



CITIZEN PARTICIPATION
PLAN REPORT

ZON15-01

ZON15-02

April 2015

PLANNING DIVISION

39700 W. Civic Center Plaza
Maricopa, AZ 85138
Ph: 520.568.9098
Fx: 520.568.9120
www.maricopa-az.gov

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PROJECT NARRATIVE

Dear Property Owner:

On January 9, 2015, the City of Maricopa Planning and Zoning Commission initiated this zoning map amendment to implement the Mixed-Use Heritage (MU-H) and Transportation Corridor (TC) Overlay Zoning Districts. These overlay districts include development standards and land use regulations that were vetted through extensive public participation over the past two years. The Zoning Code Rewrite public participation process included city wide open houses and several public meetings and in-depth discussions by a twelve-member Zoning Code Rewrite Task Force consisting of citizens, business owners, and community stakeholders

After considerable discussions and review by the Zoning Code Rewrite Task Force and Heritage Advisory Committee, the Planning and Zoning Commission and City Council approved the new Zoning Code that includes the Mixed-Use Heritage and Transportation Corridor Overlay Districts.

The Overlay Zoning Districts will provide property owners with the following opportunities:

1. Relaxed dimensional zoning standards
2. Expanded retail, office, and service uses
3. Streamlined approval of certain uses
4. Expanded outdoor business display and service
5. Commercial and mixed-use residential development
6. Reduced parking and landscaped standards
7. Updated site and building design guidelines

This request by the City is to officially map the locations of the overlays on the City's Official Zoning Map, to permit future development and redevelopment as intended by the MU-H and TC Overlay Districts. Over the coming months, the City's Planning Division will be holding open house meetings for the public, to discuss the proposed zoning map amendment. You will receive a second notification advertising the dates scheduled for public hearings with the Planning and Zoning Commission and City Council.

We encourage your attendance should you have any questions regarding these Overlay Zoning Districts. On the following pages you will find an area map highlighting the proposed Overlay District boundaries, and a Frequently Asked Questions (FAQ) sheet and a list of the scheduled open house meetings.

For more information, please visit the City's Planning Division website at www.maricopa-az.gov/web/planning-zoning or contact Rodolfo Lopez at 520-316-6986 or by email at Rodolfo.lopez@maricopa-az.gov with any questions or comments. Copies of the Overlay Districts map and the Zoning District Codes (Article 301 & 302 of the City of Maricopa Zoning Code) may be available for pick at the front counter of City Hall and the Library.

Thank you.

City of Maricopa Staff

PUBLIC MEETINGS

Dates and locations of advertised meetings (newspaper ads) regarding the proposed request by the City are as follows:

OPEN HOUSE MEETING #1

March 12, 2015 @ 6 p.m.

Copa Center

44585 W. Honeycutt Rd.

Maricopa, AZ 85138

OPEN HOUSE MEETING #2

April 1, 2015 @ 6 p.m.

Copper Sky Multi-Generation Center

44345 W. Martin Luther King Jr. Blvd

Maricopa, AZ 85138

OPEN HOUSE MEETING #3

April 16, 2015 @ 6 p.m.

Copa Center

44585 W. Honeycutt Rd.

Maricopa, AZ 85138

PLANNING AND ZONING COMMISSION

April 27 at 6 p.m.

City Hall Council Chamber

39700 W. Civic Center Plaza

Maricopa, AZ 85138

CITY COUNCIL

May 19 at 7 p.m.

City Hall Council Chamber

39700 W. Civic Center Plaza

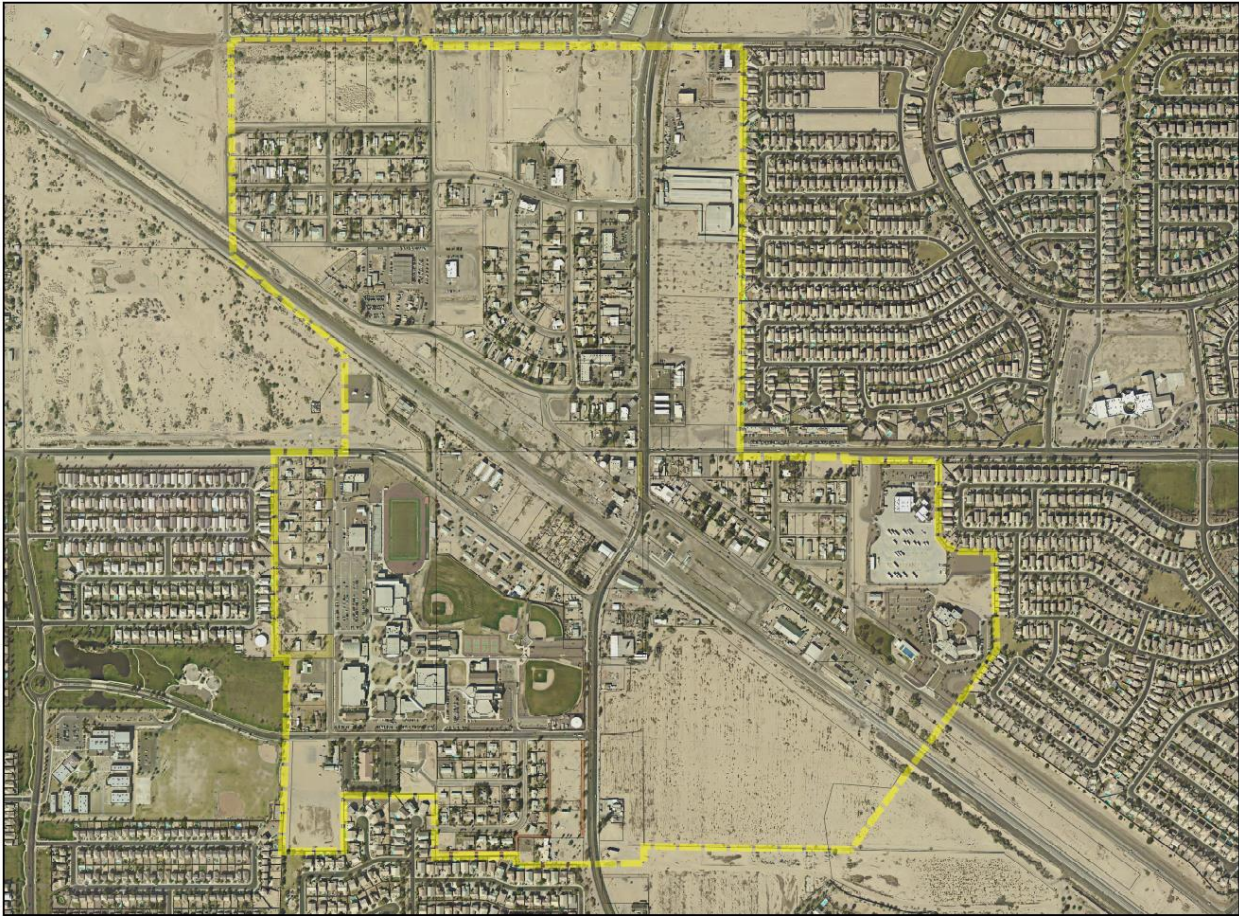
Maricopa, AZ 85138

TIMELINE OF EVENTS

- January 8 – Heritage District Advisory, Initial Discussion
- January 12 – Planning and Zoning Commission, Initiated
- February 19 – Notification Letters, Sign Postings and Legal Notices
- March 12 – 1st Open House Meeting (Copa Center)
- April 1 – 2nd Open House Meeting (Copper Sky)
- April 16 – 3rd Open House Meeting (Copa Center)
- April 27 – Planning and Zoning Commission (Action)
 - Notification letters, sign postings, and legal notices
- May 19 – City Council (Action)

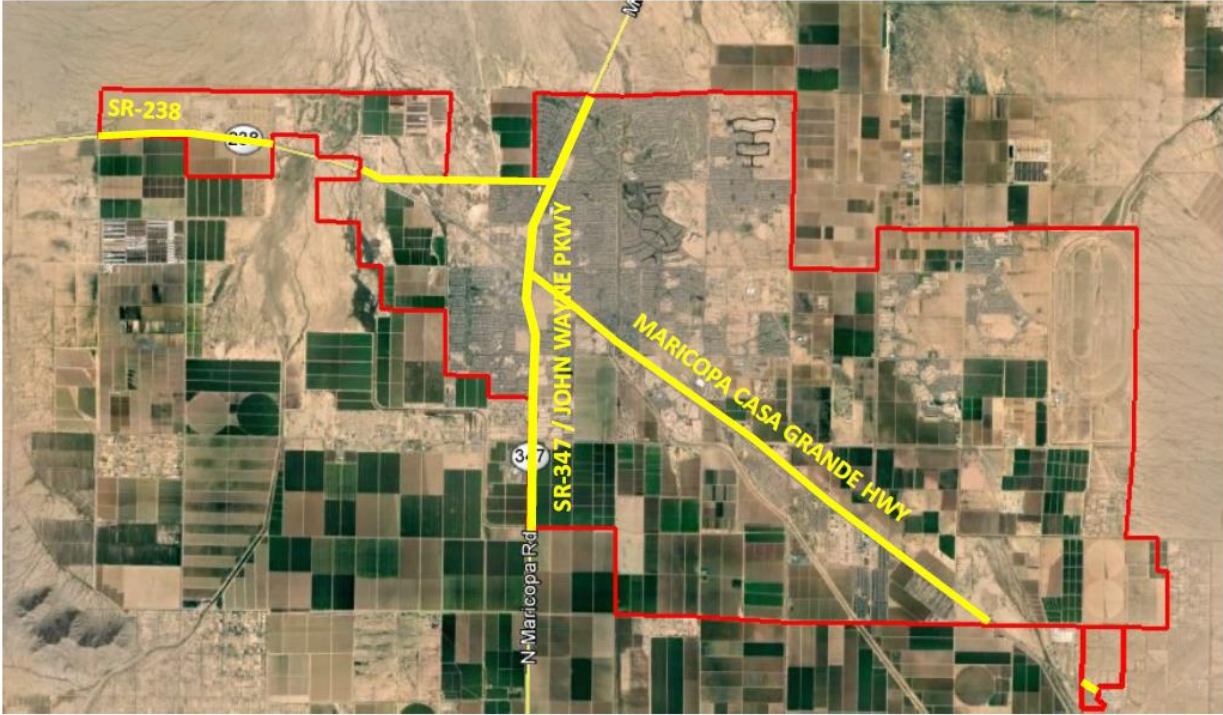
SITE LOCATION

ZON15-02 Mixed Use Heritage District Overlay



SITE LOCATION

ZON15-01 Transportation Corridor Overlay District



The Transportation Corridor District Overlay include properties within 150 feet fronting John Wayne Parkway (State Route 347), State Route 238, and the Maricopa/Casa Grande Highway.

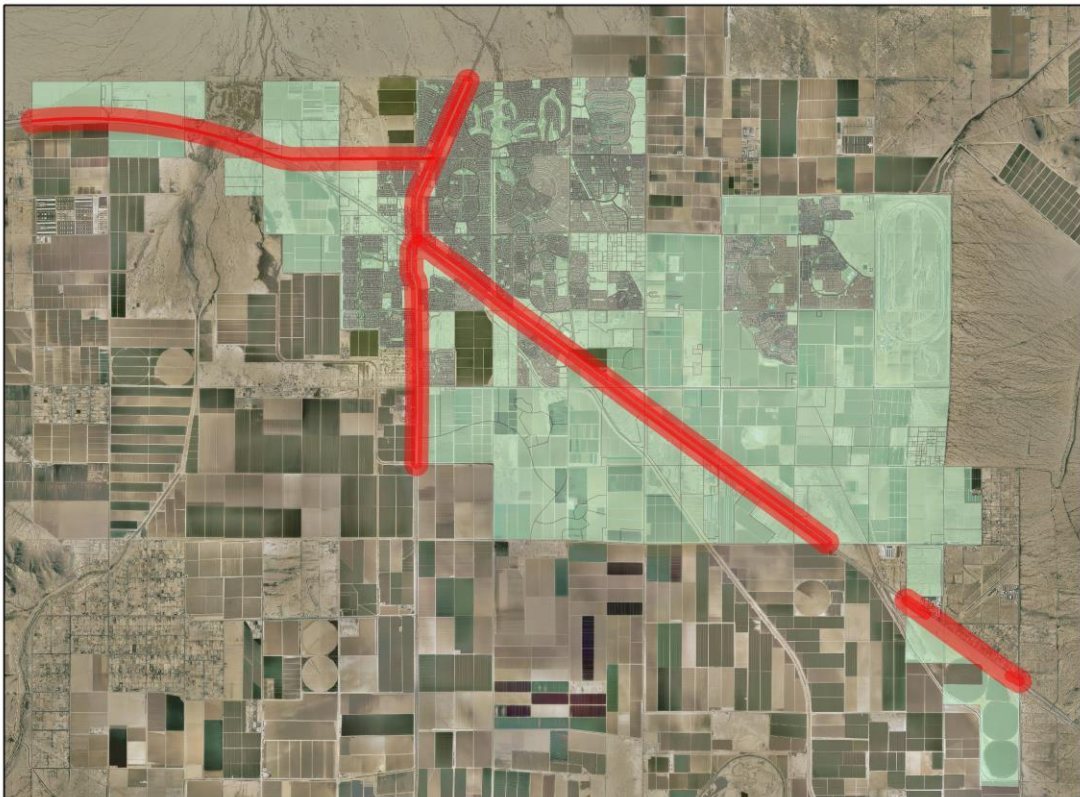
LIST OF PROPERTY OWNERS CONTACTED

File too large to incorporate into report. Record of mailing list is kept on file with the Planning Division.

NOTIFICATION MAP

ZON15-01 TC Corrido Overlay

300 feet boundary map



NOTIFICATION MAP

ZON15-02 MU- H Corrido Overlay

300 feet boundary map



NOTIFICATION LETTER (OPEN HOUSE MEETINGS)



39700 W. Civic Center Plaza
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NOTICE OF PUBLIC MEETINGS

ZONING OVERLAY DESIGNATIONS (ZON15-01 and ZON15-02)

Open House Meeting

March 12, 2015 @ 6 p.m.
Copa Center
44585 W. Honeycutt Rd.
Maricopa, AZ 85138

April 1, 2015 @ 6 p.m.
Copper Sky Multi-Generation Center
44345 W. Martin Luther King Jr. Blvd
Maricopa, AZ 85138

April 16, 2015 @ 6 p.m.
Copa Center
44585 W. Honeycutt Rd.
Maricopa, AZ 85138

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ZON15-01 - Request to establish the Transportation Corridor Overlay District (Zoning Code, Article 301) that will include the frontage properties within 150 feet of John Wayne Pkwy (State Route 347), State Route 238, and the Maricopa/Casa Grande Hwy. with the exception of certain properties as prescribed in Sec. 301.03 of the city's zoning code.

ZON15-02 - Request to establish the Mixed-Use Heritage Overlay District (Zoning Code, Article 303) over a portion of the Heritage District Redevelopment Area.

Anyone wishing to appear and make comment is encouraged to attend. Written comments are welcome and, if received prior to the meeting, will be included in the record. All comments or appeals should be sent in written form to the Development Services Department, Attn: Rodolfo Lopez, 39700 W. Civic Center Plaza, Maricopa, AZ 85138. Please include name, address, telephone number and signature. For questions, please contact Planning Division at 520-316-6986.

For more information, please visit the City's Planning Division website at www.maricopa-az.gov/web/planning-zoning or contact the City at 520-316-6986 with any questions or comments. Copies of the overlay maps may be available for viewing at the front counter of City Hall and the City Library.

This notice is being sent to you as the owner of the property, we encouraged that you inform your tenant(s) on the property, if applicable

Sincerely, City Staff

(VER REVERSO DE LA PAGINA PARA ESPAÑOL)

NOTIFICATION LETTER (OPEN HOUSE MEETINGS)

SPANISH VERSION



39700 W. Civic Center Plaza
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AVISO DE REUNION PÚBLICA

DESIGNACIONE SOBRE POSICIÓN DE ZONIFICACIÓN (ZON15-01 AND ZON15-02)

Convocatoria Abierta al Público

12 de marzo 2015 6:00 p.m.

Centro Copa

44585 W. Honeycutt Rd.

Maricopa, AZ 85138

1ero de abril 2015 6:00 p.m.

Copper Sky Multi-Recreacional Center

44345 W. Martin Luther King Jr. Blvd

Maricopa, AZ 85138

16 de abril 2015 6:00 p.m.

Centro Copa

44585 W. Honeycutt Rd.

Maricopa, AZ 85138

LA PRESENTE ES PARA NOTIFICARLE QUE las reuniones públicas antes mencionadas se llevarán a cabo en los anteriores enunciados fechas, horas y lugares. El propósito de las reuniones públicas es recibir comentarios públicos para las siguientes solicitudes.

ZON15-01 Propuesta para establecer El Corredor de Distrito sobrepuesto de Transporte (Código de Zonificación, Artículo 301) que incluirá las propiedades dentro de 150 pies de las propiedades frentistas a lo largo de John Wayne Pkwy (Ruta Estatal 347), la Ruta Estatal 238, y el de Maricopa / Casa Grande Hwy. con la excepción de ciertas propiedades como se prescribe en la Sec. 301.03 del código de zonificación de la ciudad.

ZON15-02 Propuesta para establecer El Distrito Sobrepuesto del Patrimonio de Uso Múltiple (Código de Zonificación, Artículo 303) sobre una parte Del Distrito Área de Reurbanización Patrimonio.

Se anima a cualquier persona asistir, dar su opinión y hacer comentarios. Los comentarios escritos son bienvenidos y, si se recibe antes de la reunión, se incluirán en el expediente. Todos los comentarios o apelaciones deben ser enviadas por escrito al Departamento de Servicios de Desarrollo, a la atención de: Rodolfo López, 39700 W. Plaza del Centro Cívico, Maricopa, AZ 85138. Por favor, incluya su nombre, dirección, número de teléfono y firma. Si tiene preguntas, por favor comuníquese con la División de Planificación al 520-316-6986.

Para obtener más información, por favor visite el sitio web de División de Planificación de la Ciudad en www.maricopa-az.gov/web/planning-zoning o comuníquese con la Ciudad al 520-316-6986 con cualquier pregunta o comentario. Las copias de los mapas de superposición pueden estar disponibles para su consulta en el mostrador frente del Ayuntamiento y la Biblioteca Municipal.

Este aviso se envía a usted como dueño de la propiedad, nos sentimos alentados por el hecho de que usted le informe a su arrendatario(s) en la propiedad, si procede

Sinceramente, personal de la Ciudad

NOTIFICATION LETTER (LEGISLATIVE MEETINGS)



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(VER REVERSO DE LA PAGINA PARA ESPAÑOL)

NOTICE OF PUBLIC HEARINGS

ZONING OVERLAY DESIGNATIONS (ZON15-01 and ZON15-02)

PLANNING AND ZONING COMMISSION

April 27 at 6 p.m.
City Hall Council Chamber
39700 W. Civic Center Plaza
Maricopa, AZ 85138

CITY COUNCIL

May 19 at 7 p.m.
City Hall Council Chamber
39700 W. Civic Center Plaza
Maricopa, AZ 85138

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Anyone wishing to appear and make comment is encouraged to attend. Written comments are welcome and, if received prior to the meeting, will be included in the record. All comments or appeals should be sent in written form to the Development Services Department, Attn: Rodolfo Lopez, 39700 W. Civic Center Plaza, Maricopa, AZ 85138. Please include name, address, telephone number and signature. For questions, please contact Planning Division at 520-316-6986.

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NOTIFICATION LETTER (LEGISLATIVE MEETINGS)

SPANISH VERSION



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AVISO DE REUNION PÚBLICA
DESIGNACIONE SOBRE POSICIÓN DE ZONIFICACIÓN (ZON15-01 AND ZON15-02)

AUDIENCIA PUBLICA

Planificación y Reunión de la Comisión de Zonificación
27 de abril a 7 p.m.
Ayuntamiento
39700 W. Civic Center Plaza
Maricopa, AZ 85138

Reunión del Consejo de la Ciudad
19 de mayo a 7 p.m.
Ayuntamiento
39700 W. Civic Center Plaza
Maricopa, AZ 85138

LA PRESENTE ES PARA NOTIFICARLE QUE las reuniones públicas antes mencionadas se llevarán a cabo en los anteriores enunciados fechas, horas y lugares. El propósito de las reuniones públicas es recibir comentarios públicos para las siguientes solicitudes.

ZON15-01 Propuesta para establecer El Corredor de Distrito sobrepuesto de Transporte (Código de Zonificación, Artículo 301) que incluirá las propiedades dentro de 150 pies de las propiedades frentistas a lo largo de John Wayne Pkwy (Ruta Estatal 347), la Ruta Estatal 238, y el de Maricopa / Casa Grande Hwy. con la excepción de ciertas propiedades como se prescribe en la Sec. 301.03 del código de zonificación de la ciudad.

ZON15-02 Propuesta para establecer El Distrito Sobrepuesto del Patrimonio de Uso Múltiple (Código de Zonificación, Artículo 303) sobre una parte Del Distrito Área de Reurbanización Patrimonio.

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Sinceramente, personal de la Ciudad

NEWSPAPER PUBLICATION (OPEN HOUSE MEETINGS)

Legal notice was published in both the Maricopa Monitor and the Florence Dispatch (local circulator)

NOTICE OF PUBLIC MEETINGS

ZONING OVERLAY DESIGNATIONS (ZON15-01 and ZON15-02)

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Dated this 20th day of February
Vanessa Bueras, City Clerk
Published in the Florence Reminder, February 26, 2015

NEWSPAPER PUBLICATION (OPEN HOUSE MEETINGS)

SPANISH VERSION

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AVISO DE REUNION PÚBLICA

DESIGNACIONE SOBRE POSICIÓN DE ZONIFICACIÓN (ZON15-01 AND ZON15-02)

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12 de marzo 2015 6:00 p.m.
Copa Center
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1 de abril 2015 6:00 p.m.
Copper Sky Multi-Recreacional Center
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Copa Center
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ZON15-01 Propuesta para establecer El Corredor de Distrito sobrepuesto de Transporte (Código de Zonificación, Artículo 301) que incluirá las propiedades dentro de 150 pies de las propiedades frentistas a lo largo de John Wayne Pkwy (Ruta Estatal 347), la Ruta Estatal 238, y el de Maricopa / Casa Grande Hwy. con la excepción de ciertas propiedades como se prescribe en la Sec. 301.03 del código de zonificación de la ciudad.

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NEWSPAPER PUBLICATION (LEGISLATIVE MEETINGS)

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NOTICE OF PUBLIC HEARING

ZONING OVERLAY DESIGNATIONS (ZON15-01 and ZON15-02)

Public Hearing

Planning and Zoning Commission Meeting

April 27 @ 6 p.m.

City Hall

39700 W. Civic Center Plaza

Maricopa, AZ 85138

City Council Meeting

May 19 at 7 p.m.

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NEWSPAPER PUBLICATION (LEGISLATIVE MEETINGS)
SPANISH VERSION

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AVISO DE AUDIENCIA PUBLICA

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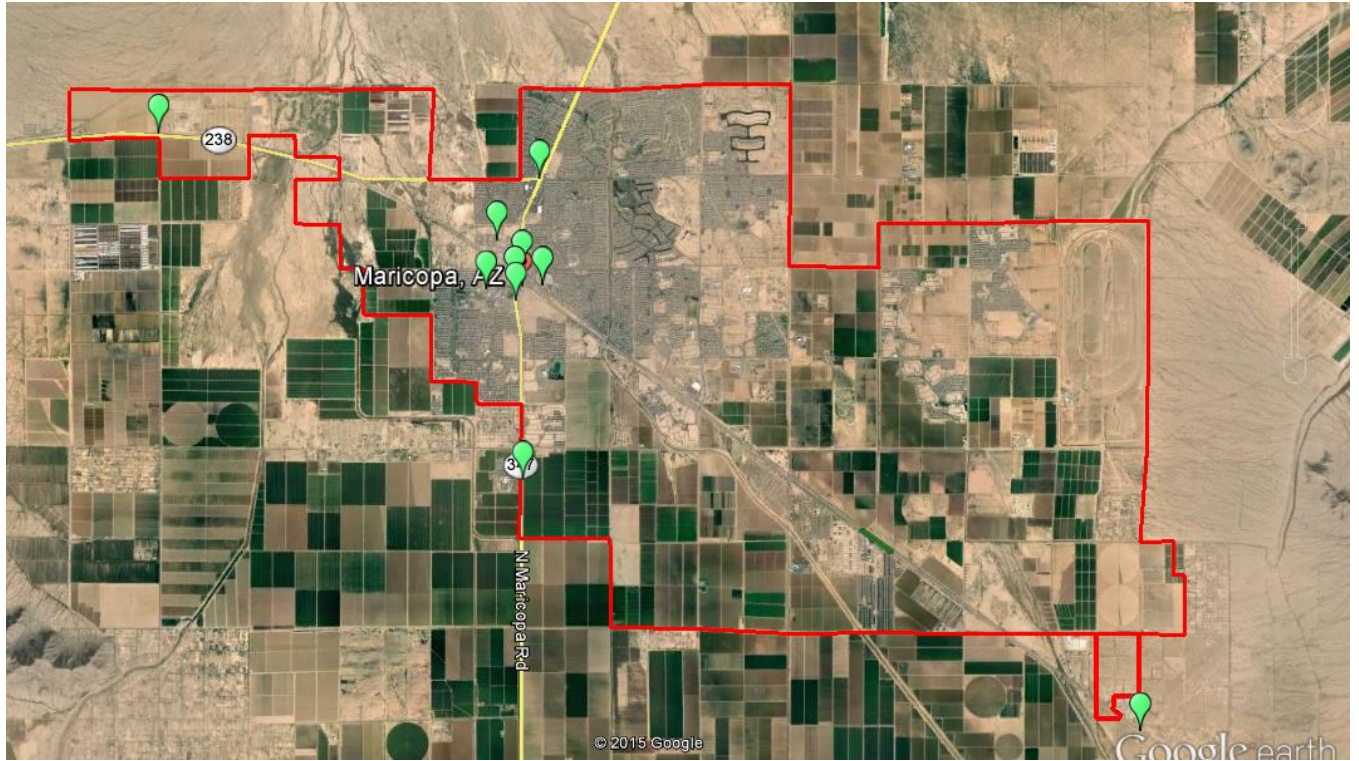
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NEIGHBORHOOD SIGNS LOCATION MAP



NEIGHBORHOOD SIGNS (ENGLISH AND SPANISH)

After the first two open house meetings were held the signs were updated to include the P&Z Commission meeting and City Council meeting.

ZONING

City of Maricopa – Planning Division

OPEN HOUSE MEETING #1	OPEN HOUSE MEETING #2	OPEN HOUSE MEETING #3
March 12, 2015 @ 6 p.m. Copa Center 44585 W. Honeycutt Rd. Maricopa, AZ 85138	April 1, 2015 @ 6 p.m. Copper Sky Multi-Generation Center 44345 W. Martin Luther King Jr. Blvd Maricopa, AZ 85138	April 16, 2015 @ 6 p.m. Copa Center 44585 W. Honeycutt Rd. Maricopa, AZ 85138

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POSTING DATE: 2/26/2015

ZONING

City of Maricopa – Planning Division

Convocatoria Abierta al Publico #1	Convocatoria Abierta al Publico #2	Convocatoria Abierta al Publico #3
12 de marzo 2015 6:00 p.m. Copa Center 44585 W. Honeycutt Rd. Maricopa, AZ 85138	1 de abril 2015 6:00 p.m. Copper Sky Multi-Recreacional Center 44345 W. Martin Luther King Jr. Blvd Maricopa, AZ 85138	16 de abril 2015 6:00 p.m. Copa Center 44585 W. Honeycutt Rd. Maricopa, AZ 85138

LA PRESENTE ES PARA NOTIFICARLE QUE las reuniones públicas antes mencionadas se llevarán a cabo en los anteriores enunciados fechas, horas y lugares. El propósito de las reuniones públicas es recibir comentarios públicos para las siguientes solicitudes.

<p>ZON15-01 Propuesta para establecer El Corredor de Distrito sobrepuesto de Transporte (Código de Zonificación, Artículo 301) que incluirá las propiedades dentro de 150 pies de las propiedades frentistas a lo largo de John Wayne Pkwy (Ruta Estatal 347), la Ruta Estatal 238, y el de Maricopa / Casa Grande Hwy, con la excepción de ciertas propiedades como se prescribe en la Sec. 301.03 del código de zonificación de la ciudad.</p>	<p>ZON15-02 Propuesta para establecer El Distrito Sobrepuesto del Patrimonio de Uso Múltiple (Código de Zonificación, Artículo 303) sobre una parte Del Distrito Área de Reurbanización Patrimonio.</p>
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Se anima a cualquier persona asistir, dar su opinión y hacer comentarios. Los comentarios escritos son bienvenidos y, si se recibe antes de la reunión, se incluirán en el expediente. Todos los comentarios o apelaciones deben ser enviadas por escrito al Departamento de Servicios de Desarrollo, a la atención de: Rodolfo López, 39700 W. Plaza del Centro Cívico, Maricopa, AZ 85138. Por favor, incluya su nombre, dirección, número de teléfono y firma. Si tiene preguntas, por favor comuníquese con la División de Planificación al 520-316-6986. Para obtener más información, por favor visite el sitio web de División de Planificación de la Ciudad en www.maricopa-az.gov/web/planning-zoning o comuníquese con la Ciudad al 520-316-6986 con cualquier pregunta o comentario. Las copias de los mapas de superposición pueden estar disponibles para su consulta en el mostrador frente del Ayuntamiento y la Biblioteca Municipal.

POSTING DATE: 2/26/2015

NEIGHBORHOOD SIGN POSTINGS



NEIGHBORHOOD SIGN POSTINGS



NEIGHBORHOOD MEETING SIGN-IN SHEET

First Open House Meeting

March 12, 2015

OPEN HOUSE SIGN IN SHEET
March 12, 2015



Name	Property Address	Phone #	Email	Preferred Language
Nancy Smith				
KAZI HAQUE	CITY HALL	520-316-6985	ON FILE	
Bonita Burks	4388 W. Christm. Pl.	480 430 7811	—	
Tim Pfeifle CNU member	4388 W. WILSON	480 313 6344 SIM	—	
Dennis & Susan William C/O		480-353-0822		
Karim Sabree 4486 W. Babson Dr	4486 W Babson dr	602-312-7913		
Lisell Blancarte	City Hall			

NEIGHBORHOOD MEETING SIGN-IN SHEET

Second Open House Meeting

April 1, 2015

OPEN HOUSE SIGN IN SHEET
April 1, 2015



Name	Property Address	Phone #	Email	Preferred Language
Jesse Poner	19506 TAFT AVE	602-918-7794		English
NICK PEREZ	19507 HAMILTON AVE	480-298-6492		—
Ole Solberg	508 E Barnwell Coolidge Pavilion/Eng	520-836-0276	ole@solbergengineering.com	English
KAZI HAQUE	CITY EMPLOYEE	520-316-6985	ON FILE	
William	43234 N Verdugo Rd Mesa	520-483-4333	William@arizonasign.com	English
DANA BURKHARDT	CITY			
RANDY SHURTNEICE	5570 E DAHLIA DR SCOTTSDALE AZ 85254	602-703-9141		EN

NEIGHBORHOOD MEETING SIGN-IN SHEET

Third Open House Meeting

April 16, 2015

OPEN HOUSE SIGN IN SHEET
April 16, 2015



Name	Property Address	Phone #	Email	Preferred Language
Gilbert Bauder	10101 245	520-526-2566		
Ted Yocum	4420 W. Buckham TRAIL	520-494-7655		
JESSE + PATSY PEREZ	19506 TRAF AVE	602-918-7794		
KAZI HARVE	CITY OF MARICOPA	520-516-6985		
Daya Morgan	43454 W. Palo Alto	480-251-4231		
Ryan Wozniak	City of Maricopa	520-316-6933		
B SALAHOME	CITY of MARICOPA	53530 1584		
Eddie + Lucy Rodriguez	19991 N. Condroy	520-205-3419		

PUBLIC COMMENTS

Staff received one comment from the Union Pacific Rail Road shown below.

Page 1 of 3

UNION PACIFIC RAILROAD
1400 Douglas Street, Stop 1580
Omaha, Nebraska 68179

Patrick R. McGill/UPC Senior Counsel-Real Estate, Law Dept.

P 402 544 5761
F 402 997 3603
prmcgill@up.com

March 18, 2015

VIA EMAIL ONLY
Rodolfo.lopez@maricopa-az.gov

City of Maricopa
Attn. Rodolfo Lopez
39700 W. Civic Center Plaza
Maricopa, AZ 85138

Re: Comments to Zoning Overlay Designations, ZON15-01 and ZON15-02
(collectively, the "Project")

Dear Mr. Lopez:

Thank you for allowing Union Pacific Railroad Company ("UP") the opportunity to submit the following comments in response to the notice on the above-referenced Project. UP is a Delaware corporation that owns and operates a common carrier railroad network in the western half of the United States, including the State of Arizona. UP's rail network is vital to the economic health of Arizona and the nation as a whole and its rail service to customers in the Maricopa area is crucial to the future success and growth of those customers.

As a rail carrier, UP and its main line property are regulated by the Surface Transportation Board ("STB") under the Interstate Commerce Commission Termination Act of 1995 ("ICCTA"), and the STB's jurisdiction over many aspects of railroad transportation is exclusive. As interpreted by the STB, when local land use restrictions, like zoning requirements, frustrate transportation related activities and interfere with interstate commerce, such restrictions are preempted by ICCTA. If the Project location includes UP's main line property, the Project should not seek to impose any zoning restrictions on UP's main line property or at most should align any restrictions with the breadth of transportation activities and related uses appropriate for such a railroad corridor.

www.up.com



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PUBLIC COMMENTS

Page 2 of 3

City of Maricopa
March 18, 2015

Additionally, there are at-grade rail crossings within the Project area. Any land planning decisions should consider that train volumes in and near the Project area may increase in the future. UP also asks that the City and the Project developers keep in mind that this is a vital and growing rail corridor and nearby land uses should be compatible with this continuing rail use. During the City's review of the Project, UP requests that the City examine the risks associated with any proposed residential, commercial, or uses other than industrial, if any, near UP's railroad property. For example, zoning that allows residential or retail uses near the rail corridor could result in increased pedestrian traffic, vehicular traffic and the likelihood of trespassing on the railroad right of way.

At-Grade Rail Crossing Safety

The safety of UP's employees, customers, adjoining land owners, and the communities we operate through is our top priority. Should the Project affect property at or near any at-grade crossings, we recommend the City meet with UP and the Arizona Corporation Commission – Railroad Safety Section to discuss the proposed Project. UP also suggests the City consider holding railroad and crossing safety presentations, such as Operation Lifesaver, for the public on an appropriate basis.

Increased Traffic Impact

Any potential increase of pedestrian and vehicular traffic may conflict with train operations by causing trains to proceed more slowly through the City, and/or make more frequent emergency stops, which would make rail service less effective and efficient. Any increase in traffic as a result of the Project may also render inadequate the current safety devices in place on the nearby at-grade rail crossings. We ask that the City examine any projected increases in pedestrian and vehicular traffic and the impacts on any nearby at-grade road crossings to see if any mitigation measures should be included in the Project and then require such measures be implemented as part of the Project.

Trespassing / Fencing

If zoning changes are approved near railroad right of way, we ask that the City require future developers to mitigate the safety risks. In particular, the City should consider requiring future developers to install barrier walls or block fences, and/or "no trespassing" signs designed to prevent local residents from being too near or trespassing onto UP's railroad property. Buffers and setbacks should also be required adjacent to UP's right of way.

Noise and Vibration Impact

UP's 24-hour rail operations generate the noise and vibration one would expect from an active railway. Any increase in pedestrian and vehicular traffic over and around at-grade crossings may result in additional horn use by UP employees. Additionally, we ask that the City keep in mind that any development near operating right of way can negatively impact

PUBLIC COMMENTS

Page 3 of 3

City of Maricopa
March 18, 2015

rail service and create unintended consequences that are in neither the railroad's nor the public's best interests, including land use conflicts due to the nature of rail operations that may cause mechanical odor, noise and vibration. To avoid these types of conflicts, we request the City consider industrial zoning classification for areas adjacent and near to UP's property.

UP appreciates the City giving due consideration to the above concerns, as this proposed Project may result in impacts to land use and public safety. Please give notice to UP of all future hearings and other matters with respect to the Project as follows:

Kristian Ehrhorn, Senior Manager - Real Estate
Union Pacific Railroad Company
1400 Douglas Street - STOP 1690 Omaha, NE 68179
(402) 544-8567
kjehrhorn@up.com

Please do not hesitate to contact Kristian Ehrhorn if you have any questions or concerns.

Sincerely,



Patrick R. McGill
Senior Counsel – Real Estate
Union Pacific Railroad Company

cc: Kristian Ehrhorn

PUBLIC COMMENTS

Staff's response to the comment is shown below.



39700 W. Civic Center Plaza
Maricopa, AZ 85138
Ph: 520.568.9098
F: 520.568.9120
www.maricopa-az.gov

April 9, 2015

VIA EMAIL ONLY
Kjehrhorn@up.com

Union Pacific Railroad
Attn: Ms. Kristian Ehrhorn
Senior Manager- Real Estate
1400 Douglas Street- Stop 1690
Omaha, NE 68179

Re: Comments received for Zoning Overlay Designations, ZON15-01 and ZON15-02.

Dear Ms. Ehrhorn:

The City of Maricopa appreciates your timely response in regards to the above-mentioned public notifications ZON15-01 & ZON15-02.

Staff recognizes Union Pacific (UP) importance in rail transportation and its contribution to handle growing east-west intermodal and automotive traffic, specifically the railroad network through Maricopa and Pinal County. Further, staff is fully aware of the UP's main line property and its locations as it runs through the city, we can assure you the Zoning Overlay Designations will not have any impacts or restrictions now, or in the future to UP's network or transportation activities. The Zoning Overlay will serve as buffers and setbacks adjacent to UP's right-of-way.

However, UP should also take note of its historical precedent of leasing UP properties for commercial purposes, adjacent to the main lines to private parties that sometimes fail to meet public health and safety standards. For example, in 2012-13, one of the UP's leased properties was proposed for a kindergarten school and the outdoor playground (state requirement) was proposed to be located approximately 10-20 feet from the UP railroad lines. This type of safety risks on UP's property is a big concern for the City and any help from UP to control and curb such future deleterious uses will assist address concerns you write in your letter, i.e., pedestrian and vehicular traffic conflict, trespass etc. Without UP monitoring or maintaining the leased properties for safety violation, the City will be forced to enforce its law.

We respect your wisdom and desire to protect the railroad network and infrastructure which is vital to the economic health of Arizona and its rail services crucial to the future success and growth for Maricopa customers and the City in general. To this end, the City extends full support to UP and its endeavors, and hope we can continue to communicate in the future to keep each other informed of any violation or encroachment of UP's right-of-way and, or city's regulations.

Please do not hesitate to contact me if you have any questions or concerns.

Sincerely,

Kazi Neaz-E- Haque
Zoning Administrator
Development Services Department

p: 520-316-6985
kazi.haque@maricopa-az.gov

Cc: Patrick R. McGill, Senior Counsel
Dana Burkhardt, AICP, Interim Director Development Services