A LINE PARALLEL TO THE NORTH LINE OF SAID SECTION 24, TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE GRAND CANAL;

THENCE SOUTH 41 DEGREES 56 MINUTES 30 SECONDS EAST, 237.68 FEET ALONG THE SOUTH RIGHT-OF-WAY OF THE GRAND CANAL;

THENCE WEST, 817.92 FEET TO A POINT ON THE EAST LINE OF 75TH AVENUE, SAID POINT BEING 70.00 FEET EAST AND 1702.00 FEET NORTH OF THE WEST QUARTER CORNER OF SAID SECTION 24;

THENCE NORTH 175.00 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING. PARCEL NO. 4:

THE SOUTH HALF OF THAT PART OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 70 FEET EAST AND 33 SOUTH OF THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 1 EAST;

THENCE SOUTH ALONG A LINE PARALLEL WITH AND 70 FEET EAST OF THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 532.90 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH A DISTANCE OF 60 FEET POINT;

THENCE EAST 452.96 FEET ALONG A LINE PARALLEL WITH THE NORTH LINE OF SECTION 24 TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF THE GRAND CANAL;

THENCE SOUTH ALONG THE SOUTH RIGHT-OF-WAY LINE OF THE GRAND CANAL TO A POINT BEING THE NORTHEAST CORNER OF THE PROPERTY CONVEYED IN JOINT TENANCY WARRANTY DEED RECORDED AS DOCKET 6900, PAGE 365;

THENCE SOUTH 89 DEGREES 37 MINUTES 50 SECONDS WEST A DISTANCE OF 502.96 FEET TO THE TRUE POINT OF BEGINNING.

ORDINANCE LOCATION MAP

EXHIBIT B

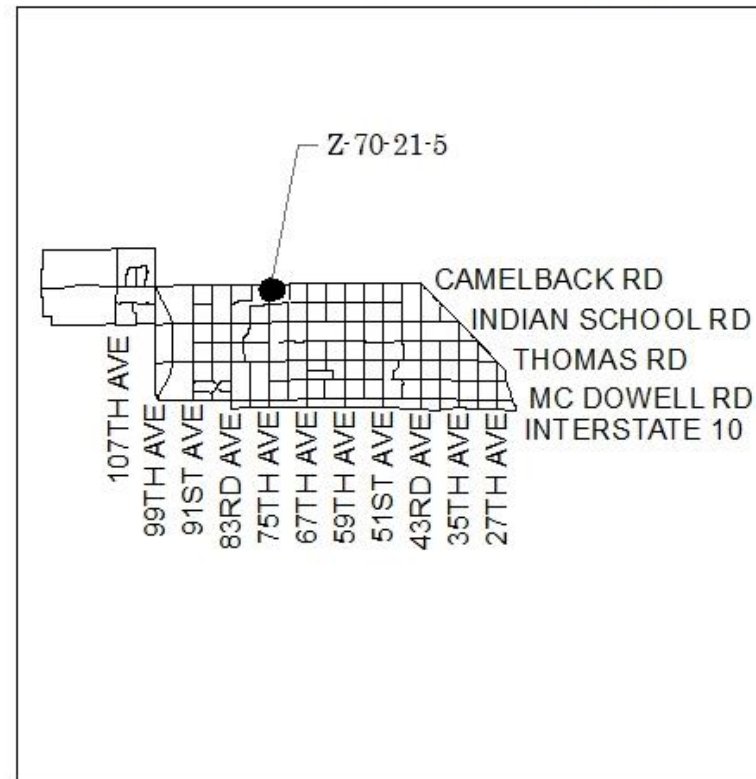
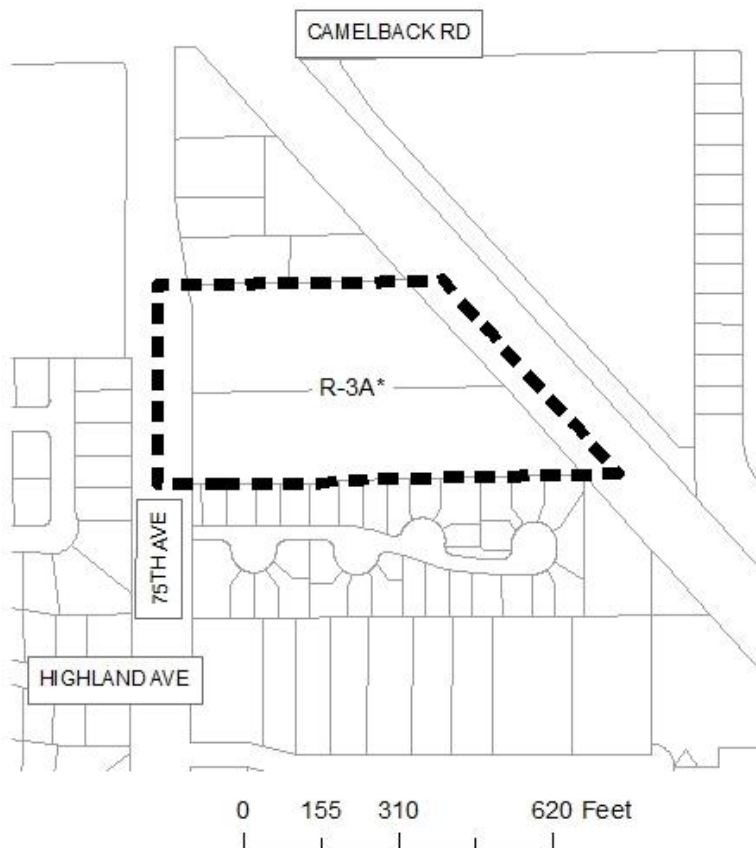
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

Zoning Case Number: Z-70-21-5

Zoning Overlay: N/A

Planning Village: Maryvale



NOT TO SCALE



Drawn Date: 2/1/2022