

ORDINANCE NO. O23-12

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING PROPERTY LOCATED AT THE SOUTHWEST CORNER OF 75<sup>TH</sup> AVENUE AND BETHANY HOME ROAD FROM C-O (COMMERCIAL OFFICE) TO C-1 (NEIGHBORHOOD COMMERCIAL) AMENDING THE ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE IS RECORDED.

WHEREAS, the City of Glendale Planning Commission held a public hearing on March 23, 2023, in zoning case ZON22-16 in the manner prescribed by law for the purpose of rezoning property located at the southwest corner of 75<sup>th</sup> Avenue and Bethany Home Road from C-O (Commercial Office) to C-1 (Neighborhood Commercial);

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 March 1, 2023; and

WHEREAS, the City has considered the individual property rights and personal liberties of the residents of the city before adopting this zoning 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 75<sup>th</sup> Avenue and Bethany Home Road and more specifically described in Exhibit A to rezone the property from C-O (Commercial Office) to C-1 (Neighborhood Commercial).

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

1. Development shall be in substantial conformance with the narrative and site plan date stamped January 6, 2023.
2. The developer will be required to provide 55' half street right-of-way (measured from Centerline) along 75<sup>th</sup> Avenue with half street improvements to be in line with Arterial Section A-1 of Glendale Standards.
3. Developer will work with SRP on the tiling/piping of the irrigation ditch and associated USA Easement along 75<sup>th</sup> 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. That the provisions of this ordinance will become effective thirty (30) days after passage of this ordinance by the Glendale City Council.

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 25<sup>th</sup> day of April, 2023.

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Mayor Jerry P. Weiers

ATTEST:

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Julie K. Bower, City Clerk (SEAL)

APPROVED AS TO FORM:

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Michael D. Bailey, City Attorney

REVIEWED BY:

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Kevin R. Phelps, City Manager

## EXHIBIT A

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

THE EAST 313.39 FEET AS MEASURED ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THAT PART OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 2 NORTH, RANGE 1 EAST 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 14;

THENCE WESTERLY ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14, A DISTANCE OF 313.39 FEET, TO A POINT ON THE WEST LINE OF THE EAST 313.39 FEET AS MEASURED ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTHERLY, ALONG SAID WEST LINE, A DISTANCE OF 33.00 FEET, TO A POINT ON THE SOUTH LINE OF THE NORTH 33.00 FEET OF THE NORTHEAST QUARTER OF SAID SECTION 14, SAID POINT BEING THE TRUE POINT OF BEGINNING OF THE PROPERTY DESCRIBED HEREIN;

THENCE CONTINUING SOUTHERLY, ALONG SAID WEST LINE, A DISTANCE OF 22.00 FEET, TO A POINT ON THE SOUTH LINE OF THE NORTH 55.00 FEET OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE EASTERLY, ALONG THE SOUTH LINE OF THE NORTH 55.00 FEET OF THE NORTHEAST QUARTER OF SAID SECTION 14, TO THE SOUTHWEST CORNER OF THE NORTH 55.00 FEET OF THE EAST 95.00 FEET OF THE NORTHEAST QUARTER OF SAID SECTION 14; THENCE SOUTHEASTERLY, TO THE SOUTHWEST CORNER OF THE NORTH 93.00 FEET OF THE EAST 57.00 FEET OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE SOUTH-SOUTHEASTERLY, TO THE SOUTHWEST CORNER OF THE NORTH 300.00 FEET OF THE EAST 33.00 FEET OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE NORTHERLY, ALONG THE WEST LINE OF THE EAST 33.00 FEET OF THE NORTHEAST QUARTER OF SAID SECTION 14, TO THE SOUTHWEST CORNER OF THE NORTH 121.00 FEET OF THE EAST 33.00 FEET OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE WESTERLY, ALONG THE SOUTH LINE OF THE NORTH 121.00 FEET OF THE NORTHEAST QUARTER OF SAID SECTION 14, TO THE SOUTHWEST CORNER OF THE NORTH 121.00 FEET OF THE EAST 45.00 FEET OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE NORTHERLY, ALONG THE WEST LINE OF THE EAST 45.00 FEET OF THE NORTHEAST QUARTER OF SAID SECTION 14, TO THE SOUTHWEST CORNER OF THE NORTH 81.00 FEET OF THE EAST 45.00 FEET OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE NORTHWESTERLY, TO THE SOUTHWEST CORNER OF THE NORTH 33.00 FEET OF THE EAST 93.00 FEET OF THE NORTHEAST QUARTER OF SAID SECTION 14;

THENCE WESTERLY, ALONG THE SOUTH LINE OF THE NORTH 33.00 FEET OF THE NORTHEAST QUARTER OF SAID SECTION 14, TO THE POINT OF BEGINNING.

EXHIBIT B

