

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-96-25-4) FROM C-2 TOD-1 (INTERMEDIATE COMMERCIAL, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE) AND R-5 TOD-1 (MULTIFAMILY RESIDENCE DISTRICT – RESTRICTED COMMERCIAL, INTERIM TRANSIT-ORIENTED ZONING OVERLAY DISTRICT ONE) TO WU CODE T5:5 MT (WALKABLE URBAN CODE, TRANSECT 5:5 DISTRICT, MIDTOWN TRANSIT CHARACTER AREA).

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

follows:

SECTION 1. The zoning of a 1.65 acre site located at the northwest corner of 3rd Street and Lexington Avenue in a portion of Section 29, Township 2 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from 0.81-acres of "C-2 TOD-1" (Intermediate Commercial, Interim Transit-Oriented Zoning Overlay District One) and 0.84-acres of "R-5 TOD-1" (Multifamily Residence District - Restricted Commercial, Interim Transit-Oriented Zoning Overlay District One) to "WU Code T5:5 MT" (Walkable Urban Code, Transect 5:5 District, Midtown Transit Character Area).

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. All uncovered surface parking lot areas shall be shaded to achieve a minimum 25% shade with either landscaping, structural shade, or a combination of the two, as approved by the Planning and Development Department.
2. 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.
3. The following bicycle infrastructure shall be provided, and as approved by the Planning and Development Department.
 - a. 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.
 - d. A minimum of one bicycle repair stations ("fix it stations") shall be provided and maintained along public pedestrian accessway or 3rd Street.
 - 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.

4. A minimum of two parking spaces shall include Electric Vehicle (EV) Installed infrastructure, as approved by the Planning and Development Department.
5. The angled parking spaces within the 3rd Street right-of-way, adjacent to the subject site, shall be removed.
6. A minimum 5-foot-wide detached sidewalk separated by a minimum 5-foot-wide landscape area shall be constructed on the north side of Lexington Avenue, and planted as follows, as approved by the Planning and Development Department.
 - a. Minimum 2-inch caliper, single-trunk shade trees planted 20 feet on center, or in equivalent groupings.
 - b. Shrubs, accents and vegetative groundcovers maintained to a maximum height of two feet, evenly distributed throughout the landscape area to achieve a minimum of 50% 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.

7. A minimum 6-foot-wide detached sidewalk separated by a minimum 8-foot-wide landscape area shall be constructed on the west side of 3rd Street, and planted as follows, as approved by the Street Transportation Department and the Office of the City Engineer.
 - a. Minimum 2-inch caliper, single-trunk shade trees planted 20 feet on center, or in equivalent groupings.
 - b. Shrubs, accents and vegetative groundcovers maintained to a maximum height of two feet, evenly distributed throughout the landscape area to achieve a minimum of 50% live coverage.
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. Natural turf shall only be utilized for required retention areas (at the bottom of the basin, and only allowed on slopes if required for slope stabilization), and functional turf areas, as approved by the Planning and Development

Department.

11. 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.
12. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the Phoenix Water Efficiency Program for a minimum of 10 years, or as approved by the Planning and Development Department.
13. The property owner shall record documents that disclose the existence, and operational characteristics of 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.
14. 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.
15. 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.

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 December, 2025.

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-96-25-4

LOTS 1 THROUGH 8 INCLUSIVE, BLOCK 5, OF BUENA VISTA PARK, ACCORDING TO BOOK 33 OF MAPS, PAGE 41, RECORDS OF MARICOPA COUNTY, ARIZONA, LOCATED WITHIN THE SOUTHEAST QUARTER OF SECTION 29, 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 A BRASS CAP FLUSH AT THE INTERSECTION OF LEXINGTON AVENUE AND THIRD STREET, FROM WHICH A BRASS CAP IN HANHOLE AT THE INTERSECTION OF OSBORN ROAD AND THIRD STREET, BEARS NORTH 00°29'00" WEST, A DISTANCE OF 515.50 FEET;

THENCE SOUTH 89°53'00" WEST, ALONG THE CENTERLINE OF LEXINGTON AVENUE, A DISTANCE OF 50.00 FEET;

THENCE NORTH 00°29'00" WEST, DEPARTING SAID CENTERLINE, A DISTANCE OF 25.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1, BLOCK 5, AND THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;

THENCE SOUTH 89°53'00" WEST, ALONG THE SOUTH LINE OF SAID BLOCK 5, A DISTANCE OF 229.96 FEET TO THE SOUTHWEST CORNER OF SAID LOT 8, BLOCK 5;

THENCE NORTH 00°32'48" WEST, ALONG THE WEST LINE OF SAID BLOCK 5, A DISTANCE OF 211.02 FEET TO THE NORTHWEST CORNER OF SAID LOT 5, BLOCK 5;

THENCE SOUTH 89°59'57" EAST, ALONG THE NORTH LINE OF SAID BLOCK 5, A DISTANCE OF 230.19 FEET TO THE NORTHEAST CORNER OF SAID LOT 4, BLOCK 5;

THENCE SOUTH 00°29'00" EAST, ALONG THE EAST LINE OF SAID BLOCK 5, A DISTANCE OF 210.55 FEET TO THE POINT OF BEGINNING.

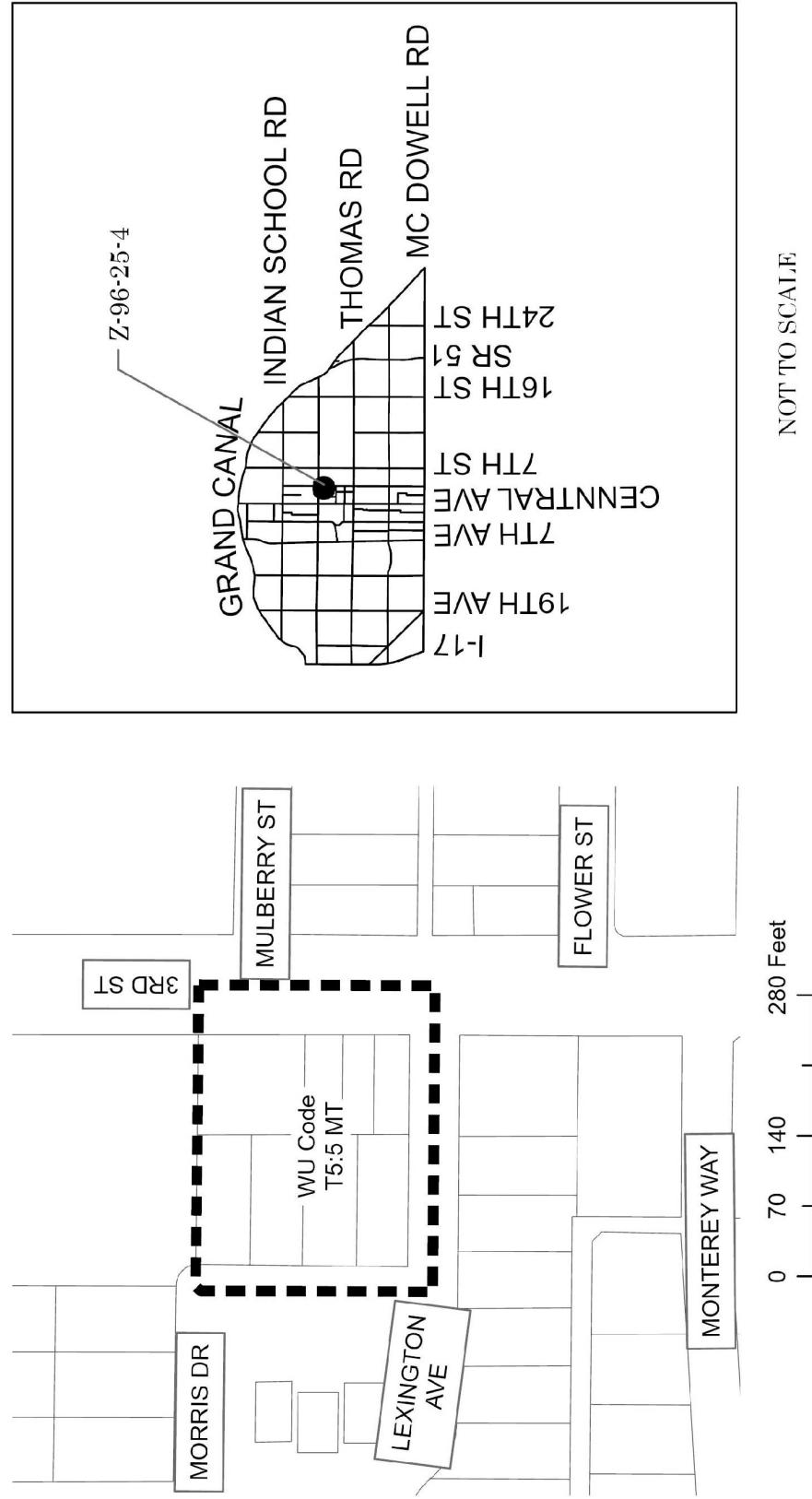
CONTAINING 48,495 SQUARE FEET OR 1.1133 ACRES, MORE OR LESS.

ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: Z-96-25-4
Zoning Overlay: N/A
Planning Village: Encanto



Drawn Date: 11/13/2025