

ORDINANCE NO. O25-16

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING 32 ACRES LOCATED AT THE NORTHWEST CORNER OF 99TH AVENUE AND MYRTLE AVENUE FROM PAD (PLANNED AREA DEVELOPMENT) TO PAD (PLANNED AREA DEVELOPMENT) FOR A DEVELOPMENT PLAN ENTITLED “DIGNITY HEALTH DESERT RIVER III PAD”; AMENDING THE ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE IS RECORDED.

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 March 5, 2025; and

WHEREAS, the City of Glendale Planning Commission held a public hearing on March 27, 2025, in zoning case ZON23-10 in the manner prescribed by law for the purpose of rezoning property located at the northwest corner of 99th Avenue and Myrtle Avenue from PAD (Planned Area Development) to PAD (Planned Area Development); 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 99th Avenue and Myrtle 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 Dignity Health, Desert River III PAD Narrative, date stamped January 27, 2025.
2. Due to the site’s proximity to the airport, review and approval from the City’s Airport Administrator and Federal Aviation Administration (FAA) shall be required prior to the issuance of building permits for the site.

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 April, 2025.

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, Interim City Manager

EXHIBIT A

LEGAL DESCRIPTION

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE GILA & SALT RIVER BASE & MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING A PART OF MARICOPA COUNTY ASSESSOR'S PARCEL NUMBER (APN) 142-57-001E, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 5 FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION 5 BEARS SOUTH 02 DEGREES 27 MINUTES 38 SECONDS WEST RECORD (SOUTH 00 DEGREES 03 MINUTES 40 SECONDS WEST MEASURED), A DISTANCE OF 2609.44 FEET;

THENCE NORTH 89 DEGREES 28 MINUTES 57 SECONDS WEST RECORD (SOUTH 88 DEGREES 04 MINUTES 05 SECONDS WEST MEASURED), ALONG THE EAST - WEST MID-SECTION LINE OF SAID SECTION 5, A DISTANCE OF 55.03 FEET;

THENCE, ALONG THE WEST RIGHT-OF-WAY LINE OF 99TH AVENUE, SOUTH 02 DEGREES 27 MINUTES 38 SECONDS WEST RECORD (SOUTH 00 DEGREES 03 MINUTES 40 SECONDS WEST MEASURED), A DISTANCE OF 309.94 FEET TO THE POINT OF BEGINNING OF THE PARCEL DESCRIBED HEREIN;

THENCE CONTINUING SOUTH 02 DEGREES 27 MINUTES 38 SECONDS WEST RECORD (SOUTH 00 DEGREES 03 MINUTES 40 SECONDS WEST MEASURED), ALONG SAID WEST RIGHT-OF-WAY LINE OF 99TH AVENUE, A DISTANCE OF 995.00 FEET TO THE SOUTHEAST CORNER OF SAID PARCEL APN 142-57-001E;

THENCE ALONG THE SOUTH LINE OF SAID PARCEL APN 142-57-001E NORTH 89 DEGREES 44 MINUTES 26 SECONDS WEST RECORD (SOUTH 87 DEGREES 50 MINUTES 09 SECONDS WEST MEASURED), A DISTANCE OF 1543.11 FEET;

THENCE DEPARTING SAID SOUTH LINE OF PARCEL APN 142-57-001E NORTH 00 DEGREES 03 MINUTES 40 SECONDS EAST, A DISTANCE OF 544.92 FEET TO THE POINT OF CURVATURE OF A TANGENT CURVE CONCAVE TO THE SOUTHEAST;

THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE HAVING A RADIUS OF 510 FEET, THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS, A DISTANCE OF 801.11 FEET;

THENCE SOUTH 89 DEGREES 56 MINUTES 20 SECONDS EAST, A DISTANCE OF 1031.95 FEET TO THE POINT OF BEGINNING.

ALSO BEING SHOWN AS RESULTANT LOT 1 OF THE MINOR LAND DIVISION-LOT SPLIT FOR ATC REALTY SIXTEEN, INC. ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA RECORDED IN BOOK 1115 OF MAPS, PAGE 20.

EXHIBIT B

