

ORDINANCE NO. O25-03

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING 9.4 ACRES LOCATED NORTH OF THE NORTHWEST CORNER OF BETHANY HOME ROAD AND THE LOOP 303 FREEWAY FROM PAD (PLANNED AREA DEVELOPMENT) TO PAD (PLANNED AREA DEVELOPMENT) FOR A DEVELOPMENT PLAN ENTITLED "INDICAP"; AMENDING THE ZONING MAP; PROVIDING FOR AN EFFECTIVE DATE; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE IS RECORDED.

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 22, 2024; and

WHEREAS, the City of Glendale Planning Commission held a public hearing on December 12, 2024, in zoning case ZON24-06 in the manner prescribed by law for the purpose of rezoning property located north of the northwest corner of Bethany Home Road and the Loop 303 Freeway from PAD (Planned Area Development) to PAD (Planned Area Development); 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 north of the northwest corner of Bethany Home Road and the Loop 303 Freeway and more accurately described in Exhibit A to this ordinance, is conditionally rezoned from PAD (Planned Area Development) 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 IndiCap PAD Narrative, date stamped November 6, 2024.
2. Prior to the project's issuance of a Certificate of Occupancy, a development agreement with the city and the developers must be approved by City Council related to the proportionate cost share of the traffic signal at the 169th Avenue alignment.

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 28th day of January, 2025.

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

DESCRIPTION

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

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 2 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 12 FROM WHENCE THE WEST QUARTER CORNER OF SECTION 12 BEARS NORTH 00° 20' 48" EAST, MEASURED (NORTH 00° 20' 56" EAST, RECORD) A DISTANCE OF 2648.73 FEET;

THENCE SOUTH 89° 30' 05" EAST, MEASURED (SOUTH 89° 30' 02" EAST, RECORD), ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 1266.39 FEET;

THENCE NORTH 00° 13' 44" EAST A DISTANCE OF 565.11 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 00° 13' 44" EAST A DISTANCE OF 346.20 FEET TO THE SOUTHWEST CORNER OF THAT PARCEL DESCRIBED IN WARRANTY DEED RECORDED IN DOCUMENT NO. 2006-1588943, OFFICIAL RECORDS;

THENCE SOUTH 89° 37' 28" EAST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 916.11 FEET TO THE WEST RIGHT-OF-WAY LINE OF ARIZONA LOOP 303 AS DESCRIBED IN WARRANTY DEED RECORDED IN DOCUMENT NO. 2012-318290, OFFICIAL RECORDS;

THENCE FOLLOWING SAID RIGHT-OF-WAY LINE FOR THE NEXT TWO (2) COURSES:

THENCE SOUTH 09° 47' 47" WEST A DISTANCE OF 305.25 FEET;

THENCE SOUTH 00° 32' 02" WEST A DISTANCE OF 242.03 FEET;

THENCE NORTH 89° 30' 05" WEST A DISTANCE OF 493.69 FEET;

THENCE NORTH 00° 00' 00" EAST A DISTANCE OF 147.30 FEET

THENCE NORTH 82° 08' 20" WEST A DISTANCE OF 373.11 FEET TO THE POINT OF BEGINNING,

CERTIFICATION

I, DAVID S. KLEIN, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA AND THAT THE SURVEY SHOWN HEREON WAS COMPLETED UNDER MY DIRECT SUPERVISION DURING THE MONTH OF APRIL, 2024, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THE MONUMENTS SHOWN ACTUALLY EXIST.

DAVID S. KLEIN
R.L.S. #42137



David S. Klein

