

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-38-19-4) FROM R-4 TOD-1 (MULTIFAMILY RESIDENCE DISTRICT, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE) AND R-5 TOD-1 (MULTIFAMILY RESIDENCE DISTRICT, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE) TO WU Code T5:7 MT (WALKABLE URBAN CODE, TRANSECT 5:7 DISTRICT, TRANSIT MIDTOWN CHARACTER AREA).

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

SECTION 1. The zoning of a 3.93-acre site located approximately 280 feet east of the northeast corner of Central Avenue and Columbus Avenue in a portion of Section 29, Township 2 North, Range 3 East, as described more specifically in Exhibit “A”, is hereby changed from 2.10 acres of “R-4 TOD-1” (Multifamily Residence District, Interim Transit-Oriented Zoning Overlay District One) and 1.83 acres of “R-5 RI” (Multifamily Residence District, Interim Transit-Oriented Zoning Overlay District One) to 3.93 acres of “WU Code T5:7 MT” (Walkable Urban Code, Transect 5:7 District, Transit Midtown 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. A minimum 10-foot wide open space area shall be provided along the western property line, as approved by the Planning and Development Department.
2. The development shall provide a shaded pedestrian accessway through the center of the site from east to west connecting to the open space area along the western property line, as approved by Planning and Development Department.
3. The development shall provide a minimum of one shaded pedestrian accessway across the site from north to south, as approved by the Planning and Development Department. This shall be separate and distinct from any pedestrian accessway located in the open space area in Stipulation No. 1.
4. Bicycle parking shall be provided as follows:
 - a. All required bicycle parking for multifamily use, per Section 1307.H.6.d. of the Phoenix Zoning Ordinance, shall be secured parking.
 - b. Guest bicycle parking for multifamily residential use 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.
5. The developer shall record a Notice to Prospective Purchasers of proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Sky Harbor International Airport (PHX) to future owners or tenants of the property.
6. 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.

7. The site plan and elevations shall be reviewed by the Encanto Village Planning Committee for review and comment prior to preliminary site plan approval once a successful proposer is selected as part of the Request for Proposals.

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 October 2019.

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-38-19-4

Within a portion of Section 29, Township 2 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

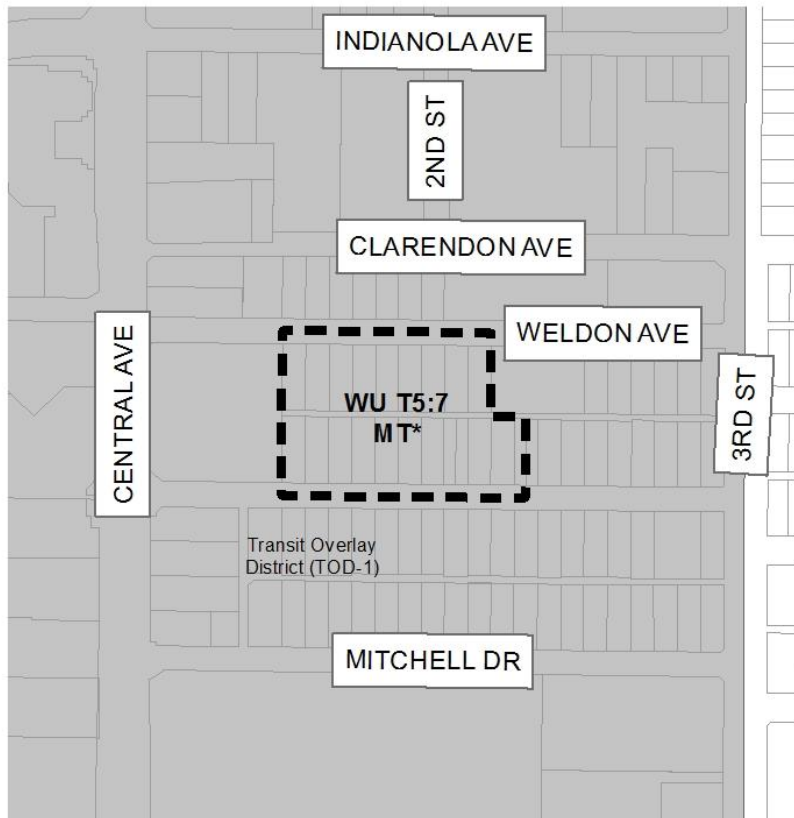
Lots 6 through 14, 34 through 34, and the West half of Lot 33, Bella Vista Place, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 6, page 38.

Composed of the following APNs: 118-33-029, -030, -031, -032, -033, -034, -035, -036, -037, -057, -058, -059, -060, -061, -062, -063, -064, -065, -066, -067, -068

ORDINANCE LOCATION MAP

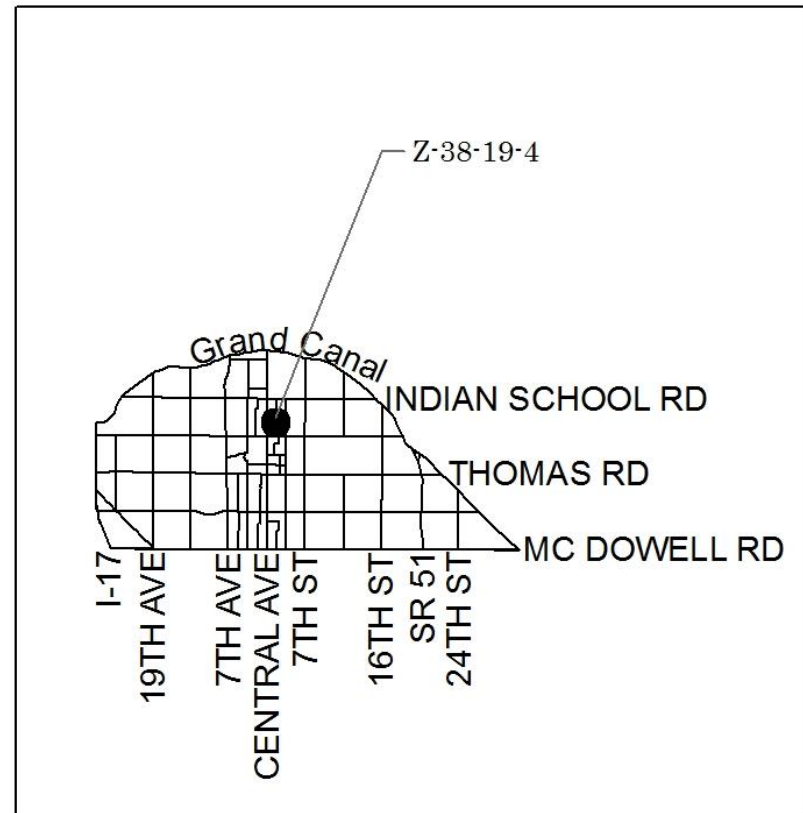
EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: ■ ■ ■ ■ ■



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Zoning Case Number: Z-38-19-4
Zoning Overlay: Transit Overlay District (TOD-1)
Planning Village: Encanto



NOT TO SCALE



Drawn Date: 8/30/2019