

## 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-18-20-8) FROM C-1 TOD-1 (NEIGHBORHOOD RETAIL, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE) AND C-3 TOD-1 (GENERAL COMMERCIAL, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE) TO WU CODE T5:6 EG (WALKABLE URBAN CODE, TRANSECT T5:6 DISTRICT, TRANSIT EASTLAKE-GARFIELD 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 3.00-acre site located at the northwest corner of 12th Street and Washington Street in a portion of Section 9, Township 1 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from 2.33 acres of "C-1 TOD-1" (Neighborhood Retail, Interim Transit-Oriented Zoning Overlay District One) and 0.67-acres of "C-3 TOD-1" (General Commercial, Interim Transit-Oriented Zoning Overlay District One) to "WU Code T5:6 EG" (Walkable Urban Code, Transect T5:6 District, Transit Eastlake-Garfield 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. All trees required per Section 1309 shall be a minimum of 3-inch caliper large canopy, single-trunk, shade trees as approved by the Planning and Development Department. When possible, the developer should use existing trees and landscaping to meet the landscaping requirements.
2. All required bicycle parking per Section 1307.H.6. of the Phoenix Zoning Ordinance shall be secured parking. In addition, a minimum of six inverted U-bicycle racks (12 spaces), artistic style racks (in adherence to the City of Phoenix Preferred Designs in Appendix K or the Comprehensive Bicycle Master Plan) or Outdoor/Covered Bicycle Facilities shall be provided for guests. These facilities shall be located near building entrances and installed per the requirements of Section 1307.H. of the Zoning Ordinance and approved by the Planning and Development Department.
3. A bicycle repair station (“fix it station”) shall be provided on the site or within the main building. The station shall include but not limited to: standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike, as approved by the Planning and Development Department. In the event the site does not develop as multifamily residences, alternate transit-oriented development amenities may be approved by the Planning and Development Department.
4. Right-of-way shall be dedicated and a transit pad shall be constructed with a minimum depth of 10 feet (Standard Detail P1260) along southbound 12th Street north of Washington Street, as approved by the Planning and Development Department. The transit pad shall be located not less than 50 feet north of the intersection of 12th Street and Washington Street. Final placement of bus stop pad shall be approved by the Public Transit Department.
5. The right-of-way and transit pad with a minimum depth of ten feet (Standard Detail P1262) shall be retained along westbound Washington Street west of 12th Street, as approved by the Planning and Development Department. The transit pad shall be

spaced from the intersection of 12th Street and Washington Street according to City of Phoenix Standard Detail P1258, as approved by the Public Transit Department.

6. The developer shall provide clearly defined, accessible pathways, constructed of decorative pavers, stamped or colored concrete, or other pavement treatment that visually contrasts with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.
7. Prior to final site plan approval, the developer shall fund and submit an approved striping plan for a high visibility pedestrian crosswalk across 12th Street and Washington Street, as approved by the Street Transportation Department.
8. The developer shall provide a minimum 10-foot-wide landscape area between the sidewalk and back of curb along 12th Street, as approved by the Planning and Development Department.
9. The developer shall improve the alley per the local street paving standards for the entire length of the site, as approved by the Planning and Development Department.
10. The developer shall provide a minimum 75 percent shaded pedestrian pathway from the main building entrance to the bus stop along Washington Street, as approved by the Planning and Development Department.
11. 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.
12. The developer shall provide a No Hazard Determination for the proposed development from the FAA pursuant to the FAA's Form-7460 obstruction analysis review process, prior to construction permit approval, as per plans approved by the Planning and Development Department.
13. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
14. The developer shall grant and record an aviation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
15. If determined necessary by the Phoenix Archaeology Office, 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.

16. If Phase I data testing is required, and 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, the applicant shall conduct Phase II archaeological data recovery excavations.
17. 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 2nd day of September, 2020.

\_\_\_\_\_  
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)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-18-20-8

LOTS 15, 16, 17, 18, 19, 20, 21 & 22 AND A PORTION OF LOT 23, BLOCK 2, PORTER & BAXTER'S SUBDIVISION OF TRACT B, MURPHY'S ADDITION, ACCORDING TO BOOK 1 OF MAPS, PAGE 28, RECORDS OF MARICOPA COUNTY, ARIZONA, LOCATED IN A PORTION OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 1 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 STONE IN HANDHOLE MARKING THE INTERSECTION OF 12TH STREET & VAN BUREN STREET, FROM WHICH A 3-INCH CITY OF PHOENIX BRASS CAP IN HANDHOLE MARKING THE NORTHWEST CORNER OF SAID SECTION 9 BEARS NORTH 89 DEGREES 55 MINUTES 33 SECONDS WEST 2683.75 FEET, SAID LINE BEING THE BASIS OF BEARINGS FOR THIS DESCRIPTION;

THENCE SOUTH 00 DEGREES 10 MINUTES 17 SECONDS WEST 836.14 FEET ALONG THE CENTERLINE OF 12TH STREET;

THENCE NORTH 89 DEGREES 56 MINUTES 01 SECONDS WEST 40.00 FEET TO THE NORTHEAST CORNER OF LOT 15 OF SAID SUBDIVISION OF "MURPHY'S ADDITION", BEING MARKED BY A TAGGED HALF-INCH REBAR STAMPED 45763;

THENCE SOUTH 00 DEGREES 10 MINUTES 17 SECONDS WEST 234.70 FEET ALONG THE EAST LINE OF SAID LOT 15 TO THE SOUTHEAST CORNER OF SAID LOT 15 TO A HALF-INCH CAPPED REBAR STAMPED 45763;

THENCE NORTH 89 DEGREES 54 MINUTES 09 SECONDS WEST 400.11 FEET ALONG THE SOUTH LINE OF SAID LOT 15 AND THE SOUTH LINES OF LOTS 16, 17, 18, 19, 20, 21, 22 & 23 TO THE WEST LINE OF THE EAST 0.25 FEET OF SAID LOT 23 TO A HALF-INCH CAPPED REBAR STAMPED 31020;

THENCE NORTH 00 DEGREES 08 MINUTES 41 SECONDS EAST 234.49 FEET ALONG THE WEST LINE OF THE EAST 0.25 FEET OF SAID LOT 23 TO A NAIL & WASHER STAMPED 31020;

THENCE SOUTH 89 DEGREES 56 MINUTES 01 SECONDS EAST 400.22 FEET ALONG THE NORTH LINES OF LOTS 23, 22, 21, 20, 19, 18, 17, 16 & 15 TO THE NORTHEAST CORNER OF SAID LOT 15 AND THE POINT OF BEGINNING:

THE ABOVE PROPOSED DESCRIPTIONS HAVE BEEN PROVIDED TO DEPICT PROPOSED FUTURE PARCEL LINES. THE PROPOSED DESCRIPTIONS ARE NOT TO BE USED IN ANY RECORDING OR CONVEYANCE UNLESS APPROVED BY THE APPROPRIATE GOVERNING MUNICIPALITY.

# ORDINANCE LOCATION MAP

EXHIBIT B

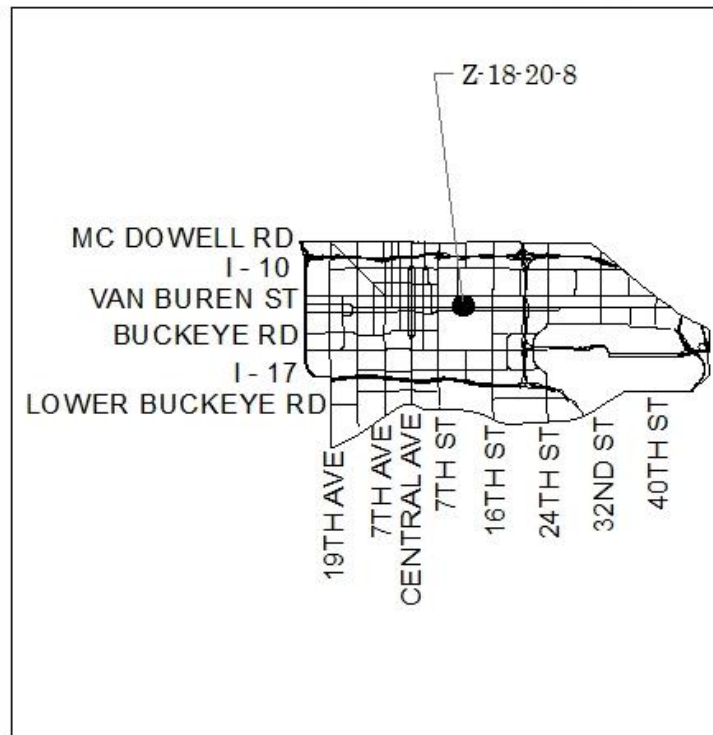
ZONING SUBJECT TO STIPULATIONS: \*

SUBJECT AREA: ■ ■ ■ ■ ■

Zoning Case Number: Z-18-20-8

Zoning Overlay: N/A

Planning Village: Central City



NOT TO SCALE



Drawn Date: 8/13/2020