

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 ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-72-25-6) FROM R1-6 (SINGLE-FAMILY RESIDENCE DISTRICT) AND R-5 (MULTIFAMILY RESIDENCE DISTRICT – RESTRICTED COMMERCIAL) TO C-2 (INTERMEDIATE COMMERCIAL).

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

SECTION 1. The zoning of a 2.00-acre site located at the northeast corner of 17th Street and Northern Avenue in a portion of Section 34, Township 3 North, Range 3 East, as described more specifically in Exhibit “A,” is hereby changed from 0.30-acres of “R1-6” (Single-Family Residence District) and 1.70 acres of R-5 (Multifamily Residence District – Restricted Commercial) to “C-2” (Intermediate Commercial).

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 in general conformance with the site plan date stamped May 27, 2025, and the elevations date stamped August 18, 2025, with specific regard to the color palette, as modified by the following stipulations and approved by the Planning and Development Department.
2. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.
3. At the time of final plat, a minimum 14-foot-wide vehicular access easement, providing for future shared access with the adjacent northern property to 17th Street, shall be recorded.
4. The existing sidewalk Northern Avenue shall be removed and reconstructed with a minimum 6-foot-wide detached sidewalk separated by a minimum 10-foot-wide landscape strip located between the back of curb and sidewalk on the north side of, adjacent to the development, and shall comply with the following standards, as approved by the Planning and Development Department.
 - a. Minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant, shade trees, planted 20 feet on center or in equivalent groupings on both sides of the sidewalk to achieve a minimum of 75% shade.
 - b. A minimum of five 5-gallon drought-tolerant shrubs per tree and a mixture of drought-tolerant shrubs, accents, and vegetative groundcovers, maintained to a maximum height of two feet, evenly distributed throughout the landscape areas to achieve a minimum of 75% live coverage.

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

5. All mitigation improvements shall be constructed and/or funded as identified in the accepted Traffic Impact Analysis dated May 8, 2025.

6. 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.
7. 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.
8. A minimum of 5% of the required parking spaces shall include EV Installed infrastructure.
9. A minimum of two bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near building entrances 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.
10. A minimum of one of the bicycle parking spaces shall include an electrical receptacle for electric bicycle charging capabilities, as approved by the Planning and Development Department.
11. All bicycle parking spaces and pedestrian pathways, including sidewalks, shall be shaded by a structure, landscaping, or a combination of the two to provide a minimum of 75% shade, as approved by the Planning and Development Department.
12. Natural turf shall only be utilized for required retention areas (bottom of basin, and only allowed on slopes if required for slope stabilization), as approved by the Planning and Development Department.
13. 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.
14. Prior to final site plan approval, documentation shall be provided that demonstrates a commitment to participate in the Phoenix Water Efficiency Checkup program for a minimum of 10 years, or as approved by the Planning and Development Department

15. 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.
16. If determined necessary by the Phoenix Archaeology 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 Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
17. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
18. 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.
19. 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.
20. There shall be no wall signs located on the north-facing or east-facing elevations.
21. Wall signs located on the west-facing and south-facing elevations shall be limited to not more than 170 square feet in the aggregate.
22. Ground signs located along Northern Avenue shall be limited to not more than 5 feet in height.
23. Windows located above the first floor on the north facing elevations shall be limited to faux window only.
24. The following lighting standards shall apply on-site, as approved by the Planning and Development Department:
 - a. All lighting shall be shielded to prevent direct visibility of the light source from adjacent property.

- b. Lighting shall be shielded with cut-off fixtures and deflectors to direct light downward and limit on-site lighting levels to a maximum of 1 foot candle at the property line.
 - c. Any lighting shall not exceed a maximum of 15 feet in height including lamp, pole, and base.
 - d. The color temperature of any outdoor lighting shall be limited to 2,700 Kelvin.
25. A sign shall be installed at any driveway along 17th Street to discourage right turn egress on 17th Street.

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 15th day of October, 2025.

MAYOR

ATTEST:

Denise Archibald, City Clerk

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

By:

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (2 Pages)

B – Ordinance Location Map

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-72-25-6

A PORTION OF LAND, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 3 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 34, BEING MARKED BY A BRASS CAP IN HANDHOLE, FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION 34, BEARS NORTH 00 DEGREES 07 MINUTES 03 SECONDS WEST, 2644.99 FEET;

THENCE NORTH 00 DEGREES 07 MINUTES 03 SECONDS WEST, ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER, 654.41 FEET TO THE CENTERLINE OF E. NORTHERN ROAD, AS SHOWN IN RECORD OF SURVEY, RECORDED IN BOOK 1661, PAGE 34, MARICOPA COUNTY RECORDS, (M.C.R.);

THENCE DEPARTING SAID WEST LINE, SOUTH 89 DEGREES 30 MINUTES 56 SECONDS EAST, ALONG SAID CENTERLINE, 650.20 FEET TO THE CENTERLINE OF N. 17TH STREET, AS SHOWN IN SAID RESULTS OF SURVEY;

THENCE DEPARTING SAID CENTERLINE, NORTH 00 DEGREES 02 MINUTES 45 SECONDS WEST, ALONG SAID CENTERLINE OF N. 17TH STREET, 56.77 FEET;

THENCE DEPARTING SAID CENTERLINE, NORTH 89 DEGREES 57 MINUTES 54 SECONDS EAST, 25.01 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF SAID N. 17TH STREET AND THE **POINT OF BEGINNING**;

THENCE NORTH 00 DEGREES 02 MINUTES 45 SECONDS WEST, ALONG SAID RIGHT-OF-WAY LINE, 213.57 FEET;

THENCE DEPARTING SAID RIGHT-OF-WAY LINE, NORTH 89 DEGREES 57 MINUTES 15 SECONDS EAST, 142.35 FEET;

THENCE NORTH 89 DEGREES 42 MINUTES 46 SECONDS EAST, 157.51 FEET;

THENCE SOUTH 00 DEGREES 02 MINUTES 46 SECONDS EAST, 216.05 FEET TO A POINT THE NORTH RIGHT-OF-WAY LINE OF SAID E. NORTHERN AVENUE AND THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY, WHOSE CENTER BEARS NORTH 07 DEGREES 00 MINUTES 20 SECONDS WEST, 926.93 FEET;

THENCE ALONG SAID RIGHT-OF-WAY LINE, ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 07 DEGREES 28 MINUTES 37 SECONDS, AN ARC LENGTH OF 120.96 FEET;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, NORTH 89 DEGREES 31 MINUTES 44 SECONDS WEST, 172.19 FEET;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, NORTH 44 DEGREES 47 MINUTES 15 SECONDS WEST, 9.94 FEET TO SAID **POINT OF BEGINNING**;

SAID PARCEL CONTAINS 66,255 SQUARE FEET OR 1.5210 ACRES, MORE OR LESS.

EXHIBIT B

SUBJECT AREA: ■ ■ ■ ■ ■

An aerial map showing a rectangular site outlined with a thick dashed black line. The site is labeled "C-2*" in the center. The site is bounded by Northern Ave to the north, 17th St to the west, and a street to the east. A scale bar at the bottom indicates 0, 50, 100, and 200 feet. A north arrow is located in the bottom right corner.

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