



PLANNING & ZONING COMMISSION

STAFF REPORT

Meeting Date: 9/19/2024

Agenda Item(s): 4R

TO: Planning and Zoning Commission

THROUGH: Chris M. Jacques, AICP, Planning Director

FROM: Cody Gleason, Planning Manager

SUBJECT: North Peoria Gateway (Z24-03)
South of Lone Mountain Blvd on both sides of
Loop 303 to the Calle Lejos alignment

PROPOSAL

Proposal to rezone approximately 1,620 acres from Suburban Ranch 43 (SR-43) to the North Peoria Gateway Planned Community District (PCD) to allow for a mixed-use master planned development.

APPLICATION INFORMATION

Case Number: Rezoning (Case Z24-03)

Applicant: Carolyn Oberholtzer of Bergin, Frakes, Smalley, & Oberholtzer on behalf of the Arizona State Land Department.

Request: Rezone approximately 1,620 acres from Suburban Ranch 43 (SR-43) to the North Peoria Gateway Planned Community District (PCD).

BACKGROUND AND CONTEXT

The 1,620-acre project known as “North Peoria Gateway” is comprised entirely of Arizona State Trust Land. The project is located south of Lone Mountain Parkway on both sides of the Loop 303, as depicted in **Exhibit 2**. More specifically, the subject area is irregular in shape and bifurcated by the Loop 303, creating distinctly different access and functional opportunities on each side of the Loop 303. Aside from the bifurcation by Loop 303, there are several constraints within the project area including gas, and powerline corridors, as well as washes and canals which present physical boundaries that impact both access and land use considerations going forward, as discussed later in this report.

CONTEXT:

Approximately 460 acres within Northern Peoria Gateway is currently located within unincorporated Maricopa County. As a separate matter, but concurrent process, the City is advancing the associated annexation request (Case ANX24-01), along with the initial zoning for said 460 acres, as part of Case Z24-04. Presuming successful completion of these items; this request would then modify the zoning for the entirety of the 1,620 acres to allow for the development of the larger master planned area with the specified mix of uses identified within **Exhibit 6**.

The project is bounded by Lone Mountain Parkway and the Vistancia Commercial Core (now marketed as *FIVE North*) along the northern extent. To the east and south is a mix of vacant land, large lot residential, and single-family subdivisions, such as Dos Rios and Coldwater Ranch. The western boundary of the North Peoria Gateway largely consists of single-family communities including Trilogy at Vistancia

and Coldwater Ranch. South of Happy Valley Road, the existing development along the boundary of the subject site includes multi-family residential, vacant land, and the APS West Wing substation.

ARIZONA STATE TRUST LAND:

The Arizona Land Department (ASLD) manages approximately 9.2 million acres of State Trust Land (or “State Land”) statewide. Since statehood, its mission has been to manage the assets of a multi-generational perpetual trust in alignment with the interests of the underlying thirteen (13) public beneficiaries. Trust land is *not* “public land”, yet it is often erroneously associated with public lands reserved for recreation and open space, such as national parks or forests.

The Arizona State Land Department (ASLD) was established to manage the Arizona State Trust lands granted to Arizona by the Federal government at the time of statehood. As such, ASLD manages the land and resources on approximately 9.2 million acres across the state, of which approximately 55 square miles of land is within Peoria’s municipal planning area. Trust lands must be managed to generate revenue for its 13 beneficiaries, with Arizona’s K-12 schools (“common schools”) as the largest beneficiary. ASLD serves as the fiduciary for the Trust and is required under the Arizona Constitution to receive maximum value for the sale or lease of Trust lands for the benefit of the Trust. With the constitutional mandate in mind, it is imperative for ASLD to work with the City to appropriately position its lands to achieve compatibility; while reserving flexibility to respond to market conditions to achieve the pinnacle value required at the time of auction or lease.

TRUST LAND IN PEORIA:

Contextually, a majority of the Loop 303 corridor within the city and the larger municipal planning area is owned and managed by the Arizona State Land Department. The City of Peoria has long identified the importance of this corridor in meeting the community and economic development goals of the community. To that end, it’s important that these areas be master planned in a cohesive manner and in alignment with Peoria’s elevated design standards. In furtherance of these objectives, the City has partnered with the State Land Department in bringing these areas into the City and/or working towards an entitlement that yields mutual benefit.

APPLICANT’S PROPOSAL

The subject proposal is a rezoning application to Planned Community District (PCD); however, it is somewhat unique in that it takes the form of what is referred to as a ‘zoning bank’. This ‘zoning bank’ allocates a land use budget to the development and an overall maximum for the unit count. Based on that budget and the parameters established within the North Peoria Gateway PCD (**Exhibit 6**), the developer of each parcel can then select the intended zoning district at the time of site plan or preliminary plat, and may develop their unit count in accordance with the budgeted allocation. Though the ‘zoning bank’ concept is not a common occurrence, it is not exactly new to Peoria in that the Vistancia, Lake Pleasant Heights, and Saddleback Heights PCDs all employ a similar level of flexibility. More specifically, as each parcel develops within those communities, the developer selects from a range of options within the PCD, and formalizes that selection at the site plan or preliminary plat submittal. The ‘zoning bank’ concept is the preferred method of entitlement by the State Land Department and has been utilized successfully in other areas including Scottsdale, Queen Creek, and most recently in Phoenix.

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The proposed PCD seeks to account for the existing land use designations on the subject site and fold in context sensitive protections that will address proximity to existing developments surrounding the subject site. Those existing land use designations on the site were the genesis of the unit caps contemplated for the development. That unit cap is based on an analysis of the existing General Plan land use designations and what zoning associated with those land use designations may yield. This detailed analysis resulted in the overall unit cap of 13,989. While the maximum dwelling unit is established using Peoria's General Plan existing land uses on the project, the North Peoria Gateway site is however divided by two (2) separate water service areas. One of those service areas is served by the City of Peoria and the other is served by EPCOR (a private water service provider). To ensure the continued resiliency of the City of Peoria water service capabilities, the unit count for the subject development is further restricted based on an analysis of what the Peoria water service area land use designations would currently allow for. This secondary cap of 10,189 dwelling units within the Peoria water service area is specifically to prevent those areas within Peoria's water service boundary from being over allocated.

The overall PCD is broken into six (6) smaller Development Units (or villages) that establish an intended character based on the context for that specific area in an effort to tailor the uses and intensities. The focal points of the intensity within the PCD are along the Loop 303 and adjacent to the Vistancia Commercial Core (marketed as 5 North) in order to draw the intensity to the interior of the site away from those existing boundary conditions. The PCD development program substantially aligns with the transition, land use structure, and intensity envisioned under the current General Plan 2040 (**Exhibit 3**).

DEVELOPMENT INFORMATION:

<u>Existing Use:</u>	Vacant / Undeveloped
<u>Proposed Use:</u>	Mixed-Use Master Planned Development
<u>Property Size:</u>	Approximately 1,620 acres
<u>Existing General Plan Land Use</u>	<i>ASLD Special Land Use in process currently</i> (Existing General Plan Land Use Designations: Mixed Use Community District (20+ du/ac), Mixed Use Neighborhood Village (12-20 du/ac), Employment Business Commerce, Urban Residential (12+ du/ac), Suburban Residential (5-12 du/ac), Traditional Residential (2-5 du/ac), Rural Residential (0-1 du/ac), Park Open Space, and Waterway)
<u>Existing Zoning</u>	Suburban Ranch 43 (SR-43)
<u>Proposed Zoning</u>	Planned Community District (PCD)

STAFF ANALYSIS

ZONING HISTORY AND PROPERTY HISTORY:

The portions of the subject site that are currently located within the City of Peoria have been annexed through two separate efforts. These prior annexations are in addition to the active annexation of 460 acres (Case ANX24-01) that is integral to the subject rezoning case. The northernmost portion of the North Peoria Gateway area was annexed in 2001, under Ordinance 01-158, as a part of a much larger annexation effort that included a large swath of Arizona State Trust land as well as areas of what is now a part of Vistancia. The remainder of those areas within the City boundaries were annexed in 2003 under Ordinance 03-176.

As referenced, approximately 460 acres of the North Peoria Gateway site is currently outside of the City of Peoria municipal boundaries. The associated cases ANX24-01 and Z24-04 seek to annex and provide statutory *initial zoning* (“translational zoning”) for this 460 acres, so that the entirety of the North Peoria Gateway area is unified within the same jurisdiction prior to the subject rezoning effort. Upon successful completion of this initial zoning case (Z24-04) the zoning of the annexed area will change from Maricopa County Rural 43 (RU-43) to City of Peoria Suburban Ranch 43 (SR-43).

At the time of this report, there several General Plan land use designations across the subject site as identified in the table above. There is, however, a Major General Plan Amendment in process to designate strategic State Land parcels with a designation of ‘ASLD *Special Land Use*’. That land use designation calls for each of the State Land parcels receiving that designation to go through a master plan process similar to that of the subject proposal. In that process further land use refinement will occur to provide clarity on the intended uses on the site while allowing for flexibility of the site prior to the completion of any site plan or preliminary plat efforts. That Major General Plan Amendment is scheduled for final consideration by the City of Peoria City Council on September 17, 2024. If approved, the General Plan Land Use designation over the entire North Peoria Gateway site will be the *ASLD Special Land Use* designation.

LAND USE ANALYSIS:

Effectively 75% of the remaining vacant developable lands within the City are lands owned and managed by the Arizona State Land Department. These areas present unique opportunities for the future development of the City, and serve to highlight the critical partnership necessary with the State Land Department to continue to grow the City in alignment with community and economic development goals. This focus drives the evaluation of the proposed rezoning case to find viable solutions while putting in place context sensitive protections for both existing and future City residents. The State Land Department has successfully utilized ‘zoning banks’ on prior development proposals within other jurisdictions in an effort to ensure their ability to unlock the maximum value and address their future aim of auctioning the property to benefit the Trust’s beneficiaries. The State Land Department has taken a position that they are unwilling to move forward in positioning future land without the use of the ‘zoning bank’ format. That is because the ‘zoning bank’ allows flexibility for the property and allows the State Land Department to achieve their mission of managing “the State's Land Trust and to generate maximum revenues, through prudent planning decisions for the Beneficiaries.”

Typically, a rezoning case is accompanied by what can be termed ‘secondary planning documents’, such as a Master Traffic Impact Analysis to evaluate the connectivity and roadway network needs of the development, or Water and Wastewater Master Plans that would identify the service lines and

infrastructure redundancies necessary to serve particular uses on the site. While these documents help inform the possible uses for a development and solidify the infrastructure necessary to, and capable of serving the development, these documents are often easier to compile when evaluating smaller developments, as the inputs are more manageable.

In this instance, the subject site is approximately 1,620 acres (2.5 square miles) within a geographic area that is bisected by a major freeway, and traversed by powerlines, easements, washes, and canals. Due to the sheer scale of the subject proposal, and the physical constraints on the site, finite evaluation of those 'secondary planning documents' can be a task that seeks to focus on a level of detail that cannot be fully known at this time. In a 'zoning bank', such as the subject proposal, the land uses are not yet finalized in order to provide flexibility to address market demands for the land at the time of development. Given this dynamic, these secondary planning documents will be required for a Development Unit (**Exhibit 7**) when the first site plan or subdivision for a Parcel (**Exhibit 8**) within the respective Development Unit is submitted. In doing so, it allows for a much more constructive and thorough evaluation of the necessary inputs by City staff once a zoning district is selected for the first parcel within each Development Unit. Those Development Units are then further broken down by "Parcels" in **Exhibit 8**.

Though there is additional flexibility built into the zoning bank concept that allows further refinement as components of the development move forward, there are parameters and regulatory protections in place that guide that refinement. One such parameter is through the use of the existing General Plan land use categories within the project boundaries, another is the number of units that those categories would yield. Those parameters act as foundational elements in establishing the range of land uses and unit caps in the proposal. More specifically, the 13,989 overall unit cap and the 10,189 Peoria water service area unit cap are derived from the General Plan land use designations that currently exist within those respective boundaries of the project. While certain land uses such as Park / Open Space and Waterway would not typically have a unit allocation tied to them, state regulations dictate that State Land parcels receive an allocation of at least one (1) dwelling unit per acre regardless of the land use contemplated on a site. The above referenced dwelling unit counts factor in this statutory requirement when establishing those baseline dwelling unit caps.

Water has always been a critical factor in the evaluation of general plan amendments and rezoning cases, and in this regard, the City Council has sought to further refine and elevate the consideration of water when making land use decisions. This elevated focus led to the finite protections for the evaluation of water use as it relates to development on the subject site. Though the unit caps put in place within the proposal limit residential unit counts, large water users (e.g. large commercial or business park developments) within the subject area will be required to enter into Development Agreements with the City to safeguard against overconsumption or users exceeding maximum thresholds that would jeopardize the City's future water security.

Going further in the analysis, staff notes that the subject proposal advances several goals and policies of the General Plan in the following ways, which include:

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- Economic Prosperity, Policy EP-21 – Protect the City’s primary commercial corridors and mixed-use activity centers from conversion to uses that would limit employment or active uses, such as single-family residential, warehousing, storage, and auto-oriented uses.
- Balanced Land Uses, Policy LUC-3 – Integrate a variety of compatible land uses into new and established neighborhoods to provide residents with convenient access to goods, services, and other community amenities.
- Balanced Land Uses, Policy LUC-6 – Locate commercial and employment uses in proximity to adequate transportation and utility infrastructure.
- Balanced Land Uses, Policy LUC-8 – Use the principles of sound water management to inform and shape the land use patterns within the community.
- Growth & Sustainable Development, Policy GS-7 – Accommodate land use proposals that target growth in the area of existing or planned infrastructure services.
- Healthy Neighborhoods, Policy OS-7 – Create, preserve, and manage biologically rich, connected opens space; wildlife and plant habitat; and wildlife corridors, including natural washes and pockets of native vegetation, while working to eradicate invasive species.
- Smart Growth Principles: Human Scale / Compatibility – A fundamental component of smart growth communities is design focus on human-scale and the resulting compatibility between land uses. Thoughtful and effective transitions in land use address visual and other impacts associated with land uses of a different intensity or character.

As referenced by the above policies and principles, the proposed rezoning request seeks to align with the General Plan Land Use designation of *ASLD Special Land Use*, and the proposed rezoning implementation provides an opportunity to address the policies by providing compatible land uses along boundary conditions with existing development. As such, staff finds the proposal to be in conformance with the General Plan.

ZONING AND DEVELOPMENT STANDARDS:

As with any Planned Area Development (PAD) or Planned Community District (PCD), there are customized standards within the subject proposal to address concerns or context that are specific to the subject site. Similarly, North Peoria Gateway (NPG) seeks to put in place protections that are established within existing City regulations and ordinances. NPG refers to uses, standards, and guidelines within existing City adopted codes in order to provide a common City regulatory framework to work from. This will allow the modifications explicitly stated within the standards and guidelines report for the PCD while maintaining the caliber of development execution that is representative of the City of Peoria.

North Peoria Gateway (NPG) is tailored with several objectives in mind. One of those driving objectives is the implementation of protections for existing development adjacent to the subject site. As a result, the land use intensity is focused on the core of the development along the Loop 303 freeway corridor which provides opportunities for transition to less intense uses as it approaches the boundary with existing development (e.g. Trilogy, and Coldwater Ranch subdivisions). That drive for intensity along the

core of NPG was focused not only on the proximity to the freeway, but also the intent of existing land use and zoning designations within the area; particularly as it relates to the Vistancia Commercial Core. The Vistancia Commercial Core is approximately 320 acres and envisioned to function as a mixed-use and employment hub for the area.

As such, to foster sensible opportunities for continuity in the area, the NPG proposal provides use limitations on what is referred to as Parcels C & D (**Exhibit 8**). These two parcels prohibit development of any residential uses for a period of 15 years from the adoption of the PCD. The intention is to purposefully protect and seek out employment and business park opportunities for these parcels for an extended period before allowing them to be opened up for possible residential uses. That additional protection is due to the proximity to what is already zoned to allow for employment and business park uses to provide for economies of scale in infrastructure and protect dissimilar uses. Similarly, due to the context of the existing area, residential uses are outright prohibited within a large portion of Parcel R with single family uses excluded entirely. The reason for the exclusion within Parcel R is to establish a reasonable buffer area and transition for any future residential due to the proximity to the powerlines as well as the large electrical substation to the west (**Exhibit 2**).

Parcel Specific Development Examples

When evaluating the potential developments that could occur within North Peoria Gateway, two example parcels have been provided below to demonstrate how the layers of the PCD operate in order to achieve finite development standards and uses for particular Parcels of the project.

- Parcel A Development Proposal Example:
 - Development Unit
Parcel A is located within Development Unit 1. As a result, any application to develop within Development Unit 1 would function as a trigger for all relevant master plans within Development Unit 1 (e.g. Master Traffic Impact Analysis, Water / Wastewater Master Plan, Archeological Master Plan, Trails and Open Space Master Plan, etc.).
 - Permitted Uses
Table 1 of the PCD identifies the permitted uses within a particular Parcel and refers to a corresponding base zoning district for the development standards if that use is selected. In the case of Parcel A, the only use permitted is Detached Single Family residential.
 - Development Standards
Once the zoning district is selected from Table 1 the corresponding zoning district within Table 2A & 2B of the PCD standards and guidelines report would identify the setbacks, lot coverage, and maximum height for the development. In this instance the selection would be the D-SFR district identified within Table 2A. These standards are similar to those found within the City's Single Family Residential R1-6 Zoning District.
 - Development Submittal
Along with the aforementioned master plans required to be submitted for all of Development Unit 1, the proposal would submit the Parcel specific development

information which in this case would consist of a preliminary plat and any supplemental documents necessary for the review of that preliminary plat (e.g. landscape plan, grading and drainage plan, etc.).

- Parcel Q Development Proposal Example:
 - Development Unit

This parcel is located within Development Unit 5. As a result, any application to develop within Development Unit 5 would function as a trigger for all relevant master plans within Development Unit 5 (e.g. Master Traffic Impact Analysis, Water / Wastewater Master Plan, Archeological Master Plan, Trails and Open Space Master Plan, etc.).
 - Permitted Uses

Table 1 of the PCD identifies the permitted uses within a particular Parcel and refers to a corresponding base zoning district for the development standards if that use is selected. In the case of Parcel Q, all uses / zoning districts within the PCD are permitted. As a result, the hypothetical developer for Parcel Q would select one of the permitted districts in order to establish the development standards. There is a special limitation that Parcel Q must achieve 175,000 square feet of non-residential uses on the parcel or be 10 years out from the approval date of the PCD before residential uses would be permitted within the development. In this scenario assuming MU-H is selected within the first 10 years, MU-H would then allow the developer the ability to develop uses in alignment with the City's C-2, and C-5 districts unless it is accompanied by a minimum of 175,000 square feet of nonresidential uses within the Parcel.
 - Development Standards

Once the zoning district is selected from Table 1 the corresponding zoning district within Table 2A & 2B of the PCD standards and guidelines report would identify the setbacks, lot coverage, and maximum height for the development. In this instance the selection would be the MU-H district identified within Table 2B.
 - Development Submittal

Along with the aforementioned master plans required to be submitted for all of Development Unit 5, the proposal would submit the Parcel specific development information, which in this case would consist of a site plan and any supplemental documents necessary for the review of that site plan (e.g. landscape plan, grading and drainage plan, etc.).

Building Height

Similar to the intentional location of more intense uses internal to the site, along the Loop 303 freeway and the Vistancia Commercial Core, specific care and distinction has been made within with respect to the height capabilities within the PCD. This is due to what may be perceived as potential impacts to surrounding properties. Though the nonresidential districts provide for maximum heights beyond what is contemplated by the base zoning district found within the City of Peoria Zoning Ordinance, those

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additional heights are primarily relegated to areas east of Vistancia Boulevard; with the exception of medical uses in specific zoning districts selected west of Vistancia Boulevard. This again seeks to provide boundary conditions that are cognizant of existing development conditions in the area.

These protections establish the maximum height that may be utilized for parcels east of Vistancia Boulevard to be 56 feet (where allowed). Beyond the minimum setback those zoning districts that allow greater than 56 feet, the height may be increased one (1) foot in height for every additional one (1) foot of setback up to a maximum of 90 feet (where allowed). West of Vistancia Boulevard 56 feet is the maximum height (where allowed) except for medical uses (e.g. if a hospital were proposed). Medical uses west of Vistancia Boulevard may achieve up to a maximum height of 72 feet when an additional one (1) foot of setback is provided for each one (1) foot of height beyond 56 feet.

East of Loop 303

Due to the context of the areas east of Loop 303, certain allowances were addressed within the PCD (**Exhibit 6**) to account for storage facilities that would not otherwise comply with the spacing limitations recently enacted by City Council within the City of Peoria Zoning Ordinance. The intention behind this is to provide flexibility to address the limited access opportunities that are present in this area and the proximity to county areas that would otherwise allow such uses.

Paths and Trails

As noted above, North Peoria Gateway is traversed by various natural and man-made features that create limitations from a developability standpoint; however, those same constraints often lend themselves to opportunities for amenity and trail connectivity throughout a site to adjacent developments. As such, the master plans that are submitted with the first site plan of a Parcel within each Development Unit will provide a plan for trails and paths that creates continuity throughout the development.

Traffic

The collector and arterial roadway network shown within the PCD seeks to follow the City of Peoria General Plan; however, as referenced further evaluations will occur moving forward that address the ultimate configuration and access points for each parcel. Minor modifications particularly to the collector roadway network may occur once the Master Traffic Impact Analysis plans are submitted for each Development Unit based on an evaluation by the City Traffic Engineer and in accordance with the bounds of what can be approved according to the City's General Plan.

A known concern that is present today is the traffic patterns relating to the intersection of Happy Valley Parkway and Vistancia Boulevard. To address this, the City has planned the Capital Improvement Program with the intention of modifying and re-aligning this intersection. Those efforts are underway with a Design Concept Report (DCR) for the intersection design and construction of interim improvements. The DCR will identify and facilitate the full array of improvements for the intersection realignment project which is expected to be completed by 2028.

Water/Sewer

As referenced separate Water and Wastewater Master Plans will be required for each Development Unit to accompany the first site plan for the first Parcel of each Development Unit. Since the subject site spans two (2) separate water service areas within the City, (Peoria's water service area, and EPCOR's water service area), coordination with both the City of Peoria Water Services Department as well as EPCOR (private water service provider) has occurred to ensure viability of the proposed development patterns within North Peoria Gateway.

COMMUNITY INVOLVEMENT

Public Noticing

The application was properly noticed pursuant to Section 21-315 of the Peoria Zoning Ordinance, which includes notification to all property owners within 1,320 feet of the site and registered HOAs within one (1) mile, posting of a sign on the site, and placing an ad in the Peoria Times at least 15 days prior to the Public Hearing.

Outreach Requirements

The City of Peoria Zoning Ordinance requires one (1) neighborhood meeting for all rezoning applications. The applicant held two (2) separate neighborhood meetings for North Peoria Gateway. In order to provide the most accessible outreach possible one meeting was held in person and the other was held virtually. A Citizen Participation Report detailing the results of the meetings is contained within this report (**Exhibit 9**).

In preparation of said meetings, the applicant notified all property owners within a 1,320-foot radius of the site and all registered Homeowners' Associations within one (1) mile for the neighborhood meeting. The first neighborhood meeting was held on May 15, 2024, at the WestWing Mountain Community Center located at 27008 N. High Desert Dr. Peoria, AZ 85383. This meeting was attended by 82 residents, the applicant team, and representatives from the City.

The second neighborhood meeting again observed the notification requirements prescribed for such meetings. The second neighborhood meeting was held on August 8, 2024, at 6:00pm via the Zoom virtual meeting platform. This meeting was attended by 29 residents, the applicant team, and representatives from the City.

The applicant answered questions submitted by attendees largely pertaining to traffic, water security, proposed uses within the development, property values, and schools. A summary of the outreach process and its results are included in the Citizen Participation Report (**Exhibit 9**).

Support / Opposition

The outreach efforts regarding this case resulted in the receipt opposition from 13 individuals, which are included in **Exhibit 10**. Concerns expressed include the following topics: traffic, school capacity to serve the development, compatibility with surrounding areas, property values, infrastructure capabilities to serve the proposed development, and statements that the land uses and zoning designation that would accommodate such uses is not appropriate.

SCHOOL DISTRICT INFORMATION

This property is within the Peoria Unified School District (PUSD) boundary. Due to the sheer size of the subject area, students residing within this development would attend 1 of 3 elementary schools dependent on their location within the development, based on current school boundaries (Vistancia Elementary, Lake Pleasant Elementary, or Zuni Hills Elementary). All students within the subject site would be zoned for Liberty High School. PUSD was provided information regarding the subject proposal and has provided no comment.

KEY FINDINGS

1. The proposed zoning designation and associated uses conform to the ASLD Special Land Use designation intended for this and other strategic State Land parcels;
2. The uses and development standards contemplated demonstrate a basis rooted in the existing multiple general plan designations that exist across the property as of the writing of this report;
3. The proposal advances a variety of goals and policies within the City of Peoria General Plan;
4. The applicant/owner has identified a willingness to furnish a signed and notarized a Proposition 207 waiver, which will be recorded with the conditions included in Exhibit 1.

PROPOSITION 207

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.

POSSIBLE RECOMMENDATION ACTIONS / OPTIONS

- A:** Approve as recommended by staff; or
- B:** Approve with modifications; or
- C:** Deny; or
- D:** Continue action to a date certain or indefinitely.

RECOMMENDATION

Staff recommends that the Planning and Zoning Commission take the following action:

Recommend APPROVAL of Rezoning Case Z24-03 to City Council, subject to the Conditions of Approval in Exhibit 1.

STAFF CONTACT

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