

## 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 ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-85-17-8) FROM C-2 SPVTABDO (INTERMEDIATE COMMERCIAL, SOUTH PHOENIX VILLAGE TARGET AREA B DESIGN OVERLAY) TO C-2 HGT/WVR DNS/WVR SPVTABDO (INTERMEDIATE COMMERCIAL, HEIGHT WAIVER, DENSITY WAIVER, SOUTH PHOENIX VILLAGE TARGET AREA B DESIGN OVERLAY).

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

SECTION 1. The zoning of an approximately 5.01-acre property located at the northeast corner of 7th Street and Southern Avenue in a portion of Section 28, Township 1 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "C-2 SPVTABDO" (Intermediate Commercial, South Phoenix Village Target Area B Design Overlay) To "C-2 HGT/WVR DNS/WVR SPVTABDO" (Intermediate Commercial, Height Waiver for up to 3 stories and 38 feet, Density Waiver for up to the R-3A zoning district standards, South Phoenix Village Target Area B Design Overlay).

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 21, 2017 with specific regard to the following, as approved by the Planning and Development Department:
  - a. Provision of a multi-use trail along the interior property lines. The multi-use trail shall be constructed per City of Phoenix MAG Supplemental Details, except that the minimum width is 5 feet.
  - b. Provision of resident access doors located at the northwest and southeast ends of the building.
2. The development shall be in general conformance with the elevations date stamped December 4, 2017 with specific regard to the following, as approved by the Planning and Development Department:
  - a. Provision of balconies to provide outdoor space for all residents. Balconies shall be a minimum of 13 feet in width and 7 feet in depth for individual units. Ground level balconies shall vary in building material and color from balconies on higher floors.
  - b. Provision of window awnings with a minimum depth of 18 inches.
3. The maximum building height shall be 3 stories and 38 feet.
4. The maximum density for the project shall not exceed 18 dwelling units per acre.
5. Perimeter fences on 7th Street and Southern Avenue, between the sidewalk and the building, shall consist of 100% open view fencing, as approved by the Planning and Development Department.
6. Perimeter fences on 7th Street and Southern Avenue, between the sidewalk and the building, shall provide pedestrian access points aligned with all building entries

and transit pads along these perimeters at a minimum, as approved by the Planning and Development Department.

7. Mirrored and reflective glass are prohibited.
8. Public access through the interior of the building shall be provided from the parking area to the corner of 7th Street and Southern Avenue, as approved by the Planning and Development Department.
9. The sidewalk along 7th Street shall be detached with a minimum 10-foot wide landscaped strip located between the sidewalk and back of curb, as approved by the Planning and Development Department.
10. The sidewalk along Southern Avenue shall be detached with a minimum 5-foot wide landscaped strip located between the sidewalk and back of curb, as approved by the Planning and Development Department.
11. The developer shall dedicate right-of-way and construct a bus bay (City of Phoenix Standard Detail P1256) and bus pad with a minimum depth of 10 feet (City of Phoenix Standard Detail P1261) along northbound 7th Street, north of Southern Avenue, as approved by the Public Transit Department.
12. 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.
13. The developer shall provide a 30-foot P1255-1 driveway on 7th Street and Southern Avenue.
14. The applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
15. The applicant shall conduct Phase II archaeological data recovery excavations if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary.
16. 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.

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 7th day of March, 2018.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

REVIEWED BY:

\_\_\_\_\_  
City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-85-17-8

That portion of Farm Unit "A", according to the FARM UNIT PLAT, or the Southwest quarter of the Southwest quarter of Section 28, Township 1 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the Southwest corner of said Section 28;

THENCE North along the West line of said Section 412.5 feet to the Southwest corner of Suburban Gardens, recorded in Book 35 of Maps, page 28, records of Maricopa County, Arizona;

THENCE East, along the South line of said Suburban Gardens, 530 feet to a point in the West line of Brookside Acres, recorded in Book 119 of Maps, page 28, records of Maricopa County, Arizona;

THENCE South, along the West line of said Brookside Acres, 412.5 feet to the Southwest corner thereof;

THENCE West, along the South line of said Section 28, a distance of 530 feet to the TRUE POINT OF BEGINNING;

EXCEPT the South 40 feet thereof.

# ORDINANCE LOCATION MAP

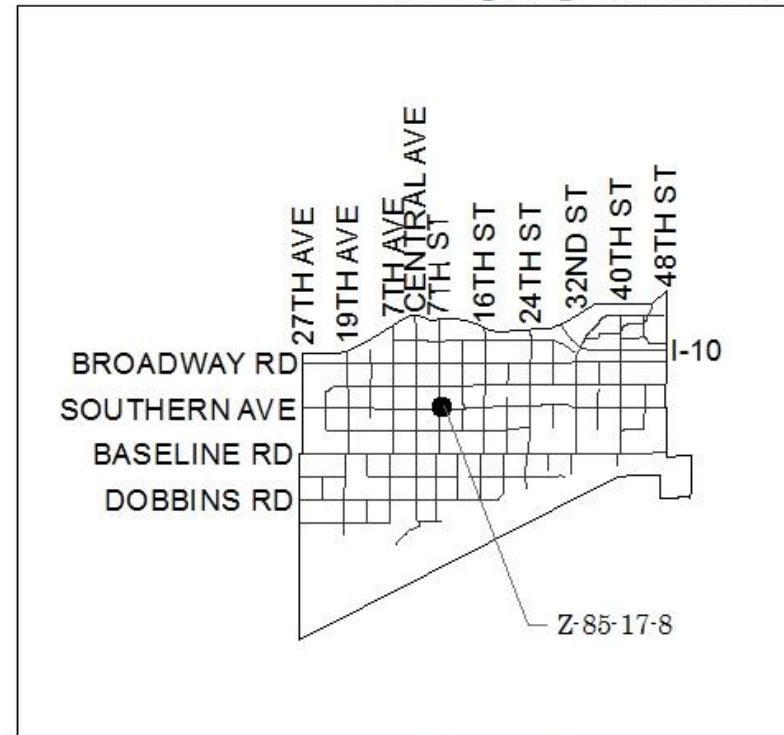
EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: \*

SUBJECT AREA: ■ ■ ■ ■ ■



Zoning Case Number: Z-85-17-8  
Zoning Overlay: South Phoenix  
Village and Target Area B Design  
Planning Village: South Mountain



NOT TO SCALE



Drawn Date: 2/5/2018