

ORDINANCE NO. O22-87

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING 276 ACRES LOCATED AT THE NORTHWEST AND NORTHEAST CORNERS OF OLIVE AVENUE AND SARIVAL AVENUE FROM RR-45 (RURAL RESIDENTIAL) TO PAD (PLANNED AREA DEVELOPMENT) FOR A DEVELOPMENT PLAN ENTITLED "PARKWAY 303 EAST"; AMENDING THE ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE; AND ORDERING THAT A CERTIFIED COPY OF THE ORDINANCE IS RECORDED.

WHEREAS, the City of Glendale Planning Commission held a public hearing on December 8, 2022, in zoning case ZON22-20 in the manner prescribed by law for the purpose of rezoning property located at the northwest and northeast corners of Olive Avenue and 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 November 16, 2022; 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 northwest and northeast corners of Olive Avenue and 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. All development shall be in conformance with the project narrative dated June 3, 2022, and Planned Area Development narrative dated, December 8, 2022.
2. All lighting for this development shall be dark sky compliant, fully shielded, directed downward and shall not exceed 0- foot candles at the property line in any direction.

3. Any buildings or structures or mechanical equipment with a height greater than 55 feet shall be required to submit FAA form 7460 for review and approval from the Federal Aviation Administration.
4. The property owner and/or developer shall comply with the right of way dedications and/or street improvements required by MCDOT for Olive Avenue.
5. The property owner and/or developer shall improve Sarival Avenue with a minimum of 110 feet of right of way and shall be constructed using Glendale Standard Detail G-302 and G-322. A minimum of 130 feet of right-of-way will be required within 250 feet of the intersection of Sarival Avenue and Olive Avenue. Additional right of way may be required at deceleration lanes to encompass the roadway and appurtenances such as sidewalks, streetlights, fire hydrants, etc.
6. The property owner and/or developer shall provide right turn deceleration lanes at all access points that serve heavy vehicles on Sarival Avenue in both the north and southbound directions.
7. The property owner and/or developer shall enter into a Development Agreement with the City of Glendale, the City of Surprise, and Maricopa County to construct a signal(s) at the intersection of Sarival Avenue and Olive Avenue and Sarival Avenue and Peoria Avenue prior to receiving a Certificate of Occupancy for any proposed building.
8. Light poles within the employee and guest parking areas shall be limited to 15 feet in height.
9. Wall mounted lighting for building C shall be no more frequent than every other bay.
10. Lighting in the truck well area for building C shall be on the south side of the screen wall, shall include house shields, and shall be no taller than 20 feet.
11. A photometric plan shall be submitted with the Design Review application demonstrating lighting shall not exceed 0-foot candles at the property line.
12. Landscaping along the north side of building C shall be in conformance with the conceptual landscape plan dated December 8, 2022, and shall include:
 - a) A staggered row of trees planted along the north perimeter property line of building C; and
 - b) A staggered row of trees planted along the truck well wall of building C; and
 - c) A meandering loop pedestrian trail with accompanying trees and shrubs.
13. There shall be no windows on any internal second story, occupational space on the north side of building C.

14. The truck well for building C shall have a minimum 10-foot-tall wall measured from the finished grade of the internal truck well.
15. The truck well shall be setback a minimum of 200 feet measured from the north property line.
16. Building C shall be setback a minimum of 400 feet measured from the north property line.
17. There shall be no off-site parking for trucks or delivery vehicles.
18. A traffic impact study shall be reviewed and approved by the City of Glendale Transportation Department prior to Design Review approval.

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 13th day of December 2022.

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
ANNEXATION PARCEL**

EXHIBIT A

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 30, TOGETHER WITH THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 3 NORTH, RANGE 2 WEST TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE CENTER OF SECTION 30, MARKED BY A REBAR WITH NO CAP FROM WHICH THE SOUTH QUARTER CORNER OF SAID SECTION 30, MARKED BY AN ALUMINUM CAP FLUSH STAMPED "MARICOPA COUNTY T3N, R1W S30 1/4 S31," BEARS SOUTH 00°03'18" EAST, AS MEASURED AND RECORDED IN CORRECTIVE SPECIAL WARRANTY DEED IN INSTRUMENT NO. 20190983423, OF OFFICIAL RECORDS, MARICOPA COUNTY, ARIZONA, FOR A DISTANCE OF 2637.33 FEET; THENCE SOUTH 00°03'18" EAST, ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 30, FOR A DISTANCE OF 2504.31 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF THE ATCHISON, TOPEKA & SANTA FE RAILROAD; THENCE NORTH 89°02'28" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, FOR A DISTANCE OF 2206.64 FEET TO A POINT ON A LINE THAT IS 33.00 EAST OF AND PARALLEL WITH THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 30; THENCE NORTH 0°15'51" EAST, ALONG SAID PARALLEL LINE, FOR A DISTANCE OF 2505.82 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 30; THENCE SOUTH 88°59'47" EAST, ALONG SAID NORTH LINE, FOR A DISTANCE OF 2192.70 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 5,509,686 SQUARE FEET, OR 126.485 ACRES, MORE OR LESS.

TOGETHER WITH THE FOLLOWING DESCRIPTION:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 25, MARKED BY A BRASS CAP FLUSH STAMPED "ARIZONA DEPT. OF TRANSPORTATION 2013 RLS 29131," FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION 25, MARKED BY A FOUND ALUMINUM CAP FLUSH STAMPED "MARICOPA COUNTY T3N, R2W S 30 1/4 S31" BEARS SOUTH 89°43'12" EAST, FOR A DISTANCE OF 2632.72 FEET; THENCE SOUTH 89°43'12" EAST, ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 25, FOR A DISTANCE OF 420.29 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF STATE ROUTE 303; THE FOLLOWING FIVE COURSES ARE ALONG SAID EAST RIGHT OF WAY LINE: THENCE NORTH 24°31'30" WEST, FOR A DISTANCE OF 146.47 FEET TO AN ALUMINUM CAP FLUSH STAMPED "ARIZONA DEPT. OF TRANSPORTATION

LS 21782", SAID POINT BEING THE POINT OF BEGINNING;
THENCE NORTH 00°02'46" EAST, FOR A DISTANCE OF 582.01 FEET TO AN ALUMINUM
CAP FLUSH STAMPED "ARIZONA DEPT. OF TRANSPORTATION LS 21782 2016";
THENCE NORTH 06°47'22" WEST, FOR A DISTANCE OF 702.71 FEET TO AN
ALUMINUM CAP FLUSH STAMPED "ARIZONA DEPT. OF TRANSPORTATION LS
21782";
THENCE NORTH 01°40'50" WEST, FOR A DISTANCE OF 483.19 FEET TO AN
ALUMINUM CAP FLUSH STAMPED "ARIZONA DEPT. OF TRANSPORTATION LS
21782";
THENCE NORTH 00°23'43" EAST, FOR A DISTANCE OF 742.47 FEET TO A POINT ON
THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 25, SAID POINT
MARKED BY AN ALUMINUM CAP FLUSH STAMPED "ARIZONA DEPT. OF
TRANSPORTATION LS 21782";
THENCE SOUTH 89°44'51" EAST, ALONG SAID NORTH LINE, FOR A DISTANCE OF
2344.03 TO A POINT ON A LINE THAT IS 33.00 WEST OF AND PARALLEL WITH THE
EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 25;
THENCE SOUTH 00°15'51" WEST, ALONG SAID PARALLEL LINE, FOR A DISTANCE OF
875.00 FEET;
THENCE NORTH 89°44'51" WEST, FOR A DISTANCE OF 44.00 FEET TO A POINT ON A
LINE THAT IS 77.000 WEST OF AND PARALLEL WITH THE EAST LINE OF THE
SOUTHEAST QUARTER OF SAID SECTION 25;
THENCE SOUTH 00°15'51" WEST, ALONG SAID PARALLEL LINE, FOR A DISTANCE OF
862.08 FEET;
THENCE NORTH 89°44'51" WEST, FOR A DISTANCE OF 40.00 FEET TO A POINT ON A
LINE THAT IS 117.00 WEST OF AND PARALLEL WITH THE EAST LINE OF THE
SOUTHEAST QUARTER OF SAID SECTION 25;
THENCE SOUTH 00°15'51" WEST, ALONG SAID PARALLEL LINE, FOR A DISTANCE OF
768.72 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF THE ATCHISON,
TOPEKA & SANTA FE RAILROAD;
THENCE NORTH 89°43'15" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, FOR A
DISTANCE OF 2156.82 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 5,667,722 SQUARE FEET, OR 130.113 ACRES, MORE OR LESS.

EXHIBIT B

