

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 STIPULATIONS APPLICABLE TO
REZONING APPLICATION Z-3-07-6 PREVIOUSLY APPROVED BY
ORDINANCE G-4929.

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

SECTION 1. The zoning stipulations applicable located approximately 238 feet south of the southeast corner of 48th Street and Culver Street in a portion of Section 5, Township 1 North, Range 4 East, as described more specifically in Attachment "A", are hereby modified to read as set forth below.

STIPULATIONS:

1. The development shall be in general conformance with the site plan DATE STAMPED DECEMBER 17, 2018 and elevations date stamped ~~December 3, 2014~~ NOVEMBER 2, 2018, as may be modified and approved by the Planning and Development Department.
2. That the property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor International 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. That prior to preliminary site plan approval the landowner shall execute a Proposition 207 waiver of claims utilizing the template approved by the Law Department. The waiver shall be recorded with the Maricopa County Recorder's Office and one copy each to be provided to the Planning and Development Services Department.

4. That the development shall be limited to a maximum of ~~34~~ 48 units.
5. The sidewalk along the 48th Street frontage shall be detached with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb as approved by the Planning and Development Department.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-4929, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-4929 and as modified in Section 1 of this Ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. 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 23rd day of January, 2019.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

REVIEWED BY:

_____ City Manager

Attachments:

A - Legal Description (1 Page)

B - Ordinance Location Map (1 Page)

DRAFT

ATTACHMENT A

LEGAL DESCRIPTION FOR PHO-2-18--Z-3-07-6

PARCEL#S: 125-10-007 & 125-10-08

DELANO PL LOT 31 AC
DELANO PL LOT 41 AC

Section Township Range for both parcels: 51 N 4E

Lots Three (3) and Four (4), DELANO PLACE, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, Book 11 of Maps, page 26.

ORDINANCE LOCATION MAP

EXHIBIT B

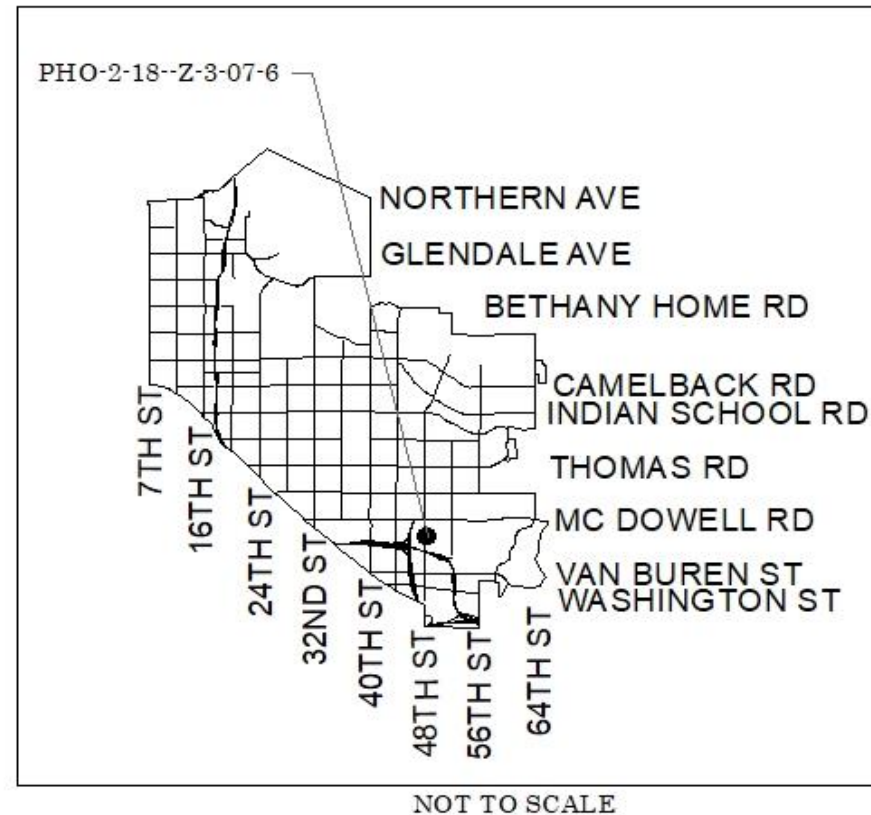
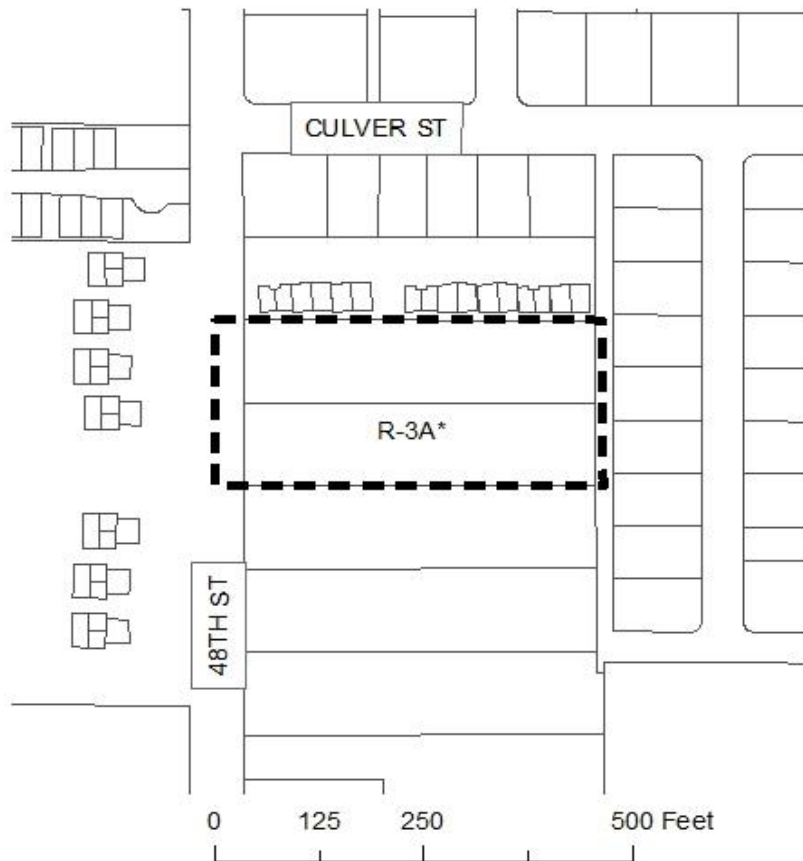
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

Zoning Case Number: PHO-2-18-Z-3-07-6

Zoning Overlay: N/A

Planning Village: Camelback East



Drawn Date: 12/26/2018