



July 7, 2000

Michael J. Curley
Earl, Curley and Lagarde
3101 North Central Avenue Suite 1000
Phoenix, Arizona 85012

SUBJECT: Approval of Rezoning Application Z-00-03: 5902 West Peoria Avenue

Dear Mr. Curley:

You received a letter dated June 30, 2000 regarding rezoning application Z-00-03. Some of the information contained in that letter was incorrect. This letter supercedes the letter dated June 30, 2000.

At its regularly scheduled meeting of June 27, 2000, the Glendale City Council unanimously approved your Rezoning Application Z-00-03. The approval was subject to the following stipulations:

1. Replace stipulations 3 and 5 of existing PAD zoning Z-85-15 with the following:
 3. Development of the neighborhood commercial center shall be in substantial conformance with the "Planned Area Development Amendment for the Northwest corner of 59th Avenue and Peoria Avenue", dated June 6, 2000.
 5. Major streets in the development to be designed as parkways as shown on the conceptual site plan presented with this rezoning, except for 60th Avenue adjacent to the neighborhood commercial center.
2. Add a new stipulation number 8 to existing PAD zoning Z-85-15 as follows:
 8. For the neighborhood commercial center, the following additional conditions will apply:
 - a) Prior to development of any portion of the property, the developer shall have a master development plan for the entire site that has been reviewed and approved by the Community Development Group. The plan, at a minimum, will address:
 - A design theme for the center showing the architecture, materials and colors that will be used.
 - The location and design of all proposed buildings, plazas, and pedestrian walkways.
 - The location and design of all drive aisles, parking, loading and service areas.

- The location and design of all landscaping, retention areas, entry features and perimeter walls.
 - The location and design of all required public street improvements.
 - The location and design standards of all proposed signs.
 - On-site lighting performance measures.
- b) Dedication of additional right-of-way on 60th Avenue to provide a total width of 50 feet shall be made within 180 days of the date of City Council approval.
- c) Dedication of additional right-of-way on 59th Avenue and Peoria Avenue to provide for deceleration lanes at the entrances to the site shall be made prior to issuing any building permits. Required right-of-way will be determined by the City Traffic Engineer during design review.
- d) All street improvements on 59th Avenue, Peoria Avenue, and 60th Avenue adjacent to the site must be completed with the first phase of development of the property. Required improvement standards will be determined by the City Traffic Engineer using the City of Glendale Design Guidelines for Site Development and Infrastructure Construction.
- e) A traffic signal at the intersection of 59th Avenue and Mercer shall be constructed in the first phase of development. Design and specifications for the signal and all associated operating systems will be determined by the City Traffic Engineer.
- f) All perimeter on-site improvements including landscape buffers, sidewalks, perimeter walls and parking lot screen walls must be completed with the first phase of development.
3. The developer shall pay for speed humps required on 60th Avenue as recommended by the Transportation Department.

This approval is effective 30 days after the Council's adoption (July 27, 2000). Please call me at 623-930-2800 if you have any questions or comments regarding the City Council's approval.

Sincerely,



Gary Fulk
Planning Manager
Planning Department

GF/dc

DEPOT STORE # 405, GLENDALE, ARIZONA

APPROVED PLAN
COMMUNITY DEVELOPMENT
CITY OF GLENDALE

MERCER LANE



REQUIRED FIRE ACCESS
(MUST BE CLEAR AT ALL
TIMES)

60th AVENUE

THE HOME DEPOT
115,058 SF
12,000 sq ft

TOOL RENTAL
CENTER

CONC.
PAD
LUMBER
DOOR

Home Depot
16,784 S.F.
NOT A PART

OUTDOOR
STORAGE 20'x35'

59th AVENUE

TRUCK
WELL
COMPACTOR
ONE-WHEEL
CENTER LOADING

OUTDOOR
GARDEN CENTER
24,310 SF

LUMBER
VESTIBULE

LUMBER
CANOPY

EXIT
CANOPY

ENTRY

THE SPACE
10'x20' W/ 5'
AISLE

10'x20'
TYP.

SEASONAL SALES
AREA (10,000 SF)

PEORIA AVENUE

OPERATING RESTRICTIONS FOR THE HOME

ISSUE DATE 07/30/01

SOURCES

PRIVATE OPERATIONAL CONDITIONS

Private operational conditions are negotiated with private parties, such as co-tenants in a shopping center, or a landlord where the building is leased, and one enforced by private parties, such as co-tenants in a shopping center, or a landlord where the building is leased, and one enforced by private parties. Purchase and Sale Agreement, dated 8/3/99, by and between Peoria Avenue (Phoenix) Investors Limited Partnership ("Seller") and Uninvest Treasury Group, Inc. ("Buyer"); ALTA Title Policy No. 226-100-1237764 dated 7/31/00 as issued by First American Title Insurance Company, and Planned Area Development Amendment, dated June 6, 2000, and approved by the City of Glendale on June 27, 2000.

CITY OPERATIONAL CONDITIONS

City Operational Conditions emanate from public agencies and are enforced by code compliance inspectors. City of Glendale, Arizona.

CITY ORDINANCES

City ordinances emanate from public agencies and are enforced by code compliance inspectors. Zoning Ordinance of the City of Glendale, Arizona.

PREPARED BY

Gail Thompson, Greenberg Farrow Architecture-Tustin

HOME DEPOT LEGAL CONTACT PHONE NUMBER

(714) 940-3644

REQUIRED PARKING

546 Spaces (1/250 SF) are required as shown on site plan including Garden Center. Parking total includes 12 handicapped spaces.

REQUIRED FIRE ACCESS

Access at all driveways and lanes must be maintained; a minimum twenty-four (24) ft. wide fire lane through site is required.

STORE HOURS

Hours of operation will be between 5:30 a.m. and 10:00 p.m., except for special sales events. Special events can be open until midnight. Private Conditions

DELIVERY HOURS

Loading and unloading activity shall take place only between the hours of 5:30 a.m. and 10:00 p.m. Private Conditions

LOADING AREAS

All loading and unloading of merchandise from delivery trucks shall be done only in those areas specifically depicted on the approved master plan behind the garden center/building at the loading docks. Private Conditions

OUTDOOR STORAGE AREAS

Permanent storage restricted. Private Conditions

STORAGE TRAILERS

Approval by planning Department necessary prior to placement on site. Private Conditions

SIDEWALK SALES & DISPLAYS

Restricted. All retail and service activities must be within an enclosed building. Private Conditions

SEASONAL SALES EVENTS

Christmas tree sales are allowed. Christmas tree sales must be reviewed and approved by the City of Glendale Community Development Group and are subject to standards defined in Section 7.503 of the Zoning Ordinance. The specific area is adjacent to and running the length of the garden center and will be determined by City of Glendale each year at time of approval of permit. Private Conditions

Pumpkin sales are allowed at Halloween and special events quarterly. Pumpkin sales must be reviewed and approved by the City of Glendale Community Development Group. All other seasonal sales items fall under special sales events, which will be limited to one weekend (Friday and Saturday) per quarter. Private Conditions

Temporary sales or display of goods or special events are allowed only if they are related to a particular seasonal, cultural, traditional, or community activity or event for a period not to exceed thirty (30) calendar days, as determined by the Planning Director. City of Glendale Zoning Ordinance, Section 7.503

FOOD SERVICE ISSUES

Food carts not allowed. Private Conditions

NOISE & P.A. SYSTEMS

No outdoor loudspeakers allowed on the site. Private Conditions

TENTS & AWNINGS

Not allowed. Private Conditions

SIGNS & BANNERS

Special sale banners are permitted as follows: (a) for a maximum of 10 consecutive day, (b) for no more than 3 times per year, and (c) there must be a minimum of 30 days between each use. Private Conditions

Seasonal sale banners are permitted as follows: (a) for the duration of the seasonal sale event; (b) only one non-illuminated sign is allowed; and (c) maximum area of 32 square feet with maximum height of 8 feet is permitted. Private Conditions

Promotional displays including banners, shall be allowed for a maximum of ten (10) consecutive days, nor more than three (3) times per year. One (1) grand opening promotional display is allowed per year for a period not to exceed thirty (30) days. There shall be a minimum of thirty (30) days between each display. City of Glendale Zoning Ordinance, Section 7.105-C

Special Events, Seasonal sales allows one (1) non-illuminated sign for the duration of the event. City of Glendale Zoning Ordinance, Section 7.105-D

SALES OF WORK SPORT TRAILERS

Not allowed. Private Conditions

EMPLOYEE PARKING

No designated area. Private Conditions

ENVIRONMENTAL

No restrictions.

OTHER SPECIAL RESTRICTIONS

To the extent permitted by law, the back-up bells on forklifts shall be disengaged when used outside of the buildings. Private Conditions

All carts shall be stored under the front canopy and screened from view. Private Conditions

All equipment cleaning shall take place within buildings or in designated areas at the rear of buildings as approved through the City's normal design review process. Private Conditions

PLANNED AREA DEVELOPMENT AMENDMENT

FOR

Northwest Corner of 59th Avenue and Peoria Avenue

Z-00-03

(Amendment to Z-85-15)

Prepared By

UNIVEST

for

City of Glendale, Arizona

June 6, 2000

**APPROVED PLAN
COMMUNITY DEVELOPMENT
CITY OF GLENDALE
6/27/00**

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PLANNED AREA DEVELOPMENT AMENDMENT

An amendment to the 15.86-acre commercial portion of the 80-acre PAD located on the NWC of 59th Avenue and Peoria Avenue.

Applicant: Univest
1400 Finova Corporate Center
4800 N. Scottsdale Rd.
Scottsdale, AZ 85251
Phone: (480) 421-6700
Fax: (480) 421-0701

Architect: Ellerman & Schick
727 E. Maryland
Phoenix, AZ 85014
Phone: (602) 266-6202
Fax: (602) 265-6212

Attorney: Earl, Curley & Lagarde
3101 N. Central Ave. #1000
Phoenix, AZ 85012
Phone: (602) 265-0094
Fax: (602) 265-2195

LIST OF EXHIBITS

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I. PROJECT STATEMENT

A. Background

On June 11, 1985, the Glendale City Council approved Planned Area Development (PAD) zoning (Z-85-15) for approximately 80 acres of land located on the NWC of 59th Avenue and Peoria Avenue (See Exhibit 1). The PAD zoning included a combination of single-family residential, multi-family residential, office and retail land uses. The PAD included a series of stipulations (See Exhibit 2), and a conceptual site plan (See Exhibit 3) with a street circulation system that borders all sides of the retail portion of the PAD.

Since the PAD's approval, the single-family and multi-family residential portions of the PAD have been developed. The office parcel and the retail parcel remain undeveloped. All of the street system approved in the PAD has been fully constructed except for the east half of 60th Avenue.

The PAD zoning approval included seven stipulations (see Exhibit 2). Stipulations 1 and 2 required development consistent with designated land uses and circulation. Stipulations 4 and 5 specified circulation requirements at the time of development. Stipulations 6 and 7 specified maximum number of units and densities for the single-family and multi-family residential components. Stipulation 3 specified a neighborhood commercial center fronting on all streets. It is Stipulation 3 that causes the need for this PAD amendment, since the proposed use will not front on all perimeter streets.

The original PAD provided a raised landscape median along the length of 60th Avenue between Peoria Avenue and Mercer Lane. This design was preferred at the time to control turning movements into the shopping center. The shopping center had multiple entrances off of 60th Avenue to provide direct vehicular access from the adjacent neighborhoods. This PAD amendment will eliminate the raised landscape median design since there are no planned entrances off of 60th Avenue. This amendment will modify Stipulation 5 noted in Exhibit 2 by removing the median. See the Circulation Section of this narrative for more details on the new 60th Avenue design. The 60th Avenue design change is consistent with the desires of the adjacent neighborhoods as expressed in a series of neighborhood meetings.

B. Development Plan Objective

The objective of the Z-85-15 PAD zoning was to create a fully integrated mixed-use development with a supporting street circulation system under one plan for the entire 80 acre site. This was the first effort by the City of Glendale to create a mixed-use plan under the PAD zoning district. Development of the street-system and the combination of different residential units under one plan met a large portion of the PAD objective.

II. LAND USE

A. Proposed Amendment

This PAD amendment is to revise and further define the list of retail uses that can be developed on the parcel, and to modify stipulations to address the proposed conceptual site plan (see Exhibit 4). The amendment will add a home improvement store to the permitted retail use list and a pharmacy with a drive-through pharmacy window in addition to uses already allowed in the PAD. The amendment includes a revised conceptual site plan which identifies the location and orientation of the home improvement store along with one retail pad to be located adjacent to 59th Avenue. The conceptual site plan includes the orientation of building footprints, vehicular access points, on-site retention areas and landscape tracts (see Exhibit 4).

B. Permitted Uses

The permitted uses in the retail portion of this PAD include the following:

- Home improvement store defined as a retail store exceeding 100,000 square feet of floor area. This store is used for the sale of home improvement products and services such as: flooring, plumbing, hardware, lighting, lumber, electrical, lawn supplies, and landscape supplies. All storage of products or sales of goods and services on-site are conducted in an enclosed building.
- Restaurants with out door dining areas.
- General Merchandising, variety and specialty retail stores.
- Apparel and accessory retail stores.
- Hardware store.
- Professional, administrative, medical and business offices.
- Personal services including barber shops and hair salons.
- Child care center.
- Financial institutions.
- Drug store with drive-through pharmacy pick-up window subject to standards in Section 7.404 of the Glendale Zoning Ordinance.

C. Development Standards

- Perimeter building setback from 59th Avenue – 1 foot for each foot of building height, 25 foot minimum.
- Perimeter building setback from Peoria Avenue – 1 foot for each foot of building height, 25 foot minimum.
- Perimeter building setback from Mercer Lane – 1 foot for each foot of building height, 25 foot minimum.
- Perimeter building setback from 60th Avenue – 60 feet.
- Maximum structure height – 36 feet.
- Maximum floor area ratio – 0.25.

D. Performance Standards:

- All retail and service activities must be within an enclosed building, unless specifically noted otherwise in the following performance standards.
- There shall be no manufacturing, compounding, processing or treatment of products other than those related to the normal operation of the retail store or business and where all such completed products are sold at retail on the premises.
- Hours of operation for a home improvement store will be between 5:30 a.m. and 10:00 p.m., except for special sales events. These special sales events will be limited to one weekend (Friday and Saturday) per quarter. During these events, the users on the site can be open until midnight.
- No business shall be allowed to store, display or sell materials, merchandise or equipment outside of a building with the following exceptions: pumpkin sales at Halloween, and Christmas trees during the Christmas season.
- Pumpkin and Christmas tree sales must be reviewed and approved by the City of Glendale Community Development Group as specified in Section 3.403 of the city of Glendale Zoning Ordinance.
- Seasonal sales of pumpkins and Christmas trees subject to standards defined in Section 7.503 of the Zoning Ordinance.
- There shall be no outdoor vendors on the property.

- Delivery trucks shall not be allowed to park in the parking lot. Parking for these trucks will be limited to the delivery parking areas designated on the approved master plan. Incidental delivery trucks such as UPS and Federal Express trucks shall be allowed to park in the parking lot while making deliveries.
- All pallets shall be screened from view in specifically designated roofed storage areas depicted on the approved master plan.
- There shall be no out door loud speakers on the site.
- To the extent permitted by law, the back up bells on forklifts shall be disengaged when used outside of buildings.
- All loading and unloading of merchandise from delivery trucks shall be done only in those areas specifically depicted on the approved master plan. Loading and unloading activity shall take place only between the hours of 5:30 a.m. to 10:00 p.m. All unloaded items must be placed inside the building the same business day. Inside stocking of shelves can take place at any time of day. Typical customer pick up of merchandise shall be allowed along the front of the buildings. No materials shall be placed outside of the building prior to customer pick-up.
- All carts shall be stored under a canopy and screened from view.
- All equipment cleaning shall take place within buildings or in designated areas at the rear of buildings as approved through the city's normal design review process.

1. Landscaping and Screening

- The minimum on-site landscaping shall be twenty (20) percent of the total site area.
- A minimum landscape buffer of 25 feet shall be located along Mercer Lane, 59th Avenue and Peoria Avenue. A landscape buffer that varies from 30 to 40 feet shall be located along 60th Avenue.
- A minimum 3 foot-high screen wall shall be located along Mercer Lane, 59th Avenue, Peoria Avenue, and the southern portion of 60th Avenue south of the home improvement store. A minimum 12 foot-high-screen wall shall be located along the rear side of the home improvement store adjacent to 60th Avenue. A minimum 6 foot-high-screen wall shall be located along 60th Avenue north of the home improvement store.
- All landscaping shall comply with the Glendale Landscape Ordinance and the Commercial Design Expectations.

2. Signs

- Master sign plan shall be submitted for review and approval as part of the design review process.
- One (1) freestanding sign shall be permitted for each street frontage along 59th Avenue and Peoria Avenue.
- The freestanding signs shall not exceed a height of twelve (12) feet. A maximum of two additional feet may be devoted to architectural embellishments. The architectural embellishment can not include any signage.
- The maximum sign area for each freestanding shopping center sign shall not exceed eight (80) square feet.
- The freestanding signs may identify the name of the shopping center, and the names of a maximum of ten (10) tenants within the shopping center. These signs shall not include any advertising copy. The height of the letters and the identification of individual tenants shall be a minimum of four (4) inches.
- The shopping center uses shall be allowed wall, fascia, mansard, and parapet signs on the exterior elevation of the space occupied by the business.

- The sign area for each business shall not exceed one (1) square foot for each linear foot of the business wall elevation along the street frontage on which the sign is displayed.
- The maximum aggregate sign area is three hundred (300) square feet for a home improvement store, and two hundred (200) square feet for other businesses.

3. Parking

- Each parking space shall be at least ten (10) feet wide, and twenty (20) feet deep, except that parking spaces at an angle of sixty (60) degrees or less may be nine (9) feet wide.
- A home improvement store or other retail uses shall be parked at a minimum of one (1) space per two-hundred fifty (250) square feet of building space. Reference the Zoning Ordinance for other parking standards.

III. CIRCULATION

All of the public streets for the entire 80 acre PAD are in place except for portions of the half-street improvements for 60th Avenue and some off-site improvements for 59th Avenue, Peoria Avenue and Mercer Lane. The Developer will provide for the balance of the street and curbing improvements along 60th Avenue so that the completed street is 32 feet wide from face-of-curb to face-of-curb. The balance of the right-of-way behind the sidewalk, along 60th Avenue adjacent to the commercial site, will be landscaped to provide additional screening. All required perimeter street improvements including paving, curb, gutter, sidewalk, street lights and the traffic signal at Mercer Lane and 59th Avenue will be installed by the developer at the time the commercial uses are constructed on the site.

This PAD amendment includes revisions to the 60th Avenue cross-section. The original two north-bound travel lanes and two south-bound travel lanes with a 12 foot wide landscape median cross-section design was needed to accommodate direct traffic circulation between the original commercial concept plan and the adjacent neighborhood to the west. The revised commercial concept plan no longer allows direct traffic circulation between the commercial portion and the adjacent neighborhood to the west. Accordingly, the 60th Avenue cross-section is revised to include 32 feet of paving face-of-curb to face-of-curb with one north-bound travel lane, one south-bound travel lane, room for continued neighborhood parking along the west side of the street, sidewalks on both sides, and no landscape median (see Exhibit 5). The pavement for 60th Avenue will be wider at the Peoria Avenue intersection to accommodate the existing intersection geometric.

Vehicular access to the commercial portion of the PAD will include one entrance off of 59th Avenue, two entrances off of Peoria Avenue, one limited right-out exit only onto Mercer Lane, and one gated delivery exit only to 60th Avenue. Median breaks are provided in the

landscaped medians along both 59th Avenue and Peoria Avenue at the entrances into the commercial parcel. A median will be installed along Mercer Lane, between 59th and 60th Avenues, to prevent left-turn in and left-turn out of the site. A traffic signal will be installed at the intersection of Mercer Lane and 59th Avenue.

The applicant agreed to assist the neighborhood by paying for the installation of speed humps along 60th Avenue between Mercer Lane and Cholla Street. The neighborhood is experiencing a lot of non-neighborhood cut through traffic and requests speed humps to slow traffic down. The City Traffic Engineer will determine the number and location of speed humps.

IV. ARCHITECTURAL DESIGN

All buildings, screen walls and signage within the commercial portion of this PAD shall share a common use of materials and architectural design theme. Materials for the commercial uses will be finished on all four (4) building-facades. Architectural elements will include: cornice moldings and parapet walls with flat roofs. The building materials for the commercial buildings will be tilt wall panels, stucco and split/face concrete masonry units with accent colors and detailing. Mechanical equipment will be roofed mounted and screened from view by parapet walls.

Uses that are part of a home improvement store, such as the tool storage area and the customer pick-up area shall be architecturally integrated into the store. Any garden center, as part of a home improvement store, shall provide a solid wall along the elevation that fronts Peoria Avenue and meshing along other walls. The cart storage area shall be under a canopy and screened from the parking lot with a wall that architecturally matches the building.

Building colors will be a combination of pastel earth tones with darker earth tones accents on the wainscot, cornice, ceramic tile and other appropriate locations. Longevity and ease of maintenance will take priority in selecting all materials and colors for these commercial uses.

Building massing will be reduced through a variety of stepping screen walls, articulation of building facades along with architectural details and features that present a balanced and proportioned architectural character. The architectural character of the commercial uses will be designed to fit into the context of the prevalent architectural style and colors in the immediate area. The consistent use of common design elements, colors and textures will create a cohesive commercial center that will complement the nearby Glendale residential neighborhoods.

The following is a list of design guidelines for the development of the commercial portion of this PAD:

- ◆ All development on the site will meet the design standards found in the City of Glendale's Commercial Design Expectations and Multi-Tenant Freestanding Identification Sign Design Guidelines.

- ◆ The project design will incorporate distinctive gateways at entrances, including features such as enriched paving, raised medians, extensive landscaping and decorative screen walls.
- ◆ All buildings on the site must share a common design theme. Corporate architecture must be tempered to be compatible with the design of the center. Materials and colors of all buildings shall be uniform. Reflective materials (such as plastics and metals) and bright colors will be used sparingly, only as accents.
- ◆ Building roofs and entries shall be designed with no lighted elements located above the plate line of the building wall, except approved signs.
- ◆ There will be no signs fronting 60th Avenue or Mercer Lane.
- ◆ Site equipment such as telephone booths will be incorporated into structures and screen walls wherever possible. When it is not possible, they must be screened from offsite view by walls and/or landscaping.
- ◆ All lighting on the site must be completely shielded high-pressure sodium fixtures. Parking lot fixtures and wall lights shall not exceed 15 feet in height within 150 feet of the 60th Avenue property line. Lighting elsewhere on site may not exceed 25 feet in height.
- Prior to Certificate of Occupancy of any building on the site, the developer shall provide certification that the noise level from mechanical equipment does not exceed 55 dBA (normal speaking voice) at the property line.

V. LANDSCAPING

The commercial portion of the PAD will have a common landscape theme throughout the site. This includes twenty-five (25) feet of landscaping along 59th Avenue, Peoria Avenue and Mercer Lane. Landscaping varies from thirty (30) to forty (40) feet along 60th Avenue. Additional accent landscaping will be provided at intersection corners and at the entrances or exit to the commercial property off of 59th Avenue, Peoria Avenue, Mercer Lane, and 60th Avenue. Excess right-of-way areas along the east side of 60th Avenue will be landscaped. Staggered screen walls will be provided along 59th Avenue, Peoria Avenue, Mercer Lane, and 60th Avenue to provide visual screenings from perimeter streets and adjacent neighborhoods into parking lots and loading areas behind the home improvement store. Landscaped storm water retention areas will be developed on-site. The exact locations of the landscaped retention areas will depend on the final approved Development Plan. All landscaping on the site and within the parking areas will meet the City of Glendale Landscape Ordinance and Commercial Design Expectations. The commercial users will maintain all landscaping on the site and on adjacent rights-of-way.

VI. UTILITIES

The street paving, landscaped medians, and stormwater improvements were made on both 59th Avenue and Peoria Avenue through Improvement District No. 55. Utility improvements along Peoria Avenue include a twelve (12) inch waterline and an eighteen (18) inch waterline. Utility improvements along 60th Avenue at the intersection of Peoria Avenue include a ten- (10) inch sewer line. Utility improvements along 59th Avenue include an eighteen- (18) inch sewer line, two (2) eight- (8) inch sewer stub-outs, and a twelve- (12) inch waterline. Appropriate electric utilities have been undergrounded. It appears that no additional off-site utility improvements will be needed for the commercial portion of this PAD.

VII. GRADING AND DRAINAGE

The parcel will provide on-site stormwater retention areas to accommodate a two (2) hour one-hundred (100) year storm. In addition to the on-site retention basins, both 59th Avenue and Peoria Avenue have full stormwater drain improvements as a result of Improvement District No. 55. The property is relatively flat with a slight southwesterly slope and has no unusual topographic features.

**CASE
NUMBER**

2-85 15

EXCERPT

FROM THE MINUTES OF A MEETING OF THE CITY COUNCIL,
OF THE CITY OF GLENDALE, HELD AT 7125 NORTH 58TH
DRIVE, AT 7:30 P.M., ON TUESDAY, THE 11th
DAY OF June, 1985.

✓ Rezoning Application Z-85-15: Northwest Corner of 59th and
Peoria Avenues

A request to zone 80 acres of land from the County zoning of R-43 to PAD. Proposed development for this site is multi-use development integrating retail/commercial, office/commercial, multiple-family and single-family uses. The site is shown as single-family on the General Plan but staff has worked long and hard with the developer and recommends approval with several stipulations intended to insure a high quality development of this site.

Moved by Heatwole, seconded by Tolby, to approve Rezoning Application Z-85-15, a request for PAD (Planned Area Development) zoning subject to the following conditions:

1. Final development plans being approved consistent with the land use locations, acreages, and densities as shown on the approved preliminary plan;
2. The major street configuration as shown in this plan;
3. The neighborhood commercial center fronting on all streets adjacent and not only fronting the arterial streets;
4. No access from the commercial office area directly to 59th Avenue;
5. Major streets in the development to be designed as parkways as shown on the conceptual site plan presented with this rezoning;
6. The number of multiple-family units may not exceed 378, with no particular multi-family site development having a density over 25 dwelling units per net acre. In addition, the multi-family developments must provide an excellent transition to adjacent single-family developments both on this project and to the west of this project. If this transition cannot be accomplished within the confines of the maximum density, then the number of units allowed will be decreased accordingly; and
7. A single-family density of four dwelling units per gross acre to be allowed as a matter of course, but may be increased to 5.25 dwelling units per gross acre (209 lots) if the product is of good quality and acceptable to the Community Development Group, active recreation is provided in the open space areas, entries to the neighborhood are landscaped and signed in order to provide a good visual identity for the neighborhood, acceptable lot design is achieved in subdivision platting and an r.v. storage area is provided.

Motion carried unanimously.

E X C E R P T

DRAFT

FROM THE MINUTES OF A MEETING OF THE ZONING AND PLANNING
COMMISSION, OF THE CITY OF GLENDALE, HELD AT 7125 NORTH
58TH DRIVE, AT 7:30 P.M., ON THURSDAY, THE 9TH
DAY OF May, 1985

Application No: Z-85-15
Applicant: Donald A. Wiechens Postponed from 4-18-85
Meeting
Subject: A request to rezone an 80-acre parcel located
at the northwest corner of 59th Avenue and
Peoria Avenue from A-1 to PAD (Planned Area
Development) consisting of a mix of
retail-commercial, single-family and
multi-family uses.

Mr. Fulk gave a brief report of the rezoning request and
stated that the project team's recommendation is to approve
Z-85-15, a request for PAD (Planned Area Development) zoning
subject to the following stipulations:

1. Final development plans being submitted for the site,
consistent with the land use locations, acreages, and
densities as shown on the approved preliminary plan;
2. The major street configuration as shown in this plan;
3. The neighborhood commercial center fronting on all
streets adjacent and not just fronting the arterial
streets;
4. No access from the commercial office area directly to
59th Avenue;
5. Major streets in the development to be designed as
parkways as shown on the conceptual site plan
presented with this rezoning;
6. The number of multiple-family units may not exceed
378, with no particular multi-family site development
having a density over 25 dwelling units per net acre.
In addition, the multi-family developments must
provide an excellent transition to adjacent
single-family developments both on this project and to
the west of this project. If this transition cannot
be accomplished within the confines of the maximum
density, then the number of units allowed will be
decreased accordingly;
7. A single-family density of four dwelling units per
gross acre to be allowed as a matter of course, but
may be increased to 5.25 dwelling units per gross acre
(209 lots) if the product is of good quality and
acceptable to the Community Development Group, active

recreation is provided in the open space areas, entries to the neighborhood are landscaped and signed in order to provide a good visual identity for the neighborhood, acceptable lot design is achieved in subdivision platting, and an R.V. storage area is provided.

Mr. Bill Larson, 8070 W. Morgan Trail, authorized representative for the applicant, with the assistance of Mr. Roger Tornow, gave a brief presentation of the proposed development and stated that they concurred with the staff recommendations.

Commissioner Aarons made a MOTION to approve Z-85-15 subject to the seven staff recommendations. Commissioner Wilson SECONDED the motion. Chairwoman Page called for a roll call vote and the MOTION PASSED five to zero.

CITY OF GLENDALE, ARIZONA
COUNCIL COMMUNICATION

CC NO.: 1984/85
742 (25)
DATE 6/7/85


TO: Honorable Mayor and Council
FROM: City Manager
SUBJECT: REZONING APPLICATION Z-85-15: NORTHWEST CORNER OF
59TH AND PEORIA AVENUES

SUMMARY

Rezoning Application Z-85-15 is a request to zone 80 acres of land from the County zoning of R-43 to PAD. The parcel is located at the northwest corner of 59th Avenue and Peoria Avenue. Proposed development for this site is a multi-use development integrating retail/commercial, office/commercial, multiple-family and single-family uses. Recommended land use locations, acreages and densities are shown by a preliminary plan submitted by the applicant and stipulations recommended by the Zoning and Planning Commission. The site is shown as single-family on the General Plan.

RECOMMENDATION

Approve Rezoning Application Z-85-15, allowing for zoning from R-43 (County) to PAD, subject to the recommended stipulations.


Martin Vanacour, City Manager

cc: Roger Tornow

CITY OF
GLENDAL

DATE: June 11, 1985
TO: Martin Vanacour, City Manager
FROM: Gary Fuik, Planner
SUBJECT: REZONING APPLICATION Z-85-15: NORTHWEST CORNER OF
59TH AVENUE AND PEORIA AVENUE (DONALD WIECHENS)

RECOMMENDATION

Approve Rezoning Application Z-85-15, a request for PAD (Planned Area Development) zoning subject to the following conditions:

1. Final development plans being approved consistent with the land use locations, acreages, and densities as shown on the approved preliminary plan;
2. The major street configuration as shown in this plan;
3. The neighborhood commercial center fronting on all streets adjacent and not only fronting the arterial streets;
4. No access from the commercial office area directly to 59th Avenue;
5. Major streets in the development to be designed as parkways as shown on the conceptual site plan presented with this rezoning;
6. The number of multiple-family units may not exceed 378, with no particular multi-family site development having a density over 25 dwelling units per net acre. In addition, the multi-family developments must provide an excellent transition to adjacent single-family developments both on this project and to the west of this project. If this transition cannot be accomplished within the confines of the maximum density, then the number of units allowed will be decreased accordingly;
7. A single-family density of four dwelling units per gross acre to be allowed as a matter of course, but may be increased to 5.25 dwelling units per gross acre (209 lots) if the product is of good quality and acceptable to the Community Development Group, active recreation is provided in the open space areas, entries to the neighborhood are landscaped and signed in order to provide a good visual identity for the neighborhood, acceptable lot design is achieved in subdivision platting and an R.V. storage area is provided.

DISCUSSION

Rezoning Application Z-85-15 is a request to zone 80 acres of land from the County zoning of R-43 to PAD. The property is located at the northwest corner of 59th and Peoria Avenues, and

June 11, 1985

Martin Vanacour, City Manager

REZONING APPLICATION Z-85-15: NORTHWEST CORNER OF
59TH AVENUE AND PEORIA AVENUE (DONALD WIECHENS)

Page 2

is shown as single-family on the General Plan. The applicant is asking for this rezoning for a multi-use development integrating retail/commercial, office/commercial, multiple-family and single-family uses.

Land immediately west of this site is in agricultural use as is property to the south across Peoria Avenue. To the north are single-family residences on large lots and to the northwest, northeast, and east are single-family subdivisions at densities of 3.7 to 4 dwellings per acre. Both the northeast and southeast corners of 59th and Peoria Avenues are in the County and are in agricultural use at this time. Three corners of this intersection are currently commercial, with the northeast and southeast corners County C-2 and the southwest corner zoned C-2 by the City (see attached map).

The developer has applied for a Planned Area Development with uses, densities, locations and circulation as shown on the attached plan. After lengthy discussions with the developer's planners, the project review team recommends approval of this request with several stipulations intended to insure a high quality development of this 80-acre site. Commercial use was acceptable to the project review team only if it was designed with frontage along all streets. The developers have agreed to design the commercial center in this fashion and you will see one example of this type of development on the attached conceptual site plan. (The final approved plan may not be exactly the same as this. The intent of the site plan is to show the concept of multiple frontages of the commercial site.)

The project team is also concerned about the transition between single-family and multiple-family. There is concern that the open space and/or lower density "edges" that this would require would "push" the multi-family density toward the commercial center, making an inappropriately high density in a portion of the multi-family area. For this reason, the project team has added stipulations for a total number of dwelling units and a net site density. The stipulations also make clear that the transition between single and multi-family is critical to the quality of this development and if it becomes impossible to meet the 25 dwelling units per net acre site density using the maximum 378 dwelling units, the number of dwelling units must be reduced.

For the single-family area, the project team felt that 5.25 dwelling units per acre was only appropriate with certain stipulations regarding product quality, recreation areas, lot design, entry nodes and R.V. storage areas in order to provide a

June 11, 1985

Martin Vanacour, City Manager

REZONING APPLICATION Z-85-15: NORTHWEST CORNER OF
59TH AVENUE AND PEORIA AVENUE (DONALD WIECHENS)

Page 3

high quality single-family development. The developer's representatives have said that these performance criteria are not out of line with their concepts of the development and agree to the stipulations.

This is the first development proposal under the new PAD Article of the Zoning Ordinance. Approval of this plan will tentatively approve the PAD for this site, and final approval will be made when final development plans are reviewed and approved by the Community Development Group. The project team for this rezoning feels that no time stipulations are necessary for this project and recommends approval subject to the stated conditions.

At their meeting of May 9, 1985, the Zoning and Planning Commission recommended approval of the rezoning with the project team's recommended stipulations.

COST ESTIMATE - N/A


Department Head Approval


Deputy City Manager Approval

Attachments: Rezoning Application
Rezoning Request Map
Preliminary Plan
Conceptual Site Plan
Draft Minutes from the May 9, 1985 Commission Meeting

dm

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT a public hearing will be held at the Glendale Community Building, 7125 North 58th Drive, Glendale, Arizona, before the Zoning and Planning Commission of the City of Glendale, Maricopa County, Arizona, at 7:30 P.M., April 18, 1985, on the proposition to amend Appendix A of the Code of the City of Glendale as follows:

ZU-85-08 Ray L. Crouch
 11806 North 58th Avenue
 Glendale, AZ

Use permit allowing for the use of a self-storage facility in a C-2 PUD zoning district. The property is located at 5931 West Paradise Lane, a parcel described as: that part of Section 6, T3N, R2E, of the Gila and Salt River Base and Meridian, described as follows: Commencing at the east quarter corner of said Section 6, being a 3/4 inch iron rod in a handhole at the intersection of Paradise Lane and 59th Avenue; thence along the centerline of Paradise Lane south 89°08'32" west, 352.23 feet; thence leaving said centerline south 00°51'28" east, 40 feet to a point in the south right-of-way of Paradise Lane, said point being the TRUE POINT OF BEGINNING; thence along said south right-of-way south 89°08'32" west, 305.00 feet, to a point in the west line of the northeast quarter of the northeast quarter of the southeast quarter of said Section 6, thence along said west line south 00°04'06" west, 287.85 feet, to a point in the south line of the north half of the northeast quarter of the northeast quarter of the southeast quarter of said Section 6; thence along said south line north 89°07'46" east, 305.00 feet; thence leaving said south line north 00°04'07" east, 267.78 feet to the TRUE POINT OF BEGINNING; excepting therefrom the east 70 feet of the north 150 feet of the within described property.

Z-85-15 Donald A. Wiechens
 8070 East Morgan Trail #210
 Scottsdale, AZ

Location of property to be rezoned:
North of Peoria Avenue and west of 59th Avenue;
parcel of land described as the east half of the southeast quarter of Section 19, T3N, R2E of the Gila and Salt River Base and Meridian; except the east 40 feet and the south 33 feet and except that part of said Section 19 described as follows: beginning at a point 40 feet west and 33 feet north of the southeast corner of said Section 19; thence west 44 feet

Notice of Public Hearing
Page 2

parallel to the south line of said Section; thence north 7 feet parallel to the east line of said Section; thence northeasterly along the arc of a curve having a radius of 44 feet for a distance of 69.115 feet to a point of 40 feet west of the east line of said Section; thence south parallel to said Section line 51 feet to the place of beginning. This comprises an area of 79.6 acres.

FROM: A-1

TO: PAD (Planned Area Development) consisting of a mix of retail commercial, office commercial, single-family and multi-family uses.

At said public hearing, any party interested and any citizen shall have the opportunity to be heard.

CITY OF GLENDALE

BY _____
Martin Vanacour, City Manager

Publish: April 3, 1985
The Glendale Star

PUBLIC NOTICES YOUR RIGHT TO KNOW

NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN THAT a public hearing will be held at the Glendale Community Building, 7125 North 58th Drive, Glendale, Arizona, before the Zoning and Planning Commission of the City of Glendale, Maricopa County, Arizona, at 7:30 P.M., April 18, 1985, on the proposition to amend Appendix A of the Code of the City of Glendale as follows:

ZU-85-08

Ray L. Crouch
1180C North 58th Avenue
Glendale, AZ

Use permit allowing for the use of a self-storage facility in a C-2 PUD zoning district. The property is located at 5931 West Paradise Lane, a parcel described as: that part of Section 6, T3N, R2E, of the Gila and Salt River Base and Meridian, described as follows: Commencing at the east quarter corner of said Section 6, being a 3/4 inch iron rod in a handhole at the intersection of Paradise Lane and 59th Avenue; thence along the centerline of Paradise Lane south 89°08'32" west, 352.23 feet; thence leaving said centerline south 00°51'23" east, 40 feet to a point in the south right-of-way of Paradise Lane, said point being the TRUE POINT OF BEGINNING; thence along said south right-of-way south 89°08'32" west, 305.00 feet, to a point in the west line of the northeast quarter of the northeast quarter of the southeast quarter of said Section 6, thence along said west line south 00°04'06" west, 287.85 feet, to a point in the south line of the north half of the northeast quarter of the northeast quarter of the southeast quarter of said Section 6; thence along said south line

PUBLIC NOTICES YOUR RIGHT TO KNOW

north 89°07'46" e. at 305.00 feet; thence leaving said south line north 00°04'07" east, 287.78 feet to the TRUE POINT OF BEGINNING; excepting therefrom the east 70 feet of the north 150 feet of the within described property.

Z-85-13

Donald A. Wiechens
8070 East Morgan Trail #210
Scottsdale, AZ

Location of property to be rezoned:
North of Peoria Avenue and west of 59th Avenue; a parcel of land described as the east half of the southeast quarter of Section 19, T3N, R2E of the Gila and Salt River Base and Meridian; except the east 40 feet and the south 33 feet and except that part of said Section 19 described as follows: beginning at a point 40 feet west and 33 feet north of the southeast corner of said Section 19; thence west 44 feet parallel to the south line of said Section; thence north 7 feet parallel to the east line of said Section; thence northeasterly along the arc of a curve having a radius of 44 feet for a distance of 65.115 feet to a point of 40 feet west of the east line of said Section; thence south parallel to said Section line 51 feet to the place of beginning. This comprises an area of 79.6 acres.

FROM: A-1

TO: PAD (Planned Area Development) consisting of a mix of retail commercial, office commercial, single-family and multi-family uses.

At said public hearing, any party interested and any citizen shall have the opportunity to be heard.

CITY OF GLENDALE
BY Martin Vanacour
City Manager

Publish: Glendale Star
April 3, 1985

Wednesday, April 3, 1985 10:00

PUBLIC NOTICES YOUR RIGHT TO KNOW

NOTICE OF PUBLIC HEARING
NOTICE IS HEREBY GIVEN THAT a public hearing will be held at the Glendale Community Building, 7125 North 58th Drive, Glendale, Arizona, before the Zoning and Planning Commission of the City of Glendale, Maricopa County, Arizona, at 7:30 p.m., April 18, 1985, for the following purpose:

WEST GLENDALE AREA PLAN

Consideration of the West Glendale Area Plan, an amendment to the adopted City of Glendale General Plan. The area of the Plan is bounded by 75th Avenue on the east, 115th Avenue on the west, Camelback Road on the south, and Northern Avenue on the north.

Copies of the West Glendale Area Plan may be examined at the Glendale Planning Department, 5850 West Glendale Avenue, Glendale, Arizona between 9:00 a.m. and 5:00 p.m., Monday through Friday.

At said public hearing, any party interested and any citizen shall have the opportunity to be heard.

CITY OF GLENDALE
BY MARTIN VANACOUR
City Manager

Publish: Glendale Star
April 3, 1985

CITY OF
GLENDALE

DATE: May 9, 1985
TO: Zoning and Planning Commission
FROM: Gary Fulk, Planner
SUBJECT: REZONING APPLICATION Z-85-15: NORTHWEST CORNER OF
59TH AVENUE AND PEORIA AVENUE (DONALD WIECHENS)

RECOMMENDATION

Recommend approval of Rezoning Application Z-85-15, a request for PAD (Planned Area Development) zoning subject to:

1. Final development plans being submitted for the site, consistent with the land use locations, acreages, and densities as shown on the approved preliminary plan;
2. The major street configuration as shown in this plan;
3. The neighborhood commercial center fronting on all streets adjacent and not just fronting the arterial streets;
4. No access from the commercial office area directly to 59th Avenue;
5. Major streets in the development to be designed as parkways as shown on the conceptual site plan presented with this rezoning;
6. The number of multiple-family units may not exceed 378, with no particular multi-family site development having a density over 25 dwelling units per net acre. In addition, the multi-family developments must provide an excellent transition to adjacent single-family developments both on this project and to the west of this project. If this transition cannot be accomplished within the confines of the maximum density, then the number of units allowed will be decreased accordingly;
7. A single-family density of four dwelling units per gross acre to be allowed as a matter of course, but may be increased to 5.25 dwelling units per gross acre (208 lots) if the product is of good quality and acceptable to the Community Development Group, active recreation is provided in the open space areas, entries to the neighborhood are landscaped and signed in order to provide a good visual identity for the neighborhood and acceptable lot design is achieved in subdivision platting and an R.V. storage area is provided.

DISCUSSION

Rezoning Application Z-85-15 is a request to zone 80 acres of land from the County zoning of R-43 to PAD. The property is located at the northwest corner of 59th and Peoria Avenues, and is shown as single-family on the General Plan. The applicant is

May 9, 1985

Zoning and Planning Commission

REZONING APPLICATION Z-85-15: NORTHWEST CORNER OF 59TH AVENUE
AND PEORIA AVENUE (DONALD WIECHENS)

Page 2

asking for this rezoning for a multi-use development integrating retail/commercial, office/commercial, multiple-family and single-family uses.

Land immediately west of this site is in agricultural use as is property to the south across Peoria Avenue. To the north are single-family residences on large lots and to the northwest, northeast, and east are single-family subdivisions at densities of 3.5 to 4 dwellings per acre. Both the northeast and southeast corners of 59th and Peoria Avenues are in the County and are in agricultural use at this time. Three corners of this intersection are currently commercial, with the northeast and southeast corners County C-2 and the southwest corner zoned C-2 by the City.

The developer has applied for a Planned Area Development with uses, densities, locations and circulation as shown on the attached plan. After lengthy discussions with the developer's planners, the project review team recommends approval of this request with several stipulations intended to insure a high quality development of this 80-acre site. Commercial use was acceptable to the project review team only if it was designed with frontage along all streets. The developers have agreed to design the commercial center in this fashion and you will see one example of this type of development on the attached conceptual site plan. (The final approved plan may not be exactly the same as this. The intent of the site plan is to show the concept of multiple frontages of the commercial site.)

The project team is also concerned about the transition between single-family and multiple-family. There is concern that the open space and/or lower density "edges" that this would require would "push" the multi-family density toward the commercial center, making an inappropriately high density in a portion of the multi-family area. For this reason, the project team has added a stipulation for a total number of dwelling units and a net site density. The stipulations also make clear that the transition between single and multi-family is critical to the quality of this development and if it becomes impossible to meet the 25 dwelling units per net acre site density using the maximum 378 dwelling units, the number of dwelling units must be reduced.

For the single-family area, the project team felt that 5.25 dwelling units per acre was only appropriate with certain stipulations regarding product quality, recreation areas, lot design, entry nodes and R.V. storage areas in order to provide a high quality single-family development. The developer's representatives have said that these performance criteria are not out of line with their concepts of the development and agree to the stipulations.

May 9, 1985

Zoning and Planning Commission

REZONING APPLICATION Z-85-15: NORTHWEST CORNER OF 59TH AVENUE
AND PEORIA AVENUE (DONALD WIECHENS)

Page 3

This is the first development proposal under the new PAD article of the Zoning Ordinance. Approval of this plan will tentatively approve the PAD for this site, and final approval will be made when final development plans are reviewed and approved by the Community Development Group. The project team for this rezoning feels that no time stipulations are necessary for this project and recommends approval subject to the stated conditions.

COST ESTIMATE - N/A

Attachments: Preliminary plan
Conceptual site plan
Rezoning request map

GF/lg

CITY OF

GLENDALE

DATE: April 18, 1985
TO: Zoning and Planning Commission
FROM: Gary Fulk, Planner *GF*
SUBJECT: REZONING APPLICATION Z-85-15: NORTHWEST CORNER OF
59TH AVENUE AND PEORIA (DONALD WIECHENS)

This is a request for a Planned Area Development on 80 acres at the intersection of 59th Avenue and Peoria Avenue. The project team and the applicant area asking for this request to be tabled in order to work out some concerns about the rezoning request.

GF/med

IDAILE

2-85-15

DATE: February 3, 1986
TO: George R. Renner, Mayor
FROM: Robert P. Spaulding, Deputy City Manager *BS*
Community Development
SUBJECT: Rezoning Application Z-85-15: Northwest Corner of
59th and Peoria Avenues

The other day you asked if we had placed a performance time period as one of the conditions to approving zoning for the 80 acres located at the northwest corner of the intersection of 59th and Peoria Avenues. I have attached a copy of the City Council minutes which includes the seven stipulations including the reference sites plan. It appears that we did not place a performance time period. However, the stipulations hold firm that the project be developed as approved when it is developed. Any significant change to this plan we will bring back to City Council. Minor modifications to the plan as development occurs, however, may be handled directly by staff unless we feel any of the changes would significantly alter Council's intent with the seven conditions. The single-family development at the north end of this property is presently under construction. We have not heard anything concerning the development of the commercial, medium density multi-family, or commercial office sections.

If you have any further questions, let me know.

RPS/med

Attachments

REZONING - USE PERMIT - VARIANCE APPLICATION
CITY OF GLENDALE, ARIZONA

TO: PLANNING AND ZONING COMMISSION ☒

BOARD OF ADJUSTMENT ☐

Date of Hearing April 4, 1985

Application Number Z-85-15

I, Donald A. Wiechens

(owner), TELEPHONE 264-7101

ADDRESS 4726 W. Cheryl Drive

HEREBY REQUEST THAT THE PROPERTY DESCRIBED

AS FOLLOWS: ADDRESS NWC 59th Ave. Peoria

LEGAL DESCRIPTION (attach if necessary)

Attached

☐ BE GRANTED A USE PERMIT

☒ BE REZONED FROM PRESENT ZONING OF Rural-43

TO ~~R-1, C-2, C-3, R-3~~ PAD *att.*

☐ BE GRANTED A VARIANCE FROM THE PRESENT REQUIREMENTS TO ALLOW _____

REASON FOR REQUEST (attach letter if necessary) Provide for an integrated residential and commercial development.

I hereby attest that I am the owner of record of the property described above; that I have submitted the required materials for this application, which will be heard on April 4, 1985, at 7:30 p.m., in the Glendale Community Building, 7125 N. 58th Dr., Glendale, Arizona; and that I, or my authorized agent, will be present at the hearing. I understand that no action will be taken by the Planning and Zoning Commission or Board of Adjustment in the event neither I or my authorized agent is present at the hearing and/or I did not submit correct and accurate required materials.

I HEREBY GIVE AUTHORIZATION TO G. William Larson Assoc. Inc.

ADDRESS 8070 E. Morgan Trail #210 Scottsdale, AZ TELEPHONE 351-8017

TO REPRESENT ME IN THIS APPLICATION. 85258

DATED THIS 7th DAY OF March, 19 85.

X Donald A. Wiechens
Signature of owner of record

STATE OF ARIZONA }
County of Maricopa } ss.

This instrument was acknowledged by DONALD A. WIECHENS

before me this 7th day of March, 19 85.

Wanda Duckett
Notary Public

My commission expires: 12/5/85

O Marty
C Coons
C Jerry for Greg

TO Bob
CC Gary

From: THOMAS SEDLMEIER

Stmark: Jun 09,87 3:47 PM

Status: Certified Confidential Urgent

Subject: Project Briefing: NWC 59 and Peoria Shopping Center

Message:

Today, Greg C and I met with; Larry Ellerman, Hugh Sill, Alan Smith, and Dave Carpenter. We discussed the zoning strips for the property, citys development goals for a quality double fronted shopping center, and the project teams doubt that a mega-food user design needs are consistently with those objectives. They did not seem to believe us, and had many economic based arguments why the project should happen here. We gave them 2 options: 1) appeal strips to CC, 2) design site to meet city development objectives. They said they would submit design sketch alternatives. I said you are aware, but U may get a call anyway



CITY OF GLENDALE

7022 North 58th Drive
Glendale, Arizona 95301
(602) 931-5400

mailed
4-3-85

Mayor
DELAKE R. KEMNER
Vice Mayor
BRUCE E. HEATWOLE
Commissioner
RICHARD BELLAN
JOE L. FALBO
ROBERT L. HUFFMAN
QUENTIN V. TOLBY
D.L.S.R. WARD

April 12, 1985

SUBJECT: Application Number Z-85-15
Zoning and Planning Public Hearing on April 18, 1985

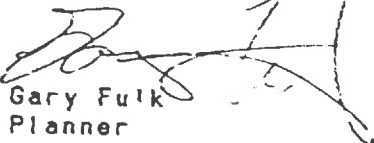
Dear Property Owner:

At 7:30 p.m. on April 18, 1985, at 7125 North 58th Drive, Glendale, Arizona, the Glendale Zoning and Planning Commission will make a recommendation to the City Council on Rezoning Case Z-85-15. This rezoning request is on 80 acres of property located at the northwest corner of 59th Avenue and Peoria (see attached plan)

The request is to change the existing zoning of A-1 (agricultural, one dwelling unit per acre) to PAD (Planned Area Development). This planned development would include a mix of retail/commercial, office/commercial, single-family and multi-family uses. The attached plan is the developer's proposal and may not necessarily be approved by the Zoning and Planning Commission.

The meeting on April 18 is a public hearing and you are welcome to come and make your opinions known concerning this rezoning. If you have any questions regarding the proposed rezoning, please call me at 435-4205.

Sincerely,


Gary Fulk
Planner

Enclosure

GF/lg

ADJACENT PROPERTY OWNERS (WITHIN 300')

N.W.C. 59TH AVENUE AND PEORIA AVENUE
M.P.E., INCORPORATED

GLENDALÉ ZONING CASE: Z-85-15

Unsubdivided
M.C.R. 143-01 SHT. 1

<u>Parcel No.</u>	<u>Name and Address</u>
143-01-001L	Petri, V. J. & Stella E. 5701 W. Royal Palm Road Glendale, AZ 85301
143-01-001N	Arizona Title Ins. & Tr. Co. Tr. Munoz, John L. & Jennie A. 6006 W. Cholla Glendale, AZ 85301
143-01-001R	Wilks, Stanford D & Maxine C. P. O. Box 722 Las Vegas, NV 89101
143-01-001U	Arizona Title Ins. & Tr. Co. Tr. Kloft, Lawrence A & Lois D. 6036 W. Cholla Glendale, AZ 85304
143-01-001V	Cancelled Parcel
143-01-001X	Petri, Voyle J. & Stella E. 5701 W. Royal Palm Road Glendale, AZ 85301
143-01-001Y	Petri, Voyle J. & Stella E. 5701 W. Royal Palm Road Glendale, AZ 85301
143-01-026	Wilks, Stanford D & Maxine C. P. O. Box 722 Las Vegas, NV 89101

Copperwood Unit 3
M.C.R. 143-01 SHT. 6

143-01-408	Farmer, Michael D. & Laura B. 6113 W. Lupine Ave. Glendale, AZ 85304
143-01-409	Kennedy, John D. 6107 W. Lupine Glendale, AZ 85304

ADJACENT PROPERTY OWNERS (WITHIN 300')

N.W.C. 59TH AVENUE AND PEORIA AVENUE
M.P.E., INCORPORATED

GLENDALÉ ZONING CASE: Z-85-15

Copperwood Unit 3
M.C.R. 143-01 SHT. 6

<u>Parcel No.</u>	<u>Name and Address</u>
143-01-410	Graffi, Gregory Q. & Tammy Jo 6101 W. Lupine Ave. Glendale, AZ 85304
143-01-411	Des Jarlais, Larry J. & Mary E. 6102 W. Cholla Glendale, AZ 85304
143-01-412	Carrington, Ronald O. & Janice L. 6108 W. Cholla Street Glendale, AZ 85304
143-01-413	Ducote, Jay R. & Donna J. 6114 W. Cholla Street Glendale, AZ 85304
143-01-414	Mease, Jerry Lee & Sue A. 6120 W. Cholla Street Glendale, AZ 85304

ADJACENT PROPERTY OWNERS (WITHIN 300')

N.W.C. 59TH AVENUE AND PEORIA AVENUE
M.P.E., INCORPORATED

GLENDALÉ ZONING CASE: Z-85-15

Warranted West Lots 1-156
M.C.R. 148-28 SHT. 2

<u>Parcel No.</u>	<u>Name and Address</u>
148-28-008	Estes, Raymond L. & Jacque 11404 N. 53th Drive Glendale, AZ 85304
148-28-009	Singleton, Lester T. & Margie L. 11410 N. 58th Drive Glendale, AZ 85304
148-28-010	Steele, Kenneth W. & Nancy M. 11416 N. 58th Drive Glendale, AZ 85304
148-28-011	Housing Equities Corp. P. O. Box 11934 Phoenix, AZ 85061
148-28-099	Arthur, Melvyn L. Tr. 2702 N. 3rd Street Phoenix, AZ 85004
148-28-100	Arthur, Melvyn L. Tr. 2702 N. 3rd Street Phoenix, AZ 85004
148-28-101	Arthur, Melvyn L. Tr. 2702 N. 3rd Street Phoenix, AZ 85004

ADJACENT PROPERTY OWNERS (WITHIN 300')

N.W.C. 59TH AVENUE AND PEORIA AVENUE
M.P.E., INCORPORATED

GLENDALE ZONING CASE: Z-85-15

Unsubdivided
M.C.R. 148-25 SHT. 1

<u>Parcel No.</u>	<u>Name and Address</u>
148-25-002P	Hutchison, Mary Craig 10823 N. 59th Avenue Glendale, AZ 85304
148-25-002B	Renick, Virginia & Clayton 10827 N. 59th Avenue Glendale, AZ 85304
148-25-002D	Hutchison, Milford H. Jr. & Carolyn J. 10839 N. 59th Avenue Glendale, AZ 85304

Greenbrier Unit 8
M.C.R. 148-25 SHT. 2

<u>Parcel No.</u>	<u>Name and Address</u>
148-25-173	Ditz-Crane of AZ Inc. 8920 N. 23rd Avenue Phoenix, AZ 85021
148-25-174	Ditz-Crane of AZ Inc. 8920 N. 23rd Avenue Phoenix, AZ 85021
148-25-175	Ditz-Crane of AZ Inc. 8920 N. 23rd Avenue Phoenix, AZ 85021
148-25-176	Kern, John A. & Pamela A. 5809 W. Cholla Street Glendale, AZ 85304
148-25-133	Hollmann, Henry & Vivian D. 5620 W. Yucca Street Glendale, AZ 85304
148-25-184	Prakash, Shyam & Madhu 5826 W. Yucca Street Glendale, AZ 85304

ADJACENT PROPERTY OWNERS (WITHIN 300')

N.W.C. 59TH AVENUE AND PEORIA AVENUE
M.P.E., INCORPORATED

GLENDALE ZONING CASE: Z-85-15

Greenbrier Unit 8
M.C.R. 148-25 SHT. 2

<u>Parcel No.</u>	<u>Name and Address</u>
148-25-185	Shepherd, William S. Jr. & Jeanene L. 11231 N. 58th Drive Glendale, AZ 85304
148-25-186	Ditz-Crane of AZ Inc. 8920 N. 23rd Avenue Phoenix, AZ 85021
148-25-187	Perez, Andrew Jr. & Margaret L. 11243 N. 58th Drive Glendale, AZ 85304
148-25-188	Eppinger, Robert J. & Theresa L. 11244 N. 58th Drive Glendale, AZ 85304
148-25-189	Ditz-Crane of AZ Inc. 8920 N. 23rd Avenue Phoenix, AZ 85021
148-25-190	Engram, Samuel N. & Julia A. 11232 N. 58th Drive Glendale, AZ 85304
148-25-191	Hall, Paul C. & Shui Fong 11226 N. 58th Drive Glendale, AZ 85304
148-25-192	Williams, Howard E. Jr. & Toni B. 11220 N. 58th Drive Glendale, AZ 85304
148-25-193	Johnson, Samuel C. & Marcenia J. 11214 N. 58th Drive Glendale, AZ 85304
148-25-194	Ditz-Crane of AZ Inc. 8920 N. 23rd Avenue Phoenix, AZ 85021
148-25-195	Jones, Tony J. & Michelle D. 11202 N. 58th Drive Glendale, AZ 85304

ADJACENT PROPERTY OWNERS (WITHIN 300')

N.W.C. 59TH AVENUE AND PEORIA AVENUE
M.P.E., INCORPORATED

GLENDALÉ ZONING CASE: Z-85-15

Greenbrier Unit 8
M.C.R. 148-25 SHT. 2

<u>Parcel No.</u>	<u>Name and Address</u>
148-25-196	Ditz-Crane of AZ Inc. 8920 N. 23rd Avenue Phoenix, AZ 85021
148-25-197	Holyfield, Milton L. Jr. & Judith A. 11040 N. 58th Drive Glendale, AZ 85304
148-25-198	Hetman, Vitold D. & Frances 11034 N. 58th Drive Glendale, AZ 85304
148-25-199	Golba, Raymond A. & Janice R. 11028 N. 58th Drive Glendale, AZ 85304
148-25-200	Ingle, Ernest B. & Bernedette 11022 N. 58th Drive Glendale, AZ 85304
148-25-201	Le Boeuf, Gregory M. & Carol M. 11016 N. 58th Drive Glendale, AZ 85304
148-25-202	Hagenmaier, Ernest P. & Mary C. 11010 N. 58th Drive Glendale, AZ 85304
148-25-203	Sanders, Daniel E. & Ernestine 11004 N. 58th Drive Glendale, AZ 85304
148-25-204	Simmons, Marshall & Cathy L. 5832 W. Desert Cove Avenue Glendale, AZ 85304
148-25-227	Smith, Daniel & Donna 5833 W. Mescal Glendale, AZ 85304
148-25-228	Michel, Thomas R. & Monica L. 5834 W. Mescal Glendale, AZ 85304

ADJACENT PROPERTY OWNERS (WITHIN 300')

N.W.C. 59TH AVENUE AND PEORIA AVENUE
M.P.E., INCORPORATED

GLENDALÉ ZONING CASE: Z-85-15

Greenbrier Unit 8
M.C.R. 148-25 SHT. 2

<u>Parcel No.</u>	<u>Name and Address</u>
148-25-251	Hill, Richard P. & Diane L. 5831 W. Shangri La Road Glendale, AZ 85304
148-25-252	Jenca, Aurel & Sofia 5832 W. Shangri La Road Glendale, AZ 85304
148-25-297	Morton, Charles L. & Donna L. 5927 W. Yucca Street Glendale, AZ 85304

ADJACENT PROPERTY OWNERS (WITHIN 300')

N.W.C. 59TH AVENUE AND PEORIA AVENUE
M.P.E., INCORPORATED

GLENDALE ZONING CASE: Z-85-15

Misc. Holdings
M.C.R. 143-12 SHT. 1

<u>Parcel No.</u>	<u>Name and Address</u>
143-12-007N	Arizona Title Ins. Co. Tr. 111 W. Monroe Phoenix, AZ 85003
143-12-007P	Western Savings & Loan Assoc. 3443 N. Central Avenue Phoenix, AZ 85012
143-12-005	S R P A I & P D Missing address
143-12-007F	Ying C. Tang Ltd. et al 6825 N. 16th Street Phoenix, AZ 85016
143-12-007G	Tang Ying C. Ltd. et al 6825 N. 16th Street Phoenix, AZ 85016
143-12-001F	Glendale City of P. O. Box 1556 c/o Harold Glendale, AZ 85301
143-49 Shts. 1-2	Hearley Homes of Arizona, Inc. Chaparral Ranch I 15256 N. Cave Creek Road Phoenix, AZ 85032

ADJACENT PROPERTY OWNERS (WITHIN 300')

N.W.C. 59TH AVENUE AND PEORIA AVENUE
M.P.E., INCORPORATED

GLENDALÉ ZONING CASE: Z-85-15

Unsubdivided
148-23 SKT. 1

Parcel No.

148-23-002

Name and Address

Sands Investment Co.
Box 95
Glendale, AZ 85311

INFORMATION

The Title Insurance Commitment is a legal contract between you and the company. It is issued to show the basis on which we will issue a Title Insurance Policy to you. The Policy will insure you against certain risks to the land title, subject to the limitations shown in the Policy.

The Company will give you a sample of the Policy form, if you ask.

The Commitment is based on the land title as of the Commitment Date. Any changes in the land title or the transaction may affect the Commitment and the Policy.

The Commitment is subject to its Requirements, Exceptions and Conditions.

THIS INFORMATION IS NOT PART OF THE TITLE INSURANCE COMMITMENT.



COMMITMENT FOR TITLE INSURANCE ISSUED BY


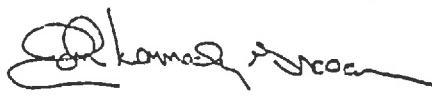
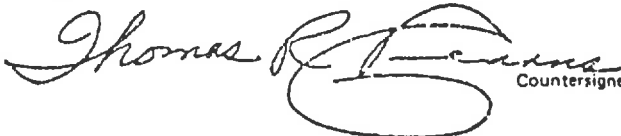
First American Title Insurance Company of Arizona

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AGREEMENT TO ISSUE POLICY	other side of this page
COMMITMENT DATE	Schedule A (inside)
POLICIES TO BE ISSUED, AMOUNTS AND PROPOSED INSURED	Schedule A (inside)
INTEREST IN THE LAND	Schedule A (inside)
DESCRIPTION OF THE LAND	Schedule A (inside)
EXCEPTIONS — PART ONE	reverse side of this page
EXCEPTIONS — PART TWO	Schedule B (inside)
REQUIREMENTS (Standard).	reverse side of this page
REQUIREMENTS (Continued)	Requirements page (inside)
CONDITIONS.	Inside of back page of this cover

First American Title Insurance Company of Arizona



BY		President
BY		Secretary
BY		Countersigned

YOU SHOULD READ THE COMMITMENT VERY CAREFULLY.
If you have any questions about this Commitment, contact:

First American Title Insurance Company of Arizona

AGREEMENT TO ISSUE POLICY

We agree to issue a policy to you according to the terms of this Commitment. When we show the policy amount and your name as the proposed insured in Schedule A, this Commitment becomes effective as of the date shown in Schedule A.

If the Requirements shown in this Commitment have not been met within six months after the Commitment Date, our obligation under this Commitment will end. Also, our obligation under this Commitment will end when the Policy is issued and then our obligation to you will be under the Policy.

Our obligation under this Commitment is limited by the following:

The Provisions in Schedule A.

The Requirements.

The Exceptions in Schedule B — Parts 1 and 2.

The Conditions.

This Commitment is not valid without SCHEDULE A and Parts 1 and 2 of SCHEDULE B.

SCHEDULE B — EXCEPTIONS

Any Policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

Part One:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water.
6. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

The above exceptions will be eliminated in an ALTA Extended Coverage Policy.

REQUIREMENTS (Standard)

The following requirements must be met:

- (a) Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
- (b) Pay us the premiums, fees and charges for the policy.
- (c) Documents satisfactory to us creating the interest in the land and/or the mortgage to be insured must be signed, delivered and recorded.
- (d) You must tell us in writing the name of anyone not referred to in this Commitment who will get an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.

(Continued on Requirements Page)

SCHEDULE A

AMENDED
Commitment No. 201-03-801746

Commitment Amount: \$6,000,000.00

Effective Date: October 17, 1984 at 7:30 a. m.

Type of Coverage: A.L.T.A. EXTENDED OWNER'S

1. Name of Proposed Insured:
MPE, Incorporated, an Arizona corporation
2. Your interest in the land covered by this Policy will be fee.
3. Upon issuance of policy fee title will be vested in:
MPE, Incorporated, an Arizona corporation
4. The land referred to in this Commitment is located in Maricopa County, Arizona, and is described as:

The East half of the Southeast quarter of Section 19, Township 3 North, Range 2 East of the Gila and Salt River Base and Meridian; EXCEPT the East 40 feet and the South 33 feet and EXCEPT that part of said Section 19 described as follows: Beginning at a point Forty (40) feet West and Thirty-three (33) feet North of the Southeast corner of said Section 19; thence West Forty-four (44) feet parallel to the South line of said Section; thence North Seven (7) feet parallel to the East line of said section; thence Northeasterly along the arc of a curve having a radius of forty-four (44) feet for a distance of 69.115 feet to a point of Forty (40) feet West of the East line of said Section; thence South parallel to said Section line Fifty-one (51) feet to the place of beginning.

FIRST AMERICAN TITLE INSURANCE COMPANY
OF ARIZONA

By: Thomas R. Kearns/kmm/ah Ext: 352

SCHEDULE B

AMENDED
Commitment No. 201-03-801746

PART TWO:

1. Reservations contained in the Patent from the United States of America, reading as follows:

Subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law.

2. Any charge upon said land by reason of its inclusion in HARQUAHALA VALLEY IRRIGATION DISTRICT. (All assessments which are due and payable have been paid.)
3. An easement for transmission lines and poles and rights incident thereto as set forth in instrument recorded April 27, 1964 in Docket 5023, Page 600 and recorded September 28, 1970 in Docket 8331, Page 388.
4. An easement for poles, wires and anchors and rights incident thereto as set forth in instrument recorded April 27, 1964 in Docket 5023, Page 600 and recorded September 28, 1970 in Docket 8331, Page 388.
5. An easement for poles, wires and anchors and rights incident thereto as set forth in instrument recorded September 19, 1977 in Docket 12438, Page 925.
6. Water rights, claims or title to water.

REQUIREMENTS:

PAGE 3

14. Note change in description of the within described property.
Have same approved by all parties to this transaction.

REQUIREMENTS:

PAGE 2

6. Furnish certified copy of Trust Agreement dated _____ known as THE ELEANOR WIECHENS FAMILY TRUST, together with any modifications or amendments thereto.
7. Furnish proof that the Trust Agreement referred to in Requirement No. 6 has not been amended, modified or revoked.
8. Record Warranty Deed from WIECHENS ENTERPRISES, LTD, an Arizona limited partnership to MPE, Incorporated, an Arizona corporation.
9. The Certificate of Limited Partnership of WIECHENS ENTERPRISES, LTD., a limited partnership was recorded on March 6, 1981 in Docket 15070, Page 452.

The following are listed as general partners and must all execute the necessary documents to complete this transaction:

DONALD A. WIECHENS
MILDRED WIECHENS BROWN -

10. Furnish a certified copy of a resolution by the Board of Directors of MPE, Incorporated, an Arizona corporation, authorizing this transaction and naming the officers authorized to execute the instruments necessary to complete this transaction.
11. Furnish copies of any existing leases affecting the within described property and insertion of said leases in Schedule B of the Policy of Title Insurance.
12. Furnish Plat of Survey of the subject property by a Registered Civil Engineer or Registered Land Surveyor, showing proper ties to locating monuments, location of the improvements on the premises, easements, or rights-of-way, over or under the property, together with any encroachments or projections, fences, or any other matters affecting the use and occupancy of the premises, and CERTIFICATION by said Engineer that there are no other easements or rights-of-way in use or in evidence, over or under the subject property, nor any encroachment of improvements onto contiguous property by the improvements located on the subject property nor any encroachment of improvements from adjoining property onto the subject property other than those shown on said plat.
13. Completion of ATA inspection now in progress by an employee of First American Title Insurance Company of Arizona. If said inspection discloses the necessity for additional exceptions and/or requirements, you will be notified.

CONTINUE . . .

FIRST AMERICAN TITLE INSURANCE COMPANY OF ARIZONA

AMENDED

Commitment No. 201-03-801746

Escrow Officer: Carol Peterson
Branch Office: Home Office - 252-5941

REQUIREMENTS:

1. Pay all of 1984 taxes.

NOTE: Code 1100, Book 143, Map 02, Arb 002A assessed in the total amount of \$1,693.32 for the entire year of 1984.

2. Record Release of Mortgage executed by DONALD A. WIECHENS, also known as Donald Wiechens, husband of Maudie M. Wiechens, as his sole and separate property, MILDRED W. BROWN, wife of Leroy C. Brown, as her sole and separate property and ELEANOR WIECHENS, a widow, to THE FEDERAL LAND BANK OF BERKELEY, a corporation dated April 27, 1972, recorded May 17, 1972, in Docket 9441, Page 277.
Amount: \$50,000.00
3. Record partial reconveyance from COMMONWEALTH TITLE OF ARIZONA, an Arizona corporation, as Trustee under Deed of Trust executed by DONALD A. WIECHENS, a divorced man, Trustor, dated August 21, 1978, recorded August 22, 1978, in Docket 13105, Page 508. Beneficiary: FARMERS HOME ADMINISTRATION UNITED STATES DEPARTMENT OF AGRICULTURE.
Amount: \$750,000.00
4. Record partial reconveyance from COMMONWEALTH TITLE OF ARIZONA, an Arizona corporation, as Trustee under Deed of Trust executed by DONALD A. WIECHENS, a divorced man, Trustor, dated June 9, 1980, recorded June 10, 1980, in Docket 14471, Page 343. Beneficiary: FARMERS HOME ADMINISTRATION UNITED STATES DEPARTMENT OF AGRICULTURE.
Amount: \$248,000.00
5. Record Quit Claim Deed from DONALD A. WIECHENS AND MILDRED WIECHENS BROWN as Trustees under the Eleanor Wiechens Family Trust, and DONALD A. WIECHENS also known as Donald Wiechens, a divorced man and MILDRED WIECHENS BROWN, wife of Leroy Brown, as her sole and separate property, individually to WIECHENS ENTERPRISES, LTD., an Arizona limited partnership.
(NOTE: This deed necessary because of ambiguous legal description on Deeds recorded March 6, 1981 in Docket 15070, Page 456, 457, and 458 - copies enclosed)

CONTINUE . . .

CONDITIONS

1. DEFINITIONS

(a) "Mortgage" means mortgage, deed of trust or other security instrument. (b) "Public Records" means title records that give constructive notice of matters affecting the title according to the state law where the land is located.

2. LATER DEFECTS

The Exceptions in Schedule B may be amended to show any defects, liens or encumbrances that appear for the first time in the public records or are created or attached between the Commitment Date and the date on which all of the Requirements are met. We shall have no liability to you because of this amendment.

3. EXISTING DEFECTS

If any defects, liens or encumbrances existing at Commitment Date are not shown in Schedule B, we may amend Schedule B to show them. If we do amend Schedule B to show these defects, liens or encumbrances, we shall be liable to you according to Paragraph 4 below unless you knew of this information and did not tell us about it in writing.

4. LIMITATION OF OUR LIABILITY

Our only obligation is to issue to you the Policy referred to in this Commitment, when you have met its Requirements. If we have any liability to you for any loss you incur because of an error in this Commitment, our liability will be limited to your actual loss caused by your relying on this Commitment when you acted in good faith to:

comply with the Requirements

or

eliminate with our written consent any Exceptions shown in Schedule B

We shall not be liable for more than the Amount shown in Schedule A of this Commitment and our liability is subject to the terms of the Policy form to be issued to you.

5. CLAIMS MUST BE BASED ON THIS COMMITMENT

Any claims, whether or not based on negligence, which you may have against us concerning the title to the land must be based on this Commitment and is subject to its terms.

COUNTIES OF

Apache
Coconino
Gila
Graham
Greenlee
Maricopa
Mohave
Navajo
Pima
Pinal
Santa Cruz
Yavapai
Yuma

COMMITMENT FOR TITLE INSURANCE



First American Title Insurance Company of Arizona

HOME OFFICE:

PHOENIX






ARIZONA

COUNTIES OF

Apache
Coconino
Gila
Graham
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Maricopa
Mohave
Navajo
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Pinal
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Yavapai
Yuma

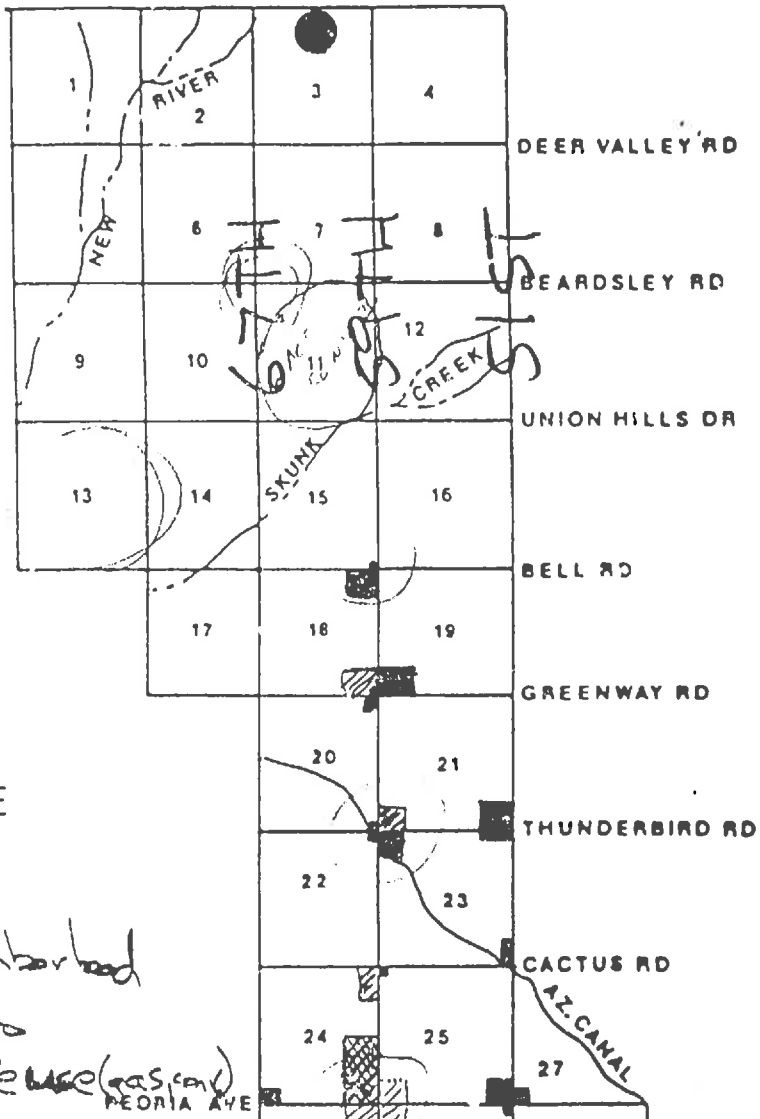
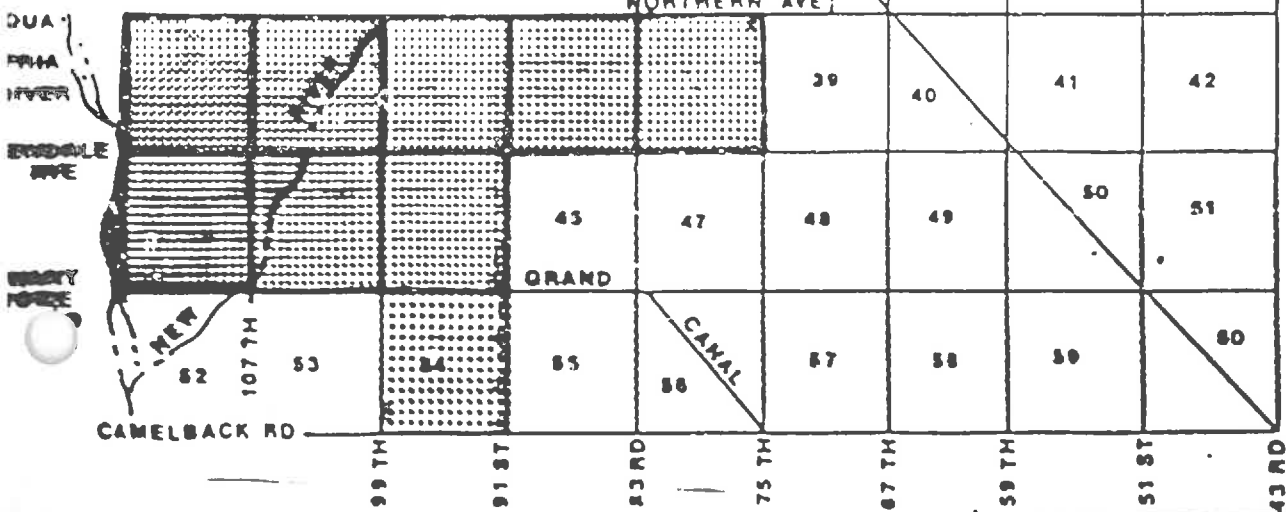
WEST GLENDALE

AREA PLAN

-  - neighborhood
-  - strip
-  - single use (gas, car)
-  - C-2 zoning
-  - county C-2



STUDY AREA



143-01-1R
143-01-26
143-01-1X
143-01-1Y
143-01-1L
143-01-1N

COPPERWOOD 3
143-01-(408-414)

143-01-1U

WARRANTEED WEST
148-28 (8-11, 99-101)

CHOLLA

300'
TYP

M.P.E. INCORPORATED
SUBJECT PROPERTY
143-02-2A

Z-85-15

GREENBRIER 8

148-25(173-176, 182-204
227, 228, 251, 252, 297)

300'
TYP

143-02-1C

148-25-2D

143-02-1D

148-25-2B

148-25-2P

143-02-1B

PEORIA

143-12-7N

143-12-7P

143-12-7F

148-23-02

59TH AVE.

MARCH 11, 1985