

**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATION**

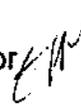
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Amend No. \_\_\_\_\_

Date prepared: November 21, 2008

Council Meeting Date: December 16, 2008

**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:** Z 08-01 Agave Courts

Proposal to adopt an ordinance approving the rezoning of approximately 1.98 gross acres from Suburban Ranch (SR-43) to R1-12 (Single-Family Residential) to allow for the development of a 4-lot single-family residential subdivision. The property is generally located on the southeast corner of 75<sup>th</sup> Avenue and Jomax Road and is more accurately described as Maricopa County Assessor Parcel Number (APN) 201-09-987.

**Recommendation:**

The Mayor and City Council concur with the Planning and Zoning Commission's recommendation to adopt an Ordinance to rezone approximately 1.98 gross acres from the current zoning district of Suburban Ranch (SR-43) to R1-12 (Single-Family Residential), subject to the conditions contained within the staff report.

**Planning & Zoning Commission Recommendation:**

On November 20, 2008, the Planning and Zoning Commission voted unanimously to recommend approval of the requested action, subject to Conditions 1-12, as contained in the staff report and referenced in the attached Ordinance. There were no speakers for this item present at the hearing.

**CITY CLERK USE ONLY:**

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

ORD. # 08-37 RES. # \_\_\_\_\_  
LCON# \_\_\_\_\_ LIC. # \_\_\_\_\_  
Action Date: \_\_\_\_\_

**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.

**Attachments:**

- Planning and Zoning Commission Staff Report (11/20/08)
- Ordinance
- Proposition 207 Waiver (original to City Clerk)

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