

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 CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (Z-92-16-1) FROM R1-8 (SINGLE-FAMILY RESIDENTIAL) TO R1-8 (SINGLE-FAMILY RESIDENTIAL).

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

SECTION 1. The zoning of an approximately 10.07-acre property located approximately 130 feet south of the southeast corner of 41st Avenue and Rose Garden Lane in a portion of Section 22, Township 4 North, Range 2 East, as described more specifically in Exhibit "A", is hereby changed from "R1-8" (Single-family Residential) to "R1-8" (Single-family Residential).

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 perimeter lots on the east side of the site shall be one story and a maximum of 20 feet in height.
2. 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.
3. 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.
4. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of Phoenix Deer Valley 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.
5. The landscape setback along 41st Avenue shall be planted with desert landscaping, similar to that of the Subdivision to the west, "Arroyo Springs Parcel A," as approved by the Planning and Development Department.
6. The developer shall construct speed humps on the streets internal to the subdivision per the Speed Hump and Striping Specifications from the Street Transportation Department, as approved by the Planning and Development Department.
7. The development shall not exceed 47 lots.
8. The lot width shall be in compliance with the Lot Width Exhibit date stamped April 6, 2017, as approved by the Planning and Development Department.

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 10th day of May, 2017.

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-92-16-1

All of Lot 11 and Lot 12 of Section 22, Township 4 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona being more particularly described as follows:

Commencing at the West quarter corner of said Section 22, being a Maricopa County Aluminum Cap LS# 33307, from which the Center of Section 22, being a City of Phoenix Brass Cap Flush, bears North 89 degrees 36 minutes 17 seconds East, a distance of 2644.15 feet;

Thence North 89 degrees 36 minutes 17 seconds East along the North line of the Southwest quarter of said Section 22, a distance of 1322.07 feet to the Northwest corner of said Lot 11 and the **Point of Beginning** for the herein described parcel;

Thence continuing North 89 degrees 36 minutes 17 seconds East along the North line of Lot 11, a distance of 661.04 feet;

Thence South 00 degrees 14 minutes 09 seconds East along the East line of Lot 11 and Lot 12, a distance of 662.52 feet to the Southeast corner of Lot 12;

Thence South 89 degrees 36 minutes 00 seconds West along the South line of Lot 12, a distance of 661.07 feet to a City of Phoenix Brass Cap Flush and the Southwest corner of Lot 12;

Thence North 00 degrees 13 minutes 59 seconds West along the West line of Lot 11 and Lot 12, a distance of 662.57 feet to the **Point of Beginning**.

Subject parcel containing 437,974 square feet or 10.05 acres more or less

Except all coal, oil, gas and other mineral deposits, as reserved in the patent.

ORDINANCE LOCATION MAP

EXHIBIT B

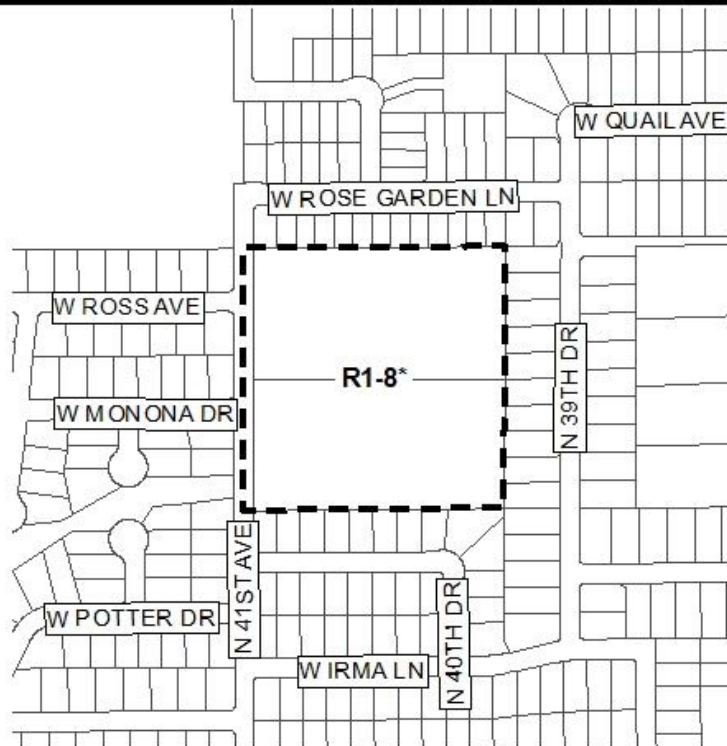
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

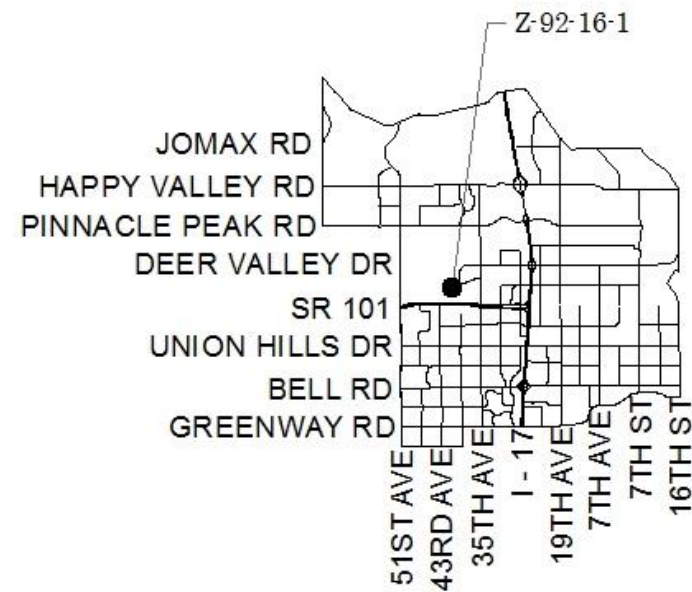
Zoning Case Number: Z-92-16-1

Zoning Overlay: N/A

Planning Village: Deer Valley



300 150 0 300 Feet



NOT TO SCALE



Drawn Date: 4/14/2017