

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATION**

CC: 4C
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 07-08 Caballos Del Rio

Proposal to adopt an ordinance approving the rezoning of approximately 45.33 gross acres from General Agricultural (AG) and Suburban Ranch (SR-43) to Suburban Ranch (SR-35) to allow for the development of a 36-lot single-family residential subdivision. The property is generally located at the southwest corner of Happy Valley Road and the 77th Avenue alignment, and is more accurately described as Maricopa County Assessor Parcel Number (APN) 201-14-003C, 003D, 003E, 003X, 003Y, 003Z.

Recommendation:

The Mayor and City Council concur with the Planning and Zoning Commission's recommendation to adopt an Ordinance to rezone approximately 45.33 gross acres from the current zoning district of General Agricultural (AG) and Suburban Ranch (SR-43) to Suburban Ranch (SR-35), 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 1-9, 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. # 08-38 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