PLANNING & ZONING COMMISSION
REGULAR MEETING
NOTICE & AGENDA
THURSDAY, NOVEMBER 20, 2008
6:30 P.M.
COUNCIL CHAMBERS
8401 W. MONROE ST.

MUNICIPAL OFFICE COMPLEX
8401 W. MONROE STREET
PEORIA, AZ 85345

PLANNING & ZONING COMMISSION:

Greg Loper, Chair
Veda McFarland, Vice Chair
Michael Worlton, Secretary
Kenneth Compton
William Louis
Marc Melbo
John Gerard
Anne Wojcik, Alternate

Department Liaison
Glen Van Nimwegen

Accommodations for Individuals with Disabilities. *Alternative format materials, sign language interpretation, and assistive listening devices are available upon 72 hours advance notice through the Office of the City Clerk, 8401 West Monroe Street, Room 150, Peoria, Arizona 85345 (623)773-7340, TDD (623)773-7221, or FAX (623) 773-7304. To the extent possible, additional reasonable accommodations will be made available within the time constraints of the request.*

CONVENE:

ROLL CALL:

OPENING STATEMENT:

FINAL CALL TO SUBMIT SPEAKER REQUEST FORMS:

CONSENT AGENDA

CONSENT AGENDA: All items listed with "C" are considered to be routine or have been previously reviewed by the Planning and Zoning Commission, and will be enacted by one motion. There will be no separate discussion of these items unless a Commission member so requests; in which event the item will be removed from the General Order of Business, and considered in its normal sequence on the Agenda.

CONSENT – New Business:

1C **DISPOSITION OF ABSENCE:** Discussion and possible action to approve the absences of Vice Chair McFarland, Commissioners Melbo, Worlton, and Compton from the November 6, 2008 meeting.

2C **MINUTES**: Discussion and possible action to approve the minutes of the Regular Meeting held November 6, 2008.

3C **CU08-22:** Moderna Architects, on behalf of Restaurants at 83rd Ave. located south of the southeast corner of 83rd Avenue and Mariners Way is requesting approval of a Conditional Use Permit to allow three patios for outdoor dining in conjunction with three separate eating establishments located in a commercial center.

REGULAR AGENDA

NEW BUSINESS:

4R **PUBLIC HEARING**: RE: Minor General Plan Amendment request.

PUBLIC HEARING – GPA08-09: RSD Development, LLC is requesting a minor amendment to alter the current Peoria General Plan Land Use designation of 4.78 gross acres from Residential/Low (2-5 du/ac, target of 3.0 du/ac) to Office. The property is generally located north of the northwest corner of Yearling Road and the Lake Pleasant Parkway and is more accurately described as Maricopa County Assessor Parcel Number (APN) 201-30-121-C.

Open Public Hearing
Staff Report
Public Comment
Close Public Hearing
Commission Action: Discussion and possible action to recommend approval of a request from RSD Development, LLC to alter the current Peoria General Plan Land Use designation of 4.78 gross acres from Residential/Low to Office.

5R **PUBLIC HEARING:** RE: Amend PAD Z06-17 to add approximately 4.78 acres.

PUBLIC HEARING – Z06-17A.2: RSD Development, LLC is requesting to rezone approximately 4.78 gross acres from SR-43 (Suburban Ranch) to Planned Area Development (PAD) to allow for an office development. The property is generally located north of the northwest corner of Yearling Road and the Lake Pleasant Parkway and is more accurately described as Maricopa County Assessor Parcel Number (APN) 201-30-121-C.

Open Public Hearing
Staff Report
Public Comment
Close Public Hearing
Commission Action: Discussion and possible action to recommend approval of a request from RSD Development to rezone 4.78 gross acres from SR-43 to Planned Area Development.

6R **PUBLIC HEARING**: RE: Rezone approximately 45.3 acres from AG (General Agriculture) and SR-43 (Suburban Ranch) to SR-35.

PUBLIC HEARING – Z07-08: [redacted] on behalf of Caballos Del Rio, LLC is requesting to rezone approximately 45.3 gross acres from AG (General Agricultural) and SR-43 (Suburban Ranch) to SR-35 (Suburban Ranch) to allow for a single-family residential development. The property is generally located on the southwest corner of Happy Valley Road and the 75th Avenue alignment and is more accurately described as Maricopa County Assessor Parcel Numbers (APN) 201-14-003C, 003D, 003E, 003X, 003Y, 003Z.

Open Public Hearing
Staff Report
Public Comment
Close Public Hearing
Commission Action: Discussion and possible action to recommend approval of a request from [redacted] to rezone approximately 45.3 gross acres from AG (General Agricultural) and SR-43 (Suburban Ranch) to SR-35.

7R **PUBLIC HEARING**: RE: Rezone approximately 1.98 acres from SR-43 (Suburban Ranch) to R1-12.

PUBLIC HEARING – Z08-01: [redacted] on behalf of [redacted] is requesting to rezone approximately 1.98 gross acres from SR-43 (Suburban Ranch) to R1-12 to allow for a single-family residential development. The property is generally located on the southeast corner of 75th Avenue and Jomax Road and is more accurately described as Maricopa County Assessor Parcel Number (APN) 201-09-987

Open Public Hearing
Staff Report
Public Comment
Close Public Hearing
Commission Action: Discussion and possible action to recommend approval of a request from [redacted] to rezone approximately 1.98 gross acres from SR-43 (Suburban Ranch) to R1-12 to allow for a single-family residential development.

CALL TO THE PUBLIC: (Non-Agenda Items)

Your comments pertaining to the Planning and Zoning Commission business are welcome. However, if you wish to address the Planning and Zoning Commission, please complete a Speaker Request Form and return it to the clerk before the call to order for this meeting. Boards and Commissions are not authorized by state law to discuss or take action on any issue raised by public comment until a later meeting.

Reports from Staff:
Foreclosure Task Force and Neighborhood Stabilization Program

Reports from the Planning and Zoning Commission:

ADJOURNMENT:

NOTE: Documentation (if any) for items listed on the Agenda is available for public inspection, a minimum of 24 hours prior to the Board/Commission Meeting, at any time during regular business hours in the Office of the City Clerk, 8401 W. Monroe Street, Room 150, Peoria, AZ 85345.

_____
Mary Jo Kief, City Clerk

Date Posted: _____

PLANNING AND ZONING COMMISSION MINUTES
CITY OF PEORIA, ARIZONA
CITY HALL, COUNCIL CHAMBER
NOVEMBER 6, 2008

DRAFT

A **Regular Meeting** of the Planning and Zoning Commission of the City of Peoria, Arizona, convened at 8401 W. Monroe Street, Peoria, AZ in open and public session at 6:31 p.m.

Members Present: Chair Greg Loper, Commissioners John Gerard, William Louis and Alternate Anne Wojcik.

Members Absent: Vice Chair Veda McFarland, Commissioners Ken Compton, Michael Worlton and Marc Melbo.

Others Present: Ellen Van Riper, Assistant City Attorney, Chris Jacques, Acting Planning Manager, Monique Spivey, Associate Planner, Melissa Sigmund, Planning Technician, Bev Parcels, Planning Assistant and Cathy Griffin, Executive Assistant.

Opening Statement: not read

Final call for speaker request forms.

Audience: Approximately 8.

Note: The order in which items appear in the minutes is not necessarily the order in which they were discussed in the meeting.

CONSENT AGENDA

All items listed with a "**C**" are considered to be routine by the Planning and Zoning Commission, and were enacted by one motion.

1C **DISPOSITION OF ABSENCE**: Discussion and possible action to approve the absences of Commissioners Ken Compton, John Gerard, and William Louis from the October 16, 2008 meeting.

2C **MINUTES**: Approve the minutes of the Regular Meeting held October 16, 2008.

3C **Moved to the Regular Agenda.**

4C **CU08-29:** Satara, LLC on behalf of Satara Thai Cuisine located west of the northwest corner of 83rd Avenue and Paradise Lane for a Conditional Use Permit to allow an outdoor dining patio at the existing restaurant.

Commission Action: Commissioner Gerard moved to approve the Consent Agenda. The motion was seconded by Commissioner Louis and upon vote, carried unanimously.

DRAFT

REGULAR AGENDA

NEW BUSINESS, PUBLIC HEARINGS and/or ACTION:

3C **CU08-22:** Moderna Architects, on behalf of Restaurants at 83rd Ave. located south of the southeast corner of 83rd Avenue and Mariners Way for a Conditional Use Permit to allow three patios for outdoor dining in conjunction with three separate eating establishments located in a commercial center.

Staff Report: none

Public Comment: none

Commission Action: Commissioner Louis moved to approve continuing CU08-22 to the November 20, 2008 Planning and Zoning Agenda. The motion was seconded by Commissioner Gerard and upon vote, carried unanimously.

5R **PUBLIC HEARING – HP08-02**: The City of Peoria is requesting a Local Historic Landmark designation with Historic Preservation Overlay Zoning for the Peoria Central School, located at the northwest corner of 83rd Avenue and Madison Street, and is more particularly described as 10304 N. 83rd Avenue, a portion of APN 142-41-092.

Staff Report: none

Public Comment: none

Commission Action: Commissioner Gerard moved to approve continuing HP08-02 to the December 18, 2008, Planning and Zoning Agenda. The motion was seconded by Commissioner Louis and upon vote, carried unanimously.

CALL TO THE PUBLIC: (Non-Agenda Items): none

Reports from Staff: Chris Jacques, Acting Planning Manager, stated that the presentation of the Foreclosure Task Force and Neighborhood Stabilization Program will be continued to the November 20, 2008, Planning and Zoning Agenda based on the request of Chair Loper due to the absence of four of the Commissioners.

Reports from the Planning and Zoning Commission: Alternate Wojcik discussed her concerns regarding abandoned buildings and asked staff and the Commissioners to review the two ordinances from the City of Surprise and the City of Tempe.

ADJOURNMENT: There being no further business to come before the Planning and Zoning Commission, the meeting adjourned at 6:47 p.m.

_____ _____

Greg Loper, Chair Date Signed

REPORT TO THE PLANNING AND ZONING COMMISSION-CONDITIONAL USE PERMIT

CASE NO.: CU 08-22

DATE: November 20, 2008

AGENDA ITEM NO.: 3C

Applicant: Moderna Architects

Request: Obtain a Conditional Use Permit to allow three patios for outdoor dining to be used by three adjacent eating establishments located in a commercial building

Development: Picazzo's Pizza, Pascoti, and Be Sushi restaurants located at 15703 N. 83rd Avenue, Peoria AZ, 85382

Location: South of the southeast corner of 83rd Avenue & Mariners Way

Support/ Opposition: At the time of printing, the City has not received any letters or phone calls in support or opposition to this case.

Recommendation: **Approve**, with conditions.

Existing and Surrounding Land Uses and Zoning (Exhibits A&B):

1.

CU 08-22	LAND USE	ZONING
ON-SITE	Commercial building for above named restaurants (under construction)	Peoria Sports Complex PAD
North:	Sports Complex fields	Peoria Sports Complex PAD
East:	Sports Complex fields	Peoria Sports Complex PAD
West:	83rd Avenue, then Multi-family residences	Arrowhead Entertainment Center PAD
South	Restaurants, Offices & Sports Complex	Peoria Sports Complex PAD

Background / Project Description:

2. The proposed outdoor dining patios are associated with the development of a three-suite commercial building currently under construction, which will house three restaurant tenants. The building is located in the Peoria Sports Complex PAD, south of the southeast corner of 83rd Avenue & Mariners Way, and is part of a larger commercial center which includes the Polar Ice Entertainment ice

skating rink east of the site, as well as a multi-tenant commercial building located to the south of the proposed site.

3. The applicant is proposing three outdoor dining patios totaling approximately 2,120 square feet to be located along the northeast, southeast, and southwest elevations of the building currently under construction for the above-named restaurants as shown in Exhibit C. Each patio is designed to serve one of the specific restaurants. The patio areas have been previously delineated and included in the approved Site Plan/Design Review application for this site.

4. As described in the Narrative attached as Exhibit D, the planned hours of operation for the three restaurant establishments vary. 7:00 a.m. is the earliest hour of proposed operation and 10:00 p.m. is the latest hour of operation for any of the three restaurants.

Discussion/Analysis:

5. In 2006, the Peoria City Council approved a text amendment to the Zoning Ordinance which required that all new outdoor dining patio uses in all non-residential zoning districts as described in Article 14-9 of the Zoning Ordinance obtain a Conditional Use Permit. This amendment was the result of multiple incidents at existing outdoor dining patios that generated an inordinate number of noise and nuisance complaints. The PAD standards that govern the property in question, Z93-16A.8 –Peoria Sports Complex, do not expressly allow outdoor dining patios as a permitted use, therefore the regulations of Section 14-9-3 (Land Use Matrix) of the Zoning Ordinance would apply. Pursuant to the Non-Residential Districts Land Use Matrix (Table 14-9-3) outdoor dining and seating areas require the issuance of a Conditional Use Permit in all non-residential districts.

6. Section 14-39-10.D outlines the applicable criteria for evaluating Conditional Use Permits. In general, the purpose of a CUP is to mitigate any identified negative impacts on the surrounding neighborhood that may result from a specific use and provide controls to ensure maximum compatibility between nearby land uses.

7. According to Section 14-39-5.B.2.c, an outdoor dining patio shall not exceed 25% of the GFA of the associated restaurant establishment unless the Planning & Zoning Commission waives this requirement based on the finding that sufficient measures have been taken to mitigate potential adverse impacts on adjacent properties. The combined floor area of the proposed patios would amount to approximately 41 % of the total gross floor area of the three associated restaurants. Staff recommends waiving this requirement based on the proposal's contextual location. The commercial and recreational nature of the area alleviates the need for additional mitigation efforts. In addition, the specific orientation and location of the patios was included in the site plan approval for this commercial building. Therefore, while the actual use of the patios for outdoor dining was not included in the scope of approval during site plan review,

the arrangement of the patio areas was an integral component of the site's design.

8. In staff's judgment, the proposed use is an appropriate, ancillary function to the proposed restaurant use. The proposed use is consistent with surrounding land uses and the context of the area in question. A number of restaurants are located in this vicinity, many of which have outdoor dining patios. The adjacency of both the Peoria Sports Complex and the Polar Ice Entertainment ice skating rink makes this a complimentary use for the area that enhances its function as an entertainment and recreation venue.

9. The application notice was also forwarded to all property owners within 300 feet of the proposal and properly noticed pursuant to Section 14-39-10 of the Peoria Zoning Ordinance. As a result, to date, the City has not received any verbal or written comments on the proposal.

Proposition 207 Discussion

10. In late 2006, the voters of Arizona 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.

11. A signed Proposition 207 Waiver has been submitted by the property owner. The waiver will be forwarded to the City Clerk's Office for signatures and recordation pending the outcome of the Conditional Use Permit application.

Findings/ Recommendation:

12. Based on the following findings:

- The proposal is limited in scope and is an appropriate, ancillary function for a restaurant use; and
- The proposal does not result in any detrimental impacts to the surrounding neighborhood

It is recommended that the Planning and Zoning Commission take the following action:

Approve the Conditional Use Permit requested under case CU 08-22, subject to the following conditions:

1. The use shall substantially conform to the Narrative date stamped September 16, 2008 and attached as Exhibit D and the accompanying Site Plan date stamped July 28 and attached as Exhibit C.

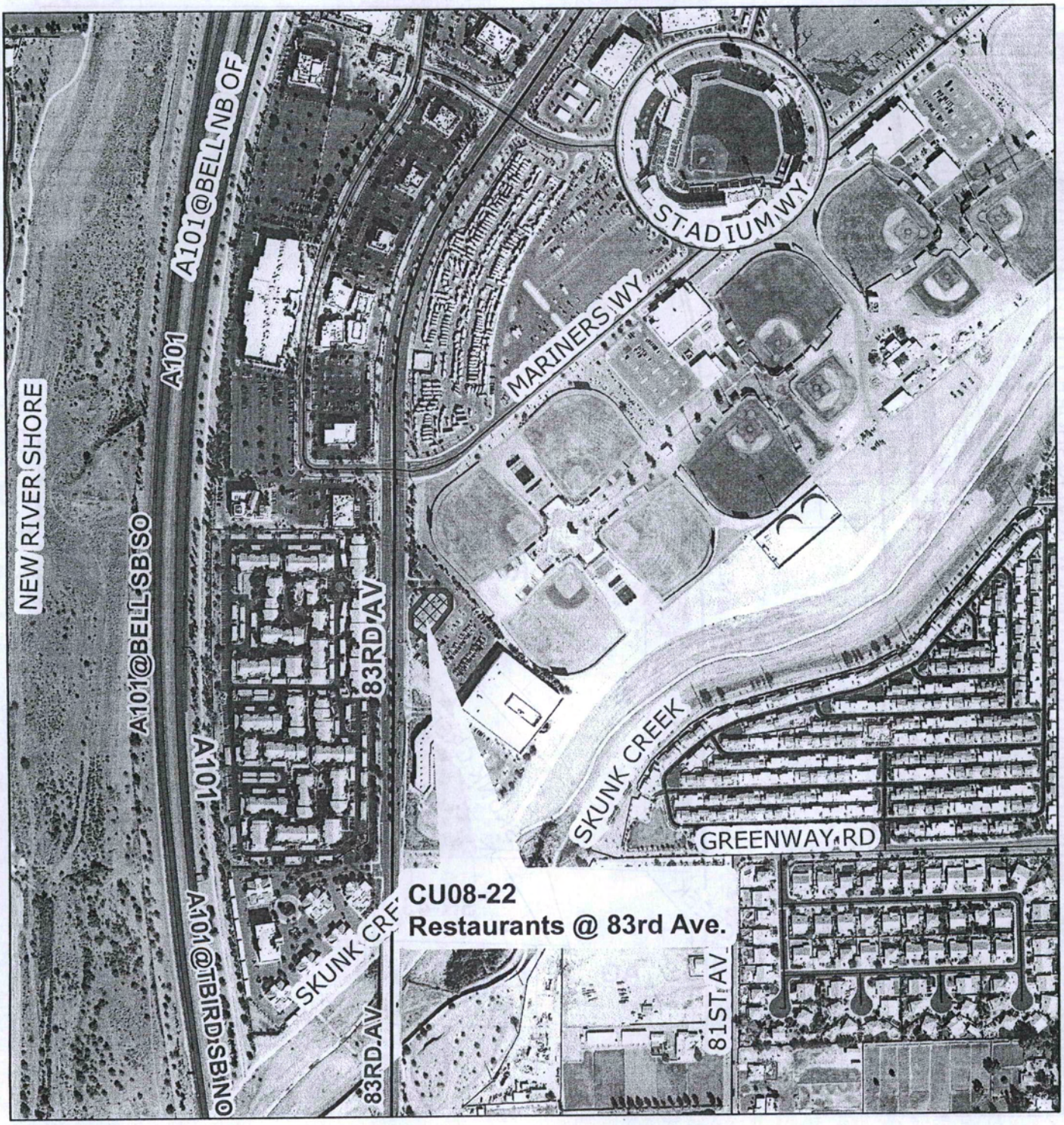
Attachments:

Exhibit A Aerial Map
Exhibit B Zoning Map
Exhibit C Site Plan
Exhibit D Project Narrative

Prepared by: Melissa Sigmund
Planning Technician

[redacted]

CU 08-22: Aerial Map



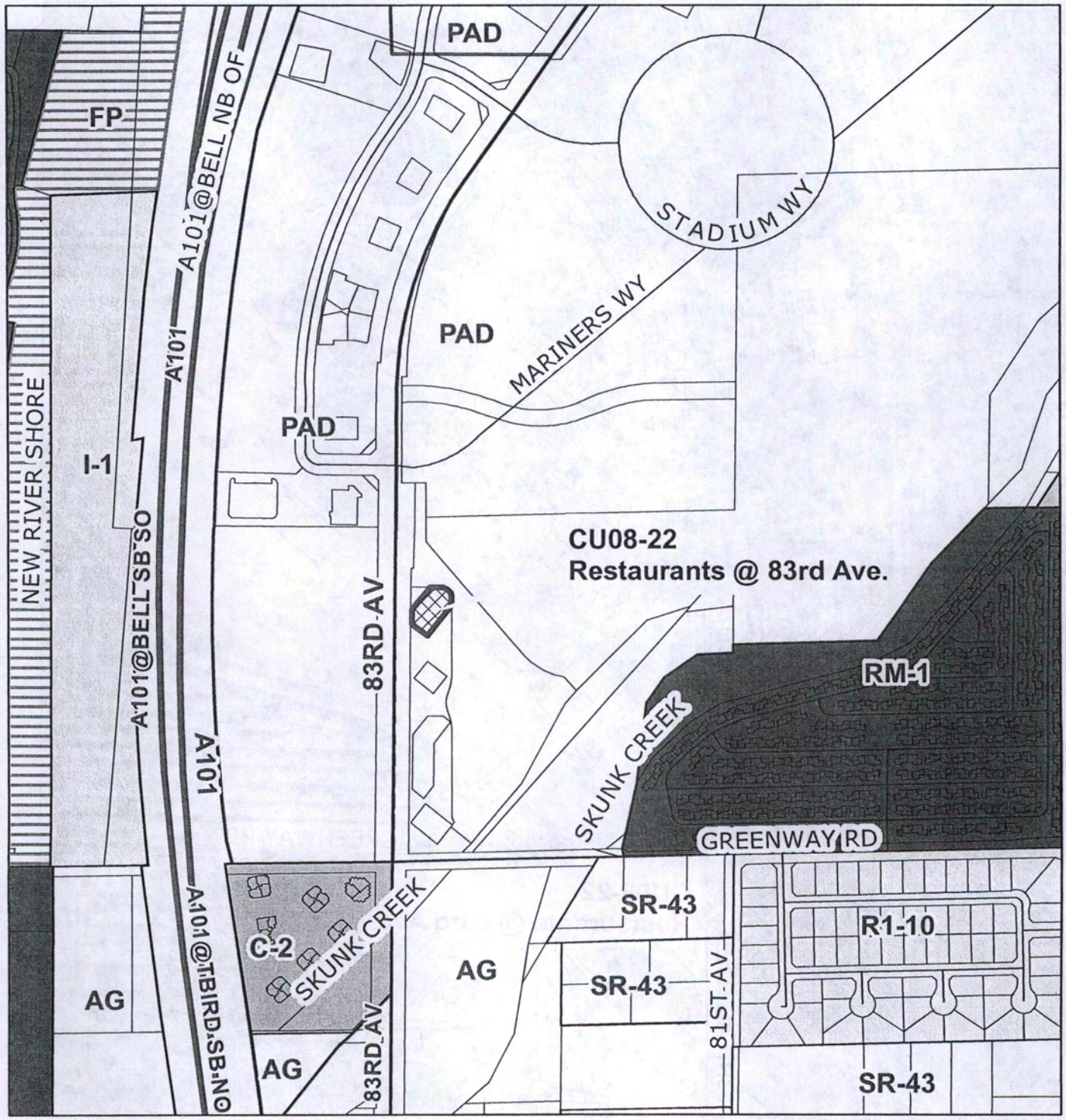
N
W CITY OF PEORIA E
S
Not to Scale

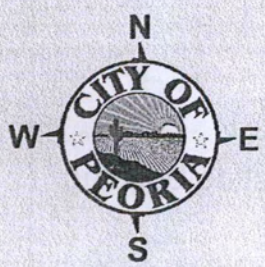
CU 08-22 Restaurants @ 83rd Ave.

S/O SEC 83rd Ave. & Mariners Way.
Request for a Conditional Use Permit to allow three patios for the purposes of outdoor dining in an existing building.

Exhibit A

CU 08-22: Zoning Map





Not to Scale

CU 08-22 Restaurants @ 83rd Ave.

S/O SEC 83rd Ave. & Mariners Way.
Request for a Conditional Use Permit to allow three patios for the purposes of outdoor dining in an existing building.

Exhibit B

CU08-22 Site Plan

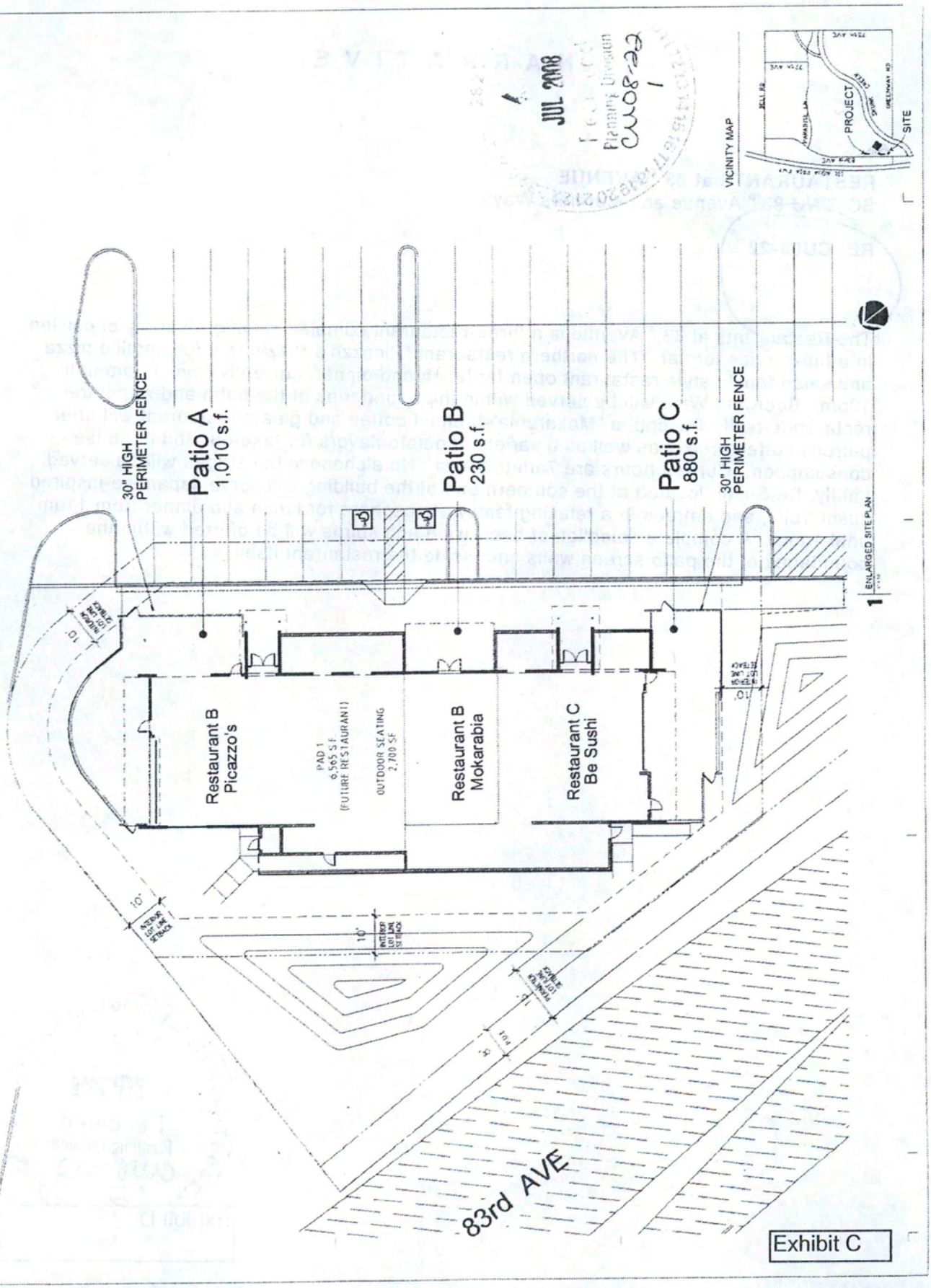


Exhibit C

N A R R A T I V E

RESTAURANTS at 83rd AVENUE
SO ~~SWC 83~~rd Avenue and Mariners Way

RE: CU08-22

The Restaurants at 83rd Avenue is a three-restaurant complex serving a variety of cuisine in a full-service format. The northern restaurant "Picazzo's Pizza" is a full service pizza and salad family-style restaurant open for lunch and dinner, currently from 11 am until 10pm. Beer and Wine will be served within the boundaries of the patio and within the restaurant itself. Pascoti, a "Mokarabia"-themed coffee and gelato restaurant will offer patrons coffee drinks, as well as a variety of gelato flavors for take-out and in-house consumption. Current hours are 7am to 10pm. No alchoholic beverages will be served. Lastly, Be Sushi, located at the southern end of the building will serve Japanese-inspired sushi, rolls, and entrees in a relaxing family atmosphere for lunch and dinner from 11am until 10pm. A complete selection of beer, wine and spirits will be offered within the boundaries of the patio screen walls and inside the restaurant itself.

SEP 2008
Received
Planning Division
CU08-22

Exhibit D

REPORT TO THE PLANNING AND ZONING COMMISSION-MINOR GENERAL PLAN AMENDMENT

CASE NO.: GPA 08-09

DATE: November 20, 2008

AGENDA ITEM NO.: 4R

Applicant: RSD Development, LLC

Request: Proposal to amend the General Plan Land Use Map for a site comprising approximately 4.78 gross acres from Residential/Low (2-5 du/ac with a target density of 3.0 du/ac) to Office Commercial.

Proposed Development: Plaza del Lago Phase II: The development consists of eight, single-story buildings consisting of 47,155 square feet of multi-tenant office space, and associated parking areas. (XREF: Case PR 08-27 & Z 06-17A.2).

Location: The site is located at the N/O the NWC of Yearling Road & Lake Pleasant Parkway (Assessor Parcel Numbers 201-30-121C).

Site Acreage: 4.78 gross acres

Support /Opposition: As of the date of this printing, Staff has not received any support or opposition to this application.

Recommendation: Recommend **approval** to the Peoria City Council.

Introduction:

Project Description

1. The applicant is proposing to amend the General Plan Land Use Map for a site comprising approximately 4.78 gross acres. The application requests a re-designation from Residential/Low (2-5 dwelling units per acre (du/ac) with a target of 3.0 du/ac) to Office Commercial to facilitate the expansion of the Plaza del Lago office development. The development is proposed to be 47,155 sq.ft. comprised of eight, single-story buildings. Should the General Plan Amendment (GPA) be approved, the development standards and project specifics will be further detailed through the subsequent rezoning and site plan applications.

2. The subject site is a generally flat, infill parcel located north of the NWC of Yearling Road and Lake Pleasant Parkway. The parcel's western quarter contains a wash. The wash contributes significantly to the site's proposed 24% open space and restricts the buildable area of the site to the eastern three-quarters. The site's topographical characteristics are nearly identical to the parcel to the south, Plaza del Lago Phase 1. Access will be attained from Lake Pleasant Parkway and internal cross-access to the north and south.

Parcel History

3. The parcel was annexed into the City in November 1989. At that time, an initial zoning designation of Suburban Ranch (SR-43) was assigned. To date, no other GPA or rezoning activity has occurred for this location.

Adjacent Area (Table 1)

4. West and north of the subject property are parcels which will be developed as the Peoria Regional Medical Center. The medical center will consist of a hospital and numerous medical office buildings totaling approximately 350,000 square feet of building area.

5. To the east of Lake Pleasant Parkway, the Querencia PAD will provide for a private, gated community of moderate to large sized lots featuring custom homes with an average density of 1.4 du/ac.

6. Abutting the site to the south is Plaza del Lago Phase 1. Phase 1 consists of approximately 37,000 square feet of floor area and will consist of medical and general offices, office-supportive uses, and other compatible uses. Access and parking is proposed to be shared between Phase 1 and Phase 2, which is under consideration with this request, a separate rezoning request (Z06-17A.2), and a site plan request (PR08-27).

Table 1: Existing and Future Land Use (Exhibits B-D)

GPA 08-09	EXISTING/FUTURE LAND USE	LAND USE MAP
SITE	**VACANT**	**Residential/Low (2-5 du/ac)**
West	Vacant / Pending site plan for Peoria Regional Medical Center.	Public/Quasi Public
North	Vacant / Pending site plan for Peoria Regional Medical Center.	Public/Quasi Public
East	Vacant / Querencia PAD, 54, 12,000 sq ft lots at an overall density of 1.3 du/ac	Estate Residential (0-2 du/ac) / Residential/Low (2-5 du/ac)
South	Plaza del Lago Phase 1, Office Park	Office Commercial

Discussion / Analysis:

Minor General Plan Amendment Evaluative Criteria

7. Chapter 14 of the Peoria General Plan ("Plan Administration") directs the City to make an affirmative finding that the proposal substantially demonstrates or exhibits the following evaluative criteria:

   i. The development pattern contained in the Land Use Plan inadequately provides appropriate optional sites for the use or change proposed in the amendment.

   ii. The amendment constitutes an overall improvement to the General Plan and is not solely for the good or benefit of a particular landowner or owners at a particular point in time.

   iii. The amendment will not adversely impact the community as a whole or a portion of the community by:
   - Significantly altering acceptable existing land use patterns,
   - Requiring larger and more expensive improvements to roads, sewer or water delivery systems than are needed to support the prevailing land uses and which, therefore, may impact developments in other areas,
   - Adversely impacting existing uses because of increased traffic on existing systems, or
   - Affecting the livability of the area or the health and safety of the residents.

   iv. That the amendment is consistent with the overall intent of the General Plan and other adopted plans, codes and ordinances.

   In its evaluation of the request and assessment of the weight towards advancement of the above mentioned criteria, staff considered a multiplicity of factors. The factors are discussed in the sections below.

Existing General Plan Land Use Designation

8. The underlying land use designation (Exhibit C) for the subject property is Residential/Low (2-5 du/ac) with an underlying target density of 3.0 du/ac. This designation is intended to provide areas for moderate-sized, detached single-family residential units. The density range is intended to provide for areas of increased density while maintaining a detached single family residential character. Suitability is determined on the basis of location, access, availability or existing or proposed public facilities and utilities, existing and future land use patterns and natural or man-made constraints, as stated in the goals, objective, and policies of the General Plan text.

9. The site in question at the overall size of 4.78 acres (not including encumbrances such as access and the wash), would yield up to 4 dwelling units to remain under the maximum density of 1 du/ac. With this stated, any residential development on this site would require either a rezone from the current Suburban Ranch zoning district (SR-43) or a variance for minimum lot size. The SR-43 designation requires a minimum lot size of 1 acre for a single-family home.

Request to Designate Site to Office Commercial

10. In this request, the applicant is proposing to designate the site from Residential/Low (2-5 du/ac) to Office Commercial. This category denotes areas allocated for the least intense commercial development and consists of office uses that provide services directly to residential neighborhoods in residential scale buildings. Buildings may not exceed one-story in height and are compatible with adjacent residential areas with respect to architectural style and proximity to buildings. As represented, the conceptual development plan indicates one-story buildings with an architectural design to match Plaza del Lago Phase 1 which meets the criteria outlined by the Office Commercial land use definition.

General Plan Office Commercial Use Language

11. As part of the 2006 General Plan amendment cycle, language was included in the General Plan that identifies the intersections of both Pinnacle Peak Road/Lake Pleasant Parkway and Yearling Rd/Lake Pleasant Parkway as appropriate nodes for office use. The nodal development practice is intended to limit sprawling strip retail along roadway corridors. However, the language within the General Plan does not guide the size and extent of such nodes. Office developments are intended to have a more proximate relationship to the street, presenting a pedestrian environment adjacent to Lake Pleasant Parkway. The overall node is essentially shaped via a case-by-case basis following the criteria outlined below.

    i. All such uses are located within 1320 feet of the intersection of two arterial streets; and
    ii. No single arterial corner shall exceed 25 acres of commercial, retail and office uses; and
    iii. Commercial, retail, and office uses are restricted to the height limitations of the adjacent residential districts.

12. As proposed, the site is approximately 365 feet from the intersection of Yearling Road and Lake Pleasant Parkway (an arterial road). Including the Plaza del Lago Phase 1 property, the total Office Commercial designation at this corner is 7.193 acres. This is less than the 25 acres limited by the General Plan language. If the amendment is approved, the rezoning application will specify the development standards which meet the development guidelines and requirements of the General Plan.

Land Use Transition and Compatibility

13. The corner of Yearling Road and Lake Pleasant Parkway is a signalized intersection. The southeast corner of Yearling and Lake Pleasant is developed with Lake Pleasant Towne Center which encompasses over 80 acres and extends southward to Happy Valley Road. South of Happy Valley Road and at the northeast corner of Happy Valley & Lake Pleasant are two additional large

commercial centers. Directly east of the subject property, a private gated community is planned. North and west of the subject property is the Peoria Regional Medical Center.

14. The surrounding uses ensure a limited acreage of office uses in this node. Additionally, small-scale office development is a complimentary and transitional use for the medical center campus, existing commercial centers and future residential uses (Querencia) east of Lake Pleasant Parkway.

Relevant General Plan Goals and Objectives

15. The applicant has identified goals and policies from the General Plan that support this request (Exhibit B). Staff finds the following goals, objectives and policies as particularly relevant:

- ✓ *Goal 2.1: Provide a balance of land uses that will preserve and enhance neighborhoods, promote economic development, encourage redevelopment at appropriate locations and protect environmentally sensitive areas.*
- ✓ *Policy 2.1.A.1: The City shall promote planned developments where resources and facilities are in place to facilitate a high quality, attractive and efficient urban development pattern.*
- ✓ *Policy 2.1.C.1: The City shall require adequate buffering to protect residential neighborhoods from intrusion by incompatible land uses.*
- ✓ *Objective 2.1.I: Foster commercial, industrial and business park employment centers that are compatible with Peoria's economic needs and opportunities.*
- ✓ *Policy 3.1.A.2: The City will encourage land development patterns that promote the operational efficiency of the existing and future transportation system.*
- ✓ *Objective 4.1.A: Develop a 1:1 ratio between the City's workforce population and number of jobs within the City by 2030 by attracting, creating and expanding businesses within Peoria.*

Proposition 207

16. 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. Accordingly, the applicant has furnished a signed and notarized Proposition 207 Waiver for recordation pending the outcome of the City Council action.

Findings / Recommendation:

17. Based on the findings contained below, staff recommends that the Planning & Zoning Commission issue a recommendation of **approval** to the Peoria City Council for Case GPA 08-09.

- The proposal constitutes an overall improvement to the General Plan; and
- The proposal will advance several goals in the General Plan by reducing the overall job and housing imbalance and providing local employment opportunities; and
- The proposal improves the transition from commercial intensities at the immediate intersection and roadway corridors to abutting residential land uses; and
- The proposal provides for a use of compatible scale and intensity resulting in a softer transition to outlying residential uses; and
- The amendment is consistent with the overall intent of the General Plan and other adopted plans, codes and ordinances.

Attachments:

Exhibit A	Applicant's Amendment Justification
Exhibit B	Vicinity / Aerial Map
Exhibit C	General Plan Land Use Map
Exhibit D	Zoning Map

FOR REFERENCE ONLY:

Exhibit E	Conceptual Development Plan

Prepared by: Ed Boik
Planner

EXHIBIT A

Minor General Plan Amendment
Plaza del Lago Phase 2

North of the NWC
Yearling Rd and Lake Pleasant Parkway

Project Name: Plaza del Lago Phase 2
Submitted: 8/29/08
City of Peoria Planning Department
8401 West Monroe Street 2nd Floor
Peoria, Arizona 85345

Applicant:
RSD Developments, LLC (RSD)
[redacted]

SEP 2008
Received
Planning Division
GPA08-09

Table of Contents

	Page
Project Introduction	3
Reason for Requested Change	3
Map of Amended Changes	3
Why Existing Plan is Inadequate	3
Amendments Contribution towards Neighborhood Stability	4
Amendments Contribution towards Compatible Neighborhood Patterns	4
Amendments Contribution towards Economic Development	4
Amendments Contribution towards Balanced Community	5
Amendments Effect on Infrastructure	5
Amendments Effect on the School District	6
How the General Plan is Effected	6

Exhibit 1: Current Land Use

Exhibit 2: Proposed Land Use

Exhibit 3: Colored Aerial Showing Subject Site and Adjacent Conditions

Exhibit 4: Consistency with General Plan

DESCRIPTION AND JUSTIFICATION FOR REQUEST

Introduction and Project Justification

RSD (the "Applicant") respectfully submits the following minor general plan amendment request for Parcel # 201-30-121-C, 4.78 buildable acres north of the northwest corner of Lake Pleasant Parkway and Yearling Road, located in the northern portion of Peoria, Arizona (the "Site"). The Applicant plans on developing an office condo project for medical office and business services uses which will help balance the land use mix of the area and contribute to creating a medical core along with the medical office to the south and Peoria Regional Medical Center to the north and west. The proposed development consists of eight buildings totaling 47,155 square feet (sf) of medical office and business service uses with accessory retail uses.

1. **Provide a brief description and reason for the requested change. Provide supporting data.**

Located to the north and west of the Site is the recently rezoned Peoria Regional Medical Center. Located to the south of the Site is Plaza del Lago, a medical office development. The Site is approximately 4.78 buildable acres and now considered, because of the land uses that bordered the Site, infill. The current zoning and land use, low density residential, would allow one home per acre on the Site. It is estimated that three residential homes could be located on this Site and this use would not be feasible, impact fees and improvements would be cost prohibited.

2. **If map amendment, indicate the existing and the proposed General Plan Land Use designation(s).**

This will be a map amendment. Bade would like to propose a land use change from Low Density Residential to Office.

Refer to the following exhibits:
Exhibit 1: Current Land Use
Exhibit 2: Proposed Land Use
Exhibit 3: Colored Aerial Showing Subject Site and Adjacent Conditions

3. **In what way does the existing plan inadequately provide suitable alternatives for the request?**

The Site is approximately 4.78 buildable acres and now considered infill. The current zoning and land use would allow one home per acre (low density residential) on the Site. Three residential homes located on the Site would not be feasible, impact fees and improvements would be cost prohibited. Including a compatible use next to the existing medical office and future Peoria Regional Medical Center would allow for better traffic flow and highest and best use of the land.

4. **How will this amendment affect property values and neighborhood stability? Provide supporting data and/or case studies.**

Property Values: The proposed minor general plan amendment will allow business services and medical on the infill site located between the hospital and existing medical office. This use will best maximize the corridors economic potential by bringing additional medical office product to an area that is underserved. RSD has done several quality developments in Peoria and the West Valley. RSD will ensure this office project is up to our high standards in terms of building materials, architecture and preserving the natural characteristics of Lake Pleasant Parkway and in doing so will enhance the neighborhood.

Neighborhood Stability: Changing the subject area to an Office land use will be an amenity to the community. Business services and medical office will be in close proximity to the residential neighborhood. An Office land use will also create a synergy when combined with the existing medical office to the south (Plaza del Lago), the future Peoria Regional Medical Center and 1.6 million planned and constructed retail in the area. All of these elements will help move the north Peoria area into becoming a more sustainable community.

5. **How will this amendment contribute to compatible neighborhood patterns? Provide supporting data.**

The Site is considered an infill project since it will be bordered on the north by the Peoria Regional Medical Center and to the south by Plaza del Lago. The buildable acreage of the Site is 4.78 acres and the current land use is low density residential. This land use would only allow, at most, 3 homes to go on the Site. A residential use on this site would not be compatible with the surrounding uses and approved zoning of the adjacent properties. By approving a minor general plan amendment to change this land use to office will provide more compatibility to the neighborhood.

6. **How will this amendment contribute to an increased tax base, economic development, and employment opportunities? Provide supporting data.**

A land use change of the 4.78 acre parcel into an Office will enhance the overall economic development opportunities for the area. It will increase the local job base and the overall tax revenue for the City.

The following is an economic impact analysis for what this parcel would bring to the City in the way of jobs, wage and revenue.

	Year 1	Year 2	Year 3	Year 4	Year 5	Total
Jobs	105	105	105	105	105	
Avg Hourly Wage	$22.00	$22.66	$23.34	$24.04	$24.76	
Direct Impacts						
Contracting Tax	$53,089					
Property Tax	$18,181	$18,726	$18,743	$18,743	$18,743	
Sales Tax Revenues	$136,930	$141,038	$145,269	$149,627	$154,116	
Lease Tax	$8,625	$8,884	$9,150	$9,425	$9,708	
Utility Tax	$1,364	$1,364	$1,364	$1,364	$1,091	
Direct Totals	$218,189	$170,012	$174,526	$179,159	$183,658	$925,543
Indirect Impacts						
Sales Tax	$6,250	$6,438	$6,631	$6,830	$7,034	$33,182
Total						$958,725

7. **How will this amendment contribute to this City's goal of achieving balanced housing, shopping, employment, and recreational opportunities?**

   The area is experiencing residential growth; additional employment and office developments are needed to support the increase in population. This amendment would contribute to the overall goals for the City in the way of supplying needed high end jobs and bringing additional business services and medical office to the area. As a result, more people will have the opportunity to live and work within the City of Peoria. Another amenity to the Site is the trail system which will be extended at the western boarder of the property and will allow more recreational opportunities to residents and outdoor enthusiasts.

8. **How will this amendment affect existing infrastructure of the area, specifically, the water, wastewater, and street systems?**

   Water/Waste Water: The proposed Office land use designation from Residential Low should not affect the water and waste water use of the area.

Street System: Changing the subject area from Residential Low to an Office designation will help complete the roadway needs of the area by accelerating the development of curb, gutter and sidewalks. A land use of Office opposed to other land uses such as retail will also be less of a traffic generator. In addition, bringing employment and business services near the community will lessen congestion issues and help allow the area to become self-sustaining.

9. How will this amendment affect the ability of the school district to accommodate children? Indicate the specific schools to be attended and provide attendance and other data reflecting impacts to the specified schools, and district comments.

The proposed amendment changes from a land use of Residential Low to Office will result in no net increases of school age students in the local school district. The change from a residential use to office would lessen the impact to the school district.

10. Specifically, what Elements, Goals, Objectives, and Policies of the General Plan will affected?

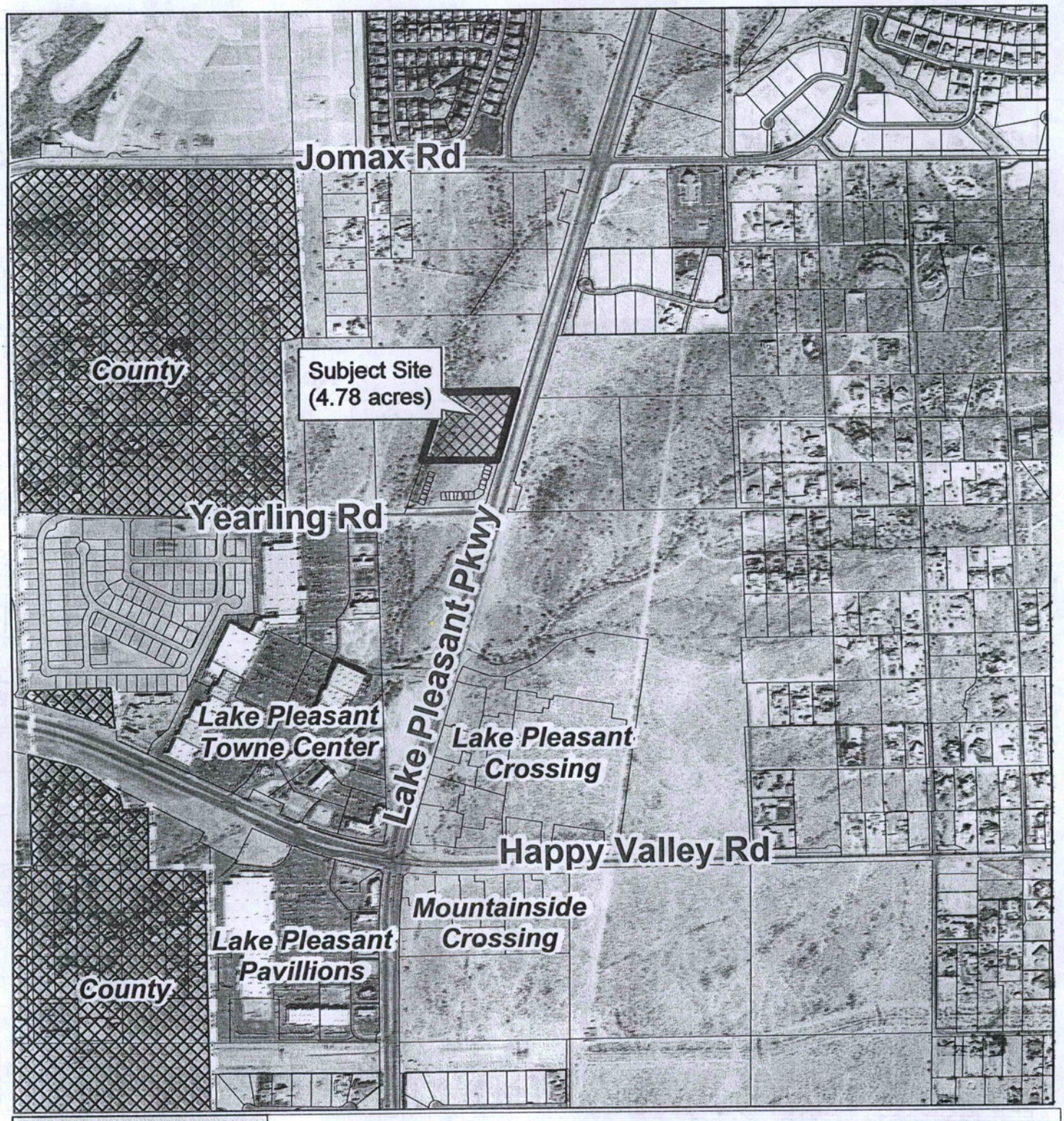
Please refer to exhibit 4.

11. How will this amendment support the overall intent and/or constitute and overall improvement to the General Plan?

The City of Peoria believes in being a sustainable community and many Goals in the General Plan support this. A mixture of land uses including office, retail and residential opportunities is vital to becoming sustainable. Office uses are not addressed enough in the General Plan in the North Peoria area to keep up with the pace of growth and the amount of retail. There is over 1.6 million SF of retail planned or constructed near the Yearling and Lake Pleasant intersection and there are few business service and medical office opportunities. An Office Land Use will also create employment opportunities as well as cut down on the amount of traffic congestion created by residents commuting to these services that may be further away.

The amendment which will lead to a change in the land use will also assist is achieving economic development goals. The Site is located in one of Peoria Economic Development Department's Business Development Zones called the 303 Horizon Centre. Within this area are uses that are specifically called for such as health care. The land use change of the Site would create compatibility with economic development's goal of bringing more medical into North Peoria and the proposed amendment is compatible with surrounding uses of medical office and the Peoria Regional Medical Center which surrounds the property to the north and west.

GPA08-09: Vicinity/Aerial Map



N
W
E
S
CITY OF PEORIA
Not toScale

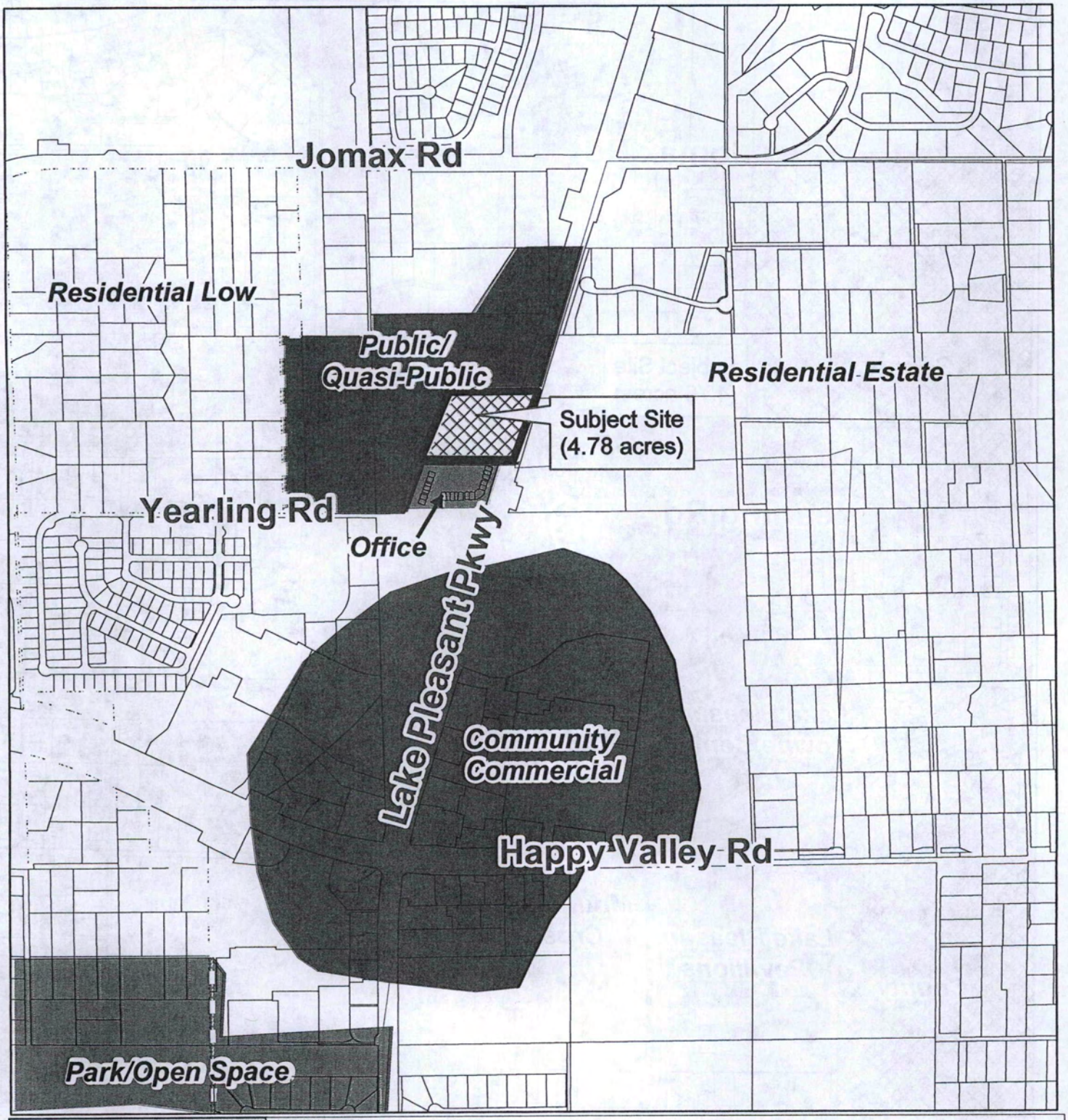
GPA08-09: RSD Development, LLC

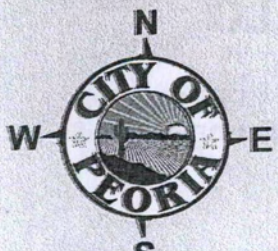
Request:
Amend the General Land Use Plan by changing from Residential/Low (2-5 du/ac, target 3.0) to Office Commercial for 4.78 acres.

Location:
N/O NWC Yearling Road & Lake Pleasant Parkway

Exhibit B

GPA08-09: Land Use Map





Not toScale

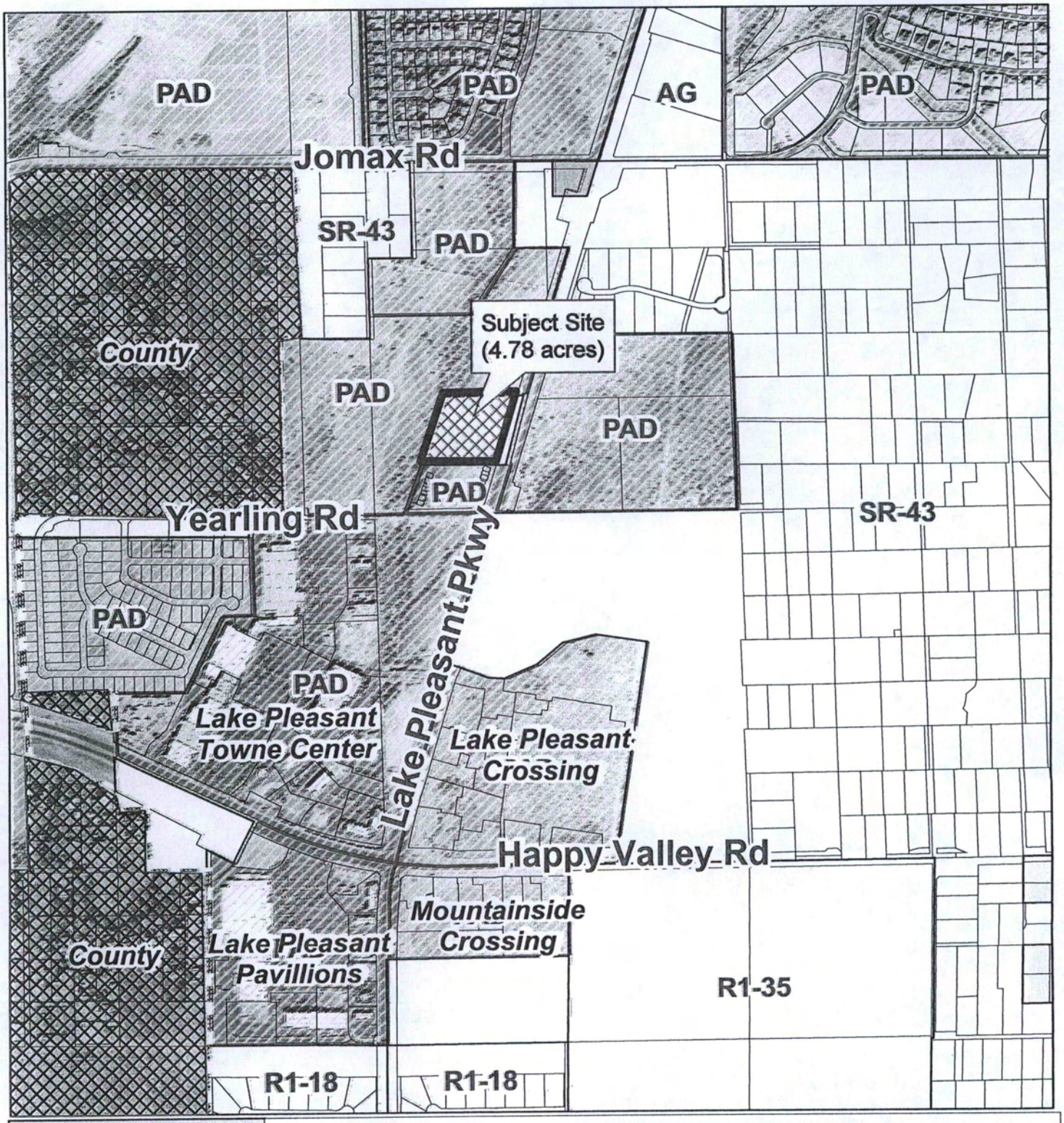
GPA08-09: RSD Development, LLC

Request:
Amend the General Land Use Plan by changing from Residential/Low (2-5 du/ac, target 3.0) to Office Commercial for 4.78 acres.

Location:
N/O NWC Yearling Road & Lake Pleasant Parkway

Exhibit C

GPA 08-09: Zoning Map



N
W
E
S
CITY OF PEORIA
Not toScale

GPA 08-09: RSD Development, LLC

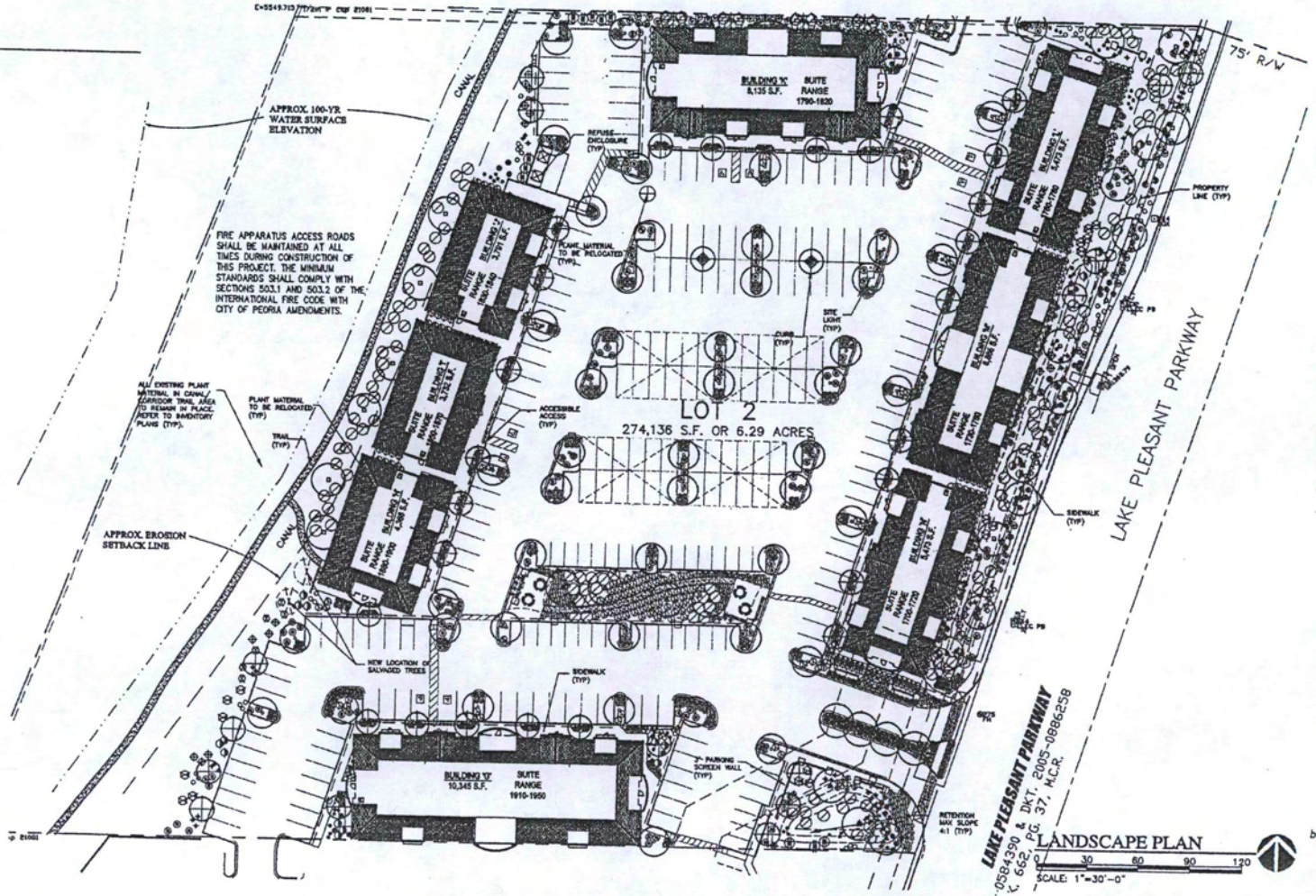
Request:
Amend the General Land Use Plan by changing from Residential/Low (2-5 du/ac, target 3.0) to Office Commercial for 4.78 acres.

Location:
N/O NWC Yearling Road & Lake Pleasant Parkway

Exhibit D

EXHIBIT E

GILMORE PARSONS
LAND DESIGN GROUP



LANDSCAPE PLAN
0 30 60 90 120
SCALE: 1"=30'-0"

SALVAGED AND EXISTING PLANT LEGEND

* Tree - Salvageable - Parkinsonia microphylla - foothill palo verde

*SALVAGED TREE RELOCATED

SALVAGED RELOCATED 2 1 GPH EMITTER

PLANT SCHEDULE

SYMBOL	BOTANICAL/COMMON NAME
	TREES
	ACACIA WILLARDIANA. PALO BLANCO
	DALBERGIA SISSOO SISSOO TREE
	CERCIDIUM PRAECOX PALO BREA
	PROSOPIS GLANDULOSA 'THORNLESS' THORNLESS HONEY MESQUITE
	SHRUBS
	CAESALPINIA PULCHERRIMA RED BIRD OF PARADISE
	ENCELIA FARINOSA BRITTLE BUSH
	ERIOGONUM MACULATA VALENTINE BUSH
	LEUCOPHYLLUM THOMPHYLLUM 'CIMARRON' Im CIMARRON SAGE
	LARREA TRIDENTATA CREOSOTE BUSH
	RUELLIA PENINSULARIS BAJA RUELLIA
	SENNA PHYLLODENIA SILVER LEAF SENNA

SYMBOL	BOTANICAL/COMMON NAME
	ACCENTS
	AGAVE DESMETIANA 'VARIEGATA' VARIGATED AGAVE
	AGAVE GEMINIFLORA TWIN-FLOWERED AGAVE
	ASCLEPIAS SUBULATA DESERT MILKWEED
	CARNEGIEA GIGANTEA SAGUARO CACTUS
	EUPHORBIA ROIDA CORNER PLANT
	LOPHOCEREUS SCHOTTII VAR. MONSTROSUS MONSTER TOTEM POLE CACTUS
	MUHLENBERGIA CAPILARIS 'REGAL MIST' REGAL MIST DEER GRASS
	GROUNDCOVER
	ACACIA REDOLENS 'LOW BOY' N.C.N.
	CALYLOPHUS HARTWEGII VAR. FENDLERI SUNDROPS
	ACALYPHA MONOSTACHYA PASSIONFLY FUZZIES
	VERBENA X 'SUMMER BEAUTY' 'SUMMER BEAUTY' VERBENA
	LANTANA SP. 'NEW GOLD' NEW GOLD LANTANA
	MATERIAL
	DECOMPOSED GRANITE 'EXPRESS BROWN'
	GRANITE RIP-RAP 'EXPRESS BROWN'

revisions

PLAZA DEL LAGO II

Corner of Lake Pleasant Rd.
Tegatina Dr.
Peoria, Arizona

EXP: 9.30.11

bcdm architecture

7210 south rita avenue
suite
tomson, arizona 85282
480 967 7207
480 967 7177

date: 10/13/06
project no: --

L1.1

REPORT TO THE PLANNING AND ZONING COMMISSION- REZONING

CASE NO.: Z 06-17A.2

DATE: November 20, 2008

AGENDA ITEM NO.: 5R

Applicant: RSD Development, LLC

Request: Proposal to rezone approximately 4.78 gross acres from Suburban Ranch (SR-43) to Planned Area Development (PAD) by amending an existing PAD (Z 06-17) to facilitate an office development.

Proposed Development: Plaza del Lago Phase II: The development consists of eight, single-story buildings consisting of 47,155 square feet of multi-tenant office space, and associated parking areas. (XREF: Case PR 08-27 & GPA 08-09).

Location: The site is located at the N/O the NWC of Yearling Road & Lake Pleasant Parkway (Assessor Parcel Numbers 201-30-121C).

Site Acreage: 4.78 gross acres to be rezoned and added to the existing PAD for a total of 7.193 gross acres in the PAD.

Support /Opposition: No written comments in support or opposition have been received.

Recommendation: **Approve**, with stipulations.

Existing and Surrounding Land Use:

Surrounding Land Use Conditions

1. Existing and Future Land Use / Zoning (Exhibits C-E)

Direction	Existing Land Use	General Plan Land Use	Zoning
SITE	**Vacant**	**Office (Case # GPA 08-09)**	**SR-43**
North	Vacant, Future Peoria Regional Medical Center	Public/Quasi-Public	PAD (Hospital)
West	Vacant, Future Peoria Regional Medical Center	Water	PAD (Hospital)
East	Vacant	Mixed Use	PAD (Res.)
South	Office (Plaza del Lago, Phase 1)	Office	PAD (Office)

Project Description:

2. The applicant is proposing to rezone a 4.78 gross acre site from Suburban Ranch (SR-43) to Planned Area Development (PAD) to facilitate a 47,155 square foot office development. The proposal is an amendment to the existing Lake Pleasant Commons PAD which is currently applicable to the property to the south. A wavier from the minimum PAD size of 10 acres was granted with the initial PAD approval and should be retained with this proposal.

3. The subject site is a generally flat, infill parcel located north of the NWC of Yearling Road and Lake Pleasant Parkway. The parcel's western quarter contains a wash and will not be disturbed. The wash contributes significantly to the site's proposed 24% open space and restricts the buildable area of the site to the eastern three-quarters. The site's topographical characteristics are nearly identical to the parcel to the south, Plaza del Lago Phase 1.

4. The site will consist of eight, one-story office buildings and an associated parking lot. Access is proposed from Lake Pleasant Parkway as well as cross-access connections to Plaza del Lago Phase 1 to the south and Peoria Regional Medical Center to the north.

Land Use Background:

5. In November 1989, the Mayor and City Council adopted Ordinance 89-34, thereby annexing the subject site into the City of Peoria. The site was assigned an initial zoning designation of SR-43 at a subsequent City Council hearing.

Discussion / Analysis:

Conformance with the Peoria General Plan

6. The site is currently designated Low Density Residential (2-5 du/ac, target of 3.0 du/ac). In concurrent case GPA 08-09, staff has argued against the validity of residential uses citing the parcel's small size and isolated location between Plaza del Lago Phase 1 and the Peoria Regional Medical Center and the development difficulties if the parcel remains identified as residential on the General Land Use Plan. Staff supports re-designation of the parcels to PAD.

Minimum PAD Size

7. Section 14-33-2 of the Zoning Ordinance requires Planned Area Developments to be no less than ten (10) gross acres in size. However, the minimum acreage can be waived if it is demonstrated that the waiver would be in the public interest and that one or more of the following conditions exist.

   a. Unusual physical features of the property itself or of the surrounding area are such that development under the standard provisions of this Ordinance would not be appropriate in order to conserve a physical or terrain feature of importance to the

neighborhood or community.

The subject property is a generally flat site with a wash running north/south along the western boundary. There is no physical impediment associated with the remaining area of the parcel or terrain to prevent development under the standard O-1 zoning district. However, expansion of the PAD will allow the setbacks and other siting requirements which were attributed to Plaza del Lago Phase 1 to be consistently applied to Phase 2. Additionally, the PAD will restrict the uses allowed to those which fulfill the intent of the General Plan by allowing primarily office uses and limiting other supportive uses, such as restaurants and retail establishments.

b. The property is adjacent to or across the street or alley from property which has been developed under the provisions of this section and will contribute to the amenities of the area.

The property abutting to the west and north is proposed to be developed as the Peoria Regional Medical Center. The uses within this PAD will be supportive and complimentary to the operations at the medical center. As noted before, the development is an extension of the office park development that is located to the south.

c. The use of the P.A.D. concept will encourage the use of otherwise undevelopable property, particularly in the case of small undeveloped parcels surrounded or partially surrounded by developed property.

Development of this parcel would be extremely limited under the current zoning district. The creation of two to three one-acre lots and associated improvements would not be feasible due to the wash, Lake Pleasant Parkway corridor requirements and the limited opportunities for access. The PAD allows the logical extension of office uses on this segment of Lake Pleasant Parkway.

d. The property is located within the Infill Incentive District.

The project is not located within the Infill Incentive District.

Permitted Uses within the PAD

8. Within the PAD document, Plaza del Lago Phase 1 is subject to a broad range of uses which range from medical and general offices to those that support the office development, such as restaurants, office supply retail, and copy centers. A more restrictive use list is proposed for Phase 2 to limit the office-supportive uses to less than 45% of the total occupancy of Phase 2. This ensures the integrity of the site as an office development with limited office-supportive uses.

9. The request to rezone the parcel conforms to the "Office" designation within the General Plan in the following ways:

- The proposed office development will provide space for office uses and other limited uses which are supportive of the office uses and the adjacent medical center

- The General Plan specifies that an office node is appropriate at this location on Lake Pleasant Parkway.

The applicant has identified goals and policies from the General Plan that support this request (Exhibit B). Staff finds the following goals, objectives and policies as particularly relevant:

✓ *Goal 2.1: Provide a balance of land uses that will preserve and enhance neighborhoods, promote economic development, encourage redevelopment at appropriate locations and protect environmentally sensitive areas.*

✓ *Policy 2.1.H: Encourage employment sectors to provide high quality, attractive buildings, site design, and landscaping.*

✓ *Policy 3.1.A.2: The City will encourage land development patterns that promote the operational efficiency of the existing and future transportation system.*

✓ *Objective 4.1.A: Develop a 1:1 ratio between the City's workforce population and number of jobs within the City by 2030 by attracting, creating and expanding businesses within Peoria.*

✓ *Goal 5.1: Promote efficient development areas which support a variety of land use types, conserve natural resources, reduce automobile dependency, and exhibit a logical extension of infrastructure and service capacities.*

Neighborhood Meeting

9. Section 14-39-6.E of the Peoria Zoning Ordinance requires the applicant of a rezoning request to hold at least one (1) neighborhood meeting. The applicant notified property owners within 300 feet of the subject site (4 unique ownerships). Accordingly, on October 23, 2008 the applicant held a neighborhood meeting at the Bade Companies offices located at 9059 W Lake Pleasant Road. As indicated in Exhibit G, none attended the meeting other than the petitioner and no comment was provided.

Fire Requirements

10. The Fire Department had no specific conditions of approval relative to this rezone request. However, again, with the subsequent Site Plan Review, the Fire Department will be evaluating compliance with the technical requirements including turnaround provisions, hydrant placement and other issues.

Public Notice

11. Public notice was provided in the manner prescribed under Section 14-39-6. Additionally, the site was posted with a sign meeting the content and size requirements prescribed by the Planning Division on October 31, 2008. The posting was completed within the prescribed 15-days prior to the Public Hearing. The applicant has provided a photo exhibit and signed affidavit attesting to the posting.

Proposition 207

12. 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. Accordingly, the applicant has furnished a signed and notarized Proposition 207 Waiver for recordation pending the outcome of the City Council action.

Findings / Recommendation:

13. The location is appropriate for office use given its proximity existing office development and the Peoria Regional Medical Center and its location near the intersection of Lake Pleasant Parkway and Yearling Road.

14. Based on the following findings:
    - The proposed rezoning is consistent with the goals and standards of the Peoria General Plan by promoting office uses at/near the intersection of Yearling and Lake Pleasant Parkway; and
    - The proposal utilizes existing public infrastructure; and
    - The development benefits the public interest by providing an appropriate continuation of office uses adjacent to the Peoria Regional Medical Center.

It is recommended that the Planning and Zoning Commission take the following action:
Recommend approval to the City Council of Case Z 07-16A.2 to rezone the property to PAD subject to the following conditions:

1. A Preliminary Drainage Report shall be submitted with the Site Plan. On-site retention must be provided for the 100-year, 2-hour storm.
2. The Developer shall construct all improvements per the approved Traffic Impact Analysis.
3. The Developer shall dedicate an 8' PUE outside of the existing ROW on Lake Pleasant Parkway. No walls or retention shall be allowed within the PUE.
4. The Developer shall construct sidewalks and landscaping along the frontage of the project on Lake Pleasant Parkway as required per an approved site plan.

Attachments:

Exhibit A	PAD Standards and Guidelines Report
Exhibit B	Aerial Survey
Exhibit C	General Plan Land Use Map
Exhibit D	Zoning Map
Exhibit E	Conceptual Development Plan

Exhibit F	Conceptual Elevations
Exhibit G	October 23, 2008 Neighborhood Meeting Report

Prepared by: Edward Boik
Planner

[redacted]

EXHIBIT A

Amended Planned Area Development Standards and Guidelines Report Case # Z06-17A.2

NWC Yearling and Lake Pleasant Parkway
August 29, 2008
City of Peoria Planning Department
8401 West Monroe Street 2nd Floor
Peoria, Arizona 85345

Applicant:
RSD Development LLC
[redacted]

OCT 2008
Received
Planning Division
Z06-17A.2
2

Table of Contents

	Page
Introductions and Project Justification	3
Legal Description	4
Consistency with General Plan	4
Preliminary Development Plan	4
Permitted and Accessory Uses	5
Development Standards	7
Landscaping Standards	7
Phasing Plan	8
Surrounding Developments	8
Adjacent Existing Zoning	9
Utility Providers	9
Statement of Adequacy of Area Infrastructure	9

	Exhibit
Legal Description Plaza del Lago Phase 1	A
Legal Description Plaza del Lago Phase 2	B
Phase 2 Consistency with General Plan	C

Introduction and Project Justification

RSD (the "Applicant") respectfully submits the following request to Amend the Lake Pleasant Commons PAD to include an additional 4.78 acres to the north ("Phase 2"). The original PAD covered 4.25 acres on the northwest corner of Lake Pleasant Parkway and Yearling Road, located in the northern portion of Peoria, Arizona ("Phase 1"). Phase 1 has already been rezoned from SR-43 to the Lake Pleasant Commons PAD and we would like to request that Phase 2 also be rezoned to this PAD. The purpose of this rezoning from residential to PAD is to allow the Applicant to develop medical office and business service uses which will balance the land use mix of the area and help create a medical core in north Peoria with the addition of the Peoria Regional Medical Center. We are proposing development standards and uses similar to the Office and Commercial Zoning Districts but restricting uses to those that will have a lower impact on the surrounding neighborhood. Phase One was not conducive for low density residential (SR-43) and has been rezoned. Phase 2 is bordered to the north and west by the Peoria Regional Medical Center and is now considered an infill site which is also not conducive for low density residential.

Both Phases are located in one of Peoria Economic Development Department's Business Development Zones called the 303 Horizon Centre. Within this area are uses that are specifically called for such as health care. The rezone would create compatibility with economic development's goal of bringing more medical into north Peoria and would be more compatible with surrounding uses of medical office and a medical center than the original land use designation of low density residential.

Phase 2 is now considered an infill project. The current zoning and land use would allow one home per acre (low density residential) on the site. Three residential homes located on this site would not be feasible, impact fees and improvements would be cost prohibited.

Plaza del Lago Phase 2 will be seamless to Phase 1 to the south in architecture, landscaping and traffic circulation.

Legal Description

Plaza del Lago Phase 1: See Exhibit A
Plaza del Lago Phase 2: See Exhibit B

Consistency with General Plan

Phase 1:
In order for the property to be rezoned to a PAD as proposed, a major amendment to the Peoria General Plan is required. DSRS has proposed a Major Amendment to the Peoria General Plan (GPA06-05) consisting of changes to land use and related text for the Lake Pleasant Parkway Corridor Specific Area Plan (LPPCSAP). The change will be from a Land Use designation of Residential Low (2.0 -5.0 Target density – 3du/ac) to Office Use.

The proposed major amendment of Office Use complies with the Lake Pleasant Parkway Specific Area Plan in that it will not allow strip commercial. The Office Use will also promote and enhance the character of the corridor by being sensitive to the existing vegetation and scenic views and will be a campus style development with free standing buildings.

The northern area of Peoria is experiencing rapid residential growth; additional employment and retail/office developments are needed to support the increase in population. This GPA amendment and rezone would contribute to the overall goals for the City by supplying needed high end jobs and bringing business services and medical office to the area. As a result, more people will have the opportunity to live and work within the City of Peoria.

Phase 2:
See Exhibit 1

Plaza del Lago Phase 1

Preliminary Development Plan

The proposed development will be a 38,270 square foot business service and medical office campus. Construction on the project could begin as early as spring 2007. The first phase of development will consist of extending infrastructure to the site, while the second phase will be construction of the six buildings.

Permitted Uses

Automatic Teller Machine
Banks and Financial Institutions
Professional, Administrative or Business offices
Health and Exercise Center
Essential Public Services or Utility Installation
Catering Establishment
Book, Stationery & Greeting Card Store
Copy Center
Hobby, Stamp and Coin Shop
Newsstand
Art Gallery
Cultural Institutions
Libraries and Museums
Non-profit Social Services
Public Buildings
Public/Private Schools, College and University
Public Utility Buildings, Structures, Uses, Facilities and Equipment
Religious Institutions and similar places of worship
Medical, Dental, Optician or Health, Clinics and Laboratories
Messenger Delivery Service
Photographic Development and Printing
Remote mail Service
Ticket and Travel Agency
Dance, Theatrical, Art, Music, Studio and similar uses

Accessory Uses

Recycling Collection Point

Plaza del Lago Phase 2

Preliminary Development Plan

The proposed development consists of eight buildings totaling 47,155 square feet of medical office and business service uses with accessory uses. Accessory uses will comprise no more that 45% of Phase 2's overall square footage. The project will be start construction in 2009. There will be no building phasing to the project.

Permitted Uses

Automatic Teller Machine
Banks and Financial Institutions
Professional, Administrative or Business offices
Essential Public Services or Utility Installation
Copy Center
Newsstand

Art Gallery
Cultural Institutions
Non-profit Social Services
Public Buildings
Public Utility Buildings, Structures, Uses, Facilities and Equipment
Medical, Dental, Optician or Health, Clinics and Laboratories
Messenger Delivery Service
Photographic Development and Printing
Photographic Studios
Remote Mail Service
Ticket and Travel Agency
Ambulance Service Facility
Emergency Medical Care Facility
Employment Agency, not including Day Labor Hiring Centers

Accessory Uses
Recycling Collection Point
Outdoor dining and seating area
Restaurants
Florist
Gift, Novelty and Souvenir Shop
Candy and Ice Cream Store
Office Supply & Machine Sales & Service
Retail- medical supplies
Health and Exercise Center
Catering Establishment
Book, Stationery & Greeting Card Store
Hobby, Stamp and Coin Shop
Libraries and Museums
Public/Private Schools, College and University
Religious Institutions and similar places of worship
Dance, Theatrical Art, Music Studio and similar uses
Wedding and Reception Center
Day Care Centers or Pre School Centers

Development Standards

Plaza del Lago Phase 1 has used architectural and site design elements from adjacent retail development and neighboring communities to assure a consistent design and development pattern with the surrounding area. Plaza del Lago Phase 2 will mirror Phase 1 in architecture, landscaping and ease of traffic circulation. Together the projects will look like one contiguous development.

Article 14 applicable unless noted in the section. Property will be developed to City standards and standards similar to O-1 (Office Commercial District).

Please see the below matrix of development standards:

Property Development Standards	**Plaza del Lago Phase 1 and 2**
Minimum Lot Width (feet)	50
Minimum Lot Size/Site Area (acreage)	not required
Minimum Lot/Site Depth (feet)	not required
Minimum Frontage on One Arterial (feet)	not required
Maximum Lot Coverage (%)	not required
Maximum Building Height (feet)	30
Yearling Road (southern) Setback (feet)	15
Lake Pleasant Parkway (eastern) Setback (feet)	30
Northern Setback (feet)	10
Western Setback	60
Southern Setback for Plaza del Lago Phase 2	Zero lot line
Interior Rear/Side Setback (feet)	not required
Accessory Building Height and Setbacks	(a)
Parking	Parking shall be provided in conformance with Article 14-23 of the Peoria City Code.
Lighting	Street lighting is proposed to conform to the City of Peoria Street Lighting Standards for commercial developments.
Signage	Signage shall be provided per the provisions of Article 14-34 of the Peoria City Code.

(a) All regulations and development standards applicable to the principal building shall apply, except for covered parking canopies which shall comply with the standards established in Section 14-23-3 of the Zoning Ordinance (Ord. No. 04-23)

Landscaping Standards	
Landscaping shall be in conformance with Article 14-35 except for the 15-foot buffer required along the northern boundary of Phase 1 has been be reduced to 10 feet with same plant material and spacing requirements. The northern boundary of Phase 2 will be reduced to 8 feet with the same plant material and spacing requirements.	

Useable Open Space	Phase 1 has 18.82% useable open space and Phase 2 will have 24% useable open space, both which will exceed the typical average useable open space between 5% and 7%. In addition, the wash on the western perimeter of the properties will be developed with a trail component and will be an amenity to the properties.

Phasing Plan

Phase One of the Development Phasing Schedule will consist of extending dry and wet infrastructure into the project. Phase Two will include vertical construction buildings.

Surrounding Developments

The surrounding developments are primarily retail and medical.

Center	Location	Proposed office use	Proposed retail use	Case #
Peoria Center Point	N/E Happy Valley & LPP	No	480,000 SF	Z03-12
Lake Pleasant Center	S/E Happy Valley & LPP	No	180,000 SF	Z98-05
Lake Pleasant Pavilions	S/W Happy Valley & LPP	No	395,000 SF	Z04-06
Lake Pleasant Town Center	N/W Happy Valley & LPP	No	650,000 SF	Z03-04
Denaro Corporate Center	W of N/W Happy Valley and LPP	32,400 SF	No	PR05-62
Peoria Regional Medical Center	N N/W Yearling and LPP	Yes	No	Z08-04

Note: LPP stands for Lake Pleasant Parkway

Adjacent Existing Zoning

North- Zoning for Peoria Regional Medical Center (Z08-04)
East- Querencia PAD (Z05-08)
South- Lake Pleasant Town Center PAD (Z03-04)
West- Zoning for Peoria Regional Medical Center (Z08-04)

Adjacent Land Uses
North- Vacant- Public/Quasi Public
East- Vacant- Future Low Density Residential
South-Vacant- Future Commercial (Lake Pleasant Town Center)
West- Vacant- Public/Quasi Public

Utility Providers

Power: APS
Water: City of Peoria
Sewer: City of Peoria

Statement of Adequacy of Area infrastructure

The City of Peoria has recently extended and improved the utility infrastructure and the arterial paving of Lake Pleasant Road adjacent to this site. The area infrastructure is adequate for new development along this corridor.

Exhibit A:
Plaza Del Lago Phase 1

PARCEL NO. 3:

That portion of the Northwest quarter of Section 4, Township 4 North, Range 1 East of the Gila and Salt River Base and Meridian Maricopa County, Arizona, more particularly described as follows:

Commencing at the West quarter corner of said Section 4; Thence North 00° 29' 04" West along the West line of Section 4 a distance of 40.00 feet; thence South 89° 40' 34" East parallel with the South line of the Northwest quarter of said Section 4 a distance of 224.58 feet to the POINT OF BEGINNING; thence North 20° 34' 31" East a distance of 345.51 feet; thence South 89° 40' 34" East a distance of 562.47 feet to a line 75.00 feet West of and parallel with the centerline of Lake Pleasant Road; thence South 17° 50' 13" West along said line a distance of 339.90 feet to the North line of the South 40.00 feet of the Northwest quarter of said Section 4; thence North 89° 40' 34" West along said North line a distance of 579.78 feet to the POINT OF BEGINNING.

Containing 4.2500 acres.

Exhibit B:
Plaza del Lago Phase 2

EXHIBIT "A"

A portion of land located in the South half of the Northwest quarter of Section 4, Township 4 North, Range 1 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the West quarter corner of said Section 4, from whence the center of Section bears South 89 degrees 40 minutes 34 seconds East (basis of bearing), a distance of 2,677.24 feet;

thence continuing along the mid-Section line on a bearing of South 89 degrees 40 minutes 34 seconds East, a distance of 209.26 feet to a point on the South line of the Northwest quarter of said Section 4, said point being the POINT OF BEGINNING;

thence North 20 degrees 34 minutes 31 seconds East, a distance of 921.09 feet;

thence South 89 degrees 30 minutes 24 seconds East, a distance of 582.25 feet to a point on the Westerly right-of-way line of Lake Pleasant Road;

thence continuing along the Westerly right-of-way line of Lake Pleasant Road on a bearing of South 17 degrees 52 minutes 55 seconds West, a distance of 904.57 feet to a point of intersection of the South line of the Northwest quarter of said Section 4 and the Westerly right-of-way line of Lake Pleasant Road;

Unofficial Document

thence continuing along the South line of the Northwest quarter of said Section 4 on a bearing of North 89 degrees 40 minutes 34 seconds West, a distance of 628.19 feet to the POINT OF BEGINNING.

EXCEPT an undivided one-half interest in and to all the oil, gas, minerals and all materials which are or may be determined to be peculiarly essential to the production of fissionable materials, as reserved in the Deed recorded as Docket 1887, Page 549.

Exhibit C

Proposed PAD Amendment Consistency with General Plan

RSD would like to request a Minor General Plan Amendment from low density residential to office and Rezone from Low Density Residential to PAD (medical and office) for Parcel # 201-30-121-C located north of the NWC of Yearling and Lake Pleasant Parkway (the Site). Located to the north and west of the Site is the recently rezoned Peoria Regional Medical Center, to the south of the Site is Plaza del Lago, a medical office development. The Site is approximately 4.78 buildable acres and now considered an infill project. The current zoning and land use would allow one home per acre (low density residential) on the Site. Three residential homes located on this Site would not be feasible, impact fees and improvements would be cost prohibited. The following will cover the goals, objectives and policies found within the City of Peoria General Plan, revised 2006, that apply to the Site. In addition there is a statement of how the Site is consistent with or enhances these goals, objectives and policies.

General Plan Element: Land Use

Goal

2.1: Provide a balance of land uses that will preserve and enhance neighborhoods, promote economic development, encourage redevelopment at appropriate locations, and protect environmentally sensitive areas.

Site Consistency: The north Peoria area is lacking in office and medical office uses. Additional medical office and office uses will help to balance the heavy retail land uses in the area. The development will also preserve the usable open space, the wash, behind the Site and provide an extension of the trail system.

RESIDENTIAL COMMUNITIES

Objective 2.1.C:

Create high-quality residential environments that provide for safe and convenient vehicular circulation, open space and recreational opportunities, access to public schools and services and protection from incompatible land uses.

Site Consistency: The current land use of the Site is low density residential, which equates to 1 house per acre. Since this Site is boarded by the Peoria Regional Medical Center to the North and West and Plaza del Lago offices to the South, the Site is no longer conducive for residential development and is considered infill by the City Planning Department. Vehicular circulation would not be convenient for residential and there doesn't appear to be easy access to public schools. Having a low density residential development between a hospital and office use would not be compatible. The change in land use and zoning to allow medical and office uses would be appropriate for this area.

Policy 2.1.C.1:
The City shall require adequate buffering to protect residential neighborhoods from intrusion by incompatible land uses.

Site Consistency: Located to the north and west of the Site is the Peoria Regional Medical Center and the south is Plaza del Lago (Phase 1) medical offices. The site is considered infill and does not border any residential developments so no buffering is necessary.

Policy 2.1.C.5:
The City shall require new residential developments to provide pedestrian linkages to parks, schools and other appropriate public facilities.

Site Consistency: Although the proposal is to change the Site land use from residential low to office and the zoning from residential to PAD to allow for medical office and business services with accessory retail uses, , the Site will still have connectivity with the trail system to the west.

EMPLOYMENT RELATED DEVELOPMENT

Policy 2.1.G.1:
The City shall work to enhance commercial activity by attracting, retaining, and expanding those developments (commercial, office or residential) which improve economic conditions in Peoria.

Site Consistency: The proposed change in general plan and the zoning to PAD will enhance economic development in the North Peoria area which is an underserved market. Bringing to the community opportunity for general, specialty medical and business services.

Objective 2.1.H:
Encourage employment sectors to provide high quality, attractive buildings, site design, and landscaping.

Site Consistency: The development that will locate on the Site will be an extension of Plaza del Lago, located to the south. This second phase to Plaza del Lago will have the same architecture, landscape plan and high quality look. The Site will be designed so that the main entrance to both phases will come off of Lake Pleasant Parkway onto the Site as a tree (low water usage) line boulevard entrance. There will also be a large percentage of useable open space and the trail along the wash to the west will be extended the length of the Site. This will be a high quality, attractive business area for medical and office professionals to occupy.

Policy 2.1.H.3:
The City shall establish performance standards (such as the number of employees, project phasing plan, delivery schedule, operation hours, noise/glare impacts, etc.) that will address and reduce compatibility conflicts with adjacent uses.

Site Consistency: The minor general plan amendment and zoning change is compatible with this policy in that the project is surrounded by a medical center and offices on three sides and Lake Pleasant Parkway on the remaining side to the east. Consistent with the project to the south, Plaza del Lago, the second phase will conform to those same performance standards set forth in the original project.

Objective 2.1.I:

Foster commercial, industrial and business park employment centers that are compatible with Peoria's economic needs and opportunities.

Site Consistency: The Site is located in one of Peoria Economic Development Department's Business Development Zones called the 303 Horizon Centre. Within this area are uses that are specifically called for such as health care. The minor general plan amendment and rezone of this land would create compatibility with economic development's goal of bringing more medical into north Peoria and the site will be more compatible with surrounding uses of medical office and a medical center.

General Plan Element: Circulation

Policy 3.1.A.2:

The City will encourage land development patterns that promote the operational efficiency of the existing and future transportation system.

Site Consistency: Currently north Peoria is underserved in the area of medical and business services. The proposed minor general plan amendment and rezone to PAD, medical and office, will give residents the services that they need with a much shorter drive time, taking the congestion off of already busy transportation corridors.

Policy 3.1.A.4:

The City will require that all developments substantially meet the following criteria:

(a)Development shall be located or designed in a manner that will not inhibit or impair future improvement of the transportation system.

Site Consistency: The Site is located adjacent to Lake Pleasant Parkway. The development will be consistent and conform to the City's vision for enhancing Lake Pleasant Parkway.

(e)Developments shall be designed and located so that access requirements and traffic generation characteristics do not impair the safety and maintenance of the transportation system.

Site Consistency: During the design review phase one access point to Lake Pleasant Parkways will be proposed. The access point will be a right in/right out movement that will not inhibit

traffic flow or the current median location on Lake Pleasant Parkway. Other access points will be shared with the properties to the north and south. The traffic generation and access point will not impair the safety of motorists on Lake Pleasant Parkway.

(g)The number of driveways on arterial streets shall be limited to improve traffic flow and safety.

Site Consistency: The Site will be sharing a point of access to the south off of Yearling Rd with Plaza del Lago Phase 1. Access off of Lake Pleasant Parkway will also be shared both by the Site with Plaza del Lago Phase 1. Sharing of access points will help to improve traffic flow and safety.

Policy 3.1.A.5:
The City will require the provision of parking facilities in a manner that will support the economic vitality of the land uses served, by ensuring that:

(a)Off-street parking facilities are designed and located to minimize disruption and inconvenience to adjacent properties and streets.
(b)Large parking areas are developed with screen walls or landscaped perimeter planting strips, bays and islands to provide visual screening from direct traffic flow and high speed travel areas.

Site Consistency: Most of the parking area for the Site is visually screened from Lake Pleasant Parkway with architecture forward design. There is a small amount of parking to the southeast corner of the Site not screened by architecture but a screen wall and additional landscaping. The entrance to the Site will be a boulevard feel lined with low water use trees and other landscaping. In addition, landscape islands in the parking area will be used to break up the parking lot.

(c)Adequate lighting is provided to minimize safety hazards.

Site Consistency: Lighting standards for the Site will be consistent with the City of Peoria guidelines for the area.

Objective 3.1.D:
Develop and maintain Lake Pleasant Parkway and State Route 74 as scenic, limited-access arterial roadways.

Site Consistency: The Site will be requesting one point of access off of Lake Pleasant Parkway which will be shared with Plaza del Lago Phase 1 to the south.

Policy 3.1.E.1:
The City shall continually monitor, evaluate and update the adopted Trails Master Plan. The alternative modes identified in the Trails Master Plan should be consistent with emerging development patterns, and respond to opportunities presented, particularly in north Peoria.

Site Consistency: The Site will be extending the trail system along the west of the property along the wash, further contributing to the north Peoria trail system.

Policy 3.1.E.3:
The City shall develop a safe and convenient network of sidewalks, crossings, and paths for walking and bicycling that provide connections between schools, recreation facilities, residential areas and business centers.

Site Consistency: The Site will be extending the side walk along Lake Pleasant Parkway. This sidewalk leads to retail to the south offering a safe and convenient connection between the proposed office use and retail.

General Plan Element: Economic Development

Goal
4.1:
Create employment opportunities for Peoria residents.

Site Consistency: The proposed minor general plan amendment and zoning change will offer employment opportunities to citizens both residing near the Site and in the Peoria area.

Objective 4.1.A:
Develop a one-to-one (1:1) ratio between the City's workforce population and number of jobs within the City by the year 2030 by attracting, creating, and expanding businesses within Peoria.

Site Consistency: The minor general plan amendment and rezoning of the Site will offer additional employment opportunities in the area, helping Peoria to get closer to reaching a 1:1 ration between the City's workforce population and number of jobs within the City.

Policy 4.1.A.1:
The City will create Employment Zones and targeted strategies within each zone to develop a strong economic base to accommodate Peoria's workforce population.

Site Consistency: The Site is located in one of Peoria Economic Development Department's Business Development Zones called the 303 Horizon Centre. Within this area are uses that are specifically called for such as health care. The minor general plan amendment and rezone of this land would create compatibility with economic development's goal of bringing more

medical into north Peoria and would be more compatible with surrounding uses of medical office and a medical center than the original land use designation of low density residential.

General Plan Element: Growth Areas

Goal
5.1:
Promote efficient development areas which support a variety of land use types, conserve natural resources, reduce automobile dependency, and exhibit a logical extension of infrastructure and service capacities.

Site Consistency: The natural resources of the Site include the wash to the west which will stay untouched and comprises close to 23% usable open space on the Site. We believe the minor general plan amendment and rezone of the Site will help to reduce automobile dependency since needed medial and business services will be closer to the residents of north Peoria, reducing their commute times to like businesses.

Objective 5.1.C:
Preserve and acquire open spaces and other natural resources in growth areas to foster community image and enhance the quality of life.

Site Consistency: The Site will have close to 23% useable open space with an adjacent extension of the trail system. This will help the City to accomplish the objective of preserving open space and enhancing the quality of life thru additional recreational opportunities.

General Plan Element: Recreation and Open Space

Goal
9.1:
Develop an accessible, comprehensive, integrated, high quality parks, recreation and open spaces system services the needs of Peoria residents.

Site Consistency: Once the Site is complete, a trail system will be extended on the western side of the property. This extension of the trail will add to the recreational opportunities of Peoria residents.

Policy 9.1.A.3:
The City shall work with developers during the master planning stage and the plan review process to set aside key contiguous open space areas, corridors and/or linkages through dedications, conservation easements, or open space designations.

Site Consistency: While going thru the site plan process with Plaza del Lago Phase 1, the City asked that a trail system be extended along the western portion of our property adjacent to the

wash. In an effort to extend this trail system, the Site will also show this extension in the plan review process and final product.

DEVELOP AN OPEN SPACE SYSTEM THAT IS ENVIRONMENTALLY SENSITIVE AND SELF-SUSTAINING

Objective 9.4.A:
Preserve the many ecological, cultural and scenic values provided by park and open space environments.

Site Consistency: The Site will preserve the wash found to the west of the property and provide a trail system along the wash for all to enjoy.

Policy 9.4.A.1:
The City shall develop and implement a Mountain Preserve program that identifies preservation, conservation and management of significant natural areas such as hillsides, floodplains, rivers, and wash corridors.

Site Consistency: To the west of the Site is a wash. This wash will be preserved as usable open space and the trail alongside the wash will be extended.

Policy 9.4.A.3:
The City shall encourage the preservation of significant natural features such as hillsides and floodplains and the re-vegetation of rivers and washes to enhance their recreational attraction, preserve wildlife habitats, and enhance their aesthetic value.

Site Consistency: To the west of the Site is a wash. This wash will be preserved as usable open space and the trail alongside the wash will be extended.

Objective 9.4.B:
Utilize appropriate vegetation types and water conserving principles to ensure climatic relief and minimize the demands of the City's water supply.

Site Consistency: The Site will be preserving and relocating vegetation currently on the Site to be used as landscaping once the Site is developed. Additional landscaping will utilize low water use plants and trees similar to Plaza del Lago.

Policy 9.4.B.1:
The City shall follow the Arizona Department of Water Resources (ADWR) guidelines for water conservation by advocating for the Departments list of acceptable, low water use plant materials.

Site Consistency: Similar to Plaza del Lago, the Site will use low water use plants.

Policy 9.4.C.2:
The City shall protect view corridors through the generous buffering or screening, judicious placement of structures, as well as the imposition of reasonable height limitations on structures and signs.

Site Consistency: Please refer to the PAD for the buffering along Lake Pleasant Parkway and height limitations that will be implemented.

Goal
9.5:
Develop a safe, multi-use inter-connected trail system throughout the City.

Site Consistency: The Site will be extending the trail system currently ends at the southwest corner of the property.

Objective 9.5.A:
Design and Construct a multi-use and inter-connected trails system along river corridors major washes, canals, utility corridors and major ridgelines.

Site Consistency: The Site will be extending the trail system currently ends at the southwest corner of the property.

General Plan Element: Environmental Resources

SENSITIVE LANDS MANAGEMENT

Objective 10.1.F:
Protect environmentally sensitive lands.

Site Consistency: The Site will be preserving the wash to the west of the property as usable open space.

Policy 10.1.G.1:
The City shall develop a Native Plant Restoration and Salvage Ordinance.

Site Consistency: The Site is preparing a Desert Conservation Plan in which plants currently located on the Site will be salvaged and used in the future development's landscaping.

Policy 10.1.G.3:
The City shall recognize and protect areas of significant natural vegetation (such as areas along washes, natural spring areas, or on slopes) which are advantageous to the increased densities of the native desert vegetation.

Site Consistency: The Site will be preserving the wash to the west of the property as usable open space.

Policy 10.1.G.4:

The City shall encourage the use of indigenous or desert adapted plant materials in new developments and minimize the use of invasive and non-native plant species in the study area identified in the Peoria Desert Lands Conservation Master Plan.

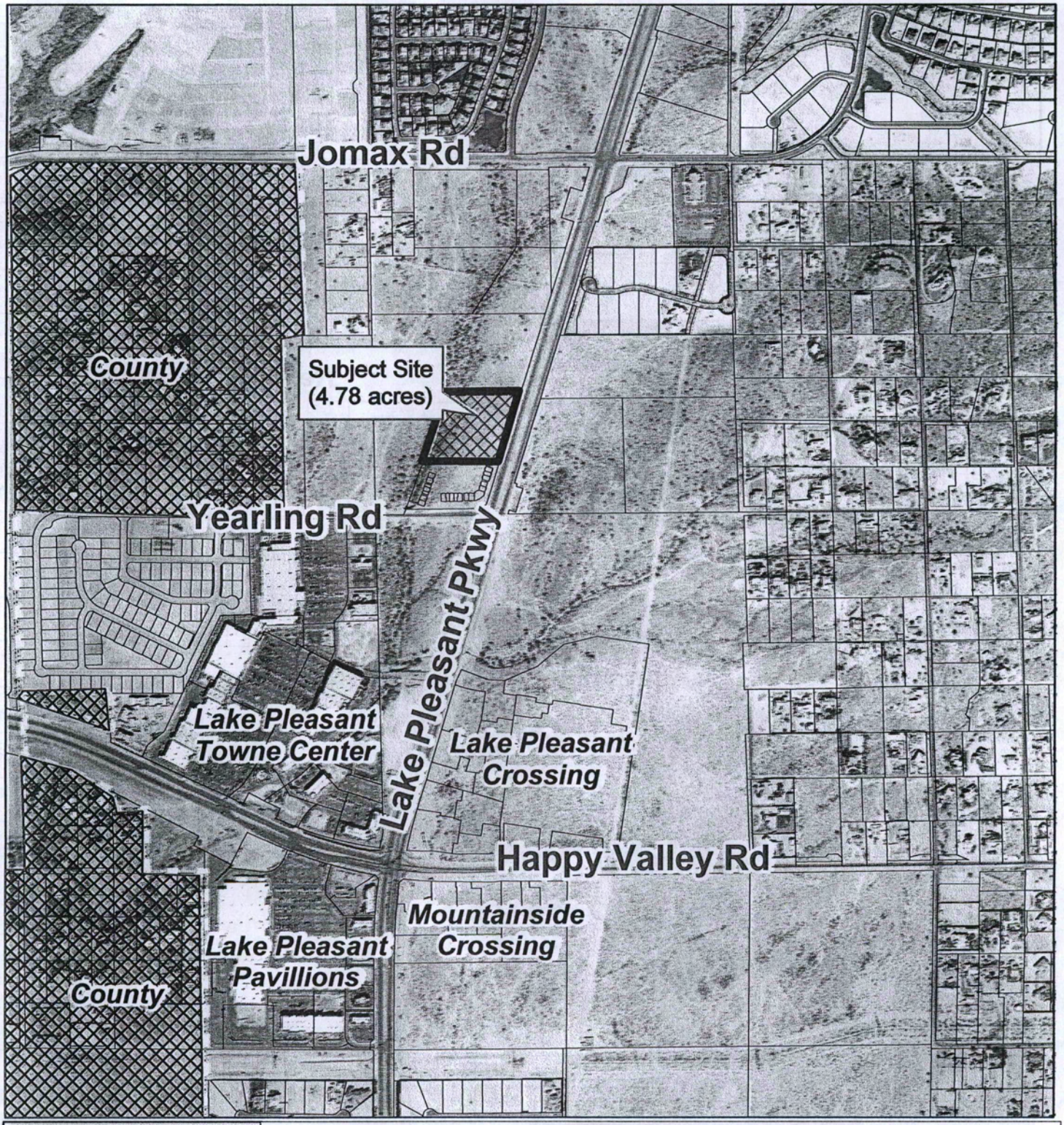
Site Consistency: Once in the development stage, the Site will be consistent with using low water use species for landscaping and being consistent with City provided plant lists.

Policy 10.1.H.1:

The City shall continue to encourage well designed landscaping for commercial, office and industrial uses through design guidelines.

Site Consistency: The Site being development will maintain the high quality that can be seen in the landscaping of Plaza del Lago to the south.

Z 06-17A.2: Vicinity/Aerial Map



N
W CITY OF PEORIA E
S
Not toScale

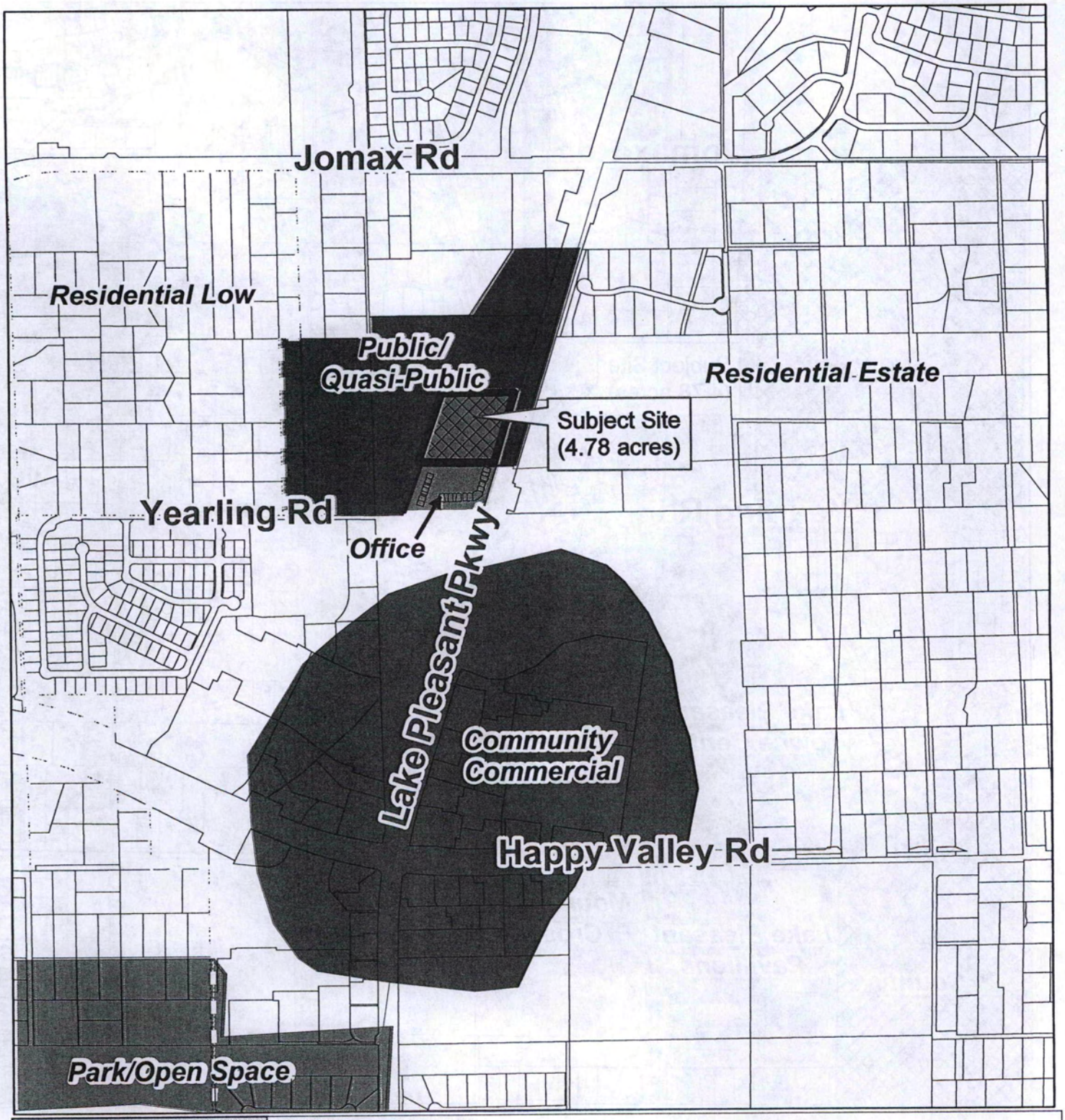
Z06-17A.2: RSD Development, LLC

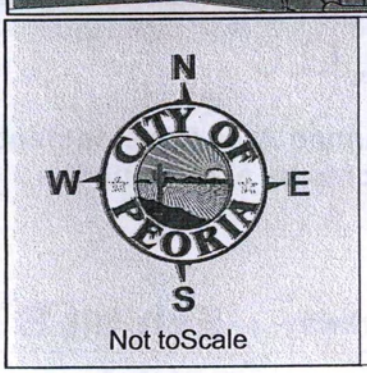
Request:
Rezone from Suburban Ranch (SR-43) to Planned Area Development (PAD) for a site encompassing 4.78 gross acres by expanding the existing PAD (Z06-17).

Location:
N/O NWC Yearling Road & Lake Pleasant Parkway

Exhibit B

Z 06-17A.2: Land Use Map





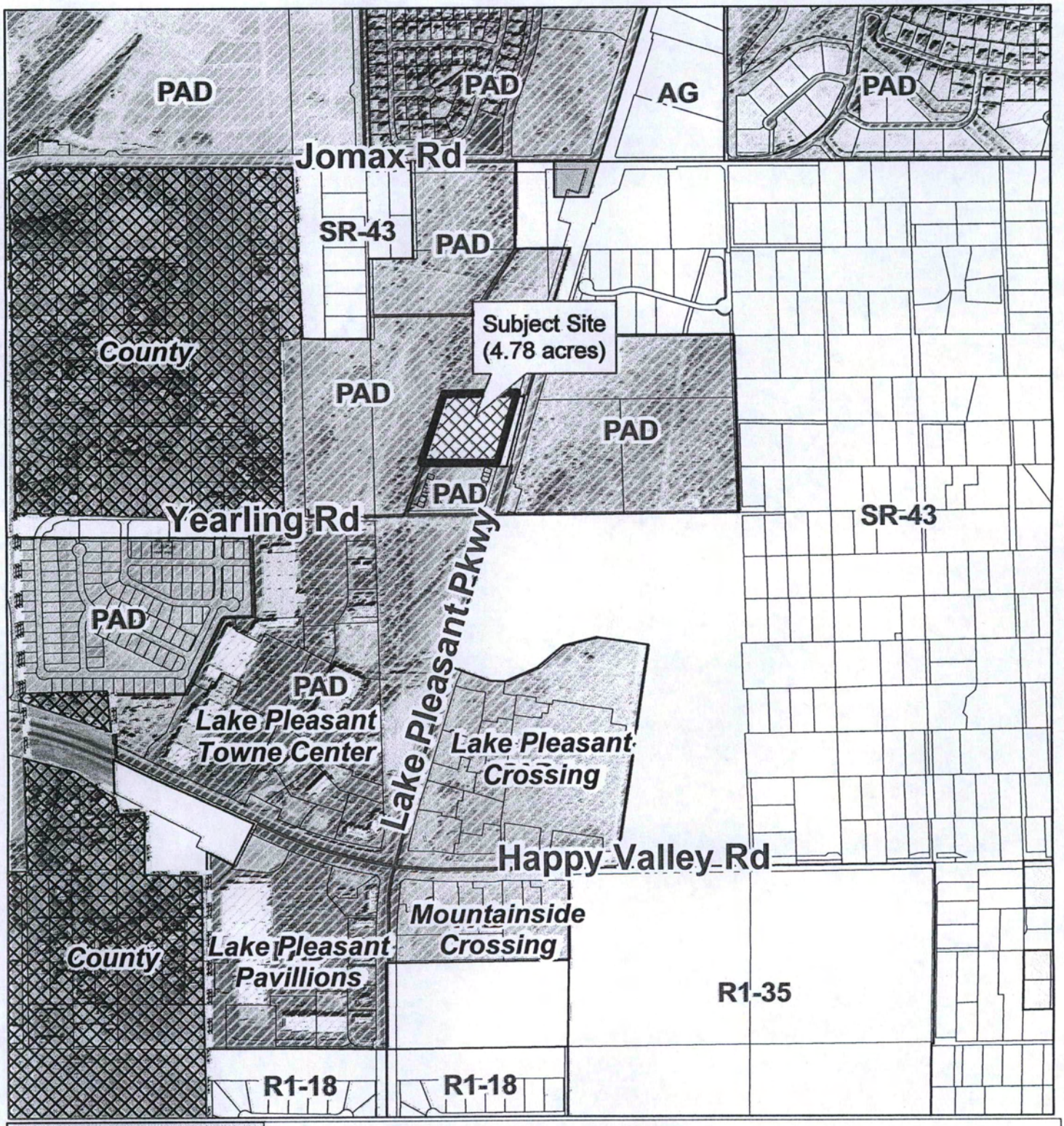
Z06-17A.2: RSD Development, LLC

Request:
Rezone from Suburban Ranch (SR-43) to Planned Area Development (PAD) for a site encompassing 4.78 gross acres by expanding the existing PAD (Z06-17).

Location:
N/O NWC Yearling Road & Lake Pleasant Parkway

Exhibit C

Z 06-17A.2: Zoning Map



N
W CITY OF PEORIA E
S
Not toScale

Z06-17A.2: RSD Development, LLC

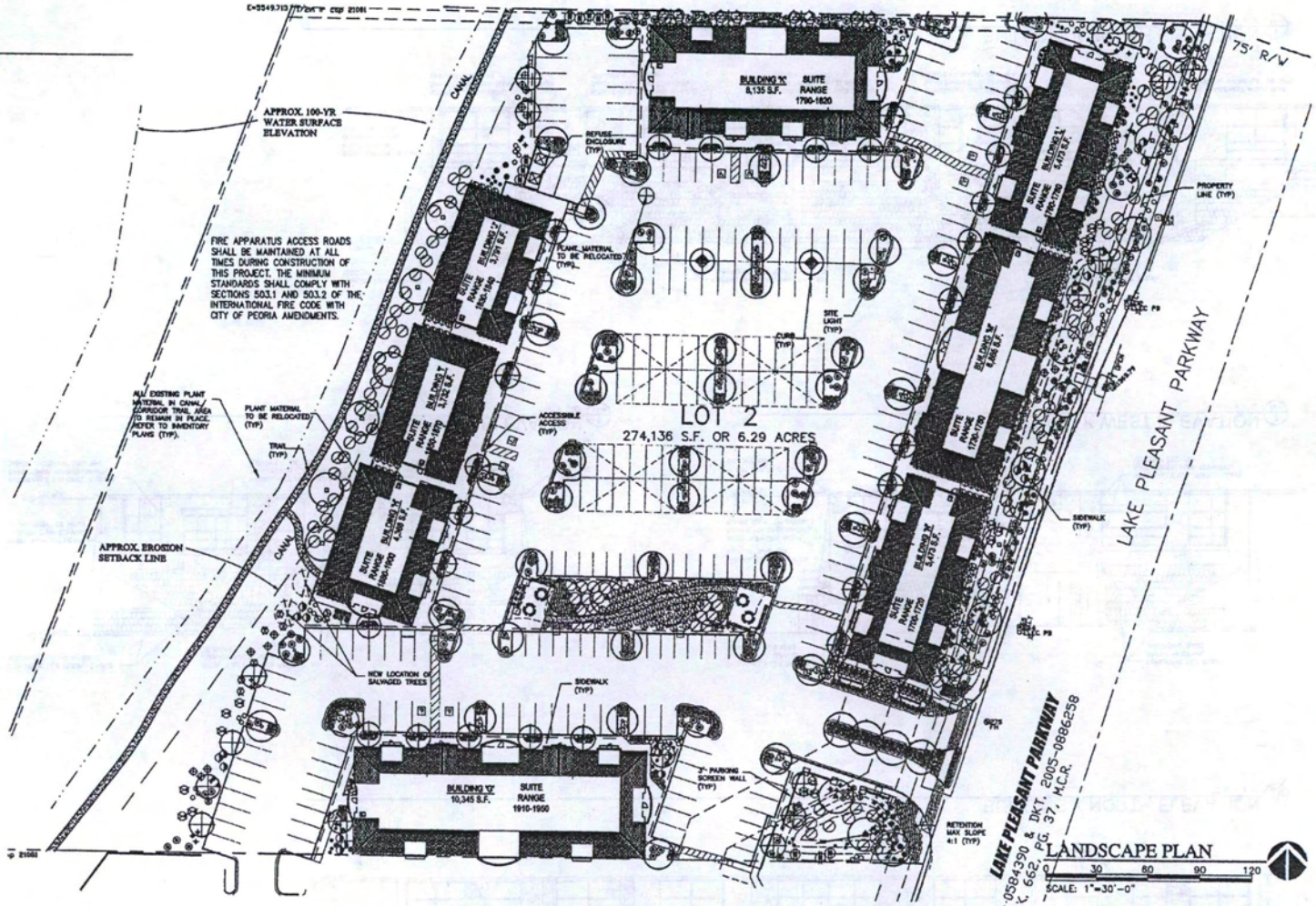
Request:
Rezone from Suburban Ranch (SR-43) to Planned Area Development (PAD) for a site encompassing 4.78 gross acres by expanding the existing PAD (Z06-17).

Location:
N/O NWC Yearling Road & Lake Pleasant Parkway

Exhibit D

EXHIBIT E

GILMORE PARSONS
LAND DESIGN GROUP



revisions

PLAZA DEL LAGO II

Corner of Lake Pleasant Rd.
Teaming Dr
Peoria, Arizona

The Gilmore Group, Inc.©2006
All Rights reserved, no duplication of documents without written authorization

REGISTERED LANDSCAPE ARCHITECT
34190
STEPHEN C. PARSONS
ARIZONA U.S.A.
EXP: 9.30.11

LANDSCAPE PLAN

0 30 60 90 120
SCALE: 1"=30'-0"

bcdm architecture

SALVAGED AND EXISTING PLANT LEGEND

* Tree - Salvageable - Parkinsonia microphylla - foothill palo verde

*SALVAGED TREE RELOCATED

SALVAGED RELOCATED 2 1 GPH EMITTER

PLANT SCHEDULE

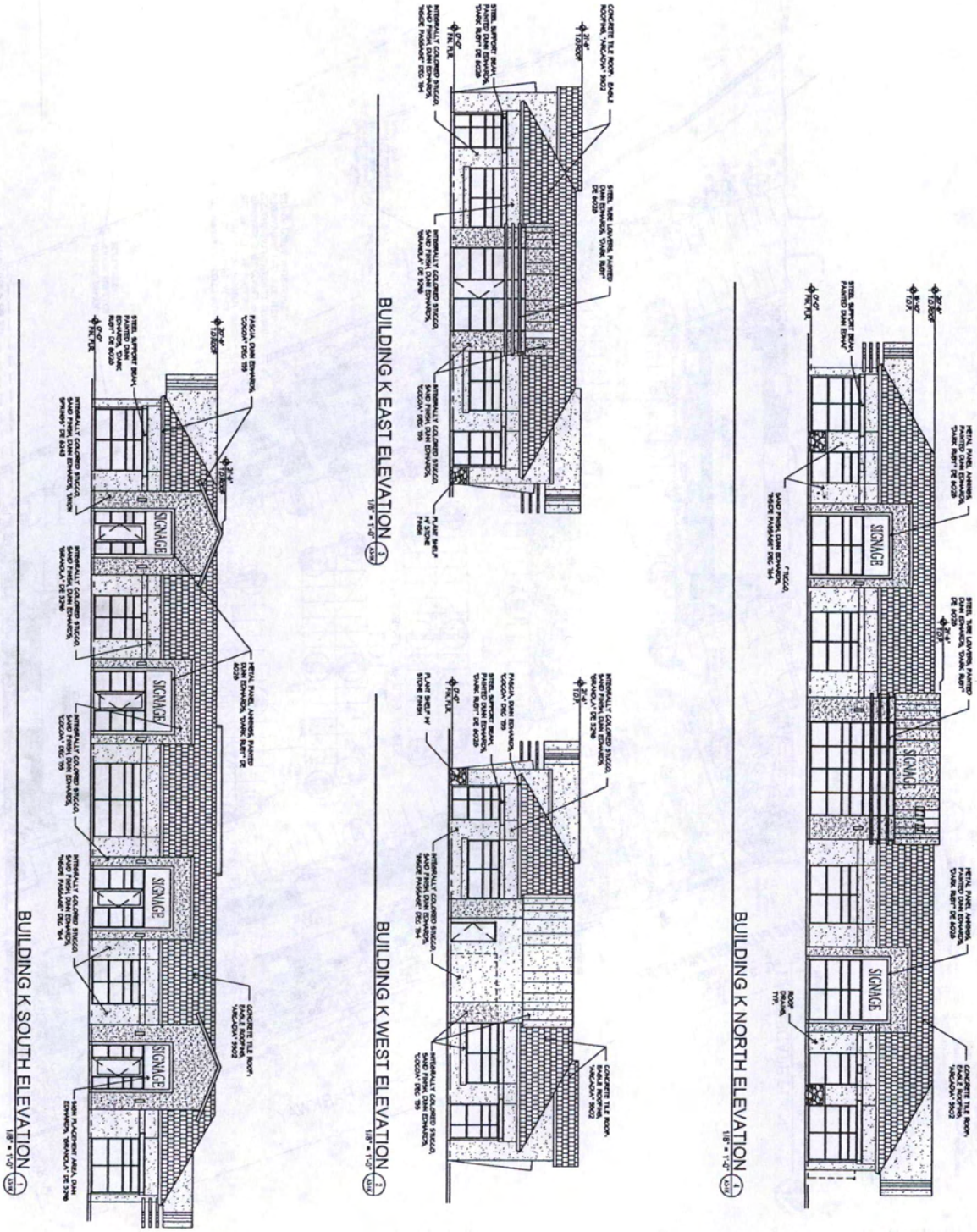
SYMBOL	BOTANICAL/COMMON NAME	SYMBOL	BOTANICAL/COMMON NAME
	TREES		ACCENTS
	ACACIA WILLARDIANA PALO BLANCO		AGAVE DESMETTIANA 'VARIEGATA' VARIGATED AGAVE
	DALBERGIA SISSOO SISSOO TREE		AGAVE GEMINIFLORA TWIN-FLOWERED AGAVE
	CERCIDIUM PRAECOX PALO BREA		ASCLEPIAS SUBULIZIA DESERT MILKWEED
	PROSOPIS GLANDULOSA "THORNLESS" THORNLESS HONEY MESQUITE		CARNEGIEA GIGANTEA SAGUARO CACTUS
	SHRUBS		EUPHORBIA ROIGA CHERMER PLANT
	CAESALPINIA PULCHERRIMA RED BIRD OF PARADISE		LOPHOCEREUS SCHOTTII VAR. MONSTROSUS MONSTER TOTEM POLE CACTUS
	ENCELIA FARINOSA BRITTLE BUSH		MUHLENBERGIA CAPILARIS 'REGAL MIST' REGAL MIST DEER GRASS
	EREMOPHILA MACULATA VALDITTME BUSH		GROUNDCOVER
	LEUCOPHYLLUM ZYGOPHYLLUM 'CIMARRON'tm CIMARRON SAGE		ACACIA REDOLENS 'LOW BOY' H.C.A.
	LARREA TRIDENTATA CREOSOTE BUSH		GALVLOPHUS HARTWEGII VAR. FEDHOLERI SUNDROPS
	RUELLIA PENINSULARIS BAJA RUELLIA		ACALYPHA MONOSTACHYA RASBERRY FUZZIES
	SENNA PHYLLODENA SILVER LEAF SENNA		VERBENA X 'SUMMER BEAUTY' 'SUMMER BEAUTY' VERBENA
			LANTANA SP. 'NEW GOLD' NEW GOLD LANTANA
			MATERIAL
			DECOMPOSED GRANITE 'EXPRESS BROWN'
			GRANITE RIP-RAP 'EXPRESS BROWN'

7210 south rita avenue
suite
tucson, arizona 85756
t 520 792 2000
f 520 792 7177

date: 10/15/06
project no: --

L1.1

EXHIBIT F



A3-1K

29 AUGUST 2008
BCDM NO.4650-00

bcdm
barduson

AMENDED SITE PLAN - CONCEPTUAL DRAWINGS

PLAZA DEL LAGO

NORTH OF NW CORNER OF LAKE PLEASANT PKWY, AND YEARLING ROAD, PEORIA, ARIZONA
BERINGER CIACCIO DENNELL MABRET - ARCHITECTURE, LANDSCAPE ARCHITECTURE, INTERIOR DESIGN, CONSTRUCTION MANAGEMENT

PAD CASE # Z06-17

REVISIONS		
no.	description	date

copyright
bcdm/barduson, inc. © 2008
All rights reserved. No duplication or distribution without written authorization.

NOT FOR CONSTRUCTIO

Plaza del Lago
NWC Yearling and Lake Pleasant Parkway

CITIZEN PARTICIPATION REPORT

Minor General Plan Amendment & PAD Amendment

PROJECT NAME Plaza del Lago Phase 2

LOCATION North of the Northwest Corner of Lake Pleasant Parkway and Yearling Road alignment, Peoria, AZ.

Date of Report: October 24th, 2008

Overview: This report provides results of the implementation of the Citizen Participation Plan for Plaza del Lago Phase 2. This site is located at north of the northwest corner of Yearling and Lake Pleasant Parkway and is an application for a PAD Amendment application (Case Z-06-17A.2) of approximately 7.193 gross acres from SR-43, a low density residential use, to PAD for medical office, business services and accessory uses. This report provides evidence that neighbors have had an adequate opportunity to learn about and comment on the proposed plans and actions addressed in the application. The letter sent to the surrounding land owners, an exhibit of what the comment card looks like, a parcel map, 300ft radius map and list of mailing labels is included in this report.

Contact:

[redacted]
9059 W. Lake Pleasant Pkwy, Suite 300
Peoria, AZ 85382
[redacted]

Correspondence:

- Notice of the community open house and description of the rezoning application was mailed to the property owners within 300 feet of the site.
- The Applicant held the community open house on October 23, 2008 at 4:00 p.m. This open house was held at the Bade Companies offices located at 9059 W. Lake Pleasant Parkway, Suite 300 in Peoria, AZ 85382. No surrounding land owners attended the meeting.
- There were no phone calls or other forms of comment provided to the Applicant as of the date of this Report.

OCT 2008
Received
Planning Division
Z06-17A.2

October 9, 2008

«Name»
«Address»
«CityStZip»

Re: Rezoning Request from SR-43 to PAD
North of the NWC of Lake Pleasant Pkwy & Yearling Rd
Notice of rezoning application and neighborhood meeting

Dear «Salutation»:

The purpose of this letter is to inform you that the site located north of the northwest corner of Lake Pleasant Parkway and Yearling Road has filed a **rezoning application (Case Z06-17A.1)** to rezone approximately 4.78 acres from SR-43, a low density residential use, to PAD for medical office and business services.

The site is located between Lake Pleasant Town Center and Plaza del Lago Phase 1 to the south and Peoria Regional Medical Center to the north and west. The existing wash on the western portion of the site will be improved with landscaping and by extending the trail from the south.

This infill site will be comprised of medical office and business service uses and will balance the land use mix of the area and help create a medical core in north Peoria. It will be a campus style development with free standing buildings at a height not to exceed 30 feet and will mirror Plaza del Lago Phase 1 in architecture. There are 8 separate buildings proposed for a total of approximately 48,190 square feet of office space.

You are invited to attend a neighborhood open house to discuss the proposed rezoning. This meeting is as follows:

DATE:	October 23, 2008
TIME:	4:00 p.m.
PLACE:	Bade Companies offices 9059 W. Lake Pleasant Parkway, Suite 300 Peoria, AZ 85382.

Please be advised that meetings and hearings before the Peoria Planning Commission and City Council are planned to review this case. Specific meeting and hearing dates have not yet been set. You should receive a second mailing at a later date identifying the date and location of the hearings.

I would be happy to answer any questions or hear any concerns that you may have regarding this proposal. You may reach me at [redacted]
Sincerely,

Bade Companies

[redacted]
Development Director

Plaza del Lago
Rezoning NWC Lake Pleasant Pkwy & Yearling Rd
Bade Companies
NEIGHBORHOOD MEETINGS

OCTOBER 23, 2008 4:00PM

I SUPPORT ☐

I DO NOT SUPPORT ☐

NONE ☐

COMMENTS:

_____
_____
_____
_____
_____

NAME:

ADDRESS:

TELEPHONE:

EMAIL:

PLEASE FILL OUT CARD AND TURN IN OR EMAIL TO:

[redacted]
9059 W LAKE PLEASANT PKWY, SUITE 300
PEORIA, AZ 85382

OR EMAIL COMMENTS TO:

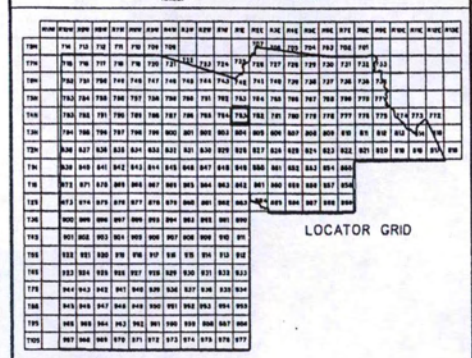
[redacted]

MARICOPA COUNTY
OFFICIAL PARCEL MAP
STATE OF ARIZONA

PT. SECTION 04 T04N R01E

MAP ID • 783 - 04 - 02 - 00

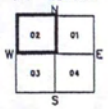
TOWNSHIP & RANGE NUMBER | SECTION NUMBER | PLACETON NUMBER | VARIACTION NUMBER



SECTION

06	05	04	03	02	01
07	08	09	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

1/4 SECTION



1/4 1/4 SECTION

ASSESSOR BOOKS & MAPS WITHIN THIS AREA

BOOK: 201	MAP: 06
BOOK: 201	MAP: 08
BOOK: 201	MAP: 17
BOOK: 201	MAP: 30
BOOK: 201	MAP: 36
BOOK: 201	MAP: 40

SUBDIVISIONS

LA STRADA DEL LAGO
MCR 803-50, 2007 SUB

PLAZA DEL LAGO CONDOMINIUM
MCR 984-21, 2009 SUB

SCALE: 1" = 200'

Maricopa County Assessor G.I.S.

03-28-2008

MARICOPA COUNTY ASSESSOR'S OFFICE
301 W. JEFFERSON ST.
PHOENIX, AZ 85003
www.maricopa.gov/assessor

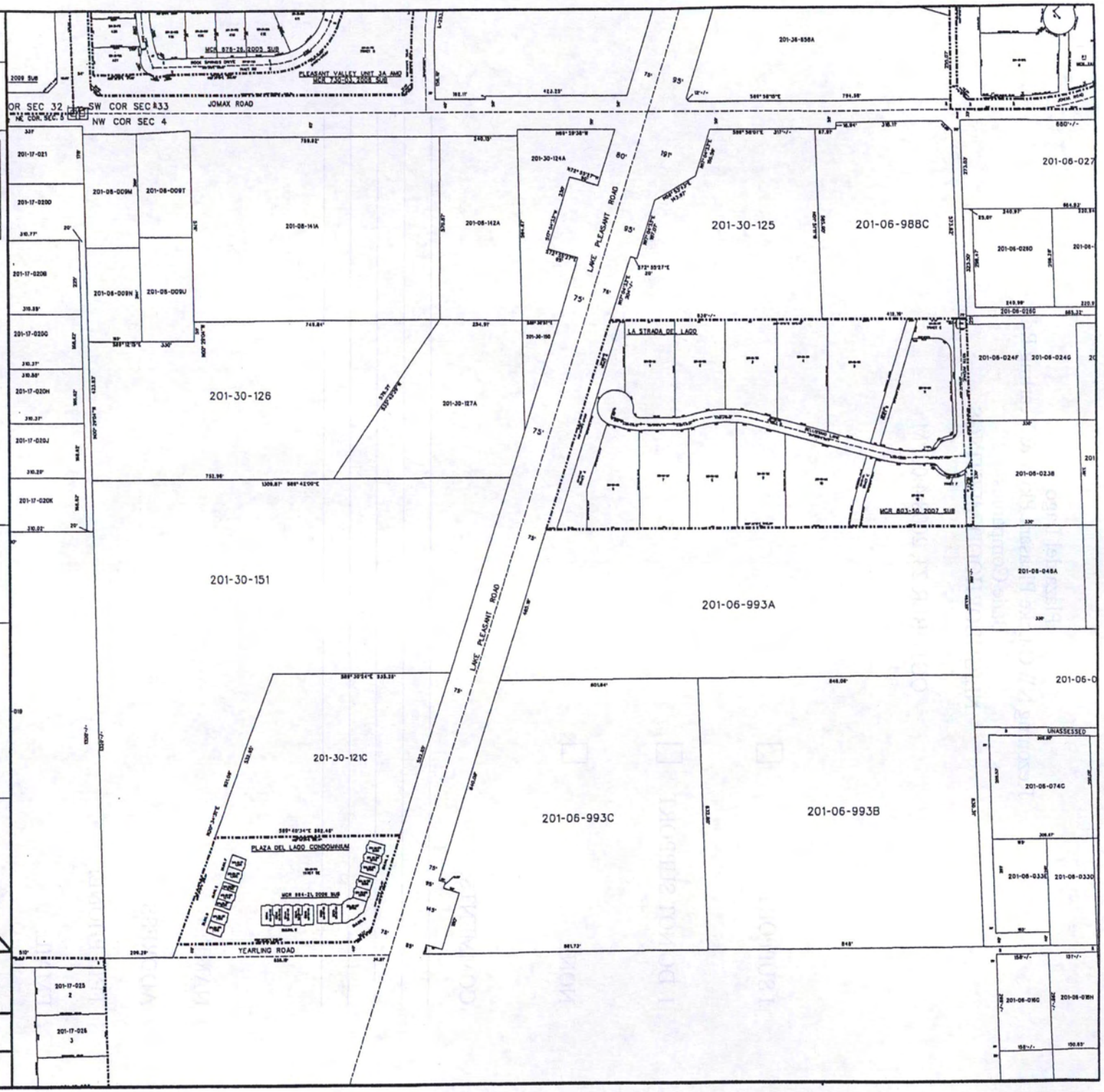
LEGEND:

- Subdivision Boundary Line
- Subdivision Boundary Corner
- Street Centerline
- Street Centerline Marker
- Section Corner Marker
- Indicates change in original/at boundary
- Parcel Boundary Line
- Parcel Split Line
- 123-45-678A Parcel Number
- Z Parcel Boundary Tie-In

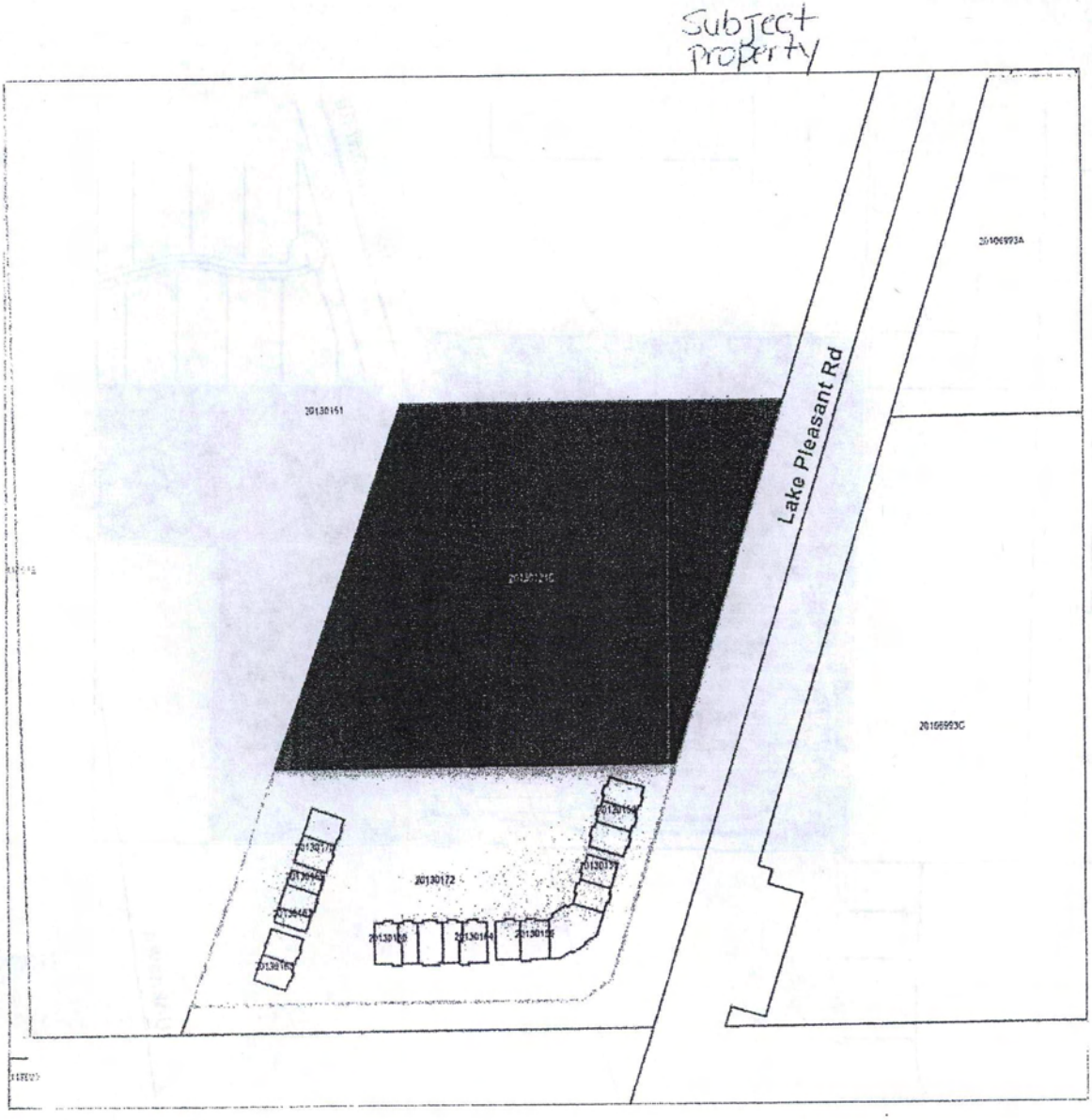
REVISION INFORMATION IS LOCATED ON A SEPARATE DOCUMENT

Disclaimer - Indemnification

Requester/Purchaser understands and agrees that Maricopa County does not guarantee the accuracy of the data and information requested and hereby expressly disclaims any responsibility for the truth, lack of truth, validity, invalidity, accuracy, inaccuracy of any said data and information. The parcel lines on maps are for illustration purposes only and are not intended to be used as a survey product.



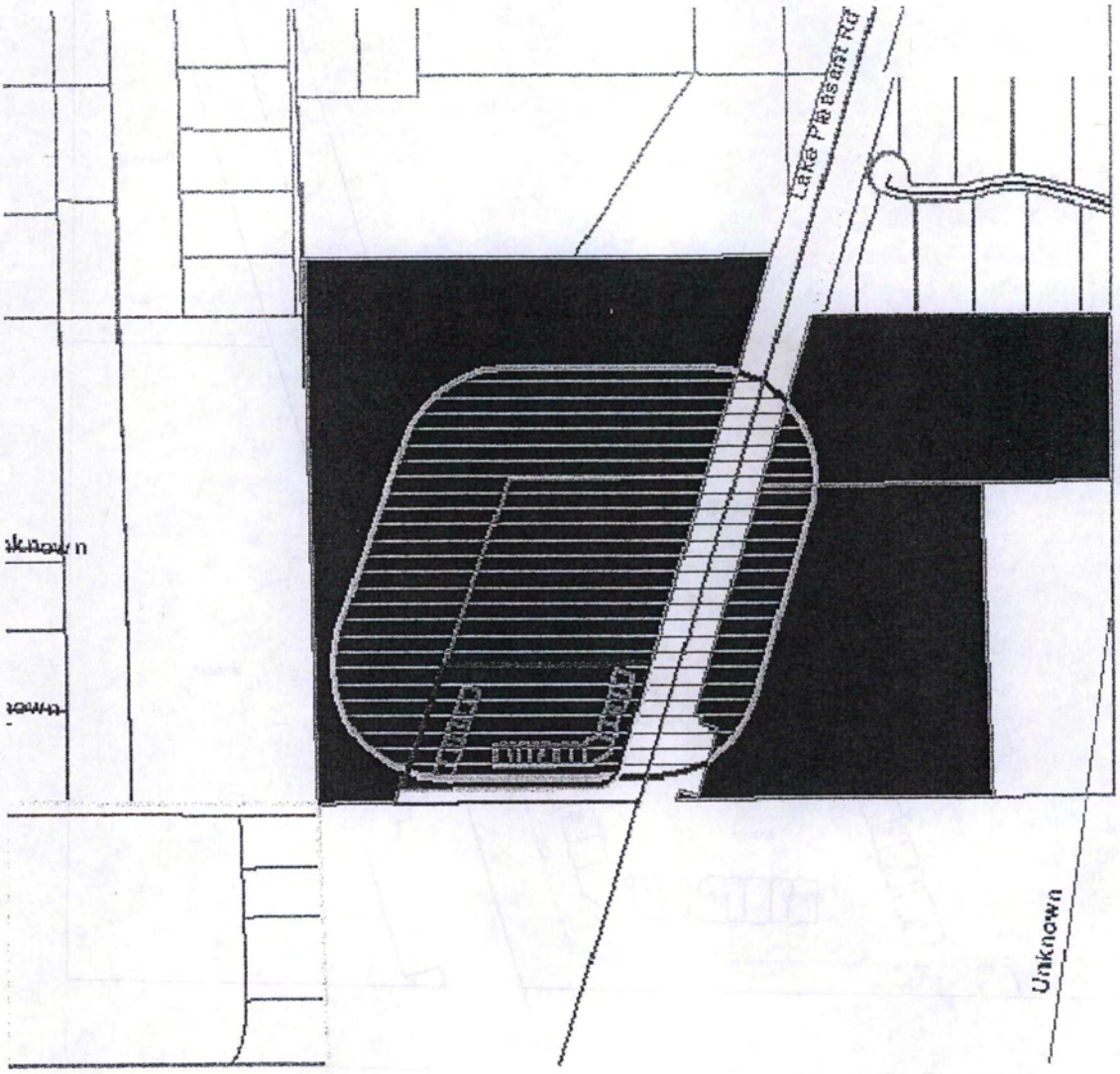
County Parcels



http://www.maricopa.gov/Assessor/GIS/Maps/assessor.mwf

Thursday, October 09, 2008 9:09 AM

300 Ft Radius



DSRS INVESTMENTS LLC
9059 W LAKE PLEASANT PKWY STE 300
PEORIA, AZ 85382 USA
Parcel: 201-30-171

DSRS INVESTMENTS LLC
9059 W LAKE PLEASANT PKWY STE 300
PEORIA, AZ 85382 USA
Parcel: 201-30-153

DSRS INVESTMENTS LLC
9059 W LAKE PLEASANT PKWY STE 300
PEORIA, AZ 85382 USA
Parcel: 201-30-159

DSRS INVESTMENTS LLC
9059 W LAKE PLEASANT PKWY STE 300
PEORIA, AZ 85382 USA
Parcel: 201-30-170

QUERENCIA INC
PO BOX 530691
HENDERSON, NV 89053 USA
Parcel: 201-06-993-A

DSRS INVESTMENTS LLC
9059 W LAKE PLEASANT PKWY STE 300
PEORIA, AZ 85382 USA
Parcel: 201-30-156

DSRS INVESTMENTS LLC
9059 W LAKE PLEASANT PKWY STE 300
PEORIA, AZ 85382 USA
Parcel: 201-30-167

DSRS INVESTMENTS LLC
9059 W LAKE PLEASANT PKWY STE 300
PEORIA, AZ 85382 USA
Parcel: 201-30-162

DSRS INVESTMENTS LLC
9059 W LAKE PLEASANT PKWY STE 300
PEORIA, AZ 85382 USA
Parcel: 201-30-154

DSRS INVESTMENTS LLC
9059 W LAKE PLEASANT PKWY STE 300
PEORIA, AZ 85382 USA
Parcel: 201-30-166

DSRS INVESTMENTS LLC
9059 W LAKE PLEASANT PKWY STE 300
PEORIA, AZ 85382 USA
Parcel: 201-30-157

DSRS INVESTMENTS LLC
9059 W LAKE PLEASANT PKWY STE 300
PEORIA, AZ 85382 USA
Parcel: 201-30-161

PHD PROPERTY LLC
5656 S POWER RD
GILBERT, AZ 85295 USA
Parcel: 201-30-151

DSRS INVESTMENTS LLC
9059 W LAKE PLEASANT PKWY STE 300
PEORIA, AZ 85382 USA
Parcel: 201-30-152

DSRS INVESTMENTS LLC
9059 W LAKE PLEASANT PKWY STE 300
PEORIA, AZ 85382 USA
Parcel: 201-30-168

DSRS INVESTMENTS LLC
9059 W LAKE PLEASANT PKWY STE 300
PEORIA, AZ 85382 USA
Parcel: 201-30-155

QUERENCIA INC
PO BOX 530691
HENDERSON, NV 89053 USA
Parcel: 201-06-993-C

DSRS INVESTMENTS LLC
9059 W LAKE PLEASANT PKWY STE 300
PEORIA, AZ 85382 USA
Parcel: 201-30-163

DSRS INVESTMENTS LLC
9059 W LAKE PLEASANT PKWY STE 300
PEORIA, AZ 85382 USA
Parcel: 201-30-172

DSRS INVESTMENTS LLC
9059 W LAKE PLEASANT PKWY STE 300
PEORIA, AZ 85382 USA
Parcel: 201-30-160

DSRS INVESTMENTS LLC
9059 W LAKE PLEASANT PKWY STE 300
PEORIA, AZ 85382 USA
Parcel: 201-30-165

DSRS INVESTMENTS LLC
9059 W LAKE PLEASANT PKWY STE 300
PEORIA, AZ 85382 USA
Parcel: 201-30-164

DISCOVERY CHURCH
7902 W UNION HILLS DR
GLENDALE, AZ 85308 USA
Parcel: 201-30-121-C

DSRS INVESTMENTS LLC
9059 W LAKE PLEASANT PKWY STE 300
PEORIA, AZ 85382 USA
Parcel: 201-30-169

DSRS INVESTMENTS LLC
9059 W LAKE PLEASANT PKWY STE 300
PEORIA, AZ 85382 USA
Parcel: 201-30-158

REPORT TO THE PLANNING AND ZONING COMMISSION-REZONING

CASE NO.: Z 07-08

DATE: November 20, 2008

AGENDA ITEM NO.: 6R

Applicant: [redacted] on behalf of Caballos del Rio, LLC

Request: Rezone approximately 45.33 gross acres from General Agricultural (AG) and Suburban Ranch (SR-43) to SR-35.

Proposed Development: Caballos del Rio. The conceptual development plan (Exhibit E1) references 36 single-family residential lots (0.79 du/ac gross).

Location: The property is generally located at the southwest corner of Happy Valley Road and the 77th Avenue alignment (Exhibit B).

Site Acreage: 45.33 gross acres

Support /Opposition: No opposition or support has been received at this time.

Recommendation: **Approve**, with stipulations.

Existing and Surrounding Land Use and Zoning (Exhibit C):

Z 07-08	LAND USE	ZONING
Subject Property	**Vacant**	**SR-43 & General Agricultural (AG)**
North	Vacant	AG
East	New River	AG
West	Developing Silver Canyon Ranch	Suburban Ranch (SR-43)
South	Vacant	AG

Background / Project Description:

1. Caballos del Rio is a 45.3 acre project comprised of six vacant parcels located at the southwest corner of Happy Valley Road and the 77th Avenue alignment. This project is situated between New River and Silver Canyon Ranch and is bisected by a 230-foot wide SRP powerline easement.

2. The property is currently zoned General Agriculture (AG) and Suburban Ranch (SR-43). The applicant is requesting Suburban Ranch (SR-35) zoning to allow for 36 single-family residential lots, with a gross density of 0.79 du/ac and lots of 35,000 square feet or more in area. The applicant's narrative (Exhibit A) outlines a summary of the request.

3. Due to the shape and location of the property, access is rather limited. Vehicular access will be from Happy Valley Road only. Pedestrian access will be from Happy Valley Road but also through the SRP easement which will contain a concrete trail that will connect to a regional trail located along the west bank of New River.

Conformance with the Peoria General Plan:

4. The Peoria General Plan designates most of this property for Residential Estate (0-2 du/ac, target of 1 du/ac) and approximately 12 acres as Open Space, which allows development of up to 1 du/ac (Exhibit D). Staff has reviewed the projects in two ways to ensure the existing Land Use Designations on the General Plan have been satisfied. First, the overall density, as stated earlier in this report, is 0.79 du/ac, which is well below 1 du/ac. This implies conformance with the General Plan. To further support this position of compliance, the Open Space area was calculated to be approximately 12 acres and an overlay was created to ensure that no more than 12 lots occur in this area (Exhibit E2). This exhibit shows 7 whole lots and portions of 5 others located within this area, therefore even if the portions were to be counted as whole lots, there are exactly 12 lots located in the 12 acres of Open Space, thereby complying with the General Plan.

Discussion / Analysis:

Planning Division

5. In large part, Happy Valley Road serves as the northern boundary between 67th Avenue and 91st Avenue for large-lot residential development. This property is located in this area and is designated Residential Estate and Open Space on the General Plan with a target density of 1 du/ac. As described above in the Conformance with the General Plan section, this proposal is consistent with both land use designations.

6. In conjunction with this SR-35 rezoning application, the applicant has also filed a preliminary plat (Case P07-07) that proposes 36 single-family residential lots on 45.3 acres. The minimum lot size for the district is 35,000 square feet, which has been represented on the proposed preliminary plat.

7. The applicant has completed the submittal requirements for the Desert Lands Conservation Ordinance (DLCO), which includes an archaeological survey, a native plan inventory and a wildlife habitat study. These materials were reviewed and approved by various State agencies such as Arizona Game & Fish Department and the State Historic Preservation Office (SHPO). With their support, staff is able to support the findings in the materials and therefore support this portion of the application. (Exhibit F)

Neighborhood Meeting

8. Section 14-39-6.E of the Peoria Zoning Ordinance requires the applicant of a rezoning request to hold at least one (1) neighborhood meeting. The applicant notified property owners within 600 feet of the subject site. Accordingly, on March 5, 2008 the applicant held a neighborhood meeting at the Sunrise Mountain High School. As indicated in Exhibit G, none of the notified property owners attended the meeting and no comment was provided.

Development Engineering

9. Engineering has provided conditions of approval. All significant site issues will be addressed with the subsequent Preliminary Plat application.

Peoria Unified School District

10. Staff has received a letter of support from the Peoria Unified School District dated July 20, 2007 (Exhibit H).

Public Notice

9. Public notice was provided in the manner prescribed under Section 14-39-6. The posting was completed within the prescribed 15-days prior to the Public Hearing. The applicant has provided a photo exhibit and signed affidavit attesting to the posting.

Proposition 207

10. 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. Accordingly, the applicant has furnished a signed and notarized Proposition 207 Waiver for recordation pending the outcome of the City Council action.

Findings / Recommendation:

11. Based on the following findings:
    - The proposed rezone conforms to and advances the Peoria General Plan and Land Use Map; and
    - The development character and density is compatible with the abutting and surrounding developments.

It is recommended the Planning and Zoning Commission take the following action:

Recommend approval to the City Council of Z 07-08, subject to the following stipulation:

1. A final drainage report shall be submitted with the improvement plans. The project shall provide retention for the 100-year, 2-hour storm event.
2. There will be a repayment for the Happy Valley Road Capital Improvement Project. This repayment shall be for one lane of roadway along the frontage of the parcel and shall be paid to the City prior to the first permit being issued for the project.
3. The Developer will be responsible to form a Maintenance Improvement District (MID) for this subdivision.
4. No structure shall be constructed within the limits of the FEMA designated flood plain or the erosion hazard setback.
5. The developer shall submit a noise mitigation study in accordance with ADOT's Noise Abatement Policy to address the anticipated truck traffic on Happy Valley Road. The developer shall design and construct the wall adjacent to Happy Valley Road in accordance with the recommendations of the noise study.
6. The Developer shall dedicate an 8' PUE outside of the existing ROW or private roadway Tract. No walls or retention shall be allowed within the PUE.
7. All improvements within the SRP easement area must be approved by SRP prior to permits being issued for the site.
8. The Water Company for this project is Sunrise Water. Prior to Final Plat approval the City must receive a certificate for a 100-year water supply from ADWR.
9. The emergency access road going, to silver canyon, shall be designed as an all weather road and capable of carrying the imposed load of the fire apparatus, (75,000 lbs)

Attachments:

Exhibit A1-A2	Application Narrative
Exhibit B	Location Map
Exhibit C	Zoning Map

Exhibit D	General Plan Map
Exhibit E1	Conceptual Development Plan
Exhibit E2	Open Space Plan
Exhiibt E3	General Plan Overlay
Exhibit F1-F4	DLCO Documentation letters
Exhibit G	Citizen Participation Meeting Minutes
Exhibit H	Peoria Unified School District letter of support

Prepared by: Adam Pruett
Senior Planner

Received
JUN 28 2007
Z07-08
By Planning

NARRATIVE

Caballos Del Rio, an approximately 45.3 acre site, is located at the southwest corner of Happy Valley Road and 75th Avenue Alignment, in Peoria, Arizona.

The applicant is requesting a rezoning from existing AG to SR-35 on approximately 16 acres of the west half of APN 201-14-003M, 201-14-003K and 201-14-003L and from SR-43 to SR-35 on approximately 30 acres consisting of APN 201-14-003E, 201-14003D and 201-14-003C.

The purpose of the rezoning request is to enable the applicant to develop property from its current vacant land to an improved subdivision consisting of approximately 38 custom home lots.

The request will be consistent with the city's land use plan for the area, which allows 0 TO 2 DU/AC. Our rezoning request and subsequent preliminary plat is planned for 38 lots, resulting in a gross density of 0.84 DU/AC; which is less that the target density of 1 DU/AC. Also, the net density is 0.86 DU/AC.

The request is compatible with the surrounding uses, as currently the land immediately to the west (Silver Canyon Subdivision) is a proposed R-43 development actually under construction. Also, a developed R- 18 subdivision at 81St Avenue is .25 miles to the west of the property. To the north is undeveloped state land with agricultural zoning, and the northeast corner is a high-density development in Terramar. Immediately to the west is the New River. To the east of New River is predominantly 1 acre lot splits with mixed in R1-18 subdivisions along the east side of the river. Lastly, the south of the property is undeveloped SR-43 and AG.

The requested zoning does not conflict with existing zoning or density; therefore, the requested zoning is compatible with surrounding zoning and development.

The subject site includes approximately 6.9 acres of SRP power line easement. Said easement is 230 feet wide across the entire site from east to west, through the middle of the property. The easement will be used as open space and retention with no buildings or development, except required landscape and open space needs.

In addition to the rezoning, the applicant will also apply for preliminary plat approval for a subdivision by the name of Caballos Del Rio.

Main access to the subdivision is proposed to be from Happy Valley Road. The developers have discussed with the city the design and timing of the proposed Happy Valley Road, and feel that by applying for rezoning and preliminary plat at this time allows the development to be at approximately the same time table as the completion of Happy Valley Road.

The developers have also discussed sewer and water with the city and the developers of Silver

Exhibit A1

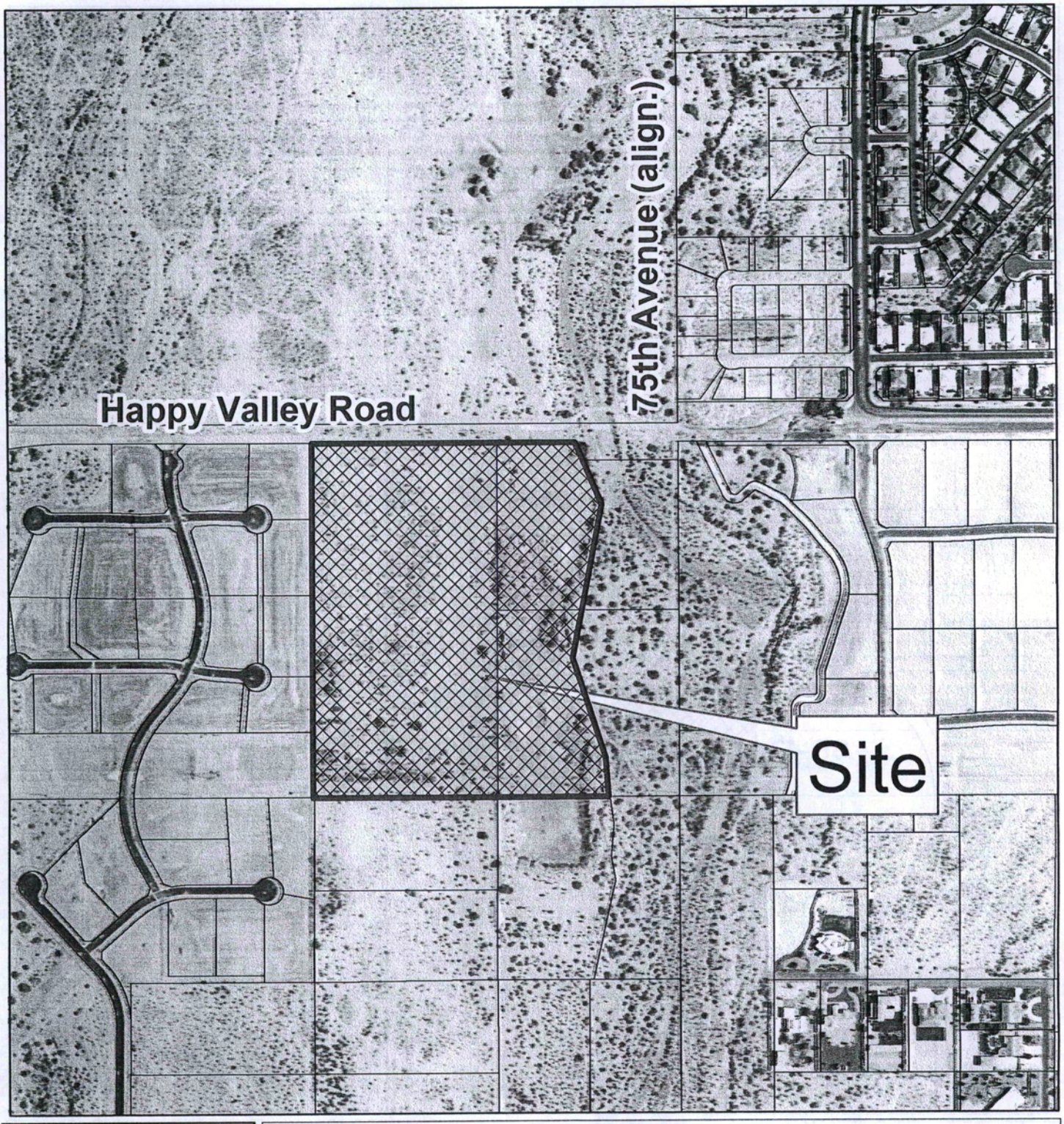
Canyon. Which is a proposed development adjoining subject to the west. The developers of Silver Canyon have given a sewer and water easement along their eastern boundary, which allows for sewer and water connections for the subject. Please see included plat for sewer and water easements and locations.

Electric and telephone are proposed to be provided from existing lines on Happy Valley Road alignment.

Finally, the site also contains several borrow pits (abandoned rock and gravel excavation sites). These sites will be filled in lifts and compacted under engineer's supervision.

Exhibit A2

LOCATION MAP



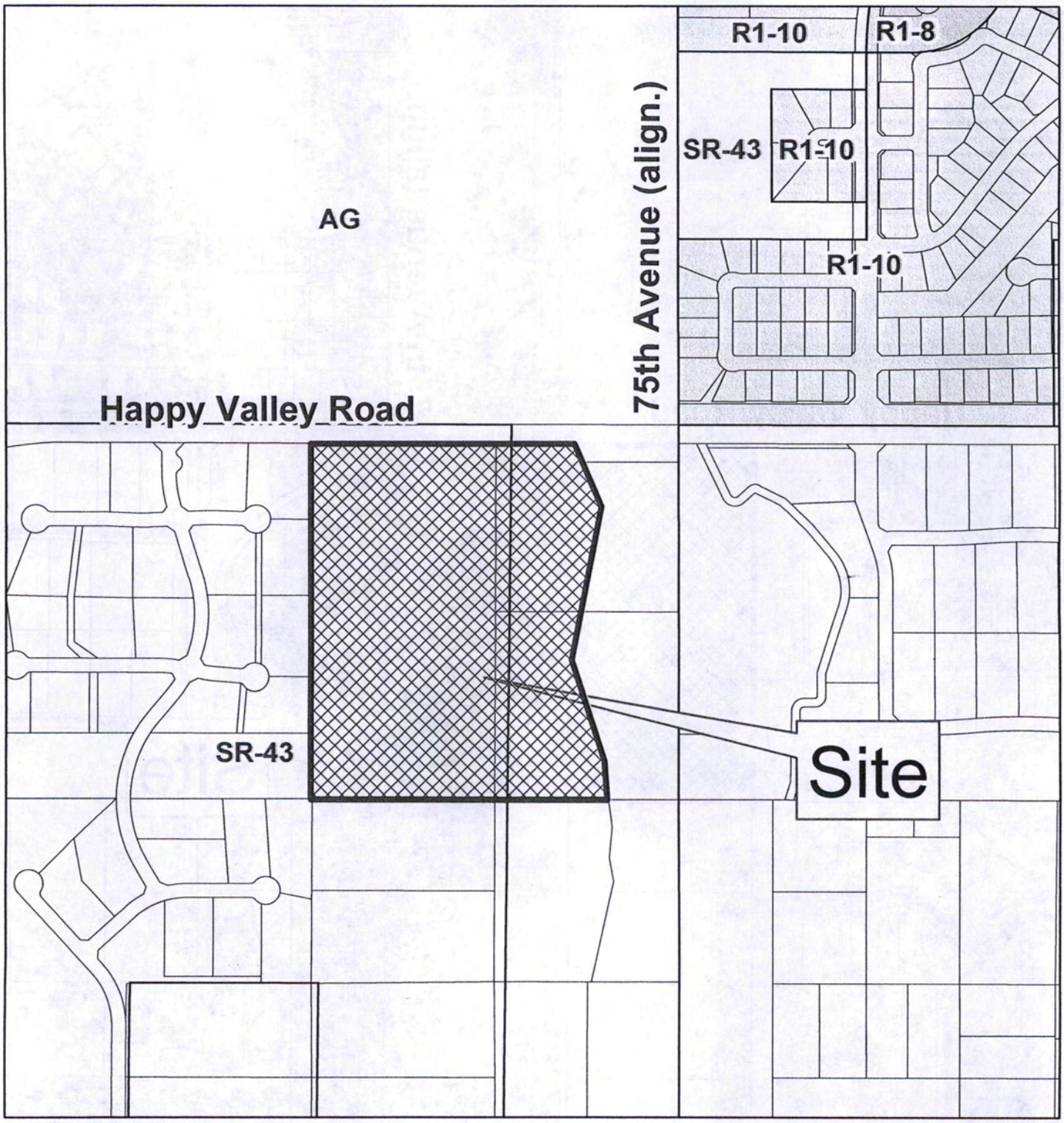
N
W CITY OF PEORIA E
S
Not toScale

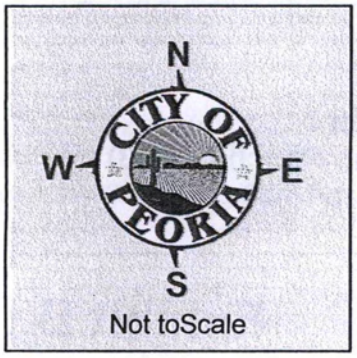
Z07-08 Caballos Del Rio

Request: Rezone approximately 45.33 acres from General Agriculture (AG) and Suburban Ranch (SR-43) to Suburban Ranch (SR-35) to permit up to 36 single-family residential lots.

Exhibit B

ZONING MAP



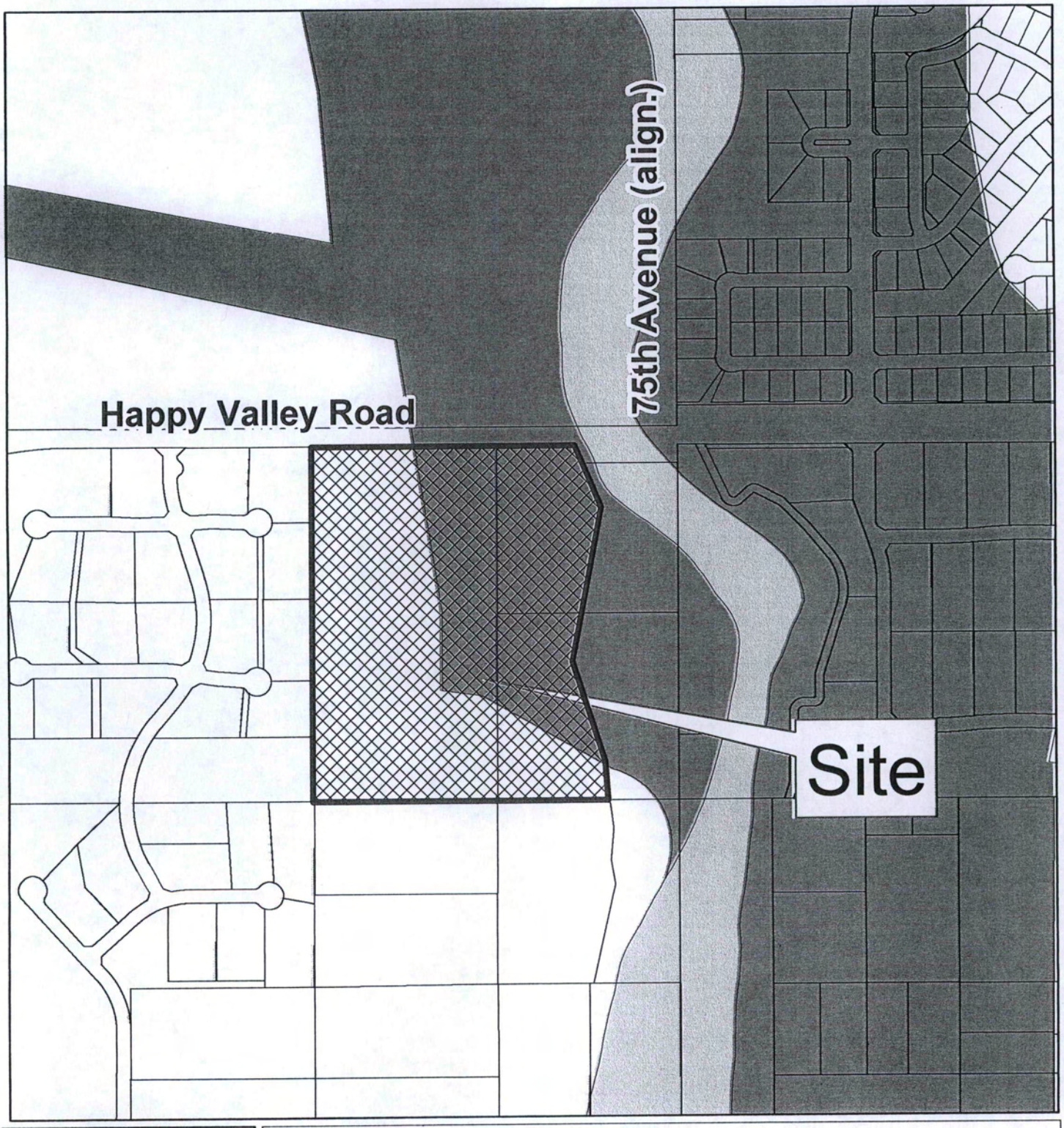


Z07-08 Caballos Del Rio

Request: Rezone approximately 45.33 acres from General Agriculture (AG) and Suburban Ranch (SR-43) to Suburban Ranch (SR-35) to permit up to 36 single-family residential lots.

Exhibit C

GENERAL PLAN LAND USE MAP



N
W
E
S
Not toScale

Z07-08 Caballos Del Rio

Request: Rezone approximately 45.33 acres from General Agriculture (AG) and Suburban Ranch (SR-43) to Suburban Ranch (SR-35) to permit up to 36 single-family residential lots.

Exhibit D

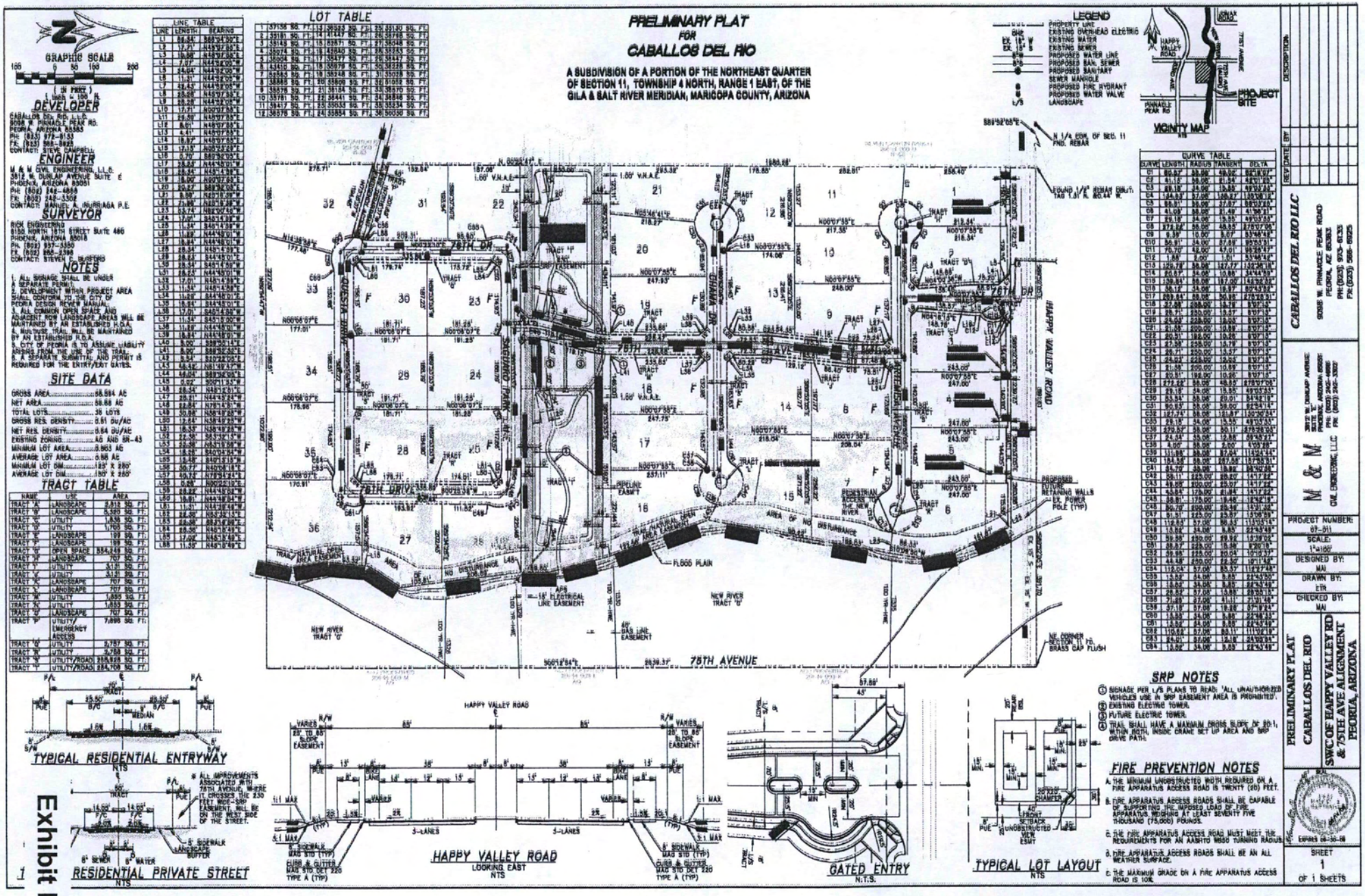


Exhibit E1

Conceptual Development Plan

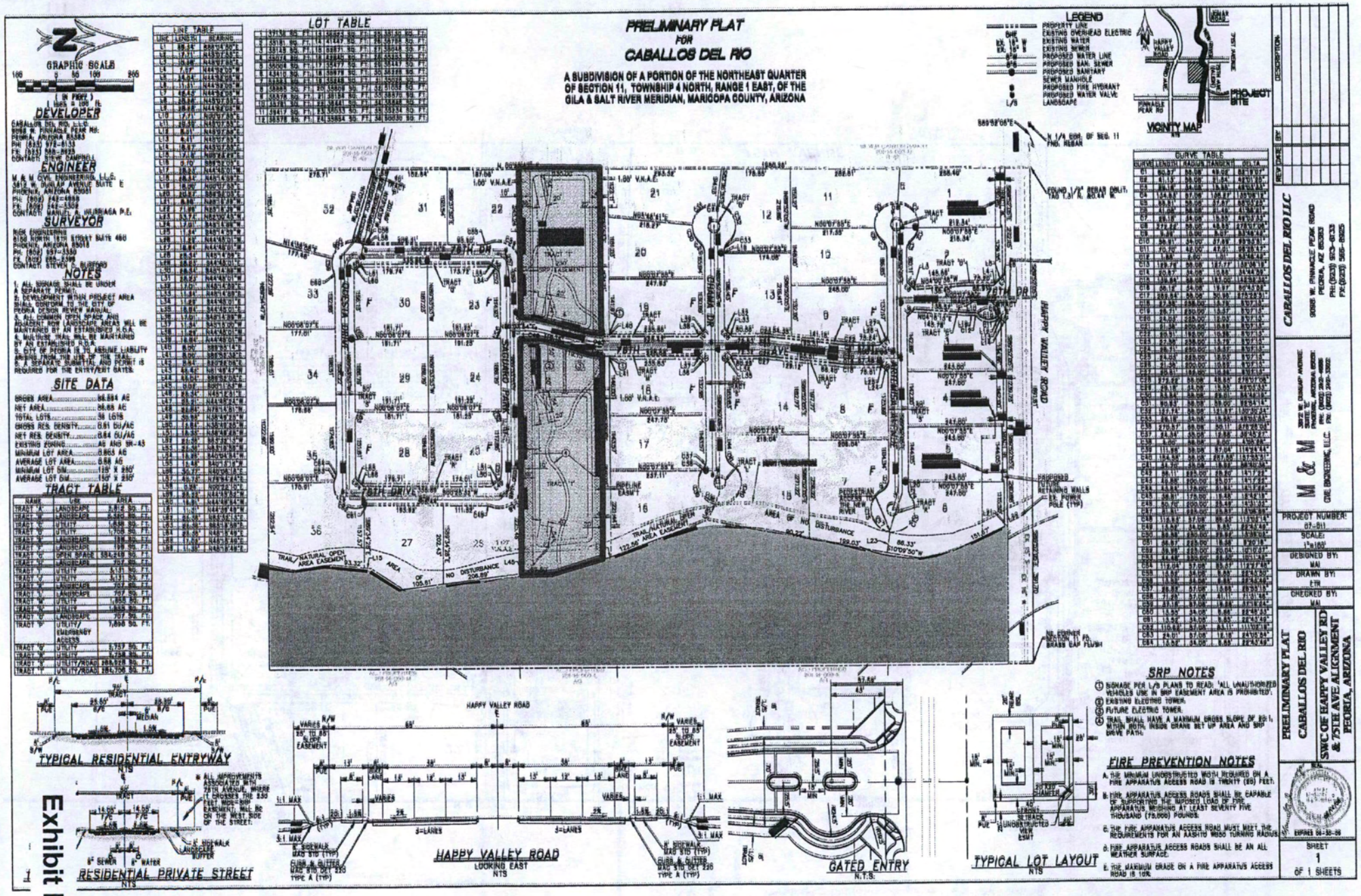


Exhibit E2

Conceptual Open Space Plan

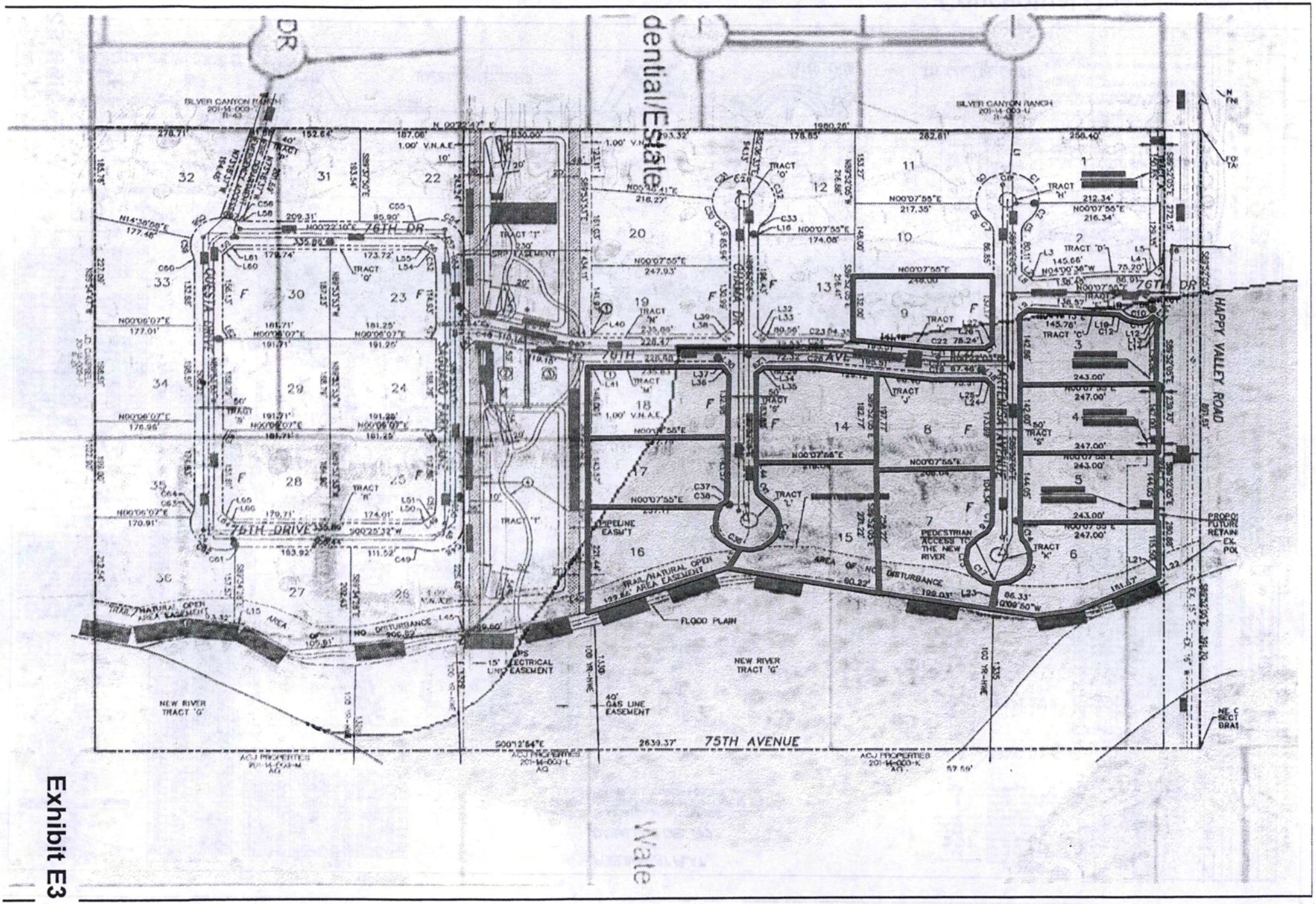


Exhibit E3

Land Use Analysis – General Plan Overlay

No historic properties affected

Arizona ®
State Parks

December 17, 2007

[redacted]
M&M Civil Engineering, L.L.C.
3612 West Dunlap Avenue, Suite E
Phoenix, AZ 85051

RE: Caballos Del Rio Project SWC of Happy Valley Road and 75th Avenue, Peoria
SHPO-2007-0890 (34779)

Dear [redacted]

Thank you for your recent letter that provides additional information about the above referenced project.

Based on my review of our records and a discussion with Dr. David Jacobs of our office, it is my opinion that it is unlikely that significant archaeological resources would be impacted by the proposed development. However, if archaeological resources, including but not limited to, human remains and associated funerary and ceremonial objects are discovered during construction, the Director of the Arizona State Museum should be notified immediately (520/621-4795).

We appreciate your concern for Arizona's archaeological resources..

Sincerely,

[redacted]

Compliance Specialist/Archaeologist
State Historic Preservation Office

Janet Napolitano
Governor

State Parks Board Members

Chair
William C. Cordasco
Flagstaff

Arlan Colton
Tucson

William C. Scalzo
Phoenix

Reese Woodling
Tucson

Tracey Westerhausen
Phoenix

William C. Porter
Kingman

Mark Winkleman
State Land Commissioner

Kenneth E. Travous
Executive Director

Arizona State Parks
1300 W. Washington
Phoenix, AZ 85007

Tel & TTY: 602.542.4174
www.azstateparks.com

800.285.3703 from
(520 & 928) area codes

General Fax:
602.542.4180

Director's Office Fax:
602.542.4188

Exhibit F1

THE STATE OF ARIZONA
GAME AND FISH DEPARTMENT
2221 WEST GREENWAY ROAD
PHOENIX, AZ 85023-4399
(602) 942-3000 • AZGFD.GOV

GOVERNOR
JANET NAPOLITANO
COMMISSIONERS
CHAIRMAN, MICHAEL M. GOLIGHTLY, FLAGSTAFF
WILLIAM H. MCLEAN, GOLD CANYON
BOB HERNBRODE, TUCSON
JENNIFER L. MARTIN, PHOENIX
ROBERT R. WOODHOUSE, ROLL
DIRECTOR
DUANE L. SHROUFE
DEPUTY DIRECTOR
STEVE K. FERRELL

May 24, 2007

[redacted]
M&M Civil Engineering LLC.
3612 West Dunlap Avenue, Suite E
Phoenix, Arizona 85051

Re: Caballos Del Rio Project

Dear [redacted]

The Arizona Game and Fish Department (Department) has reviewed your request dated May 24, 2007, regarding the proposed development project in Township 4.0N, Range 1.0E, Section 11, in Maricopa County, Arizona. The Department provides the following comments for your consideration.

A list of special status species within the project area is provided as an attachment. This information provided is now generated utilizing an interactive Environmental Review on-line tool (Tool). The Tool is an interactive web-based application that provides our customer's the opportunity to submit land and water projects on-line by following a few simple steps (refer to the Tool application homepage for instructions and help pages) http://www.azgfd.gov/hgis/.

The project "receipt" (attached) provides special status species information, along with critical habitat designations, tribal entities on or in proximity to your project boundaries, appropriate state, tribal, and/or federal contacts, special handling guidelines for desert tortoise and/or burrowing owls, and preliminary project type recommendations. Please note this species information can now be provided to almost instantaneously and is designed to replace the need for requests via writing by fax, mail, or email for most projects. However, there are circumstances where it would be necessary to submit the project through the normal mailing process (please refer to the Tool application for further instructions).

The Department has undertaken a joint effort with the Arizona Department of Transportation (ADOT), the Federal Highway Administration (FHWA) and the U.S. Forest Service (USFS), along with representatives from other agencies and non-profit groups to identify wildlife linkages across the state that need to be maintained to ensure wildlife permeability. The Department is interested in maintaining wildlife connectivity in this region and in the broader context of future development and in relation to the roadway itself. In addition, this area has been identified as a fracture zone. Please contact Ray Schweinsburg, Research, Arizona Game and Fish Department at (602) 789-3251, for further information pertaining to current research, and the Department's interest in maintaining wildlife connectivity and permeability and specific design recommendations (culverts, etc.).

Exhibit F2

[redacted]

May 24, 2007
2

The Department appreciates the opportunity to provide comments early in the planning and design stages of the proposed roadway construction project. We would like to continue this coordinated effort and offer additional site-specific guidance that will help conserve wildlife and their habitats, including sensitive, threatened, non-game and game species. If you have any questions regarding this letter, please contact me at 602-789-3486.

Sincerely,

[redacted]

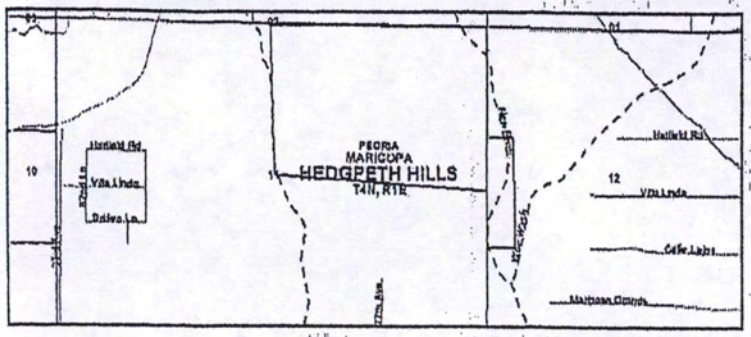
Project Evaluation Specialist

AGFD# 20070524002916

Exhibit F3

Arizona's On-line Environmental Review Tool
Search ID: 20070524002916
Project Name: Caballos del rio project
Date: 5/24/2007 4:30:56 PM

Project Location



The Department appreciates the opportunity to provide in-depth comments and project review when additional information or environmental documentation becomes available.

Special Status Species Occurrences/Critical Habitat/Tribal Lands within 3 miles of Project Vicinity:

Name	Common Name	ESA	USFS	BLM	State
Bat Colony					
Macrotus californicus	California Leaf-nosed Bat	SC			WSC
Myotis velifer	Cave Myotis	SC		S	

Project Name: Caballos del rio project
Submitted By: PEP Project Evaluation Program
On behalf of: AZGFD
Project Search ID: 20070524002916
Date: 5/24/2007 4:30:49 PM
Project Category: Development Within Municipalities,Residential subdivision and associated infrastructure,New construction
Project Coordinates (UTM Zone 12-NAD 83): 386506.859, 3730478.866 meter
Project Area: 114.367 acres
Project Perimeter: 2769.658 meter
County: MARICOPA
USGS 7.5 Minute Quadrangle ID: 1206
Quadrangle Name: HEDGPETH HILLS
Project locality is currently being scoped

Location Accuracy Disclaimer

Project locations are assumed to be both precise and accurate for the purposes of environmental review. The creator/owner of the Project Review Receipt is solely responsible for the project location and thus the correctness of the Project Review Receipt content.

Exhibit F4

 APPLICATION INITIALS: _____

CABALLOS DEL RIO

CITIZEN PARTIPATION PLAN

A notice (please see attached letter) was sent to all neighbors, within a radius of 600 feet from Caballos Del Rio property; enough time time was given to prepare for a public meeting. However, nobody showed up. So, no opposition to the rezoning was encountered.

JUN 2008

Exhibit G1 07-08
2

M&M CIVIL ENGINEERING, LLC
3612 W. Dunlap Avenue, Suite E
Phoenix, Arizona 85051
Ph: (602) 242-4666

February 13, 2008

Re: Rezoning Request #Z-07-08
Caballos Del Rio – Southwest Corner
75th Ave. & Happy Valley Rd.

Dear Property Owner,

On behalf of Caballos Del Rio LLC, you are invited to a public meeting to discuss a rezoning request for approximately 46 acres of property located just west of the 75th Avenue road alignment and on the south side of Happy Valley Rd.

The request would allow a zoning change that is now both agriculture zoning and SR-43 zoning to SR-35 zoning. SR-35 zoning allows lots to be a minimum of 35,000 square feet or .8035 acres.

I have included with this letter a preliminary plat. This plat shows the preliminary design and layout of the proposed subdivision "Caballos Del Rio." We are proposing to develop the approximately 46 acres into 36 custom home lots with approximately an additional 18 acres of open space with trails. The lot sizes will range in size from .0813 acres to 1.2076 acres, with an average lot size of 0.880 acres.

We would like to discuss any of your questions or concerns regarding the proposed development.

This public meeting will be held at:
Sunrise Mountain High School
21200 N. 83rd Ave.
Peoria, AZ. 85383
Phone: 623-487-5125

Date: Wednesday, March 5, 2008 between 6-7 pm in Conference Room #2.

If you cannot attend the meeting but would like more information, you may call me at: 602-242-4666. Or, email me at: [redacted]

Thank-you,

[redacted]

M&M Civil Engineering, LLC

Exhibit G2

PEORIA
UNIFIED SCHOOL DISTRICT NO. 11

Chris Jacques, Principal Planner
City of Peoria
Planning and Zoning
8401 West Monroe Street
Peoria, AZ 85345

July 20, 2007

Re: Caballos Del Rio, LLC SWC 77th Ave & Happy Valley Road, Z07-08

Dear Mr. Jacques,

This letter is to communicate the Peoria Unified School District's support of the zoning application associated with the proposed project at 77th Ave & Happy Valley Road.

Staff at the district has been involved in communications with Steve Campbell of Caballos Del Rio, LLC, who has indicated intent to enter into a Developer Assistance Agreement with Peoria Unified School District. Details of the agreement have been worked out at the time of this writing; we are awaiting the signed copies of the agreement with the intent to be completed prior to the project going before the Planning and Zoning Committee. The district has every expectation that this timeline will be met.

We would like to commend Mr. Campbell on his support to Peoria Unified School District and public education.

Please let me know if you require any additional information or if you have any questions.

Sincerely,

[redacted]

Office of Research, Planning and Assessment

Received
JUL 2 2007
By Planning

6330 W. Thunderbird Road • Glendale, Arizona 85306
P.O. Box 39 • Peoria, Arizona 85380-0039
623.486.6000 • www.peoriaud.k12.az.us

Exhibit H

REPORT TO THE PLANNING AND ZONING COMMISSION-REZONING

CASE NO.: Z 08-01

DATE: November 20, 2008

AGENDA ITEM NO.: 7R

Applicant: [redacted] on behalf of [redacted]

Request: Rezone approximately 1.98 gross acres from Suburban Ranch (SR-43) to R1-12.

Proposed Development: Agave Courts. The conceptual development plan (Exhibit E) proposes 4 single-family residential lots (2.02 du/ac gross).

Location: The property is generally located east of the southeast corner of Jomax Road and the 75th Avenue alignment (Exhibit B).

Site Acreage: 1.98 gross acres

Support /Opposition: No opposition or support has been received at this time.

Recommendation: **Approve**, with stipulations.

Existing and Surrounding Land Use and Zoning: (Exhibit C)

Z 08-01	LAND USE	ZONING
Subject Property	**Vacant**	**SR-43**
North	Vacant	AG
East	Single Family Residential	R1-8
West	Vacant / Single-Family Residential	SR-43 / R1-8
South	Single Family Residential	R1-8

Background / Project Description:

1. Agave Courts is a proposed four-lot subdivision on approximately two acres situated between Terramar's northern boundary and Jomax Road. Access to the

subdivision will be limited to a single access easement from Jomax Road.

2. The applicant is proposing R1-12 residential zoning, though each of the four lots will be in excess of 17,000 square feet in size. A concept plan has been provided as Exhibit E of this report.

Discussion / Analysis:

Conformance with the Peoria General Plan

3. The General Plan designates this property as Residential Low Density (2-5 du/ac, target of 3 du/ac). As proposed, this project will yield four lots on 1.98 acres, resulting in a density of 2.02 du/ac, thereby complying with the General Plan.

4. It is noted that a very small portion of the access way to the property crosses an area designated Open Space on the General Plan (Exhibit D). Although Open Space areas may be developed at 1 du/ac, no units are being proposed in this area, therefore staff has no issue with this encroachment.

Review of Rezone

5. The application was routed to various agencies within City for review and comment. After two reviews, staff deemed the project ready for hearing and drafted several conditions of approval to be considered as part of staff's recommendation to the Planning and Zoning Commission. These conditions are provided as part of this report.

6. Staff has reviewed this application for conformance with the General Plan and with the R1-12 Zoning District. Although no formal preliminary plat submittal will be required due to this project's size, the development plan was provided and evaluated to ensure proper lot sizes and dimensions will be provided. As mentioned earlier in this report, all four lots will exceed 17,000 square feet in size which is in excess of the minimum 12,000 square feet required by the R1-12 Zoning District.

7. The applicant has completed the submittal requirements for the Desert Lands Conservation Ordinance (DLCO), which for small projects such as this is limited to a cultural resources survey and a native plant inventory / salvage plan. All items have been provided and approved.

Neighborhood Meeting

8. A Neighborhood Meeting was hosted for surrounding property owners within 300 feet of the subject property on May 5, 2008 at the West Wing Community Center. Three couples from Terramar attended the meeting. Based on information from the applicant, the meeting was very positive. Neighbors seemed content with the development, but wanted clarification on the proposed

shared sewer as well as wanting confirmation that future construction activities would not occur at unreasonably early hours. A summary of the meeting has been provided (Exhibit F1).

Development Engineering

9. After several attempts, the applicant was unsuccessful in being heard by the Terramar HOA to discuss connecting to the existing sewer in 74th Lane, therefore, the City has agreed to allow these four lots to use septic systems.

10. Engineering has provided conditions of approval. All significant site issues will be addressed with the forthcoming Final Plat application.

Peoria Unified School District

11. Peoria Unified School District had no comments on this proposal and has not sought a developer's assistance agreement with the applicant.

Public Notice

9. Public notice was provided in the manner prescribed under Section 14-39-6. The posting was completed within the prescribed 15-days prior to the Public Hearing. The applicant has provided a photo exhibit and signed affidavit attesting to the posting.

Proposition 207

10. 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. Accordingly, the applicant has furnished a signed and notarized Proposition 207 Waiver for recordation pending the outcome of the City Council action.

Findings / Recommendation:

12. Based on the following findings:
    - The proposed rezone conforms to and advances the Peoria General Plan and Land Use Map; and
    - The development character and density is compatible with the abutting and surrounding developments.

It is recommended the Planning and Zoning Commission take the following action:

Recommend approval to the City Council of Z 08-01, subject to the following stipulation:

1. A Final Drainage Report must be submitted with the improvement plans.

Easements for Drainage are to be dedicated over all retention basins. The routing of the off-site flows shall be detailed in the report. If the retention basins cannot overflow to a public road or a drainage easement, then they must be constructed to retain 125 percent of the 100-year 2-hour storm event.

2. The Developer is responsible to submit water and sewer analysis, for the entire site, and necessary documentation required for issuance of the Agreement to Serve letter to Maricopa County.
3. Streetlights are required to be installed by the Developer. The streetlight plan must be submitted with the second submittal of the improvement plans. The streetlights shall also be indicated on the paving or grading plan.
4. The Developer is responsible to provide an Agreement to Install Improvement for the public improvements required by the development with an accompanying financial assurance for subdivision improvements in accordance with City's requirements.
5. Pavement sections shall be verified by the project soils report.
6. The Development shall comply with the phase 2 AZPDES Storm Water Pollution Prevention criteria. This should include runoff control, erosion control, and sediment control. A Storm Water Pollution Prevention Plan (SWPPP) shall be submitted with the improvement plans in accordance with the SWPPP checklist.
7. The Developer shall dedicate 30-foot tracts for private roadways.
8. The Developer shall dedicate an 8' PUE outside of the required private roadway Tract. No walls or retention shall be allowed within the PUE.
9. The Developer shall design and construct the private roadway from Jomax to the end of the cul-de-sac. The private roadway from Jomax to this project shall be paved with 2-inches of asphalt on native ground. The private tract within the project boundary shall be paved to meet the City minimum standard for local roadways.
10. The Developer shall design and construct the off-site water lines to service this project.
11. Prior to Final Plat recordation, the applicant shall obtain approval of final grading, drainage, utilities, and paving plans in conjunction with a Final Drainage Report. These final plans and report shall be in conformance with the approved preliminary plans and report. The Final Plat shall be submitted with the first submittal of the improvement plans. The Final Plat shall be approved prior to permits being issued for the site.
12. All subdivisions shall submit a local street signing plan with the first submittal of the improvement plans.

Attachments:

Exhibit A	Narrative Statement
Exhibit B	Location Map
Exhibit C	Zoning Map
Exhibit D	General Plan Map
Exhibit E	Conceptual Development Plan

Exhibit F1-F2 Citizen Participation Summary and Attendance Sheet

Prepared by: Adam Pruett
Senior Planner

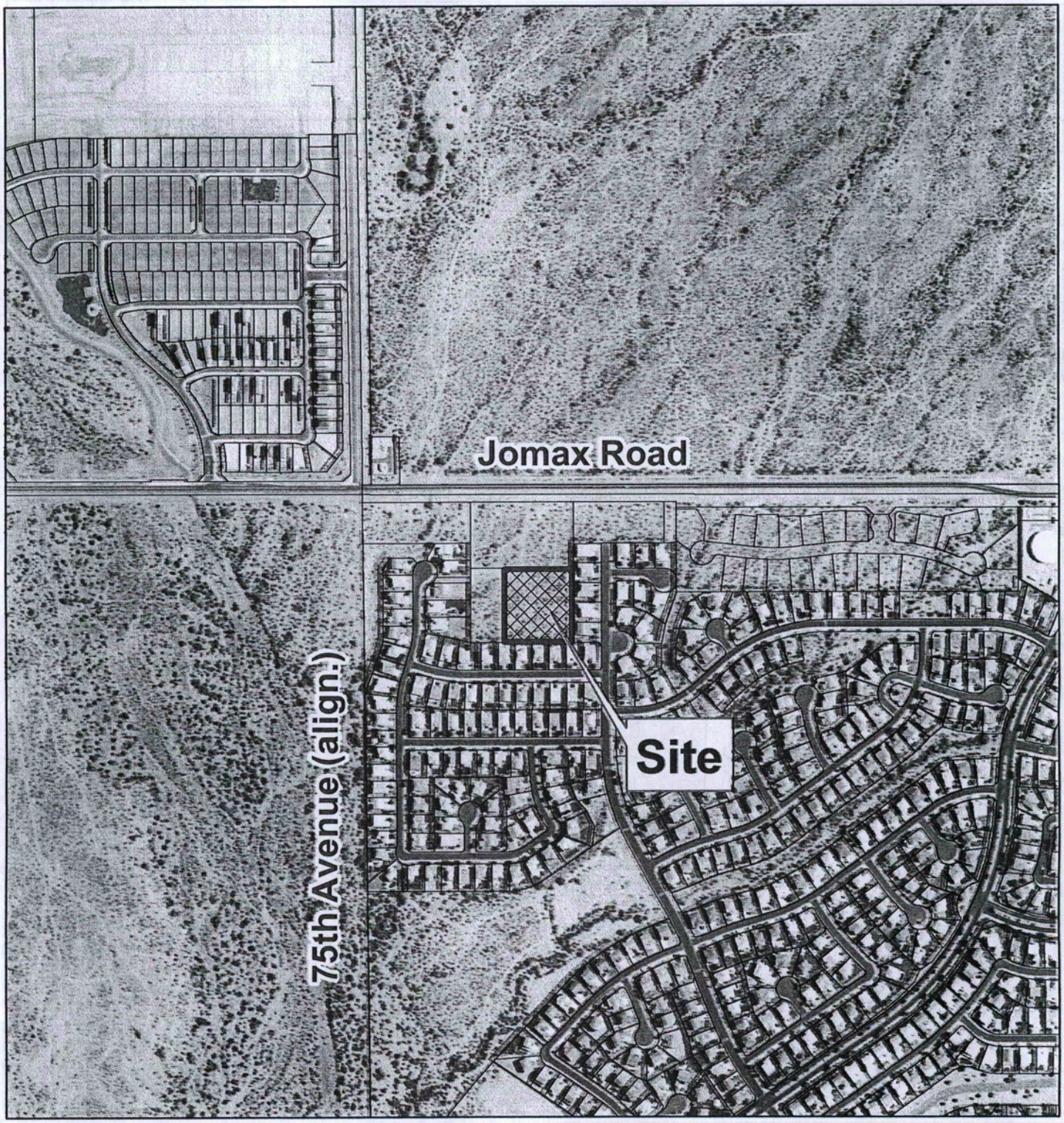
Narrative Statement/ Project Justification **Rezoning Request on Parcel: 201-09-987**

AGAVE COURTS (contact:[redacted]

1. **What type of development and uses are proposed by the rezoning request?**
   This rezoning request proposes changing the existing zoning from SR-43 to R1-12. This parcel of land will contain 4 housing lots with an average square footage of 17,950 each for a single family dwelling. Additionally 2,961 square feet will be set aside for open space landscaping. The goal of this project is to provide a sustainable and safe community for four growing families. The families of the community would like to see alternative building materials go into building the site. for example using porous pavement instead of asphalt for the entry drive, sloping the site to collect rainwater, planting only species that are approved on the ADWR, using gabion retaining walls at the front entry for aesthetics purposes and even considering using solar power on the future built residences.
2. **State how your proposal is consistent with the Land Use Plan and other goals, policies, and objectives of the Peoria General Plan.**
   This rezoning proposal is consistent with the Peoria general plan in many ways. This request as previously mentioned would like to change the zoning from the current SR-43 to R1-12, this is in conformance to the city's General Plan and meets target density for the area. All lot sizes and setbacks have been designed to meet or exceed the current zoning rules as categorized in article 14-5 single family residential districts. Peoria water and sewer, as well as APS, Qwest, & cox cable shall be brought to the site and will be developed in accordance with code and approval from the city of Peoria This project will create no adverse effects on the site or the surrounding community
3. **Discuss your proposal's compatibility with the surrounding land use and zoning patterns. Include a list of surrounding zoning designations, land uses and conditions**
   To the North of the site exists an undisturbed 2.5 acre parcel zoned SR-43, to the East and South of the site sits Terramar Subdivision which is zoned R1-8, and to the west is an undisturbed 1 acre SR-43 parcel. All parcels either directly adjacent or nearby are all zoned for residential uses.
4. **Indicate why the current zoning is not appropriate given the surrounding land use, zoning, and factors which have changed since the current zoning was established.**
   The current zoning is not appropriate for several reasons, Our site sits within Terramar Subdivision which is zoned R1-8, and directly NW of the Site, Rock Springs Subdivision which is also zoned R1-8, Before these subdivisions were built the zoning designation of SR-43 made sense for the area, when this area was nothing but native desert, However the land has been developed heavily in recent years, and proposing a zoning to change to R1-12 is less of an impact on the land than a R1-8 designation.
5. **Describe any proposed unique design considerations, beyond zoning ordinance requirements, which create compatibility between the proposed used and adjoining developments.**
   Other than providing a sustainable and safe community for four growing families, the families of the community would like to see alternative building materials go into building the site. For example using porous pavement instead of asphalt for the private entry drive, sloping the site to collect rainwater, planting only species that are approved on the ADWR, using gabion retaining walls at the front entry for aesthetics purposes and even considering using solar power on the future built residences. As well keeping site impact to a minimum in keeping with the standards of the desert conservation report.
6. **Provide general site information and describe unusual physical features or characteristics of the site which present opportunities or constraints for development.**
   Our site is located North of Pinnacle peak road which requires us to develop a desert conservation report. This parcel of land does not have any salvageable plant material other than a 12' saguaro near the southern property line. There is also a minor wash that runs from the NE to the SW but this wash only carries minimal amounts of water due to the improvements on Jomax Road (see drainage report). Another constraint is the lack of utilities currently to the site, and the need for access easements since this parcel of land is landlocked.
7. **Other than the requested rezoning approval, what other approval processes are required to accomplish the development proposal, i.e. variances, site plans, subdivision plats, conditional use permits, comprehensive master plan amendments, State or County licensing or permits, etc.**
   From what we understand reading the applicable city of Peoria guidelines, after approval of the rezoning request, we then next apply for a minor land division, then as each homeowner is ready to build apply for a building permit.

Exhibit A

LOCATION MAP



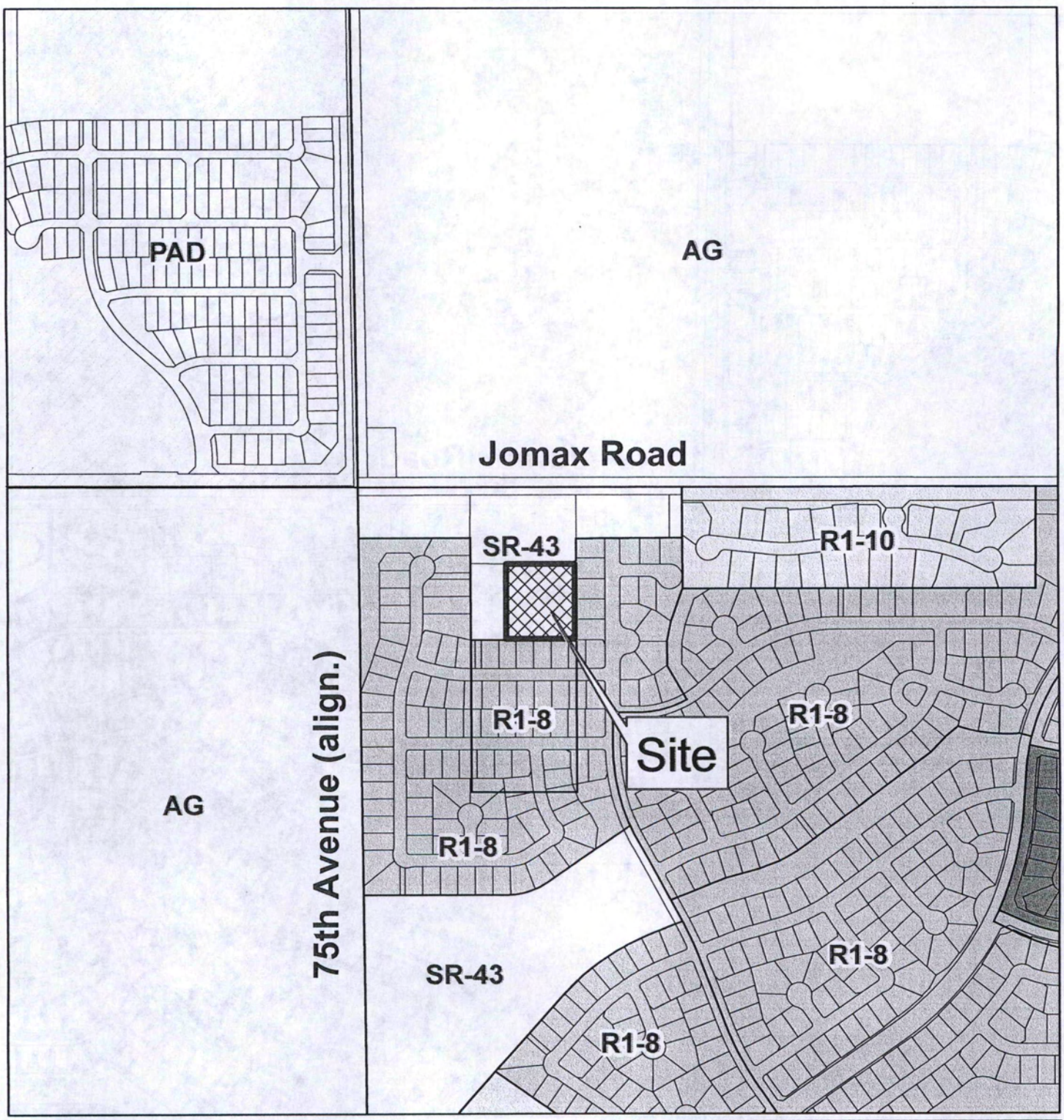
N
W CITY OF PEORIA E
S
Not toScale

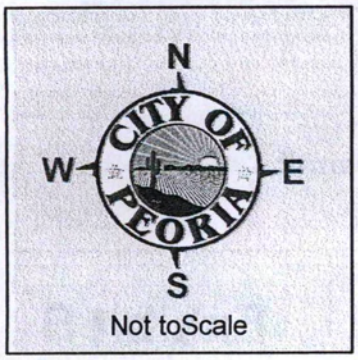
Z08-01 Agave Courts

Request: Rezone approximately 1.98 acres from Suburban Ranch (SR-43) to R1-12 to permit 4 single-family residential lots.

Exhibit B

ZONING MAP



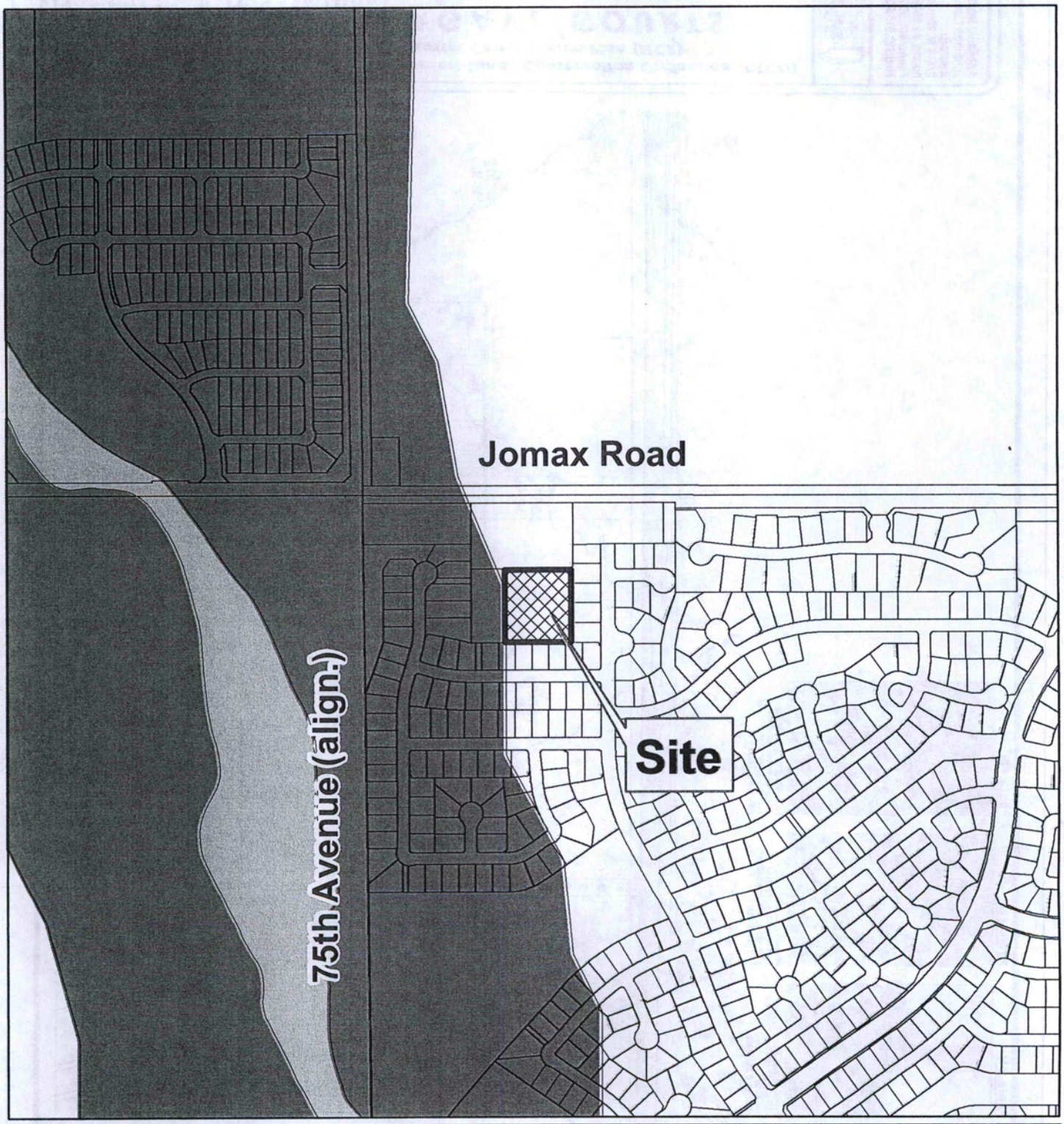


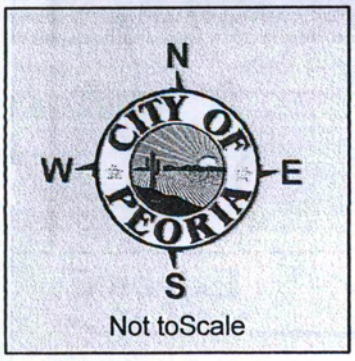
Z08-01 Agave Courts

Request: Rezone approximately 1.98 acres from Suburban Ranch (SR-43) to R1-12 to permit 4 single-family residential lots.

Exhibit C

GENERAL PLAN LAND USE MAP





Z08-01 Agave Courts

Request: Rezone approximately 1.98 acres from Suburban Ranch (SR-43) to R1-12 to permit 4 single-family residential lots.

Exhibit D

Site Data:
Agave Courts near
75th ave. and Jomax Road
APN #201-09-987
1.98 acres
Currently zoned SR-43
rezone to R1-12

Naturalized (revegetated area):

Area #1 north of entry drive:	1,700 sq. ft.
Area #2 south of entry drive:	946 sq. ft.
Area #3 Cul-De-Sac Island:	1,154 sq.ft.
total :	3,800 sq. ft.

Photo #1:

Carnegiea gigantea Saguaro
±14' tall w/ 18" inch caliper &
five arms
Salvage & Relocate

Photo #2:

Ferocactus cylindraceus
Compass Barrel Cactus
±32" tall w/ 12" inch caliper
Salvage & Relocate

Photo #3:

Ferocactus cylindraceus
Compass Barrel Cactus
±18" tall w/ 18" inch caliper
Salvage & Relocate

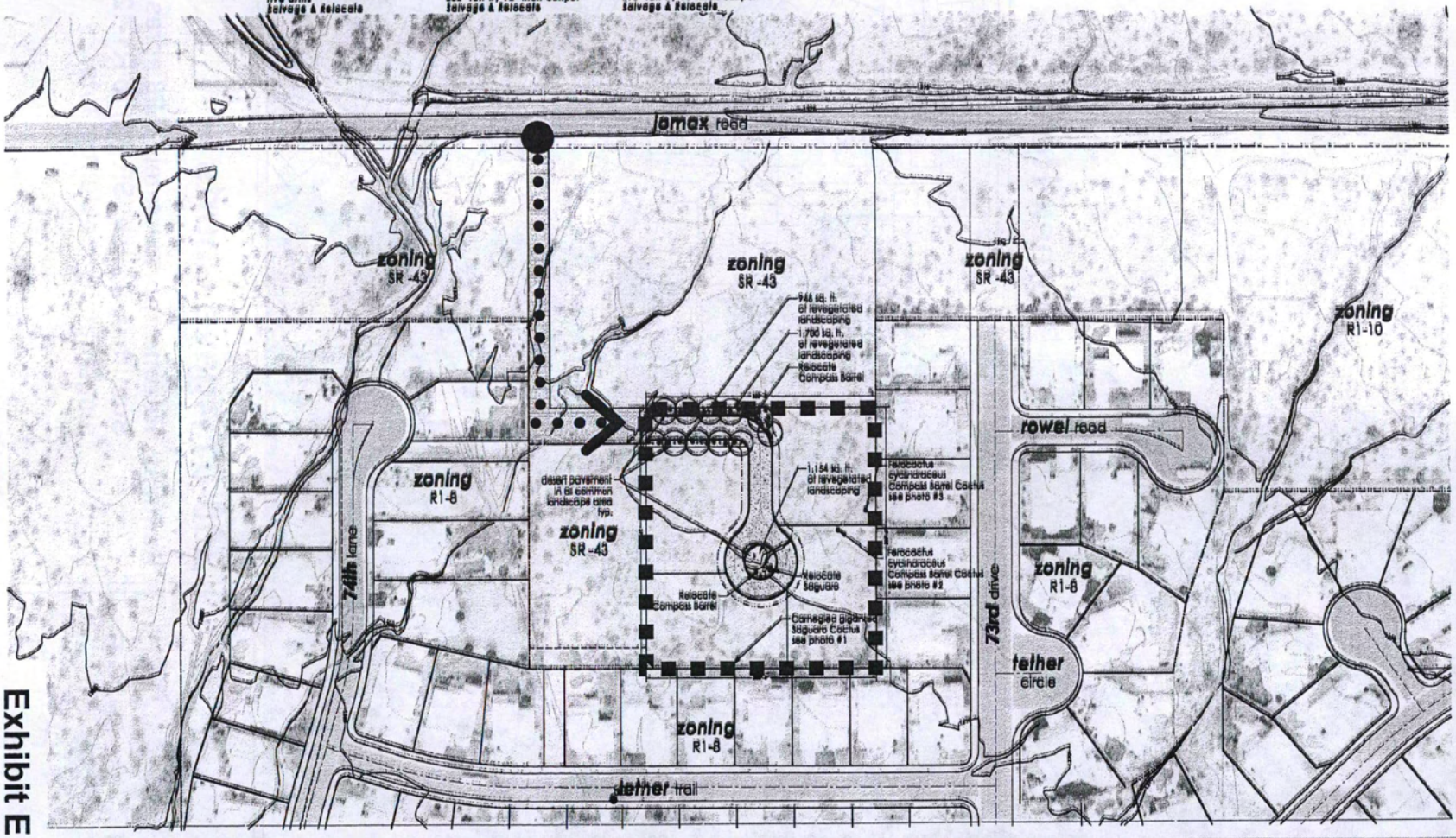


Exhibit E

Applicant Name:
Jonathan Cerreta
Address:
27618 N. 90th lane
Peoria, AZ 85383
Phone: 602.300.8423
Fax: 623.215.2005

602-263-1100
1-800-STAKE-IT

Desert Lands Conservation Ordinance (DLCO)
Master Conservation Plan (MCP)

AGAVE COURTS
PEORIA, ARIZONA

No.	Revision/Issue	Date

preliminary not for construction or recording

agave courts
Near 75th Ave. & Jomax Rd.
Peoria, Arizona

north

Date: Sept. 29, 2008
Scale: 1" = 60'-0"
Sheet: MCP 1.0

Agave Courts
City Of Peoria
Z08-01

Citizen Participation Plan Meeting Summary

Citizen Participation Plan (CPP), a public meeting was held on May 5, 2008 at the West Wing Mountain Community Center.

Three couples from the surrounding neighborhood of Terramar were in attendance. Their comments were positive in nature, they were relived to discover that the proposed development was not trying to max out the zoning. A particular couple, who live in close proximity to our proposed project were concerned about the sewer connection in 74th Lane disturbing the existing system, however since the meeting it has been decided that the homes in Agave Courts would be serviced by septic rather than connecting to sanitary sewer. Another attendee was concerned about construction noise waking her up early in the morning, we assured her that once construction began we would take all precautions necessary to keep construction noise to a minimum. No one in attendance filled out a comment card or left any additional feedback through the contact information left on the invitation.

Please Contact [redacted] if you have any comments or questions

Thanks

Exhibit F1

Sign-In Sheet
Agave Courts
May 5, 2008 Meeting

Name:	Address:	Phone Number:	Email:
[redacted]			

Exhibit F2