

ORDINANCE NO. 021-81

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING 7.50 ACRES LOCATED AT 7410 NORTH ZANJERO BOULEVARD FROM PAD (PLANNED AREA DEVELOPMENT) TO PAD FOR A DEVELOPMENT PLAN ENTITLED "THE CAPISTRANO"; 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 November 4, 2021, in zoning case ZON21-25 in the manner prescribed by law for the purpose of rezoning property located at 7410 North Zanjero Boulevard from PAD (Planned Area Development) to PAD (Planned Area Development);

WHEREAS, due and proper notice of such public hearing was given in the time, form, substance and manner provided by law, including publication of such notice in *The Arizona Republic* on October 13, 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 approve such recommendation to rezone the property described on Exhibit A from PAD (Planned Area Development) 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 7410 North Zanjero Boulevard 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 to the development plan outlined in the PAD Booklet and the PAD Booklet entitled "The Capistrano," date stamped October 26, 2021.
2. The owner will be required to convey a 20-foot waterline easement to the City for the existing waterline on the site since the easement was not previously conveyed.

3. The development will need to work with the Palo Verde Cancer Center to re-establish the use of effluent for the lakes and for supplying the landscape irrigation.

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 23rd day of November, 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

THE CAPISTRANO LEGAL DESCRIPTION

PARCEL NO. 1:

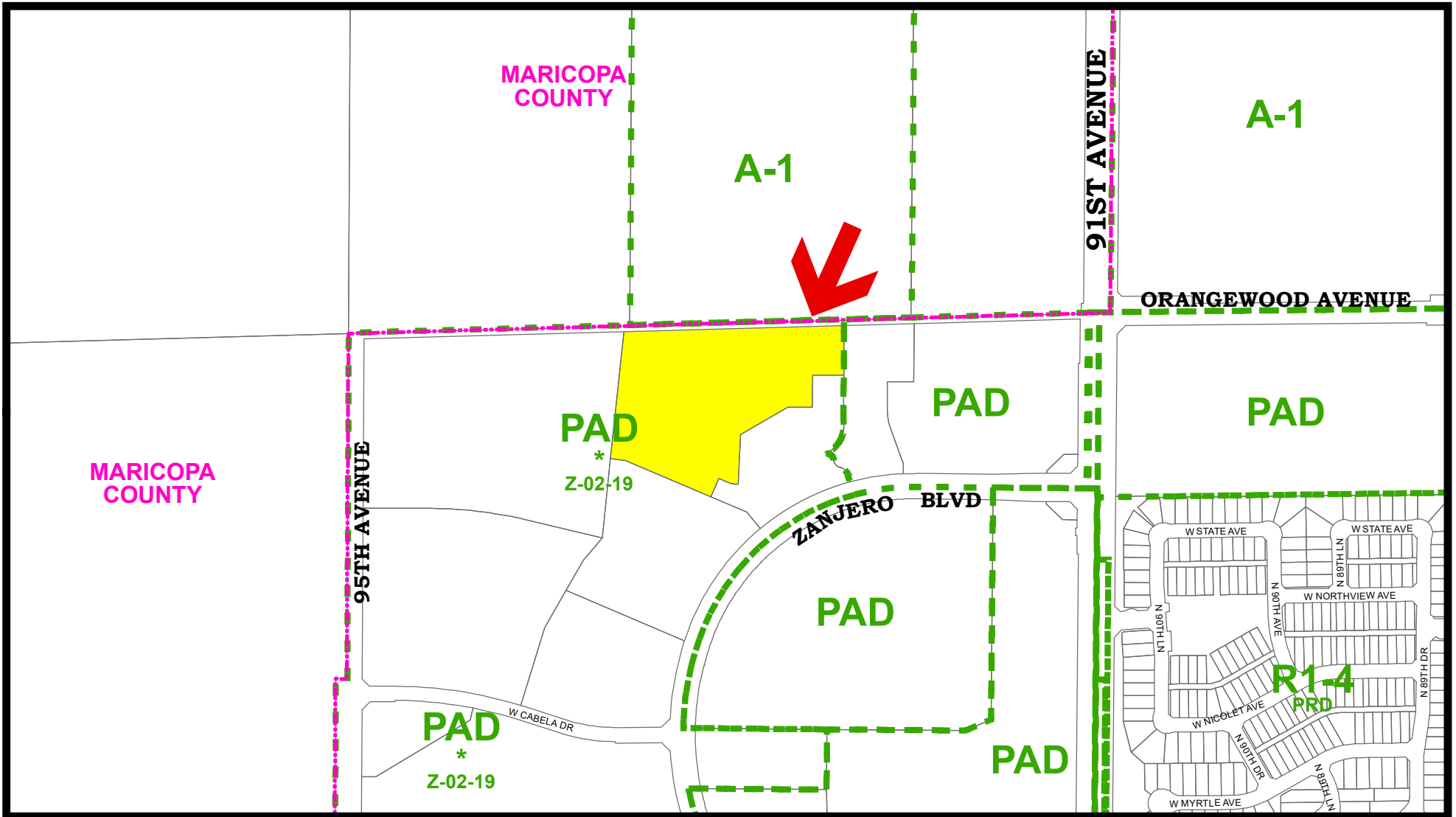
BEGINNING AT THE NORTHWEST CORNER OF LOT 3 AS RECORDED IN BOOK 834 OF MAPS, PAGE 2, M.C.R.; THENCE NORTH 88°14'05" EAST, ALONG THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 777.42 FEET; THENCE LEAVING SAID NORTH LINE, SOUTH 00°02'42" EAST, A DISTANCE OF 175.66 FEET; THENCE NORTH 89°53'57" WEST, A DISTANCE OF 109.83 FEET; THENCE SOUTH 00°43'52" WEST, A DISTANCE OF 113.89 FEET; THENCE NORTH 89°28'31" WEST, A DISTANCE OF 86.75 FEET; THENCE SOUTH 59°35'05" WEST, A DISTANCE OF 191.90 FEET; THENCE SOUTH 02°20'09" WEST, A DISTANCE OF 176.11 FEET, TO A POINT OF NON-TANGENT CURVATURE TO THE RIGHT, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 105.19 FEET, AND A CENTRAL ANGLE OF 14°24'20" FROM WHICH THE CENTER OF SAID CURVE BEARS NORTH 01°37'34" WEST; THENCE ALONG THE ARC OF SAID CURVE, AN ARC DISTANCE OF 26.45 FEET TO A POINT OF NON TANGENCY; THENCE NORTH 67°01'11" WEST, A DISTANCE OF 46.03 FEET; THENCE SOUTH 22°57'10" WEST, A DISTANCE OF 71.19 FEET, TO A POINT ON THE SOUTH LINE OF SAID LOT 3; THENCE NORTH 67°02'50" WEST, A DISTANCE OF 328.71 FEET; THENCE NORTH 84°09'59" WEST, A DISTANCE OF 53.57 FEET, TO THE SOUTHWEST CORNER OF SAID LOT 3; THENCE NORTH 05°50'01" EAST, ALONG THE WEST LINE OF SAID LOT 3, A DISTANCE OF 451.44 FEET TO THE POINT OF BEGINNING.

ALSO KNOWN AS:

PARCEL 3A, OF A MINOR LAND DIVISION ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 1189 OF MAPS, PAGE 3, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 2:

AN EASEMENT FOR VEHICULAR AND PEDESTRIAN ACCESS AS SET FORTH IN INSTRUMENT ENTITLED "DECLARATION OF ACCESS EASEMENT" RECORDED OCTOBER 23, 2014 AS DOCUMENT NO. 2014- 0703224, OF OFFICIAL RECORDS.



**THE CAPISTRANO
REZONING
(ZON21-25)**



REQUEST
REZONE FROM PAD (PLANNED AREA
DEVELOPMENT) TO PAD (PLANNED AREA
DEVELOPMENT).

LOCATION

7410 N. ZANJERO BOULEVARD