

**CITY OF PEORIA, ARIZONA  
COUNCIL COMMUNICATION**

CC: 6C  
Amend No. \_\_\_\_\_

Date Prepared: February 22, 2008

Council Meeting Date: March 4, 2008

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**TO:** Terry Ellis, City Manager  
**FROM:** Jeff Tyne, Budget Director *jt*  
**PREPARED BY:** Katie Gregory, Development Agreement Coordinator *KG*  
**SUBJECT:** Approve a payment to ZW Holdings, LLC in the amount of \$32,900.50 for the removal of an existing fence and the installation of a perimeter fence along 112<sup>th</sup> Avenue between Beardsley Road, and Rose Garden Lane

**RECOMMENDATION:**

That Mayor and City Council approve a payment to ZW Holdings, LLC in the amount of \$32,900.50 for the removal of an existing fence and the installation of a perimeter fence along 112<sup>th</sup> Avenue between Beardsley Road, and Rose Garden Lane, per Development Agreement with Linden Tree Nursery; and approve a General Fund contingency transfer in the amount of \$32,901 from account 1000-0300-570000 to account 1000-0300-524004. (Grounds/Detention R & M)

**SUMMARY:**

In June of 2002, the City of Peoria entered into a Development Agreement with Linden Tree Nursery (ZW Holdings, LLC) in which the developer agreed to relocate the nursery to provide a transitional buffering between residential development east of the property and industrial uses west of the property. As part of the agreement, the City agreed to improve 112<sup>th</sup> Avenue right-of-way and pay for the cost of relocating a perimeter fence if required by Site Plan approval.

The City's Planning division has reviewed and approved a Site Plan application which requires a 15' landscape buffer within the 112<sup>th</sup> Ave Right-of-Way. As such, this approval has triggered the City's requirement to pay for the re-location of the perimeter fence.

Therefore, staff requests that the Mayor and City Council approve a payment to ZW Holdings, LLC in the amount of \$32,900.50 for the removal of an existing fence and the installation of a perimeter fence along 112<sup>th</sup> Avenue between Beardsley Road, and

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**CITY CLERK USE ONLY:**

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

ORD. # \_\_\_\_\_ RES. # \_\_\_\_\_  
LCON# \_\_\_\_\_ LIC. # \_\_\_\_\_  
Action Date: \_\_\_\_\_

Rose Garden Lane, per Development Agreement with Linden Tree Nursery; and approve a General Fund contingency transfer in the amount of \$32,901 from account 1000-0300-570000 to account 1000-0300-524004. (Grounds/Detention R & M)