

ORDINANCE G-6778

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-16-20-6) FROM C-2 CEPCSP (INTERMEDIATE COMMERCIAL DISTRICT, CAMELBACK EAST PRIMARY CORE SPECIFIC PLAN) AND P-1 CEPCSP (PASSENGER AUTOMOBILE PARKING DISTRICT, CAMELBACK EAST PRIMARY CORE SPECIFIC PLAN) TO PUD CEPCSP (PLANNED UNIT DEVELOPMENT, CAMELBACK EAST PRIMARY CORE SPECIFIC PLAN).

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

follows:

SECTION 1. The zoning of a 3.36 acre site located approximately 440 feet west of the northwest corner of 18th Street and Camelback Road in a portion of Section 15, Township 2 North, Range 3 East, as described more specifically in Exhibit "A," is hereby changed from 1.80 acres of "C-2 CEPCSP" (Intermediate Commercial District, Camelback East Primary Core Specific Plan) and 1.56 acres of "P-1 CEPCSP" (Passenger Automobile Parking District, Camelback East Primary Core Specific Plan) to 3.36 acres of "PUD CEPCSP" (Planned Unit Development, Camelback East Primary Core Specific Plan).

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 Alta Bluewater 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 October 14, 2020, as modified by the following stipulations:
  - a. Front cover: Revise the submittal date information on the bottom to add the following: Hearing Draft: October 14, 2020; City Council adopted: [Add adoption date].
2. The developer shall dedicate a 10-foot sidewalk easement along Camelback Road.
3. The applicant shall submit a Traffic Impact Study to the City for this development. No preliminary approval of plans shall be granted until the study is reviewed and approved by the City. Contact Mr. Matthew Wilson, Traffic Engineer III, (602) 262-7580, to set up a meeting to discuss the requirements of the study. Upon completion of the TIS the developer shall submit the completed TIS to the Planning and Development Department counter with instruction to forward the study to the Street Transportation Department, Design Section.
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. The developer shall provide \$37,500 in escrow to fund a future traffic control device along Camelback Road, between State Route 51 and 16th Street, prior to issuance of building permits, as approved by the Street Transportation Department. These escrowed funds shall be utilized within five years of the issuance of a final certificate of occupancy for the project. If escrowed funds are not utilized within this five year period, said funds may be refunded upon request of the then owner of the property.
6. 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.

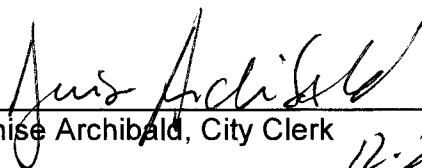
SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED by the Council of the City of Phoenix this 16th day of December, 2020.

  
MAYOR

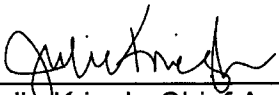


ATTEST:

  
Denise Archibald, City Clerk

12-29-2020

APPROVED AS TO FORM:  
Cris Meyer, City Attorney

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

*Pml*

REVIEWED BY:

  
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Ed Zuercher, City Manager

Exhibits:  
A – Legal Description (6 Pages)  
B – Ordinance Location Map (1 Page)

PL:tml:LF20-2695:12-16-2020:2225758v1

EXHIBIT A

LEGAL DESCRIPTION FOR Z-16-20-6

DESCRIPTION (NCS-995489-ATL)

The Land referred to herein below is situated in the County of Maricopa, State of Arizona, and is described as follows:

THAT PORTION OF THE "BILTMORE SQUARE CONDOMINIUMS, A CONDOMINIUM," LYING SOUTH OF THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, IN BOOK 2 OF MAPS, PAGE 1, AND, BEING A PORTION OF LOT 14 "ADAMS & GRAHAM SUBDIVISION," OF THE SOUTH HALF OF SECTION 15, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF SAID COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, IN BOOK 2 OF MAPS, PAGE 1;

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 14, BEING THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SOUTHWEST QUARTER OF SECTION 15;

THENCE NORTH 89 DEGREES 41 MINUTES 44 SECONDS EAST (BASIS OF BEARINGS), ALONG THE NORTH LINE THEREOF, SAID NORTH LINE ALSO BEING THE SOUTH LINE OF SAID "BILTMORE SQUARE CONDOMINIUMS, A CONDOMINIUM," A DISTANCE OF 206.38 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID NORTH LINE, NORTH 89 DEGREES 41 MINUTES 44 SECONDS EAST, A DISTANCE OF 19.32 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE ROUTE 51;

THENCE ALONG SAID WEST RIGHT-OF-WAY LINE OF STATE ROUTE 51, SOUTH 00 DEGREES 27 MINUTES 13 SECONDS WEST, A DISTANCE OF 248.71 FEET;

THENCE CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE OF STATE ROUTE 51, SOUTH 89 DEGREES 17 MINUTES 13 SECONDS EAST, A DISTANCE OF 2.51 FEET;

THENCE CONTINUING ALONG SAID WEST RIGHT-OF-WAY LINE OF STATE ROUTE 51, SOUTH 00 DEGREES 26 MINUTES 38 SECONDS WEST, A DISTANCE OF 13.77 FEET TO A POINT ON THE SOUTH LINE OF "HUNTCROFT UNIT TWO,"

ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF SAID COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, IN BOOK 63 OF MAPS, PAGE 50;

THENCE ALONG SAID SOUTH LINE, SOUTH 89 DEGREES 41 MINUTES 44 SECONDS WEST, A DISTANCE OF 39.73 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 14 SECONDS EAST, A DISTANCE OF 131.25 FEET;

THENCE NORTH 89 DEGREES 41 MINUTES 44 SECONDS EAST, A DISTANCE OF 19.96 FEET;

THENCE NORTH 00 DEGREES 00 MINUTES 14 SECONDS EAST, A DISTANCE OF 131.25 FEET TO THE TRUE POINT OF BEGINNING.

DESCRIPTION (NCS-990413-PHX1)

The Land referred to herein below is situated in the County of Maricopa, State of Arizona, and is described as follows:

PARCEL NO. 1:

LOTS 111, 112, 113, 114 AND 115, HUNTCROFT UNIT TWO, ACCORDING TO BOOK 63 OF MAPS, PAGE 50, RECORDS OF MARICOPA COUNTY, ARIZONA; EXCEPT THAT PORTION OF LOT 115 LYING EAST OF THE FOLLOWING DESCRIBED LINE DESIGNATED HEREIN AS LINE A;

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 115;

THENCE SOUTH 89 DEGREES 41 MINUTES 20 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 115, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 00 DEGREES 00 MINUTES 10 SECONDS WEST, A DISTANCE OF 97.93 FEET TO A POINT ON THE SOUTHERLY LINE OF PASADENA AVENUE AND THE POINT OF TERMINATION.

PARCEL NO. 2:

THAT PORTION OF THE ABANDONED ALLEYS THAT IS CONVEYED BY OPERATION OF LAW AS SET FORTH IN RESOLUTION NO. 17663 OF THE CITY OF PHOENIX, RECORDED APRIL 13, 1990 IN RECORDING NO. 90-164706, RECORDS OF MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 111 IN SAID HUNTCROFT UNIT TWO;

THENCE WEST ALONG THE NORTH LINE OF SAID LOT 111 AND ALONG THE NORTH LINE OF LOT 112 IN SAID HUNTCROFT UNIT TWO TO THE MOST NORTHERLY NORTHWEST CORNER OF SAID LOT 112;

THENCE SOUTHWESTERLY ALONG THE LOT LINE OF SAID LOT 112 TO THE MOST WESTERLY NORTHWEST CORNER THEREOF;

THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 112, AND THE WEST LINE OF LOT 113 AND THE WEST LINE OF LOT 114 IN SAID HUNTCROFT UNIT TWO TO THE MOST WESTERLY SOUTHWEST CORNER OF SAID LOT 114;

THENCE SOUTHEASTERLY ALONG THE LOT LINE OF SAID LOT 114 TO THE MOST SOUTHERLY SOUTHWEST CORNER THEREOF;

THENCE EAST ALONG THE SOUTH LINE OF SAID LOT 114 AND ALONG THE SOUTH LINE OF LOT 115 IN SAID HUNTCROFT UNIT TWO TO THE SOUTHEAST CORNER OF SAID LOT 115;

THENCE SOUTHERLY ALONG THE SOUTHERLY PROLONGATION OF THE EAST LINE OF SAID LOT 115 TO THE SOUTH LINE OF THE NORTH 12.00 FEET OF THAT PART OF THE WEST HALF OF LOT 14 IN SAID ADAMS AND GRAHAM SUBDIVISION OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 2 NORTH, RANGE 3 EAST, LYING SOUTH OF AND ADJOINING THE SOUTH LINE OF SAID HUNTCROFT UNIT TWO;

THENCE WEST ALONG LAST SAID SOUTH LINE AND ALONG ITS WESTERLY PROLONGATION TO THE WEST LINE OF THE EAST 8.00 FEET OF LOT 13 IN SAID ADAMS AND GRAHAM SUBDIVISION;

THENCE NORTH ALONG LAST SAID WEST LINE AND ALONG ITS NORTHERLY PROLONGATION TO THE SOUTH LINE OF LOT 90 IN HUNTCROFT, ACCORDING TO BOOK 59 OF MAPS, PAGE 16;

THENCE EAST ALONG THE SOUTH LINES OF LOTS 90, 89, 88 AND 87 ALL IN SAID HUNTCROFT TO THE NORTHERLY PROLONGATION OF THE EAST LINE OF SAID LOT 111 OF HUNTCROFT UNIT TWO;

THENCE SOUTHERLY ALONG LAST SAID PROLONGATION TO THE POINT OF BEGINNING.

EXCEPT ANY PORTION THEREOF LYING WITHIN BILTMORE SQUARE CONDOMINIUMS AS RECORDED IN BOOK 753 OF MAPS, PAGE 28, RECORDS OF MARICOPA COUNTY, ARIZONA; AND ALSO EXCEPT ANY PORTION THEREOF LYING WITHIN LOT 13 OF ADAMS AND GRAHAM SUBDIVISION AS RECORDED IN BOOK 2 OF MAPS, PAGE 1, RECORDS OF MARICOPA COUNTY, ARIZONA; AND ALSO EXCEPT ANY PORTION THEREOF LYING BELOW THE SOUTH LINE OF THE

NORTH 284.50 FEET OF THE WEST HALF OF LOT 14, OF SAID ADAMS AND GRAHAM SUBDIVISION.

PARCEL NO. 3:

THAT PORTION OF THE ABANDONED ROADWAY AS SET FORTH IN RESOLUTION NO. 17663 OF THE CITY OF PHOENIX, RECORDED APRIL 13, 1990 IN RECORDING NO. 90-164706, RECORDS OF MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

THAT PART OF PASADENA AVENUE WITHIN HUNTCROFT UNIT TWO, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, IN BOOK 63 OF MAPS, PAGE 50 THAT LINES WEST OF THE SOUTHERLY PROLONGATION OF THE EAST LINE OF LOT 111 IN SAID HUNTCROFT UNIT TWO;

EXCEPT THAT PORTION OF LOT 115 LYING EAST OF THE FOLLOWING DESCRIBED LINE DESIGNATED HEREIN AS LINE A;

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 115;

THENCE SOUTH 89 DEGREES 41 MINUTES 20 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 115, A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 00 DEGREES 00 MINUTES 10 SECONDS WEST, A DISTANCE OF 97.93 FEET TO A POINT ON THE SOUTHERLY LINE OF PASADENA AVENUE AND THE POINT OF TERMINATION.

EXCEPT ANY PORTION THEREOF LYING WITHIN BILTMORE SQUARE CONDOMINIUMS AS RECORDED IN BOOK 753 OF MAPS, PAGE 28, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 4:

THE EAST 8 FEET OF THE NORTH 274.5 FEET OF LOT 13, ADAMS AND GRAHAM SUBDIVISION, RECORDED IN BOOK 2 OF MAPS, PAGE 1, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 5:

EASEMENT RIGHTS AND OTHER INTERESTS IN REAL PROPERTY AS SET FORTH IN THAT CERTAIN DOCUMENT ENTITLED SIGN AND ACCESS EASEMENT AGREEMENT RECORDED SEPTEMBER 5, 2003 IN RECORDING NO. 20031249826, RECORDS OF MARICOPA COUNTY, ARIZONA.



PARCEL NO. 6:

EASEMENT RIGHTS AND OTHER INTERESTS IN REAL PROPERTY AS SET FORTH IN THAT CERTAIN DOCUMENT ENTITLED AMENDED AND RESTATED CROSS-ACCESS EASEMENT AGREEMENT AND TEMPORARY CONSTRUCTION EASEMENT RECORDED SEPTEMBER 8, 2003 IN RECORDING NO. 20031256094, RECORDS OF MARICOPA COUNTY, ARIZONA.

DESCRIPTION (NCS-991613-PHX1)

The Land referred to herein below is situated in the County of Maricopa, State of Arizona, and is described as follows:

TRACT 1 FEE:

THE WEST HALF OF LOT FOURTEEN (14), IN THE SOUTHWEST QUARTER OF SECTION FIFTEEN (15), ADAMS & GRAHAM SUBDIVISION, OF THE SOUTH HALF OF SECTION FIFTEEN (15), TOWNSHIP TWO (2) NORTH, RANGE THREE (3) EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, IN BOOK 2 OF MAPS, PAGE 1;

EXCEPT THE EAST 93.82 FEET; AND

EXCEPT THE WEST 150 FEET OF THE SOUTH 125 FEET THEREOF, AND

EXCEPT THE NORTH 262.5 FEET THEREOF, AND

EXCEPT THE NORTH 7 FEET OF THE SOUTH 40 FEET OF THAT PART OF THE SOUTHWEST QUARTER SECTION 15, TOWNSHIP 2 NORTH, RANGE 3 EAST, LYING WITHIN THE EAST HALF OF THE WEST HALF OF SAID LOT 14, AND

EXCEPT THE NORTH 12 FEET OF THAT PART OF THE WEST HALF OF LOT 14, LYING SOUTH OF AND ADJOINING THE SOUTH LINE OF HUNTCROFT UNIT TWO, A SUBDIVISION RECORDED IN THE MARICOPA COUNTY RECORDER'S OFFICE IN BOOK 63 OF MAPS, PAGE 50, AS QUIT-CLAIMED TO THE CITY OF PHOENIX, BY QUIT CLAIM DEED RECORDED FEBRUARY 1, 1961 IN DOCKET 3573, PAGE 593, AND

EXCEPT THAT PROPERTY AS SET FORTH IN FINAL ORDER OF CONDEMNATION RECORDED NOVEMBER 14, 1988 AS 88- 556740 OF OFFICIAL RECORDS.

TRACT 2 EASEMENT:

Easement rights and other interests in real property contained in that Cross-Access Easement Agreement and Temporary Construction Easement recorded September 8, 2003 in Recording No. 20031256094, Records of Maricopa County, Arizona.

**TRACT 3 EASEMENT:**

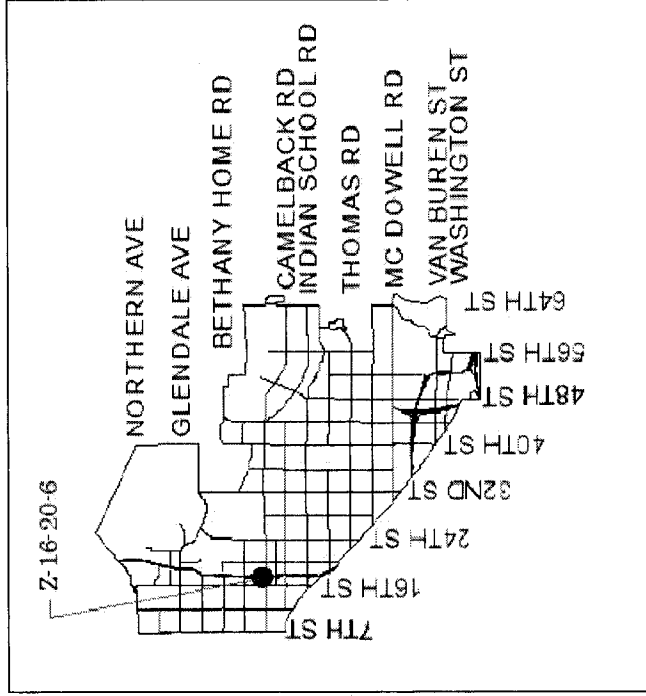
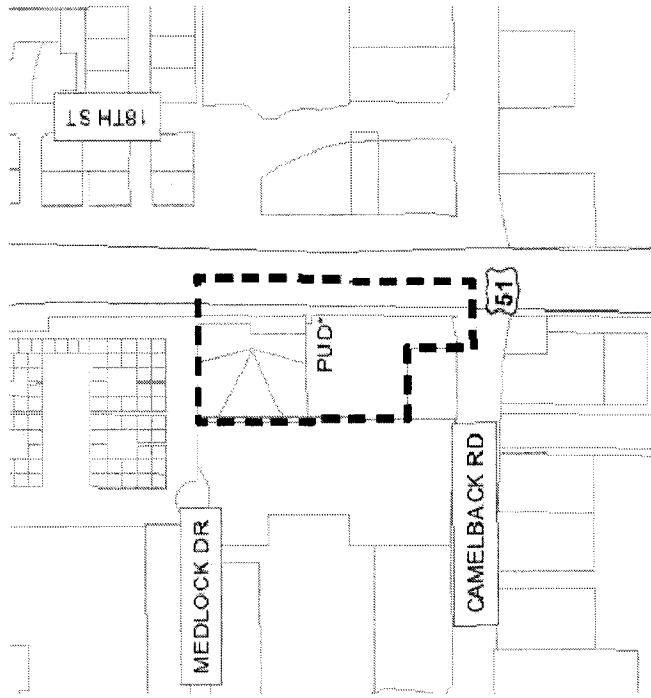
Easement rights and other interests in real property contained in that Sign and Access Easement Agreement recorded September 05, 2003 as 2003-1249826 of Official Records.

**EXHIBIT B**

**ORDINANCE LOCATION MAP**

Zoning Case Number: Z-16-20-6  
Zoning Overlay: Camelback East Primary Core Specific Plan  
Planning Village: Camelback East

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



NOT TO SCALE



Drawn Date: 11/5/2020

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