

ORDINANCE NO. O21-80

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING 262 ACRES LOCATED AT THE SOUTHEAST CORNER OF PEORIA AVENUE AND COTTON LANE FROM RR-45 (RURAL RESIDENTIAL) TO PAD (PLANNED AREA DEVELOPMENT) FOR A DEVELOPMENT PLAN ENTITLED "PARKWAY 303 WEST"; 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 ZON21-22 in the manner prescribed by law for the purpose of rezoning property located at the southeast corner of Peoria Avenue and Cotton Lane 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 southeast corner of West Peoria Avenue and North Cotton Lane 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 shall be in substantial conformance with the PAD Booklet entitled, "Parkway 303 West," and dated October 19, 2021.
2. Submittal of FAA 7460 approval.

3. Dedication of 65' half width right-of-way on Peoria Avenue; and approval of all driveway locations and spacing by MCDOT, ADOT and City of Surprise.
4. Dedication of 65' half width right-of-way on Cotton Lane; and approval of all driveway locations and spacing by MCDOT.
5. Offsite improvements and any additional right-of-way needed will be determined by MCDOT Traffic Design and MCDOT Permit process.
6. Any site development which may occur in advance of the planned flood control improvements along Peoria Avenue and Cotton Lane must provide interim flood control measures, as approved by City of Glendale Land Development Division.

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

THAT PORTION OF SECTION 25, TOWNSHIP 3 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 25, MARKED BY A BRASS CAP IN HANDHOLE STAMPED "MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION," FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 25, MARKED BY A BRASS CAP IN HANDHOLE STAMPED "MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION 2015 23/24/25/26 T3N-R2W RLS," BEARS NORTH 00°15'55" EAST, AS MEASURED AND RECORDED IN CORRECTIVE SPECIAL WARRANTY DEED IN INSTRUMENT NO. 20190983423, OF OFFICIAL RECORDS, MARICOPA COUNTY, ARIZONA, FOR A DISTANCE OF 2636.60 FEET;

THENCE SOUTH 89°43'51" EAST, A DISTANCE OF 65.00 FEET TO A POINT ON A LINE PARALLEL WITH AND 65.00 FEET EAST OF THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 25. SAID POINT BEING THE POINT OF BEGINNING;

THENCE NORTH 00°15'55" EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 2603.67 FEET TO A POINT ON A LINE PARALLEL WITH AND 33.00 FEET SOUTH OF THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 25;

THENCE SOUTH 89°47'45" EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 1107.10 FEET TO AN ALUMINUM CAP FLUSH STAMPED "A.D.O.T R.O.W. RLS;"

THE FOLLOWING FIVE COURSES ARE ALONG THE SOUTH RIGHT OF WAY LINE OF PEORIA AVENUE;

THENCE SOUTH 00°12'37" WEST, A DISTANCE OF 48.48 FEET;

THENCE SOUTH 88°21'55" EAST, A DISTANCE OF 848.41 FEET TO AN ALUMINUM CAP FLUSH STAMPED "A.D.O.T R.O.W. RLS;"

THENCE SOUTH 00°10'40" WEST, A DISTANCE OF 150.10 FEET;

THENCE SOUTH 88°22'39" EAST, A DISTANCE OF 150.05 FEET TO AN ALUMINUM CAP FLUSH STAMPED "A.D.O.T R.O.W. RLS;"

THENCE NORTH 00°11'25" EAST, A DISTANCE OF 149.99 FEET TO AN ALUMINUM CAP FLUSH STAMPED "A.D.O.T R.O.W. 2016;"

THENCE SOUTH 88°26'39" EAST, A DISTANCE OF 100.04 FEET TO AN ALUMINUM CAP FLUSH STAMPED "A.D.O.T R.O.W. 2016;"

THE FOLLOWING SIX COURSES ARE ALONG THE WEST RIGHT OF WAY LINE OF STATE ROUTE 303;

THENCE SOUTH 00°12'35" WEST, A DISTANCE OF 573.02 FEET TO AN ALUMINUM CAP FLUSH STAMPED "A.D.O.T R.O.W. 2016;"

THENCE SOUTH 07°39'46" EAST, A DISTANCE OF 632.40 FEET TO AN ALUMINUM CAP FLUSH STAMPED "A.D.O.T R.O.W. 2016;"

THENCE SOUTH 00°40'35" WEST, A DISTANCE OF 1330.22 FEET TO AN ALUMINUM CAP FLUSH STAMPED "A.D.O.T R.O.W. 2016;"

THENCE SOUTH 00°40'46" WEST, A DISTANCE OF 1495.38 FEET TO AN ALUMINUM CAP FLUSH STAMPED "A.D.O.T R.O.W. 2016;"

THENCE SOUTH 08°17'40" WEST, A DISTANCE OF 794.73 FEET TO AN ALUMINUM CAP FLUSH STAMPED "A.D.O.T R.O.W. 2016;"

THENCE SOUTH 00°16'50" WEST, A DISTANCE OF 222.24 FEET TO A POINT ON THE NORTH LINE OF THE A.T.&S.F. RAILROAD RIGHT OF WAY;

THENCE NORTH 89°43'47" WEST, ALONG SAID RIGHT OF WAY, A DISTANCE OF 1654.56 FEET TO A POINT OF NON-TANGENT CURVATURE, CONCAVE NORTHEASTERLY WHOSE RADIUS IS 545.85 FEET AND WHOSE CHORD BEARS NORTH 72°53'40" WEST A CHORD DISTANCE OF 402.75 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 43°17'53" AN ARC LENGTH OF 412.49 FEET TO A POINT OF NON-TANGENT COMPOUND CURVATURE, CONCAVE NORTHEASTERLY WHOSE RADIUS IS 527.06 FEET AND WHOSE CHORD BEARS NORTH 44°11'35" WEST A CHORD DISTANCE OF 121.36 FEET;

THENCE NORTHWESTERLY ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 13°13'20" AN ARC LENGTH OF 121.63 FEET;

THENCE THE FOLLOWING 7 COURSES ALONG THE EAST LINE OF MARICOPA COUNTY RIGHT OF WAY PER DOCUMENT 20170556177, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA:

THENCE NORTH 00°16'23" EAST, A DISTANCE OF 19.85 FEET;

THENCE SOUTH 89°43'37" EAST, A DISTANCE OF 20.00 FEET;

THENCE NORTH 00°16'23" EAST, A DISTANCE OF 60.00 FEET;
THENCE NORTH 89°43'37" WEST, A DISTANCE OF 20.00 FEET;

THENCE NORTH 00°16'23" EAST, A DISTANCE OF 268.51 FEET TO A POINT OF NON-TANGENT CURVATURE, CONCAVE WESTERLY WHOSE RADIUS IS 10339.60 FEET AND WHOSE CHORD BEARS NORTH 01°48'29" WEST A CHORD DISTANCE OF 741.38 FEET;

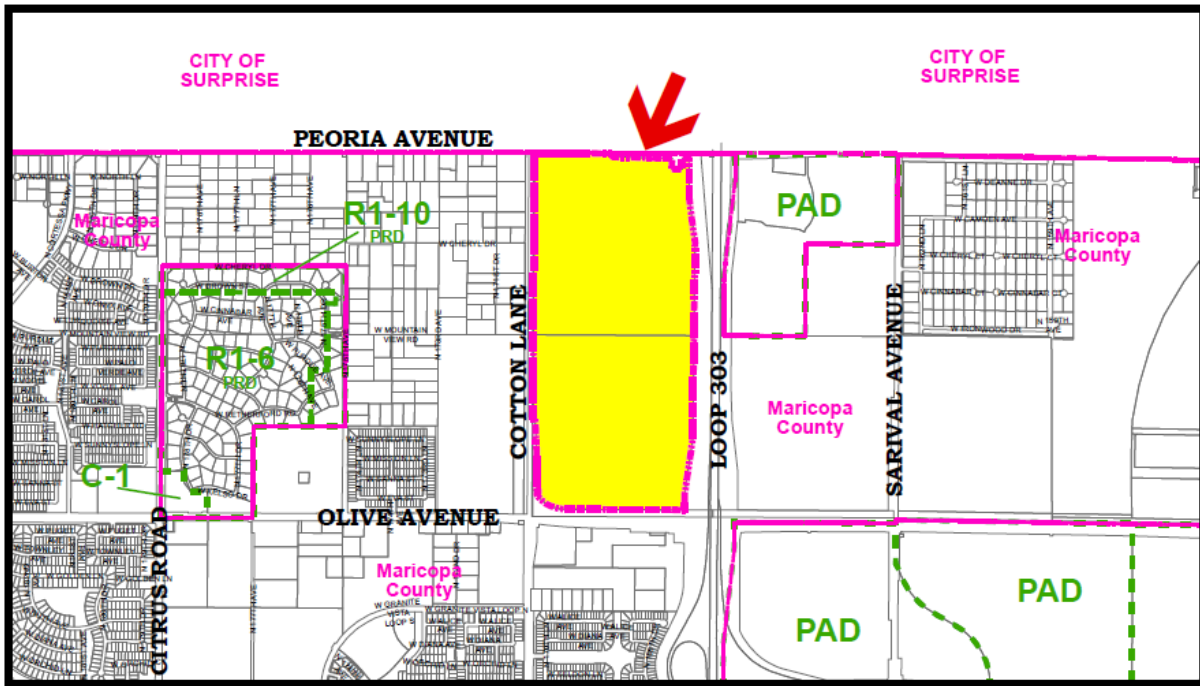
THENCE NORTHWESTERLY ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 4°06'33" AN ARC LENGTH OF 741.54 FEET;



THENCE SOUTH 89°59'51" WEST, A DISTANCE OF 10.08 FEET TO A POINT ON A LINE PARALLEL WITH AND 65.00 FEET EAST OF THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 25;

THENCE NORTH 00°16'23" EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 1211.26 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 260.68 ACRES, MORE OR LESS.

EXHIBIT B



 <p>PARKWAY 303 WEST REZONING (ZON21-22)</p>	 <p>REQUEST REZONE FROM COUNTY RU-43 TO GLENDALE PAD (PLANNED AREA DEVELOPMENT).</p>
<p>LOCATION SEC OF PEORIA AVENUE & COTTON LANE</p>	