

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 ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-22-16-2) FROM RE-35 SP (SINGLE-FAMILY RESIDENCE DISTRICT SPECIAL PERMIT) AND RE-35, APPROVED RE-35 SP (SINGLE-FAMILY RESIDENCE DISTRICT, APPROVED SINGLE-FAMILY RESIDENCE DISTRICT, SPECIAL PERMIT) TO PUD (PLANNED UNIT DEVELOPMENT).

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

SECTION 1. The zoning of a 5.02-acre property located approximately 365 feet east of the southeast corner of 25th Place and Rose Garden Lane in a portion of Section 23, Township 4 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from 5.01 acres of RE-35 SP (Single-Family Residence District, Special Permit) and 0.01-acres of RE-35, Approved RE-35 SP (Single-Family Residence District, Approved Single-Family Residence District, Special Permit) 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 Horses Help PUD reflecting the changes approved through this request shall be submitted to the Planning Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with Development Narrative date stamped December 10, 2018 as modified by the following stipulations.
 - a. Update acreage throughout document to 5.02 acres.
2. 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.
3. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims in a form approved by the City Attorney's Office. 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 3rd day of April, 2019.

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-22-16-2

LOT 14, MOHAWK PARK, ACCORDING TO BOOK 58 OF MAPS, PAGE 48, AND BEING LOCATION IN A PORTION OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 23, TOWNSHIP 4 NORTH, RANGE 3 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

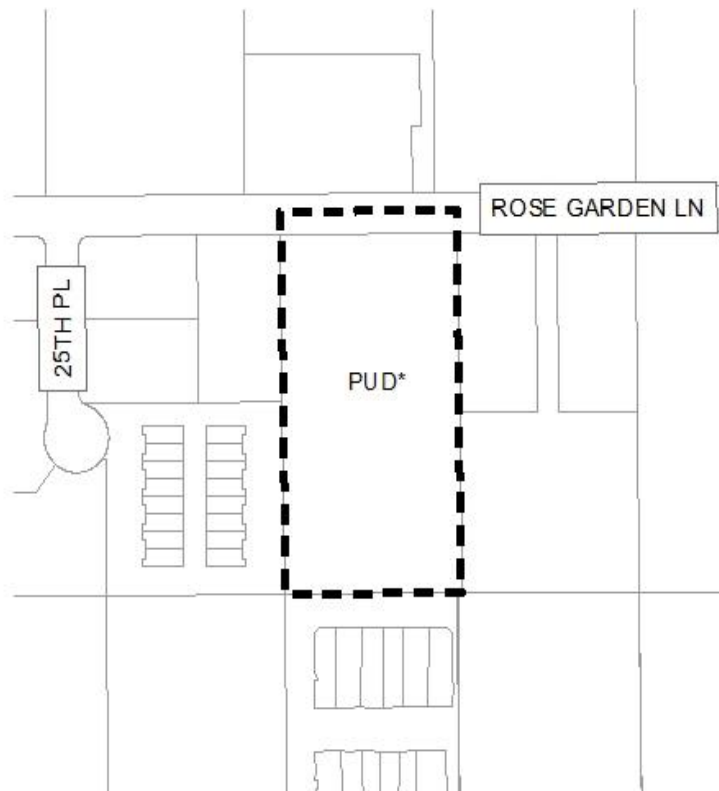
DRAFT

ORDINANCE LOCATION MAP

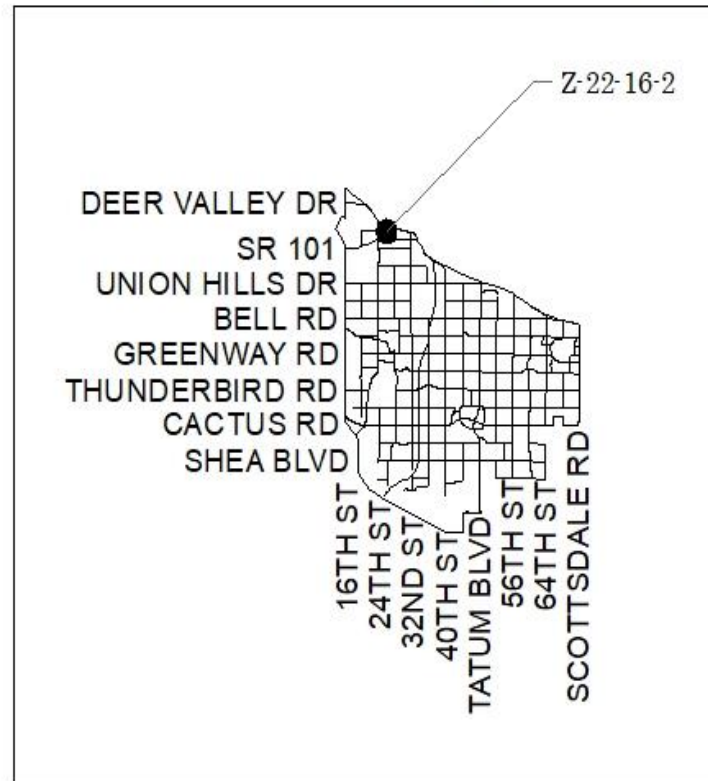
EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: ■ ■ ■ ■ ■

Zoning Case Number: Z 22 16 2
Zoning Overlay: N/A
Planning Village: Paradise Valley



0 87.5 175 350 Feet



NOT TO SCALE



Drawn Date: 3/4/2019