

**Minor PUD Amendment
to Planned Unit
Development**

Alta Thomas
NWC 3rd Street & Thomas Road

Earl, Curley & Lagarde, P.C.

Case No. Z-9-A-15

1st Submittal: February 18, 2016
Final Amendment Submittal: March 18, 2016

Narrative for Approval of a Minor Amendment to PUD Z-9-A-15 Alta Thomas; NWC 3rd St. & Thomas Road

The purpose of this application is to follow up the City's approval on December 3, 2015 of a use permit to expand the Alta Thomas development site by 5 ft. at the northwest corner of the project to add a total of approximately 227 sq. ft. That use permit request came about because the portion of the lot upon which the Winnie Ruth Judd House sits was removed from the PUD. The Winnie Ruth Judd lot was originally part of the first PUD submittal. However, after the first submittal of the PUD, Wood Partners was urged by numerous interests both within the City and by members of the Historic Preservation community to preserve the Winnie Ruth Judd House (Judd House) at the northwest corner of the project due to its historic value. The boundaries of the ALTA Thomas project were therefore modified to enable the Judd House to remain on its own lot.

Unfortunately, during the engineering/design/construction document phase following the PUD zoning approval, challenging utility issues associated with the PUD zoning boundary at this northwest corner of the development site adjacent to the Judd House were encountered. In particular, it became apparent that the Century Link equipment podium located just south of Catalina Drive and related utility elements may need to be moved, to avoid compromising the approved site plan.

After discussing the matter with Staff, it was determined that the PUD development site could be slightly extended by 5 ft. via a use permit into the Judd House lot (zoned C-O), which would solve the utility conflicts. This use permit was approved, so the purpose of this Minor PUD Amendment is to simply adjust the development site boundary in this northwest corner by 5 ft.; not the PUD boundary.

The use permit was approved by the Zoning Administrator on December 3, 2015. The next step in this process is to submit this application for approval of a Minor PUD Amendment to update the relevant text, exhibits and legal description in the PUD. We reviewed the PUD and determined that the following exhibits should be updated:

- **Update the Principals and Development Team page**
- **Update Table of Contents to Add Exhibit M (see below)**
- **Exhibit A – Update Legal Description to Add the Additional 5 ft.**

NOTE: The addition of the 227 sf. to the Alta Thomas development site did not change the gross and net lot areas in the PUD text on page 4.

- **Exhibit H – Conceptual Site Plan**
- **Exhibit J – Vehicular & Pedestrian Access Plan**
- **Exhibit L – Color Landscape Plan**
- **Add new Exhibit M – Use Permit Approval**

These updated exhibits are enclosed with this narrative.

This minor request will not alter the purpose, intent, density, building heights or any other aspect of the original PUD approval. This site's strategic location remains just a block away from the Light Rail Transit station at Central Avenue and Thomas Road and will attract residents seeking convenient access to employment opportunities, retail shopping, restaurant, entertainment and sport venues along Central Avenue and in Downtown. The project continues to be consistent with the City's longstanding goals to bring new housing opportunities to Central Avenue and implements the Midtown Transit Orientated Development Policy Plan and the new Walkable Urban form-base code.

PRINCIPALS AND DEVELOPMENT TEAM PAGE

PRINCIPALS AND DEVELOPMENT TEAM

Developer:

Wood Partners

7975 North Hayden Road, Suite #A-101
Scottsdale, AZ 85258
Contact: Todd Taylor
Phone: (480) 567-0069
Email: tht@woodpartners.com

Architect:

CCGB Architects, Inc.

102 E. Buchanan St.
Phoenix, AZ 85004
Contact: Brian Cassidy
Phone: (602) 258-2211
Email: bcassidy@ccbg-arch.com

Landscape Architect:

AndersonBaron

50 N. McClintock Dr. Suite #1
Chandler, AZ 85226
Contact: Andrew Baron
Phone: (480) 699-7956
Email: andy.baron@andersonbaron.com

Attorney:

Earl Curley & Lagarde

3101 North Central Avenue, Suite #1000
Phoenix, Arizona 85012
Attorney: Stephen C. Earl
Planning Consultant: Gary King
Phone: (602) 265-0094
Fax: (602) 265-2195
E-mail: searl@ecllaw.com
E-mail: gking@ecllaw.com

UPDATED EXHIBIT LIST TO THE TABLE OF CONTENTS

LIST OF EXHIBITS

- A. Legal Description
- B. Area Vicinity Map
- C. Aerial Map
- D. Zoning Map (Existing & Proposed)
- E. Land Use Plan
- F. Context Plan
- G. General Plan Map
- H. Land Use Map
- I. Conceptual Site Plan
- J. Residential Vignette & Elevations
- K. Vehicular & Pedestrian Access Plan
- L. Color Landscape Plan
- M. ZA 491-15 Use Permit Approval; December 3, 2015

Exhibit A

Additional Legal Description for 5 ft. Extension

EXHIBIT "A"
5.00' ENCROACHMENT DESCRIPTION

A PORTION OF LOT 9, AS RECORDED IN "LA BELLE PLACE", A FINAL PLAT, RECORDED IN BOOK 4, PAGE 42, MARICOPA COUNTY RECORDS (M.C.R.), LOCATED IN THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 2 NORTH, RANGE 3 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 29, BEING MARKED BY A BRASS CAP IN HANDHOLE, FROM WHICH THE SOUTH QUARTER CORNER OF SAID SECTION 29, BEING MARKED BY A BRASS CAP IN HANDHOLE, BEARS NORTH 89 DEGREES 32 MINUTES 04 SECONDS WEST, 2655.35 FEET;

THENCE NORTH 89 DEGREES 32 MINUTES 04 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER AND THE CENTERLINE OF THOMAS ROAD, 1327.74 FEET TO THE SOUTHEAST CORNER OF SAID EAST HALF;

THENCE DEPARTING SAID SOUTH LINE, NORTH 00 DEGREES 06 MINUTES 01 SECONDS EAST, ALONG THE CENTERLINE OF 3RD STREET, 663.35 FEET TO THE INTERSECTION OF 3RD STREET AND CATALINA DRIVE, MARKED BY A BRASS CAP IN HANDHOLE;

THENCE DEPARTING SAID CENTERLINE, NORTH 89 DEGREES 37 MINUTES 07 SECONDS WEST, ALONG THE CENTERLINE OF CATALINA DRIVE, 320.37 FEET;

THENCE DEPARTING SAID CENTERLINE, SOUTH 00 DEGREES 22 MINUTES 53 SECONDS WEST, 30.00 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SAID CATALINA DRIVE, AS RECORDED IN SAID FINAL PLAT AND TO THE **POINT OF BEGINNING**;

THENCE SOUTH 89 DEGREES 37 MINUTES 07 SECONDS EAST, ALONG SAID SOUTH RIGHT-OF-WAY LINE, 5.00 FEET;

THENCE DEPARTING SAID SOUTH RIGHT-OF-WAY LINE, SOUTH 00 DEGREES 05 MINUTES 59 SECONDS WEST, 45.30 FEET;

THENCE NORTH 89 DEGREES 54 MINUTES 15 SECONDS WEST, 5.00 FEET;

THENCE NORTH 00 DEGREES 05 MINUTES 59 SECONDS EAST, 45.33 FEET TO THE **POINT OF BEGINNING**;

SAID PARCEL CONTAINS 227 SQUARE FEET OR 0.0052 ACRES, MORE OR LESS.

Exhibit H – Conceptual Site Plan

Exhibit J – Vehicular & Pedestrian Access Plan

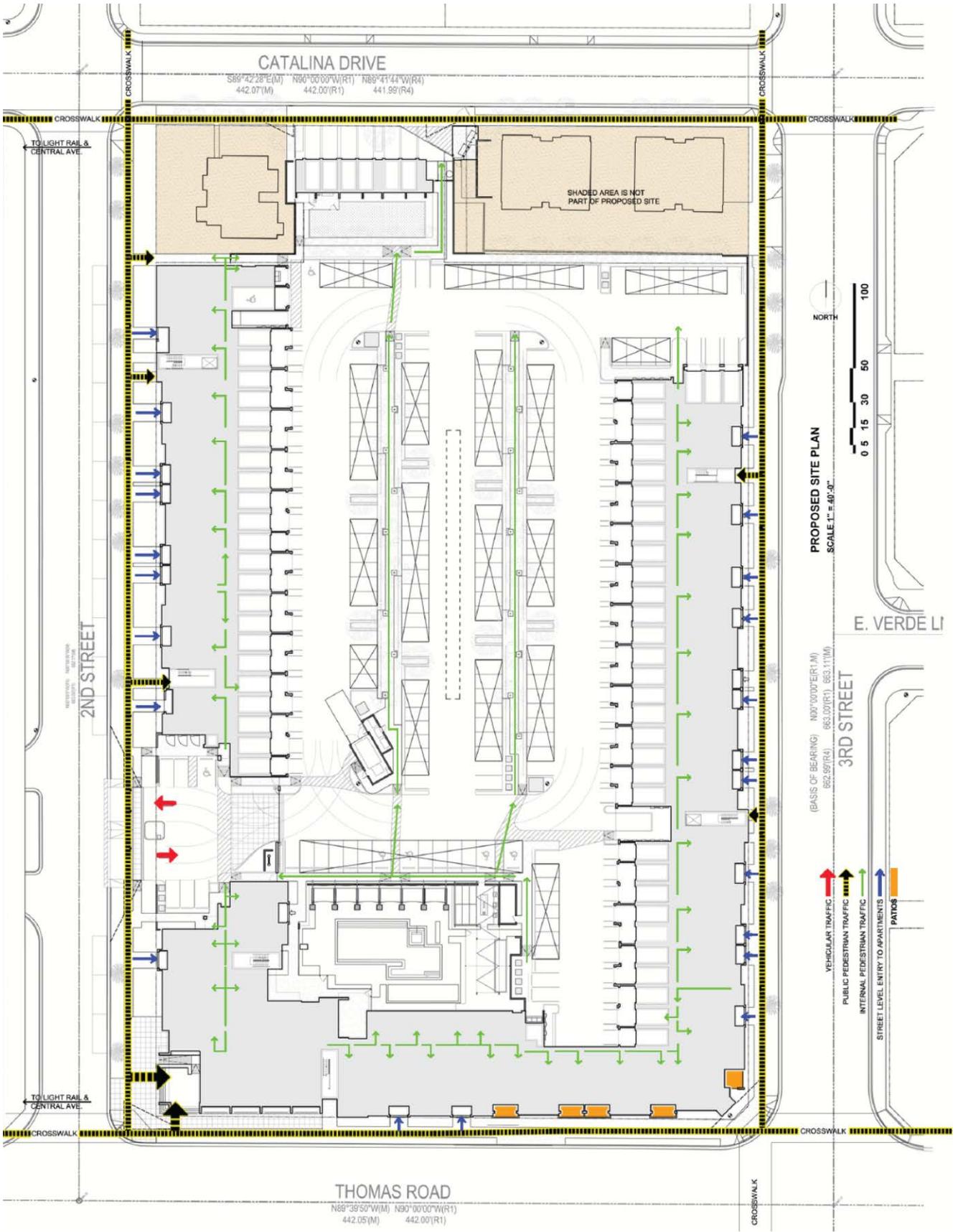


Exhibit L – Color Landscape Plan

Exhibit M – Use Permit Approval



City of Phoenix

PLANNING AND DEVELOPMENT DEPARTMENT

APPLICATION FOR ZONING ADJUSTMENT

APPLICATION NO: ZA-491-15

CASE TYPE: Use Permit
DATE FILED: 10/30/2015

COUNCIL DISTRICT: 4
CASE STATUS: Pending

EXISTING ZONING: C-O & PUD TOD-1
FILING STAFF: mmoric

Fee	Fee Waived	Fee Date	Receipt	Purpose
\$490.00	\$0.00	10/30/2015		Original Filing Fee

HEARING DATES

ZA: 12/03/2015 9:00 AM **LOCATION:** 200 West Washington Street, 10th Floor, Conference Room 10E

BOA:

PROPERTY LOCATION: 2943 N 2nd St Phoenix, AZ 85012

LEGAL DESCRIPTION: See attached.

CONTACT INFORMATION

NAME	ADDRESS	PHONE	FAX	EMAIL
Clay Richardson Wood Partners <small>(Applicant)</small>	7975 N Hayden Road, #A-101 Scottsdale AZ 85258	(480) 567-0069		
Zinn Family Limited Partnership <small>(Owner)</small>	77 E Columbus Avenue, 101 Phoenix AZ 85021			
Stephen Earl Earl, Curley & Lagarde <small>(Representative)</small>	3101 N Central Avenue, 1000 Phoenix AZ 85012	(602) 265-0094		searl@ecllaw.com searl@ecllaw.com

If, during the course of review of a pending application, the applicant submits one or more additional applications that are related to the pending application, then and in such event, the substantive review time frame shall be reset on all related applications. In this event there shall be one applicable substantive review time for all of the related applications and the time frame shall be revised to be the longest substantive review time frame that was applicable to any one of the related applications. As a result, the entire substantive review time frame for the related applications shall start over, and a fee may be charged.

An applicant may receive a clarification from the city of its interpretation or application of a statute, ordinance, code or authorized substantive policy statement. To request clarification or to obtain further information on the application process and applicable review time frames, please call 602-262-7131 (option 6), email zoning.mailbox@phoenix.gov or visit our website at <http://phoenix.gov/pdd/licensetimes.html>.

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: _____

NOTE TO APPLICANT: SUCH USE PERMITS AND VARIANCES AS ARE GRANTED BY THE ZONING ADMINISTRATOR SHALL BE VOID IF THE USE IS NOT COMMENCED OR IF A BUILDING PERMIT IS NOT OBTAINED 60 DAYS OF SUCH GRANTING OR WITHIN THE TIME STIPULATED BY THE ADMINISTRATOR.

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. Use permit to allow a less restrictive use (PUD) to extend into a more restrictive zone (C-O) for less than 25 feet. Use permit required.

ZONING ORD. SECTIONS
307-A.8

GEOGRAPHIC INFORMATION

APN: 118-35-057

Qtr Section(Map Index): 15-28(G8)

