

To: Departments Concerned

From: Joshua Bednarek Date: October 21, 2025

Planning & Development Department Director

Subject: P.H.O. APPLICATION NO. PHO-5-25--Z-47-19-7 – Notice of Pending Actions by the **Planning Hearing Officer**

- 1. Your attention is called to the fact that the <u>Planning Hearing Officer</u> will consider the following case at a public hearing on **November 19, 2025**.
- 2. Information about this case is available for review at the Zoning Counter in the Planning and Development Department on the 2nd Floor of Phoenix City Hall, telephone 602-262-7131, Option 6.
- 3. Staff, please indicate your comments and respond electronically to pdd.pho@phoenix.gov or you may provide hard copies at the Zoning Counter in the Planning and Development Department on the second floor of Phoenix City Hall by October 27, 2025.

DISTRIBUTION

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Planning Hearing Officer (Byron Easton, Logan Zappolo), 2nd Floor

Village Planner (Nayeli Sanchez Luna, Laveen Village)

Village Planning Committee Chair (Ms. Stephanie Hurd, Laveen Village)



APPLICATION FOR PLANNING HEARING OFFICER ACTION APPLICATION NO: PHO-5-25--Z-47-19-7 Council District: 7

Request For: Stipulation Modification

Reason for Request: Request to modify Stipulation 34 regarding general conformance to the site plan, landscape plan, and

elevations date stamped October 1, 2021.

HEARING INFORMATION

Hearing Type

		-	-		
Planning Hearing Officer		11-19-2025	10:00 AM		Meetings to be held virtually
Contact Informati	ion				
Name	Relationship Type	Address	Phone	Fax	Email
Brian Huffaker, Laveen Park Place Apts, LLC. (Hawkins Companies)	Owner	855 West Broad Street Boise ID 83702	480-777-1078		ryanm@hcollc.com
George Pasquel III, Withey Morris Baugh, PLC.	Applicant	2525 East Arizona Biltmore Circle, Suite A-212 Phoenix AZ 85016	6022300600		george@wmbattorneys.com
George Pasquel III, Withey Morris Baugh, PLC.	Representative	e 2525 East Arizona Biltmore Circle, Suite A-212 Phoenix AZ 85016	6022300600		george@wmbattorneys.com

Hearing Time

Hearing Location

Property Location: Approximately 1900 feet south of the southwest corner of 59th Avenue and Baseline Road

Acreage: 23.27

Geographic Information

Zoning Map APN Quarter Section

D5 300-02-927C Q01-15

Hearing Date

Village: Laveen

An applicant may receive a clarification from the city of its interpretation or application of a statute, ordinance, code or authorized substantive policy statement. To request clarification or to obtain further information on the application process and applicable review time frames, please call 602-262-7131 (option 6), email zoning@phoenix.gov or visit our website at https://www.phoenix.gov/pdd/licensing-time-frames

A Filing Fee had been paid to the City Treasurer to cover the cost of processing this application. The fee will be retained to cover the cost whether or not the request is granted

I declare that all information submitted is true and correct to the best of my knowledge and belief. I acknowledge that any error in my application may be cause for changing its normal scheduling.

Signature:	DATE:

Fee Information

Fee	Fee Waived	Fee Date	Purpose
\$1,080.00	\$0.00	10/08/25	PHO (1-2 stipulations)



October 3, 2025

Sent Via Email

Byron Easton
Planning Hearing Officer
Phoenix Planning & Development Department
200 West Washington Street, 2nd Floor
Phoenix, Arizona 85003

Re: Modification to Stipulation No. 34 / 35 or Original Zoning Case No. Z-47-19-7 – Northwest

Corner of 59th Avenue and South Mountain Avenue, Phoenix, Arizona – v.3

Dear Mr. Easton:

Our office represents Hawkins Companies ("Hawkins") regarding the roughly 23-acre site located near the northwest corner of 59th Avenue and South Mountain Avenue (the "Property"), as seen on the aerial map enclosed at **TAB A**. The purpose of this Planning Hearing Officer ("PHO") application is to update one (1) stipulation to reflect the improved site plan, landscape plan and elevations which are now ready to proceed to development. This is the only change requested to the previously approved stipulations and, as further detailed below, represents a significant reduction in project intensity - including less density and reduced building heights.

Background

On January 8, 2020, the City Council approved **Case No. Z-47-19-7 (Ord. No. G-6659)**, a rezoning of roughly 128-acres, including the subject Property, to allow for Laveen Park Place, a large mixed-use development including a movie theater, commercial retail / restaurant space, and multifamily residential. See approved Ordinance enclosed at **TAB B**. The case was approved with a Conceptual Master Plan which divided the larger site into five (5) districts. See Conceptual Master Plan attached at **TAB C**. The subject Property is located within the roughly 23-acre district referred to as "Site C." Site C was zoned to R-4 (Multifamily Residential District) and has always been intended for multifamily development.

As required by the original Site C stipulations, the site plan, landscape plan and elevations were submitted to and reviewed by the Planning Hearing Officer. The PHO approved the plans and on November 17, 2021, the approval was ratified by the City Council per Case No. PHO-3-21--Z-47-19-7 (Ord. No. 6931). See approval letter enclosed at TAB D. The approvals included a general conformance stipulation for Site C (Multifamily). Specifically, revised stipulation No. 34 states:

"The development shall be in general conformance with the site plan, landscape plan, and elevations date stamped October 1, 2021, as modified by the following stipulations and approved by the Planning and Development Department."

A sample of plans from the prior approval is enclosed at **TAB E** for quick reference. We are requesting an update to this stipulation to reflect the updated project layout and associated plans which have been submitted. Again, the project fully complies with all of the other stipulations which were thoroughly vetted in both the original approvals and again in subsequent amendments. The updated stipulation would read:

The development shall be in general conformance with the site plan, landscape plan, and elevations date stamped ______, 2025October 1, 2021, as modified by the following stipulations and approved by the Planning and Development Department.

It should be noted; a subsequent PHO application in 2022, further amended and re-numbered the stipulation of zoning Case No. Z-47-19-7. **Case No. PHO-4-21--Z47-19 (Ord G-6693)** was ratified by City Council on February 16, 2022, and appears to contain the old Site C stipulations from the original 2020 zoning case (Z-47-19-7) instead of the updated stipulations approved in 2021 (PHO-3-21--Z-47-19-7. The Site C stipulation of interest on this 2022 case approval is No. 35 (but again, we believe it is referencing and incorrect and outdated stipulation from the original zoning approval). See approved Ordinance 6963 enclosed at **TAB F**.

In summary:

Jan 8, 2020: Rezoning Case No. Z-47-19-7 (Ord. No. G-6659).

Original stipulations.

Nov 17, 2021: PHO Case No. PHO-3-21--Z-47-19-7 (Ord. No. 6931).

Approval of Site C plans as required by original stipulations.

• Feb 16, 2022: PHO Case No. PHO-4-21--Z47-19 (Ord G-6963)

Modification of stipulations for Retail Site B and re-numbering of stipulations. Did not incorporate 2021 amendments to Site C stips.

Updated Project

The updated project is still very much in keeping with the prior approvals from a quality and layout perspective. The buildings are still uniquely arranged across the site and clustered around a series of open space areas and resident amenities. A substantial amount of active and passive amenity areas is still provided, including swimming pools, playgrounds, picnic areas, splash pad, basketball court, bocce ball, pickle ball courts, etc. Access to the site remains the same and a substantial amount of covered parking is also still provided. See site plan, landscape plan and elevations enclosed at **TAB G.**

The primary change to the project is the reduction in building heights and an overall reduction in project density and intensity. These changes enable a more feasible project that can be brought to

the market in a timely manner to help fulfil the housing demand in the area. In essence, the project has been "right-sized" to ensure it is well-positioned for success. Some details on the changes include:

- A reduction in total units from 536 down to 456.
- A reduction in building heights from 4-stories (45'-6") down to 3-stories (29'-5").
- A reduction in required parking from 1,162 down to 910 spaces.
- The elimination of carriage units along the property perimeter.
- A reduction in lot coverage from 32% down to 20%.
- An increase in Common Open Space from 141,766 sqft (14%) up to 173,846 sqft (18%).
- An overall reduction in vehicle trips as documented in the updated Traffic Study.

In closing, it should be noted that the Property is still under the same ownership (Hawkins) that processed the prior PHO approvals. Hawkins remains committed to this site and is looking forward to bringing forth a high-quality, successful project.

We greatly appreciate your review and consideration of this request.

WITHEY MORRIS BAUGH P.L.C.

Ву

George Pasque VII

CC: Ryan Manteuffel, Hawkins Companies

Tab A

Aerial Map





Tab B

Official Records of Maricopa County Recorder
ADRIAN FONTES
20200043095 01/16/2020 03:30
ELECTRONIC RECORDING
G6659-17-1-1--

ORDINANCE G-6659

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-47-19-7) FROM S-1, APPROVED CP/GCP AND/OR C-2 (RANCH OR FARM RESIDENCE DISTRICT, APPROVED COMMERCE PARK/GENERAL COMMERCE PARK DISTRICT AND/OR INTERMEDIATE COMMERCIAL DISTRICT) TO CP/GCP (COMMERCE PARK/GENERAL COMMERCE PARK DISTRICT), C-2 HGT/WVR (INTERMEDIATE COMMERCIAL, HEIGHT WAIVER), AND R-4 (MULTIFAMILY RESIDENCE DISTRICT).

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

SECTION 1. The zoning of a 128.61 acre site located at the southeast corner of 63rd Avenue and Baseline Road in a portion of Sections 5 and 6, Township 1 South, Range 2 East, as described more specifically in Exhibit "A," is hereby changed from "S-1, Approved CP/GCP and/or C-2" (Ranch or Farm Residence District, Approved Commerce Park/General Commerce Park District and/or Intermediate Commercial District) to 76.70 acres of "CP/GCP" (Commerce Park/General Commerce Park District), 28.64 acres of "C-2 HGT/WVR" (Intermediate Commercial, Height Waiver), and 23.27 acres of "R-4" (Multifamily Residence District) to allow commerce park

development, commercial development with a height waiver for up to 56 feet and multifamily residential.

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. The development shall be in General Conformance to the Conceptual Master Site Plan date stamped October 23, 2019, with specific regard to the site locations, as approved by the Planning and Development Department.
- 2. All parking areas adjacent to public streets, excluding the freeway, shall be screened by a combination of decorative screen walls and a minimum 3-foot high landscaped mound/berm along the perimeter streets, as approved by the Planning and Development Department.
- 3. All sidewalks adjacent to public streets shall be detached with a minimum 5-foot wide continuous landscape area located between the sidewalk and back of curb; and shall include minimum 3-inch caliper, large canopy single-trunk shade trees (limbed-up a minimum of 10-feet clear from finish grade), planted 25 feet on center or in equivalent groupings; and minimum 5-gallon shrubs with a maximum mature height of 2 feet providing 75 percent live cover, as approved by the Planning and Development Department. If there is limited right-of-way along the Baseline Road frontage requiring a modified cross section, an attached sidewalk design may be considered, as approved by the Planning and Development Department.
- The developer shall provide clearly defined, accessible pathways at vehicular crossings, constructed of decorative pavement that visually contrasts with the adjacent parking and drive aisle surfaces for internal drive aisles and accessways, as approved by the Planning and Development Department.

2

- 5. The applicant shall submit a Traffic Impact Study (TIS) to the City for this development for review and approval by the Street Transportation Department (except for the Site A, Harkins) prior to the submittal of preliminary site plans. Additional right-of-way and street improvements may be required following TIS review. Phasing of off-site improvements must be consistent with the TIS recommendations. Phased street improvements will require the installation of pavement transition tapers, as approved by the Street Transportation Department.
- 6. The developer shall construct all streets within and adjacent to the development required for each phase with paving, curb, gutter, minimum 5-foot wide sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.
- 7. Open irrigation facilities are to be piped outside of right-of-way and shown on the preliminary site plan, as approved by the Planning and Development Department.
- 8. All multi-use trails and shared use paths shall be shaded a minimum of 50 percent with 2-inch minimum caliper, large canopy shade trees, located 5 to 8 feet from the edge of the trail, as approved by the Planning and Development Department.
- 9. The right-of-way shall be dedicated, if required, and a bus pad (detail P1260 or P1262) constructed at the following locations, unless otherwise modified by the Planning and Development Department and Public Transit Department:
 - a. Eastbound Baseline Road east of 63rd Avenue. Pad shall be spaced from the intersection of 63rd Avenue and Baseline Road according to City of Phoenix Standard Detail P1258.
 - b. Three bus stop pads shall be located along Southbound 59th Avenue.
- 10. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
- 11. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
- 12. 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.

Site A

- 13. The development shall be in general conformance with the site plan and elevations date stamped October 23, 2019, as modified by the following stipulations and approved by the Planning and Development Department.
- 14. The maximum building height shall be limited to 56 feet.
- 15. There shall be a 150-foot stepback provided from 59th Avenue for buildings over 30 feet in height.
- 16. A minimum of one clearly defined pedestrian connection shall be provided from Site A to connect with the trail along the Laveen Area Conveyance Channel with one pedestrian scale amenity (benches, tables, etc.) provided within close proximity of the trail, as approved by the Planning and Development Department.
- 17. A minimum of two pedestrian pathways that are a minimum 6 feet wide shall be provided from the west side of Site B through Site A to the proposed buildings. The parking lot shall be designed to have minimal vehicular drive crossings through these pathways. These pathways shall have a minimum 50 percent shade provided by 2-inch minimum caliper trees located in minimum 5-foot wide landscape areas and/or an architectural shading element, as approved by the Planning and Development Department.
- 18. A minimum of two inverted-U bicycle racks (4 spaces) shall be provided for each building on site, located near building entries, and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
- 19. The developer shall construct the west half street of 59th Avenue, as consistent with the Street Classification Map, including the landscaped median between the Laveen Area Conveyance Channel and the southern boundary of Site A, as approved by the Planning and Development Department. Asphalt pavement transition tapers are required between ultimate and interim street conditions, as approved by the Street Transportation Department.

- 20. The developer shall construct a 10-foot-wide Shared Use Path (SUP) along the west side of 59th Avenue in lieu of the required sidewalk, consistent with the improvements on 59th Avenue north of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.
- 21. The developer shall construct a 10-foot-wide Multi-Use Trail (MUT) along the south side of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.

Site B (Retail/Restaurant)

- 22. The maximum building height shall be limited to 30 feet within 150 feet of 59th Avenue and 45 feet for the remainder of Site B.
- 23. There shall be a 150-foot stepback provided from 59th Avenue for building over 30 feet in height.
- 24. The site plan, landscape plan showing pedestrian circulation and elevations, shall be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual review of the applicable provisions of the goals and policies of the Southwest Growth Study which shall include the following:
 - a. Promoting the overall pedestrian circulation within the commercial corner through wide sidewalks, detached sidewalks and overall connectivity including:
 - (i) A minimum of two pedestrian pathways that are a minimum of 6 feet wide shall be provided from 59th Avenue through the site to connect to buildings and the pedestrian pathways at Site A. The parking lot shall be designed to have minimal vehicular drive crossings through these pathways. These pathways shall have a minimum 50 percent shade provided by 2-inch minimum caliper trees located in minimum 5-foot wide landscape areas and/or an architectural shading element.
 - (ii) A minimum of two clearly defined pedestrian connections shall be provided to connect with the trail along the Laveen Area Conveyance Channel with two pedestrian scale amenities (open space, benches, tables, etc.) provided within close proximity of the trail.
 - b. Arcades and overhangs shall be incorporated into the buildings to promote shade.

- c. All building facades shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies at least every 50 linear feet.
- d. Accent building materials such as: native stone, burnt adobe, textured brick, wood (when shaded by overhangs or deep recesses), slump block, ceramic tile (matte finish), stucco and/or exposed aggregate concrete shall be used on buildings or otherwise demonstrate that the architectural style is consistent with prior phases of the project and development in the area.
- 25. Drive-through restaurant pick-up windows shall be architecturally integrated in proportion, color, material and texture to the building it serves by providing awnings or architecturally integrated structures for weather protection, as approved by the Planning and Development Department.
- 26. Drive-through restaurant facilities shall provide a minimum of 250 square feet of outdoor seating areas, as approved by the Planning and Development Department.
- 27. A minimum of 25 percent of the surface parking areas shall be shaded by 2-inch minimum caliper, large canopy single-trunk shade trees, located within minimum 5-foot wide landscape areas, as approved by the Planning and Development Department.
- 28. A minimum of two inverted-U bicycle racks (4 spaces) shall be provided for each building on site, located near building entries, and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
- 29. A minimum of 30 percent of the linear frontage of the buildings, that has main public entries oriented towards parking areas, shall be provided with planting. Planting areas shall be sized to provide adequate area for planting materials to thrive. Trees and shrubs shall be sized to provide 30 percent shading of area at maturity, as approved by the Planning and Development Department.
- 30. The developer shall construct the west half street of 59th Avenue, as consistent with the Street Classification Map, including landscaped median between the Laveen Area Conveyance Channel and the southern boundary of Site B, as approved by the Planning and Development Department. Asphalt pavement transition tapers are required between ultimate and interim street conditions, as approved by the Street Transportation Department.
- 31. The developer shall construct a 10-foot Shared Use Path (SUP) on 59th Avenue in lieu of the required sidewalk, consistent with the improvements on 59th Avenue north of the Laveen Area Conveyance Channel.

32. The developer shall construct a 10-foot-wide Multi-Use Trail (MUT) along the southside of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.

Site C (Multifamily)

- 33. The site plan, landscape plan showing pedestrian circulation and elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual review of the applicable provisions of the goals and policies of the Southwest Growth Study which shall include the following:
 - a. Promoting pedestrian connections with the adjacent commercial development through sidewalks, detached sidewalks and overall connectivity including:
 - b. A minimum of three evenly dispersed pedestrian connection points to the commercial development to the north. This pedestrian connection shall be clearly defined and minimize vehicular conflicts.
 - c. Arcades and overhangs shall be incorporated into the buildings to promote shade.
 - d. All building facades shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies at least every 50 linear feet, as approved by the Planning and Development Department.
 - e. Ensuring architectural style is consistent with prior phases of the project and development in the area.
- 34. There shall be a minimum of 10 percent common area open space provided onsite, as approved by the Planning and Development Department.
- 35. A minimum of 25 percent of the surface parking areas shall be shaded by a minimum 2-inch caliper, large canopy single-trunk shade trees, located within minimum 5-foot wide landscape areas, as approved by the Planning and Development Department.
- 36. The developer shall construct the west half street of 59th Avenue, as consistent with the Street Classification Map, including the landscaped median for the full extent of Site C, as approved by the Planning and Development Department. Asphalt pavement transition tapers are required between ultimate and interim street conditions, as approved by the Street Transportation Department.

- 37. The developer shall construct a 10-foot wide Shared Use Path (SUP) on 59th Avenue in lieu of the required sidewalk, consistent with the improvements on 59th Avenue north of the Laveen Area Conveyance Channel.
- 38. The developer shall provide conduit plan and junction boxes at 59th Avenue and South Mountain Avenue on project site for future traffic signal equipment and all work related to the construction or reconstruction of the conduit runs and junction box installation shall be the responsibility of the Developer, as approved by the Planning and Development Department.

Site D (Commerce Park/General Commerce Park North of the LACC)

- 39. The site plan, landscape plan showing pedestrian circulation and elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual review of the applicable provisions of the goals and policies of the Southwest Growth Study which shall include the following:
 - a. Promoting the overall pedestrian circulation within the development through wide sidewalks, detached sidewalks and overall connectivity including:
 - (i) A minimum of two pedestrian connections to the Laveen Area Conveyance Channel.
 - (ii) There shall be an employee open space area provided adjacent to the Laveen Area Conveyance Channel. The open space areas shall provide a minimum of one amenity (tables, benches, yard games, etc.) each.
 - b. Arcades and overhangs shall be incorporated into the buildings to promote shade.
 - c. All building facades shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies at least every 50 linear feet.
 - d. Ensuring architectural style is consistent with prior phases of the project and development in the area.
- 40. There shall be a minimum of one exterior employee balcony provided on each four-story building that is a minimum of 12 feet in depth and a minimum of 200 square feet in size, as approved by the Planning and Development Department.
- 41. The glazing on all building windows shall have a maximum reflectivity of 20 percent, as approved by the Planning and Development Department.

- 42. A minimum of 25 percent of the surface parking areas shall be shaded by minimum 2-inch caliper, large canopy single-trunk shade trees, located within minimum 5-foot wide landscape areas, as approved by the Planning and Development Department.
- 43. A minimum of six inverted-U bicycle racks (12 spaces) shall be provided for each building on site, located near building entries, and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
- 44. A minimum of 30 percent of building linear frontage, that has main public entries oriented towards parking areas, shall be provided with planting. Planting areas shall be sized to provide adequate area for planting materials to thrive. Trees and shrubs shall be sized to provide 30 percent shading of area at maturity, as approved by the Planning and Development Department.
- 45. The developer shall protect in place the shared-use path and 20-foot wide public trail/sidewalk easement along the north side of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.
- 46. The developer shall dedicate a 30-foot-wide public trail/sidewalk easement along the west side of the 202 Loop or adjacent to 63rd Avenue, whichever provides greater connectivity, at the time of preliminary site plan approval. Developer shall construct a 10-foot-wide shared-use path (SUP) within the easement as indicated in section 429 of the City of Phoenix MAG Supplement, as approved by the Planning and Development Department.
- 47. A minimum 10-foot public multi-use trail shall be constructed within a 30-foot easement in accordance with MAG supplemental detail 429 along the south side of Baseline Road to connect to the trails to the east and west, as approved by the Parks and Recreation Department.
- 48. The developer shall dedicate 60 feet of right-of-way for the full parcel limits for the south half of Baseline Road, as approved by the Planning and Development Department.
- 49. The developer shall dedicate a minimum of 40 feet of right-of-way for the full parcel limits for the east half of 63rd Avenue. Additional right-of-way dedications and improvements as required by the TIS, as approved by the Street Transportation Department.

- 50. The developer shall dedicate 40 feet of right-of-way for the full parcel limits for the east half of 63rd Avenue and improvements as required by the TIS, as approved by the Planning and Development. Asphalt pavement transition tapers are required between ultimate and interim street conditions, as approved by the Street Transportation Department.
- 51. The developer shall dedicate a 25-foot by 25-foot right-of-way triangle at the southeast corner of Baseline Road and 63rd Avenue, as approved the Planning and Development Department.

Site E (Commerce Park/General Commerce Park South of the LACC)

- 52. The site plan, landscape plan showing pedestrian circulation and elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual review of the applicable provisions of the goals and policies of the Southwest Growth Study which shall include the following:
 - a. Promoting the overall pedestrian circulation within the development through wide sidewalks, detached sidewalks and overall connectivity including:
 - (i) A minimum of two pedestrian connections to the Laveen Area Conveyance Channel.
 - (ii) There shall be an employee open space area provided adjacent to the Laveen Area Conveyance Channel. The open space areas shall provide a minimum of one amenity (tables, benches, yard games, etc.) each.
 - b. Arcades and overhangs shall be incorporated into the buildings to promote shade.
 - c. All building facades shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies at least every 50 linear feet.
 - d. Ensuring architectural style is consistent with prior phases of the project and development in the area.
- 53. There shall be a minimum of one exterior employee balcony provided on each four-story building that is a minimum of 12 feet in depth and a minimum of 200 square feet in size, as approved by the Planning and Development Department.
- 54. The glazing on all building windows shall have a maximum reflectivity of 20 percent, as approved by the Planning and Development Department.

- 55. A minimum of 25 percent of the surface parking areas shall be shaded by minimum 2-inch caliper, large canopy single-trunk shade trees, located within minimum 5-foot wide landscape areas, as approved by the Planning and Development Department.
- 56. A minimum of six inverted-U bicycle racks (12 spaces) shall be provided for each building on site, located near building entries, and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
- 57. A minimum of 30 percent of building linear frontage, that has main public entries oriented towards parking areas, shall be provided with planting. Planting areas shall be sized to provide adequate area for planting materials to thrive. Trees and shrubs shall be sized to provide 30 percent shading of area at maturity, as approved by the Planning and Development Department.
- 58. The developer shall dedicate a 30-foot-wide public trail/sidewalk easement along the west side of the 202 Loop Freeway or adjacent to 63rd Avenue, whichever provides greater connectivity, at the time of preliminary site plan approval. Developer shall construct a 10-foot wide shared-use path (SUP) within the easement per Section 429 of the City of Phoenix MAG Supplement, as approved by the Planning and Development Department.
- 59. The developer shall construct a 10-foot-wide Multi-Use Trail (MUT) along the southside of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.
- 60. The developer shall dedicate a minimum of 40 feet of right-of-way for the full parcel limits for the east half of 63rd Avenue. Additional right-of-way dedications and improvements as required by the TIS, and as approved by the Street Transportation Department. Asphalt pavement transition tapers are required between ultimate and interim street conditions, excepting the frontage of APN 300-020-017C, as approved by the Street Transportation 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 8th day of January

2020.	Kotelly
	4MAYOR
ATTEST: Juis ful Suld 01-15-202	_City Clerk
APPROVED AS TO FORM:	
Juli Kriegh	_Acting City Attorney pm
REVIEWED BY:	
PL:tml:LF19-3294:ltem 104:1/8/20:2160318v1	_City Manager
Exhibits:	

A – Legal Description (4 Pages)B – Ordinance Location Map (1 Page)

EXHIBIT A

LEGAL DESCRIPTION FOR Z-47-19-7

APN 300-02-925:

A parcel of land being situated within the Northeast Quarter of Section 6, Township 1 South, Range 2 East of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

BEGINNING at a found Maricopa County Department of Transportation brass cap in hand hole accepted as the South quarter comer of Section 31, Township 1 North, Range 2 East, from which a found cotton picker spindle flush with tag RLS 38862 accepted as the Southeast comer of said Section 31, bears North 89°42'58" East, 2632.53 feet:

Thence North 89°42'58" East, 466.00 feet along the north line of said Northeast quarter;

Thence leaving said north line and along the west line of the proposed Loop 202 right-of-way per First Amended Complaint in Condemnation, Case No. CV2015-013691, the following 6 courses:

Thence South 00°17'22" East, 81.00 feet;

Thence South 85°50'12" East, 90.27 feet;

Thence South 88°30'19" East, 76.00 feet;

Thence South 88°30'19" East, 375.00 feet;

Thence South 00°04'56" East, 763.63 feet;

Thence South 12°59'57" East, 31.20 feet to the beginning of a non-tangent curve, concave southeasterly, having a radius of 1050.00 feet, the center of which bears South 17°20'23" East, said curve being the northerly Right-of-Way line of the Laveen Channel, as conveyed to the Flood Control District of Maricopa County in Warranty Deed as recorded in Document No. 2003-0869416, Maricopa County records, Arizona; Thence leaving said west line and southwesterly along said curve and said northerly Right-of-way line, through a central angle of 24°58'10", an arc length of 457.59 feet to a tangent line;

Thence continuing along said northerly Right-of-Way line, South 47°41 '27" West, 77.77 feet, to the beginning of a tangent curve, concave northwesterly, having a radius of 1400.00 feet:

Thence continuing along said northerly Right-of-Way line and southwesterly along said curve, through a central angle of 39°33'28", an arc length of 966.58 feet to a non-tangent line, said line being the Decreed line as defined by Docket 14621, Pages 356-366, Maricopa County Records, Arizona;

Thence leaving said northerly Right-of-Way line, North 00°26' 18" East, 92.05 feet along said Decreed line also being the east line of the Final Plat for Avalon Village, as recorded in Book 704, Page 30, Maricopa County Records, Arizona;

Thence continuing along said east line, North 00°37'09" East, 1438.69 feet to the north line of said Northeast quarter from which a found Maricopa County Department of Transportation brass cap in hand hole accepted as the North quarter comer of said Section 6, bears South 89°41 '36" West, 8.02 feet;

Thence leaving said east line, North 89°41'36" East, 294.91 feet along the north line of said Northeast quarter to a found Maricopa County Department of Transportation brass cap in hand hole accepted as the South Quarter comer of Section 31, Township 1 North, Range 2 East and to the POINT OF BEGINNING.

Said portion of land containing 1,621,105 sq. ft., or 37.2154 acres, more or less being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

APN 300-02-926:

A parcel of land being situated within the North half of Section 6, Township 1 South, Range 2 East of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a found Maricopa County aluminum cap accepted as the East Quarter corner of said Section 6 from which a found aluminum cap accepted as the Center of said Section 6 bears South 89°48'16" West, 2636.89 feet;

Thence South 89°48'16" West, 1318.45 feet along the south line of the Northeast Quarter of said Section 6 to the POINT OF BEGINNING;

Thence continuing along said south line, South 89°48'16" West, 1319.71 feet; Thence North 00°27'14" East, 379.20 feet along the property line as decreed in Docket 14621, Page 356-366, Maricopa County Records, Arizona;

Thence leaving said property line, North 89°48'16" East, 295.76 feet along the southerly line of the property as described in the Warranty Deed as recorded in Document No. 1997-0356797, Maricopa County Records, Arizona, to the southeast corner thereof;

Thence North 00°24'33" East, 307.25 feet, along the easterly line of said Warranty Deed to the northeast corner thereof;

Thence South 89°48'16" West, 295.52 feet along the northerly line of said Warranty Deed:

Thence leaving said northerly line, North 00°27'14" East, 230.08 feet along the property line as decreed in Docket 14621, Page 356-366, Maricopa County Records, Arizona, to a non-tangent curve, concave northwesterly, having a radius of 1600.00 feet, the center of which bears

North 02°22'31" West, said curve being the southerly Right-of-Way line of the Laveen Channel, as conveyed to the Flood Control District of Maricopa County in Warranty Deed as recorded in Document No. 2003-0869416, Maricopa County records, Arizona;

Thence leaving said property line and along said southerly Right-of-Way line and northeasterly along said curve, through a central angle of 39°56'02", an arc length of 1115.16 feet to a tangent line;

Thence continuing along said southerly Right-of-Way line, North 47°41 '27" East, 77.77 feet to the beginning of a tangent curve, concave southeasterly, having a radius of 850.00 feet:

Thence continuing along southerly Right-of-Way line and northeasterly along said curve, through a central angle of 23°56'44", an arc length of 355.24 feet to a non-tangent line, said line being the west line of the proposed Loop 202 right-of way per First Amended Complaint in Condemnation, Case No. CV2015-013691;

Thence leaving said southerly Right-of-Way line and along said west line the following 3 courses:

Thence South 12°59'57" East, 19.86 feet;

Thence South 06°55'48" East, 788.63 feet;

Thence South 11 °56'17" West, 772.34 feet to the POINT OF BEGINNING.

Said parcel of land containing 1,561,584 sq. ft., or 35.8490 acres, more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

APN 300-02-927:

A parcel of land being situated within the Northwest quarter of Section 5 and the Northeast quarter of Section 6, Township 1 South, Range 2 East of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows: BEGINNING at a found 2 inch Maricopa County aluminum cap accepted as the West quarter comer of said Section 5 from which a found 2 inch aluminum cap accepted as the Northwest comer of said Section 5 bears North 00° 14'04" East, 2651.54 feet; Thence South 89°48'16" West, 688.97 feet along the south line of said Northeast quarter;

Thence leaving said south line, North 00°50'29" West, 1581.70 feet along the east line of the proposed Loop 202 right-of way per First Amended Complaint in Condemnation, Case No. CV2015-0I 3691;

Thence leaving said east line, South 85°58'47" East, 17.82 feet along the southerly right-of-way line of the Laveen Channel, as conveyed to the Flood Control District of Maricopa County in Warranty Deed as recorded in Document No. 2003-0869416, Maricopa County Records, Arizona, to the beginning of a tangent curve, concave northerly, having a radius of 2600.00 feet;

Thence continuing along said southerly right-of-way line and easterly along said curve, through a central angle of 24°26'25", an arc length of 1109.07 feet to a non-tangent line;

Thence along the westerly right-of-way line of 59th A venue, as shown on the Map of Dedication of "P.U.H.S.D. #210 - Comprehensive High School", as recorded in Book 846, Page 5, Maricopa County Records, Arizona, the following 3 courses:

Thence South 22°09'01" East, 647.57 feet to the beginning of a tangent curve, concave westerly, having a radius of 895.00 feet;

Thence southerly along said curve, through a central angle of 64°58'18", an arc length of 1014.90 feet to a tangent line;

Thence South 42°49'17" West, 256.23 feet;

Thence leaving said westerly right-of-way line, South 89°43'27" West, 292.52 feet along the south line of said Northwest quarter to the POINT OF BEGINNING.

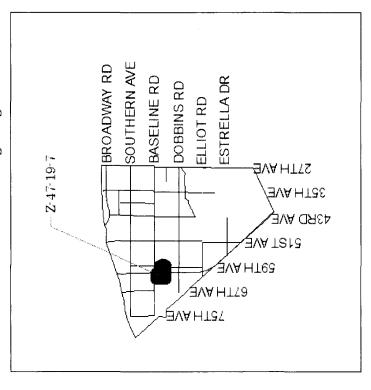
Said parcel of land containing 2,082,374 sq. ft., or 47.8047 acres, more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

ORDINANCE LOCATION MAP

ZONING SUBJECT TO STIPULATIONS: * SUBJECT AREA:

Zoning Case Number: Z-47-19-7 Zoning Overlay: N/A Planning Village: Laveen



C-2 HGT/WVR

₩ 7

BASELINE RD

CP/GCP

NOT TO SCALE

S9TH AVE

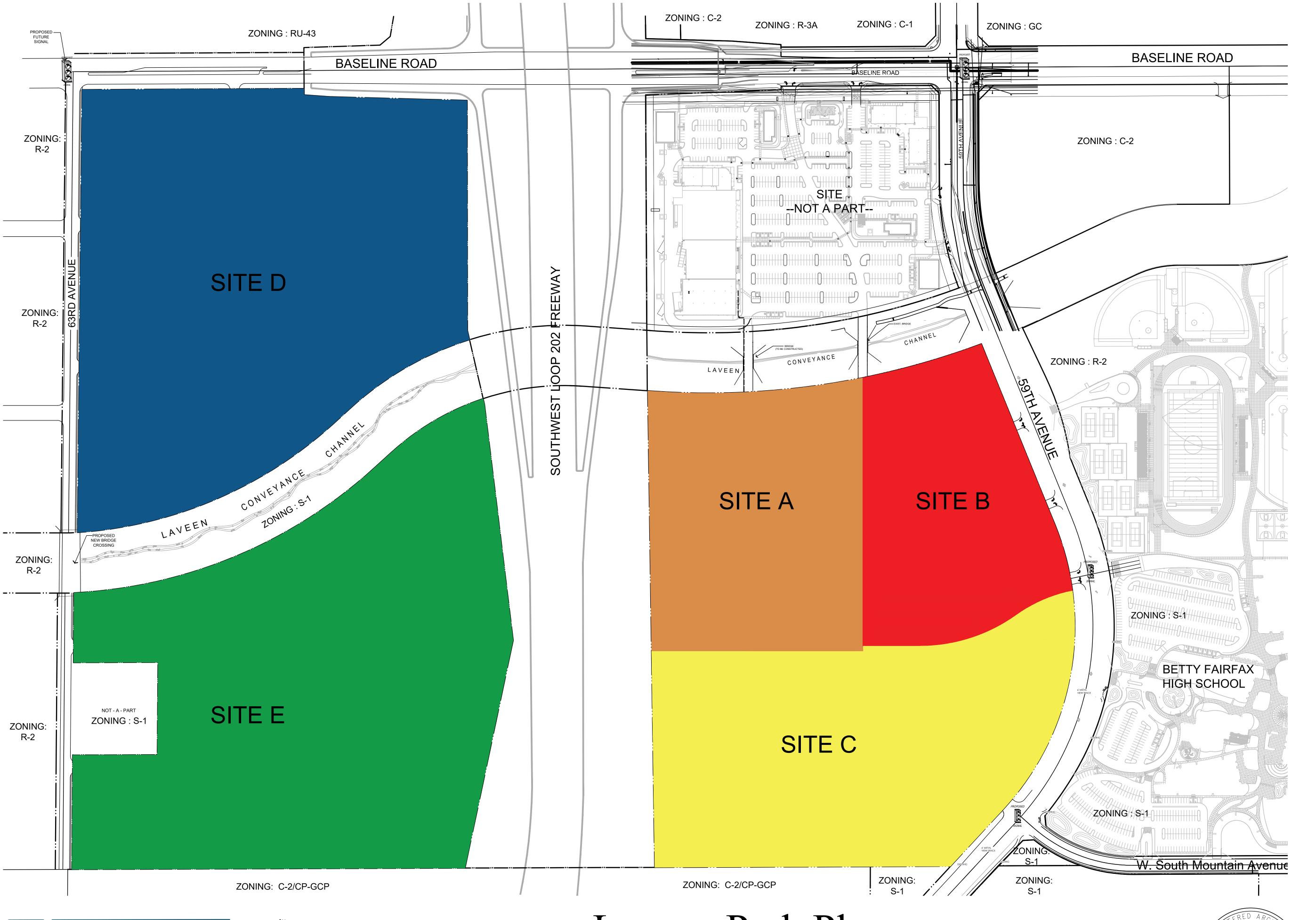
1,180 Feet

0 295 590

Drawn Date: 12/17/2019

cone podiShared Department Share Information Systems/PLO ISUS_Team One_Functions/Soning Supply aps_Ord Maps_Ord NS-23-247-19-7, mixd

Tab C

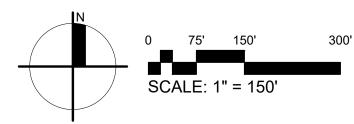


CITY OF PHOENIX

OCT 23 2019

Planning & Development Department





Laveen Park Place
CONCEPTUAL MASTER SITE PLAN
Laveen, Arizona





Tab D

Official Records of Maricopa County Recorder
STEPHEN RICHER
20220012512 01/05/2022 11:27
ELECTRONIC RECORDING
6931G-15-1-1--

ORDINANCE G-6931

AN ORDINANCE AMENDING THE STIPULATIONS APPLICABLE TO REZONING APPLICATION Z-47-19-7 PREVIOUSLY APPROVED BY ORDINANCE G-6659.

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

SECTION 1. The zoning stipulations applicable to the property located west of the intersection of 59th Avenue and South Mountain Avenue in a portion of Section 6, Township 1 South, Range 2 East, as described more specifically in Attachment "A", are hereby modified to read as set forth below.

STIPULATIONS:

Overall Site

follows:

- 1. The development shall be in General Conformance to the Conceptual Master Site Plan date stamped October 23, 2019 with specific regard to the site locations, as approved by the Planning and Development Department.
- All parking areas adjacent to public streets, excluding the freeway, shall be screened by a combination of decorative screen walls and a minimum 3-foot high landscaped mound/berm along the perimeter streets, as approved by the Planning and Development Department.
- 3. All sidewalks adjacent to public streets shall be detached with a minimum 5-foot wide continuous landscape area located between the sidewalk and back of curb; and shall include minimum 3-inch caliper, large canopy single-trunk shade trees (limbed-up a minimum of 10-feet clear from finish grade), planted 25 feet on

center or in equivalent groupings; and minimum 5-gallon shrubs with a maximum mature height of 2 feet providing 75 percent live cover, as approved by the Planning and Development Department. If there is limited right-of-way along the Baseline Road frontage requiring a modified cross section, an attached sidewalk design may be considered, as approved by the Planning and Development Department.

- 4. The developer shall provide clearly defined, accessible pathways at vehicular crossings, constructed of decorative pavement that visually contrasts with the adjacent parking and drive aisle surfaces for internal drive aisles and accessways, as approved by the Planning and Development Department.
- 5. The applicant shall submit a Traffic Impact Study (TIS) to the City for this development for review and approval by the Street Transportation Department (except for the Site A, Harkins) prior to the submittal of preliminary site plans. Additional right-of-way and street improvements may be required following TIS review. Phasing of off-site improvements must be consistent with the TIS recommendations. Phased street improvements will require the installation of pavement transition tapers, as approved by the Street Transportation Department.
- 6. The developer shall construct all streets within and adjacent to the development required for each phase with paving, curb, gutter, minimum 5-foot wide sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.
- Open irrigation facilities are to be piped outside of right-of-way and shown on the preliminary site plan, as approved by the Planning and Development Department.
- 8. All multi-use trails and shared use paths shall be shaded a minimum of 50 percent with 2-inch minimum caliper, large canopy shade trees, located 5 to 8 feet from the edge of the trail, as approved by the Planning and Development Department.
- 9. The right-of-way shall be dedicated, if required, and a bus pad (detail P1260 or P1262) constructed at the following locations, unless otherwise modified by the Planning and Development Department and Public Transit Department:
 - a. Eastbound Baseline Road east of 63rd Avenue. Pad shall be spaced from the intersection of 63rd Avenue and Baseline Road according to City of Phoenix Standard Detail P1258.
 - b. Three bus stop pads shall be located along southbound 59th Avenue.
- 10. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the

- development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
- 11. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
- 12. 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.
- 13. 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.

Site A

- 14. The development shall be in general conformance with the site plan and
- 43. elevations date stamped October 23, 2019, as modified by the following stipulations and approved by the Planning and Development Department.
- 15. The maximum building height shall be limited to 56 feet.

44-

- 16. There shall be a 150-foot stepback provided from 59th Avenue to buildings over
- 45. 30 feet in height.
- 17. A minimum of one clearly defined pedestrian connection shall be provided from
- 46. Site A to connect with the trail along the Laveen Area Conveyance Channel with one pedestrian scale amenity (benches, tables, etc.) provided within close proximity of the trail, as approved by the Planning and Development Department.
- 18. A minimum of two pedestrian pathways that are a minimum 6 feet wide shall be
- 17. provided from the west side of Site B through Site A to the proposed buildings. The parking lot shall be designed to have minimal vehicular drive crossings through these pathways. These pathways shall have a minimum 50 percent shade provided by 2-inch minimum caliper trees located in minimum 5-foot wide landscape areas and/or an architectural shading element, as approved by the Planning and Development Department.
- 19. A minimum of two inverted-U bicycle racks (4 spaces) shall be provided for each
- 48. building on site, located near building entries, and installed per the requirements

- of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
- 20. The developer shall construct the west half street of 59th Avenue, as consistent
- 49. with the Street Classification Map, including the landscaped median between the Laveen Area Conveyance Channel and the Southern boundary of Site A, as approved by the Planning and Development Department. Asphalt pavement transition tapers are required between ultimate and interim street conditions, as approved by the Street Transportation Department.
- 21. The developer shall construct a 10-foot-wide Shared Use Path (SUP) along the
- 20. west side of 59th Avenue in lieu of the required sidewalk, consistent with the improvements on 59th Avenue north of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.
- 22. The developer shall construct a 10-foot-wide Multi-Use Trail (MUT) along the
- 21. south side of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.

Site B (Retail/Restaurant)

- 23. The maximum building height shall be limited to 30 feet within 150 feet of 59th
- 22. Avenue and 45 feet for the remainder of Site B.
- 24. There shall be a 150-foot stepback provided from 59th Avenue for building over
- 23. 30 feet in height.
- 25. The site plan, landscape plan showing pedestrian circulation and elevations, shall
- 24. be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual review of the applicable provisions of the goals and policies of the Southwest Growth Study which shall include the following:
 - a. Promoting the overall pedestrian circulation within the commercial corner through wide sidewalks, detached sidewalks and overall connectivity including:
 - (i) A minimum of two pedestrian pathways that are a minimum of 6 feet wide shall be provided from 59th Avenue through the site to connect to buildings and the pedestrian pathways at Site A. The parking lot shall be designed to have minimal vehicular drive crossings through these pathways. These pathways shall have a minimum 50 percent shade provided by 2-inch minimum caliper trees located in minimum 5-foot wide landscape areas and/or an architectural shading element.

- (ii) A minimum of two clearly defined pedestrian connections shall be provided to connect with the trail along the Laveen Area Conveyance Channel with two pedestrian scale amenities (open space, benches, tables, etc.) provided within close proximity of the trail.
- b. Arcades and overhangs shall be incorporated into the buildings to promote shade.
- c. All building facades shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies at least every 50 linear feet.
- d. Accent building materials such as: native stone, burnt adobe, textured brick, wood (when shaded by overhangs or deep recesses), slump block, ceramic tile (matte finish), stucco and/or exposed aggregate concrete shall be used on buildings or otherwise demonstrate that the architectural style is consistent with prior phases of the project and development in the area.
- 26. Drive-through restaurant pick-up windows shall be architecturally integrated in
- 25. proportion, color, material and texture to the building it serves by providing awnings or architecturally integrated structures for weather protection, as approved by the Planning and Development Department.
- 27. Drive-through restaurant facilities shall provide a minimum of 250 square feet of
- 26. outdoor seating areas, as approved by the Planning and Development Department.
- 28. A minimum of 25 percent of the surface parking areas shall be shaded by 2-inch
- 27. minimum caliper, large canopy single-trunk shade trees, located within minimum 5-foot wide landscape areas, as approved by the Planning and Development Department.
- 29. A minimum of two inverted-U bicycle racks (4 spaces) shall be provided for each
- 28. building on site, located near building entries, and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
- 30. A minimum of 30 percent of the linear frontage of the buildings, that has main
- 29. public entries oriented towards parking areas, shall be provided with planting. Planting areas shall be sized to provide adequate area for planting materials to thrive. Trees and shrubs shall be sized to provide 30 percent shading of area at maturity, as approved by the Planning and Development Department.
- 31. The developer shall construct the west half street of 59th Avenue, as consistent
- 30. with the Street Classification Map, including landscaped median between the Laveen Area Conveyance Channel and the southern boundary of Site B, as

approved by the Planning and Development Department. Asphalt pavement transition tapers are required between ultimate and interim street conditions, as approved by the Street Transportation Department.

- 32. The developer shall construct a 10-foot Shared Use Path (SUP) on 59th Avenue
- 31. in lieu of the required sidewalk, consistent with the improvements on 59th Avenue north of the Laveen Area Conveyance Channel.
- 33. The developer shall construct a 10-foot-wide Multi-Use Trail (MUT) along the
- 32. south side of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.

Site C (Multifamily)

- 34. The site plan, landscape plan showing pedestrian circulation, and elevations shall
- 33. be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual review of the applicable provisions of the goals and policies of the Southwest Growth Study which shall include the following:

THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN, LANDSCAPE PLAN, AND ELEVATIONS DATE STAMPED OCTOBER 1, 2021, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

- a. Promoting pedestrian connections with the adjacent commercial development through sidewalks, detached sidewalks and overall connectivity including:
- b. A minimum of three evenly dispersed pedestrian connection points to the commercial development to the north. This pedestrian connection shall be clearly defined and minimize vehicular conflicts.
- e. Arcades and overhangs shall be incorporated into the buildings to promote shade.
- d. All building facades shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies at least every 50 linear feet, as approved by the Planning and Development Department.
- e. Ensuring architectural style is consistent with prior phases of the project and development in the area.
- 35. THE DEVELOPER SHALL PROVIDE SECURED BICYCLE PARKING AS REQUIRED IN CHAPTER 13, SECTION 1307.H FOR MULTI-FAMILY

DEVELOPMENT, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

- 36. There shall be a minimum of 10 percent common area open space provided
- 34. onsite, as approved by the Planning and Development Department.
- 37. A minimum of 25 percent of the surface parking areas shall be shaded by a
- 35. minimum 2-inch caliper, large canopy single-trunk shade trees, located within minimum 5-foot wide landscape areas, as approved by the Planning and Development Department.
- 38. THE DEVELOPER SHALL SUBMIT A DECELERATION WARRANT ANALYSIS TO THE STREET TRANSPORTATION DEPARTMENT. IMPROVEMENTS SHALL BE CONSISTENT WITH THE APPROVED ANALYSIS, AS APPROVED BY THE STREET TRANSPORTATION DEPARTMENT.
- 39. The developer shall construct the west half street of 59th Avenue, as consistent
- with the Street Classification Map, including the landscaped median for the full extent of Site C, as approved by the Planning and Development Department. Asphalt pavement transition tapers are required between ultimate and interim street conditions, as approved by the Street Transportation Department.
- 40. The developer shall construct a 10-foot wide Shared Use Path (SUP) on 59th
- 37. Avenue in lieu of the required sidewalk, consistent with the improvements on 59th Avenue north of the Laveen Area Conveyance Channel.
- 41. The developer shall provide conduit plan and junction boxes at 59th Avenue and
- 38. South Mountain Avenue on project site for future traffic signal equipment and all work related to the construction or reconstruction of the conduit runs and junction box installation shall be the responsibility of the Developer, as approved by the Planning and Development Department.

Site D (Commerce Park/General Commerce Park North of the LACC)

- 42. The site plan, landscape plan showing pedestrian circulation and elevations shall
- 39. be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual review of the applicable provisions of the goals and policies of the Southwest Growth Study which shall include the following:
 - a. Promoting the overall pedestrian circulation within the development through wide sidewalks, detached sidewalks and overall connectivity including:
 - (i) A minimum of two pedestrian connections to the Laveen Area Conveyance Channel.

- (ii) There shall be an employee open space area provided adjacent to the Laveen Area Conveyance Channel. The open space areas shall provide a minimum of one amenity (tables, benches, yard games, etc.) each.
- b. Arcades and overhangs shall be incorporated into the buildings to promote shade.
- c. All building facades shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies at least every 50 linear feet.
- d. Ensuring architectural style is consistent with prior phases of the project and development in the area.
- 43. There shall be a minimum of one exterior employee balcony provided on each
- 40. four-story building that is a minimum of 12 feet in depth and a minimum of 200 square feet in size, as approved by the Planning and Development Department.
- 44. The glazing on all building windows shall have a maximum reflectivity of 20
- 41. percent, as approved by the Planning and Development Department.
- 45. A minimum of 25 percent of the surface parking areas shall be shaded by
- 42. minimum 2-inch caliper, large canopy single-trunk shade trees, located within minimum 5-foot wide landscape areas, as approved by the Planning and Development Department.
- 46. A minimum of six inverted-U bicycle racks (12 spaces) shall be provided for each
- 43. building on site, located near building entries, and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
- 47. A minimum of 30 percent of building linear frontage, that has main public entries
- 44. oriented towards parking areas, shall be provided with planting. Planting areas shall be sized to provide adequate area for planting materials to thrive. Trees and shrubs shall be sized to provide 30 percent shading of area at maturity, as approved by the Planning and Development Department.
- 48. The developer shall protect in place the shared-use path and 20-foot wide public
- 45. trail/sidewalk easement along the north side of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.
- 49. The developer shall dedicate a 30-foot-wide public trail/sidewalk easement along
- 46. the west side of the 202 Loop or adjacent to 63rd Avenue, whichever provides greater connectivity, at the time of preliminary site plan approval. Developer shall construct a 10-foot-wide shared-use path (SUP) within the easement as indicated

- in section 429 of the City of Phoenix MAG Supplement, as approved by the Planning and Development Department.
- 50. A minimum 10-foot public multi-use trail shall be constructed within a 30-foot
- 47. easement in accordance with MAG supplemental detail 429 along the south side of Baseline Road to connect to the trails to the east and west, as approved by the Parks and Recreation Department.
- 51. The developer shall dedicate 60 feet of right-of-way for the full parcel limits for the
- 48. south half of Baseline Road, as approved by the Planning and Development Department.
- 52. The developer shall dedicate a minimum of 40 feet of right-of-way for the full
- 49. parcel limits for the east half of 63rd Avenue. Additional right-of-way dedications and improvements as required by the TIS, as approved by the Street Transportation Department.
- 53. The developer shall dedicate 40 feet of right-of-way for the full parcel limits for the
- 60. east half of 63rd Avenue and improvements as required by the TIS, as approved by the Planning and Development. Asphalt pavement transition tapers are required between ultimate and interim street conditions, as approved by the Street Transportation Department.
- 54. The developer shall dedicate a 25-foot by 25-foot right-of-way triangle at the
- 51. southeast corner of Baseline Road and 63rd Avenue, as approved the Planning and Development Department.

Site E (Commerce Park/General Commerce Park South of the LACC)

- 55. The site plan, landscape plan showing pedestrian circulation and elevations shall
- 52. be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual review of the applicable provisions of the goals and policies of the Southwest Growth Study which shall include the following:
 - a. Promoting the overall pedestrian circulation within the development through wide sidewalks, detached sidewalks and overall connectivity including:
 - (i) A minimum of two pedestrian connections to the Laveen Area Conveyance Channel.
 - (ii) There shall be an employee open space area provided adjacent to the Laveen Area Conveyance Channel. The open space areas shall provide a minimum of one amenity (tables, benches, yard games, etc.) each.

- b. Arcades and overhangs shall be incorporated into the buildings to promote shade.
- c. All building facades shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies at least every 50 linear feet.
- d. Ensuring architectural style is consistent with prior phases of the project and development in the area.
- 56. There shall be a minimum of one exterior employee balcony provided on each
- 53. four-story building that is a minimum of 12 feet in depth and a minimum of 200 square feet in size, as approved by the Planning and Development Department.
- 57. The glazing on all building windows shall have a maximum reflectivity of 20
- 54. percent, as approved by the Planning and Development Department.
- 58. A minimum of 25 percent of the surface parking areas shall be shaded by
- 55. minimum 2-inch caliper, large canopy single-trunk shade trees, located within minimum 5-foot wide landscape areas, as approved by the Planning and Development Department.
- 59. A minimum of six inverted-U bicycle racks (12 spaces) shall be provided for each
- building on site, located near building entries, and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
- 60. A minimum of 30 percent of building linear frontage, that has main public entries
- 57. oriented towards parking areas, shall be provided with planting. Planting areas shall be sized to provide adequate area for planting materials to thrive. Trees and shrubs shall be sized to provide 30 percent shading of area at maturity, as approved by the Planning and Development Department.
- 61. The developer shall dedicate a 30-foot-wide public trail/sidewalk easement along
- the west side of the 202 Loop Freeway or adjacent to 63rd Avenue, whichever provides greater connectivity, at the time of preliminary site plan approval. Developer shall construct a 10-foot wide shared-use path (SUP) within the easement per Section 429 of the City of Phoenix MAG Supplement, as approved by the Planning and Development Department.
- 62. The developer shall construct a 10-foot-wide Multi-Use Trail (MUT) along the
- 59. south side of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.
- 63. The developer shall dedicate a minimum of 40 feet of right-of-way for the full
- 60. parcel limits for the east half of 63rd Avenue. Additional right-of-way dedications

and improvements as required by the TIS, and as approved by the Street Transportation Department. Asphalt pavement transition tapers are required between ultimate and interim street conditions, excepting the frontage of APN 300-020-017C, as approved by the Street Transportation Department.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-6659 this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-6659 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 15th day of December,

MAYOR

ATTEST:

2021.

C. Denise Archibald, City Clerk



APPROVED AS TO FORM: Cris Meyer, City Attorney

Acting Chief Counsel

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

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

PL:tml:LF21-3005:12-15-2021:2292093v1

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-3-21--Z-47-19-7

A PORTION OF LOT 2 ACCORDING TO THE LOT COMBINATION MAP RECORDED IN BOOK 1309 OF MAPS, PAGE 41, OFFICIAL RECORDS OF MARICOPA COUNTY, LOCATED IN A PORTION OF THE NORTHWEST QUARTER OF SECTION 5 AND THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 2 EAST OF THE GILA & SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 2 FROM WHICH THE SOUTHWEST CORNER THEREOF BEARS SOUTH 0 DEGREES 50 MINUTES 29 SECONDS EAST, A DISTANCE OF 1581.70 FEET; THENCE SOUTH 0 DEGREES 50 MINUTES 29 SECONDS EAST, ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 846.63 FEET TO THE **POINT OF BEGINNING**;

THENCE NORTH 90 DEGREES 0 MINUTES 0 SECONDS EAST, A DISTANCE OF 702.42 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 6;

THENCE NORTH 0 DEGREES 14 MINUTES 4 SECONDS EAST, ALONG SAID EAST LINE. A DISTANCE OF 17.60 FEET;

THENCE NORTH 90 DEGREES 0 MINUTES 0 SECONDS EAST, A DISTANCE OF 187.62 FEET TO A POINT OF CURVE TO THE LEFT;

THENCE EASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 550.00 FEET, THROUGH A CENTRAL ANGLE OF 35 DEGREES 36 MINUTES 0 SECONDS, A DISTANCE OF 341.74 FEET TO A POINT OF REVERSE CURVE TO THE RIGHT;

THENCE NORTHEASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 480.52 FEET, THROUGH A CENTRAL ANGLE OF 24 DEGREES 25 MINUTES 36 SECONDS, A DISTANCE OF 204.86 FEET TO A POINT ON THE EAST LINE OF SAID LOT 2 AND THE POINT OF A NON-TANGENT CURVE CONCAVE TO THE WEST, WITH A CHORD BEARING OF SOUTH 17 DEGREES 37 MINUTES 16 SECONDS WEST, A CHORD DISTANCE OF 762.16 FEET;

THENCE SOUTHERLY ALONG SAID EAST LINE AND SAID NON-TANGENT CURVE, HAVING A RADIUS OF 895.00 FEET, THROUGH A CENTRAL ANGLE OF 50 DEGREES 24 MINUTES 3 SECONDS, A DISTANCE OF 787.30 FEET;

THENCE SOUTH 42 DEGREES 49 MINUTES 17 SECONDS WEST, A DISTANCE OF 256.23 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2;

THENCE SOUTH 89 DEGREES 43 MINUTES 27 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 289.53 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 6;

THENCE SOUTH 89 DEGREES 48 MINUTES 16 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 691.96 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2;

THENCE NORTH 0 DEGREES 50 MINUTES 29 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 717.07 FEET TO THE POINT OF BEGINNING.

ORDINANCE LOCATION MAP

Zoning Case Number: PHO-3-21--Z-47-19-7 Zoning Overlay: N/A **HBROADWAY RD** Planning Village: Laveen PHO-3-21--Z-47-19-7 ZONING SUBJECT TO STIPULATIONS: * SUBJECT AREA: = = = = :

BASELINE RD

SOUTHERN AVE **ESTRELLA DR** BASELINE RD DOBBINS RD ELLIOT RD SYTH AVE 32TH AVE 43RD AVĘ VA T218 **59TH AV**E **JVA HT**78 **ZYH AVE**

AO HT68

202

A A

NOT TO SCALE

1,440 Feet

720

360

0

NJ H199

ARDMORE RD

Drawn Date: 11/22/2021

NoneydddSharodDopartment Sharethiformallon Systoma9PL GISUS...Team/Core , Functions/Zoning/SuppMaps_OrdMaps/2021 Ord/11-17-21/PHO-3-21-Z-47-18-7.rwd

Tab F

Official Records of Maricopa County Recorde
STEPHEN RICHER
20220214558 03/09/2022 11:26
ELECTRONIC RECORDING
6963G-14-1-1--

ORDINANCE G-6963

AN ORDINANCE AMENDING THE STIPULATIONS APPLICABLE TO REZONING APPLICATION Z-47-19-7 PREVIOUSLY APPROVED BY ORDINANCE G-6659.

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

SECTION 1. The zoning stipulations applicable to the property located approximately 800 feet south of the southwest corner of 59th Avenue and Baseline Road in a portion of Section 6, Township 1 South, Range 2 East, as described more specifically in Attachment "A," are hereby modified to read as set forth below.

STIPULATIONS:

Overall Site

- 1. The development shall be in General Conformance to the Conceptual Master Site Plan date stamped October 23, 2019, with specific regard to the site locations, as approved by the Planning and Development Department.
- 2. All parking areas adjacent to public streets, excluding the freeway, shall be screened by a combination of decorative screen walls and a minimum 3-foot high landscaped mound/berm along the perimeter streets, as approved by the Planning and Development Department.
- All sidewalks adjacent to public streets shall be detached with a minimum 5foot wide continuous landscape area located between the sidewalk and back
 of curb; and shall include minimum 3-inch caliper, large canopy single-trunk
 shade trees (limbed-up a minimum of 10-feet clear from finish grade), planted

25 feet on center or in equivalent groupings; and minimum 5-gallon shrubs with a maximum mature height of 2 feet providing 75 percent live cover, as approved by the Planning and Development Department. If there is limited right-of-way along the Baseline Road frontage requiring a modified cross section, an attached sidewalk design may be considered, as approved by the Planning and Development Department.

- 4. The developer shall provide clearly defined, accessible pathways at vehicular crossings, constructed of decorative pavement that visually contrasts with the adjacent parking and drive aisle surfaces for internal drive aisles and accessways, as approved by the Planning and Development Department.
- 5. The applicant shall submit a Traffic Impact Study (TIS) to the City for this development for review and approval by the Street Transportation Department (except for the Site A, Harkins) prior to the submittal of preliminary site plans. Additional right-of-way and street improvements may be required following TIS review. Phasing of off-site improvements must be consistent with the TIS recommendations. Phased street improvements will require the installation of pavement transition tapers, as approved by the Street Transportation Department.
- 6. The developer shall construct all streets within and adjacent to the development required for each phase with paving, curb, gutter, minimum 5-foot wide sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.
- 7. Open irrigation facilities are to be piped outside of right-of-way and shown on the preliminary site plan, as approved by the Planning and Development Department.
- 8. All multi-use trails and shared use paths shall be shaded a minimum of 50 percent with 2-inch minimum caliper, large canopy shade trees, located 5 to 8 feet from the edge of the trail, as approved by the Planning and Development Department.
- 9. The right-of-way shall be dedicated, if required, and a bus pad (detail P1260 or P1262) constructed at the following locations, unless otherwise modified by the Planning and Development Department and Public Transit Department:
 - a. Eastbound Baseline Road east of 63rd Avenue. Pad shall be spaced from the intersection of 63rd Avenue and Baseline Road according to City of Phoenix Standard Detail P1258.

- b. Three bus stop pads shall be located along Southbound 59th Avenue.
- 10. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
- 11. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
- 12. 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.
- 13. 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.

Site A

- 14. The development shall be in general conformance with the site plan and
- 43. elevations date stamped October 23, 2019, as modified by the following stipulations and approved by the Planning and Development Department.
- 15. The maximum building height shall be limited to 56 feet.
- 14.
- 16. There shall be a 150-foot stepback provided from 59th Avenue for buildings
- 45. over 30 feet in height.
- 17. A minimum of one clearly defined pedestrian connection shall be provided
- 46. from Site A to connect with the trail along the Laveen Area Conveyance Channel with one pedestrian scale amenity (benches, tables, etc.) provided within close proximity of the trail, as approved by the Planning and Development Department.

- 18. A minimum of two pedestrian pathways that are a minimum 6 feet wide shall
- 47. be provided from the west side of Site B through Site A to the proposed buildings. The parking lot shall be designed to have minimal vehicular drive crossings through these pathways. These pathways shall have a minimum 50 percent shade provided by 2-inch minimum caliper trees located in minimum 5-foot wide landscape areas and/or an architectural shading element, as approved by the Planning and Development Department.
- 19. A minimum of two inverted-U bicycle racks (4 spaces) shall be provided for
- 48. each building on site, located near building entries, and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
- 20. The developer shall construct the west half street of 59th Avenue, as
- 19. consistent with the Street Classification Map, including the landscaped median between the Laveen Area Conveyance Channel and the southern boundary of Site A, as approved by the Planning and Development Department. Asphalt pavement transition tapers are required between ultimate and interim street conditions, as approved by the Street Transportation Department.
- 21. The developer shall construct a 10-foot-wide Shared Use Path (SUP) along
- the west side of 59th Avenue in lieu of the required sidewalk, consistent with the improvements on 59th Avenue north of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.
- 22. The developer shall construct a 10-foot-wide Multi-Use Trail (MUT) along the
- 21. south side of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.

Site B (Retail/Restaurant)

- 23. The maximum building height shall be limited to 30 feet within 150 feet of 59th
- 22. Avenue and 45 feet for the remainder of Site B.
- 24. There shall be a 150-foot stepback provided from 59th Avenue for building
- 23. over 30 feet in height.
- 25. The site plan, landscape plan showing pedestrian circulation and elevations,
- 24. shall be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual review of the applicable provisions of the goals and policies of the Southwest Growth Study which shall include the following:

THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN AND LANDSCAPE PLAN DATE STAMPED DECEMBER 3, 2021, AS MODIFIED BY THE FOLLOWING STIPULATIONS, WITH SPECIFIC

REGARD TO THE FOLLOWING, AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

- a. Promoting the overall pedestrian circulation within the commercial corner through wide sidewalks, detached sidewalks and overall connectivity including:
 - A. A minimum of two pedestrian pathways that are a minimum of 6
 - (i) feet wide shall be provided from 59th Avenue through the site to connect to buildings and the pedestrian pathways at Site A. The parking lot shall be designed to have minimal vehicular drive crossings through these pathways. These pathways shall have a minimum 50 percent shade provided by 2-inch minimum caliper trees located in minimum 5-foot wide landscape areas and/or an architectural shading element.
 - B. A minimum of two clearly defined pedestrian connections shall be
 - (ii) provided to connect with the trail along the Laveen Area Conveyance Channel with two pedestrian scale amenities (open space, benches, tables, etc.) provided within close proximity of the trail.
- 26. THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE ELEVATIONS DATE STAMPED DECEMBER 3, 2021, AS MODIFIED BY THE FOLLOWING STIPULATIONS, WITH SPECIFIC REGARD TO THE FOLLOWING, AND AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.
 - A. Arcades and overhangs shall be incorporated into the buildings to
 - b. promote shade.
 - B. All building facades shall contain architectural embellishments and
 - e. detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies at least every 50 linear feet.
 - C. Accent building materials such as: native stone, burnt adobe, textured
 - d. brick, wood (when shaded by overhangs or deep recesses), slump block, ceramic tile (matte finish), stucco and/or exposed aggregate concrete shall be used on buildings or otherwise demonstrate that the architectural style is consistent with prior phases of the project and development in the area.

- 27. Drive-through restaurant pick-up windows shall be architecturally integrated in
- 25. proportion, color, material and texture to the building it serves by providing awnings or architecturally integrated structures for weather protection, as approved by the Planning and Development Department.
- 28. Drive-through restaurant facilities shall provide a minimum of 250 square feet
- 26. of outdoor seating areas, as approved by the Planning and Development Department.
- 29. A minimum of 25 percent of the surface parking areas shall be shaded by 2-
- 27. inch minimum caliper, large canopy single-trunk shade trees, located within minimum 5-foot wide landscape areas, as approved by the Planning and Development Department.
- 30. A minimum of two inverted-U bicycle racks (4 spaces) shall be provided for
- 28. each building on site, located near building entries, and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
- 31. A minimum of 30 percent of the linear frontage of the buildings, that has main
- 29. public entries oriented towards parking areas, shall be provided with planting. Planting areas shall be sized to provide adequate area for planting materials to thrive. Trees and shrubs shall be sized to provide 30 percent shading of area at maturity, as approved by the Planning and Development Department.
- The developer shall construct the west half street of 59th Avenue, as
- consistent with the Street Classification Map, including landscaped median between the Laveen Area Conveyance Channel and the southern boundary of Site B, as approved by the Planning and Development Department. Asphalt pavement transition tapers are required between ultimate and interim street conditions, as approved by the Street Transportation Department.
- 33. The developer shall construct a 10-foot Shared Use Path (SUP) on 59th
- 31. Avenue in lieu of the required sidewalk, consistent with the improvements on 59th Avenue north of the Laveen Area Conveyance Channel.
- 34. The developer shall construct a 10-foot-wide Multi-Use Trail (MUT) along the
- 32. south side of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.

Site C (Multifamily)

- 35. The site plan, landscape plan showing pedestrian circulation, and elevations
- 33. shall be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual

review of the applicable provisions of the goals and policies of the Southwest Growth Study which shall include the following:

- a. Promoting pedestrian connections with the adjacent commercial development through sidewalks, detached sidewalks and overall connectivity including:
- A minimum of three evenly dispersed pedestrian connection points to the commercial development to the north. This pedestrian connection shall be clearly defined and minimize vehicular conflicts.
- c. Arcades and overhangs shall be incorporated into the buildings to promote shade.
- d. All building facades shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies at least every 50 linear feet, as approved by the Planning and Development Department.
- e. Ensuring architectural style is consistent with prior phases of the project and development in the area.
- 36. There shall be a minimum of 10 percent common area open space provided 34. onsite, as approved by the Planning and Development Department.
- 37. A minimum of 25 percent of the surface parking areas shall be shaded by a minimum 2-inch caliper, large canopy single-trunk shade trees, located within minimum 5-foot wide landscape areas, as approved by the Planning and Development Department.
- 38. The developer shall constituct the west half street of 59th Avenue, as consistent with the Street Classification Map, including the landscaped median for the full extent of Site C, as approved by the Planning and Development Department. Asphalt pavement transition tapers are required between ultimate and interim street conditions, as approved by the Street Transportation Department.
- 39. The developer shall construct a 10-foot wide Shared Use Path (SUP) on 59th 37. Avenue in lieu of the required sidewalk, consistent with the improvements on

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40. The developer shall provide conduit plan and junction boxes at 59th Avenue and South Mountain Avenue on project site for future traffic signal equipment and all work related to the construction or reconstruction of the conduit runs and junction box installation shall be the responsibility of the Developer, as approved by the Planning and Development Department.

Site D (Commerce Park/General Commerce Park North of the LACC)

- 41. The site plan, landscape plan showing pedestrian circulation and elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual review of the applicable provisions of the goals and policies of the Southwest Growth Study which shall include the following:
 - a. Promoting the overall pedestrian circulation within the development through wide sidewalks, detached sidewalks and overall connectivity including:
 - (i) A minimum of two pedestrian connections to the Laveen Area Conveyance Channel.
 - (ii) There shall be an employee open space area provided adjacent to the Laveen Area Conveyance Channel. The open space areas shall provide a minimum of one amenity (tables, benches, yard games, etc.) each.
 - b. Arcades and overhangs shall be incorporated into the buildings to promote shade.
 - c. All building facades shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies at least every 50 linear feet.
 - d. Ensuring architectural style is consistent with prior phases of the project and development in the area.
- 42. There shall be a minimum of one exterior employee balcony provided on each 40. four-story building that is a minimum of 12 feet in depth and a minimum of 200 square feet in size, as approved by the Planning and Development Department.
- 43. The glazing on all building windows shall have a maximum reflectivity of 20 41. percent, as approved by the Planning and Development Department.

- 44. A minimum of 25 percent of the surface parking areas shall be shaded by
 42. minimum 2-inch caliper, large canopy single-trunk shade trees, located within minimum 5-foot wide landscape areas, as approved by the Planning and Development Department.
- 45. A minimum of six inverted-U bicycle racks (12 spaces) shall be provided for each building on site, located near building entries, and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
- 46. A minimum of 30 percent of building linear frontage, that has main public entries oriented towards parking areas, shall be provided with planting. Planting areas shall be sized to provide adequate area for planting materials to thrive. Trees and shrubs shall be sized to provide 30 percent shading of area at maturity, as approved by the Planning and Development Department.
- 47. The developer shall protect in place the shared-use path and 20-foot wide 45. public trail/sidewalk easement along the north side of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.
- 48. The developer shall dedicate a 30-foot-wide public trail/sidewalk easement
 46. along the west side of the 202 Loop or adjacent to 63rd Avenue, whichever
 provides greater connectivity, at the time of preliminary site plan approval.
 Developer shall construct a 10-foot-wide shared-use path (SUP) within the
 easement as indicated in section 429 of the City of Phoenix MAG Supplement,
 as approved by the Planning and Development Department.
- 49. A minimum 10-foot public multi-use trail shall be constructed within a 30-foot
 47. easement in accordance with MAG supplemental detail 429 along the south side of Baseline Road to connect to the trails to the east and west, as approved by the Parks and Recreation Department.
- The developer shall dedicate 60 feet of right-of-way for the full parcel limits for
 the south half of Baseline Road, as approved by the Planning and
 Development Department.
- 51. The developer shall dedicate a minimum of 40 feet of right-of-way for the full parcel limits for the east half of 63rd Avenue. Additional right-of-way dedications and improvements as required by the TIS, as approved by the Street Transportation Department.

- 52. The developer shall dedicate 40 feet of right-of-way for the full parcel limits for
- the east half of 63rd Avenue and improvements as required by the TIS, as approved by the Planning and Development. Asphalt pavement transition tapers are required between ultimate and interim street conditions, as approved by the Street Transportation Department.
- 53. The developer shall dedicate a 25-foot by 25-foot right-of-way triangle at the
- 51. southeast corner of Baseline Road and 63rd Avenue, as approved the Planning and Development Department.

Site E (Commerce Park/General Commerce Park South of the LACC)

- 54. The site plan, landscape plan showing pedestrian circulation and elevations
- shall be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual review of the applicable provisions of the goals and policies of the Southwest Growth Study which shall include the following:
 - Promoting the overall pedestrian circulation within the development through wide sidewalks, detached sidewalks and overall connectivity including:
 - (i) A minimum of two pedestrian connections to the Laveen Area Conveyance Channel.
 - (ii) There shall be an employee open space area provided adjacent to the Laveen Area Conveyance Channel. The open space areas shall provide a minimum of one amenity (tables, benches, yard games, etc.) each.
 - b. Arcades and overhangs shall be incorporated into the buildings to promote shade.
 - c. All building facades shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies at least every 50 linear feet.
 - d. Ensuring architectural style is consistent with prior phases of the project and development in the area.
- 55. There shall be a minimum of one exterior employee balcony provided on each
- four-story building that is a minimum of 12 feet in depth and a minimum of 200 square feet in size, as approved by the Planning and Development Department.

- 56. The glazing on all building windows shall have a maximum reflectivity of 20
- 54. percent, as approved by the Planning and Development Department.
- 57. A minimum of 25 percent of the surface parking areas shall be shaded by
- 55. minimum 2-inch caliper, large canopy single-trunk shade trees, located within minimum 5-foot wide landscape areas, as approved by the Planning and Development Department.
- 58. A minimum of six inverted-U bicycle racks (12 spaces) shall be provided for
- each building on site, located near building entries, and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
- 59. A minimum of 30 percent of building linear frontage, that has main public
- 57. entries oriented towards parking areas, shall be provided with planting. Planting areas shall be sized to provide adequate area for planting materials to thrive. Trees and shrubs shall be sized to provide 30 percent shading of area at maturity, as approved by the Planning and Development Department.
- 60. The developer shall dedicate a 30-foot-wide public trail/sidewalk easement
- along the west side of the 202 Loop Freeway or adjacent to 63rd Avenue, whichever provides greater connectivity, at the time of preliminary site plan approval. Developer shall construct a 10-foot wide shared-use path (SUP) within the easement per Section 429 of the City of Phoenix MAG Supplement, as approved by the Planning and Development Department.
- 61. The developer shall construct a 10-foot-wide Multi-Use Trail (MUT) along the
- 59. south side of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.
- 62. The developer shall dedicate a minimum of 40 feet of right-of-way for the fulls.
- parcel limits for the east half of 63rd Avenue. Additional right-of-way dedications and improvements as required by the TIS, and as approved by the Street Transportation Department. Asphalt pavement transition tapers are required between ultimate and interim street conditions, excepting the frontage of APN 300-020-017C, as approved by the Street Transportation Department.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-6659 this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-6659 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 16th day of February,

2022.

MAYOR

ATTEST:

Denise Archibald, City Clerk

2.28.2022

APPROVED AS TO FORM: Cris Meyer, City Attorney

By:

Acting Chief Counsel

REVIEWED BY:

Pml

Jeffrey Barton, City Manager

Exhibits:

A - Legal Description (1 Page)

B - Ordinance Location Map (1 Page)

PL:tml:LF21-3522:2-16-2022:2300862v1

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-4-21--Z-47-19-7

A PORTION OF LOT 2 ACCORDING TO THE LOT COMBINATION MAP RECORDED IN BOOK 1309 OF MAPS, PAGE 41, OFFICIAL RECORDS OF MARICOPA COUNTY, LOCATED IN A PORTION OF THE NORTHWEST QUARTER OF SECTION 5 AND THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 2 EAST OF THE GILA & SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2:

THENCE NORTH 67 DEGREES 50 MINUTES 59 SECONDS EAST, A DISTANCE OF 60.00 FEET TO A POINTON THE MONUMENT LINE OF 59TH AVENUE;

THENCE SOUTH 22 DEGREES 09 MINUTES 01 SECOND EAST, ALONG SAID MONUMENT LINE OF 59TH AVENUE, A DISTANCE OF 620.15 FEET;

THENCE SOUTH 67 DEGREES 50 MINUTES 59 SECONDS WEST, DEPARTING SAID MONUMENT LINE, A DISTANCE OF 216.53 FEET TO A POINT OF CURVATURE TO THE RIGHT, HAVING A RADIUS OF 540.00 FEET;

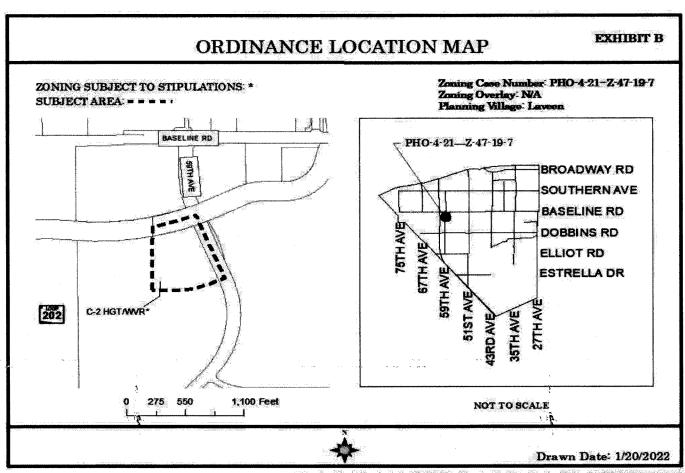
THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 22 DEGREES 09 MINUTES 01 SECONDS, A DISTANCE OF 208.76 FEET;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 279.08 FEET;

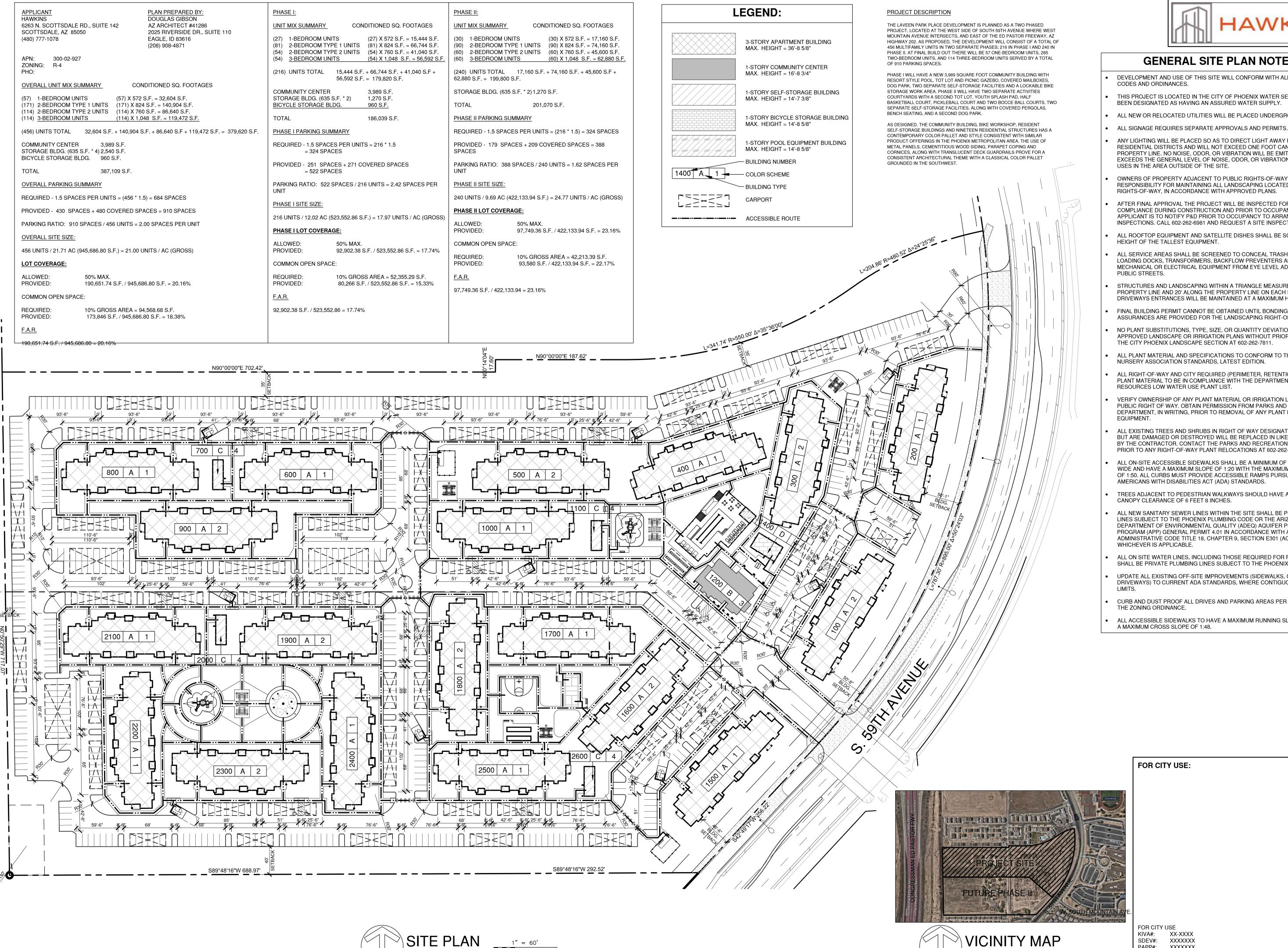
THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 561.04 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 2 AND TO THE POINT OF CURVATURE OF A NON-TANGENT CURVE TO THE RIGHT, WHOSE RADIUS BEARS NORTH 11 DEGREES 23 MINUTES 11 SECONDS WEST, A DISTANCE OF 2,600.00 FEET;

THENCE EASTERLY ALONG SAID NON-TANGENT CURVE AND SAID NORTH LINE, THROUGH A CENTRAL ANGLE OF 09 DEGREES 02 MINUTES 01 SECONDS, A DISTANCE OF 409.93 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 355,607 SQUARE FEET OR 8.164 ACRES, MORE OR LESS.



Tab G





GENERAL SITE PLAN NOTES

- DEVELOPMENT AND USE OF THIS SITE WILL CONFORM WITH ALL APPLICABLE
- THIS PROJECT IS LOCATED IN THE CITY OF PHOENIX WATER SERVICES AND HAS
- ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND.
- ANY LIGHTING WILL BE PLACED SO AS TO DIRECT LIGHT AWAY FROM ADJACENT RESIDENTIAL DISTRICTS AND WILL NOT EXCEED ONE FOOT CANDLE AT THE PROPERTY LINE. NO NOISE, ODOR, OR VIBRATION WILL BE EMITTED SO THAT IT EXCEEDS THE GENERAL LEVEL OF NOISE, ODOR, OR VIBRATION EMITTED BY
- OWNERS OF PROPERTY ADJACENT TO PUBLIC RIGHTS-OF-WAY WILL HAVE THE RESPONSIBILITY FOR MAINTAINING ALL LANDSCAPING LOCATED WITHIN THE RIGHTS-OF-WAY, IN ACCORDANCE WITH APPROVED PLANS.
- AFTER FINAL APPROVAL THE PROJECT WILL BE INSPECTED FOR ZONING COMPLIANCE DURING CONSTRUCTION AND PRIOR TO OCCUPANCY. THE APPLICANT IS TO NOTIFY P&D PRIOR TO OCCUPANCY TO ARRANGE FOR INSPECTIONS. CALL 602-262-6981 AND REQUEST A SITE INSPECTION.
- ALL ROOFTOP EQUIPMENT AND SATELLITE DISHES SHALL BE SCREENED TO THE HEIGHT OF THE TALLEST EQUIPMENT.
- ALL SERVICE AREAS SHALL BE SCREENED TO CONCEAL TRASH CONTAINERS. LOADING DOCKS, TRANSFORMERS, BACKFLOW PREVENTERS AND ALL OTHER MECHANICAL OR ELECTRICAL EQUIPMENT FROM EYE LEVEL ADJACENT TO ALL
- STRUCTURES AND LANDSCAPING WITHIN A TRIANGLE MEASURED BACK 10' FROM PROPERTY LINE AND 20' ALONG THE PROPERTY LINE ON EACH SIDE OF THE DRIVEWAYS ENTRANCES WILL BE MAINTAINED AT A MAXIMUM HEIGHT OF 3'.
- FINAL BUILDING PERMIT CANNOT BE OBTAINED UNTIL BONDING OR APPROVED ASSURANCES ARE PROVIDED FOR THE LANDSCAPING RIGHT-OF-WAY.
- NO PLANT SUBSTITUTIONS, TYPE, SIZE, OR QUANTITY DEVIATIONS FROM THE APPROVED LANDSCAPE OR IRRIGATION PLANS WITHOUT PRIOR APPROVAL FROM
- ALL PLANT MATERIAL AND SPECIFICATIONS TO CONFORM TO THE ARIZONA NURSERY ASSOCIATION STANDARDS, LATEST EDITION.
- ALL RIGHT-OF-WAY AND CITY REQUIRED (PERIMETER, RETENTION AND PARKING) PLANT MATERIAL TO BE IN COMPLIANCE WITH THE DEPARTMENT OF WATER
- VERIFY OWNERSHIP OF ANY PLANT MATERIAL OR IRRIGATION LOCATED IN PUBLIC RIGHT OF WAY. OBTAIN PERMISSION FROM PARKS AND RECREATION DEPARTMENT, IN WRITING, PRIOR TO REMOVAL OF ANY PLANT MATERIAL OR
- ALL EXISTING TREES AND SHRUBS IN RIGHT OF WAY DESIGNATED TO REMAIN BUT ARE DAMAGED OR DESTROYED WILL BE REPLACED IN LIKE SIZE AND KIND BY THE CONTRACTOR. CONTACT THE PARKS AND RECREATION DEPARTMENT PRIOR TO ANY RIGHT-OF-WAY PLANT RELOCATIONS AT 602-262-6862.
- ALL ON-SITE ACCESSIBLE SIDEWALKS SHALL BE A MINIMUM OF 3 FEET 0 INCHES WIDE AND HAVE A MAXIMUM SLOPE OF 1:20 WITH THE MAXIMUM CROSS SLOPE OF 1:50. ALL CURBS MUST PROVIDE ACCESSIBLE RAMPS PURSUANT TO THE AMERICANS WITH DISABILITIES ACT (ADA) STANDARDS.
- TREES ADJACENT TO PEDESTRIAN WALKWAYS SHOULD HAVE A MINIMUM CANOPY CLEARANCE OF 6 FEET 8 INCHES.
- ALL NEW SANITARY SEWER LINES WITHIN THE SITE SHALL BE PRIVATE PLUMBING LINES SUBJECT TO THE PHOENIX PLUMBING CODE OR THE ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY (ADEQ) AQUIFER PROTECTION PROGRAM (APP) GENERAL PERMIT 4.01 IN ACCORDANCE WITH ARIZONA ADMINISTRATIVE CODE TITLE 18, CHAPTER 9, SECTION E301 (ACC R18-9-E301)
- ALL ON SITE WATER LINES, INCLUDING THOSE REQUIRED FOR FIRE PROTECTION SHALL BE PRIVATE PLUMBING LINES SUBJECT TO THE PHOENIX PLUMBING CODE
- UPDATE ALL EXISTING OFF-SITE IMPROVEMENTS (SIDEWALKS, CURB RAMPS AND DRIVEWAYS) TO CURRENT ADA STANDARDS, WHERE CONTIGUOUS TO SITE
- CURB AND DUST PROOF ALL DRIVES AND PARKING AREAS PER SECTION 702 OF THE ZONING ORDINANCE.
- ALL ACCESSIBLE SIDEWALKS TO HAVE A MAXIMUM RUNNING SLOPE OF 1:20 AND

PAPP#:

ZONING: R-4

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REVISIONS

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DATE

A1.1





LANDSCAPE PLAN

HAWKINS

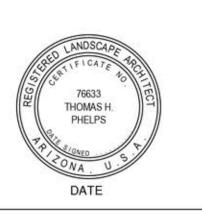
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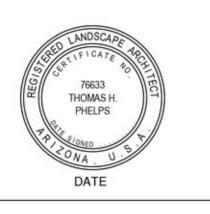
REVISIONS

9/29/25

PWH24-18







THOMAS H. PHELPS

LANDSCAPE ARCHITECTURE

IDLA, INC.

California Landscape Architect #4122

ID #LA-16771 * HI #LA-16112

AZ #76633

P.O.BOX 170129 Boise, Idaho 83717

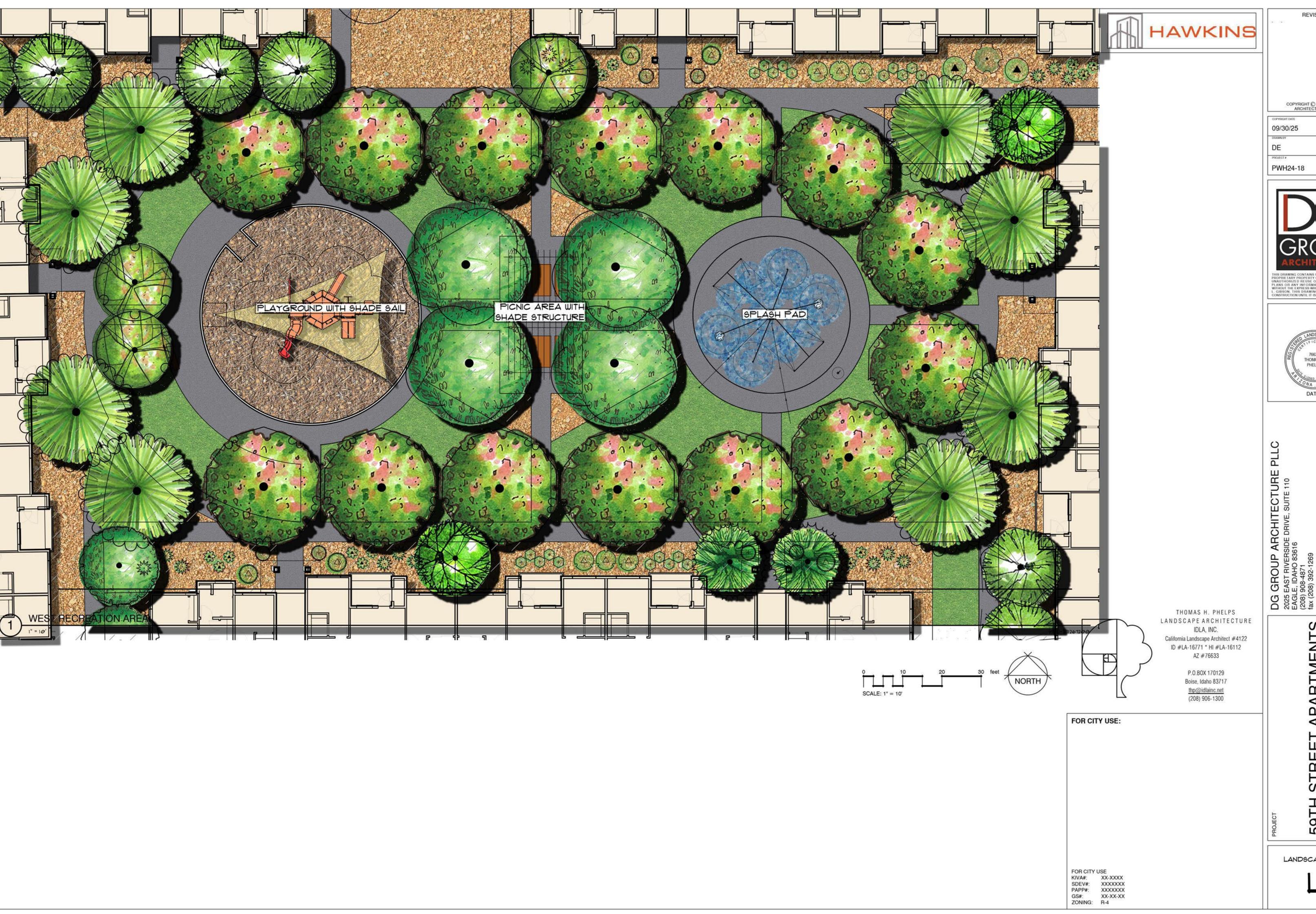
thp@idlainc.net (208) 906-1300

FOR CITY USE:

FOR CITY USE
KIVA#: XX-XXXX
SDEV#: XXXXXXX
PAPP#: XXXXXXX
GS#: XX-XX-XX
ZONING: R-4

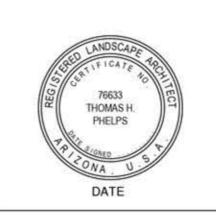
LANDSCAPE PLAN

T TOURTH RECREATION AREA ---SCALE: 1" = 10'



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APARTMENTS

59TH STREET

LANDSCAPE PLAN

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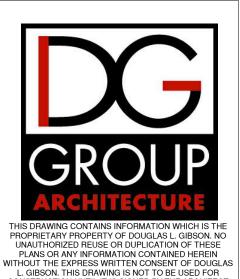
FOR CITY USE:



1 AERIAL VIEW OF SOUTHWEST COURTYARD - PHASE II N.T.S.



2 PROJECT ENTRY AT 59TH AVENUE N.T.S.



I HIS DHAWING CONTAINS INFORMATION WHICH IS THE PROPRIETARY PROPERTY OF DOUGLAS L. GIBSON. NO UNAUTHORIZED REUSE OR DUPLICATION OF THESE PLANS OR ANY INFORMATION CONTAINED HEREIN WITHOUT THE EXPRESS WRITTEN CONSENT OF DOUGLAS L. GIBSON. THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNTIL IT IS SIGNED BY THE ARCHITECT

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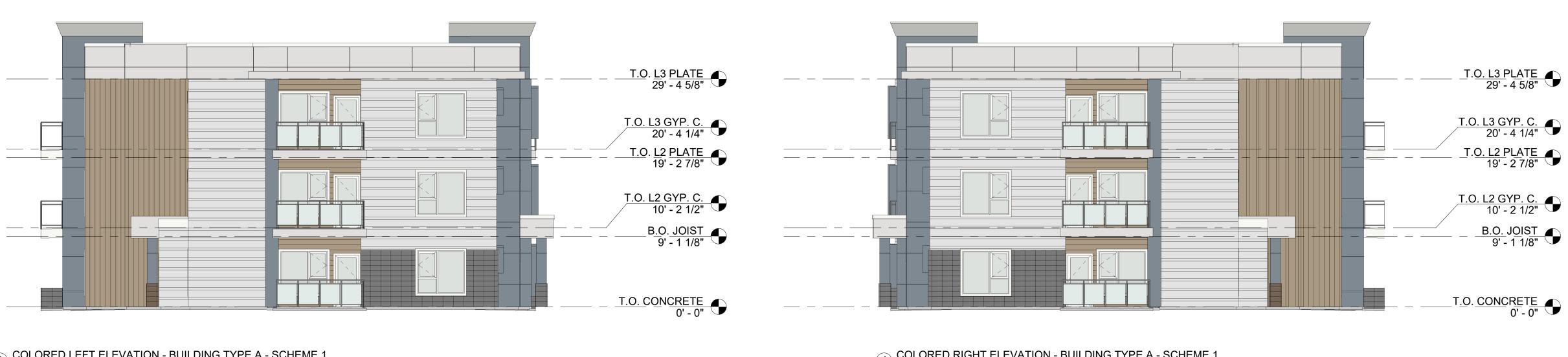
COLORED EXTERIOR ELEVATION -BUILDING TYPE A - COLOR SCHEME 1



1 COLORED FRONT ELEVATION - BUILDING TYPE A - SCHEME 1 1/8" = 1'-0"



2 COLORED REAR ELEVATION - BUILDING TYPE A - SCHEME 1 1/8" = 1'-0"



3 COLORED LEFT ELEVATION - BUILDING TYPE A - SCHEME 1 1/8" = 1'-0"

4 COLORED RIGHT ELEVATION - BUILDING TYPE A - SCHEME 1 1/8" = 1'-0"

FOR CITY USE
KIVA#: XX-XXXX
SDEV#: XXXXXXX
PAPP#: XXXXXXX

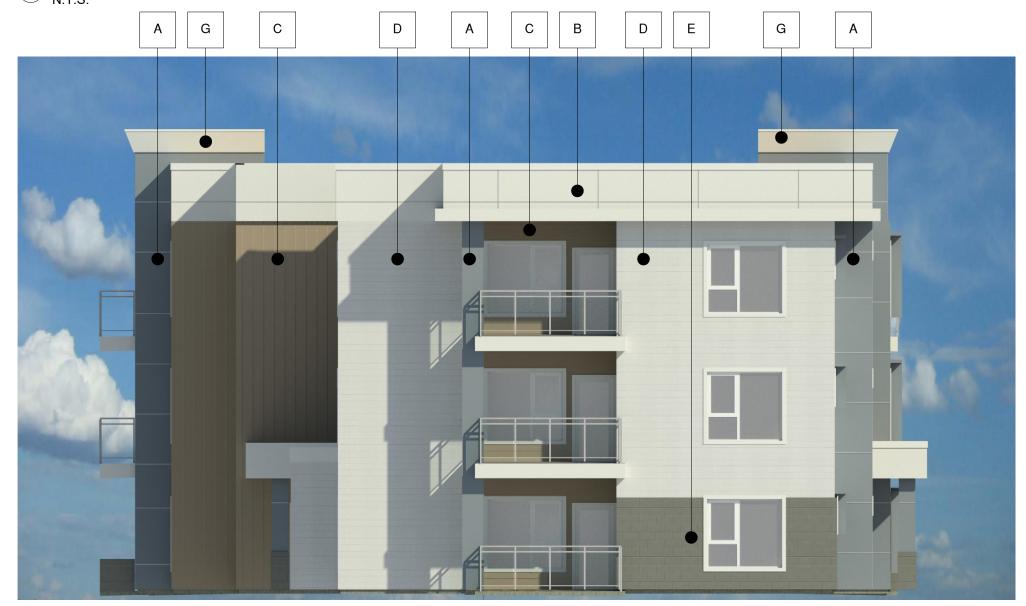
FOR CITY USE:

GS#: ZONING: R-4

XX-XX-XX

DG GROUP ARCHITECTURE
2025 EAST RIVERSIDE DRIVE,
SUITE 110
EAGLE, IDAHO 83616
(208) 908-4871
fax (208) 392-1269

В



2 BUILDING TYPE A LEFT ELEVATION - COLOR SCHEME 1



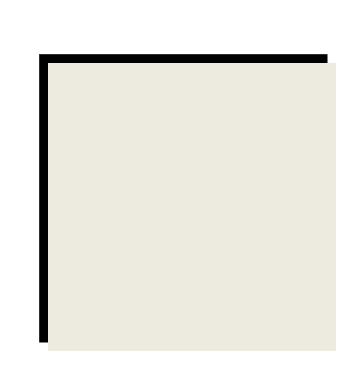
A METAL PANEL -

COLOR TO MATCH "STORM CLOUD" SHERWIN WILLIAMS SW 6249 OR EQUAL



E STACKED BOND CMU

COLOR TO MATCH 4102 ECHELON MASONRY HIGH POLISH 4102 OR EQUAL

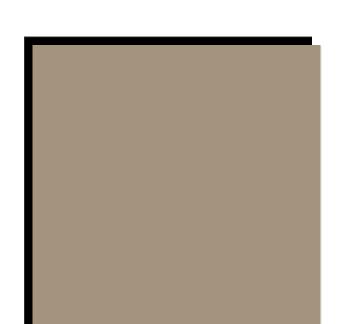


B METAL PANEL -

COLOR TO MATCH "NATURAL WHITE" SHERWIN WILLIAMS SW 9542 OR EQUAL

[F] <u>CEMENTITIOUS SIDING -</u> REVEAL

COLOR TO MATCH "ALABASTER" SHERWIN WILLIAMS SW 7008 OR EQUAL



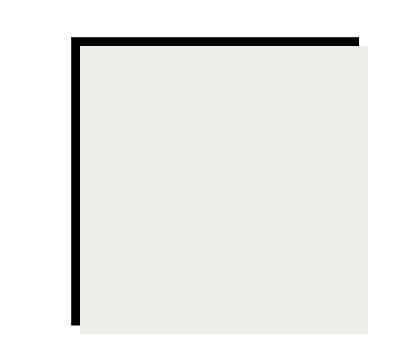
[C] <u>HARDIE BOARD SQUARE</u> <u>CHANNEL SIDING</u> -

COLOR TO MATCH "URBAN JUNGLE" SHERWIN WILLIAMS SW 9117 OR EQUAL



D HARDIE BOARD V-GROOVE SIDING -

COLOR TO MATCH "NATURAL WHITE" SHERWIN WILLIAMS SW 9542 OR EQUAL



[G] <u>FASCIA, FLASHING, RAILINGS, DOOR & WINDOW TRIM</u>

COLOR TO MATCH "EXTRA WHITE" SHERWIN WILLIAMS SW 7006 OR EQUAL

FOR CITY USE:

FOR CITY USE
KIVA#: XX-XXXX
SDEV#: XXXXXXX

ZONING: R-4

PAPP#:

GS#:

XXXXXXX

XX-XX-XX

COLOR / MATERIAL BOARD - BUILDING TYPE A - COLOR SCHEME 1

Official Records of Maricopa County Recorder
STEPHEN RICHER
20220012512 01/05/2022 11:27
ELECTRONIC RECORDING
6931G-15-1-1--

ORDINANCE G-6931

AN ORDINANCE AMENDING THE STIPULATIONS APPLICABLE TO REZONING APPLICATION Z-47-19-7 PREVIOUSLY APPROVED BY ORDINANCE G-6659.

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

SECTION 1. The zoning stipulations applicable to the property located west of the intersection of 59th Avenue and South Mountain Avenue in a portion of Section 6, Township 1 South, Range 2 East, as described more specifically in Attachment "A", are hereby modified to read as set forth below.

STIPULATIONS:

Overall Site

follows:

- 1. The development shall be in General Conformance to the Conceptual Master Site Plan date stamped October 23, 2019 with specific regard to the site locations, as approved by the Planning and Development Department.
- All parking areas adjacent to public streets, excluding the freeway, shall be screened by a combination of decorative screen walls and a minimum 3-foot high landscaped mound/berm along the perimeter streets, as approved by the Planning and Development Department.
- 3. All sidewalks adjacent to public streets shall be detached with a minimum 5-foot wide continuous landscape area located between the sidewalk and back of curb; and shall include minimum 3-inch caliper, large canopy single-trunk shade trees (limbed-up a minimum of 10-feet clear from finish grade), planted 25 feet on

center or in equivalent groupings; and minimum 5-gallon shrubs with a maximum mature height of 2 feet providing 75 percent live cover, as approved by the Planning and Development Department. If there is limited right-of-way along the Baseline Road frontage requiring a modified cross section, an attached sidewalk design may be considered, as approved by the Planning and Development Department.

- 4. The developer shall provide clearly defined, accessible pathways at vehicular crossings, constructed of decorative pavement that visually contrasts with the adjacent parking and drive aisle surfaces for internal drive aisles and accessways, as approved by the Planning and Development Department.
- 5. The applicant shall submit a Traffic Impact Study (TIS) to the City for this development for review and approval by the Street Transportation Department (except for the Site A, Harkins) prior to the submittal of preliminary site plans. Additional right-of-way and street improvements may be required following TIS review. Phasing of off-site improvements must be consistent with the TIS recommendations. Phased street improvements will require the installation of pavement transition tapers, as approved by the Street Transportation Department.
- 6. The developer shall construct all streets within and adjacent to the development required for each phase with paving, curb, gutter, minimum 5-foot wide sidewalk, curb ramps, streetlights, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with the current ADA Guidelines.
- Open irrigation facilities are to be piped outside of right-of-way and shown on the preliminary site plan, as approved by the Planning and Development Department.
- 8. All multi-use trails and shared use paths shall be shaded a minimum of 50 percent with 2-inch minimum caliper, large canopy shade trees, located 5 to 8 feet from the edge of the trail, as approved by the Planning and Development Department.
- 9. The right-of-way shall be dedicated, if required, and a bus pad (detail P1260 or P1262) constructed at the following locations, unless otherwise modified by the Planning and Development Department and Public Transit Department:
 - a. Eastbound Baseline Road east of 63rd Avenue. Pad shall be spaced from the intersection of 63rd Avenue and Baseline Road according to City of Phoenix Standard Detail P1258.
 - b. Three bus stop pads shall be located along southbound 59th Avenue.
- 10. If determined necessary by the Phoenix Archaeology Office, the applicant shall conduct Phase I data testing and submit an archaeological survey report of the

- development area for review and approval by the City Archaeologist prior to clearing and grubbing, landscape salvage, and/or grading approval.
- 11. If Phase I data testing is required, and if, upon review of the results from the Phase I data testing, the City Archaeologist, in consultation with a qualified archaeologist, determines such data recovery excavations are necessary, the applicant shall conduct Phase II archaeological data recovery excavations.
- 12. 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.
- 13. 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.

Site A

- 14. The development shall be in general conformance with the site plan and
- 43. elevations date stamped October 23, 2019, as modified by the following stipulations and approved by the Planning and Development Department.
- 15. The maximum building height shall be limited to 56 feet.

44-

- 16. There shall be a 150-foot stepback provided from 59th Avenue to buildings over
- 45. 30 feet in height.
- 17. A minimum of one clearly defined pedestrian connection shall be provided from
- 46. Site A to connect with the trail along the Laveen Area Conveyance Channel with one pedestrian scale amenity (benches, tables, etc.) provided within close proximity of the trail, as approved by the Planning and Development Department.
- 18. A minimum of two pedestrian pathways that are a minimum 6 feet wide shall be
- 17. provided from the west side of Site B through Site A to the proposed buildings. The parking lot shall be designed to have minimal vehicular drive crossings through these pathways. These pathways shall have a minimum 50 percent shade provided by 2-inch minimum caliper trees located in minimum 5-foot wide landscape areas and/or an architectural shading element, as approved by the Planning and Development Department.
- 19. A minimum of two inverted-U bicycle racks (4 spaces) shall be provided for each
- 48. building on site, located near building entries, and installed per the requirements

- of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
- 20. The developer shall construct the west half street of 59th Avenue, as consistent
- 49. with the Street Classification Map, including the landscaped median between the Laveen Area Conveyance Channel and the Southern boundary of Site A, as approved by the Planning and Development Department. Asphalt pavement transition tapers are required between ultimate and interim street conditions, as approved by the Street Transportation Department.
- 21. The developer shall construct a 10-foot-wide Shared Use Path (SUP) along the
- 20. west side of 59th Avenue in lieu of the required sidewalk, consistent with the improvements on 59th Avenue north of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.
- 22. The developer shall construct a 10-foot-wide Multi-Use Trail (MUT) along the
- 21. south side of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.

Site B (Retail/Restaurant)

- 23. The maximum building height shall be limited to 30 feet within 150 feet of 59th
- 22. Avenue and 45 feet for the remainder of Site B.
- 24. There shall be a 150-foot stepback provided from 59th Avenue for building over
- 23. 30 feet in height.
- 25. The site plan, landscape plan showing pedestrian circulation and elevations, shall
- 24. be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual review of the applicable provisions of the goals and policies of the Southwest Growth Study which shall include the following:
 - a. Promoting the overall pedestrian circulation within the commercial corner through wide sidewalks, detached sidewalks and overall connectivity including:
 - (i) A minimum of two pedestrian pathways that are a minimum of 6 feet wide shall be provided from 59th Avenue through the site to connect to buildings and the pedestrian pathways at Site A. The parking lot shall be designed to have minimal vehicular drive crossings through these pathways. These pathways shall have a minimum 50 percent shade provided by 2-inch minimum caliper trees located in minimum 5-foot wide landscape areas and/or an architectural shading element.

- (ii) A minimum of two clearly defined pedestrian connections shall be provided to connect with the trail along the Laveen Area Conveyance Channel with two pedestrian scale amenities (open space, benches, tables, etc.) provided within close proximity of the trail.
- b. Arcades and overhangs shall be incorporated into the buildings to promote shade.
- c. All building facades shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies at least every 50 linear feet.
- d. Accent building materials such as: native stone, burnt adobe, textured brick, wood (when shaded by overhangs or deep recesses), slump block, ceramic tile (matte finish), stucco and/or exposed aggregate concrete shall be used on buildings or otherwise demonstrate that the architectural style is consistent with prior phases of the project and development in the area.
- 26. Drive-through restaurant pick-up windows shall be architecturally integrated in
- 25. proportion, color, material and texture to the building it serves by providing awnings or architecturally integrated structures for weather protection, as approved by the Planning and Development Department.
- 27. Drive-through restaurant facilities shall provide a minimum of 250 square feet of
- 26. outdoor seating areas, as approved by the Planning and Development Department.
- 28. A minimum of 25 percent of the surface parking areas shall be shaded by 2-inch
- 27. minimum caliper, large canopy single-trunk shade trees, located within minimum 5-foot wide landscape areas, as approved by the Planning and Development Department.
- 29. A minimum of two inverted-U bicycle racks (4 spaces) shall be provided for each
- 28. building on site, located near building entries, and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
- 30. A minimum of 30 percent of the linear frontage of the buildings, that has main
- 29. public entries oriented towards parking areas, shall be provided with planting. Planting areas shall be sized to provide adequate area for planting materials to thrive. Trees and shrubs shall be sized to provide 30 percent shading of area at maturity, as approved by the Planning and Development Department.
- 31. The developer shall construct the west half street of 59th Avenue, as consistent
- 30. with the Street Classification Map, including landscaped median between the Laveen Area Conveyance Channel and the southern boundary of Site B, as

approved by the Planning and Development Department. Asphalt pavement transition tapers are required between ultimate and interim street conditions, as approved by the Street Transportation Department.

- 32. The developer shall construct a 10-foot Shared Use Path (SUP) on 59th Avenue
- 31. in lieu of the required sidewalk, consistent with the improvements on 59th Avenue north of the Laveen Area Conveyance Channel.
- 33. The developer shall construct a 10-foot-wide Multi-Use Trail (MUT) along the
- 32. south side of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.

Site C (Multifamily)

Mod

The site plan, landscape plan showing pedestrian circulation, and elevations shall be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual review of the applicable provisions of the goals and policies of the Southwest Growth Study which shall include the following:

THE DEVELOPMENT SHALL BE IN GENERAL CONFORMANCE WITH THE SITE PLAN, LANDSCAPE PLAN, AND ELEVATIONS DATE STAMPED OCTOBER 1, 2021, AS MODIFIED BY THE FOLLOWING STIPULATIONS AND APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

- a. Promoting pedestrian connections with the adjacent commercial development through sidewalks, detached sidewalks and overall connectivity including:
- b. A minimum of three evenly dispersed pedestrian connection points to the commercial development to the north. This pedestrian connection shall be clearly defined and minimize vehicular conflicts.
- e. Arcades and overhangs shall be incorporated into the buildings to promote shade:
- d. All building facades shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies at least every 50 linear feet, as approved by the Planning and Development Department.
- e. Ensuring architectural style is consistent with prior phases of the project and development in the area.
- 35. THE DEVELOPER SHALL PROVIDE SECURED BICYCLE PARKING AS REQUIRED IN CHAPTER 13, SECTION 1307.H FOR MULTI-FAMILY

DEVELOPMENT, AS APPROVED BY THE PLANNING AND DEVELOPMENT DEPARTMENT.

- 36. There shall be a minimum of 10 percent common area open space provided
- 34. onsite, as approved by the Planning and Development Department.
- 37. A minimum of 25 percent of the surface parking areas shall be shaded by a
- 35. minimum 2-inch caliper, large canopy single-trunk shade trees, located within minimum 5-foot wide landscape areas, as approved by the Planning and Development Department.
- 38. THE DEVELOPER SHALL SUBMIT A DECELERATION WARRANT ANALYSIS TO THE STREET TRANSPORTATION DEPARTMENT. IMPROVEMENTS SHALL BE CONSISTENT WITH THE APPROVED ANALYSIS, AS APPROVED BY THE STREET TRANSPORTATION DEPARTMENT.
- 39. The developer shall construct the west half street of 59th Avenue, as consistent
- with the Street Classification Map, including the landscaped median for the full extent of Site C, as approved by the Planning and Development Department. Asphalt pavement transition tapers are required between ultimate and interim street conditions, as approved by the Street Transportation Department.
- 40. The developer shall construct a 10-foot wide Shared Use Path (SUP) on 59th
- 37. Avenue in lieu of the required sidewalk, consistent with the improvements on 59th Avenue north of the Laveen Area Conveyance Channel.
- 41. The developer shall provide conduit plan and junction boxes at 59th Avenue and
- 38. South Mountain Avenue on project site for future traffic signal equipment and all work related to the construction or reconstruction of the conduit runs and junction box installation shall be the responsibility of the Developer, as approved by the Planning and Development Department.

Site D (Commerce Park/General Commerce Park North of the LACC)

- 42. The site plan, landscape plan showing pedestrian circulation and elevations shall
- 39. be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual review of the applicable provisions of the goals and policies of the Southwest Growth Study which shall include the following:
 - a. Promoting the overall pedestrian circulation within the development through wide sidewalks, detached sidewalks and overall connectivity including:
 - (i) A minimum of two pedestrian connections to the Laveen Area Conveyance Channel.

- (ii) There shall be an employee open space area provided adjacent to the Laveen Area Conveyance Channel. The open space areas shall provide a minimum of one amenity (tables, benches, yard games, etc.) each.
- b. Arcades and overhangs shall be incorporated into the buildings to promote shade.
- c. All building facades shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies at least every 50 linear feet.
- d. Ensuring architectural style is consistent with prior phases of the project and development in the area.
- 43. There shall be a minimum of one exterior employee balcony provided on each
- 40. four-story building that is a minimum of 12 feet in depth and a minimum of 200 square feet in size, as approved by the Planning and Development Department.
- 44. The glazing on all building windows shall have a maximum reflectivity of 20
- 41. percent, as approved by the Planning and Development Department.
- 45. A minimum of 25 percent of the surface parking areas shall be shaded by
- 42. minimum 2-inch caliper, large canopy single-trunk shade trees, located within minimum 5-foot wide landscape areas, as approved by the Planning and Development Department.
- 46. A minimum of six inverted-U bicycle racks (12 spaces) shall be provided for each
- 43. building on site, located near building entries, and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
- 47. A minimum of 30 percent of building linear frontage, that has main public entries
- 44. oriented towards parking areas, shall be provided with planting. Planting areas shall be sized to provide adequate area for planting materials to thrive. Trees and shrubs shall be sized to provide 30 percent shading of area at maturity, as approved by the Planning and Development Department.
- 48. The developer shall protect in place the shared-use path and 20-foot wide public
- 45. trail/sidewalk easement along the north side of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.
- 49. The developer shall dedicate a 30-foot-wide public trail/sidewalk easement along
- 46. the west side of the 202 Loop or adjacent to 63rd Avenue, whichever provides greater connectivity, at the time of preliminary site plan approval. Developer shall construct a 10-foot-wide shared-use path (SUP) within the easement as indicated

- in section 429 of the City of Phoenix MAG Supplement, as approved by the Planning and Development Department.
- 50. A minimum 10-foot public multi-use trail shall be constructed within a 30-foot
- 47. easement in accordance with MAG supplemental detail 429 along the south side of Baseline Road to connect to the trails to the east and west, as approved by the Parks and Recreation Department.
- 51. The developer shall dedicate 60 feet of right-of-way for the full parcel limits for the
- 48. south half of Baseline Road, as approved by the Planning and Development Department.
- 52. The developer shall dedicate a minimum of 40 feet of right-of-way for the full
- 49. parcel limits for the east half of 63rd Avenue. Additional right-of-way dedications and improvements as required by the TIS, as approved by the Street Transportation Department.
- 53. The developer shall dedicate 40 feet of right-of-way for the full parcel limits for the
- 60. east half of 63rd Avenue and improvements as required by the TIS, as approved by the Planning and Development. Asphalt pavement transition tapers are required between ultimate and interim street conditions, as approved by the Street Transportation Department.
- 54. The developer shall dedicate a 25-foot by 25-foot right-of-way triangle at the
- 51. southeast corner of Baseline Road and 63rd Avenue, as approved the Planning and Development Department.

Site E (Commerce Park/General Commerce Park South of the LACC)

- 55. The site plan, landscape plan showing pedestrian circulation and elevations shall
- 52. be reviewed and approved by the Planning Hearing Officer through the public hearing process prior to preliminary site plan approval for conceptual review of the applicable provisions of the goals and policies of the Southwest Growth Study which shall include the following:
 - a. Promoting the overall pedestrian circulation within the development through wide sidewalks, detached sidewalks and overall connectivity including:
 - (i) A minimum of two pedestrian connections to the Laveen Area Conveyance Channel.
 - (ii) There shall be an employee open space area provided adjacent to the Laveen Area Conveyance Channel. The open space areas shall provide a minimum of one amenity (tables, benches, yard games, etc.) each.

- b. Arcades and overhangs shall be incorporated into the buildings to promote shade.
- c. All building facades shall contain architectural embellishments and detailing such as textural changes, pilasters, offsets, recesses, window fenestration, shadow boxes and overhead/canopies at least every 50 linear feet.
- d. Ensuring architectural style is consistent with prior phases of the project and development in the area.
- 56. There shall be a minimum of one exterior employee balcony provided on each
- 53. four-story building that is a minimum of 12 feet in depth and a minimum of 200 square feet in size, as approved by the Planning and Development Department.
- 57. The glazing on all building windows shall have a maximum reflectivity of 20
- 54. percent, as approved by the Planning and Development Department.
- 58. A minimum of 25 percent of the surface parking areas shall be shaded by
- 55. minimum 2-inch caliper, large canopy single-trunk shade trees, located within minimum 5-foot wide landscape areas, as approved by the Planning and Development Department.
- 59. A minimum of six inverted-U bicycle racks (12 spaces) shall be provided for each
- building on site, located near building entries, and installed per the requirements of Section 1307.H. of the Phoenix Zoning Ordinance, as approved by the Planning and Development Department.
- 60. A minimum of 30 percent of building linear frontage, that has main public entries
- 57. oriented towards parking areas, shall be provided with planting. Planting areas shall be sized to provide adequate area for planting materials to thrive. Trees and shrubs shall be sized to provide 30 percent shading of area at maturity, as approved by the Planning and Development Department.
- 61. The developer shall dedicate a 30-foot-wide public trail/sidewalk easement along
- the west side of the 202 Loop Freeway or adjacent to 63rd Avenue, whichever provides greater connectivity, at the time of preliminary site plan approval. Developer shall construct a 10-foot wide shared-use path (SUP) within the easement per Section 429 of the City of Phoenix MAG Supplement, as approved by the Planning and Development Department.
- 62. The developer shall construct a 10-foot-wide Multi-Use Trail (MUT) along the
- 59. south side of the Laveen Area Conveyance Channel, as approved by the Planning and Development Department.
- 63. The developer shall dedicate a minimum of 40 feet of right-of-way for the full
- 60. parcel limits for the east half of 63rd Avenue. Additional right-of-way dedications

and improvements as required by the TIS, and as approved by the Street Transportation Department. Asphalt pavement transition tapers are required between ultimate and interim street conditions, excepting the frontage of APN 300-020-017C, as approved by the Street Transportation Department.

SECTION 2. Due to the site's specific physical conditions and the use district granted pursuant to Ordinance G-6659 this portion of the rezoning is now subject to the stipulations approved pursuant to Ordinance G-6659 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 15th day of December,

MAYOR

ATTEST:

2021.

C. Denise Archibald, City Clerk



APPROVED AS TO FORM: Cris Meyer, City Attorney

Acting Chief Counsel

REVIEWED BY:

Jeffrey Barton, City Manager

Exhibits:

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

PL:tml:LF21-3005:12-15-2021:2292093v1

EXHIBIT A

LEGAL DESCRIPTION FOR PHO-3-21--Z-47-19-7

A PORTION OF LOT 2 ACCORDING TO THE LOT COMBINATION MAP RECORDED IN BOOK 1309 OF MAPS, PAGE 41, OFFICIAL RECORDS OF MARICOPA COUNTY, LOCATED IN A PORTION OF THE NORTHWEST QUARTER OF SECTION 5 AND THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 1 SOUTH, RANGE 2 EAST OF THE GILA & SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 2 FROM WHICH THE SOUTHWEST CORNER THEREOF BEARS SOUTH 0 DEGREES 50 MINUTES 29 SECONDS EAST, A DISTANCE OF 1581.70 FEET; THENCE SOUTH 0 DEGREES 50 MINUTES 29 SECONDS EAST, ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 846.63 FEET TO THE **POINT OF BEGINNING**;

THENCE NORTH 90 DEGREES 0 MINUTES 0 SECONDS EAST, A DISTANCE OF 702.42 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 6;

THENCE NORTH 0 DEGREES 14 MINUTES 4 SECONDS EAST, ALONG SAID EAST LINE. A DISTANCE OF 17.60 FEET;

THENCE NORTH 90 DEGREES 0 MINUTES 0 SECONDS EAST, A DISTANCE OF 187.62 FEET TO A POINT OF CURVE TO THE LEFT;

THENCE EASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 550.00 FEET, THROUGH A CENTRAL ANGLE OF 35 DEGREES 36 MINUTES 0 SECONDS, A DISTANCE OF 341.74 FEET TO A POINT OF REVERSE CURVE TO THE RIGHT;

THENCE NORTHEASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 480.52 FEET, THROUGH A CENTRAL ANGLE OF 24 DEGREES 25 MINUTES 36 SECONDS, A DISTANCE OF 204.86 FEET TO A POINT ON THE EAST LINE OF SAID LOT 2 AND THE POINT OF A NON-TANGENT CURVE CONCAVE TO THE WEST, WITH A CHORD BEARING OF SOUTH 17 DEGREES 37 MINUTES 16 SECONDS WEST, A CHORD DISTANCE OF 762.16 FEET;

THENCE SOUTHERLY ALONG SAID EAST LINE AND SAID NON-TANGENT CURVE, HAVING A RADIUS OF 895.00 FEET, THROUGH A CENTRAL ANGLE OF 50 DEGREES 24 MINUTES 3 SECONDS, A DISTANCE OF 787.30 FEET;

THENCE SOUTH 42 DEGREES 49 MINUTES 17 SECONDS WEST, A DISTANCE OF 256.23 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2;

THENCE SOUTH 89 DEGREES 43 MINUTES 27 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 289.53 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 6;

THENCE SOUTH 89 DEGREES 48 MINUTES 16 SECONDS WEST, ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 691.96 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2;

THENCE NORTH 0 DEGREES 50 MINUTES 29 SECONDS WEST, ALONG THE WEST LINE OF SAID LOT 2, A DISTANCE OF 717.07 FEET TO THE POINT OF BEGINNING.

ORDINANCE LOCATION MAP

Zoning Case Number: PHO-3-21--Z-47-19-7 Zoning Overlay: N/A **HBROADWAY RD** Planning Village: Laveen PHO-3-21--Z-47-19-7 ZONING SUBJECT TO STIPULATIONS: * SUBJECT AREA: = = = = :

BASELINE RD

SOUTHERN AVE **ESTRELLA DR** BASELINE RD DOBBINS RD ELLIOT RD SYTH AVE 32TH AVE 43RD AVĘ VA T218 **59TH AV**E **JVA HT**78 **ZETH AVE**

AO HT68

202

A A

NOT TO SCALE

1,440 Feet

720

360

0

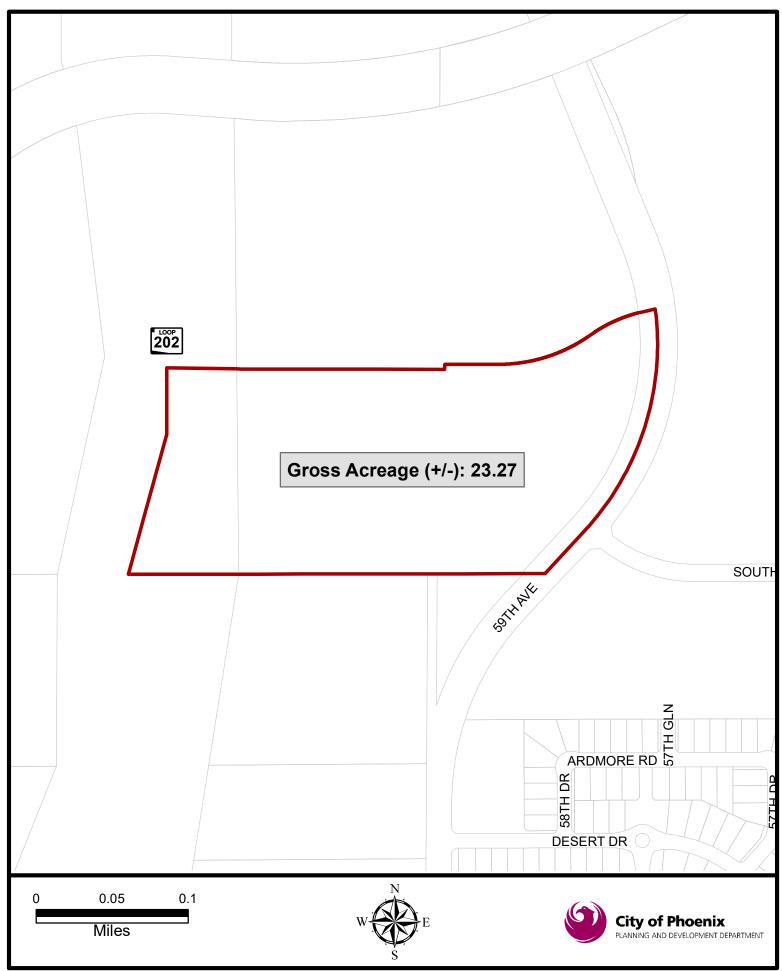
NJ H199

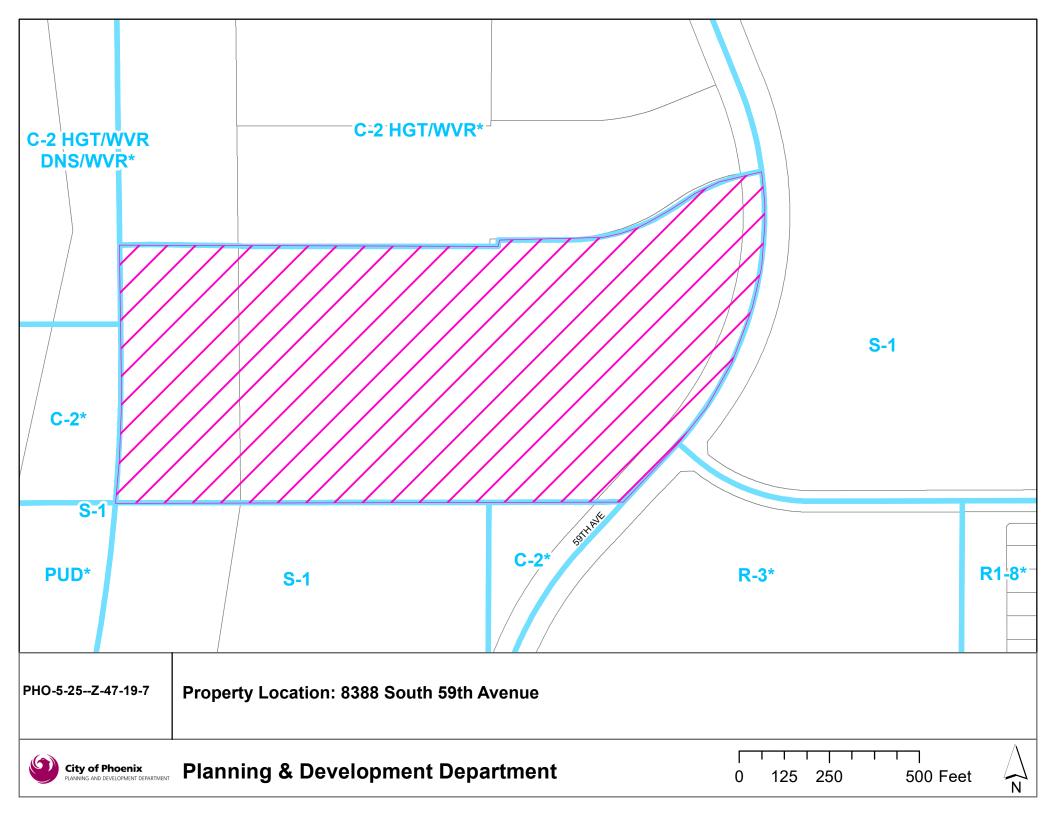
ARDMORE RD

Drawn Date: 11/22/2021

NoneydddSharodDopartment Sharethiformallon Systoma9PL GISUS...Team/Core , Functions/Zoning/SuppMaps_OrdMaps/2021 Ord/11-17-21/PHO-3-21-Z-47-18-7.rwd

PHO-3-21--Z-47-19-7



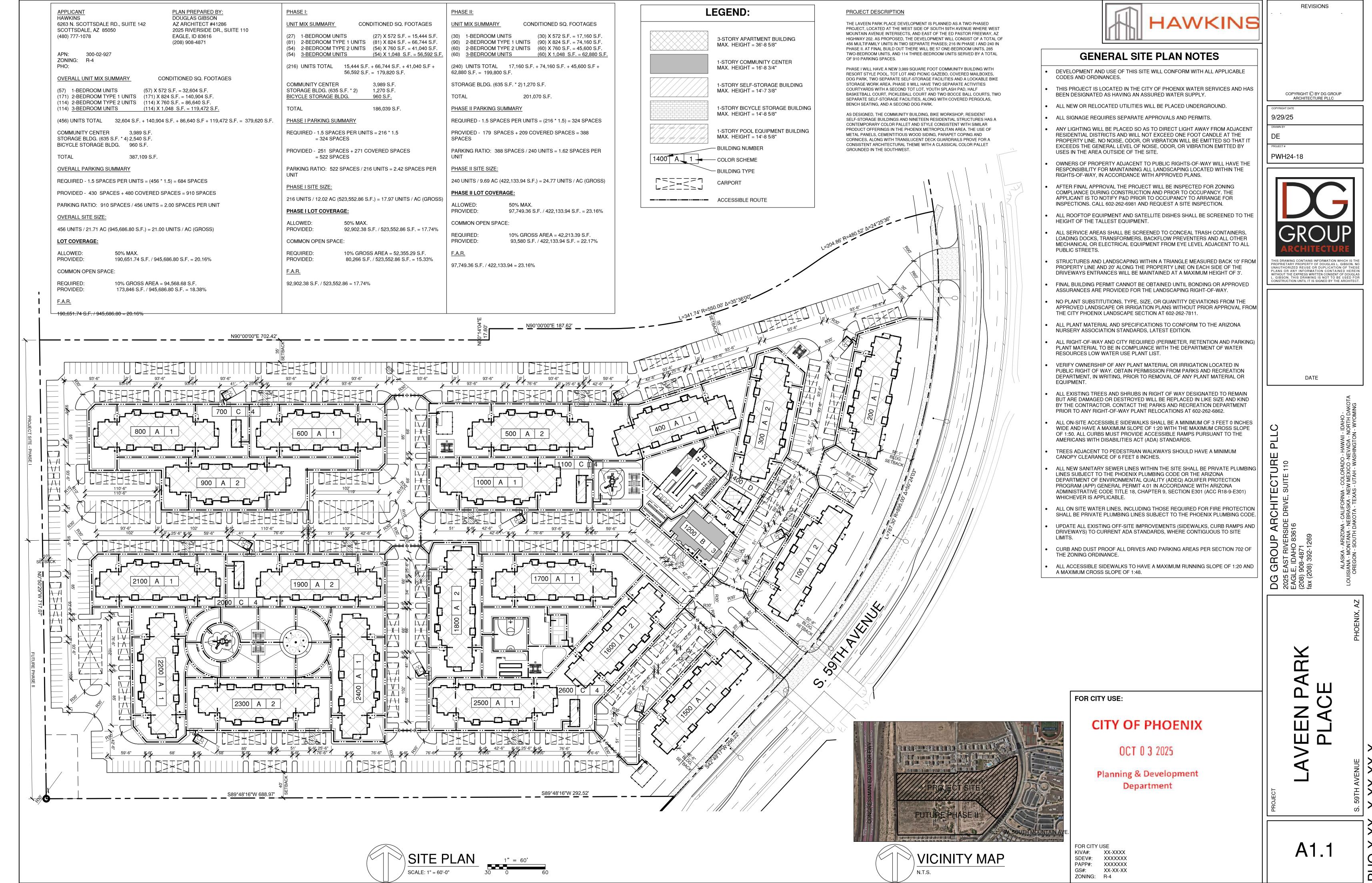




PHO-5-25--Z-47-19-7

Property Location: 8388 South 59th Avenue

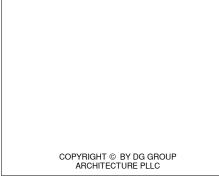




PHO-5-25--Z-47-19-7







REVISIONS

9/29/25 DRAWN BY PROJECT# PWH24-18

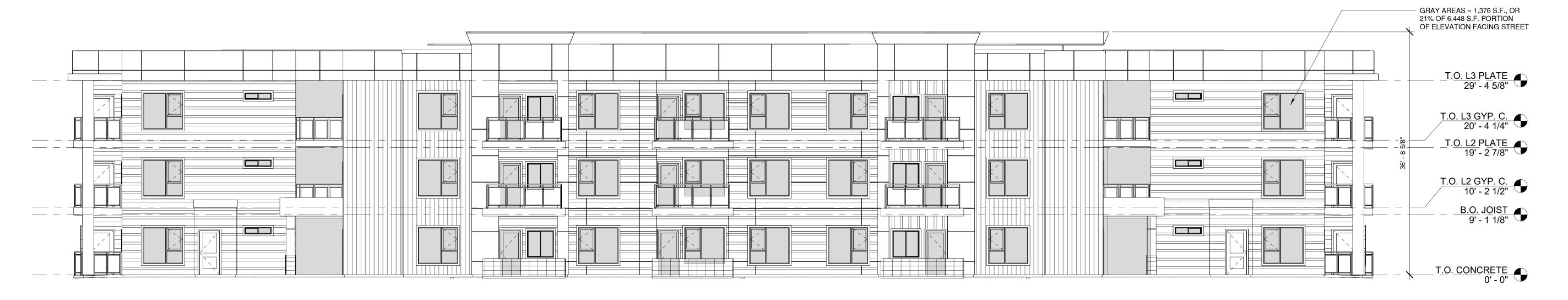


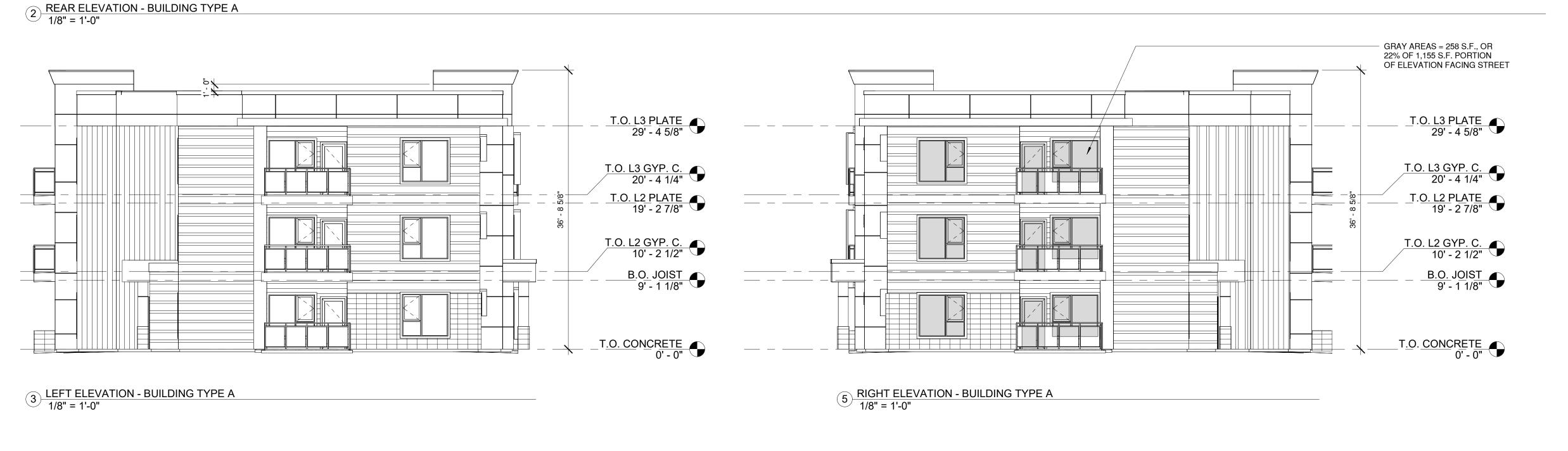
ARK AVEEN PLAC

A4.2

EXTERIOR ELEVATIONS - BUILDING TYPE A







Hearing Date: November 19, 2025

FOR CITY USE:

FOR CITY USE
KIVA#: XX-XXXX
SDEV#: XXXXXXX
PAPP#: XXXXXXX
GS#: XX-XX-XX

ZONING:

CITY OF PHOENIX

OCT 0 3 2025

Planning & Development

Department



T.O. L3 PLATE 29' - 4 5/8"

T.O. L3 GYP. C. 20' - 4 1/4"

T.O. L2 PLATE 19' - 2 7/8"

T.O. L2 GYP. C. 10' - 2 1/2"

T.O. CONCRETE 0' - 0"

CITY OF PHOENIX

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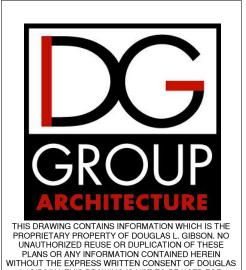
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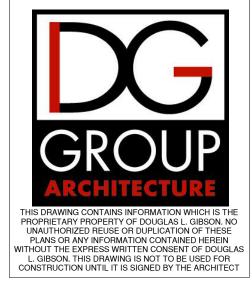
B.O. JOIST 9' - 1 1/8"



REVISIONS

9/29/25 DRAWN BY DE PROJECT# PWH24-18





1 COLORED FRONT ELEVATION - BUILDING TYPE A - SCHEME 1 1/8" = 1'-0"



PARK AVEEN PLAC

A4.2A COLORED EXTERIOR ELEVATION -BUILDING TYPE A - COLOR SCHEME 1











REVISIONS

9/29/25 DRAWN BY DE PROJECT# PWH24-18



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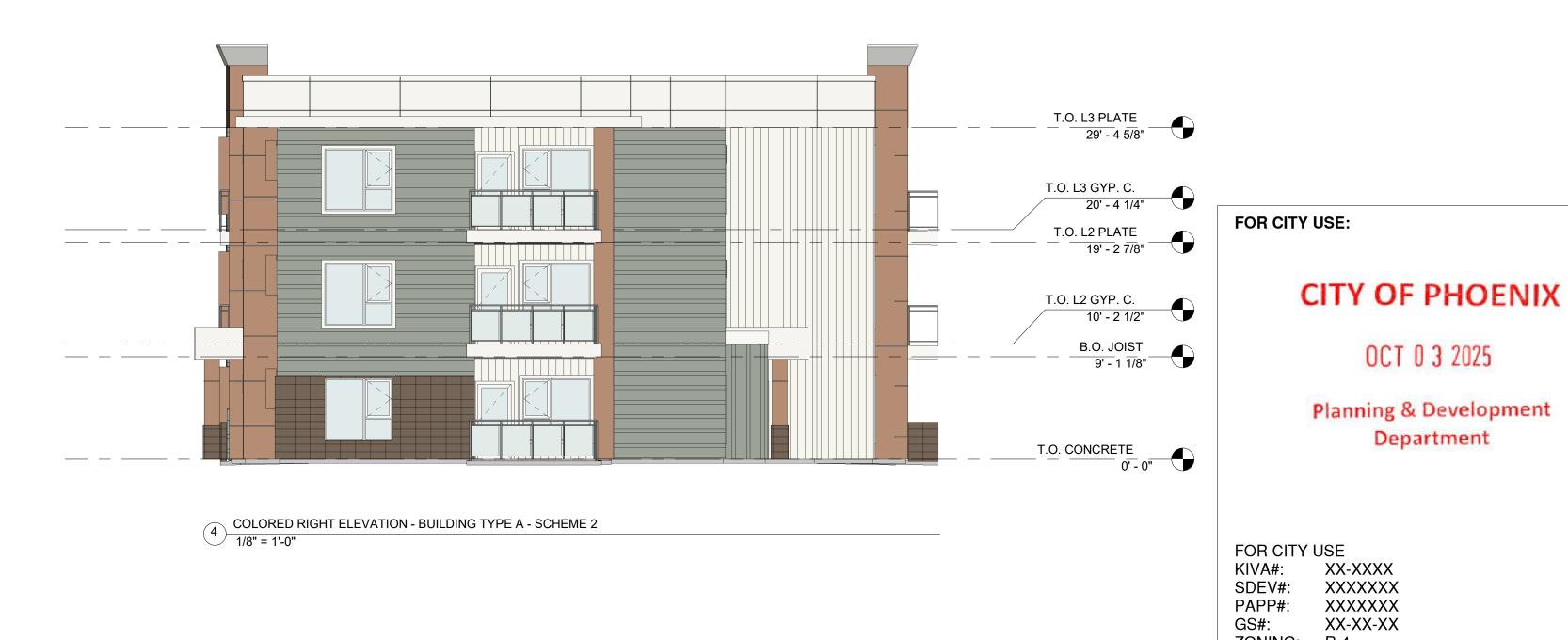
PARK AVEEN PLAC

A4.2B





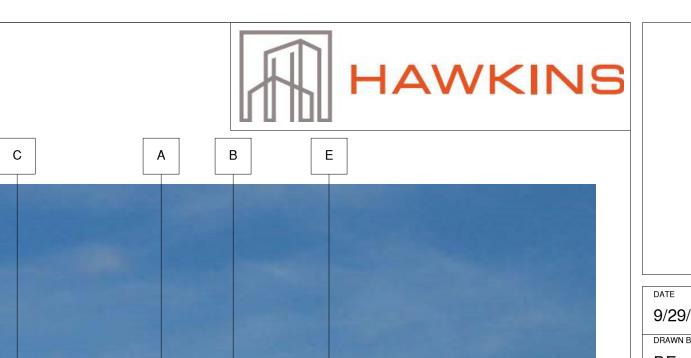




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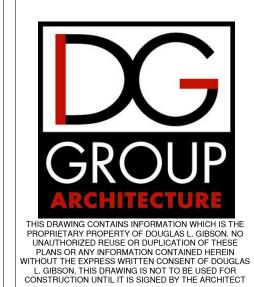
Department

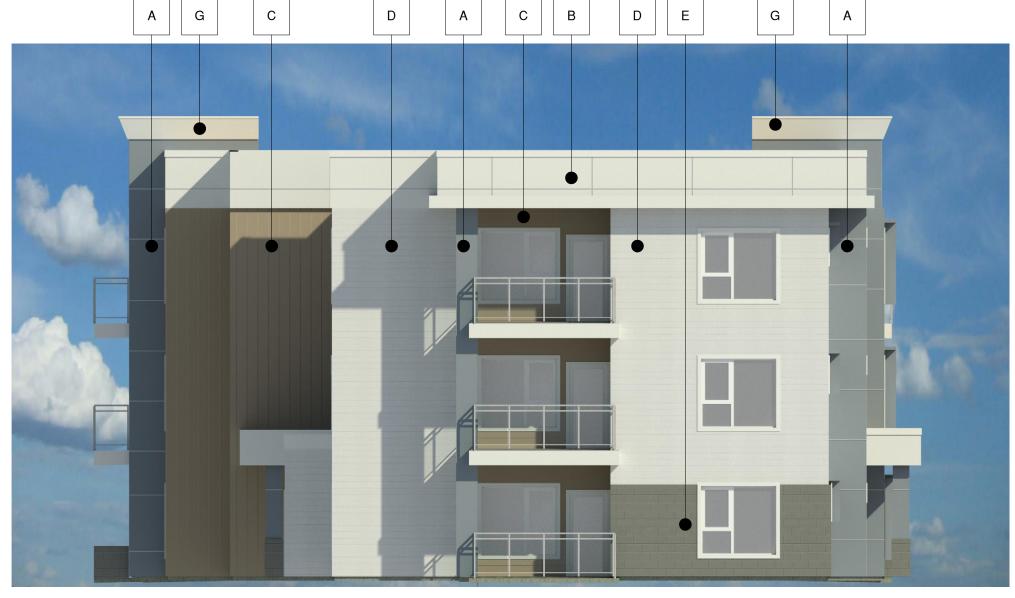
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REVISIONS

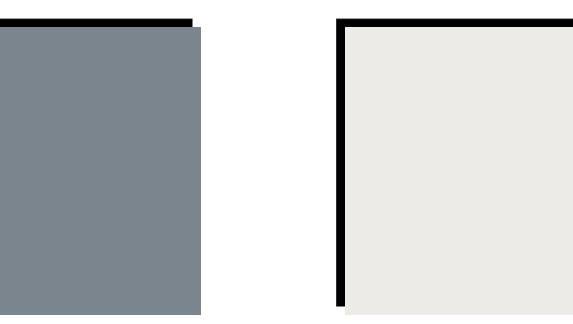
9/29/25 PWH24-18

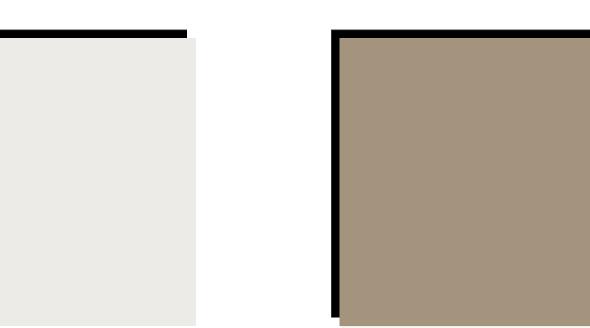


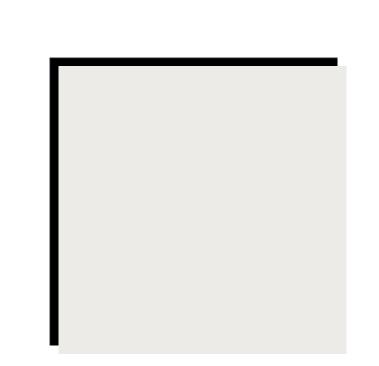


[A] METAL PANEL -

COLOR TO MATCH "STORM CLOUD" SHERWIN WILLIAMS SW 6249 OR EQUAL



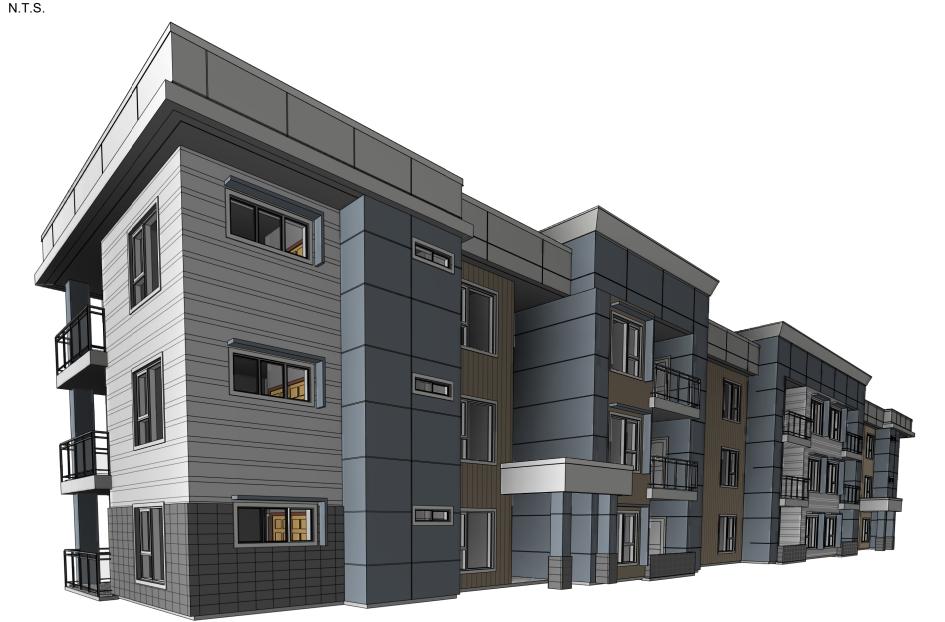




D HARDIE BOARD V-GROOVE SIDING -

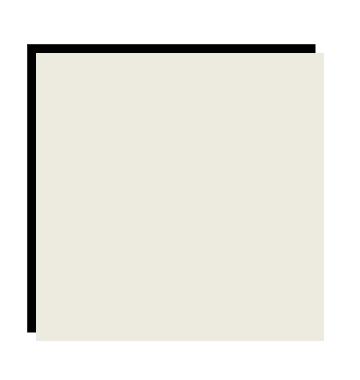
COLOR TO MATCH "NATURAL WHITE" SHERWIN WILLIAMS SW 9542 OR EQUAL

2 BUILDING TYPE A LEFT ELEVATION - COLOR SCHEME 1 N.T.S.





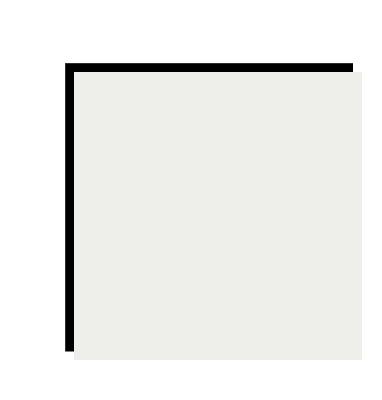
E STACKED BOND CMU COLOR TO MATCH 4102 ECHELON MASONRY HIGH POLISH 4102 OR EQUAL



B METAL PANEL -

COLOR TO MATCH "NATURAL WHITE" SHERWIN WILLIAMS SW 9542 OR EQUAL

[F] <u>CEMENTITIOUS SIDING -</u> REVEAL COLOR TO MATCH "ALABASTER" SHERWIN WILLIAMS SW 7008



[C] <u>HARDIE BOARD SQUARE</u> <u>CHANNEL SIDING</u> -

COLOR TO MATCH "URBAN JUNGLE" SHERWIN WILLIAMS SW 9117 OR EQUAL

[G] <u>FASCIA, FLASHING, RAILINGS, DOOR & WINDOW TRIM</u> COLOR TO MATCH "EXTRA WHITE" SHERWIN WILLIAMS SW 7006 OR EQUAL

FOR CITY USE:

ZONING:

CITY OF PHOENIX

OCT 0 3 2025

Planning & Development Department

FOR CITY USE
KIVA#: XX-XXXX
SDEV#: XXXXXXX
PAPP#: XXXXXXX
GS#: XX-XX-XX

A4.3A

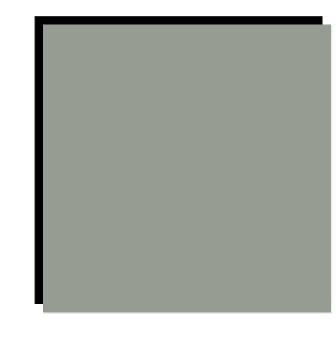
COLOR / MATERIAL BOARD - BUILDING TYPE A - COLOR SCHEME 1

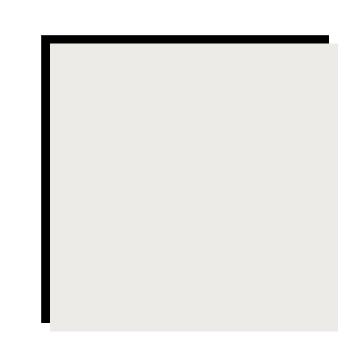


BUILDING TYPE A FRONT ELEVATION - COLOR SCHEME 2 N.T.S.











COLOR TO MATCH "RENWICK ROSE BEIGE" SHERWIN WILLIAMS SW 2804

B METAL PANEL -

COLOR TO MATCH "NATURAL WHITE" SHERWIN WILLIAMS SW 9542 OR EQUAL

C HARDIE BOARD V-GROOVE SIDING -

COLOR TO MATCH "ACACIA HAZE" SHERWIN WILLIAMS SW 9132 OR EQUAL

[D] <u>HARDIE BOARD SQUARE</u> <u>CHANNEL SIDING</u> -

COLOR TO MATCH "NATURAL WHITE" SHERWIN WILLIAMS SW 9542 OR EQUAL

REVISIONS

9/29/25

PROJECT#

PWH24-18

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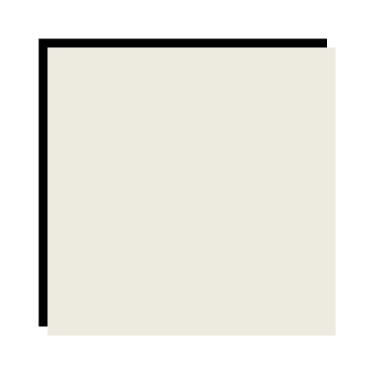
2 BUILDING TYPE A LEFT ELEVATION - COLOR SCHEME 2





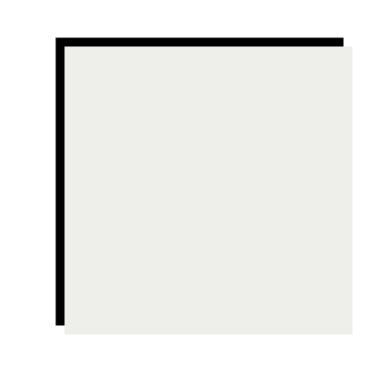
E STACKED BOND CMU

COLOR TO MATCH 4102 ECHELON MASONRY HIGH POLISH 4102 OR EQUAL



[F] <u>CEMENTITIOUS SIDING -</u> REVEAL

COLOR TO MATCH "ALABASTER" SHERWIN WILLIAMS SW 7008 OR EQUAL



[G] <u>FASCIA, FLASHING, RAILINGS, DOOR & WINDOW TRIM</u>

COLOR TO MATCH "EXTRA WHITE" SHERWIN WILLIAMS SW 7006 OR EQUAL



FOR CITY USE:

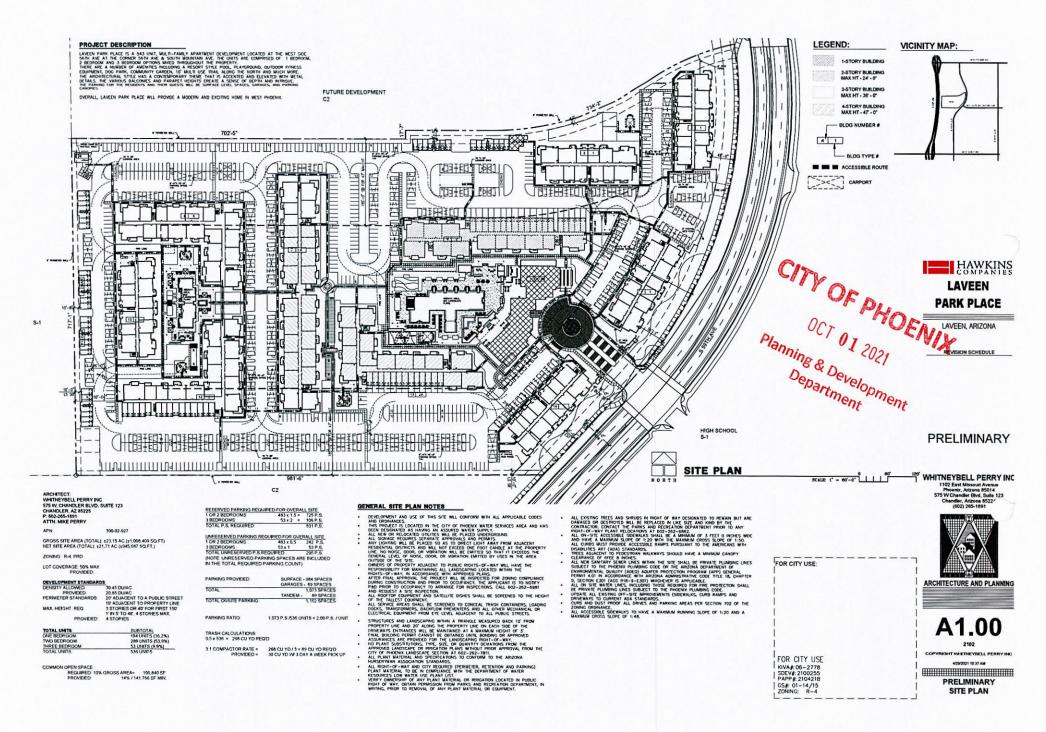
CITY OF PHOENIX

OCT 0 3 2025

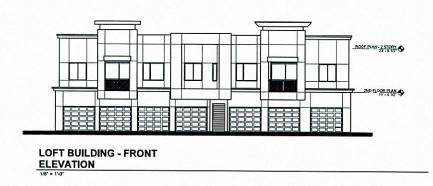
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KIVA#: XX-XXXX
SDEV#: XXXXXXX
PAPP#: XXXXXXX XX-XX-XX GS#: **ZONING:**

A4.3B



Planning & Development







CITY OF PHOENING & Development



LOFT BUILDING - FRONT ELEVATION



BUILDING TYPE 1 - FRONT ELEVATION



CITY OF PHOENIX

OCT 01 2021

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CITY OF PHOENIX

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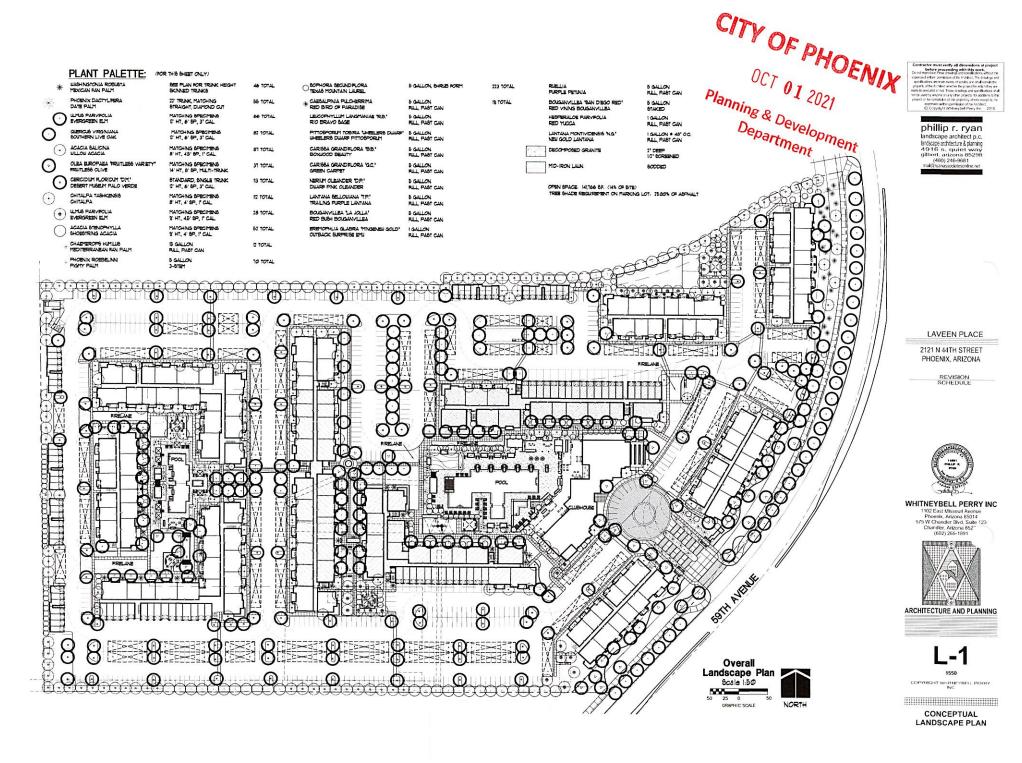
Department

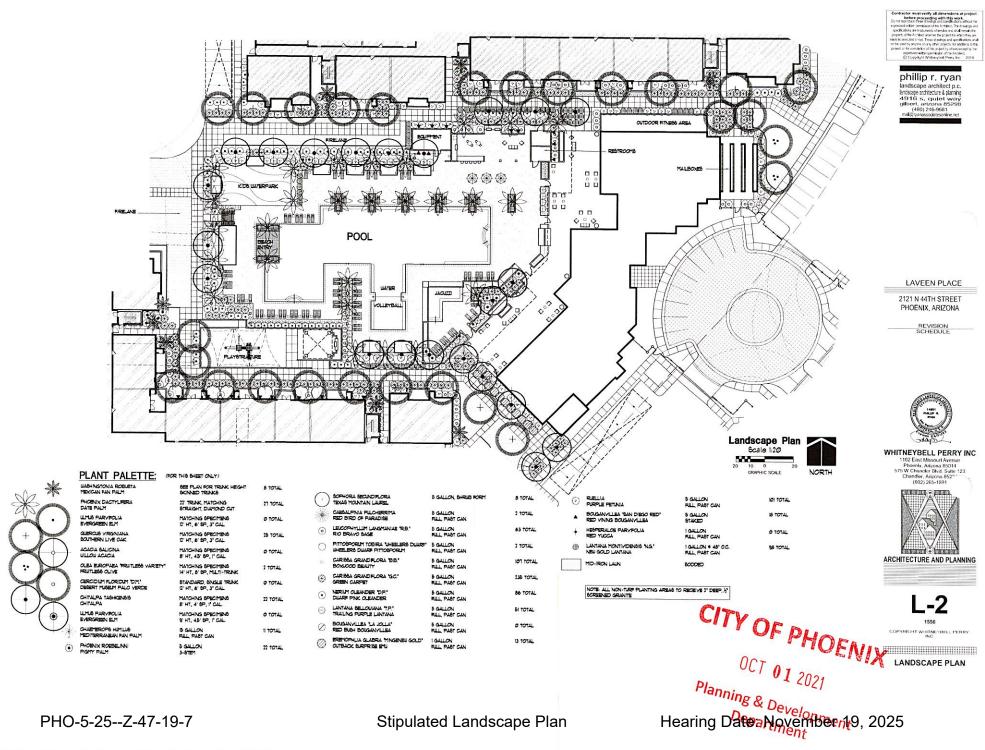


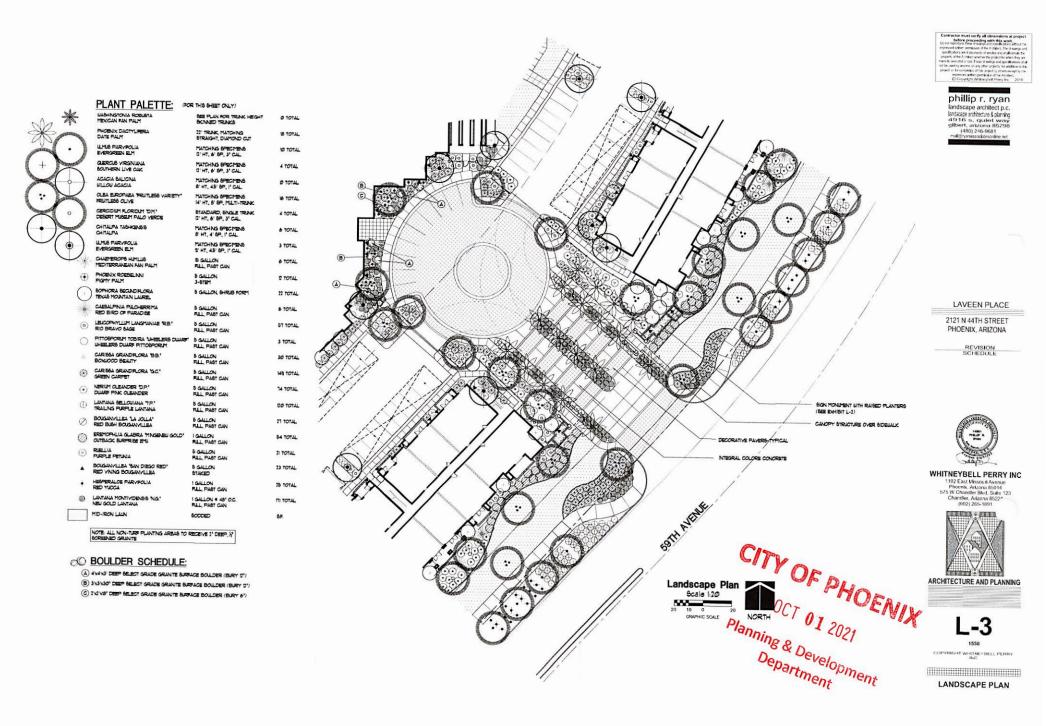
BLDG TYPE 2A - REAR

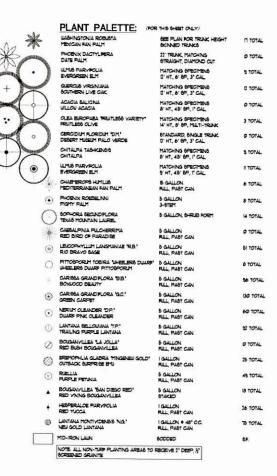






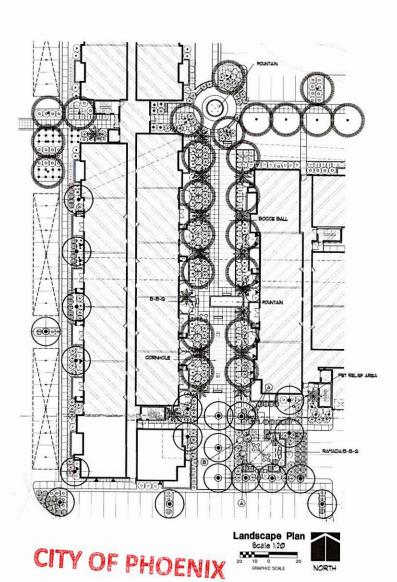






BOULDER SCHEDULE:

- (A) 4'MA'NS' DEEP BELECT GRADE GRANTE BURFACE BOLLDER (BURY 12')
- (B) 3'x3'x30" DEEP SELECT GRADE GRANITE SURFACE BOULDER (BURY (I'))
- © 1'X'X8' DEEP SELECT GRADE GRANTE SURFACE BOULDER (BURY 6')



OCT 01 2021

Planning & Development Stipulated Landscape Planent

phillip r. ryan landscape architect p.c. landscape architecture & planning 4916 s. quiet way gilbert, arizona 85298 (480) 246-9681

LAVEEN PLACE

2121 N 44TH STREET PHOENIX, ARIZONA

REVISION



WHITNEYBELL PERRY INC

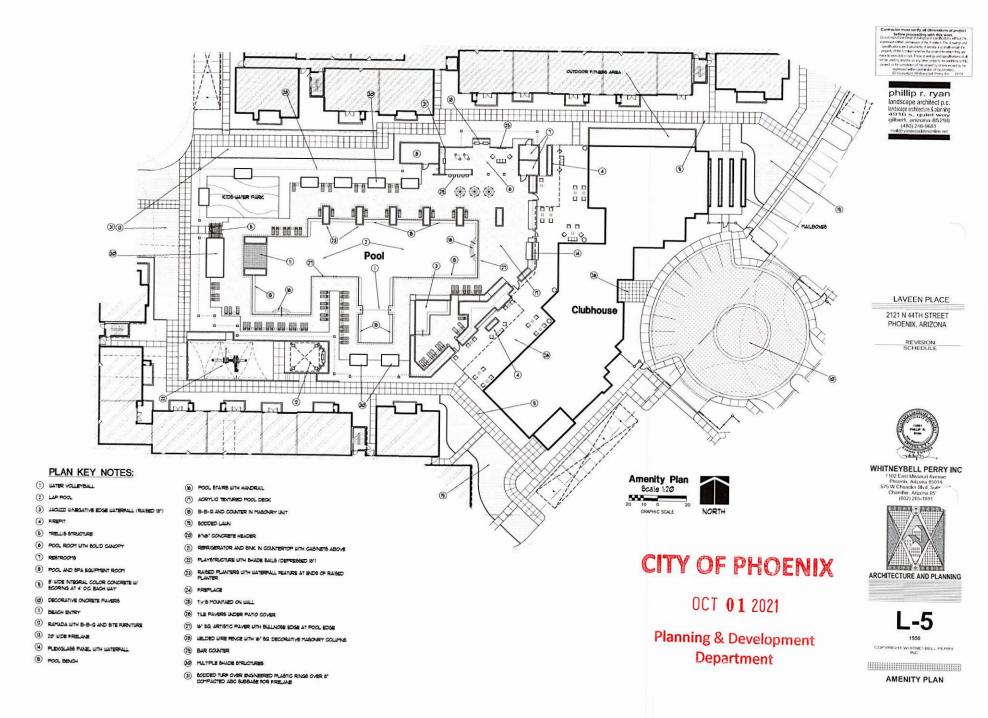
1102 East Missouri Avenu Phoenix, Arizona 85014 575 W Chandler Blvd, Suf Chandler, Arizona 85 (602) 265-1891



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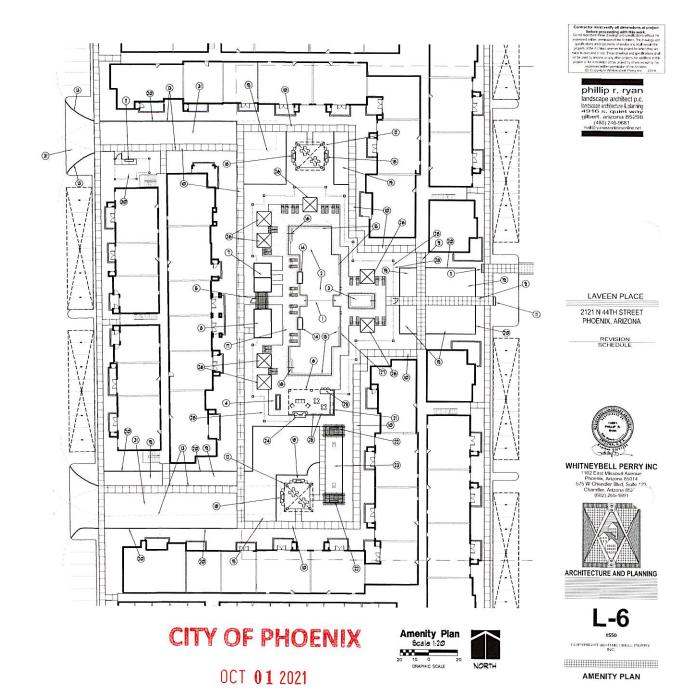
LANDSCAPE PLAN

PHO-5-25--Z-47-19-7



PLAN KEY NOTES:

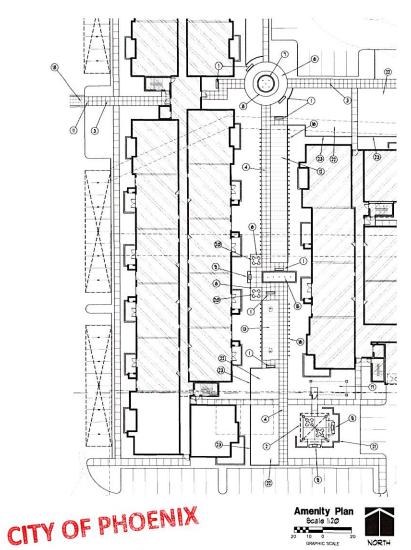
- (I) WATER VOLLEMBALL
- (1) GAME/PASSIVE POOL
- (3) JACUE
- 4 PIREPIT
- (b) TRELLIS STRUCTURE
- (6) POOL BOOM WITH BOLID CANOR
- (T) RESST
- (8) POOL AND SPA EQUIPMENT ROOM
- 8' UIDE INTEGRAL COLOR CONCRETE W
 SCORING AT 4" O.C. EACH WAY
- 6 UDE NATURAL COLOR CONCRETE W BOORING AT 5" O.G.
- (II) 6' BENCH WITH BACK
- (1) RAMADA
- (A) 10' HITH HOR!
- WATER FEATURE TOURS WITH WATERFALL
- (5) POOL BEN
- (6) POOL STARS WITH HANDRAIL
- (f) ACRYLIC TEXTURED POOL DECK
- (B) B-B-G AND COUNTER IN MASONRY UNIT
- (B) SOCOED LAUN
- 60 656 CONCRETE HEADER
- (2) REFRIGERATOR AND SINK IN COUNTERTOP WITH CABINETS ABOVE
- (2) 6' BENCH WITH BACK UNDER TRELLIS SYSTEM
- CORNHOLE WITH SYNTHETIC TURE
- 24 FIREPLACE
- 28) T.V. & MOUNTARD ON WALL
- (26) CANVAS SHADE STRUCTURE WITH POOL FURNITURE
- (2) 16' 8Q ARTISTIC PAVER WITH BULLNOSE EDGE AT POOL EDGE
- (28) WELDED WITE PENCE WITH 16' 8Q DECORATIVE MASONRY COLUMNS
- (29) BAR COUNTER
- PET RELIEF WITH BYNTHETIC TURE
- (3) SCOCED TURF OVER ENGINEERED PLASTIC RINGS OVER 6' COMPACTED ABC SUBDASE FOR FIRELANE



Planning & Development

PLAN KEY NOTES:

- 1 6' BENCH WITH BACK
- 2) 10' 50 RAMADA
- 3 8' WIDE INTEGRAL COLOR CONCRETE W/ BCORING AT 4' O.C. EACH WAY
- 6' UDE NTESRAL COLOR CONCRETE U/
 8CORNG AT 3' OC EACH WAY
- (5) 5' WIDE NATURAL COLOR CONCRETE SIDEWALK
- (6) NATURAL COLOR EXPOSED AGGREGATE FINISH CONCRETE
- (1) 10' DIA WATER FEATURE WIS BUBBLERS (VARIOUS HTS.)
- (8) AT GRADE PLANTER WITH REASONAL ANNUALS
- (9) B-B-Q AND COUNTER IN MASONRY UNIT
- (Ø) TREE GRATE WITH SPECIMEN SHADE TH
- (1) ADA RAMP AT 5% MAX BLOPE
- (D) BOCCE BALL WITH SYNTHETIC TU
- (4) METAL CLAD TRELLIS STRUCTURE WITH SEATING INDER
- (A) TIME I KUTAK & EEDODTED HITH DECODATA DOLD
- (II) PET DELIES ADEA WITH SYNTHETIC THE
- (B) DECORATIVE PAVERS
- (B) CROSSUALK WITH DECORATIVE PAYERS EDGED WITH IZ CONCRETE HEADER
- (0) TABLES WITH UMBRELLAS
- (1) 36' TALL DECORATIVE MASONRY WALL
- 22 SCOOED TURE
- (3) 6' CONCRETE HEADER



Contractor must verify all dimensions at project before proceeding with this work. In consequent they dealed in consequent to a should be seen to be a second of the consequence of the consequence specification are solutions of seekle as a stall invalid to people, if the holder where the project which they enable to result in order to be a second of the consequence property of the holder where the project which they enable to result in order to any other control in a rational being the second order of the project by these event by the project of the consequence of the project of the project of expressed when presidual or the value of the project of expressed when presidual or the value of the project of the proje

phillip r. ryan landscape architect p.c. landscape architecture & planning 4916 s. quiet way gilbert, arizona 85298 (480) 246-9881 mail@yanassodateonline.net

LAVEEN PLACE

2121 N 44TH STREET PHOENIX, ARIZONA

> REVISION SCHEDULE



WHITNEYBELL PERRY INC 1102 East Missouri Avenue

1102 East Missouri Avenue Phoenix, Arizona 85014 575 W Chandler Blvd, Suit Chandler Arizona 85



ARCHITECTURE AND PLANNING

L-7

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AMENITY PLAN

OCT 01 2021

Planning & Development
Department
Stipulated Amenity Plan

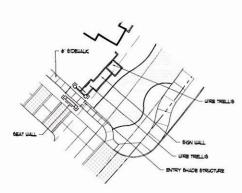


phillip r. ryan landscape architect p.c.

LAVEEN PLACE

2121 N 44TH STREET PHOENIX, ARIZONA

ENTRY GATE ELEVATIONS



PLAN VIEW

ELEVATION

UIRE MESH . 4' O.C. EA WAY

ELEVATION

Laveen Place

Apartments &

5/8' WIDE X 1 12' TUBNG . B' OC.

4-8

ENTRY SIGN MONUMENT ELEVATION

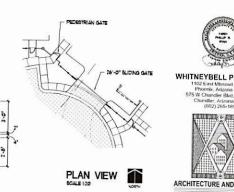
ACCENT VENEER TO MATCH RESIDENCES

PEDESTRIAN GATED ENTRY

10'-0'

2'-0"

1-8' 2'-0'



WHITNEYBELL PERRY INC ARCHITECTURE AND PLANNING

ENTRY GATE ELEVATION

OCT 01 2021

PAINTED STUCCO FNISH TO MATCH APARTMENTS

Department November 19, 2025

Planning & Development

PHO-5-25--Z-47-19-7

Stipulated Entry Gate Elevations

26'-0" SLIDING GATE

4'3' STEEL TUBING

ERPORATED HOLES IN METAL PANEL

BOUGANVILLEA 4'-8'

2'-4' 2'

CCENT VENEER TO MATCH REACENCES

Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Nov. 17, 2021.

Summary

Application: PHO-2-21--Z-47-19-7 Existing Zoning: C-2 HGT/WVR

Acreage: 10.74

Owner: Laveen Baseline LLC Applicant: Michael Trueman

Representative: Tanya Aksamentova

Proposal:

- Modification of Stipulation 1 regarding general conformance to the Conceptual Master Site Plan date stamped October 23, 2019.
- Review of site plan, landscape plan, and elevations by the Planning Hearing Officer per Stipulation 33.
- Modification of Stipulation 34 regarding a minimum 10 percent common area open space.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee heard this case on Nov. 8, 2021 and recommended approval by a vote of 11-0.

PHO Action: The Planning Hearing Officer heard this case on Nov. 17, 2021 and recommended approval with additional stipulations. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

Location

Approximately 650 feet north of the intersection of 59th Avenue and South Mountain Avenue

Council District: 7
Parcel Address: N/A
This item was adopted.

90 Amend City Code - Ordinance Adoption - Rezoning Application PHO-3-21--Z-47-19-7 - West of the Intersection of 59th Avenue and

South Mountain Avenue (Ordinance G-6931)

Request to authorize the City Manager, or his designee, to approve the Planning Hearing Officer's recommendation without further hearing by the City Council on matters heard by the Planning Hearing Officer on Nov. 17, 2021.

Summary

Application: PHO-3-21--Z-47-19-7

Existing Zoning: R-4

Acreage: 23.27

Owner: Laveen Baseline LLC Applicant: Michael Trueman

Representative: George Pasquel III, Withey Morris PLC

Proposal:

- 1. Review of site plan, landscape plan, and elevations by the Planning Hearing Officer per Stipulation 33.
- 2. Modification of Stipulation 35 regarding a minimum 25 percent of surface parking areas shaded by trees.

Concurrence/Previous Council Action

Village Planning Committee (VPC) Recommendation: The Laveen Village Planning Committee heard this case on Nov. 8, 2021 and recommended denial as filed and approval with additional stipulations, by a vote of 10-1.

PHO Action: The Planning Hearing Officer heard this case on Nov. 17, 2021 and recommended approval with additional stipulations. See **Attachment A** for the full list of Planning Hearing Officer recommended stipulations.

Location

West of the Intersection of 59th Avenue and South Mountain Avenue

Council District: 7
Parcel Address: N/A

This item was adopted.

91 Public Hearing - Certificate of Appropriateness - Appeal of Historic Preservation Commission's Decision on Certificate of Stephanie Hurd echoed the committee's comments regarding pedestrian safety, stressed the importance of creating walkability in Laveen, and questioned whether simply adding sidewalks achieves that goal. Riddell stated that the development values walkability and has provided pedestrian connections to the commercial parcel to the north as well as the public sidewalk. She also stated that pedestrian safety education would be beneficial in mitigating the midblock crossings from the high school.

MOTION

Vice Chair Abegg made a motion to approve the case as filed. Jennifer Rouse seconded the motion.

VOTE:

11-0, Motion to approve, with Committee Members Glass, Abegg, Barraza, Flores, Flunoy, Hurd, Knight, Ortega, Perrera, Rouse, and Rowe in favor.

7. PHO-3-21--Z-47-19-7: Presentation, discussion, and possible recommendation on a request to modify stipulations of entitlement for the property located west of the intersection of 59th Avenue and South Mountain Avenue. Review of site plan, landscape plan, and elevations per stipulation number 33 and request to modify stipulation number 35 regarding surface parking area landscaping.

Sofia Mastikhina, staff, provided an overview of the request, including its locational context, and its existing and surrounding zoning. She explained that this site is directly to the south of the subject site of the previous agenda item. She presented the proposed site plan, landscape plan, and building elevations, as well as the requested stipulation modifications.

Jason Morris, representative with Withey Morris PLC, stated that after working with members of the community and the public, they have decided to withdraw the request to reduce surface parking area landscaping. As such, the only remaining request is the review of plans and elevations by the committee. He provided an overview of the site, including the location and history of the area, and explained that the subject site has always be slated for multifamily development. He stated that the proposed density is below that which is allowed by right under the current zoning and explained that one of the reasons for this density reduction was to create more open space. The proposed open space is 14 percent, most of which is usable and not just retention basins. He provided a summary of the overall project including unit count, open space calculation, planned amenities, parking lot shading, and a 10-foot-wide Shared Use Path (SUP) along 59th Avenue. He presented detailed exhibits of the amenity open space areas as well as the overall landscape plan, and the building elevations. He noted that the quality of the architecture reflects the projected high price point of the units.

Vice Chair Linda Abegg praised the applicant for providing a project that prioritizes families in their selection of amenities.

Chair Tonya Glass praised the applicant for withdrawing their request to reduce the number of trees in the parking areas, as well as for adding more landscaping enhancements such as palm trees. She also praised the high quality of the building elevations, especially the fact that no two buildings on the site will look completely alike.

Stephanie Hurd stated that the proposal is much more modern that what is typically developed in Laveen and expressed appreciation for the enhanced amenities. She then stated she was surprised no one has approached the applicant regarding this proposal, as the building height is four stories. She asked if the Chair or Vice Chair had any concerns with this. Vice Chair Abegg explained that, in the original rezoning case, this site was permitted this height as a concession to locate the Harkins movie theater on a parcel to the north, which received a height waiver. Morris stated that they are will not be seeking any variances on the site and will adhere to the development standards of the zoning district approved in the original zoning case.

Carlos Ortega expressed his concern with granting a height waiver for this property and allowing a four-story apartment complex, as residents will not be able to see the mountains. Chair Glass explained that the height waiver was granted to the Harking movie theater on a parcel north of the subject site. The zoning for this proposal permits four stories by right.

PUBLIC COMMENT

Sandy Hamilton stated that the amenity package is very nice but that it does not fit in with Laveen. He also expressed concern with only having one vehicular access drive for over 500 units, as well as with the building height.

Dan Penton stated that his recollection from the original zoning case is that the height waiver was conditioned upon the building height being stepped back from 59th Avenue to avoid conflicts with the view corridors. Chair Glass explained that the height waiver was for the Harkins theater, not this site. Penton then expressed concern with the single access point, asked how pedestrian safety is addressed, and asked for clarification on the configuration of the parking along the southern property line.

Phil Hertel expressed concern with the single access drive and stated that an emergency access point should be added to ensure emergency vehicles can access the site without conflicting with resident and guest traffic. He noted that 59th Avenue curves north of the site and suggested a right turn lane into the development, on southbound 59th Avenue. He stated that the development is nice and raises the bar for future multifamily developers.

Morris clarified that there is no height waiver for this parcel, and that all four-story buildings — which are permitted by right under the current zoning — are interior to the site and at least 150 feet from the street. He explained that the parking spaces along the southern property line are surface spots and will be shaded with structural and tree shade. He then stated that the development could accommodate a deceleration lane on southbound 59th Avenue and an additional emergency access gate.

MOTION

Vice Chair Abegg made a motion to deny the case as filed and approve with two additional stipulations as follows:

 The development shall incorporate a deceleration lane on southbound 59th Avenue to provide right-turn only ingress to the site, as approved by the Street Transportation Planning and Development Departments. There shall be an emergency access point and gate into the development, as approved by the Planning and Development Department.

The stipulation modification request recommended for denial is the following: Modification of Stipulation 35 regarding a minimum 25 percent of surface parking areas shaded by trees.

Jennifer Rouse seconded the motion.

VOTE:

10-1, Motion to approve, with Committee Members Glass, Abegg, Barraza, Flores, Flunoy, Hurd, Knight, Perrera, Rouse, and Rowe in favor and Committee Member Ortega dissenting.

8. <u>INFORMATION ONLY: Presentation and discussion regarding the 2021 Laveen Village Annual Report.</u>

Mastikhina provided an overview of the items up for discussion, which include the village todo list, a highlighted project, a front cover, and a group photo. She outlined the informational presentations that were heard by the committee in 2021 and then presented the previous year's to-do list for the committee's discussion. Chair Glass asked that staff email the to-do list to the committee in an Excel format so committee members can provide feedback in an efficient manner.

Mastikhina then provided a list of cases that have been approved by the committee in the past year for consideration for a project highlight. Chair Glass asked that there also be a narrative included regarding the community's ongoing and successful efforts in shaping developments and for their overall involvement in the processes. Vice Chair Abegg also stated that the community's efforts to get more parks in Laveen has been very successful and that it should be highlighted also. Ortega asked if they can also highlight projects that have been denied, as it has typically been in the community's best interest. Mastikhina stated that she will include a list of denied projects for the December discussion on this topic. Ortega also asked if there is any way to include information about ongoing projects in the pipeline so the community can easily stay informed. Mastikhina explained that the annual report is a static document, but that she will relay his comment to management to consider updates to the website to address this.

Hurd asked who the main reader of these reports is and indicated that developers should be directed to this report to learn what the committee expects in their projects.

Rowe stated that there should also be an analysis of what types of businesses are coming to Laveen, compared to what types of businesses go elsewhere in the city.

Ortega suggested adding something that lists the main features that the committee typically asks for in developments, such as wider lots, deeper driveways, specific architectural features, and so on. Mastikhina replied that a section can be added, as the StoryMap software allows for content flexibility.

Mastikhina then asked the committee to provide photos to vote on for a new annual report cover. Chair Glass stated that there have been photos circulating on Facebook of families