

ORDINANCE NO. 2890 NEW SERIES

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, REZONING PROPERTY TO AMEND AN EXISTING PAD (PLANNED AREA DEVELOPMENT) FOR DEVELOPMENT PLAN TITLED "WEST POINTE VILLAGE" LOCATED AT 7041 WEST OLIVE AVENUE; AMENDING THE ZONING MAP; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Glendale Planning Commission held a public hearing on April 3, 2014, in zoning case ZON13-06 in the manner prescribed by law for the purpose of rezoning property located at 7041 West Olive Avenue amending an existing 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 Glendale Star* on March 13, 2014; and

WHEREAS, the City of Glendale Planning Commission has recommended to the Mayor and the Council the zoning of property as aforesaid and the Mayor and the Council desire to accept such recommendation and rezone the property described on Exhibit A as a PAD (Planned Area Development) in accordance with the Development Plan currently on file with the Planning Department as of the date of this ordinance.

NOW, THEREFORE, 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 7041 West Olive Avenue is hereby conditionally amending the existing PAD (Planned Area Development) as enacted by Ordinance No. 2637 dated April 22, 2008 to PAD (Planned Area Development) in accordance with the Development Plan currently on file with the Planning Department as of the date of this ordinance.

SECTION 2. That the rezoning herein provided for be conditioned and subject to the development being in substantial conformance with the development plan and permitted uses contained therein of the West Pointe Village prepared January 16, 2014.

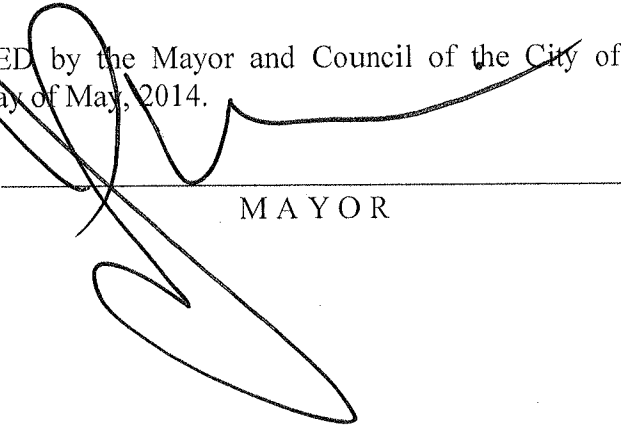
SECTION 3. That the rezoning herein provided for be further conditioned and subject to the following:

1. Development shall be in substantial conformance with the development plan outlined in the PAD document, date stamped February 16, 2014.
2. Dedication of right-of-way on 71<sup>st</sup> Avenue to provide a total half-width of 35 feet shall be made prior to issuing any building permit for any part of the project.
3. Dedication of right-of-way along Alice Avenue to provide a total half-width of 25 feet shall be made prior to issuing any building permit for any part of the project.
4. Dedication of right-of-way and all required street improvements along Olive Avenue shall be approved by the City of Peoria prior to issuing any building permit for any part of the project.
5. The applicant shall provide documentation that the City of Peoria has reviewed and approved all necessary improvements to Olive Avenue.
6. All half-street improvements on 71<sup>st</sup>, Alice, and Olive avenues adjacent to the property shall be completed at the time of development. Required improvement standards are determined by the City of Glendale Engineering Design and Construction Standards.
7. A decorative finish shall be provided on both sides of the eight-foot wall, which separates the commercial and multi-family residential parcel.
8. The sidewalk adjacent to 71<sup>st</sup> Avenue and the sidewalks located adjacent to all streets that are internal to this project shall be 5' feet in width.

SECTION 4. Amendment of Zoning Map. The City of Glendale Zoning Map is herewith amended to reflect the change in districts referred to and the property described in Section 1 above.

SECTION 5. Effective Date. This Ordinance shall become effective at the time and in the manner prescribed by law.

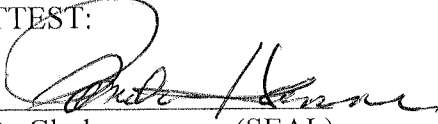
PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 13<sup>th</sup> day of May, 2014.



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MAYOR

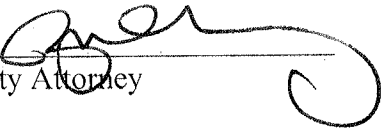
ATTEST:



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City Clerk (SEAL)


APPROVED AS TO FORM:



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City Attorney

REVIEWED BY:



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City Manager

**EXHIBIT "A"**

That part of the Southeast quarter of the Northeast quarter of Section 1, Township 3 North, Range 3 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the East quarter corner of said Section 1;

THENCE South 88 degrees, 44 minutes, 53 seconds West, along the East-West mid-section line of said Section 1, a distance of 740.93 feet to the TRUE POINT OF BEGINNING;

THENCE continuing South 88 degrees, 44 minutes, 53 seconds West, a distance of 174.50 feet;

THENCE North 04 degrees, 06 minutes, 55 seconds West, a distance of 499.88 feet;

THENCE North 88 degrees, 44 minutes, 53 seconds East, a distance of 174.50 feet;

THENCE South 04 degrees, 06 minutes, 55 seconds East, a distance of 499.88 feet to the TRUE POINT OF BEGINNING;

EXCEPT an undivided 1/2 interest in all mineral rights, as reserved to Foxgal, Inc., an Arizona corporation, in Deed recorded as Docket 3003, Page 296, records of Maricopa County, Arizona.