

## 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-36-22-4) FROM R-5 SP (MULTIFAMILY RESIDENCE DISTRICT, SPECIAL PERMIT) AND C-3 SP (GENERAL COMMERCIAL, SPECIAL PERMIT) TO R-5 (MULTIFAMILY RESIDENCE DISTRICT) AND C-3 (GENERAL COMMERCIAL).

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

SECTION 1. The zoning of a 4.23-acre property located at the southwest corner of 31st Avenue and McDowell Road in a portion of Section 2, Township 1 North, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from 3.28 acres of "R-5 SP" (Multifamily Residence District, Special Permit) and 0.95 acres of "C-3 SP" (General Commercial, Special Permit) to 3.28 acres of "R-5" (Multifamily Residence District) and 0.95 acres of "C-3" (General Commercial).

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. 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 7th day of September, 2022.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
Denise Archibald, City Clerk

APPROVED AS TO FORM:  
Cris Meyer, City Attorney

By:  
\_\_\_\_\_  
\_\_\_\_\_

REVIEWED BY:

\_\_\_\_\_  
Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (2 Pages)

B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-36-22-4

A portion of Section 2, Township 1 North, Range 2 East of the Gila and Salt River Base and Meridian, described as follows:

PARCEL NO. 1

Lot 1, Block 1, EL RETIRO TRACT, according to Book 32 of Maps, page 9, records of Maricopa County, Arizona;

EXCEPT that part of said Lot 1 in Block 1 of El Retiro, described as follows:

BEGINNING at the Northeast corner of Lot 1;

thence Westerly, along the North line of Lot 1 to the Northwest corner thereof;

thence Southerly, along the West line of Lot 1, to the South line of the North 7 feet thereof;

thence Easterly, along the South line of the North 7 feet of Lot 1, to the East 10 feet thereof;

thence Southeasterly to a point on the East line of Lot 1 which bears Southerly a distance of 17 feet from the point of beginning;

thence to the POINT OF BEGINNING; and

EXCEPT that part of said Lot 1, Block 1, EL RETIRO, described as follows:

BEGINNING at the Northeast corner of said Lot 1;

thence South along the East line thereof a distance of 17 feet to the TRUE POINT OF BEGINNING;

thence Northwest to the Southwest corner of North 7 feet of the East 10 feet of said Lot 1;

thence West along the South line of said North 7 feet a distance of 2 feet;

thence Southeast to a point on said East line which is 5 feet South of the TRUE POINT OF BEGINNING;

thence to the TRUE POINT OF BEGINNING.

PARCEL NO. 2

That part of the Northeast quarter of Section 2, Township 1 North, Range 2 East of the Gila and Salt River Base and Meridian, described as follows:

COMMENCING at the Northwest corner of the Northeast quarter of Section 2;

thence South along the West line of said quarter Section, a distance of 866 feet and 3 inches;

thence East parallel with the North line of said quarter Section, a distance of 264 feet;

thence North parallel with the West line of said quarter Section, a distance of 866 feet and 3 inches to the North line of said quarter Section;

thence West along the North line of said quarter Section, a distance of 264 feet to the POINT OF BEGINNING;

EXCEPT that part of the Northeast quarter of Section 2, Township 1 North, Range 2 East of the Gila and Salt River Base and Meridian, Maricopa County Arizona, described as follows:

BEGINNING at a point on the West line of said Northeast quarter which bears South a distance of 866.25 feet from the Northwest corner thereof, said point being the Northwest corner of SHARON GARDENS AMENDED, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 92 of Maps, page 16;

thence North along said West line a distance of 533 feet;

thence East to the East line of the West 30 feet of said Northeast quarter;

thence South along said East line to the point of curvature of a circular curve to the left having a radius of 12 feet;

thence along the arc of said curve to a point of tangency in the North line of said SHARON GARDENS AMENDED;

thence Westerly along said North line to the POINT OF BEGINNING.

# ORDINANCE LOCATION MAP

EXHIBIT B

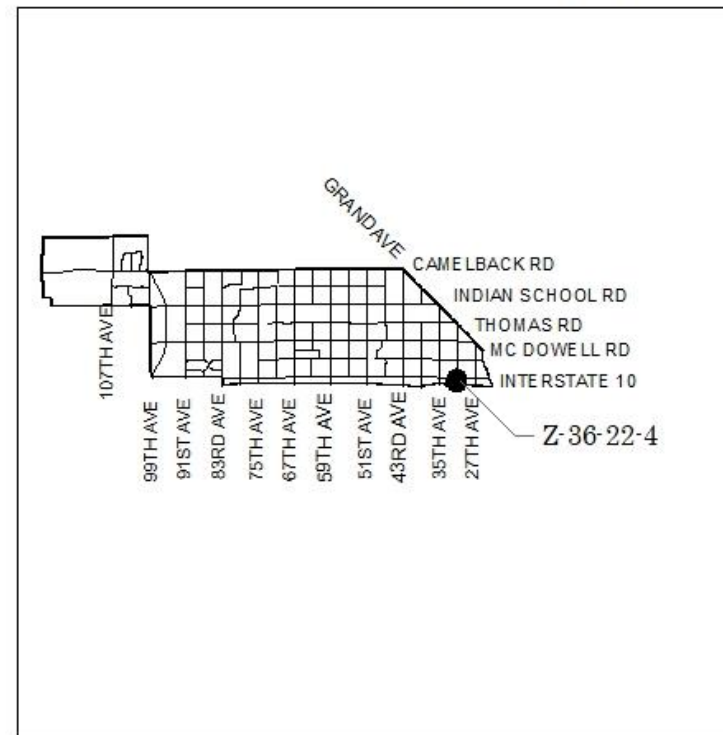
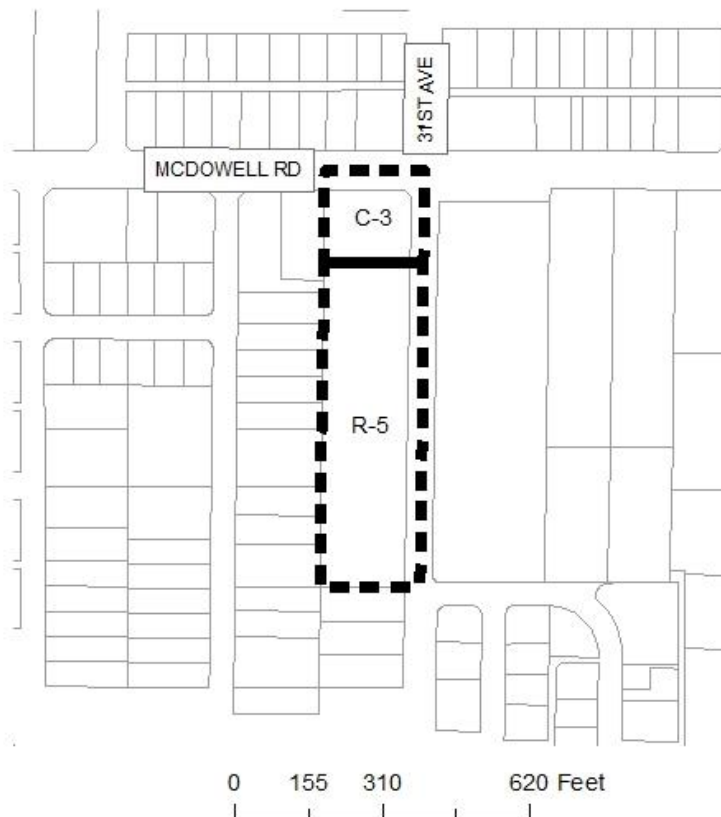
ZONING SUBJECT TO STIPULATIONS: \*

SUBJECT AREA: - - - - -

Zoning Case Number: Z-36-22-4

Zoning Overlay: N/A

Planning Village: Maryvale



NOT TO SCALE



Drawn Date: 8/19/2022