

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-36-21-6) FROM C-2 SP (INTERMEDIATE COMMERCIAL DISTRICT, SPECIAL PERMIT) 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 0.27 acre site located approximately 565 feet south of the southeast and southwest corners of 13th Place and Colter Street in a portion of Section 16, Township 2 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "C-2 SP" (Intermediate Commercial District, Special Permit) 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 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.
2. 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.
3. 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.

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 3rd day of November, 2021.

MAYOR

ATTEST:

Denise Archibald, City Clerk

APPROVED AS TO FORM:
Cris Meyer, City Attorney

By:

REVIEWED BY:

Jeff Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

DRAFT

EXHIBIT A

LEGAL DESCRIPTION FOR Z-36-21-6

A PORTION OF SECTION 16, TOWNSHIP 2N, RANGE 3E.

TRACT A OF THE FINAL PLAT OF ABC NISSAN EXPANSION, RECORDED AS INSTRUMENT NO. 2005-0223440 IN THE OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, BOOK 731, PAGE 3.

TRACT B OF FINAL PLAT OF ABC NISSAN EXPANSION, RECORDED AS INSTRUMENT NO. 2005-0223440 IN THE OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, BOOK 731, PAGE 3.

ORDINANCE LOCATION MAP

EXHIBIT B

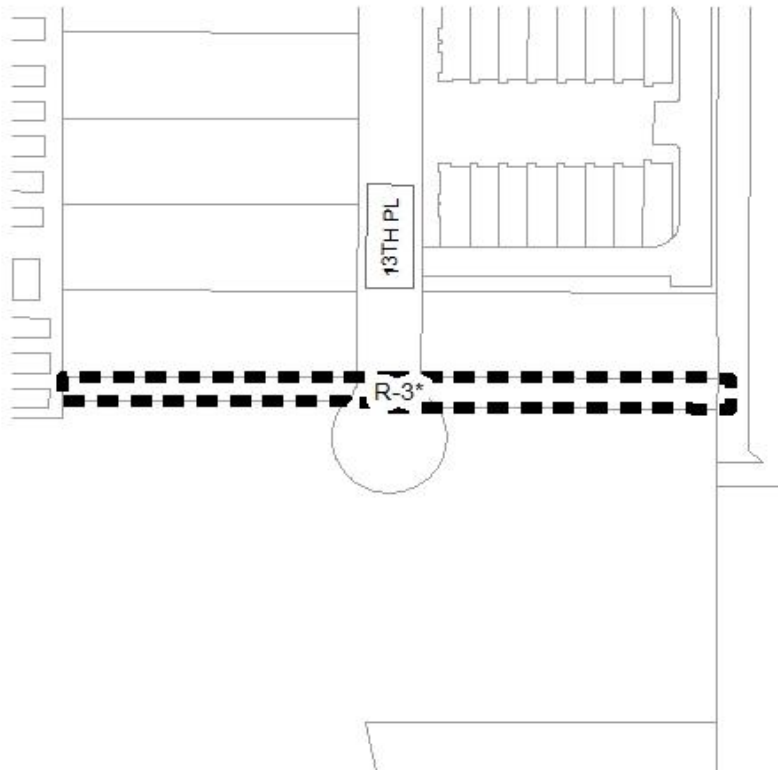
ZONING SUBJECT TO STIPULATIONS: *

SUBJECT AREA: ■ ■ ■ ■ ■

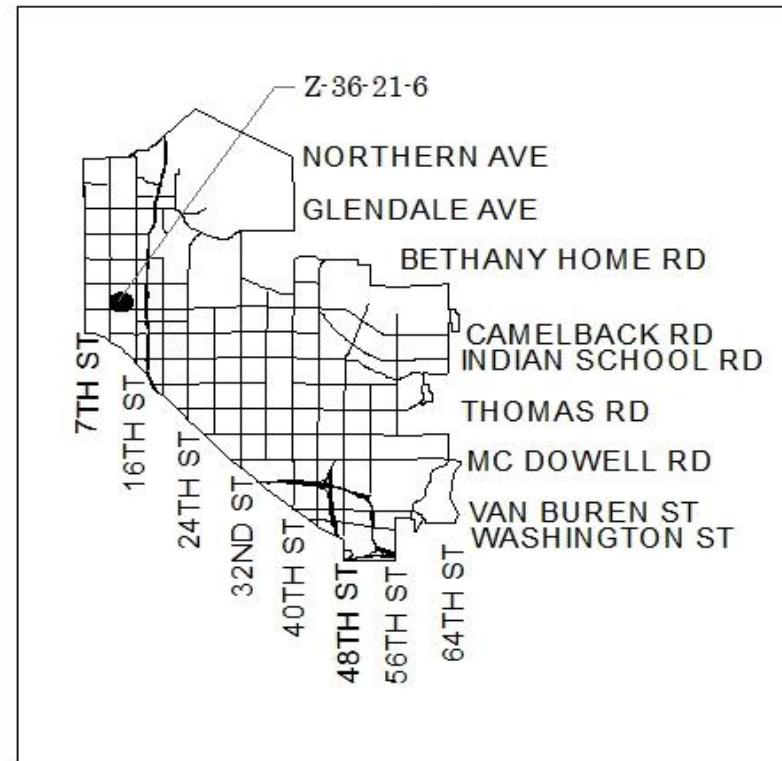
Zoning Case Number: Z-36-21-6

Zoning Overlay: N/A

Planning Village: Camelback East



0 62.5 125 250 Feet



NOT TO SCALE



Drawn Date: 9/30/2021