

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-27-21-8) FROM R1-6 (SINGLE-FAMILY RESIDENCE DISTRICT), PAD-13 (APPROVED R-3A) (PLANNED AREA DEVELOPMENT, APPROVED MULTIFAMILY RESIDENCE DISTRICT), R-3 (MULTIFAMILY RESIDENCE DISTRICT), AND R1-6 (APPROVED R-3A) (SINGLE-FAMILY RESIDENCE DISTRICT, APPROVED MULTIFAMILY RESIDENCE DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT).

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

SECTION 1. The zoning of a 15.25-acre site located at the southwest corner of 35th Street and Culver Street in a portion of Section 1, Township 1 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from 7.79 acres of "R1-6" (Single-Family Residence District), 4.61 acres of "PAD-13 (Approved R-3A)" (Planned Area Development, Approved Multifamily Residence District), 2.42 acres of "R-3" (Multifamily Residence District), and 0.43-acres of "R1-6 (Approved R-3A)" (Single-Family Residence District, Approved Multifamily Residence District) 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 Gateway School PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped June 4, 2025, as modified by the following stipulations:
 - a. Front cover: Add “The Gateway School PUD” title and add the submittal date information as follows: “First Submittal: May 6, 2021. Second Submittal: October 5, 2022. Third Submittal: September 14, 2023. Hearing Draft: June 4, 2025. City Council adopted: [Add adoption date].”
2. The site is located within a Special Flood Hazard Area (SFHA) called a Zone A on panel 2210L of the Flood Insurance Rate Maps (FIRM) revised October 16, 2013. The following requirements shall apply, as approved by the Planning and Development Department.
 - a. The Architect/Engineer is required to show the floodplain boundary limits on the Grading and Drainage plan and ensure that impacts to the proposed facilities have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3). This includes, but is not limited to, provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.
 - b. A copy of the Grading and Drainage Plan needs to be submitted to the Floodplain Management section of the Office of the City Engineer for review and approval of Floodplain requirements.
 - c. FEMA approved CLOMR-F or CLOMR is required prior to issuance of a Grading and Drainage permit.

3. The developer shall submit a Traffic Impact Analysis report to the City for this development, no preliminary approval of plans shall be granted until the study is approved by the City.
4. 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.
5. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor 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.
6. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
7. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
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 final 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 7th day of January,
2026.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Julie M. Kriegh, City Attorney

By:

REVIEWED BY:

Ed Zuercher, City Manager

Exhibits:
A – Legal Description (2 Pages)
B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-27-21-8

A PARCEL OF LAND BEING A PORTION OF LOT 1, AS SHOWN ON THE PLAT OF CREIGHTON NEW SCHOOL, AS RECORDED IN BOOK 488, PAGE 22, MARICOPA COUNTY RECORDS, ALSO LYING WITHIN A PORTION OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF CULVER STREET, AND 35TH STREET, AS SHOWN ON SAID PLAT OF CREIGHTON NEW SCHOOL, SOUTH $00^{\circ}38'59''$ EAST, 1049.34 FEET ALONG THE CENTERLINE OF SAID 35TH STREET, TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 55.00 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF $58^{\circ}07'28''$, AND AN ARC LENGTH OF 55.80 FEET, TO A TANGENT REVERSE CURVE CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 15.00 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF $57^{\circ}13'03''$, AND AN ARC LENGTH OF 14.98 FEET;

THENCE SOUTH $00^{\circ}15'26''$ WEST, 47.51 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF ARIZONA STATE ROUTE 202;

THENCE NORTH $89^{\circ}44'34''$ WEST, 33.79 FEET;

THENCE LEAVING SAID RIGHT OF WAY, SOUTH $00^{\circ}15'26''$ WEST, 25.00 FEET TO A LINE BEING 25.00' SOUTHWEST OF AND PARALLEL WITH SAID NORTH RIGHT OF WAY;

THENCE ALONG SAID PARALLEL LINE THE FOLLOWING 3 COURSES:

THENCE NORTH $89^{\circ}44'34''$ WEST, 101.87 FEET;

THENCE SOUTH $71^{\circ}05'41''$ WEST, 40.17 FEET;

THENCE NORTH $74^{\circ}18'49''$ WEST, 275.08 FEET TO A LINE BEING 25.00 FEET SOUTHWEST AND PARALLEL TO THE NORTH LINE OF THE APPROPRIATORS CANAL, AS SHOWN ON SAID PLAT;

THENCE LEAVING SAID PARALLEL LINE, NORTH $49^{\circ}38'10''$ WEST, 134.42 FEET ALONG SAID LINE BEING PARALLEL WITH SAID CANAL TO THE SOUTHERLY EXTENSION OF THE WEST LINE OF SAID LOT 1;

THENCE LEAVING SAID PARALLEL LINE, AND ALONG SAID WEST LINE, AND EXTENSION THEREOF NORTH $00^{\circ}37'54''$ WEST, 495.28 FEET;

THENCE CONTINUING ALONG SAID WEST LINE AND WEST LINE EXTENDED SOUTH $89^{\circ}22'06''$ WEST, 133.00 FEET TO A POINT ON THE CENTERLINE OF 34TH STREET AS SHOWN ON SAID PLAT;

THENCE ALONG SAID CENTERLINE, NORTH $00^{\circ}37'54''$ WEST, 50.00 FEET;

THENCE LEAVING SAID CENTERLINE AND ALONG THE WEST LINE AND WEST LINE EXTENDED OF SAID LOT 1, NORTH $89^{\circ}22'06''$ EAST, 125.00 FEET TO THE WEST LINE OF THAT 16.00 FOOT WIDE ALLEY AS SHOWN ON SAID PLAT;

THENCE ALONG SAID WEST LINE AND ITS NORTHERLY EXTENSION, NORTH $00^{\circ}37'54''$ WEST 488.10 FEET TO A POINT ON THE CENTERLINE OF SAID CULVER STREET;

THENCE LEAVING SAID WEST LINE & EXTENSION, AND ALONG SAID CENTERLINE,

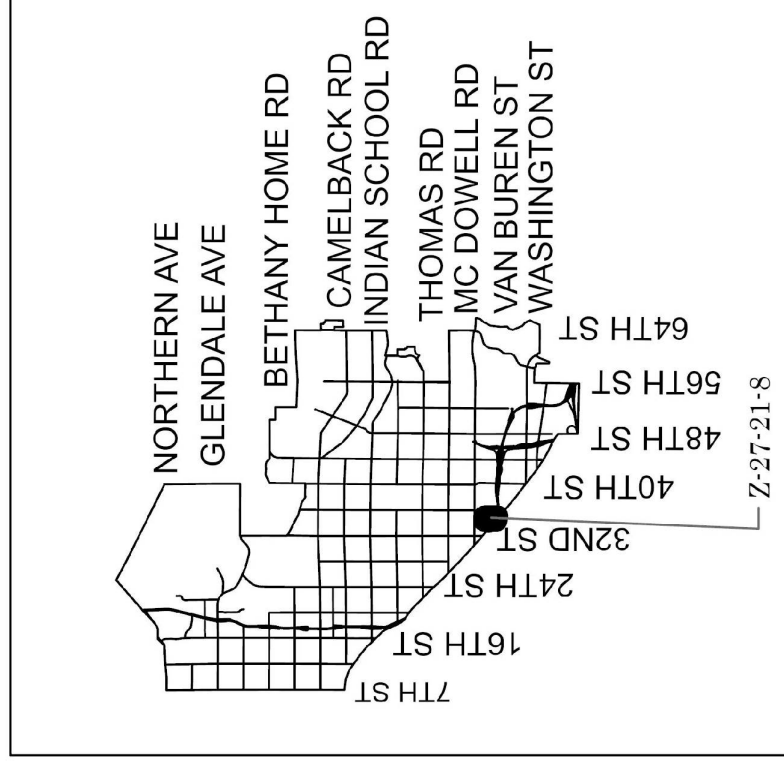
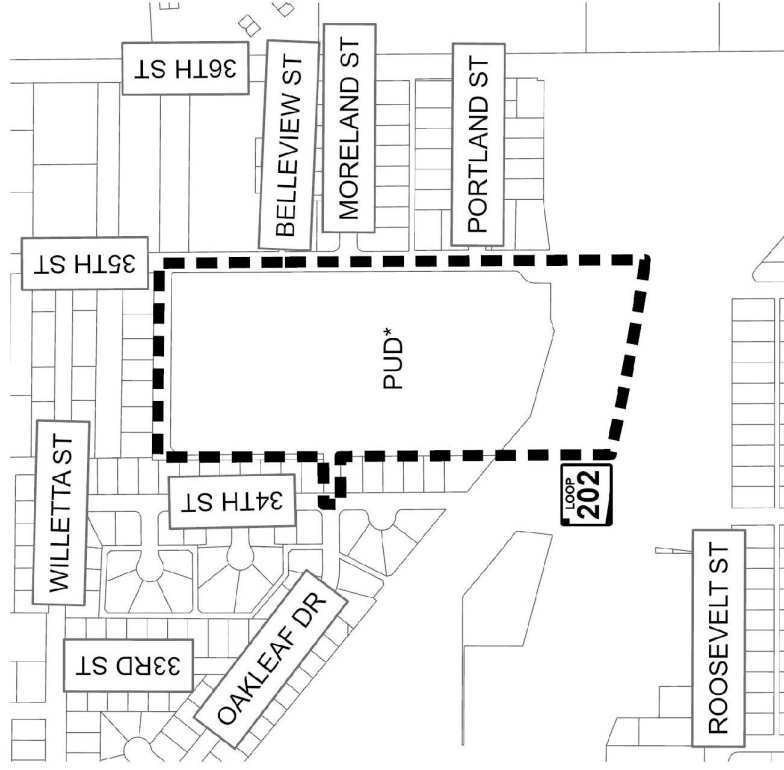
SOUTH $89^{\circ}54'41''$ EAST, 581.10 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS A COMPUTED AREA OF 666,962 SQ. FT., OR 15.311 ACRES, MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENTS, RESTRICTIONS, RIGHTS-OF-WAY OF RECORD OR OTHERWISE.

ORDINANCE LOCATION MAP

ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: - - - - -



NOT TO SCALE