

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

CC: 24R
Amend No. _____

Date prepared: October 22, 2007

Council Meeting Date: November 6, 2007

TO: Terry Ellis, City Manager

FROM: Glen Van Nimwegen, AICP, Community Development Director *GM*

THROUGH: Chad Daines, AICP, Planning Manager *CD*

PREPARED BY: Robert Gubser, AICP, Senior Planner *RG*

SUBJECT: GPA 07-08, Cavan Commercial: Proposal to adopt a resolution amending the Loop 303 Specific Area Plan Land Use Map.

Recommendation:

The Mayor and Council concur with the Planning and Zoning Commission's recommendation to adopt a resolution for a request by Brad Kempf of Happy Valley 303 West LLC, amending the Loop 303 Specific Area Plan Land Use Map for a site comprising approximately 39.98 gross acres from Low Density Residential (2-5 du/ac, with a target density of 3du/ac), Medium Density Residential (5-8 du/ac, with a target of 6 du/ac) and Business Park Industrial (BPI) to Mixed Use – Neighborhood Commercial and Park/Open Space. The site is generally located at the southwest corner of Happy Valley Rd and Vistancia Blvd.

Planning & Zoning Commission Recommendation

On October 4, 2007, the Planning and Zoning Commission voted unanimously to recommend approval of the requested action. There were no speakers present at the hearing, other than the applicant.

Proposition 207:

The voters of Arizona recently approved Proposition 207 which amongst other things requires municipalities to compensate property owners for actions which have the effect of diminishing the value of property. The City Attorney's Office has drafted an agreement which waives the applicant's rights to future Proposition 207 claims against the City. The applicant has submitted a signed and notarized waiver which will be recorded following the City Council's decision on the request.

CITY CLERK USE ONLY:

Consent Agenda
 Carry Over to Date: _____
 Approved
 Unfinished Business (Date heard previous: _____)
 New Business

ORD. # _____ RES. # _____
LCON# _____ LIC. # _____
Action Date: _____

Attachments:

- Planning and Zoning Commission Staff Report (10/4/07)
- Resolution
- Proposition 207 Waiver (original submitted to City Clerk for 11/6/07 Meeting)

**SUPPORTING DOCUMENTATION
PERTAINING TO THIS
AGENDA ITEM IS ON FILE IN THE
OFFICE OF THE CITY CLERK**