

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-9-21-5) FROM PSC (PLANNED SHOPPING CENTER DISTRICT) TO C-2 (INTERMEDIATE COMMERCIAL DISTRICT) AND R-3A (MULTIFAMILY RESIDENCE DISTRICT) .

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

SECTION 1. The zoning of a 4.35-acre site located approximately 800 feet west of the southwest corner of 83rd Avenue and Indian School Road in a portion of Section 27, Township 2 North, Range 1 East, as described more specifically in Exhibit "A", is hereby changed from 4.35 acres of "PSC" (Planned Shopping Center District) to 1.15 acres of "C-2" (Intermediate Commercial District) and 3.20 acres of "R-3A" (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 residentially zoned portion of the site shall be in general conformance with the site plan and elevations date stamped February 9, 2021, as modified by the following stipulations and approved by the Planning and Development Department.
2. The conceptual site plan and elevations for the commercial portion of the site shall be administratively approved by the Planning Hearing Officer prior to preliminary site plan approval with specific regard to the inclusion of the below elements. This review is for conceptual purposes only. Specific development standards and requirements will be determined by the Planning and Development Department.
 - a. Location and orientation of driveway and trash receptacles in relation to the single-family residential neighborhood to the west.
 - b. Clearly defined accessible pedestrian pathways to connect building entrances and public sidewalks, using the most direct route for pedestrians.
 - c. Pedestrian connection between multifamily and commercial parcels.
 - d. All elevations of the building/s shall contain architectural embellishments and detailing, such as: textural changes, pilasters, offsets, recesses, variation in window size or location, overhang canopies, or similar features.
3. The commercially zoned portion of the site shall provide a minimum 20-foot-wide landscape setback adjacent to the west property line and the residentially zoned portion of the site shall provide a minimum 15-foot-wide landscape setback along the west property line. The landscape setbacks shall be planted with large evergreen trees planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department. Sixty percent of the trees shall be minimum 2-inch caliper, 40 percent of the trees shall be minimum 3-inch caliper with five 5-gallon shrubs per tree, as approved by the Planning and Development Department.

4. Resident bicycle parking shall be provided at a rate of 0.25 spaces per dwelling unit, up to a maximum of 50 spaces, as approved by the Planning and Development Department. These spaces shall be located near building entrances or common areas and may be provided through a combination of inverted U-bicycle racks, artistic style racks, "Secure/Covered Facilities" or "Outdoor/Covered Facilities" as defined in Appendix K or the Comprehensive Bicycle Master Plan.
5. The developer shall provide a minimum 5-foot wide detached sidewalk and a minimum 13-foot wide landscape strip located behind the back of curb to the back of sidewalk along Indian School Road, per Cross Section D, as identified on the Street Classification Map, as approved by the Planning and Development Department. Minimum 2-inch caliper trees shall be planted 20 feet on center or in equivalent groupings with five 5-gallon shrubs per tree, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
6. Access proposed onto Piccadilly Road shall be restricted to emergency access only, as approved by the Planning and Development Department.
7. 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.
8. Where pedestrian pathways cross drive aisles, they shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast with the adjacent parking and drive aisle surfaces, as approved by the Planning and Development Department.
9. Trees shall be placed to provide 75 percent shade coverage on all pedestrian pathways and sidewalks at full maturity. Shade structures may be used to meet the shade requirement in places where trees are unable to be located, as approved by the Planning and Development Department.
10. 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.
11. 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 2nd day of June, 2021.

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)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-9-21-5

LOT 2, FINAL PLAT "SWC 84TH AVE. & INDIAN SCHOOL ROAD." ACCORDING TO PLAT RECORDED IN BOOK 693 OF MAPS, PAGE 28, RECORDS OF MARICOPA COUNTY, ARIZONA.

A PORTION OF THE NE ¼ OF SECTION 27, T.2N., R.1E., G. & S. R. M.,
MARICOPA COUNTY, ARIZONA

PARENT PARCEL:

LOT 2, FINAL PLAT "SWC 84TH AVE. & INDIAN SCHOOL ROAD."

ACCORDING TO PLAT RECORDED IN BOOK 693 OF MAPS, PAGE 28,
RECORDS OF MARICOPA COUNTY, ARIZONA.

LOT 2A:

THE NORTH 258.00 FEET, AS MEASURED FROM THE SOUTHWEST CORNER OF LOT 1, THE SOUTHERN BOUNDARY OF WHICH, BEING THE WESTERLY ELONGATION OF THE SOUTH LINE OF LOT 1, OF THE FOLLOWING DESCRIBED PROPERTY:

LOT 2, FINAL PLAT "SWC 84TH AVE. & INDIAN SCHOOL ROAD."

ACCORDING TO PLAT RECORDED IN BOOK 693 OF MAPS, PAGE 28,
RECORDS OF MARICOPA COUNTY, ARIZONA.

LOT 2B:

LOT 2, FINAL PLAT "SWC 84TH AVE. & INDIAN SCHOOL ROAD."

ACCORDING TO PLAT RECORDED IN BOOK 693 OF MAPS, PAGE 28,
RECORDS OF MARICOPA COUNTY, ARIZONA.

EXCEPT: THE NORTH 258.00 FEET, AS MEASURED FROM THE

SOUTHWEST CORNER OF LOT 1, THE SOUTHERN BOUNDARY OF WHICH, BEING THE WESTERLY ELONGATION OF THE SOUTH LINE OF LOT 1, OF SAID FINAL PLAT.

ORDINANCE LOCATION MAP

EXHIBIT B

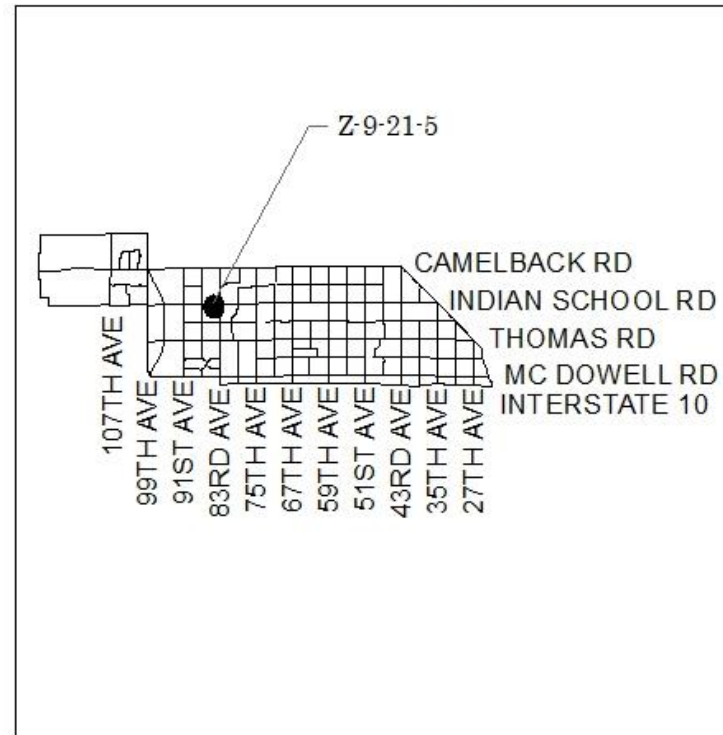
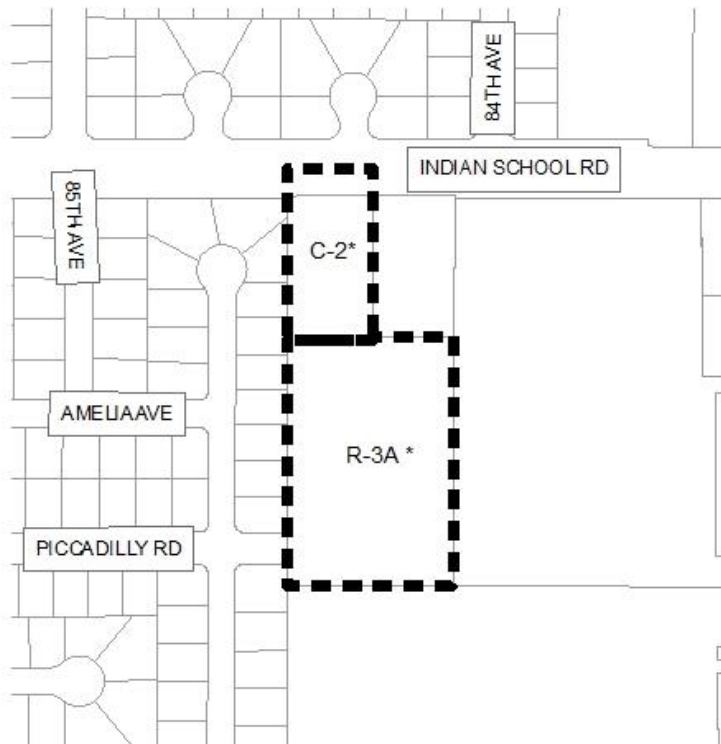
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: - - - - -

Zoning Case Number: Z-9-21-5

Zoning Overlay: N/A

Planning Village: Maryvale



NOT TO SCALE



Drawn Date: 4/30/2021