

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-62-22-8) FROM R1-6 (SINGLE-FAMILY RESIDENCE DISTRICT) TO R-3 (MULTIFAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of a 0.86-acre site located approximately 200 feet east of the northeast corner of 42nd Street and Edgemont Avenue in a portion of Section 31, Township 2 North, Range 4 East, as described more specifically in Exhibit "A," is hereby changed from "R1-6" (Single-Family Residence District) to "R-3" (Multifamily Residence District).

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 February 3, 2023, as modified by the following stipulations and approved by the Planning and Development Department.
2. All elevations shall include a minimum of two exterior accent materials, as approved the Planning and Development Department. Examples include, but are not limited to, materials such as brick, stone, colored textured concrete or stucco.
3. The maximum building height shall be 30 feet.
4. The landscape setback along the east property line shall be planted with minimum 2-inch caliper large evergreen trees planted 20 feet on center or in equivalent groupings, as approved by the Planning and Development Department.
5. Prior to preliminary site plan approval, the developer shall all apply for the On-Street Parking Zones program in order to install no parking signs along Edgemont Avenue between 42nd Street and 43rd Street.
6. The developer shall construct a minimum 5-foot-wide detached sidewalk and minimum 5-foot-wide landscape strip located between the back of curb and sidewalk along the north side of Edgemont Avenue, as approved by the Planning and Development Department. The landscape strip shall be planted as follows:
 - a. Minimum 3-inch caliper large canopy, single-trunk, shade trees placed a minimum of 25 feet on center or in equivalent groupings to provide a minimum of 75% shade on adjacent sidewalks.
 - b. Drought tolerant shrubs and vegetative groundcovers with a maximum mature height of 24 inches to provide a minimum of 75% live coverage at maturity.
7. 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.
8. 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.

9. Prior to preliminary 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 5th day of April, 2023.

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 (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP TWO NORTH, RANGE FOUR EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

MORE PARTICULARLY DESCRIBED AS FOLLOWS,

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION THIRTY-ONE (31), MARKED BY A BRASS CAP IN HANDHOLE STAMPED "CITY OF PHOENIX" FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION THIRTY-ONE (31) BEARS SOUTH 90°00'00" EAST FOR A DISTANCE OF 2597.65 FEET;

THENCE SOUTH 90°00'00" EAST, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION THIRTY-ONE (31), FOR A DISTANCE OF 1432.01 FEET;

THENCE SOUTH 0°01'36" EAST, A DISTANCE OF 239.63 FEET;

THENCE NORTH 89°45'20" EAST, A DISTANCE OF 45.73 FEET;

THENCE SOUTH 01°29'10" WEST. ALONG THE WEST LINE OF THE EAST 117.80 FEET OF THE EAST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION THIRTY-ONE (31), A DISTANCE OF 75.59 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 90°00'00" EAST, A DISTANCE OF 30.21 FEET TO A POINT ON THE EAST LINE OF THE WEST 32.2 FEET OF THE WEST HALF OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION THIRTY-ONE (31);

THENCE SOUTH 01°29'38" EAST, ALONG SAID EAST LINE, A DISTANCE OF 198.17 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF EDMONT AVENUE AS CONVEYED TO THE CITY OF PHOENIX BY DEED RECORDED IN DOCKET 2301, PAGE 540, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE SOUTH 89°43'58" WEST. ALONG SAID NORTH LINE, A DISTANCE OF 150.22 FEET;

THENCE NORTH 01°29'10" WEST, A DISTANCE OF 198.87 FEET TO THE POINT OF BEGINNING.

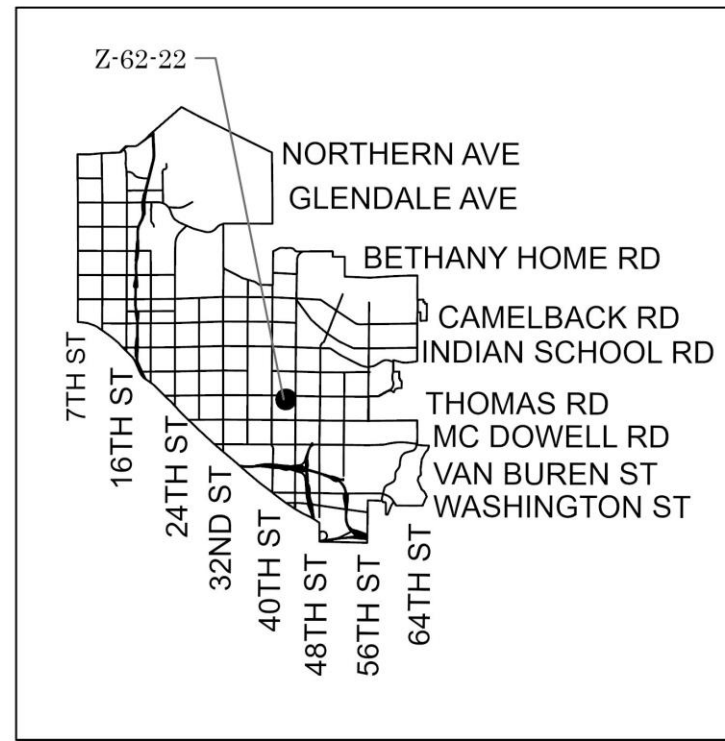
ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: - - - - -

Zoning Case Number: Z-62-22
Zoning Overlay: N/A
Planning Village: Camelback East



NOT TO SCALE



Drawn Date: 3/7/2023