

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-110-23-5) FROM C-2 (INTERMEDIATE COMMERCIAL DISTRICT) TO WU CODE T5:5 (WALKABLE URBAN CODE, TRANSECT 5:5 DISTRICT).

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

SECTION 1. The zoning of a 0.82 acre site located approximately 310 feet north and 280 feet west of the northwest corner of 19th Drive and Northern Avenue in a portion of Section 36, Township 3 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from "C-2" (Intermediate Commercial District) to "WU Code T5:5" (Walkable Urban Code, Transect 5:5 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 maximum building height shall not exceed 48 feet. If the following conditions are met, the maximum height shall be 56 feet. The conditions must be met prior to or in conjunction with the Final Site Plan Review.
 - a. A minimum of 50 percent of the housing units are dedicated for long-term affordability, as approved by the Phoenix Housing Department.
 - b. The applicant shall submit a copy of the draft Declaration of Affirmative Land Use and Restrictive Covenants agreement (LURA), for review and approval by the Phoenix Housing Department.
 - c. The applicant shall submit a copy of the Proforma, for review and approval by the Phoenix Housing Department.
2. Bicycle infrastructure shall be provided, as described below and as approved by the Planning and Development Department.
 - a. A bicycle repair station ("fix-it station") shall be provided and maintained near secure bicycle parking areas and separated from vehicular maneuvering areas, where applicable.
 - b. All required bicycle parking for multifamily use, per Section 1307.H.6.d of the Phoenix Zoning Ordinance, shall be secured parking.
 - c. Guest bicycle parking shall be provided at a minimum of 0.05 spaces per unit with a maximum of 50 spaces near entrances of buildings and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance.
 - d. A minimum of 10 percent of the provided bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities.
3. A minimum of 10 percent of the required parking spaces shall include EV-Capable infrastructure.
4. A public pedestrian accessway shall be provided from the western to the eastern extent of the site and connecting to the shared circulation areas. The public pedestrian accessway shall comply with Section 1304.H of the Phoenix Zoning Ordinance.
5. 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.

6. A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.
7. Site lighting shall be provided at building entrances/exits, and in public assembly and parking areas, as approved by the Planning and Development Department.
8. 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.
9. 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.

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 March, 2024.

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)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-110-23-5

WITHIN A PORTION OF SECTION 36, TOWNSHIP 3 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
Parcel 1 Lot 5, of EL CARO 19TH & NORTHERN, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA RECORDED IN BOOK 1119 OF MAPS, PAGE 5.

ALONG THE SOUTH LINE SOUTHEAST QUARTER SECTION 36, T.3N., R.2E.
N89°57'32"W(R&M)(BASIS OF BEARINGS) 26.36.39(M), 784.08'

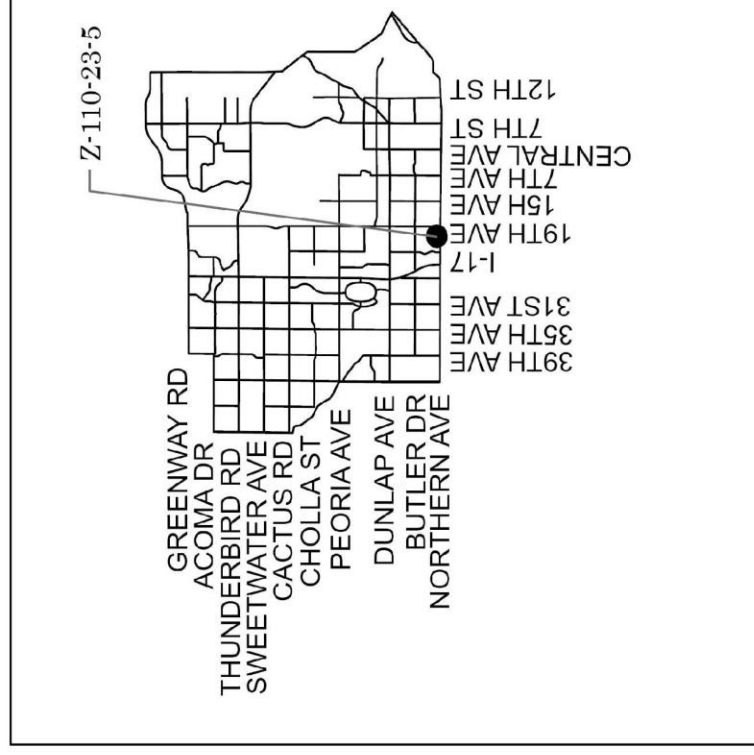
STARTING FROM SOUTHEAST CORNER SECTION 36, T.3.N., R.2E, FOUND IRON BAR IN MANHOLE, 534.78'

EXHIBIT B

Zoning Case Number: Z-110-23-5

Zoning Overlay: N/A

Planning Village: North Mountain



NOT TO SCALE



Drawn Date: 2/5/2024