

## 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-167-24-4) FROM C-1 TOD-1 (NEIGHBORHOOD RETAIL, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE) TO C-2 TOD-1 (INTERMEDIATE COMMERCIAL, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE).

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

SECTION 1. The zoning of a 0.57 acre property located approximately 95 feet east of the northeast corner of 2nd Avenue and Osborn Road in a portion of Section 29, Township 2 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "C-1 TOD-1" (Neighborhood Retail, Interim Transit-Oriented Zoning Overlay District One) to "C-2 TOD-1" (Intermediate Commercial, Interim Transit-Oriented Zoning Overlay District One).

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. Upon complete redevelopment or development that increases the cumulative floor area of the building by more than 15% from that depicted on the site plan date stamped March 11, 2025, the following shall apply:
  - a. The frontage facing Osborn Road shall use an allowable frontage type per the standards of Table 1303.2 Transect T6.
2. Where pedestrian walkways cross a vehicular path, the pathway shall incorporate decorative pavers, stamped or colored concrete, striping or other pavement treatments that visually contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.
3. A minimum of six bicycle parking spaces shall be installed, as per the requirements of Section 1307.H of the Phoenix Zoning Ordinance and as approved by the Planning and Development Department.
4. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper, large canopy, shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade, as approved by the Planning and Development Department.
5. A minimum of 3.5% of the required parking spaces shall include Electric Vehicle (EV) Capable infrastructure, as approved by the Planning and Development Department.
6. A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.
7. Pressure regulating sprinkler heads and/or drip lines shall be utilized in any turf areas to reduce water waste.
8. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the Phoenix Water Efficiency Checkup program for a minimum of 10 years, or as approved by the Planning and Development Department.

9. The existing sidewalk on the north side of Osborn Road shall be detached with a minimum 6-foot-wide sidewalk separated by a minimum 8-foot-wide landscape area and planted to the following standards:
  - a. Minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees planted 20-feet on center, or in equivalent groupings.
  - b. Drought tolerant shrubs, accents and vegetative groundcovers, maintained to a maximum height of 24 inches to provide a minimum of 75% live vegetative ground coverage.
10. Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.
11. All streets within and adjacent to the development shall be constructed 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.
12. All mitigation improvements shall be constructed and/or funded, as identified in the accepted Traffic Impact Analysis dated February 27, 2025.
13. 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.
14. Prior to final 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 3rd day of September, 2025.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
Denise Archibald, City Clerk

APPROVED AS TO FORM:  
Julie M. Kriegh, 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-167-24-4

APN: 118-32-041

SECTION 29/TOWNSHIP 2N/RANGE 3E

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA AND IS DESCRIBED AS FOLLOWS:

THE EAST HALF OF LOT 19, LANE SUBDIVISIONS, ACCORDING TO THE PLAT RECORDED IN BOOK 3 OF MAPS, PAGE 21, RECORDS OF MARICOPA COUNTY, ARIZONA

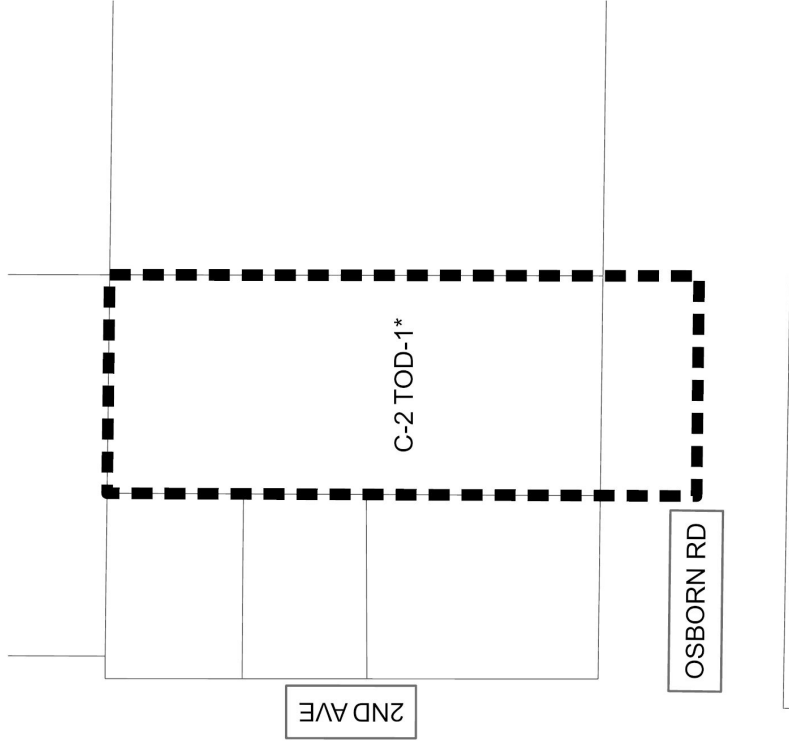
EXCEPT THE SOUTH 10 FEET THEREOF.

# ORDINANCE LOCATION MAP

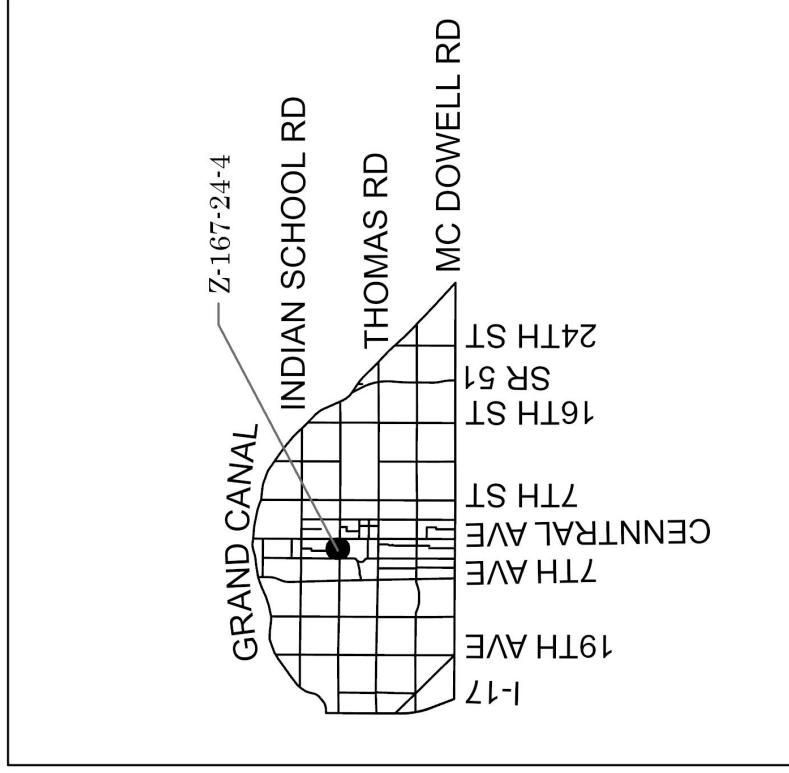
EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: \*  
SUBJECT AREA: - - - - -

Zoning Case Number: Z-167-24-4  
Zoning Overlay: Transit Overlay District (TOD-1)  
Planning Village: Encanto



NOT TO SCALE



Drawn Date: 8/4/2025