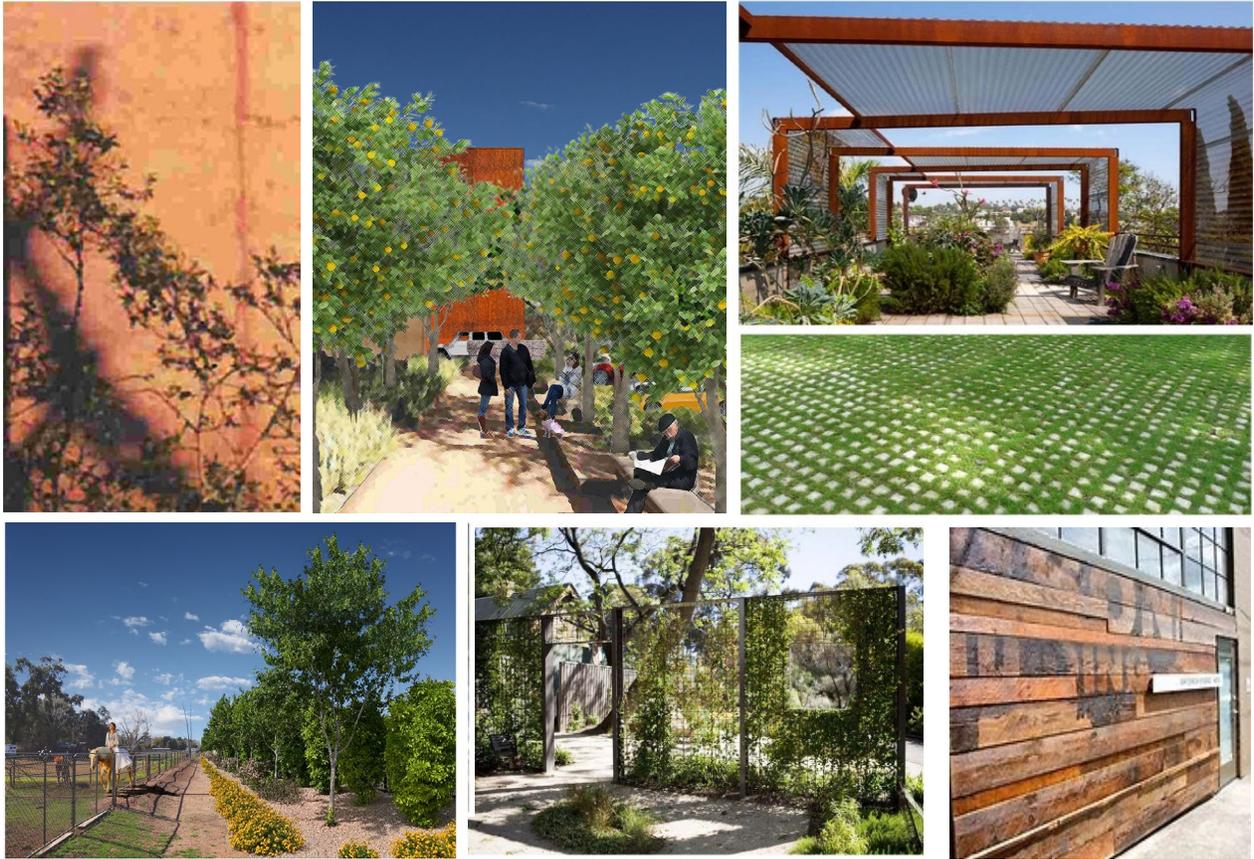


THE GROVE

PLANNED UNIT DEVELOPMENT

SOUTHWEST CORNER OF 40TH STREET AND SOUTHERN AVENUE



CASE NO. Z-51-16

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THE GROVE / PLANNED UNIT DEVELOPMENT

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PLANNED UNIT DEVELOPMENT DISCLAIMER
Regulatory Effect

Pursuant to Section 671 of the Phoenix Zoning Ordinance (“Zoning Ordinance”), a Planned Unit Development (“PUD”) is intended to be a stand-alone document of zoning regulations for a particular project. Permitted uses, development standards and other development regulations not specifically regulated by the PUD are governed by the standard provisions of the Zoning Ordinance. A PUD may include substantial background information to help illustrate the intent of the development; however, this background information and purpose and intent statements are not requirements that will be enforced by the City of Phoenix (“City”). All images and site plans within the PUD are conceptual and intended to be illustrative of the character and quality of the development. The images do not convey the final design concepts, colors or materials. A specific site plan(s) shall be processed during the City’s site plan review process. The PUD only modifies Zoning Ordinance regulations and does not modify other City Codes or requirements.

This PUD provides the regulatory zoning standards applicable to the property and which will be used by the City through development review and permit process. The provisions provided within this PUD shall apply to all property within the PUD project boundary. The zoning and development standards provided herein amend various provisions of the Zoning Ordinance (as adopted and periodically amended). In the event of a conflict between a use, a development standard, or a described development procedure as provided herein and the Zoning Ordinance, the PUD shall prevail.

THE GROVE PLANNED UNIT DEVELOPMENT

A. PURPOSE and INTENT

The purpose and intent of *The Grove* Planned Unit Development (“*The Grove* PUD”) is to facilitate the development of a high-quality creative office combined with neighborhood and/or intermediate commercial development on the approximate 15.75 net acres (17.27 gross acres) of fallow farmland generally located 340 feet west of the southwest corner of 40th Street and Southern Avenue (behind the Walgreen’s located at the immediate corner) (“Property”). **See** [Figure 1](#) and [Exhibit B: Aerial Map](#), and [Exhibit C: Legal Description](#).



Figure 1: Aerial Map

The Property, which has been owned by the Oertle/Hintze Family since 1994, was farmed for citrus and various crops planted by local farmers. However, the size of the Property has now become an economic constraint as the Property was either too large for an ‘urban’ farmer or too small for a traditional farmer to bear the cost of transporting a tractor and workers to the area. Ultimately, poor irrigation, inconsistent soil conditions

and lack of economic viability have resulted in the Oertle/Hintze Family being unable to maintain a viable agricultural use of the Property. The vacant, fallow status of the Property has also resulted in the Oertle/Hintze Family having to repeatedly respond to transients trespassing and attempting to live on the Property. Ultimately, the remaining citrus trees on the Property were cut down as they were dying from old age.

The Grove PUD responds to the transition that the Property has undergone and is intended to foster the redevelopment of the Property as a high-quality creative office combined with neighborhood and/or intermediate commercial development that is drawn from MUA and is compatible with the character of the area and surrounding land uses. *The Grove* PUD fulfills the City of Phoenix General Plan objectives regarding the redevelopment of larger, underutilized parcels within the central villages.

The Grove PUD specifically provides permitted uses, development standards and design guidelines that reinforce the compatibility of the proposed development with the adjacent area and neighborhood, while building on the past successes and ensures the future viability of the South Mountain Village. *The Grove* PUD is located within the Baseline Area Overlay district and must conform with all the development standards and design guidelines in the BAOD.

The Grove PUD has further been developed to incorporate comments from extensive public outreach, including multiple neighborhood meetings and over fifty individual meetings with surrounding property owners and other stakeholders in the South Mountain community. As a result, *The Grove* PUD includes permitted uses, development standards and design guidelines that ensure development that is compatible with the character of the area and sensitive to the surrounding land uses.

As stated above, *The Grove* PUD includes development standards and design guidelines crafted in response to extensive community outreach. The permitted uses and development standards in *The Grove* PUD have been specifically crafted to create an appropriate transition between nearby residential development to the south and east and more intense commerce park, commercial, and industrial zoning and uses located north of Southern Avenue and east of 40th Street. *The Grove* PUD also includes additional design guidelines, beyond those within Section 507, Tab A of the Zoning Ordinance, that draw from the Mixed Use Agriculture (“MUA”) zoning district in an effort to reinforce the heritage and character of the area. *The Grove* PUD will comply with Section 651 (Baseline Area Overlay District) of the zoning Ordinance in its entirety.

B. GOALS

The primary goals of *The Grove* PUD are to:

1. Develop an underutilized site with appropriate high-quality creative office combined with neighborhood and/or intermediate commercial uses that are compatible with the diverse character of the area.
2. Provide development standards and design guidelines that reinforce compatibility of *The Grove* PUD with nearby residences. Specific development standards and design guidelines include: larger setbacks with open spaces; maximum establishment square footages; orientation of building activity areas away from neighborhoods; limited building height; enhanced perimeter and on-site landscaping; and restricted lighting. Special design guidelines are included to enhance architecture, landscaping, shade, and pedestrian connectivity.
3. Increase the economic viability of the area, the South Mountain Village and the City.
4. Promote the sustainable physical, social and economic benefits associated with infill development.

C. COMMUNITY OUTREACH

1. COMMUNITY MEETINGS

The Grove PUD conceptual site plan has been developed based on extensive community outreach, including multiple neighborhood meetings and over fifty individual meetings with surrounding property owners and other stakeholders in the South Mountain Community over the last few years.

D. CONCEPTUAL SITE PLAN

The Grove will consist of creative office and potentially some limited neighborhood and/or intermediate commercial, uses within buildings that are designed based on the development standards and design guidelines in the MUA and BAOD zoning districts. The conceptual site plan integrates high-quality creative office space with neighborhood and/or intermediate commercial development within agriculturally themed landscaping on an infill site generally located approximately 340 feet west of the Southwest corner of along 40th Street and Southern Avenue. Both 40th Street and

Southern Avenue are classified as arterial roadways on the City's Street Classification Map. **See Exhibit D: Conceptual Site Plan**.

The Grove conceptual site plan includes four buildings with footprints ranging in size from 32,000 square-feet to 50,000 square-feet. The building height is limited to 30-feet, in conformance with the BAOD, and the number of at-grade loading doors is limited to a total of six See Figure 2 and Exhibit D & Exhibit E.

EXHIBIT E: Contextual Site Plan.



Figure 2: Contextual Site Plan

In accordance with the MUA zoning district design guidelines, the buildings are oriented to ensure compatibility with surrounding properties and to blend into the natural landscape of the area through the use of generous, densely landscaped perimeter and streetscape setbacks. Building A is oriented towards Southern Avenue near the northwest corner of the Property, while Buildings B, C and D are oriented toward 40th Street, with site activity away from the Bartlett-Heard neighborhood. These buildings are focused towards a heavily landscaped ‘grove-like’ parking courtyard and are designed to minimize the appearance of the buildings from the street. **See Figure 3: Parking Courtyard**.



Figure 3: Parking Courtyard

The primary entrances to all buildings are oriented toward the street with the majority of the parking planned behind the buildings screened from view consistent with one of the core design requirements of the MUA district. Additionally, the parking and maneuvering areas, other than the required driveways, are set back from the perimeter of the Property to buffer the parking from the surrounding neighborhood, to allow generous landscape buffers, and to ensure that the operational characteristics of *The Grove* do not detract from the rural character of the surrounding area.

The primary ingress/egress to *The Grove* is planned via a landscaped boulevard-type entrance from 40th Street into the aforementioned parking courtyard. Additional

secondary points of ingress/egress to *The Grove* are planned from 40th Street near the southern boundary of the Property and 39th Street off Southern Avenue as shown on the conceptual site plan. Cross-access with Walgreen's is planned to accommodate additional secondary points of ingress/egress from 40th Street and Southern Avenue as shown on the conceptual site plan.

The Grove PUD conceptual site plan includes sidewalks along 40th Street and Southern Avenue and between all buildings to provide shaded pedestrian connectivity corridors. These pedestrian routes will be separated from vehicular traffic and will include contrasting materials, such as textured or colored concrete, concrete pavers or other decorative materials where the walkway crosses a vehicular path to promote safety and convenience, while improving the function of the parking lot.

The Grove PUD conceptual site plan respectfully orients the buildings away from the large-lot residences within the Bartlett-Heard neighborhood to the south and southwest. In response to input received from the Bartlett-Heard owners, Building D, which has the smallest building footprint, is set back at least 40-feet from the southern property line and buffered by a 10-foot landscaped setback and a 35 – feet wide open space to provide a generous approximately 45-foot landscape buffer that will include a double-row of trees.

In response to public outreach, *The Grove* PUD includes specific development standards to restrict the number and location of bay and loading doors. To further buffer the residential properties to the south and southwest, generous open space and landscape buffers, planned to include trees planted to achieve a 'grove-like' appearance, are provided along the south and west property lines. The tree groves and other landscaping will also enhance the existing bridle path located immediately south of the Property within the Bartlett-Heard neighborhood. **See Figure 4: Landscape Buffer Adjacent to Bartlett-Heard Bridle Path.**



Figure 4: Landscape Buffer Adjacent to Bartlett-Heard Bridle Path

The site plan, perspective renderings, and colors/materials palette, depicted in *The Grove* PUD are conceptual representations of the proposed character and quality of the development. Plans and documents with the specific design(s) will be processed through the City's site plan review process at the time of development in accordance with Section 507 of the Zoning Ordinance.

E. SITE CONDITIONS and LOCATION

The Property is an assemblage of two parcels under common family ownership totaling approximately 15.75 net acres (approximately 17.27 gross acres) located approximately at the southwest corner of 40th Street and Southern Avenue (behind the existing Walgreen's, which is not a part of *The Grove* PUD). 40th Street and Southern Avenue are classified as arterial streets on the City's Street Classification Map. The Property is also located within close proximity of Interstate-10 to the north and east.

The Property is bounded to the north by Southern Avenue and to the east by 40th Street. The approximate north-half of the Property is also bounded to the west by 39th

Street. Neighboring properties in immediate vicinity include a variety of uses. The property to the immediate northeast (at the southwest corner of 40th Street and Southern Avenue) is improved with a Walgreen's. The properties to the north across Southern Avenue include a gas station/convenience market, day care, and undeveloped property. The properties further north include various industrial and commerce park uses.

The properties to the east across 40th Street include a gas station/convenience market, an approximately 4.5acre industrial park consisting of three buildings totaling nearly 60,000 square-feet, and a single-family residential subdivision. The properties to the south and southwest include large-lot single-family residences within the Bartlett-Heard neighborhood. The properties to the immediate west of *The Grove* PUD include vacant land improved with a WCF tower and an operating plant nursery and landscaping business. The nursery site consists of three storage facilities, a maintenance shop, two green houses, main business office, and wholesale nursery office.

The Grove PUD Property does not contain any unusual physical or topographic features that would impact the development of the Property. The Property gently slopes from south-to-north away from nearby South Mountain.

F. GENERAL PLAN CONFORMANCE

The Grove PUD is being processed concurrently with a Minor General Plan Amendment application (Case Number: GPA-SM-2-17-8) to change the General Plan Land Use designation on the Property from Mixed Use Agricultural (MUA) to a cross-hatched designation of MUA and Commercial. See figure 5: City of Phoenix 2015 General Plan Land Use Map.

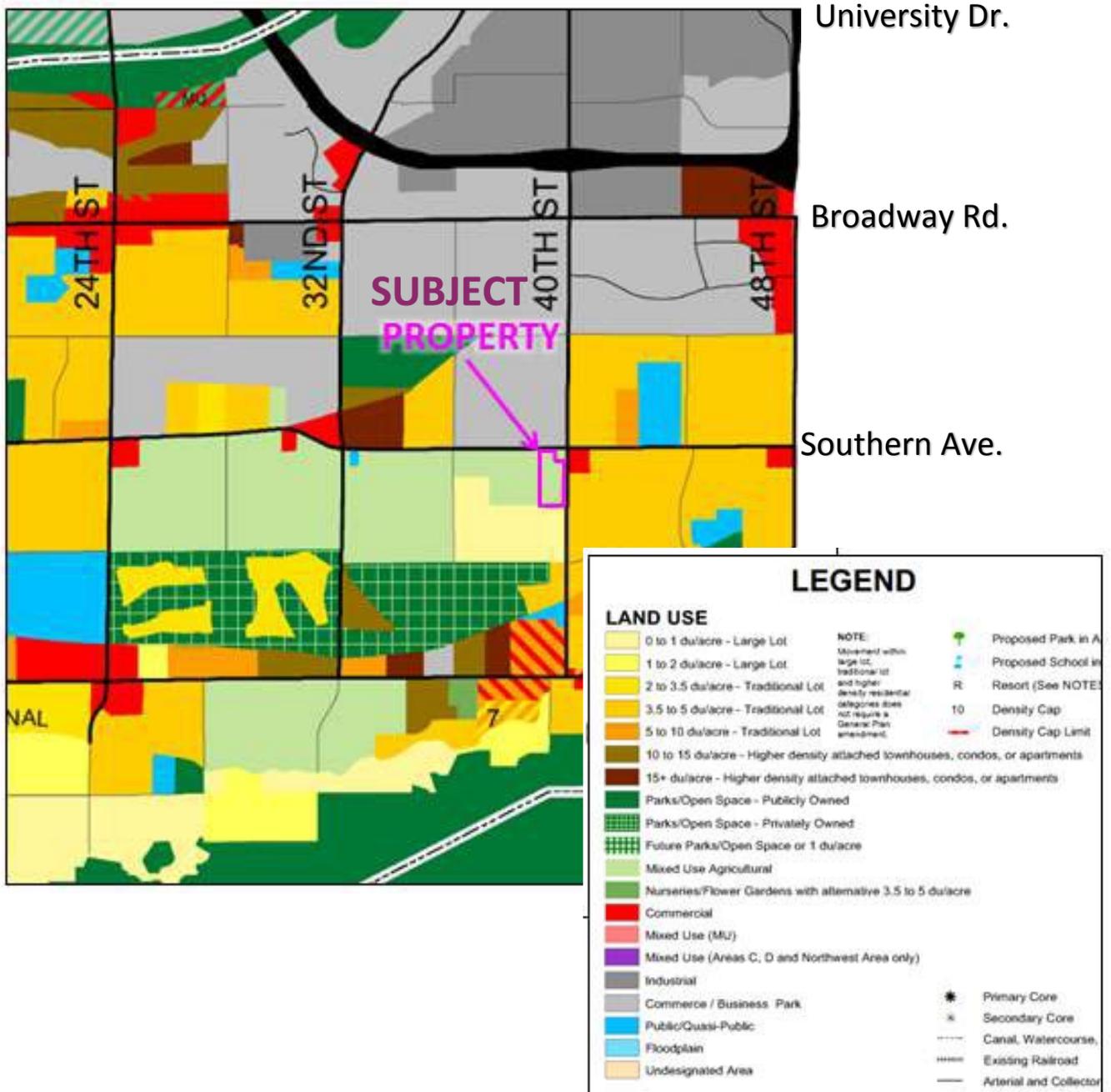


Figure 5: City of Phoenix 2015 General Plan Land Use Map

The Grove PUD respects the agricultural character of the area, while allowing for appropriate redevelopment of the property with creative office and neighborhood and/or intermediate commercial uses as permitted within the MUA, C-1 and C-2 zoning district. *The Grove* PUD is consistent with land use goals, policies and principles in the City of Phoenix General Plan. As stated above, *The Grove* PUD includes special permitted uses, development standards and design guidelines that are intended to preserve and maintain the agricultural heritage, character and scale of the area, and sensitively integrate *The Grove* PUD into the existing fabric of the community.

The Grove PUD reflects The City of Phoenix General Plan by responding to the five (5) Core Values that help to achieve the City's vision for the future and provide the framework for growth and development in the City of Phoenix by following goals, objectives and principles of the Core Values in the City of Phoenix General Plan:

(1) CONNECT PEOPLE and PLACES

The City of Phoenix General Plan recognizes that Phoenix residents desire activity areas and corridors that can be accessed safely, affordable and easily by transportation or other infrastructure. The Connect People and Places Core Value focuses on Growth/Preservation and Infrastructure Areas, including the following:

a. CORES, CENTERS and CORRIDORS

The Goal: Phoenix residents should have an abundance of places to connect with services, resources and each other.

- A. *Land Use Principle:*** Plan cores, centers and corridors to include a variety of land uses: office, retail shopping, entertainment and cultural, housing, hotel and resort, and where appropriate, some types of industry.
- B.** *The Grove* PUD supports a healthy urban village by positively contributing to the mix of land uses in the area. Current uses in the surrounding area include a Walgreen's, a day care center, two (2) gas stations/ convenience markets, an industrial park, single-family residences (both large lot and traditional suburban densities), a plant nursery, and undeveloped properties.
- C.** *The Grove* PUD includes appropriate office and neighborhood and/or intermediate commercial uses that complement the MUA zoning district, while preserving and balancing the rural and agricultural character of the area.
- D.** The addition of these uses to the South Mountain community will provide much needed opportunities for residents to live, work and play in one place, and come together as a community. Furthermore, these additional

employment opportunities will help to reduce vehicle trip length and associated emissions.

Design Principle: Encourage centers to provide a pedestrian environment with plazas, common open space, shaded walkways, separation of pedestrian and vehicular traffic, bicycle parking, and vehicle parking in architecturally disguised structures or underground where feasible.

The Grove PUD incorporates special design guidelines based on those found in the MUA and the BAOD zoning districts, which focus on the landscape, open spaces and pedestrian walkways. The entry boulevard, parking courtyard and building entrances include enhanced landscaping, open spaces and shade-protected pedestrian routes that create a comfortable and inviting pedestrian environment that will increase the usability of the buildings throughout the year and will promote pedestrian activities. The pedestrian routes will be separated from vehicular traffic and will include contrasting materials, such as textured concrete or concrete pavers where the walkway crosses a vehicular path to promote safety and convenience, while improving the function of the parking lot.

b. INFILL DEVELOPMENT

The Goal: Vacant and underdeveloped land in the older parts of the city should be developed or redeveloped in a manner that is compatible with viable existing development and the long-term character and goals for the area.

Over the last decade, Phoenix has grown outward, with its city limits now encompassing more than 519 square-miles. While Phoenix has grown on the periphery, it has also experienced a renewed interest in infill growth. The City of Phoenix General Plan recognizes that if the City truly wants to become a “Connected Oasis,” then land use and infrastructure planning should be coordinated in a more strategic way. While the Property is not a “traditional” urban infill site, it is vacant and underdeveloped and physically bounded on all sides by existing development or property under different ownership. *The Grove* PUD includes permitted uses, development standards and design guidelines that are compatible with the MUA land use designation and the MUA zoning district to facilitate the development of the Property in a manner that is compatible with the existing built-up area and the long-term character and goals of the South Mountain community.

c. OPPORTUNITY SITES

The Goal: To promote development of vacant parcels or redevelopment of underutilized parcels within the developed area of the city that are consistent with the character of the area or with the area's transitional objectives.

Land Use: Support reasonable levels of increased intensity, respectful of local conditions and surrounding neighborhoods.

The Grove PUD facilitates the development of the Subject Property in a manner that is consistent with the agricultural character of the area and with the area's transitional objectives.

The Grove PUD includes permitted uses and development standards that complement the MUA land use designation and the MUA zoning district that sensitively transition *The Grove* PUD away from nearby residences by: providing large setbacks with open spaces; limiting establishment areas and orienting building activity areas away from neighborhoods; limiting building height; providing enhanced perimeter and on-site landscaping; and limiting lighting.

Additionally, *The Grove* PUD includes special design guidelines to enhance architecture, landscaping, shade, and pedestrian connectivity to ensure compatibility with the agricultural character of the area. The City of Phoenix General Plan also recognizes that there is a significant cost when growth is built in areas with little to no infrastructure, especially, when the growth is in areas far away from the existing services. The Property is bounded by public rights-of-way with existing public water and sewer facilities. These existing facilities have sufficient capacity to serve Subject Property. *The Grove* PUD facilitates the development of a vacant and underutilized property within an urbanized area that reduces the cost of managing growth, by focusing new development in areas where the infrastructure has already been developed.

d. COMPLETE STREETS

The Goal: Create a system of streets which encourage and facilitate active transportation, support investment in transit, foster social engagement and community pride, improve safety for all transportation modes, support the local economy and property values, and improves the livability and long-term sustainability of our region.

Design Principle: In order to balance a more sustainable transportation System, development should be designed to include increased amenities for transit, pedestrian

and bicyclists such as shade, water, seating, bus shelters, wider sidewalks, bike racks, pedestrian scale lighting and way-finding.

The Grove PUD responds to the current trend of Phoenicians that have been making the shift towards a more multi-modal way of living, meaning that more and more people are beginning to incorporate some level of active transportation into their lives via walking or bicycling in order to reap the benefits of a healthy lifestyle, connect with the community and improve overall quality of life. Accordingly, a sustainable transportation system that includes, meandering sidewalks setback from 40th Street and Southern Avenue, shade trees and other lush landscaping, open spaces, seating areas, low-level pedestrian lighting, and other pedestrian-oriented amenities are provided in *The Grove* PUD to promote the safety and comfort of pedestrians adjacent to public right-of-way. These improvements will help to connect residents in the area, future employees of *The Grove* PUD, and others to the amenities in the South Mountain community and public transportation.

Design Principle: Locate parking to the rear of a site to create a more pedestrian environment, when adequate shielding from noise and light can be provided to adjacent established neighborhoods.

In accordance with the MUA zoning district, *The Grove* conceptual site plan locates the majority of the parking behind the buildings screened from view. Generous landscape buffers that include a double-row of trees to achieve a ‘grove-like’ feel and appearance appropriately shield the adjacent established neighborhood from noise and light.

(2) STRENGTHEN OUR LOCAL ECONOMY

The General Plan states that as a City it is crucial that Phoenix residents continue to improve and support the employment sector. According to the City of Phoenix General Plan, job growth is a top priority to Phoenicians. Phoenicians envision a strengthened local economy as one that supports existing businesses and attracts new businesses to increase employment opportunities and raise income levels. Current commercial uses adjacent to the Property include a Walgreen’s, a day care center, two (2) gas stations/convenience markets, an industrial park, WCF tower, and a plant nursery and landscaping business. *The Grove* will positively contribute to the healthy mix of businesses in the area to help strengthen Phoenix’s local economy and employment opportunities.

According to the 2010 *Census*, the number of persons currently living in the immediate vicinity of the subject property are 1,642 per square mile. According to the City of Phoenix

General Plan *Projected Population Concentration 2030* map, the population density in the immediate vicinity of The Grove PUD is projected to be between 4,000 - 8,000 persons per square-mile by 2030, which is a significant increase. *The Grove* PUD helps to fill the current and projected void of creative office neighborhood and/or intermediate commercial development in the area and will create related employment opportunities that will be necessary to support a healthy South Mountain Village long term.

(3) CELEBRATE OUR DIVERSE COMMUNITIES and NEIGHBORHOODS

The City of Phoenix General Plan acknowledges that Phoenix is home to a diverse set of communities. The goals, policies and principles that are outlined in the City of Phoenix General Plan were created so that the community has a reasonable expectation and level of certainty in regard to compatibility.

The Goal: Ensure that development, redevelopment and infrastructure supports and reinforces the character and identity of each unique community and neighborhood.

Land Use Principle: Protect residential areas from concentrations of incompatible land uses that could change their character or destabilize land values.

Land Use Principle: New development and expansion or redevelopment of existing development in or near residential areas should be compatible with existing uses and consistent with adopted plans.

Design Principle: Create new development or redevelopment that is sensitive to the scale and character of the surrounding neighborhoods and incorporates adequate development standards to protect against negative impact(s) on residential properties.

Design Principle: Require appropriate transition/buffers between neighborhoods and adjacent uses.

The Grove PUD has been prepared based on extensive public outreach to the community, which included multiple neighborhood meetings and individual meetings with surrounding property owners and other stakeholders in the South Mountain community. *The Grove* PUD ensures proper land use transition from the more intense Commerce/Business Park land use designation to the north across Southern Avenue and the industrial park to the east across 40th Street to the residential development to the south and southwest and the plant nursery and landscaping business to the west.

The permitted uses, development standards and design guidelines in *The Grove* PUD are specifically tailored to promote land use and encourage development that is compatible with the MUA land use designation. *The Grove* PUD includes additional protections to the surrounding land uses, including: restricted uses; larger setbacks; limited establishment areas and orienting building activity toward 40th Street or Southern Avenue away from neighborhoods; limited

building height; enhanced perimeters and on-site landscaping; and low-level lighting. *The Grove* PUD is carefully designed to be respectful of the surrounding community and its history, as well as the overall agricultural character of the South Mountain community.

Design Principle: Design neighborhood retail to be compatible in scale and character and oriented towards the residential areas that it serves, in terms of both design and pedestrian linkages. Traffic noise or other factors should not negatively impact adjacent residential areas.

The Grove PUD includes impact-mitigating development standards and design guidelines that facilitate development that is compatible in size, scale, mass and proportion to sufficiently buffer the residential development to the south and southwest. In addition to the above protections, *The Grove* PUD conceptual site plan provides: enhanced pedestrian connectivity along 40th Street and Southern Avenue; extensive landscaping, including the use of shade trees, to ensure a comfortable pedestrian experience; and primary access to *The Grove* PUD is provided from 40th Street and Southern Avenue, both arterial roadways with capacity for any increase in traffic generated by *The Grove* PUD.

a. SAFE NEIGHBORHOODS – TRAFFIC

The Grove PUD recognizes that residents want to live in communities and neighborhoods that do not have cut through or high volumes of vehicular traffic.

The Goal: The community should be protected from negative effects of the volume, speed and cut-through traffic in neighborhoods.

Land Use Principle: Minimize traffic through lower-density residential areas by locating heavy traffic generating land uses on or near arterial streets. While *The Grove* PUD is not a heavy traffic generating land use, it will generate some additional traffic. The conceptual site plan has been designed so that all traffic generated by *The Grove* will access 40th Street or Southern Avenue, or 39th Street to Southern Avenue. *The Grove* PUD will not increase traffic, including cut-through traffic, within the lower-density residential Bartlett-Heard neighborhood to the south and southwest. Additionally, *The Grove* PUD includes increased building and perimeter landscape setbacks and additional planting standards to buffer the surrounding residences and other land uses from impacts, such as on-site traffic.

The Grove PUD mitigates and prevents serious injuries caused by vehicle-to-vehicle collisions and vehicle collisions with other roadway users, such as pedestrians, bicyclists and runners. Meandering shade protected sidewalks that are setback from 40th Street and Southern Avenue provide safe, direct, pleasant paths for pedestrian, bicyclists and runners. Driveways will be constructed in accordance with all applicable City requirements to encourage safe pedestrian crossing.

b. CONNECTED NEIGHBORHOODS / HEALTHY NEIGHBORHOODS

CONNECTED NEIGHBORHOODS

The Goal: Ensure connectivity to resources and services for neighborhoods and communities.

Land Use Principle: Locate neighborhood retail to be easily accessible to neighborhoods.

Design Principle: Design and connect neighborhoods via streets, sidewalks and trails, and discourage the abandonment of streets, sidewalks and alleys that compromise connectivity.

HEALTHY NEIGHBORHOODS

The Goal: Ensure all communities and neighborhoods are designed and have the necessary infrastructure to allow residents to enjoy a healthy lifestyle.

Design Principle: Plan and design communities and neighborhoods to be pedestrian friendly and walkable.

The Grove PUD recognizes that connectivity within a community to resources and services has many benefits. Sidewalks are an important component for connecting and improving the overall health of neighborhoods. The Subject Property is currently improved with attached four-foot-wide sidewalks along 40th Street and Southern Avenue that place pedestrians uncomfortably close to high-speed traffic. *The Grove PUD* replaces this existing sidewalk with a new meandering sidewalk that is setback from the lanes of travel. The streetscape includes many design guidelines drawn from the MUA zoning district, that help preserve the agricultural character of the area, while improving pedestrian mobility. Trees and other landscaping will line the streetscape and sidewalk to create a lush appearance that complements the color, texture and density commonly found in agricultural areas of the South Mountain community. Additionally, street furniture, such as lighting and benches, will further help to create a comfortable pedestrian experience and contribute to making the South Mountain community an ideal place for residents to live, work and play.

c. CLEAN NEIGHBORHOODS

The General Plan states that clean and well-maintained communities are an indication of an area's character and helps support private investment to provide a safe and healthy community to live.

The Goal: The preservation, maintenance and improvement of property conditions should be promoted to mitigate or eliminate deterioration or blight conditions and to help encourage new development and reinvestment within our communities.

Design Principle: Support new compatible land uses that remove extremely deteriorated structures, excessive trash and debris, and other blight in neighborhoods.

The Subject Property was farmed for citrus and various crops planted by local farmers; however, the size of the property was an economic constraint as the property was either too large for an 'urban' farmer or too small for a traditional farmer to deal with transporting a tractor and workers to the area. The property did not produce enough income to make it viable as a continued business enterprise. Because of poor irrigation, inconsistent soil conditions and lack of economic viability, the Oertle/Hintze Family has been unable to maintain the viable agricultural use of the Property. Because of the vacant, fallow status of the Property, the Oertle/Hintze Family has repeatedly responded to transients trespassing and attempting to live on the Property. Ultimately, the remaining citrus trees on the Property were cut down as they were dying from old age. *The Grove* PUD supports the highest and best use of the Property. *The Grove* PUD eliminates a highly-visible, vacant, underutilized site and replaces it with a new, high-quality creative office with neighborhood and/or intermediate commercial development that is designed to be consistent with the character of the area and compatible with surrounding land uses.

(4) BUILDING THE SUSTAINBLE DESERT

The City of Phoenix General Plan states that residents want to see Phoenix expand its role as an environmental leader including more neighborhoods, businesses and facilities that are designed and built using environmentally progressive planning. Residents desire to enhance their communities to make them safe, clean and sustainable.

a. WASTEWATER / WATER SUPPLY

WASTEWATER:

The Goal: Treat, manage and use our wastewater and related Infrastructure efficiently and economically.

Land Use Principle: Maximize use of existing infrastructure and carrying capacity by encouraging redevelopment and infill.

WATER SUPPLY:

The Goal: Manage and plan for efficient delivery of safe and reliable water supplies.

Land Use Principle: Maximize use of existing infrastructure and carrying capacity by encouraging redevelopment and infill.

The Grove PUD facilitates the development of an infill site that is immediately bounded by 40th Street and Southern Avenue, both public rights-of-way with existing infrastructure, including public wastewater and water with capacity to serve *The Grove* PUD. *The Grove* PUD will help to maximize the use of existing infrastructure, while providing for safe, efficient and responsible development.

c. TREES & SHADE

The Goal: Create a network of trees and shade that integrate with the built environment to conserve ecosystem functions and provide associated benefits to residents.

Design Principle: Integrate trees and shade into the design of new development and redevelopment projects throughout Phoenix.

The Grove PUD includes trees, strategic building orientation, and other architectural elements that promote shade to improve the City's overall health, prosperity and environment. The 40th Street and Southern Avenue streetscapes, interior setbacks, and parking areas include enhanced landscaping to help promote cooler ground temperatures. The buildings are oriented inward toward the entry boulevard, parking courtyard, and building entrances to shade pedestrian routes. Additionally, the buildings will incorporate architectural elements that include overhangs, projections and other shading elements that contribute to Phoenix as a leader in green/sustainable development.

G. ZONING and LAND USE COMPATIBILITY

The approximate north-half of the Property is currently zoned C-2 BAOD. This portion of the property was rezoned from S-1 to C-2 in 1997 through Rezoning case No. Z-30-97-8. The proposal in this case included the existing Walgreen's and a commercial shopping center that did not develop. The southern portion of the Subject Property is zoned S-1 BAOD. The entire Subject Property is located within the Baseline Area Overlay District. **See Figure 6: Existing Zoning Map and Exhibit G: Existing and Proposed Zoning Map.**

The zoning and land use of adjacent properties included in the following **Surrounding Zoning and Land Use Table:**

SURROUNDING ZONING and LAND USE TABLE		
LOCATION	ZONING	LAND USE
North/East (Corner of 40th Street and Southern Avenue)	C-2 BAOD	Pharmacy/Market
North (across Southern Avenue)	S-1	Vacant Land
	R-3 SP	Day Care Center
	C-1, C-1 SP	Gas Station/ Convenience Market
East (across 40th Street)	C-1	Gas Station/ Convenience Market
	R1-6	Single-Family Residential
	IND. PK.	Industrial Park
South	RE-43 BAOD	Single-Family Residential
West	S-1SP BAOD	Vacant/Wireless Communication Facility
	MUA BAOD	Plant Nursery and Landscaping Business

As shown in both Figure 6 : The City of Phoenix 2015 General Plan Land Use Map and Exhibit G: Existing and Proposed Zoning Map, the properties located north of *The Grove* PUD and south of the I-10 Freeway, are largely designated with the Commerce Park land use designation, the City’s second most intense land use designation, which generally accommodates more intense commerce, service and employment uses. Some of the development options within the Commerce/Business Park zoning district would allow for building heights up to a maximum of 56-feet by right. With this context in mind, *The Grove* PUD provides a proper land use transition from the more intense Commerce / Business Park land uses, which is intended for zoning districts that accommodate commerce, service and employment uses and building heights up to 56-feet by right, across Southern Avenue to the single-family residences to the south and southwest of the Subject Property. Additionally, *The Grove* PUD would eliminate some of the commercial uses

permitted by the existing C-2 zoning designation on the approximate north-half of the Property, while adding land uses drawn from the MUA zoning district for the entirety of the Subject Property.

H. PERMITTED USES

The following list of uses defines Permitted Primary Uses, Use Permit Uses, Permitted Accessory Uses and Temporary Uses within *The Grove* PUD.

The developer(s) or any property owner within the defined limits of the PUD may request an interpretation of analogous use to the defined list below from the City of Phoenix Zoning Administrator. The Zoning Administrator may administratively approve a use analogous to those listed below.

I. PERMITTED PRIMARY USES

A. Mixed Use Agricultural (MUA) District Permitted.

(1) *The Grove* PUD shall allow all Permitted Primary Uses as outlined in 649 of the City Phoenix Zoning Ordinance, except that the following uses are prohibited:

(a) Single Family and Multifamily Residential

B. Commercial C-1 District – Neighborhood Retail

(1) *The Grove* PUD shall allow all Permitted Uses as outlined in Section 622 of the City of Phoenix Zoning Ordinance, except that the following uses are prohibited:

(a) Gas Stations

(b) Single-Family and Multifamily Residential

C. Commercial C-2 District – Intermediate Commercial

(1) *The Grove* PUD shall include all Permitted Uses as outlined in Section 623 of the City of Phoenix Zoning Ordinance, except that the following uses are prohibited:

(a) Adult bookstore, adult novelty store, adult theatre, adult live entertainment establishment, erotic dance or performance studio

(b) Baths, Public

(c) Bingo

(d) Bus Terminal

(e) Cigarette Service

(f) Compressed Natural Gas (CNG) Retail Sales

(g) Furs, Custom Cleaning, Storage

(h) Guns, Retail Sales and/or Repairs

(i) Mortuary

(j) Nonprofit Medical Marijuana Dispensary Facility

- (k) Pawn Shop
- (l) Steam Baths
- (m) Tobacco Oriented Retailers
- (n) Single-Family and Multifamily Residential

II. USE PERMIT USES

A. Mixed Use Agriculture (MUA) District

(1) *The Grove* PUD shall allow all Use Permit Uses as outlined in Section 649 of the City of Phoenix Zoning Ordinance, except that residential and residential related uses are prohibited.

III. PERMITTED ACCESSORY USES

A. Mixed Use Agricultural (MUA) District

(1) *The Grove* PUD shall allow all Use Permit Uses as outlined in Section 649 of the City of Phoenix Zoning Ordinance, except that residential and residential related uses are prohibited.

IV. TEMPORARY USES

A. Temporary Uses to be allowed in accordance with Section 708 of the City of Phoenix Zoning Ordinance.

I. DEVELOPMENT STANDARDS

The Grove PUD is located within the Baseline Area Overlay District (BAOD) and shall comply with all development standards and design guidelines in Section 651 of the City of Phoenix Zoning Ordinance.

DEVELOPMENT STANDARDS: <i>The Grove</i> PUD	
MAXIMUM BUILDING HEIGHT	
Commercial	Two Story and Thirty (30) feet as per Section 649.H1.b.
MINIMUM BUILDING SETBACKS	
40 th Street	40 - feet
Southern Avenue	40 - feet
South Perimeter Property Line	40 - feet
West Perimeter Property Line (adjacent to 39 th Street)	15 - feet

DEVELOPMENT STANDARDS: <i>The Grove</i> PUD	
West Perimeter Property Line (not adjacent to 39 th Street)	20 - feet
Interior Property Line (adjacent to existing Walgreens)	15 - feet
LOT COVERAGE	
Maximum Lot Coverage	35%
Accessory Structures, Excluding Parking Canopies	Calculated as part of the lot coverage except for Pedestrian Shade Structures such as covered walkways and or open space covers which do not exceed 12 feet in height shall not be calculated as part of lot coverage.
MAXIMUM SQUARE FOOTAGE PER ESTABLISHMENT (Calculated for building footprint only, interior mezzanine and / or second story areas and overhangs/ projections do not count against the maximum square footage per establishment.)	
Maximum square footage per establishment shall not exceed 50,000 Sq. Ft.	
MINIMUM OPEN SPACE	
25% Minimum of Net Area	
PARKING REQUIREMENTS	
Section 702	
MINIMUM LANDSCAPE SETBACKS	
40 TH Street	Average 40 – feet along arterial streets, minimum 30 - feet permitted for up to 50% of the frontage.
Southern Avenue	Average 40 – feet along arterial streets, minimum 30 - feet permitted for up to 50% of the frontage.
West Perimeter Property Line (adjacent to 39 th Street)	Average 25 – feet along local streets, min. 20 feet for up to 50% of the frontage.
PLANT TYPE	MINIMUM PLANTING SIZE

DEVELOPMENT STANDARDS: <i>The Grove</i> PUD	
Trees	Min. 2-inch caliper (45% of required trees) Min. 3-inch caliper or multi-trunk tree (30% of required trees) Min. 4-inch caliper or multi trunk tree (25% of required trees) Tree spacing 25-feet on center or equivalent groupings
Shrubs	Min. five (5) 5-gallon shrubs per tree
South Perimeter Property Line	Min. 10 – feet (landscaped setback) Min. 35 – (feet open space calculated as a percentage of the total open space requirement) Setbacks and/or open space area includes a double row of trees in a grove like pattern Min. 20 - feet on center
West Perimeter Property Line (not adjacent to 39 th Street)	Min. 10 – feet
PLANT TYPE	MINIMUM PLANTING SIZE
Trees	Min. 2-inch caliper (60% of required trees) Min. 1-inch caliper (40% of required trees) Tree spacing 25-feet on center or equivalent groupings
Shrubs	Min. five (5) 5-gallon shrubs per tree
PARKING LOT AREA	
Interior Surface Area	Min. 15% (Exclusive of perimeter landscaping and all required setbacks except open space areas)
Landscape Planters	At ends of each row of parking & approx. every 110'
Landscape Planters, single row of parking	Min. 120 sq. ft.
Landscape Planters, double row of parking	Min. 240 sq. ft.
Additional parking lot landscaping	As needed to meet 15% minimum requirement, evenly distributed throughout the entire parking lot. Min. interior dimension 5' (length and width). In accordance with the BAOD Section 651
PLANT TYPE	MINIMUM PLANTING SIZE
Trees	Min. 2-inch caliper (60% of required trees) Min. 1-inch caliper 40% of required trees)

DEVELOPMENT STANDARDS: <i>The Grove</i> PUD	
Shrubs	Min. five (5) 5-gallon shrubs per tree
PARKING LOT AREA ADJACENT TO BUILDING	
Building facades within 100' of the public right-of-way or adjacent to public entries to the building (excluding alleys)	Min. 25% of the exterior wall length shall be treated with either a landscaped planter a min. five (5) feet in width or an arcade or equivalent feature
Trees	Min. 2-inch caliper (60% of required trees) Min. 1-inch caliper 40% of required trees)
Shrubs	Min. five (5) 5-gallon shrubs per tree
PLANT LIST	Plant materials in required landscape areas shall be limited to those listed on the Mixed Use Agricultural and/or the Baseline Area Overlay District plant lists

J. LANDSCAPE STANDARDS

The landscaping concept for *The Grove* PUD is intended to preserve and foster the character of the area through the use of plant materials that have historic significance for ornamental or crop use in agricultural areas of Phoenix. The landscape concept plans combine traditional trees, shrubs, groundcovers, accent plants, and vines that have been historically used in South Mountain’s farming areas and drought tolerant plants that have a lush appearance which complements the color, texture, and density of the traditional plants.

The entry boulevard, parking courtyard and tree groves, building entrances, and pedestrian routes include enhanced landscaping that is compatible with traditional agrarian development. This generous landscaping helps *The Grove* PUD to seamlessly blend into the fabric of the community, as well as create a comfortable and inviting pedestrian environment that will increase the usability of the buildings throughout the year and promote pedestrian activities, in accordance with the MUA zoning district design guidelines.

The entrance to *The Grove* PUD will be clearly defined as a major entry using theme trees planted in a ‘grove-like’ pattern, shrubs, ground cover, accent plants and vines, or a combination thereof, in accordance with the MUA and BAOD zoning districts design guidelines. This landscaped area will be planted and maintained with a variety of plant materials, including flowers. The landscaped entryway will add character and a pleasing aesthetic image to *The Grove* PUD while maintaining the historical character of the area. The ingress/egress at the southeast

corner of the Property along 40th Street and at the ingress/egress at the southeast corner of 39th Street and Southern Avenue will also be defined as secondary entries through the use of enhanced planting.

The 'grove-like' parking courtyard along 40th Street and other areas of the surface parking lot will be landscaped to promote a more rural character typical of the area. Landscaping may include traditional trees, shrubs, groundcovers, accent plants, and vines.

The Grove PUD landscape concept plan promotes shade-protected sidewalks. Trees should be planted to provide a shade canopy for pedestrians. At maturity, the plants should provide coverage that helps to reduce ground temperatures and promotes pedestrian comfort throughout the year and increases the usability of the planned pedestrian connections along the perimeter of the Property and on-site. **See Exhibit H: Streetscape Landscape.**

The Grove PUD provides for a diverse and well-planned landscape that is consistent with the MUA and BAOD zoning district planting standards and design guidelines and emulates the existing landscaping in the area.

Additional Landscape Standards / Design Guidelines:

The additional following standards/design guidelines in the MUA and BAOD zoning districts shall also apply:

- a. Any plants listed in the invasive species list in Appendix B of the Sonoran Preserve Edge Treatment Guidelines, Section 507, Tab A (3.7) shall be prohibited on the Property.
- b. Where prominent existing plant materials are native species, then the landscaping should be limited to the Sonoran Plant List.
- c. Trees within the parking courtyard and perimeter landscape setback areas should be arranged in a 'grove-like' pattern to promote the historical character of the area.
- d. Landscaped area visible from public rights-of-way should include flowers.
- e. A landscaped main entry drive shall be provided to all commercial centers. The Landscaped areas(s) shall be a minimum of seven hundred square feet in area and be planted and maintained with a variety of at least three plant materials including a series of annuals that will each maintain a constant bloom through out the year.

K. DESIGN GUIDELINES AND STANDARDS

The design guidelines contained in *The Grove* PUD reflect the suggested goals and policies for development in the MUA zoning district. The intent of the Design Guidelines is to encourage new development which is consistent with the traditional design and character of the area. The open, heavily landscaped character of agricultural properties should be reflected in *The Grove* PUD, which builds on past successes and ensures the future viability of the South Mountain community. **See Exhibit I: Conceptual Perspective Rendering and Exhibit J: Colors and Materials Palette.**

The additional following Design Guidelines and Standards are based on the MUA Design Guidelines and Standards in Section 649.J of the Zoning Ordinance.

1. **Building Orientation and Massing**

- a. Development should incorporate architectural elements that emphasize horizontal planes, such as overhangs, projections, alcoves, varied roof-planes, and building offsets that are designed to minimize mass and volume;
- b. Shaded walkways should be provided along the street facing façade;
- c. Changes in façade, such as material, window design, façade height or decorative details should be expressed so that the composition appears to be a collection of smaller buildings;
- d. The amount of cut and fill should be the minimum amount necessary to accommodate with traditional agrarian design.
- e. Buildings should be oriented towards the street by placing the primary entrance on the street frontage;
- f. Incorporate canopies to add visual interest and dimension to the buildings;
- g. Encourage building modulation, indentation and four-sided architecture;
- h. Emphasize the primary entrances to the buildings with enhanced architecture and landscaping.

2. **Building Materials**

Particular attention to detail should be given to all sides of buildings to ensure the architectural theme/style is articulated on all sides. Building materials should be “carried” from the main elevation to other elevations/sides of a building. Building materials may include:

- a. Stone or stone veneer;

- b. Brick;
- c. Decorative concrete block;
- d. Metal;
- e. Glass;
- f. Wood or wood-like accents;
- g. Stucco and synthetic stucco, not to exceed seventy percent (70%) of the exterior wall surface area fronting public rights-of-way.

3. Roofs

- a. Barrel tile roofs are prohibited;
- b. Pitched roof elements, accents or facades are encouraged;
- c. Flat roofs should include a false front parapet;
- d. Overhanging eaves and exposed rafters (metal or otherwise) as accents are encouraged.

4. Windows

- a. Ground floor building elevations which face public right-of-way or pedestrian plazas should include a minimum of forty percent (40%) and maximum of (70%) of the façade area as windows and doors between three feet and seven feet above finished floor elevation;
- b. All windows must achieve a visible transmittance rating of 0.85 or higher.

5. Bay or Loading Doors

- a. Maximum number of bay and loading doors shall not exceed six with a maximum of two per building on the Property. Bay and loading doors shall be a minimum of 100 feet from any residential building zoning district line.
- b. Bay and loading doors shall be a minimum of 100 feet from an arterial street and 75 feet from an interior street.
- c. A combination of landscaping along perimeter and or walls shall provide screening of bay and loading doors.

6. Fence and or walls

- a. Solid eight (8) feet high block wall permitted on South border of property adjacent to residential uses.

- b. Fences and Walls shall comply with all applicable requirements in Sections 649.J.1 and 703 of the Zoning Ordinance with the exception of the south border wall.
- c. The design, materials and colors for all walls, fences, and screening devices visible from public view within *The Grove* shall be uniform in appearance. Solid walls or fences shall be prohibited along 40th Street and Southern Avenue, except for screening of parking or mechanical equipment, to minimize obstructed views or otherwise detract from the character of the area. Solid walls or fences may be appropriate interior to the Property, as determined by the City's Planning and Development Department during the site plan review process.

7. Open Space

- a. Open space accessible to the public may be used for storm water retention.
- b. Required open space accessible to the public may be active (pasture/riding ring, food or flower garden, citrus grove) or passive (landscaped area).

L. SIGNS

Signage shall comply with all applicable requirements for commercial signage in Section 705 of the Zoning Ordinance, except as modified by the regulations set forth in Section 649. Additional signage may be approved through Design Review or a Comprehensive Sign Plan in accordance with Section 705.E.1 and 2, respectively. Signs which are not visible beyond the boundaries of the Property shall not be regulated as signs.

M. LIGHTING

Lighting shall comply with MUA Sections 649 and all other applicable lighting requirements and/or design guidelines of Zoning Ordinance.

The following additional requirements shall also apply in *The Grove* PUD:

- 1. On-site lighting shall be accomplished with low-level, uniform lighting fixtures dispersed throughout the Property with a lumen rating of 3,000 or less;
- 2. All on-site lighting is to be shielded to prevent direct visibility of the light source from adjacent property;

3. Lighting should be shielded with cut-off fixtures and deflectors to direct light downward and limit on-site lighting levels to a maximum of one-foot candle at the property line;
4. Parking lot and security lighting shall not exceed a maximum of (15-feet) fifteen feet in height including lamp, pole, and base within 150-feet of a residential zoning district;
5. All south and west facing building mounted light fixtures shall not exceed a maximum of fifteen feet in height;

General site light poles, building area lighting, and emergency ingress/egress lighting will be finished similar to adjacent buildings/ wall finishes.

N. SUSTAINABILITY

The Grove PUD should be a development that recognizes the trend to incorporate sustainable development practices where feasible. The concept of sustainability recognizes that projects should seek to integrate within and conform the character of the area. We are committed to comply with at least three of the seven sustainability practices.

1. Preserve the character of the existing bridle path adjacent to the south property line by providing appropriate landscaping that reflects the agricultural roots of the Property;
2. Design for effective use of energy efficient appliances and HVAC systems be demonstrating reductions in on-going power consumption building designs;
3. Utilize LED type light fixtures for common area or parking lot lighting;
4. Where possible, building design should respond to the harsh southwest climate by incorporating materials and design and building insulating methods suitable for the region;
5. Where possible, use recycled and/or salvaged, non-hazardous, construction and demolition materials where appropriate, and develop and implement a construction waste management plan to identify the materials to be diverted from disposal and whether the materials will be sorted on-site or comingled;
6. Incorporate “smart” irrigation control systems into the design and development where feasible;
7. Design for effective water usage and conservation methods in buildings by using low flow plumbing fixtures.

O. PHASING

The Grove may be constructed in phases. Individual buildings (together with the necessary site work and infrastructure for those buildings) will be developed within the Property as market conditions warrant. Plans for each phase will be submitted to the City for review and approval to ensure proper and orderly development.

P. INFRASTRUCTURE

Public sewer and water will be provided to the Property by the City. The Property is immediately bounded by public rights-of-way with existing public facilities. Each building will be connected to public water and public sewer within either 40th Street or Southern Avenue.

EXHIBIT A: COMPARATIVE STANDARDS TABLE

COMPARATIVE DEVELOPMENT STANDARDS TABLE			
	C-2 / BAOD	MUA / BAOD	<i>The Grove</i> PUD / BAOD
MAXIMUM BUILDING HEIGHT			
	30-feet / 2- stories 56-feet / 4 stories may be granted by The City Council	Residential 30 feet Commercial 20 feet as per Section 649.H1.b (Two Story 30-feet as may be granted by the City Council)	Commercial Two Story and Thirty (30) feet as per Section 649.H1.b
MINIMUM BUILDING SETBACKS			
40 th Street	25-feet; min. 25-feet for up to 50% of Structure	20-feet	40-feet
Southern Avenue	25-feet; min. 25-feet for up to 50% of structure	40-feet	40-feet
South Perimeter Property Line	1 story: 25-feet / 2-story 50-feet	20 - feet	40 - feet
West Perimeter Property Line (adjacent to 39 th Street)	25-feet; min 25-feet for up to 50% of structure	20-feet	20-feet
West Perimeter Property Line (not adjacent to 39 th St)	10- feet	15-feet	15-feet
Interior Property Lot Line (Adjacent to Walgreens)	15 - feet		
LOT COVERAGE			
Maximum Lot Coverage	50 %	35%	35%
Accessory Structures, Excluding Parking Canopies	No Requirement	No Requirement	Calculated as part of the maximum lot coverage except for Pedestrian Shade Structures such as covered walkways and or open space covers which do not exceed 12 feet in height shall not be calculated as part of lot coverage.

COMPARATIVE DEVELOPMENT STANDARDS TABLE			
	C-2 / BAOD	MUA / BAOD	The Grove PUD / BAOD
MAXIMUM SQUARE FOOTAGE PER ESTABLISHMENT (<i>Calculated for building footprint only, interior mezzanine and/or second story areas <u>and</u> overhangs/projections do not count against the maximum building footprint area</i>)			
	No Requirement	Maximum square footage per establishment 15,000 sq. ft.	Maximum square footage per establishment shall not exceed 50,000 sq. ft.
MINIMUM OPEN SPACE			
	No Requirement	25%	25% Min. of Net Area
PARKING REQUIREMENTS			
	Section 702	Section 702	Section 702
MINIMUM LANDSCAPE SETBACKS			
40 th Street	Average 25-feet for structures not exceeding 2-stories or 30-feet, min 20 feet permitted for up to 50% of the frontage	Average 35-feet along arterial streets, minimum 30-feet permitted for up to 50% of the frontage	Average 40 - feet along arterial streets, minimum 30-feet permitted for up to 50% of the frontage
Southern Avenue	Average 25-feet for structures not exceeding 2-stories or 30-feet, min 20 feet permitted for up to 50% of the frontage	Average 35-feet along arterial streets, minimum 30-feet permitted for up to 50% of the frontage	Average 40 - feet along arterial streets, minimum 30-feet permitted for up to 50% of the frontage
West Perimeter Property Line (adjacent to 39 th Street)	Average 25 – feet along local streets, min. 20 feet for up to 50% of the frontage	Average 25 – feet along local streets, min. 20 feet for up to 50% of the frontage	Average 25 – feet along local streets, min. 20 feet for up to 50% of the frontage
PLANT TYPE			
Trees	Min. 2-inch caliper (50% of required trees) Min. 3-inch caliper or multi-trunk tree (25% of required trees) Min. 4-inch caliper or multi-trunk tree (25% of required trees)	Min. 2-inch caliper (50% of required trees) Min. 3-inch caliper or multi-trunk tree (25% of required trees) Min. 4-inch caliper or multi-trunk tree (25% of required trees)	Min. 2-inch caliper (45% of required trees) Min. 3-inch caliper or multi-trunk tree (30% of required trees) Min. 4-inch caliper or multi-trunk tree (25% of required trees) Tree spacing 25-feet on center or equivalent groupings
Shrubs	Min. five (5) 5-gallon shrubs per tree	Min. five (5) 5-gallon shrubs per tree	Min. five (5) 5-gallon shrubs per tree

COMPARATIVE DEVELOPMENT STANDARDS TABLE			
	C-2 / BAOD	MUA / BAOD	<i>The Grove</i> PUD / BAOD
MINIMUM LANDSCAPE SETBACK (PERIMETER PROPERTY LINE NOT ADJACENT TO A STREET)			
South Perimeter Property Line	10-feet	10-feet	10 - feet (landscape setback) 35 – feet (Open Space calculated as a percentage of the overall open space requirement) Setbacks and/or open space area includes a double row of trees in a grove like pattern min. 20 - feet on center
West Property Line (Not adjacent to 39 th Street)	10-feet	10-feet	10-feet
PLANT TYPE	MINIMUM PLANTING SIZE		
Trees	Min. 2-inch caliper (60% of required trees) Min. 1-inch caliper (40% of required trees)	Min. 2-inch caliper (60% of required trees) Min. 1-inch caliper (40% of required trees)	Min. 2-inch caliper (60% of required trees) Min. 1-inch caliper (40% of required trees)
Shrubs	Min. five (5) 5-gallon shrubs per tree	Min. five (5) 5-gallon shrubs per tree	Min. five (5) 5-gallon shrubs per tree
PARKING LOT AREA			
Interior Surface Area	10% (Exclusive of perimeter landscaping and all required setbacks)	10% (Exclusive of perimeter landscaping and all required setbacks)	15% (Exclusive of perimeter landscaping and all required setbacks except open space areas)
Landscape Planters	At ends of each row of parking & approx. every 110'	At ends of each row of parking & approx. every 110'	At ends of each row of parking & approx. every 110'
Landscape Planters, single row of parking	Min. 120 sq. ft.	Min. 120 sq. ft.	Min. 120 sq. ft.
Landscape Planters, double row of parking	Min. 240 sq. ft.	Min. 240 sq. ft.	Min. 240 sq. ft.
Additional parking lot landscaping	As needed to meet 10% minimum requirement, evenly distributed throughout the entire parking lot. Min. interior dimension 5' (length and width)	As needed to meet 10% minimum requirement, evenly distributed throughout the entire parking lot. Min. interior dimension 5' (length and width)	As needed to meet 15% minimum requirement, evenly distributed throughout the entire parking lot. Min. interior dimension 5' (length and width) In accordance with the BAOD Section 651

COMPARATIVE DEVELOPMENT STANDARDS TABLE			
	C-2 / BAOD	MUA / BAOD	<i>The Grove</i> PUD / BAOD
PLANT TYPE	MINIMUM PLANTING SIZE		
Trees	Min. 2-inch caliper (60% of required trees) Min. 1-inch caliper (40% of required trees)	Min. 2-inch caliper (60% of required trees) Min. 1-inch caliper (40% of required trees)	Min. 2-inch caliper (60% of required trees) Min. 1-inch caliper (40% of required trees)
Shrubs	Min. five (5) 5-gallon shrubs per tree	Min. five (5) 5-gallon shrubs per tree	Min. five (5) 5-gallon shrubs per tree
ADJACENT TO A BUILDING			
Building facades within 100' of the public right-of-way or adjacent to public entries to the building (excluding alleys)	Min. 25% of the exterior wall shall be either treated with a landscaped planter a min. five (5) feet in width or an arcade or equivalent feature.	Min. 25% of the exterior wall shall be either treated with a landscaped planter a min. five (5) feet in width or an arcade or equivalent feature.	Min. 25% of the exterior wall shall be either treated with a landscaped planter a min. five (5) feet in width or an arcade or equivalent feature.
PLANT TYPE	MINIMUM PLANTING SIZE		
Trees	Min. 2-inch caliper (60% of required trees) Min. 1-inch caliper (40% of required trees)	Min. 2-inch caliper (60% of required trees) Min. 1-inch caliper (40% of required trees)	Min. 2-inch caliper (60% of required trees) Min. 1-inch caliper (40% of required trees)
Shrubs	Min. five (5) 5-gallon shrubs per tree	Min. five (5) 5-gallon shrubs per tree	Min. five (5) 5-gallon shrubs per tree

EXHIBIT B: AERIAL MAP



Exhibit C: Z-51-16

THAT PORTION OF SECTION THIRTY-SIX (36), T1N3, R3E OF THE GILA AND SALT RIVER BASE AND MERIDIAN, AS CONVEYED TO THE CITY OF PHOENIX BY PATENT RECORDED IN DOCKET 12816, PAGE 695 DESCRIBED AS FOLLOWS:

LOT FIFTY-SIX (56), BARTLETT-HEARD LANDS, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, IN BOOK 13 OF MAPS, PAGE 35;

EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE NORTH AND EAST 33 FEET OF THE NORTH EAST OF SECTION THIRTY-SIX (36), TOWNSHIP ONE (1) NORTH, RANGE THREE (3) EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, AS CONVEYED TO THE CITY OF PHOENIX BY PATENT RECORDED IN DOCKET 12816, PAGE 695;

AND EXCEPT THEREFROM THOSE PARTS OF LOT 56, BARTLETT-HEARD LANDS DESCRIBED AS FOLLOWS:

COMMENCING AT A CITY OF PHOENIX BRASS CAP IN A HANDHOLE FOUND AT THE NORTHEAST CORNER OF SAID SECTION 36, FROM WHICH A MARICOPA COUNTY HIGHWAY DEPARTMENT BRASS CAP IN A HANDHOLE, FOUND AT THE EAST QUARTER CORNER OF SAID SECTION 36 BEARS SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 2650.00 FEET;

THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 36, A DISTANCE OF 62.38 FEET TO A POINT;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 42.00 FEET TO A POINT ON A LINE PARALLEL WITH AND 42.00 FEET WEST OF THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 36, SAID POINT BEING THE **TRUE POINT OF BEGINNING**.

THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG SAID LINE, A DISTANCE OF 247.16 FEET TO A POINT; THENCE SOUTH 01 DEGREES 08 MINUTES 45 SECONDS EAST, ALONG EXISTING RIGHT OF WAY, A DISTANCE OF 71.22 FEET TO A POINT; THENCE NORTH 76 DEGREES 56 MINUTES 30 SECONDS WEST, A DISTANCE OF 55.30 FEET TO A POINT;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 280.05 FEET TO A POINT;

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 225.82 FEET TO A POINT;

THENCE NORTH 08 DEGREES 41 MINUTES 36 SECONDS WEST, A DISTANCE OF 56.14 FEET TO A POINT;

THENCE NORTH 01 DEGREES 58 MINUTES 56 SECONDS WEST, A DISTANCE OF 26.37 FEET TO A POINT;

THENCE NORTH 47 DEGREES 41 MINUTES 03 SECONDS WEST, A DISTANCE OF 23.67 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF SOUTHERN AVENUE;

THENCE SOUTH 89 DEGREES 22 MINUTES 32 SECONDS EAST, ALONG A SAID LINE, A DISTANCE OF 50.26 FEET TO A POINT;

THENCE NORTH 89 DEGREES 28 MINUTES 43 SECONDS EAST, ALONG SAID LINE, A DISTANCE OF 289.16 FEET TO A POINT; THENCE SOUTH 45 DEGREES 15 MINUTES 52 SECONDS EAST, A DISTANCE OF 28.15 FEET TO THE **TRUE POINT OF BEGINNING**.

PARCEL NO. 2

NON-EXCLUSIVE EASEMENTS AS SET FORTH IN DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED MAY 5, 1998 AS 98-0372478 OF OFFICIAL RECORDS.

EXHIBIT D: CONCEPTUAL SITE PLAN



The Grove

CONCEPTUAL SITE PLAN

EXHIBIT E: CONTEXTUAL SITE PLAN



The Grove

CONTEXTUAL SITE PLAN

EXHIBIT F: CITY OF PHOENIX 2015 GENERAL PLAN LAND USE MAP

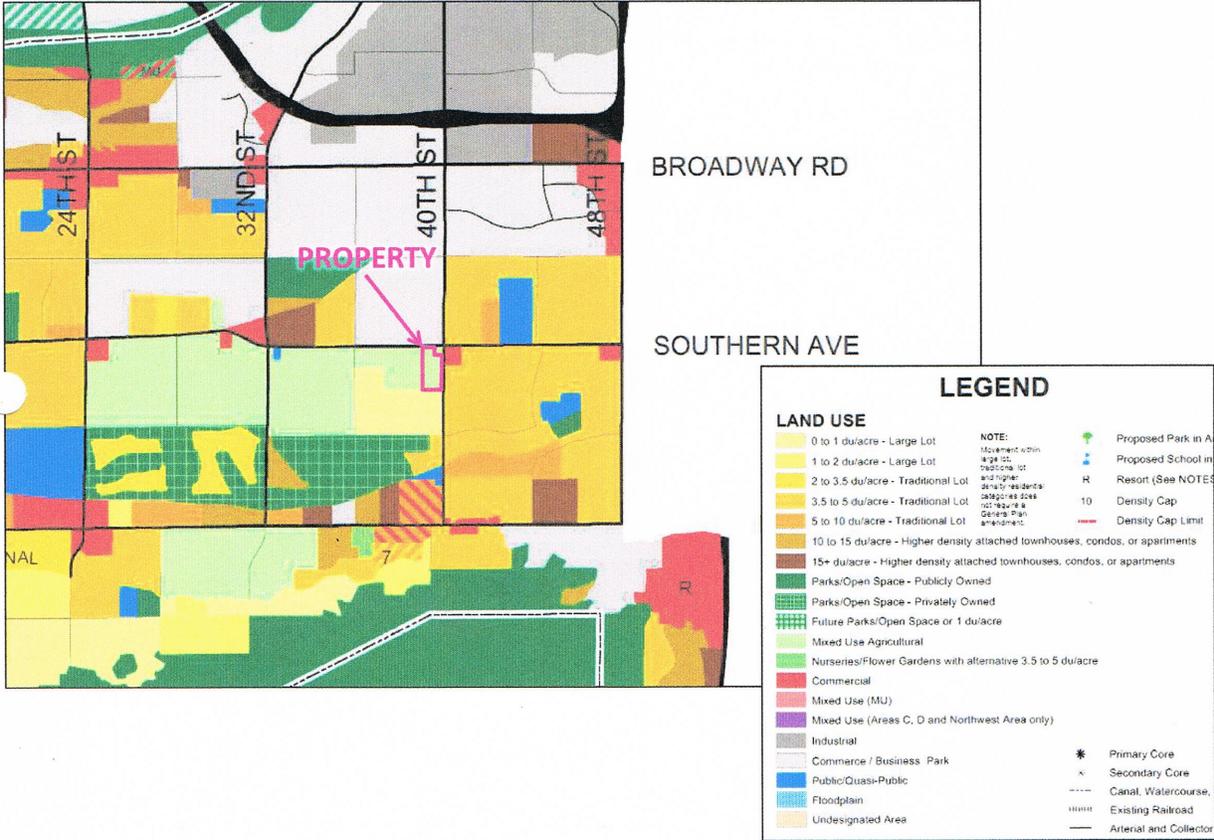
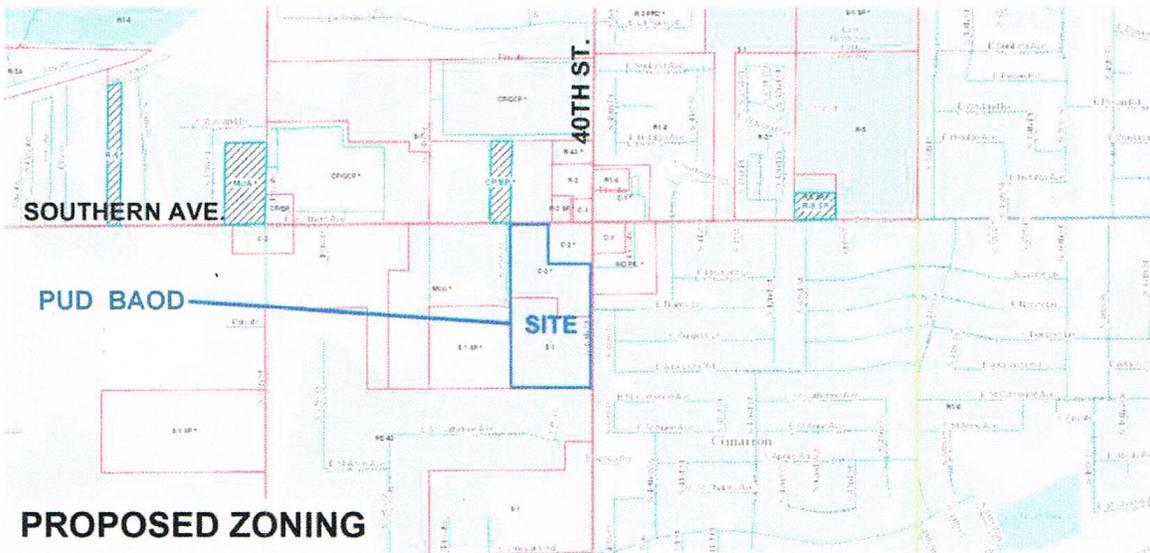
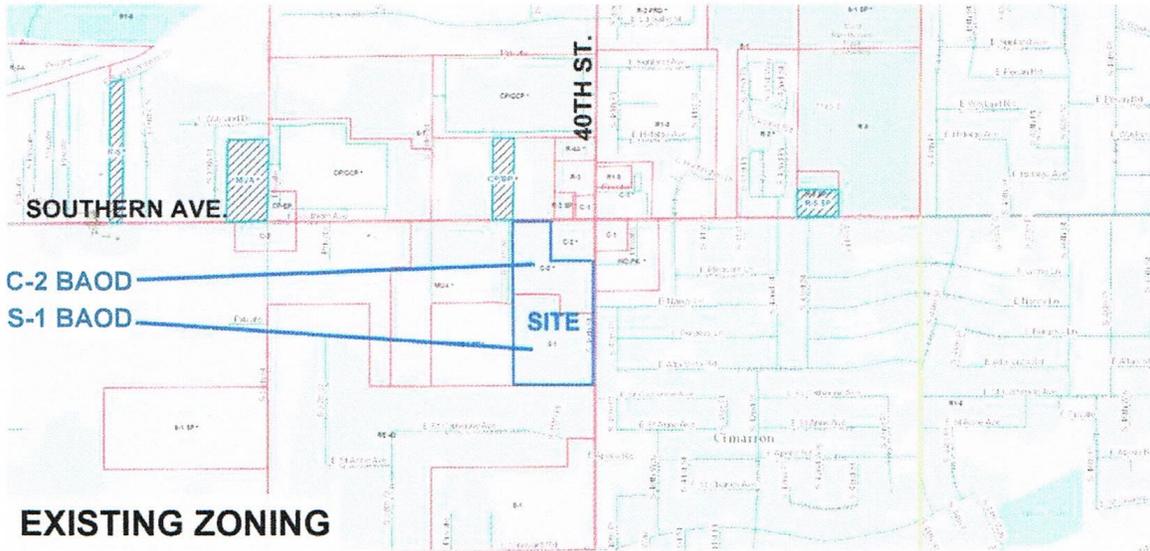


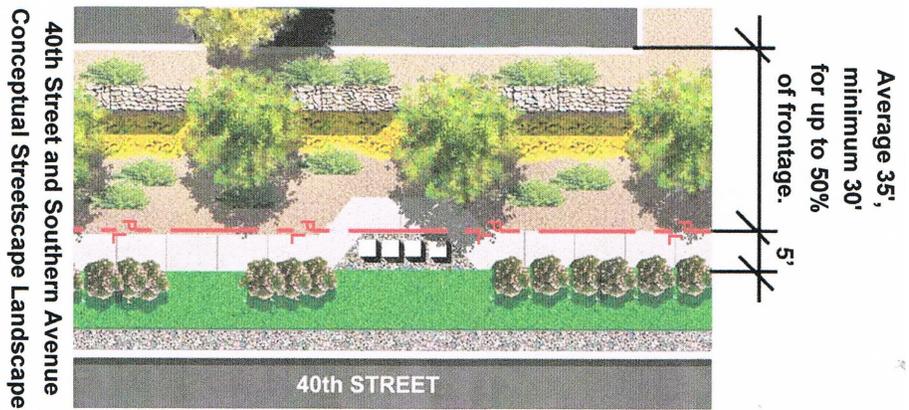
EXHIBIT G: EXISTING AND PROPOSED ZONING MAP



The Grove

ZONING MAP

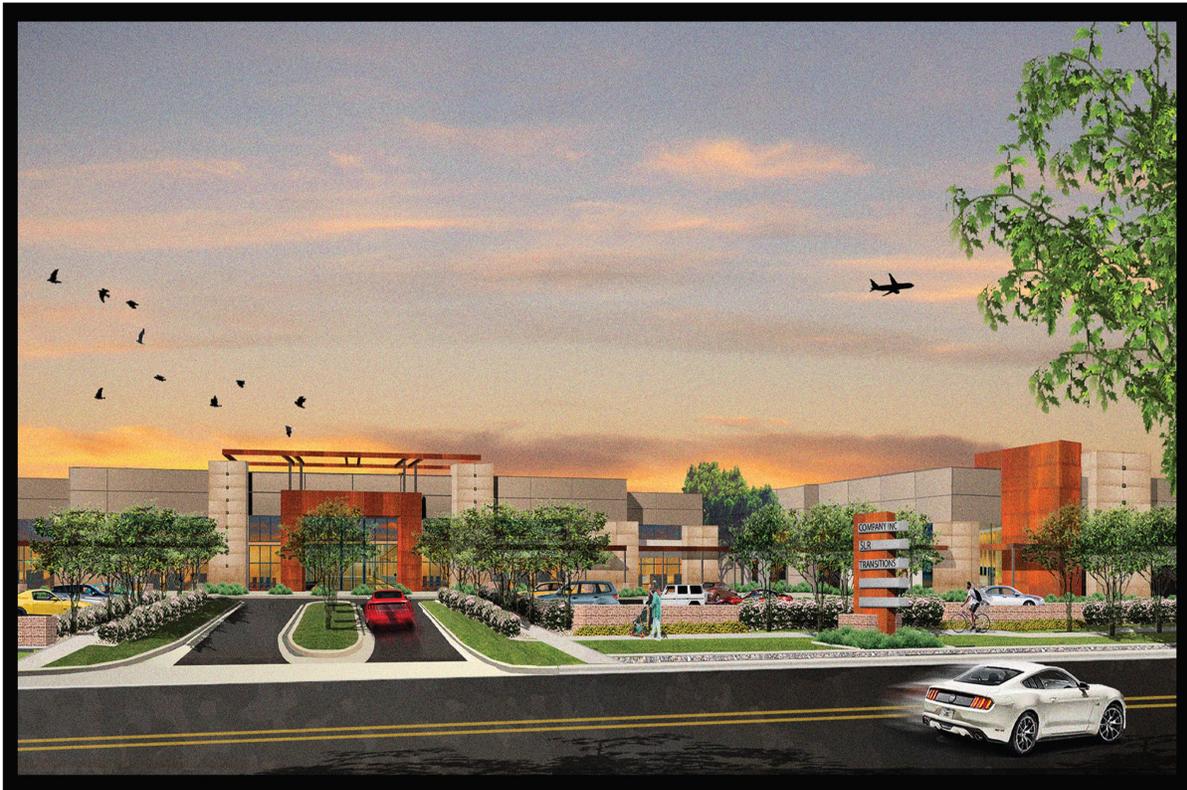
EXHIBIT H: LANDSCAPE VIGNETTES



The Grove

LANDSCAPE VIGNETTES

EXHIBIT I: CONCEPTUAL PERSPECTIVE RENDERING STREET VIEW CONCEPT

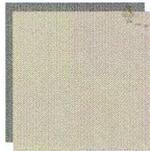


The Grove

STREET VIEW CONCEPT

EXHIBIT J: COLORS AND MATERIALS PALLETTE

THE GROVE - COLOR PALETTE
EARTH TONES / DESERT NEUTRAL



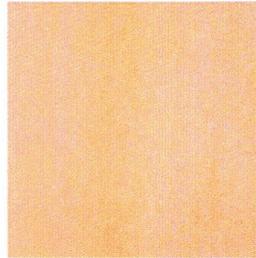
BODY PAINT 1



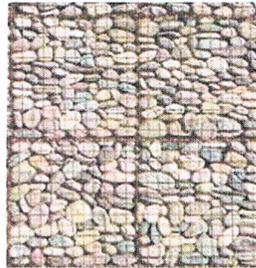
BODY PAINT 2



ACCENT PAINT 1



CORTEN STEEL
(OR PAINT SIMILAR
FOR RUSTICATED
APPEARANCE)



GABION ROCK WALL



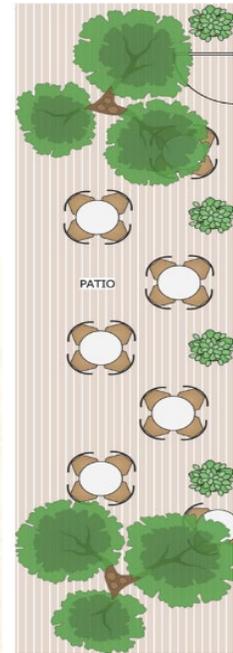
WOOD



The Grove

COLOR PALATTE

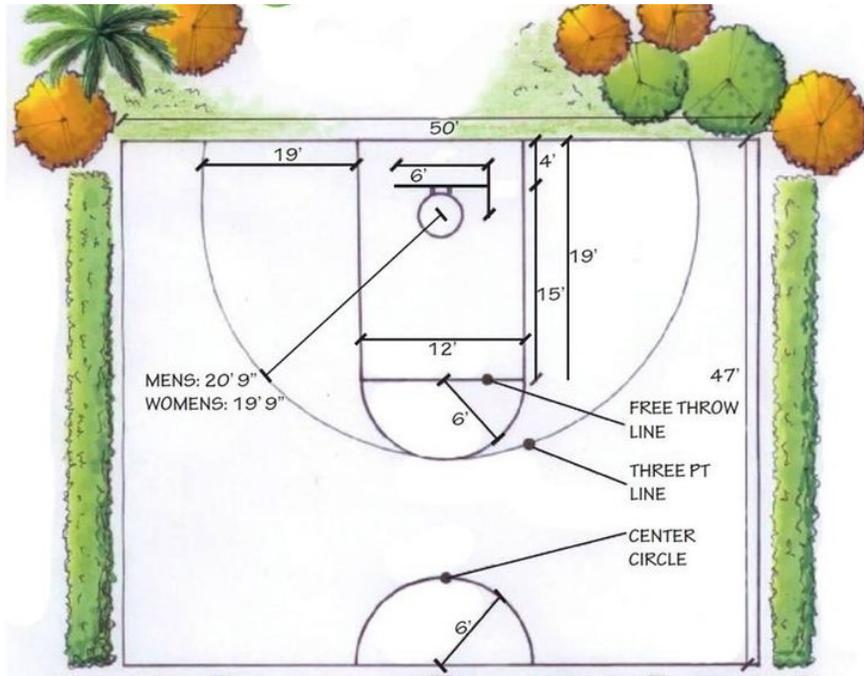
EXHIBIT K: CONCEPTUAL OPEN SPACE EXHIBIT



The Grove

CONCEPTUAL OPEN SPACE

EXHIBIT K: CONCEPTUAL OPEN SPACE EXHIBIT



The Grove

CONCEPTUAL OPEN SPACE