

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-172-24-4) FROM R-4 (MULTIFAMILY RESIDENCE DISTRICT) AND PSC (PLANNED SHOPPING CENTER DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT).

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

SECTION 1. The zoning of a 3.41-acre site located approximately 615 feet west of the southwest corner of 41st Avenue and Thomas Road in a portion of Section 34, Township 2 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from 1.69 acres of "R-4" (Multifamily Residence District) and 1.72 acres of "PSC" to "PUD" (Planned Unit Development).

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. An updated Development Narrative for the Richman 41st & Thomas East, LLC PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped December 22, 2025, as modified by the following stipulations:
 - a. Front cover: Revise the submittal date information to add the following: City Council adopted: [Add adoption date].
 - b. Page 8, D. Development Standards, D.1 Development Standards table, Column 1, Row e. add the word "Minimum" in front of Open Space.
 - c. Page 10, D. Development Standards, D.8 Streetscape Standards table, Column 2, Row b. remove the word "Attached" in front of Sidewalk width.
2. 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.
3. A minimum 50 feet of right-of-way shall be dedicated for the south half of Thomas Road.
4. All mitigation improvements shall be constructed and/or funded as identified in the accepted Traffic Impact Analysis.
5. 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.
6. 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.
7. 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.

- 8. 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.

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.

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)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-172-24-4

LOCATED IN THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 2 NORTH, RANGE 2 EAST, GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA. DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 32, FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION BEARS NORTH 90°00'00" EAST, A DISTANCE OF 2655.21 FEET;

THENCE NORTH 90°00'00" EAST, ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 652.07 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID NORTH LINE, NORTH 90°00'00" EAST, A DISTANCE OF 58.31 FEET;

THENCE DEPARTING SAID NORTH LINE, SOUTH 00°32'30" WEST, A DISTANCE OF 240.01 FEET;

THENCE SOUTH 89°59'57" EAST, A DISTANCE OF 223.00 FEET;

THENCE SOUTH 00°32'30" WEST, A DISTANCE OF 40.00 FEET;

THENCE SOUTH 90°00'00" EAST, A DISTANCE OF 393.78 FEET TO THE WEST LINE OF THE FINAL PLAT OF ENCANTO VILLAGE NO. 2, RECORDED IN BOOK 82, PAGE 3, MARICOPA COUNTY RECORDS;

THENCE SOUTH 00°37'02" WEST, ALONG SAID WEST LINE, A DISTANCE OF 178.71 FEET;

THENCE DEPARTING SAID WEST LINE, SOUTH 90°00'00" WEST, A DISTANCE OF 393.55 FEET;

THENCE SOUTH 00°32'30" WEST, A DISTANCE OF 7.99 FEET;

THENCE SOUTH 90°00'00" WEST, A DISTANCE OF 281.31 FEET;

THENCE NORTH 00°32'30" EAST, A DISTANCE OF 466.70 FEET TO THE POINT OF BEGINNING.

CONTAINING 148,108.50 SQUARE FEET OR 3.40 ACRES, MORE OR LESS.

