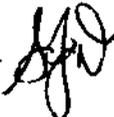


**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATION**

Date prepared: November 7, 2008

Council Meeting Date: December 16, 2008

cc: 16R  
Amend No. \_\_\_\_\_

**TO:** Carl Swenson, City Manager  
**FROM:** Susan Daluddung, AICP, Deputy City Manager   
**THROUGH:** Glen Van Nimwegen, AICP, Community Development Director   
**THROUGH:** Chris Jacques, AICP, Acting Planning Manager   
**PREPARED BY:** Adam Pruett, Senior Planner

**SUBJECT:** GPA05-01, 640-acre Major General Plan Amendment  
Proposal to adopt a Resolution amending the Land Use Plan of the Peoria General Plan for a 640 acre area located south of Dixileta Drive at 135<sup>th</sup> Avenue, from Residential Estate (0-2 du/ac. Target Density 1.0 du/ac.) to Residential Low (2-5 du/ac. Target Density 3.0 du/ac).

**RECOMMENDATION:**

The Mayor and Council concur with the Planning and Zoning Commission's recommendation to adopt the attached Resolution amending the Land Use Plan of the Peoria General Plan for a 640 acre area located south of Dixileta Drive at 135<sup>th</sup> Avenue, from Residential Estate (0-2 du/ac. Target Density 1.0 du/ac.) to Residential Low (2-5 du/ac. Target Density 3.0 du/ac).

**Planning and Zoning Commission Action:**

The Planning and Zoning Commission held public hearings regarding this request on September 15, 2005 and October 6, 2005. The Commission voted unanimously on October 6, 2005 to recommend approval to the City Council. Based on the length of time which has elapsed and the water resource and other infrastructure issues which evolved since Commission consideration of this request, an informational update on these issues was provided to the Commission on May 4, 2006.

**CITY CLERK USE ONLY:**

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

ORD. # \_\_\_\_\_ RES. # 08-169  
LCON# \_\_\_\_\_ LIC. # \_\_\_\_\_  
Action Date: \_\_\_\_\_

**Surrounding Land Use, Zoning and General Plan Designations:**

1.

GPA 05-01	LAND USE	ZONING	GENERAL PLAN
Subject Property	Vacant	County Rural 43	Residential Estate 0-2 du/ac
North	Vacant	SR-43	Residential Estate 0-2 du/ac
East	Vacant	PAD - Residential	Residential Low 2-5 du/ac
South	Vacant	County Rural 43	Residential Estate 0-2 du/ac
West	Vacant	County Rural 43	Residential Estate 0-2 du/ac & City of Surprise Rural Residential (0-1 du/ac)

**Background:**

2. The requested amendment pertains to a 640 acre area adjoining the municipal boundary near Dixileta and 135<sup>th</sup> Avenue (See Attachment A). The 640 acre site is comprised of thirteen (13) parcels owned by eleven (11) separate ownership interests. Although not currently part of the City, the property is located within the planning area boundary for the City. The property owners petitioned the City for annexation under case ANX 05-01. However, due to an extended delay in this process due to outstanding water issues, the time-sensitive annexation materials have expired. A new annexation request has been filed and will be processed over the next several months.
3. Geographically, the property is situated in the foothills near the Vistancia North and Saddleback Heights hillside developments to the north and Vistancia South development to the east. Major washes traverse the property from north to south and an existing sand and gravel mining operation is located on the southwestern part of the property.
4. This application was filed in 2005 as a major amendment to the General Plan. Around this time, there were several properties in this area seeking entitlement, however upon closer examination, it was determined that water service would be problematic and therefore it would not be in City's best interest to approve General Plan Amendments, rezoning requests or preliminary plats until the water issues have been resolved. This determination lead to this particular case being continued indefinitely at the May 16, 2006 City Council meeting.
5. The applicant has recently reached an agreement with Arizona American Water Company that expands their service area to accommodate this property and other properties in the area. A copy of the letter from Arizona American Water Company to the City of Peoria that confirms this agreement is provided as Attachment D of this report. With this agreement, staff is supportive of this request.

**Conformance with the Peoria General Plan:**

6. The applicant requests that the Land Use Plan of the General Plan be amended from Residential Estate (0-2 du/ac Target 1.0 du/ac) to Residential Low (2-5 du/ac Target Density 3.0 du/ac ) for 502 acres of the total 640 acre area (See Attachment B). The remaining 138 acres are left with a Park/Open Space designation which represents the hillside area above the approximate 10% slope line. The requested amendment is consistent with the land use character of this area of Peoria which consists of multiple large scale communities with densities ranging from Residential 2-5 du/ac to 5-8 du/ac.
7. Land contained in this amendment request is bordered on three sides (north, south and west) by State Land and by the Vistancia South development and the Boulders at White Peak development on the east. The Vistancia South and Boulders at White Peak, are designated for a target density of 3.0 du/ac and the requested amendment is consistent with this adjacent development character. Land west of the subject property is within the Surprise planning area and designated for 1.0 du/ac. Recent amendments in this general area of Surprise including Rancho Mercado and planned development on the former Chrysler Proving Grounds show a growing trend toward 3.0 du/ac, consistent with this request.

**Department Comments:**

8. **Utilities:** As stated earlier in this report, this application was filed and processed during the 2005 Annual Major General Plan amendment process. Due to staff concerns relative to the water resources and water and wastewater service to this area, the case was continued by the Council to allow for those issues to be resolved. A detailed analysis of the water resource and water/wastewater infrastructure issues is provided in the Staff Report for the May 16, 2006 Study Session (Attachment E) discussion of this area. Please refer to this report for further information.
9. **Community Services:** Comments relative to parks, trails and open space will be implemented in conjunction with any rezoning application. These comments outline the need for a neighborhood park, open space dedication, and public trails and trailhead development
10. **Engineering:** Attachment C reflects the planned transportation network for this region. The planned circulation in this area establishes Dynamite Boulevard, a primary regional east- west corridor through the area of planned development and connecting to the regional transportation system to the west. This primary east-west access, Dynamite Boulevard will need to be extended west from its current terminus at Vistancia Boulevard in Vistancia Phase 1 to the east. Shea/Sunbelt will be required to extend this roadway from Vistancia Boulevard to the western boundary of Vistancia. The extension of Dynamite Boulevard west from Vistancia's western border is currently not programmed in the capital plan and will be the responsibility of

development within this area.

Dynamite Boulevard extends through the Vistancia development and currently terminates at the eastern boundary of Vistancia at the Lone Mountain Parkway alignment. Lone Mountain Parkway will be extended east of the Vistancia project to Lake Pleasant Parkway in 2007-2008. The extension of Jomax Road will provide a secondary means of access to the area. A north-south street following the alignment of 135<sup>th</sup> Avenue will connect the Jomax Road and Dynamite Boulevard. Both Jomax Road and 135<sup>th</sup> Avenue are also not currently in the capital plan and would be the responsibility of development in the area to construct. Satisfactory public access to this area will be required prior to development within this area. Additionally, due to the fact that the 640 acre site and surrounding area is comprised of multiple ownerships, a coordinated transportation and utility master plan will need to be developed by the property owners and evaluated by the City to determine the phasing of infrastructure to support the planned development in this area.

11. **Public Safety-Fire:** The pending developments within this area will be provided fire and emergency medical service (EMS) from the existing Vistancia Fire Station #6. Fire service to this general region will be enhanced through the addition of future fire station(s) as the area develops. Housing within the development will need to be sprinklered.
12. **Public Safety – Police:** The development impacts to police service are identified in the Staff report for the Study Session discussion of this area.
13. **Proposition 207:** As stated above, this application was originally filed in 2005 before Proposition 207 was enacted. Due to the delays involved in processing this application, the applicant is now required to provide the City with a Proposition 207 waiver. The applicant has provided a copy of the executed waiver.

**Opposition/Support:**

14. No comments have been received.

**Findings:**

15. Based on the findings below, staff is supportive of this General Plan Amendment.
  - A. The development pattern contained in the Land Use Plan inadequately provides appropriate optional sites for the use proposed in the amendment.
  - B. That the amendment constitutes an overall improvement to the city's General Plan and is not solely for the good or benefit of a particular landowner or owners at a particular point in time.
  - C. That the amendment will not adversely impact the community as a whole or a portion of the community.

- D. That the amendment is consistent with the overall intent of the Peoria General Plan.

**Attachments:**

- Attachment A – Context Map
- Attachment B – Existing General Plan & Proposed Amendment
- Attachment C – Planned Circulation Element
- Attachment D – Water Agreement Statement
- Attachment E – May 16, 2006 Study Session Staff Report and Exhibits

Resolution

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