

ORDINANCE NO. O21-89

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING 63 ACRES LOCATED SOUTH OF THE SOUTHEAST CORNER OF NORTHERN AVENUE AND COTTON LANE FROM M-1 (LIGHT INDUSTRIAL) TO PAD (PLANNED AREA DEVELOPMENT) FOR A DEVELOPMENT PLAN ENTITLED "ERGAS 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 ZON21-20 in the manner prescribed by law for the purpose of rezoning property located south of the southeast corner of Northern Avenue and Cotton Lane from M-1 (Light Industrial) 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 south of the southeast corner of Northern Avenue and Cotton Lane and more accurately described in Exhibit A to this ordinance, is conditionally rezoned from M-1 (Light Industrial) to PAD (Planned Area Development).

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

1. Development shall be in substantial conformance with the Ergas 303 Planned Area Development Booklet dated October 13, 2021.
2. Cotton Lane shall require 65-foot half street right-of-way improvements with curb, gutter, and a continuous six-foot-wide detached sidewalk.

3. An FAA form 7460-1 shall be submitted, reviewed by the FAA prior to issuance of any building permits.
4. The maximum allowed building height is 65 feet.

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 and 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 14th day of December, 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

LEGAL DESCRIPTION

THAT PORTION OF THE WEST HALF OF SECTION 1, TOWNSHIP 2 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 1, MARKED BY A BRASS CAP IN HANDHOLE STAMPED "MARICOPA COUNTY DEPARTMENT OF TRANSPORTATION S2 S1 1/4 2015," FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 1, MARKED BY A BRASS CAP IN HANDHOLE STAMPED "MARICOPA COUNTY HIGHWAY DEPARTMENT," BEARS NORTH 00°00'00" EAST, FOR A DISTANCE OF 2619.04 FEET;

THENCE NORTH 00°00'00" EAST, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 1, FOR A DISTANCE OF 1213.10 FEET;

THENCE SOUTH 89°42'43" EAST, FOR A DISTANCE OF 65.00 FEET TO A POINT ON A LINE THAT IS PARALLEL WITH AND 65.00 FEET EAST OF THE WEST LINE OF SAID NORTHWEST QUARTER OF SAID SECTION 1, SAID POINT ALSO BEING THE **POINT OF BEGINNING**;

THENCE, CONTINUING SOUTH 89°42'43" EAST, FOR A DISTANCE OF 2183.99 FEET TO THE NORTHWEST CORNER OF A PARCEL DESCRIBED IN THE SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NO. 2005-1958074 OF OFFICIAL RECORDS, MARICOPA COUNTY, ARIZONA;

THENCE SOUTH 04°12'55" EAST, ALONG THE WEST LINE OF SAID PARCEL, FOR A DISTANCE OF 84.77 FEET TO THE SOUTHWEST CORNER THEREOF;

THENCE SOUTH 89°42'43" EAST, ALONG THE SOUTH LINE OF SAID PARCEL, FOR A DISTANCE OF 71.00 FEET TO THE SOUTHEAST CORNER THEREOF;

THENCE NORTH 04°12'55" WEST, ALONG THE EAST LINE OF SAID PARCEL, FOR A DISTANCE OF 84.77 FEET TO THE NORTHEAST CORNER THEREOF;

THENCE SOUTH 89°42'43" EAST, FOR A DISTANCE OF 39.12 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF THE BOB STUMP MEMORIAL HIGHWAY, STATE ROUTE 303, PER ARIZONA DEPARTMENT OF TRANSPORTATION PROJECT NO. 303L MA 007 H7138 02R NEW RIGHT OF WAY LINE;

THE FOLLOWING TWO COURSES ARE ALONG SAID RIGHT OF WAY LINE:

THENCE SOUTH 00°57'56" EAST, FOR A DISTANCE OF 797.28 FEET;

THENCE SOUTH 00°20'56" WEST, FOR A DISTANCE OF 262.09 FEET TO THE NORTHEAST CORNER OF THAT CERTAIN PARCEL DESCRIBED IN SPECIAL WARRANTY DEED RECORDED IN DOCUMENT NO. 2005-1958074 OF OFFICIAL RECORDS, MARICOPA COUNTY, ARIZONA;

THENCE SOUTH 87°40'36" WEST, ALONG THE NORTH LINE OF SAID PARCEL, FOR A DISTANCE OF 71.00 FEET TO THE NORTHWEST CORNER THEREOF;

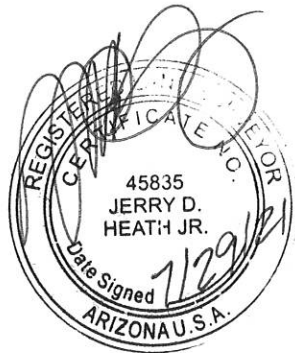
THENCE SOUTH 00°20'53" WEST, ALONG THE WEST LINE OF SAID PARCEL, FOR A DISTANCE OF 84.60 FEET TO THE SOUTHWEST CORNER THEREOF;

THENCE SOUTH 87°40'23" WEST, FOR A DISTANCE OF 2236.30 FEET TO A POINT ON A LINE THAT IS PARALLEL WITH AND 65.00 FEET EAST OF THE WEST LINE OF SAID SOUTHWEST QUARTER OF SAID SECTION 1;

THENCE NORTH 00°00'09" EAST, ALONG SAID PARALLEL LINE, FOR A DISTANCE OF 36.28 FEET TO A POINT ON A LINE THAT IS PARALLEL WITH AND 65.00 FEET EAST OF THE WEST LINE OF SAID NORTHWEST QUARTER OF SAID SECTION 1;

THENCE NORTH 00°00'00" EAST, ALONG SAID PARALLEL LINE, FOR A DISTANCE OF 1212.78 FEET TO THE **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 2,742,930 SQUARE FEET, OR 62.969 ACRES, MORE OR LESS.



NORTHWEST CORNER OF
SECTION 1, T.2N., R.2W.
FND MARICOPA HD
BRASS CAP IN HANDHOLE



(N.T.S.)

"Exhibit B"

COTTON LANE

N0°00'00"E 2619.04'
N0°00'00"E 1213.10'

N0°00'00"E 1212.78'
65.00'
65.00'
S89°42'43"E 65.00'

POINT OF BEGINNING

N0°00'09"E 36.28'

S87°40'23"W 2236.30'

S89°42'43"E 2183.99'

S0°20'53"W 84.60'
S0°20'56"W 262.09'

S0°57'56"E 797.28'

S87°40'36"W 71.00'

BOB STUMP MEMORIAL HIGHWAY STATE ROUTE 303

WEST QUARTER CORNER
SECTION 1, T2N., R.2W.
FND BCHH MCDOT
S2 S1 1/4 2015
POINT OF COMMENCEMENT

N4°12'55"W 84.77'
S89°42'43"E 39.12'

S4°12'55"E 84.77'

S89°42'43"E 71.00'