

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 ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-62-20-8) FROM R1-6 SPVTABDO, PENDING C-1 SPVTABDO (SINGLE-FAMILY RESIDENCE DISTRICT, SOUTH PHOENIX VILLAGE AND TARGET AREA B DESIGN OVERLAY, PENDING NEIGHBORHOOD RETAIL, SOUTH PHOENIX VILLAGE AND TARGET AREA B DESIGN OVERLAY) AND R-5 SPVTABDO, PENDING C-1 SPVTABDO (MULTIFAMILY RESIDENCE DISTRICT, SOUTH PHOENIX VILLAGE AND TARGET AREA B DESIGN OVERLAY, PENDING NEIGHBORHOOD RETAIL, SOUTH PHOENIX VILLAGE TARGET AREA B DESIGN OVERLAY DISTRICT) TO C-1 DNS/WVR SPVTABDO (NEIGHBORHOOD RETAIL, DENSITY WAIVER, SOUTH PHOENIX VILLAGE AND TARGET AREA B DESIGN OVERLAY).

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

SECTION 1. The zoning of a 2.50-acre site located at northeast corner of 16th Street and Chipman Road in a portion of Section 27, Township 1 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from 1.72 acres of "R1-6 SPVTABDO, pending C-1 SPVTABDO" (Single-Family Residence District, South Phoenix Village and Target Area B Design Overlay, pending Neighborhood Retail,

South Phoenix Village and Target Area B Design Overlay) and 0.78-acres of “R-5 SPVTABDO, pending C-1 SPVTABDO” (Multifamily Residence District, South Phoenix Village and Target Area B Design Overlay, pending Neighborhood Retail, South Phoenix Village Target Area B Design Overlay) to “C-1 DNS/WVR SPVTABDO” (Neighborhood Retail, Density Waiver, South Phoenix Village and Target Area B Design Overlay) to allow multifamily or single-family residential with a density waiver up to 40 units.

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 development shall be limited to a maximum density of 40 dwelling units.
2. Building elevations shall be developed to the following standards, as approved by the Planning and Development Department:
 - a. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, to provide a decorative and aesthetic treatment.
 - b. Building elevations adjacent and oriented towards 16th Street and the south property line, excluding drive aisles, shall contain a minimum of 25 percent brick, masonry, stone or another exterior accent material that exhibits quality and durability.
 - c. All building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, pitched roofs and/or overhang canopies.
3. Building height shall be limited to two stories and 30 feet.

4. Individual units shall provide an entryway that is either elevated, depressed or includes a feature such as a low wall to accentuate the primary entrance, as approved by the Planning and Development Department.
5. There shall be no balconies on the upper floors of residential dwellings oriented towards the eastern property line.
6. The development shall provide a minimum 300-square foot ornamental feature along the northeast corner of 16th Street and Chipman Road or the Chipman Road alignment to include the following elements, as approved by the Planning and Development Department:
 - a. A landscaped accent area, exclusive of perimeter landscaping and right-of-way, shall be provided. The landscaped accent areas shall provide a visually unique character with drought-tolerant plant materials providing seasonal interest and 75 percent live cover.
 - b. The entry feature shall incorporate elements that may include, but are not limited to walls, architectural enhancements, art features, natural features such as boulders or fountains, or other uniquely identifying elements.
 - c. The entry feature shall utilize accents, colors and materials consistent with the adjacent development.
 - d. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions.
7. All perimeter walls visible from public streets shall include material and textural differences, such as stucco and/or split face block with a decorative element, such as tile or stamped designs, as approved by the Planning and Development Department.
8. The development shall include the following amenities and elements at a minimum, distributed between the open space area (s), as approved by the Planning and Development Department:
 - a. Two barbecue grills and two picnic tables.
 - b. Community garden areas of no less than a combined 200 square feet that will include a garden tool library, irrigation, and one bench or seating feature to enable year-round planting.
 - c. One pedestrian seating node containing at least one bench or seating feature and located within close proximity to Chipman Road or Chipman Road alignment.

- d. Open space areas shall provide a minimum 50 percent shade, including amenity and seating areas, and a minimum of 50 percent live vegetative cover (shrubs, grasses, or groundcover plants).
9. The developer shall provide a system of pedestrian thoroughfares as described below and as approved or modified by the Planning and Development Department:
 - a. The developer shall provide a minimum of one pedestrian path connecting the sidewalk along 16th Street with residential units along the eastern property line via the most direct route.
 - b. Illuminated by pedestrian scale lighting per Section 1304(H)5 for the pathway connecting the site east to west.
 - c. Where pedestrian paths and vehicular crossings exist, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces. Vehicular crossings shall be kept to a minimum.
 - d. Pedestrian paths shall be shaded to a minimum of 75 percent using architectural shade and/or shade trees at full maturity.
 - e. Connections to/between:
 - (1) All residential dwellings;
 - (2) All amenity and active open space areas;
 - (3) The sidewalk along 16th Street;
 - (4) The sidewalk along Chipman Road or Chipman Road alignment;
 - f. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
10. The developer shall provide traffic calming measures at all vehicular points of ingress and/or egress to slow vehicles departing the development and crossing the public sidewalks, as approved by the Planning and Development Department.
11. The required landscape setback areas along 16th Street, Chipman Road, and the alley along the east property line shall be planted with drought-tolerant trees including minimum 75 percent 2-inch caliper and 25 percent 3-inch caliper, if the site develops as a residential use, as approved by the Planning and Development Department.

12. All sidewalks along 16th Street shall be detached with a landscape strip located between the sidewalk and back of curb following the most recent Cross Section of the Street Classification Map and planted to the following standards, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
 - a. Minimum 2-inch caliper large canopy shade trees placed a minimum of 25 feet on center or equivalent groupings to provide shade to a minimum 75 percent at full maturity.
 - b. Drought tolerant vegetation designed to grow to a maximum mature height of 24 inches and achieve 75 percent live coverage.
13. The developer shall dedicate 50 feet of right-of-way for the east side of 16th Street and provide a detached sidewalk as required by Cross Section D, as approved by the Planning and Development Department.
14. The Developer shall remove the existing driveway along 16th Street and construct a public street connection for Chipman Road.
15. The developer shall dedicate 25 feet of right-of-way for the north half of Chipman Road transitioning to a total 50-foot dedication to match the existing Chipman Road on the east side of the property.
16. The developer shall dedicate 6 feet along the alley on the eastern side of the development, as approved by the Planning and Development Department.
17. 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.
18. The developer shall record a Notice of 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.
19. The developer shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.
20. If determined necessary by the Phoenix Archeology Office, 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 Archeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.

21. If Phase I data testing is required, and if, upon review of the results from Phase I data testing, the City Archeologist, in consultation with a qualified archeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archeological data recovery excavations.
22. In the event archeological 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 Archeologist, and allow time for the Archeology Office to properly assess the materials.
23. 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 5th day of May, 2021.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-62-20-8

That portion of the Northwest quarter of Section 27, Township 1 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at a point on the West line of said Northwest quarter of Section 27, from which the Southwest corner of said Northwest quarter of Section 27 bears South 1254.44 feet and the Northwest corner of said Section 27 bears North 1383.96 feet;

Thence East 616.28 feet;

Thence South 176.71 feet;

Thence West 616.28 feet to a point on the West line of said Northwest quarter of Section 27;

Thence North along said West line of the Northwest quarter of Section 27, a distance of 176.71 feet to the POINT OF BEGINNING;

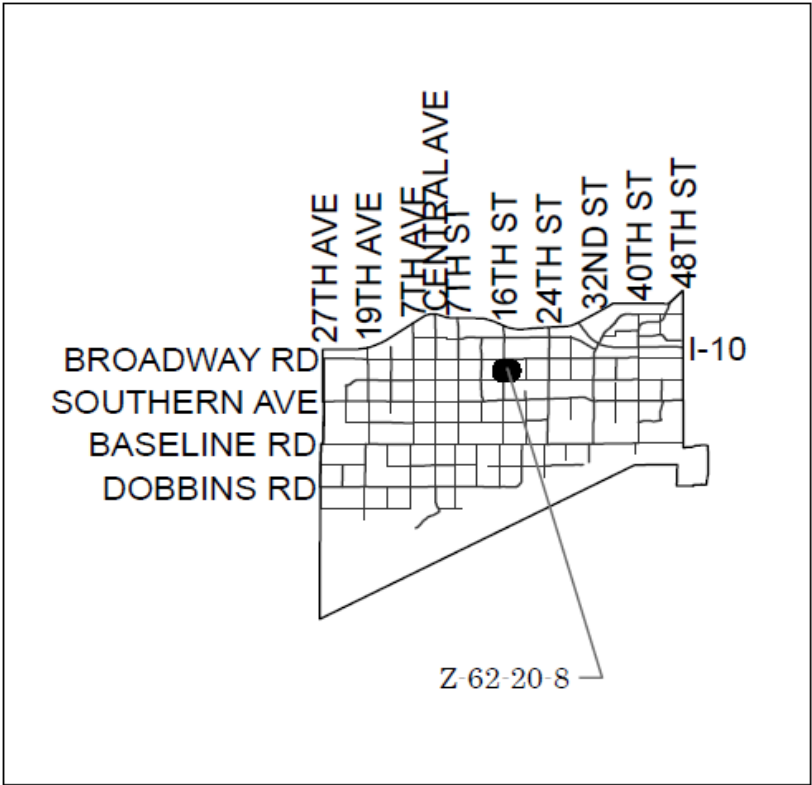
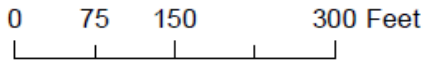
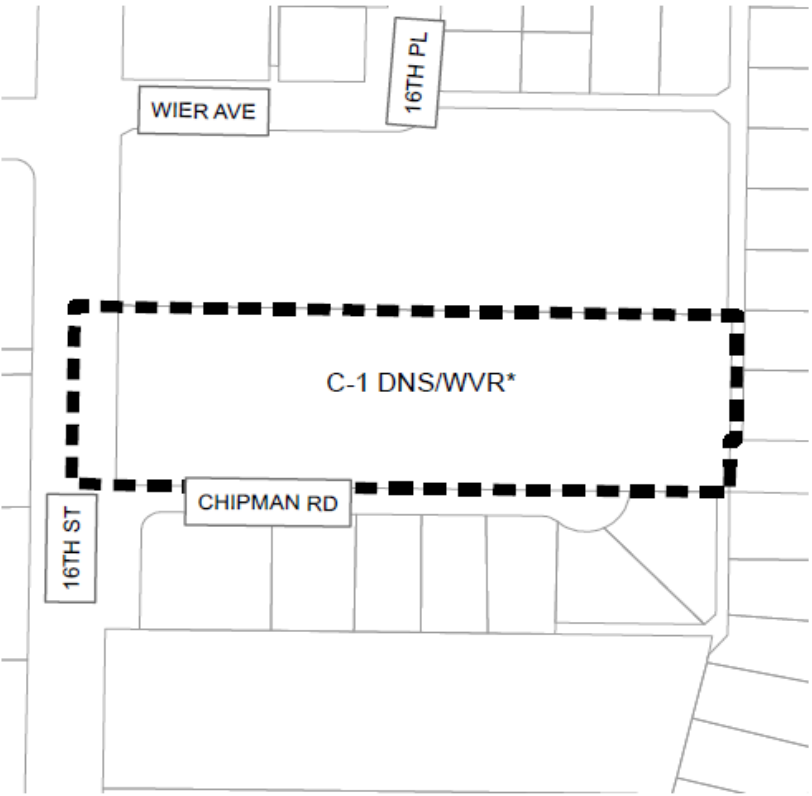
EXCEPT the West 40 feet for road.

ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: Z-62-20-8
Zoning Overlay: South Phoenix Village & Target
Area B Design Overlay District
Planning Village: South Mountain



NOT TO SCALE



Drawn Date: 3/24/2021