

CITY COUNCIL ACTION REPORT

CASE 39-Z-82

The staff believes that the concerns have been adequately addressed, either in the draft of the W-P or in the site plan or in the stipulations recommended for this case. The staff believes that the proposed use and submitted plan are acceptable and recommends approval subject to the stipulations.

One person spoke in opposition at the July 27th Planning Commission meeting, citing concerns with fireworks and pari-mutuel wagering. The Planning Commission voted 4-1-1, Mr. Howland dissenting and Mr. Wood abstaining. To forward Case 39-Z-82 to the City Council with a recommendation for approval.

This request has been reviewed by and has the concurrence of the Development Team.

Leonard Baker, Comm. Dev. Dept. Head

Roy Pedersen, City Engineer

Attachment #1-Recommendation to Planning Commission 7/27/82

1. Aerial
2. Building Plan
3. Site Plan
4. Stipulations

Case No.	_____	Date	_____
Submitted by	_____	Reviewed by	_____
Checked by	_____	Approved by	_____
Final Review	_____	Signature	_____

STIPULATIONS FOR CASE 39-Z-42 - RAWHIDE
AS APPROVED BY THE CITY COUNCIL ON JULY 29, 1967

1. Prior to any application for Development Review Board approval, the applicant shall provide a copy of the existing hydrology report delineating existing conditions on, and affected by, the subject property.
2. Within 90 days from the date of City Council approval, the applicant by means of an approved and recorded dedication, shall dedicate right-of-way for all streets as shown in Stipulation #9. At its option, the City Council may extend the time period in which dedication must occur.
3. The resort hotel shall have a maximum of 400 guest units.
4. The City shall design and install a traffic signal at Scottsdale Road and Pinnacle Peak at no cost to the developer.
5. Approval of this case does not and shall not obligate the City to extend water lines or sewer lines to serve the subject property. City water or sewer service, if any, shall be provided subject to applicable City ordinances and policies at the time such service is requested.
6. Fireworks displays shall occur not more than eighteen (18) times per year, with fireworks utilizing loud reports only occurring on New Year's Day, Memorial Day, July 4th, and Labor Day.
7. The proposed train shall not rely on coal or wood as a fuel source.
8. Uses, such as but not limited to, live entertainment, patron dancing, performing arts, western shows such as mock gunfights, outdoor shows and exhibits, and cookouts shall not be permitted within the easterly 300 feet of the subject property if they create a potential noise nuisance.
9. The street shall be dedicated and improved according to the following schedule: (also see attached sketch)

<u>Road Segment</u>	<u>Right-of-Way</u>	<u>Street Cross Section</u>
Scottsdale Road (Williams to Pinnacle Peak)	55' half-street plus 10' public utility easement.	48' back of curb (half-street)
Pinnacle Peak Road (Scottsdale to Miller)	55' half-street	34 1/2' back of curb (half-street)
Miller Road (Pinnacle Peak to Williams)	55' half-street	34 1/2' back of curb (half-street)
Williams Road (Miller to Scottsdale)	40' half-street Plus 5' P.U.E.	30 1/2' back of curb (half-street)

10. Roadway segments shall be constructed in substantial conformance with the following schedule except as approved by the Engineering Services Director:

- A. Scottsdale Road - Williams to Pinnacle Peak - In conjunction with the first development approved by the Development Review Board or posting of a construction bond.
- B. Pinnacle Peak Road, from Scottsdale Road to Miller - In conjunction with the first development approved by the Development Review Board on the resort parcel shown on the submitted site plan which crosses Pinnacle Peak Road.
- C. Miller Road - Pinnacle Peak to Williams - In conjunction with the first development approved by the Development Review Board on the resort parcel or the future development shown on the submitted site plan, as shown on the submitted site plan, the project shall be constructed in accordance with the Miller Road.

STIPULATIONS FOR CASE 34-2-R2

- D. Williams Road - Scottsdale to RV Parking Area shown on the submitted site plan or a distance of 1100 feet whichever is more, per the County approval.
 - E. Williams Road - RV parking area to Miller - in conjunction with the opening of Miller Road southward and from Williams to Pinnacle Peak Road.
 - F. Installation of perimeter landscaping shall occur in conjunction with the street improvements listed above.
11. Existing noise-producing activities shall comply with the noise control stipulations of applicable Maricopa County Special Use Permits. This shall include the orientation of the band shells.
12. Existing service road access to Pinnacle Peak and Williams Roads shall be eliminated at the time Miller Road is constructed. Service road access shall be relocated away from intersections.

APPROVED:

James P. Paul
General Partner
Rawhide Capital Company,
Limited Partnership

Date: _____

Herbert R. Drinkwater
Mayor
City of Scottsdale

Date: _____