

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 (Z-64-20-4) FROM R-5 (MULTIFAMILY RESIDENCE DISTRICT) TO C-2 (INTERMEDIATE COMMERCIAL DISTRICT).

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

SECTION 1. The zoning of a 0.64 acre site located approximately 490 feet west of the northwest corner of 11th Avenue and Indian School Road, in a portion of Section 19 Township 2 North and Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "R-5" (Multifamily Residence District) to "C-2" (Intermediate Commercial 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. Upon any subsequent phase or phases of development that modify the cumulative floor area by more than 15 percent from that depicted on the site plan date stamped November 24, 2020, the sidewalk shall be detached from the back of curb by a landscape area of at least 5-feet in width which shall be improved to the below standards, 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.
 - a. Large canopy, single-trunk shade trees shall be placed 25 feet on center or in equivalent groupings. All required trees shall be a minimum 3-inch caliper.
 - b. At tree maturity, the trees shall shade the sidewalk to a minimum 75 percent
 - c. Drought tolerant shrubs and vegetative groundcovers with a maximum mature height of 24 inches to provide a minimum of 75 percent live coverage at maturity.
2. The developer shall dedicate a 10-foot sidewalk easement along the north side of Indian School Road, as approved by Planning and Development.
3. The south building setback along Indian School Road shall be planted with drought tolerant, minimum 3-inch caliper shade trees, placed 20 feet on center or in equivalent groupings and located to shade the public sidewalk, as approved by the Planning and Development Department.
4. A minimum landscape setback of 10 feet shall be required along the north property line and shall be planted with drought tolerant, minimum 2-inch caliper shade trees, placed 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
5. All rooftop equipment, including existing equipment, shall be screened in accordance with the provisions of Section 507 Tab A of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
6. The developer shall provide a minimum of two Inverted-U bicycle racks located in close proximity to the primary building entrances and installed per the requirements of Section 1306.H. of the Phoenix Zoning Ordinance, 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. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
9. 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.
10. 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 7th day of April 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)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-64-20-4

A portion of Section 19 Township 2 North and Range 3 East; more specifically,

Lot 13, Del Monte North Plat 2, a subdivision recorded in Book 78 of Maps, page

2, records of Maricopa County, Arizona; EXCEPT that portion of said Lot 13 lying

North of the following described line:

Beginning at a point on the East line of said Lot 13 which is South 00 degrees 23 minutes 43 seconds West 124 feet from the Northeast corner of said Lot 13;

Thence North 89 degrees 18 minutes 07 seconds West to the point on the intersection with the West line of said Lot 13 and the terminus of this line; and

EXCEPT the South 10 feet thereof.

ORDINANCE LOCATION MAP

EXHIBIT B

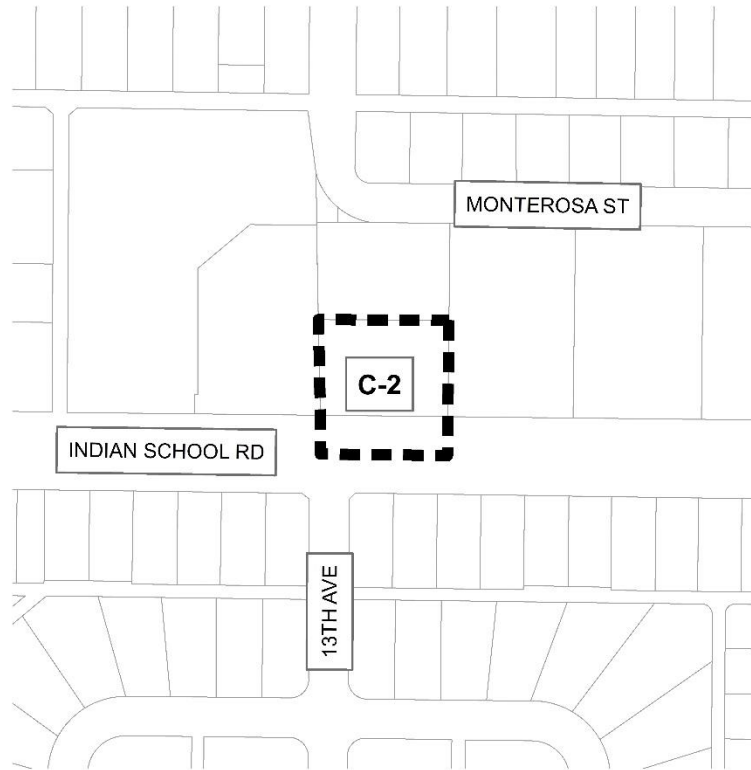
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

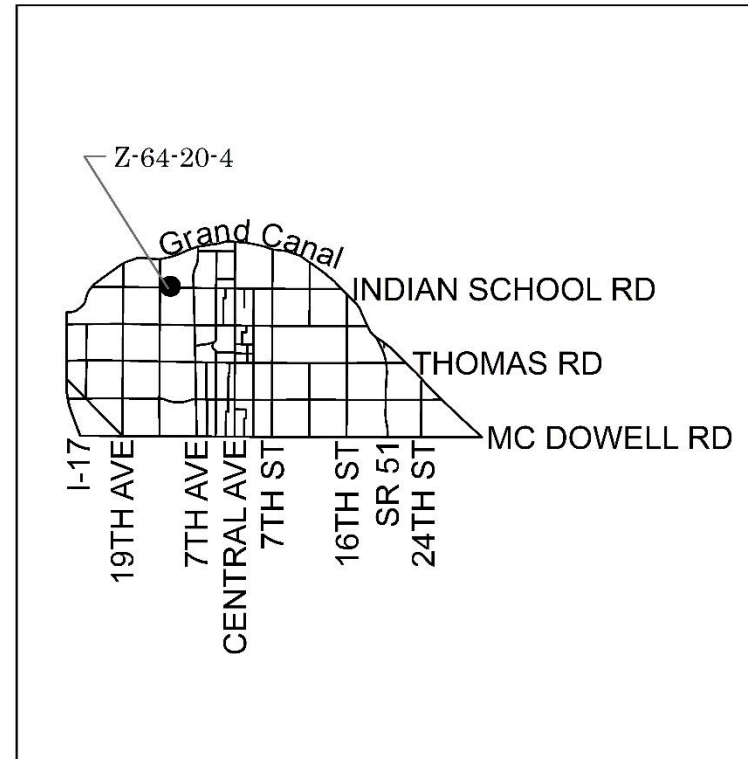
Zoning Case Number: Z-64-20-4

Zoning Overlay: N/A

Planning Village: Encanto



0 95 190 380 Feet



NOT TO SCALE



Drawn Date: 3/11/2021