

ORDINANCE NO. O21-49

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING PROPERTY LOCATED SOUTH OF THE SOUTHEAST CORNER OF 51ST AVENUE AND PEORIA AVENUE FROM R1-6, C-2, AND C-3 TO R-2 (MIXED RESIDENCE) AMENDING THE ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE; AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THE ORDINANCE.

WHEREAS, the City of Glendale Planning Commission held a public hearing on August 5, 2021, in zoning case ZON21-02 in the manner prescribed by law for the purpose of rezoning property located south of the southeast corner of 51st Avenue and Peoria Avenue from R1-6, C-2, and C-3 to R-2 (Mixed Residence).

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 Glendale Star* on July 15, 2021; 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 accept such recommendation and rezone the property described on Exhibit A to R-2 (Mixed Residence) 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 south of the southeast corner of 51st Avenue and Peoria Avenue and more specifically described in Exhibit A to this ordinance, is conditionally rezoned from R1-6, C-2, and C-3 to R-2 (Mixed Residence).

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

1. Development shall be in substantial conformance with the applicant's Project Narrative, dated February 5, 2021.
2. The developer shall provide 55' half street right of way (measured from Centerline) for Peoria Avenue.

3. The developer shall provide 45' Half street of R/W (measured from Centerline) for 51st Avenue.
4. The developer shall provide an additional 20 feet of right of way and complete roadway improvements to increase the roadway width to 36 feet back of curb to back of curb on 49th Avenue.
5. All overhead utility lines, including communication lines and electric lines less than 69 KV on or adjacent to the site shall be undergrounded as part of this project.
6. The right of way improvements along Peoria Avenue, N. 51st Avenue, and N. 49th Avenue shall include Sidewalk, Curb & Gutter, Ramps, Landscaping, and Streetlights and compliant with ADA standards.
7. On Peoria Avenue, the unused driveway shall be removed and replaced with a sidewalk.
8. The developer will work with City Staff including the Traffic Engineer to determine if a right out only along 51st Avenue is warranted.

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 10th day of August, 2021.

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

EXHIBIT A

Legal Description For Avilla 51st Ave. & Peoria Gross Area

Located in the Northwest Quarter of Section 28, Township 3 North, Range 2 East, Gila & Salt River Meridian, Maricopa County, Arizona, described as follows:

Commencing at the Northwest corner of said Section 28;

Thence North 90°00'00" East, along the North line of said Northwest Quarter, a distance of 233.02 feet to the Point of Beginning;

Thence continuing North 90°00'00" East, along said North line, a distance of 1,086.71 feet, to the West line of the Final Plat for Adventure Homes, recorded in book 148, page 29, Maricopa County Records;

Thence departing said North line, South 00°14'52" West, along said West line, a distance of 686.98 feet, to the North line of the Final Plat of Sarival Farms, recorded in book 1390, page 43, Maricopa County records;

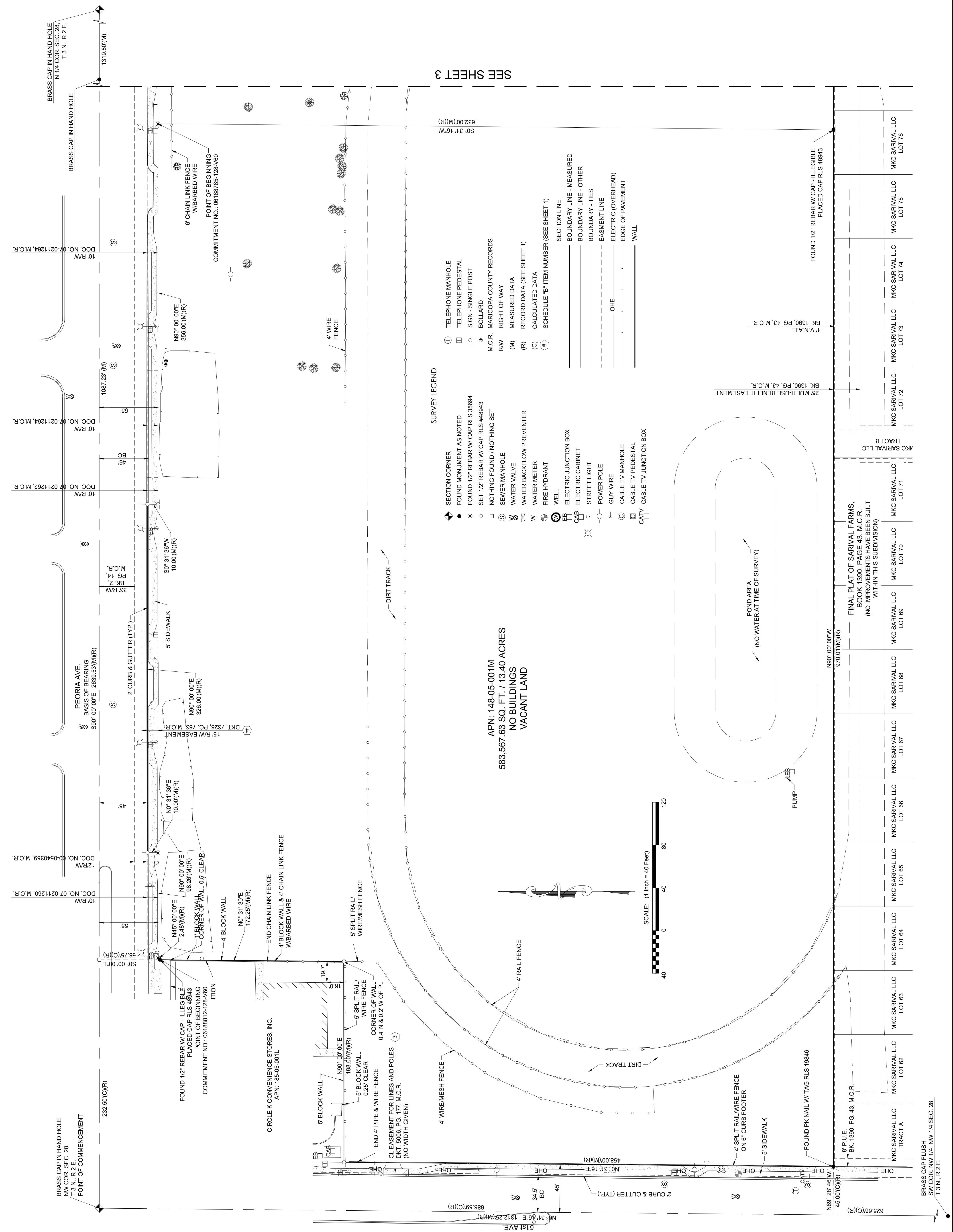
Thence departing said West line, North 89°58'56" West, along last said North line, a distance of 1,323.01 feet to the West line of said Northwest Quarter;

Thence departing said North line, North 00°31'16" East, along last said West line, a distance of 457.59 feet;

Thence departing said West line, North 90°00'00" East, a distance of 233.00 feet;

Thence North 00°31'30" East, a distance of 229.00 feet to the Point of Beginning.

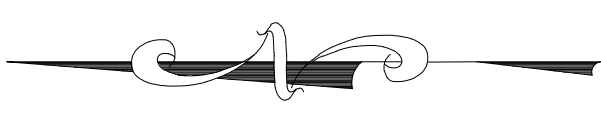
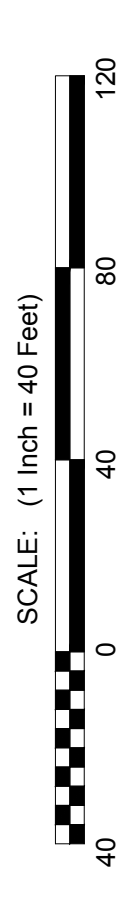
Containing 854,115.64 square feet or 19.61 acres, more or less.



SEE SHEET 3

- SURVEY LEGEND**
- SECTION CORNER
 - FOUND MONUMENT AS NOTED
 - FOUND 1/2" REBAR W/ CAP RLS 35684
 - SET 1/2" REBAR W/ CAP RLS #48843
 - NOTHING FOUND / NOTHING SET
 - SEWER MANHOLE
 - WATER VALVE
 - WATER BACKFLOW PREVENTER
 - WATER METER
 - FIRE HYDRANT
 - WELL
 - ELECTRIC JUNCTION BOX
 - ELECTRIC CABINET
 - STREET LIGHT
 - POWER POLE
 - GUY WIRE
 - CABLE TV MANHOLE
 - CABLE TV PEDESTAL
 - CABLE TV JUNCTION BOX
- TELEPHONE MANHOLE**
- TELEPHONE PEDESTAL
 - SIGN - SINGLE POST
 - BOILLARD
 - M.C.R. MARICOPA COUNTY RECORDS
 - R/W RIGHT OF WAY
 - MEASURED DATA
 - RECORD DATA (SEE SHEET 1)
 - CALCULATED DATA
 - SCHEDULE "B" ITEM NUMBER (SEE SHEET 1)
- SECTION LINE**
- BOUNDARY LINE - MEASURED
 - BOUNDARY LINE - OTHER
 - BOUNDARY - TIES
 - EASEMENT LINE
 - OHE
 - ELECTRIC (OVERHEAD)
 - EDGE OF PAVEMENT
 - WALL

APN: 148-05-001M
583,567.63 SQ. FT. / 13.40 ACRES
NO BUILDINGS
VACANT LAND



FINAL PLAT OF SARIVAL FARMS,
BOOK 1390, PAGE 43, M.C.R.
(NO IMPROVEMENTS HAVE BEEN BUILT
WITHIN THIS SUBDIVISION)

MKC SARIVAL LLC	LOT 65	MKC SARIVAL LLC	LOT 71
MKC SARIVAL LLC	LOT 66	MKC SARIVAL LLC	LOT 72
MKC SARIVAL LLC	LOT 67	MKC SARIVAL LLC	LOT 73
MKC SARIVAL LLC	LOT 68	MKC SARIVAL LLC	LOT 74
MKC SARIVAL LLC	LOT 69	MKC SARIVAL LLC	LOT 75
MKC SARIVAL LLC	LOT 70	MKC SARIVAL LLC	LOT 76
MKC SARIVAL LLC	TRACT A		
MKC SARIVAL LLC	TRACT B		

BRASS CAP FLUSH
N 1/4 SEC. 28,
T 13 N., R 2 E.

