

## 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 (CASE Z-74-24-6) FROM R-3 (MULTIFAMILY RESIDENCE DISTRICT) TO R-5 (MULTI FAMILY DISTRICT).

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

SECTION 1. The zoning of a 1.82-acre site located at the northeast corner of 21st Street and Turney Avenue in a portion of Section 22, Township 2 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "R-3" (Multifamily Residence District) to "R-5" (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. The maximum number of dwelling units shall be 64.
2. The building height shall be limited to a maximum 3 stories and 39 feet within 37 feet of the Turney Avenue property line and within 45 feet of the 21st Street property line.
3. The landscape setback along 21st Street shall be planted with minimum 2-inch caliper, large canopy, drought-tolerant, shade trees, planted 20 feet on center, or in equivalent groupings, as approved by the Planning and Development Department.
4. A minimum 40-foot building setback shall be provided along the north property lines, as approved by the Planning and Development Department.
5. A minimum 5-foot sidewalk shall be constructed on the east side of 21st Street, adjacent to the development.
6. A minimum 5-foot-wide detached sidewalk, separated by a minimum 7-foot-wide landscape area, shall be constructed on the north side of Turney Avenue. The landscape area shall be planted with minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees planted 20 feet on center, or in equivalent groupings, as approved by the Planning and Development Department.

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

7. All existing electrical utilities within the public right-of-way on 21st Street shall be undergrounded, adjacent to the development. The developer shall coordinate with the affected utility companies for their review and permitting.
8. 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.
9. All streets within and adjacent to the development shall be constructed 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.

10. Bicycle parking shall be provided at a minimum rate of 0.25 spaces per unit, up to a maximum of 50 spaces, and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
11. A minimum of three of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
12. A bicycle repair station ("fix it station") shall be provided on the site. The station shall include, but not be limited to, standard repair tools affixed to the station; a tire gauge and pump; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike, as approved by the Planning and Development Department.
13. A minimum of 5% of the required parking spaces shall include Electric Vehicle (EV) Installed Infrastructure, as approved by the Planning and Development Department.
14. Only landscape materials listed in the Phoenix Active Management Area Low-Water-Use/Drought-Tolerant Plant List shall be utilized, as approved or modified by the Planning and Development Department.
15. Landscaping shall be maintained by permanent and automatic/water efficient WaterSense labeled irrigation controllers (or similar smart controller) to minimize maintenance and irrigation water consumption for all on and offsite landscape irrigation.
16. Pressure regulating sprinkler heads and drip lines shall be utilized in any turf areas to reduce water waste.
17. 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.
18. 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.
19. The property owner shall record documents that disclose the existence, and

operational characteristics of 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.

20. 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.
21. 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.

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 13th day of November, 2024.

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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 (2 Pages)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-74-24-6

Maricopa County Assessor's Parcel Numbers 163-31-012 and 163-31-015

The land referred to herein is situated in a portion of the Southeast quarter of Section 22, Township 2 North, Range 3 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and is legally described as follows:

Parcel No. 1:

Lot 4 in Block 1, HOMESIDE ACRES, according to Book 20 of Maps, Page 18, records of Maricopa County, Arizona;

EXCEPT the North 100.00 feet; and

EXCEPT the South 90 feet.

Parcel No. 2:

The West 166.00 feet of the South 90.00 feet of Lot 4 in Block 1, HOMESIDE ACRES, according to Book 20 of Maps, Page 18, records of Maricopa County, Arizona.

Maricopa County Assessor's Parcel Number 163-31-014B

The land referred to herein is situated in a portion of the Southeast quarter of Section 22, Township 2 North, Range 3 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and is legally described as follows:

The West 77 feet of the East 134 feet of the South 90 feet of Lot 4, Block 1, of HOMESIDE ACRES, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 20 of Maps, Page 18;

EXCEPT any part thereof lying within the West 166 feet of the South 90 feet of said Lot 4, Block 1 of said subdivision.

Maricopa County Assessor's Parcel Number 163-31-013D

The land referred to herein is situated in a portion of the Southeast quarter of Section 22, Township 2 North, Range 3 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and is legally described as follows:

Parcel No. 1:

The East half of the following described property:

The North 100 feet of Lot 4, Block 1, of HOMESIDE ACRES, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 20 of Maps, Page 18.

Except the West 100 feet.

Parcel No. 2:

An Easement for ingress and egress over the North 20 feet of the West 100 feet of the North 100 feet of Lot 4, Block 1, of HOMESIDE ACRES, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 20 of Maps, Page 18.

Parcel No. 3:

An Easement for ingress and egress of the North 20 feet of the following described property:

The West half of the following described property:

The North 100 feet of Lot 4, Block 1, of HOMESIDE ACRES, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 20 of Maps, Page 18.

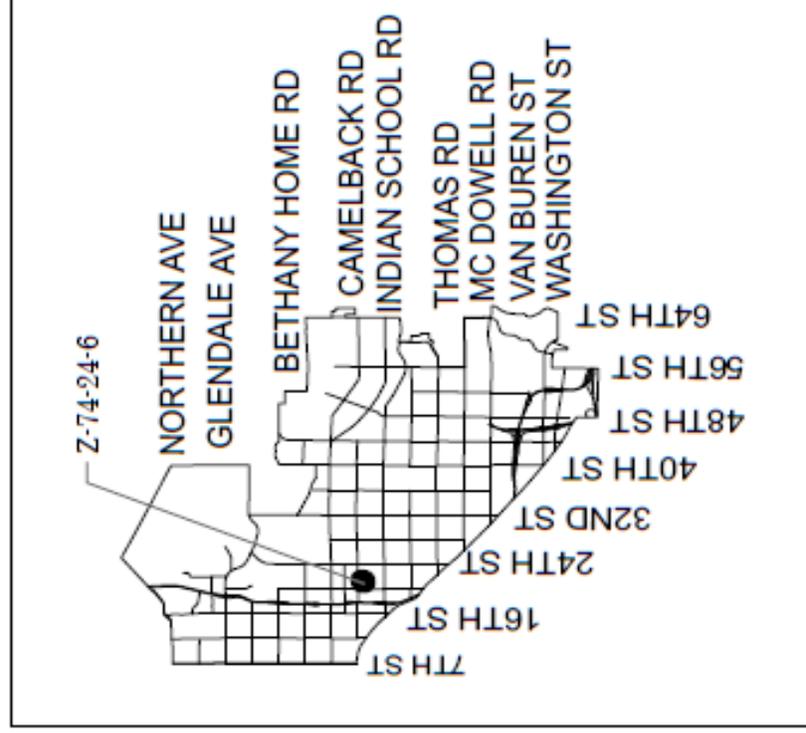
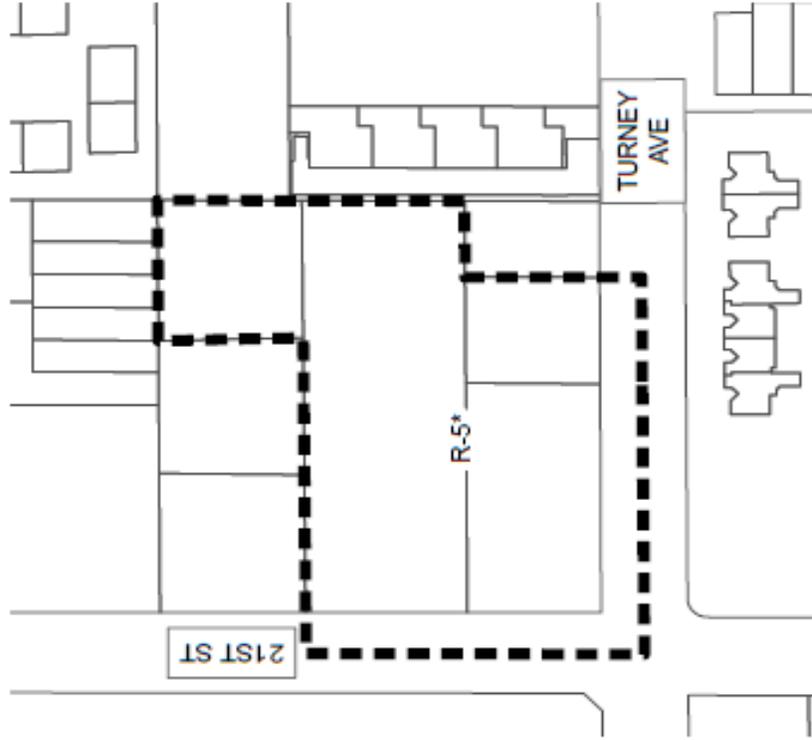
Except the West 100 feet.

# ORDINANCE LOCATION MAP

Zoning Case Number: Z-74-24-6  
Zoning Overlay: N/A  
Planning Village: Camelback

ZONING SUBJECT TO STIPULATIONS: \*

SUBJECT AREA: ■■■■■■



NOT TO SCALE



Drawn Date: 10/11/2024