

ORDINANCE G-7278

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-79-23-4) FROM R1-6 (SINGLE-FAMILY RESIDENCE DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT).

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

SECTION 1. The zoning of a 2.49-acre site located at the southwest corner of 14th Place and Highland Avenue in a portion of Section 21, Township 2 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "R1-6" (Single-Family 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 Wonderview at Highland PUD reflecting the changes approved through this request shall be submitted to the Planning Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with Development Narrative date stamped April 17, 2024, as modified by the following stipulations:
  - a. Front Cover, add "City Council adopted: [Insert Adoption date]."
  - b. Page 11, Landscape Standards Table: Move the Pedestrian Walkways row to the Development Standards table, after the open space requirement.
  - c. Page 23: Revise the legal description to correct the scrivener's error with the size of the property.
2. A minimum 25 feet of right-of-way shall be dedicated for the west side of 14th Place, adjacent to the development.
3. A minimum 25 feet of right-of-way shall be dedicated for the north side of Meadowbrook Avenue, adjacent to the development.
4. All existing electrical utilities within the public right-of-way shall be undergrounded, adjacent to the development. The developer shall coordinate with the affected utility companies for their review and permitting.
5. Replace unused driveways with sidewalk, curb and gutter. Also, replace any broken or out-of-grade curb, gutter, sidewalk, and curb ramps on all streets and upgrade all off-site improvements to be in compliance with current ADA guidelines.
6. All streets within and adjacent to the development shall be constructed 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.
7. 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.
8. 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 1st day of July, 2024.

Kate G  
MAYOR  
7/1/2024  
Date

ATTEST:

Denise Archibald  
Denise Archibald, City Clerk



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

By: David Benton  
David Benton, Chief Counsel  
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REVIEWED BY:

Jeffrey Barton  
Jeffrey Barton, City Manager

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

EXHIBIT A

LEGAL DESCRIPTION FOR Z-79-23-4

THAT PORTION OF LOT 18 OF "LINCOLN PLACE" RECORDED IN BOOK 3 OF MAPS, PAGE 65, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA LYING WITHIN THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 21 BEING MARKED DOWN BY A 3-INCH CITY OF PHOENIX BRASS CAP IN HANDHOLE (0.60' DOWN), FROM WHICH 3-INCH CITY OF PHOENIX BRASS CAP FLUSH MARKING THE CENTER OF SAID SECTION 21 BEARS NORTH 89 DEGREES 53 MINUTES 07 SECONDS WEST 2662.29 FEET, SAID DESCRIBED LINE BEING THE BASIS OF BEARINGS FOR THIS DESCRIPTION;

THENCE NORTH 89 DEGREES 53 MINUTES 07 SECONDS WEST 1331.23 FEET ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER TO A 3-INCH CITY OF PHOENIX BRASS CAP FLUSH MARKING SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 21;

THENCE NORTH 00 DEGREES 21 MINUTES 56 SECONDS EAST 659.89 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 21 BEING MARKER BY A 3-INCH CITY OF PHOENIX BRASS CAP FLUSH, ALSO BEING THE SOUTH LINE OF SAID LOT 18;

THENCE SOUTH 89 DEGREES 52 MINUTES 24 SECONDS EAST 120.00 FEET ALONG SAID SOUTH LINE TO THE WEST LINE OF THE EAST 80.00 FEET OF THE WEST 200.00 FEET OF SAID LOT 18 AND THE POINT OF BEGINNING;  
THENCE NORTH 00 DEGREES 21 MINUTES 56 SECONDS EAST 329.93 FEET ALONG SAID WEST LINE TO THE NORTH LINE OF THE SOUTH HALF OF SAID LOT 18;

THENCE SOUTH 89 DEGREES 52 MINUTES 02 SECONDS EAST 86.95 FEET ALONG SAID NORTH LINE TO THE WEST LINE OF THE EAST 126.00 FEET OF THE WEST 112.00 FEET OF THE WEST HALF OF SAID LOT 18;  
THENCE NORTH 00 DEGREES 21 MINUTES 39 SECONDS EAST 329.92 FEET ALONG SAID WEST LINE TO THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 21;

THENCE SOUTH 89 DEGREES 51 MINUTES 40 SECONDS EAST 126.00 FEET ALONG SAID NORTH LINE TO THE EAST LINE OF THE WEST HALF OF SAID LOT 18;

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