

<u>Chairman</u>	<u>Vice-</u>	<u>Secretary</u>	<u>Member</u>	<u>Member</u>	<u>Member</u>	<u>Member</u>	<u>Alternate</u>
Shawn	<u>Chairman</u>	Jay Otlewski	Vacant	Bill Louis	Clay Allsop	Bryan	<u>Member</u>
Hutchinson	Jeff Nelson					Patterson	Vacant

Planning and Zoning Commission Meeting Notice & Agenda

Thursday, November 2, 2017
City Council Chamber
8401 West Monroe Street
Peoria, AZ 85345



Regular Meeting 6:30 PM

Convene
Roll Call
Opening Statement
Final Call to Submit Speaker Request Forms

Consent Agenda

CONSENT AGENDA: All items listed on the Consent Agenda are considered to be routine or have been previously reviewed by the 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

1 C Minutes

Discussion and possible action to approve the minutes of the Planning and Zoning Commission meeting held on October 19, 2017.

Regular Agenda

REGULAR AGENDA: All items listed on the Regular Agenda are considered public hearing items subject to separate discussion and action by the Commission unless indicated otherwise by the Commission Chair or by the agenda item description. The order in which the following items are heard may be altered at the discretion of the Commission Chair.

Unfinished Business

2 R **Z17-10 Twin Palms Zoning Stipulation Modification**

The Twin Palms/dba: Villagio Estates Homeowner's Association requests to remove Condition #1 of Ordinance No. 99-24, pertaining to the 1999 approved rezoning establishing the Villagio Estates (formerly Twin Palms) subdivision development. The removal of the condition would enable the HOA to move forward with plans to eliminate an existing pedestrian connection through Tract C of the subdivision and the subdivision directly north (Vineyards Lots 1-205). Tract C is located where Bloomfield Road and 82nd Lane converge.

Staff Report

Open Public Hearing

Public Comment

Close Public Hearing

Commission Action: No action, applicant is requesting withdrawal.

New Business

3 R **Z16-0013: Cowtown Rezoning**

A request to consider a request to rezone approximately 78 acres from Special Use Permit (SU) and Floodplain (FP) to the Cowtown Planned Area Development (PAD) to clarify the allowed uses, development standards and operational criteria for the Cowtown Range.

Staff Report

Open Public Hearing

Public Comment

Close Public Hearing

Commission Action: Discussion and possible action on case Z16-0013.

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.

Updates from Staff:

City Staff will update the Planning and Zoning Commission on the status of relevant events and activities, including, but not limited to, updates on programming, special events, calendars and upcoming meetings. These items are for information only - no action will be taken.

Planning and Zoning Commission Updates and Report of Current Events:

Planning and Zoning Commission members will give updates on relevant events and activities they have attended since the last meeting. These items are for information only - no action will be taken.

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.

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

Public Notice

In addition to the Board/Commission members noted above, one or more members of the Peoria City Council or various other Boards and Commissions may be present to observe this meeting as noticed on this agenda.

Planning and zoning commission meetings can be viewed live on Channel 11 (Cox Cable) and are available for viewing on demand at <https://www.peoriaaz.gov/NewSecondary.aspx?id=2187>.



PLANNING AND ZONING COMMISSION REPORT

Meeting November 2, 2017

Date:

Agenda Item: 1C

Case Name: Minutes

Case

Number(s):

General Application Information

ATTACHMENTS:

Description

PZ_draft minutes_10-19-17

**PLANNING AND ZONING COMMISSION MINUTES
CITY OF PEORIA, ARIZONA
COUNCIL CHAMBERS
OCTOBER 19, 2017**

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

Members Present: Chair Shawn Hutchinson, Vice-Chair Jeff Nelson, Secretary Jay Otlewski, Commissioner Clay Allsop, Commissioner Bill Louis and Commissioner Bryan Patterson

Members Absent: None

Others Present: Chris Jacques – Planning Director, Adam Pruett – Planning Manager, Lorie Dever – Senior Planner, Sean Allen – Senior Planner, Jennifer Fostino – Planner, David Benton – Assistant City Attorney and Della Ernest – Executive Assistant

Opening Statement: The Opening Statement was read by Chair Hutchinson

Call for speaker request forms.

Audience: 1

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 **Authorization to Hold an Executive Session**

Pursuant to A.R.S. 38-431.03.A.3:

Discussion and possible action authorize the holding of an Executive Session for the purpose of discussion or consultation with designated representatives of the public body and/or legal counsel in order to consider its position and instruct its representatives regarding:

- a. Advise, discussion, and instruction with legal counsel and staff regarding a potential zoning case and memorandum of understanding with Westward Ho Adventures regarding 10402 W. Old Carefree Highway.

2C **Disposition of Absence**

Discussion and possible action to approve/excuse the absences of Commissioners Bill Louis and Bryan Patterson from the Planning and Zoning Commission meeting held on September 21, 2017.

3C **Minutes**

Discussion and possible action to approve the minutes of the Planning and Zoning Commission meeting held on September 21, 2017.

4C **CU17-12: Starbucks Drive Through**

A request to obtain a Conditional Use Permit (CUP) for drive through service for a coffee shop. The subject property is vacant within the Arrowhead Commerce Center which is located east of the northeast corner of 83rd Avenue and Thunderbird Road.

COMMISSION ACTION: Secretary Otlewski moved to approve the Consent Agenda. The motion was seconded by Commissioner Louis and upon vote, passed unanimously.

REGULAR AGENDA

5R **Z17-10: Twin Palms HOA Zoning Stipulation Modification**

The Twin Palms dba: Villagio Estates Homeowner's Association requests to remove condition of approval #1, of case #Z98-18/Ord #99-24, of the approved Rezoning for the Twin Palms subdivision development. The removal of the condition would allow the HOA to remove the existing hard-surface pathway, located where Bloomfield Road and 82nd Lane converge, which connects Twin Palms with the subdivision directly north (Vineyards Lot 1-205).

Staff recommends item 5R be continued to the November 2, 2017 meeting of the Planning and Zoning Commission to allow for adequate noticing.

COMMISSION ACTION: Commissioner Allsop moved to continue item 5R to the November 2, 2017 meeting of the Planning and Zoning Commission. The motion was seconded by Commissioner Louis and upon vote, passed unanimously.

EXECUTIVE SESSION:

COMMISSION ACTION: Commissioner Louis moved to adjourn into Executive Session. The motion was seconded by Secretary Otlewski and upon vote,

passed unanimously. The Commission was in Executive Session from 6:36pm to 7:43pm.

Vice-Chair Nelson joined the meeting at 6:43pm.

COMMISSION ACTION: Chair Hutchinson reconvened the regular meeting at 7:43pm.

CALL TO THE PUBLIC ON NON-AGENDA ITEMS:

None

UPDATES FROM STAFF:

Mr. Jacques notified the Commission of the upcoming Planning and Zoning Commission meetings, November 2, November 16th and December 7th (tentative).

Mr. Jacques informed the Commission of a new bus line service that will take effect on Monday, October 23rd. The extension of route 83, starts at Camelback Road and travels north on 83rd Avenue to the Arrowhead Towne Center.

Mr. Jacques stated the Commission the Council Subcommittee on Boards and Commissions recently met and are recommending three individuals for appointment to the Planning and Zoning Commission. The appointments will go before City Council for ratification. Two of the three will be seated soon after ratification but the third will be seated in January.

UPDATES AND 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 7:45 p.m.

Shawn Hutchinson, Chair

Submitted by Della Ernest

Date

Date



PLANNING AND ZONING COMMISSION REPORT

Meeting November 2, 2017

Date:

Agenda Item: 2R

Case Name: Z17-10 Twin Palms Zoning Stipulation Modification

Case Z17-10
Number(s):

General Application Information

Proposal:

Request to remove Condition of Approval #1 from Ordinance No. 99-24 pertaining to the 1999 approved rezoning for Villagio Estates, thereby facilitating the removal of an existing pedestrian pathway (Tract C).

Location:

The Villagio Estates subdivision is generally located north of the northeast corner of 83rd Avenue and Cactus Road. This request pertains to the walkway identified as "Tract C", located between lots 5 & 6 of the Villagio Estates subdivision, specifically where Bloomfield Road and 82nd Lane converge.

Project Acreage:

Tract C is 2,380 square feet in area.

Applicant:

Twin Palms/dba: Villagio Estates Homeowner's Association (HOA)

Project Description

The Villagio Estates HOA requests approval to remove Condition #1 of the approved Rezoning Ordinance (ORD. No. 99-24) for the Twin Palms subdivision (now called Villagio Estates), thereby facilitating the removal of the existing pathway within Tract C of the subdivision.

In 1999, the City Council adopted Ordinance No. 99-24, approving the rezoning of the land that facilitated the development of the Twin Palms subdivision. As part of that action, the City Council had identified additional Conditions of Approval that were integrated and adopted into the Ordinance. The public record (approved minutes from May 4, 1999) reinforces the intent to require a pedestrian access in the development. However, Condition #1 is worded to require the City to address security issues related to a pedestrian connection through Tract C.

A pedestrian access was installed with the development of the Twin Palms subdivision. The

HOA now desires a change to the original ordinance that would provide the ability for this access (identified as Tract C) to be removed.

The tract is located between lots 5 & 6 of the Twin Palms Subdivision development, where Bloomfield Road and 82nd Lane converge. The HOA reported they held a community vote that resulted in a majority in favor of the change (removal of the pedestrian access).

Key Items For Consideration:

Recommendations:

Applicant is requesting withdrawal.

ATTACHMENTS:

Description

Exhibit A - Withdrawal Request

Exhibit A
Withdrawal Request



City of Peoria

PLANNING DEPARTMENT

9875 North 85th Avenue
Peoria, Arizona 85345
T 623-773-7200
planning@peoriaaz.gov

Memorandum

Meeting Date: November 2, 2017

To: Planning & Zoning Commission

From: Sean Allen, Senior Planner

Re: Item 2R – Change in Action

CASE UPDATE: APPLICANT HAS FORMALLY WITHDRAWN THE REQUEST.

ACTION: None required.

From: Joe Atkielski [REDACTED]
Sent: Tuesday, October 24, 2017 3:40 PM
To: William Beloit [REDACTED]
Cc: Sean Allen [REDACTED]; Dan Nissen [REDACTED]
Subject: Re: Pedestrian Access Closure - Update

Hello,

I informed the board I will be withdrawing case. Please proceed with communicating the withdrawal.

Thanks,

Joe



PLANNING AND ZONING COMMISSION REPORT

Meeting November 2, 2017

Date:

Agenda Item: 3R

Case Name: Z16-0013: Cowtown Rezoning

Case Z16-0013
Number(s):

General Application Information

Location:

10402 W. Old Carefree Highway

Project Acreage:

Approximately 78 Acres

Applicant:

Brian Greathouse Esq. of Burch & Cracchiolo

Project Description

A request to rezone approximately 78 acres from Special Use Permit (SU) and Floodplain (FP) to the Cowtown Planned Area Development (PAD) to clarify the allowed uses, development standards and operational criteria for the Cowtown Range.

Key Items For Consideration:

As of the date of this printing, staff has not received any public comment in opposition or support of this proposal.

Recommendations:

Recommend approval of case Z16-0013, subject to stipulations to the City Council.

ATTACHMENTS:

Description

Staff Report

Exhibit A - Vicinity Map

Exhibit B - Existing Zoning Map

Exhibit C - Cowtown PAD Standards and Guidelines Report

Exhibit D - Site Plan with Aerial Image

Exhibit E - Conceptual Fence Plan

BACKGROUND

Context

Cowtown [the Property] is located within the northern area of the City of Peoria. It is approximately 78 acres in size and located at the northwest corner of Old Carefree Highway and 104th Avenue. The Property was purchased in 1974, and developed within unincorporated Maricopa County as a venue for outdoor entertainment events, which were oriented towards old west activities and film productions. The current ownership group took over Cowtown's operations prior to annexation into the City of Peoria. Shortly after the ownership change, firearm training and marksmanship classes were incorporated into Cowtown (Exhibit A). The following is a brief overview of the property's entitlement history:

Pre-Annexation

- Maricopa County Board of Supervisors approved Case Z77-114 providing a Special Use Permit for an "amusement park" on the Cowtown site (12/8/77).
- The Z77-114 Special Use Permit was subsequently amended and a new Special Use Permit (Z86-95) was established to allow sand & gravel extraction in the eastern 330 feet of the site (3/2/87).
- County approves an Administrative Amendment to Z77-114 to add three movie sets to the northeast corner of the site (1993).

Annexation into Peoria

The City annexed the Property in 1994 as part of a regional annexation plan (Ord 94-03). The property owner at that time agreed to the annexation with the understanding that the land uses on the property (at the time of annexation) would be recognized and grandfathered. Accordingly, Peoria City Manager, Peter Harvey, issued a letter that outlined the City's position regarding the land uses on the property, which is discussed further in the *Discussion and Analysis* section (Exhibit C).

General Plan

The General Plan's Land Use Map designates the Property as Park/Open Space and Estate Residential (0-2 du/ac, target of 1 du/ac). These designations are the same as when the Property was annexed by the City. Since Cowtown was considered a private outdoor recreation facility, it was determined to be analogous to the Park/Open Space land use designation, and consistent with the Peoria General Plan.

Zoning

Pursuant to Arizona Revised State Statutes and the Peoria City Code, the City is required to assign City zoning to a property within a specified timeframe from the date of annexation. Per State Statute, the initial corresponding zoning shall not permit densities and uses more intense than those permitted by the County prior to annexation.

At the time, the closest City of Peoria zoning district to Maricopa County Rural-43 with Special Use Permit was City of Peoria Special Use (SU) and Flood Plain (FP) Districts. Subsequently on April 6, 1994, the City Council approved Case Z94-06, establishing the SU and FP zoning districts on Cowtown (Exhibit B).

Adjacent Uses and Zoning

Surrounding the Property to the south, west, and north are undeveloped Arizona State Land Trust parcels, which are managed by the Arizona State Land Department. Beyond these parcels are three large master planned communities, Lake Pleasant Heights (1.2 miles away), Saddleback Heights (2.5 miles away), and Vistancia (2.9 miles away). The intervening terrain is topographically diverse and provides a physical barrier between Cowtown and these properties. (See Exhibit A)

This Property is adjacent to the Agua Fria Wash, along its eastern border. Beyond the wash is an undeveloped 420+ acre parcel of land, an unoccupied APS substation property, and Canyon Raceway. Turf Soaring School is also in the vicinity at the northwest corner of Lake Pleasant Parkway and Carefree Road. Land utilized for the Canyon Raceway and Turf Soaring School is leased from the Arizona State Land Department.

Table 1 summarizes the existing land use, General Plan land use designation, and zoning for the surrounding areas.

Table 1 – Existing Land Use, General Plan Designation, and Current Zoning

	Existing Land Use	General Plan	Zoning
Subject Property	Vacant	Residential Estate (0-2 du/ac), Parks/Open Space, and Water	Special Use (SU) and Floodplain (FP)
North	Vacant	Residential Estate (0-2 du/ac), Parks/Open Space, and Water	Agriculture (AG) and Suburban Ranch (SR-43)
South	Vacant	Residential Estate (0-2 du/ac), Parks/Open Space, and Water	Agriculture (AG) and Suburban Ranch (SR-43)
East	Vacant	Residential Estate (0-2 du/ac), and Parks/Open Space	Suburban Ranch (SR-43)
West	Vacant	Parks/Open Space, and Water	Agriculture (AG)

APPLICANT'S PROPOSAL

Goal/Purpose of Request

Cowtown has been the host of movie and television productions, western shooting clubs, corporate events, festivals and parties, shooting competitions, firearm training classes, and advanced training in long range marksmanship classes for police, military and civilian instructors. These uses continue on the property presently; however, said

uses were not clearly defined in sufficient detail within the initial zoning case to adequately reflect the character and nature of Cowtown. Accordingly, the Applicant is requesting to rezone the approximately 78 acre Cowtown Property from Special Use (SU) and Flood Plain (FP) to Cowtown Planned Area Development (Cowtown PAD), to better define the particular unique land uses, development standards, and operational criteria for Cowtown.

Currently, the array of recreational and entertainment activities is managed by Cowtown Management. In particular, they are responsible for the management of the shooting and training facility venue, special events, along with tenants operations on the property, which include Cowtown Paintball and the Cowtown Cowboy Action Shooters. A more comprehensive list of these existing activities, and their applicable performance criteria have been outlined within the proposed Cowtown PAD Standards and Guidelines Report (Exhibit C).

Given the unique nature of the facility, the Owner selected a consultant with relevant and knowledgeable expertise in the design and management of outdoor shooting ranges to review the details of Cowtown's operations. Mr. Don Turner is an NRA Instructor and Range Technical Team Advisor, and has experience managing the Clark County and Ben Avery ranges. He specifically reviewed the Cowtown site plan and Cowtown Operations Handbook in view of best management practices for outdoor shooting ranges. After his initial review, modifications were made and subsequently adopted for use at the range. Mr. Turner subsequently reviewed those modifications and provided his finding in his letter dated May 15, 2017. In that letter, Mr. Turner specifies that "best management practices ensure that shooting ranges are safe due to a combination of management practices, safety rules, operations and physical design." Based on Mr. Turner's review of the updated materials, Cowtown "demonstrates that their operations will meet these criteria and be in compliance with appropriate safety and management concerns." (Exhibit C) As the industry or circumstances change, the Owner is responsible for making the appropriate modifications to the Cowtown Operational Handbook and safety protocols to ensure best practices are maintained.

DISCUSSION AND ANALYSIS

Land Use

Prior to annexation into the City, the Cowtown facility hosted an array of recreational and entertainment activities. It has been determined that the existing uses have been continued, in some capacity, on the property prior to annexation and approval of initial zoning by the city. While it was the intent of the 1994 letter to generally identify and to the extent permitted by law, to "grandfather" those existing uses, buildings and structures on the property, ambiguity remained in interpreting applicable development standards and operational expectations (Exhibit C). Thus, City staff concurs that rezoning the property to PAD will assist in clearly defining land uses approved in conjunction with the initial zoning case, as well as identify the relevant development and performance standards for Cowtown. The general layout of the various uses within the Cowtown facility is generally shown in the Applicant's site plan (Exhibit D).

City staff recognizes that an outdoor shooting and training range is a non-traditional use because of the special and specific considerations associated with designing, maintaining, and managing that type of facility. Consequently, staff has determined that the operational and managerial requirements related to the shooting and training venue are within specifically Cowtown's expertise. Thus, the City and the Owner are cooperatively working on a Memorandum of Understanding outlining commitments and performance measures associated with the shooting range activities.

Hillside Overlay and Desert Lands Conservation Overlay (DLCO)

Cowtown was entitled within the City of Peoria prior to the establishment of the Hillside Overlay or the Desert Lands Conservation Overlay (DLCO). This rezone request only seeks to clarify and recognize existing uses permitted onsite, along with establish special operational and development considerations given the particular uses and events that occur onsite. Consequently, the Hillside Overlay and DLCO are not applicable at this time.

Water/Sewer

The City does not have water or sewer systems within the area to serve the property. Water is brought into the site on an "as needed basis" when special events are being held. Onsite water storage will be increased to meet the needs of any future enhancements or expansion of the facilities. Likewise, while portable toilets are brought onsite to accommodate special events, the Owner will expand capacity or provide permanent facilities to meet the needs of future enhancements/expansion when those specific improvements are identified.

Access

Cowtown is accessed from Lake Pleasant Parkway via the Old Carefree Highway (see Exhibit A).

Public Safety

Given the limited infrastructure available on the site, the Cowtown PAD outlines the various conditions when additional review criteria become applicable. More specifically, it outlines the criteria when the Owner is required to submit for a Temporary Use Permit, or a Fire Department Operational Permit, prior to certain special events or uses occurring on the site.

For safety considerations, the Owner has agreed to fence and sign the entire property as specified in the Conceptual Fence Plan (Exhibit E). Because of the topographical conditions, and to maintain existing wildlife corridors, posts may be substituted in lieu of the fencing.

COMMUNITY INVOLVEMENT

Outreach Requirements

The application was properly noticed pursuant to Section 21-315 of the Peoria Zoning Ordinance, which includes notification to all property owners within 600 feet of the site and registered HOAs within one (1) mile, posting a sign on the site, and placing an ad in the Peoria Times at least 15 days prior to the Public Hearing.

A neighborhood meeting was held on November 7, 2016 at the Wild Horse Restaurant. Representatives from Arizona State Land Department and city staff attended the event.

Support / Opposition

At the time of this writing, Staff has not received any support or opposition to the application.

Proposition 207 Waiver

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 agreed to furnish a signed and notarized Proposition 207 Waiver.

STAFF RECOMMENDATION

Based on the following findings:

1. The proposed zoning district is in conformance with the goals and objectives set forth in the Peoria General Plan;
2. The proposed zoning district better clarifies the land uses and development standards associated with the existing facility; and,
3. The applicant/owner has submitted a signed and notarized a Proposition 207 waiver, which will be recorded with the conditions outlined below.

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

Recommend approval to the City Council for the applicant's request for Rezoning under Case Z16-0013, subject to the following conditions:

1. The development shall substantially conform to the approved Planned Area Development Standards and Guidelines Report, Fence Plan, and Site Plan dated October 11, 2017 except as modified herein.
2. A perimeter fence is to be installed around the entire border of the subject property in the timeframe specified from the effective date of the ordinance as described below, to the satisfaction of City staff:
 - a. Within 6 months, the property owner or authorized designee shall install the

- portion of the perimeter fence labeled as Section A which starts immediately north of Bay 6, proceeding south along the eastern property line past the main gate to the southeastern edge of the property. From that southeastern corner, the fence shall be extended westward along the southern property line, past the parking area and ending adjacent to the toe of the southern ridge as shown in Exhibit E).
- b. Within 12 months, the property owner or authorized designee shall install the balance of the perimeter fence around the entire property as identified in Exhibit E as Section B.
 - c. In extremely rugged slope conditions, and/or within wash corridor areas, steel posts will be secured into the ground every 25-50 feet in-lieu of fencing, unless otherwise approved by city staff. The number of instances where posts may be substituted in-lieu of fencing is conceptually shown on Exhibit E.
3. At the time of installation, warning signage shall be provided on the perimeter fence every 50 feet to discourage unwanted access to the property. Where posts are provided in-lieu of fencing, warning signage shall be provided every 25-50 feet, unless otherwise approved by city staff.
 4. Within twelve months from the effective date of this ordinance, the property owner or authorized designee shall submit for and receive approval of the Non-Ballistic Structure.
 5. All proposed grading or site improvements within existing floodplain/floodway area will require engineering review and permitting.
 6. At the time of application for construction, proposed development shall conform to all applicable new development and engineering design standards within the City of Peoria City Code, City of Peoria Infrastructure Design Guidelines, and current engineering policies, standards and best practices, to the satisfaction of the City Engineer.
 7. Per the template offered by the Environmental Protection Agency (EPA) for best management practices for lead at outdoor shooting ranges, Cowtown is required to establish, maintain, and follow an implementation schedule appropriate for the conditions of this range, based on the variables identified by the EPA.
 8. In accordance with the criteria outlined within the Cowtown PAD, the property owner or designee shall obtain a temporary use permit for any occurrence, occasion or event that involves tents/canopies or membranes with an aggregate of 400 square feet or more, generators. The temporary use permit shall be reviewed and approved by city staff, and in particular by the Peoria Fire Department prior to the event.
 9. Explosives materials are to be approved by the Fire Department and must comply with all requirements of the International Fire Code and the applicable sections with the National Fire Protection Association (NFPA) publication 495.
 10. The property owner or authorized designee shall obtain a temporary use permit for

every occurrence of binary explosives (i.e. Tannerite) and similar ATF defined explosive materials brought on-site, handled or used for any reason, to the satisfaction of Fire Department staff.

11. Fire apparatus access is to be provided to the parking lots north of Gate #2 at the time of construction and/or use of those parking lots. The fire apparatus access road is to be a stabilized surface that is a minimum of twenty (20) feet wide, able to support an imposed load of seventy five thousand (75,000) pounds, be an all-weather surface and be appropriately marked and visible under any weather condition.
12. Any gate(s) that block a fire apparatus access road will require appropriate Fire Department signage, locks and/or automatic controls (if electric).
13. Where fire apparatus access roads end in a dead end, an approved turn around that meets the requirements of Appendix D of the International Fire Code is to be provided and appropriately marked.
14. All new structures, whether commercial or residential, are required to comply with the International Fire Code (IFC), except as otherwise approved by the Fire Department.
15. All new commercial structures that require twenty (20) or more fire sprinkler heads are required to have a fire alarm system installed that includes occupant notification throughout the structure.
16. A water supply is required to supply the necessary automatic fire sprinkler system demands and fire flow requirements for the site in accordance with the International Fire Code for all new structures, whether commercial or residential. A fire pump may be required to supply the necessary pressure to operate the automatic fire sprinkler system and supply the fire hydrants. The fire pump is to meet the provision in the International Fire Code and the National Fire Protection Association (NFPA) publication 20.
17. For all new structures, whether commercial or residential, a water supply is to be distributed to fire hydrant locations approved by the Fire Department for use in the event of an emergency. The water supply system is to be capable of providing the minimum required fire flow at twenty (20) psi to any fire hydrant, or as otherwise approved by the Peoria Fire Department and/or the International Fire Code.

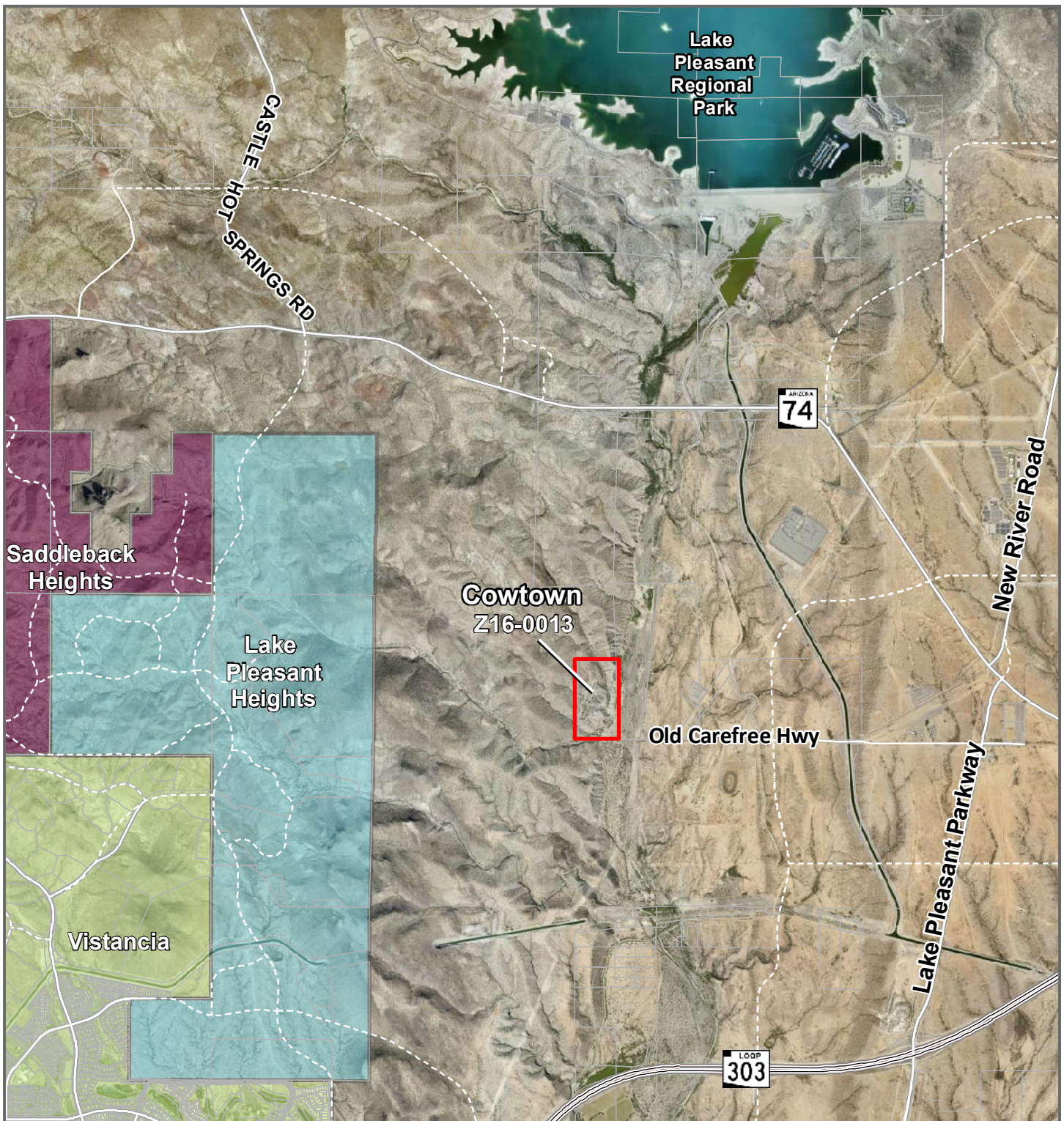
REPORT PREPARED BY

Lorie Dever
Senior Planner
623-773-5168
Lorie.Dever@peoriaaz.gov

ATTACHMENTS:

- | | |
|-----------|---|
| Exhibit A | Vicinity Map |
| Exhibit B | Current Zoning Map |
| Exhibit C | Cowtown PAD Standards and Guidelines Report |
| Exhibit D | Preliminary Site Plan with Aerial |
| Exhibit E | Conceptual Fence Plan |

Vicinity Map



Z16-0013 Cowtown

Not to Scale

Applicant: Brian Greathouse on behalf of Westward Ho Adventures LLC

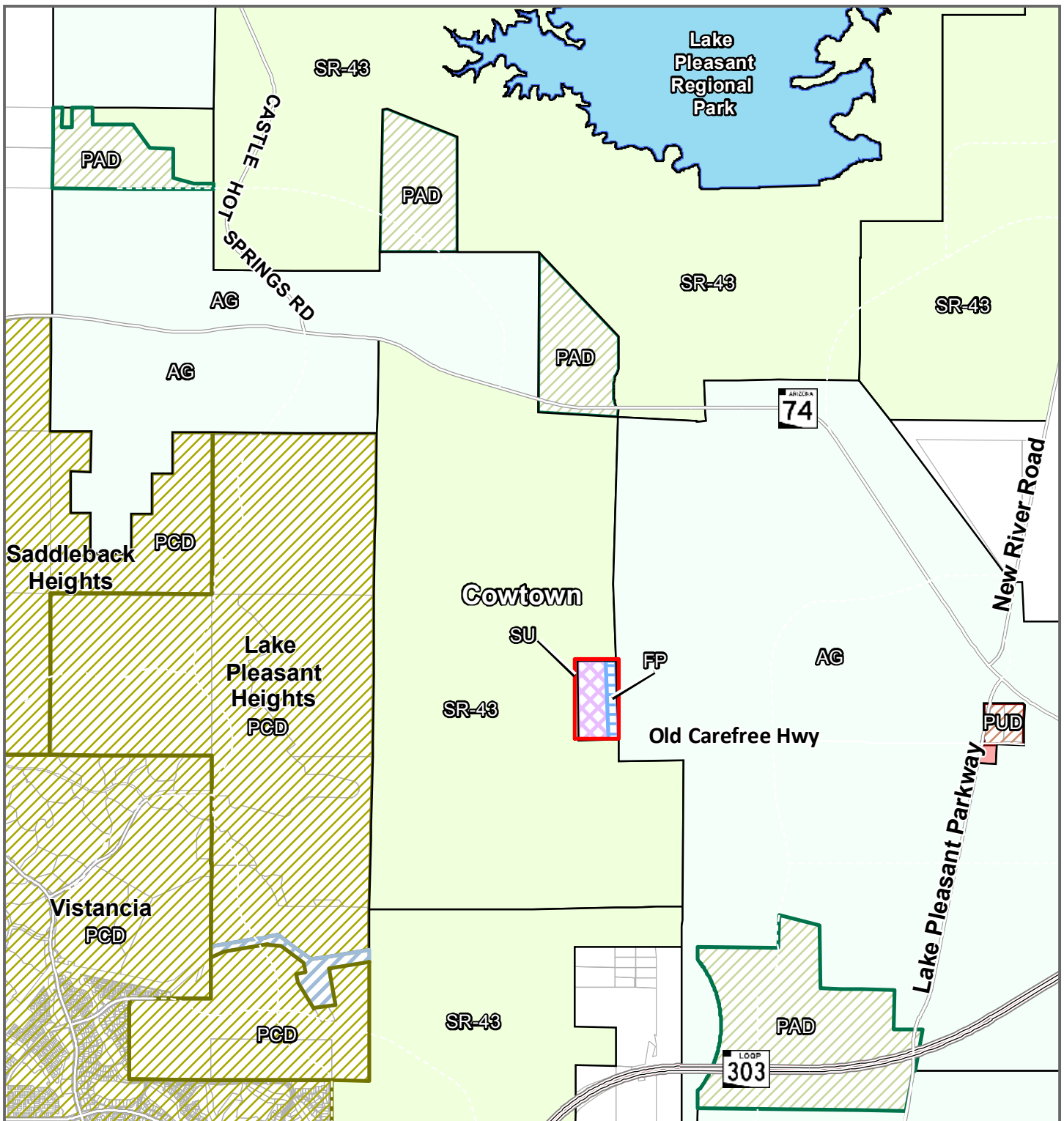
Request: Rezone request from Special Use (SU) and Floodplain (FP) to Cowtown Planned Area Development (PAD) to to better define the particular unique land uses, development standards, and operational criteria for Cowtown.

Location: The property is generally located at the northwest corner of Old Carefree Highway and 104th Avenue.



Exhibit A

Existing Zoning



Not to Scale

Z16-0013 Cowtown

Applicant: Brian Greathouse on behalf of Westward Ho Adventures LLC

Request: Rezone request from Special Use (SU) and Floodplain (FP) to Cowtown Planned Area Development (PAD) to to better define the particular unique land uses, development standards, and operational criteria for Cowtown.

Location: The property is generally located at the northwest corner of Old Carefree Highway and 104th Avenue.



Exhibit B

October 11, 2017



**Planned Area Development
Standards & Guidelines Report**

Case # Z16-0013

Project Information

Cowtown Planned Area Development

10402 West Carefree Hwy, Peoria AZ

Gross Area: 77.80 acres

APN: 201-18-001

Legal:

East ½ of the Southwest Quarter of Section 5,
Township 5 North, Range 1 East of the Gila and
Salt River Base and Meridian, Maricopa,
Arizona

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Appendices

- A – Letter from City of Peoria Letter from City
Manager dated January 25, 1994
- B – Operations Handbook, Don Turner’s
Resume

Development Team

Applicant

Westward Ho Adventures LLC

26020 N 82nd Street
Scottsdale, Arizona 85255
602-741-8245

Planning Consultant

Kevin Kerpan

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1-Introduction

“Cowtown” is located within the northern area of the City of Peoria (“City”) on approximately 78 acres of real property located at the west end of Old Carefree Highway, bordering the west bank of the Agua Fria River (the “Cowtown Property” or “Property”). In approximately 1974, the Cowtown Property was purchased by a veteran stunt performer and western film producer. At the time, the Cowtown Property was located within an unincorporated area of Maricopa County. Thereafter, the Cowtown Property was primarily developed for promoting entertainment events of all types, such as old west activities and film productions that occasionally included the use of helicopters, and other uses such as a stunt school, restaurant, rodeo competitions, corporate events, horseback riding, fast draw shooting competitions, a live fire shooting gallery and cowboy shooting (shooting with pistol, rifle and shotgun), as well as other events, and trap shooting began in the late 1970’s.

In approximately 1993, a new ownership group took over the Cowtown operations. Since the new ownership acquired the Cowtown Property, the recreational and entertainment uses have continued, such as various western shooting, sport shooting and training related activities. The new ownership group also owned and operated Shooter’s World at the time (since sold) which had significant firearm training and education programs for private citizens as well as police and military agencies. Similar firearm training activities to those offered at Shooter’s World were subsequently integrated at Cowtown. The topography of Cowtown offers safe shooting against the cliffs and canyons within the Property and offers a unique and desired location for specialized tactical training. Consequently, the number of military, federal and state agencies training at Cowtown has steadily increased, including the United States Army, United States Navy, United States Marine Corps, United States Air Force, and various Special Forces Units of those services (e.g. Seal Team 6 and Delta Force) along with Los Angeles County SWAT, Las Vegas SWAT, Scottsdale SWAT, and the Phoenix Police Department.

The objective of the Cowtown Planned Area Development (“PAD”) is to formalize and better define the land uses currently operating, such as those land uses recognized and grandfathered by the initial rezoning case (Case Number Z94-06) and certain annexation agreements. This PAD will identify the specific allowable land uses, relevant development standards, and operational criteria that will solidify Cowtown’s operational requirements and provide a long-term vision for the property.



2–Site Context

Cowtown encompasses approximately 78 acres of real property and is located near Old Carefree Highway and the 104th Avenue alignment. The Property is accessed from Lake Pleasant Parkway via Old Carefree Highway (see **Figure 1**, Aerial Map). Prior to 2015, visitors to Cowtown and the neighboring Canyon Raceway had been using an existing water diversion structure as a crossing over the intervening Maricopa Water District (MWD) canal to access the Property. In 2015, a new bridge crossing on the Old Carefree Highway alignment was completed and became operational.

Surrounding the Property to the south, west, and north are undeveloped Arizona State Land Dept. (“ASLD”) properties. Just beyond the ASLD parcels to the west are three large future master planned communities, Lake Pleasant Heights (1.2 miles away), Saddleback Heights (2.5 miles away), and Vistancia (2.9 miles away). There are many mountains, hills, and canyons located between Cowtown and the future master planned communities located more than 1.2 miles away. Therefore, not only is there vast distance between Cowtown and the future residential land uses, but the existing terrain and topography provide a physical barrier between Cowtown and these properties.

To the east of the Cowtown Property is the Agua Fria Wash. Beyond the Agua Fria Wash is an undeveloped 420+ acre parcel of land, an unoccupied APS substation, and Canyon Raceway. Turf Soaring School is also in the vicinity at the northwest corner of Lake Pleasant Parkway and Old Carefree Highway.

3–Entitlement History

The Property has supported a variety of recreational and entertainment uses, such as movie and television filming, firearm training, and outdoor entertainment events, which existed prior to annexation into Peoria in 1994. The following is a brief overview of the Property’s entitlement history:

Maricopa County:

- Maricopa County approved a Special Use Permit (Z77-114) for an “amusement park” on the Cowtown Property (12/8/77).
- Maricopa County approved a new Special Use Permit (Z86-95) to allow sand & gravel extraction in the eastern 330 feet of the site (3/2/87).
- Maricopa County approved an Amendment to the Special Use Permit (Z77-114) to allow three new movie sets at the northeast corner of the site (1993).

Annexation into Peoria:

- In 1993, the City of Peoria entered discussions with the former owners of Cowtown relative to annexation of the property as part of a regional annexation plan. When the City requested that Cowtown consider joining the City as a part of its northern expansion plans, the former and present ownership (then under contract to purchase the Cowtown Property) agreed, with the understanding that all of the land uses then enjoyed, would be recognized by the City as a condition of accepting annexation.

- City Council adopted Ordinance 94-03 on January 25, 1994. The Cowtown Property was part of a 35 square-mile annexation.
- Peoria City Manager, Peter Harvey, issues a letter dated January 25, 1994 to Mr. Harold Berg and Mr. Chris Shaw to “outline the basic position of City Staff” on a variety of issues, including the following: (*See Appendix A*)
 - o The City determined the Zoning District most analogous to the Property’s County zoning was the Special Use District (“SU”). The City’s SU Zoning District contains a site plan requirement and City Staff accepted the Plot Plan (with list of existing uses) on file with Maricopa County as the initial Cowtown Site Plan.
 - o Future changes in land use would be processed as Site Plan Amendments under the City’s Zoning Ordinance in recognition that the Property would be transferring ownership, and that “additional site planning may be required as the Property is more intensely developed.”
 - o The Letter acknowledges *“upon annexation, all existing uses, buildings and structures and means of servicing the property will be grandfathered... with the following types of uses as illustrative of the type of use of the Property”* – sand and gravel extraction (eastern 330’); movie-shooting and “western town activities”; restaurant and specialty retail; horseback riding, haystack rides and western activities; cookouts, gatherings and dances; repelling, hiking and other water and western theme recreational activities; paintball, sporting clays and training activities; other “cowboy” and western theme amusement and recreational uses.

Initial Zoning:

- City Council adopts Ordinance 94-12 on April 6, 1994 (Case Z 94-06)
 - o The City adopted Special Use (SU) and Flood Plain (FP) Zoning Districts as the initial zoning on the Property.
 - o The Flood Plain District was applied to the eastern 330 feet of the site (approximately 20 acres)

Conditional Use Permit:

- The City’s Planning & Zoning Commission approved a Conditional Use Permit (SU 95-08) to allow the sale of beer and wine (Series #6 License) at Cowtown’s facility.

4- General Plan Analysis

The General Plan’s Land Use Map designates the Property as Park/Open Space and Estate Residential (0-2 du/ac, target of 1du/ac). *See Figure 2* – Existing General Plan Land Use Map. The General Plan’s land use map designations are the same designations as when the Property was annexed into the City. Cowtown is considered a private outdoor recreation facility, which is analogous to the Park/Open Space land use designation. Shooting Ranges are a permitted use under Section 21-502 (non-residential districts) of the Zoning Ordinance, and under Chapter 13 of the Peoria City Code.

5–The Request

Cowtown’s existing land uses that have been “grandfathered” under County zoning and City annexation and initial zoning processes have not been clearly defined in sufficient detail within the City’s initial zoning case (1994) to adequately reflect the unique character and nature of Cowtown. Further, there are special operational and development considerations given the particular unique land uses, operations and events that have prompted Cowtown and the City to seek appropriate development standards and operational criteria. The purpose of this PAD is to rezone the Cowtown Property from Special Use (SU) and Flood Plain (FP) to PAD, and among other things, to define the particular unique land uses, operations, events, development standards, and operational criteria for Cowtown. An Existing Zoning Map and a Proposed Zoning Map are provided at **Figure 3** and **Figure 4**, respectively.



6–Land Uses

Land uses not specifically listed below or deemed inconsistent with the intent of the Cowtown PAD by the Zoning Administrator shall be prohibited.

A. Permitted Principal Uses

1. Cattle and Livestock Grazing
2. Commercial Equestrian Boarding and Paddocks
3. Film, Photography, Video and Music Productions
4. Hiking and Rappelling
5. Horseback Riding
6. K-9 training and Tracking Exercises
7. Non-shooting Tactical Training, such as bomb squad training and tactical medical training
8. Military and Police Training, such as door breaching exercises, securing the perimeter of an area, disarming suspects, and other military and police field simulations.
9. Paintball/Airsoft/Speedball
10. Archery
11. Restaurant (any new restaurants will be required to go through the City’s site/design review, permitting and inspection process)
12. Classroom/office

B. Permitted Principal Uses with Conditions

1. *ATV Rides, Convoy and Off-Road Driving (Excluding Racing); Concerts, Festivals, Music Performance and Western/Horse/Rodeo Shows; and Corporate Events/Team Building, Obstacle/Mudrun events, and Private Parties (e.g. weddings)* will be permitted subject to the following conditions:
 - a. ATV Rides, Convoy and Off-Road Driving shall be allowed only in designated areas and trails.
 - b. The sale of alcohol shall be in compliance with State and City requirements. (Refer to B.2.d below regarding sale of alcohol when shooting events or shooting related activity will occur on the same day.)
 - c. Onsite parking areas shall be clearly and visibly defined using a method such as, but not limited to: chalk, rope, and pylons.
 - d. Designated parking areas shall not impact, restrict or diminish ingress/egress of vehicular traffic within and around property.
 - e. No parking is permitted on the roadway (Old Carefree Highway).
 - f. Entry/exit gates on the Property shall remain unobstructed at all times.
 - g. Fires and grills are permitted in designated areas only. The property owner or their designated representative ("Property Owner") will ensure users will observe "No Burn" days.
2. *Outdoor Shooting* is permitted subject to the following conditions:
 - a. Outdoor shooting will only occur within areas designated as "shooting range/training" in **Figure 5**, Preliminary Site Plan. Proposed modification(s) to the boundary resulting in either an individual or cumulative change in area that is greater than 10% of the total "outdoor shooting" area will be submitted to the Planning Manager for review in accordance with Section 21-604.D.
 - b. Use of Cowtown's ranges for outdoor shooting is limited to shooting clubs, competition events, registered user groups, tactical organizations, military/police organizations, and private members. Should the Property Owner desire to open the outdoor shooting facilities for shooting by the general public, it shall be deemed a significant increase in land use intensity and require an amendment to the Cowtown PAD to address the additional facility requirements and increased demand on existing infrastructure. (Refer to Section 14 – Amendments to PAD.)
 - c. Outdoor shooting occurring after dark will comply with applicable Arizona Revised State Statutes.
 - d. The sale of alcohol for a shooting event or shooting related activity is prohibited. Should a non-shooting event be held on the same day as a shooting event or shooting related activity, the sale of alcohol may be permitted when the following conditions are met:
 1. A liquor license has been obtained for the non-shooting related event.

2. The point of purchase and area where consumption can occur is clearly delineated, secured, and separated to the greatest extent possible from the shooting event/activity.
 3. Security measures will be in place prohibiting persons who have consumed alcohol to enter into a designated shooting event area, and/or participating in any shooting event for that day.
 - e. Retail sales of any guns and/or munitions or incendiary materials will be conducted in a manner in accordance with all applicable City of Peoria, State and Federal regulations. (For purposes of this PAD, retail gun and munition sales may include sales customary at State authorized gun shows, such as typical gun shows held at Ben Avery and Arizona State Fairgrounds. Gun and munition sales may include dealer-to-dealer, dealer-to-person, and person-to-person sales, such as those customary at typical gun shows.)
 - f. Operation and management of Cowtown's Outdoor Shooting Ranges shall be in accordance with the Cowtown Operations Handbook ("Handbook"), as submitted by the Property Owner and included in Appendix C as reference only. The Property Owner is responsible for regularly reviewing and updating the Handbook as necessary to reflect on-going operational changes and advancements, or refinements to industry safety practices. As changes are made, the Property Owner will submit a dated copy to the City of Peoria Planning Department to be placed on file. Updating the Handbook for the foregoing will not require or be deemed to be an amendment of this PAD.
3. *Camping, Barracks, Trailers and RV Facility* provided that:
- a. The Use is limited to the invitees of Cowtown in connection with the permitted uses.
 - b. Maximum days allowed on the Site is 30 days.
 - c. Property Owner shall clean up and remove all refuse and debris, restoring the area back to the condition prior to the activity.
 - d. Camping activities will be located outside of designated shooting range areas, and a safe distance from inhabitable and uninhabitable buildings.
 - e. Property Owner or their designated representative will ensure users will observe "No Burn" days. Fires and grills are permitted in designated areas only.

C. Permitted Accessory Uses

1. Caretaker and Watchman Facilities
2. Catered Food Service including portable food vendors
3. Retail Merchandise Sales, such as sporting goods, water bottles, and other types of merchandise
4. Equipment rentals, such as ATV rentals and steel target rentals
5. Storage Facilities, such as non-occupied sheds to store miscellaneous equipment
6. Parking Facilities

7. Workshop, Assembly or Repair (related to movie props, firearms, paintball, and tactical equipment) for employees and private party group leaders only

D. Uses Subject to a Fire Department Operational Permit

1. Explosives storage, handling, training and/or testing may be permitted on-site subject to obtaining an Operational Permit from the City of Peoria Fire Department. Operational Permits are required to be renewed annually, unless otherwise indicated on the Operational Permit.
2. Magazine types and separation distances shall be in compliance with the International Fire Code, Section 56 and NFPA 495.

E. Uses Subject to a Temporary Use Permit

1. Application Criteria
 - a. Prior to the specified uses below from occurring on-site, the Property Owner or authorized designee shall obtain a Temporary Use Permit ("TUP") from the City of Peoria for each and every occurrence.
 - b. These uses are excluded from the maximum allowed number of TUPs per year.
 - c. The TUP application shall be prepared in accordance with Article 14-30-13 of the City's Zoning Ordinance and submitted at least thirty (30) days prior to the start of the specific occurrence, occasion or event.
 - d. Property Owner or designee submitting the TUP application will provide:
 - i. A detailed site plan for the subject occurrence, occasion or events requiring a temporary use permit.
 - ii. The Site Plans shall be prepared in accordance with applicable City of Peoria standards, and at a minimum show the location of the event, areas used for parking, fencing, entry/exit points, tents/canopies (include dimensions), stages (include dimensions), generators, bars, tables/chairs, portable restrooms, signs, etc.
 - iii. A route map for all distance events such as walks, runs, rides, and driving events.
 - e. The TUP application shall satisfy all applicable City of Peoria licensing and permitting requirements for events requiring temporary signage, tents, electricity / generators, pyrotechnics, stages or similar equipment.
 - f. Each occurrence, occasion or event shall pass applicable permit inspection(s) by the Peoria Fire Marshall for all tents, canopies, membrane structures, and similar structures such as, but not limited to, staging and merchandise displays.
2. Uses and Event Equipment permitted with a TUP.
 - a. Helicopter tactical and shooting training (for government training purposes only).
 - i. Helicopter operations are limited to fast rope/rappelling and shooting from hovering aircrafts for specialized training for military, law enforcement groups, and Department of Defense contractors (with active DOD contracts) only.

- ii. Groups performing this type of training are required to begin the training with an Orientation Class providing instructions with the respect to the boundary of the Site.
- iii. Only rotary wing personnel transport helicopters are allowed.
- iv. The direction of long-range firing shall occur in the north-south direction within the various canyons located on the Site.
- v. Ammunition greater than .50 caliber is prohibited.
- b. Binary Explosives – a TUP is required when binary explosives such as tannerite and similar ATF defined explosives materials are to be brought on-site, handled or used for any reason on the property.
- c. Event Equipment – If any occurrence, occasion or event on the property involves any of the following:
 - i. The use of tents/canopies or membrane structures four hundred (400) square feet or larger;
 - ii. Use of generators at events requiring a Temporary Use Permit; or
 - iii. Use of fires or grills outside of the designated areas shown on the site plan.

7-Architectural Style and Appearance

There are two distinct architectural styles within Cowtown. The first and oldest area encompasses the movie sets, special event area, and stables within the southern portion of the property. One of the original purposes underlying the development of Cowtown was to promote entertainment events of all types, but in particular old west activities and western film productions. To support the film productions, complete western town/movie sets were constructed. The town/movie sets are comprised of a Hotel, Saloon, General Store, Post Office, Sheriff's Office, Jail, Newspaper Office, Barber Shop, Dentist and Blacksmith Shops. Additionally a Mexican village and restaurant was added for later movie productions, but are not in use at this time. The natural patina and textures of the materials and structures found on site make Cowtown Studios highly desirable for Casting Location Scouts and photographers.

General Architectural Style and Design Requirements are as follows:

- Improvements or enhancements to existing structures, along with construction of new buildings or structures within the town area shall be architecturally compatible in size, scale and current theme as illustrative within the adjacent photos.
- The town consists of flat roof single and two story structures that often have either a zero lot line or minimal spacing between the buildings. Improvement or enhancement of existing structures shall be retrofitted in a manner in keeping with established street character. Placement of new buildings shall be consistent with the established street character, while recognizing and responding to natural topographic conditions and applicable building codes.
- Building materials and colors shall be consistent with the established Western theme. Existing building materials and colors include, but are not limited heavy use of wood elements such as natural wood or plank siding, wood posts supporting covered walkways that run the entire

length of the building. Painted elements have been designed to appear rustic and/or exposed to the elements gives the buildings a weathered look.



The second architectural style encompasses the three outdoor shooting ranges and paintball fields. They are more utilitarian in nature given the unique operational requirements. Building materials for training houses, shooting bays and accessory structures consist of corrugated metal roofs and metal. Improvements or enhancements to existing structures, along with construction of new buildings or structures within these areas shall be made of durable materials that shall meet the operational and safety needs of the environment. Enhancements or improvements to structures shall be consistent with the above and below photos.





8–Rehabilitating Existing Structures

The existing movie sets were never intended to be accessible by the general public. Given their inherent nature and constant exposure to the elements over the years, they have become rundown. The existing movie sets will require periodic strengthening or restoration, or removal. Work on any existing building(s) or structure(s) will be in conformance with Article 14-26-4 (B) (except that the cost may exceed 50% of the most recent assessor’s full cash value) and permitted without bringing the entire site into conformance with the Zoning Ordinance. Given the existing condition of the movie sets, it may be acceptable to City Staff to allow the Property Owner to retain the street façade, demolishing the rest of the structure and utilizing temporary storage facilities behind the façade to maintain operable movie sets. The property owner shall obtain all necessary permits and licensing requirements prior to commencing work.

9–Operational and Design Standards

Cultural Resources

Improvements to the property or construction of new buildings/structures shall avoid, to the extent reasonably possible, any cultural resources found on site as documented by Archaeological Consulting Services, Ltd. If avoidance is not reasonably possible, eligibility testing for

historic/modern components will be completed prior to ground disturbing activities to determine possible historic significance. If any cultural resources are encountered during project construction, work shall stop in the vicinity of the find and ASM will be contacted.

Shooting Range Protocols

The Cowtown Range is a professionally managed and operated shooting and training facility venue providing a quality and customized experience for a variety of professional shooting activities and events. Cowtown management is responsible for range safety along with tenant relations including Cowtown Paintball and Cowtown Cowboy Action Shooters. Cowtown management has prepared a Range Rules Handbook (the Handbook), which outlines the safety rules, code of conduct and operations policies currently in place and must be adhered to during Cowtown shooting events. In addition, this Handbook was evaluated for “best management practices” by NRA Instructor and Range Technical Team Advisor Don Turner, who also has extensive experience managing the Clark County and Ben Avery ranges. Additional modifications were made and subsequently adopted for use at the range. Mr. Turner’s resume and Cowtown’s Range Handbook are included in Appendix C.

In general, there are six programmatic areas for the management of shooting facilities. They are Safety, Security, Public and Employee Health, Sanitation, Administration, Operations and Maintenance. Cowtown management will periodically re-evaluate the Handbook and modify any regulations or procedures as necessary to accommodate evolving technology and market requirements. Such update will not require or be deemed an amendment to the PAD.



In addition to the Handbook, Cowtown management has developed an Environmental Stewardship Plan (ESP). The ESP will ensure there is no direct or indirect migration of waste from the site. New range users and prospective clients are required to schedule a site tour, and will be issued a safety package, and a safety and rules liability/acknowledgement form to sign. Lastly, individuals or groups utilizing the property are required to sign the Cowtown Rental Agreement, which affirms they are responsible for reading and adhering to the Cowtown Park “Rental Rules and Procedures”.

Parking Facilities shall:

- Occur in designated areas with appropriate dust control measures.
- Be regularly cleared of trash, debris and decaying vegetation.
- Be graded in a manner than minimizes water runoff and site erosion. (Grading permits shall be required unless otherwise indicated by the City Engineer.)
- Ingress/egress access points and the extent of the parking area will be clearly defined.
- Incorporate dust control measures. The property owner will reduce airborne dust and particulate matter, utilizing City acceptable methods within parking areas and unpaved roads.

City acceptable dust suppressants or other methods will be employed and re-applied as needed.

10–Environmental Considerations

Cowtown was entitled within the City of Peoria prior to the establishment of the Hillside Overlay or the Desert Lands Conservation Overlay (DLCO). This rezone request only seeks to clarify and recognize existing uses permitted onsite, along with establish special operational and development considerations given the particular uses and events that occur onsite. Consequently, the Hillside Overlay and DLCO are not applicable at this time. Should the Property Owner propose significant changes to the underlying land uses that would be deemed by the Planning Manager as a major amendment to the PAD, then the area impacted by the amendment would be subject to the provisions of the Hillside Overlay and DLCO.

Nonetheless, the applicant recognizes the unique character and nature of Cowtown and proposes the following environmental guidelines to oversee building improvements and structural enhancements:

- Maintain to the extent possible the existing fowl and wildlife habitat within and around the natural pond.
- Significant vegetation, such as mature cactus or trees adjacent to proposed improvements shall be protected in place using best construction practices during the construction process.
- Walls shall utilize materials and colors that are consistent with the existing character of the Property and surrounding desert.
- Any new or improved habitable buildings shall be situated outside of wash or drainage corridors.

11–Circulation

Visitors to Cowtown and the neighboring Canyon Raceway access their properties from Old Carefree Highway which is a City of Peoria maintained roadway.

12–Utilities

Water

No registered drywells or drinking water systems are available on-site. The City does not have water lines that serve this area. Currently the Property has three wells onsite; however, only one is partially in operation. Additional water is brought in to the site on an “as needed basis” when special events are held. Onsite water storage will be increased to meet the needs of any future enhancements or expansion of the facilities, in conformance with applicable Peoria Fire and Building Codes at the time of development.

Wastewater

The City does not have wastewater lines that serve this area. Portable toilets are brought onsite to accommodate special events. The Property Owner will work with the City on possible options to

expand capacity or create permanent facilities to meet the needs of any future enhancements or expansion when specific improvements are identified.

Electric

Electricity is provided by generators and limited solar units, since the Property is not currently served by APS. The Applicant will work with adjacent property owners and APS to provide a cost effective means to bring power to the area before any significant future expansion of the facilities will occur. Additional solar units may also be utilized until permanent power is established. Permits may be required prior to installing solar facilities on the Site.

Gas and Cable

Natural gas and cable are not available.

13-Phasing

At this time, there are no specific plans for future development or expanding operations on the site other than what is depicted in Figure 5, Preliminary Site Plan. Should that change, the property owner will notify the City as to the nature and type of desired improvements, and obtain all necessary approvals or permits (as applicable), prior to commencement of work. That being said, the Applicant desires to conduct general site maintenance and rehabilitation of existing structures to improve the overall condition of the Property. The general description and approximate order of those enhancements is as follows:

1. *General clean-up of the property* - This includes but is not limited to removal of trash and debris, and removal of dead or decaying vegetation within common areas.
2. *Improvement and enhancement of parking area* - These improvements shall include clearing of trash and dead or decaying vegetation within the designated parking area. Ingress/egress access points and the extent of the parking area will be clearly defined. (If required, Grading permits will be obtained unless otherwise indicated by the City Engineer.)
3. *Incorporation of dust control* - The property owner will reduce airborne dust and particulate matter, utilizing City acceptable methods within all parking areas and unpaved roads. City acceptable dust suppressants or other methods will be employed and re-applied as needed.,
4. *Rehabilitation of existing buildings* – Strengthening or restoration of any existing building(s) or structure(s) will be in conformance with Section 21-862 of the Zoning Ordinance (with the exception that the cost may exceed 50% of the most recent assessor’s full cash value). The property owner shall obtain all necessary permits and licensing requirements as necessary prior to commencing work.

14-Amendments to PAD

Amendments to the Cowtown PAD may be needed in the future to further clarify permitted uses, redefine, add or subsequently delete development standards and operational requirements for the property. An amendment to the approved PAD may be requested by the applicant or its successors, and will be prepared in accordance with the applicable City of Peoria requirements. Unless

otherwise defined within the Cowtown PAD, the Peoria Planning Manager shall determine if the amendment constitutes a major or minor amendment and process the request in accordance with Article 14-33-4 of the Zoning Code. Moving and relocating specific land uses shown on Figure 5, Preliminary Site Plan, is a Minor Amendment to the PAD.

15-Conclusion

Cowtown has had significant local, national, and international appeal since its inception. Although originally designed to promote entertainment events oriented toward old west activities and film productions, the Property has served as an outdoor concert and entertainment venue, and is home to several firearm and tactical training organizations. These uses were not clearly defined in sufficient detail within the initial zoning case to adequately reflect the unique character and nature of Cowtown. This has created ambiguity and inconsistent interpretation of development expectations between City staff and the property owner. Consequently, the Applicant is requesting to rezone the property from Special Use (SU) and Flood Plain (FP) Districts to Planned Area Development (PAD). Rezoning the property to PAD will assist in clearly defining the grandfathered land uses approved in conjunction with the initial zoning case, as well as identify the relevant development standards and operational criteria that will solidify Cowtown's current operational requirements. Finally, this Cowtown PAD provides a long-term vision for the property while increasing its future business development potential.

Figures

Exhibit 1

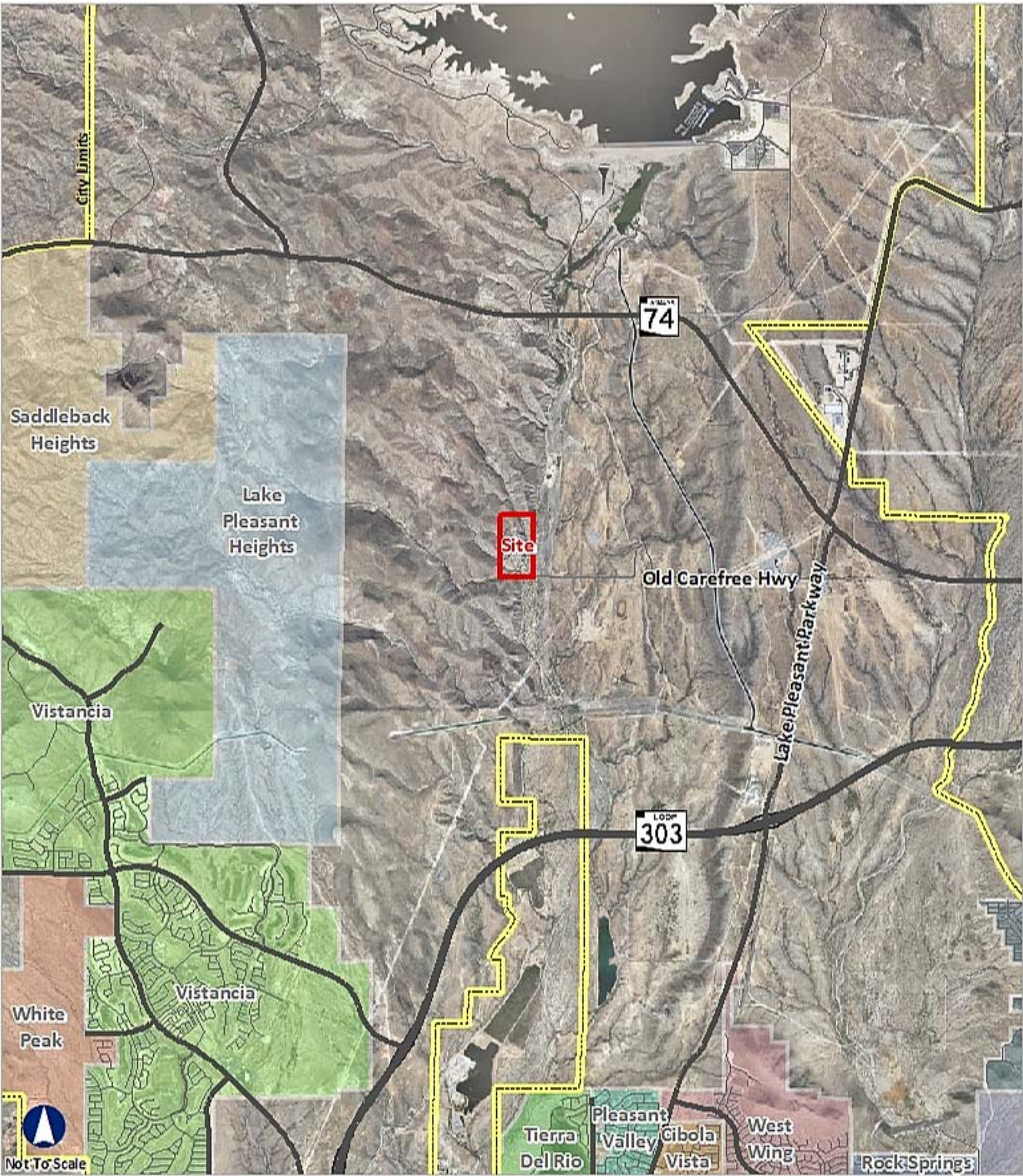


Figure 1 - Context Aerial Map
Cowtown Planned Area Development



Exhibit 2

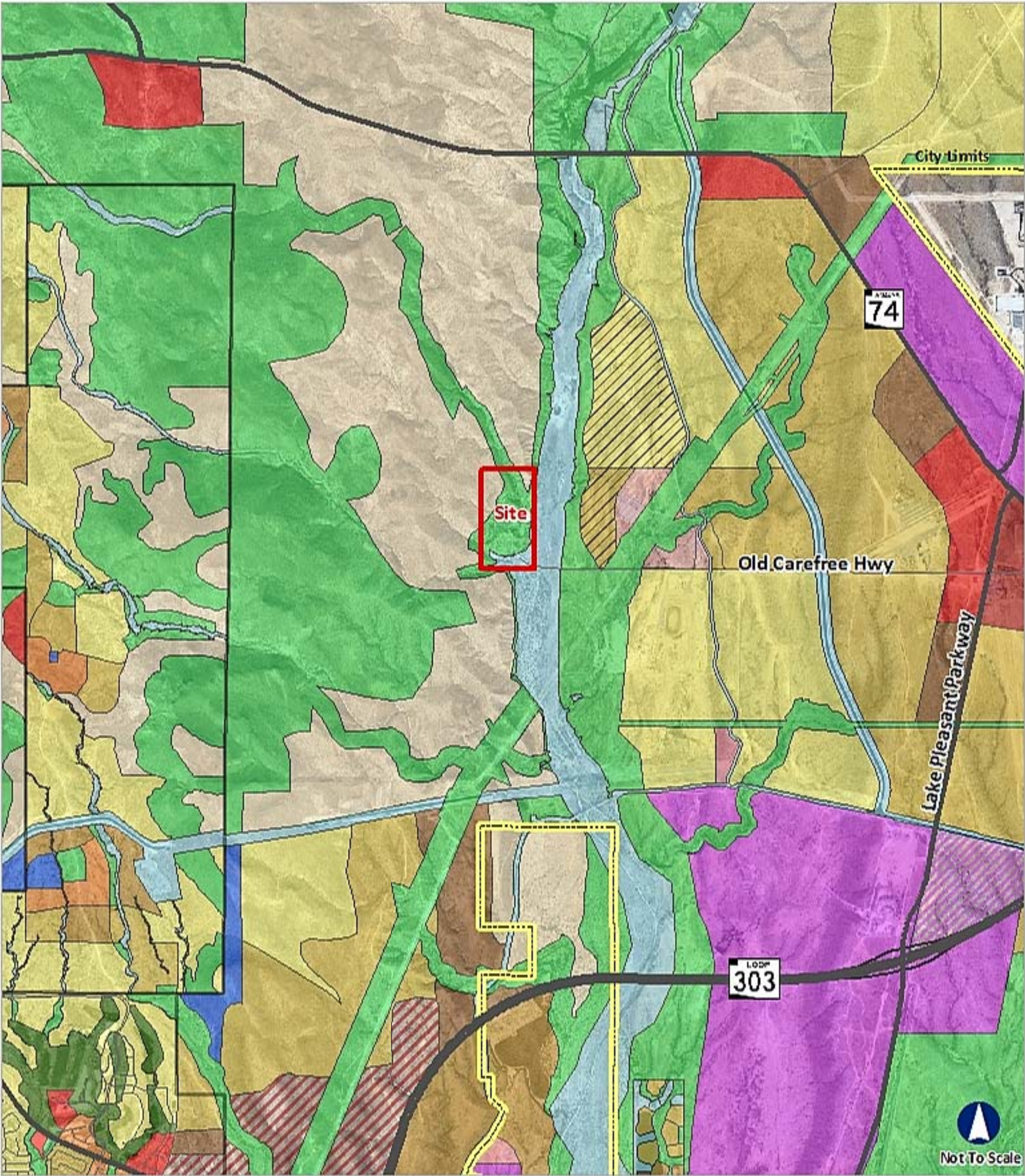


Figure 2 - Existing General Plan Map
Cowtown Planned Area Development



Exhibit 3

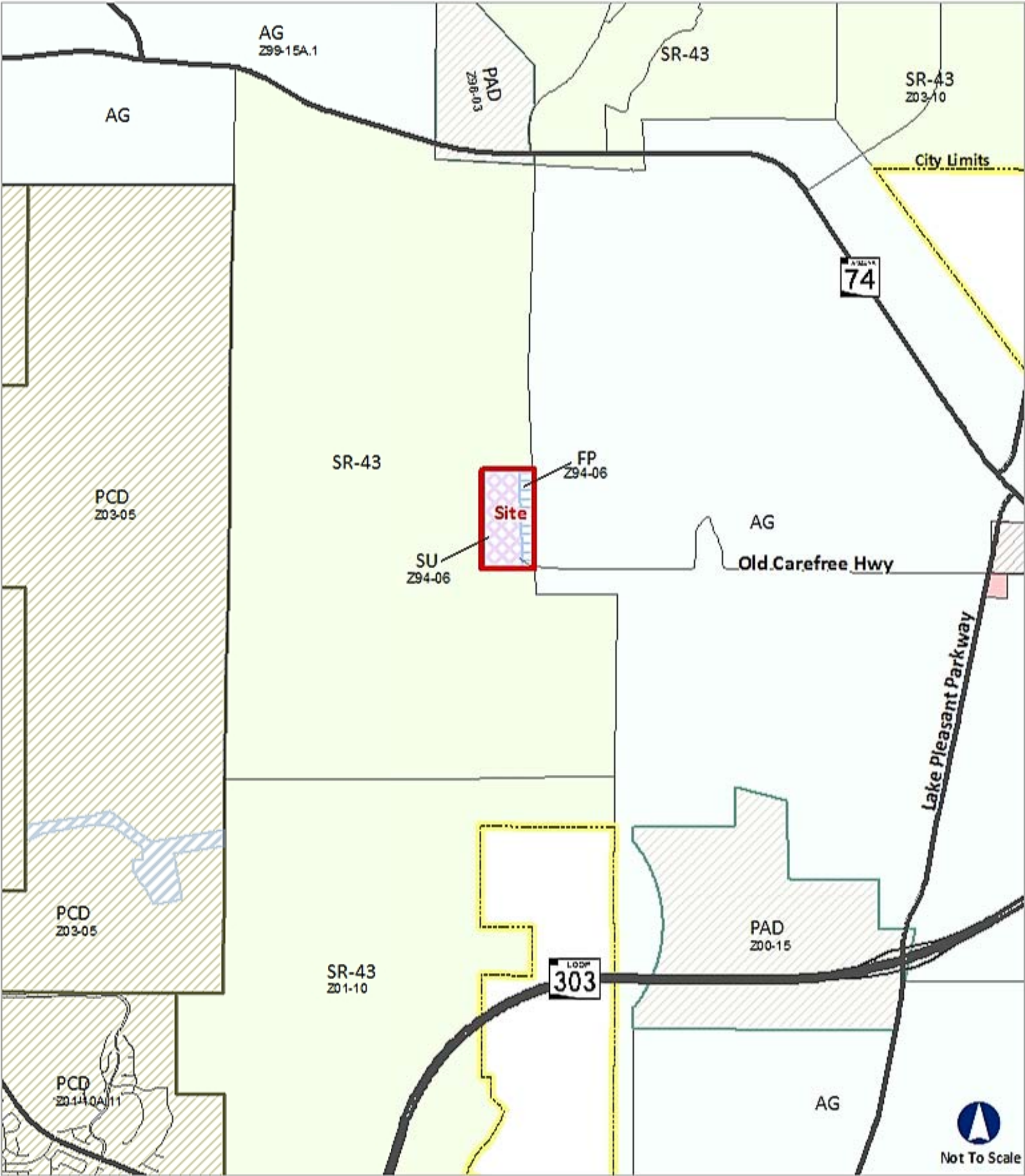


Figure 3 - Existing Zoning Map
Cowtown Planned Area Development



Exhibit 4

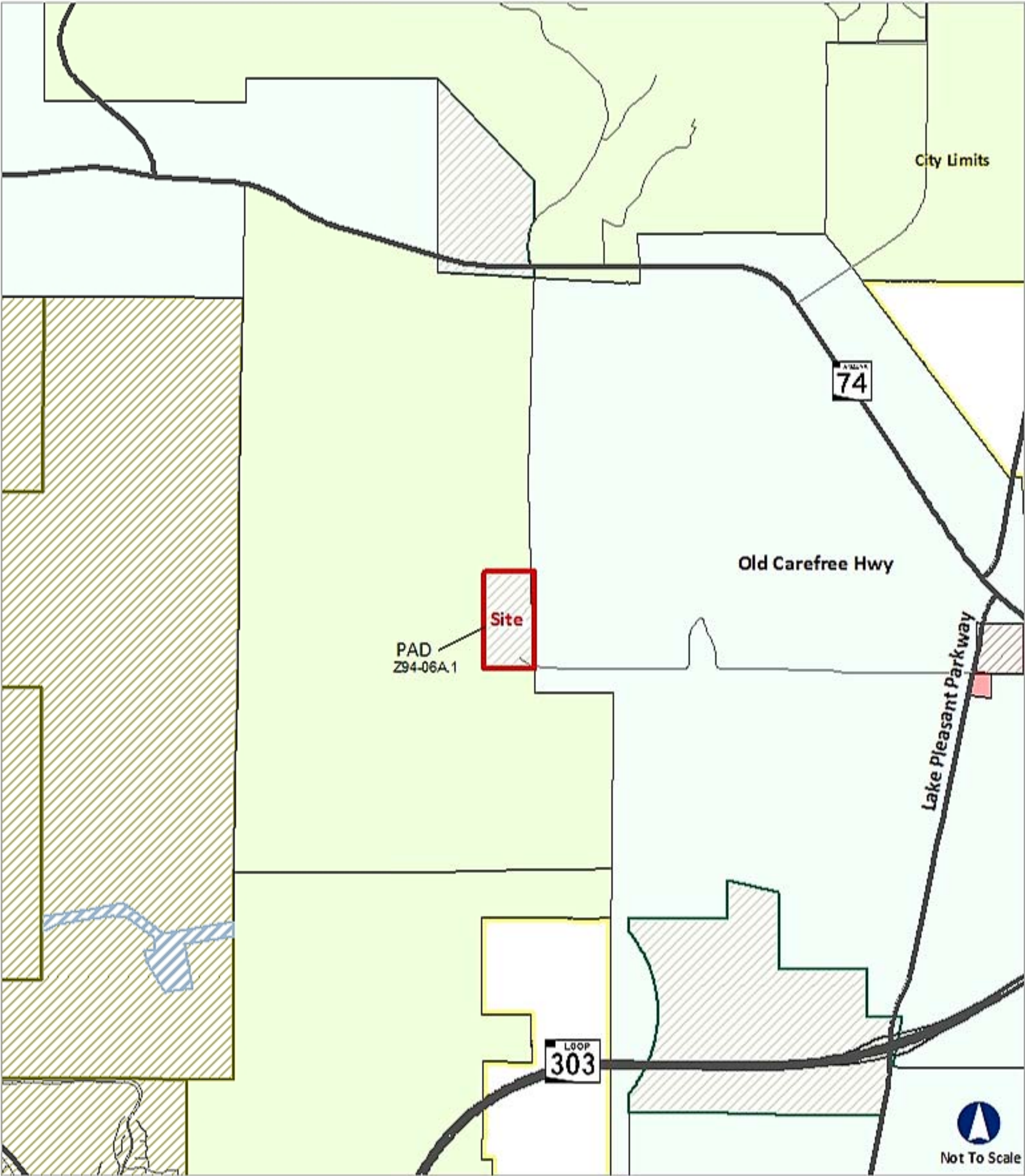


Figure 4 - Proposed Zoning Map
Cowtown Planned Area Development

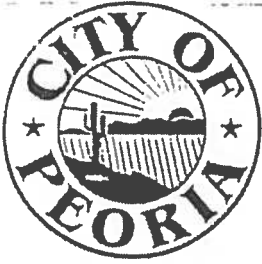


Appendix A

Appendix A

January 25, 1994

Letter from City of Peoria
City Manager



City of Peoria

8401 West Monroe Street, Peoria, Arizona 85345

OFFICE OF THE CITY MANAGER

TELEPHONE
FACSIMILE

602-412-7300
602-412-7309

January 25, 1994

Mortgage Investor's Service, a
division of Harold L. Berg &
Assoc., Limited
P.O. Box 32965
Phoenix, Arizona 85064

Chris Shaw
The Pensus Group
3828 North 28th Avenue
Phoenix, AZ 85017

Re: Maricopa County Assessor's Parcel No. 201-18-001
(the "Property")

Dear Mr. Berg and Mr. Shaw:

It is our understanding that Mortgage Investor's/Berg & Assoc. is an Arizona corporation, and as such, acts as the attorney in fact for the owners of the above-referenced parcel (the "Owners"). As the City Attorney and Deputy City Manager discussed at a meeting with Messrs. Mickey Oksner, Owner's representative, Chris Shaw and Ed Bull (Purchaser's representatives), the City is in the process of annexing a large area including your Property prior to February 1, 1994.

The Owner's and the Purchaser have expressed concern regarding the City's position pertaining to the future use, development and servicing of the Property after it is annexed into the City. Upon annexation, all existing uses, buildings and structures and means of servicing the Property will be "grandfathered" to the extent permitted by law and may be continued. Following the annexation, the City will proceed with placing the City's initial zoning on the property in the manner provided in A.R.S. §9-471.L. While only the City Council can grant zoning, the purpose of this letter is to outline the basic position of City Staff in this regard on the following issues:

PLANNED USES BY OWNER/DEVELOPER

The Property is being planned for development as an amusement area with the following types of uses as illustrative of the type of use on the Property.

1. Movie Shooting and Western Town Activities
2. Restaurant and Specialty Retail
3. Horseback Riding, Hayrack Rides and "Western" Activities

4. Cookouts, Gatherings and Dances
5. Rappelling, Hiking and other water and western theme recreational activities
6. Paintball, Sporting Clays and Training Activities
7. Other "Cowboy" and "Western" theme amusement and recreational uses.
8. Sand and Gravel Operation on a portion of the Property

City Staff is supportive of these types of uses and will recommend that they are consistent with the current City's Comprehensive Master Plan.

PUBLIC SAFETY

The Property will be served from existing police and fire facilities in the City. At such time that the area is developed more intensely, the City may devote additional public safety resources subject to budgetary and financial limitations.

TRANSPORTATION

1. The City is considering improvement plans for Carefree Highway west of Lake Pleasant Road. The City anticipates that these improvements will be phased over approximately five years, with Phase 1 expected to occur within the next year or two. The phasing and construction of the improvements will be dependent on the budgetary and financial constraints of the City.
 - (a) Phase 1 -- Carefree Highway from Lake Pleasant Road to the east end of the existing loop over the Beardsley Canal.
 - (b) Phase 2 -- Carefree Highway west from the east end of the existing loop over the Beardsley Canal, west over the canal to the west end of the loop.
 - (c) Phase 3 -- Carefree Highway west from the west end of the loop over the Beardsley Canal to a point to be determined.
2. It should be noted that the Development Agreement between the City and Group Three Properties envisions Carefree Highway being improved to the North-South Arterial (located west of the Agua Fria) through the Group Three Properties.

3. The City has no intentions at this time to require access to/from the Property other than by way of Carefree Highway, for now as it exists today and later as it may be improved by the City as described above.

UTILITIES

1. The City does not have water or sewer lines that serve this area. Connection to city utilities would not occur until those utilities are available.
2. There is an existing private well on the Property. The Property may use the well for its uses so long as it does not provide water to property not owned by the same party and not part of this parcel. Obviously the well must comply with the rules and regulations of the appropriate County and State regulatory agencies.
3. In the future, the City may be interested in discussing with the Property owner the acquisition and redevelopment of the Well through an assessment district or another means of financing to provide a local water system.
4. The Property may continue using its existing sewage disposal system until such time as:
 - (a) a sewer line is readily available for connection, or
 - (b) an expansion/change of the uses of the Property requires additional sewage disposal improvements for health-safety based reasons, or
 - (c) Owners are compelled by a governmental agency having jurisdiction other than the City to make modifications to its existing sewage disposal system.

At such time, if connecting to a City sewer line is not readily available, the City will cooperate with the Owner/Developer to the extent permitted by law in permitting an on-site or other appropriate sewage disposal system.

5. Necessary changes to utilities and other infrastructure serving the Property may be phased as required by the needs of the Property as it expands/changes over time and taking into account the development of adjacent areas and the city's need and responsibility to provide such utilities and infrastructure.

ZONING

1. The current county zoning is R-43 with a Special Use Permit for an amusement park. The City has reviewed the illustrative uses and considers the City's Special Use District (SU) for an amusement park to be the City zoning district most analogous to the Property's current zoning. Upon Annexation, the City will proceed to initiate a request for rezoning pursuant to A.R.S. §9-471.L for the 60 western acres of the Property to SU-Special District for an amusement park. A copy of the City Zoning Code pertaining to the District is attached as Exhibit "A".
2. The City's SU-zoning district contains a site plan requirement. At the initial City rezoning from County, staff will accept the plot plan on file with Maricopa County as the initial site plan. Subsequent changes in use will be handled as site plan amendments under the City Zoning Code, recognizing that the property will be transferring ownership and that additional site planning may be required as the Property is more intensely developed.
3. There is a closed Sand and Gravel operation on the Property. Such operations are permitted within the City in its FP-Flood Plain District. Upon Annexation pursuant to A.R.S. §9-471.L, City Staff will initiate an application for FP zoning on that portion of the Property (20 Acres not subject to the County special use permit in the manner provided by the City Code. A copy of the City Zoning Code pertaining to the District is attached as Exhibit "B". City Staff will cooperate with the Developer/Owner in meeting and/or modifying as appropriate by Variance or otherwise, unnecessary FP requirements such as, for example that roads be paved.
4. The FP district will require the owner/operator to comply with the regulations of the Maricopa County Air Quality Control District pertaining to dust and particulate emissions. Additionally, if there is subsequent residential development adjacent to the site in the future, the City will likely require noise mitigation measures at that time regarding truck traffic.
5. The City acknowledges that the potential FP portion of the Property may be used not only for a sand and gravel operation but also for parking and other types of uses illustratively described above. City Staff will

Mortgage Investor's Service
January 25, 1994
Page 5

cooperate with the Developer/Owner to the extent permitted by law in structuring the SU and/or FP zoning and requirements thereof so that (subject to City Council approval of the zoning) such uses, activities and improvements may co-exist.

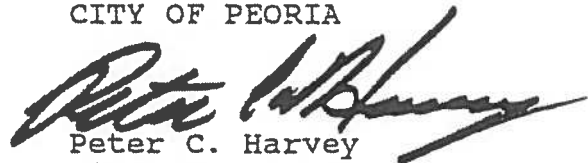
The City is looking forward to working with you on the development of this unique recreational use in the Lake Pleasant Area. With the other recreational uses in this area, such as Canyon Raceway, Turf Soaring and Lake Pleasant this development adds yet another dimension to the recreational opportunities available.

Finally, under the City's existing development agreement with Group Three Properties, the city is required to act on a specific zoning plan for the Group Three Area by March 1, 1994. Therefore we will be proceeding to complete the annexation of this area by January 27, 1994 in order to provide the thirty (30) day waiting period.

On behalf of the Mayor, Council and Staff of the City of Peoria, we look forward to working with you in the future.

Sincerely,

CITY OF PEORIA


Peter C. Harvey
City Manager

PCH:SMK:ei

SMK\ANNEX\INTENT.03

Appendix B

Appendix B
Cowtown Operations Handbook
Don Turner’s Resume



DON TURNER LLC
Innovative shooting range solutions
donturnerllc@cox.net

May 15, 2017

Westward Ho Adventures, LLC
5350 N. 16th Street #106
Phoenix, AZ 85016

RE: Review of Cowtown Documents

Per your request, I have reviewed your most recent documents (Operations Handbook dated April 19, 2017 and Site Plan dated April 28, 2017) in view of Best Management Practices for outdoor shooting ranges.

Best Management Practices ensure that shooting ranges are safe due to a combination of management practices, safety rules, operations and physical design. Based on the documents provided and reviewed, Cowtown demonstrates that their operations will meet these criteria and be in compliance with appropriate safety and management concerns.

In addition, these documents and practices will be continuously reviewed and updated as circumstances change or needs are identified.

Sincerely,

Don Turner LLC

RESUME **Donald M. Turner**
7602 Lake Louise Ave.
Las Vegas, Nevada 89131
(602) 799-6466
donturnerllc@cox.net

PROFESSIONAL EXPERIENCE

1992 to Present: **DON TURNER LLC CONSULTANT SERVICES** (donturnerllc@cox.net)

2000- present: NRA Board of Directors, Range Development Committee

2000-present: NRA Range Technical Team Advisor assigned to governmental range analysis issues.

2000-present: Shooting Range consultations and best management practice analysis.

2010-present: Instructor NRA Range Development Conferences (Strategic and Operational Planning, Governmental Relationships and Developing Customer Service Program)

2010-2016: Range Action Specialist, National Shooting Sports Foundation

January 2005 to September 2010: **CLARK COUNTY, NEVADA**

SHOOTING PARK MANAGER

Responsible for the management of the Clark County Shooting Park including developing and operationalizing the conceptual master plan, business plan, marketing plan, merchandising plan, operational plan, environmental stewardship plan, and financial plan. Provided support and guidance to the Clark County Shooting Park Citizen's Advisory Committee. Serve as Shooting Park expert for County. Prepare Board of County Commission agenda items and presentations. Represent the County to national and local shooting groups and professional organizations. Testify in federal court and at Board of County Commission meetings. Work with design team, prepare park for operations including \$913,000 startup budget, establishment of 10 positions and operational budgets, including two pro shops and one snack bar. Developed and trained staff on procedural and safety manuals. Oversee outreach program and developed Cornerstone Project customer service training program. Supervise daily operations.

July 1974 to January 2005: **ARIZONA GAME AND FISH DEPARTMENT**

July 1, 1996 to January 12, 2005: **PROJECT LEADER, STATEWIDE SHOOTING RANGES PROJECT**

This position includes additional responsibility as Chief Rangemaster, Ben Avery Shooting Facility. The Facility is a 1650 park dedicated to shooting recreation. This position supervises nine permanent employees (3 Rangemasters, 2 Assistant Rangemasters, Office Manager, Customer Service Representative, Maintenance Specialist, Grounds Specialist) as well as 20 park hosts and 90+ volunteers. The facility provides services to 220 user groups (clubs) and provides approximately 150,000 recreation days annually to rifle, pistol, shotgun, and archery shooters. Duties include supervision, facility management, budgeting (\$800,000 annual expenses), training, marketing, worker safety procedures and policies, property protection, media relations, and public safety. The rangemasters are certified Peace Officers. As Statewide Shooting Range Project Leader, oversees range operations on four other Department ranges operated by citizen organizations. Prepared technical reports and publications for the project and for the Arizona Game and Fish Commission. Administers a \$100,000 shooting range development grants program. The project leader is also involved in assisting other ranges statewide with all aspects of range operations, and represents the Department on national committees.

April 1995 - June 30, 1996:

SPECIAL ASSIGNMENT

In addition to regular duties, was assigned to the Director's office to oversee the transition of the Ben Avery Shooting Facility from Maricopa County operation to full Department operation. Involved in all aspects of facility and project management including: Established a new federal aid five year project, budget, and plans for Statewide Shooting Ranges; Supervised, hired and trained new personnel (including law enforcement officers). Prepared facility development plans and facility procedures, guidelines and standards; Evaluated resources, program results and effectiveness; Wrote and edited reports on program activities and projects; Coordinated program with other department divisions and branches as well as other governmental agencies,

and news media; Authorized and monitored expenditures including purchase of new equipment; Established and coordinated facility redevelopment projects; Coordinated with various user groups and public, as well as with managers of other shooting ranges; Oversaw bid for new trap and skeet operation, and coordinated transition of operators.

1991 - June 30, 1996

FIELD OPERATIONS COORDINATOR

Assigned as Chief of Staff to the Assistant Director of Field Operations, which oversees six regions statewide, approximately 140 enforcement officers and respective budgets. Served as Federal Aid Project Leader for the Statewide Wildlife Area Project. Directly supervised the Aviation Branch, which consisted of four aircraft, four pilots and a mechanic. Taught and developed department courses related to supervision, policy, officer tactics, police firearms, and watercraft patrol. Other statewide duties included: enforcement, first aid kit program, firearms purchasing, issue and inventory, ammunition evaluation, purchase and issue, equipped and supplied all new officers, chief instructor for basic and advanced firearms and police rifle schools.

1981 - 1991

REGIONAL SUPERVISOR, REGION VI

Promoted to plan, design, organize, and staff this unit created in April of 1981. Worked with the Assistant Director of Operations and the Director to obtain funding for the facility. Devised and implemented all aspects of unit set-up, including design and construction of the large office complex with attendant security compound, parking and fueling facilities, warehouse, and other support requirements. Supervised full complement of customer service, staff specialists, law enforcement and watercraft personnel, and four wildlife areas. Prepared and administered multi-program budgets for six funds of approximately \$1,000,000.00. Provided standards, plans, and programs for all activities of the Mesa regional office as well as Region VI. Developed Department wide training programs. Designed First Responder Kits, Wildlife Manager III program, watercraft patrol technique course, advanced firearms and rifle training courses, as well as many other programs and projects.

1979 - 1981

REGIONAL LAW ENFORCEMENT SPECIALIST

Supervised up to 10 officers as program supervisor for the Region III law enforcement program. Trained personnel in firearms, first aid, watercraft and related department programs. Authored two handbooks on Law Enforcement which became the department's enforcement procedures manual. Developed Department standards for firearms training and proficiency testing. Served as Regional Supervisor on an assigned basis, and as his field representative.

1976 - 1979

WILDLIFE MANAGER

As a State Peace Officer, enforced Arizona State laws, regulations and Commission Orders. Investigated crimes, served search and arrest warrants. Established and conducted public relations programs.. Co-authored book: "Protected Reptiles of Arizona, A Field Guide for Southern Arizona Peace Officers."

1974 - 1976

STRATEGIC PLANNER

Utilized strategic planning abilities in coordinating activities with other local State and Federal agencies. Conceived and coordinated "Pilot Planning Study." Established master data storage and retrieval systems. Provided a series of recommendations for statewide department planning.

1972 - 1974:

STATE OF UTAH HIGHWAY DEPARTMENT

As the Wildlife Biologist for the Highway Department, supervised up to 40 state employees involved in collection and analysis of environmental data. Prepared Environmental Impact Statements, and served as Liaison with the Utah Department of Wildlife.

1969 - 1972:

UNIVERSITY OF ARIZONA

RESEARCH ASSOCIATE

Responsibilities encompassed supervision of the toxicology research laboratory, animal colony, and technicians. Conducted experiments in toxicology and prepared statistics for publishable data.

CERTIFIED LABORATORY ANIMAL TECHNICIAN

Responsibilities encompassed the care and feeding of laboratory animals used for research, and the supervision of disease free breeding colonies. Additional duties included instructing classes to animal technicians and conducting necropsies.

EDUCATION

Arizona State University, State of Arizona
Certified Public Manager, 1984
Management by Objectives

Cochise Community College
Police Supervision
University of Utah
Graduate Study
University of Arizona
Bachelor of Science, Wildlife Biology, 1969
William and Mary College
Computer Science
Belmont Abbey College
Liberal Arts, 1965-69

TRAINING

Management Training:

Management of Patrol Functions (ALEOAC)
Law Enforcement Stress (FBI)
Supervision (Padgett-Thompson)
Law Enforcement Supervision (ALEOAC)
Middle Management (ALEOAC)
Executive Development (FBI)
Staff Skill Development (ALEOAC)
Disciplinary Actions and Civil Liabilities (ALEOAC)
Disciplinary Actions (AZ Attorney General)
Human Communications (ALEOAC)
Public Manager Development Levels 4-6 (ASU)
Assertiveness for Professionals (Career Track)
Executive Skills Seminar Series (ASU)
Manager Skills Seminar Series (ASU)
Privacy and Security Act (ALEOAC)
State and Legislative Processes (U of A)
Affirmative Action (AZ Attorney General)
Introduction to IBM PC and DOS (AZ DOA)
Dealing with the Difficult Employee (Career Track)
Word Perfect (AZ DOA)
Project Management (National Seminars)
Influencing Key People (AZ Govt. Training Service)
Staff Skill Development (ASU)
Law Enforcement Productivity Standards (Van Meter & Associates)
Excellence in 1992 (Career Track)
Lessons in Leadership (U of A, Dennis Waitley)
Emerging Leadership Institute (CTK)
Violence in the Work Place (Phoenix Police Dept.)
Total Quality Leadership Program (Bottom Line, Inc.)
Range Management and Operations School (NRA)
Commissions, Boards and Ethics (AZ Govt. Training Service)
Customer Service (Skill Path)
Leadership Development (Skill Path)
Step up to Leadership (Dale Carnegie)
Range Development and Operations Seminar (NRA)
Lessons in Leadership (Peter Lowe)
Customer Excellence (Fish Market)
TV & Marketing (ASBA)
Disney Keys of Excellence (Disney, Inc.)
Innovative Marketing (Fred Pryor Seminars)

Firearms Training

Police Firearms Instructor School (ALEOAC)
Basic Pistol (American Pistol Institute, Gunsite)
Special Pistol (American Pistol Institute)
Law Enforcement Rifle School (NRA)
Sig Sauer Transition (Mesa Police)
Rifle, Pistol, Shotgun, and Home Firearms Safety Instructor School (NRA)

Hunter Safety School (AGFD)
 Hunter Education Instructor School (AGFD)
 Semi-Auto Instructor School (ALEOAC)
 Armorer School (Sig Sauer)
 Concealed Weapons Instructor School (AZDPS)
 Tactical Firearms Instructor School (ALEOAC/NRA)
 Peace Officer Training:
 Officer Survival (ALEOAC)
 Boating Skills and Seamanship (US Coast Guard)
 Street Survival (Caliber Press)
 Social Psychology for the Peace Officer (ASU Police)
 Terrorism (FBI)
 Side Handle Baton (AGFD)
 First Responder (ALEOAC)
 Watercraft Skills and Tactics (Florida Marine Patrol)
 The Bullet Proof Mind (Dave Grossman)
 Field Craft Training:
 Open Water Diver School (PADI)

PUBLICATIONS

Behind the Curve, Recreational Shooting in the Western US. Gun Week Magazine. February 2009
How to Write a Policies and Procedures Manual. NSSF. 2001
Supervision of Watercraft Patrol Officers, Police and Security News, February 1991
Watercraft Patrol and Survival Tactics, Charles C. Thomas Publisher, December 1990
A First Aid Kit System for Conservation Officers. International Game Warden. Fall 1990

SPECIAL REPORTS

Nevada Legislature. Naming Rights and Enterprise Fund 2006
 SB 1008: Arizona Legislature, Range Protection Act, 2002
Strategic Plan for Arizona Shooting Ranges. AGFD. 2001
Ten Year Plan, Ben Avery Shooting Facility. AGFD. 2000
A Workbook for Building Shooting Ranges in Arizona. AGFD. 1998
Shooting Range Development Grants Manual. AGFD. 1996.
Ben Avery Five Year Development, Budget and Staffing Plan. AGFD. 1996
Ben Avery Shooting Facility Assessment and Transition Management Plan. AGFD. 1995.
 Lesson Plans for AGFD
 Vicarious Liability Advanced Firearms, Police Rifle, Remedial Firearms, Water Safety, Watercraft Operation. Watercraft Tactical Techniques. Tactical Firearms
 Clark County NV. Conceptual Master Plan, Marketing, Business and Financial Plan, Enterprise Fund Plan Operational and Management procedures, County Code and County Commission Rules & Regulations for Clark County Shooting Park 2003 to 2010.

RECOGNITION AWARDS

NRA Range Service Award, 2001
Service Award, Cactus Match League, 1997, 1998, 1999, 2000, 2001, 2002, 2003
Certificate of Achievement, Arizona Game and Fish Department, 1996, 1998, 1999.
Commendation for Excellence, Arizona Game and Fish Department, 1997.
Special Recognition Award, Arizona Game and Fish Commission. January, 1996.
Certificate of Achievement, Arizona Administrator's Association. October 1986, 1989.

CERTIFICATIONS

Certified Public Manager, State of Arizona, 1984
 AZ POST/ALEOAC Certifications
 State Peace Officer
 General Instructor
 Police Firearms Instructor

Semi-auto Instructor
Police Rifle Instructor
Watercraft Tactics Instructor
Hunter Education Instructor (AGFD)
Concealed Weapons Instructor (DPS)
Tactical Rifle Instructor (NRA)
Tactical Firearms Instructor (NRA)
Rifle, Pistol, Shotgun Instructor (NRA) (current)

COMMUNITY SUPPORT/SERVICE

President Nevada Firearms Coalition, 2011 to present

President Nevadans for State Gun Rights PAC 2015 to present

President NVFAC Foundation and NVFAC PAC 2013 to present

President and member Executive Committee, National Association of Shooting Ranges, a Division of the National Shooting Sports Foundation. 1999 to 2015.

Range Action Team, NSSF, 2010 to 2015.

National Shooting Sports Roundtable, 2008 to present.

Range Technical Team Advisor, National Rifle Association. 2000 to present.

Range Development Committee, National Rifle Association. 2003 to present.

Board of Governors, National Shooting Sports Foundation 2009 to 2010.

Board of Director's National Rifle Association. 2005 to 2008.

Board of Directors, Woods & Waters, Las Vegas Chapter 2006 to 2015.

Board of Directors, Good Gun Foundation. 2003 to 2009.

North Gateway Village Planning Council, City of Phoenix. 2003 to 2004.

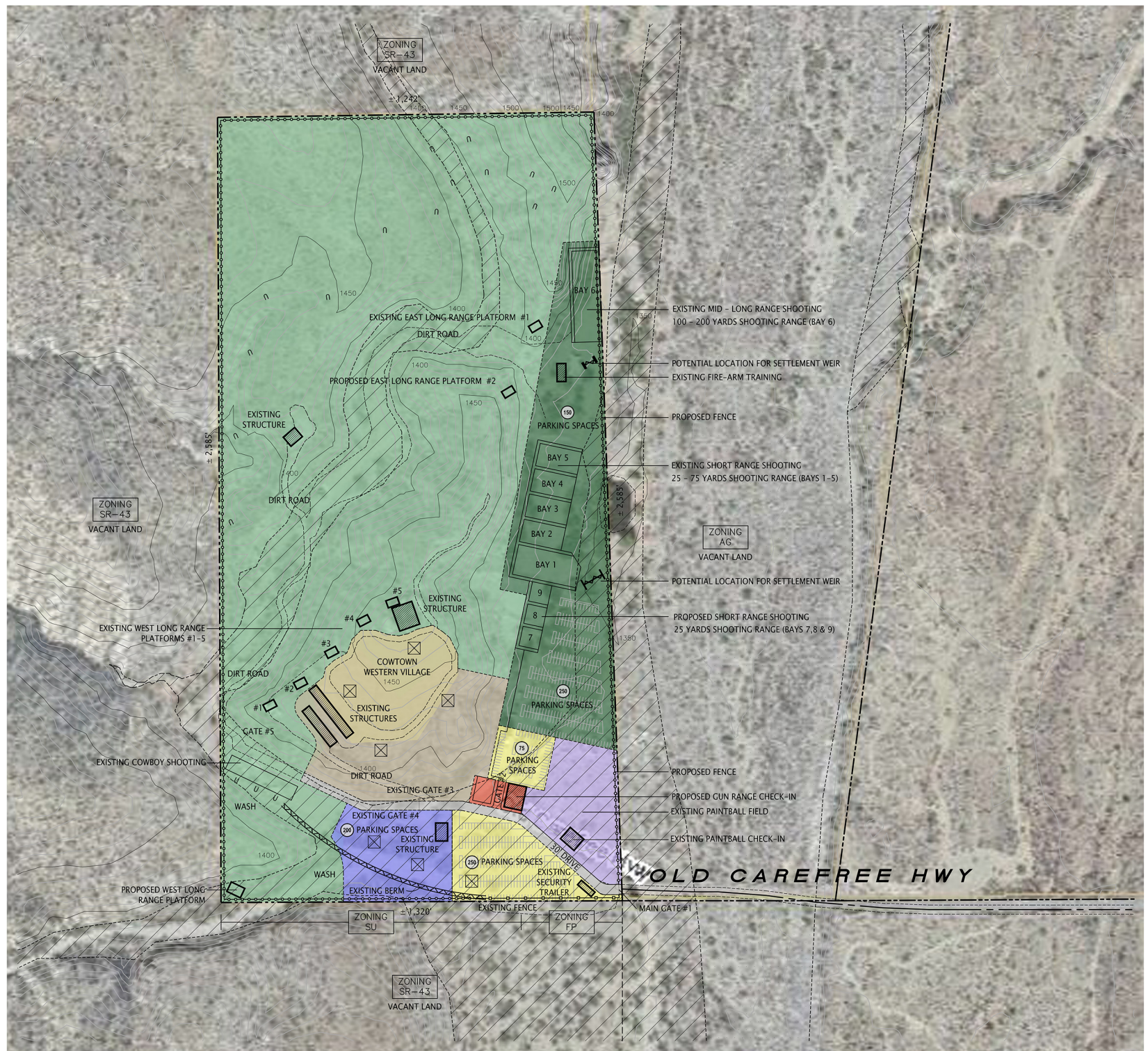
Appointed by Arizona Governor Hull to Joint Legislative Study Committee on Firearms Safety and Shooting Ranges, which successfully introduced and passed statewide shooting range protection legislation. 2000-2003.

Seton High School Board member and Board President (1988-1990).

REFERENCES

References available on request.

Exhibit D
Preliminary Site Plan
with Aerial



legend - uses

- AUTOMOBILE / RV PARKING AREAS
- SHOOTING RANGE / TRAINING AREAS
- SHOOTING RANGE / TRAINING AREAS AND PARKING AREAS
- CAMPING / RV RECREATION AREA & PARKING
- PAINTBALL
- PLANNED OFFICE / CLASSROOM / PRO-SHOP AREA
- COWTOWN WESTERN VILLAGE (NON-SHOOTING AREA)
- MAIN DRIVE
- EXISTING BERM
- EXISTING FENCE
- PROPOSED FENCE: (SEE CONCEPTUAL FENCE PLAN FOR MORE INFORMATION)
- PROPOSED BULLET CONTAINMENT AREA
- POTENTIAL LOCATION FOR SETTLEMENT WEIR
- CAMPFIRE / GRILLING AREAS
- REGULATORY FLOODWAY
- FLOOD PLAIN

project directory

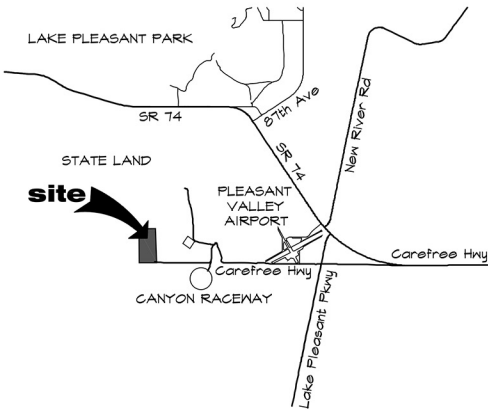
OWNER:
WESTWARD HO ADVENTURES, LLC
26020 N. 82ND STREET
SCOTTSDALE, ARIZONA 85255
CONTACT: RICHARD SHAW
PHONE: (602) 741-8245

PLANNING AND DESIGN:
KERPAN PLANNING AND DESIGN, LLC
1374 E. GRAND CANYON DRIVE
CHANDLER, ARIZONA 85249
CONTACT: KEVIN D. KERPAN
PHONE: (602) 329-0192
E-MAIL: kevin@kerpanplanningdesign.com

site data (overall)

EXISTING ZONING: WEST PORTION - SU (SPECIAL USE)
EAST PORTION - FP (FLOOD PLAIN)

NET SITE AREA: +/- 76 ACRES



vicinity map
scale: n.t.s.



NOTE:
THIS SITE PLAN HAS BEEN PREPARED WITHOUT THE AID
OF A SURVEY. ALL PROPERTY BOUNDARIES ARE ROUGH
APPROXIMATIONS. THIS DRAWING IS TO BE USED FOR
CONCEPTUAL PURPOSES ONLY AND IT IS NOT TO BE THE
BASIS FOR ANY LEGALLY BINDING DOCUMENTATION.

Kerpan
planning and design

1374 E. Grand Canyon Drive
Chandler, Arizona 85249
Phone: (602) 329-0192

Cowtown
10402 W. Carefree Highway
Peoria, Arizona

PRELIMINARY
NOT FOR
CONSTRUCTION OR RECORDING

Westward Ho Adventures, LLC

Project number: 09007.5

Date: October 11, 2017

SP-1

Exhibit E
Conceptual Fence Plan

