

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-73-18-4) FROM R1-6 (SINGLE-FAMILY RESIDENCE DISTRICT) TO R-3A (MULTIFAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of a 2.05-acre property located approximately 76 feet south of the southwest corner of 24th Avenue and Avalon Drive in a portion of Section 25, Township 2 North, Range 2 East, as described more specifically in Exhibit "A", is hereby changed from "R1-6" (Single-Family Residence District) to "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 development is limited to a maximum of 39 units.
2. The maximum building height shall be limited to 2 stories and 30 feet.
3. All building elevations shall contain architectural embellishments such as textural changes, pilasters, offsets, recesses, variation in window size and location, and/or other overhang canopies, as approved by the Planning and Development Department.
4. The buildings shall contain brick or block architectural embellishments and detailing, as approved by the Planning and Development Department.
5. There shall be a mixture of articulated roofline features a minimum of every 50 linear feet.
6. Units 1 through 8 located along 24th Avenue, as depicted on the site plan date stamped March 27, 2019, shall front onto 24th Avenue and incorporate an entryway that is either elevated, depressed or include a feature such as a low wall to accentuate the primary entrances to the unit, as approved by the Planning and Development Department.
7. Units 1 through 8 located along 24th Avenue, as depicted on the site plan date stamped March 27, 2019, shall contain on site pedestrian walkways connecting to the sidewalk and shall be made up of a decorative material such as colored or stamped concrete or pavers, as approved by the Planning and Development Department.
8. The sidewalk along 24th Avenue shall be detached with a minimum 5-foot wide landscape strip located between the sidewalk and back of curb and shall include a minimum 2-inch caliper shade trees planted a minimum of 20 feet on center or in equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department.
9. Trees located within the required landscape setback along 24th Avenue shall be a minimum of three inches in caliper.
10. Trees located within the required landscape setbacks along the north, south and west shall be a minimum of 50% two inches in caliper and 50% three inches in caliper.
11. All surface parking must be setback a minimum of 23 feet along 24th Avenue, measured from the property line, or be located behind a building, as approved by

the Planning and Development Department.

12. The developer shall install secured bicycle parking at 0.25 spaces for each residential unit and a minimum of four inverted U-bicycle racks for guests located near entrances to the building, installed per the requirements of Section 1307.H. of the Zoning Ordinance, as approved by the Planning and Development Department.
13. Right-of-way totaling 20 feet shall be dedicated for the west half of 24th Avenue, as approved by the Planning and Development Department.
14. The developer shall construct a 4-foot wide sidewalk and curb ramps on 24th Avenue, as approved by Planning and Development Department.
15. 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.
16. 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.
17. 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.
18. 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.
19. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 Waiver of Claims in a form approved by the City Attorney's Office. 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 5th day of June, 2019.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

- Exhibits:
- A – Legal Description (2 Pages)
 - B – Ordinance Location Map (1 Page)

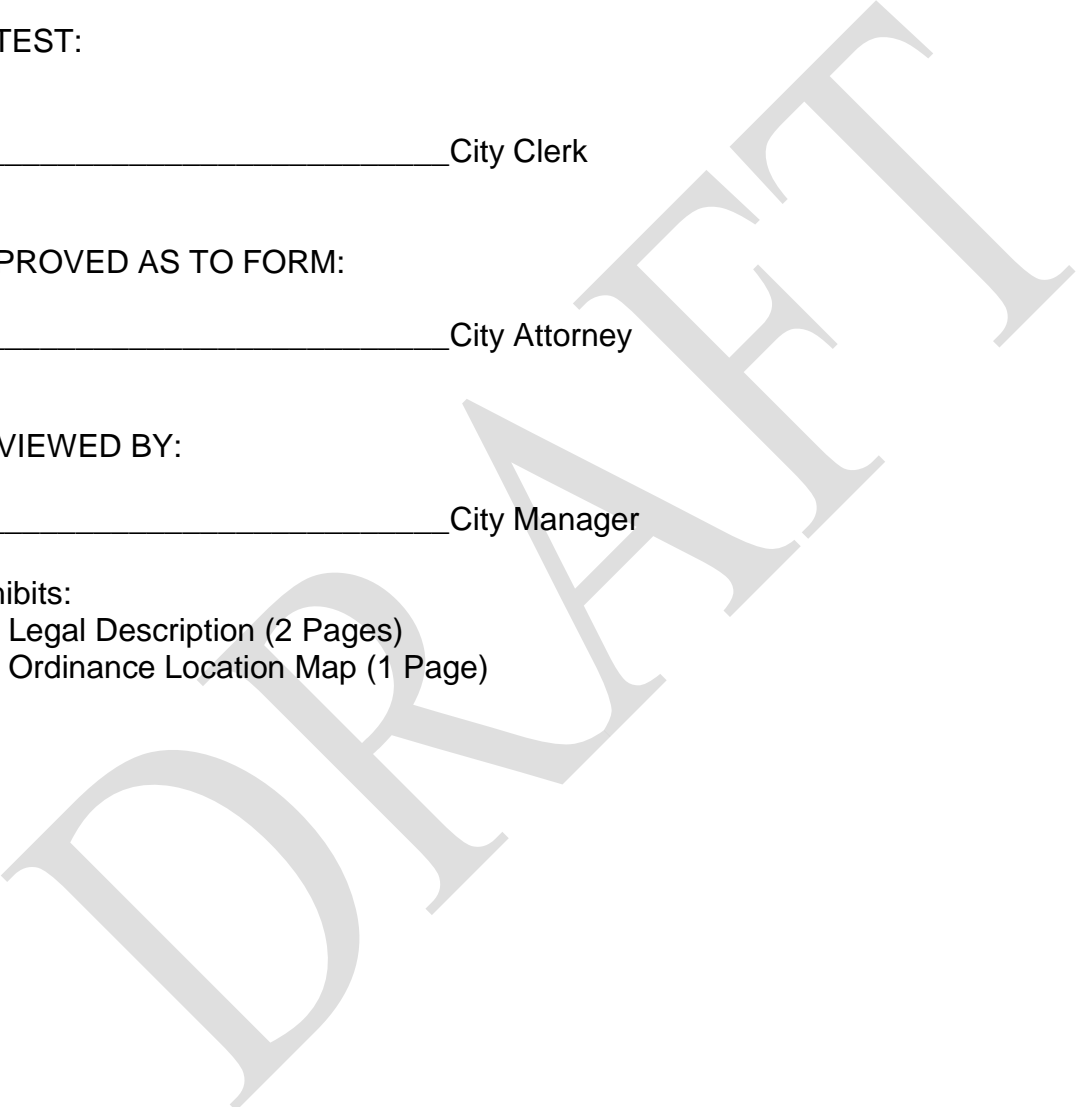


EXHIBIT A

LEGAL DESCRIPTION FOR Z-73-18-4

PARCEL NO. 1:

A tract of land situated in the Northwest quarter of the Southeast quarter of the Southwest quarter of Section 25, Township 2 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, said tract being described as follows:

Beginning at the Southeast corner of the Northwest quarter of the Southeast quarter of the Southwest quarter of said Section 25;

Thence North 89 degrees 35 minutes West, 246 feet along the South line of the Northwest quarter of the Southeast quarter of the Southwest quarter of said Section 25, to the center of the Maricopa Canal;

Thence North 15 degrees 16 minutes East 237 feet along the center line of the Maricopa Canal to a point;

Thence North 71 degrees 16 minutes East 111 feet along the center line of the Maricopa Canal to a point;

Thence North 80 degrees 23 minutes East, 93.8 feet to the intersection of the center line of the Maricopa Canal and the East line of the Northwest quarter of the Southeast quarter of the Southwest quarter of said Section 25;

Thence South 02 degrees 40 minutes West, 281 feet along the East line of the Northwest quarter of the Southeast quarter of the Southwest quarter of said Section 25, to the POINT OF BEGINNING.

PARCEL NO. 2:

The North 60 feet, as measured along the East line, of that portion of the West half of the East half of the Southwest quarter of Section 25, Township 2 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

COMMENCING at the Southeast corner of the Northwest quarter of the Southeast quarter of Southwest quarter of said Section;

THENCE North (assumed bearing) along the East line of said West half of the East half of the Southwest quarter, a distance of 281.00 feet to the POINT OF BEGINNING, said point being the Northeast corner of parcel described in Book 301 of Deeds, page 359;

THENCE South 80 degrees 23 minutes West along the North line of said parcel, a distance of 93.80 feet to a point;

THENCE South 71 degrees 16 minutes West along the North line of said parcel, a distance of 111.00 feet to the most Northwesterly corner of said parcel;

THENCE North, a distance of 196 .93 feet to a point on the South line of that parcel described in instrument recorded in Docket 2254, page 15, Maricopa County Records, said point being 194.19 feet to the East line of the West half of the East half of the Southwest quarter of said Section 25;

THENCE East along the South line of said parcel a distance of 194.19 feet to the East line of the West half of the East half of the Southwest quarter of said Section 25;

THENCE South along the East line of said West half of the East half of the Southwest quarter a distance of 143.20 feet to THE POINT OF BEGINNING;
EXCEPT the East 25.00 feet thereof, as measured along the North line of the above described parcel; and

PARCEL NO. 3:

That portion of the West half of the East half of the Southwest quarter of Section 25, Township 2 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

COMMENCING at the Southeast corner of the Northwest quarter of the Southeast quarter of Southwest quarter of said Section;

THENCE North (assumed bearing) along the East line of said West half of the East half of the Southwest quarter, a distance of 281.00 feet to the POINT OF BEGINNING, said point being the Northeast corner of parcel described in Book 301 of Deeds, page 359;

THENCE South 80 degrees 23 minutes West along the North line of said parcel, a distance of 93.80 feet to a point;

THENCE South 71 degrees 16 minutes West along the North line of said parcel, a distance of 111.00 feet to the most Northwesterly corner of said parcel;

THENCE North, a distance of 196.93 feet to a point on the South line of that parcel described in instrument recorded in Docket 2254, page 15, Maricopa County Records, said point being 194.19 feet to the East line of the West half of the East half of the Southwest quarter of said Section 25;

THENCE East along the South line of said parcel a distance of 194.19 feet to the East line of the West half of the East half of the Southwest quarter of said Section 25;

THENCE South along the East line of said West half of the East half of the Southwest quarter a distance of 143.20 feet to THE POINT OF BEGINNING;

EXCEPT the East 25.00 feet thereof, as measured along the North line of the above described parcel;

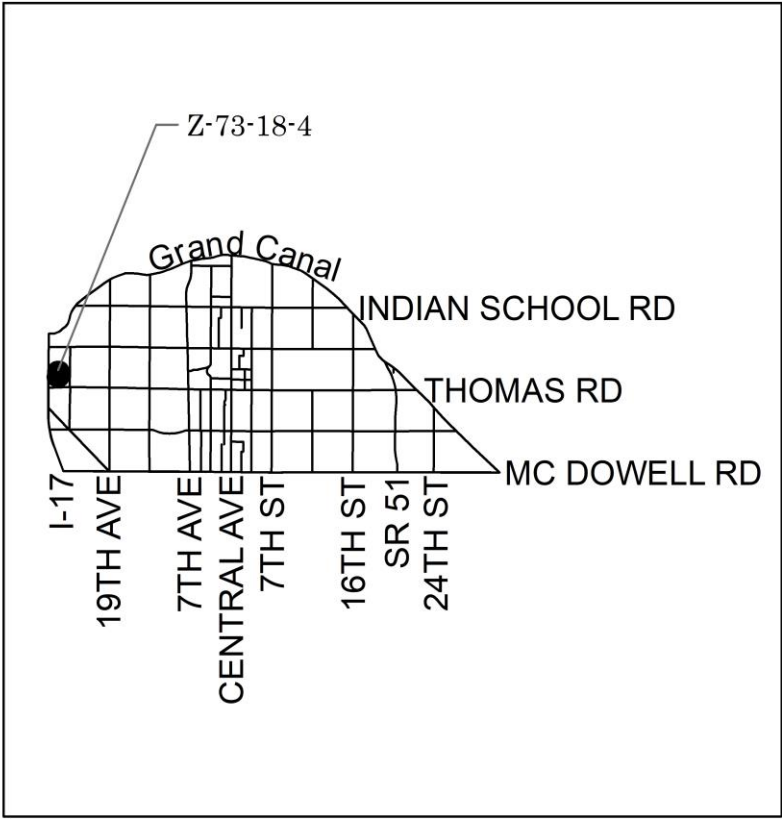
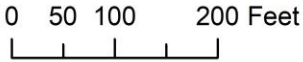
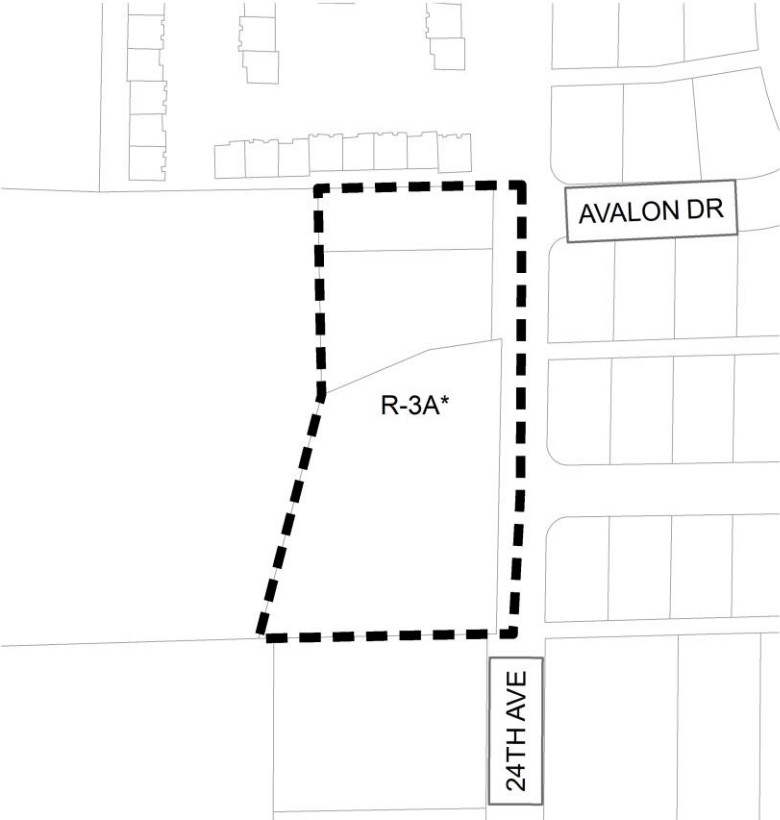
And EXCEPT the North 60.00 feet thereof, as measured along the East line of the above described parcel.

ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - - -

Zoning Case Number: Z-73-18-4
Zoning Overlay: N/A
Planning Village: Encanto



NOT TO SCALE



Drawn Date: 5/9/2019