

ATTACHMENT A

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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-119-24-2) FROM RE-43 (ONE-FAMILY RESIDENCE) TO C-O/G-O (RESTRICTED COMMERCIAL, GENERAL OFFICE OPTION).

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

SECTION 1. The zoning of a 2.59-acre property located at the southeast corner of 56th Street and Shea Boulevard in a portion of Section 28, Township 3 North, Range 4 East, as described more specifically in Exhibit "A," is hereby changed from "RE-43" (One-Family Residence) to "C-O/G-O" (Restricted Commercial, General Office Option).

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 elevations shall contain design elements of residential character, as approved by the Planning and Development Department.
2. A minimum 20-foot-wide landscape setback shall be provided along the north property line, adjacent to Shea Boulevard, and shall be planted with minimum 2-inch caliper, large canopy, shade trees, planted 20 feet on center or in equivalent groupings, and shrubs, accents, and vegetative groundcovers evenly distributed throughout the landscape area to achieve a minimum of 50% live coverage, as approved by the Planning and Development Department.
3. The west 25 feet of the property, measured from the west property line adjacent to 56th Street, shall be landscaped with minimum 2-inch caliper, large canopy, shade trees, planted 20 feet on center or in equivalent groupings, and shrubs, accents, and vegetative groundcovers evenly distributed throughout the landscape area to achieve a minimum of 50% live coverage, as approved by the Planning and Development Department.
4. A minimum 10-foot-wide landscape setback shall be provided along the south and east property lines and shall be planted with minimum 2-inch caliper, large canopy, shade trees, planted 20 feet on center or in equivalent groupings, and shrubs, accents, and vegetative groundcovers evenly distributed throughout the landscape area to achieve a minimum of 50% live coverage, as approved by the Planning and Development Department.
5. A minimum of 10% of surface parking areas (exclusive of required/stipulated landscape setbacks) shall be landscaped. Surface parking areas shall achieve a minimum of 25% shade with minimum 2-inch caliper, single-trunk, large canopy, shade trees, dispersed throughout the landscape areas, as approved by Planning and Development Department.
6. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
7. All bicycle parking, pedestrian pathways (including sidewalks), and transit stops shall be shaded by a structure, landscaping, or a combination of the two to provide a minimum of 75% shade, as approved by the Planning and Development Department.
8. Bicycle parking shall be provided per the requirements of Section 1307.H of the Phoenix Zoning Ordinance and shall be provided through Inverted U and/or artistic racks located near building entrances and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance. Artistic racks shall adhere

to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.

9. A minimum of 10% of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
10. A minimum of 5% of the required vehicle parking spaces shall include Electric Vehicle (EV) Installed Infrastructure and a minimum of 20% of the vehicle parking spaces within the underground parking garage shall include EV Capable spaces, as approved by the Planning and Development Department.
11. 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.
12. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized, as approved or modified by the Planning and Development Department.
13. Natural turf shall only be utilized in required retention areas (bottom of basin, and only allowed on slopes if required for slope stabilization) and functional turf areas in common areas, as approved by the Planning and Development Department.
14. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.
15. Landscaping shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (or similar smart controller) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.
16. Provide a landscape irrigation plan that includes zones to establish the amount of irrigation to apply based on maturity and type of the landscaping. Irrigation should be applied efficiently based on the maturity and need for the vegetation.
17. 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.
18. The existing bus pad on eastbound Shea Boulevard, adjacent to the development, shall be retained.

19. A minimum of 65 feet of right-of-way shall be dedicated and constructed for the south half of Shea Boulevard, as approved by the Planning and Development Department.
20. The streetscape beginning at the back of curb along the south side of Shea Boulevard on both sides of the sidewalk, adjacent to the development, shall be replenished with minimum 2-inch caliper, single-trunk, large canopy, shade trees planted 20 feet on center, or in equivalent groupings, and shrubs, accents and vegetative groundcovers with a maximum mature height of two feet evenly distributed throughout the landscape area to achieve a minimum of 75% live coverage, as approved by the Planning and Development Department.
21. A minimum 6-foot-wide detached sidewalk separated by a minimum 8-foot-wide landscape strip located between the back of curb and sidewalk shall be constructed on the east side of 56th Street, adjacent to the development, planted to the following standards and as approved by the Planning and Development Department.
 - a. Minimum 2-inch caliper, single-trunk, large canopy, shade trees, planted 20 feet on center or in equivalent groupings.
 - b. Shrubs, accents, and vegetative groundcovers with a maximum mature height of two feet evenly distributed throughout the landscape area to achieve a minimum of 75% live coverage.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

22. An enhanced pedestrian connection shall be provided on the Shea Boulevard frontage to allow for direct pedestrian access to the adjacent transit stop, as approved by the Planning and Development Department.
23. All existing overhead utilities within the public right-of-way, adjacent to the development, and on-site shall be undergrounded. The developer shall coordinate with all affected utility companies for their review and permitting.
24. Unused driveways shall be replaced with sidewalk, curb and gutter. Also, any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets shall be replaced and all off-site improvements shall be upgraded to be in compliance with current ADA guidelines.
25. 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.

26. 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.
27. 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.
28. The location(s) of any driveway accessing the property from 56th Street shall be per the accepted Traffic Impact Analysis by the Street Transportation Department.
29. A traffic control device and signage shall be provided to discourage left-out turning movements from the property on to 56th Street.

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 5th day of February, 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)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-119-24-2

A PORTION OF COUNTRY CLUB ACRES RECORDED IN BOOK 70, PAGE 21 OF THE OFFICIAL RECORDS OF MARICOPA COUNTY LOCATED IN SECTION 28, TOWNSHIP 3 NORTH AND RANGE 4 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA DESCRIBED AS FOLLOWS.

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 28;

THENCE SOUTH 87 DEGREES 47 MINUTES 00 SECONDS EAST, ALONG THE NORTH LINE OF SAID SECTION 28, A DISTANCE OF 337.59 FEET;

THENCE SOUTH 0 DEGREES 00 MINUTES 09 WEST, A DISTANCE OF 337.46' TO THE SOUTHEAST CORNER OF LOT 37 OF SAID COUNTRY CLUB ACRES;

THENCE NORTH 87 DEGREES 49 MINUTES 04 SECONDS WEST, A DISTANCE OF 337.57 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 28;

THENCE NORTH, ALONG THE WEST LINE OF SAID SECTION 28, A DISTANCE OF 337.66 FEET TO THE POINT OF BEGINNING;

DESCRIBED PARCEL CONTAINING, 2.6141 ACRES.

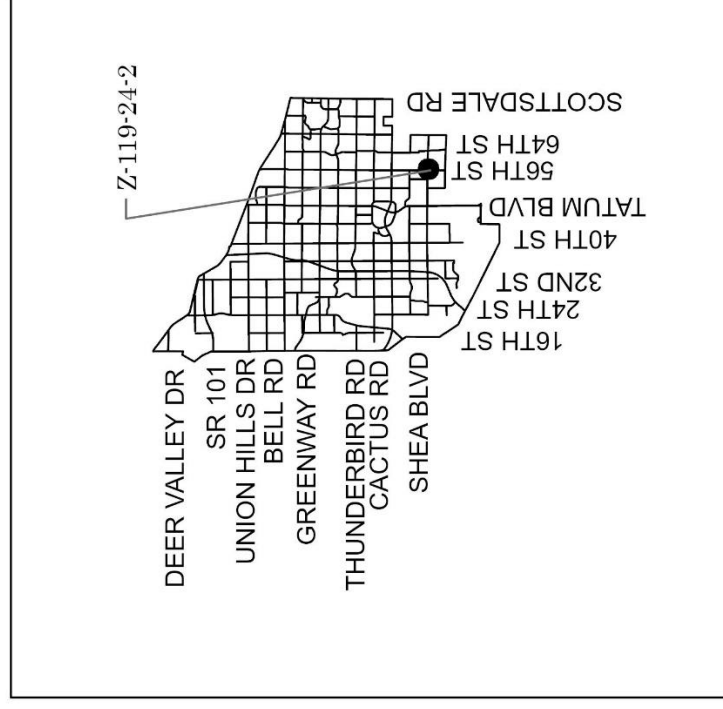
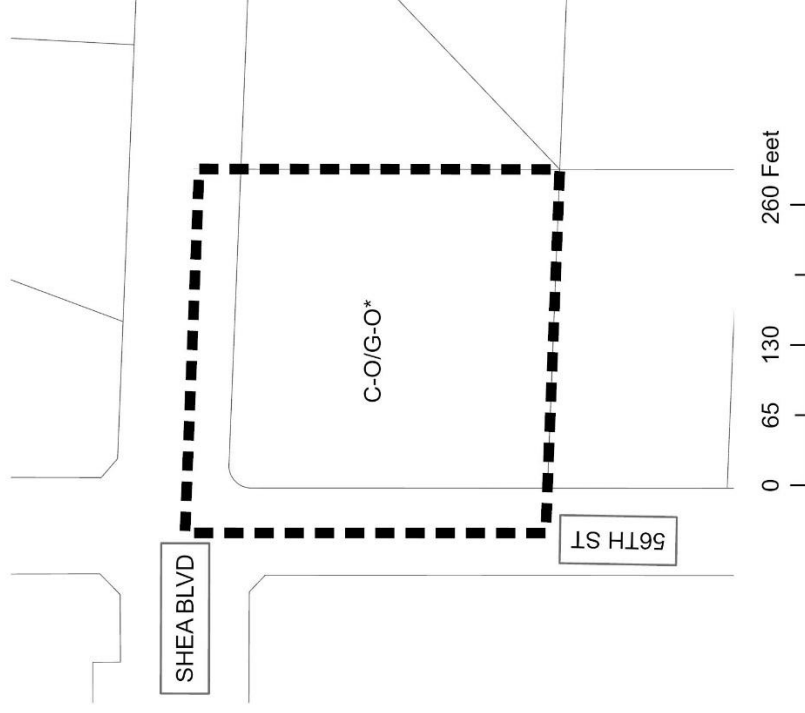
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: - - - - -

Zoning Case Number: Z-119-24-2
Zoning Overlay: N/A
Planning Village: Paradise Valley



NOT TO SCALE



Drawn Date: 1/6/2025