

## 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 STIPULATIONS APPLICABLE TO  
REZONING APPLICATION Z-58-19-7 PREVIOUSLY APPROVED BY  
ORDINANCE G-6716.

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

SECTION 1. The zoning stipulations applicable located at the northeast  
corner of 6th Avenue and Broadway Road in a portion of Section 20, Township 1  
North, Range 3 East, as described more specifically in Attachment "A", are hereby  
modified to read as set forth below.

#### STIPULATIONS:

1. An updated Development Narrative for the Broadway and Central PUD  
reflecting the changes approved through this request shall be submitted to the  
Planning Department within 14 days of City Council approval of this request.  
The updated Development Narrative shall be consistent with Development  
Narrative date stamped April 24, 2020 as modified by the following stipulations.
  - a. Page 1:
    - 1) Add "Hearing Draft: April 24, 2020"
    - 2) Add "City Council adopted: [Insert Adoption date]"
  - b. Page 7:
    - 1) Replace text with the following: Where buildings are adjacent to  
a pedestrian accessway, a frontage type shall be required. If

frontage does not contain an entrance, units adjacent to a pedestrian accessway shall be designed with windows and/or balconies overlooking the accessway.

c. Pages 6 and 7:

- 1) Add the following text in Section 1304 General Site Development Standards: The western most paseo may deviate from the 3rd Avenue alignment up to 175 feet if the deviation is marked by pedestrian oriented wayfinding; the southern most connection to Broadway Road shall be constructed after the SRP facility is buried and easements issues resolved, no later than the development of the townhomes depicted on Exhibit E.

d. Page 8:

- 1) Replace text in Section 1309 Landscape Standards, 6th Avenue and Pueblo Avenue frontage, with the following: Shall be planted with large canopy, single trunk, shade trees placed a minimum of 20 feet on center or in equivalent groupings installed between the sidewalk and the buildings. The trees allowed in the planting area may be adjusted or removed based on input from SRP or the Water Services Department.
- 2) Replace text in Section 1309 Landscape Standards, Broadway Road, with the following: The sidewalk and tree diagram contained in Exhibit C of this PUD shall apply. Planting details are provided in Section 1312 character areas of this table. The trees allowed in the planting area may be adjusted based on input from SRP or the Water Services Department; however, the requirement for trees shall not be removed.

e. Replace Exhibit E with the Site Plan date stamped May 21, 2020.

2. The developer shall provide a total of 32 feet of paving with curb, gutter, a minimum five-foot wide sidewalk and streetlighting along Pueblo Avenue and facilitate the pavement along the "out parcel" (APN 113-05-045). If the developer is unable to procure the "out parcel" for the local street pavement requirement, the development shall not have access along the entirety of Pueblo Avenue except for one combined access point for emergency and refuse collection only at the eastern limits of the property, as determined by Planning and Development and Street Transportation Departments.
3. The developer shall dedicate 25 feet of right-of-way for the south half of Pueblo Avenue, as approved by the Planning and Development Department.
4. The developer shall dedicate a 14-foot Sidewalk Easement along Broadway Road, for the entire length of the development, to accommodate a detached

sidewalk and shade trees adjacent to the sidewalk, as approved by the Planning and Development and Street Transportation Departments.

5. The developer shall dedicate 5 feet of right-of-way for the east half of 6th Avenue, as approved by the Street Transportation Department.
6. Existing irrigation facilities along 6th Avenue and Broadway Road are to be undergrounded and relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish the appropriate process to relocate facilities. Relocations that require additional dedications or land transfer require completion prior to obtaining ~~plat and/or civil plan review approval~~ A CERTIFICATE OF OCCUPANCY FOR THE DEVELOPMENT.
7. The developer shall provide enhanced internal pedestrian circulation with a primary access point at the intersection of 6th Avenue and Broadway Road. The access point shall be enhanced with a minimum 700 square foot landscaped area planted with drought-tolerant plant materials providing seasonal interest and 75 percent live cover and a bollard light path or lighted art element visible from the perimeter of the site. The above shall be approved by the Planning and Development Department.
8. 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.
9. The applicant shall submit a Traffic Impact Study/Statement to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact Mr. Matthew Wilson, Traffic Engineer III, (602) 262-7580, to set up a meeting to discuss the requirements of the statement/study. Upon completion of the TIS the developer shall submit the completed TIS to the Planning and Development Department counter with instruction to forward the study to the Street Transportation Department, Design Section.
10. 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 (PHX) to future owners or tenants of the property.
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 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-6716 this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-6716 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. 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 25th day of May, 2022.

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MAYOR

ATTEST:

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Denise Archibald, City Clerk

APPROVED AS TO FORM:  
Cris Meyer, City Attorney

By:

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REVIEWED BY:

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Jeffrey Barton, City Manager

Exhibits:

A - Legal Description (2 Pages)

B - Ordinance Location Map (1 Page)

## EXHIBIT A

### LEGAL DESCRIPTION FOR PHO-1-22--Z-58-19-7

#### PARCEL NO. 1: 113-07-120A:

A part of the Southwest quarter of Section 20, Township 1 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at an iron pipe on the South line of said Section 20, a distance of 959.4 feet West of the intersection of said Section line with the center of Central A venue, being at the Southeast corner of the tract and identical with the Southwest corner of the Pasely Tract, running;

THENCE North 454.6 feet to a point identical to the Northwest corner of Rosas Tract;

THENCE West on a straight line continuing the course of the North line of the Rosas Tract, 576 feet;

THENCE South 454 feet to a point on the South line of said Section;

THENCE East on the Section line 576 feet to the POINT OF BEGINNING.

#### PARCEL NO. 2: 113-05-044:

That part of the Southwest quarter of Section 20, Township 1 North, Range 3 East of the Gila River and Salt River Base and Meridian, described as follows:

BEGINNING at a point on the South line of said Section, distant 1535.4 feet West of the point of intersection of said Section line with the center line of Central A venue, said point being identical with the Southwest corner of the A.J. Crawford Tract;

Thence North along said West line of the A.J. Crawford Tract, 150 feet;

Thence South 89 degrees 44 minutes West parallel to the South line of Pueblo A venue, as shown on map of Central Gardens, recorded in Book 31 of Maps, page 3, records of Maricopa County, Arizona, 182.6 feet;

Thence North parallel to the West line of the A.J. Crawford Tract 298 feet to the South line of said Pueblo Avenue;

Thence South 89 degrees 44 minutes west along the South line of Pueblo Avenue, a distance of 400 feet to a stone being the Northwest corner of tract of land herein described;

Thence South 5 degrees 35 minutes East 448 feet to a point on the South line of said Section;

Thence East along the South line of said Section 544.6 feet to the Point of Beginning,

EXCEPT that portion conveyed to the City of Phoenix in deed recorded in Docket 7998, page 223.

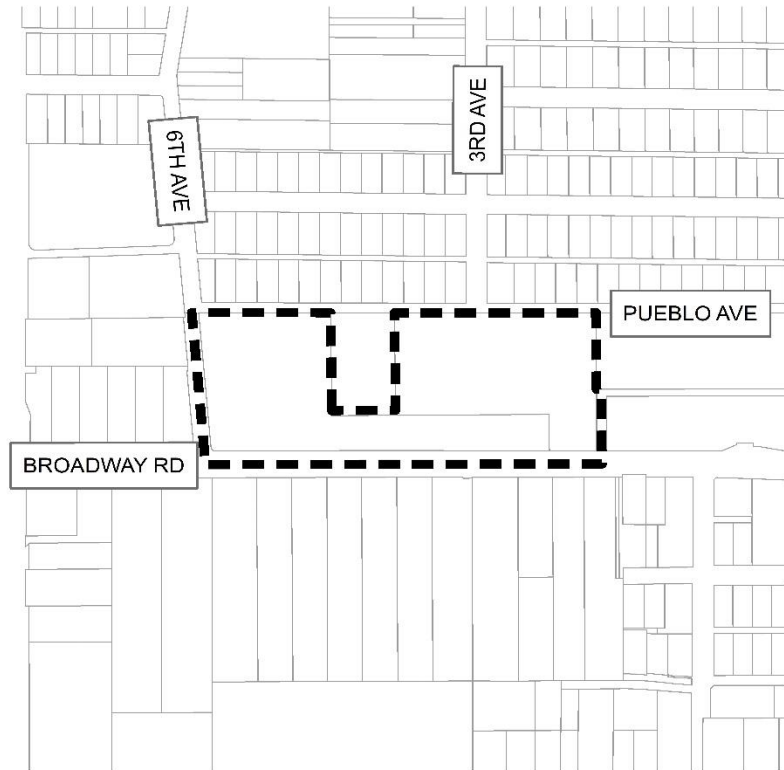
DRAFT

# ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: \*

SUBJECT AREA: ■ ■ ■ ■ ■

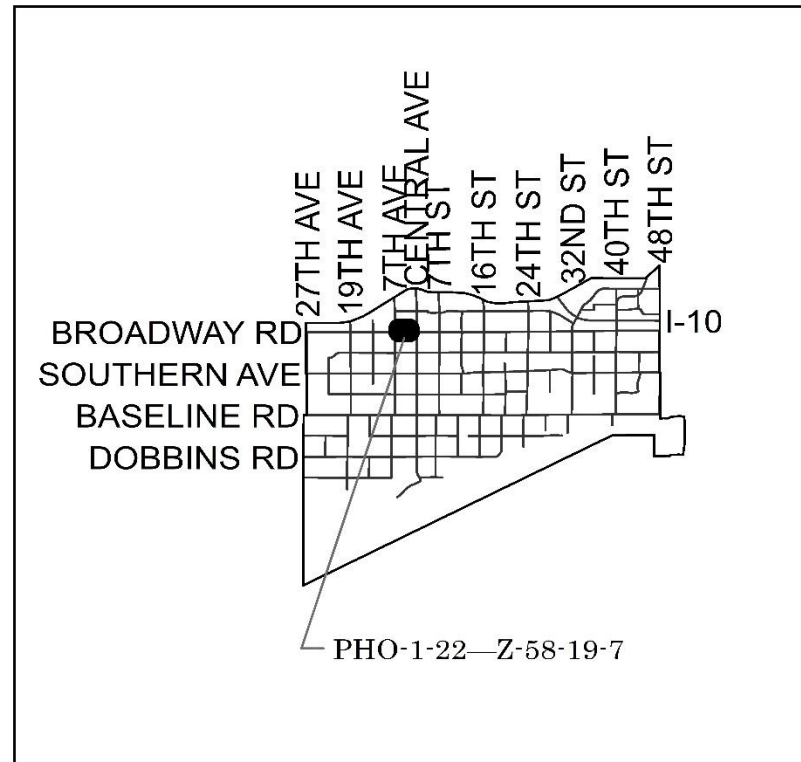


0 235 470 940 Feet

Zoning Case Number: PHO-1-22—Z-58-19-7

Zoning Overlay: Rio Salado Interim Overlay District

Planning Village: South Mountain



NOT TO SCALE



Drawn Date: 4/25/2022