

## 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-29-23-7) FROM S-1 PCD (RANCH OR FARM RESIDENCE, PLANNED COMMUNITY DISTRICT) TO C-1 (NEIGHBORHOOD RETAIL).

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

SECTION 1. The zoning of a 7.53-acre property located approximately 255 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," is hereby changed from "S-1 PCD" (Ranch or Farm Residence, Planned Community District) to "C-1" (Neighborhood Retail).

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:

**Overall Site**

1. All perimeter street facing building elevations and the south elevation on Lot 5, as depicted on the Site Plan date stamped August 18, 2023, 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, excluding the north side of the entry/exit drive along 43rd Avenue, 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.

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

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 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.

**Lots 1, 2, 3, 4, and 6, as depicted on the Site Plan date stamped August 18, 2023**

19. 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 be determined by the PHO and the Planning and Development Department.
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.
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.

**Lot 5, as depicted on the Site Plan date stamped August 18, 2023**

22. 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.
23. 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.
24. 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.

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 November, 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

LEGAL DESCRIPTION FOR Z-29-23-7

THE LAND REFERRED TO HEREIN BELOW IS SITUATED PHOENIX, IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

Parcel No. 1 (APN 105-89-010P):

A parcel of land situated in a portion of the Southwest quarter of Section 34, Township 1 North, Range 2 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona. Said parcel also being a portion of that certain property as described in Document 1999-0389397 and depicted on the Record of Survey in Book 1207 of Maps, page 39, Official Records of the Recorder of Maricopa County, said parcel is more particularly described as follows:

BEGINNING at the Southwest corner of said Section, from which the West quarter corner bears North 00°38'22" East, a distance of 2628.36 feet;

THENCE, along the South line of said Southwest quarter, North 89°56'00" East, a distance of 880.52 feet;

THENCE, North 00°04'00" West to a point on the North line of the South 55 feet of said Southwest quarter, a distance of 55 feet to a rebar and 2-inch aluminum cap stamped "RLS #25087", said point also being the Point of Beginning;

THENCE along the North line of said South 55 feet, South 89°56'00" West, a distance of 574.96 feet to a point referenced by a 2-inch aluminum cap stamped "RLS #35113 RM 0.44 S";

THENCE, North 00°04'00" East a distance of 250.03 feet to a PK Nail tagged "RLS #35833";

THENCE South 89°56'56" West a distance of 250.09 feet to a nail tagged "RLS 35113", said point also being a point on the East line of the West 55 feet of said Southwest quarter;

THENCE along the East line of said West 55 feet, North 0°38'22" East, a distance of 173.46 feet to a rebar and 2-inch aluminum cap stamped "RLS #25087";

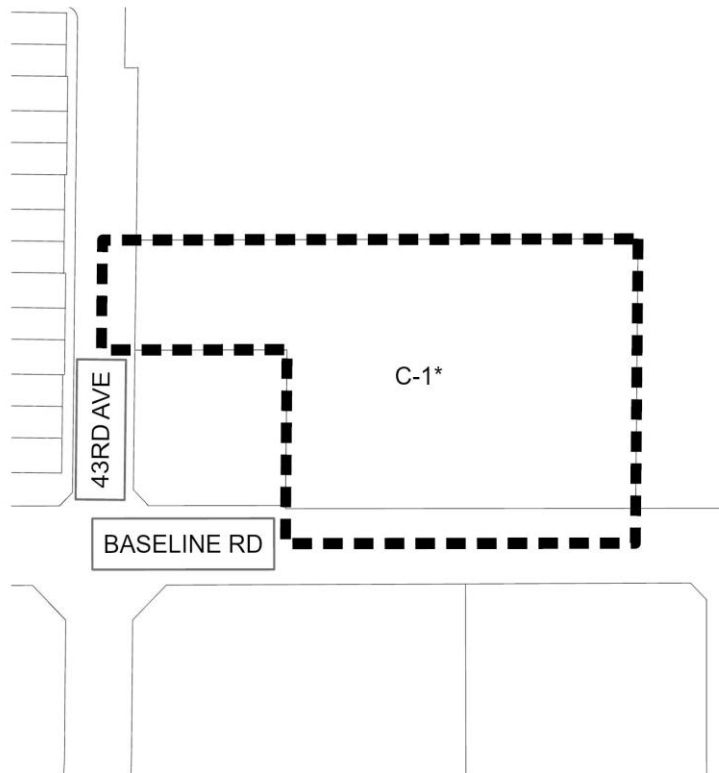
THENCE, North 89°52'17" East, a distance of 824.11 feet to a rebar and 2-inch aluminum cap stamped "RLS #25087"; THENCE South 00°31'49" West, a distance of 424.44 feet to the Point of Beginning.

# ORDINANCE LOCATION MAP

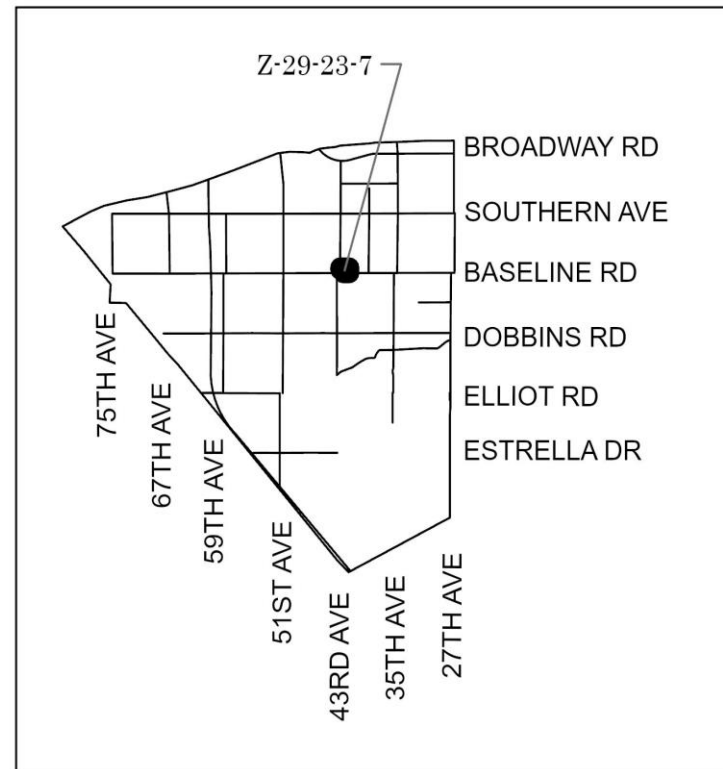
EXHIBIT B

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

Zoning Case Number: Z-29-23-7  
Zoning Overlay: N/A  
Planning Village: Laveen



0 120 240 480 Feet



NOT TO SCALE



Drawn Date: 9/25/2023