

**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-69-18-7) FROM S-1 (RANCH OR FARM RESIDENCE DISTRICT) AND RE-43 (ONE-FAMILY RESIDENCE DISTRICT) TO R1-8 (SINGLE-FAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of a 103.29-acre property located at the southwest corner of 103rd Avenue and Broadway Road in a portion of Section 29, Township 1 North, Range 1 East, as described more specifically in Exhibit "A", is hereby changed from 102.44 acres of "S-1" (Ranch or Farm Residence District) and 0.85 acres of "RE-43" (One-Family Residence District) to 103.29 acres of "R1-8" (Single-Family 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. A minimum of 15% of the gross project area shall be retained as common area, as approved by the Planning and Development Department.
2. The developer shall provide detached sidewalks, as depicted on the pedestrian connectivity exhibit, date stamped February 7, 2019, with a minimum five-foot wide landscaped strip located between the sidewalk and back of curb, as approved by the Planning and Development Department.
3. The portion of Broadway Road adjacent to this development shall comply with the Estrella Village Arterial Landscaping Program, as approved by the Planning and Development Department.
4. The developer shall construct a 10-foot wide public multi-use trail (MUT) within a 30-foot wide multi-use trail easement (MUTE) as indicated in Section 429 of the City of Phoenix MAG Supplement, along the west side of 103rd Avenue, as approved by the Planning and Development Department.
5. Right-of-way totaling 55 feet shall be dedicated for the south half of Broadway Road, as approved by the Planning and Development Department.
6. Right-of-way totaling 30 feet shall be dedicated for the west half of 103rd Avenue. At the intersection of Broadway Road, 40 feet of right-of-way shall be dedicated for the west side of 103rd Avenue for 150 feet south of the intersection. A right-of-way taper shall be dedicated for 125 feet between the 40 foot and 30 foot dedications, as approved by the Planning and Development Department.
7. A 25-foot by 25-foot right-of-way triangle shall be dedicated at the southwest corner of 103rd Avenue and Broadway Road, 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, streetlight, 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. The applicant shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to the Street

Transportation Department prior to final site plan approval. This form is a requirement of the EPA to meet clean air quality requirements.

10. 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.
11. If Phase I data testing is required, and if, upon review of the results from 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.
12. 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.
13. The development shall provide for a minimum of three two-inch caliper trees in each front yard, with two of those trees planted within five feet of the sidewalk and placed no more than 20 feet on center. The developer will provide a master tree plan with a species theme for each street, as approved by the Planning and Development Department.
14. 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 6th day of March,

2019.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

REVIEWED BY:

\_\_\_\_\_  
City Manager

Exhibits:

A – Legal Description (6 Pages)

B – Ordinance Location Map (1 Page)

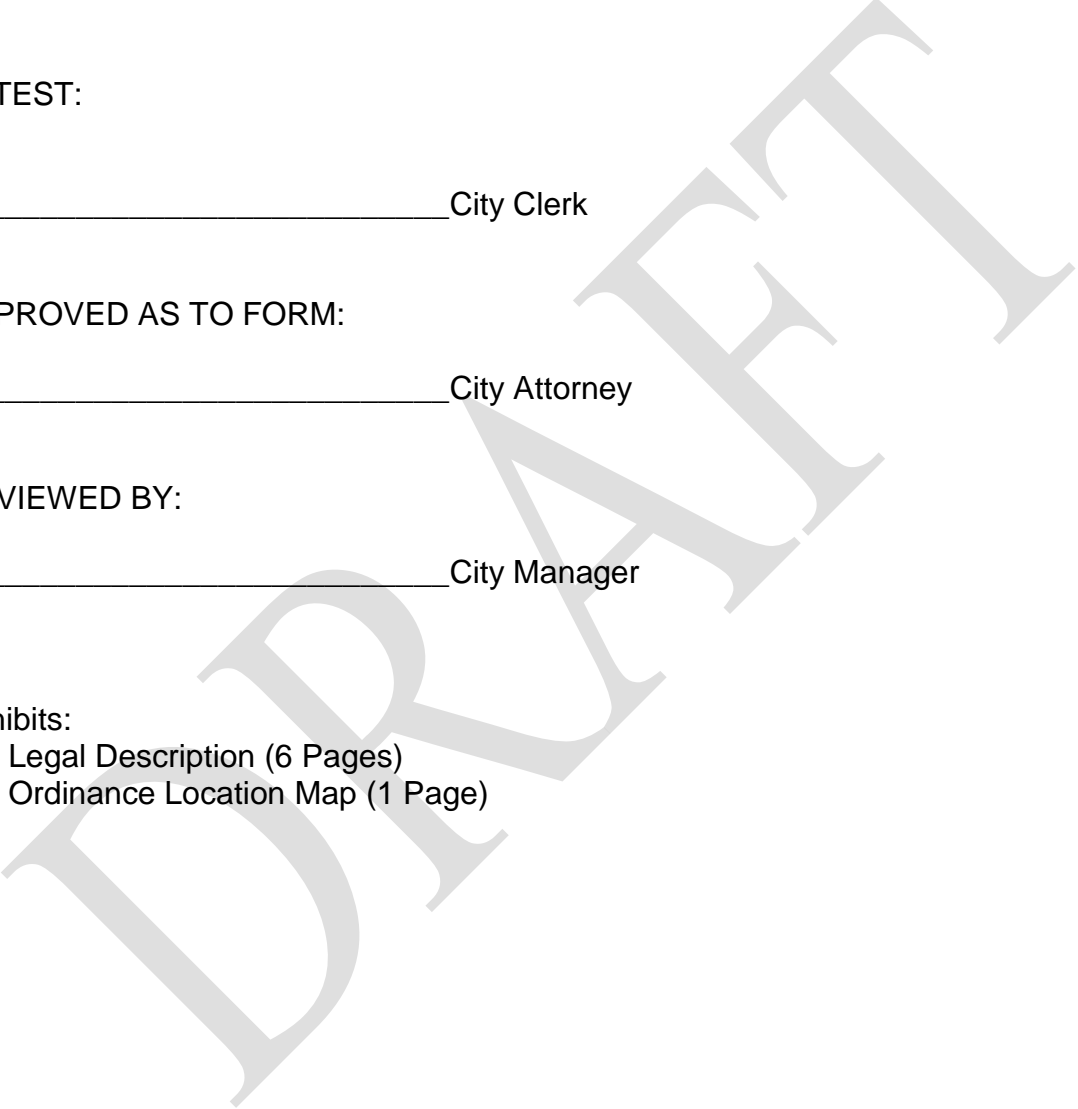


EXHIBIT A

LEGAL DESCRIPTION FOR Z-69-18-7

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

PARCEL NO. 1:

THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

EXCEPT THAT PART OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 29; THENCE SOUTH, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1329.33 FEET TO THE SOUTHEAST CORNER OF THE EAST 656 FEET OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29;

THENCE CONTINUING SOUTH ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 665 FEET, AND THE TRUE POINT OF BEGINNING;

THENCE WEST ALONG A LINE PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER OF SECTION 29, A DISTANCE OF 1193 FEET, MORE OR LESS TO THE CENTER LINE OF AN IRRIGATION DITCH RUNNING NORTHERLY AND SOUTHERLY THROUGH SAID NORTHWEST QUARTER; THENCE SOUTHERLY ALONG THE CENTER LINE OF SAID IRRIGATION DITCH TO A POINT ON THE SOUTH LINE OF SAID NORTHWEST QUARTER;

THENCE EAST, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER TO A POINT WHICH IS THE INTERSECTION OF SAID SOUTH LINE AND THE EAST LINE OF SAID NORTHWEST QUARTER;

THENCE NORTH, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER TO THE POINT OF BEGINNING.

ALSO EXCEPT THAT PART OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 29; THENCE SOUTH, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1329.33 FEET TO THE SOUTHEAST CORNER OF THE EAST 656

FEET OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29, AND THE TRUE POINT OF BEGINNING;  
THENCE CONTINUING SOUTH ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 665 FEET;

THENCE WEST ALONG A LINE PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER OF SECTION 29, A DISTANCE OF 1193 FEET, MORE OR LESS, TO THE CENTER LINE OF AN IRRIGATION DITCH RUNNING NORTHERLY AND SOUTHERLY THROUGH SAID NORTHWEST QUARTER;

THENCE NORTHERLY ALONG THE CENTER LINE OF SAID IRRIGATION DITCH TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29 AT A POINT WHICH IS 89.70 FEET EASTERLY FROM THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29;

THENCE EAST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29 TO THE TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM ANY PORTION OF SAID LAND LYING WITHIN THE FOLLOWING DESCRIBED PARCEL:

THE SOUTH 150 FEET OF THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA,

ALSO EXCEPTING THEREFROM ANY PORTION OF SAID LAND LYING WITHIN THE WEST 40 FEET OF SAID SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

PARCEL NO. 2:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 1 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 29;

THENCE SOUTH, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1329.33 FEET TO THE SOUTHEAST CORNER OF THE EAST 656 FEET OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29;

THENCE CONTINUING SOUTH ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 665 FEET, AND THE TRUE POINT OF BEGINNING;

THENCE WEST ALONG A LINE PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER OF SECTION 29, A DISTANCE OF 1193 FEET, MORE OR LESS TO THE CENTER LINE OF AN IRRIGATION DITCH RUNNING NORTHERLY AND SOUTHERLY THROUGH SAID NORTHWEST QUARTER;

THENCE SOUTHERLY ALONG THE CENTER LINE OF SAID IRRIGATION DITCH TO A POINT ON THE SOUTH LINE OF SAID NORTHWEST QUARTER;

THENCE EAST, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER TO A POINT WHICH IS THE INTERSECTION OF SAID SOUTH LINE AND THE EAST LINE OF SAID NORTHWEST QUARTER;

THENCE NORTH, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ANY PORTION OF SAID LAND LYING WITHIN THE FOLLOWING DESCRIBED PARCEL:

THE SOUTH 150 FEET OF THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

ALSO EXCEPTING THEREFROM ANY PORTION OF THE FOLLOWING DESCRIBED PARCEL LYING WITHIN THE ABOVE-DESCRIBED PARCEL:

BEGINNING AT A CITY OF PHOENIX BRASS CAP FLUSH MARKING THE NORTH QUARTER CORNER OF SAID SECTION 29, FROM WHICH A MARICOPA COUNTY BRASS CAP IN HANDHOLE MARKING THE NORTHWEST CORNER OF SAID SECTION 29 BEARS SOUTH 89 DEGREES 35 MINUTES 57 SECONDS WEST 2602.00 FEET, SAID LINE IS THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 29 AND IS THE BASIS FOR THE BEARINGS IN THIS DESCRIPTION;

THENCE SOUTH 01 DEGREE 39 MINUTES 33 SECONDS EAST 2659.23 FEET ALONG THE NORTH-SOUTH MIDSECTION LINE OF SAID SECTION 29 AS SHOWN ON THAT SURVEY PREPARED BY DANIEL M. WEIR, RECORDED IN BOOK 99 OF MAPS, PAGE 28, MARICOPA COUNTY RECORDS TO A FOUND 2 INCH IRON PIPE;

THENCE SOUTH 89 DEGREES 39 MINUTES 10 SECONDS WEST 34.46 FEET TO A FOUND ½ INCH IRON PIPE TAGGED 15573 AT THE INTERSECTION OF THE OPPOSING QUARTER CORNER CORNERS OF SAID SECTION 29;

THENCE NORTH 00 DEGREES 55 MINUTES 00 SECONDS WEST 2658.67 FEET ALONG THE NORTH-SOUTH MIDSECTION LINE OF SAID SECTION 29 AS SHOWN

ON THE SUBDIVISION OF FARMINGTON GLEN, AS RECORDED IN BOOK 697, PAGE 16, MARICOPA COUNTY RECORDS, TO THE POINT OF BEGINNING.

PARCEL NO. 3:

THAT PART OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH QUARTER CORNER OF SAID SECTION 29;

THENCE SOUTH ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1329.33 FEET TO THE SOUTHEAST CORNER OF THE EAST 656 FEET OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29, AND THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 665 FEET;

THENCE WEST ALONG A LINE PARALLEL WITH THE SOUTH LINE OF SAID NORTHWEST QUARTER OF SECTION 29, A DISTANCE OF 1193 FEET, MORE OR LESS, TO THE CENTER LINE OF AN IRRIGATION DITCH RUNNING NORTHERLY AND SOUTHERLY THROUGH SAID NORTHWEST QUARTER;

THENCE NORTHERLY ALONG THE CENTER LINE OF SAID IRRIGATION DITCH TO APPOINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29 AT A POINT WHICH IS 89.70 FEET EASTERLY FROM THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29;

THENCE CONTINUING NORTHERLY ALONG SAID CENTER LINE TO A POINT ON THE NORTH LINE OF SAID SECTION 29, WHICH IS 102.00 FEET EASTERLY FROM THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29;

THENCE EAST ALONG THE NORTH LINE OF SAID SECTION 29, A DISTANCE OF 543 FEET, MORE OR LESS, TO THE NORTHWEST CORNER OF THE EAST 656 FEET OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29;

THENCE SOUTH, ALONG THE WEST LINE OF THE EAST 656 FEET OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER, TO THE SOUTHWEST CORNER OF THE EAST 656 FEET OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29;

THENCE EAST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29, A DISTANCE OF 656 FEET TO THE TRUE POINT OF BEGINNING;



EXCEPTING THEREFROM THAT PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 1 NORTH RANGE 1 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 29, A FOUND MARICOPA COUNTY HIGHWAY DEPARTMENT BRASS CAP IN A HAND HOLE, FROM WHICH THE NORTHWEST CORNER A FOUND BRASS CAP IN A HAND HOLE, OF SAID SECTION 29 BEARS SOUTH 89 DEGREES 35 MINUTES 57 SECONDS WEST (BASIS OF BEARING) A DISTANCE OF 2602.04 FEET (MEASURED);

THENCE SOUTH 89 DEGREES 35 MINUTES 57 SECONDS WEST A DISTANCE OF 879.03 FEET COINCIDENT WITH THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 29;

THENCE SOUTH 00 DEGREES 53 MINUTES 41 SECONDS EAST A DISTANCE OF 50 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF BROADWAY ROAD, MARKED WITH A ONE HALF INCH REBAR CAPPED WITH A SALT RIVER PROJECT BRONZE CAP STAMPED LS 15925, SAID POINT BEING THE POINT OF BEGINNING OF SAID PROPOSED SUBSTATION SITE;

THENCE CONTINUING SOUTH 00 DEGREES 53 MINUTES 41 SECONDS EAST A DISTANCE OF 300 FEET TO A ONE HALF INCH REBAR CAPPED WITH A SALT RIVER PROJECT BRASS CAP STAMPED LS 15925;

THENCE SOUTH 89 DEGREES 35 MINUTES 57 SECONDS WEST TO A POINT ON THE EASTERLY LINE OF A NON EXCLUSIVE APPURTENANT EASEMENT FOR ROADWAY AND DITCH PURPOSES AS DESCRIBED IN PARCEL 2 OF DOCUMENT RECORDED IN RECORDING NO. 1998-1170146, RECORDS OF MARICOPA COUNTY, ARIZONA, SAID POINT MARKED BY A ONE HALF INCH REBAR CAPPED WITH A SALT RIVER PROJECT BRONZE CAP STAMPED LS 15925;

THENCE NORTH 00 DEGREES 53 MINUTES 41 SECONDS WEST COINCIDENT WITH THE EASTERLY LINE OF SAID EASEMENT FOR ROADWAY AND DITCH PURPOSES, A DISTANCE OF 300 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF BROADWAY ROAD MARKED WITH A ONE HALF INCH REBAR CAPPED WITH A SALT RIVER PROJECT BRONZE CAP STAMPED LS 15925;

THENCE NORTH 89 DEGREES 35 MINUTES 57 SECONDS EAST COINCIDENT WITH SAID SOUTHERLY RIGHT OF WAY LINE OF BROADWAY ROAD, A DISTANCE OF 300 FEET TO THE POINT OF BEGINNING.

PARCEL NO. 4:

THE EAST 656.00 FEET OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 1 NORTH, RANGE 1 EAST, GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPTING THEREFROM ANY PORTION OF THE FOLLOWING DESCRIBED PARCEL LYING WITHIN THE ABOVE-REFERENCED PARCEL:

BEGINNING AT A CITY OF PHOENIX BRASS CAP FLUSH MARKING THE NORTH QUARTER CORNER OF SAID SECTION 29, FROM WHICH A MARICOPA COUNTY BRASS CAP IN HANDHOLE MARKING THE NORTHWEST CORNER OF SAID SECTION 29 BEARS SOUTH 89 DEGREES 35 MINUTES 57 SECONDS WEST 2602.00 FEET, SAID LINE IS THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 29 AND IS THE BASIS FOR THE BEARINGS IN THIS DESCRIPTION;

THENCE SOUTH 01 DEGREE 39 MINUTES 33 SECONDS EAST 2659.23 FEET ALONG THE NORTH-SOUTH MIDSECTION LINE OF SAID SECTION 29 AS SHOWN ON THAT SURVEY PREPARED BY DANIEL M. WEIR, RECORDED IN BOOK 99 OF MAPS, PAGE 28, MARICOPA COUNTY RECORDS TO A FOUND 2 INCH IRON PIPE;

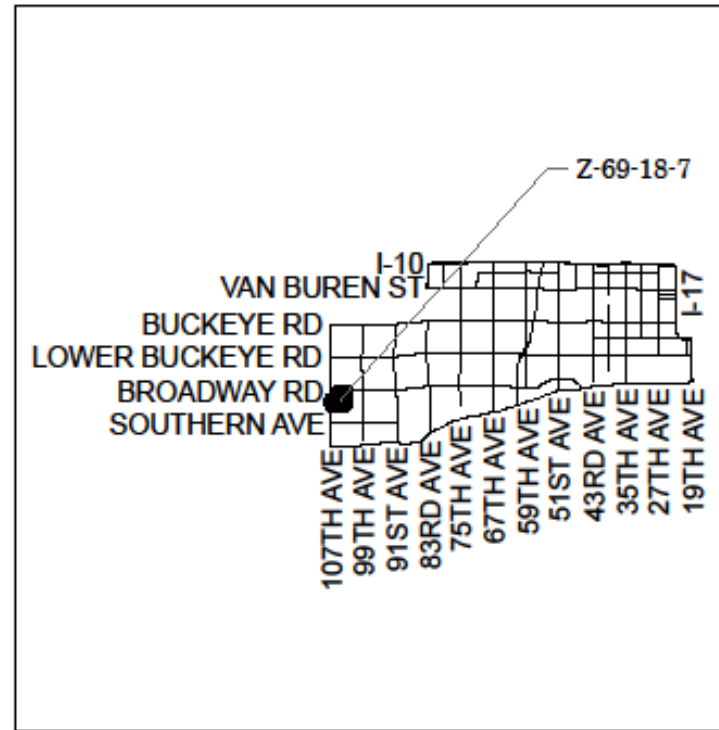
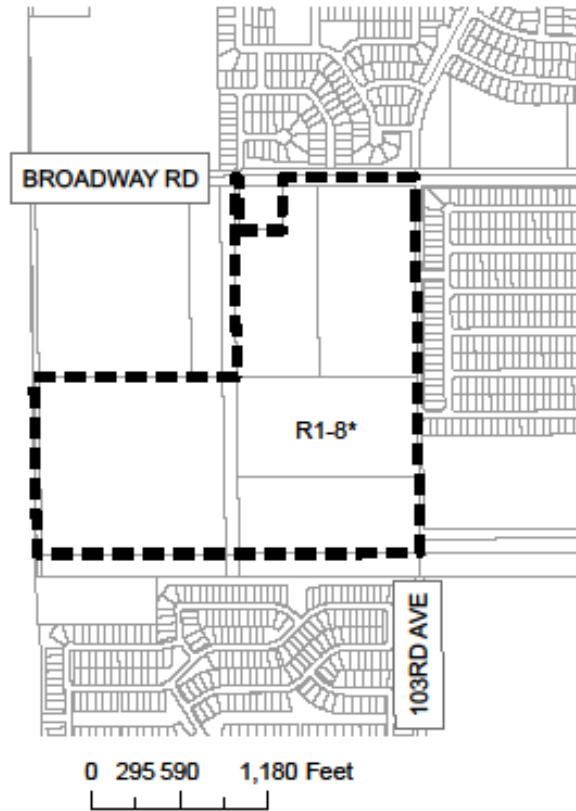
THENCE SOUTH 89 DEGREES 39 MINUTES 10 SECONDS WEST 34.46 FEET TO A FOUND ½ INCH IRON PIPE TAGGED 15573 AT THE INTERSECTION OF THE OPPOSING QUARTER CORNER CORNERS OF SAID SECTION 29;  
THENCE NORTH 00 DEGREES 55 MINUTES 00 SECONDS WEST 2658.67 FEET ALONG THE NORTH-SOUTH MIDSECTION LINE OF SAID SECTION 29 AS SHOWN ON THE SUBDIVISION OF FARMINGTON GLEN, AS RECORDED IN BOOK 697 OF MAPS, PAGE 16, MARICOPA COUNTY RECORDS, TO THE POINT OF BEGINNING.

# ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: Z-69-18-7  
Zoning Overlay: N/A  
Planning Village: Estrella



NOT TO SCALE



Drawn Date: 2/6/2019