

## 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 STIPULATIONS APPLICABLE TO REZONING  
APPLICATION Z-14-16-8 PREVIOUSLY APPROVED BY ORDINANCE G-6223.

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

SECTION 1. The zoning stipulations applicable located on the Northeast corner of 59th Avenue and Baseline Road in a portion of Section 32, Township 1 North, Range 2 East, as described more specifically in Attachment "A", are hereby modified to read as set forth below.

#### STIPULATIONS:

1. The development shall be in general conformance with the site plan and elevations date stamped MARCH 5, 2025 ~~June 21, 2016~~, except as modified by the following stipulations and as approved by the Planning and Development Department.
2. A minimum 50-foot landscape setback shall be provided along the southern property line for the eastern 700 feet of the property and a minimum 35-foot landscape setback shall be provided along the southern property line for the western 287 feet of the property, as approved by the Planning and Development Department. The setback area shall be developed as shown in the Baseline Road Scenic Drive cross section.
3. The developer shall construct a 10-foot multi-use trail within a 30-foot multi-use trail easement that shall be dedicated along the north side of Baseline Road for the length of the project, as approved by the Planning and Development Department.
4. The development shall provide pedestrian pathways between buildings or pads. The pedestrian pathways shall be shaded either by trees or shade structures, as approved by the Planning and Development Department.

5. Entrances to the site and pedestrian path crossings shall be constructed with decorative pavers, stamped or colored concrete, or another material other than those used to pave the parking surfaces and drive aisles, as approved by the Planning and Development Department.
6. Drive-through queuing lanes shall be screened from view of arterial streets through the incorporation of a landscaped berm, screen wall or combination of a wall and berm at least four feet in height, as approved by the Planning and Development Department.
7. The development shall utilize view fencing or no fencing along the northern and eastern property lines, as approved by the Planning and Development Department.
8. Right-of-way totaling 55 feet shall be dedicated for the east half of 59th Avenue, as approved by the Planning and Development Department.
9. A 25-foot by 25-foot right-of-way triangle shall be dedicated at the northeast corner of 59th Avenue and Baseline Road, as approved by the Planning and Development Department.
10. The property owner shall construct all streets adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
11. The developer shall submit paving plans for all arterial streets within and adjacent to the development to the Street Transportation Department for review.
12. The developer shall complete and submit the Developer Project Information Form for the MAG Transportation Improvement Program to Mr. Alan Hilty, (602) 262-6193, with the Street Transportation Department. This form is required by the EPA for air quality standards.
13. The developer shall present the following plans to the Laveen Village Planning Committee prior to preliminary site plan approval through the Planning and Development Department.
  - a. Detailed building elevations
  - b. Detailed landscape plans
  - c. Detailed lighting plans
  - d. Detailed sign package
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. The developer shall notify the following individuals by mail 15 days prior to any  
14. of the following future public meetings regarding the subject site: (1) Planning Hearing Officer hearing, (2) preliminary site plan review meeting. The notice shall include the date, time and location of the meeting/hearing.
  - a. All property owners within a 1 ,000 feet radius of the subject site
  - b. TOM METZGER, 5626 W. CARSON ROAD, LAWEEN, AZ 85339
  - c. JOHN & SELMA POE, 4335 W. BURGESS LANE, LAWEEN, AZ 85339
  - d. DON LAY, 7014 S. 57TH AVENUE, LAWEEN, AZ 85339
  - e. DARIN REEZER, 7201 S. 58TH AVENUE LAWEEN, AZ 85339
  - f. DAVID PAWLOWSKI, 7031 S. 58TH AVENUE, LAWEEN, AZ 85339
  - g. PHIL BISCHOFF, 4701 W. VALENCIA DRIVE, LAWEEN, AZ 85339
  - h. JONATHAN FAVORITE, 8010 S. 54TH LANE, LAWEEN, AZ 85339
  - i. PATRICK & CRYSTAL MARVIN, 4823 W. GWEN STREET, LAWEEN, AZ 85339
  - j. MICHELLE RUTKOWSKI, 7650 E. WILLIAMS DRIVE, SCOTTSDALE, AZ 85255
  - k. JULIE GUNN, 1809 W. MOODY TRAIL, PHOENIX, AZ 85041
  - l. JEFF GUNN, 1809 W. MOODY TRAIL, PHOENIX, AZ 85041

- m. MARTYN WHITE, 10032 N. 38TH STREET, PHOENIX, AZ 85028
- n. VERONICA MONTENIERI, 4314 W. MONTE WAY, LAVEEN, AZ 85339
- o. P. MONTENIERI, 4314 W. MONTE WAY, LAVEEN, AZ 85339
- p. JENNIFER ROUSE, 4821 W. ELLIS STREET, LAVEEN, AZ 85339
- q. KARLA ZIDOW, 5204 W. DESERT DRIVE, LAVEEN, AZ 85339
- r. DIANA KUDES, 5210 W. PEDRO LANE, LAVEEN, AZ 85339
- s. GARY KUDES, 5210 W. PEDRO LANE, LAVEEN, AZ 85339
- t. DESIREE HOOGERHUIS, 3217 W. MELODY DRIVE, LAVEEN, AZ 85339
- u. JASON PALTZER, 6622 S. 50TH AVENUE, LAVEEN, AZ 85339
- v. JEFF & KAREN KEELOR, 7236 S. 57TH AVENUE, LAVEEN, AZ 85339
- w. DAPHNE HERRING, 5506 W. GLASS LANE, LAVEEN, AZ 85339
- x. DONNA SNOW, 6806 W. DESERT LANE, LAVEEN, AZ 85339
- y. JODA SCHAUMBERG, 7205 S. 58TH AVENUE, LAVEEN, AZ 85339
- z. FELICIA CORBETT, 4811 W. GWEN STREET, LAVEEN, AZ 85339
- aa. BEN GRAFF, WITHEY MORRIS PLC, 2525 E. ARIZONA BILTMORE CIRCLE, PHOENIX, AZ 85016
- bb. RICHARD FLOR, 2022 W. ASTER DRIVE, PHOENIX, AZ 85029
- cc. SANDRA GUERRERO, 3247 W. BASELINE ROAD, LAVEEN, AZ 85339
- dd. RALPH PADILLA, 5813 W. ARDMORE ROAD, LAVEEN, AZ 85339
- ee. LORI GONZALES, 5740 W. HIDALGO AVENUE, LAVEEN, AZ 85339
- ff. GARY JORGENSEN, 5527 W. CARSON ROAD, LAVEEN, AZ 85339
- gg. WENDY ENSMINGER, 6806 S. 55TH LANE, LAVEEN, AZ 85339
- hh. KURT GRONLUND, 6834 S. 58TH AVENUE, LAVEEN, AZ 85339
- ii. BRIAN SMITH, 56222 W. CARSON ROAD, LAVEEN, AZ 85339
- jj. MATT CHRISTOPHER, 7019 S. 55TH LANE, LAVEEN, AZ 85339

- kk. DON MEDLING, 5529 W. DARREL ROAD, LAVEEN, AZ 85339
- ll. AL MARTINEZ, 7011 S. 58TH AVENUE, LAVEEN, AZ 85339
- mm. PHIL HERTEL, 2845 W. BROADWAY ROAD, PHOENIX, AZ 85041
- nn. JON KIMOTO, 3216 W. ANSEL ROAD LAVEEN, AZ 85339
- oo. JOHN MOCKUS, 4807 W. SAMANTHA WAY, PHOENIX, AZ 85339
18. All cellular communication facilities shall be building mounted or internal to the cross.  
~~15.~~
19. The developer shall provide minimum 3-inch caliper trees, placed 20-feet on center or in equivalent groupings, within the eastern 560 feet of the northern landscape setback, as approved by the Planning and Development Department.  
~~16.~~
20. Prior to preliminary site plan approval, the landowner shall execute a Proposition 207 waiver of claims in a form approved by the City Attorney's Office. 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.  
~~17.~~
21. The Development shall not include any underground fuel storage tanks, as approved by the Planning and Development Department.  
~~18.~~
22. THE APPLICANT SHALL WORK WITH THE COMMUNITY TO DEVELOP A GATEWAY MONUMENT FOR 59TH AVENUE AND BASELINE ROAD, SUBJECT TO PLANNING AND DEVELOPMENT APPROVAL.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-6223, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-6223 and as modified in Section 1 of this ordinance. Any violation of the stipulation is a violation of the City of Phoenix Zoning Ordinance. Building permits shall not be issued for the subject site until all the stipulations have been met.

SECTION 3. 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 September, 2025.

MAYOR

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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 (3 Pages)

B - Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-25—Z-14-16-8

The Land referred to herein below is situated in the County of Maricopa, State of Arizona, and is described as follows:

LEGAL DESCRIPTION (COMMITMENT NO. 5174198-F-AZ-CP-GRS)(PARCEL 1)  
THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 1  
NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN,  
MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EAST LINE OF THE WEST 33.00  
FEET WITH THE NORTH LINE OF THE SOUTH 60.00 FEET OF SAID  
SOUTHWEST QUARTER;

THENCE NORTH 00 DEGREES 50 MINUTES 31 SECONDS WEST, ALONG SAID  
EAST LINE OF THE WEST 33.00 FEET, A DISTANCE OF 201.72 FEET TO THE  
TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 00 DEGREES 50 MINUTES 31 SECONDS WEST,  
ALONG SAID EAST LINE OF THE WEST 33.00 FEET, A DISTANCE OF 142.30  
FEET;

THENCE NORTH 89 DEGREES 42 MINUTES 37 SECONDS EAST, PARALLEL  
WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF  
380.00 FEET;

THENCE SOUTH 00 DEGREES 50 MINUTES 31 SECONDS EAST, PARALLEL  
WITH THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 160.01  
FEET;

THENCE NORTH 89 DEGREES 42 MINUTES 37 SECONDS EAST, PARALLEL  
WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 75.00  
FEET;

THENCE SOUTH 00 DEGREES 50 MINUTES 31 SECONDS EAST, PARALLEL  
WITH THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 184.01  
FEET TO SAID NORTH LINE OF THE SOUTH 60.00 FEET OF SAID SOUTHWEST  
QUARTER;

THENCE SOUTH 89 DEGREES 42 MINUTES 37 SECONDS WEST, ALONG SAID  
NORTH LINE, A DISTANCE OF 243.28 FEET;  
THENCE DEPARTING SAID NORTH LINE, NORTH 00 DEGREES 50 MINUTES 31  
SECONDS WEST, PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST  
QUARTER, A DISTANCE OF 201.72 FEET;

THENCE SOUTH 89 DEGREES 42 MINUTES 37 SECONDS WEST, PARALLEL  
WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF

211.72 FEET TO SAID EAST LINE OF THE WEST 33.00 FEET OF SAID SOUTHWEST QUARTER AND THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE CITY OF PHOENIX IN THAT CERTAIN SPECIAL WARRANTY DEED RECORDED ON JUNE 21, 2019 AS 2019-0466591 OF OFFICIAL RECORDS.

LEGAL DESCRIPTION (COMMITMENT NO. 5198835-F-AZ-CP-GRS)(PARCEL 2) THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 1 NORTH, RANGE 2 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE EAST LINE OF THE WEST 33 FEET WITH THE NORTH LINE OF THE SOUTH 60 FEET OF SAID SOUTHWEST QUARTER;

THENCE NORTH 00 DEGREES 50 MINUTES 31 SECONDS WEST, ALONG SAID EAST LINE OF THE WEST 33 FEET, A DISTANCE OF 201.72 FEET;

THENCE NORTH 89 DEGREES 42 MINUTES 37 SECONDS EAST, PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 211.72 FEET;

THENCE SOUTH 00 DEGREES 50 MINUTES 31 SECONDS EAST, PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 201.72 FEET TO SAID NORTH LINE OF THE SOUTH 60.00 FEET OF SAID SOUTHWEST QUARTER;

THENCE SOUTH 89 DEGREES 42 MINUTES 37 SECONDS WEST, ALONG SAID NORTH LINE, A DISTANCE OF 211.72 FEET TO THE POINT OF BEGINNING;

EXCEPT THAT PORTION OF LAND CONVEYED TO THE CITY OF PHOENIX IN DEED RECORDED AS INSTRUMENT NO. 2019-0028709 OF OFFICIAL RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A COTTON PICKER SPINDLE MARKING THE SOUTHWEST CORNER OF SAID SECTION 32;

THENCE NORTH 89 DEGREES 46 MINUTES 38 SECONDS EAST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 32.42 FEET;

THENCE NORTH 00 DEGREES 13 MINUTES 22 SECONDS WEST, A DISTANCE OF 60.00 FEET TO THE SOUTHWEST CORNER OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN DOCUMENT NO. 2017-0766578, RECORDS OF MARICOPA COUNTY, ARIZONA, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE NORTH 00 DEGREES 46 MINUTES 34 SECONDS WEST, ALONG THE WESTERLY LINE OF SAID PARCEL, A DISTANCE OF 47.00 FEET;

THENCE NORTH 89 DEGREES 46 MINUTES 38 SECONDS EAST, A DISTANCE OF 22.00 FEET;

THENCE SOUTH 00 DEGREES 46 MINUTES 34 SECONDS EAST, PARALLEL WITH AND 22.00 FEET EAST OF SAID WESTERLY LINE, A DISTANCE OF 11.00 FEET;

THENCE SOUTH 42 DEGREES 47 MINUTES 57 SECONDS EAST, A DISTANCE OF 44.81 FEET;

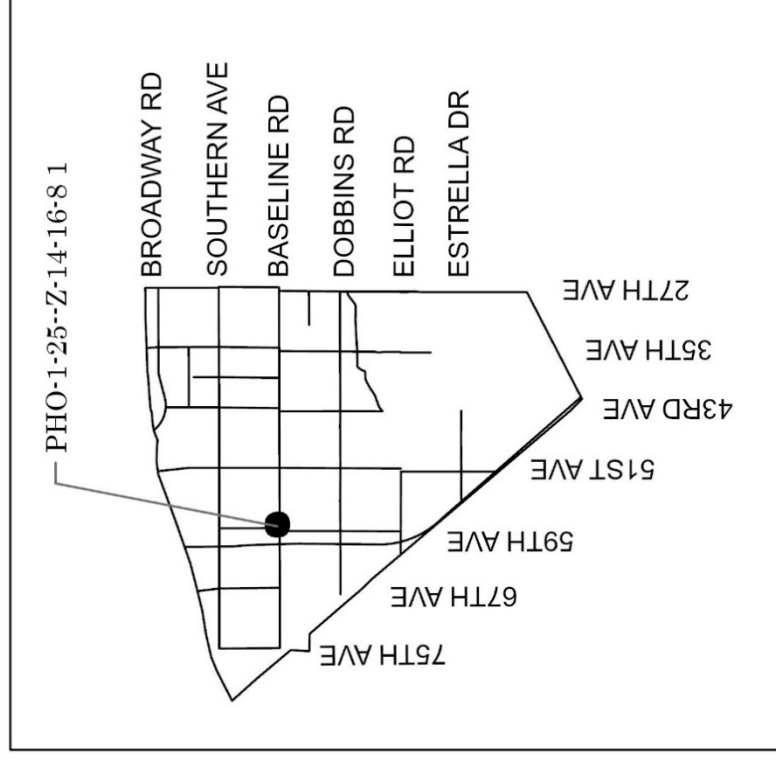
THENCE NORTH 89 DEGREES 46 MINUTES 38 SECONDS EAST, PARALLEL WITH AND 3.00 FEET NORTH OF THE SOUTHERLY LINE OF SAID PARCEL, A DISTANCE OF 159.72 FEET TO A POINT ON THE EASTERLY LINE OF SAID PARCEL;

THENCE SOUTH 00 DEGREES 46 MINUTES 34 SECONDS EAST, ALONG SAID EASTERLY LINE, A DISTANCE OF 3.00 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL;

THENCE SOUTH 89 DEGREES 46 MINUTES 38 SECONDS WEST, ALONG SAID SOUTHERLY LINE, A DISTANCE OF 211.72 FEET TO THE POINT OF BEGINNING.

## EXHIBIT B

Zoning Case Number: PHO-1-25--Z-14-16-8 1  
Zoning Overlay: N/A  
Planning Village: Laveen



Drawn Date: 8/11/2025