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ADOPTED ORDINANCE**

ORDINANCE G-

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PHOENIX, ARIZONA, PART II, CHAPTER 41, THE ZONING ORDINANCE OF THE CITY OF PHOENIX, BY AMENDING SECTION 601, THE ZONING MAP OF THE CITY OF PHOENIX, CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (Z-94-16-2) FROM C-3 (GENERAL COMMERCIAL) TO R-3A (MULTIFAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of an approximately 2.39 acre property located approximately 300 feet south of the southeast corner of 25<sup>th</sup> Street and Bell Road in a portion of Section 2, Township 3 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "C-3" (General Commercial) to "R-3A" (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 landscape setback along 25<sup>th</sup> Street, shall be planted with a minimum 50% 2-inch caliper trees, minimum 50% 3-inch caliper trees, to be placed 20-feet on center or in equivalent groupings, as approved by the Planning and Development Department.
2. A minimum building setback of 30 feet shall be required along the south and east property lines, as approved by the Planning and Development Department.
3. The maximum building height shall be 40 feet.
4. Pedestrian access shall be provided at both entrances along 25<sup>th</sup> Street, as approved by the Planning and Development Department.
5. The developer shall update all existing off-site street improvements (sidewalks, curb ramps and driveways) to current ADA guidelines.
6. The developer shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence and operational characteristics of Phoenix Deer Valley Airport (DVT) to future owners or tenants of the property.

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 22nd day of March, 2017.

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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)

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EXHIBIT A

LEGAL DESCRIPTION FOR Z-94-16-2

THE WEST HALF OF LOT 5, BLOCK A, KAY ACRES UNIT 2, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 38 OF MAPS, PAGE 33. LOCATED IN SECTION 2, TOWNSHIP 3 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY ARIZONA.

EXCEPT THE NORTH 9.00 FEET THEREOF.

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# ORDINANCE LOCATION MAP

EXHIBIT B

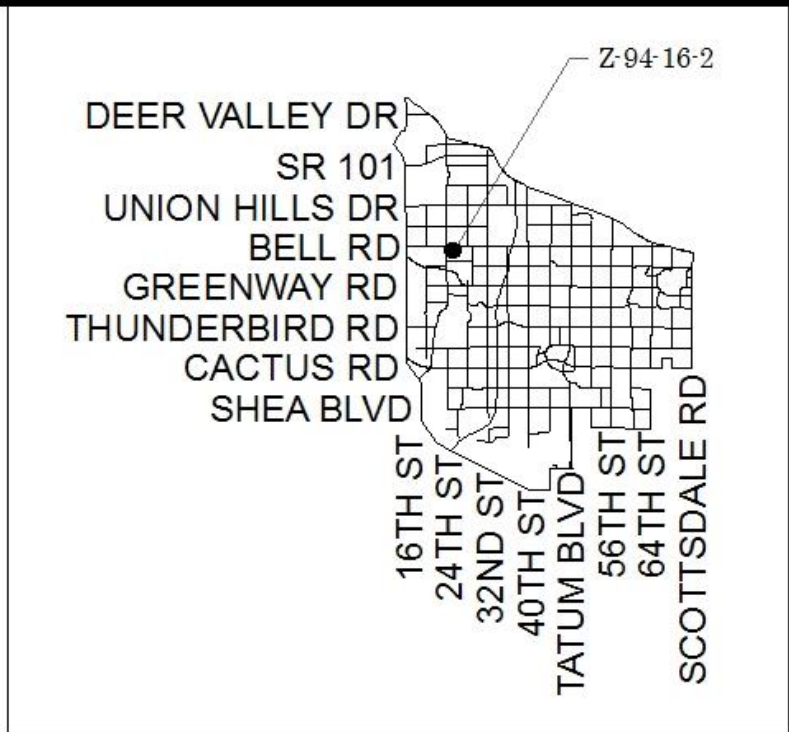
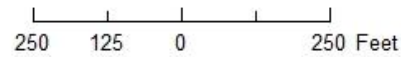
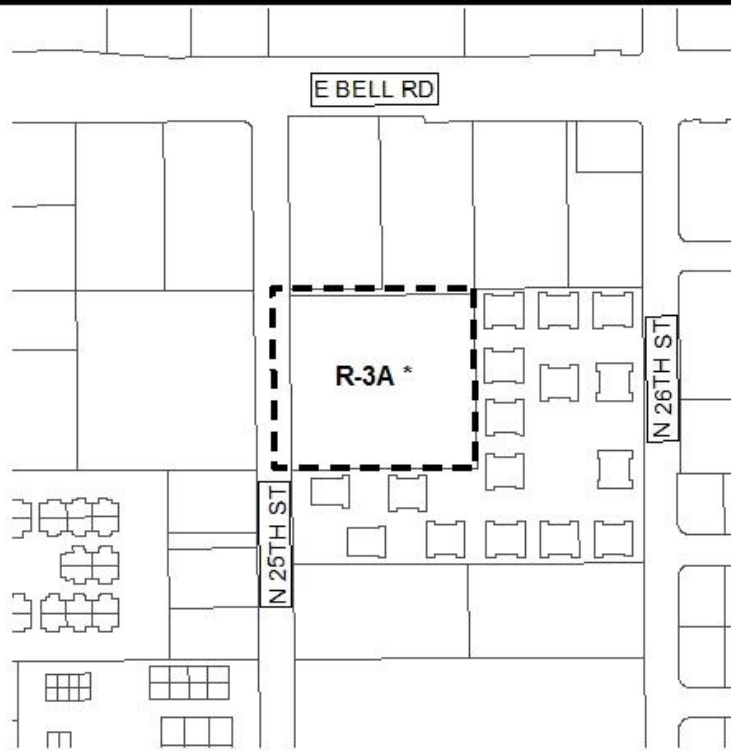
ZONING SUBJECT TO STIPULATIONS: \*

SUBJECT AREA: ■ ■ ■ ■ ■

Zoning Case Number: Z-94-16-2

Zoning Overlay: N/A

Planning Village: Paradise Valley



NOT TO SCALE



Drawn Date: 2/10/2017