

## 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-178-25-4) FROM C-1 TOD-1 MH (NEIGHBORHOOD RETAIL, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE, MIDDLE HOUSING OVERLAY DISTRICT) AND R-5 SP TOD-1 MH (MULTIFAMILY RESIDENCE DISTRICT - RESTRICTED COMMERCIAL, SPECIAL PERMIT, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE, MIDDLE HOUSING OVERLAY DISTRICT) TO C-1 TOD-1 MH (NEIGHBORHOOD RETAIL, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE, MIDDLE HOUSING OVERLAY DISTRICT).

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

SECTION 1. The zoning of a 0.43-acre site located approximately 200 feet east of the southeast corner of Central Avenue and the Oak Street/Encanto Boulevard alignment in a portion of Section 32, Township 2 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from 0.01-acres of "C-1 TOD-1 MH" (Neighborhood Retail, Interim Transit-Oriented Zoning Overlay District One, Middle Housing Overlay District) and 0.42-acres of "R-5 SP TOD-1 MH" (Multifamily Residence District - Restricted Commercial, Special Permit, Interim Transit-Oriented Zoning

Overlay District One, Middle Housing Overlay District) to “C-1 TOD-1 MH” (Neighborhood Retail, Interim Transit-Oriented Zoning Overlay District One, Middle Housing 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. The architectural design of the building addition shall generally adhere to the Conceptual Renderings date stamped November 12, 2025, as approved by the Planning and Development Department.
2. The following bicycle infrastructure shall be provided, and as approved by the Planning and Development Department.
  - a. A minimum of 4 bicycle spaces shall be provided on the site through Inverted U and/or artistic racks located near the building entrances per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
  - b. A minimum of 10% of the provided bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities.
  - c. Bicycle parking spaces shall be shaded by a structure, landscaping, or a combination of the two to provide a minimum of 75% shade.
3. A minimum of one 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.
4. 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.

5. 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.
6. During construction of the restaurant, the following are required:
  - a. Any construction trailer (mobile office) shall be placed so the access doors face away from adjacent homes and towards the interior of the property.
  - b. Any construction trailer (mobile office) windows facing adjacent homes shall be opaque or otherwise covered at all times to obscure visibility to adjacent homes.
  - c. Construction refuse containers shall include a cover to limit debris scattering in the event of wind.
7. Prior to issuance of the Certificate of Occupancy for the restaurant, the following items, as shown on the Site Improvement Plan date stamped February 2, 2026 shall be completed:
  - a. The trash dumpster located in the existing enclosure at northeast corner of the property shall be relocated to an enclosure at the south end of the property. The trash enclosure at the northeast corner of the property shall be utilized only for landscape waste/clippings. A new dumpster for the landscape waste/clippings shall be installed that includes a cover to limit debris scattering caused by wind.
  - b. The existing shed structure at the northeast corner of the property shall be replaced with a new secure shed structure that is lower in height than the fence height.
  - c. Parking lot light poles within 80 feet of a single-family residential property shall have shields installed to prevent light spill over into the residential properties.
  - d. Existing parking lot lighting poles with power outlets shall have lockable metal covers installed to prevent unauthorized use of the power outlets by the public.
  - e. Subject to APS approval, no trespassing signs shall be installed and additional deterrents shall be provided for portions of the property that are adjacent to utility walls and that have experienced trespassing.

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 4th day of March, 2026.

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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 (1 Page)  
B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-178-25-4

A PORTION OF LOT 1 AS SHOWN ON THE FINAL PLAT OF "THE HEARD MUSEUM", RECORDED IN BOOK 459, PAGE 18, MARICOPA COUNTY RECORDS, LYING WITHIN THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 2 NORTH, RANGE 3 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 32, FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION 32, BEARS NORTH 00°00'00" WEST, A DISTANCE OF 2639.55 FEET; THENCE ALONG THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 32, SOUTH 00°00'17" EAST, A DISTANCE OF 101.07 FEET; THENCE LEAVING SAID WEST LINE, NORTH 89°59'43" EAST, A DISTANCE OF 218.05 FEET, TO THE POINT OF BEGINNING;

THENCE NORTH 37°46'51" EAST, A DISTANCE OF 85.74 FEET; THENCE SOUTH 89°48'50" EAST, A DISTANCE OF 38.35 FEET; THENCE SOUTH 63°07'48" EAST, A DISTANCE OF 21.41 FEET; THENCE NORTH 89°54'57" EAST, A DISTANCE OF 44.22 FEET; THENCE SOUTH 00°25'50" WEST, A DISTANCE OF 60.41 FEET; THENCE SOUTH 89°49'41" WEST, A DISTANCE OF 24.25 FEET; THENCE SOUTH 01°05'34" WEST, A DISTANCE OF 46.73 FEET; THENCE NORTH 89°12'10" WEST, A DISTANCE OF 8.91 FEET; THENCE SOUTH 00°51'37" WEST, A DISTANCE OF 17.69 FEET; THENCE SOUTH 89°30'57" EAST, A DISTANCE OF 38.46 FEET; THENCE SOUTH 02°02'48" WEST, A DISTANCE OF 43.64 FEET; THENCE NORTH 89°18'18" WEST, A DISTANCE OF 99.65 FEET;

THENCE NORTH 03°31'45" WEST, A DISTANCE OF 28.11 FEET, TO THE BEGINNING OF A CURVE, CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 96.76 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE, AN ARC LENGTH OF 103.01 FEET, THROUGH A CENTRAL ANGLE OF 60°59'34", TO THE POINT OF BEGINNING.

CONTAINING 18,706 SQUARE FEET OR 0.43 ACRES MORE OR LESS.  
SUBJECT TO EASEMENTS, RESTRICTIONS, AND RIGHTS OF WAY OF RECORD.

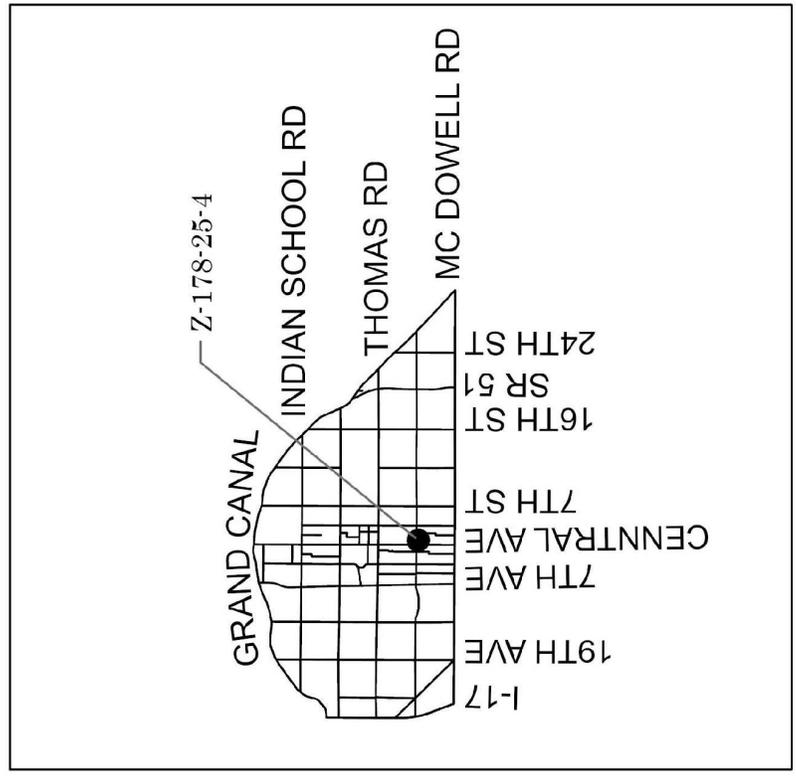
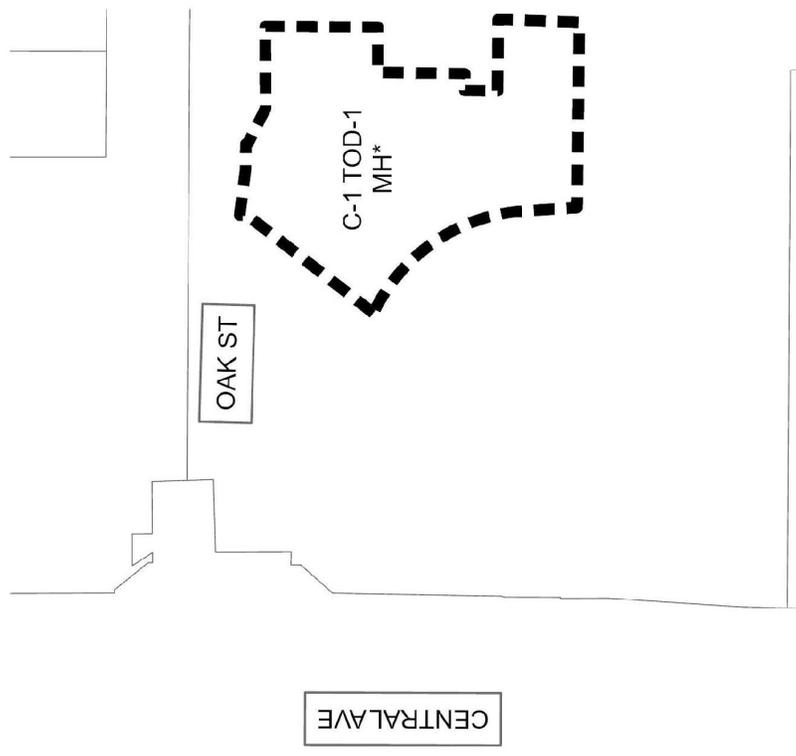
EXHIBIT B

# ORDINANCE LOCATION MAP

Zoning Case Number: Z-178-25-4  
Zoning Overlay: Interim Transit-Oriented Zoning Overlay District One  
and Middle Housing (MH) Overlay District  
Planning Village: Encanto Village

ZONING SUBJECT TO STIPULATIONS: \*

SUBJECT AREA: - - - - -



NOT TO SCALE



Drawn Date: 2/11/2026