

ORDINANCE G-6765

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE CITY OF PHOENIX, CHANGING THE PUD (PLANNED UNIT DEVELOPMENT) ZONING CLASSIFICATION PREVIOUSLY APPROVED BY ORDINANCE G-6642 FOR THE PARCEL DESCRIBED HEREIN (CASE Z-36-A-19-6) TO PUD (PLANNED UNIT DEVELOPMENT) WITH AN UPDATED DEVELOPMENT NARRATIVE.

---

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

SECTION 1. The zoning of a 17.72 acre site located at the northwest corner of 44th Street and Camelback Road in a portion of Section 18, Township 2 North, Range 4 East, as described more specifically in Exhibit "A," is hereby amended with an updated development narrative.

SECTION 2. 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 44 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 September 25, 2019, as modified by the following stipulations:

- a. Front cover: Revise the submittal date information on the bottom to add the following: Major Amendment City Council Adopted: November 18, 2020.
  - b. Page 21, Footnote No. 12: Add language that explains that the City cannot enforce the prohibition of vacation rentals in multifamily residential development.
2. There shall be no access to 42nd Place and 43rd Place and the developer shall record a 1-foot non-vehicular access easement along all parcel lines adjacent to single-family zoning district or local street, except for an approximately 30-foot wide gated vehicular access and an approximately 6-foot wide gated pedestrian access located approximately 40 feet north of Camelback Road that shall be allowed between the subject property and the Medlock Drive alignment within Arcadia Villa 2, as approved by the Planning and Development Department.
  3. Development shall be responsible for the improvements and maintenance of the median islands on Camelback Road between 42nd Street and 44th Street.
  4. A sidewalk easement shall be dedicated including the full width of all sidewalks along Camelback Road and 44th Street, as approved by the Planning and Development Department.
  5. Right-of-way totaling 55 feet shall be dedicated for the north half of Camelback Road, as approved by the Planning and Development Department.
  6. 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.
  7. 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.

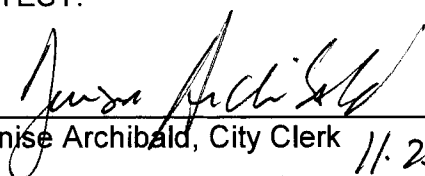
8. The developer shall dedicate right-of-way and construct a bus bay and bus stop pad along westbound Camelback Road west of 44th Street. The bus bay shall be constructed according to City of Phoenix Standard Detail P1256 and the bus stop pad shall be constructed according to City of Phoenix Standard Detail P1261 with a minimum depth of 10 feet. The bus bay and pad shall be spaced from the intersection of 44th Street and Camelback Road according to City of Phoenix Standard Detail P1258, as modified and approved by the Public Transit, Street Transportation and Planning and Development departments.
9. Prior to preliminary site plan approval, the developer shall submit a signal warrant analysis to the City of Phoenix Street Transportation Department for a location on 44th Street approximately 600 feet north of Camelback Road, as part of the Traffic Impact Study. As determined by the Street Transportation Department, if the proposed traffic signal is permitted, all associated costs for design and construction will be the responsibility of the developer.

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 18th day of November, 2020.

  
\_\_\_\_\_  
MAYOR


ATTEST:

  
\_\_\_\_\_  
Denise Archibald, City Clerk 11.25.2020



APPROVED AS TO FORM:  
Cris Meyer, City Attorney

By:   
\_\_\_\_\_  
Julie Kriegh, Chief Assistant City Attorney *Pml*

REVIEWED BY:  
  
\_\_\_\_\_  
Ed Zuercher, City Manager

Exhibits:  
A – Legal Description (1 Page)  
B – Ordinance Location Map (1 Page)

PL:tml:LF20-2717:11-18-2020:2220866v1

EXHIBIT A

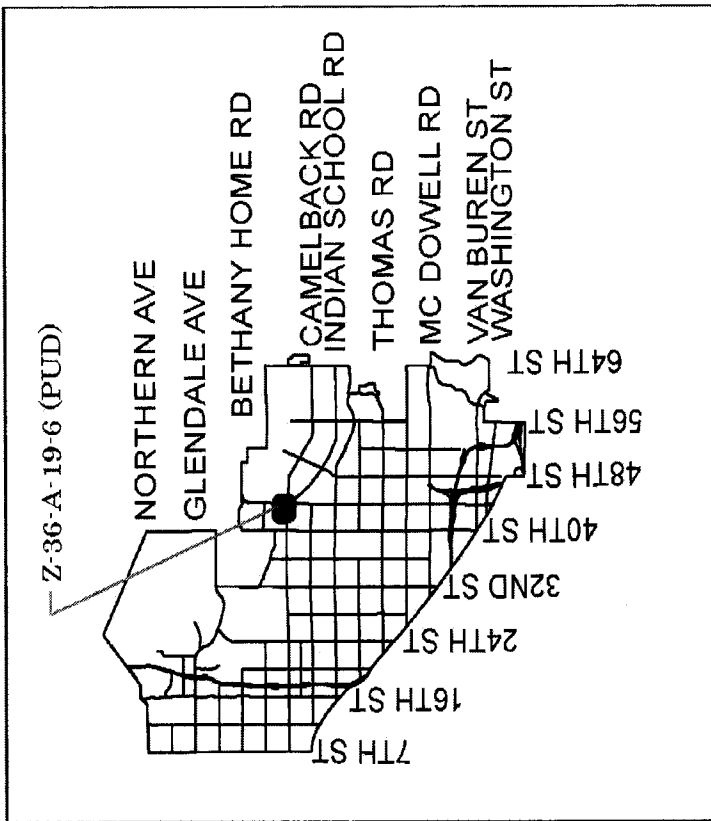
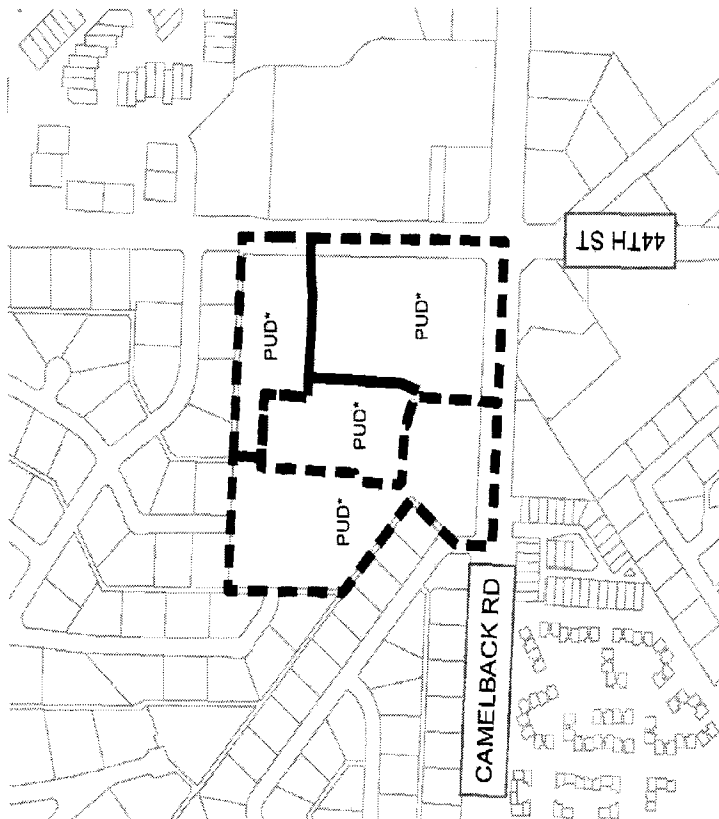
LEGAL DESCRIPTION FOR Z-36-A-19-6

Lot 1, Final Plat for Camel Square Amended, according to Book 959 of Maps, Page 8, Records of Maricopa County, Arizona, and situated in the southeast quarter of the southwest quarter of Section 18, Township 2 North, Range 4 East of the Gila and Salt River Base & Meridian, Maricopa County, Arizona.

# ORDINANCE LOCATION MAP

Zoning Case Number: Z-36-A-19-6 (PUD)  
Zoning Overlay: N/A  
Planning Village: Camelback East

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



Drawn Date: 11/13/2020