

ORDINANCE NO. 021-78

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING 75 ACRES LOCATED AT THE SOUTHWEST CORNER OF WEST BETHANY HOME ROAD AND NORTH SARIVAL AVENUE FROM RR-45 (RURAL RESIDENTIAL) TO PAD (PLANNED AREA DEVELOPMENT) FOR A DEVELOPMENT PLAN ENTITLED “ORGANICS LOOP 303”; 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 ZON21-21 in the manner prescribed by law for the purpose of rezoning property located at the southwest corner of West Bethany Home Road and North Sarival Avenue from RR-45 (Rural Residential) 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” to PAD (Planned Area Development) in accordance with the development plan currently on file with the planning division as of the date of this ordinance.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That a parcel of land in Glendale, Maricopa County, Arizona located at the southwest corner of West Bethany Home Road and North Sarival Avenue and more accurately described in Exhibit “A” to this ordinance, is conditionally rezoned from RR-45 (Rural Residential) to PAD (Planned Area Development).

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

1. Development in substantial conformance to the PAD document entitled, “Organics Loop 303,” and dated October 22, 2021.
2. Submittal of FAA 7460 approval.

3. Dedication of a 55' right of way along Bethany Home Road (as well as any additional right-of-way that may be required as part of the Design Review process); and construction of all related half-street improvements.
4. Dedication of right-of-way along Sarival Avenue; and all related half-street improvements (as may be required by MCDOT).
5. Record 45' common (shared) private access easement along west property line from Bethany Home Road to Missouri Avenue.
6. Record a 45' common (shared) private access easement for Missouri Avenue alignment from the west property boundary to Sarival Avenue.

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

A PORTION OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 2 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 13, MARKED BY A BRASS CAP IN HANDHOLE, FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION 13, MARKED BY A BRASS CAP FLUSH STAMPED "A.Z.D.O.T. 2014 SEC 12-13 N 1/4 PT 108, BEARS NORTH 89°30'27" WEST, A DISTANCE OF 2632.86 FEET;

THENCE NORTH 89°30'27" WEST, ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF 65.00 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 00°10'42" WEST, ALONG A LINE PARALLEL WITH AND 65.00 FEET WEST OF THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF 33.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00°10'42" WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 2611.31 FEET;

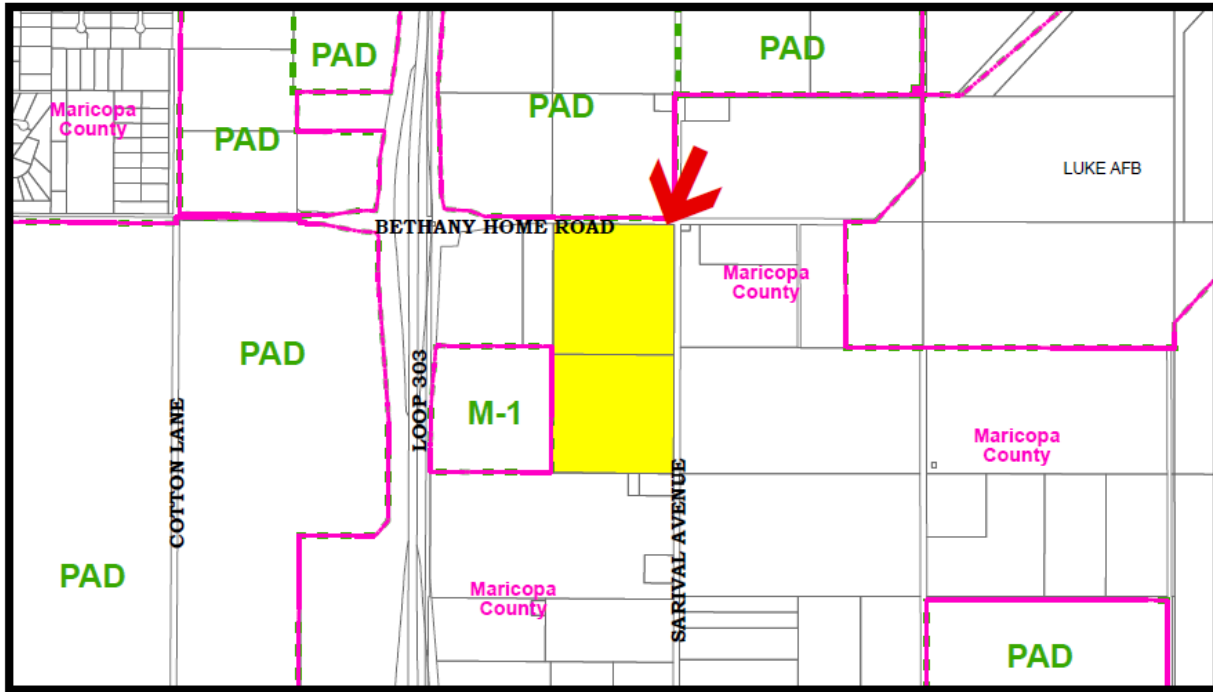
THENCE NORTH 89°33'23" WEST, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF 1253.30 FEET;


THENCE NORTH 00°13'04" EAST, A DISTANCE OF 2612.37 FEET;

THENCE SOUTH 89°30'27" EAST, ALONG A LINE PARALLEL WITH AND 33.00 FEET SOUTH ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 13, A DISTANCE OF 1251.51 FEET TO THE POINT OF BEGINNING.

SAID DESCRIPTION CONTAINING 75.093 ACRES±.

EXHIBIT B



 <p>ORGANICS LOOP 303 REZONING (ZON21-21)</p>	<p>REQUEST REZONE FROM COUNTY RU-43 TO GLENDALE PAD (PLANNED AREA DEVELOPMENT).</p>
<p>LOCATION SWC OF BETHANY HOME ROAD & SARIVAL AVENUE</p>	