

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-38-22-6) FROM P-1 (PASSENGER AUTOMOBILE PARKING, LIMITED DISTRICT) TO R-4 (MULTIFAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of a 0.72 acre site located at the southeast corner of 10th Street and Pasadena Avenue in a portion of Section 16, Township 2 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "P-1" (Passenger Automobile Parking, Limited District), to "R-4" (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 to the elevations date stamped May 6, 2022, as modified by the following stipulations and approved by the Planning and Development Department.
2. The maximum building height shall be 30 feet.
3. The maximum density for the project shall not exceed 12 dwelling units per acre.
4. The developer shall construct a minimum 5-foot-wide detached sidewalk along the south side of Pasadena Avenue with a minimum 8-foot-wide landscaped strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department:
 - a. Minimum 2-inch caliper, large canopy, single-trunk, shade trees placed to provide a minimum of 75% shade on adjacent sidewalks.
 - b. Drought tolerant shrubs and vegetative maintained to a maximum height of 24 inches to provide a minimum of 75% live coverage at maturity.
 - c. Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.
5. The developer shall construct a minimum 5-foot-wide sidewalk along the east side of 10th Street and west side of 10th Place, as approved by the Planning and Development Department.
6. A minimum of 4 bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near building entrances or open space areas and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
7. Existing irrigation facilities along Pasadena Avenue 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 the facility. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
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. 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.
10. 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 12th day of October, 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 (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

THAT PORTION OF LOTS 1 AND 3, BLOCK 5, SMITH PLACE AND SURROUNDING 10TH STREET, PASADENA AVENUE AND 10TH PLACE, RECORDED IN BOOK 20 OF MAPS, PAGE 2, RECORDS OF MARICOPA COUNTY, ARIZONA, LYING WITHIN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 16, 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 A 3-INCH CITY OF PHOENIX BRASS CAP IN HANDHOLE MARKING THE SOUTHWEST CORNER OF SAID SECTION 16, FROM WHICH A 3-INCH CITY OF PHOENIX BRASS CAP IN HANDHOLE MARKING THE SOUTH QUARTER CORNER OF SAID SECTION 16 BEARS SOUTH 89 DEGREES 51 MINUTES 40 SECONDS EAST 2,667.40 FEET, SAID LINE BEING THE BASIS OF BEARINGS FOR THIS DESCRIPTION;

THENCE SOUTH 89 DEGREES 51 MINUTES 40 SECONDS EAST 1,333.71 FEET ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER TO A 3-INCH CITY OF PHOENIX BRASS CAP FLUSH ON THE CENTERLINE OF SAID 10TH STREET;

THENCE NORTH 00 DEGREES 06 MINUTES 56 SECONDS EAST 236.86 FEET ALONG SAID CENTERLINE TO THE WESTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 3 AND THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID CENTERLINE NORTH 00 DEGREES 06 MINUTES 56 SECONDS EAST 93.82 FEET TO A 3-INCH CITY OF PHOENIX BRASS CAP FLUSH ON THE CENTERLINE OF SAID PASADENA AVENUE;

THENCE SOUTH 89 DEGREES 47 MINUTES 29 SECONDS EAST 333.16 FEET ALONG SAID CENTERLINE TO A 1-INCH IRON PIPE IN HANDHOLE ON THE CENTERLINE OF SAID 10TH PLACE;

THENCE SOUTH 00 DEGREES 08 MINUTES 49 SECONDS WEST 93.52 FEET ALONG SAID CENTERLINE TO THE EASTERLY EXTENSION OF THE SOUTH LINE OF SAID LOT 1;

THENCE NORTH 89 DEGREES 50 MINUTES 33 SECONDS WEST 333.25 FEET ALONG THE SOUTH LINES OF SAID LOTS 1 AND 3 TO THE POINT OF BEGINNING.

COMPROMISING 0.717 ACRES OR 31,218 SQUARE FEET MORE OR LESS, SUBJECT TO ALL EASEMENTS OF RECORD.

ORDINANCE LOCATION MAP

EXHIBIT B

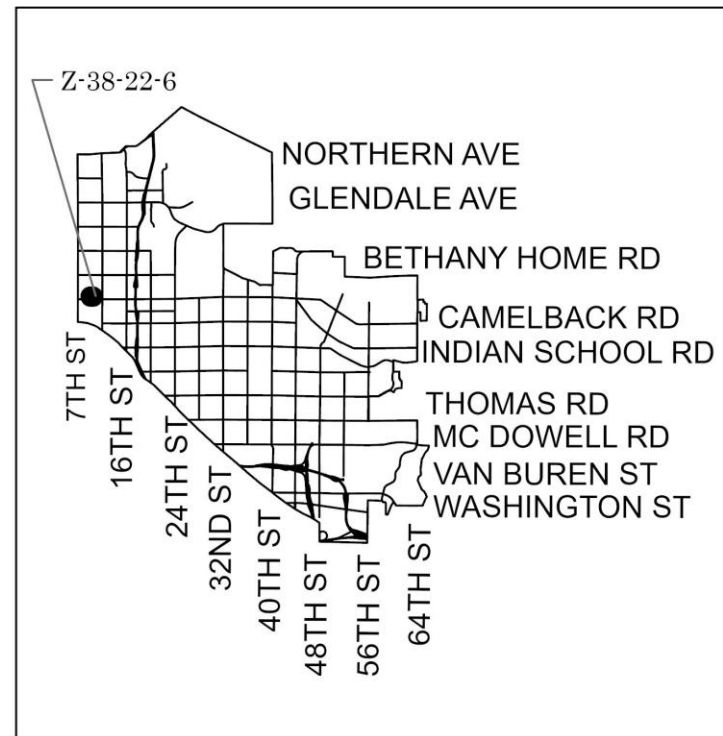
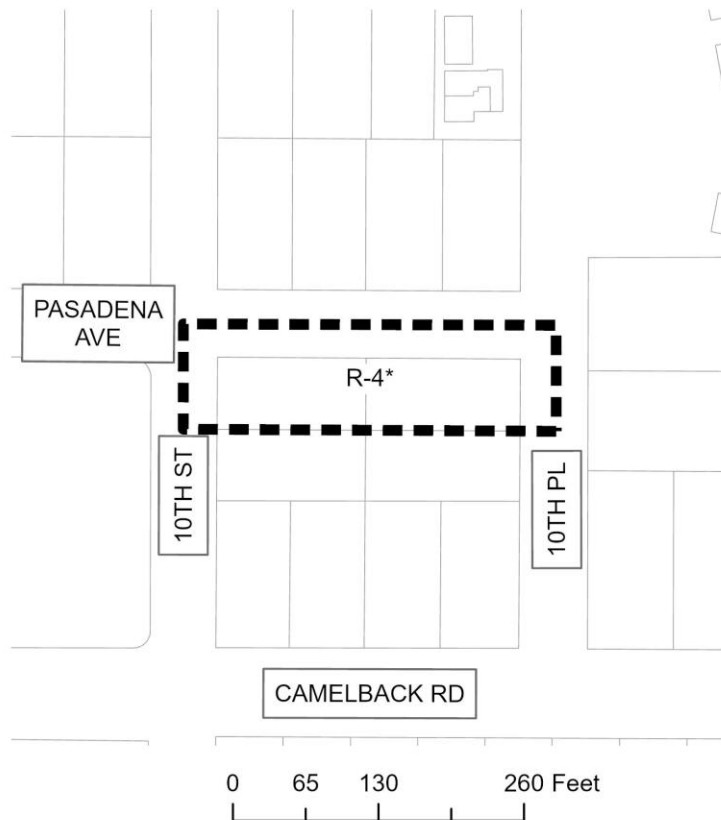
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

Zoning Case Number: Z-38-22-6

Zoning Overlay: N/A

Planning Village: Camelback East



NOT TO SCALE



Drawn Date: 9/13/2022