

ATTACHMENT A

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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 (CASE Z-183-25-8) FROM R-5 RSIOD (MULTI-FAMILY RESIDENCE DISTRICT – RESTRICTED COMMERCIAL, RIO SALADO INTERIM OVERLAY DISTRICT), C-2 RSIOD (INTERMEDIATE COMMERCIAL, RIO SALADO INTERIM OVERLAY DISTRICT), AND C-3 RSIOD (GENERAL COMMERCIAL, RIO SALADO INTERIM OVERLY DISTRICT) TO C-1 HGT/WVR DNS/WVR RSIOD (NEIGHBORHOOD RETAIL, HEIGHT WAIVER, DENSITY WAIVER, RIO SALADO INTERIM OVERLAY DISTRICT).

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

SECTION 1. The zoning of an 5.79-acre site located at the northeast corner of 16th Street and Broadway Road in a portion of Section 22, Township 1 North, Range 3 East, as described more specifically in Exhibit “A,” is hereby changed from 2.08 acres of “R-5 RSIOD” (Multi-Family Residence District – Restricted Commercial, Rio Salado Interim Overlay District), 1.45 acres of “C-2 RSIOD” (Intermediate Commercial, Rio Salado Interim Overlay District), and 2.26 acres of “C-3 RSIOD” (General Commercial, Rio Salado Interim Overly District) to “C-1 HGT/WVR DNS/WVR RSIOD” (Neighborhood Retail, Height Waiver, Density Waiver, Rio Salado Interim Overlay 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. Any multi-family residential development shall utilize the standards of the R-5 Planned Residential Development option.
2. Any mixed-use buildings shall have a maximum height of 48 feet.
3. Any non-residential buildings shall have a maximum height of 30 feet.
4. The site plan, landscape plan, and building elevations shall be presented for review and comment to the South Mountain Village Planning Committee prior to preliminary site plan approval.
5. Where pedestrian pathways 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.
6. A minimum of 3% of the required vehicle parking spaces shall include EV Capable infrastructure.
7. The development shall incorporate bicycle infrastructure as described below and as approved by the Planning and Development Department.
 - a. Secure bicycle parking for multi-family residential and commercial shall be provided per Section 1307 of the Zoning Ordinance.
 - b. Guest bicycle parking for multi-family residential shall be provided at a minimum rate of 0.05 spaces per dwelling unit, up to a maximum of 50 spaces required.
 - c. A minimum of 10 percent of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities.
 - d. A bicycle repair station ("fix it station") shall be provided 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.
8. All internal pedestrian pathways shall be shaded by a structure, landscaping, or a combination of the two to provide a minimum of 75% shade, as approved by the Planning and Development Department.
9. The required landscape setback along the north, west, and south sides of the site shall include native cacti or similar spiny desert accent plants in addition to the required shrubs, as approved by the Planning and Development Department.
10. Site lighting shall be provided at building entrances/exits, and in public assembly and parking areas, as approved by the Planning and Development Department.
11. If perimeter fencing is proposed along Wood Street, 16th Street, or Broadway Road, the fencing shall be a minimum of 75% view fencing, as approved by the Planning and Development Department.
12. The sidewalk along Broadway Road and 16th Street shall be a minimum of 6 feet in width and detached with a minimum 10-foot-wide landscape strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department.
 - a. Minimum 2-inch caliper, single-trunk, large canopy, shade trees planted 20 feet on center, or in equivalent groupings.
 - b. A mixture of shrubs, accents and vegetative groundcovers, maintained to a maximum height of three feet (excluding accents), evenly distributed throughout the landscape area to achieve a minimum of 75% live coverage.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment for installing the required plants.

13. A minimum 5-foot-wide sidewalk shall be constructed on the south side of Wood Street, adjacent to the development.
14. A minimum 65-foot flared intersection tapering to a minimum 50 feet of right-of-way shall be dedicated for the north side of Broadway Road.
15. A minimum 65-foot flared intersection tapering to a minimum 50 feet of right-of-way shall be dedicated for the east side of 16th Street.

16. Unless otherwise deemed unnecessary for public use through the abandonment process, a minimum 16-foot-wide alley right-of-way shall be dedicated for the full length of the alley between Broadway Road and Wood Street.
17. All mitigation improvements shall be constructed and/or funded as identified in the accepted Traffic Impact Analysis.
18. All existing electrical utilities within the public right-of-way shall be undergrounded, adjacent to the development. The developer shall coordinate with the affected utility companies for their review and permitting.
19. Replace unused driveways with sidewalk, curb, and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.
20. 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.
21. A minimum of 25% of the surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, drought tolerant, shade trees, or a combination thereof.
22. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the Water Efficiency Checkup program for a minimum of 10 years, or as approved by the Planning and Development Department.
23. Natural turf shall only be utilized for required retention areas (bottom of basin, and only allowed on slopes if required for slope stabilization) and functional turf areas, as approved by the Planning and Development Department.
24. A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.
25. 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.
26. Prior to final 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. This stipulation shall not be applicable if the property is owned by the City of Phoenix.

27. The property owner shall record documents that disclose the existence, and operational characteristics of the 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.
28. The developer shall construct a bus bay and attached bus stop pad on northbound 16th Street north of Broadway Road according to City of Phoenix Standard Detail P1258. The pad shall be designed according to City of Phoenix Standard Detail P1260 with a depth of 10 feet, and design bay according to Standard Detail P1256. The bus pad must be located within the public right-of-way or within a transit easement that the developer dedicates. The bus bay must be located within the public right-of-way. The above specifications shall be approved or modified by the Planning and Development Department and/or the Public Transit Department.

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 3rd day of June, 2026.

MAYOR

ATTEST:

Denise Archibald, City Clerk

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

By:

REVIEWED BY:

Ed Zuercher, City Manager

Exhibits:

A – Legal Description (3 pages)

B – Ordinance Location Map (1 page)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-183-25-8

Within a portion of Section 22, Township 1 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, being more particularly described as follows:

APN 122-39-001B

Lot 1, PERKINS PLACE, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 42 of Maps at page 48;

EXCEPT that part thereof described as follows:

BEGINNING at the Southwest corner of said Lot 1;

Thence Easterly along the South line thereof a distance of 12 feet;

Thence Northwesterly to a point on the West line of said Lot 1 which bears Northerly a distance of 12 feet from the POINT OF BEGINNING;

Thence to the POINT OF BEGINNING; and

EXCEPT that part thereof described as follows:

BEGINNING at a point on the South line of said Lot 1 which is 12 feet Easterly of the Southwest corner thereof;

Thence Northwesterly to a point on the West line of said Lot 1 which is 12 feet Northerly of said Southwest corner;

Thence Northerly along said West line a distance of 8.77 feet;

Thence Southeasterly to a point on said South line which is 8.77 feet Easterly from the POINT OF BEGINNING;

Thence to the POINT OF BEGINNING.

APN 122-39-085

LOT 1, EMILE'S PLACE, ACCORDING TO THE PLAT RECORDED IN BOOK 587 OF MAPS, PAGE 16, RECORDS OF MARICOPA COUNTY, ARIZONA.

APN 122-39-012C

The East 61.21 feet of the West 216.63 feet of the South 652.95 feet of the Southwest quarter of the Southwest quarter of Section 22, Township 1 North, Range 3 East of the Gila and Salt River Base and Meridian;

EXCEPT the South 95 feet of the North 120 feet of the East 55 feet thereof; and

EXCEPT the South 40 feet; and

EXCEPT the North 25 feet.

APN 122-39-012B

The East 55 feet of the North 120 feet of the following described property:

The East 61.21 feet of the West 216.63 feet of the South 652.95 feet of the Southwest quarter of the Southwest quarter of Section 22, Township 1 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Except the North 25 feet thereof.

APN 122-39-022A

The East 61.21 feet of the West 277.88 feet of the South 652.95 feet of the Southwest quarter of Section 22, Township 1 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT the North 25 feet, and

EXCEPT the South 40 feet thereof.

APN 122-39-019E

That part of the Southwest quarter of the Southwest quarter of Section 22, Township 1 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at the Southwest corner of Section 22;

Thence North 40 feet;

Thence North 88 degrees 58 minutes east 400.26 feet to the TRUE POINT OF BEGINNING;

Thence North 193.00 feet;

Thence North 88 degrees 58 minutes east 133.42 feet;

Thence South 193.00 feet;

Thence South 88 degrees 58 minutes west 133.42 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH

PARCEL NO. 1

The South half of the East 61.21 feet of the West 339.05 feet of the South 652.95 feet of the Southwest quarter of the Southwest quarter of Section 22, Township 1 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT the South 40 feet thereof.

TOGETHER WITH

PARCEL NO. 2

The South half of the East 61.21 feet of the West 400.26 feet of the South 652.95 feet of the Southwest quarter of the Southwest quarter of Section 22, Township 1 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

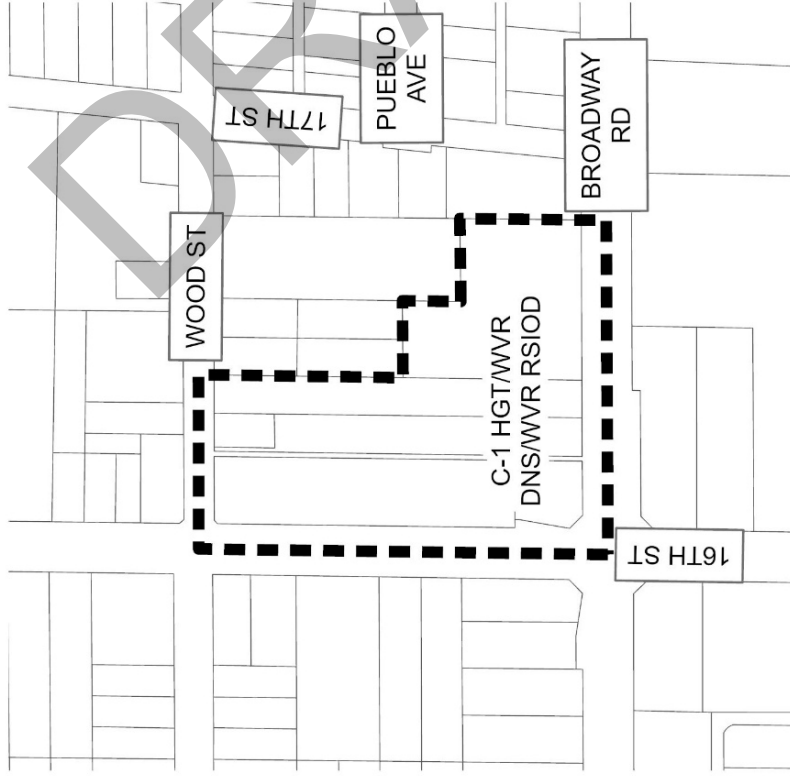
EXCEPT the South 40 feet thereof.

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ORDINANCE LOCATION MAP

Zoning Case Number: Z-183-25-8
 Zoning Overlay: Rio Salado Interim Overlay District
 Planning Village: South Mountain

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



NOT TO SCALE

