

**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-29-23-7(8) PREVIOUSLY APPROVED BY ORDINANCE G-7188.**

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

SECTION 1. The zoning stipulations applicable to the site located at approximately 300 feet east of the northeast corner of 43rd Avenue and Baseline Road in a portion of Section 34, Township 1 North, Range 2 East, as described more specifically in Exhibit A and depicted in Exhibit B, are hereby modified to read as set forth below.

**STIPULATIONS:**

<b>Overall Site</b>	
1.	All perimeter street facing building elevations <del>and the south elevation on Lot 5</del> , as depicted on the Site Plan date stamped APRIL 3, 2026 <del>August 18, 2023</del> , shall contain architectural features that reflect modern agrarian architecture including, but not limited to, detailing such as pitched roof elements, variation in window size, overhang canopies and exterior accent materials such as metal, wood, and stone, as approved by the Planning and Development Department.
2.	Enhanced pedestrian connections and pedestrian circulation shall be provided throughout the site as described below, as approved or modified by the Planning and Development Department.

	a.	Pedestrian pathways shall be a minimum of 5 feet in width
	b.	The following lighting treatment shall be provided throughout the pedestrian pathways:
	i.	Maximum 15-foot-high lighting
	ii.	A minimum of one foot candle illumination maintained throughout the pathways.
	iii.	Uniform lighting shall be placed along the entire pathway to avoid bright high glare areas and low visibility dark areas.
	c.	One of the following elements shall be provided at each exterior entrance/exit to the pedestrian pathways in close proximity to the multi-use trails:
	i.	Bollard path light
	ii.	Public art
	iii.	Decorative directional signage
	iv.	Building design elements that emphasize the pathway entrance
3.		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 contrast parking and drive aisle surfaces, as approved by the Planning and Development Department.
4.		All pedestrian walkways, including sidewalks, shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide a minimum of 75% shade, 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.
5.		All vehicular entrances to the development shall include the following elements, as approved by the Planning and Development Department:
	a.	Enhanced landscaping planters on both sides, <del>excluding the north side of the entry/exit drive along 43rd Avenue,</del> with a minimum of 250 square feet of landscaping.
	b.	A minimum 5-foot-wide landscape median, planted with a variety of at least three plant materials, and minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant shade trees planted 20 feet on center or in equivalent groupings.

6.	All uncovered surface parking lot area shall be landscaped with minimum 2-inch caliper, single trunk, large canopy, drought tolerant shade trees. Landscaping shall be dispersed throughout the parking area and achieve 25% shade at maturity, as approved by Planning and Development Department.
7.	Bicycle parking spaces shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide a minimum of 75% shade, as approved by the Planning and Development Department.
8.	A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along 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 or modified by the Planning and Development Department.
9.	A 30-foot-wide multi-use trail easement (MUTE) shall be dedicated along 43rd Avenue 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 or modified by the Planning and Development Department.
10.	A minimum of 2% of the required parking spaces shall be EV Capable. This stipulation is applicable to the overall development and shall not be applied on an individual lot basis.
11.	A minimum of two green infrastructure (GI) techniques for stormwater management shall be implemented per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management, as approved or modified by the Planning and Development Department.
12.	Access points on Baseline Road, adjacent to the development, shall be median restricted to permit right-in/right out turn movements only, as approved or modified by the Street Transportation Department and the Planning and Development Department.
13.	The streetscape on both sides of the existing detached sidewalk along the east side of 43rd Avenue shall be replenished and planted to the following standards, as approved by the Planning and Development Department.
a.	Minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant shade trees planted 20 feet on center or in equivalent groupings.

	b.	Drought-tolerant shrubs, accents and vegetative groundcovers maintained to a maximum height of 24 inches to achieve a minimum of 75% live coverage at maturity.
14.		The streetscape on both sides of the existing detached sidewalk and the landscape median along Baseline Road shall be replenished and planted to the following standards, as approved by the Planning and Development Department.
	a.	Minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant shade trees planted 20 feet on center or in equivalent groupings.
	b.	Drought-tolerant shrubs, accents and vegetative groundcovers maintained to a maximum height of 24 inches to achieve a minimum of 75% live coverage at maturity.
		Where utility conflicts exist, the developer shall work with the Planning and Development Department on alternative design solutions consistent with a pedestrian environment.
15.		All existing overhead power lines 12 kv and smaller in size along the site's Baseline Road frontage shall be undergrounded. The developer shall coordinate with the affected power company for design and approval.
16.		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.
17.		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.
18.		Prior to FINAL 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.
<b>Lots 1, 2, 3, 4, and 4 6, as depicted on the Site Plan date stamped APRIL 3, 2026 August 18, 2023</b>		
19.		<del>Conceptual site plan and elevations for Lot 4 and Lot 6 shall be reviewed and approved by the Planning Hearing Officer (PHO) through the public hearing process for stipulation modification prior to preliminary site plan approval. This PHO review is a legislative review for conceptual building elevations only. Specific development standards and requirements may</del>

	be determined by the PHO and the Planning and Development Department.
19. 20.	A minimum of 4 bicycle parking spaces per building shall be provided through Inverted U and/or artistic racks located near building entrances and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
20. 21.	A minimum of 2 of the required bicycle parking spaces per building shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
<b>Lot 5, as depicted on the Site Plan date stamped August 18, 2023</b>	
22.	<del>Conceptual site plan and elevations for Lot 5 shall be reviewed and approved by the Planning Hearing Officer (PHO) through the public hearing process for stipulation modification prior to preliminary site plan approval. This PHO review is a legislative review for conceptual building elevations only. Specific development standards and requirements may be determined by the PHO and the Planning and Development Department.</del>
23.	<del>A minimum of 12 bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near building entrances and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.</del>
24.	<del>A minimum of 4 of the required bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.</del>

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-7188, this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-7188 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 1st day of July 2026.

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MAYOR  
\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Denise Archibald, City Clerk

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

By: \_\_\_\_\_  
\_\_\_\_\_

REVIEWED BY:

\_\_\_\_\_  
Ed Zuercher, City Manager

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

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-26--Z-29-23-7(8)

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

A PARCEL BEING A PORTION OF LAND RECORDED IN SPECIAL WARRANTY DEED 2021-1078497, MARICOPA COUNTY RECORDS, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 1 NORTH RANGE 2 EAST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE SOUTHWEST CORNER OF SAID SECTION 34, A FOUND BRASS CAP IN HANDHOLE FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION 34, A FOUND BRASS CAP FLUSH, BEARS NORTH 00°38'12" EAST, A DISTANCE OF 2628.60 FEET;  
THENCE NORTH 00°38'12" EAST, ALONG THE WEST LINE OF SAID SECTION 34, A DISTANCE OF 305.02 FEET TO THE **POINT OF BEGINNING**;  
THENCE CONTINUING ALONG SAID WEST LINE NORTH 00°38'12" EAST, A DISTANCE OF 28.42 FEET;  
THENCE DEPARTING SAID WEST LINE NORTH 89°51'57" EAST, A DISTANCE OF 741.34 FEET;  
THENCE NORTH 00°08'03" WEST, A DISTANCE OF 144.96 FEET;  
THENCE NORTH 89°51'57" EAST, ALONG THE NORTH LINE OF SAID PARCEL OF LAND RECORDED IN 2021-1078497, A DISTANCE OF 137.73 FEET;  
THENCE DEPARTING SAID NORTH LINE SOUTH 00°31'04" WEST, ALONG THE EAST LINE OF SAID PARCEL OF LAND RECORDED IN 2021-1078497, A DISTANCE OF 4779.44 FEET;  
THENCE SOUTH 89°56'00" WEST, ALONG THE SOUTH LINE OF SAID SECTION 34, A DISTANCE OF 575.07 FEET;  
THENCE DEPARTING SAID SOUTH LINE NORTH 00°38'12" EAST, A DISTANCE OF 305.2 FEET;  
THENCE SOUTH 89°56'00" WEST, A DISTANCE OF 305.2 FEET TO THE **POINT OF BEGINNING**.

CONTAINS 220,885 SQUARE FEET OR 5.071 ACRES, MORE OR LESS.

