

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-69-25-8) FROM C-1 (NEIGHBORHOOD RETAIL) TO C-2 HGT/WVR (INTERMEDIATE COMMERCIAL, HEIGHT WAIVER).

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

SECTION 1. The zoning of a 2.46-acre site located approximately 300 feet north 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 "C-1" (Neighborhood Retail) to "C-2 HGT/WVR" (Intermediate Commercial, Height Waiver).

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. The development shall be in general conformance with the elevations date stamped August 4, 2025, as modified by the following stipulations and approved by the Planning and Development Department.
2. The maximum building height shall be 40 feet.
3. A minimum of four 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.
4. A minimum of 10% of the provided bicycle parking spaces shall include standard electrical receptacles for electric bicycle charging capabilities, as approved by the Planning and Development Department.
5. 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.
6. The vehicular entrance located along 43rd Avenue shall include a minimum 5-foot-wide landscape median, planted with a variety of at least three plant materials, and a minimum 2-inch caliper, single-trunk, large canopy, drought-tolerant shade tree, as approved by the Planning and Development Department.
7. The north landscape setback shall be planted with minimum 50% 2-inch caliper and 50% 3-inch caliper, large canopy, drought-tolerant, shade trees, planted 25 feet on center or in equivalent groupings, 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.
8. A minimum of 25% of the surface parking areas shall be shaded, as approved by the Planning and Development Department. Shade may be achieved by structures or by minimum 2-inch caliper, drought tolerant, shade trees, or a combination thereof.
9. Graffiti resistant paint shall be utilized on all exterior walls.
10. 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.

11. A minimum of 2% of the required parking spaces shall be EV Capable.
12. A minimum of two green stormwater infrastructure (GSI) elements for stormwater management shall be implemented, as approved or modified by the Planning and Development and/or Street Transportation departments. This includes but is not limited to stormwater harvesting basins, bioswales, permeable pavement, etc., per the Greater Phoenix Metro Green Infrastructure and Low Impact Development Details for Alternative Stormwater Management.
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.

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

14. 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.
15. 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.
16. Prior to final 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 15th day of October, 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 (1 Page)
B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-69-25-8

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 333.46 FEET, TO THE POINT OF BEGINNING;
THENCE CONTINUING ALONG SAID WEST LINE NORTH 00°38'12" EAST, A DISTANCE OF 144.97 FEET;

THENCE DEPARTING SAID WEST LINE NORTH 89°51'57" EAST, ALONG THE NORTH PROLONGATION LINE OF SAID PARCEL OF LAND RECORDED IN 2021-1078497, A DISTANCE OF 739.39 FEET;

THENCE DEPARTING SAID NORTH LINE SOUTH 00°08'03" EAST, A DISTANCE OF 144.96 FEET;

THENCE SOUTH 89°51'57" WEST, A DISTANCE OF 741.34 FEET, TO THE POINT OF BEGINNING CONTAINS 107,323 SQUARE FEET OR 2.464 ACRES, MORE OR LESS.

EXHIBIT B

Zoning Case Number: Z-69-25-8

Zoning Overlay: N/A

Planning Village: Laveen

