

## 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-44-17-8) FROM R1-6 (SINGLE-FAMILY RESIDENCE DISTRICT) TO R-2 (MULTIFAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of an approximately 3.42-acre site located at the northeast and northwest corners of 27th Street and Virginia Avenue in a portion of Section 35, Township 2 North, Range 3 East as described more specifically in Exhibit "A", is hereby changed from "R1-6" (Single-Family Residence District) to "R-2" (Multifamily Residence District) to allow single-family attached residential.

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. Conceptual elevations shall be administratively approved by the Planning Hearing Officer prior to Planning and Development Department preliminary site plan approval for rear elevations, elevations fronting onto Virginia Avenue and elevations that side onto 26th Street and 27th Street with specific regard to:
  - a. Provide at least three standard plans, each with distinctive elevations for each standard plan within the subdivision.
  - b. Covered porches a minimum of 60 square feet in area at a depth of at least six feet shall be provided in the front façades of the homes in the subdivision.
  - c. Provide exterior detailing on all elevations visible from public streets and rear elevations, such as recesses, pop-outs, accent materials or corbels.
  - d. All architectural pop-outs shall be a minimum depth of two inches.
  - e. All window pop-outs and window enhanced detailing (shutters, brick, concrete, etc.) shall be placed on all four sides of the building.
  - f. For every 20 linear feet along the rear elevation there shall be a relief in massing of a minimum of 2 feet.
  - g. A trellis feature shall be provided along the sides of the garage doors with climbing vegetation. Such plant material shall be a minimum of 5-gallon in size.
  - h. Coach lighting shall be provided on both sides of the garage doors.
  - i. Decorative garage doors shall be standard and be compatible with the architectural styling.
  - j. Provide garage doors with windows, raised or recessed panels, architectural trim, and/or single garage doors.
2. The unit count shall not exceed 24 units on the western portion (west of 27th Street) and 9 units on the eastern portion (east of 27th Street).
3. The maximum building height shall be two stories and 27 feet.
4. The western side of 27th Street shall provide a minimum of two open space areas that total a minimum of 10,000 square feet. Within the open space on the western side of 27th Street, a pool shall be provided as an amenity. The

eastern side of 27th Street shall provide a minimum of open space area of 1,000 square feet in size. All common open space areas shall provide active recreational elements, as approved by the Planning and Development Department.

5. Virginia Avenue and 26th Street sidewalks shall be detached with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb, and shall include minimum two-inch caliper shade trees planted a minimum of 20 feet on center or equivalent groupings along both sides of the sidewalk, as approved by the Planning and Development Department. The landscape strip shall be installed by the developer and maintained by property owner.
6. The developer shall dedicate 25 feet of right-of-way for the east half of 26th Street, as approved by Planning and Development Department.
7. The developer shall dedicate 25 feet of right-of-way for the north half of Virginia Avenue east of 27th Street, as approved by Planning and Development Department.
8. 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.
9. 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.
10. If no previous archaeological projects have been conducted within this project area, 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.
11. The applicant shall conduct Phase II archaeological data recovery excavations 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.
12. 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.

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 February, 2018.

\_\_\_\_\_  
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-44-17-8

A portion of the Northwest Quarter of Section 35, Township 2 North, Range 3 East of the Gila & Salt River Base & Meridian, Maricopa County, Arizona, being more particularly described as follows;

The South half of the South half of the Southeast Quarter of the Northeast Quarter of the Northwest Quarter of Section 35, Township 2 North, Range 3 East, of the Gila Salt River Base and Meridian, Maricopa County, Arizona.

EXCEPT The East 39 feet. TOGETHER WITH;

A portion of the Northwest Quarter of the Southeast Quarter of the Northwest Quarter of Section 35, Township 2 North, Range 3 East of the Gila & Salt River Base & Meridian, Maricopa County, Arizona, being more particularly described as follows;

Beginning at the Northwest Corner of the Northwest Quarter of the Southeast Quarter of the Northwest Quarter of said Section 35, said point also being the Northwest Corner of "Eastwood Heights" per Book 108 of Maps, Page 48, Maricopa County Records;

Thence North  $89^{\circ}32'50''$  East and along the North Line of said "Eastwood Heights", a distance of 25.00 feet to a point on the East Right of Way Line of 26th Street, said point also being the northwest corner of Lot 1 of said "Eastwood Heights";

Thence North  $89^{\circ}32'50''$  East and continuing along the North Line of said "Eastwood Heights", a distance of 140.85 feet to the Northeast Corner of said Lot 1 of "Eastwood Heights" and the TRUE POINT OF BEGINNING;

Thence North  $89^{\circ}32'50''$  East and continuing along the North Line of said "Eastwood Heights", a distance of 463.50 feet to a point on the West Right of Way Line of 27th Street;

Thence South  $00^{\circ}12'50''$  West and along said West Right of Way Line of 27th Street, a distance of 12.00 feet to the Northeast Corner of Lot 9 of said "Eastwood Heights";

Thence South 89°32'50" West and along the North Line of said Lot 9, a distance of 80.00 feet to the Northeast corner of Lot 8 of said "Eastwood Heights";

Thence North 00°12'50" East along the northerly prolongation of the East line of said Lot 8, a distance of 12.00 feet to the North Line of said "Eastwood Heights";

Thence South 89°32'50" West and continuing along the North Line of said "Eastwood Heights", a distance of 75.00 feet to northerly prolongation of the west line of said Lot 8;

Thence South 00°12'50" West and along the said prolongation of said West Line of Said Lot 8, a distance of 12.00 feet to the northeast corner of Lot 7 of said "Eastwood Heights";

Thence South 89°32'50" West and along the North Line of Lots 7, 6, 5, and 4, of said "Eastwood Heights" a distance of 287.36 feet to a north property corner of said Lot 4;

Thence South 89°32'50" West and along the West Prolongation of the North line of said Lot 4, a distance of 10.00 feet

Thence North 41°52'02" West a distance of 16.00 feet to the Northeast Corner of Lot 1, and TRUE POINT OF BEGINNING.

TOGETHER WITH;

The South 148.5 feet of the South Half of the Southwest Quarter of the Northeast Quarter of the Northwest Quarter of Section 35, Township 2 North, Range 3 East of the Gila and Salt River Base and Meridian.

# ORDINANCE LOCATION MAP

EXHIBIT B

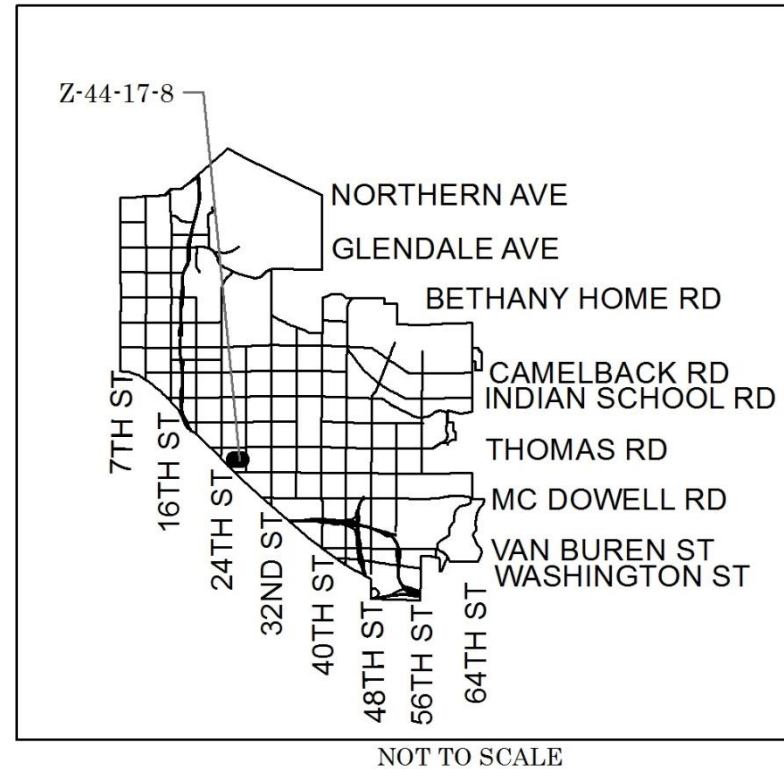
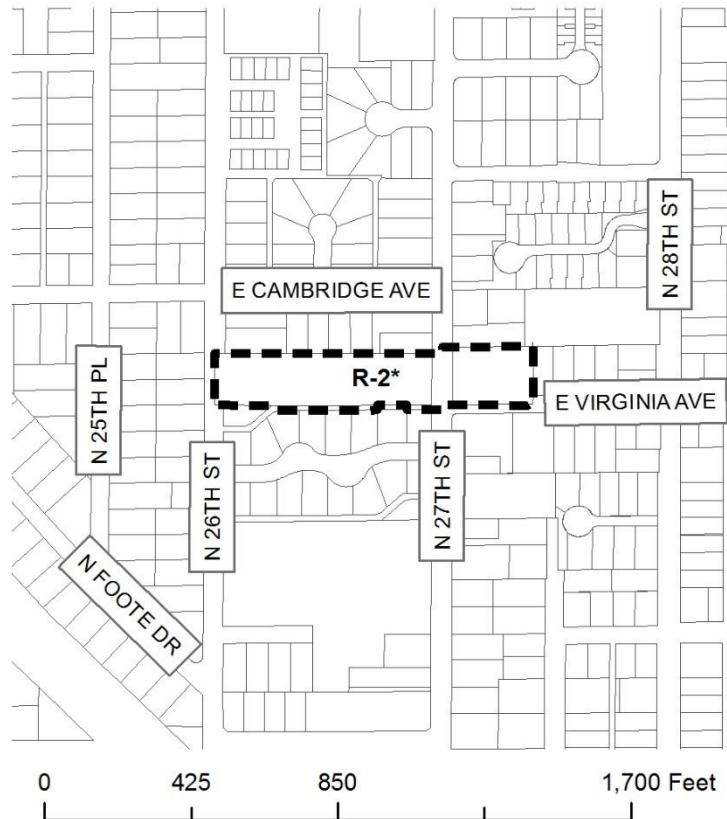
ZONING SUBJECT TO STIPULATIONS: \*

SUBJECT AREA: ■ ■ ■ ■ ■

Zoning Case Number: Z-44-17-8

Zoning Overlay: N/A

Planning Village: Camelback East



Drawn Date: 1/5/2018