

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 ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (Z-9-23-5) FROM R-3 (MULTIFAMILY RESIDENCE DISTRICT) TO R-4 (MULTIFAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of a 0.80 acre site located approximately 400 feet east of the southeast corner of 27th Avenue and McLellan Boulevard in a portion of Section 12, Township 2 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from "R-3" (Multifamily Residence District) to "R-4" (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. A minimum 5-foot-wide detached sidewalk separated by a minimum 5-foot-wide landscape strip located between the back of curb and sidewalk shall be provided for the south side of McLellan Boulevard, planted to the following standards, as approved by the Planning and Development Department.
 - a. Minimum 2-inch caliper single-trunk, large canopy, drought-tolerant shade trees planted 20 feet on center or in equivalent groupings.
 - b. Shrubs, accents and vegetative groundcovers to achieve a minimum of 75% live coverage at maturity.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.

2. The required landscape setback along the north portion of the site shall be planted with native cacti or similar plants, as approved by the Planning and Development Department.
3. All public and private pedestrian pathways including sidewalks shall be shaded to a minimum 75%, as approved by the Planning and Development Department.
4. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper drought-tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade at maturity, as approved by Planning and Development Department.
5. A minimum of 10% of the required parking spaces shall be EV capable.
6. Bicycle infrastructure shall be provided as described below, located near entrances of buildings and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance. Bicycle parking spaces shall be provided through inverted U and/or artistic racks. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan, as approved by the Planning and Development Department.
 - a. Secured bicycle parking shall be provided at a rate of 0.25 spaces per dwelling unit, up to a maximum of 50 spaces.
 - b. Guest bicycle parking shall be provided at a minimum of 0.05 spaces per dwelling unit, up to a maximum of 50 required spaces.

- c. 120-volt receptacle shall be installed for a minimum of 10% of the required secured bicycle parking spaces for electric bicycle charging capabilities.
 - d. A bicycle repair station ("fix it station") shall be provided and maintained on site within an amenity area or near a primary site entrance. The bicycle repair station ("fix it station") shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include, but not be limited to:
 - i. Standard repair tools affixed to the station;
 - ii. A tire gauge and pump affixed to the base of the station or the ground;
 - iii. A bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
7. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces, as approved by the Planning and Development Department.
 8. Site lighting shall be provided at building entrances/exits, and in public assembly and parking areas, as approved by the Planning and Development Department.
 9. Prior to preliminary site plan approval, the developer shall complete Phase One of the Crime Free Multi-Housing Program, as approved by the Planning and Development Department.
 10. 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.
 11. 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.
 12. 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 14th day of June, 2023.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

Exhibit A

The West 100 feet of the East 238.02 feet of Lot 9, WASHINGTON HOMESITES, a Subdivision recorded in Book 14 of Maps, Page 36, Records of Maricopa County, Arizona.

Section: 12
Township: 2N
Range: 2E

APN: 156-02-012

Gross Acreage: 31,566.67 sq ft (0.72 acres)

ORDINANCE LOCATION MAP

EXHIBIT B

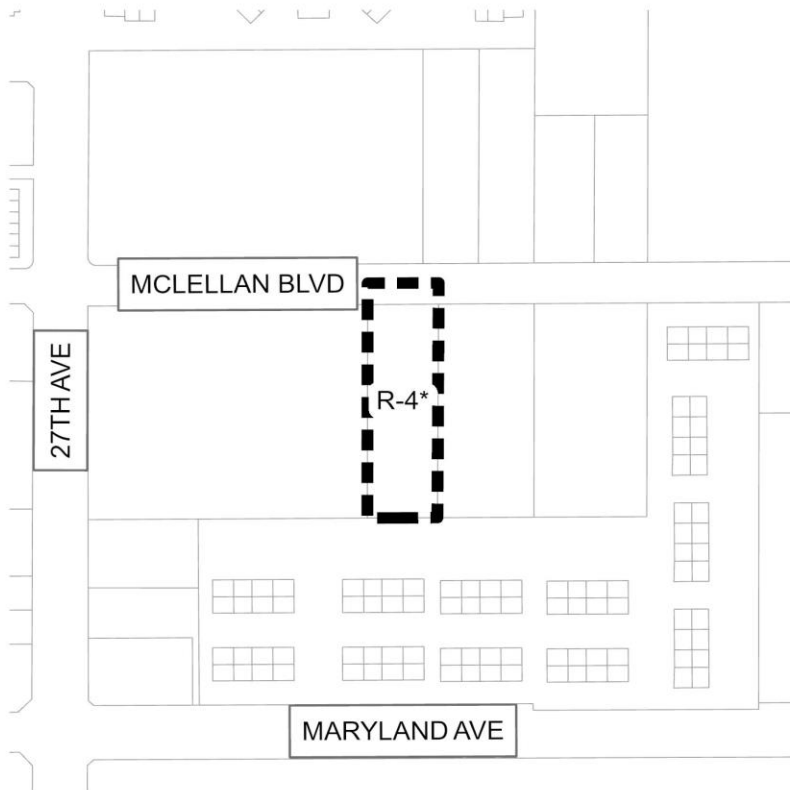
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

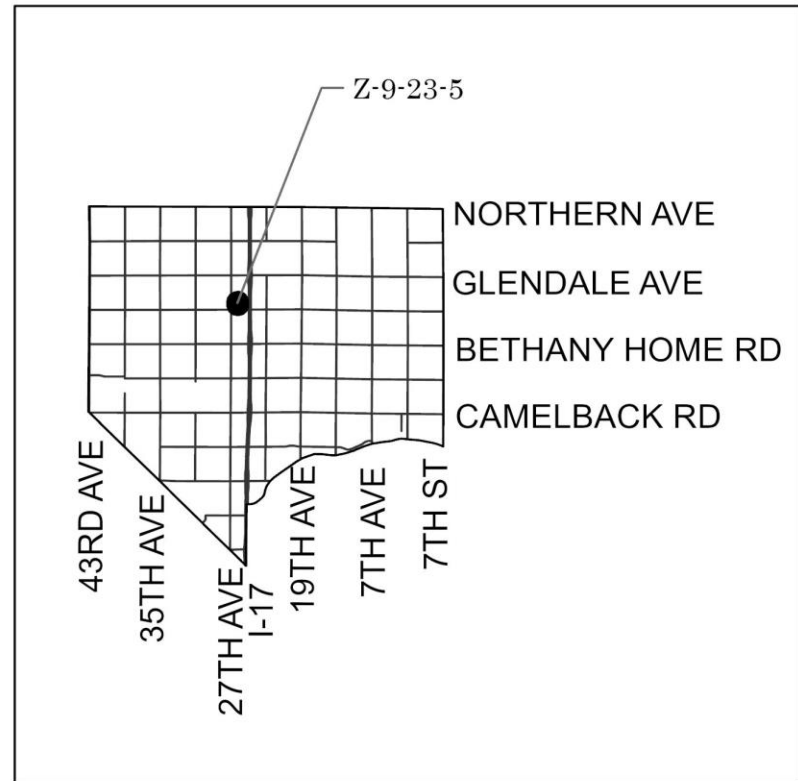
Zoning Case Number: Z-9-23-5

Zoning Overlay: N/A

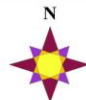
Planning Village: Alhambra



0 115 230 460 Feet



NOT TO SCALE



Drawn Date: 5/8/2023