

ORDINANCE NO. O22-61

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING 34.06 ACRES LOCATED AT THE SOUTHWEST CORNER OF NORTH 95TH AVENUE AND WEST MISSOURI AVENUE FROM PAD (PLANNED AREA DEVELOPMENT) TO PAD (PLANNED AREA DEVELOPMENT) FOR A DEVELOPMENT PLAN ENTITLED “URBAN 95 LUXURY LIVING”; AMENDING THE ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE; AND ORDERING THAT A CERTIFIED COPY OF THE ORDINANCE IS RECORDED.

WHEREAS, the City of Glendale Planning Commission held a public hearing on August 25, 2022, in zoning case ZON22-11 in the manner prescribed by law for the purpose of rezoning property located at the southwest corner of North 95th Avenue and West Missouri Avenue from PAD (Planned Area Development) 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 August 3, 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 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 southwest corner of North 95th Avenue and West Missouri Avenue and more accurately described in Exhibit A to this ordinance, is conditionally rezoned from PAD (Planned Area Development) to PAD (Planned Area Development).

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

1. Development in substantial conformance with the project narrative titled, “Urban 95 Luxury Living,” stamped “Received, June 24, 2022.”
2. Developer to provide any necessary contributions toward turn lane improvements recommended by the traffic study.

- Digital Billboard shall be allowed as regulated in Section 7.110, Digital Billboard Signs, of the Zoning Ordinance.

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 27th day of September 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



First American Title™

ALTA Commitment for Title Insurance

ISSUED BY

First American Title Insurance Company

Exhibit A

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

PARCEL NO. 1:

Lot 2, of FINAL PLAT FOR URBAN 95, recorded in Book 1566 of Maps, Page 45. Records of Maricopa County, Arizona.

PARCEL NO. 2:

Being a part of a 8.077 acre portion of existing rights of way STATE ROUTE 101L (AGUA FRIA FREEWAY) formerly STATE ROUTE 417 NORTHWEST OUTER LOOP in the West half of the West half and the Southeast quarter of the Southeast quarter of the Southwest quarter of Section 16, Township 2 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, with said part being described as follows:

COMMENCING at a MCHD brass cap as handhole marking the South quarter corner of said Section 16, with said South quarter being North 88 degrees 17 minutes 12 seconds East 2667.61 feet from a MCHD brass cap marking the Southwest corner of said Section 16;

Thence along the South line of said Section 16, South 88 degrees 17 minutes 12 seconds West 834.04 feet to a point;

Thence North 01 degrees 42 minutes 48 seconds West 55.00 feet to the existing Northerly right of way line of CAMELBACK ROAD to a point;

Thence along said existing Northerly right of way line of CAMELBACK ROAD North 88 degrees 16 minutes 35 seconds West 417.00 feet to the existing Easterly right of way line of said STATE ROUTE 101L to a point;

Thence along said existing Easterly right of way line of STATE ROUTE 101L North 34 degrees 55 minutes 23 seconds West 102.90 feet to a point;

Thence continuing along said existing Easterly right of way line of STATE ROUTE 101L North 00 degrees 44 minutes 00 seconds East 750.00 feet to a set 5/8 inch iron pin with an aluminum cap stamped Lamphear – 33316 with said set pin and cap also being the TRUE POINT OF BEGINNING;

Thence leaving said existing Easterly right of way line of STATE ROUTE 101L and going along a 6 foot chain link fence, being the access control fence for said STATE ROUTE 101L North 04 degrees 58 minutes 38 seconds West 502.49 feet to a found ADOT pin and cap stamped 317+00, 270.00 Rt;


Thence continuing along said access control fence North 11 degrees 56 minutes 49 seconds West 410.00 feet to a found ADOT pin and cap stamped 321+00, 180.00 Rt;

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Exhibit A (Cont.)	

Commitment No.: 06185941-128-CM

EXHIBIT A

Legal Description (Continued)

Thence continuing along said access control fence North 00 degrees 44 minutes 45 seconds East 818.53 feet to a point on the mid-section line of said Section 16 and a set 5/8 inch iron pin with an aluminum cap stamped Lamphear – 33316;

Thence with a new line through said 8.077 acre portion North 88 degrees 13 minutes 35 seconds east 120.81 feet to a found ADOT pin and cap stamped 329+23.81, 300.88 Rt, with said pin and cap ALSO being on the Easterly right of way line of STATE ROUTE 101L and also being South 00 degrees 46 minutes 20 seconds West 2673.32 feet of the North line of Section 16;

Thence continuing along said existing right of way line of STATE ROUTE 101L South 00 degrees 45 minutes 12 seconds West 1287.07 feet to a found disturbed 5/8 inch rebar;

Thence continuing along said existing Easterly right of way line of STATE ROUTE 101L South 01 degrees 49 minutes 54 seconds East 437.17 feet to a set 5/8 inch iron pin with an aluminum cap stamped Lamphear – 33316 and the TRUE POINT OF BEGINNING.

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EXHIBIT B



PARCEL VIEW

HUNTER

ENGINEERING

10450 NORTH 74TH STREET
SUITE 200
SCOTTSDALE, AZ 85258
T 480 991 3985
F 480 991 3986

CIVIL AND SURVEY

PROJ: ATHE001
SCALE: NTS
DATE: 08-01-22
DESC: PARCEL
VIEW

EX-2