



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

**PLANNING & ZONING  
COMMISSION:**

Bill Louis, Chair  
Nancy Golden, Vice Chair  
Leigh Strickman, Secretary  
Greg Loper  
Gene Sweeney  
Veda McFarland  
Charles J. Marr

Department Liaison  
Chris Jacques

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*Alternative format materials, sign  
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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.*

**PLANNING & ZONING COMMISSION  
REGULAR MEETING  
NOTICE & AGENDA  
THURSDAY, NOVEMBER 17, 2011  
6:30 P.M.  
COUNCIL CHAMBER  
8401 W. MONROE ST.**

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**CONVENE:**

**ROLL CALL:**

**OPENING STATEMENT:**

**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/excuse the absences of Commissioners Veda McFarland and Leigh Strickman from the November 3, 2011 Meeting.
- 2C MINUTES:** Discussion and possible action to approve the minutes of the Regular Meeting held November 3, 2011.
- 3C CU11-0011:** Evergreen Devco, Inc. on behalf of Quiktrip Corporation is requesting a Conditional Use Permit to allow a new gas station and convenience store on approximately two acres. The subject property is generally located at the southwest corner of 67<sup>th</sup> Avenue and Happy Valley Parkway.

## REGULAR AGENDA

### NEW BUSINESS:

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

**PUBLIC HEARING – GPA11-0014:** LVA Urban Design Studio is requesting a minor General Plan Amendment from Residential/Estate (0-2 dwelling units/acre) to Residential/Medium (5-8 du/acre) for approximately 4.8 acres of land at the southwest corner of Lake Pleasant Parkway and Mariposa Grande Lane.

**Staff Report**

**Open Public Hearing**

**Public Comment**

**Close Public Hearing**

**Commission Action:** Discussion and possible action to recommend approval of a request from LVA Urban Design Studio for a minor General Plan Amendment from Residential/Estate (0-2 dwelling units/acre) to Residential/Medium (5-8 du/acre) for approximately 4.8 acres of land at the southwest corner of Lake Pleasant Parkway and Mariposa Grande Lane.

**5R**    **PUBLIC HEARING:** RE: Rezone of approximately 4.8 acres.

**PUBLIC HEARING – Z11-0003:** LVA Urban Design Studio is requesting to rezone approximately 4.8 acres from Suburban Ranch (SR-43) to a Planned Area Development (PAD) at the southwest corner of Lake Pleasant Parkway and Mariposa Grande Lane in order to allow the development of a Skilled Nursing and Assisted Living Facility with associated Independent Living Units.

**Staff Report**

**Open Public Hearing**

**Public Comment**

**Close Public Hearing**

**Commission Action:** Discussion and possible action to recommend approval of a request from LVA Urban Design Studio to rezone approximately 4.8 acres from Suburban Ranch (SR-43) to a Planned Area Development (PAD) at the southwest corner of Lake Pleasant Parkway and Mariposa Grande Lane in order to allow the development of a Skilled Nursing and Assisted Living Facility with associated Independent Living Units.

### **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:**

**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.

**PLANNING AND ZONING COMMISSION MINUTES  
CITY OF PEORIA, ARIZONA  
COUNCIL CHAMBER  
NOVEMBER 3, 2011  
DRAFT**

A **REGULAR Meeting** of the Planning and Zoning Commission of the City of Peoria, Arizona, convened at 8401 W. Monroe St., Peoria, AZ in open and public session at 6:30 p.m.

**Members Present:** Chair Bill Louis, Vice Chair Nancy Golden, Commissioners Charles Marr, Gene Sweeney, and Greg Loper.

**Members Absent:** Commissioners Leigh Strickman and Veda McFarland.

**Others Present:** Shawn Kreuzwiesner - Engineering Planning Manager, Robert Gubser – Interim Principal Planner, Steve Burg – Assistant City Attorney, Adam Pruett – Senior Planner, Ed Boik – Planner, Jeff Sargent – Senior Planner, Melissa Sigmund – Planner, Chris Jacques – Planning and Community Development Director, and Bev Parcels – Planning Assistant,

**Opening Statement:** Read by Robert Gubser – Interim Principal Planner.

Call for speaker request forms.

**Audience:** Forty-two.

**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/excuse the absence of Commissioner Greg Loper from the October 20, 2011 Meeting.

**2C** **MINUTES:** Discussion and possible action to approve the minutes of the Regular Meeting held October 20, 2011.

**COMMISSION ACTION:** Commissioner Sweeney moved to approve the Consent Agenda items. The motion was seconded by Commissioner Marr and upon vote, carried unanimously.

## **REGULAR AGENDA**

New Business item 11R, Case CU11-0012 was moved out of order and heard before the Unfinished Business items.

## NEW BUSINESS:

- 11R **PUBLIC HEARING – CU11-0012:** MHC Stagecoach LLC and MHC Casa Del Sol East II, LLC requested a Conditional Use Permit to allow a percentage of the lots within the Casa Del Sol East mobile home park, located at 6960 W. Peoria/ 10960 N. 67<sup>th</sup> Avenue, to contain RV and travel trailers. The subject properties are generally located north of the northwest corner of 67th Avenue and Peoria Avenue

**STAFF REPORT:** Presented by Jeff Sargent, Senior Planner.

**COMMISSION COMMENT:** Chairman Louis read into record that thirteen residents had filled out speaker request forms stating they are in favor of approving this request.

### PUBLIC COMMENT:

█ Applicant – Read into record the following commitments agreed upon between the management company and the Casa del Sol residents.

1. The management company of Casa del Sol East will improve the Park Clubhouse as provided below no later than 2 months of CUP approval.
  - (i). Flooring throughout the clubhouse will be replaced. As requested by the residents, a laminate or similar flooring surface will be installed (except as noted in (iv) below).
  - (ii). All walls will be repainted or paneled within the clubhouse;
  - (iii). New bar stools and high top tables will be placed in the billiards room;
  - (iv). New carpeting will be installed in the billiards room and the card room;
  - (v). The low walls in the clubhouse will be removed to provide more open space;
  - (vi). Electrical wiring in the kitchen will be upgraded; and
  - (vii). The men's and women's showers will be upgraded.
2. Extensive improvements have already been made to the Park 2 Clubhouse. The only improvement needed at this time is painting the interior. The management company of Casa del Sol East will complete said improvements no later than 2 months of CUP approval.
3. A lighted concrete pedestrian walkway/cart path will be constructed at the location noted on the attached "Exhibit A". This improvement will be completed on or before October 31, 2011.
4. Flower beds will be added at the locations depicted on the attached Exhibits B-1–B-4. These flower beds will be in place on or before October 31, 2011.
5. Water and sewer lines upkeep is ongoing. The management company of Casa del Sol East will continue to promptly address any utility line issues. The management company of Casa del Sol East will install no fewer than two water zone isolation valves per calendar year, for ten years, or until the water zone isolation system is completed, whichever occurs first. The first two water zone isolation valves will be installed no later than 2 months of CUP approval
6. The management company of Casa del Sol East will continue to properly maintain landscaping in the common areas.
7. The management company of Casa del Sol East will increase the number of security cameras at Casa del Sol Resort East. They will be placed strategically, but their locations will not be specifically pointed out, to enhance their effectiveness. Some of the new cameras will be placed around the two community pools, and at least one such camera will be located around the Park 3 clubhouse. The perimeter fence will be inspected and repaired where necessary. The community manager will be instructed to patrol the site, after hours,

unannounced and at random, but at least once a week, looking for security issues. This patrolling will take place after dark and/or in early morning hours. Vehicle sticker requirements will be enforced. Lighting will be added along the street connecting Park 2 and Park 3, near the RV parking/storage area.

8. The management company of Casa del Sol East will offer a two-year rent freeze to all residents who sign a 5 year lease. This offer will expire within 2 months of CUP approval. The first two years' rent will be frozen at the current rate. After the expiration of the first two years, each of the succeeding three years, the rent will annually increase by 3%. Those residents who wish to accept this offer should contact the community manager.
9. The management company of Casa del Sol East will repair any street light reported as non-functioning within 14 days.
10. The management company of Casa del Sol East will maintain all vacant lots free of trash, weeds and debris.
11. The management company of Casa del Sol East will install signs identifying lot numbers on streets and will install stop signs in accordance with the following plan no later than 2 months of CUP approval.
12. Within 2 months of the formation of a Block Watch Group, the management company of Casa del Sol East will provide a golf cart (for use by the Block Watch Group) and will provide meeting space and Block Watch meeting notices for the Casa del Sol Resort East Block Watch Group.
13. The management company of Casa del Sol East will provide a posted newsletter ("chatter page") at least once each calendar month beginning no later than 2 months of CUP approval.
14. Within 1 month of CUP approval, the management company of Casa del Sol East will provide the Residents' Activities Committee with funds for the purchase of 2 new computers will also establish Wi-Fi hotspots in the area of the Park 2 and the Park 3 clubhouse. The computers will be the responsibility of the Activities Committee to maintain.
15. All areas within the fences surrounding the pools are designated non-smoking. Signs will be installed no later than 2 months of CUP approval.
16. The management company of Casa del Sol East will provide a copy of this commitment to all residents within 10 days of final CUP approval.

██████████ Resident – Has no objections to RV's in park.

██████████ Resident – In favor, feels the RV's will generate income for needed improvements in the park.

██████████ Residents – In favor of the RV's in the park.

**COMMISSION ACTION:** Commissioner Loper moved to recommend approval of a request from MHC Stagecoach LLC and MHC Casa Del Sol East II, LLC for a Conditional Use Permit to allow a percentage of the lots within the Casa Del Sol East mobile home park, located at 6960 W. Peoria/ 10960 N. 67<sup>th</sup> Avenue, to contain RV and travel trailers. The motion was seconded by Commissioner Sweeney and upon vote, carried unanimously.

## UNFINISHED BUSINESS:

- 3R **PUBLIC HEARING – GPA11-0002:** The City of Peoria initiated an amendment that rescinds the Central Peoria Revitalization Specific Area Plan in favor of a new Specific

Area Plan that aligns with the recently-approved Old Town Peoria Revitalization Plan. This amendment will recognize specific development goals and updated land use designations for approximately 4 square miles generally bounded by Loop 101 (west), Olive Avenue (south), 75<sup>th</sup> Avenue (east) and Cactus Road (north).

**STAFF REPORT:** Presented by Melissa Sigmund, Planner.

**COMMISSION COMMENT:** None

**PUBLIC COMMENT:**

Property Owner – Inquired if the sale of the Edwards Hotel would change the General Plan case and what will happen to the hotel.

**COMMISSION ACTION:** Commissioner Loper moved to recommend approval of a request from The City of Peoria for an amendment that rescinds the Central Peoria Revitalization Specific Area Plan in favor of a new Specific Area Plan that aligns with the recently-approved Old Town Peoria Revitalization Plan. The motion was seconded by Commissioner Sweeney and upon vote, carried unanimously.

- 4R PUBLIC HEARING – GPA11-0003:** The City of Peoria initiated an amendment that aligns the land use designation and policy directives within the Peoria Sports Complex area with the recently-approved Peoria Sports Complex Urban Design Plan. This amendment will re-designate approximately 570 acres from Regional Commercial, Public/Quasi-Public, and Community Commercial to a new designation called Sports Complex Mixed-Use. As part of this amendment, the City will also be repealing the North Valley Specific Area Plan.

**STAFF REPORT:** Presented by Ed Boik, Planner.

**COMMISSION COMMENT:** None

**PUBLIC COMMENT:** None

**COMMISSION ACTION:** Commissioner Sweeney moved to recommend approval of a request from The City of Peoria for an amendment that aligns the land use designation and policy directives within the Peoria Sports Complex area with the recently-approved Peoria Sports Complex Urban Design Plan. The motion was seconded by Commissioner Marr and upon vote, carried unanimously.

- 5R PUBLIC HEARING – GPA11-0004:** The City of Peoria initiated an amendment to the Circulation Element that incorporates policy recommendations from the recently adopted Multi-Modal Transportation Plan and various proposed adjustments to the transportation system (functional classification and alignment). Many of these changes are housekeeping in nature and result from updates to the City's data.

**STAFF REPORT:** Presented by Shawn Kreuzwiesner, Engineering Planning Manager. Revised Exhibits B – Circulation Map & C – Summary table of changes to the Circulation Map were introduced.

**COMMISSION COMMENT:** None



**8R** **PUBLIC HEARING – GPA11-0008:** The City of Peoria initiated an amendment that updates the City's criteria for Major General Plan Amendments and the notification radius requirements to ensure consistency with the Zoning Ordinance.

**STAFF REPORT:** Presented by Adam Pruett, Senior Planner.

**COMMISSION COMMENT:** None

**PUBLIC COMMENT:** None

**COMMISSION ACTION:** Commissioner Marr moved to recommend approval of a request from The City of Peoria for an amendment that updates the City's criteria for Major General Plan Amendments and the notification radius requirements to ensure consistency with the Zoning Ordinance. The motion was seconded by Commissioner Sweeney and upon vote, carried unanimously.

**9R** **PUBLIC HEARING – GPA11-0009:** Earl, Curley, & Lagarde on behalf of Diamond Ventures requested an amendment that proposes changes to the existing Saddleback Heights Specific Area Plan in the vicinity of the SR 74 and the Bullard Avenue alignment. This amendment addresses the entire 5,296 acres of the Saddleback Heights Specific Area Plan and reconfigures the current land uses by increasing overall project density and open space provisions. Approximately 200 acres of new commercial / employment land use will also be added to the Plan.

**STAFF REPORT:** Presented by Adam Pruett, Senior Planner.

**COMMISSION COMMENT:** None

**PUBLIC COMMENT:** None

**COMMISSION ACTION:** Commissioner Sweeney moved to recommend approval of a request from Earl, Curley, & Lagarde on behalf of Diamond Ventures for an amendment that proposes changes to the existing Saddleback Heights Specific Area Plan in the vicinity of the SR 74 and the Bullard Avenue alignment. The motion was seconded by Commissioner Loper and upon vote, carried unanimously.

**10R** **PUBLIC HEARING – GPA11-0012:** [REDACTED] on behalf of Carver Estates, LLC requested an amendment to revise approximately 160 acres of land located east of the Agua Fria River at the Dixileta Drive alignment. This amendment proposes a change from Park / Open Space to Residential Medium-High 8-15 du/ac, target of 12 du/ac for future residential development.

**STAFF REPORT:** Presented by Jeff Sargent, Senior Planner.

**COMMISSION COMMENT:** None

**PUBLIC COMMENT:** None

**COMMISSION ACTION:** Commissioner Sweeney moved to recommend approval of a request from Ed Reichenberg on behalf of Carver Estates, LLC for an amendment to revise approximately 160 acres of land located east of the Agua Fria River at the Dixileta

Drive alignment. This amendment proposes a change from Park / Open Space to Residential Medium-High 8-15 du/ac, target of 12 du/ac for future residential development. The motion was seconded by Commissioner Loper and upon vote, carried unanimously.

**CALL TO THE PUBLIC:** (Non-agenda Items): None

**REPORT FROM STAFF:** Next meeting will be held November 17, 2011.

**REPORTS FROM THE PLANNING AND ZONING COMMISSION:** None

**ADJOURNMENT:** There being no further business to come before the Planning and Zoning Commission, the meeting adjourned at 7:54 p.m.

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William Louis, Chair

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Date Signed



# CONDITIONAL USE PERMIT

## REPORT TO THE PLANNING AND ZONING COMMISSION

**CASE NUMBER:** CU 11-0011  
**DATE:** November 17, 2011  
**AGENDA ITEM:** 3C

**Applicant:** Evergreen Devco, Inc. on behalf of QuikTrip  
**Request:** Obtain a Conditional Use Permit to allow a gas station  
**Proposed Development:** Convenience store and gas station  
**Location:** Southwest corner of 67<sup>th</sup> Avenue & Happy Valley Parkway  
**Site Acreage:** 1.99 acres  
**Support / Opposition:** As of the date of this printing, staff has not received any written or verbal comments from the public  
**Recommendation:** **Approve**, with conditions.

### AREA CONTEXT

*Table 1: Existing Land Use, Current Zoning. (Exhibits A & B)*

	LAND USE	GENERAL PLAN	ZONING
Subject Property	Vacant	Residential / Low Density	Intermediate Commercial (C-2)
North	Happy Valley Road, then Single-Family Residential	Residential / Low Density (2-5 du/ac)	Single-Family Residential (R1-6)
South	Vacant	Residential / Estate (0-2 du/ac)	Intermediate Commercial (C-2)
East	67 <sup>th</sup> Avenue, then Commercial Center	City of Phoenix	City of Phoenix
West	Vacant	Residential / Low Density (2-5 du/ac )	Suburban Ranch (SR-43)

## **PROJECT DESCRIPTION**

### *Request and Development Details*

1. The applicant is proposing to locate a 5,667 square foot convenience store and gas station with 10 fuel pumps on approximately two acres of property located at the southwest corner of 67<sup>th</sup> Avenue and Happy Valley Parkway.
2. The subject property is currently zoned C-2 Intermediate Commercial which allows gas stations as permitted conditional uses subject to separation requirements from nearby residential zoning districts. The separation criteria has been satisfied from the residential development north of the property across Happy Valley Parkway; however a variance was needed for the separation from the adjacent property to the west which is zoned SR-43, but is under review for a mixed-use commercial development. The applicant requested a variance that reduced the 200-foot building and equipment separation requirement to 92-feet. This variance request was unopposed by the adjacent property owner and was approved by the Board of Adjustment on September 27, 2011.
3. This property was also the subject of recent site planning efforts and variance requests for a multiple-user development consisting of an auto parts store, a bank, and a fast food restaurant. Changes to the original site plan occurred as a result of the recent economic downturn. Two of the users withdrew from the plan, leaving only the auto parts store, which is being proposed for the development on what is now the southern half of the larger four-acre property. Prior to these changes, the applicant requested variances to eliminate the wall requirement along the west and south property lines and to reduce the building setback and landscape buffer along the same property lines to increase the potential for connectivity between this site and the (future) adjacent mixed-used development.

## **DISCUSSION AND ANALYSIS**

### *Applicability*

4. Gas stations are permitted conditional uses within the C-2 Intermediate Commercial zoning district, which requires applicants to obtain a Conditional Use Permit (CUP) prior to issuance of site plan approval or application for building permits.
5. Section 14-39-10.D of the Zoning Ordinance 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.
6. Additionally, Section 14-9-5 identifies additional gas station use standards which are designed to mitigate any use-specific impacts. For gas stations, the Zoning

Ordinance requires enhanced building setbacks, separation of all buildings / canopies, and equipment of 200 feet from residentially zoned property, and 500 feet of separation from other gas stations on the same side of the street except when an intervening arterial road exists.

### *Analysis*

7. The proposed gas station is located on the hard southwest corner of 67<sup>th</sup> Avenue & Happy Valley Parkway on approximately two acres. Access to the site will be from both frontages, but will be limited to right-in / right-out only.
8. The site has been designed to comply with the Zoning Ordinance and all applicable variances. The applicant has also provided enhanced landscaping at the intersection to provide more of a gateway feel to the corner. Pedestrian connectivity between this user and the future auto parts user immediately south of this property will also be provided.
9. As part of the site plan and design review application, the applicant is proposing QuikTrip's more contemporary building elevations, which meet or exceed the City Design Review guidelines. High quality materials, entries on three sides of the building with abundant windows, and pronounced façade articulation are noteworthy characteristics of this building's design. The applicant has filed a Design Review waiver for the gas canopy which falls short of meeting the fascia requirement by two inches. The Design Review Manual requires the fascia to extend twelve inches below the bottom of the canopy to further screen the already flush-mounted canopy lights; the applicant is proposing ten inches. This waiver request is likely to be supported, provided the results of a photometric study results in zero foot-candles illumination from the undercanopy lights at any property line, since the portion of the site where the canopy would be located is approximately 24 inches below Happy Valley Parkway, thereby minimizing potential impacts from light.
10. In staff's judgment, the proposed use is appropriate and compatible with surrounding land uses and the context of the area in question.

### *Noticing and Neighborhood Comment*

11. The application notice was forwarded to all property owners within 600 feet of the proposal and properly noticed pursuant to Section 14-39-10 of the Peoria Zoning Ordinance.
12. No comments in opposition or support of this application have been received from the public.

### *Proposition 207*

13. The voters of Arizona 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.

## **FINDINGS AND RECOMMENDATION**

14. Based on the following findings:

- Operation of the site with a gas station is compatible with adjacent uses; and
- The project meets the gas service station criteria under Article 14-9-5 and/or all applicable variances;
- The project has demonstrated mitigation of light, noise, and odor impacts which meets the Conditional Use Permit criteria under Article 14-39-10.D;
- The use, in conjunction with the conditions will operate in a manner that mitigates nuisances and other disturbances from impacting adjacent uses and properties;

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

**Approve the applicant's request for a Conditional Use Permit under Case CU11-0011, subject to the following conditions:**

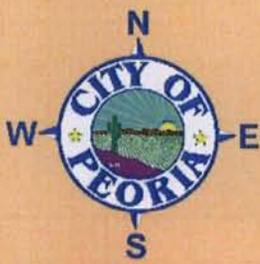
1. The use shall substantially conform to the project narrative (Exhibits C1-C2) as contained in the staff report to the Planning & Zoning Commission dated September 16, 2010, except where modified herein.
2. The use shall be developed in substantial conformance to the site / landscape plan and elevations (Exhibits D1-D3).
3. In accordance with Article 14-39-10.B.5 of the City of Peoria Zoning Ordinance (1977 Edition), a building permit must be obtained within 18 months of the date of Conditional Use Permit approval.

## **ATTACHMENTS**

Exhibit A	Location Map
Exhibit B	Zoning Map
Exhibit C1-C2	Project Narrative
Exhibit D1-D3	Site / Landscape Plan & Elevations

Prepared by: Adam D. Pruet, AICP, LEED Green Associate  
Senior Planner

# CU 11-0011 Location Map



Not to Scale

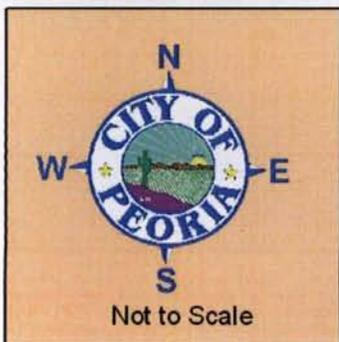
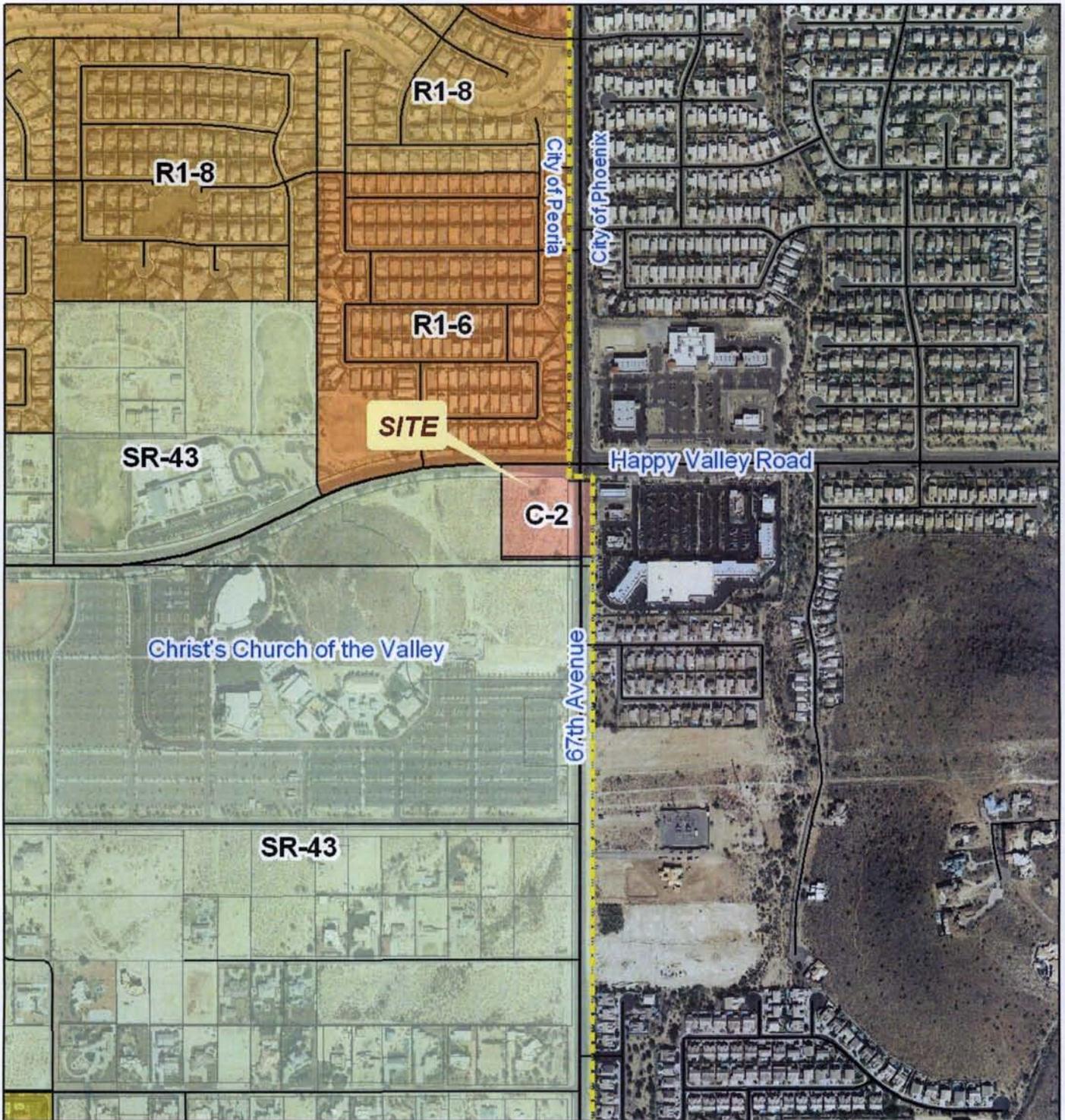
**CU 11-0011**

Southwest corner of 67th Ave & Happy Valley Rd

Request for a Conditional Use Permit to allow a new gas station and convenience store.

**Exhibit A**

# CU 11-0011 Zoning Map



**CU 11-0011**

Southwest corner of 67th Ave & Happy Valley Rd

Request for a Conditional Use Permit to allow a new gas station and convenience store.

**Exhibit B**

**Narrative**  
**67<sup>th</sup> Avenue & Happy Valley Road**

The project site will be located at the southwest corner of 67<sup>th</sup> Avenue and Happy Valley Road and will consist of approximately two acres of land. The project site has previously been undeveloped and is currently zoned C2 Immediate Commercial. The proposed project will consist of an approximate 5,705 square foot building, to be occupied by Quiktrip.

The adjacent property to the south of the proposed project site is being proposed for retail development as well, which is being processed by a separate applicant through a separate application. The remaining land around the project site (south and west) is owned by the Church Christ of the Valley, which has plans for a future mixed-use development. Across Happy Valley Road, separated by a major arterial road, are residentially zoned properties, which Quiktrip maintains the minimum 200' separation from. To the east, separated by another major arterial road, are additional retail uses.

Within the C2 Immediate Commercial, gas service stations are permitted as a conditional use. Additionally, we believe Quiktrip complies with the specific requirements of the Non-Residential Districts Zoning Code (Article 14-9-5).

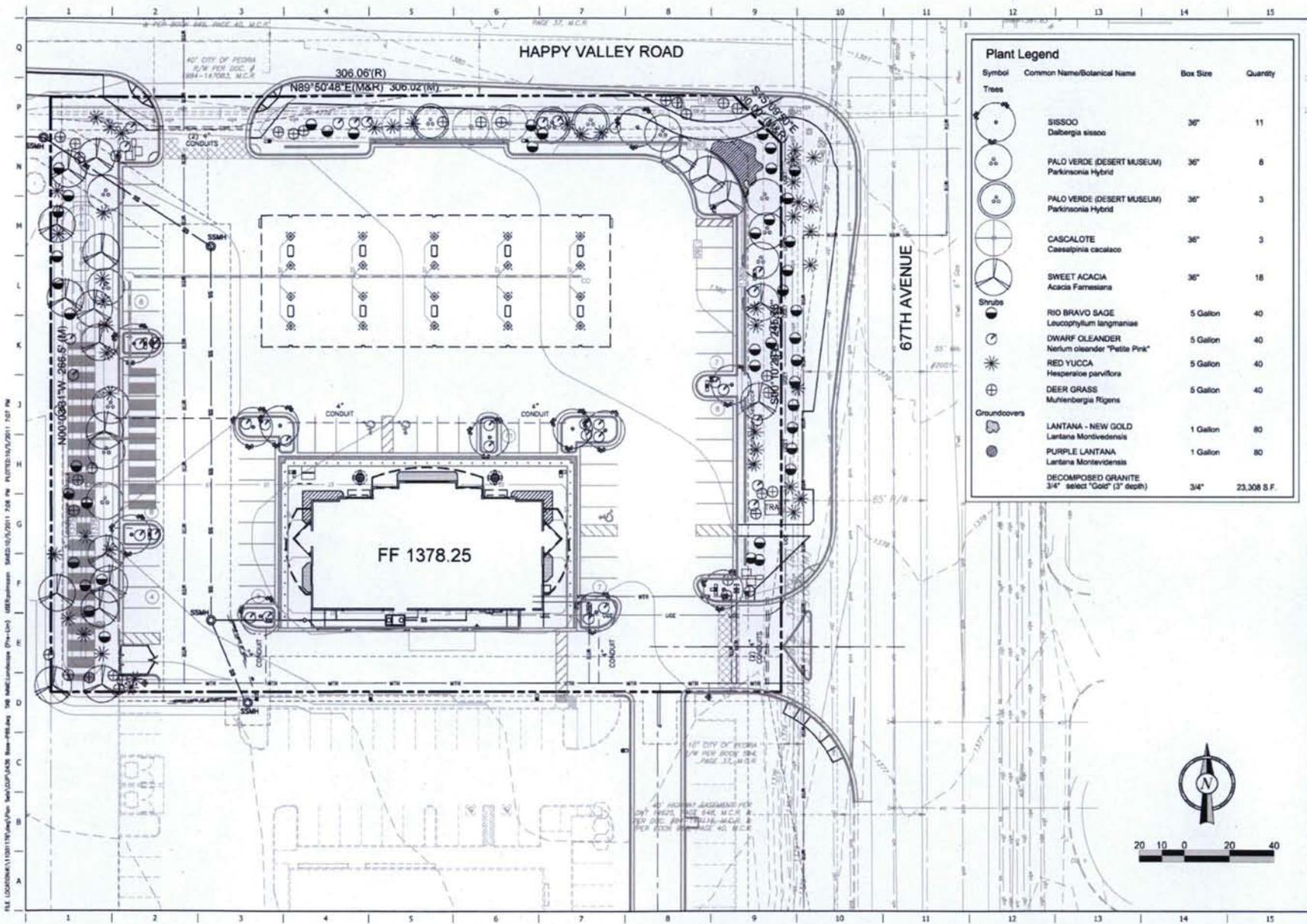
Quiktrip will be constructing its new generation prototype at this proposed project site, which will incorporate an entirely new architectural presentation in the convenient store industry. Beyond the architectural enhancements, some additional features of the new generation Quiktrip include:

- A full service coffee and smoothie bar where custom orders can be conveniently ordered by the customer and quickly made by a trained Quiktrip employee. Items such as a freshly made espresso and fruit smoothies will be available.
- A new and more adequate layout in the sales floor area that will display freshly made foods such as: sandwiches, wraps, pastries and salads. These items are made fresh and delivered to the store daily.
- Additional entrances into the store that will accommodate the customers that want to conveniently pick up a quick lunch on the go but are not in the need for fuel. Side entrances will allow customers enter into the store and avoid the fuel canopy area altogether.

Quiktrip owns, operates and maintains all of its locations. This allows the employees to take pride in their individual store locations by taking personal responsibility in the overall presentation of the store and maintaining great operational integrity. Quiktrip understands that their competitors can mimic a site design and sell pretty close to the same merchandise; however, what cannot be mimicked, are their employees. That is truly what sets Quiktrip apart from all of other convenience store competitors. Quiktrip provides an opportunity for employees to succeed, which directly benefits the customer and the community.

Quiktrip uses a customer service based bonus program for employees, which allows for employees to directly benefit from providing top notch customer service. This program, praised by the Harvard Business Journal, also converts into an outstanding customer experience upon entering a Quiktrip. Not only is Quiktrip known as a leader in customer service, they are also known for the cleanliness of their stores. Each Quiktrip is shopped once a week by a mystery shopper that grades the store on cleanliness and customer service. This program compels the

employees to provide great customer service as they will be rewarded by a bonus when they succeed.



### Plant Legend

Symbol	Common Name/Botanical Name	Box Size	Quantity
<b>Trees</b>			
	SISSOO <i>Dalbergia eissao</i>	36"	11
	PALO VERDE (DESERT MUSEUM) <i>Parkinsonia Hybrid</i>	36"	8
	PALO VERDE (DESERT MUSEUM) <i>Parkinsonia Hybrid</i>	36"	3
	CASCALOTE <i>Caesalpinia cacataco</i>	36"	3
	SWEET ACACIA <i>Acacia Farnesiana</i>	36"	18
	RIO BRAVO SAGE <i>Leucophyllum langmaniae</i>	5 Gallon	40
	DWARF OLEANDER <i>Nerium oleander "Petite Pink"</i>	5 Gallon	40
	RED YUCCA <i>Hesperaloe parviflora</i>	5 Gallon	40
	DEER GRASS <i>Muhlenbergia Rigens</i>	5 Gallon	40
<b>Groundcovers</b>			
	LANTANA - NEW GOLD <i>Lantana Montevdensis</i>	1 Gallon	80
	PURPLE LANTANA <i>Lantana Montevdensis</i>	1 Gallon	80
	DECOMPOSED GRANITE 3/4" select "Gold" (3" depth)	3/4"	23,308 S.F.

PROJECT NO. **0436**

**QuikTrip No. 0436**  
67TH Ave. & HAPPY VALLEY Rd.  
PEORIA, MARICOPA, AZ

DESIGNED BY: DC  
DRAWN BY: MS  
CHECKED BY: MS

ORIGINAL ISSUE DATE: 09-8-2011

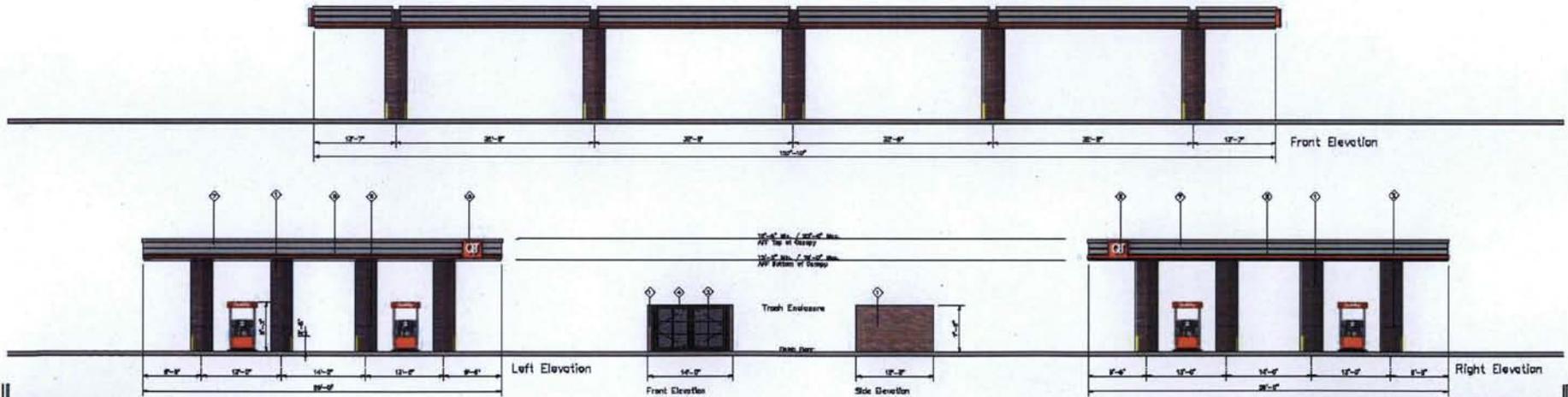
SHEET TITLE:  
PRELIMINARY LANDSCAPE PLAN

SHEET NUMBER:  
**4**

Exhibit D1



Exhibit D2



<p><b>QuikTrip</b> 4702 South 126th Road Ave. Tulsa, OK 74134-7708 Tel: 918-427-7276 Toll: 800-741-4478 (©) 2011-2000</p>	Store #	436	Address:	SWC of 67th Ave. & Happy Valley Rd	City, State:	Peoria, AZ	<table border="1"> <thead> <tr> <th>ITEM</th> <th>MANUFACTURER</th> <th>SPECIFICATION</th> </tr> </thead> <tbody> <tr> <td>1. FLOORING</td> <td>CONCRETE</td> <td>1 1/2" REINFORCED CONCRETE</td> </tr> <tr> <td>2. PAINT</td> <td>AKZO</td> <td>100% SOLID PIGMENT</td> </tr> <tr> <td>3. PAINT</td> <td>AKZO</td> <td>100% SOLID PIGMENT</td> </tr> <tr> <td>4. PAINT</td> <td>AKZO</td> <td>100% SOLID PIGMENT</td> </tr> <tr> <td>5. PAINT</td> <td>AKZO</td> <td>100% SOLID PIGMENT</td> </tr> <tr> <td>6. PAINT</td> <td>AKZO</td> <td>100% SOLID PIGMENT</td> </tr> <tr> <td>7. PAINT</td> <td>AKZO</td> <td>100% SOLID PIGMENT</td> </tr> <tr> <td>8. PAINT</td> <td>AKZO</td> <td>100% SOLID PIGMENT</td> </tr> <tr> <td>9. PAINT</td> <td>AKZO</td> <td>100% SOLID PIGMENT</td> </tr> <tr> <td>10. PAINT</td> <td>AKZO</td> <td>100% SOLID PIGMENT</td> </tr> </tbody> </table>	ITEM	MANUFACTURER	SPECIFICATION	1. FLOORING	CONCRETE	1 1/2" REINFORCED CONCRETE	2. PAINT	AKZO	100% SOLID PIGMENT	3. PAINT	AKZO	100% SOLID PIGMENT	4. PAINT	AKZO	100% SOLID PIGMENT	5. PAINT	AKZO	100% SOLID PIGMENT	6. PAINT	AKZO	100% SOLID PIGMENT	7. PAINT	AKZO	100% SOLID PIGMENT	8. PAINT	AKZO	100% SOLID PIGMENT	9. PAINT	AKZO	100% SOLID PIGMENT	10. PAINT	AKZO	100% SOLID PIGMENT
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Serial #	GD10GEL07-01	Scale:	NTS	<small>           COPYRIGHT © 2011 QUIKTRIP CORPORATION - MODEL NUMBER            THESE PLANS ARE THE EXCLUSIVE PROPERTY OF QUIKTRIP CORPORATION, TULSA, OKLAHOMA. THESE PLANS ARE PROTECTED IN THEIR ENTIRETY BY PATENTS AND            OTHER INTELLECTUAL PROPERTY RIGHTS. ANY UNAUTHORIZED USE, REPRODUCTION, PUBLICATION, DISTRIBUTION OR SALE IN WHOLE OR IN PART, IS STRICTLY            PROHIBITED.         </small>																																				

Exhibit D3



# MINOR GENERAL PLAN AMENDMENT

## REPORT TO THE PLANNING AND ZONING COMMISSION

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**CASE NUMBER:** GPA 11-0014  
**DATE:** November 17, 2011  
**AGENDA ITEM:** 4R

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**Applicant:** LVA Urban Design Studio

**Request:** A Minor Amendment to the City of Peoria General Plan for approximately 4.8 acres from Residential/Estate (0-2 du/ac) to Residential/Medium (5-8 du/acre).

**Proposed Development** Chateau Sous Le Soleil: The conceptual development plan proposes a Skilled Nursing and Assisted Living Facility with associated Independent Living Units.

**Location:** The property is located at the southwest corner of Lake Pleasant Parkway and Mariposa Grande Lane.

**Site Acreage** 4.8 acres

**Support / Opposition:** Staff has not received any support for or opposition to this request.

**Recommendation:** Recommend approval of case GPA11-0014 to the City Council

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**BACKGROUND**

**Table 1: Existing and Future Land Use (Exhibits B and C)**

	<b>LAND USE</b>	<b>GENERAL PLAN</b>	<b>ZONING</b>
<b>Subject Property</b>	Vacant	Residential/Estate (0-2 du/ac. Target 1 du/ac.)	Rural-43 ( Maricopa County) / SR-43 Suburban Ranch
North	Mariposa Grande Lane, then vacant	Residential/Estate (0-2 du/ac. Target 1 du/ac.)	SR-43 (Suburban Ranch)
South	Vacant (Partially bordered by Unincorporated Maricopa County property)	Residential/Estate (0-2 du/ac. Target 1 du/ac.)	SR-43 (Suburban Ranch)
East	Lake Pleasant Parkway, then vacant (Maricopa County Island)	Residential/Estate (0-2 du/ac. Target 1 du/ac.)	Rural-43 (Maricopa County)
West	Single Family Residential / vacant (Unincorporated Maricopa County)	Residential/Estate (0-2 du/ac. Target 1 du/ac.)	Rural-43 (Maricopa County)

*Site History and Status*

- Records indicate that the eastern parcel (approximately 3.0 net acres) of this site was annexed into the City in 1989 as part of much larger annexation that covered more than six sections of land primarily located between Lone Mountain Road and Carefree Highway. An initial zoning designation of General Agriculture (AG) was assigned through case Z90-10. A number of the property owners affected by the initial zoning case objected to the AG designation due to the minimum 5-acre parcel size, among other issues. As a result, 2,540 acres of the initial annexation case were later rezoned through case Z90-26 to SR-43 (Suburban Ranch, 1 acre minimum), the current zoning designation of the property.
- The western parcel (approximately 1.2 net acres) is currently undergoing annexation with the support of the property owner. The annexation case is scheduled to come before City Council for approval in January 2012.

**PROJECT DESCRIPTION**

- The applicant is requesting a minor amendment to the General Plan Land Use Map for approximately 4.8 acres located at the southwest corner of Lake Pleasant Parkway and Mariposa Grande Lane. The amendment would change the current Residential Estate designation to Residential Medium to allow for future development of a Skilled Nursing and Assisted Living Facility with associated Independent Living Units.

4. This request is accompanied by a rezoning application for a Planned Area Development (case Z11-0003) that tailors the development standards and permitted uses to ensure a reasonable fit within the context of the area. Directly east of the site is Lake Pleasant Parkway, a high-traffic major arterial roadway with restricted access. Directly west of the site, there are two parcels both located in unincorporated Maricopa County and zoned Rural-43 (1 acre minimum) by the County.

## **DISCUSSION AND ANALYSIS**

### *Minor General Plan Amendment Evaluative Criteria*

5. 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.

Over the past several years, a number of properties adjacent to Lake Pleasant Parkway in this area (between a quarter mile south of Pinnacle Peak Rd to Calle Lejos) have been planned and built as non-residential uses such as the Pinnacle Peak Public Safety Facility, Circle K gas station and convenience store, Wealth Management office building, and Candeo charter elementary school. These uses form a buffer of transitional land uses along the heavily traveled corridor. The proposed amendment will create the same type of buffer, providing a compatible non-commercial transitional land use designation between the existing single family residents to the west and the Lake Pleasant Parkway corridor to the east. In addition, the proposed development will provide housing alternatives to large-lot single family properties for senior citizens in this area.

*Existing General Plan Land Use Designation*

6. The underlying land use designation (Exhibit C) for the subject property is Estate Residential (0-2 dwelling units per acre) with an underlying target density of 1 units per acre. This designation is intended to provide areas where large-lot single family residential development is desirable or areas of maximized open spaces are sought. This land use designation also provides transitional areas between natural open spaces and residential development.

*Request to Designate Site to Medium Density Residential*

7. The request is to change the land use designation for the site to Medium Density Residential (5-8 du/ac). This category denotes areas where single family detached and attached residential homes are desirable. The density range is intended to provide areas suitable for single family, town home, patio home, and multi-family type units. This is the least intense residential land use category supporting the character of zoning necessary for the development of a nursing/convalescent home, as proposed by the applicant. Other land use categories that would support the zoning necessary for a nursing home would be the High Density Residential, Office, or Neighborhood Commercial designations.

*Land Use Transition and Compatibility*

8. The Estate Residential land use designation extends to the properties on all sides of the proposed site. In general, developments in this vicinity do follow a pattern of rural, large-lot single family land uses. However, the transportation corridor of Lake Pleasant Parkway, a restricted-access major arterial roadway, located directly east of the property presents the need for alternative land uses on this site. The higher speeds (50 mph speed limit) and considerable traffic (over 24,000 average daily trips) present on Lake Pleasant Parkway adjacent to the site make it much less compatible with larger-lot single family residential development than nearby properties that are buffered from Lake Pleasant Parkway.

9. The proposed Medium Density Residential Land Use designation will support the associated rezoning request for a Planned Area Development specifically limited to principle permitted uses of Skilled Nursing and Assisted Living Services and associated Independent Living Units. This request presents an opportunity to provide an area of transitional land use between Lake Pleasant Parkway and the one acre residential lots to the west. Approximately 360 feet north of this property at the southwest corner of Lake Pleasant Parkway and Calle Lejos, a similar buffer has been created by a development of a charter elementary school.
10. In staff's assessment, a skilled nursing/assisted living facility is an appropriate transitional land use for the proposed site. The least intense residential land use designation supportive of the zoning character required for this use is the Medium Density Residential designation that is being requested in this application. The Medium Density Residential designation will be suitable for this property based on the closely tailored standards of the Planned Area Development (PAD) zoning that is being proposed for this site. Other uses generally associated with the Medium Density Residential designation such as apartment complexes will not be allowed as Principle Permitted Uses of the PAD.

*Relevant General Plan Policies and Objectives*

11. The applicant has identified goals and policies from the General Plan that support this request (Exhibit A). Staff finds the following goals and objectives 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.

Objective 2.1.B: Provide a diversity of housing types to meet the needs of persons of all income levels and ages.

*The proposed development plan promotes an age-targeted, senior, multi-use residential living and care community that will allow residents to "age in place" as their needs for care and medical assistance change over time.*

Goal 7.1: Opportunities for housing variety should be provided in all geographic areas of the city. The goal is intended to be implemented city wide and seeks quality architectural design and planning of a myriad of housing types.

Objective 7.1.D: Provide for adequate housing opportunities for special needs groups.

*The proposed minor General Plan Amendment, as supported through PAD zoning and a conceptual development plan, will provide a unique and quality housing opportunity for a distinct target age group. It will offer varied types of residences serving the diverse needs of senior citizens.*

## **CIVIC ENGAGEMENT & NOTIFICATION**

### *Neighborhood Meeting*

12. As a requirement of the General Plan Amendment and Rezoning application processes, the applicant conducted a neighborhood meeting and provided a Citizen Participation Process Report detailing the results of the meeting. The applicant notified property owners within 600 feet of the subject site for the required neighborhood meeting, which was held on August 24, 2011 at the City of Peoria Pinnacle Peak Public Safety Facility between 6:30pm and 8:00 pm. Four property owners attended the meeting. Meeting attendees provided several comments that are characterized and addressed in the associated Rezoning case Z11-0003

### *Public Notification*

13. Public notice was provided in the manner prescribed under Section 14.D of the City of Peoria General Plan. Posting of the site was completed within the prescribed 15-30 days prior to the Public Hearing.

### *Support / Opposition*

14. As of this writing, the City has not received any opposition or support on this item.

### *Proposition 207*

15. In 2006, the voters of Arizona approved Proposition 207, which among other things requires municipalities to compensate property owners for actions that have the effect of diminishing the value of property. The City Attorney's Office has drafted an agreement that 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.

## **FINDINGS AND RECOMMENDATION**

16. The proposed amendment supports the following findings:

- The proposal provides a transitional land use between the heavily traveled Lake Pleasant Parkway roadway corridor to the nearby large-lot residential land uses; and
- The amendment constitutes an overall improvement to the City's General Plan and is not solely for the good or benefit of a particular landowner or owners at a particular point in time; and

- That the amendment will better reflect the development needs of the area while accounting for the existing built environment; and
- The amendment is in conformance with the Goals, Objectives, and Policies of the Peoria General Plan; and
- That the amendment will not adversely impact the community as a whole or a portion of the community by:
  - i. Significantly altering acceptable existing land use patterns,
  - ii. Requiring larger and more expensive improvements to roads, sewer or water systems than are needed to support the prevailing land uses and which, therefore, may impact development of other lands,
  - iii. Adversely impacting existing uses because of increased traffic on existing systems, or
  - iv. Affecting the livability of the area or the health and safety of the residents.

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

**Recommend approval of Case GPA11-0014 to the City Council.**

**Attachments**

- Exhibit A: Description and Justification Report
- Exhibit B: Aerial/Context Map
- Exhibit C: General Plan Land Use Map
- Exhibit D: Conceptual Development Plan (for reference only)

Report prepared by:  
Melissa Sigmund  
Planner

## A. Introduction & Vision

### 1. Objective

The objective for requesting a Minor Amendment to the City of Peoria General Plan is to promote a transitional land use between Lake Pleasant Parkway (a roadway of regional significance) and existing low density residential land uses west of Lake Pleasant Parkway and east of the Agua Fria River. It is the objective of this request to recognize the land use impacts of a significant transportation facility (Lake Pleasant Parkway) and promote land use that promotes transitions and buffers to low density residential land uses within the area.

### 2. Project Location and Context

The proposed project site is located at the southwest corner of Lake Pleasant Parkway and Mariposa Grande Road within the City of Peoria. The site, comprised of approximately 4.25 gross acres, encompasses two contiguous parcels of land under common ownership with approximately 3 acres of land area located within the City of Peoria jurisdictional limits and approximately 1.25 acres located within Maricopa County jurisdiction limits, but within the City of Peoria Planning Area boundary. The site is situated between Mariposa Grande Road on the north, vacant Arizona State Trust Land on the south, Lake Pleasant Parkway on the east, and existing single-family residential development (Maricopa County subdivision) to the west. The subject property is currently vacant and has not been previously developed.

The subject property may be accessed from both Mariposa Grande Road and Lake Pleasant Parkway. The Loop 101 Freeway is located approximately four miles southeast of the subject property and the Loop 303 Freeway approximately 2 miles to the northwest. Also, in close proximity to the site, are the Lake Pleasant Pavilion and Lake Pleasant Towne Center community commercial centers and the Candeo Charter School, all located just to the north of the subject property. **(See Figure 1, Aerial Photo of Subject and Adjacent Properties)**

### 3. Project Vision

The Minor General Plan Amendment is being sought under the support of a proposed conceptual development plan envisioned as an age-targeted, senior living and care facility, aimed at providing an intimate "aging-in-place" community. This community is envisioned as a themed, residentially scaled, development with independent as well as assisted living components that are combined into a community campus setting. The regional demographic and lack of similarly themed community development types in the vicinity, as well as recognized land use sensitivities, make this community type an ideal fit for this location.

## B. Existing General Plan Designation

According to the adopted City of Peoria General Plan Land Use Map, the subject property is designated for Residential/Estate (O-2 DU/Ac) **(See Figure 2, Existing and Proposed General Plan Designations)**. This land use designation promotes a target density of one residential dwelling unit per acre and is intended to denote areas where large-lot single-family residential developments are desirable.

Additionally, the subject property is located within the Lake Pleasant Parkway Corridor Specific Area Plan urban development section (as envisioned within the adopted plan that has been superseded by an update to the General Plan). The stated objective of the urban development section, along the parkway, has been to encourage and promote non-residential development where such development is consistent with the goals, objectives and policies of the Plan.

The existing General Plan Land Use designation surrounding the project site on all sides is Residential/Estate.

**C. Requested General Plan Designation**

To promote the land use envisioned for the subject property that proposes a transitional and buffering land use, a minor amendment to the existing General Plan land use designation will be an integral component. The minor amendment proposes a land use change from Residential/Estate (0-2 DU/Ac) to Residential/Medium (5-8 DU/Ac). (See Figure 1, Existing and Proposed General Plan Designations)

According to the City of Peoria General Plan, the Residential/Medium designation accommodates single-family detached and attached residences. Suitability for this designation is determined on the basis of location, access, availability of public facilities and utilities, existing land use patterns, and physical development constraints. In the case of the subject property, immediate access to transportation facilities and public infrastructure is represented by the existing subject property conditions. In fact, the subject property is within an area subjected to a transportation facilities "pay back" affiliated with the significant public investment to Lake Pleasant Parkway.

The vision for the land use type promotes senior, age targeted, independent living residences for individuals or couples wishing to live in an "age-in-place" planned community. Therefore, the Residential/Medium designation is the most appropriate land use designation to promote a reasonable development density for the envisioned project while promoting appropriate transitional land use in respect of the prominent land use within the subject property context area.

**D. Description and Justification for Request**

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

This request for a Minor Amendment (Land Use map amendment) to the City of Peoria General Plan to change the existing land use designation on the subject site from Residential/Estate (0-2 DU/Ac) to Residential/Medium (5-8 DU/Ac). The purpose of the requested amendment is to allow for the appropriate mix of independent, assisted and skilled nursing living uses that are residentially-based and unique to this area of the City. It is the objective of this request to align future site development with the City of Peoria's vision for this area of a mix of uses and residential densities as defined by the vision of the corridor specific plan and the General Plan.

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

As indicted above, this request for a Minor Amendment to the City of Peoria General Plan is to change the existing land use designation map on the subject site from the existing Residential/Estate (0-2 DU/Ac) to Residential/Medium (5-8 DU/Ac). Please refer to Sections B & C of the request narrative for further discussion of the existing and proposed land use designations.

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

The Residential/Estate (0-2 DU/Ac) General Plan Land Use designation, which promotes detached large-lot single-family residential development, seems to be designated on the General Plan Land Use Map due to the predominant land use type within the geographic area along Lake Pleasant Parkway. The existing pattern of low density residential uses, while within the City of Peoria Planning Area, generally are not

annexed into the jurisdictional limits of the City of Peoria. While this land use pattern seems to reflect the City's desire to promote large lot residential living, in the case of the subject property and the immediate proximity with Lake Pleasant Parkway, an alternative land use type might be appropriate. The segment of the Lake Pleasant Parkway corridor, in which the subject site is located, is situated within a narrow linear corridor of the current City jurisdictional limits linking the larger urbanized City area to the south and rural areas to the north via the Lake Pleasant Parkway corridor. Existing low-density residential development in the Maricopa County jurisdiction, adjacent to this narrow corridor, seem to have influenced the current land use pattern within the City of Peoria Planning Area. With several small parcels of land existing directly adjacent to the now fully improved Lake Pleasant Parkway, it is unlikely that large-lot single-family residential will be seen as a future sustainable or economically feasible land use.

The type of residential development envisioned under the companion Planned Area Development zoning application is unique and does not necessarily fit within a single land use designation promoted by the Peoria General Plan. This conceptual development plan for the subject property envisions a senior, age targeted, independent living residences for individuals or couples wishing to live within a community while anticipating stages of maturity to require special care assistance over time. The existing Residential/Estate designation will not support this vision for land utilization as a suitable alternative to low density residential uses and homogeneous land utilization.

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

The proposed land use designation and community envisioned under this Minor General Plan Amendment application, as well as the companion PAD zoning application, could potentially contribute to an increase in property values and help promote future neighborhood stability by providing a neighborhood-scale residential community and an appropriate transition between low density residential uses and a road of regional significance. Additionally, the community envisioned under the PAD zoning, with development regulations proposed as a means of implementation of the plan, promote quality development as an entry to the low residential community to the west. Further, the proposal promotes a land use that is affiliated with the later stages of human life promoting quality of life for our citizens at a senior age and within the context of a greater mature and stable neighborhood. This facility likely will be patronized by family members whom reside within the vicinity of the subject property by responding to not only the envisioned age-specific residents of the community, but potentially those families of senior citizens who may reside in local neighborhoods or desire to be close to loved ones during their twilight years. Furthermore, a distinct difference exists between the envisioned project type and what might be construed as a typical attached or multi-family residential development. Residents of age-specific or senior care communities will generally not transition in similar frequency to the typical attached living communities which target younger adults, or starting families, which promotes neighborhood stability.

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

The Minor General Plan Amendment proposed for the subject property will offer a sensible and compatible, non-commercial transitional, land use designation between the existing single-family community residents to the west (Maricopa County subdivision) and the "urban" designated section affiliated with the Lake Pleasant Parkway corridor. With significant non-residential commercial uses existing to the north, and planned commercial uses to the south within planned community activity nodes, frontage properties along this section of the Parkway corridor will strive to

determine future land uses that offer the single-family residential community compatibility and character, yet promote transitional development types more appropriately suited for parkway exposure.

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

This minor amendment will allow for a specific project vision to be achieved by providing the opportunity for the development of a economically viable project to be constructed in a socially responsible location. The amendment directly supports goals emphasized within the General Plan which strive for the "need for good jobs and attractive new development". This vision, albeit residentially based in use, will provide a service and contribute to the local tax base and a social need within the greater Peoria Community. The administration, management and maintenance of a planned geriatric living community requires full-time staff to provide appropriate services and assisted care. By its very nature, this type of project contributes to positive economic growth and employment opportunities as envisioned within this segment of the Lake Pleasant Parkway corridor. In addition, future development of the subject property site will provide back to the City of Peoria the proportional repayment share of the cost for the development of the Lake Pleasant Parkway improvements.

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

As noted in question six above, this envisioned project supported by the minor amendment to the General Plan will provide a residential community which is unique to the vicinity. At the time of the adoption of the current General Plan, approximately 85% of residential land areas within the City of Peoria are designated Residential Estate (O-2) or Residential Low (2-5). Not only is the proposed amendment appropriate for this site location along Lake Pleasant Parkway, it contributes to the goal of balanced housing by providing by an alternative offering to typical single-family detached style housing.

The proposed amendment falls outside of areas generally planned for future shopping and employment uses, however future residents of the community would contribute to local businesses. The relatively small size of the amendment area, and the envisioned future community demographic, do not offer the scale of development needed for additional public recreational facilities. However, residents and guests of this community would likely enjoy internal recreational services and amenities.

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

As engineering research has indicated, existing water and wastewater public services are located adjacent to the subject property. The project consulting engineer, as well as the City of Peoria engineering staff (based on Pre-Application meeting notes), have determined that adequately sized infrastructure exist to support the demand for water, wastewater and transportation facilities. By its very nature, the proposed use, and the demographic characteristics of the community population pose limited demand for all three of these public facilities. Improvements to water and wastewater systems will be minimal with the majority of the work contained within the property.

Streets bordering the subject property include Lake Pleasant Parkway to the east, which has been fully improved, and Mariposa Grande Road to the north, which is presently undedicated within City of Peoria right-of-way and minimally improved beyond its more recently constructed intersection connection to Lake Pleasant Parkway. Future public street improvements are anticipated to include the half-street right-of-way dedication to the City of Peoria (25 foot half street for local street) and half-street

improvements for Mariposa Grande Road inclusive of pavement, curb and gutter for the frontage adjacent of the half street dedication. Future proposed street improvements are envisioned to be constructed per City of Peoria standard details or as otherwise approved by the City of Peoria Engineering Department.

**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.**

This amendment and envisioned future community demographic will not affect the enrollment or classroom capacity of the Peoria Unified School District. As mentioned above, the future envisioned use is specific and age-targeted. The allowable residential density range of the proposed land use designation generally encompasses residential development types that accommodate first-time buyers that are retirement-aged buyers with less emphasis on family based amenities or family demographic demand for services. A companion zoning application being prepared for this project details a specific development vision for retired and senior residents which would be age specific and not a contributor to increased school attendance needs.

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

Please refer to Section E of the request narrative "Elements, Goals, Objectives, and Policies" for further detailed discussion of these items.

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

This amendment integrates well with the overall intent and vision of the General Plan to build a coordinated and diversified City and to promote a vision for a diversified public. The immediate area of the proposed amendment, along the Lake Pleasant Parkway corridor urban section, is ideally located within the City of Peoria to integrate diversified, yet compatible, land uses and further the guidance of future unique development adjacent to the corridor. This amendment represents an improvement to the General Plan by further instilling the dynamics of well planned land use that promote satisfying the needs of the greater community ~~demographic~~demographic.

**E. Elements, Goals and Objectives of the General Plan**

The proposed project has been designed to be consistent with the goals and policies outlined in the City of Peoria General Plan and the Lake Pleasant Parkway Corridor Specific Area Plan. The following General Plan elements and objectives have been specifically identified to demonstrate the compatibility of the proposed project with the goals of the General Plan:

MUNICIPAL DEVELOPMENT ELEMENTS

1. Land Use Element

***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.***

*The City of Peoria General Plan recognizes the need for establishment of an orderly and planned balance of land uses that will ensure well managed responsible growth.*

Met: The envisioned project, supported by this minor General Plan Amendment request for land use designation amendment will provide a residential community offering which is unique, yet compatible to the residential character of the vicinity. The envisioned development plan also recognizes the need for

transitional land use patterns along this section of the Lake Pleasant Parkway corridor. A post-retirement, age-specific, community provides a living and assisted care alternative not only attractive to potential residents, but to their families which may reside in the surrounding community.

The proposed amendment falls outside of areas generally planned for future shopping and employment uses which are more typically associated with promoting economic development. However, future residents of this community would contribute to local businesses and economic growth within the greater community, while contributing to the addition of employment opportunities associated with such a use.

Additionally, this minor General Plan Amendment falls north of Pinnacle Peak Road and therefore is within the City of Peoria defined Desert Lands Conservation area. The subject property will be required to provide specific conservation and archaeological reporting subject to the approval of the City staff.

***Objective 2.1.B: Provide a diversity of housing types to meet the needs of persons of all income levels and ages.***

Met: As described within Section D above, the envisioned development plan promotes an age-targeted, senior, multi-use residential living and care community aimed at providing an intimate "aging-in-place" community. This themed, residential scale development, with independent, as well as assisted living components, is combined within a community campus environment. This specific geriatric community vision is part of an evolution in community living that offers to individuals of retirement age, and varied income levels, quality of life in the late stages of life.

## 2. Circulation Element

***Goal 3.1: Provide for a multi-modal transportation system that will serve the community and region in a safe, efficient, cost effective and aesthetic manner while minimizing adverse impacts to neighborhoods, businesses and the natural environment.***

*The City of Peoria will continue to foster options to automobile travel by seeking to expand the range of service levels of its transit system as an attractive and convenient alternative to the automobile.*

Met: The subject property is ideally situated for the intended use and well supported by the existing City of Peoria transportation system. Adjacent to the subject property is the fully improved Lake Pleasant Parkway corridor inclusive of on-street bicycle lanes to the east and Mariposa Grande Road, a partially improved local street with neighborhood access on the north.

The demographic affiliated with the proposed community is not anticipated to place any significant demands on bicycle or pedestrian networks within the vicinity of the subject property. Resident transportation trips, and the demand for transportation facilities, are anticipated to be affiliated with a need for neighborhood oriented goods and services. These types of services are provided approximately one half mile to the north of the subject property at the intersection of Lake Pleasant Parkway and Happy Valley Road. The commercial retail and service node will provide immediate access to basic goods and services for the residents of the proposed community.

**Objective 3.1.B:** Provide for the functional needs of the City's transportation system by addressing urban, suburban, and rural conditions.

Met: With the half-street dedication and anticipated improvements to Mariposa Grande Road, this project will strive to maintain the established rural character of the existing local street as Mariposa Grande will remain a primary access point for the neighborhood to the west located within Maricopa County jurisdiction. The conceptual development plan proposes roadway construction for this local street that is consistent with the existing character within the neighborhood to the west.

**Objective 3.1.D:** Develop and maintain Lake Pleasant Parkway as a limited-access arterial roadway, State Route 74 as a controlled access freeway and maintain certain limited-access roadways throughout Peoria.

Met: With the project location situated directly adjacent to Lake Pleasant Parkway, it has been recognized that direct vehicular access from the Parkway is not only undesirable by City Engineering Department staff, but technically challenging to achieve. Therefore, this project proposes to provide one primary point of access which will be from Mariposa Grande Road and appropriately located at a safe distance from the intersection of Mariposa Grande Road and Lake Pleasant Parkway, as approved by the City of Peoria Engineering Department.

### 3. Housing Element

**Goal 7.1:** Provide for sufficient availability and a variety of opportunities for safe, quality and affordable housing.

*Opportunities for housing variety should be provided in all geographic areas of the city. The goal is intended to be implemented city wide and seeks quality architectural design and planning of a myriad of housing types.*

**Objective 7.1.A:** Promote quality residential development through diversity in housing type.

**Objective 7.1.D:** Provide for adequate housing opportunities for special needs groups.

Met: The proposed minor General Plan Amendment as supported through PAD zoning and a conceptual development plan, will provide a unique and quality housing opportunity for a distinct target age group. Albeit relatively small in nature, the envisioned project will create an internal secure community environment, while offering varied levels of residency ranging from independent living residential units to skilled-care rooms serving the diverse needs of retirees and senior residents.

## PUBLIC ASSETS ELEMENTS

### 1. Economic Development Element

**Goal 4.1:** Create employment opportunities for Peoria residents.

*The City of Peoria's overall goal is to develop a one-to-one ratio between the City's workforce population and number of jobs within the City.*

Met: This minor General Plan Amendment will promote and support the General Plan emphasis on the "need for good jobs and attractive new development". This

vision, albeit residentially based in use, will provide a service and contribute to the local tax base. The administration, management and maintenance of a planned geriatric living community requires full-time staff to provide appropriate services and assisted care. By its very nature, this type of project contributes to positive economic growth and employment opportunities as envisioned within this segment of the Lake Pleasant Parkway corridor and for the City of Peoria. Ideally, local area residents within the community with proper training or background would be encouraged to pursue employment opportunities associated with the envisioned project type.

#### QUALITY OF LIFE ELEMENTS

##### 1. Environmental Resources Element

***Goal 10.1: Promote a high level of environmental quality with a safe, healthy and enjoyable environment for Peoria residents.***

*The City of Peoria recognizes the critical nature of establishing a balance of facilitating development without endangering the protection and sanctity of its natural resources.*

***Objective 10.1.I: Retain the archaeological resources of Peoria.***

Met: The minor General Plan Amendment property falls north of Pinnacle Peak Road and within the City of Peoria defined Desert Lands Conservation area. The subject project will be required to provide specific conservation and archaeological reporting subject to approval by City staff.

***Objective 10.1.M: Strive to create and maintain a consistent, high level of community appearance throughout Peoria.***

Met: The envisioned development plan is designed to include compatible architectural character and landscaping that will be realized through the implementation of PAD development standards and project design specificity.

#### GROWING SMARTER ELEMENTS

##### 1. Growth Areas Element

***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 capabilities.***

*The City of Peoria Growth Area Plan was established as a strategic tool for targeting growth with the primary purpose of directing attractive development into identified growth areas.*

Met: This minor General Plan Amendment property falls within the "North Central Peoria/Lake Pleasant Parkway Corridor" growth area, which is one of the six identified on the City of Peoria Growth Areas Plan. More specifically, this amendment location falls within the "lower" or southern part of this growth area which represents the next logical area of incremental development extending urbanization and infrastructure north in the City of Peoria. With significant commercial activity nodes established to the north and south of the subject property location, Lake Pleasant Parkway remains a high-volume thoroughfare well suited to accommodate neighborhood scale development between identified

activity nodes with more intense land uses while supporting a variety of compatible or transitional land uses.

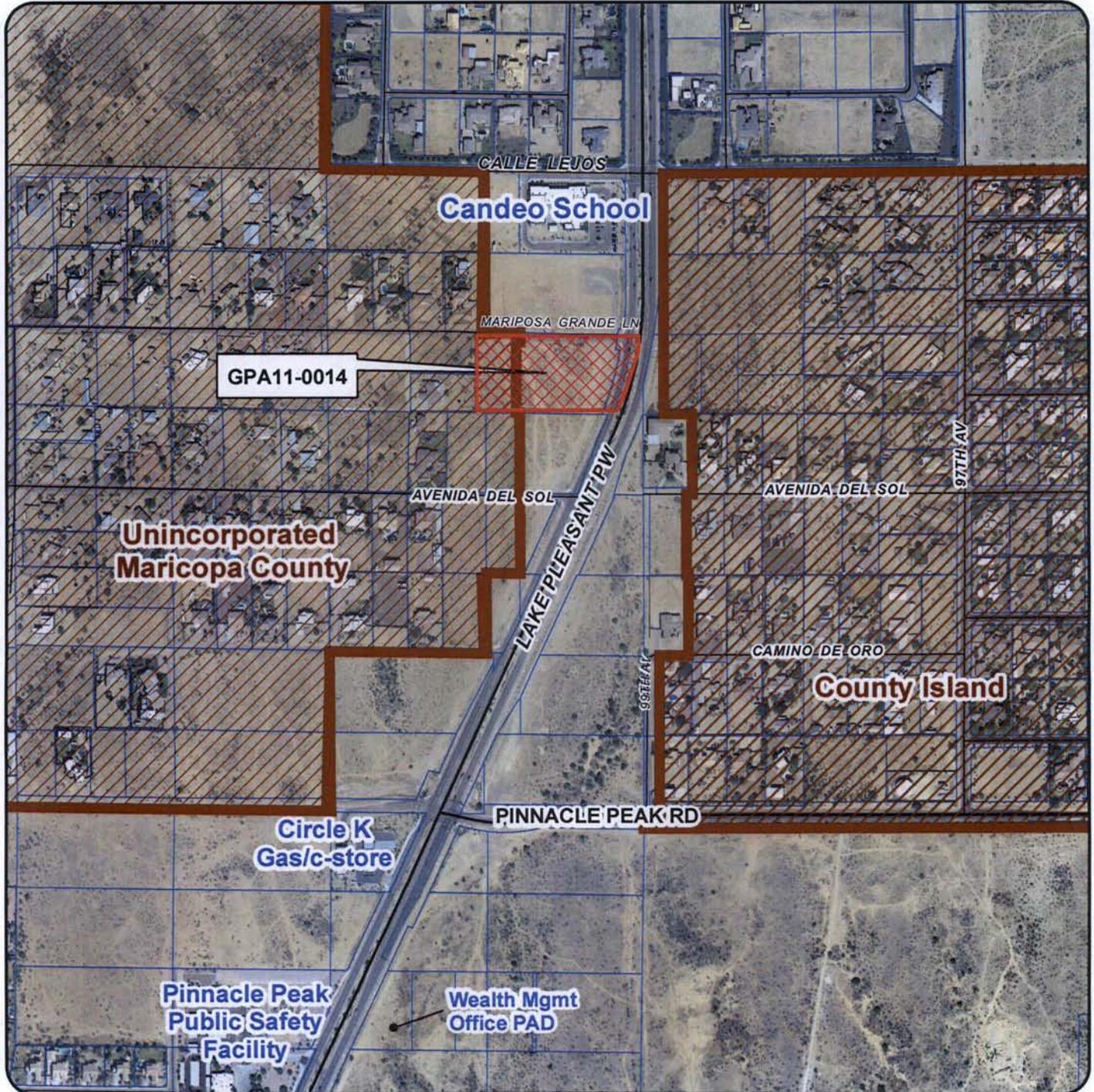
**F. Conclusion**

The current Residential/Estate (0-2 DU/Ac) land use category is designed to accommodate rural-scale detached single-family residential development. This land use designation does not recognize an appropriate transitional land use for property immediately adjacent to the established Lake Pleasant Parkway corridor. It would seem this land use designation was proposed and adopted in this area of Peoria due to the established residential development patterns located east and west of the Lake Pleasant Parkway corridor primarily within Maricopa County jurisdiction yet falling into the City of Peoria Planning Area. The adoption of the Lake Pleasant Parkway Corridor Specific Area Plan and subsequent constructed roadway improvements are among the factors to be considered in the establishment of appropriate transitional land uses to fulfill the vision of the corridor plan while respecting the surrounding established community, promoting quality, and sustainable land use.

The adoption of this minor General Plan Amendment will change the planned land use designation from Residential/Estate (0-2 DU/Ac) to Residential/Medium (5-8 DU/Ac). This land use designation will promote suitable transitional land uses along the Lake Pleasant Parkway Urban Section on the defined basis of location, access, availability of public facilities, utilities, existing land use patterns, and physical development constraints.

The vision for the land use designation, to be promoted via the adoption of a Resolution to amend the General Plan Land Use Element, represents the foundation for the development of a senior, age-targeted, residential community with varied living options ranging from independent living to assisted or skilled-care residency. The Residential/Medium land use designation is most appropriate based on reasonable development density as necessary to support the appropriate mix of age-in-place life styles ranging from independent living to skill nursing living. Furthermore, this specialized form of land use contributes to the enhancement of the community by offering a low-intensity and attractive residential development while being economically beneficial to the City of Peoria and its residents and creating much needed quality jobs.

# GPA11-0014 Context Map



## GPA11-0014 - Chateau Sous Le Soleil

## EXHIBIT B

**Request:**

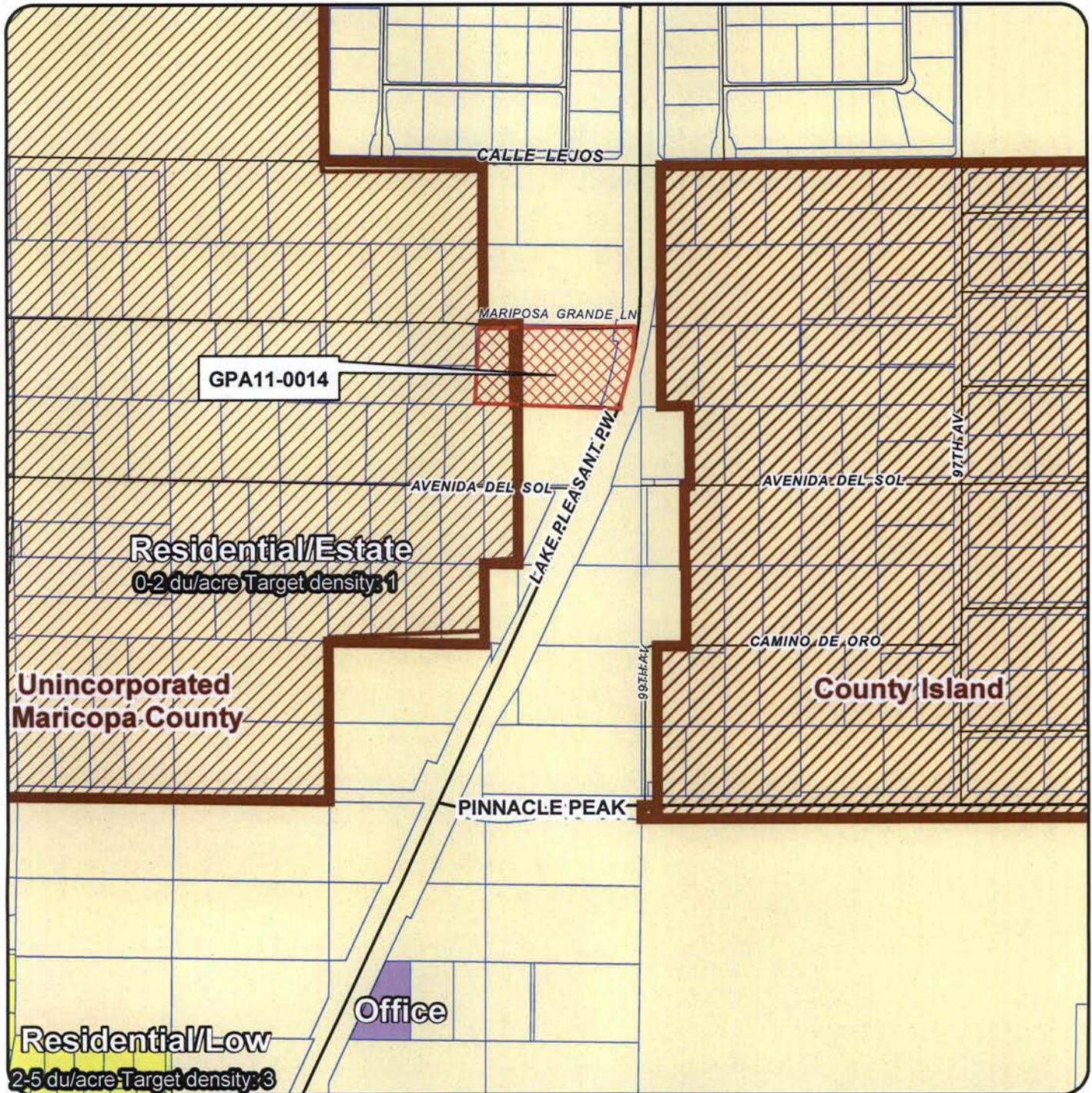
A Minor Amendment to the City of Peoria General Plan for approximately 4.8 acres from Residential/Estate (0-2 du/ac) to Residential/Medium (5-8 du/ac)

Location: Southwest corner of Lake Pleasant Parkway and Mariposa Grande Lane



Not to Scale

# GPA11-0014 General Plan Land Use Map



## GPA11-0014 - Chateau Sous Le Soleil

## EXHIBIT C

**Request:**

A Minor Amendment to the City of Peoria General Plan for approximately 4.8 acres from Residential/Estate (0-2 du/ac) to Residential/Medium (5-8 du/ac)

**Location:** Southwest corner of Lake Pleasant Parkway and Mariposa Grande Lane



Not to Scale



# Chateau Sous Le Soleil

PLANNED AREA DEVELOPMENT

## FIGURE 5 PRELIMINARY DEVELOPMENT PLAN

**Plan Data**  
 (Subject Property Only)  
 Site Area (Gross - Zoning Area): 4.8 Ac  
 Site Area (Net): 4.2 Ac  
 \*Does not include presumed 25' R.O.W. Dedication for Mariposa Grande

**Existing Zoning:** SR-43 (Peoria) / Rural-43 (County)  
**Existing GP Land Use:** Residential Estate (0-2 DU/Ac)

**Proposed Use:** Geriatric multi-use living and care community. An aging-in-place themed facility with shared primary facilities, Independent Living, Assisted Living and Skilled Nursing Home components.

**Primary Facility:**  
 Main Floor Level Area: 32,300 sq. ft.  
 2nd Floor Level Area: 22,600 sq. ft.  
 Proposed Height: 2 - Stories

**1st Floor (Skilled Nursing)**  
 Unit Type: Room (Private / Semi Private)  
 Room Size: 250 - 350 sq. ft.  
 Total Rooms Proposed: 35

**2nd Floor (Assisted Living)**  
 Unit Type: Room (no Kitchen)  
 Room Size: 300 - 400 sq. ft.  
 Total Rooms Proposed: 35

**Independent Living:**  
 Unit Type: Apartment (w/ Kitchen)  
 Total Units Proposed: 32  
 Unit Size: 700 - 900 Sq. Ft.  
 Proposed Height: 2-Story  
 Dwelling Units Proposed: 32  
 Density: 6.6 DU/Ac

**Proposed Zoning:** PAD  
**Proposed Land Use:** Residential Medium (5-8 DU/AC)

**Parking:**  
 City Required: 32 Units (1.5) = 48 Spaces Est. 105 Beds / 3 = 35 Spaces  
 Total Required: 83 Spaces Total Provided: 83 Spaces

- Legend**
- Subject Site
  - Fire Hydrant
  - FOC
  - ⊕ Trash Enclosure

NOT TO SCALE

NORTH

PRELIMINARY - NOT FOR CONSTRUCTION - COPYRIGHT LVA URBAN DESIGN STUDIO, L.L.C.  
 Date: 07/28/11 Project No. 1110

**LVA** urban design studio  
 land planning • landscape architecture

120 south ash avenue • tempe, arizona 85281 • phone: 480.994.0994

EXHIBIT D



# REZONING

## REPORT TO THE PLANNING AND ZONING COMMISSION

**CASE NUMBER:** Z 11-0003  
**DATE:** November 17, 2011  
**AGENDA ITEM:** 5R

**Applicant:** LVA Urban Design Studio

**Request:** Rezone an approximately 4.8 acre property from Suburban Ranch (SR-43) to a Planned Area Development (PAD) in order to allow the development of a Skilled Nursing and Assisted Living Facility with associated Independent Living Units.

**Proposed Development:** Chateau Sous Le Soleil: The conceptual development plan proposes a Skilled Nursing and Assisted Living Facility with associated Independent Living Units.

**Location:** The property is located at the southwest corner of Lake Pleasant Parkway and Mariposa Grande Lane. (Assessor's Parcel Numbers 201-08-047H and 201-08-047J)

**Site Acreage:** 4.8 gross acres

**Support / Opposition:** As of the date of this printing, staff has not received any public comment in support or opposition to this proposal.

**Recommendation:** **Recommend approval of case Z11-0003 to the City Council**

### AREA CONTEXT

*Table 1: Existing Land Use, Future Land Use, Current Zoning. (Exhibits A-C)*

	LAND USE	GENERAL PLAN	ZONING
<b>Subject Property</b>	Vacant	Residential/Estate (0-2 du/ac. Target 1 du/ac.)	Rural-43 ( Maricopa County) / SR-43 Suburban Ranch
North	Mariposa Grande Lane, then vacant	Residential/Estate (0-2 du/ac. Target 1 du/ac.)	SR-43 (Suburban Ranch)
South	Vacant (Partially bordered by Unincorporated Maricopa County property)	Residential/Estate (0-2 du/ac. Target 1 du/ac.)	SR-43 (Suburban Ranch)
East	Lake Pleasant Parkway, then vacant (Maricopa County Island)	Residential/Estate (0-2 du/ac. Target 1 du/ac.)	Rural-43 (Maricopa County)
West	Single Family Residential / vacant (Unincorporated Maricopa County)	Residential/Estate (0-2 du/ac. Target 1 du/ac.)	Rural-43 (Maricopa County)

### *Annexation and Case History*

1. Records indicate that the eastern parcel (approximately 3.0 net acres) of this site was annexed into the City in 1989 as part of much larger annexation that covered more than six sections of land primarily located between Lone Mountain Road and Carefree Highway. An Initial zoning designation of General Agriculture (AG) was assigned through case Z90-10. A number of the property owners affected by the initial zoning case objected to the AG designation due to the minimum 5-acre parcel size, among other issues. As a result, 2,540 acres of the initial annexation case were later rezoned through case Z90-26 to SR-43 (Suburban Ranch), the current zoning designation of the property.
2. The western parcel (approximately 1.2 net acres) is currently undergoing annexation with the support of the property owner. The annexation case is scheduled to come before City Council for approval in January 2012.

## **PROJECT DESCRIPTION**

### *Site and Project Details*

3. The subject property is an approximately 4.8 gross acre property located at the southwest corner of Lake Pleasant Parkway and Mariposa Grande Lane. The site is a vacant, relatively flat property with a single drainage corridor along the eastern property boundary.
4. The applicant is requesting to rezone the property from Suburban Ranch (SR-43) to a Planned Area Development (PAD) in order to allow the development of a Skilled Nursing and Assisted Living Facility with associated Independent Living Units.
5. The project site is bounded by Mariposa Grande Lane to the north and Lake Pleasant Parkway to the east. There will be no access to the site directly from Lake Pleasant Parkway. Access to the site will be limited to one entrance off Mariposa Grande Lane which will be a right-in right-out only onto Lake Pleasant Parkway.
6. The proposed use is designed to provide a mix of several housing options for senior citizens. The use will consist of an independent living component, with approximately thirty-two (32) residential units, an assisted living component consisting of approximately thirty-five (35) resident rooms and a skilled nursing component consisting of approximately thirty-five (35) rooms. This residential community is designed to promote a concept of "aging in place" so that individuals may remain in the community as their care and medical needs change. The facility would provide a number of amenities for residents, both indoors and outdoors. This may include an indoor recreation hall, outdoor patio/lawn courtyard, reception parlor, and other similar amenities. Due to the targeted demographic, which values short walking distances and may have

physical limitations, many of the amenities are expected to be provided indoors, in contrast to typical multi-family complexes that may focus on outdoor recreation amenities.

7. The conceptual development plan shown in *Exhibit D –Conceptual Development Plan* indicates a two-story building with approximately 33,000 square feet on the first floor and an additional approximately 23,000 s.f on the second floor for the primary nursing/assisted living building. The main entrance to the building will be on its north side. There will be a row of parking parallel to Mariposa Grande Lane, as well as additional parking along the building. The conceptual development plan also identifies single story garages along the western and north boundaries of the site.

## **DISCUSSION AND ANALYSIS**

8. The rezoning request does not conform to the existing General Plan Land Use designation of Estate Residential, hence the companion Minor General Plan Amendment request (Case GPA11-0014). In the aforementioned case, staff provided an analysis of the request (please refer to Staff Report). Staff recommended that the Planning & Zoning Commission issue a recommendation of approval to the Peoria City Council on the basis of the findings identified below:
  - a. The proposal provides a transitional land use between the heavily traveled Lake Pleasant Parkway roadway corridor to the nearby large-lot residential land uses; and
  - b. The amendment constitutes an overall improvement to the City's General Plan and is not solely for the good or benefit of a particular landowner or owners at a particular point in time; and
  - c. That the amendment will better reflect the development needs of the area while accounting for the existing built environment; and
  - d. The amendment is in conformance with the Goals, Objectives, and Policies of the Peoria General Plan; and
  - e. That 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 systems than are needed to support the prevailing land uses and which, therefore, may impact development of other lands,
    - 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.

### *Land Use Compatibility*

9. In the vicinity of the proposed site, Lake Pleasant Parkway is a major arterial roadway that handles over 24,000 average daily trips with a speed limit of 50 mph. The traffic high volumes and speeds make property fronting directly on Lake Pleasant Parkway less appropriate for large lot single family residential uses than other nearby properties without frontage on the roadway.
10. A skilled nursing/assisted living/independent living facility as proposed is compatible with the existing single family residential uses and will assist in providing a transitional land use, or buffer between Lake Pleasant Parkway and adjacent residential uses/residentially zoned properties to the west of the proposed site.
11. In the past several years, a number of properties adjacent to the Lake Pleasant Parkway corridor have been rezoned, or developed with non-residential uses in recognition of the corridor's character and intensity. To the north of the proposed site, the Candeo charter elementary school was constructed, while south of Pinnacle Peak Rd. the Wealth Management International PAD / office building has been approved and constructed east of Lake Pleasant Parkway across from the Pinnacle Peak Public Safety facility.
12. During the neighborhood meeting conducted by the applicant, property owners from the vicinity of the site provided feedback and comments on the proposed General Plan Amendment and Rezoning applications. In general, there was support for the proposed use. The concerns expressed are listed below, followed by a description of how the applicant has addressed the concern in italics.
  - Exclude apartments and condominiums.  
*The associated PAD will limit Principal Permitted Uses to Skilled Nursing and Assisted Living Services and associated Independent Living Units.*
  - Provide a fence surrounding the entire property.  
*The Zoning Ordinance requires a solid wall (6 foot minimum height) between the proposed use and adjacent residentially zoned properties, which would be reviewed during the Site Plan application phase of the project development. Shorter 3 foot high screen walls or berms are then required between parking areas adjacent to street frontages.*
  - Restrict the building heights to two stories.  
*The proposed PAD development standards limit buildings to a maximum of two stories up to 30 feet in height.*

### *Chateau Sous le Soleil PAD Standards*

13. The applicant is seeking to rezone the site from SR-43, Suburban Ranch and Maricopa County Rural-43 (1 acre minimum) to develop a senior living facility with several levels of care available: skilled nursing, assisted living, and

independent living. This use would be permitted in the City's RM-1 multi-family zoning district. The PAD allows the development framework for the property to be tailored to permit the use as proposed, while restricting other uses that would be permitted under the RM-1 zoning district but may not be appropriate for the site in question. The PAD will not permit traditional multi-family apartments or other multi-family uses. Only skilled nursing, assisted living, and independent living units associated with the skilled nursing/assisted living facility will be permitted. Table 2 compares the development standards of the PAD with those of the City's RM-1 District for non-residential structures.

14. Table 2: Development Standards Comparison

<b>DEVELOPMENT STANDARDS</b>	<b>Chateau Sous Le Soleil PAD</b>	<b>RM-1 District</b>
Maximum Lot Coverage	<b>50%</b>	50%
Lake Pleasant Parkway Building Setback	<b>60 ft</b>	10 ft
Mariposa Grande Lane Building setback	<b>40 ft</b>	40 ft
West Property Line Building Setback	<b>40 ft</b>	25 ft
South Property Line Setback	<b>20 ft</b>	25 ft
Max Building Height <sup>1</sup> (ft)	<b>30 ft</b>	48 ft

<sup>1</sup> Provided that the minimum required side and rear setbacks shall be increased by three additional feet (3') for each one (1) foot by which the height of the structure exceeds thirty feet (30').

<b>ACCESSORY STRUCTURES DEVELOPMENT STANDARDS</b>	<b>Chateau Sous Le Soleil PAD</b>	<b>RM-1 District</b>
Lake Pleasant Parkway Building Setback	<b>60 ft</b>	20 ft
Mariposa Grande Lane Building Setback	<b>40 ft</b>	20 ft
West Property Line Building Setback	<b>30 ft</b>	10 ft
South Property Line Building Setback	<b>20 ft</b>	10 ft
Maximum Height	<b>20 ft</b>	20 ft

15. As illustrated in Table 2, the proposed PAD resembles the development standards of the RM-1 zoning district with several modifications, which generally increase the setback from residential zones. The relaxation of the setback from the residential zone to the south is offset by the decrease in the allowable height. This will minimize the impact on any adjacent future residential development and keep a more residential feel to the office development. The increase in the

setback along Lake Pleasant Parkway will allow for the accommodation of the drainage easement, as well as the Lake Pleasant landscape setback. The only setback that is less restrictive than the standards of the RM-1 Zoning District is for the south property line. In application, conceptual development plan illustrates the actual setback exceeding the 20 foot minimum through the orientation of the landscape buffer and drive aisle.

16. For all RM-1 residential districts that abut a single family residential district, a minimum 20 foot landscape buffer is required. The PAD is reducing the minimum buffer required to 10 feet. However, the buffer will be planted with plant material at a minimum density of 1 - 24" box trees and 5 – 5 gallon shrubs for every 20 linear feet of buffer area, creating a well-planted landscape area that exceeds the zoning ordinance planting density requirements for the area.
17. Due to the low levels of parking expected to be generated by this use, parking will be required as follows: 1 space per 3 beds for skilled nursing/assisted living, (consistent with the zoning ordinance) and 1 space per unit for independent living. Attached single car garages are proposed for each of the independent living units.

*Desert Lands Conservation Ordinance Requirements*

18. Article 14-22B-4.B of the Zoning Ordinance allows properties without conservation features to submit a statement and aerial photo to confirm the lack of features in lieu of the more extensive DLCO general submittal requirements for properties with conservation features. The applicant has submitted such materials, and Appendix C of the PAD Standards and Guidelines Report demonstrates the lack of conservation features.
19. Common open space will be provided for the project at a minimum rate of 200 square feet per Independent Living Unit, plus 100 square feet per Assisted Living/Skilled Nursing bedroom. The zoning ordinance prescribes common useable open space for multifamily uses at a rate of 150 square feet per bedroom; therefore, the requirements as proposed will provide a relatively comparable rate of open space. Conversely, assisted Living facilities located in commercially zoned properties have no requirements for useable open space. Private open space (e.g. balconies or patios) will also be provided for the Independent Living Units at a minimum rate of 50 square feet per unit. In addition, a number of amenities will be provided indoors to supplement the exterior common open spaces on the site. The applicant has sought to provide sufficient open space, while maintaining the compact development form with short walking distances between buildings, thus accommodating residents with limited mobility.
20. All additional standards including screening, lighting, and signage will be per the provisions of the respective sections within the zoning ordinance.

*Minimum PAD Size*

21. 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 Planning and Zoning Commission can recommend a waiver of the minimum acreage requirement 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.

*Development of this property would be extremely limited under the current zoning district, given the conditions created by the site's immediate proximity to Lake Pleasant Parkway. The property is subjected to the impacts of traffic volume, speed, and noise current present. Future projections indicate an increase in traffic volumes, furthering the potential impacts to the property.*

- 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 is not adjacent or across the street or alley from another property developed as a PAD.*

- 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 property would be extremely limited under the current zoning district due to the impacts imposed by the site's proximity to Lake Pleasant Parkway. The PAD concept encourages the development of the site in a manner that is compatible with and will provide a buffer for adjacent residential uses while accommodating a use that is more suitable for a location on the Lake Pleasant Parkway frontage.*

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

*The project is not located within the Infill Incentive District. The City does not currently contain designated Infill Incentive Districts.*

The proposed use, Independent Living combined with Assisted Living and Skilled Nursing services, represents a unique use that is not easily suited to any of the existing zoning districts contained within the City of Peoria Zoning Ordinance.

The PAD allows the standards for this property to be tailored and limits the permitted uses to only the use proposed.

*Citizen Participation Plan - Neighborhood Meeting*

22. Section 14-39-8.E of the Peoria Zoning Ordinance requires the applicant of a rezoning request to hold at least one neighborhood meeting. The applicant notified property owners within 600 feet of the subject site. Accordingly, on August 24, 2011 the applicant held a neighborhood meeting at the City of Peoria Pinnacle Peak Public Safety Facility. As indicated in Exhibit G, four adjacent property owners attended the meeting and commented on the project. Property owner concerns from this meeting were previously discussed under the Land Use Compatibility section of this report.

*Engineering Requirements*

23. The Engineering Department had no specific review comments in conjunction with the rezoning request. There are specific conditions of approval that address sidewalk construction, Lake Pleasant Parkway improvement repayments, deceleration lane requirements and water line placement.

*Fire Requirements*

24. The Fire Department had no specific conditions of approval relative to this rezone request. However, 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*

25. Public notice was provided in the manner prescribed under Section 14-39-6. Additionally, the site was posted on November 1, 2011 with a sign meeting the size and content requirements prescribed by the Planning Division.

*Proposition 207*

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

## **FINDINGS AND RECOMMENDATION**

27. Based on the following findings:
- The proposed zoning district is in conformance with the goals and objectives set forth in the Peoria General Plan.
  - The PAD benefits the public interest by promoting a development framework that maximizes compatibility, provides appropriate land use transition and reduces the potential for conflict; and

- The use of a PAD for this proposal is in the public interest and the 10 acre minimum shall be waived; and
- The proposal will advance the City's goals and objectives by providing a mix of housing options; and
- The proposal provides a transitional land use between the heavily traveled Lake Pleasant Parkway roadway corridor to the nearby large-lot residential land uses.

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

**Recommend approval to the City Council Case Z11-0003, subject to the following conditions:**

1. The development shall substantially conform to the "Chateau Sous Le Soleil" Planned Area Development Standards and Guidelines Report, (case Z11-0003) dated 11/7/2011.
2. The applicant will be required to install and maintain all irrigation and landscape plant materials along the frontage of Lake Pleasant Parkway as well as any additional public improvement requirements.
3. The Developer shall submit a Preliminary Drainage Report with the Site Plan submittal.
4. All floodplains (FEMA designated or not) must be shown on the site plans and final plats.
5. No structure shall be constructed within the limits of any floodplain regardless of the designation by FEMA or not. Any modification to existing FEMA designated floodplain shall be pre-approved by FEMA via the CLOMR process through the City of Peoria Engineering Department. Any modification to any other floodplain shall be pre-approved by the City of Peoria Engineering Department.
6. Though the TIA meets the general intent of the City of Peoria's traffic impact analysis, the TIS is conditionally approved. The following need to be addressed for the final version of the TIA or the TIS as evaluated as part of the Site Plan review.
  - Indicate page numbers
  - In the trip distribution, Table 4, it is indicated that 70% of traffic is assumed to be from Lake Pleasant Parkway (East). Should it be South?
7. All construction activities within the State of Arizona must comply with the AZ Pollutant Discharge Elimination System (AZPDES) rules and regulations as a minimum standard, in addition to City-established criteria.
8. The Developer must have obtained City approval Traffic Impact Statement (TIS) prepared in accordance with the City's Traffic Impact Study Criteria prior to any site plan approvals.
9. The Developer shall dedicate the required right-of-way and construct full and half street improvements where necessary (Mariposa Grande) to serve this project as determined by the City Engineer.

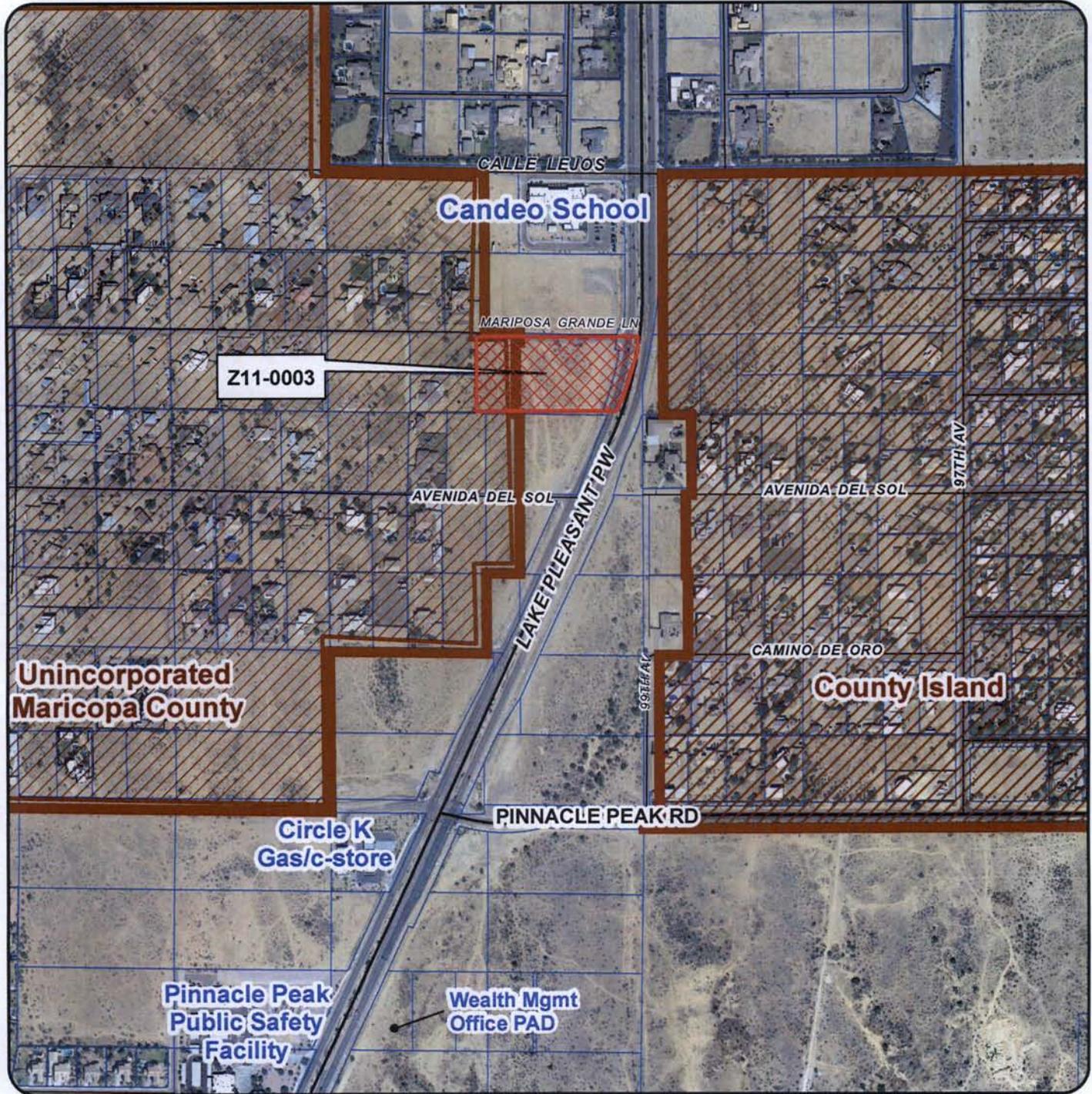
10. The right-of-way dedications and roadway sections will be determined based on the City Standards that are in effect at the time of the site plan approval process.
11. The Developer shall dedicate an 8' PUE outside of the required ROW or private roadway Tract. No walls or retention shall be allowed within the PUE.
12. Public water and sewer lines located outside of right-of-way shall be located in easements dedicated for that use and shall comply with the City's minimum requirements. Easements shall be dedicated at no cost to the City. The City at its own discretion may require such easements for public water and sewer lines to be located within designated roadway cross-sections and or tracts.
13. Preliminary findings indicate that the existing water and wastewater lines near the project boundaries can be extended to the project to serve the project. The extension of these lines is the responsibility of the developer.
14. The Development is responsible for payment of all current repayment zones. There is currently a repayment on Lake Pleasant Parkway for roadway, ROW, and waterline improvements. All repayments will be paid to the City by the developer prior to any permits being issued for the site. Responsible for repayment for Lake Pleasant Parkway - RZST0601 in the amount of \$134,075.94.
15. Schools and/or churches shall be permitted with a subsequent amendment to this proposed Planned Area Development.

Attachments:

Exhibit A	Vicinity Map
Exhibit B	Zoning Map
Exhibit C	Land Use Map
Exhibit D	Conceptual Development Plan (for reference)
Exhibit E	Conceptual Elevations (for reference)
Exhibit F	Conceptual Perspective Illustration (for reference)
Exhibit G	Citizen Participation Report
Exhibit H	Chateau Sous le Soleil PAD

Prepared by: Melissa Sigmund  
Planner

# Z11-0003 Context Map



## Z11-0003 - Chateau Sous Le Soleil

## EXHIBIT A

**Request:**

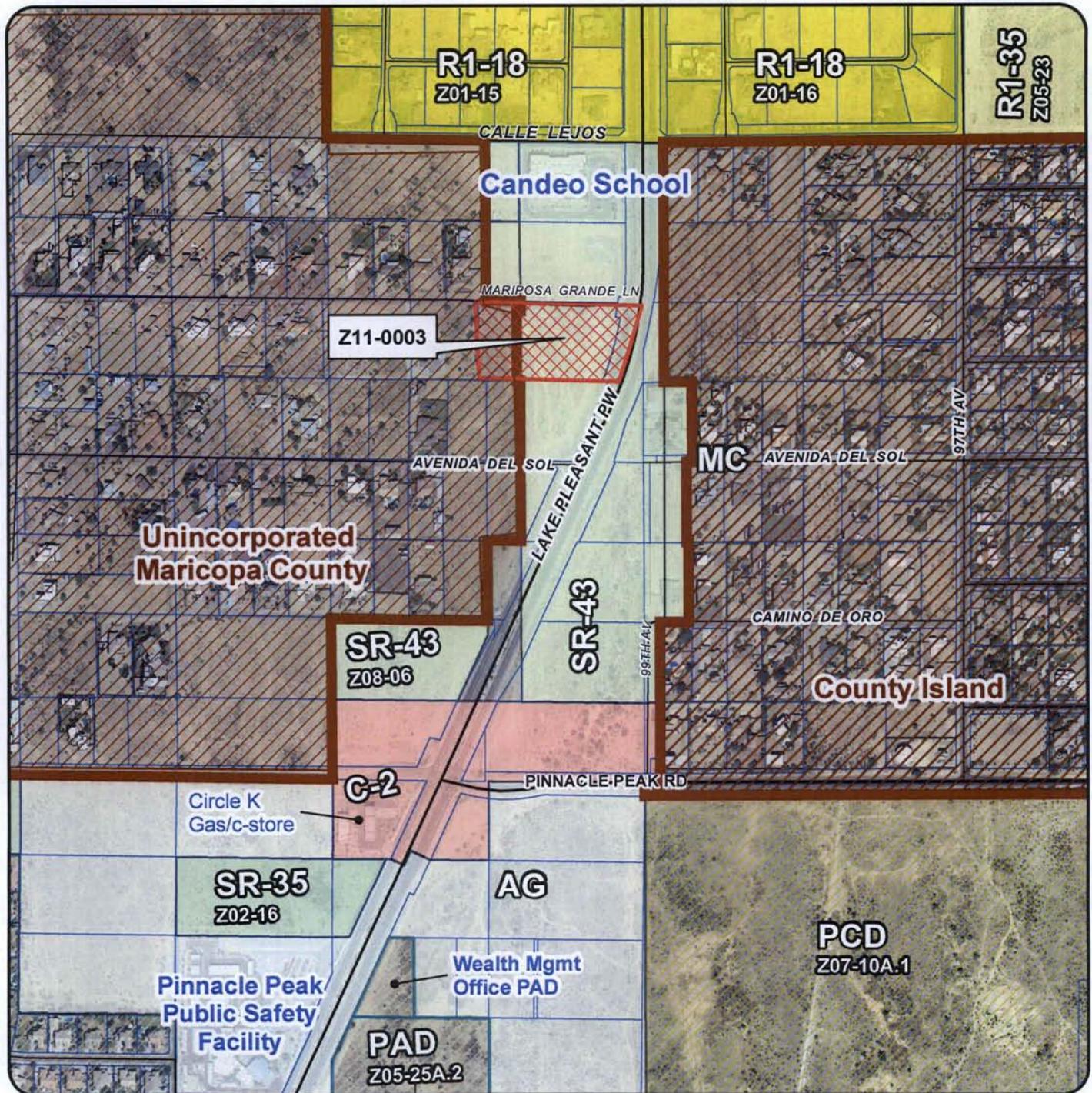
Rezone approximately 4.8 acres from SR-43 (Suburban Ranch) and Maricopa County RU-43 to Planned Area Development (PAD) in order to allow a skilled nursing, assisted living, and associated independent living facility.

Location: Southwest corner of Lake Pleasant Parkway and Mariposa Grande Lane



Not to Scale

# Z11-0003 Zoning Map



## Z11-0003 - Chateau Sous Le Soleil

## EXHIBIT B

### Request:

Rezone approximately 4.8 acres from SR-43 (Suburban Ranch) and Maricopa County RU-43 to Planned Area Development (PAD) in order to allow a skilled nursing, assisted living, and associated independent living facility.

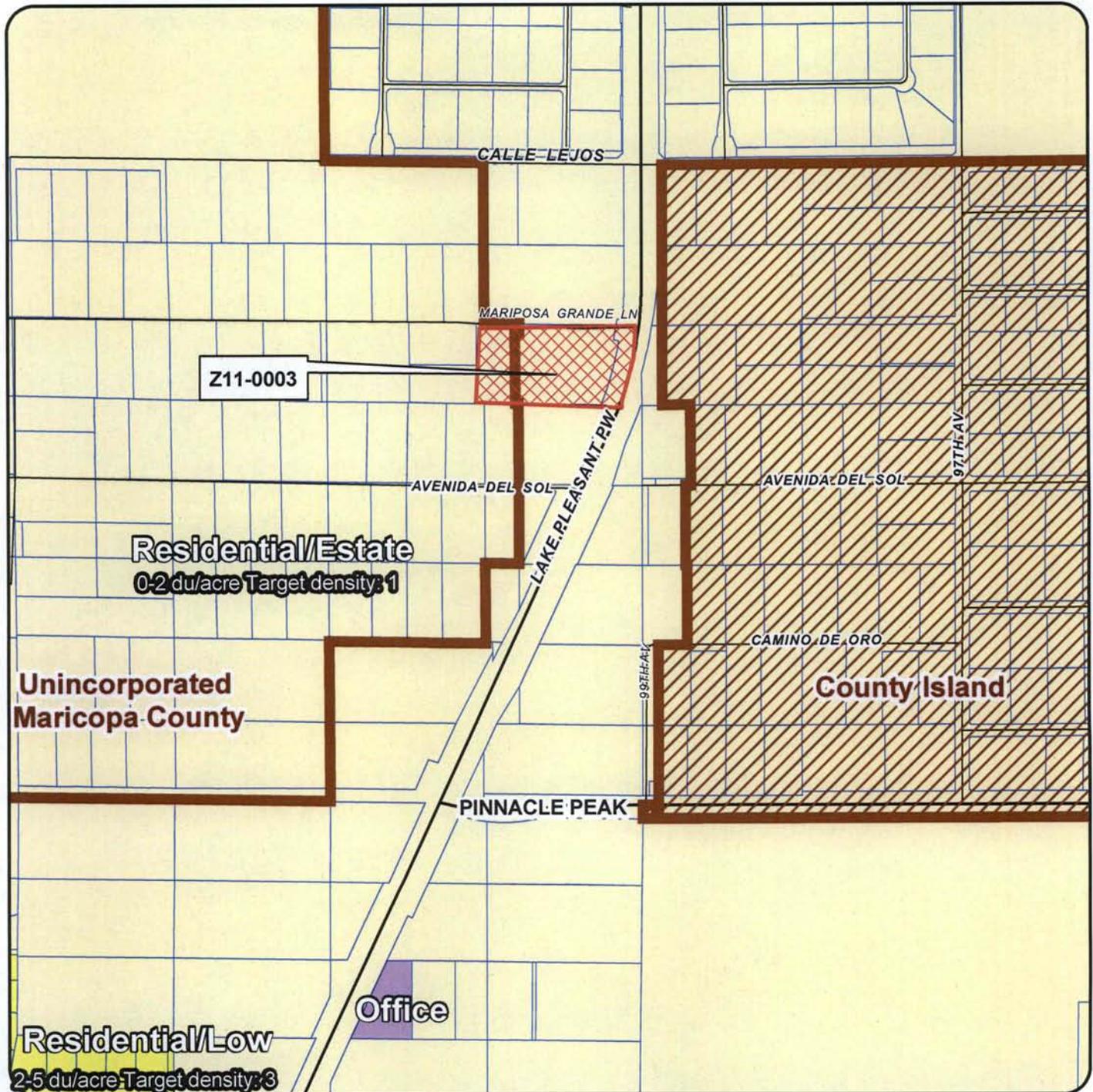
Location: Southwest corner of Lake Pleasant Parkway and Mariposa Grande Lane



Not to Scale



# Z11-0003 General Plan Land Use Map



## Z11-0003 - Chateau Sous Le Soleil

## EXHIBIT C

**Request:**

Rezone approximately 4.8 acres from SR-43 (Suburban Ranch) and Maricopa County RU-43 to Planned Area Development (PAD) in order to allow a skilled nursing, assisted living, and associated independent living facility.

**Location:** Southwest corner of Lake Pleasant Parkway and Mariposa Grande Lane



Not to Scale



# Chateau Sous Le Soleil

PLANNED AREA DEVELOPMENT

## FIGURE 5 PRELIMINARY DEVELOPMENT PLAN

**Plan Data**  
 (Subject Property Only)  
 Site Area (Gross - Zoning Area): 4.8 Ac  
 Site Area (Net): 4.2 Ac  
 \*Does not include presumed 25' R.O.W. Dedication for Mariposa Grande)

**Existing Zoning:** SR-43 (Pecoria) / Rural-43 (County)  
**Existing GP Land Use:** Residential Estate (D-2 DU/Ac)

**Proposed Use:** Geriatric multi-use living and care community. An aging-in-place themed facility with shared primary facilities, Independent Living, Assisted Living and Skilled Nursing Home components.

**Primary Facility:**  
 Main Floor Level Area: 32,300 sq. ft.  
 2nd Floor Level Area: 22,600 sq. ft.  
 Proposed Height: 2 - Stories

**1st Floor (Skilled Nursing)**  
 Unit Type: Room (Private / Semi Private)  
 Room Size: 250 - 350 sq. ft.  
 Total Rooms Proposed: 35

**2nd Floor (Assisted Living)**  
 Unit Type: Room (no Kitchen)  
 Room Size: 300 - 400 sq. ft.  
 Total Rooms Proposed: 35

**Independent Living:**  
 Unit Type: Apartment (w/ Kitchen)  
 Total Units Proposed: 32  
 Unit Size: 700 - 900 Sq. Ft.  
 Proposed Height: 2-Story  
 Dwelling Units Proposed: 32  
 Density: 6.6 DU/Ac

**Proposed Zoning:** PAD  
**Proposed Land Use:** Residential Medium (5-8 DU/AC)

**Parking:**  
 City Required: 32 Units (1.5) = 48 Spaces Est. 105 Beds / 3 = 35 Spaces  
 Total Required: 83 Spaces Total Provided: 83 Spaces

- Legend**
- Subject Site
  - ⊕ Fire Hydrant
  - ⊕ FDC
  - ⊕ Trash Enclosure

NOT TO SCALE

NORTH

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EXHIBIT D



NORTH ELEVATION (Main Facility)



NORTH ELEVATION (Independent Living)



EAST ELEVATION (Main Building)



WEST ELEVATION (Independent Living)

*Chateau*  
*Sous Le Soleil*  
 PLANNED AREA DEVELOPMENT

**FIGURE 7**  
**BUILDING ELEVATIONS**

NOT TO SCALE



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EXHIBIT E



*Chateau*  
*Sous Le Soleil*  
 PLANNED AREA DEVELOPMENT

**FIGURE 6**  
 ILLUSTRATIVE PERSPECTIVE OF  
 DEVELOPMENT CHARACTER

NOT TO SCALE

NORTH



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EXHIBIT F

## **EXHIBIT G: Citizen Participation Report**

# Citizen Participation Plan

For the

## SWC Lake Pleasant Parkway and Mariposa Grande

### Minor General Plan Amendment #GPA11-0014 Planned Area Development Zoning #Z11-0003

(Approximately 4.25 acres located at the southwest corner of Lake Pleasant Parkway  
and Mariposa Grande Road)

Peoria, Arizona

Formal Application Date: August 1, 2011

Revised Date: September 12, 2011

Hearing Draft:

City Council Hearing:

Prepared by:

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# Citizen Participation Plan

## TABLE OF CONTENTS

A. Introduction & Intent .....	1
B. City of Peoria Standards and Expectations.....	1
C. Notice Area.....	2
D. Public Outreach.....	2
E. Reporting of Community Involvement.....	6
F. Conclusion .....	6

### Figures

1. Exhibit of Notice Area and Property Ownership .....	3
2. Minor General Plan Amendment Exhibit.....	4
3. Planned Area Development Preliminary Development Plan.....	5

### Appendices

- A. Notice Area Mailing List
- B. Neighborhood Meeting Summary and Comments
- C. City of Peoria Application Review Comments

**A. Introduction & Intent**

The objective of this Citizen Participation Plan is to support an Application for a Minor Amendment and an Application for Planned Area zoning within the City of Peoria. It is the intent of this Plan to seek public input regarding these applications with specific emphasis on a defined notice area affiliated with all properties within a 600 foot radius of the subject property. This defined notice area exceeds the City of Peoria standards as defined by Article 14-39-6.E.1 of the City of Peoria Zoning Ordinance. The defined notice area represents twice the City standard.

The subject property, affiliated with this Citizen Participation Plan, is located at the Southwest corner of Lake Pleasant Parkway and Mariposa Grande Road. The subject property is approximately 4.8 acres in land area.

It is the intent of this Plan to encourage the participation of the public in the review and comment of the intended preliminary development plan and the two Applications filed with the City of Peoria. The Applicant intends to provide the case filing information to the targeted public (defined below) for the purposes in providing information, obtaining observations/comments, documenting public comment and refining the proposed development plan as necessary to obtain the support of the citizens that participate in the public review process.

**B. City of Peoria Standards and Expectations**

In accordance with Article 14-39-6 of the Peoria Zoning Ordinance, the following expectations are set by the City of Peoria to encourage public participation in the review of General Plan Amendment and Zoning requests:

A plan shall not be required for minor amendments to approved Planned Area Developments and Planned Community Developments. In all other cases the applicant shall prepare a plan that specifies (Ord. No. 05-44):

- 1. The persons who may be affected or have an interest in the application, including, but not limited to, landowners and person living in the vicinity of the property that is the subject of the application, adjacent jurisdictions, school districts, public utilities, and public agencies (Ord. No. 05-44);

For purposes of this section, vicinity shall mean the following (Ord. No. 05-44):

<u>SIZE OF PARCEL SUBJECT TO REZONING</u>	<u>NOTIFICATION DISTANCE</u>
Up to 40 Gross Acres	300 feet
40 to 320 Gross Acres	600 feet
More than 320 Gross Acres	900 feet

- 2. Methods for communication with interested and affected persons shall include at least one public meeting. The applicant shall supply, to interested and affected persons, a mailing address, telephone number, fax number, and email address where comments regarding the application will be received;

3. How the applicant will notify interested and affected persons of the application and, by separate communication, of the information meeting and communication channels with the applicant;
4. The preparation of a report to be included in the application that describes the meeting, numbers in attendance, any comments received at the meeting or any other form of communication received regarding the application, how these comments will be evaluated, and any mitigation issues identified as a result of the comments and concerns received.
5. *Timing of Citizen Participation Meetings and Communications* (Ord. No. 05-25)  
The applicant may begin citizen participation meetings and communications at any time after the CPP has been approved by the City. Any citizen participation meetings must be concluded and the required subsequent report submitted to the City at least 20 days prior to the scheduled hearing date, if any.

**C. Notice Area**

The public notice area for the subject property has been set at a distance of six hundred (600) feet from the perimeter of the subject site. The notice area and the property owners affiliated with this geographic area are depicted on page three and the property mailing list that defines owners, mailing addresses and Assessor Parcel Numbers (APN) are provided as Appendix A. The notice area list has been established based on the use of the Maricopa County Assessor records affiliated with Assessor Parcels as of July 26, 2011.

**D. Public Outreach**

The following steps will be taken to solicit the review and input from the public affiliated with the proposed minor General Plan Amendment and Planned Area Development Zoning requests:

1. In addition to the notice sent by the City of Peoria within three (3) days of filing Applications for the subject property, within 14 days of filing the Minor General Plan Amendment and Planned Area Development Zoning Applications, the Applicant will send a mailed notice to all property owners within the notice area and listed in Appendix A. The notice will be sent through the US Postal Service. The notice will include a letter to define the Applications files with the City of Peoria and will include a copy of the proposed Preliminary Development Plan. The letter will invite those noticed to participate and attend a Neighborhood Meeting to be hosted by the Applicant Team. Those noticed will be provided direct contact information to the Applicant and encouraged to call and/or email to ask questions or provide comments and concerns.
2. Within 14 days of filing the Minor General Plan Amendment and the Planned Area Development Zoning Applications, the Applicant will post both the Minor General Plan Amendment and the Planned Area Development Narrative and Exhibits on the Applicant Web Page at [www.lvadesign.com](http://www.lvadesign.com). The public notice (letter) will direct those noticed to this Web Page for access to the Application materials.
3. A Neighborhood Meeting will be organized and held at least ten (10) days but no more than twenty (20) days following the mailing of the public notice. Those attending the meeting will be asked to provide contact information and will be provided comment cards and encouraged to write their observations, opinions, general or specific comments. The Applicant team will be available during the meeting to discuss the

# CITIZEN PARTICIPATION PLAN

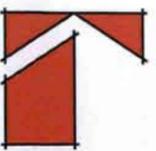
SWC Lake Pleasant Parkway and Mariposa Grande

## FIGURE 1 EXHIBIT OF NOTICE AREA AND PROPERTY OWNERSHIP



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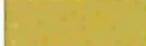
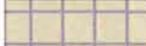
120 south ash avenue • tempe, arizona 85281 • phone: 480.994.0994

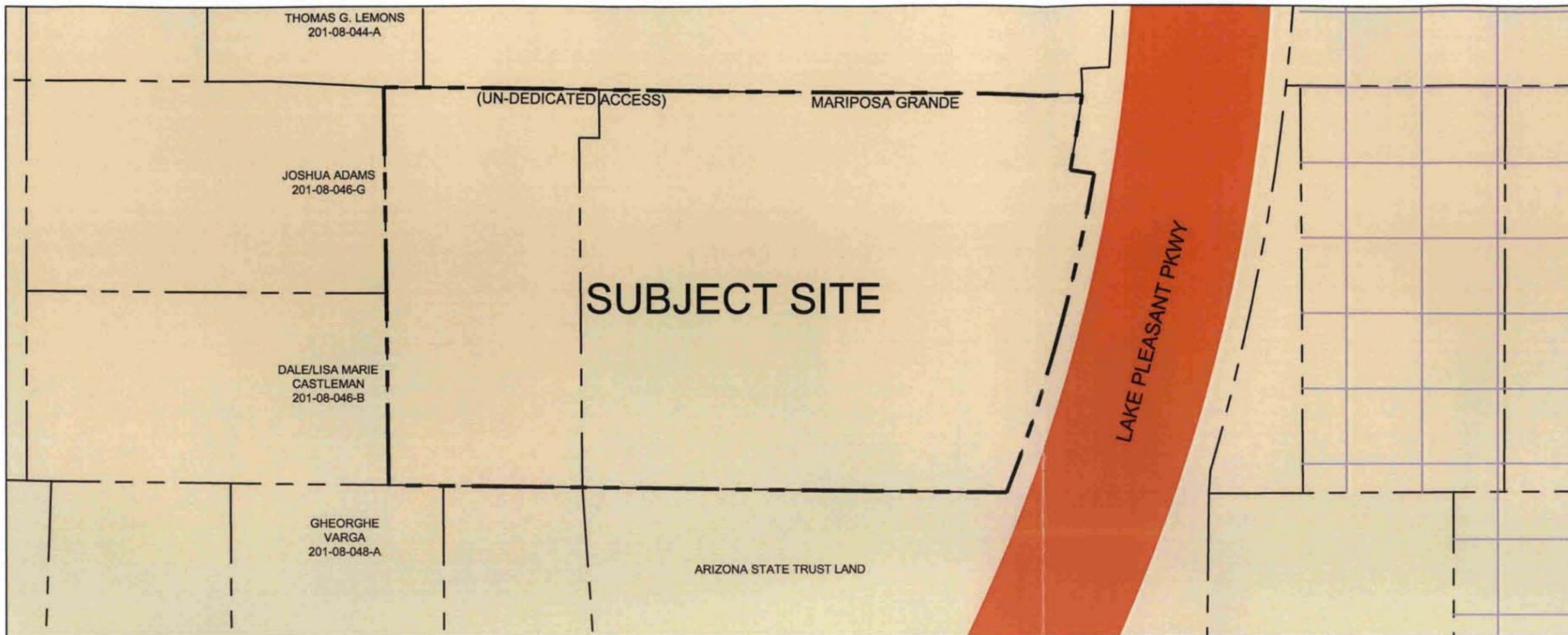
# CITIZEN PARTICIPATION PLAN

SWC Lake Pleasant Parkway and Mariposa Grande

## FIGURE 2 MINOR GENERAL PLAN AMENDMENT EXHIBIT

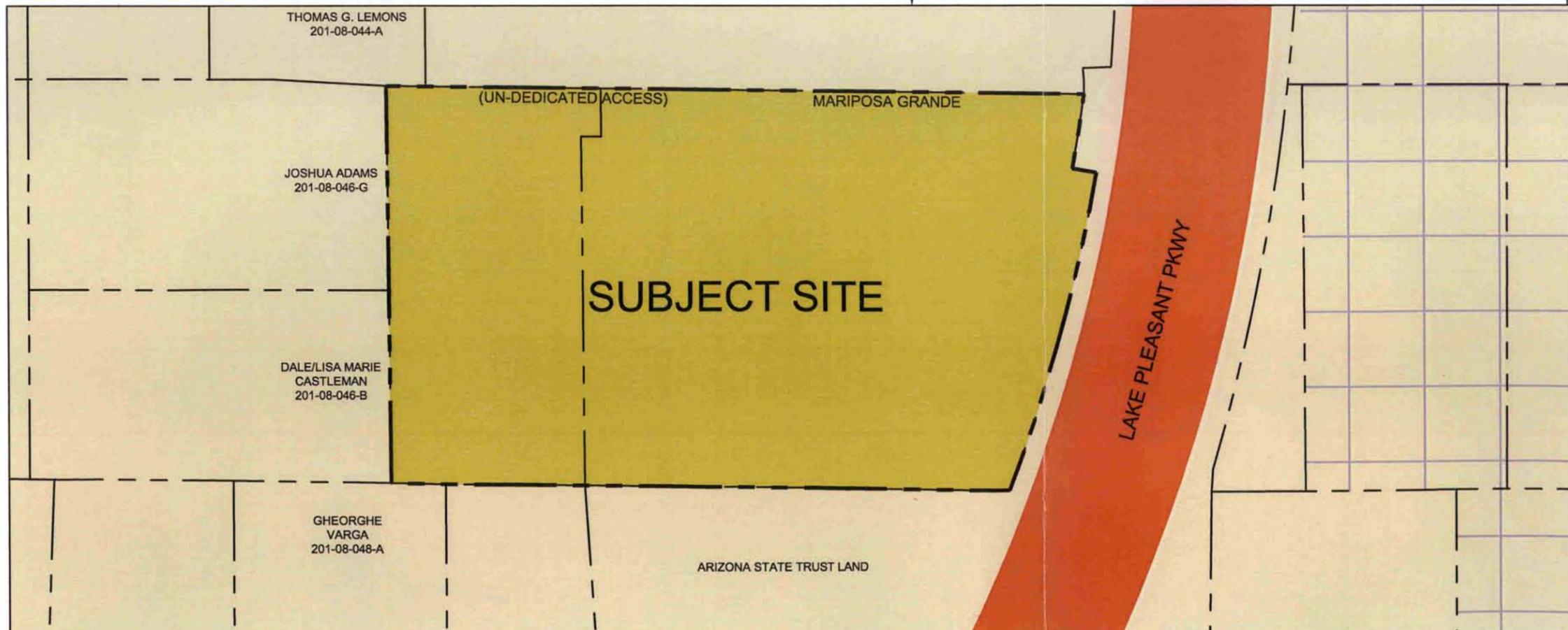
### LEGEND

-  SUBJECT SITE
-  CITY OF PEORIA  
RESIDENTIAL/ESTATE (0-2.0 DU/AC)
-  RESIDENTIAL/MEDIUM (5.0-8.0 DU/AC)
-  COUNTY ISLAND
-  ARTERIAL

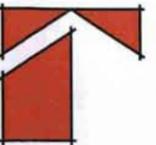


EXISTING GENERAL PLAN LAND USE

PROPOSED GENERAL PLAN LAND USE



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# CITIZEN PARTICIPATION PLAN

SWC Lake Pleasant Parkway and Mariposa Grande

## FIGURE 3 PLANNED AREA DEVELOPMENT PRELIMINARY DEVELOPMENT PLAN

**Plan Data**  
(Subject Property Only)  
Site Area (Gross - Zoning Area): 4.8 Ac  
Site Area (Net\*): 4.2 Ac  
\*(Does not include presumed 25' R.O.W. Dedication for Mariposa Grande)

Existing Zoning: SR-43 (Peoria) / Rural-43 (County)  
Existing GP Land Use: Residential Estate (0-2 DU/Ac)

Proposed Use: Geriatric multi-use living and care community. An aging-in-place themed facility with shared primary facilities, Independent Living, Assisted Living and Skilled Nursing Home components.

**Primary Facility:**  
Main Floor Level Area: 32,300 sq. ft.  
2nd Floor Level Area: 22,600 sq. ft.  
Proposed Height: 2 - Stories

1st Floor (Skilled Nursing)  
Unit Type: Room (Private / Semi Private)  
Room Size: 250 - 350 sq. ft.  
Total Rooms Proposed: 35

2nd Floor (Assisted Living)  
Unit Type: Room (no Kitchen)  
Room Size: 300 - 400 sq. ft.  
Total Rooms Proposed: 35

**Independent Living:**  
Unit Type: Apartment (w/ Kitchen)  
Total Units Proposed: 32  
Unit Size: 700 - 900 Sq. Ft.  
Proposed Height: 2-Story

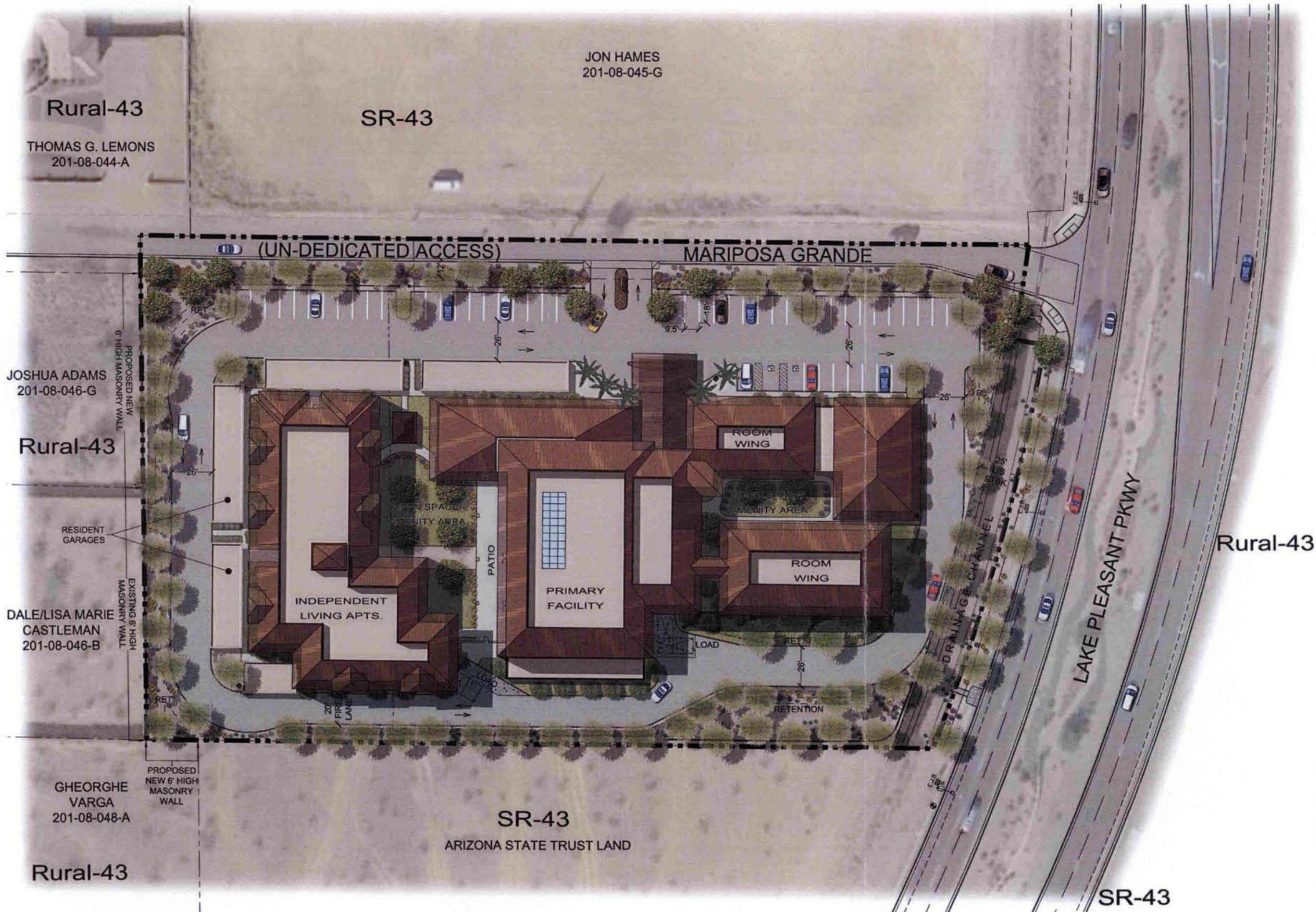
Dwelling Units Proposed: 32  
Density: 6.6 DU/Ac

Proposed Zoning: PAD  
Proposed Land Use: Residential Medium (5-8 DU/AC)

**Parking:**  
City Required: 32 Units (1.5) = 48 Spaces    Est. 105 Beds / 3 = 35 Spaces  
Total Required: 83 Spaces    Total Provided: 83 Spaces

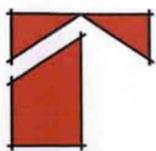
**Legend**

	Subject Site
	Fire Hydrant
	FDC
	Trash Enclosure



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NORTH



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specifics related to the intended Preliminary Development Plan, the Minor General Plan Amendment, and the Planned Area Development Zoning Applications.

4. Following the Neighborhood Meeting, the Applicant will evaluate all comment cards to determine the best means of addressing the public comments and concerns. All comments will be listed in a written document and the Applicant will prepare written responses to each comment. The Minor General Plan Amendment and the Planned Area Development Zoning Applications will be revised as appropriate to address the public comments. The written list of comments and the Applicant responses will be placed in Appendix B as an update to the Citizen Participation Plan.
5. The Applicant will prepare a Public Hearing Draft of the PAD following the completion of the review by the City staff. In addition, an updated copy of the Citizen Participation Plan including the community written comments and the Applicant responses will be provided to City staff.

A minimum of 15 days prior to an established date for the Planning Commission public hearing regarding the Applications as determined by the City staff, the Applicant will work with City staff to send a second notice through the US Postal Service. The notice will include information regarding the public hearing schedule, contact information for both the Applicant and City staff, and updated information regarding the posting of the Public Hearing Draft of the PAD being posted on the Applicant Web Page at [www.lvadesign.com](http://www.lvadesign.com).

#### **E. Reporting and Community Involvement**

The Applicant will remain available to questions and comments throughout the public review process. Property owners will be encouraged to correspond through the use of a telephone, email, or written letter. All comments will be collected and reported within this Citizen Participation Plan. We anticipate the majority of the public comments will be collected through the Neighborhood Meeting; however we do anticipate phone calls, emails and possible mail regarding the development proposal on the subject property throughout the public hearing process. These comments will be collected and reported within this Citizen Participation Plan up through the point of submittal of the Public Hearing Draft. From that point forward, comments should be directed to the Planning Commission and/or City Council members.

#### **F. Conclusion**

This Citizen Participation Plan is intended to promote the distribution of information affiliated with applications to amend the General Plan and seek Planned Area Development (PAD) zoning within the City of Peoria. This Plan represents the process intended to inform the target stakeholders within the context area of the subject property as necessary to seek public comments and concerns. This Plan will evolve to incorporate all public comment up to a point of City of Peoria submittal of the "Public Hearing Draft" for the PAD zoning request. The Applicant intends to utilize the draft PAD as a means of addressing the community concerns with updates and revisions to the development standards as necessary and appropriate to address the public concern.

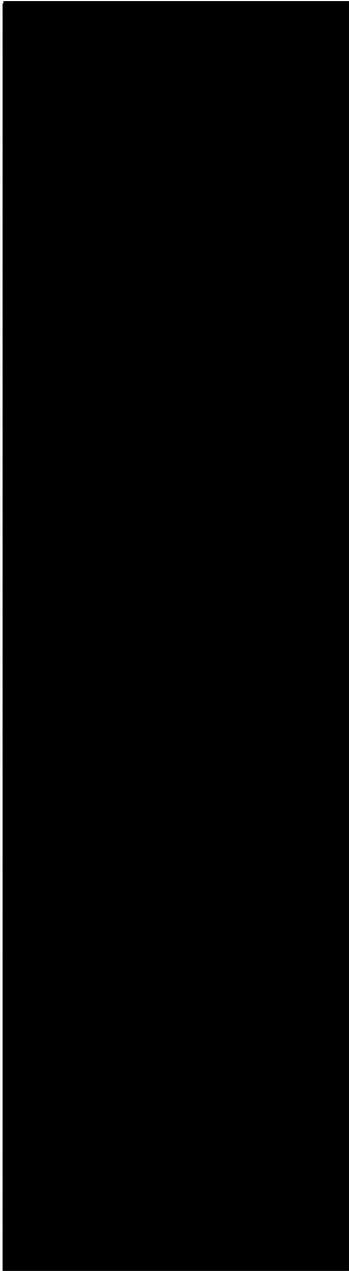
APPENDICES

**APPENDIX A: NOTICE AREA MAILING LIST**



<http://www.maricopa.gov/Assessor/GIS/MailingList.aspx>

7/26/2011



R

<http://www.maricopa.gov/Assessor/GIS/MailingList.aspx>

7/26/2011



<http://www.maricopa.gov/Assessor/GIS/MailingList.aspx>

7/26/2011

APPENDIX B: NEIGHBORHOOD MEETING SUMMARY AND COMMENTS

## Neighborhood Meeting Summary

A Neighborhood Meeting was held on the evening of August 24, 2011. All property owners within six hundred (600) feet of the subject property were notified in accordance with Sections C and D of this Citizen Participation Plan. The meeting was held at the City of Peoria Pinnacle Peak Public Safety Facility between the hours of 6:30 and 8:00 pm.

A total of four property owners attended the noticed neighborhood meeting. The meeting sign in sheet is provided on the following page of this Citizen Participation Plan.

The Applicant displayed the maps and exhibits provided to the City of Peoria in support of the General Plan Amendment and Planned Area Development Zoning Request. In addition, the Applicant had full copies of all of the application material available for review by the attending public. The Neighborhood Meeting participants were encouraged to inspect all of the materials on display at the meeting and were provided direct attention with regards to an overview of the project and direct responses to questions. The Applicant team (three representatives) encouraged one on one discussion with the meeting participants. Following the individual inspection and overview of the project materials, the meeting transitioned to general discussion with all meeting participants. The Applicant encouraged the use of meeting comment cards for participant to provide direct written comments. The Applicant also provided an overview of the General Plan Amendment and Zoning Process and indicated the community would be notified of the future public hearing process regarding the Applications. The meeting participant comments are provided below. The information below represents the direct verbatim written responses of participants.

[REDACTED]

This is a wonderful plan. I own the land just north of this parcel. This is a very good plan and idea. I hope it is built as soon as possible.

[REDACTED]

No apartments / condos on this site. This property if zoned – this specific use only.

[REDACTED]

My concerns are density and the effect on adjoining properties. I would like to see a fence surrounding the entire property. Also height restrictions (only 2 stories max).

Applicant Response to Neighborhood participant comments: The PAD Standards and Guidelines Report has been amended to place additional restrictions on Permitted Principal Land Uses authorized under the standards contained within the Zoning application.

APPENDIX C: CITY OF PRORIA APPLICATION REVIEW COMMENTS (September 1, 2011)

*City staff comment and applicant responses resulting from the City  
General Plan Amendment and Zoning Application First Review.*

## **EXHIBIT H: PAD Standards and Guidelines Report**

# Chateau Sous le Soleil

## PLANNED AREA DEVELOPMENT (PAD) STANDARDS AND GUIDELINES

Southwest Corner of Lake Pleasant Parkway and  
Mariposa Grande Road  
4.8 Acres

### **Z11-0003**

11/07/2011

## Table of Contents

### Planned Area Development

1. Introduction.....	1
2. Legal Description of Property .....	1
3. Consistency with General Plan .....	1
4. General Site Information and Existing Site Conditions.....	2
5. Surrounding Land Uses and Conditions .....	2
6. Preliminary Development Plan .....	2
7. Permitted, Conditional and Accessory Uses.....	4
8. Project Development Standards .....	4
a. Lot Coverage.....	5
b. Building Setbacks.....	5
c. Minimum Lot Size .....	5
d. Building Heights.....	5
e. Accessory Use Standards.....	5
f. Open Space Requirements.....	5
g. Lighting.....	5
h. Screening, Fencing and Walls.....	5
i. Roadway Standards .....	6
j. Parking .....	6
k. Enhanced Design Review Standards.....	6
9. Project Signage Standards .....	6
10. Project Landscaping Standards .....	6
11. Desert Lands Conservation Overlay Applicability and Compliance.....	7
12. Infrastructure/Utilities .....	15
a. Grading/Drainage/Retention .....	15
b. Water/Wastewater .....	15
c. Electric Power/Natural Gas/Telephone Service.....	15

<u>Appendix</u> .....	17
a. Legal Description of Gross Land Area and Exhibit .....	18
b. ALTA Survey .....	21
c. Site Context and Master Conservation Plan .....	24

### List of Tables

Table 1A – Planned Area Development – Development Standards Summary.....	4
Table 1B – Planned Area Development – Accessory Structure Standards .....	5
Table 2 – Revised Parking Standards.....	6

### List of Figures

Figure 1 – Regional Context Exhibit.....	8
Figure 2 – Aerial Photography – Subject Site and Context.....	9
Figure 3 – Existing and Proposed General Plan Designation .....	10
Figure 4 – Existing Conditions Map .....	11
Figure 5 – Preliminary Development Plan.....	12
Figure 6 – Illustrative Perspective of Development Character.....	13
Figure 7 – Building Elevations.....	14

## 1. Introduction

This application seeks Planned Area Development (PAD) zoning on approximately 4.8 acres of land located on the southwest corner of Lake Pleasant Parkway and Mariposa Grande Road. This proposed age targeted, independent living, assisted living and skilled nursing facility is framed by the standards and guidelines for the project included within this document. This standards and guidelines report provides the necessary site information and property development standards to accomplish the development of the intended conceptual development plan. Refer to **Figure 1, Regional Context Exhibit**, to the geographic location of the subject site within the Northwest Peoria context. Refer to **Figure 2, Aerial Photography – Subject Site and Context**, for a depiction of the subject site and a relationship to the site context area.

In accordance with provisions of Section 14-33-2 of the Zoning Ordinance Planned Area Development zoning may be requested on a property less than ten (10) acres if a finding of analysis is declared that the waiver would be in the public interest. In the case of the Chateau Sous le Soleil project, this PAD declares PAD zoning is the appropriate zoning district for the subject property based on the two following factors (findings):

- The subject property is situated immediately adjacent to Lake Pleasant Parkway and is subjected to the impacts of traffic volume, speed and noise currently present as well as the future projections for increased impacts affiliated with traffic movements;
- The proposed use, Independent Living combined with Assisted Living and Skilled Nursing services represents a unique use that is not well suited to any of the existing zoning districts contained within the City of Peoria Zoning Ordinance.

## 2. Legal Description of Property

The legal description for the property is as follows:

Parcel 201-08-047H within the southeast quarter of Section 8, Township 4 North, Range 1 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Parcel 201-08-047J within the southeast quarter of Section 8, Township 4 North, Range 1 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

The gross area affiliated with the property subject to this Planned Area Development is more specifically described in Appendix B.

## 3. Consistency with General Plan

The current General Plan Designation for the site is Estate Residential, which permits up to 2 dwelling units per acre. Due to the immediate proximity of the subject site to Lake Pleasant Parkway, with consideration for land use impacts affiliated with a projected traffic volume of 42,000 vehicular daily trips in the year 2028, this development proposal includes a companion request to this PAD zoning request for a Minor General Plan Amendment application. The Minor General Plan Amendment request is to modify the Land Use designation from the residential classification of Residential Estate (0-2 dwelling units per acre) to a residential classification of Residential Medium (5-8 dwelling units per acre). The proposed land use designation responds to the proposed project density affiliated with the number of residential units attributed to the conceptual development plan. The proposed zoning and development plan is consistent with this requested General Plan designation. Refer to **Figure 3, Existing and Proposed General Plan Designations**, for a depiction of the Land Use designation and the land use policy of the City of Peoria.

#### 4. General Site Information and Existing Site Conditions

The site is currently vacant desert land that is zoned SR-43 within the City of Peoria for the eastern portion of the subject site (APN 201-08-047H) and Rural 43 for the western portion of the subject site (APN 201-08-047J). The subject property maintains a very slight slope (.6%) with an existing elevation of 1,322 feet above MSL within the northeast corner of the property to an existing elevation of 1,318 feet above MSL within the southwest corner of the property. A single drainage corridor exists along the eastern property line as defined by an existing drainage easement to the benefit of the Flood Control District of Maricopa County. Refer to **Figure 4, Existing Site Conditions**, for the existing site conditions affiliated with the subject property.

Being located north of the Pinnacle Peak Road alignment, the subject property falls within the Desert Lands Conservation Overlay zoning district. According to Article 14-22B of the City of Peoria Zoning Ordinance, the intent of this overlay district is “to identify and protect unique and environmentally sensitive Sonoran Desert land in the City and to promote the public health, safety and welfare by providing appropriate and reasonable controls for the development of such lands”. Upon the review of Section 14-22B-2, Applicability, and the nineteen conservation features intended to be protected by the overlay zoning district, development consultant team finds the site to be devoid of such environmental features. In support of this finding, this PAD provides a **Site Context and Master Conservation Plan** within **Appendix C**. This exhibit documents the existing site conditions that are reflective of surrounding urbanization and the lack of any connectivity to the natural open space systems existent in the northwest Peoria region.

#### 5. Surrounding Land Uses and Conditions

The subject site is surrounded on the north by a vacant property and charter school, on the east by Lake Pleasant Parkway, on the south by vacant land in Trust with the State of Arizona, and on the west by a single family neighborhood within the jurisdiction of Maricopa County. The Agua Fria River is approximately 1.0 miles to the west of the subject property. The adjacent Maricopa County residential subdivision consumes the land area between the subject site and the river drainage way.

The typical land use pattern within the area is representative of large lot residential uses within this segment of the Lake Pleasant Parkway transportation corridor. However, the pattern of uses that are immediately adjacent to the Parkway tend to represent vacant land or institutional types of uses. The pattern of vacant land use adjacent to the Parkway is likely attributed to a perceived conflict with the land use classification (Residential Estate) and the impacts of traffic volumes (current and projected) attributed to the Parkway as a road of regional significance. Similar to the Candee Schools charter school development just north of the subject site, this PAD zoning request seeks to find a land use that promotes neighborhood compatibility while addressing the impacts of the Lake Pleasant Parkway transportation facility.

#### 6. Preliminary Development Plan

The proposed use for the subject site is designed to blend age targeted living for seniors. This blend will consist of an independent living component, located furthest to the west as thirty-two (32) residential units, an assisted living component consisting of thirty-five (35) resident rooms and a skilled nursing component consisting of thirty-five (35) rooms. This residential community is designed to promote a concept of “aging in place” meaning a person could move naturally through maturity which requires increasing levels of medical care all being provided within the same community (facility). A residential living unit is provided for those still needing independence but may desire the use of the common dining and recreational facilities that are integral to the community. **Figure 5, Preliminary Development Plan**, provides a depiction of the development intent for the subject site.

The community design incorporates the following living elements:

Independent Living Units:

These units provide one and two bedroom options and range from 700 to 900 square feet in area. The residential units include full kitchens, full baths and living room for the residents.

Assisted Living Rooms:

These living facilities will include a bedroom, full bathrooms and small living room within 300 to 400 square feet. Residents are provided access to common dining and common activity spaces within the building for daily living.

Skilled Nursing Rooms:

These living facilities will include a private and semi-private bedrooms, full bathrooms and small living room within 250 to 350 square feet. Residents are provided access to common dining and common activity spaces within the building for daily living but also are provided catering (in-room) dining and personalized nursing services.

Common amenities provided within the community will include some or all of the following:

- Common Dining
- Common Recreation Hall (indoor)
- Common Recreation Patio / Lawn (Outdoor)
- Professional Common Kitchen
- Reception Parlor
- Reading Parlor
- Administrative Offices
- Nursing and Convalescence Station(s)
- Conference / General Purpose Room
- Swimming Pool
- Utility Room
- Common Laundry
- Maintenance and Service

The project entry will provide access to the site from Mariposa Grande Road at the north end of the community. This local street has direct access to Lake Pleasant Parkway. The main entry will be designed to include an entry monuments and a community identification sign integrated with a Sonoran Desert plant pallet along the street frontage for Mariposa Grande Road. Residents and guests are greeted by a porte cochere as a means of clearly designating the community greeting area. **Figure 6, Illustrative Perspective of Development Character**, provides a depiction of the design and development intent of the community with a depiction of the various development components described herein. The image vantage point is from the northeast corner of the subject site with a perspective view to the southwest.

The building components of the development plan include the main facilities building, the independent living building and detached individual resident garages. These development plan components are further described below:

Main Facilities Building:

The Main Facilities Building is located on the eastern portion of the subject property and will include the administrative services facilities and greeting functions of this community. Additionally the building will include all the Assisted Living and Skilled Nursing rooms, common dining hall, common recreation hall, community maintenance facilities and all other common amenities. This building will be staffed with professional care service providers in support of the "age in place" lining concept. The building square footage is contained within one and two story elements that are configured to form intimate outdoor patio and garden spaces.

Independent Living Building:

The Independent Living Building is located within the western portion of the subject property and is planned to include 32 units within a two story structure. The building includes private outdoor spaces (balconies) for each unit. An open space and amenity area is framed within the space between the Main Facilities Building and the Independent Living Building.

Individual Garages:

Additional single story structures have been planned within the western portion of the subject site to promote the provision of a single private automobile garage for each independent living unit. Garage doors are independently operated by the residents. Accessibility considerations are incorporated into the design.

Figure 7, **Building Elevations**, provides a depiction of the building components, building scale, use of materials and designated desert tone color palette inclusive of the elements defined above.

**7. Permitted Principal, Conditional and Accessory Uses**

- A. The permitted Principal Uses shall be as follows:
  - 1. Skilled Nursing and Assisted Living Services and associated Independent Living Units.
- B. The Conditional Uses shall be as follows:
  - 1. None
- C. The permitted Accessory Uses shall be as follows or as determined to be analogous by the City of Peoria Planning Manager:
  - 1. Private Garages
  - 2. Dining Hall
  - 3. Recreation Hall
  - 4. Swimming Pool
  - 5. Administrative Offices
  - 6. Common Laundry
  - 7. Other ancillary services and amenities for residents of the facility

**8. Project Development Standards**

Each applicable development standard is explained in detail in the subsections below.

**Table 1A – Planned Area Development – Development Standards Summary**

Development Standard	Project Standard
Maximum Lot Coverage <sup>1</sup>	50%
Lake Pleasant Parkway Building Setback	60 Feet
Mariposa Grande Road Building Setback	40 Feet
West Property Line Building Setback	40 Feet
South Property Line Building Setback	20 Feet
Minimum Lot Size	Not Applicable
Maximum Building Height	30 Feet
Common Usable Open Space	
Skilled Nursing / Assisted Living	100 Sq. Ft. per Bedroom
Independent Living	200 Sq. Ft. per Unit
Private Open Space	
Independent Living	50 Sq. Ft. per Unit

1. Lot coverage shall be calculated for the PAD as a whole, not on an individual lot basis.

**Table 1B – Planned Area Development – Development Standards for Accessory Structures**

<b>Development Standard</b>	<b>Project Standard</b>
Lake Pleasant Parkway Building Setback	60 Feet
Mariposa Grande Road Building Setback	40 Feet
West Property Line Building Setback	30 Feet
South Property Line Building Setback	20 Feet
Maximum Building Height	20 Feet

a. Lot Coverage

The lot coverage for the property shall be a maximum of 50%. Development lot coverage shall be calculated for the PAD as a whole, not on an individual lot basis. The calculation is as follows: Gross Area of PAD, less rights-of-way (arterial and local streets) and perimeter landscape tracts equals Net PAD area. Net PAD area multiplied by the lot coverage percentage equals the total square feet allowed for coverage within the PAD.

b. Building Setbacks (Project Perimeter)

Minimum building setback shall be as follows: sixty (60) feet adjacent to the Lake Pleasant Parkway right-of-way; forty (40) feet adjacent to the dedicated half street right-of-way for Mariposa Grande Road (a local street section); forty (40) feet adjacent to the west property line (PAD boundary); and twenty (20) feet adjacent to the south property line (PAD Boundary).

c. Minimum Lot Size

There shall be no minimum lot size affiliated with this PAD.

d. Building Heights

The project may include both one and two-story structures with buildings up to 30' in height.

e. Accessory Use Standards

Accessory uses shall conform to the standards set forth in Table 1B above.

f. Open Space Requirements

**Common Open Space:** The minimum quantity of usable open space required shall be two hundred (200) square feet per Independent Living Unit plus one hundred (100) square feet per Assisted Living / Skilled Nursing bedroom. Exterior open space amenities will be complemented by indoor common recreation amenities.

**Private Open Space:** The minimum quantity of private open space (residential unit outdoor space) required shall be defined in response to a ratio of fifty (50) square feet per Independent Living Unit.

*Note: The targeted age of the population within this community values short walking distances. Open space should be provided with consideration given to maintaining compact building form and limiting walking distances to on-site services.*

g. Lighting

Lighting within the project shall conform to section 14-3-2F of the Peoria Zoning Ordinance, governing exterior lighting. The development shall be considered residential for the purposes of exterior lighting standards.

h. Screening, Fencing and Walls

Screening shall conform to the standards set forth in Section 14-3-4 of the Peoria Zoning Ordinance. The standards for fencing and walls shall be as presented in Section 14-3-5 of the Peoria Zoning Ordinance.

i. Roadway Standards

Local street standards will apply to the dedication of right-of-way and the construction of the south half street for Mariposa Grande Road. Development depicted on the Preliminary Development Plan assumes the half street paving and construction of curb and gutter for this local street. This roadway development proposal will comply with City of Peoria standards unless otherwise waived by the appropriate process.

j. Parking

Parking requirements for the project shall conform to the parking standards contained within Article 14-23 of the Peoria Zoning Ordinance with the following exception to Section B.1, Off-Street Parking Requirements:

**Table 2 – Revised Parking Standards**

Use	Parking Spaces Required
Skilled Nursing / Assisted Living	1.0 Spaces per Three (3) Beds
Independent Living Units	1.0 Spaces per Unit

k. Enhanced Design Review Standards

The Chateau Sous de Soleil development plan review shall be subject to the standards defined by Chapter 4 of the City of Peoria Design Review Manual. However, this PAD represents a unique land use and has been designed to be responsive to the essential development and operation characteristics of this planned senior citizen community while being particularly considerate and responsive to the surrounding neighboring properties. The site design and architectural style presented by this PAD, as expressed by the graphic exhibits and renderings represent a explicit effort to blend architectural style and building scale with the residential community to the immediate west. Design elements specifically intended for the development of this site include:

- Four sided architecture to ensure the theme and style is responsive to all surrounding properties inclusive of the services areas affiliated with the south elevations;
- A grand site and building entrance that is highly identifiable and responsive to the arrival experience to this community;
- The incorporation of a pitched roof form with concrete roof tile in response to design character and form within the context area;
- Interesting combinations of open spaces between buildings to promote the development of community courtyards;
- Incorporation of accent building materials such as stone veneers, awnings, divided light windows and eve cornices.
- Building mounted architectural lighting fixtures to accent building entrances and private garage units with an avoidance of any site mounted parking lot lighting fixtures;

These enhanced design standards will be incorporated into the site development and building construction documents presented to the City of Peoria affiliated with the standard procedures necessary to obtain site development and building permits.

**9. Project Signage Standards**

Project signage shall conform to the standards contained within Section 14-34 of the Peoria Zoning Ordinance.

**10. Project Landscaping Standards**

Project landscaping shall conform to the requirements set forth in Article 14-35 of the Peoria Zoning Ordinance except as modified below:

#### General Landscape Requirements

Street Frontage Area: Mariposa Grande Road landscaped setback shall be ten (10) feet. In addition, landscaping and irrigation facilities shall be provided between the back of street curb and the property line following right-of-way dedication. The Mariposa Grande roadway frontage will be improved with landscape plant materials that exceed Section 14-35-4.A2 of the Zoning Ordinance and A3 as follows:

- a. Mariposa Grande Street Frontage: The installation of street trees, shrubs, and vegetative ground cover shall be required for the Mariposa Grande frontage in an amount equal to or greater than one (1) tree and eight (8) shrubs for every twenty-five (25) feet of street frontage, and vegetative ground cover. The shrubs and ground cover shall occupy a minimum of seventy percent (70%) of the total street frontage landscaped area at maturity.
- b. Landscape Buffers: A minimum ten (10) foot landscape buffer shall be required along the south and west property lines of the subject site with landscape planting being provided as follows:
  - A minimum of one (1) twenty-four inch (24") box screening tree spaced every twenty (20) foot interval and a minimum of five (5) shrubs per tree.

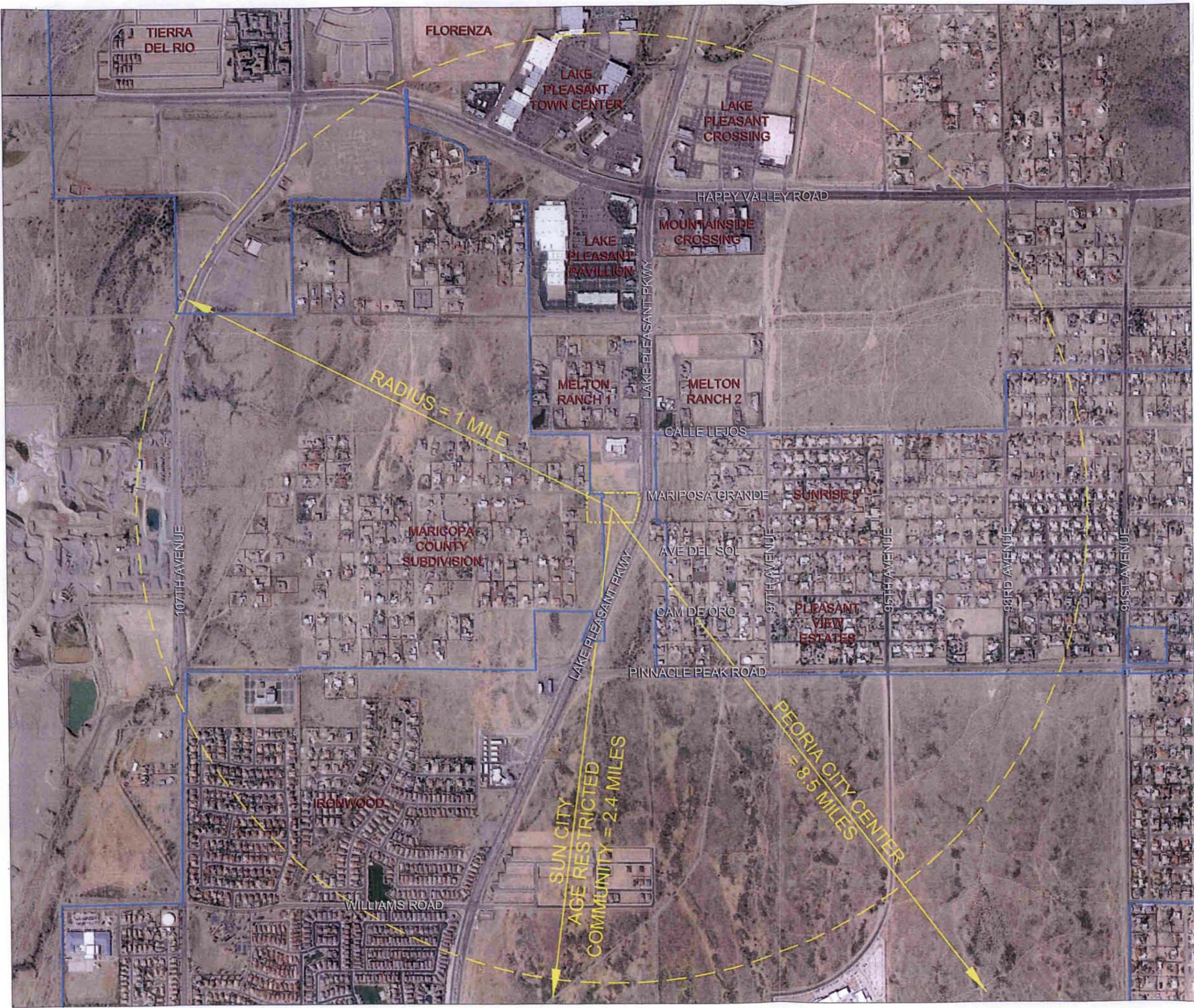
#### **11. Desert Lands Conservation Overlay Applicability and Compliance**

The subject site, being north of the Pinnacle Peak Road alignment, is within the Desert Lands Conservation Overlay District. The subject property appears to be devoid of any of the eighteen (18) conservation features defined by the Overlay District (See Appendix C).

**FIGURE 1**  
 REGIONAL CONTEXT EXHIBIT

**LEGEND**

-  SUBJECT SITE
-  CITY OF PEORIA CORPORATE LIMITS



NOT TO SCALE

NORTH  


PRELIMINARY - NOT FOR CONSTRUCTION - COPYRIGHT LVA URBAN DESIGN STUDIO, L.L.C.

Date.	07/28/11	Project No.	1110
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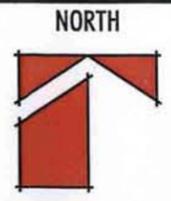
**FIGURE 2**

**AERIAL PHOTOGRAPHY -  
SUBJECT SITE AND CONTEXT**

**LEGEND**

-  SUBJECT SITE
-  CITY OF PEORIA CORPORATE LIMITS

NOT TO SCALE



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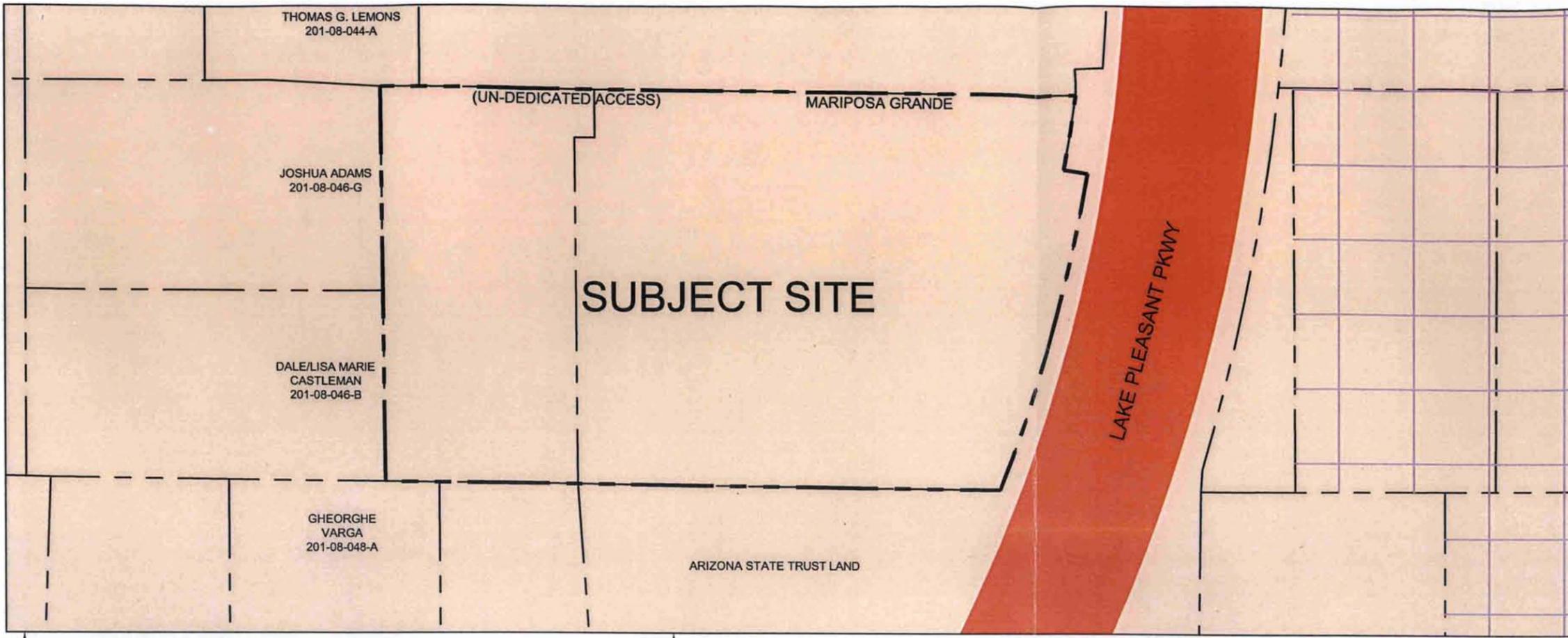
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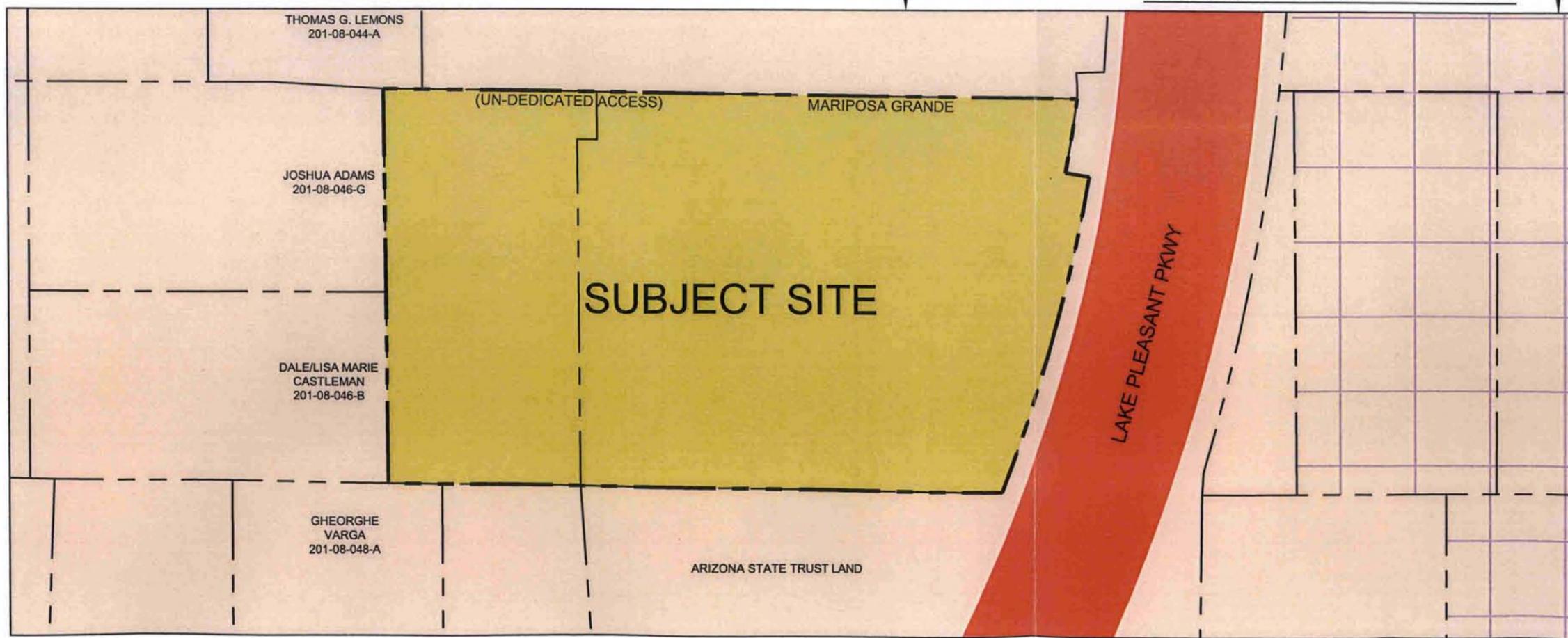
**FIGURE 3**  
 EXISTING AND PROPOSED  
 GENERAL PLAN DESIGNATION

- LEGEND**
-  SUBJECT SITE
  -  CITY OF PEORIA  
RESIDENTIAL/ESTATE (0-2.0 DU/AC)
  -  RESIDENTIAL/MEDIUM (5.0-8.0 DU/AC)
  -  COUNTY ISLAND
  -  ARTERIAL



EXISTING GENERAL PLAN LAND USE

PROPOSED GENERAL PLAN LAND USE



NOT TO SCALE



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# Chateau

## Sous Le Soleil

PLANNED AREA DEVELOPMENT

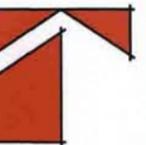


### FIGURE 6

ILLUSTRATIVE PERSPECTIVE OF  
DEVELOPMENT CHARACTER

NOT TO SCALE

NORTH



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NORTH ELEVATION (Main Facility)



NORTH ELEVATION (Independent Living)



EAST ELEVATION (Main Building)



WEST ELEVATION (Independent Living)

*Chateau*

*Sous Le Soleil*

PLANNED AREA DEVELOPMENT

**FIGURE 7**  
BUILDING ELEVATIONS

NOT TO SCALE

NORTH

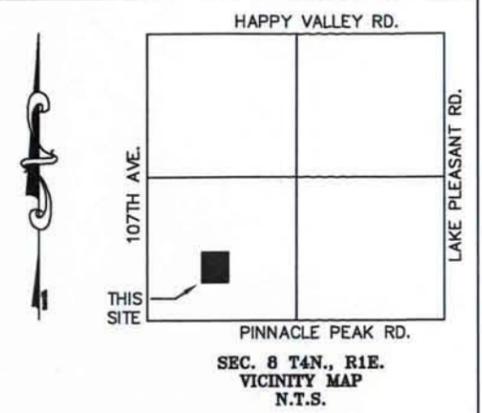
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Date. 07/28/11	Project No. 1110
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**A.L.T.A./A.C.S.M. LAND TITLE SURVEY**  
 PARCEL "D" AND PARCEL "E"  
 AS RECORDED IN BOOK 850 OF MAPS, PAGE 25 M.C.R.  
 A PORTION OF THE SOUTHEAST QUARTER OF SECTION 8 T4N.,  
 R1E. G.&S.R.B.&M. MARICOPA COUNTY, ARIZONA



**LEGAL DESCRIPTION**

**EXHIBIT "A"**

**PARCEL 1**  
 THAT PORTION OF THE NORTH HALF OF THE SOUTHEAST QUARTER AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, 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 SOUTHEAST CORNER OF SAID SECTION 8, FROM WHICH THE EAST QUARTER CORNER BEARS NORTH 00 DEGREES 15 MINUTES 48 SECONDS WEST, 2639.63 FEET.  
 THENCE NORTH 00 DEGREES 15 MINUTES 48 SECONDS WEST, ALONG THE EAST LINE OF SAID SECTION 8, A DISTANCE OF 1649.77 FEET;  
 THENCE NORTH 89 DEGREES 17 MINUTES 36 SECONDS WEST, A DISTANCE OF 682.83 FEET TO THE TRUE POINT OF BEGINNING;  
 THENCE NORTH 00 DEGREES 31 MINUTES 54 SECONDS WEST, A DISTANCE OF 330.03 FEET;  
 THENCE SOUTH 89 DEGREES 17 MINUTES 22 SECONDS EAST, A DISTANCE OF 177.90 FEET;  
 THENCE SOUTH 00 DEGREES 23 MINUTES 51 SECONDS EAST, A DISTANCE OF 40.00 FEET;  
 THENCE NORTH 89 DEGREES 17 MINUTES 22 SECONDS WEST, A DISTANCE OF 16.68 FEET;  
 THENCE SOUTH 00 DEGREES 23 MINUTES 51 SECONDS EAST, A DISTANCE OF 290.00 FEET;  
 THENCE NORTH 89 DEGREES 17 MINUTES 36 SECONDS WEST, A DISTANCE OF 160.44 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPT ALL COAL, OIL, GAS AND OTHER MINERAL DEPOSITS AS RESERVED IN PATENT.

**PARCEL 2**

THAT PORTION OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 4 NORTH, RANGE 1 EAST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 8, FROM WHICH THE EAST QUARTER CORNER BEARS NORTH 00 DEGREES 15 MINUTES 48 SECONDS WEST, 2639.63 FEET;  
 THENCE NORTH 00 DEGREES 15 MINUTES 48 SECONDS WEST ALONG THE EAST LINE OF SAID SECTION 8, A DISTANCE OF 1649.77 FEET;  
 THENCE NORTH 89 DEGREES 17 MINUTES 36 SECONDS WEST, A DISTANCE OF 170.32 FEET TO THE WESTERLY 75 FOOT RIGHT OF WAY LINE OF LAKE PLEASANT ROAD DESCRIBED IN MARICOPA COUNTY RECORDS DOCUMENT NO. 2005-0435930 AND THE TRUE POINT OF BEGINNING;  
 THENCE CONTINUING NORTH 89 DEGREES 17 MINUTES 36 SECONDS WEST, A DISTANCE OF 352.07 FEET;  
 THENCE NORTH 00 DEGREES 23 MINUTES 51 SECONDS WEST A DISTANCE OF 290.00 FEET;  
 THENCE SOUTH 89 DEGREES 17 MINUTES 22 SECONDS EAST, A DISTANCE OF 16.68 FEET;  
 THENCE NORTH 00 DEGREES 23 MINUTES 51 SECONDS WEST, A DISTANCE OF 40.00 FEET;  
 THENCE SOUTH 89 DEGREES 17 MINUTES 22 SECONDS EAST, A DISTANCE OF 400.52 FEET TO A NON-TANGENT CURVE AND THE WESTERLY RIGHT OF WAY LINE OF LAKE PLEASANT ROAD DESCRIBED IN MARICOPA COUNTY RECORDS DOCUMENT NO. 2005-0435930, CONCAVE NORTHWESTERLY WITH AN INTERIOR ANGLE OF 02 DEGREES 40 MINUTES 47 SECONDS AND WHOSE RADIUS POINT BEARS NORTH 82 DEGREES 14 MINUTES 54 SECONDS WEST, 1337.39 FEET;  
 THENCE ALONG SAID CURVE 62.55 FEET;  
 THENCE SOUTH 80 DEGREES 14 MINUTES 54 SECONDS EAST, A DISTANCE OF 20.00 FEET TO A NON-TANGENT CURVE CONCAVE NORTHWESTERLY WITH AN INTERIOR ANGLE OF 11 DEGREES 34 MINUTES 55 SECONDS AND WHOSE RADIUS POINT BEARS NORTH 80 DEGREES 14 MINUTES 54 SECONDS WEST, 1357.39 FEET;  
 THENCE ALONG SAID CURVE BEING THE WESTERLY RIGHT OF WAY LINE OF LAKE PLEASANT ROAD, A DISTANCE OF 274.39 FEET TO THE TRUE POINT OF BEGINNING.

**SCHEDULE B**

**PART TWO:**

- TAXES FOR THE FULL YEAR OF 2011. (THE FIRST HALF IS DUE OCTOBER 1, 2011 AND IS DELINQUENT NOVEMBER 1, 2011. THE SECOND HALF IS DUE MARCH 1, 2012 AND IS DELINQUENT MAY 1, 2012.)
- THE RIGHT TO ENTER UPON SAID LAND AND PROSPECT FOR AND REMOVE ALL COAL, OIL, GAS, MINERALS OR OTHER SUBSTANCES, AS RESERVED IN THE PATENT TO SAID LAND.
- COVENANTS, CONDITIONS AND RESTRICTIONS IN THE DOCUMENT RECORDED AS 2006-667034, OF OFFICIAL RECORDS, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN, TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE TITLE 42, SECTION 3604(C), OF THE UNITED STATES CODES. (AFFECTS PARCEL NO. 1)
- THE EFFECT OF A MAP PURPORTING TO SHOW THE LAND RECORDED AS BOOK 488 OF MAPS, PAGE 46.
- THE EFFECT OF A MAP PURPORTING TO SHOW THE LAND RECORDED AS BOOK 682 OF MAPS, PAGE 37 AND CERTIFICATE OF CORRECTION RECORDED AS 2004-306665, OF OFFICIAL RECORDS.
- THE EFFECT OF A MAP PURPORTING TO SHOW THE LAND RECORDED AS BOOK 850 OF MAPS, PAGE 25. (AFFECTS PARCEL NO. 2)
- ALL MATTERS AS SET FORTH IN RESOLUTION FCD 2001R012 GLENDALE/PEORIA AREA DRAINAGE MASTER PLAN UPDATE IMPROVEMENT PROJECTS, RECORDED AS 2002-541312, OF OFFICIAL RECORDS.
- ALL MATTERS AS SET FORTH IN RESOLUTION NO. 03-96 LAKE PLEASANT PARKWAY, RECORDED AS 2003-975494 OF OFFICIAL RECORDS.
- ALL MATTERS AS SET FORTH IN RESOLUTION NO. 04-229 LAKE PLEASANT PARKWAY, RECORDED AS 2004-1134567, OF OFFICIAL RECORDS.
- ALL MATTERS AS SET FORTH IN REPAYMENT ZONE MAP - LAKE PLEASANT PARKWAY SHOWING PROPERTY WILL BE SUBJECT TO AN ASSESSMENT, RECORDED AS 2005-424779, OF OFFICIAL RECORDS.
- AN EASEMENT FOR DRAINAGE, SLOPES OR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED AS 2005-435929, OF OFFICIAL RECORDS.
- WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT SHOWN BY THE PUBLIC RECORDS.

**PERTINENT DOCUMENTS**

- THE RIGHT TO ENTER UPON SAID LAND AND PROSPECT FOR AND REMOVE ALL COAL, OIL, GAS, MINERALS OR OTHER SUBSTANCES, AS RESERVED IN THE PATENT TO SAID LAND DKT. 3588, PG. 399-400 M.C.R..
- COVENANTS, CONDITIONS AND RESTRICTIONS IN THE DOCUMENT RECORDED AS 2006-667034, OF OFFICIAL RECORDS, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN, TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE TITLE 42, SECTION 3604(C), OF THE UNITED STATES CODES. (AFFECTS PARCEL NO. 1)
- A MAP PURPORTING TO SHOW THE LAND RECORDED AS BOOK 498 OF MAPS, PAGE 46.
- A MAP PURPORTING TO SHOW THE LAND RECORDED AS BOOK 662 OF MAPS, PAGE 37 AND CERTIFICATE OF CORRECTION RECORDED AS 2004-306665, OF OFFICIAL RECORDS.
- THE EFFECT OF A MAP PURPORTING TO SHOW THE LAND RECORDED AS BOOK 850 OF MAPS, PAGE 25. (AFFECTS PARCEL NO. 2)
- ALL MATTERS AS SET FORTH IN RESOLUTION FCD 2001R012 GLENDALE/PEORIA AREA DRAINAGE MASTER PLAN UPDATE IMPROVEMENT PROJECTS, RECORDED AS 2002-541312, OF OFFICIAL RECORDS.
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- AN EASEMENT FOR DRAINAGE, SLOPES OR PUBLIC UTILITIES AND INCIDENTAL PURPOSES, RECORDED AS 2005-435929, OF OFFICIAL RECORDS.

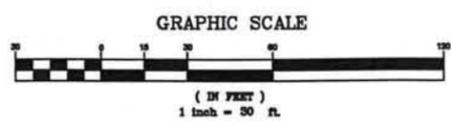
**CERTIFICATION**

TO: FIRST AMERICAN TITLE INSURANCE COMPANY  
 THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 8, 9, 11(b), 14, 16, 17, AND 20(b) OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JUNE 18, 2011.  
 DATE OF PLAT OR MAP: JULY 20, 2011

MIKE F. JENNINGS, R.L.S. NO. 32788

**LEGEND**

- BRASS CAP
- PROPERTY CORNER
- ⊙ SANITARY SEWER MANHOLE
- ⊙ SEWER CLEANOUT
- WM WATER METER
- ⊙ WATER VALVE
- ⊙ FIRE HYDRANT
- EM FT ELECTRIC METER
- CTV CABLE TV BOX
- ⊙ GAS MARKER
- E.L.B. ELECTRICAL JUNCTION BOX
- TSB TRAFFIC SIGNAL BOX
- ⊙ TRAFFIC SIGNAL
- STREET LIGHT
- ★ LIGHT POLE
- ⊙ IRRIGATION CONTROL BOX
- ☐ TELEPHONE BOX
- P.P. POWER POLE
- ← GUY WIRE
- TRAFFIC SIGN
- DRIVEWAY ENTRANCE/EXIT
- MASONRY WALL
- SAFETY CURB
- CONCRETE
- ENCR. ENCROACHMENT
- (C) CALCULATED
- (M) MEASURED
- (R) RECORD
- BC BRASS CAP
- EDGE OF PAVEMENT
- CENTERLINE OF LAKE PLEASANT PARKWAY
- SECTION LINE
- LOT LINE
- EASEMENT LINE



**BENCHMARK**

BRASS CAP IN HAND HOLE AT THE INTERSECTION OF LAKE PLEASANT PARKWAY AND PINNACLE PEAK ROAD.  
 ELEVATION=1313.028(NAVD'88 DATUM M.CO.G.T. GDACS PT.# 47554-1).

**BASIS OF BEARING**

THE EAST LINE OF THE SOUTHEAST QUARTER SECTION 8, T4N., R1E., G.&S.R.B.&M. ACCORDING TO A RECORD OF SURVEY MINOR LAND DIVISION AND LOT TIE RECORDED IN BOOK 850 OF MAPS, PAGE 25 OF MARICOPA COUNTY RECORDERS OFFICE, MARICOPA COUNTY, ARIZONA.  
 THE LINE WHICH BEARS NORTH 00° 15' 48" WEST.

**PARCEL# SITE ADDRESS**

PARCEL 1 aka PARCEL "D"  
 ASSESSORS PARCEL NUMBER 201-08-047J  
 SITE ADDRESS; NOT ASSIGNED  
 PARCEL 2 aka PARCEL "E"  
 ASSESSORS PARCEL NUMBER 201-08-047H  
 SITE ADDRESS; NOT ASSIGNED

**AREA TABLE**

PARCEL "D" CONTAINS 53,709.48 SQ. FT. OR 1.233 ACRES INCLUDES EASEMENTS PER RECORDED MINOR LAND DIVISION 850-25 M.C.R.  
 PARCEL "E" CONTAINS 130,680.00 SQ. FT. OR 3.00 ACRES INCLUDES EASEMENTS PER RECORDED MINOR LAND DIVISION 850-25 M.C.R.

**FLOOD ZONE**

THIS PROPERTY IS LOCATED ON THE FLOOD INSURANCE RATE MAP(FIRM) ZONE X. COMMUNITY NUMBER 040050 MAP NUMBER AND SUFFIX 04013C1160H PANEL NUMBER 1160H EFFECTIVE DATE OF FIRM SEPTEMBER 30, 2005.

**NOTES:**

- THIS ALTA/ACSM LAND TITLE SURVEY WAS BASED ON A TITLE COMMITMENT BY FIRST AMERICAN TITLE COMPANY ON JUNE 30, 2011 AT 7:30 A.M. FILE NO. 221-5400540
- THIS PROPERTY IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND RESERVATIONS, CONDITIONS AND OTHER MATTERS OF RECORD AFFECTING THE SUBJECT PROPERTY THAT ARE NOT DISCLOSED ON THIS SURVEY, IF ANY.
- ALL MEASUREMENTS AS SHOWN HEREON ARE RECORD PER THE LEGAL DESCRIPTION, UNLESS NOTED OTHERWISE.
- LOCATION OF UTILITIES SHOWN ON THIS SURVEY ARE TAKEN FROM AVAILABLE RECORDS AND MAY BE APPROXIMATE. THEREFORE, WITHOUT CONDUCTING ADDITIONAL INQUIRY OR INVESTIGATION NO GUARANTEE CAN BE MADE AS TO THE EXTENT OF THE UTILITIES AVAILABLE EITHER IN SERVICE OR ABANDONED, NOR TO THEIR EXACT LOCATION AND DEPTH. PLEASE CALL BLUE STAKE AT 602-263-1100 FOR LOCATION OF ALL UNDERGROUND UTILITIES
- THIS SURVEY IS INTENDED FOR CIVIL ENGINEERING DESIGN OR LAYOUT.
- SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF REGISTERED LAND SURVEYOR.

DATE	REVISION	BY

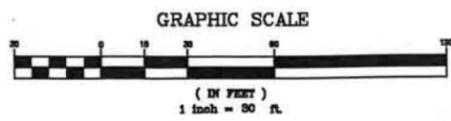
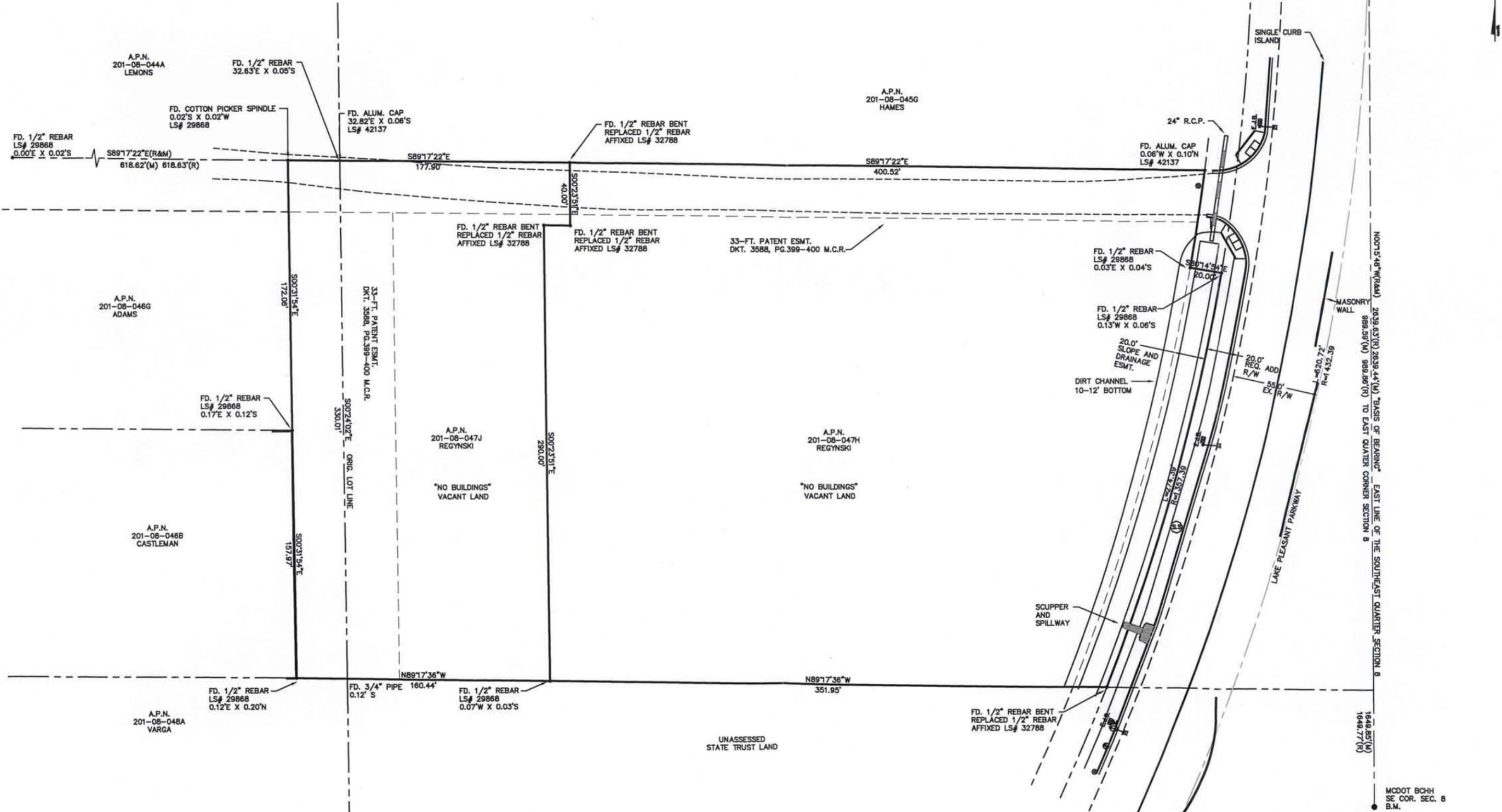
*Extreme Land Surveying, Inc.*  
 16620 North 54th Street - Scottsdale, Arizona 85254  
 Phone 602.574.6171 Fax 602.482.0299  
 E-mail: [extremeland@extremeland.com](mailto:extremeland@extremeland.com)

DSN: M.J. CD: M.J. DATE: 7/18/11 SCALE: HORIZ: 1"=30' VERT: N.A.	<b>A.L.T.A./A.C.S.M. LAND TITLE SURVEY</b> PARCEL "D" AND PARCEL "E" IN BK. 850 OF MAPS, PG. 25 M.C.R. A PORTION OF THE SE4 OF SECTION 8 T4N., R1E., G.&S.R.B.&M. MARICOPA COUNTY, ARIZONA	Job# 3494 SHEET 1 of 2
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EXPIRES 6-30-13

**A.L.T.A./A.C.S.M. LAND TITLE SURVEY**

PARCEL "D" AND PARCEL "E"  
 AS RECORDED IN BOOK 850 OF MAPS, PAGE 25 M.C.R.  
 A PORTION OF THE SOUTHEAST QUARTER OF SECTION 8 T4N.,  
 R1E. G.&S.R.B.&M. MARICOPA COUNTY, ARIZONA



**Extreme Land Surveying, Inc.**  
 16620 North 54th Street · Scottsdale, Arizona 85254  
 Phone 602.574.0171 Fax 602.482.0299  
 e-mail: [info@extremeland.com](mailto:info@extremeland.com)

DSN: M.J.	<b>A.L.T.A./A.C.S.M. LAND TITLE SURVEY</b>	JOB#	3494
CKD: M.J.	PARCEL "D" AND PARCEL "E"		
DATE: 7/18/11	IN BK. 850 OF MAPS, PG. 25 M.C.R.		
SCALE:	A PORTION OF THE SE4 OF		
HORIZ: 1"=30'	SECTION 8 T4N., R1E,		
VERT: N.A.	G.&S.R.B.&M. MARICOPA COUNTY, ARIZONA		SHEET
			2 of 2

EXPIRES 9-30-13

## Appendix C – Site Context and Master Conservation Plan

Being located north of the Pinnacle Peak Road alignment, the subject property falls within the Desert Lands Conservation Overlay zoning district. According to Article 14-22B of the City of Peoria Zoning Ordinance, the intent of this overlay district is “to identify and protect unique and environmentally sensitive Sonoran Desert land in the City and to promote the public health, safety and welfare by providing appropriate and reasonable controls for the development of such lands”. Upon the review of Section 14-22B-2, Applicability, and the nineteen conservation features intended to be protected by the overlay zoning district, development consultant team finds the site to be devoid of such environmental features. In support of this finding, this PAD provides a **Site Context and Master Conservation Plan** contained herein. This exhibit documents the existing site conditions that are reflective of surrounding urbanization and the lack of any connectivity to the natural open space systems existent in the northwest Peoria region.

## 12. Infrastructure/Utilities

### a. Grading/Drainage/Retention

#### Grading and Drainage

On-site retention and drainage will comply with the City of Peoria requirements. Additional drainage concerns will be addressed during Site Plan Review.

### b. Water/Wastewater

#### Water

Water to support the proposed community was addressed with the Lake Pleasant Parkway construction. Lake Pleasant Parkway is a major corridor for the conveyance of a potable water supply within the north tier of Peoria. Currently, a 16-inch potable water line resides along the western right of way for Lake Pleasant Road in tandem with a 30-inch main following along the eastern right-of-way.

Service to the proposed site is provided by an 8-inch potable line, located along the centerline of Maricopa Grande Road. This service lateral is stubbed and available at the western right-of-way, as described above. All construction shall abide by the Arizona Department of Environmental Quality (ADEQ) Engineering Bulletin 10 and according to conversations with the City of Peoria Fire Department provide a looped system. Future reports will provide data from a pressure test and all calculations to support the required fire and potable demand. As the subject line is a boundary node with Maricopa County, no additional extension of this line (other than what is required for this project) is anticipated.

#### Wastewater

Sewer to support the proposed development of the community was addressed along with construction documents for the Lake Pleasant Parkway construction. Lake Pleasant Parkway is a major regional corridor for sewage from the northern limits of Peoria. Adjacent to the proposed site; the sewer is located along the eastern right-of-way and is shown as a 24-inch sewer pipe on record quarter section maps obtained from the City of Peoria.

Quarter Section maps also depict an 8-inch sewer lateral located roughly 200 feet (+/-) south of the intersection of Lake Pleasant Parkway and Mariposa Grande Road, along the western right-of-way (of Lake Pleasant Parkway). As the subject is a boundary node to the City of Peoria infrastructure and located in an area that is not conducive to extension, extension of this utility is not anticipated. Connection to the City's wastewater system is discussed in the City of Peoria City Code, Section 25-85.

Preliminary calculations, run off the base development numbers, have shown that the existing 8-inch stub will provide more than adequate service for the proposed site.

### c. Electric Power/Natural Gas/Telephone Service

#### Electric Power

Electricity for the community will be furnished by Arizona Public Service (APS). Power, within the project area, is readily available. Once the develop process commences, and the project team has determined the precise power needs, the developer or his assigned agent should plan on meeting with an APS service representative. In meeting with a service agent the overall power needs report can be initiated, and along with a deposit and a copy of the final plans, the power design can be started.

### **Natural Gas**

For natural gas, the Southwest Gas Company was contacted as the provider for this area. Conversations with Southwest Gas Company have shown that although gas is available, it will be necessary to construct a service main down from Calle Lejos (to the north) to the project site. Should the developer look to this service, there is a payback from other that may connect to the main over a 5-year period.

### **Telephone Service**

As a part of the discussions with vendors to provide services for the community, both Cox Communications and Qwest (soon to be Centurylink) have been contacted.

Conversations with both firms show that services are available in the project vicinity and both firms offer telephone, cable internet access and television services.

## Appendices

- a. Legal Description of Gross Land Area and Exhibit
- b. ALTA Survey
- c. Site Context and Master Conservation Plan

## Appendix A – Legal Description of Gross Land Area and Exhibit

LEGAL DESCRIPTION

THAT PORTION OF THE NORTH HALF OF THE SOUTHEAST QUARTER AND THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, 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 SOUTHEAST CORNER OF SAID SECTION 8, FROM WHICH THE EAST QUARTER CORNER BEARS NORTH 00 DEGREES 15 MINUTES 48 SECONDS WEST, A DISTANCE OF 2639.63 FEET.

THENCE NORTH 00 DEGREES 15 MINUTES 48 SECONDS WEST, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER SAID SECTION 8, A DISTANCE OF 1649.77 FEET;

THENCE NORTH 89 DEGREES 17 MINUTES 36 SECONDS WEST, A DISTANCE OF 90.59 FEET TO A POINT ON THE CENTERLINE OF LAKE PLEASANT PARKWAY SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 89 DEGREES 17 MINUTES 36 SECONDS WEST, A DISTANCE OF 592.24 FEET;

THENCE NORTH 00 DEGREES 31 MINUTES 54 SECONDS WEST, A DISTANCE OF 330.03 FEET;

THENCE SOUTH 89 DEGREES 17 MINUTES 22 SECONDS EAST, A DISTANCE OF 673.93 FEET TO A POINT ON A CURVE OF THE CENTERLINE OF LAKE PLEASANT PARKWAY, SAID CURVE HAVING A RADUIS 1432.39 FEET AND A RADIAL BEARING OF NORTH 83 DEGREES 20 MINUTES 23 SECONDS WEST;

THENCE SOUTHEASTERLY ALONG THE CENTERLINE LINE LAKE PLEASANT PARKWAY ON AN ARC DISTANCE OF 339.01 FEET, THROUGH A CENTRAL ANGLE OF 13 DEGREES 33 MINUTES 38 SECONDS FEET TO A POINT ON A CURVE OF THE CENTERLINE OF LAKE PLEASANT PARKWAY, SAID POINT ALSO BEING THE POINT OF BEGINNING.

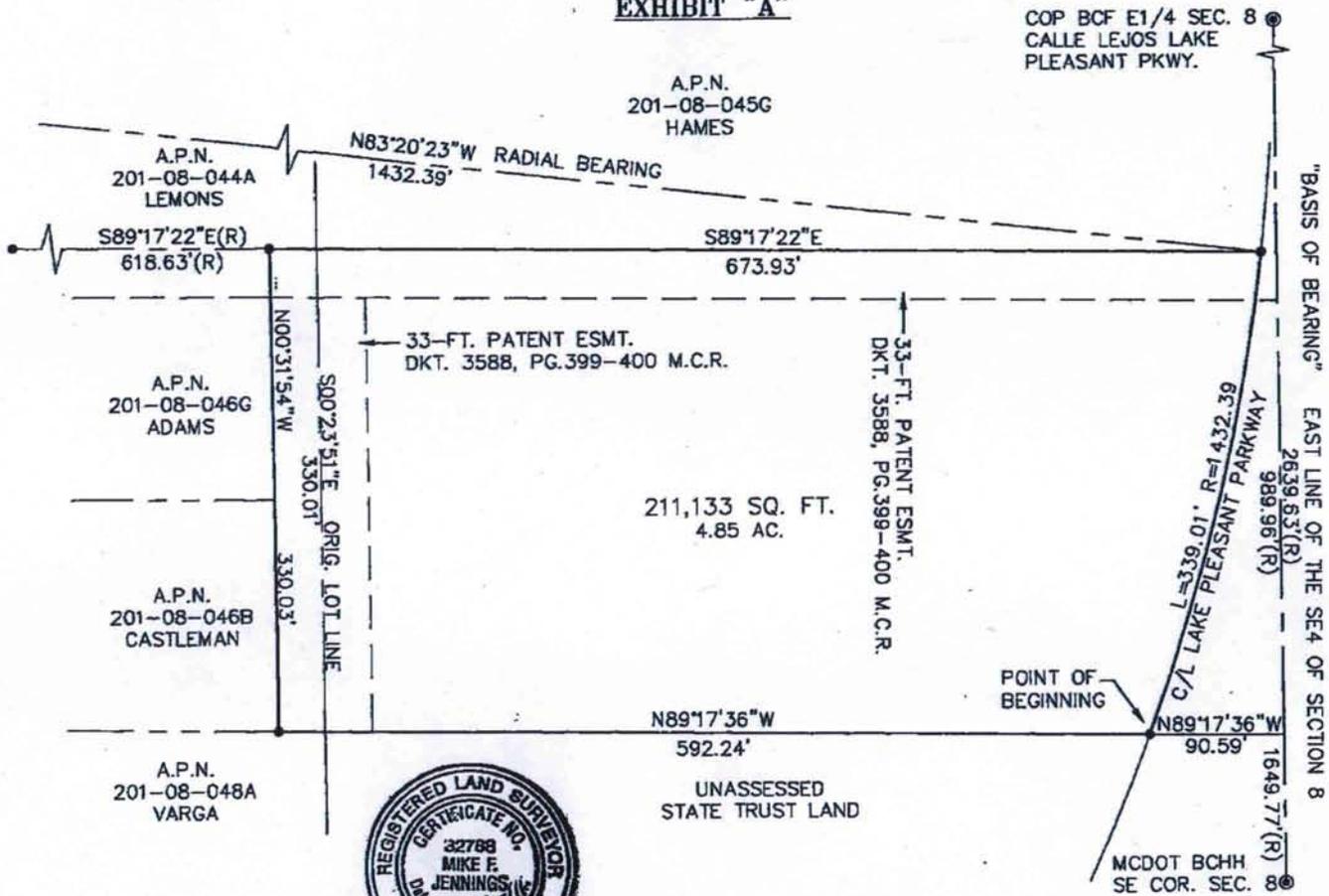
TOGETHER WITH ANY PATENT EASEMENTS AS RECORDED IN DOCKET 3588, PAGE S 399-400 MARICOPA COU.JNTY RECORDS, MARICOPA COUNTY ARIZONA

EXCEPT ALL COAL, OIL, GAS AND OTHER MINERAL DEPOSITS AS RESERVED IN PATENT.

SAID PARCEL COMPRISING AN AREA OF 211,133 SQ. FT. OR 4.85 ACRES.



**EXHIBIT "A"**



EXPIRES 9-30-13

Lake Pleasant Parkway & Mariposa Grande  
 Planned Area Development Zoning  
 Chateau Sous Le Soleil

## Appendix B – ALTA Survey

