

## 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-18-21-8) FROM R1-10 BAOD (SINGLE-FAMILY RESIDENCE DISTRICT, BASELINE AREA OVERLAY DISTRICT) TO R-3A BAOD (MULTIFAMILY RESIDENCE DISTRICT, BASELINE AREA OVERLAY DISTRICT).

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

SECTION 1. The zoning of a 5.10-acre site located at the northwest corner of 10th Street and Baseline Road in a portion of Section 33, Township 1 North, Range 3 East, as described more specifically in Exhibit "A", is hereby changed from "R1-10 BAOD" (Single-Family Residence District, Baseline Area Overlay District) to "R-3A BAOD" (Multifamily Residence District, 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. Building elevations shall be developed to the following standards, as approved by the Planning and Development Department:
  - a. Building elevations shall contain multiple colors, exterior accent materials and textural changes that exhibit quality and durability such as brick, stone, colored textured concrete or stucco, or other materials to provide a decorative and aesthetic treatment.
  - b. Building elevations adjacent and oriented to public streets, shall contain a minimum of 25 percent brick, masonry, stone or another exterior accent material that exhibits quality and durability.
  - c. All building elevations shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, variation in window size and location, pitched roofs and/or overhang canopies.
2. The standards contained in Section 651.E.1. (BAOD Streetscape Design Guidelines and Standards) and the approved street cross section shall apply, in addition to the below enhancements, and as approved or modified by the Planning and Development Department.
  - a. Minimum 50-percent 3-inch caliper large canopy shade trees selected from the Baseline Area Master Plan Plant List shall be provided for the required trees within the applicable area.
  - b. The detached sidewalk along Baseline Road shall be shaded to a minimum 75 percent by vegetative shade at maturity.
  - c. The bus pad along Baseline Road shall be shaded to a minimum of 50 percent by vegetative shade at maturity.
  - d. The developer shall dedicate a 30-foot-wide multi-use trail easement (MUTE) along the north side of Baseline Road, and construct a 10-foot-wide multi-use trail (MUT) within the easement as indicated in Section 429 of the City of Phoenix MAG Supplement. The MUT shall be shaded to a minimum 50 percent by vegetative shade at maturity.
3. A minimum 10-foot wide landscape area shall be provided along the east and west sides of the site, while a minimum 15-foot wide landscape area shall be provided along the north side of the site, and each developed to the following standards at a minimum, as approved by the Planning and Development Department:
  - a. Large canopy drought-tolerant trees 20 feet on center, or in equivalent groupings, shall be utilized unless otherwise stated.

- b. Twenty-five percent 1.5-inch caliper, 50 percent 2-inch caliper and 25 percent 3-inch caliper trees shall be utilized.
- c. Five 5-gallon shrubs per tree, and additional shrubs or live groundcover, shall provide minimum 75 percent live cover at mature size.
- d. Trees along the north side of the site shall be oriented in a manner that maximizes the shade along the adjacent Western Canal.
- e. The plantings shall be in conformance to the Baseline Area Master Plan Plant List or their equivalents.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

- 4. The development shall provide a minimum of 5,000 square feet of active open space, exclusive of usable outdoor open space required per bed, no less than 20 feet in width or 200 square feet in area, along the Western Canal and include the following amenities and elements at a minimum, as approved by the Planning and Development Department:
  - a. Shaded seating area/s with three benches or seating features and/or ramadas; One of these benches or seating features shall be located within close proximity to the Western Canal.
  - b. Tree orchard and/or community garden area/s of no less than a combined 500 square feet that will include a garden tool library and irrigation.
- 5. Open space areas shall contain a minimum of 50 percent live vegetative cover (shrubs, grasses, or groundcover plants), as approved by the Planning and Development Department.
- 6. Perimeter walls adjacent to a public street and the Western Canal shall be limited to open view fencing or a combination of maximum three feet of solid masonry topped by open view fencing, as approved by the Planning and Development Department.
- 7. A pedestrian circulation plan shall be provided prior to preliminary site plan approval to show a system of pedestrian thoroughfares as described below and as approved or modified by the Planning and Development Department:
  - a. The developer shall provide a minimum of two pedestrian paths connecting to the sidewalk along 10th Street, exclusive of pedestrian connections adjacent to vehicular entryways.

- b. A pathway connecting the site north to south shall be illuminated by pedestrian scale lighting per Section 1304(H)5.
  - c. Where pedestrian walkways cross a vehicular path, the pathway shall be constructed of decorative pavers, stamped or colored concrete, or other pavement treatments that visually contrasts parking and drive aisle surfaces. Vehicular crossings shall be kept to a minimum.
  - d. Connections to/between via the most direct route:
    - (1) All buildings on site.
    - (2) All active open space areas.
    - (3) Adjacent public sidewalks.
    - (4) Western Canal (one connection minimum from this development).
    - (5) Bus pad along Baseline Road.
8. The primary entryway to the development shall include the following elements, as approved by the Planning and Development Department:
- a. Landscaped accent areas a minimum of 300 square feet in area on both sides of the entryway and be planted and maintained with a variety of at least three plant materials including a series of annuals that will each maintain a constant bloom throughout the year and 75 percent live cover.
  - b. Citrus trees arranged in a grid pattern shall be incorporated into the entrance to the development.
  - c. The plantings shall be in conformance to the Baseline Area Master Plan Plant List or their equivalents.
  - d. The entry driveway surface (outside of the right-of-way) shall be constructed of decorative pavers, stamped or colored concrete, or another material, other than those used to pave the parking surfaces, as approved by the Planning and Development Department.
9. Pedestrian paths internal within the site shall be shaded to a minimum of 75 percent using architectural shade and/or shade trees at full maturity, as approved by the Planning and Development Department.
10. All uncovered surface parking lot areas shall be landscaped with minimum 2-inch caliper drought-tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25 percent shade at maturity, as approved by Planning and Development Department.

11. The public sidewalk along 10th Street shall be detached with a minimum five-foot wide continuous landscaped strip located between the sidewalk and back of curb and planted to the following standards, as approved by the Planning and Development Department:
  - a. Minimum 2-inch caliper large canopy drought-tolerant shade trees placed a minimum of 25 feet on center or in equivalent groupings.
  - b. Drought tolerant shrubs/groundcover designed to grow to a maximum mature height of 24 inches and achieve 75 percent live coverage.
  - c. The detached sidewalk along 10th Street shall be shaded to a minimum 75 percent by vegetative shade at maturity.
  - d. The plantings shall be in conformance to the Baseline Area Master Plan Plant List or their equivalents.

Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.

12. Bicycle infrastructure shall be incorporated as described below and as approved by the Planning and Development Department.
  - a. A minimum of four bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near the building entrance and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department. Artistic racks shall adhere to the City of Phoenix Preferred Designs in Appendix K of the Comprehensive Bicycle Master Plan.
  - b. One bicycle repair station ("fix it station") shall be provided and maintained within close proximity to the Western Canal. The bicycle repair station ("fix it station") shall be provided in an area of high visibility and separated from vehicular maneuvering areas, where applicable. The repair station shall include: standard repair tools affixed to the station; a tire gauge and pump affixed to the base of the station or the ground; and a bicycle repair stand which allows pedals and wheels to spin freely while making adjustments to the bike.
13. The developer shall provide traffic calming measures at all vehicular points of ingress and egress to slow vehicles departing the development and crossing the public sidewalks, as approved by the Planning and Development Department.
14. The Public Transit Department shall retain right-of-way and require construction of a bus stop pad along westbound Baseline Road west of 10th Street. The bus stop pad shall be constructed according to City of Phoenix Standard Detail P1262 with

a minimum depth of 10 feet, and with the final location to be approved by the Public Transit Department.

15. The developer shall dedicate a total of 30 feet of right-of-way for the west side of 10th Street, as approved by the Planning and Development Department.
16. Existing irrigation facilities along Baseline Road and 10th Street shall be undergrounded and/or relocated outside of City right-of-way. Contact SRP to identify existing land rights and establish the appropriate process to relocate the facility. The headwall at the northeast corner of the site shall be relocated outside of City right-of-way. Relocations that require additional dedications or land transfer require completion prior to obtaining plat and/or civil plan review approval.
17. 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.
18. This parcel is in a Special Flood Hazard Area (SFHA) called Zone A, on panel 2220 M of the Flood Insurance Rate Maps (FIRM) dated September 18, 2020. The following requirements shall apply, as approved by the Planning and Development Department:
  - a. The Architect/Engineer is required to show the floodplain boundary limits on the Grading and Drainage plan and ensure that impacts to the proposed facilities have been considered, following the National Flood Insurance Program (NFIP) Regulations (44 CFR Paragraph 60.3). This includes, but not limited to provisions in the latest versions of the Floodplain Ordinance of the Phoenix City Code.
  - b. A copy of the Grading and Drainage Plan needs to be submitted to the Floodplain Management section of Public Works Department for review and approval of Floodplain requirements.
  - c. If required, the developer shall provide a FEMA approved CLOMR-F or CLOMR prior to issuance of a Grading and Drainage permit.
19. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor 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.
20. The developer shall grant and record an avigation easement to the City of Phoenix for the site, per the content and form prescribed by the City Attorney prior to final site plan approval.

21. 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.
22. 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 July 2021.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

REVIEWED BY:

\_\_\_\_\_  
City Manager

Exhibits:

A – Legal Description (2 Pages)

B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-18-21-8

THAT PART OF FARM UNIT "L" OR THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, LYING SOUTH OF THE SOUTH LINE OF THE WESTERN CANAL RIGHT OF WAY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER WHICH BEARS WEST 709.44 FEET FROM THE SOUTHEAST CORNER THEREOF; THENCE WEST 320.86 FEET ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER;

THENCE NORTH 0 DEGREES 8 MINUTES WEST 662.80 FEET TO THE SOUTH RIGHT OF WAY LINE OF SAID WESTERN CANAL;

THENCE NORTH 84 DEGREES 18 MINUTES EAST 322.38 FEET ALONG SAID CANAL RIGHT OF WAY LINE; THENCE SOUTH 0 DEGREES 08 MINUTES EAST 694.82 FEET TO THE PLACE OF BEGINNING;

EXCEPT THAT PORTION DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE WEST ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER A DISTANCE OF 709.44 FEET;

THENCE NORTH 0 DEGREES 08 MINUTES WEST TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF THE WESTERN CANAL AND THE TRUE POINT OF BEGINNING;

THENCE SOUTH 0 DEGREES 08 MINUTES EAST A DISTANCE OF 240 FEET;

THENCE NORTHERLY TO A POINT ON SAID SOUTH RIGHT OF WAY LINE WHICH IS 8 FEET WESTERLY FROM THE TRUE POINT OF BEGINNING;

THENCE TO THE TRUE POINT OF BEGINNING; AND

EXCEPT THE SOUTH 55 FEET OF THAT PART OF THE SOUTHWEST QUARTER OF SECTION 33, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER WHICH BEARS WEST A

DISTANCE OF 709.44 FEET FROM THE SOUTHEAST CORNER THEREOF;

THENCE WEST ALONG SAID SOUTH LINE A DISTANCE OF 320.86 FEET;



THENCE NORTH 0 DEGREES 08 MINUTES WEST A DISTANCE OF 662.80 FEET  
TO THE SOUTH RIGHT OF WAY LINE OF THE WESTERN CANAL;

THENCE NORTH 84 DEGREES 18 MINUTES EAST ALONG SAID SOUTH RIGHT OF  
WAY LINE A DISTANCE OF 322.38 FEET;

THENCE SOUTH 0 DEGREES 08 MINUTES EAST, ALONG A LINE DESIGNATED  
HEREIN AS LINE "A", A DISTANCE OF 694.82 FEET TO THE POINT OF  
BEGINNING; AND

EXCEPT THAT PART OF SAID SOUTHWEST QUARTER DESCRIBED AS  
FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID SOUTH 55  
FEET WITH SAID LINE "A";

THENCE NORTH 0 DEGREES 08 MINUTES WEST ALONG SAID LINE "A" A  
DISTANCE OF 145 FEET;

THENCE SOUTH 89 DEGREES 52 MINUTES WEST A DISTANCE OF 20 FEET;  
THENCE SOUTH 0 DEGREES 08 MINUTES EAST A DISTANCE OF 127 FEET;

THENCE SOUTHWESTERLY TO A POINT ON SAID NORTH LINE WHICH IS 38  
FEET WESTERLY OF THE POINT OF BEGINNING;

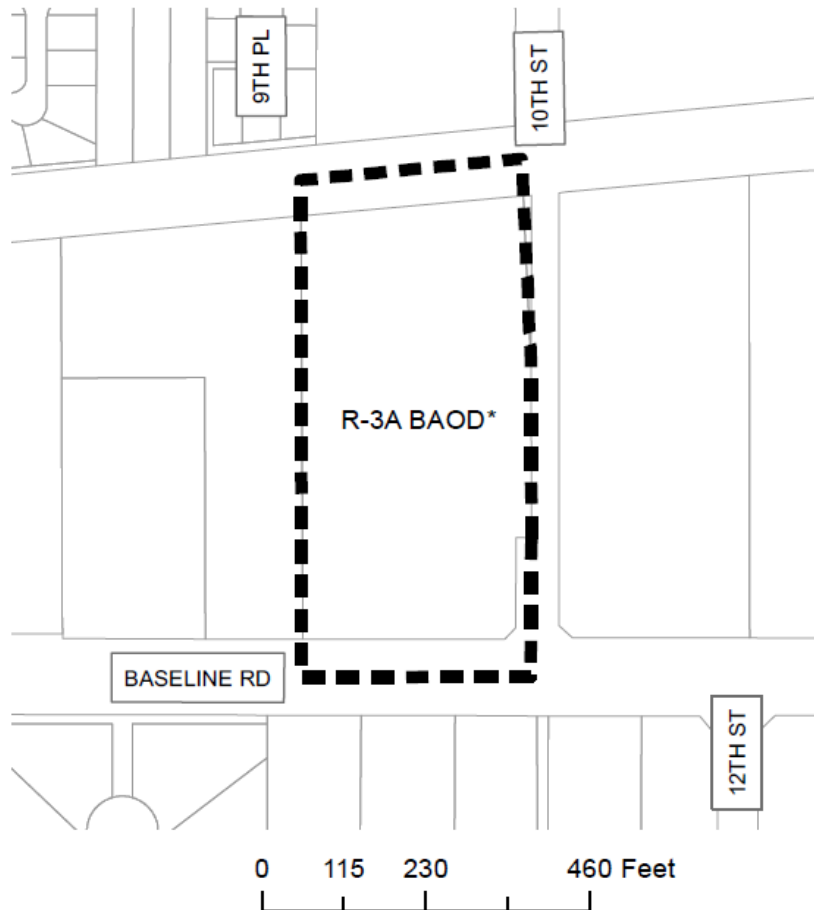
THENCE TO THE POINT OF BEGINNING.

# ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: \*

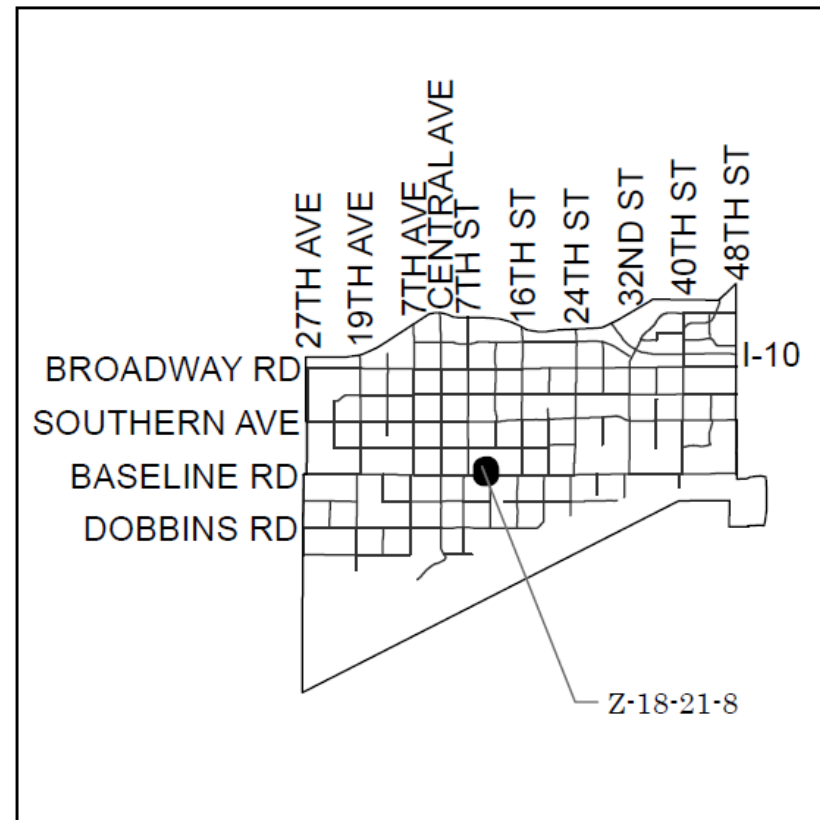
SUBJECT AREA: ■ ■ ■ ■ ■



Zoning Case Number: Z-18-21-8

Zoning Overlay: Baseline Area Plan & Overlay District

Planning Village: South Mountain



NOT TO SCALE



Drawn Date: 5/28/2021