

## 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 ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-60-22-8) FROM C-1 BAOD (NEIGHBORHOOD RETAIL, BASELINE AREA OVERLAY DISTRICT) TO C-2 BAOD (INTERMEDIATE COMMERCIAL, BASELINE AREA OVERLAY DISTRICT)

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

SECTION 1. The zoning of a 0.96 acre site located at the northwest corner of 25th Street and Baseline Road in a portion of Section 35, Township 1 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "C-1 BAOD" (Neighborhood Retail, Baseline Area Overlay District) to "C-2 BAOD" (Intermediate Commercial, Baseline Area Overlay 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 development shall be in general conformance with the site plan and elevations date stamped November 28, 2022, as modified by the following stipulations and approved by the Planning and Development Department.
2. A minimum of one shaded bench shall be provided along the southern building elevation.
3. Twenty percent of the surface parking lot, exclusive of the required perimeter landscaping, shall be landscaped and maintained. Landscaping shall be dispersed throughout the parking area with the interior width of all planting islands to be no less than eight feet in width and a minimum of 120 square feet in area.
4. Service bays shall be screened from view of the public right-of-way and residential uses with a landscaped berm or a combination of a wall and landscaped berm at least four feet in height, as approved by the Planning and Development Department.
5. Minimum 50-percent 3-inch caliper large canopy shade trees selected from the Baseline Area Master Plan Plant List shall be provided for trees within the required landscape setback.
6. The detached sidewalk along Baseline Road shall be shaded to a minimum 75 percent by vegetative shade at maturity, as approved by the Planning and Development Department. Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
7. A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along the north side of Baseline Road and a minimum 10-foot-wide multi-use trail (MUT) shall be constructed within the easement in accordance with the MAG supplemental detail and as approved by the Planning and Development Department.
8. The developer shall provide a bicycle parking area containing a minimum of four spaces. The bicycle parking area shall utilize a rural equestrian themed design that accommodates lock placement on both wheels and located beneath shading near entrances of buildings and installed per the requirements of Section 1307.H of the Phoenix Zoning Ordinance.

9. Right-of-way totaling 60 feet and a 10-foot sidewalk easement shall be dedicated for the north half of Baseline Road, as approved by the Planning and Development Department.
10. The developer shall replenish the existing landscape strip between the back of curb and sidewalk along the north side of Baseline Road, as approved by the Planning and Development Department.
11. 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.
12. Where pedestrian pathways cross a vehicular path, the pathways shall be of contrasting materials such as brick or concrete pavers, as approved by the Planning and Development Department.
13. The property owner shall record documents that disclose the existence, and operational characteristics of Sky Harbor International Airport 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.
14. 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.
15. If Phase I data testing is required, and if, upon review of the results from the 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.
16. 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.
17. 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 1st day of February, 2023.

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MAYOR

ATTEST:

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Denise Archibald, City Clerk

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

By:

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REVIEWED BY:

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Jeffrey Barton, City Manager

Exhibits:

A – Legal Description (1 Page)

B – Ordinance Location Map (1 Page)

EXHIBIT A

LOT2 SOUTH MOUNTAIN PROMENADE:

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 35, BEING A CITY OF PHOENIX BRASS CAP IN HANDHOLE, FROM WHICH THE SOUTH QUARTER CORNER OF SAID SECTION 35, BEING A CITY OF PHOENIX BRASS CAP FLUSH, BEARS NORTH 88-30'30" EAST, A DISTANCE OF 2657.40 FEET;

THENCE NORTH 88-30'30" EAST, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 35, A DISTANCE OF 736.74 FEET;

THENCE NORTH 00-04'00" WEST, DEPARTING SAID SOUTH LINE, A DISTANCE OF 70.02 FEET TO THE NORTH LINE OF THE SOUTH 70.00 FEET OF SAID SOUTHWEST QUARTER, ALSO BEING THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED;

THENCE CONTINUING NORTH 00-04'00" WEST, A DISTANCE OF 337.40 FEET;

THENCE NORTH 90-00'00" EAST, A DISTANCE OF 269.25 FEET;

THENCE SOUTH 00-00'00" EAST, A DISTANCE OF 20.00 FEET;

THENCE SOUTH 90-00'00" WEST, A DISTANCE OF 168.03 FEET;

THENCE SOUTH 00-00'00" WEST, A DISTANCE OF 241.48 FEET;

THENCE SOUTH 90-00-00" WEST, A DISTANCE OF 17.25 FEET;

THENCE SOUTH 00-00'00" " EAST, A DISTANCE OF 73.75 FEET TO THE NORTH LINE OF THE SOUTH 70.00 FEET OF THE SOUTHWEST QUARTER OF SECTION 35;

THENCE SOUTH 88-30'30" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 83.60 FEET TO THE POINT OF BEGINNING.

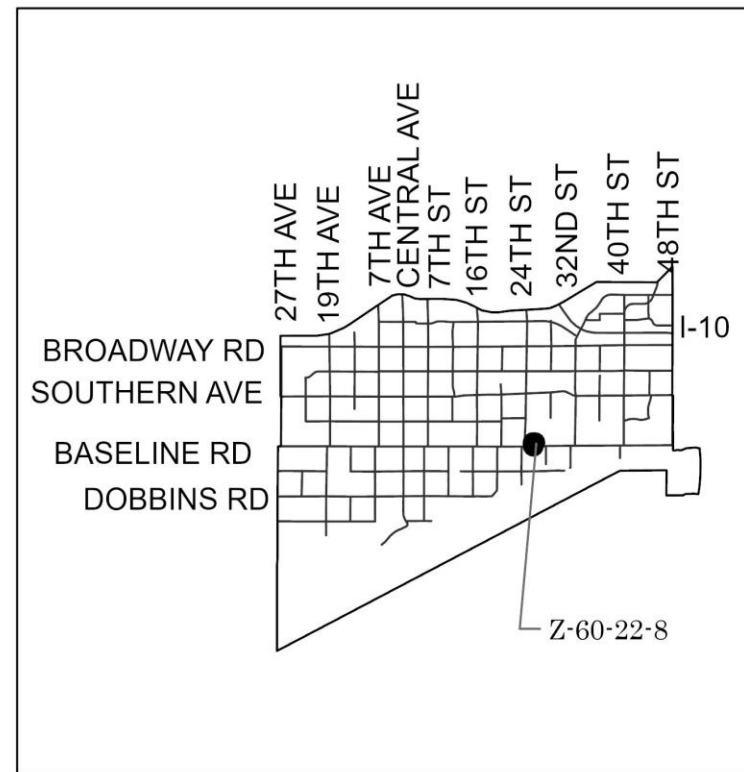
CONTAINING 36,045 SQUARE FEET OR 0.8275 ACRES, MORE OR LESS.

# ORDINANCE LOCATION MAP

EXHIBIT B

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

Zoning Case Number: Z-60-22-8  
Zoning Overlay: Baseline Area Plan and Overlay District  
Planning Village: South Mountain



NOT TO SCALE



Drawn Date: 1/6/2023