



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR ZONING ADJUSTMENT

APPLICATION NO: ZA-409-07

CASE TYPE: Variance
DATE FILED: 5/10/2007

COUNCIL DISTRICT: 4
CASE STATUS: Pending

EXISTING ZONING: C-2 HR TOD-1
FILING STAFF: rescolar

Fee	Fee Waived	Fee Date	Receipt	Purpose
\$985.00	\$0.00	05/10/2007	459009	Original Filing Fee

HEARING DATES

ZA: 06/05/2007 330 PM **LOCATION:** 200 West Washington Street, 1st Floor, Assembly Room C

BOA:

PROPERTY LOCATION: 3 W Camelback Rd Phoenix, AZ 85013

LEGAL DESCRIPTION: See attached.

CONTACT INFORMATION

NAME	ADDRESS	PHONE	FAX	EMAIL
CBS Outdoor, Inc (Owner)	3150 S 48th Street Phoenix AZ 85040	(602) 246-9569	(602) 265-2195	
Michael J. Curley of Earl, Curley & Laga (Representative)	3101 N Central Avenue Phoenix AZ 85012	(602) 265-0094	(602) 265-2195	
Michael J. Curley of Earl, Curley & Laga (Applicant)	3101 N Central Avenue Phoenix AZ 85012	(602) 265-0094	(602) 265-2195	

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In making this application, I understand that the filing of this application and payment of fees does not entitle me to the relief requested. (See Sec. 307 of City of Phoenix Zoning Ordinance for standards by which the hearing officer will review the application.) I understand the approval of this request does not replace the need for acquiring the appropriate building permits, site plan approval, liquor license or any other licenses required by governmental agencies. I also understand that in the case of liquor request approval of a use permit does not guarantee the CITY OF PHOENIX will recommend approval of the liquor license.

APPLICANT'S SIGNATURE: _____ DATE: _____

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APPEALS OF DECISIONS OF THE ZONING ADMINISTRATOR MAY BE MADE BY ANY PERSON TO THE BOARD OF ADJUSTMENT WITHIN 15 DAYS AFTER THE DATE OF ACTIONS.

REQUEST

- | | |
|--|---|
| 1. Variance to re-hear request within a 1 year timeframe. Not permitted. | ZONING ORD. SECTIONS
307.A.15.d |
| 2. Modify stipuations of approval for a variance to reduce the minimum lot area for each dwelling unit to 125 square feet and 50 square feet for each hotel guestroom. Not less than 450 square feet for each dwelling unit and 200 square feet for each guestroom required. Approved subject to conditions and general conformance to site plan and elevations. | 631.B.2.a |
| 3. Modify stipuations of approval for a variance to allow up to a 20 foot build-to line along Central Avenue and Camelback Road . Maximum 6 foot build-to required. Approved subject to general conformance to site plan and elevations. | 662.H.1.a |
| 4. Modify stipuations of approval for a variance to reduce the required shading method ratios: 25% structured shading along entire lengtht of building proposed, 50% required; and 25% other methods of shading along | 662.H.2.c |

- entire length of building proposed, 50% required. Approved subject to conditions and general conformance to site plan and elevations.
5. Modify stipuations of approval for a variance to allow a maximum of 150% of the City required parking spaces. 662.K.1
Maximum 125% allowed. Approved subject to general conformance to site plan and elevations.
 6. Modify stipuations of approval for a variance to increase the lot coverage to 80%. Maximum 50 percent 631.B.2.e
allowed. Approved subject to general conformance to site plan and elevations.
 7. Modify stipuations of approval for a variance to reduce minimum building frontage to 45% along Camelback 662.H.2.a.
Road and 35% along Central Avenue. Minimum 75% building frontage required. Approved subject to general
conformance to site plan and elevations.
 8. Modify stipuations of approval for a variance to allow non-clear windows along the building facade length 662.H.2.a
fronting onto Camelback Road and Central Avenue. Minimum 50% clear windows required. Approved
subject to conditions and general conformance to site plan and elevations.
 9. Modify stipuations of approval for a variance to not provide a main building entry oriented toward transit 662.H.2.b
platform. Main building entry oriented toward transit platform and/or primary pedestrian accessway required.
Approved subject to conditions and general conformance to site plan and elevations.
 10. Modify stipuations of approval for a variance to reduce the required number of loading berths to 5. Minimum 7702.B.2
loading berths for up to 490,000 square feet of aggregate floor area plus 1 additional berth for each additional
90,000 square feet of aggregate gross floor area required. Approved subject to conditions and general
conformance to site plan and elevations.

GEOGRAPHIC INFORMATION

APN: 155-28-074

Qtr Section(Map Index):

Application #: **ZA-409-07-4 – APPROVED/ STIPULATIONS**
Existing Zoning: C-2 HR TOD-1
Location: 3 West Camelback Road
Block Location: 3 W. – 5000 N.
Quarter Section: 18-27
Proposal: 1) Variance to re-hear request within a 1-year timeframe. Not permitted. 2) Modify stipulations of approval for a variance to reduce the minimum lot area for each dwelling unit to 125 square feet and 50 square feet for each hotel guestroom. Not less than 450 square feet for each dwelling unit and 200 square feet for each guestroom required. Approved subject to conditions and general conformance to site plan and elevations. 3) Modify stipulations of approval for a variance to increase the lot coverage to 80%. Maximum 50% allowed. Approved subject to general conformance to site plan and elevations. 4) Modify stipulations of approval for a variance to allow up to a 20-foot build-to line along Central Avenue and Camelback Road. Maximum 6-foot build-to required. Approved subject to general conformance to site plan and elevations. 5) Modify stipulations of approval for a variance to reduce the required shading method ratios: 25% structured shading along entire length of building proposed, 50% required; and 25% other methods of shading along entire length of building proposed, 50% required. Approved subject to conditions and general conformance to site plan and elevations. 6) Modify stipulations of approval for a variance to allow a maximum of 150% of the City required parking spaces. Maximum 125% allowed. Approved subject to general conformance to site plan and elevations. 7) Modify stipulations of approval for a variance to reduce the required number of loading berths to 5. Minimum 7 loading berths for up to 490,000 square feet of aggregate floor area plus 1 additional berth for each additional 90,000 square feet of aggregate gross floor area required. Approved subject to conditions and general conformance to site plan and elevations. 8) Modify stipulations of approval for a variance to reduce minimum building frontage to 45% along Camelback Road and 35% along Central Avenue. Minimum 75% building frontage required. Approved subject to general conformance to site plan and elevations. 9) Modify stipulations of approval for a variance to allow non-clear windows along the building facade length fronting onto Camelback Road and Central Avenue. Minimum 50% clear windows required. Approved subject to conditions and general conformance to site plan and elevations. 10) Modify stipulations of approval for a variance to not provide a main building entry oriented

toward transit platform. Main building entry oriented toward transit platform and/or primary pedestrian access way required. Approved subject to conditions and general conformance to site plan and elevations.

Ordinance Sections: 307.A.15.d. 631.B.2.a. 631.B.2.e. 662.H.1.a. 662.H.2.c. 662.K.1. 702.B.2. 662.H.2.a. 662.H.2.a. 662.H.2.b.
Applicant: Michael J. Curley of Earl, Curley & Lagarde
Representative: Michael J. Curley of Earl, Curley & Lagarde
Owner: CBS Outdoor, Inc

**ZONING ADJUSTMENT HEARING OFFICER WAS: FRANK DOLASINSKI
PLANNER WAS: ED KEYSER**

Speaking in support was Mike Curley, 3101 North Central Avenue, Phoenix, AZ 85012.

Also submitting a card was Sally Thomas, 385 West Pierson Street, Unit D-6, Phoenix, AZ 85013.

DECISION: These requests for variance and modifications of stipulations relating to variances were decided as follows:

- 1) Item #1 was approved.
- 2) Item #s 2 and 3 were approved with the following stipulation:
 - a. Eliminating requirement for general conformance to site plan and elevations.
- 3) Item #s 4 through 10 were approved with the following stipulation:
 - a. With no changes to previous stipulation from ZA-882-06-4.
- 4) 5 years to apply for permits.

FINDINGS OF FACT: This request to 1) re-hear a request within a 1 year timeframe was approved.

The requests to 2) modify stipulations of approval for a variance to reduce the minimum lot area for each dwelling unit to 125 square feet and 50 square feet for each hotel guestroom, deleting general conformance to site plan and elevations and 3) modify stipulations of approval for a variance to increase the lot coverage to 80%, deleting general conformance to site plan and elevations were approved.

The site plan and elevations originally submitted lacked sufficient detail and measurements to control final plans and were eliminated as a stipulation of approval.

The requests to 4) allow up to a 20-foot build-to line along Central Avenue and Camelback Road, 5) reduce the required shading method ratios, 6) allow a maximum of 150% of the City required parking spaces, 7) reduce the required number of loading berths to 5, 8) reduce minimum building frontage to 45% along Camelback Road and 35% along Central Avenue, 9) allow non-clear windows along the building façade length

fronting onto Camelback Road and Central Avenue and 10) not provide a main building entry oriented toward the transit platform remain unchanged per ZA-882-06-4.

There was no opposition to this request.

SUMMARY: Mr. Curley explained the conditions that had changed and why a rehearing should be granted. He stated that the applicant was prepared to accept all previous requests except for number one, two and three. He added that the applicant would prefer that the density and lot coverage not be stipulated to a site plan. He stated that the applicant withdrew their appeal from the BOA in order to bring this case back to the ZAHO.

After reviewing the site plan and some discussion with the applicant, Mr. Dolasinski approved the requests, subject to stipulations as noted above.

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City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR ZONING ADJUSTMENT

APPLICATION NO: ZA-407-11

CASE TYPE: Time Extension
DATE FILED: 10/28/2011

COUNCIL DISTRICT: 4
CASE STATUS: Completed

EXISTING ZONING: App. (C-2 HR TOD-1)
FILING STAFF: tgomes

Fee	Fee Waived	Fee Date	Receipt	Purpose
\$492.50	\$0.00	10/28/2011	11-0055349	Original Filing Fee

HEARING DATES

ZA: 12/01/2011 1:30 PM LOCATION: 200 West Washington Street, 1st Floor, Assembly Room C

BOA:

PROPERTY LOCATION: 3 West Camelback Road

LEGAL DESCRIPTION: See attached

CONTACT INFORMATION

NAME	ADDRESS	PHONE	FAX	EMAIL
Cornerstone at Camelback, LLC (Owner)	11811 N Tatum Boulevard, 1051 Phoenix AZ 85028	(602) 315-5031		
Michael Curley Earl, Curley & Lagarde (Representative)	3101 N Central Avenue, 1000 Phoenix AZ 85012	(602) 265-0094	(602) 265-2195	

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APPLICANT'S SIGNATURE: _____ DATE: _____

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REQUEST

REQUEST	ZONING ORD. SECTIONS
1. Time extension for ZA-409-07, a request to modify stipulations of approval for a variance to reduce the minimum lot area for each dwelling unit to 125 square feet and 50 square feet for each hotel guestroom. Not less than 450 square feet for each dwelling unit and 200 square feet for each guestroom required.	631.B.2.a.
2. Time extension for ZA-409-07, a request to modify stipulations of approval for a variance to increase the lot coverage to 80%. Maximum 50 percent allowed.	631.B.2.e.
3. Time extension for ZA-409-07, a request to modify stipulations of approval for a variance to allow up to a 20 foot build-to line along Central Avenue and Camelback Road. Maximum 6 foot build-to required. Approved subject to general conformance to site plan and elevations.	662.H.1.a.
4. Time extension for ZA-409-07, a request to modify stipulations of approval for a variance to reduce the required shading method ratios: 25% structured shading along entire length of building proposed, 50% required; and 25% other methods of shading along entire length of proposed building, 50% required. Approved subject to conditions and general conformance to site plan and elevations.	662.H.2.c.
5. Time extension for ZA-409-07, a request to modify stipulations of approval for a variance to allow a maximum of 150% of the City required parking spaces. Maximum 125% allowed. Approved subject to general	662.K.1

- conformance to site plan and elevations.
6. Time extension for ZA-409-07, a request to modify stipulations of approval for a variance to reduce the required number of loading berths to 5. Minimum 7 loading berths for up to 490,000 square feet of aggregate floor area plus 1 additional berth for each additional 90,000 square feet of aggregate gross floor area required. Approved subject to conditions and general conformance to site plan and elevations. 702.B.2.
 7. Time extension for ZA-409-07, a request to modify stipulations of approval for a variance to reduce minimum building frontage to 45% along Camelback Road and 35% along Central Avenue. Minimum 75% building frontage required. Approved subject to general conformance to site plan and elevations. 662.H.2.a.
 8. Time extension for ZA-409-07, a request to modify stipulations of approval for a variance to allow non-clear windows along the building facade length fronting onto Camelback Road and Central Avenue. Minimum 50% clear windows required. Approved subject to conditions and general conformance to site plan and elevations. 662.H.2.a.
 9. Time extension for ZA-409-07, a request to modify stipulations of approval for a variance to not provide a main building entry oriented toward transit platform. Main building entry oriented toward transit platform and/or primary pedestrian accessway required. Approved subject to conditions and general conformance to site plan and elevations. 662.H.2.b.

GEOGRAPHIC INFORMATION

APN: 155-28-073A, 155-28-074A, 155-28-075A, 155-28-076A, 155-28-078B, 155-28-079, 155-28-080A, 155-28-081A, 155-28-082A, 155-28-083A

Qtr Section(Map Index): 18-27(H8)

Application #:
Existing Zoning:
Location:
Quarter Section:
Proposal:

ZA-407-11-4 - APPROVED / STIPULATIONS

App. (C-2 HR TOD-1)
3 West Camelback Road
18-27(H8)

1) Time extension for ZA-409-07, a request to modify stipulations of approval for a variance to reduce the minimum lot area for each dwelling unit to 125 square feet and 50 square feet for each hotel guestroom. Not less than 450 square feet for each dwelling unit and 200 square feet for each guestroom required. **2)** Time extension for ZA-409-07, a request to modify stipulations of approval for a variance to increase the lot coverage to 80%. Maximum 50 percent allowed. **3)** Time extension for ZA-409-07, a request to modify stipulations of approval for a variance to allow up to a 20 foot build-to line along Central Avenue and Camelback Road. Maximum 6 foot build-to required. Approved subject to general conformance to site plan and elevations. **4)** Time extension for ZA-409-07, a request to modify stipulations of approval for a variance to reduce the required shading method ratios: 25% structured shading along entire length of building proposed, 50% required; and 25% other methods of shading along entire length of proposed building, 50% required. Approved subject to conditions and general conformance to site plan and elevations. **5)** Time extension for ZA-409-07, a request to modify stipulations of approval for a variance to allow a maximum of 150% of the City required parking spaces. Maximum 125% allowed. Approved subject to general conformance to site plan and elevations. **6)** Time extension for ZA-409-07, a request to modify stipulations of approval for a variance to reduce the required number of loading berths to 5. Minimum 7 loading berths for up to 490,000 square feet of aggregate floor area plus 1 additional berth for each additional 90,000 square feet of aggregate gross floor area required. Approved subject to conditions and general conformance to site plan and elevations. **7)** Time extension for ZA-409-07, a request to modify stipulations of approval for a variance to reduce minimum building frontage to 45% along Camelback Road and 35% along Central Avenue. Minimum 75% building frontage required. Approved subject to general conformance to site plan and elevations. **8)** Time extension for ZA-409-07, a request to modify stipulations of approval for a variance to allow non-clear windows along the building facade length fronting onto Camelback Road and Central Avenue. Minimum 50% clear windows required. Approved subject to conditions and general conformance to

site plan and elevations. 9) Time extension for ZA-409-07. a request to modify stipulations of approval for a variance to not provide a main building entry oriented toward transit platform. Main building entry oriented toward transit platform and/or primary pedestrian accessway required. Approved subject to conditions and general conformance to site plan and elevations.

Ordinance Sections: 631.B.2.a. 631.B.2.e. 662.H.1.a. 662.H.2.c. 662.K.1
702.B.2. 662.H.2.a. 662.H.2.a. 662.H.2.b.

Applicant:

Representative:

Michael Curley / Earl, Curley & Lagarde

Owner:

Cornerstone at Camelback, LLC

**ZONING ADJUSTMENT HEARING OFFICER WAS: RAY JACOBS, AICP
PLANNER WAS: EDWARD KEYSER**

Speaking in favor was Mike Curley.

Also submitting a card was Jeff Fine.

DECISION: This request for a time extension to modify stipulations was approved with the following stipulations:

- 1) For five years.
- 2) Previous stipulations remain in place.

FINDINGS OF FACT:

SUMMARY: Mr. Curley gave a general review of the history of the site. He noted that the property was rezoned for High-Rise back in the 1980s. He added that a laborious process was followed that would allow this facility to have a mixed use of ground level retail and residential/hotel uses. He explained that the stipulations originally imposed through the Zoning Adjustment (ZA) process had been modified, which was why the request was filed. Mr. Curley clarified that the billboard on site was to be moved, and that artwork, fountains, etc. were to be added as part of the rezone, variance and Planning Hearing Officer (PHO) processes.

Mr. Curley observed that the basics of the need for variance were that a third of the parcel was taken for the light rail station and that the Transit Oriented Development (TOD) requirements to move the building towards Central Avenue and Camelback Road which had been changed due to the configuration of the transit center. He said the applicant was seeking to extend the variance because one year after approval of the original request, the recession hit and there had been no movement along this front for at least five years. He added that the applicant had been active in marketing the property and some hoteliers have seen this property as highly valuable because of the proximity to the central corridor and light rail. He explained that in 2008 light rail first

opened and this corner was still a work in process regarding bus bays and trying to integrate the bus bay within the confines of the proposed structure. He felt that additional time was justified in light of those events and asked for an additional five years.

Mr. Fine wanted to submit his version of the history of the site. He recalled that the high rise was approved for an office complex. He said that after light rail was proposed, the height of 250 was approved and later the height was requested at 400 feet. He added that there was no approved site plan involved with this parcel. Mr. Fine said that the applicant wanted the privileges of High Rise zoning without being tied to a site plan. He explained that these requests were to vary from development standards, which were normally associated with property hardships and these requests were all self-imposed. He felt that these requests did not meet the tests at the time of the request and did not meet the standards today. He requested denial since there was no site plan and the tests had not been met. He felt an extension was inappropriate at this time.

Mr. Curley noted that the rezoning was in the 1980s. He explained that the variance request were specific to the site noting that the site originally was a square parcel that was now triangular because of the light rail. He stated that because the light rail runs to the south and west of this site, the intent of the TOD was to move the building closer to the light rail/park and ride/bus station. He added that shade requests were to move the shade from the areas of the site that would not be used by pedestrians and into the area where the light rail and bus passengers would be.

Mr. Reid Butler noted that this was the only site along the 20 mile current system that cut across public property and that the rest of light rail was within public right of way. If light rail had remained along Central and Camelback, then the TOD requirements would be met. He showed a possible site plan. He added that capital markets were frozen and the time extension was all that was being asked for.

Mr. Jacobs approved the request as noted above.

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City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR ZONING ADJUSTMENT

APPLICATION NO: ZA-206-17

CASE TYPE: Time Extension
DATE FILED: 5/3/2017

COUNCIL DISTRICT: 4
CASE STATUS: Pending

EXISTING ZONING: C-2 (Approved C-2 H-R)
FILING STAFF: jbraswel

Fee	Fee Waived	Fee Date	Receipt	Purpose
\$492.50	\$0.00	05/03/2017		Original Filing Fee

HEARING DATES

ZA: 06/08/2017 1:30 PM **LOCATION:** 200 West Washington Street, 1st Floor, Assembly Room C

BOA:

PROPERTY LOCATION: Southwest corner of Camelback Road and Central Avenue

LEGAL DESCRIPTION: See attached

CONTACT INFORMATION

NAME	ADDRESS	PHONE	FAX	EMAIL
Cornerstone at Camelback (Owner)	11811 N Tatum Boulevard, 1051 Phoenix AZ 85028	(602) 315-5031		reid@butlerhousing.com
Reid Butler Cornerstone at Camelback, LLC (Applicant)	1811 N Tatum Boulevard, 1051 Phoenix AZ 85028	(602) 315-5031		reid@butlerhousing.com
Reid Butler Cornerstone at Camelback, LLC (Representative)	42 W Mariposa Street Phoenix AZ 85013	(602) 315-5031		reid@butlerhousing.com reid@butlerhousing.com

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- | REQUEST | ZONING ORD. SECTIONS |
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GEOGRAPHIC INFORMATION

APN: 155-28-073A, 155-28-074A, 155-28-075A, 155-28-076A, 155-28-078B, 155-28-079, 155-28-080A, 155-28-081A, 155-28-082A, 155-28-083A, 155-28-407

Qtr Section(Map Index): 18-27(H8)