

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-59-18-8 PREVIOUSLY APPROVED BY
ORDINANCE G-6546.

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

SECTION 1. The zoning stipulations applicable located approximately
615 feet north of 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
Attachment "A", are hereby modified to read as set forth below.

STIPULATIONS:

1. The development shall be in general conformance with the ~~conceptual~~ site plan and elevation date stamped MAY 26, 2021 ~~August 21, 2018~~, as may be modified by the following stipulations ~~for compliance with the canal bank design guidelines in Section 507 Tab A of the Zoning Ordinance~~, and approved by the Planning and Development Department., ~~and with specific regard to the following:~~
 - a. ~~Pedestrian pathway to provide open public access to amenities on the adjacent property to the east to be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces and drive aisles.~~
 - b. ~~Vehicular cross access to adjacent properties to the east and south, as approved by the Planning and Development Department.~~

2. Landscaping along the north property line shall be in conformance with the Baseline Area Master Plan Plant List with specific regard to maximizing shade and thermal comfort for pedestrians and active users along the canal, as approved by the Planning and Development Department.
- ~~3. If the subject site develops as a stand-alone parcel and does not provide an alternative street frontage to that existing along 25th Street, then the developer shall be responsible for the dedication and construction of an offset cul-de-sac bulb at the northern portion of 25th Street, south of the Western Canal, as approved by the Planning and Development and Street Transportation Department.~~
3. Any solid portion of a perimeter wall adjacent to the Western Canal shall not
4. exceed a maximum height of three feet, as approved by the Planning and Development Department.
4. In the event archaeological materials are encountered during construction, the
5. 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.
5. The property owner shall record documents that disclose the existence and
6. operational characteristics of 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.
6. Prior to preliminary site plan approval, the landowner shall execute a Proposition
7. 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.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-6546, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-6546 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 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)

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-21--Z-59-18-8

The North 100 feet of the following described property:

That portion of the Southwest quarter of Section 35, Township 1 North, Range 3 East of the Gila and Salt River Base and Meridian, lying South of the Western Canal, described as follows:

Beginning at a point of the South line of Section 35, Township 1 North, Range 3 East, from which bears North 88 degrees, 30 Minutes, 30 Seconds East 736.74 feet from the Southwest corner thereof;

thence North 00 Degrees, 04 Minutes, West 787.30 feet to the South line of the Western Canal right of way;

Thence South 89 Degrees, 07 Minutes, East 278.74 feet along said Western Canal right of way

Thence South 00 Degrees, 04 Minutes, East, 775.75 feet to the South line of said Section 35;

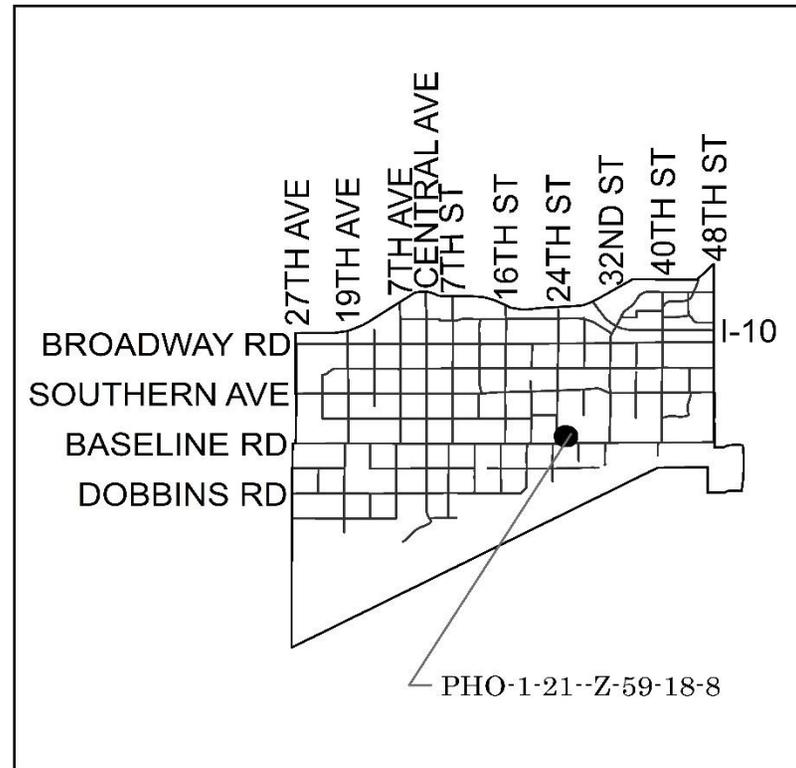
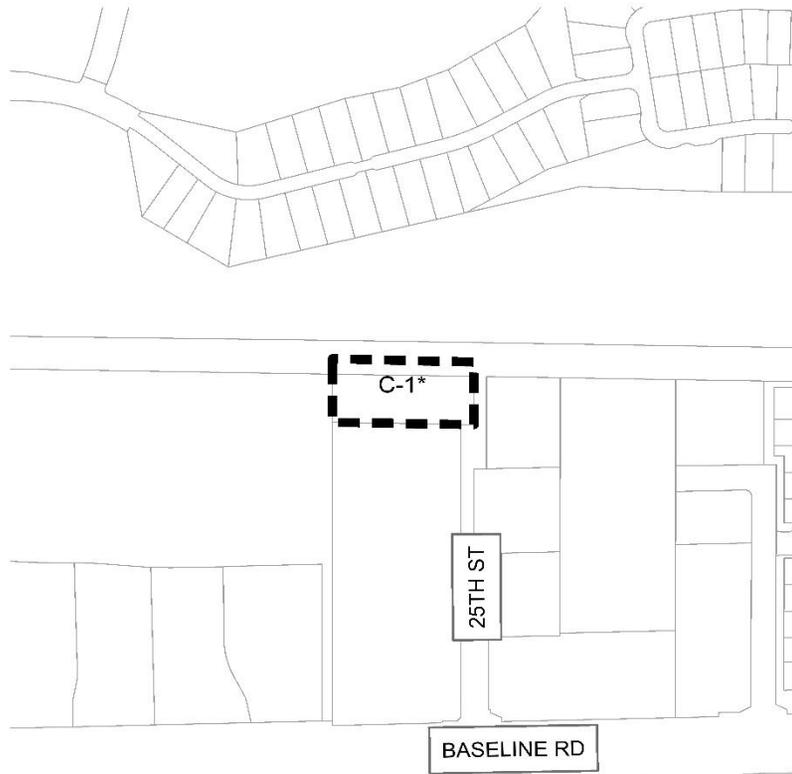
Thence South 88 Degrees, 30 Minutes, 30-seconds West 278.79 feet along said Section.

ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - - -

Zoning Case Number: PHO-1-21--Z-59-18-8
Zoning Overlay: Baseline Area Plan and Overlay District
Planning Village: South Mountain



NOT TO SCALE



Drawn Date: 8/20/2021