

**CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATIONS**

CC: 18R
Amend No. _____

Date prepared: November 20, 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, Interim Planning Manager 

PREPARED BY: Ed Boik, Planner 

SUBJECT: Z 06-17A.2, RSD Development, Plaza del Lago Phase II
Proposal to adopt an Ordinance approving the rezoning of approximately 4.78 acres from Suburban Ranch (SR-43) to Planned Area Development (PAD). The property is generally located north of the northwest corner of Yearling Road and Lake Pleasant Parkway and encompasses Assessor Parcel Number (APN) 201-30-121-C.

RECOMMENDATION:

The Mayor and Council concur with the Planning and Zoning Commission's recommendation (4-1) and adopt the attached Ordinance rezoning a site encompassing approximately 4.78 gross acres from Suburban Ranch (SR-43) to Planned Area Development (PAD). The property is generally located north of the northwest corner of Yearling Road and Lake Pleasant Parkway.

SUMMARY:

Planning & Zoning Commission Action:

On November 20, 2008, the Planning and Zoning Commission voted 4-1 to recommend approval of the requested rezoning subject to conditions 1-4 as contained in the staff report and ordinance attached herein.

The dissenting commissioner believed that the cross-access should be prohibited because the Peoria Regional Medical Center, as a "medical campus", is not a

CITY CLERK USE ONLY:

- Consent Agenda
- Carry Over to Date: _____
- Approved
- Unfinished Business (Date heard previous: _____)
- New Business
- Public Hearing: No Action Taken

ORD. # 08-39 RES. # _____
LCON# _____ LIC. # _____
Action Date: _____

compatible or complimentary use to an office complex. Furthermore, the Peoria Regional Medical Center has not agreed to the cross-access and provided a letter objecting to the cross-access.

The conceptual site plan illustrates a potential cross-access to the property to the north, Peoria Regional Medical Center. Through the Site Plan process, staff will continue to work with both parties on this issue. Typically, cross-access is encouraged between like uses to reduce congestion on public roadways and improve connectivity and convenience between complimentary and compatible uses (such as between office complexes and hospital/medical campuses).

Proposition 207 Discussion:

The voters of Arizona recently approved Proposition 207 which among 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.

ATTACHMENT:

- Planning and Zoning Commission Staff Report (11/20/08)
- Ordinance

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