



City of Phoenix
PLANNING & DEVELOPMENT DEPARTMENT

October 4, 2023

Larry S. Lazarus
Lazarus & Silvyn, PC
206 East Virginia Avenue
Phoenix, Arizona 85004

Dear Applicant:

RE: Z-65-22-6 – Northwest corner of 34th Street and Camelback Road

Please be advised that the Phoenix City Council, in accordance with the provisions of Section 601 of the Zoning Ordinance, as amended, has on September 6, 2023, approved Zoning Ordinance # G-7153.

Development and use of the site is subject to compliance with all applicable codes and ordinances.

Sincerely,

Joshua Bednarek
Planning and Development Director

Attachment: Signed Ordinance

c: Chanen Construction Company, et al., 3352 E. Camelback Rd., Phoenix, AZ 85018
Tricia Gomes, PDD–Planning–Deputy Director (Electronically)
Racelle Escolar, PDD–Planning–Principal Planner (Electronically)
John Roanhorse, III, PDD–Planning–Village Planner (Electronically)
Ben Kim, PDD–GIS (Electronically)

ORDINANCE G-7153

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP ADOPTED PURSUANT TO SECTION 601 OF THE CITY OF PHOENIX ZONING ORDINANCE BY CHANGING THE ZONING DISTRICT CLASSIFICATION FOR THE PARCEL DESCRIBED HEREIN (CASE Z-65-22-6) FROM R-4 (MULTIFAMILY RESIDENCE DISTRICT) TO PUD (PLANNED UNIT DEVELOPMENT).

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

SECTION 1. The zoning of a 0.93-acre site located at the northwest corner of 34th Street and Camelback Road in a portion of Section 13, Township 2 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "R-4" (Multifamily Residence District) to "PUD" (Planned Unit Development).

SECTION 2. The Planning and Development Director is instructed to modify the Zoning Map of the City of Phoenix to reflect this use district classification change as shown in Exhibit "B."

SECTION 3. Due to the site's specific physical conditions and the use district applied for by the applicant, this rezoning is subject to the following stipulations, violation of which shall be treated in the same manner as a violation of the City of Phoenix Zoning Ordinance:

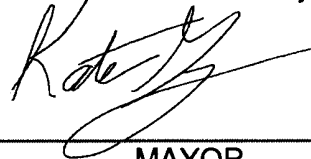
1. An updated Development Narrative for the Chanen Camelback PUD reflecting the changes approved through this request shall be submitted to the Planning and Development Department within 30 days of City Council approval of this request. The updated Development Narrative shall be consistent with the Development Narrative date stamped June 22, 2023 as modified by the following stipulations:
 - a. Front cover: Revise the date information on the cover page to the following:

City Council Adopted: [Add Adoption Date]
 - b. Page 8, Section D: Development Standards, D.1. Development Standards Table: Add the following language above the table:
"Development shall be consistent with the site plan dated June 22, 2023.
 - c. Page 9, Section D: Development Standards, D.6. Lighting: Revise the language to the following: "Lighting standards from Section 704 and Section 507.Tab A.II.8 of the Phoenix Zoning Ordinance and Section 23-100 of the City Code shall apply."
 - d. Page 8, Section D: Development Standards, D.1. Development Standards Table: Update Building Height to "2 stories, 40 feet 8 inches maximum"
 - e. Page 8, Section D: Development Standards, D.1. Development Standards Table: Add "Maximum Building Square Footage" under the Zoning Standard column and "10,176 square feet" under the Development Standards column
2. If the existing building is destroyed, any redevelopment of the site that increases and or modifies 2,000 square feet of building footprint, excluding interior building renovations not affecting the overall size or exterior layout/footprint of the existing structure, a 10-foot-sidewalk easement shall be dedicated and a minimum 6-foot-wide detached sidewalk and minimum 10-foot-wide landscape strip along the north side of Camelback Road shall be constructed, as approved by the Planning and Development Department.

3. If the existing building is destroyed, any redevelopment of the site that increases and or modifies 2,000 square feet of building footprint, excluding interior building renovations not affecting the overall size or exterior layout/footprint of the existing structure, a minimum 5-foot-wide sidewalk shall be constructed along the west side of 34th Street, as approved by the Planning and Development Department.
4. If the existing building is destroyed, any redevelopment of the site that increases and or modifies 2,000 square feet of building footprint, excluding interior building renovations not affecting the overall size or exterior layout/footprint of the existing structure, a Traffic Impact Study shall be provided to the City. No preliminary approval of plans shall be granted until the study is reviewed and approved by the Street Transportation Department.
5. If development of the site increases and or modifies 2,000 square feet of building footprint, excluding interior building renovations not affecting the overall size or exterior layout/footprint of the existing structure, the developer shall construct all streets within and adjacent to the development with paving, curb, gutter, sidewalk, curb ramps, streetlights, median islands, landscaping and other incidentals, as per plans approved by the Planning and Development Department. All improvements shall comply with all ADA accessibility standards.
6. The property owner shall record documents that disclose the existence, and operational characteristics of Phoenix Sky Harbor Airport to future owners or tenants of the property. The form and content of such documents shall be according to the templates and instructions provided which have been reviewed and approved by the City Attorney.
7. 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.

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 6th day of September,
2023.

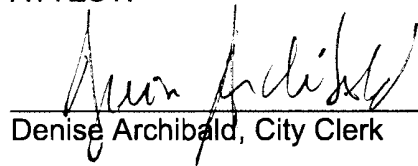


MAYOR

9/8/23

Date

ATTEST:


Denise Archibald, City Clerk



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

By: 
Jennifer Vega

P ml

REVIEWED BY:


Jeffrey Barton, City Manager

PML:ac:(LF23-2018):9-6-23:2393689_1.doc

Exhibits:

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

EXHIBIT A

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

A PARCEL OF LAND SITUATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY. ARIZONA, DESECRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SOUTHEAST QUARTER OF SOUTHEAST QUARTER ONF THE SOUTHWEST QUARTER OF SAID SECTION 13;

THENCE NORTH 0 DEGREES 27 MINUTES 38 SECONDS EAST ALONG THE EAST LING THEREOF, 281,24 FEET TO A POINT;

THENCE WEST ALONG THE LINE WHICH IS PARALLEL WITH AND 281.24 FEET NORTH TO A POINT;

THENCE WEST ALONG THE LINE WHICH IS PARALLEL WITH AND 281.24 FEET NORTH OF THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 13, 20.00 FEE TO THE TRUE POINT OF BEGINNING.

THENCE CONTINUING WEST ALONGA LINE WHICH IS PARALLEL WITH AND 281.24 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 13, 116,61 FEET TO A POINT;

THENCE SOUTH 0 DEGREES 27 MINUTES 28 SECONDS WEST 226.24 TO A POINT ON A LINE WHICH IS 55 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 13;

THENCE EAST ALONG A LINE WHICH IS 55 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 13, 116.61 FEET;

THENCE NORTH 0 DEGREES 27 MINUTES 38 SECONDS EAST ALONG A LINE WHICH IS PARALLEWITH AND 30 FEET WEST OF THE EAST LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 13; 226.24 FEET TO THE POINT OR PLACE OF BEGINNING;

EXCEPT THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 13, DESCRIBED AS FOLLOWS:

G7153

BEGINNING AT THE NORTHWEST CORNER OF THE EAST 30 FEET OF THE SOUTH 55 FEE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 13;

THENCE NORTHLY ALONG THE WEST LING OF THE EAST 30 FEE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, A DISTANCE OF 7 FEET;

THENCE SOUTHWESTERLY TO A POINT ON THE NORTH LINE OF THE SOUTH 55 FEET OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER WHICH IS 7 FEET WEST OF THE POINT OF BEGINNING;

THENCE EASTERLY, A DISTANCE OF 7 FEET TO THE POINT OF BEGINNING.

ACCESSOR PARCEL NUMBER: 170-13-029B

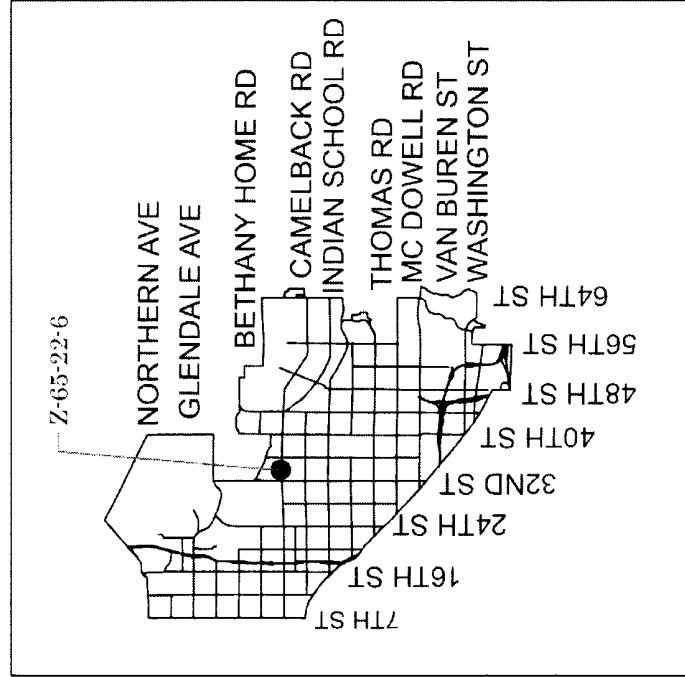
G7153

ORDINANCE LOCATION MAP

EXHIBIT B

ZONING SUBJECT TO STIPULATIONS: *
SUBJECT AREA: - - - - -

Zoning Case Number: Z-65-22-6
Zoning Overlay: N/A
Planning Village: Camelback East



0 45 90 180 Feet

NOT TO SCALE



Drawn Date: 8/11/2023

G7153