

ORDINANCE NO. 022-15

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING 19.15 ACRES LOCATED AT THE NORTHEAST CORNER OF 91ST AVENUE AND OCOTILLO ROAD FROM A-1 (AGRICULTURAL) TO PAD (PLANNED AREA DEVELOPMENT) FOR A DEVELOPMENT PLAN ENTITLED “DISTRICT AT WESTGATE”; AMENDING THE ZONING MAP; AND PROVIDING FOR AN EFFECTIVE DATE; AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THE ORDINANCE.

WHEREAS, the City of Glendale Planning Commission held a public hearing on February 24, 2022, in zoning case ZON21-23 in the manner prescribed by law for the purpose of rezoning property located at the northeast corner of 91st Avenue and Ocotillo Road from A-1 (Agricultural) to PAD (Planned Area Development);

WHEREAS, due and proper notice of such public hearing was given in the time, form, substance, and manner provided by law, including publication of such notice in *The Arizona Republic* on February 2, 2022; and

WHEREAS, the City has considered the individual property rights and personal liberties of the residents of the city before adopting this zoning ordinance; and

WHEREAS the City of Glendale Planning Commission recommended to the mayor and the council the zoning of property as described above and the mayor and the council desire to approve such recommendation to rezone the property described on Exhibit A from A-1 (Agricultural) to PAD (Planned Area Development) in accordance with the development plan currently on file with the planning division as of the date of this ordinance.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That a parcel of land in Glendale, Maricopa County, Arizona located at the northeast corner of 91st Avenue and Ocotillo Road and more accurately described in Exhibit A to this ordinance, is conditionally rezoned A-1 (Agricultural) to PAD (Planned Area Development).

SECTION 2. That the rezoning provided for is conditioned and subject to the following:

1. Development shall be in substantial conformance to the PAD Booklet entitled “District at Westgate,” date stamped December 22, 2021, modified date stamped February 28, 2022.
2. A turn lane on 91st Avenue northbound shall be required, such design shall be approved by Traffic Engineering.

3. The developer will be required to provide 65' half street right-of-way (measured from Centerline) for the length of the development along 91st Avenue.
4. The developer will be required to provide 30' half street of right-of-way (measured from Centerline) for the length of the development along 89th Avenue.
5. The developer will be required to provide 30' half street of right-of-way (measured from Centerline) for the length of the development along Ocotillo Road.
6. The undeveloped space to the south between the development and the existing neighborhood shall be maintained by the property owner to the extent permitted by the easement holder.
7. Physical barriers in addition to appropriate signage (e.g., landscaping, boulders, bollards, or walls) shall be installed at the terminus of the 89th Avenue cul-de-sac to prevent access to the 89th Avenue south alignment.

SECTION 3. The City of Glendale Zoning Map is amended by this ordinance to reflect the change in districts referred to and the property described in Section 1 above as shown in Exhibit B.

SECTION 4. This Ordinance becomes effective at the time and in the manner prescribed by law.

SECTION 5. The City Clerk is instructed and authorized to forward a certified copy of this ordinance for recording to the Maricopa County Recorder's Office.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 22nd day of March, 2022.

Mayor Jerry P. Weiers

ATTEST:

Julie K. Bower, City Clerk (SEAL)

APPROVED AS TO FORM:

Michael D. Bailey, City Attorney

REVIEWED BY:

Kevin R. Phelps, City Manager