

**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-8-17-8) FROM R-3 SPVTABDO (MULTIFAMILY RESIDENCE DISTRICT, SOUTH PHOENIX VILLAGE TARGET AREA B DESIGN OVERLAY) TO R1-6 SPVTABDO (SINGLE-FAMILY RESIDENCE DISTRICT, SOUTH PHOENIX TARGET AREA B DESIGN OVERLAY).

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

SECTION 1. The zoning of approximately 9.03 acres consisting of properties generally bounded by 24th Street to the west, Chipman Road to the north, 31st Street to the east, and Roeser Road to the south in a portion of Section 26, Township 1 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "R-3 SPVTABDO" (Multifamily Residence District, South Phoenix Village Target Area B Design Overlay), to "R1-6 SPVTABDO" (Single-Family Residence District, South Phoenix Village Target Area B Design Overlay).

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 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 Street Transportation and Planning and Development Departments. All improvements shall comply with all ADA accessibility standards.
2. The developer shall conduct archaeological monitoring and/or testing within all areas of the development that lie within 50 feet of the prehistoric canal. Archaeological monitoring shall be conducted during grubbing, landscape salvage, and/or grading, or prior to those activities if it is determined that archaeological testing shall be conducted. The determination as to whether to conduct archaeological monitoring and/or testing must be made by a qualified archaeologist in cooperation with the City of Phoenix Archaeologist.
3. In the event archaeological materials are encountered during construction, the developer shall immediately cease all ground disturbing activities within a 10-meter (33-foot) radius of the discovery, notify the City Archaeologist, and allow time for the City of Phoenix Archaeology Office to properly assess the materials.
4. The property owner shall record a Notice to Prospective Purchasers of Proximity to Airport in order to disclose the existence, and operational characteristics of City of Phoenix Sky Harbor International Airport (PHX) 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.

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 June, 2017.

\_\_\_\_\_  
MAYOR

ATTEST:

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

APPROVED AS TO FORM:

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

REVIEWED BY:

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

Exhibits:

A – Legal Description (7 Pages)

B – Ordinance Location Map (1 Page)

LEGAL DESCRIPTION FOR Z-8-17-8

**THAT PORTION OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

ADDRESS	CITY	ZIP	APN #	LEGAL DESCRIPTION
2961 E Chipman Rd	Phoenix	85040	122-60-034	The East half of Lot 56, Wier Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 35 of Maps, Page 43.
2822 E Roeser Rd	Phoenix	85040	122-61-108	The West half of Lot 166, Wier Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 35 of Maps, Page 43.
2824 E Roeser Rd	Phoenix	85040	122-61-107	The East half of Lot 166, Wier Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 35 of Maps, Page 43.
2827 E Mobile Ln	Phoenix	85040	122-61-060B	The West half of Lot 87, Wier Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 35 of Maps, Page 43.
2830 E Atlanta Ave	Phoenix	85040	122-61-080	The East half of Lot 123, Wier Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 35 of Maps, Page 43.

AND

**THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

ADDRESS	CITY	ZIP	APN #	LEGAL DESCRIPTION
2751 E Mobile Ln	Phoenix	85040	122-55-152	Sublot 640, The Phoenix Mini House No. 32, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 134 of Maps, Page 36.
2557 E Mobile Ln	Phoenix	85040	122-55-125	Lot 96B, Phoenix Mini House No. 7, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 124 of Maps, Page 38.
2754 E Roeser Rd	Phoenix	85040	122-55-100	Lot 148, Ben-Jo Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 35 of Maps, Page 24.
2737 E Atlanta Ave	Phoenix	85040	122-55-096A	The West half of Lot 145, Ben-Jo Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 35 of Maps, Page 24.
2723 E Atlanta Ave	Phoenix	85040	122-55-093C	The West half of Lot 143, Ben-Jo Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 35 of Maps, Page 24.
2540 E Atlanta Ave	Phoenix	85040	122-55-083A	The West 72 feet of Lot 115, Ben-Jo Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 35 of Maps, Page 24.

ADDRESS	CITY	ZIP	APN #	LEGAL DESCRIPTION
2558 E Atlanta Ave	Phoenix	85040	122-55-082A	Lots 114 and 115, of Ben-Jo Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 35 of Maps, Page 24; Except the West 72 feet of said lots 115.
2562 E Atlanta Ave	Phoenix	85040	122-55-081B	The West half of Lot 113, Ben-Jo Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 35 of Maps, Page 24.
2566 E Atlanta Ave	Phoenix	85040	122-55-081A	The East half of Lot 113, Ben-Jo Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 35 of Maps, Page 24.
2706 E Atlanta Ave	Phoenix	85040	122-55-080B	The East half of Lot 112, Ben-Jo Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 35 of Maps, Page 24.
2702 E Atlanta Ave	Phoenix	85040	122-55-080A	The West half of Lot 112, Ben-Jo Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 35 of Maps, Page 24.
2734 E Atlanta Ave	Phoenix	85040	122-55-075A	The West half of Lot 109, Ben-Jo Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 35 of Maps, Page 24.

ADDRESS	CITY	ZIP	APN #	LEGAL DESCRIPTION
2742 E Atlanta Ave	Phoenix	85040	122-55-073C	The West 56 feet of Lot 108, Ben-Jo Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 35 of Maps, Page 24.
2567 E Mobile Ln	Phoenix	85040	122-55-057A	The East half of Lot 97, Ben-Jo Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 35 of Maps, Page 24.
2712 E Mobile Ln	Phoenix	85040	122-55-047B	The West half of Lot 69, Ben-Jo Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 35 of Maps at page 24.
2720 E Mobile Ln	Phoenix	85040	122-55-047A	The East half of Lot 69, Ben-Jo Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 35 of Maps at page 24.
2728 E Mobile Ln	Phoenix	85040	122-54-025	The East half of Lot 68, of Ben-Jo Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, recorded in Book 35 of Maps, Page 24.
2438 E Atlanta Ave	Phoenix	85040	122-54-023	The West half of Lot 122, Ben-Jo Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 35 of Maps at Page 24.

ADDRESS	CITY	ZIP	APN #	LEGAL DESCRIPTION
2442 E Atlanta Ave	Phoenix	85040	122-54-022	The East half of Lot 122, Ben-Jo Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 35 of Maps at Page 24.
2446 E Atlanta Ave	Phoenix	85040	122-54-021C	The West half of Lot 121, Ben-Jo Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 35 of Maps at Page 24.
2450 E Atlanta Ave	Phoenix	85040	122-54-021A	The East half of Lot 121, Ben-Jo Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 35 of Maps at Page 24.
2454 E Atlanta Ave	Phoenix	85040	122-54-017	The West half of Lot 120, Ben-Jo Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 35 of Maps at Page 24.
2458 E Atlanta Ave	Phoenix	85040	122-54-016	The East half of Lot 120, Ben-Jo Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 35 of Maps at Page 24.
2510 E Atlanta Ave	Phoenix	85040	122-54-015A	The West 58 1/2 feet of Lot 118, Ben-Jo Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 35 of Maps at Page 24.



ADDRESS	CITY	ZIP	APN #	LEGAL DESCRIPTION
2519 E Mobile Ln	Phoenix	85040	122-54-009A	The West half of Lot 93 and the West 1.5 feet of the East half of Lot 93, Ben-Jo Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 35 of Maps at Page 24.
2515 E Mobile Ln	Phoenix	85040	122-54-007F	The East half of Lot 93, Ben-Jo Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 35 of Maps at Page 24; Except the West 1.5 feet thereof.
2414 E Mobile Ln	Phoenix	85040	122-54-006C	The East half of Lot 83, Ben-Jo Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 35 of Maps at Page 24.
4844 S 25th St	Phoenix	85040	122-54-006A	Lot 78, Ben-Jo Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 35 of Maps at Page 24.
2512 E Mobile Ln	Phoenix	85040	122-54-047A	The West 84.53 feet of Lot 76, Ben-Jo Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 35 of Maps at Page 24.
2520 E Mobile Ln	Phoenix	85040	122-54-046	The West 50 feet of the East 100 feet of Lot 75, Ben-Jo Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 35 of Maps at Page 24.
2516 E Mobile Ln	Phoenix	85040	122-54-045A	The West 17.25 feet of Lot 75, Ben-Jo Estates, according to the plat of record in the office of the County Recorder of Maricopa County, Arizona, in Book 35 of Maps at Page 24.; Together with the East 32.75 feet of Lot 76 in said Ben-Jo Estates; and Together with the East 0.02 feet of the West 84.53 feet of said Lot 76.

# ORDINANCE LOCATION MAP

EXHIBIT B

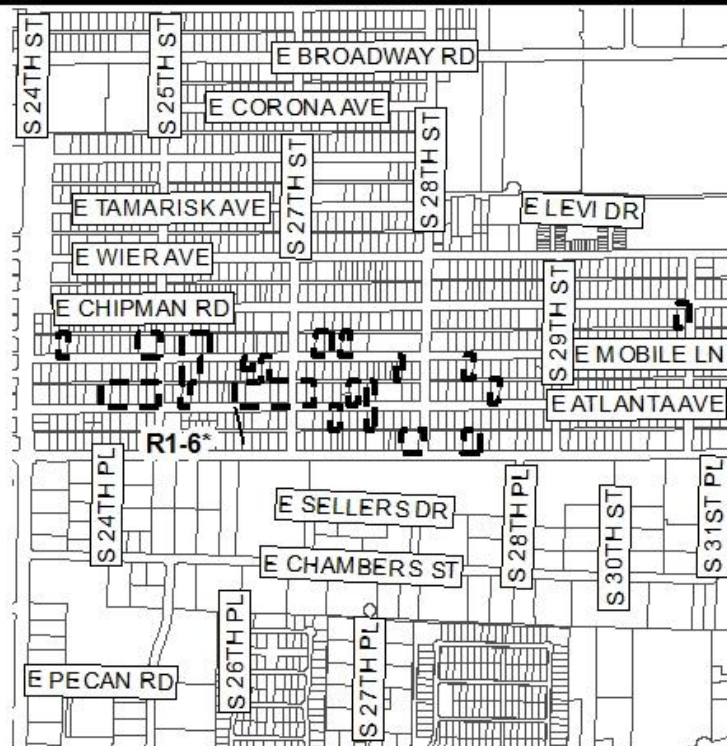
ZONING SUBJECT TO STIPULATIONS: \*

SUBJECT AREA: ■■■■■

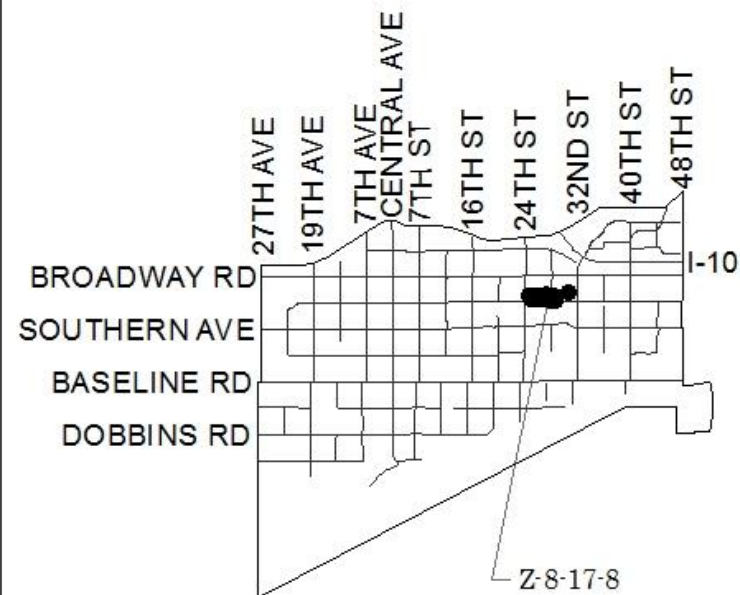
Zoning Case Number: Z-8-17-8

Zoning Overlay: South Phoenix Village  
and Target Area B Design Overlay Distr

Planning Village: South Mountain Village



800 400 0 800 Feet



NOT TO SCALE



Drawn Date: 5/11/2017