

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-89-22-2
PREVIOUSLY APPROVED BY ORDINANCE G-7106.

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 140 feet north of the northeast corner of 34th Street and Tierra Buena Lane in a portion of Section 1, Township 3 North, Range 3 East, as described more specifically in Exhibit A and depicted in Exhibit B, are hereby modified to read as set forth below.

STIPULATIONS:

1.	The development shall be in general conformance with the site plan date stamped February 22, 2023, with specific regard to the open space provided, as modified by the following stipulations and as approved by the Planning and Development Department.
2.	The maximum building height shall be 1-story and 16 feet, measured to the peak of the roof.
3.	Improved open space areas shall be shaded by a structure, landscaping at maturity, or a combination of the two to provide minimum 75% shade, as shown on a shading study, as approved by the Planning and Development Department.

4.	Landscape areas within retention areas and open space areas shall be planted with shrubs, accents and vegetative groundcovers to provide a minimum of 75% live coverage at maturity, as approved by the Planning and Development Department.
5.	A minimum of two shaded active recreation amenities, such as a tot lot, picnic area, seating feature, garden amenity, or similar amenity, shall be provided within the open space area, as approved by the Planning and Development Department.
6.	A minimum of five bicycle parking spaces shall be provided through Inverted U and/or artistic racks located near improved open space areas 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.
7.	The perimeter landscape setback adjacent to the public street shall be planted to the following standards, as approved by the Planning and Development Department.
a.	Minimum 50% 2-inch caliper and 50% 3-inch caliper, large canopy, drought-tolerant shade trees, planted 20 feet on center or in equivalent groupings.
b.	Shrubs, accents, and vegetative groundcovers to provide a minimum of 75% live coverage at maturity.
8.	The Developer shall construct a minimum 5-foot-wide detached sidewalk and a minimum 5-foot-wide landscape strip between the back of curb and sidewalk along the east side of 34 th Street, planted to the following standards and as approved by the Planning and Development Department.
a.	Minimum 2-inch caliper drought-tolerant, large canopy, single-trunk shade trees planted 20 feet on center or in equivalent groupings.
b.	Drought-tolerant shrubs, accents and vegetative groundcovers to achieve a minimum of 75% live coverage at maturity.
	Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.
9.	The developer shall dedicate a sidewalk easement for any streetscape area (detached sidewalk and landscape strip) that falls outside of dedicated right-of-way along the east side of 34th Street, as approved by the Planning and Development Department.

10.	The developer shall construct a minimum 5-foot-wide detached sidewalk and a minimum 5-foot-wide landscape strip between the back of curb and sidewalk for internal public and/or private sidewalks within the development, including along the perimeter of Tract B and Tract C, EXCEPT FRONTING LOTS 1-20, as depicted on the site plan stamped MAY 21, 2025 December 20, 2022 , planted to the following standards and as approved by the Planning and Development Department.
a.	Minimum 2-inch caliper drought-tolerant, large canopy, single-trunk shade trees planted 20 feet on center or in equivalent groupings.
b.	Drought tolerant shrubs, accents, and vegetative groundcovers to achieve a minimum of 75% live coverage at maturity.
	Where utility conflicts arise, the developer shall work with the Planning and Development Department on an alternative design solution consistent with a pedestrian environment.
11.	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.
12.	A Red Border Letter shall be submitted to the Arizona Department of Transportation (ADOT) for this development.
13.	The property owner shall record documents that disclose the existence, and operational characteristics of the Deer Valley Airport (DVT) 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.
14.	In the even 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.
15.	Prior to preliminary site plan approval, the landowner shall execute 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 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-7106, this portion of the rezoning is now

subject to the stipulations approved pursuant to Ordinance G-7106 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 2nd day of July, 2025.

MAYOR

ATTEST:

Denise Archibald, City Clerk

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

By: _____

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:
A - Legal Description (2 Pages)
B - Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-1-25—Z-89-22-2

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

LEGAL DESCRIPTION

That part of the North Half of the Southwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 1, Township 3 North, Range 3 East of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the Northwest Corner of said North Half of the Southwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 1, being the Southwest Corner of the Villa Addante Subdivision shown on the Final Plat, recorded in Book 301 of Maps, Page 3, Maricopa County Records, found, marked with a Brass Cap flush with the pavement;

Thence South 89 degrees 36 minutes 03 seconds East South 89 degrees 14 minutes 35 seconds East (Record), along the Northerly line of said North Half of the Southwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 1, being the Southerly line of said Villa Addante Subdivision, a distance of 275.00 feet to the **POINT OF BEGINNING**;

Thence continuing South 89 degrees 36 minutes 03 seconds East South 89 degrees 14 minutes 35 seconds East (Record) along said line, a distance of 385.43 feet to the Northeast Corner of said North Half of the Southwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 1, being a Northwesterly Corner of the Bella Terra Subdivision shown on the Final Plat, recorded in Book 200 of Maps, Page 12, Maricopa County Records;

Thence South 00 degrees 40 minutes 46 seconds East South 00 degrees 28 minutes 32 seconds East (Record), departing said Northerly line and along the East line of said North Half of the Southwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 1, also being the Westerly line of said Bella Terra Subdivision, a distance of 327.05 feet to the

Southeast Corner of said North Half of the Southwest Quarter of the Northeast Corner of the Southwest Quarter of Section 1, being a Northwesternly Corner of said Bella Terra Subdivision;

Thence North 89 degrees 40 minutes 41 seconds West North 89 degrees 27 minutes 46 seconds West (Record), along the South line of said North Half of the Southwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 1, also being the Northerly line of said Bella Terra Subdivision, a distance of 635.44 feet to a point on a line which is parallel with and 25 feet Easterly, as measured at right angles, from the West line of said North Half of the Southwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 1, being a Northwesternly Corner of said Bella Terra Subdivision;

Thence North 00 degrees 40 minutes 34 seconds West, along said parallel line, a distance of 160.02 feet to a point on a line which is parallel with an 160 feet Northerly, as measured at right angles, from said South line of the North Half of the Southwest Quarter of the Northeast Quarter of the Southwest Quarter of Section 01 and Northerly line of said Terra Bella Subdivision;

Thence South 89 degrees 40 minutes 41 seconds East, along said parallel line, a distance of 246.85 feet;

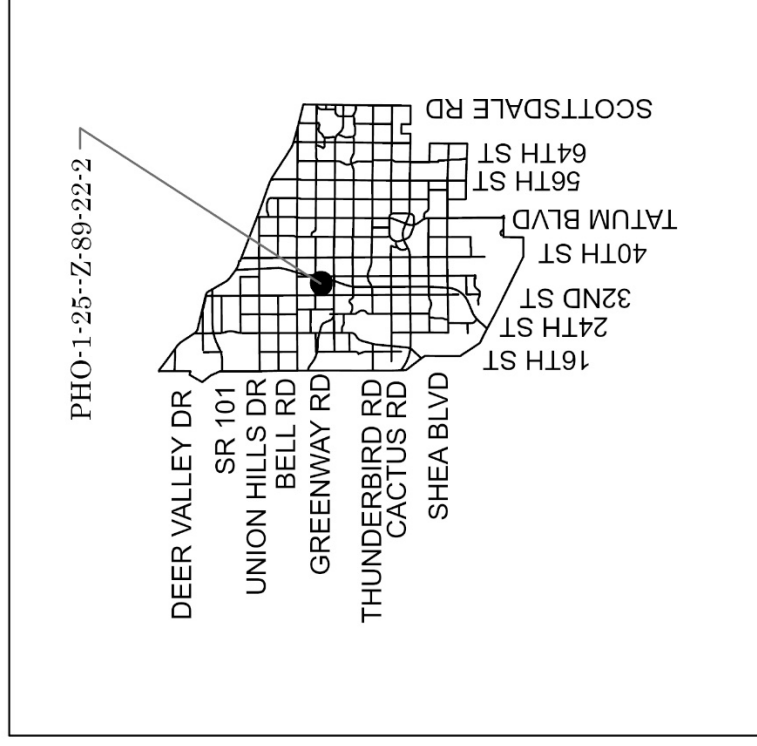
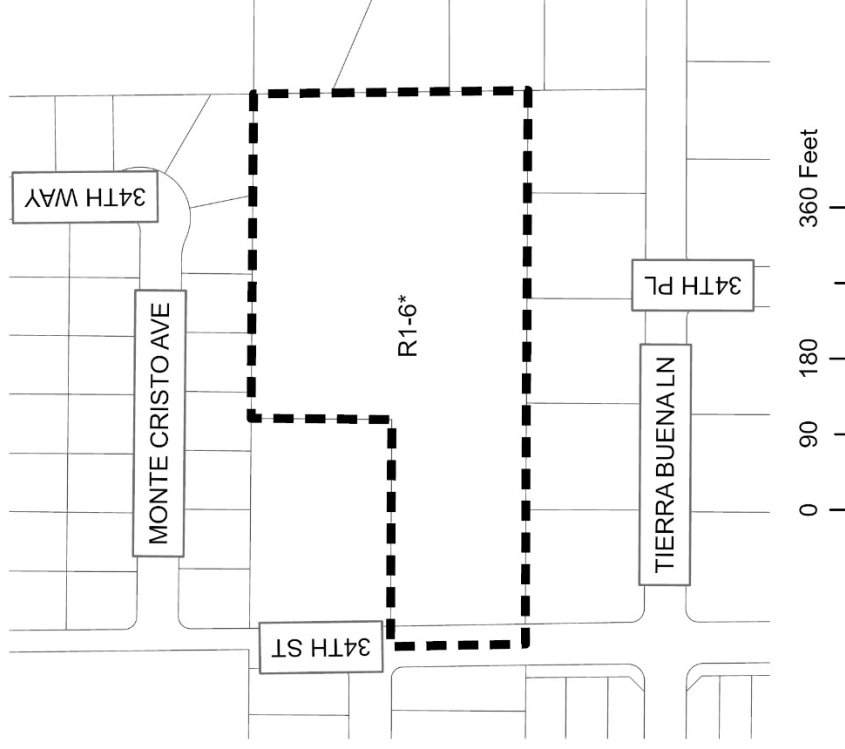
Thence North 00 degrees 23 minutes 57 seconds East, departing said parallel line, a distance of 167.51 feet to the **POINT OF BEGINNING**.

APN: 214-35-011C 2-6

ORDINANCE LOCATION MAP

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

Zoning Case Number: PHO-1-25--Z-89-22-2
Zoning Overlay: N/A
Planning Village: Paradise Valley



NOT TO SCALE



Drawn Date: 6/13/2025