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VIA HAND DELIVERY

Alan Stephenson
Planning Hearing Officer
City of Phoenix, Planning Department
200 West Washington Street, 2nd Floor
Phoenix, AZ 85003-1611

Re: CamelSquare, LLC
NWC 44th St & Camelback Rd
Request for Stipulation Modification or Deletion - Case Nos. Z-66-74, Z-274-79, and Z-100-84

Dear Mr. Stephenson:

We represent CamelSquare, LLC with respect to their 17.4-gross acre property located at the northwest corner of 44th Street and Camelback Road. The purpose of this letter is to request modification or deletion of the stipulations as described in our Current Request regarding Zoning Case Nos. Z-66-74, Z-274-79, and Z-100-84. The PHO stipulation modifications and deletions apply only to two portions of the site that will maintain the existing C-O zoning, a 0.8-gross acre portion of the site located along Camelback Road at the southwest corner of the site and a 1.8-gross acre portion of the site located along 44th Street at the northeast corner of the site. The balance of the 17.4-gross acre site is currently in the rezoning review process via Rezoning Case Nos. Z-55-07 and Z-56-07. The attached Aerial Map depicts the two portions of the site that will remain zoned C-O.

Project History

The overall site is currently developed with approximately 300,000 square feet of office space. This office space is spread across the site into 11 buildings. Parking is located in a 2-story above-grade parking structure or at grade with or without parking canopies. Redevelopment of the site will result in the demolition of all existing structures and parking. The proposed redevelopment of the overall site will reduce the paved area on the site from approximately 49% to 19%. The site's open space will increase from 10% to over 30%, which includes over ½ acre of open space in proposed grove and outdoor dining areas at the intersection of Camelback Road and 44th Street.

Development of the site occurred via four separate zoning cases that began over 40 years ago, with the last rezoning action of case No. Z-100-84 approved in 1984 and the last PHO stipulation modification

approved in Case No. Z-274-79 in 1998. The four zoning cases are Z-96-66, Z-66-74, Z-274-79, and Z-100-84. The attached City Zoning Map excerpt illustrates the general location these respective cases apply to our site.

Current Request

The proposal is to redevelop the entire site with single-family residential, residential townhomes, and a commercial area with a blend of uses – residential, office, retail, hotel and restaurant - that will bring a communal vibrancy and transform the property from its current sterile office use to a more meaningful role as a thriving part not just of the overall site but of the greater community. To accomplish this redevelopment we are processing two rezoning cases as described below and the requested PHO stipulation modifications and deletions.

Rezoning Case No. Z-55-07 will modify the zoning on 3.7-gross acres of the overall 17.4-acre site from C-O to R1-10. This rezoning will allow for development of nine (9) large single-family home lots. Proposed lots range in size from approximately 14,100 to 25,800 square feet. Height and setback will comply with R1-10 standards.

Rezoning Case No. Z-56-07 will modify the zoning on 11.1-gross acres of the overall 17.4-acre site from C-O to R3-A and C-2. Within the C-2 portion of the site, we are also requesting a Mid-Rise Overlay, as well as Height and Density Waivers. This rezoning will downzone 1.7 acres of the site from C-O to R-3A for development of approximately 33 2- and 3-story townhomes. The other 9.4 acres of the site will remain commercial and be rezoned from C-O to C-2 for redevelopment of a mix of uses, primarily condominiums. Other proposed uses include offices, retail, a small boutique hotel and restaurants. At the interior 4.6 acres toward the middle of the overall site, we are seeking a Mid-Rise Overlay to allow a maximum height of 9 stories and 98 feet for the proposed residential and hotel components. We are also seeking a Height Waiver to a maximum of 4 stories and 56 feet for one building located along Camelback Road and one building along 44th Street to allow these two buildings to have complete range of uses: retail on the first floor, office on the second, and condominiums on the third and fourth floors. The C-2 site will have a total of 428 condominium residential units, resulting in a density of 45.62 dwelling units per acre. Under the City's Ordinances, we are required to seek a Density Waiver as well to realize our plans.

The PHO stipulation modifications and deletions are necessary to acknowledge the reduction of the overall area of the original C-O rezoning cases, modify the existing stipulations to address the proposed overall development plan, and delete stipulations which are no longer applicable. Attached with the PHO application are the site plan and elevations of the overall development.

CamelSquare, LLC is specifically seeking to modify or delete Stipulation Nos. 1, 6, and 8 of Zoning Case No. Z-66-74 regarding the C-O portion of the overall site located at the southwest corner of the site along Camelback Road. The subject portion to remain C-O is roughly the lower two-thirds of the original area that follows the rear alignment of the residential lots in Arcadia Villa Plat 2 along Medlock Drive. Attached is a copy of the approved stipulations and original site plan excerpt. Our proposed modifications to the stipulations are as follows:

- No. 1: That all structures be limited in height to two stories not to exceed 24' 28' to roofline.
- No. 6: ~~That the rezoning become effective concurrent with final approval of a site plan.~~
[We propose to delete this stipulation as the C-O zoning has already vested.]

- No. 8: ~~That at the east side entrance of Medlock Drive that there is 29' from the street to the parking wall. That will be a landscaped entrance that the developer will landscape.~~

CamelSquare, LLC is specifically seeking to modify or delete Stipulation Nos. 1 through 7, 9, 11, and 13 of Zoning Case No. Z-274-79 regarding the C-O portion of the overall site located at the northeast corner of the site along Camelback Road. 7 of the 10 changes are deletions because these stipulations were completed or address portions of the original C-O area outside the C-O area that will remain. The subject portion to remain C-O is a small portion of the original L-shaped area adjacent to 44th Street. Attached is a copy of the approved stipulations and original site plan excerpt. Our proposed modifications to the stipulations are as follows:

- No. 1: ~~Conditional C-O zoning to be developed in accordance with Section 108-K of the Zoning Ordinance within 18 months of final approval of the change of zone by the City Council. [We request deletion of this stipulation as the C-O zoning has already vested.]~~
- No. 2: ~~That there be one story height limit within 75 feet of the north and west boundaries of the site. [We request deletion of this stipulation as the west boundary no longer adjoins the existing residential homes to the west and the proposed development plan includes a building setback for a 2-story/28' high office building at approximately 25' from the edge of the alley along the north property line.]~~
- No. 3: ~~That there be no access to 42nd Place or 43rd Place. [We request deletion of this stipulation as the C-O area to remain will no longer adjoin these streets.]~~
- No. 4: ~~That the building will be no more than 16' 28' high and the elevator screen will be no more than 4' above that.~~
- No. 5: That the appropriate dedications will be ~~mad~~ **made** for alleys.
- No. 6: That all fences will be between 4' and 6' high, **unless approved to 8' high with a variance.** [Neighborhood discussions included a possible desire for an 8' high perimeter wall.]
- No. 7: ~~That the appropriate dedications will be made for the cul-de-sacs at 42nd Place and 43rd Place. [We request deletion of this stipulation as the C-O area to remain will no longer adjoin these streets.]~~
- No. 9: ~~That no covered parking will be installed west of Building K except that one double loaded parking canopy west of Building K shall be permitted as constructed shown on the plan dated 12-17-97. [We request deletion of this stipulation as these structures referenced in this stipulation will be demolished under the proposed development plan.]~~
- No. 11: ~~That the west fence will have two off sets with trees planted on the alley side. [We request deletion of this stipulation as the C-O area to remain will no longer adjoin the area noted in this stipulation.]~~
- No. 13: ~~That sufficient right of way be dedicated by the property owner within one year of final City Council action to provide for the following:~~
- a.) ~~a cul-de-sac with 45' radius for 42nd Place and for 43rd Place.~~

~~b.) A 16' alley along the west property line.~~

~~e.) A 16' alley where the existing 10' alley exists along the north property line.~~

[We request deletion of this stipulation as the C-O area to remain will no longer adjoin the area noted in this stipulation and such dedications to our knowledge have been made.]

CamelSquare, LLC is specifically seeking to delete Stipulation No. 1 of Zoning Case No. Z-100-84 regarding the C-O portion of the overall site located at the northeast corner of the site along Camelback Road. This is the only stipulation for this case and it applies to an existing structure that will be demolished. The subject portion to remain C-O is a small sliver of the top portion of the original C-O area and is landscape and driveway on the proposed development plan. A copy of the approved stipulations and City ordinance and map of the rezoning case are attached. Our proposed deletion to the stipulation is as follows:

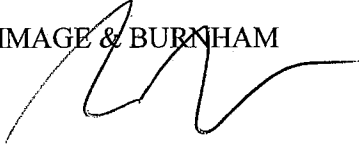
No. 1: ~~That the maximum height of the parking structure shall be 16 feet.~~

Approval of these stipulation modifications and deletions will allow CamelSquare, LLC to move forward with redevelopment of its site. We look forward to discussing this request with you at the upcoming hearing. Please do not hesitate to contact me if you need any additional information regarding this request.

Sincerely,

GAMMAGE & BURNHAM

By


Stephen W. Anderson

Enclosures
SWA/PEM

