

ORDINANCE NO. 024-37

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING 19 ACRES LOCATED AT THE NORTHWEST CORNER OF GLENDALE AVENUE AND 99TH AVENUE FROM PAD (PLANNED AREA DEVELOPMENT) TO PAD (PLANNED AREA DEVELOPMENT) FOR A DEVELOPMENT PLAN ENTITLED “WESTGATE MIXED USE DEVELOPMENT”; AMENDING THE ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE IS RECORDED.

WHEREAS, the City of Glendale Planning Commission held a public hearing on August 22, 2024, in zoning case ZON23-07 in the manner prescribed by law for the purpose of rezoning property located at the northwest corner of Glendale Avenue and 99th Avenue from PAD (Planned Area Development) to PAD (Planned Area Development); and

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 July 31, 2024; 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 northwest corner of Glendale Avenue and 99th 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 shall be in substantial conformance with the Westgate Mixed Use Development PAD Narrative, final date stamped received June 15, 2024.

2. Dedication of sixty-five (65) feet of right of way measured from centerline to right of way line along 99th Avenue with half-street improvements shall be completed prior to the issuance of a Certificate of Occupancy for any development on the property.
3. Dedication of thirty-five (35) feet of right-of-way measured from centerline to right-of-way line along Myrtle Avenue with half-street improvements shall be completed prior to the issuance of a Certificate of Occupancy for any development on the property.
4. Installation of a right-turn lane for southbound traffic on 99th Avenue at Access D, per approved TIS date stamped May 22, 2024.
5. The right turn lane at Access D, per approved TIS date stamped, May 22, 2024, will be designed with a minimum of one hundred fifty (150) feet of storage with a 150-foot radius S-curve taper, approximately 84 feet.
6. Access B, per approved TIS date stamped May 22, 2024, will be designed as a right-out-only driveway.
7. Building heights for the Multifamily Development Standards shall be a minimum of four (4) stories.

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.

[Signatures on the following page.]

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 24th day of September, 2024.

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

LEGAL DESCRIPTION

A PART OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 5;

THENCE NORTH 89 DEGREES 46 MINUTES 09 SECONDS WEST ALONG THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 5, A DISTANCE OF 66.31 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 28 DEGREES 17 MINUTES 47 SECONDS WEST, A DISTANCE OF 43.01 FEET TO A POINT;

THENCE SOUTH 2 DEGREES 27 MINUTES 12 SECONDS WEST, A DISTANCE OF 787.09 FEET TO A POINT;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 176.75 FEET TO A POINT;

THENCE SOUTH 2 DEGREES 25 MINUTES 00 SECONDS WEST, A DISTANCE OF 76.40 FEET TO A POINT;

THENCE NORTH 87 DEGREES 36 MINUTES 14 SECONDS WEST, A DISTANCE OF 81.95 FEET TO A POINT;

THENCE SOUTH 42 DEGREES 45 MINUTES 34 SECONDS WEST, A DISTANCE OF 72.80 FEET TO A POINT;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 719.06 FEET TO A POINT;

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 138.35 FEET TO A POINT;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 46.27 FEET TO A POINT;

THENCE NORTH 17 DEGREES 46 MINUTES 00 SECONDS EAST, A DISTANCE OF 257.35 FEET TO A POINT;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 211.84 FEET TO A POINT;

THENCE NORTH 0 DEGREES 0 MINUTES 1 SECOND EAST, A DISTANCE OF 570.55 FEET TO A POINT;

THENCE SOUTH 89 DEGREES 46 MINUTES 09 SECONDS EAST, A DISTANCE OF 840.31 FEET TO THE POINT OF BEGINNING;



N:\0009471.02\DWG\SURVEY\EXHIBIT\0009471.02V-EXB-LEGAL-LOI.DWG



Phone (480) 747-6558 6909 East Greenway Parkway, Suite 250
Fax (480) 376-8025 Scottsdale, AZ 85254

westwoodps.com

Westwood Professional Services, Inc.

PARCEL DESCRIPTION
WESTGATE MEDICAL LOI
GLENDALE, AZ.

SHEET NUMBER:

1 OF 2

DATE: 9-11-2024
PROJ: 0009471.02

EXHIBIT B

LINE TABLE		
LINE	DIRECTION	DISTANCE
L1	N90°00'00"W	176.75'
L2	S2°25'00"W	76.40'
L3	N87°36'14"W	81.95'
L4	S42°45'34"W	72.80'
L5	N0°00'00"E	138.35'
L6	N90°00'00"W	46.27'
L7	N90°00'00"E	211.84'



Ethan Oelke

1"=250'



S 1/4 COR, SEC 5
T2N, R1E, G&SRM,
FND. BRASS CAP IN
HANDHOLE STAMPED "N 979",

E. 1/4 COR, SEC 5,
T2N, R1E, G&SRM,
FND. 1/2" REBAR



NE 1/4 OF THE S 1/2 OF THE SE 1/4 OF SECTION 5
POINT OF COMMENCEMENT

N89°46'09"W 66.31'
POINT OF BEGINNING

MYRTLE AVENUE
S89°46'09"E 840.31'

MANGAT INVESTMENTS II LLC
A.P.N. 142-57-022
PARCEL 3
BK. 1628, PG. 48, MCR

Westgate Medical LOI
AREA: 830856 SQ.FT.
OR 19.0738 ACRES

101 W. HEALTHCARE
SUBSIDIARY LLC
A.P.N. 142-57-003P
PARCEL 4
DOC. 20200198040, MCR

101 W. HEALTHCARE
SUBSIDIARY LLC
A.P.N. 142-57-002F &
A.P.N. 142-57-003H
PARCEL 1
DOC. NO.
20200198040, MCR

101 W. HEALTHCARE SUBSIDIARY LLC
A.P.N. 142-57-003U
PARCEL 3, DOC. 20200198040, MCR

101 W. HEALTHCARE
SUBSIDIARY LLC
A.P.N. 142-57-002D
PARCEL 2
DOC. 20200198040, MCR

101 W. HEALTHCARE
SUBSIDIARY LLC
A.P.N. 142-57-002F &
A.P.N. 142-57-003H
PARCEL 1
DOC. NO. 20200198040, MCR

BOOK 1295,
PG. 16, MCR

W. GLENDALE AVE.

N90°00'00"W 2640.78'

101 W. HEALTHCARE SUBSIDIARY LLC
A.P.N. 142-57-003U
PARCEL 3, DOC. 20200198040, MCR

S.E. COR, SEC 5,
T2N, R1E, G&SRM,
FND. BRASS CAP FLUSH

N00°00'01"E 570.55'
N02°27'12"E (BASIS OF BEARING) 2609.59'
99th AVENUE

Westwood
 Phone (480) 747-6558 6909 East Greenway Parkway, Suite 250
 Fax (480) 376-8025 Scottsdale, AZ 85254
westwoodpa.com
 Westwood Professional Services, Inc.

PARCEL DESCRIPTION
WESTGATE MEDICAL LOI
GLENDALE, ARIZONA

SHEET NUMBER:
2 OF 2
DATE: 9-11-2024
PROJ: 0009471.02