

## 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-78-22-6) 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 1.05 acre property located approximately 470 feet south of the southeast corner of 38th Street and Weldon Avenue in a portion of Section 25, Township 2 North, Range 3 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 elevations date stamped January 31, 2022 as approved by the Planning and Development Department
2. The landscape setback along the east and south property lines shall be planted with minimum 2-inch caliper trees, as approved by the Planning and Development Department.
3. The development shall be in general conformance to the landscape plan dated February 7, 2023, as approved by the Planning and Development Department.
4. There shall be no skydeck on Unit 10.
5. Vision obscuring glass shall be used for the second story of the south façade of Unit 15.
6. Skydeck configuration shall conform to the sight-line drawings dated February 2, 2023.
7. The developer shall construct a minimum 5-foot-wide sidewalk along the east side of 38th Street, as approved by the Planning and Development Department.
8. 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.
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.
10. 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.

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)

## EXHIBIT A

A portion of Section: 25 Township: 2N Range: 3E

The North half of Lot 176, North Citrus Acres Amended, according to Book 23 of Maps, page 46, records of Maricopa County, Arizona;  
EXCEPT the East 305 feet of the North half; and also  
EXCEPT the South 80 feet of the West 200 feet of said North half; and also  
EXCEPT the North 4 feet of the South 84 feet of the West 100 feet of said North half.

# ORDINANCE LOCATION MAP

EXHIBIT B

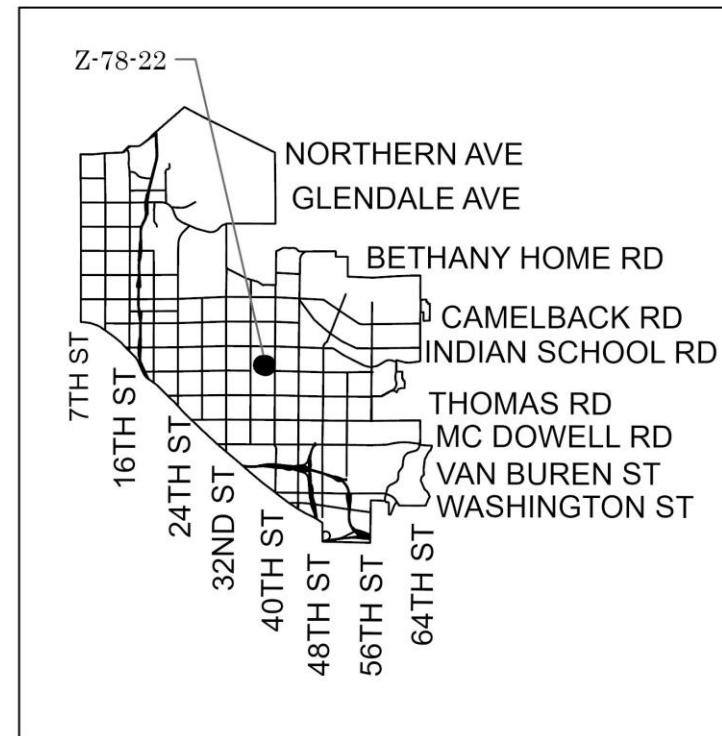
ZONING SUBJECT TO STIPULATIONS: \*

SUBJECT AREA: ■ ■ ■ ■ ■

Zoning Case Number: Z-78-22

Zoning Overlay: N/A

Planning Village: Camelback East



NOT TO SCALE



Drawn Date: 3/7/2023