

## 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 STIPULATIONS APPLICABLE TO  
REZONING APPLICATION Z-58-19-7 PREVIOUSLY APPROVED BY  
ORDINANCE G-6716.

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

SECTION 1. The zoning stipulations applicable located approximately  
Northeast corner of 6th Avenue and Broadway Road in a portion of Section 20,  
Township 1 North, Range 3 East, as described more specifically in Attachment “A”,  
are hereby modified to read as set forth below.

#### STIPULATIONS:

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1. An updated Development Narrative for the Broadway and Central PUD reflecting the changes approved through this request shall be submitted to the Planning and Development within 14 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped April 24, 2020 as modified by the following stipulations.
  - a. Page 1:
    - 1) Add “Hearing Draft: April 24, 2020”
    - 2) Add “City Council adopted: [Insert Adoption date]”
  - b. Page 7:

- 1) Replace text with the following: Where buildings are adjacent to a pedestrian accessway, a frontage type shall be required. If frontage does not contain an entrance, units adjacent to a pedestrian accessway shall be designed with windows and/or balconies overlooking the accessway.
- c. Pages 6 and 7:
- 1) Add the following text in Section 1304 General Site Development Standards: The western most paseo may deviate from the 3rd Avenue alignment up to 175 feet if the deviation is marked by pedestrian oriented wayfinding; the southern most connection to Broadway Road shall be constructed after the SRP facility is buried an easements issues resolved, no later than the development of the townhomes depicted on Exhibit E.
- d. Page 8:
- 1) Replace text in Section 1309 Landscape Standards, 6th Avenue and Pueblo Avenue frontage, with the following: Shall be planted with large canopy, single trunk, shade trees placed a minimum of 20 feet on center or in equivalent groupings installed between the sidewalk and buildings. The trees allowed in the planting area may be adjusted or removed based on input from SRP or the Water Services Department.
  - 2) Replace text in Section 1309 Landscape Standards, Broadway Road, with the following: The sidewalk and tree diagram contained in Exhibit C of this PUD shall apply. Planting details are provided in Section 1312 character areas of this table. The trees allowed in the planting area may be adjusted based on input from SRP or the Water Services Department; however, the requirement for trees shall not be removed.
- e. Replace Exhibit E with the Site Plan date stamped May 21, 2020.
- 2 The developer shall provide a total of 32 feet of paving with curb, gutter, a minimum five-foot wide sidewalk and streetlighting along Pueblo Avenue and facilitate the pavement along the "out parcel" (APN 113-05-045). If the developer is unable to procure the "out parcel" for the local street pavement requirement, the development shall not have access along the entirety of Pueblo Avenue except for one combined access point for emergency and refuse collection only at the easter limit of the property, as determined by Planning and Development and Street Transportation Department.
  3. The developer shall dedicate 25 feet of right-of-way for the south half of Pueblo Avenue, as approved by the Planning and Development Department.

4. The developer shall dedicate a 14-foot Sidewalk Easement along Broadway Road, for the entire length of the development, to accommodate a detached sidewalk and shade trees adjacent to the sidewalk, as approved by the Planning and Development and Street Departments.
5. The developer shall dedicate 5 feet of right-of-way for the east half of 6<sup>th</sup> Avenue, as approved by the Street Transportation Department.
6. Existing irrigation facilities along 6th Avenue and Broadway Road are to be undergrounded and relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish the appropriate process to relocate facilities. Relocations that require additional dedications or land transfer require completion prior to obtaining a certificate of occupancy for PHASE 2 OF the development.
7. The developer shall provide enhanced internal pedestrian circulation with a primary access point at the intersection of 6th Avenue and Broadway Road. The access point shall be enhanced with a minimum of 700 square foot landscaped area planted with drought-tolerant plant materials providing seasonal interest and 75 percent live cover and bollard light path or lighted area element visible from the perimeter of the site. The above shall be approved by the 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 applicant shall submit a Traffic Impact Study/Statement to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact Mr. Matthew Wilson, Traffic Engineer III, (602) 262-7580, to set up a meeting to discuss the requirements of the statement/study. Upon completion of the TIS the developer shall submit the completed TIS to the Planning and Development Department counter with instruction to forward the study to the Street Transportation Department, Design Section.
10. 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 of tenants of the property.
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 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-6716 this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-6716 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. 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 19th day of February 2025.

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MAYOR

ATTEST:

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Denise Archibald, City Clerk

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

By:

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REVIEWED BY:

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Jeffrey Barton, City Manager

Exhibits:

A - Legal Description (1 Page)

B - Ordinance Location Map (1 Page)

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## EXHIBIT A

### LEGAL DESCRIPTION FOR PHO-2-24—Z-58-19-7

The Land referred to herein below is situated in the County of Maricopa, State of Arizona, and is described as follows:

#### **EAST PARCEL**

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 20; THENCE SOUTH 89°55'23" WEST (BASIS OF BEARINGS) ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1127.63 FEET; THENCE NORTH 00°21'14" WEST, A DISTANCE OF 40.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF BROADWAY ROAD, SAID POINT BEING THE **POINT OF BEGINNING**; THENCE NORTH 00°21'14" WEST, A DISTANCE OF 112.04 FEET; THENCE SOUTH 89°39'26" WEST, A DISTANCE OF 440.83 FEET; THENCE NORTH 00°21'14" WEST, A DISTANCE OF 298.80 FEET TO THE SOUTH LINE OF PUEBLO AVENUE, ACCORDING TO BOOK 31 OF MAPS, PAGE 3, MARICOPA COUNTY RECORDS; THENCE NORTH 89°39'26" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 575.83 FEET; THENCE SOUTH 00°21'14" EAST, A DISTANCE OF 411.47 FEET TO THE NORTH RIGHT-OF-WAY LINE OF BROADWAY ROAD; THENCE SOUTH 89°55'23" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 135.00 FEET TO THE **POINT OF BEGINNING**. CONTAINING 187,225 SQ.FT. OR 4.2981 ACRES, MORE OR LESS.

#### **WEST PARCEL**

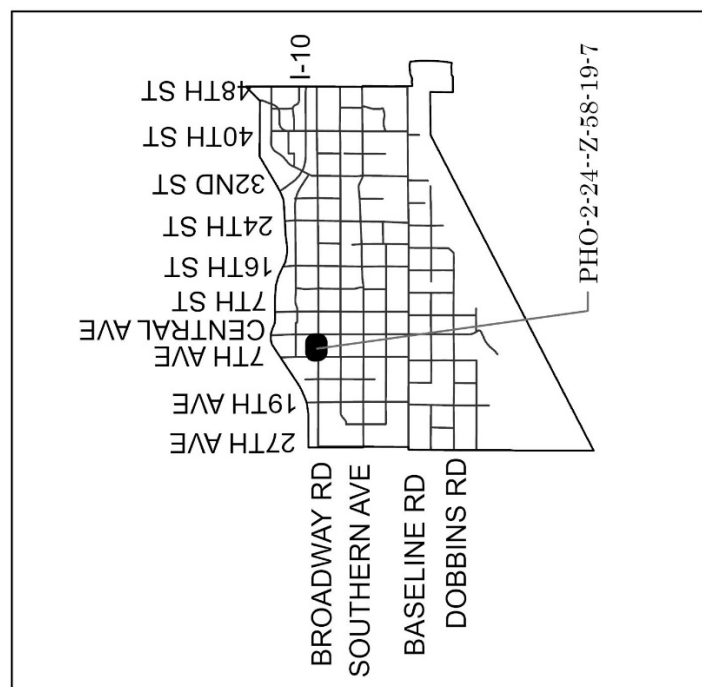
THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 20; THENCE SOUTH 89°55'23" WEST (BASIS OF BEARINGS) ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1127.63 FEET; THENCE NORTH 00°21'14" WEST, A DISTANCE OF 40.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF BROADWAY ROAD, SAID POINT BEING THE **POINT OF BEGINNING**; THENCE SOUTH 89°55'23" WEST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 964.39 FEET; THENCE NORTH 47°34'27" WEST, A DISTANCE OF 7.37 FEET TO THE EAST RIGHT-OF-WAY LINE OF 6<sup>TH</sup> AVENUE; THENCE NORTH 05°04'17" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 402.73 FEET TO THE SOUTH LINE OF PUEBLO AVENUE, ACCORDING TO BOOK 31 OF MAPS, PAGE 3, MARICOPA COUNTY RECORDS; THENCE NORTH 89°39'26" EAST, ALONG SAID SOUTH LINE, A DISTANCE OF 379.48 FEET; THENCE SOUTH 00°21'14" EAST, A DISTANCE OF 298.80 FEET; THENCE NORTH 89°39'26" EAST, A DISTANCE OF 623.43 FEET; THENCE SOUTH 00°21'14" EAST, A DISTANCE OF 112.04 FEET TO THE **POINT OF BEGINNING**. CONTAINING 216,602 SQ.FT. OR 4.9725 ACRES, MORE OR LESS.

# ORDINANCE LOCATION MAP

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

Zoning Case Number: PHO-2-24--Z-58-19-7  
Zoning Overlay: Rio Salado Interim Overlay District  
Planning Village: South Mountain



NOT TO SCALE

Drawn Date: 1/24/2025