

**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-18-19-4) FROM C-3 TOD-1 (GENERAL COMMERCIAL, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE) TO WU CODE T5:5 UT (WALKABLE URBAN CODE, TRANSECT 5:5 DISTRICT, TRANSIT UPTOWN CHARACTER AREA).

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

SECTION 1. The zoning of a 10.39-acre site located at the northwest corner of Central Avenue and Indian School Road in a portion of Section 20, Township 2 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "C-3 TOD-1" (General Commercial, Interim Transit-Oriented Zoning Overlay District One) to "WU Code T5:5 UT" (Walkable Urban Code, Transect 5:5 District, Transit Uptown Character Area).

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. There shall be enhanced pavement, in the form of brick or stamped or colored concrete, for pedestrian entrances into the building at the intersection of Central Avenue and Indian School Road and at the northern end of the site along Central Avenue, as approved by the Planning and Development Department.
2. The development shall utilize enhanced architectural features, such as a variety of materials and building pop-outs along all street frontages, as well as the mid-century modern metal decorative element as depicted on the elevations date stamped September 13, 2019 to accentuate the corner of Central Avenue and Indian School Road, as well as corresponding smaller features along Central Avenue, and Indian School Road, as approved by the Planning and Development Department.
3. The development shall utilize a continuous storefront frontage per the requirements of section 1305.B. for a minimum of 265 linear feet beginning at the northern property line along Central Avenue, as approved by the Planning and Development Department.
4. A minimum of 55 linear feet and a total square footage of 1,600 square feet along Central Avenue shall not be reserved for individual units, residential lobby, leasing office or other tenant only amenities related to the primary multifamily use, as approved by the Planning and Development Department.
5. The required public open space areas shall include seating areas, a drinking fountain for persons and pets, secured bicycle parking, and art and shade elements, as approved by the Planning and Development Department.
6. The parking lot area shall have shaded pedestrian pathways consisting of decorative materials such as brick, stamped or colored concrete or similar material that connects residents into the buildings, as approved by the Planning and Development Department.

7. A minimum 25% of the parking lot area shall be shaded, as approved by the Planning and Development Department.
8. Parking garages or individual unit garages shall not front onto or have direct access to and from 3rd Avenue.
9. The sidewalk along Indian School Road shall be detached with a minimum 50 percent 8-foot wide and minimum 50 percent 6-foot-wide landscape strip located between the sidewalk and back of curb. The streetscape landscaping shall be in compliance with the WU Code standards for planting, type, size and quantity per Section 1309 of the Phoenix Zoning Ordinance and palm trees shall be planted between shade trees, as approved by the Planning and Development Department.
10. The sidewalk along 3rd Avenue shall be detached with a minimum 5-foot wide landscape strip located between the sidewalk and back of curb. The streetscape landscaping shall be in compliance with the WU Code standards for planting, type, size and quantity per Section 1309 of the Phoenix Zoning Ordinance and palm trees shall be planted between shade trees, as approved by the Planning and Development Department.
11. The developer shall provide secured bicycle parking for the required bicycle parking spaces up to a maximum of 50 spaces. In addition, a minimum of four inverted U-bicycle racks for guests located near entrances to the building and a minimum of two inverted U-bicycle racks at each forecourt area shall be installed per the requirements of Section 1307.H. of the Zoning Ordinance, as approved by the Planning and Development Department.
12. The driveway on 3rd Avenue shall be limited to right-in and left-out only, as approved by the Street Transportation Department.
13. The applicant shall submit a Traffic Impact Study to the Street Transportation Department and the Planning and Development Department prior to preliminary site plan review. The applicant shall be responsible for any dedications and required improvements as recommended by the approved traffic study, as approved by Planning and Development Department and the Street Transportation Department.
14. A 10-foot sidewalk easement shall be dedicated on the north side of Indian School Road and on the west side of Central Avenue, as approved by the Planning and Development Department.
15. The developer shall construct a 6-foot wide detached sidewalk along the north side of Indian School Road. The required setback shall be determined by the Planning and Development Department.

16. Vehicular access to the site from 3rd Avenue shall be limited to a maximum of one shared access driveway. No vehicular driveways to individual units or garages shall be allowed for the entire site frontage.
17. The Central Avenue frontage shall comply with the Central Avenue Development Standards.
18. 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.
19. Dedication of right-of-way and reconstruction of a bus bay and bus stop pad along westbound Indian School Road west of Central Avenue shall be provided. The bus bay shall be spaced from the intersection of Central Avenue and Indian School Road according to the City of Phoenix Standard Detail P1258. The bus bay shall be constructed according to City of Phoenix Standard Detail P1256 with a connected bus stop pad constructed according to City of Phoenix Standard Detail P1261 with a minimum depth of 10 feet. The entirety of the bus bay shall remain outside of any and all right-hand turn deceleration lanes.
20. The developer shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport to future owners or tenants of the property.
21. 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 6th day of November, 2019.

\_\_\_\_\_  
MAYOR

ATTEST:

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

APPROVED AS TO FORM:

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

REVIEWED BY:

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

- Exhibits:  
A – Legal Description (3 Pages)  
B – Ordinance Location Map (1 Page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-18-19-4

A portion of the Southwest quarter of Section 20, Township 2 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows;

COMMENCING at the Southwest corner of said Section 20, monumented with a brass cap in handhole which bears, North 89 degrees 25 minutes 32 seconds West 2673.40 feet from the calculated South quarter corner of said Section 20;

Thence along the South line of the Southwest quarter of said Section 20, South 89 degrees 25 minutes 32 seconds East 1336.70 feet to the Southwest corner of the Southeast quarter of the Southwest quarter of said Section 20;

Thence along the West line of Southeast quarter of the Southwest quarter of said Section 20, North 00 degrees 34 minutes 24 seconds East 339.69 feet;

Thence South 89 degrees 27 minutes 02 seconds East 30.00 feet to a found half inch rebar in concrete with cap L.S. 10846, monumenting the North line of the South 340.00 feet of Southwest quarter of said Section 20, said point being the POINT OF BEGINNING;

Thence continuing along said monumented North line, South 89 degrees 27 minutes 02 seconds East 1253.31 feet to a found witness corner, being a PK Nail and Tag L.S. 15336;

Thence continuing along said monumented North line, South 89 degrees 27 minutes 02 seconds East 0.90 feet to a point on a line 50.00 feet West of and parallel with the East line of the Southeast quarter of said Section 20;

Thence along said parallel line, South 00 degrees 09 minutes 17 seconds West 243.49 feet;

Thence North 89 degrees 50 minutes 39 seconds West 6.62 feet;

Thence South 00 degrees 02 minutes 37 seconds East 25.92 feet;

Thence South 45 degrees 09 minutes 06 seconds West 29.20 feet to a point on a line 50.00 feet North of and parallel with the South line of the Southwest quarter of said Section 20;

Thence along said parallel line, North 89 degrees 25 minutes 32 seconds West 47.53 feet;

Thence North 81 degrees 17 minutes 44 seconds West 70.71 feet to a point on a line 60.00 feet North of and parallel with the South line of the Southwest quarter of said Section 20;

Thence along said parallel line, North 89 degrees 25 minutes 32 seconds West 170.00 feet;

Thence South 00 degrees 34 minutes 28 seconds West 10.00 feet to a point on a line 50.00 feet North of and parallel with the South line of the Southwest quarter of said Section 20;

Thence along said parallel line, North 89 degrees 25 minutes 32 seconds West 921.63 feet;

Thence North 44 degrees 25 minutes 34 seconds West 28.28 feet to a point on a line 30.00 feet East of and parallel with the West line of Southeast quarter of the Southwest quarter of said Section 20;

Thence along said parallel line, North 00 degrees 34 minutes 24 seconds East 269.71 feet to the POINT OF BEGINNING.

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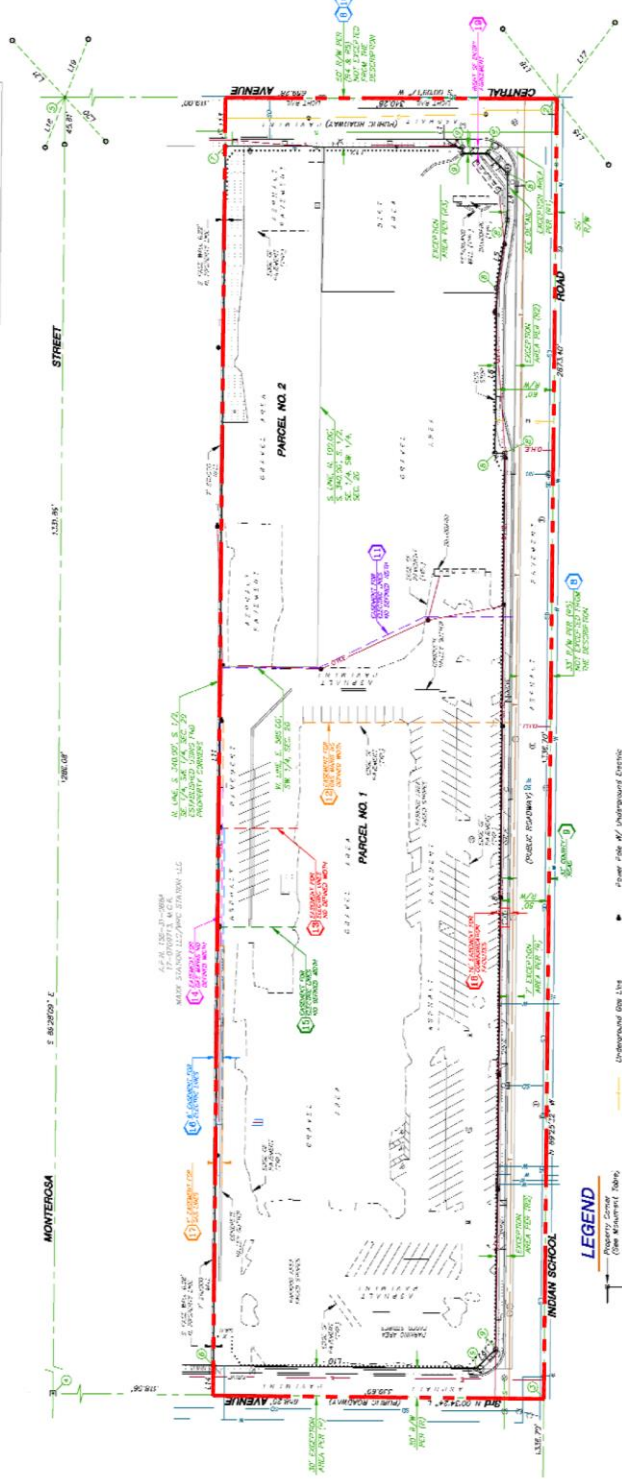
LEGAL EXHIBIT

DETAIL



LINE	BEARING	DISTANCE
1	N 89°53'30"W	8.64
2	N 89°53'30"W	78.24
3	N 89°53'30"W	78.24
4	N 89°53'30"W	78.24
5	N 89°53'30"W	78.24
6	N 89°53'30"W	78.24
7	N 89°53'30"W	78.24
8	N 89°53'30"W	78.24
9	N 89°53'30"W	78.24
10	N 89°53'30"W	78.24
11	N 89°53'30"W	78.24
12	N 89°53'30"W	78.24
13	N 89°53'30"W	78.24
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43	N 89°53'30"W	78.24
44	N 89°53'30"W	78.24
45	N 89°53'30"W	78.24
46	N 89°53'30"W	78.24
47	N 89°53'30"W	78.24
48	N 89°53'30"W	78.24
49	N 89°53'30"W	78.24
50	N 89°53'30"W	78.24

SYMBOL	DESCRIPTION
(1)	1.00' WIDE SIDEWALK
(2)	2.00' WIDE SIDEWALK
(3)	3.00' WIDE SIDEWALK
(4)	4.00' WIDE SIDEWALK
(5)	5.00' WIDE SIDEWALK
(6)	6.00' WIDE SIDEWALK
(7)	7.00' WIDE SIDEWALK
(8)	8.00' WIDE SIDEWALK
(9)	9.00' WIDE SIDEWALK
(10)	10.00' WIDE SIDEWALK
(11)	11.00' WIDE SIDEWALK
(12)	12.00' WIDE SIDEWALK
(13)	13.00' WIDE SIDEWALK
(14)	14.00' WIDE SIDEWALK
(15)	15.00' WIDE SIDEWALK
(16)	16.00' WIDE SIDEWALK
(17)	17.00' WIDE SIDEWALK
(18)	18.00' WIDE SIDEWALK
(19)	19.00' WIDE SIDEWALK
(20)	20.00' WIDE SIDEWALK
(21)	21.00' WIDE SIDEWALK
(22)	22.00' WIDE SIDEWALK
(23)	23.00' WIDE SIDEWALK
(24)	24.00' WIDE SIDEWALK
(25)	25.00' WIDE SIDEWALK
(26)	26.00' WIDE SIDEWALK
(27)	27.00' WIDE SIDEWALK
(28)	28.00' WIDE SIDEWALK
(29)	29.00' WIDE SIDEWALK
(30)	30.00' WIDE SIDEWALK
(31)	31.00' WIDE SIDEWALK
(32)	32.00' WIDE SIDEWALK
(33)	33.00' WIDE SIDEWALK
(34)	34.00' WIDE SIDEWALK
(35)	35.00' WIDE SIDEWALK
(36)	36.00' WIDE SIDEWALK
(37)	37.00' WIDE SIDEWALK
(38)	38.00' WIDE SIDEWALK
(39)	39.00' WIDE SIDEWALK
(40)	40.00' WIDE SIDEWALK
(41)	41.00' WIDE SIDEWALK
(42)	42.00' WIDE SIDEWALK
(43)	43.00' WIDE SIDEWALK
(44)	44.00' WIDE SIDEWALK
(45)	45.00' WIDE SIDEWALK
(46)	46.00' WIDE SIDEWALK
(47)	47.00' WIDE SIDEWALK
(48)	48.00' WIDE SIDEWALK
(49)	49.00' WIDE SIDEWALK
(50)	50.00' WIDE SIDEWALK



**GROSS AREA**  
**454,034.82 S.F.**  
**OR 10.42 ACRES**

- LEGEND**
- Property Control Boundary
  - Property Line
  - 1' Easement
  - 2' Easement
  - 3' Easement
  - 4' Easement
  - 5' Easement
  - 6' Easement
  - 7' Easement
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  - 46' Easement
  - 47' Easement
  - 48' Easement
  - 49' Easement
  - 50' Easement

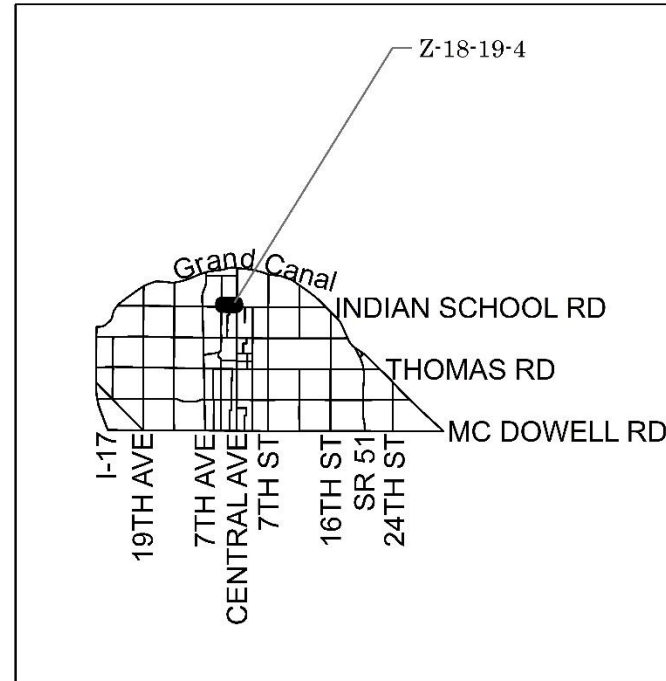
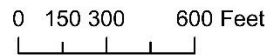
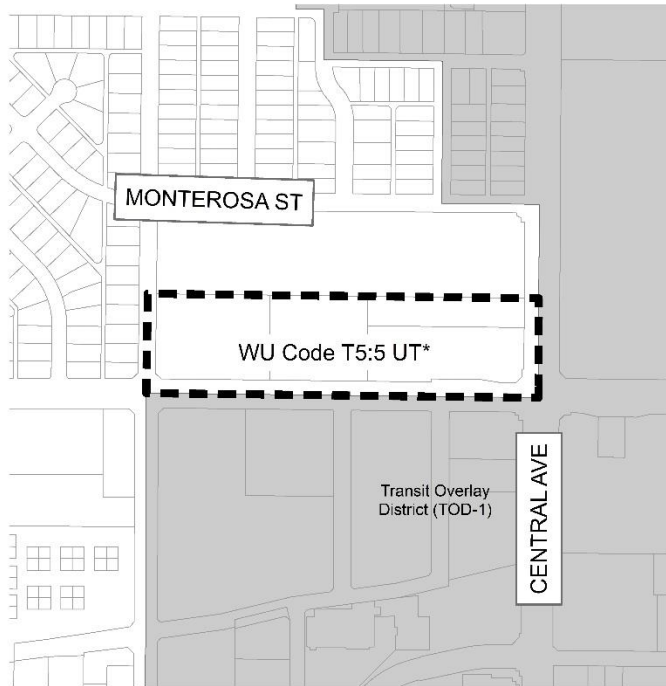


# ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: Z-18-19-4  
Zoning Overlay: N/A  
Planning Village: Encanto



NOT TO SCALE



Drawn Date: 10/14/2019