

ORDINANCE G-6685

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-32-19-6) FROM C-O/M-O SP (COMMERCIAL OFFICE DISTRICT/MAJOR OFFICE OPTION, SPECIAL PERMIT) TO PUD (PLANNED UNIT DEVELOPMENT).

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

SECTION 1. The zoning of a 5.86 acre site located approximately 360 feet south of the southeast corner of 32nd Street and Camelback Road in a portion of Section 24, Township 2 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from "C-O/M-O SP" (Commercial Office District/Major Office Option, Special Permit) 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 Clarendale Arcadia 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 December 26, 2019, as modified by the following stipulations:
 - a. Front Cover: Revise the submittal date information on the bottom to add the following: City Council adopted: [Add adoption date].
 - b. Page 11, Landscape Standards Table: Add verbiage indicating that all landscape areas be provided with a minimum of 50 percent live cover.
 - c. Page 12, Additional Development Standards Table, Shade: Update verbiage to indicate that 75 percent of public sidewalks and pedestrian ways be shaded.
 - d. Page 5, Project Overview and Goals, 3rd paragraph: Update number of rooms to indicate 121 beds for assisted living and memory care.
 - e. Page 7, Land Use Plan, Conceptual Site Plan, 2nd paragraph: Remove last sentence indicating that parapets will be set back from edge of the building.
 - f. Page 9, List of Uses: Add outdoor dining as a permitted accessory use.
 - g. Page 9, List of Uses, Permitted Accessory Uses: Update list of uses that are not available to the general public to include outdoor dining.
 - h. Page 10, Development Standards Table, Density: Update bed count to indicate 121 beds for assisted living and memory care.
 - i. Page 10, Development Standards Table, Building Height and Setbacks: Revise one-story building height section as follows:

- One-story bldg. height (20-ft.) shall be setback a min. of 65-ft from the east property line and a min. of 20-ft. from the north and west property lines.
 - One-story bldg. height (18-ft. including any parapet) shall be setback a minimum of 65-ft from the south property line.
- j. Page 10, Development Standards Table, Building Height and Setbacks: Revise Two to Five-Stories Building Height Section to add the following for the south setback: “(except that a minimum 112-foot setback shall be allowed from the south property line within 120 feet east of 32nd Street).”
- k. Page 14, Design Guidelines, Subsection C: Add an additional provision addressing the following: the building(s) shall have no south facing balconies on those portions of the building within 235 feet due north of single-family residential zoning districts. The architectural appearance of a balcony is permissible in this area.
2. The developer shall remove the right turn deceleration lane on Camelback Road at 32nd Place, as approved by the Planning and Development Department.
 3. The right-of-way shall be dedicated and a bus stop pad (City of Phoenix Standard Detail P1260) shall be constructed with a minimum depth of 10 feet along Camelback Road, east of 32nd Street, as approved by the Planning and Development Department.
 4. 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.
 5. 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.
 6. Prior to final site plan approval or a site plan amendment 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.

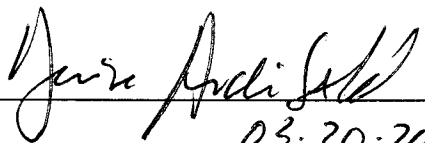
SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 18th day of March, 2020.

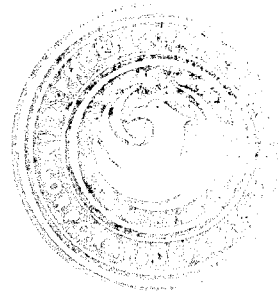


MAYOR


ATTEST:



City Clerk
03-30-2020

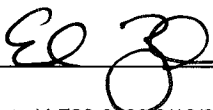


APPROVED AS TO FORM:



Acting City Attorney pml

REVIEWED BY:



City Manager

PL:tml:LF20-0199:3/18/2020:2174554v1

Exhibits:

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

EXHIBIT A

LEGAL DESCRIPTION FOR Z-32-19-6

A PARCEL OF LAND LOCATED IN A PORTION OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA & SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AND ALL OF THE SPECIAL WARRANTY DEED RECORDED IN DOCUMENT 2002-11484492, OFFICIAL RECORD OF MARICOPA COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 24 FROM WHICH THE NORTH QUARTER CORNER THEREOF BEARS SOUTH 89 DEGREES 39 MINUTES 32 SECONDS EAST, A DISTANCE OF 2697.29 FEET;

THENCE SOUTH 89 DEGREES 39 MINUTES 32 SECONDS EAST, ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 350.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 89 DEGREES 39 MINUTES 32 SECONDS EAST, ALONG SAID NORTH LINE, A DISTANCE OF 267.80 FEET;

THENCE DEPARTING SAID NORTH LINE, SOUTH 0 DEGREES 3 MINUTES 54 SECONDS WEST, A DISTANCE OF 352.00 FEET;

THENCE NORTH 89 DEGREES 39 MINUTES 32 SECONDS WEST, A DISTANCE OF 8.00 FEET;

THENCE SOUTH 0 DEGREES 3 MINUTES 54 SECONDS WEST, A DISTANCE OF 8.00 FEET;

THENCE SOUTH 46 DEGREES 43 MINUTES 47 SECONDS WEST, A DISTANCE OF 98.25 FEET;

THENCE SOUTH 0 DEGREES 01 MINUTE 0 SECONDS EAST, A DISTANCE OF 257.24 FEET;

THENCE NORTH 89 DEGREES 41 MINUTES 4 SECONDS WEST, A DISTANCE OF 537.85 FEET TO A POINT ON THE WEST LINE OF SAID NORTHWEST QUARTER;

THENCE NORTH 0 DEGREES 0 MINUTES 24 SECONDS WEST, ALONG SAID WEST LINE, A DISTANCE OF 335.25 FEET;

THENCE DEPARTING SAID WEST LINE, SOUTH 89 DEGREES 39 MINUTES 32 SECONDS EAST, A DISTANCE OF 350.06 FEET;

THENCE NORTH 0 DEGREES 01 MINUTE 0 SECONDS WEST, A DISTANCE OF 350.00 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 277,034 SQUARE FEET OR 6.360 ACRES, MORE OR LESS.

