



CITY OF SURPRISE
Planning and Zoning Commission Meeting
16000 N. Civic Center Plaza
Surprise, AZ 85374
Thursday, April 15, 2021 @ 6:00 PM
COUNCIL CHAMBERS

- A. Call To Order
- B. Roll Call
- C. Pledge of Allegiance
- D. Current Events and Reports
- E. Staff Reports
- F. Planning and Zoning Commission Agenda:

CALL TO THE PUBLIC:

INSTRUCTIONS: In order to address the Board\Commission, you will need to fill out a Call to the Public Form available at the front counter, and then turn it in to the Secretary before the meeting begins.

Note: A.R.S. 38-431.01(H) - During this time members of the public may address the Board\Commission only on issues within the jurisdiction of the Board\Commission which are not an item on the agenda. At the conclusion of the open call, the Board\Commission may respond to criticism, may ask staff to review the matter or may ask that the matter be put on a future agenda. No discussion or action shall take place on any item raised.

CONSENT AGENDA:

- | | | | |
|----|----------|---|--|
| 1. | Internal | Consideration and action to approve or disapprove the April 1, 2021 Planning and Zoning Commission Minutes. | None

Ashley Labhart
Community
Development |
|----|----------|---|--|

REGULAR AGENDA ITEM - PUBLIC HEARING:

- | | | | |
|----|------------|--|--|
| 2. | District 1 | Consideration and action to recommend approval or disapproval of the Rezone of 4.98 acres from Residential Ranch (RR) to Residential Medium Density with a Planned Unit Development Overlay (RM-9 PUD) amending development standards and limiting residential density to 4.01 dwelling units per acre for Enclave II at Paloma Creek, Case FS20-718. | Robert Kuhfuss
Community
Development |
| 3. | District 1 | Consideration and action to recommend approval or disapproval of the rezone of 5.38 acres from Residential Ranch (RR) to Residential Medium Density with a Planned Unit Development Overlay (RM-9 PUD) amending development standards and limiting residential density to 3.90 dwelling units per acre for Enclave III at Paloma Creek, Case FS20-731. | Robert Kuhfuss
Community
Development |

- | | | | |
|----|------------|---|--|
| 4. | District 1 | Consideration and action to recommend approval or disapproval of the Rezone of 9.56 acres from Residential Ranch (RR) to Residential Medium Density with a Planned Unit Development Overlay (RM-9 PUD) amending development standards and limiting residential density to 3.21 dwelling units per acre for Enclave IV at Paloma Creek, Case FS20-738. | Robert Kuhfuss
Community
Development |
|----|------------|---|--|

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

- | | | | |
|----|------------|--|--|
| 5. | District 1 | Presentation and action to recommend approval or disapproval of the Preliminary Plat for Asante Unit 2.1 & 2.13, dated January 2021, a property generally located north of Asante Boulevard and west of 163rd Avenue in the Asante PAD. Case FS20-504. | Sergio Angulo
Community
Development |
| 6. | District 1 | Consideration and action to recommend approval or disapproval of the Preliminary Plat entitled "North Copper Canyon Parcels 2, 3, and 4," received March 30, 2021. (Case FS20-333) | Robert Kuhfuss
Community
Development |
| 7. | District 1 | Consideration and action to recommend approval or disapproval of the Preliminary Plat entitled "Preliminary Plat for Hometown Surprise at Austin Ranch II, Parcel E", generally located on the southeast corner of Deer Valley Road and Citrus Road. (Case FS20-488) | Robert Kuhfuss
Community
Development |

G. Other Business and Future Agenda Items

H. Executive Session

For information purposes: Upon a public majority vote of a quorum ("Commission"), the Commission may hold an executive session, which will not be open to the public, but for only the following purposes: discussion or consideration of records exempt by law from public inspection (A.R.S. §38-431.03(A)(2));

or discussion or consultation for legal advice with the attorney or attorneys of the public body (A.R.S. §38-431.03(A)(3)).

Confidentiality Requirements: Pursuant to A.R.S. §38-431.03(C)(D), any person receiving executive session information pursuant to A.R.S. §38-431.02 shall not disclose that information except to the Attorney General or County Attorney or by agreement of the Commission, or as otherwise ordered by a court of competent jurisdiction.

The Commission may vote to hold an executive session for the purpose of obtaining legal advice from the Commission's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03(A)(3).

I. Adjournment

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: April 8, 2021 at 3:30 PM

SPECIAL NOTE: PERSONS WITH SPECIAL ACCESSIBILITY NEEDS, INCLUDING LARGE

PRINT MATERIALS OR INTERPRETER, SHOULD CONTACT THE CITY CLERK'S OFFICE @ 623.222.1200 OR TTY 623.222.1002, BY NO LATER THAN 24 HOURS IN ADVANCE OF THE REGULAR SCHEDULED MEETING TIME.



CITY OF SURPRISE
Planning and Zoning Commission Meeting

Council Meeting Date: April 15, 2021 Contact Person: Ashley Labhart
Submitting Department: Community Development District: Internal
Staff Recommendations: None

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action to approve or disapprove the April 1, 2021 Planning and Zoning Commission Minutes.

Motion:

I move to approve/disapprove the April 1, 2021 Planning and Zoning Commission Minutes.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. 4-1-21 PZ MIN

**CITY OF SURPRISE
PLANNING AND ZONING COMMISSION**

MEETING MINUTES

April 1, 2021 / 6:00 PM

**COUNCIL CHAMBERS
16000 North Civic Center Plaza
Surprise, AZ 85374**

CALL TO ORDER.

Chair Dennis Bash called the Planning and Zoning Commission Meeting to order at 6:00 p.m. at Surprise City Hall, 16000 North Civic Center Plaza, Surprise, Arizona 85374, on April 1, 2021.

A. ROLL CALL

In attendance was Chair Dennis Bash, Vice Chair Matthew Keating, Commissioner Scott Krous, Commissioner Dennis Smith, Commissioner Mitchell Rosenbaum, and Commissioner Ken Chapman. Commissioner Kevin Sartor was absent.

STAFF PRESENT:

Ellen VanRiper, Chief Deputy City Attorney; Chris Boyd, Community Development Director; Lloyd Abrams, Assistant Director of Community Development; Robert Kuhfuss, Current Planning Supervisor; Shirley Phan, Current Planner; Tierney Farago, Administrative Specialist and Ashley Labhart, Planning and Zoning Secretary.

COUNCIL MEMBERS PRESENT:

None.

B. PLEDGE OF ALLEGIANCE

C. CURRENT EVENTS REPORT

Mr. Boyd provided information and detail as it pertained to the reopening of City Hall and in-person public meeting participation, and also announced CD related staffing changes.

D. STAFF REPORT

None.

CALL TO THE PUBLIC:

Chair Bash opened the call to the public to discuss any items not listed on the agenda.

Jane Peiffer – Surprise, AZ - Expressed concern and offered comments on annexations with regard to the Enclave projects

Hearing no further comments, Chair Bash closed the call to the public.

CONSENT AGENDA:

Item 1 – Internal – Consideration and action to approve or disapprove the March 18, 2021 Planning and Zoning Commission Minutes.

Commissioner Smith made a motion to approve the March 18, 2021, Planning and Zoning Commission Minutes as presented.

Commissioner Chapman seconded the motion. Commissioner Chapman abstained. Motion passes with 5 votes in favor.

REGULAR AGENDA ITEMS REQUIRING A PUBLIC HEARING:

None.

REGULAR AGENDA ITEMS NOT REQUIRING A PUBLIC HEARING:

ITEM: 2 – District 1 - Consideration and action to approve or disapprove a Major Site Plan Amendment for St. Clare of Assisi Catholic Parish Expansion (Case FS20-630)

Shirley Phan, Current Planner, presented item 2 to Commission.

Vincent Di Bella, Principal Architect of Adaptive Architects, was available on the phone line to address any questions or comments posed by the Commissioners.

The Commission discussed the following:

- Parking
- Traffic
- Pedestrian traffic and safety

Commissioner Smith made a motion to the approve the Major Site Plan Amendment for St. Clare of Assisi Catholic Parish Expansion, subject to stipulations “a” through “e”.

Vice Chair Keating seconded the motion. Motion passes with 6 votes in favor.

OTHER BUSINESS:

Item G – Other Business and Future Agenda Items.

The Commissioners requested a project update with regard to development north of 163rd Ave, to include project and permit status, as well as transportation information as it relates to the area.

ADJOURNMENT:

Hearing no further business, Chair Bash requested a motion to adjourn. Commissioner Rosenbaum made a motion to adjourn, Vice Chair Keating seconded the motion.

Meeting adjourned at 6:27 P.M.

Dennis Bash
Planning and Zoning Commission Chair

The foregoing instrument is a full, true and correct copy of the original document on file in the office of the City Clerk, City of Surprise, Arizona.

ATTEST BY: _____
Ashley Labhart, Commission Secretary

DATE: _____



CITY OF SURPRISE Planning and Zoning Commission Meeting

Council Meeting Date: April 15, 2021 Contact Person: Robert Kuhfuss
Submitting Department: Community Development District: District 1
Staff Recommendations:

Consent: No	Regular: No	Public Hearing: Yes	Report/Discussion: No
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Agenda Wording:

Consideration and action to recommend approval or disapproval of the Rezone of 4.98 acres from Residential Ranch (RR) to Residential Medium Density with a Planned Unit Development Overlay (RM-9 PUD) amending development standards and limiting residential density to 4.01 dwelling units per acre for Enclave II at Paloma Creek, Case FS20-718.

Motion:

Motion to recommend approval/disapproval of the Enclave II at Paloma Creek rezone subject to stipulations “a” through “c”.

Background:

Kent Xander of Xander Lander LLC, et. al. seeks approval of a rezone of approximately 4.98 acres from Residential Ranch (RR) to Medium Density Residential (RM-9) with a Planned Unit Development (PUD) Overlay. The PUD Overlay will amend certain development standards, while limiting the maximum density to 4.01 dwelling units per acre. The subject site is adjacent to the recently approved Paloma Creek zoning and preliminary plat requests, as well as the recently approved Enclave (I) project. The subject request was continued at the March 18, 2021 Planning and Zoning Commission Hearing.

Objective Analysis:

Policy Compliant:

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city services

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. 00 FS20-718 Enclave II at Paloma Creek Rezone 04-15-21 P&Z Staff Report
 2. 01 FS20-718 Enclave II at Paloma Creek Rezone Vicinity Map
 3. 02 FS20-718 Enclave II at Paloma Creek Rezone Case Map
 4. 03 FS20-718 Enclave II at Paloma Creek Zone Change Narrative
 5. 04 FS20-718 Enclave II at Paloma Creek Zone Change Outreach Summary
 6. FS20-718 Enclave II at Paloma Creek Rezone Presentation for 04-15-21 P&Z
-

ZONE CHANGE

REPORT TO THE PLANNING AND ZONING COMMISSION

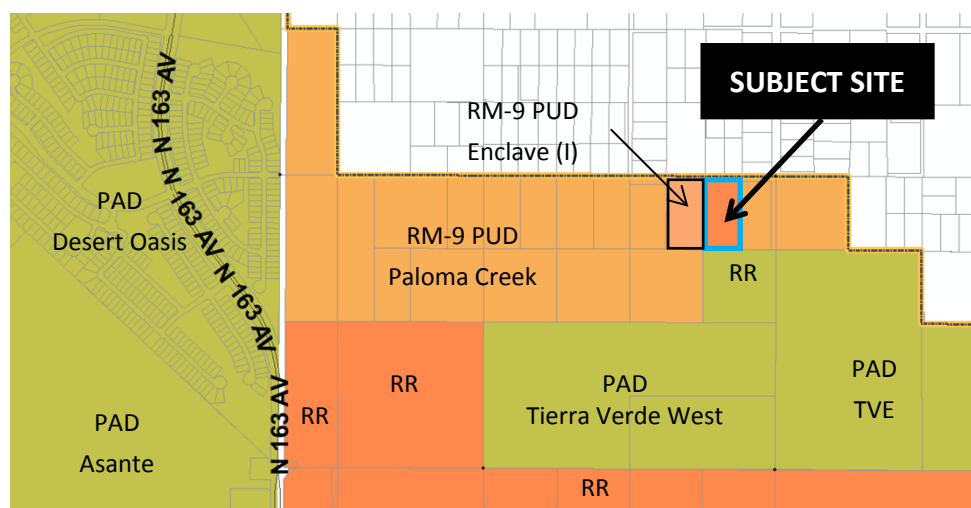
1 **Case:** FS20-718
2
3 **Project Name:** Enclave II at Paloma Creek Rezone
4
5 **Council District:** 1 - Acacia
6
7 **Meeting Date:** April 15, 2021 (continued from March 18, 2021)
8
9 **Planner:** Robert H. Kuhfuss, AICP
10
11
12 **Owner:** Xander Lander, LLC, et. al.
13
14 **Applicant:** Kent Xander
15
16 **Request:** Rezone from Residential Ranch (RR) to Residential Medium Density
17 with a Planned Unit Development Overlay (RM-9 PUD) amending
18 development standards and limiting residential density to 4.01
19 dwelling units per acre
20
21 **Site Location:** Generally located south of the Frontier Road alignment and west of
22 the 155th Avenue alignment
23
24 **Area:** 4.98 acres (approx.)
25
26 **Density:** 4.01 DU/Ac. (approx.)
27
28 **General Plan Conformance:** The proposal is consistent with the Surprise General Plan 2035
29
30 **Support/Opposition:** None known
31
32 **Staff Recommendation:** Approval, subject to stipulations "a" through "c"

PROJECT DESCRIPTION:

Kent Xander of Xander Lander, LLC, et. al. seeks approval of a rezone of approximately 4.98 acres from Residential Ranch (RR) to Medium Density Residential (RM-9) with a Planned Unit Development (PUD) Overlay. The PUD Overlay will amend certain development standards, while limiting the maximum density to 4.01 dwelling units per acre. The subject site is adjacent to the recently approved Paloma Creek zoning and preliminary plat requests, as well as the recently approved Enclave (I) project.

EXISTING ZONING:

The following map depicts the existing zoning of the subject site and its surrounds.



BACKGROUND:

September 5, 2019: The City Council approved the annexation of the subject property under case FS18-149.

October 15, 2020: Staff reviewed the subject request at a Concept Review meeting under CR20-633.

November 4, 2020: The applicant filed the subject request under Case FS20-718.

January 25, 2021: The applicant held a Neighborhood Outreach meeting for this request.

March 18, 2021: The Planning and Zoning Commission continued the subject case.

CITIZEN OUTREACH:

The applicant held their Citizen Outreach meeting in a virtual format on January 25, 2021. One individual attended the meeting and offered no objections after having their questions answered by the applicant. The Outreach meeting, along with the subject Planning and Zoning Commission hearing, were advertised in accordance with state and local requirements.

During the Call to the Public at the March 18, 2021 Commission hearing, several members of the public expressed concerns over upcoming rezone and annexation requests occurring in the area; however, none of those comments were directed towards the subject request.

ANALYSIS AND DISCUSSION:

The subject rezone case anticipates the development of approximately 5 acres of currently undeveloped desert into a single-family residential subdivision consisting of 20 lots. The request also seeks a Planned Unit Development (PUD) overlay for the purpose of amending certain development standards and limiting the residential density to 4.01 DU/Ac. The proposed development standards follow:

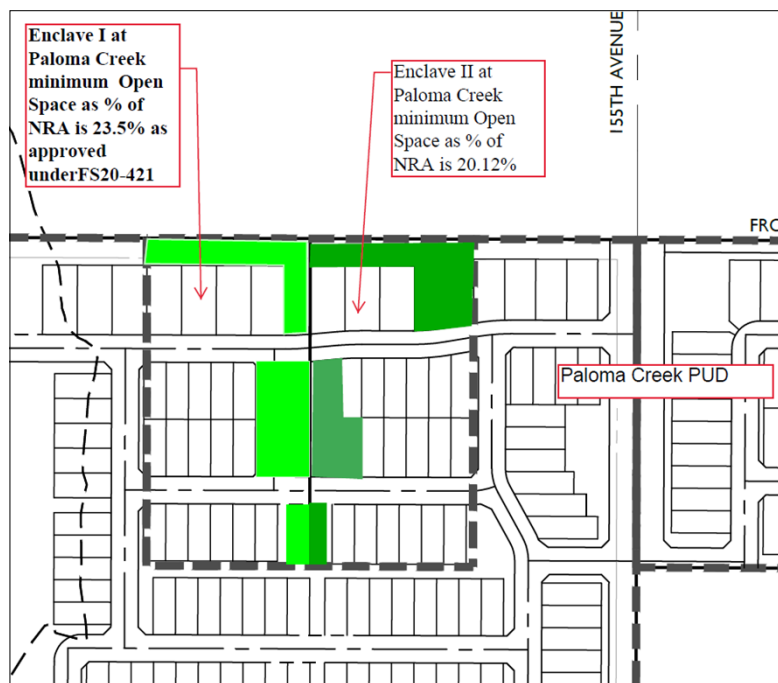
DEVELOPMENT STANDARDS FOR ENCLAVE AT PALOMA CREEK		
Development Standard:	RM-9 Base Zoning:	RM-9 PUD Zoning:
Maximum Density	9.0 DU/Ac.	4.01 DU/Ac.
Minimum Lot Area:	4,500 sq. ft.	4,500 sq. ft.
Minimum Lot Width:	40'	45'
Minimum Lot Depth:	100'	100'
Minimum Front Setback (livable):	12'	12' ¹
Minimum Front Setback (garage):	20'	20' ¹
Minimum Side Yard Setback:	TBD	5'
Minimum Rear Yard Setback:	20'	20' ²
Maximum Building Height:	35'	35'
Street Side Corner Setback:	N/A	5'
Driveway Width:	30%	40%
Driveway Area:	30%	40%
Minimum Open Space (%NRA)	20%	20.1%
Footnotes:		
¹ Measured from property line		
² Porches and patios may encroach 2.5' into the rear yard setback		

91 The subject property will include 20.1% open space, which exceeds the minimum requirement of the
 92 SUDC. The subject property will join the Paloma Creek HOA and will have access to those amenities.
 93 The applicant also proposes an increase in the percent of lot width and front yard area to be occupied
 94 by the individual driveways. The SUDC currently limits the width of the driveway to not more than
 95 30% of the lot width. With a proposed lot width of 45', the width of the driveway could not exceed
 96 13.5', which is too narrow to serve a two-car garage. Rather, the applicant proposes an increase to
 97 40%, which would allow for a typical 18' driveway. Similarly, the SUDC limits the driveway area to
 98 not more than 30% of the front yard area. A 45' lot width combined with a 20' front setback
 99 generates 900 square feet of front yard area, which would only accommodate a 15' deep driveway,
 100 based on 18' driveway width. By increasing the area limitation to 40%, a full 18' by 20' driveway may
 101 be achieved.

102

103 Of interest, the subject property is immediately adjacent to the recently approved Enclave (I) project,
 104 and will integrate with that project, as well as the larger Paloma Creek project. Staff anticipates
 105 Enclave and Enclave II being processed together as a single Preliminary Plat, with the Open Space as
 106 a percent of the Net Residential Area (NRA) for each parcel as shown. This is expressed in Exhibit D-
 107 2 of the project narrative as captured below:

108



109

110

111 **UTILITY AND SERVICES TABLE:**

112

Water:	City of Surprise
Wastewater:	City of Surprise
Refuse:	City of Surprise
Schools:	Dysart USD

113

114 **CONFORMANCE WITH ADOPTED PLANS:**

115
116 **Surprise General Plan 2035:** The Surprise General Plan 2035 shows the subject property as lying
117 within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac
118 or more, provided appropriate transitions are made between the various Neighborhood types
119 included within the character area. At 4.01 DU/Ac, the project most closely aligns with the Suburban
120 Neighborhood type and is consistent with the General Plan in this regard.

121
122 **REVIEWING AGENCIES:**

123
124 The subject request was routed to the standard internal and external reviewing agencies, who
125 indicated no objections to the request.

126
127 **SUMMARY:**

128
129 The subject Zone Change request anticipates the future development of 20 lots on approximately 5
130 acres, and includes a PUD overlay intended to grant relief from certain development standards. The
131 Project will include 20.1% open space, will join the Paloma Creek HOA, and will have access to those
132 amenities. All city reviewing departments have reviewed the request and expressed no concerns.

133
134 **FINDINGS:**

- 135
136 • The proposed Zone Change is consistent with the surrounding area.
137 • The proposed Zone Change is consistent with the Surprise General Plan.
138 • The reviewing agencies have indicated no objections.

139
140 **Recommendation:**

141
142 Based on the findings noted above, staff recommends the Commission move to recommend
143 **approval** of the subject Rezone request to the City Council, subject to stipulations ‘a’ through ‘c’ as
144 outlined below:

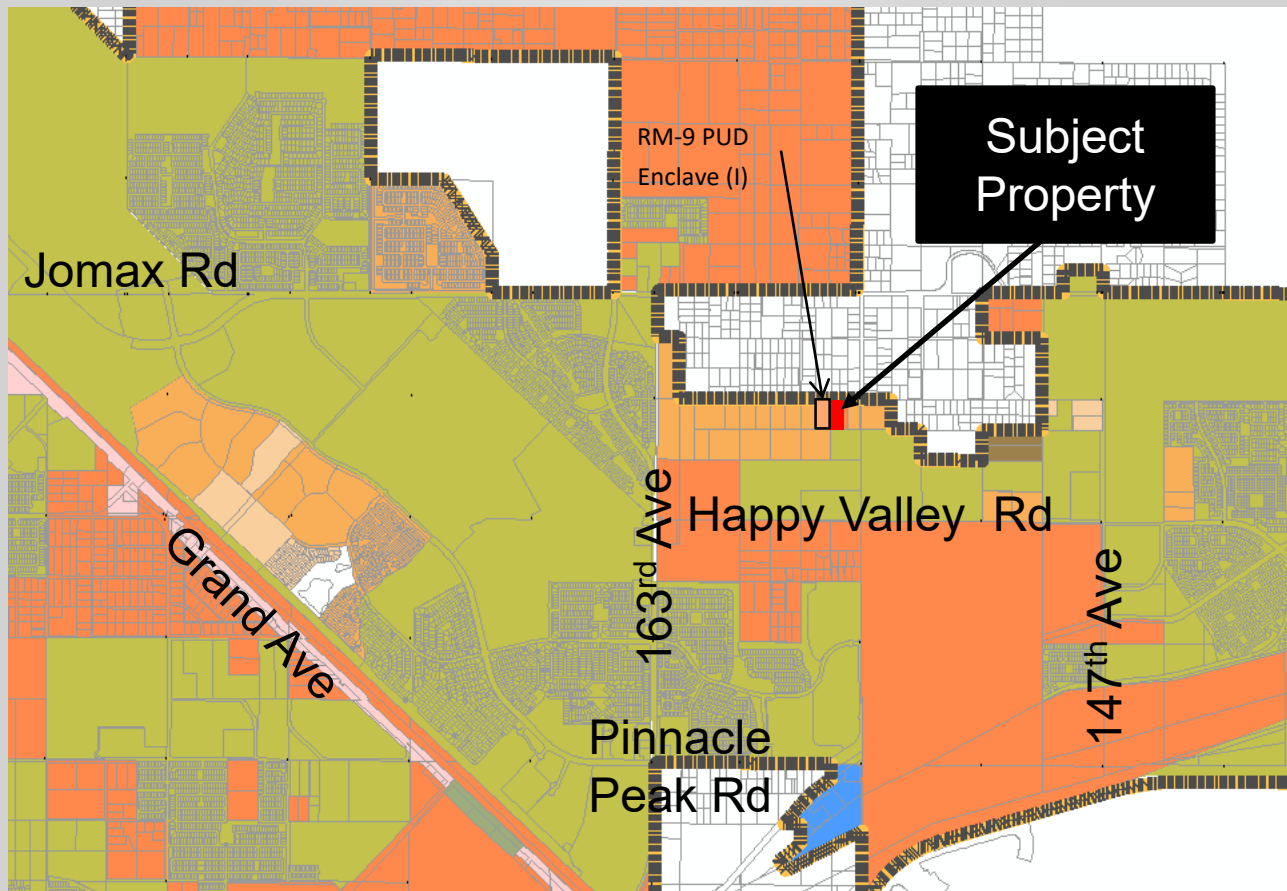
- 145
146 a. Development and use of the site shall be consistent with the rezone narrative entitled
147 “Enclave II at Paloma Creek”, prepared by Kent A. Xander and received December 22,
148 2020.
149
150 b. Prior to the City approving a final plat, site plan, or building permit within the property, the
151 applicant shall provide the City with a Notice of Payment from William Lyon Homes, Inc., that
152 the Happy Valley West (“HVV”) Buy-in Fee, the Happy Valley East (“HVE”) Buy-in Fee, the
153 Sewer Buy-in Fee, and the Water Buy-in Fee, as applicable, all as described in the Rancho
154 Mercado Supplemental Development Agreement (Regional Improvements Overlay
155 Agreement), as amended, have been paid.
156

c. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.

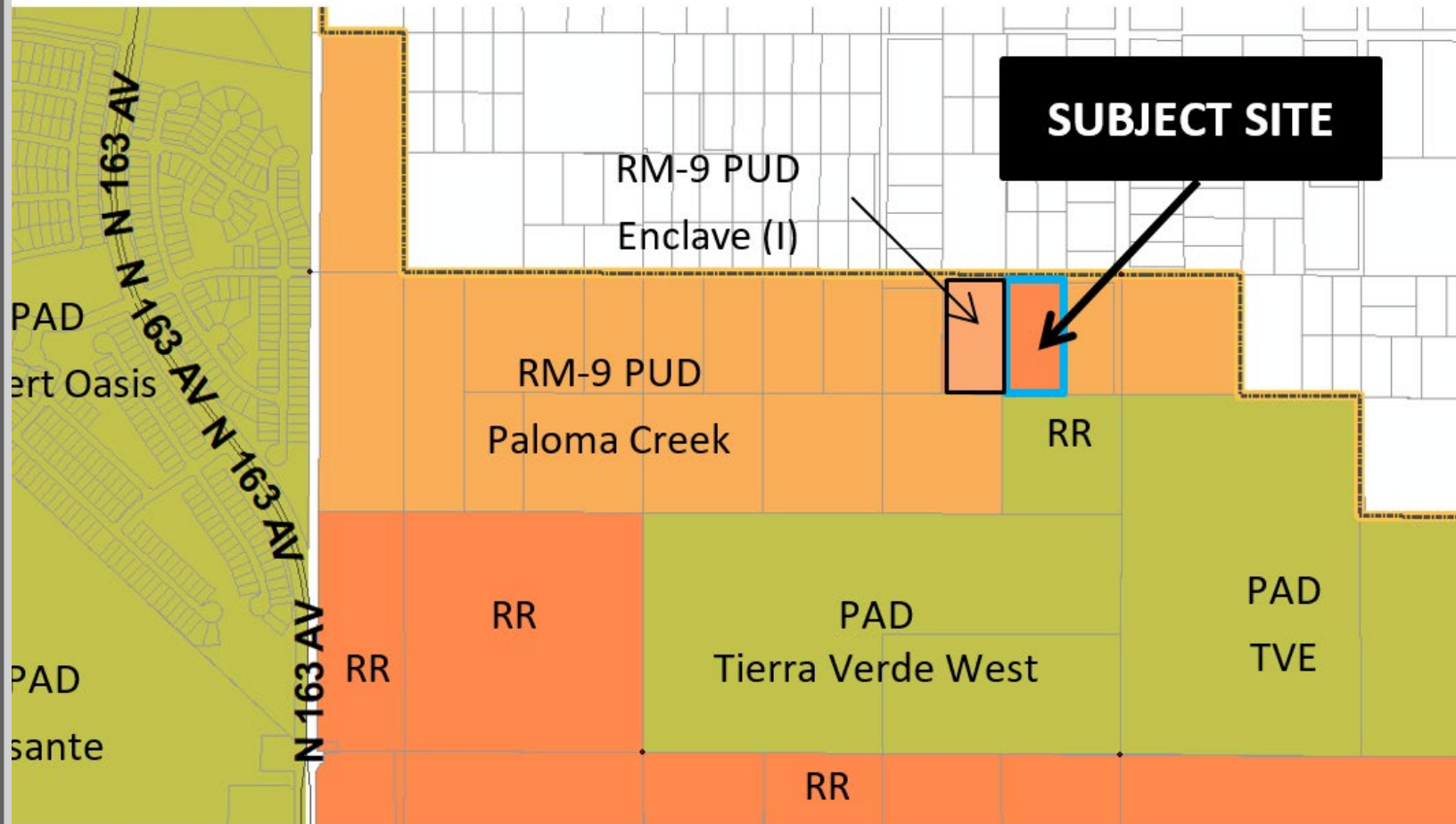
However, should the Commission wish to recommend denial of the request, the Commission should make its own findings and base its decision on those alternative findings.

Attachments:

- 01 Enclave II at Paloma Creek Vicinity Map
- 02 Enclave II at Paloma Creek Case Map
- 03 Enclave II at Paloma Creek Zone Change Narrative
- 04 Enclave II at Paloma Creek Citizen Outreach Report



FS20-718 Vicinity Map



FS20-718 Case Map

ENCLAVE II AT PALOMA CREEK REZONE

Case No. FS20-718

Rezone from Residential Ranch (RR) to
RM-9 (Residential Medium Density) with a (PUD) Overlay

4.98 Gross Acres

330 feet west of Southwest corner W. Frontier Dr. and 155th Avenue
Surprise, Arizona

Prepared by: KAX Group, LLC

Submitted To: City of Surprise, Arizona

Dated: October 26, 2020

Revised: December 22, 2020

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General Plan 2035 Land Use Map.....	Exhibit E
Enclave II at Paloma Relationship to Surrounding Property.....	Exhibit F

Enclave II at Paloma Creek Team:

Applicant: KAX Group, LLC – Kent A. Xander - kxander@kaxgroup.com

Location and Introduction:

A **Vicinity Map** on page 4 illustrates Enclave II at Paloma Creek location - 360 feet west of southwest corner W. Frontier Dr. and 155th Avenue.

Enclave II at Paloma Creek PUD is a 4.98-acre proposed residential subdivision adjacent to approved Paloma Creek PUD Case # FS18-150 zoned for a density of 4 units per acre. The subject property is also adjacent to unincorporated vacant land and homes to the north zoned RU-43 and vacant land within the City of Surprise to the west which was recently rezoned from (RR) to RM-9 PUD Overlay Case FS20-421 as shown on **Exhibit D-1**. This project includes working with and the cooperation with Paloma Creek PUD to the west and south and Tierra Verde West PAD to the south to formulate a cohesive development plan working out vehicle circulation, utilities, and drainage issues. The Development Conceptual Plan shown in **Exhibit D-2**, shows a conceptual plan for Enclave II at Paloma Creek PUD.

The 3 north lots adjacent to W. Frontier Dr. shall be minimum 70' x 130', setback 55 feet from the north property line as shown on Exhibit C. Per the approved Preliminary Plat for Paloma Creek PUD, the existing 40' right-of-way along Frontier Road alignment will be vacated at approval of the Final Plat. The landscape improvements shall be consistent with approved Paloma Creek PUD Case # FS18-150 plan for W. Frontier Dr. No access or vehicle traffic will be connected to W. Frontier Dr to the north and two points of access to Enclave II at Paloma Creek PUD will be provided west to Paloma Creek PUD. A pedestrian trail shall be constructed between the north side of the north lot lines and the dedicated right of way on W. Frontier Dr. The pedestrian trail will extend west to Paloma Creek PUD and connect with Paloma Creek PUD pedestrian Trail system. Enclave II at Paloma Creek PUD will become part of the adjacent Paloma Creek PUD HOA that will maintain all common community amenities, including signage, parks, trails, open space tracts, and other common areas within the development. Both Paloma Creek PUD and Enclave II at Paloma Creek PUD will have reciprocal access to all amenities and the trail system within their respective projects.

Exhibit A depicts a map of the existing zoning of the subject property and the adjacent PAD's, vacant land, and homes. The adjacent specific zoning and land uses are as follows:

East and South

- | | | |
|---------------------------|--------------|----------|
| • Paloma Creek (RM-9) PUD | 150.68 Acres | 600 lots |
|---------------------------|--------------|----------|

West

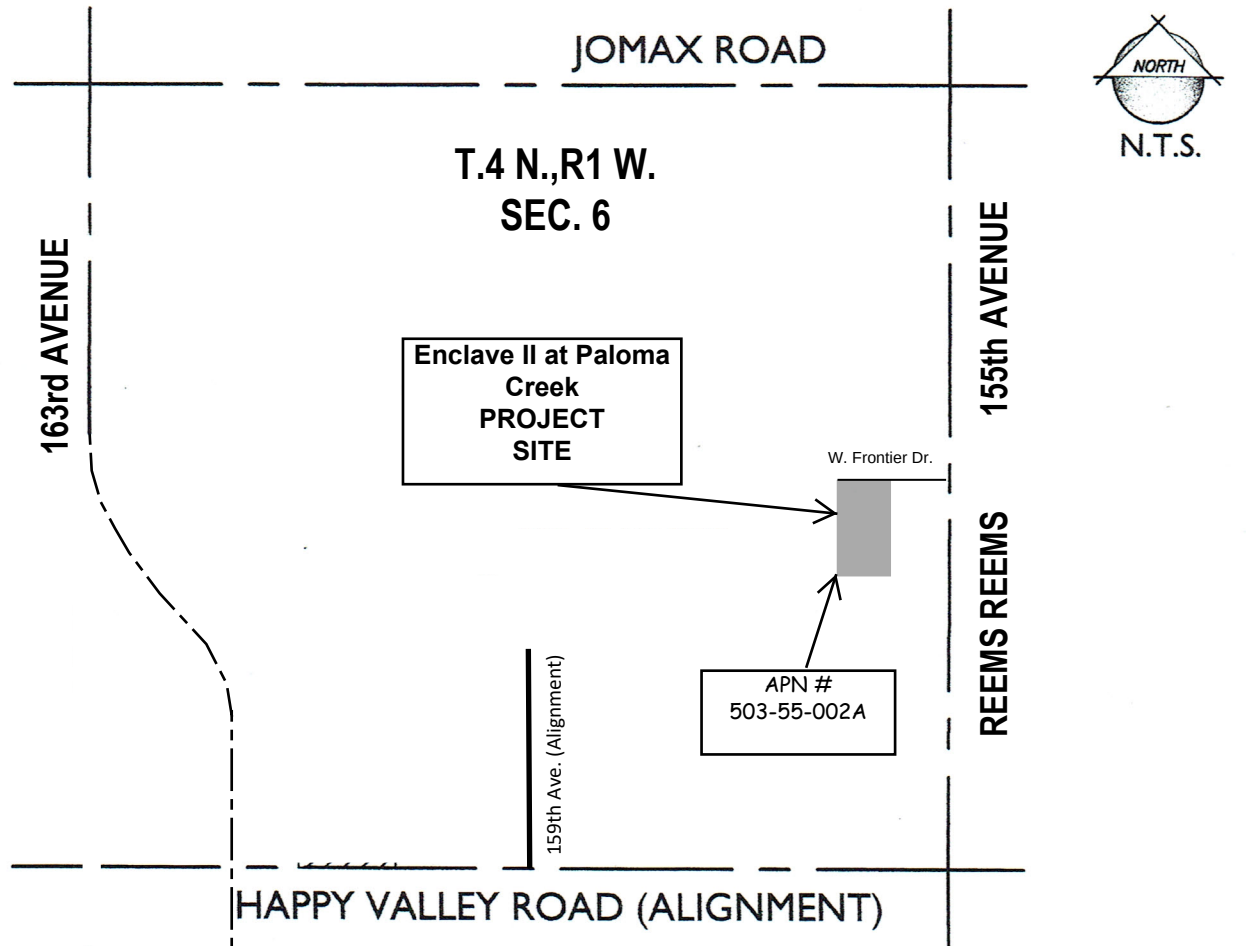
- | | | |
|--------------------------|------------|--|
| • Rural residential (RR) | 4.98 Acres | Enclave at Paloma Creek
rezone FS20-421 was
approved as RM-9 PUD |
|--------------------------|------------|--|

North

- | | |
|---------------------------|---------------------------------------|
| • Maricopa County (RU-43) | Existing Single-Family Land and Homes |
|---------------------------|---------------------------------------|

Exhibit F shows the relationship of the Subject Property to adjacent property.

VICINITY MAP



Description of Request:

Applicant, on behalf of the Owner, requests approval of a Zone Change (Case# FS20-718) for 4.98 acres from Residential Ranch (RR) to Residential Medium Density (RM-9) with a PUD Overlay. See **Exhibit B** for Proposed Zoning Map. See **Exhibit C** for Survey Map Exhibit. Approval of this zone change has the same zoning and development standards with adjacent Paloma Creek PUD recently approved by City of Surprise Council and Enclave 1 at Paloma Creek recently submitted for zoning approval.

Base zoning RM-9 allows up to 9 dwelling units per acre (DU/Ac); however, through the PUD Overlay, the subject property proposes not more than 20 dwelling units over approximately 4.98 gross acres for a maximum gross density of 4.01 DU/Ac.

With a cap on density, the applicant believes the development standards associated with the RM-9 with a PUD Overlay zoning district are in line with those of the adjacent PAD's to the subject property, with certain deviations as articulated below in **Table A** of the Enclave II at Paloma Creek PUD Narrative.

The zoning of Enclave 1 and Enclave 2 will be the same zoning and applicant will run a combined Preliminary Plat and Final Plat in such a way as to not have a zoning district boundary splitting the centralized open space tract. This will enable the plan to provide for a small amenity area in the middle of Enclave 1 and Enclave 2 properties that can serve the residents in the immediate area. This would be followed by a Final Plat. The Preliminary and Final Plat will follow under separate CR numbers.

Enclave II at Paloma Creek PUD Development Concept Plan shown on **Exhibit D-2** shows the lot sizes located along the north side of the subject property to be a minimum lot size of 70' x 140' (9,800 sq. ft.) and a 50-foot landscape open space tract with a pedestrian trail that connects to W. Frontier Dr. and west to Paloma Creek PUD. The Development Standards open space, density, and amenities, and a minimum lot size of 45' x 115'.

The SUDC requires that not less than 20% of the "Net Residential Acreage" be set aside as open space. The Net Residential Acreage ("NRA") is calculated by the total amount of land taken up by the individual lots ("Lot Area") combined with the total Open Space. **This development Enclave II will provide a minimum of 20.12% Open Space as % of NRA.** The following is an estimate of the Open Space as % of NRA for Enclave II*.

Dedicated Right of Way	36,300 SF	0.83 acres
Open Space	48,533 SF	1.11 acres
Cumulative Lot Area	<u>130,475 SF</u>	<u>3.02 acres</u>
Gross Area	263,841 SF	4.97 Acres
NRA = Open Space + Cumulative Lot Area	179,008 SF	4.13 Acres

***There will be no effect on the Open Space as % of NRA for Enclave I which shall remain at a minimum of 23.5%. Both east/west roads within Enclave I will continue east into Enclave II. The open space previously planned within the road continuing east into Enclave II will be replaced with the north/south road (to be taken out of the Enclave I plan) and replaced with Open Space.**

The combined Enclave 1 and Enclave 2 amenity area will include a ramada, seating area, and tot lot providing play and gathering opportunities for all ages with a shaded seating area. The landscaping plan will develop pedestrian connections to adjacent land and use the same landscaping quantity, quality, and materials as used for adjacent Paloma Creek PUD. Enclave II at Paloma Creek PUD will become part of the adjacent Paloma Creek PUD HOA that will maintain all common community amenities, including signage, parks, trails, open space tracts, and other common areas within the development. Both Paloma Creek PUD and Enclave II at Paloma Creek PUD will have reciprocal access to all amenities and the trail system within their respective projects. Final design will meet the requirements of the SUDC.

Development Standards:

It is the intent of Enclave II at Paloma Creek PUD to amend the RM-9 Residential Zoning District Development Standards as follows: The 3 lots backing to the north property line shall be a minimum 70' x 140' equaling 9,800 sq. ft. each. A 50-foot open space tract will be landscaped along the Northeast lot of the 3 lots adjacent to the east rural property. The lots along the northern boundary of the Enclave II at Paloma Creek PUD development will be limited to single-story homes. The Development Standards depicted in Table A will be consistent the approved Preliminary Plat Development Standards for Paloma Creek PUD.

Table A

Residential Medium Density RM-9 PUD Overlay Development Standards

Development Standard	City Base RM-9 Development Standards	Proposed RM-9 PUD Development Standards
Net Residential Acreage Open Space	20%	20.12%
Maximum Density	9.0	4.01
Minimum Lot Area	4,500 Sq. Ft.	4,500 Sq. Ft.
Minimum Lot Width	40'	45'
Minimum Lot Depth	100'	100'
Front Setback (Livable	12'	12'
Front Setback (Garage)	20'	20' (1) (2)
Minimum Side Yard Setback	■ (3)	5'
Minimum Rear Yard Setback	20'	20' (5)
Maximum Building Height	35'	35'
Driveway Width Percentage	30%	40%
Driveway Area Percentage	30%	40%
Street Side/Corner Lot	■ (4)	5'

- (1) Front facing garages shall have a minimum 20-foot front yard setback measured from the front Lot Line.
(2) 12-foot livable front setback is measured from the front Lot Line.
(3) To be determined at Site Plan or Preliminary Plat Review.
(4) There is not a street side setback requirement in the SUDC.
(5) Porches/patios may encroach 2.5' into the rear yard setbacks.

The result of the Enclave II at Paloma Creek PUD zone change with a PUD Overlay would be:

- Enclave II at Paloma Creek PUD will be in conformance with the adopted Surprise General Plan 2035 as noted below.
- The development of Enclave II at Paloma Creek PUD will occur in a manner that is consistent with the surrounding PUD's and PAD's. The development will be seamlessly integrated and aligned with Paloma Creek PUD zoning and FS20-421 Enclave at Paloma Creek PUD, open space, pedestrian trails, drainage tracts, roads, and utilities.
- Enclave II at Paloma Creek PUD will provide an open space tract on the north side of the subject property for incidental drainage control, pedestrian trail, and open space transition to buffer between the subject property and the adjacent single-family homes to the north.
- Unless specified in this Zoning Narrative Document, all development shall comply with the development standards and design guidelines set in the Surprise Municipal Code at the time of Preliminary Plat.

Conformance with the adopted Surprise General Plan 2035:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Land Use Character Area, which in a Suburban Neighborhood supports residential development of 2 to 8 DU/Acre, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 4.1 DU/Ac, the project is consistent with the General Plan in this regard. The General plan seeks appropriate buffers and transitions between the various Character Areas. To meet this guideline, the 3 north lots adjacent to W. Frontier Dr. shall be 70' x 130', setback 55 feet from the north property line as shown on Exhibit C.

Ingress/Egress/Access:

The ingress/egress access to Enclave II at Paloma Creek PUD will be:

1. Through Paloma Creek PUD to 155th Avenue and 163rd Avenue.
2. Through Tierra Verde West PAD to 155th Avenue and 159th Avenue.
3. Through Paloma Creek PUD to 159th Avenue.
4. Through Paloma Creek PUD to 155th Avenue.

Transportation/Traffic and Utilities

- Upon development of Enclave II at Paloma Creek PUD, all necessary utilities for Enclave II at Paloma Creek PUD will be extended from adjacent Paloma Creek PUD and FS20-421 Enclave II at Paloma Creek.
- Onsite public streets shall be constructed to meet City standards widths and cross sections based on approval of the Preliminary Plat.
- Per the approved Preliminary Plat for Paloma Creek PUD (FS18-150), the existing 40' right-of-way along Frontier Road alignment will be vacated at approval of the Final Plat.
- A new Traffic Impact Analysis per TIA Guidelines found in Chapter 4 of the Surprise Engineering Development Standards in coordination with the surrounding developments will be submitted to the City. Specifically, this TIA will include all phases of the Paloma Creek development, including Enclave II, III, IV, Paloma Creek III, IV, and any other parcels.” under the Transportation/Traffic and utilities.

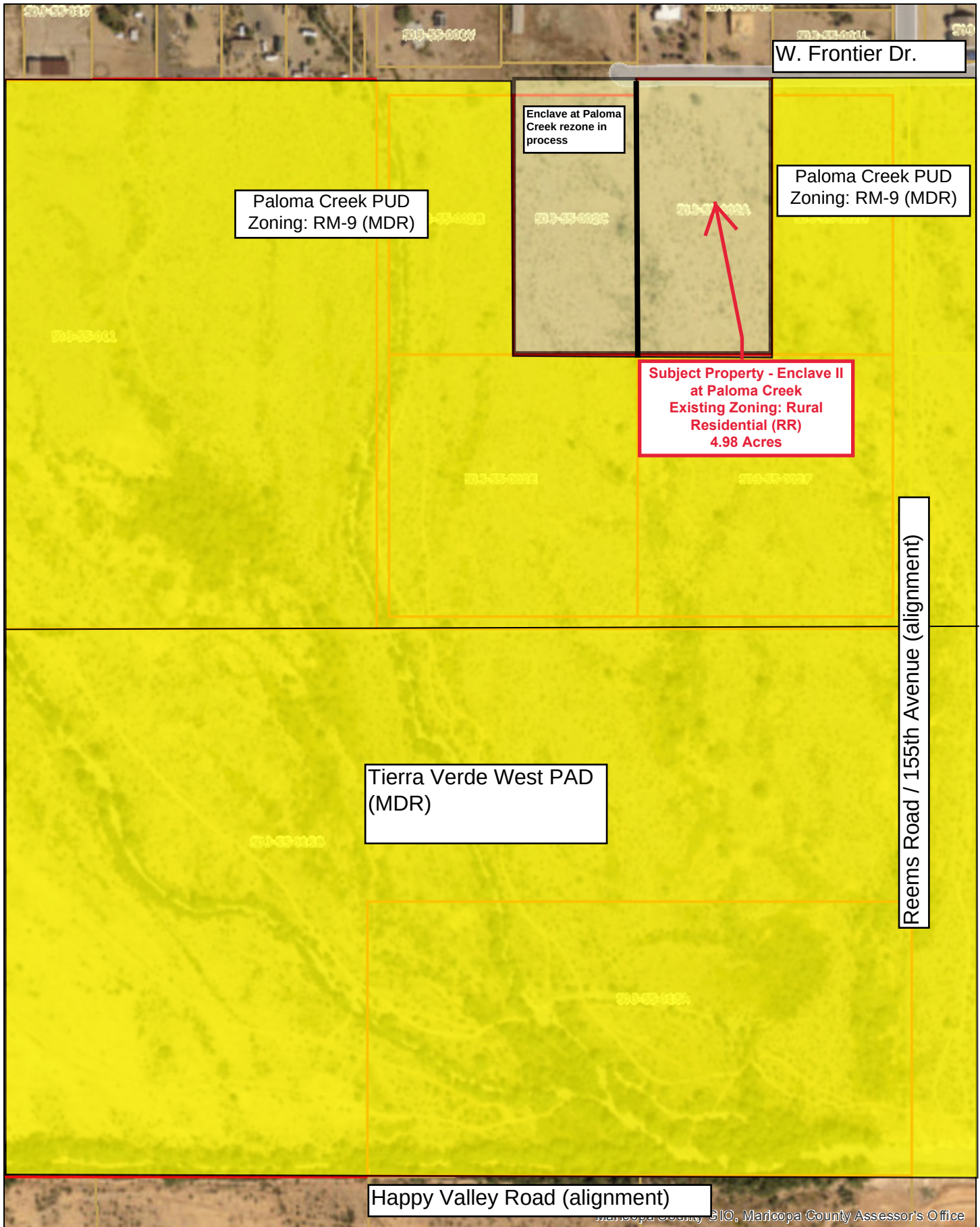


EXHIBIT B

Proposed Zoning Map

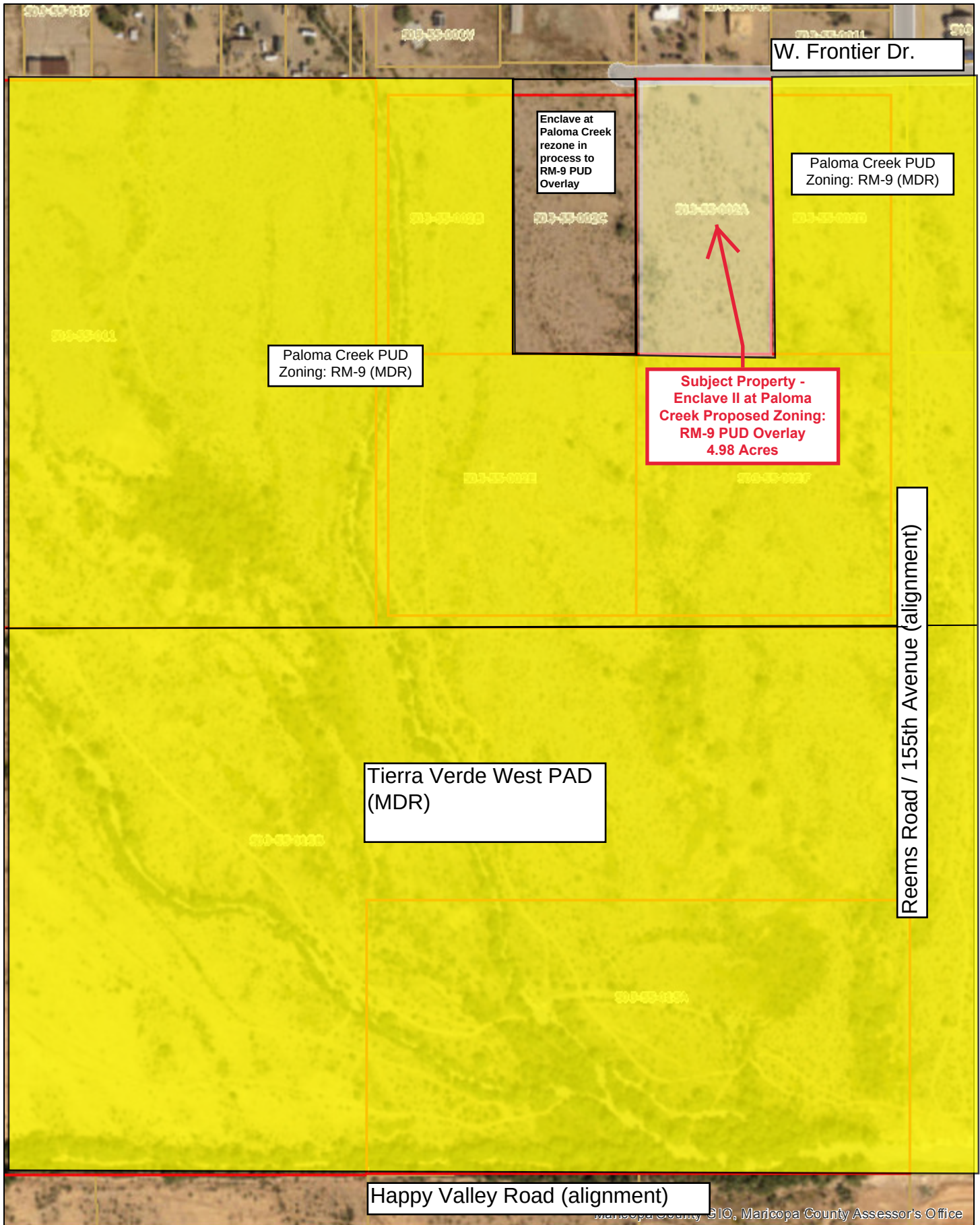


Exhibit C - 1

LEGAL DESCRIPTION

The East half of the Northwest quarter of the Northeast quarter of the Southeast quarter of Section 6, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona described by metes and bounds as follows:

Commencing at the East quarter corner of Said Section 6;
Thence North 89° 48' 24" West along the East-West mid-section line of Section 6 a distance of 658.20 feet to the **POINT OF BEGINNING**;
Thence South 00° 06' 30" West a distance of 659.68 feet;
Thence North 89° 47' 36" West a distance of 328.88 feet;
Thence North 00° 05' 22" East a distance of 659.61 feet to said East-West mid-section line;
Thence South 89° 48' 24" West along said line a distance of 329.10 feet to the **POINT OF BEGINNING**.

Containing 4.9819 acres



Land Survey Services PLC
20651 W. Pasadena Ave
Buckeye, AZ 85396-1255

Job No. 10019

Exhibit C - 2

Parcel Map Check Report

Prepared by:

Thomas Rope

Land Survey Services, PLC

Date: 3/10/2020 8:50:08 AM

Parcel Name: Paloma Creek

Description: E1/2, NW1/4, NE1/4, SE1/4 SEC 6, T4N, R1W

Process segment order counterclockwise: False

Enable mapcheck across chord: False

North: 989,278.5118'

East: 554,022.6612'

Segment# 1: Line

Course: S0°06'30"W

Length: 659.68'

North: 988,618.8330'

East: 554,021.4139'

Segment# 2: Line

Course: N89°47'36"W

Length: 328.88'

North: 988,620.0193'

East: 553,692.5360'

Segment# 3: Line

Course: N0°05'22"E

Length: 659.61'

North: 989,279.6285'

East: 553,693.5657'

Segment# 4: Line

Course: S89°48'24"E

Length: 329.10'

North: 989,278.5180'

East: 554,022.6639'

Perimeter: 1,977.27'

Area: 4.9819Acre

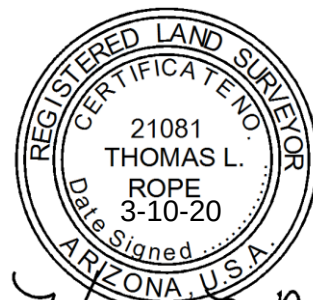
Error Closure: 0.0067

Course: N23°28'30"E

Error North : 0.00617

East: 0.00268

Precision 1: 295,114.93



Thomas L. Rope

Land Survey Services PLC
20651 W. Pasadena Ave
Buckeye, AZ 85396-1255

Job No. 10019

Exhibit C - 3

A PART OF THE SOUTHEAST QUARTER OF SECTION 6
T4N, R1W, G.&S.R.B.M., MARICOPA COUNTY, ARIZONA

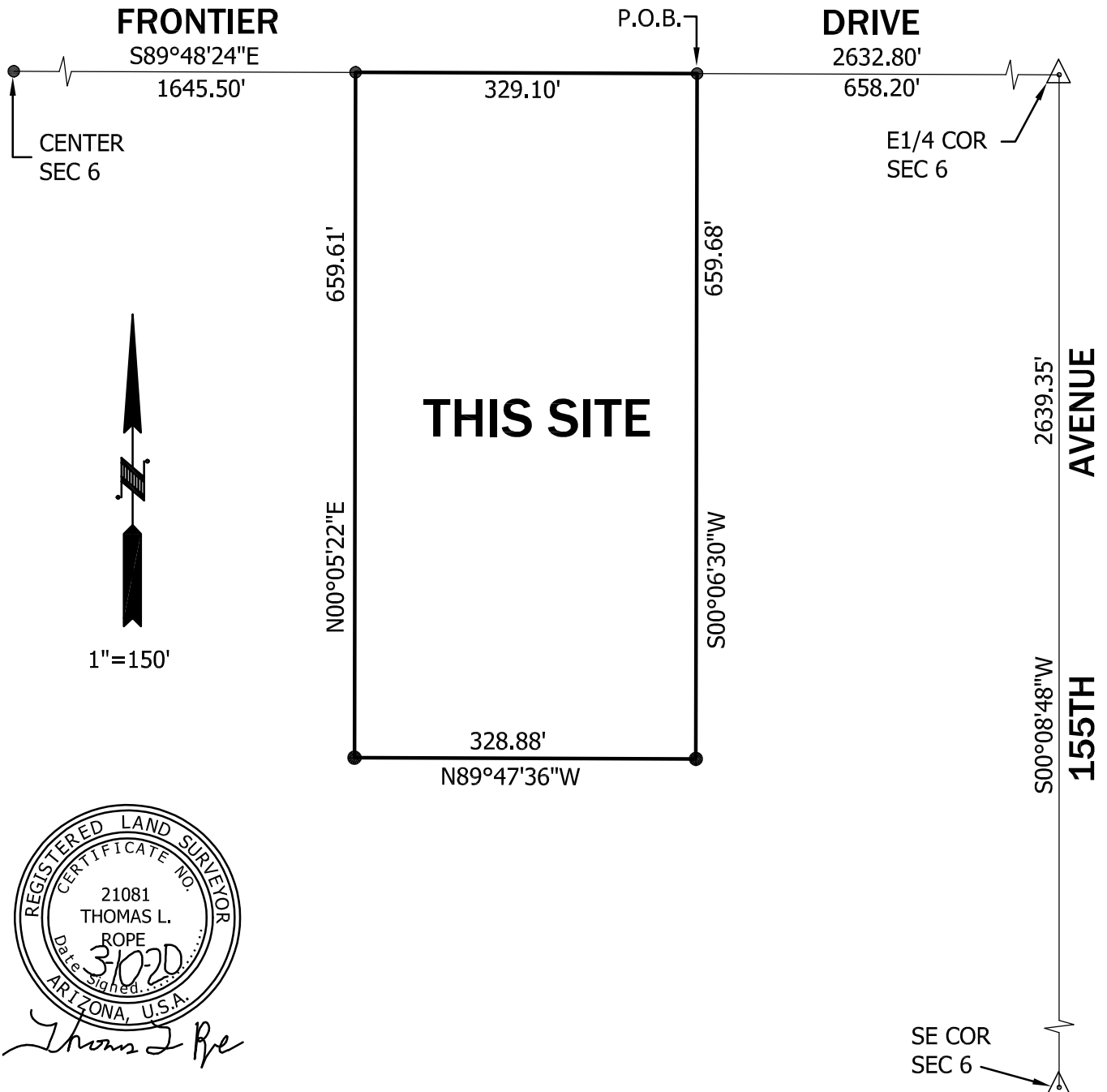


Exhibit D-2

155TH AVENUE

FRONTIER

Enclave I at
Paloma Creek
minimum Open
Space as % of
NRA is 23.5% as
approved
underFS20-421

Enclave II at
Paloma Creek
minimum Open
Space as % of
NRA is 20.12%

Paloma Creek
PUD

Paloma Creek PUD

Paloma Creek
PUD

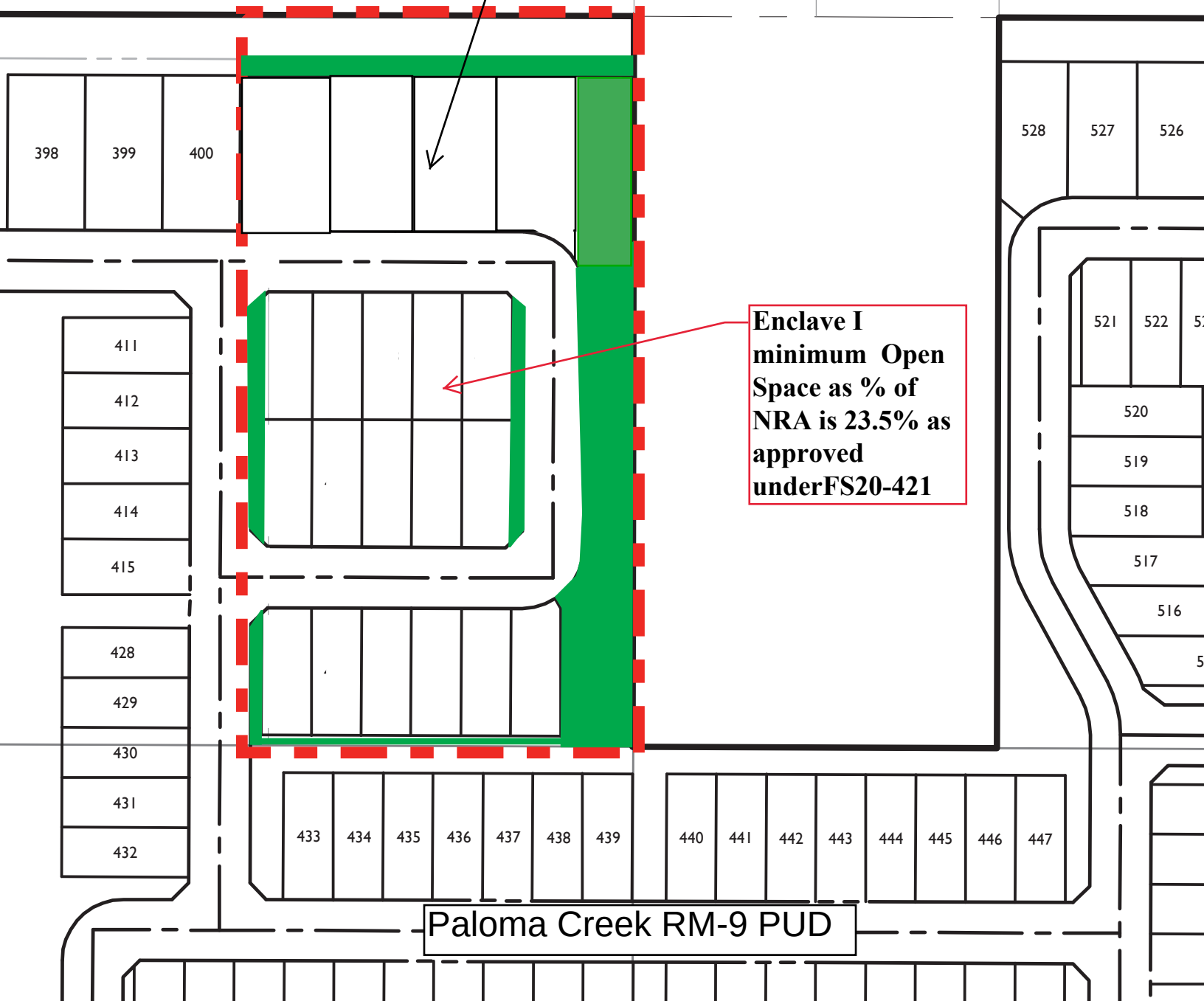
Tierra Verde
West PAD

A.P.N. 5
BBSS AT
ZON

Exhibit D-1

Conceptual Development Plan

Enclave at Paloma Creek FS20-421



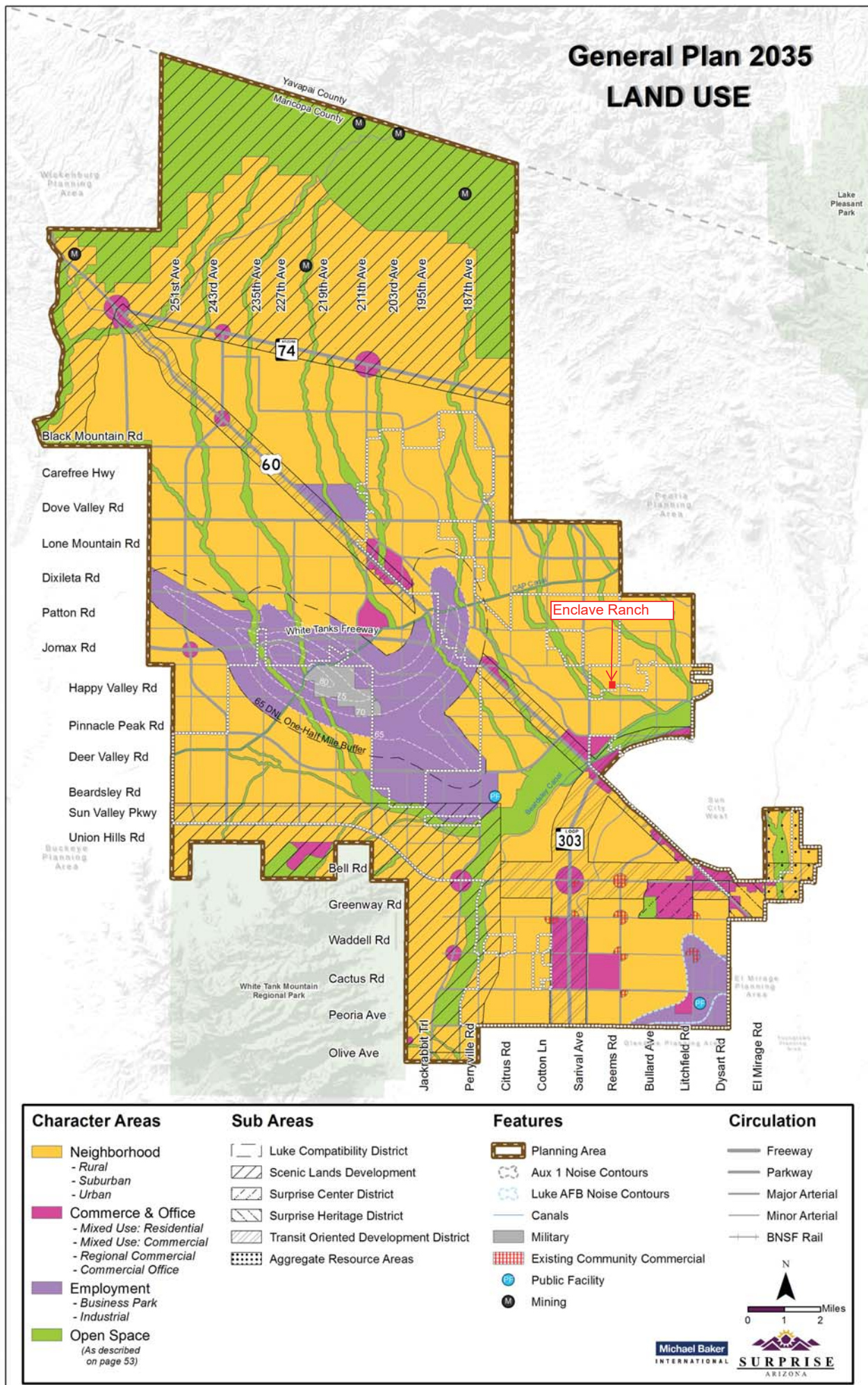
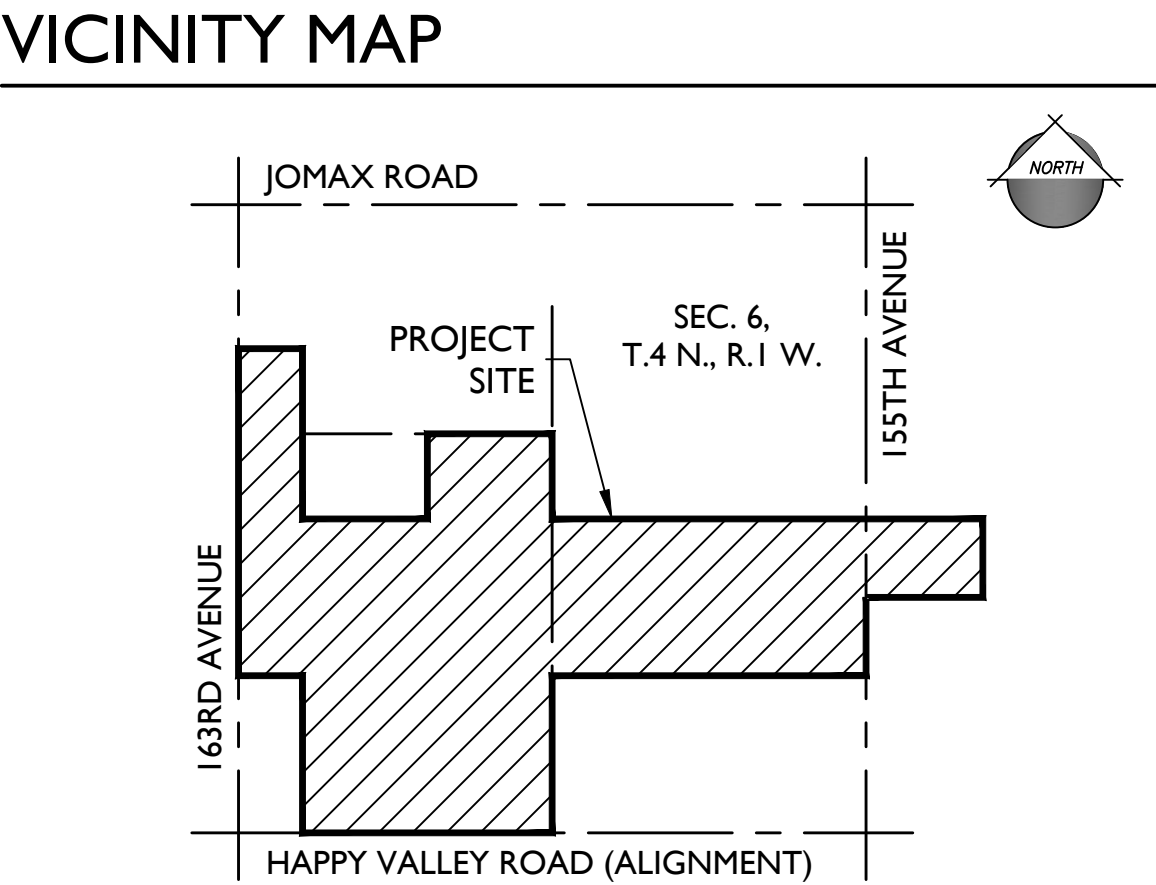


Exhibit F

Enclave II at Paloma Creek
PUD in relation to Paloma
Creek PUD and Enclave at
Paloma Creek FS20-413

DEVELOPMENT PLAN
FOR
PALOMA CREEK

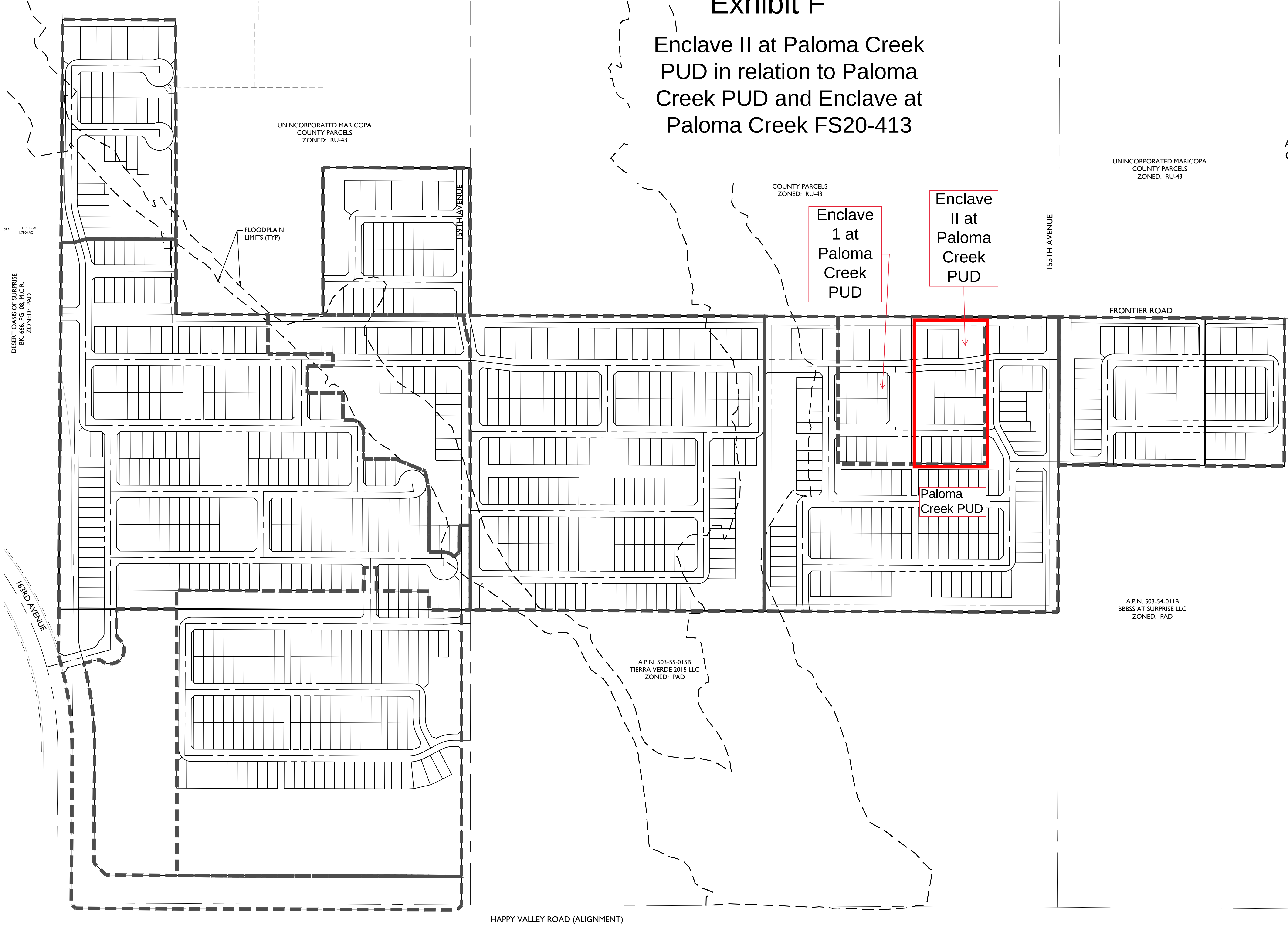
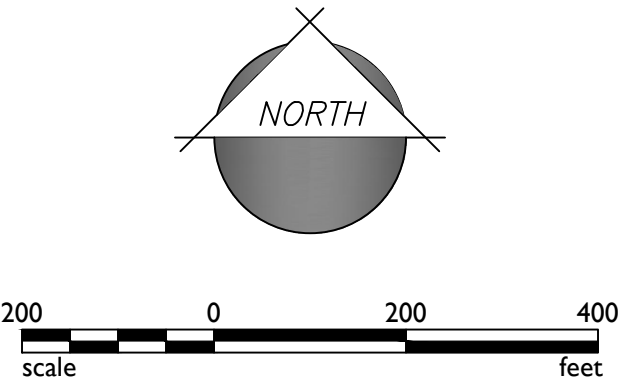
A PORTION OF SECTION 6 AND THE NORTHWEST QUARTER OF
OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER
OF SECTION 5, T.4 N., R.1 W., GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA



PROJECT TEAM

DEVELOPER MARBELLA CUSTOM HOMES 18835 N. THOMPSON PK PKWY, STE. 215 SCOTTSDALE, AZ 85255 TEL: (602) 469-8050 CONTACT: JOHN WITTROCK	DEVELOPER KAX GROUP, LLC 8530 E. VIA DEL SOL DRIVE SCOTTSDALE, AZ 85255 TEL: (602) 499-9305 CONTACT: KENT XANDER
--	---

CONSULTANT:
EPS GROUP, INC.
1130 N. ALMA SCHOOL RD., STE. 300
MESA, AZ 85260
TEL: (480) 503-2250
FAX: (480) 503-2258
CONTACT: DANIEL AUXIER, PE





Enclave II Rezone

Citizen Participation Plan

January 25, 2021

Background

The City of Surprise (City) requires a citizen participation process and report for applications such as this PAD amendment. The purpose of the citizen review process is to:

Ensure that applicants pursue early and effective citizen participation in conjunction with their applications, giving them the opportunity to understand and try to mitigate any real or perceived impacts their application may have on the community;

Ensure that the citizens and property owners of the city have an adequate opportunity to learn about applications that may affect them and to work with applicants to resolve concerns at an early stage of the process; and

Facilitate ongoing communication between the applicant, interested citizens and property owners, city staff, and elected officials throughout the application review process.

The citizen review process is not intended to produce complete consensus on all applications, but to encourage applicants to be good neighbors and to allow for informed decision-making.

Enclave II Citizen Participation Plan & Report

Enclave II location is located 360 feet west of southwest corner W. Frontier Dr. and 155th Avenue. Enclave II PUD is a 4.98-acre proposed residential subdivision adjacent to approved Paloma Creek PUD Case # FS18-150 and Enclave at Paloma Creek (Enclave I) both zoned for a density of 4 units per acre.

As part of the rezone process, adjacent property owners and stakeholders in the area were notified by the City staff to our proposed application and open house to inform the public of this rezoning request. We met the City's notification requirements, which are:

- Notice of the citizen review meeting shall be provided by the planning and zoning division in the form of a public notice to the following, when applicable:
 - o The notice shall be published at least once in a newspaper of general circulation published or circulated in the municipality at least 15 days prior to the meeting date.
City initiated.



- o For applications involving rezoning of land which abuts other municipalities or unincorporated areas of the county or a combination thereof, copies of the notice shall be transmitted to the planning agency of such governmental unit butting such land. **City initiated.**
- o For applications involving rezoning, subdividing, planned unit developments, site plans with uses permitted on a conditional basis, and legislative matters, all real property owners within a 200-foot or 300-foot radius, the city shall send copies of the notice by first class mail, no less than seven days prior to the hearing. We noticed at 300 feet. **City initiated.**
- o Any village committee or special community group which is located in the area of the proposed public hearing request or has considerable interest in the nature of the application; **See City initiated list.**
- o The head of any homeowners association or registered neighborhood within the public notice area established in item (3) indicated above. **See City initiated list.**

Site Posting

The site was posted on January 11, 2021 to alert interested citizens and stakeholders of our upcoming virtual open house on January 25, 2021. The photographs of the signs and affidavit are attached at **Tab 1**. The signs do not have the anticipated Planning & Zoning Commission and City Council hearings dates and will be updated as we learn these dates.

Participation Report.

After the notices were sent by staff and the site was posted, we did not field any telephone calls or emails of concern regarding the rezoning case. We held the virtual open house on Go-to-Meetings on January 25, 2021 at 6:00 pm. During the virtual open house, there was one (1) neighbor who participated in virtual open house and discussed the project with the applicant and the applicant's representative. City staff was present in the meeting and during this discussion. This neighbor lives in one of the County properties to the north and wanted to better understand the proposed development plan and impacts to the area regarding this rezoning case. After our discussion with her in answering her questions, she was satisfied with our responses and had no issues with our rezoning proposal. There were no other members of the public in attendance during the virtual open house.

There is no known opposition to this rezoning case.

We have been working cooperatively with City staff on the rezone request and are ready for public hearings on the proposed rezoning request. If we are contacted by any neighbors or stakeholders after we have submitted this citizen participation report to the City, we will provide updates to the City staff with an amended report.

TAB 1



AFFIDAVIT OF POSTING

Application No: FS20-718

Applicant Name:

Location: West of Southern corner of 155th Avenue and Frontier Dr

Date Site Posted: January 11th, 2021

In order to assist in providing adequate notice to interested parties, the applicant for any *type of public hearing* in the City of Surprise shall erect two (2) signs giving notice of the *date, time and place* of the scheduled hearings. These signs must be erected not less than **fifteen (15) days prior to** the date of the first hearing. The signs shall also include the nature of the request as contained on the formal zoning application. The size and format of this sign shall meet requirements established by the Planning and Zoning Department (see page 2).

Such notice shall be clearly legible and placed at a prominent location on the site – Generally adjacent and perpendicular to the public right-of-way. It shall be the *responsibility of the applicant* to erect and to maintain the sign on the subject property and to maintain the hearing information on the sign until final disposition of the case.

It shall also be the *responsibility of the applicant* to remove the signs within one week after the final disposition of the case.

I confirm that the site has been posted as required above, for the case noted above. A picture of the site posting, and photos of any subsequent changes/updates made to the sign, have also been submitted.

Maria Hitt
Applicant/Representative Signature

3-29-2021
Date

This instrument was acknowledged before me on this 29th day of March,

2021, and by Maria Hitt. I witness whereof I hereunto

set my hand and official seal.

Marybeth Conrad
Notary Public
10-28-2024

My commission expires





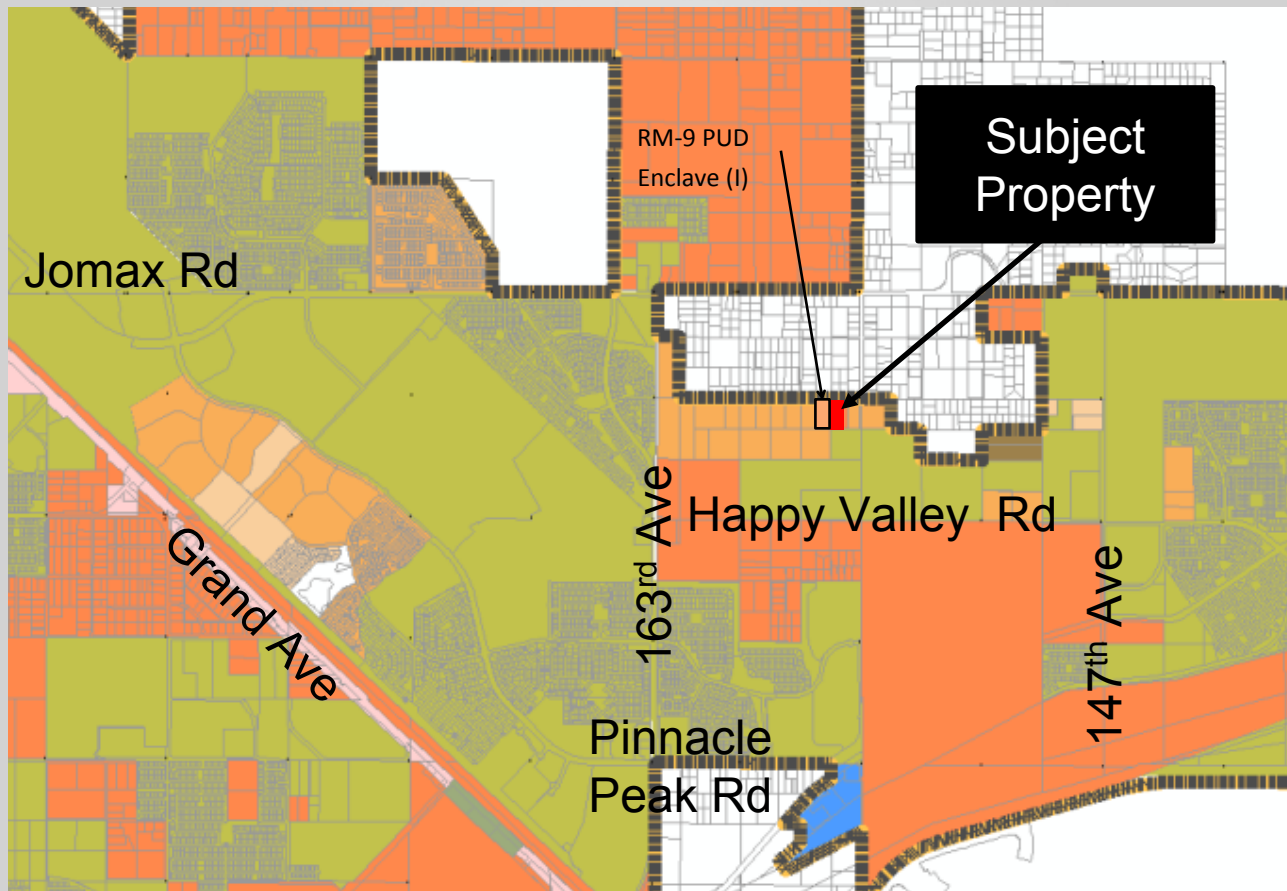
Planning and Zoning Commission

April 15, 2021

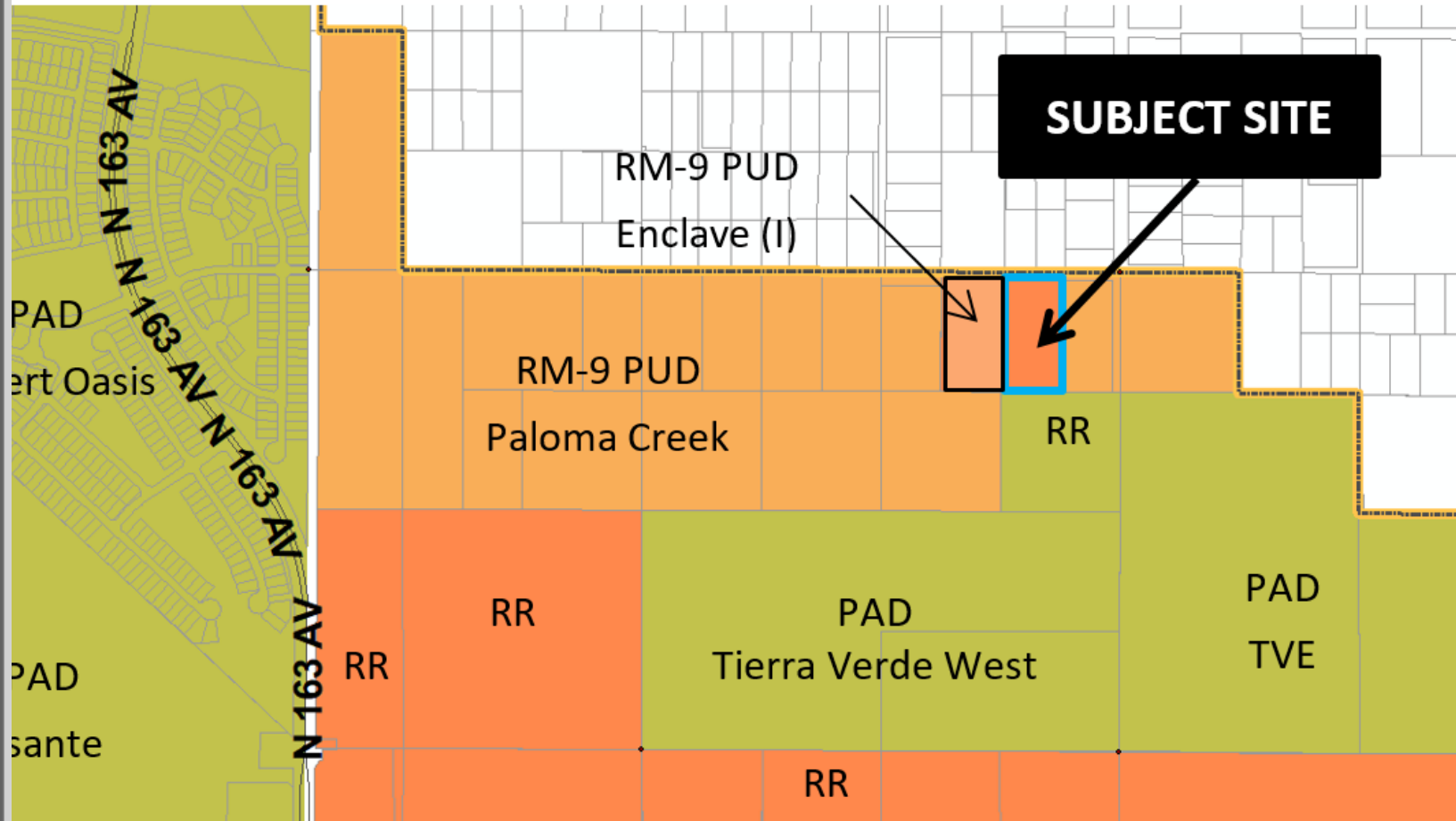
(Continued from March 18, 2021)

Enclave II at Paloma Creek Rezone

FS20-718



FS20-718 Vicinity Map



FS20-718 Case Map

Enclave II at Paloma Creek
PUD in relation to Paloma
Creek PUD and Enclave at
Paloma Creek FS20-413



Table A

Residential Medium Density RM-9 PUD Overlay Development Standards

Development Standard	City Base RM-9 Development Standards	Proposed RM-9 PUD Development Standards
Net Residential Acreage Open Space	20%	20.12%
Maximum Density	9.0	4.01
Minimum Lot Area	4,500 Sq. Ft.	4,500 Sq. Ft.
Minimum Lot Width	40'	45'
Minimum Lot Depth	100'	100'
Front Setback (Livable)	12'	12'
Front Setback (Garage)	20'	20' (1) (2)
Minimum Side Yard Setback	■ (3)	5'
Minimum Rear Yard Setback	20'	20' (5)
Maximum Building Height	35'	35'
Driveway Width Percentage	30%	40%
Driveway Area Percentage	30%	40%
Street Side/Corner Lot	■ (4)	5'

Increase

Decrease

Increase

Added

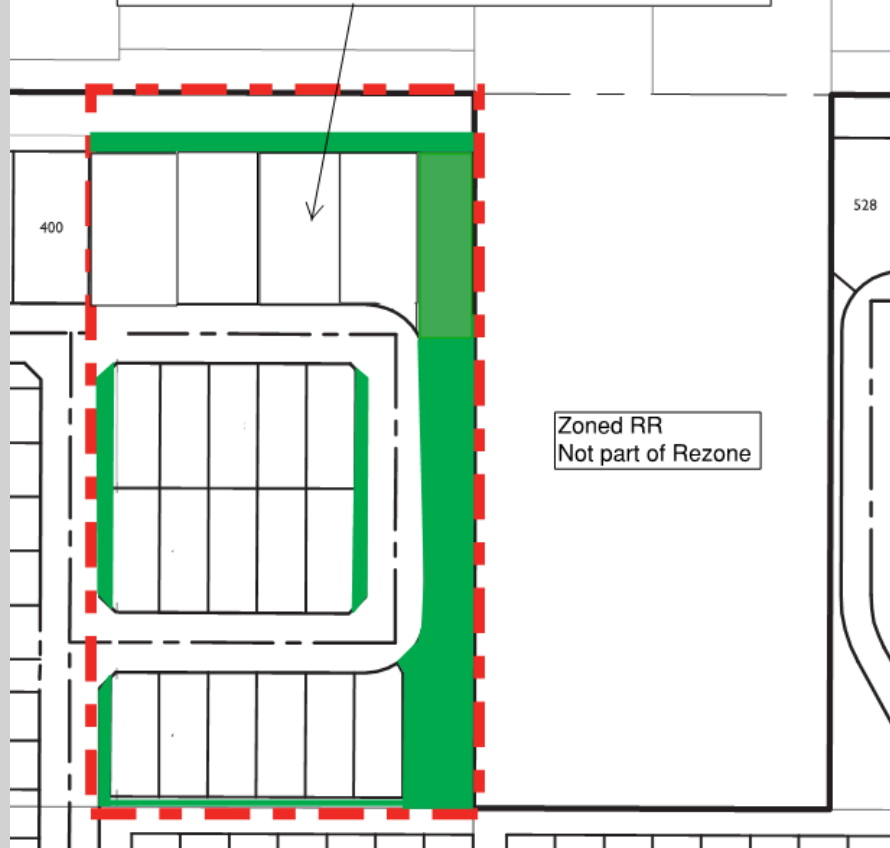
Increase

Increase

Added

**FS20-718
Development
Standards**

Enclave at Paloma Creek



Open Space:

- 20% Required
- 23.5% Proposed
 - Passive (TBD at Pre-plat)
 - Active (TBD at Pre-plat)

Enclave I at
Paloma Creek
minimum Open
Space as % of
NRA is 23.5% as
approved
under FS20-421

Enclave II at
Paloma Creek
minimum Open
Space as % of
NRA is 20.12%

155TH AVENUE

Paloma Cre

Open Space:

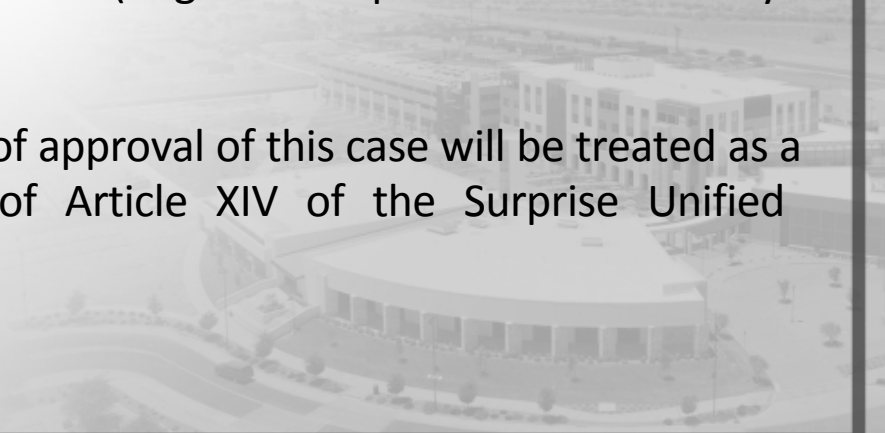
- 20% Required
- 20.12% Proposed
 - Passive (TBD at Pre-plat)
 - Active (TBD at Pre-plat)

NRA = Net Residential Area

FS20-718 Open Space

Staff Recommendation:

Approve subject to stipulations 'a' through 'c'

- 
- a. Development and use of the site shall be consistent with the rezone narrative entitled “Enclave II at Paloma Creek”, prepared by Kent A. Xander and received December 22, 2020.
- b. Prior to the City approving a final plat, site plan, or building permit within the property, the applicant shall provide the City with a Notice of Payment from William Lyon Homes, Inc. that the Happy Valley West (“HVW”) Buy-in Fee, the Happy Valley East (“HVE”) Buy-in Fee, and the Water Buy-in Fee, as applicable, all as described in the Rancho Mercado Supplemental Development Agreement (Regional Improvements Overlay Agreement), as amended, have been paid.
- c. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.



QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Planning and Zoning Commission Meeting

Council Meeting Date: April 15, 2021 Contact Person: Robert Kuhfuss
Submitting Department: Community Development District: District 1
Staff Recommendations:

Consent: No Regular: No Public Hearing: Yes Report/Discussion: No

Agenda Wording:

Consideration and action to recommend approval or disapproval of the rezone of 5.38 acres from Residential Ranch (RR) to Residential Medium Density with a Planned Unit Development Overlay (RM-9 PUD) amending development standards and limiting residential density to 3.90 dwelling units per acre for Enclave III at Paloma Creek, Case FS20-731.

Motion:

Motion to recommend approval/disapproval of the Enclave III at Paloma Creek rezone subject to stipulations “a” through “c”.

Background:

Kent Xander of Kent Xander IRA/Paloma Creek 2 LLC, seeks approval of a rezone of approximately 5.38 acres from Residential Ranch (RR) to Medium Density Residential (RM-9) with a Planned Unit Development (PUD) Overlay. The PUD Overlay will amend certain development standards, while limiting the maximum density to 3.9 dwelling units per acre. The subject site is adjacent to the recently approved Paloma Creek zoning and preliminary plat requests, and is associated with an Annexation request being processed under separate cover.

Objective Analysis:

Policy Compliant:

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city services.

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. 00 FS20-731 Enclave III at Paloma Creek Rezone 04-15-21 P&Z Staff Report
 2. 01 FS20-731 Enclave III at Paloma Creek Rezone Vicinity Map
 3. 02 FS20-731 Enclave III at Paloma Creek Rezone Case Map
 4. 03 FS20-731 Enclave III at Paloma Creek Zone Change Narrative
 5. 04 FS20-731 Enclave III at Paloma Creek Zone Change Outreach Summary
 6. FS20-731 Enclave III at Paloma Creek Rezone Presentation for 04-15-21 P&Z
-

ZONE CHANGE

REPORT TO THE PLANNING AND ZONING COMMISSION

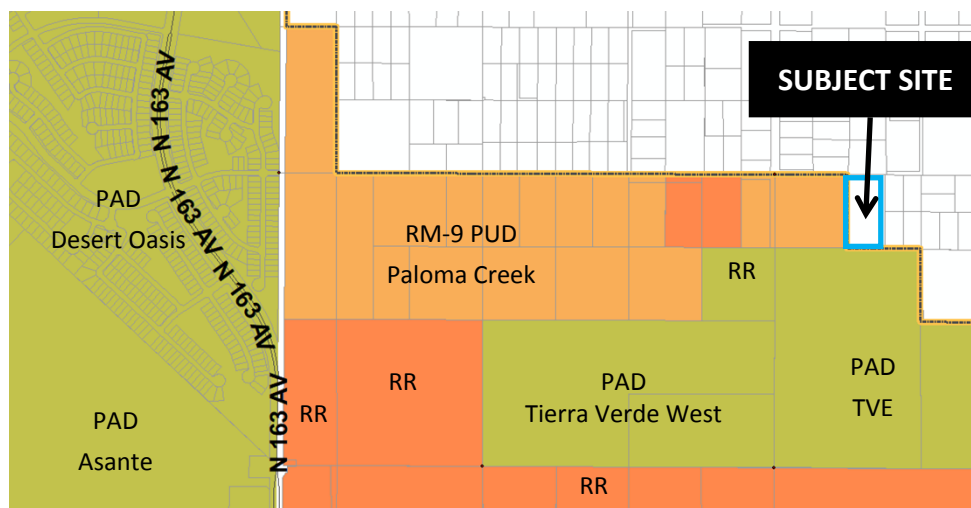
1 **Case:** FS20-731
2
3 **Project Name:** Enclave III at Paloma Creek Rezone
4
5 **Council District:** 1 - Acacia
6
7 **Meeting Date:** April 15, 2021
8
9 **Planner:** Robert H. Kuhfuss, AICP
10
11
12 **Owner:** Kent Xander IRA/Paloma Creek Land 2, LLC
13
14 **Applicant:** Kent Xander
15
16 **Request:** Rezone from Residential Ranch (RR) to Residential Medium Density
17 with a Planned Unit Development Overlay (RM-9 PUD) amending
18 development standards and limiting residential density to 3.90
19 dwelling units per acre
20
21 **Site Location:** Generally located south of the Frontier Road alignment and east of
22 the 155th Avenue alignment
23
24 **Area:** 5.38 acres (approx.)
25
26 **Density:** 3.9 DU/Ac. (approx.)
27
28 **General Plan Conformance:** The proposal is consistent with the Surprise General Plan 2035
29
30 **Support/Opposition:** Some support and opposition expressed
31
32 **Staff Recommendation:** Approval, subject to stipulations "a" through "c"
33
34
35
36
37
38
39
40
41
42

PROJECT DESCRIPTION:

Kent Xander of Kent Xander IRA/Paloma Creek Land 2 LLC, seeks approval of a rezone of approximately 5.38 acres from Residential Ranch (RR) to Medium Density Residential (RM-9) with a Planned Unit Development (PUD) Overlay. The PUD Overlay will amend certain development standards, while limiting the maximum density to 3.9 dwelling units per acre. The subject site is adjacent to the recently approved Paloma Creek zoning and preliminary plat requests, and is the subject of a proposed Annexation that is currently in process under case FS20-732.

EXISTING ZONING:

The following map depicts the existing zoning of the subject site and its surrounds.



BACKGROUND:

October 15, 2020: Staff reviewed the subject request at a Concept Review meeting under CR20-653.

November 11, 2020: The applicant filed the subject request under Case FS20-731.

November 11, 2020: The applicant filed a companion Annexation request covering the subject site under case FS20-732.

February 11, 2021: The applicant held a Neighborhood Outreach meeting for this request.

CITIZEN OUTREACH:

The applicant held their Citizen Outreach meeting in a virtual format on February 11, 2021. One individual attended the meeting and offered no objections after having their questions answered by the applicant. The Outreach meeting, along with the subject Planning and Zoning Commission hearing, were advertised in accordance with state and local requirements.

On March 16, 2021, staff presented two separate "Resolution of Intent to Annex" items to City Council. One of these Resolutions pertained to the subject property, while the other pertained to the Enclave IV project being processed under a separate case and discussed under separate cover. During that meeting, several members of the public spoke in opposition to both the Enclave III and Enclave IV projects; however, one member of the public, who expressed opposition to Enclave IV, expressed support for the subject (Enclave III) project.

During the Call to the Public at the March 18, 2021 Commission hearing, several members of the public expressed concerns over the upcoming rezone and annexation requests occurring in the area. Most of those comments were directed towards the Enclave IV; however, some comments were of a general nature and apply to the subject request. These include but are not limited to concerns over chemical usage, vehicular traffic, wildlife habitat, dark sky, effects on existing lifestyle, and construction traffic.

ANALYSIS AND DISCUSSION:

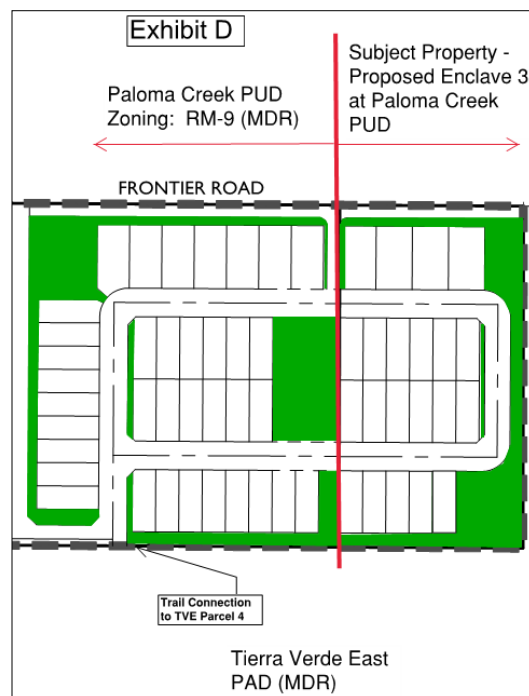
The subject rezone case anticipates the development of approximately 5 acres of currently undeveloped desert into a single-family residential subdivision consisting of 21 dwelling units. The request also seeks a Planned Unit Development (PUD) overlay for the purpose of amending certain development standards and limiting the residential density to 3.9 DU/Ac. The proposed development standards follow:

DEVELOPMENT STANDARDS FOR ENCLAVE III AT PALOMA CREEK		
Development Standard:	RM-9 Base Zoning:	RM-9 PUD Zoning:
Maximum Density	9.0 DU/Ac.	3.9 DU/Ac.
Minimum Lot Area:	4,500 sq. ft.	4,500 sq. ft.
Minimum Lot Width:	40'	45'
Minimum Lot Depth:	100'	100'
Minimum Front Setback (livable):	12'	12' ¹
Minimum Front Setback (garage):	20'	20' ¹
Minimum Side Yard Setback:	TBD	5'
Minimum Rear Yard Setback:	20'	20' ²
Maximum Building Height:	35'	35' ³
Street Side Corner Setback:	N/A	5'
Driveway Width:	30%	40%
Driveway Area:	30%	40%
Minimum Open Space (%NRA)	20%	26.06%
Footnotes:		
¹ Measured from property line		
² Porches and patios may encroach 2.5' into the rear yard setback		
³ Homes located along the northern property line will be limited to single story		

100 The subject property will include 26.06% open space, which exceeds the minimum requirement of
 101 the SUDC. The subject property will join the Paloma Creek HOA and will have access to those
 102 amenities. The applicant also proposes an increase in the percent of lot width and front yard area to
 103 be occupied by the individual driveways. The SUDC limits the width of the driveway to not more than
 104 30% of the lot width. With a proposed lot width of 45', the width of the driveway could not exceed
 105 13.5', which is too narrow to serve a two-car garage. Rather, the applicant proposes an increase to
 106 40%, which would allow for a typical 18' driveway. Similarly, the SUDC limits the driveway area to
 107 not more than 30% of the front yard area. A 45' lot width combined with a 20' front setback
 108 generates 900 square feet of front yard area, which would only accommodate a 15' deep driveway,
 109 based on 18' driveway width. By increasing the area limitation to 40%, a full 18' by 20' driveway may
 110 be achieved.

111
 112 Of interest, the subject property is immediately adjacent to the recently approved Paloma Creek
 113 project, and will integrate with that project. Staff anticipates Enclave III and the adjacent portion of
 114 Paloma Creek being processed together as a single Preliminary Plat, with the Open Space as a percent
 115 of the Net Residential Area (NRA) for each parcel as shown. This is expressed in Exhibit D of the
 116 project narrative as captured below:

117



118

119

120 **UTILITY AND SERVICES TABLE:**

121

Water:	City of Surprise
Wastewater:	City of Surprise
Refuse:	City of Surprise
Schools:	Dysart USD

122

123 **CONFORMANCE WITH ADOPTED PLANS:**

124
125 **Surprise General Plan 2035:** The Surprise General Plan 2035 shows the subject property as lying
126 within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac
127 or more, provided appropriate transitions are made between the various Neighborhood types
128 included within the character area. At 3.9 DU/Ac, the project most closely aligns with the Suburban
129 Neighborhood type and is consistent with the General Plan in this regard.

130
131 **REVIEWING AGENCIES:**

132
133 The subject request was routed to the standard internal and external reviewing agencies, who
134 indicated no objections to the request.

135
136 **SUMMARY:**

137
138 The subject Zone Change request anticipates the future development of 21 lots on approximately 5
139 acres, and includes a PUD overlay intended to grant relief from certain development standards. The
140 Project will include approximately 26% open space, will join the Paloma Creek HOA, and will have
141 access to those amenities. All city reviewing departments have reviewed the request and expressed
142 no concerns. A separate but related Annexation request is under review, and the project is the
143 subject of some opposition.

144
145 **FINDINGS:**

- 146
147 • The proposed Zone Change is consistent with the pattern of development to the west and south
148 • The proposed Zone Change provides for buffering to the north and east
149 • The proposed Zone Change is consistent with the Surprise General Plan
150 • The reviewing agencies have indicated no objections

151
152 **Recommendation:**

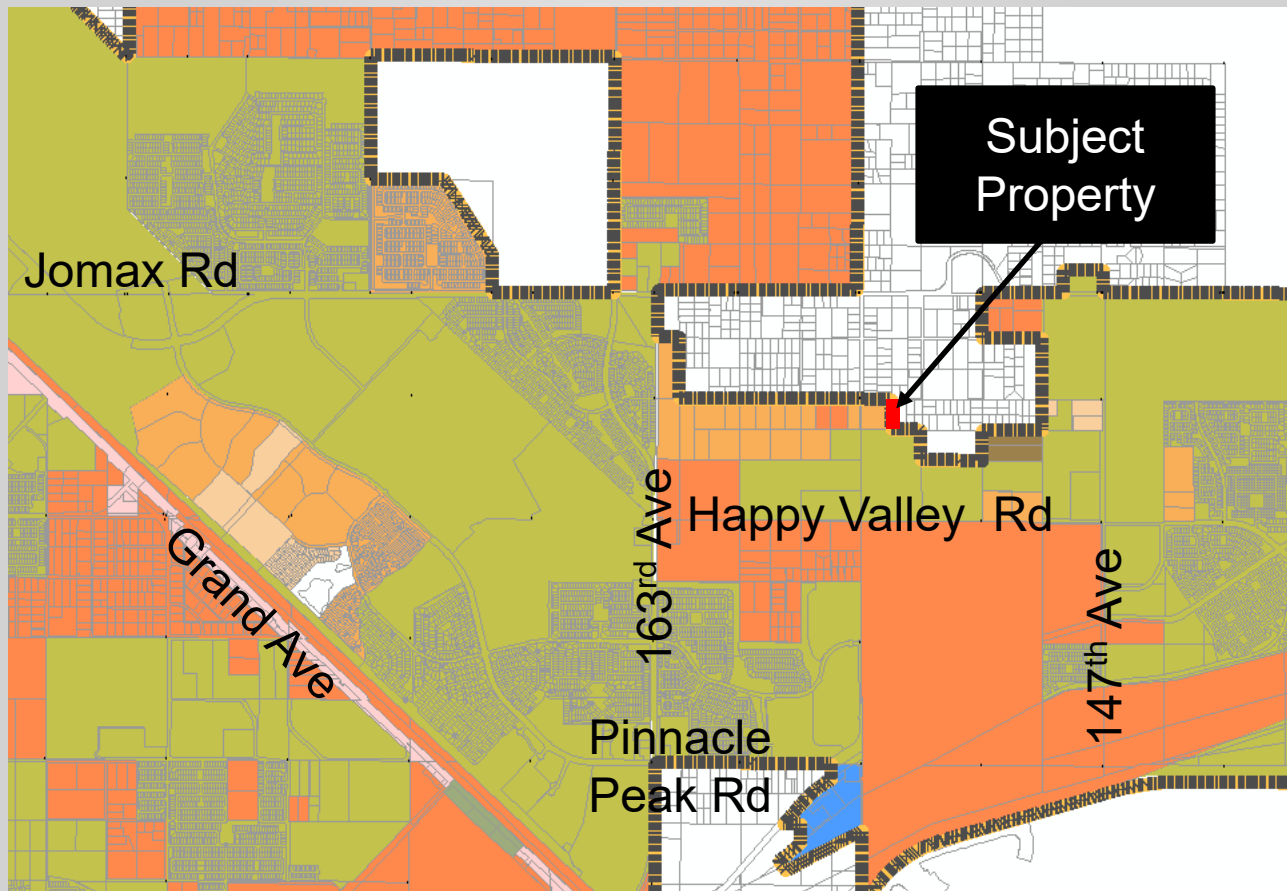
153
154 Based on the findings noted above, staff recommends the Commission move to recommend
155 **approval** of the subject Rezone request to the City Council, subject to stipulations 'a' through 'c' as
156 outlined below:

- 167 a. Development and use of the site shall be consistent with the rezone narrative entitled
168 "Enclave II at Paloma Creek", prepared by KAX Group, LLC and received January 15, 2021.
169
170 b. Prior to the City approving a final plat, site plan, or building permit within the property, the
171 applicant shall provide the City with a Notice of Payment from William Lyon Homes, Inc., that
172 the Happy Valley West ("HVW") Buy-in Fee, the Happy Valley East ("HVE") Buy-in Fee, the
173 Sewer Buy-in Fee, and the Water Buy-in Fee, as applicable, all as described in the Rancho
174 Mercado Supplemental Development Agreement (Regional Improvements Overlay
175 Agreement), as amended, have been paid.
176
177 c. Non-compliance with the stipulations of approval of this case will be treated as a violation in
178 accordance with the applicable provisions of the Surprise Municipal Code.
179

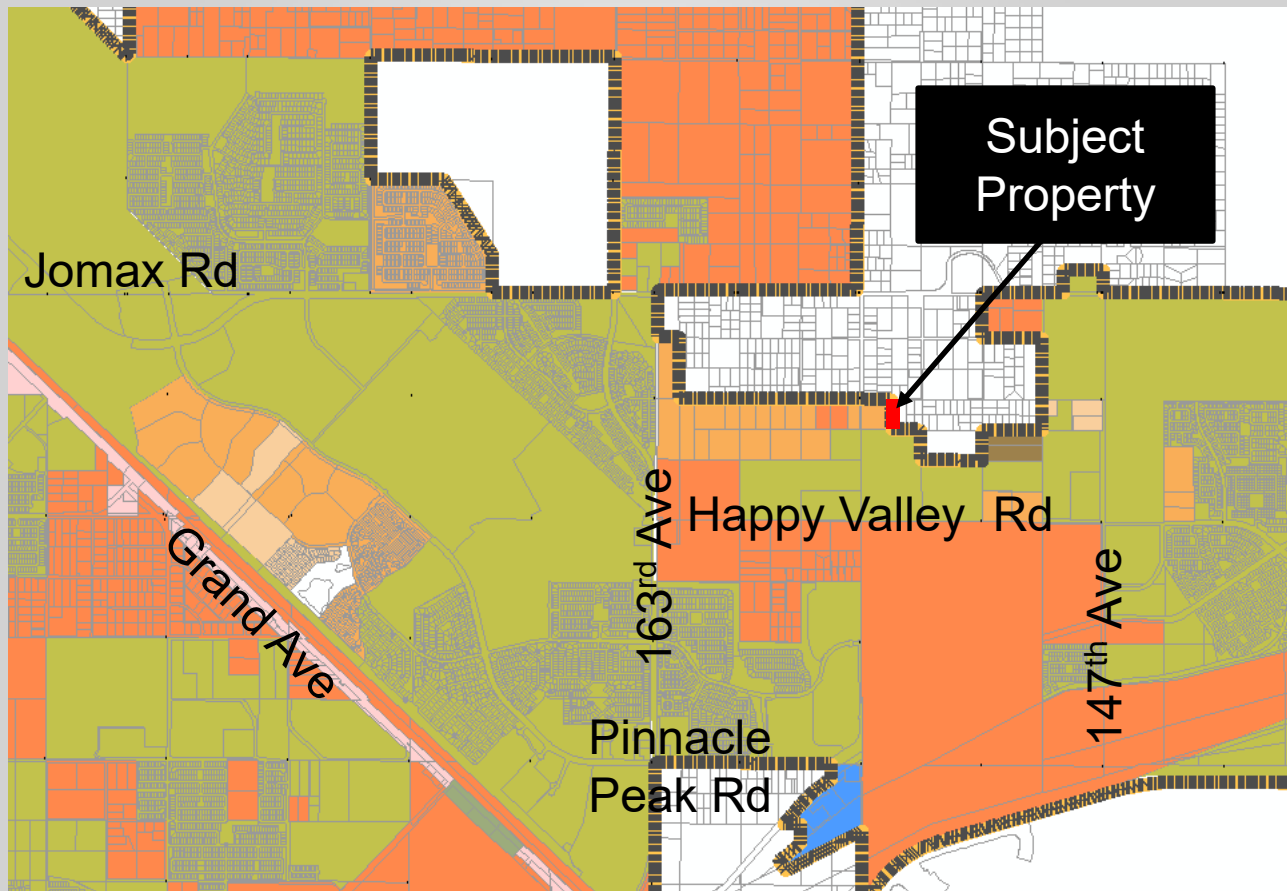
180 However, should the Commission wish to recommend denial of the request, the Commission should
181 make its own findings and base its decision on those alternative findings.
182

183 **Attachments:**
184

- 185 01 Enclave III at Paloma Creek Vicinity Map
186 02 Enclave III at Paloma Creek Case Map
187 03 Enclave III at Paloma Creek Zone Change Narrative
188 04 Enclave III at Paloma Creek Citizen Outreach Report



FS20-731 Vicinity Map



FS20-731 Vicinity Map

ENCLAVE III AT PALOMA CREEK REZONE

Case No. FS20-731

Rezone from Residential Ranch (RR) to
RM-9 (Residential Medium Density) with a (PUD) Overlay

5.3808 Gross Acres

660 feet east of Southeast corner W. Frontier Dr. and 155th Avenue

Prepared by: KAX Group, LLC

Submitted To: City of Surprise, Arizona

Dated: November 4, 2020

Revised: December 29, 2020

Revised: January 15, 2021

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Legal Description and Map.....	Exhibit C
Conceptual Development Plan	Exhibit D
General Plan 2035 Land Use Map.....	Exhibit E

Enclave III at Paloma Creek Team:

Applicant: KAX Group, LLC – Kent A. Xander - kxander@kaxgroup.com

Location and Introduction:

A **Vicinity Map** on page 4 illustrates Enclave III at Paloma Creek location - 660 feet east of southeast corner W. Frontier Dr. and 155th Avenue.

Enclave III at Paloma Creek PUD is a 5.3808-acre proposed residential subdivision adjacent to the east of the approved Paloma Creek PUD Case # FS18-150 zoned for a density of 4 units per acre. The subject property is adjacent to unincorporated vacant land and homes to the north and east zoned RU-43, to the south is Tierra Verde East PAD (MDR). This project includes working with and the cooperation with Paloma Creek PUD to the west and south and Tierra Verde East PAD to the south to formulate a cohesive development plan working out vehicle circulation, utilities, and drainage issues. The Development Conceptual Plan shown in **Exhibit D**, shows a conceptual plan for Enclave III at Paloma Creek PUD.

The 4 north lots adjacent to W. Frontier Dr. will be the same size and setback as per the approved Preliminary Plat for Paloma Creek PUD, Case # FS18-150 adjacent to the west. The north 4 lots shall be a minimum 62.5' x 122.5', setback 40 feet from the north property line. The landscape improvements shall be consistent with adjacent approved Paloma Creek PUD Case # FS18-150 plan for W. Frontier Dr. Secondary Emergency access will be connected to W. Frontier Drive located within Paloma Creek PUD adjacent to the Northwest corner of the Property. The access to Enclave III at Paloma Creek will be provided south to Tierra Verde East, west to 155th Avenue. Pedestrian trails shall be connected to W. Frontier Dr and Tierra Verde East PAD. Enclave III at Paloma Creek PUD will become part of the adjacent Paloma Creek PUD HOA that will maintain all common community amenities, including signage, parks, trails, open space tracts, and other common areas within the development. Both Paloma Creek PUD and Enclave III at Paloma Creek PUD will be one subdivision and will have reciprocal access to all amenities and the trail system within their respective projects.

Exhibit A depicts a map of the existing zoning of the subject property and the adjacent PAD's, vacant land, and homes. The adjacent specific zoning and land uses are as follows:

West

- | | | |
|---------------------------|--------------|----------|
| • Paloma Creek (RM-9) PUD | 150.68 Acres | 600 lots |
|---------------------------|--------------|----------|

East

- | | |
|---------------------------|---------------------------------------|
| • Maricopa County (RU-43) | Existing Single-Family Land and Homes |
|---------------------------|---------------------------------------|

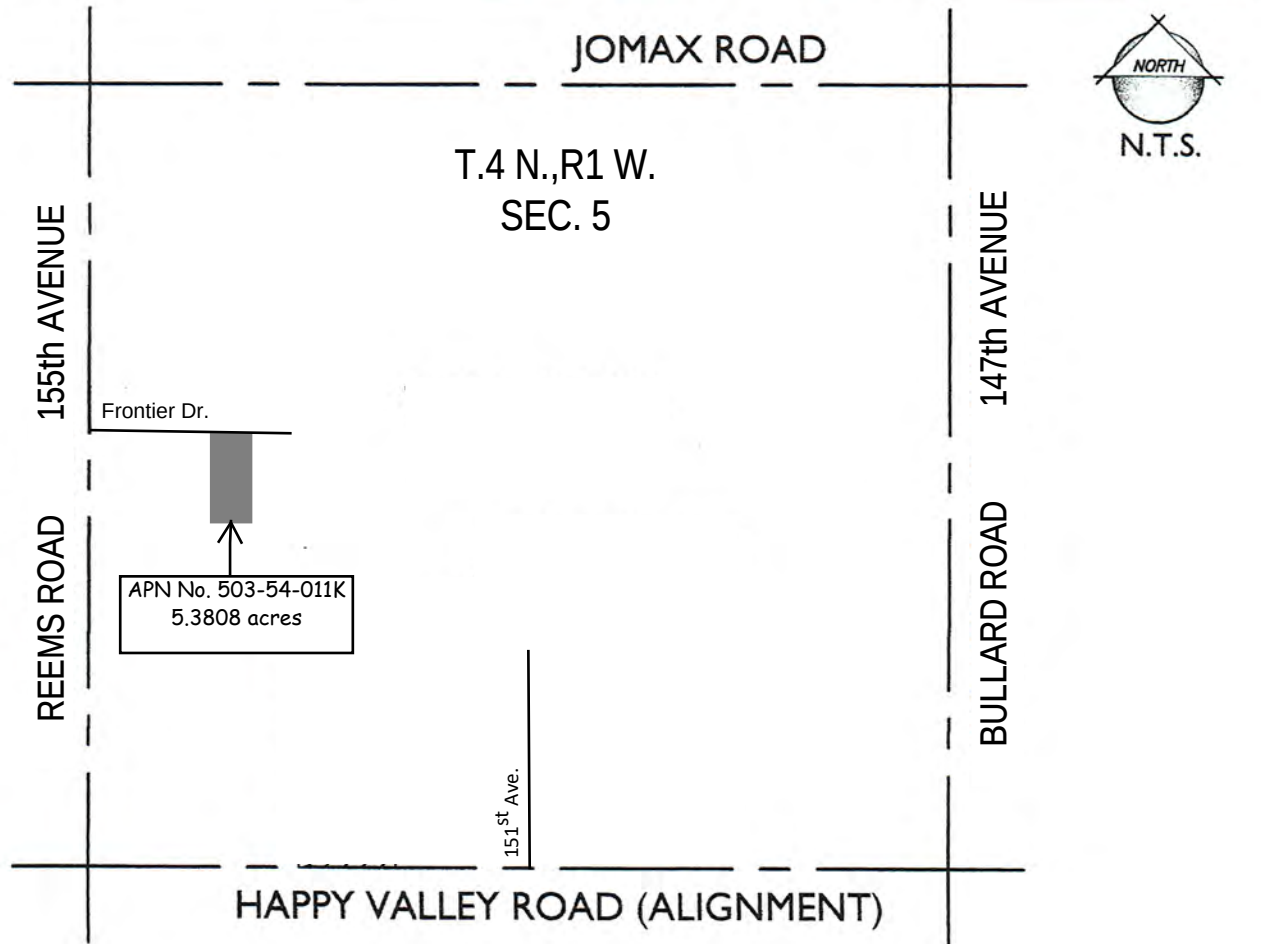
North

- | | |
|---------------------------|---------------------------------------|
| • Maricopa County (RU-43) | Existing Single-Family Land and Homes |
|---------------------------|---------------------------------------|

South

- | | | |
|-------------------------|--------------|----------|
| • Tierra Verde East PAD | 100.00 Acres | 339 lots |
|-------------------------|--------------|----------|

VICINITY MAP



Description of Request:

Applicant, on behalf of the Owner requests approval of a Zone Change (Case# FS20-731) for 5.3808 acres from Residential Ranch (RR) to Residential Medium Density (RM-9) with a PUD Overlay. See **Exhibit B** for Proposed Zoning Map. See **Exhibit C** for Survey Map Exhibit. Approval of this zone change is consistent with adjacent to the west Paloma Creek PUD recently approved by City of Surprise Council.

Base zoning RM-9 allows up to 9 dwelling units per acre (DU/Ac); however, through the PUD Overlay, the subject property proposes not more than 21 dwelling units over approximately 5.3808 gross acres for a maximum gross density of 3.90 DU/Ac.

With a cap on density, the applicant believes the development standards associated with the RM-9 with a PUD Overlay zoning district are in line with those of the adjacent PAD's to the subject property, with certain deviations as articulated in **Table A** of the Enclave III at Paloma Creek PUD Narrative.

Enclave III at Paloma Creek PUD Development Concept Plan shown on **Exhibit D**. The lot sizes located along the north side of the subject property to be a minimum lot size of 62.5' x 122.5'. The remaining standard minimum lot size will be 45' x 115' matches adjacent to the west approved Paloma Creek PUD.

The SUDC requires that not less than 20% of the "Net Residential Acreage" be set aside as open space. The Net Residential Acreage ("NRA") is calculated by the total amount of land taken up by the individual lots ("Lot Area") combined with the total Open Space.

Concept Plan

Dedicated Right of Way	59,750 SF	1.37 acres
Open Space	45,500 SF	1.04 acres
Cumulative Lot Area	<u>129,000 SF</u>	<u>2.96 acres</u>
Gross Area	216,928 SF	5.3808 Acres
NRA = Open Space + Cumulative Lot Area	174,500 SF	4.01 Acres

Open Space as % of NRA (Open Space / NRA) 26.07%

The amenity area is located on the adjacent Paloma Creek PAD and will include a ramada, seating area, and tot lot providing play and gathering opportunities for all ages with a shaded seating area in the west adjacent Paloma Creek PUD. The landscaping plan will develop pedestrian connections to adjacent land and use the same landscaping quantity, quality, and materials as used for adjacent Paloma Creek PUD. Enclave III at Paloma Creek PUD will become part of the adjacent Paloma Creek PUD HOA that will maintain all common community amenities, including signage, parks, trails, open space tracts, and other common areas within the development. Both Paloma Creek PUD and Enclave III at Paloma Creek PUD will have reciprocal access to all amenities and the trail system within their respective projects. Final design will meet the requirements of the SUDC.

Development Standards:

It is the intent of Enclave III at Paloma Creek PUD to amend the RM-9 Residential Zoning District Development Standards as follows: The 4 lots backing to the north property line shall be a minimum 62.5' x 122.5' each. A minimum 50-foot open space tract will be landscaped along the Northeast lot of the 4 lots adjacent to the east rural property. The lots along the northern boundary of the Enclave III at Paloma Creek PUD development will be limited to single-story homes. The easternmost lots shall be separated from the eastern project boundary by a distance of not less than 60 feet. The Development Standards depicted in Table A will be consistent the approved Preliminary Plat Development Standards for Paloma Creek PUD.

Table A**Residential Medium Density RM-9 PUD Overlay Development Standards**

Development Standard	City Base RM-9 Development Standards	Proposed RM-9 PUD Development Standards
Net Residential Acreage Open Space	20%	26.06%
Maximum Density	9.0	3.90
Minimum Lot Area	4,500 Sq. Ft.	4,500 Sq. Ft.
Minimum Lot Width	40'	45'
Minimum Lot Depth	100'	100'
Front Setback (Livable	12'	12'
Front Setback (Garage)	20'	20' (1) (2)
Minimum Side Yard Setback	- (3)	5'
Minimum Rear Yard Setback	20'	20' (5)
Maximum Building Height	35'	35' (6)
Driveway Width Percentage	30%	40%
Driveway Area Percentage	30%	40%
Street Side/Corner Lot	- (4)	5'

- (1) Front facing garages shall have a minimum 20-foot front yard setback measured from the front Lot Line.
- (2) 12-foot livable front setback is measured from the front Lot Line.
- (3) To be determined at Site Plan or Preliminary Plat Review.
- (4) There is not a street side setback requirement in the SUDC.
- (5) Porches/patios may encroach 2.5' into the rear yard setbacks.
- (6) The Homes located along the northern property line will be limited to single story.

The result of the Enclave III at Paloma Creek PUD zone change with a PUD Overlay would be:

- Enclave III at Paloma Creek PUD will be in conformance with the adopted Surprise General Plan 2035 as noted below.
- The development of Enclave III at Paloma Creek PUD will occur in a manner that is consistent with the surrounding PUD's and PAD's. The development will be seamlessly integrated and aligned with Paloma Creek PUD zoning, open space, pedestrian trails, drainage tracts, roads, and utilities.
- Enclave III at Paloma Creek PUD will provide an open space tract on the north side of the subject property for incidental drainage control, pedestrian trail, and open space transition to buffer between the subject property and the adjacent single-family homes to the north and east.
- Unless specified in this Zoning Narrative Document, all development shall comply with the development standards and design guidelines set in the Surprise Municipal Code at the time of Preliminary Plat.

Conformance with the adopted Surprise General Plan 2035:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Land Use Character Area, which in a Suburban Neighborhood supports residential development of 2 to 8 DU/Acre, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 3.9 DU/Ac, the project is consistent with the General Plan in this regard. The General plan seeks appropriate buffers and transitions between the various Character Areas. To meet this guideline, the 4 north lots adjacent to W. Frontier Dr. shall be 62.5 x 122.5', setback 40' feet from the north property line.

Ingress/Egress/Access:

The ingress/egress access to Enclave III at Paloma Creek PUD will be:

1. Through Paloma Creek PUD to 155th Avenue.
2. Emergency access to Frontier Drive
3. Through Paloma Creek PUD south through Tierra Verde East to 155th Avenue.

Transportation/Traffic and Utilities

- Upon development of Enclave III at Paloma Creek PUD, all necessary utilities for Enclave III at Paloma Creek PUD will be extended from adjacent Paloma Creek PUD.
- Onsite public streets shall be constructed to meet City standards widths and cross sections based on approval of the Preliminary Plat.
- A new Traffic Impact Analysis per TIA Guidelines found in Chapter 4 of the Surprise Engineering Development Standards in coordination with the surrounding developments will be submitted to the City. Specifically, this TIA will include all phases of the Paloma Creek development, including Enclave II, III, IV, Paloma Creek III, IV, and any other parcels.” under the Transportation/Traffic and utilities.

VICINITY MAP

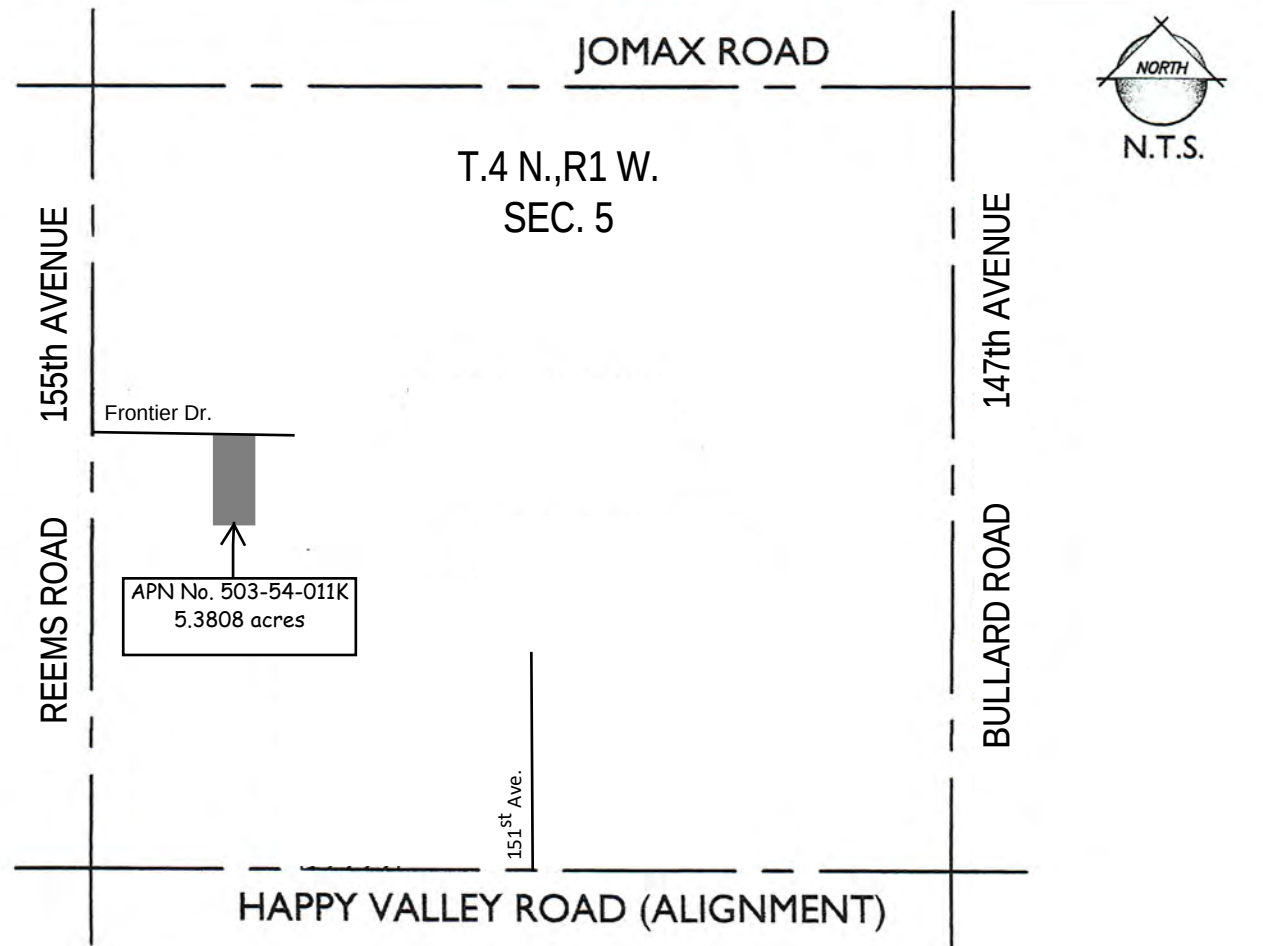


Exhibit A Existing Zoning Map

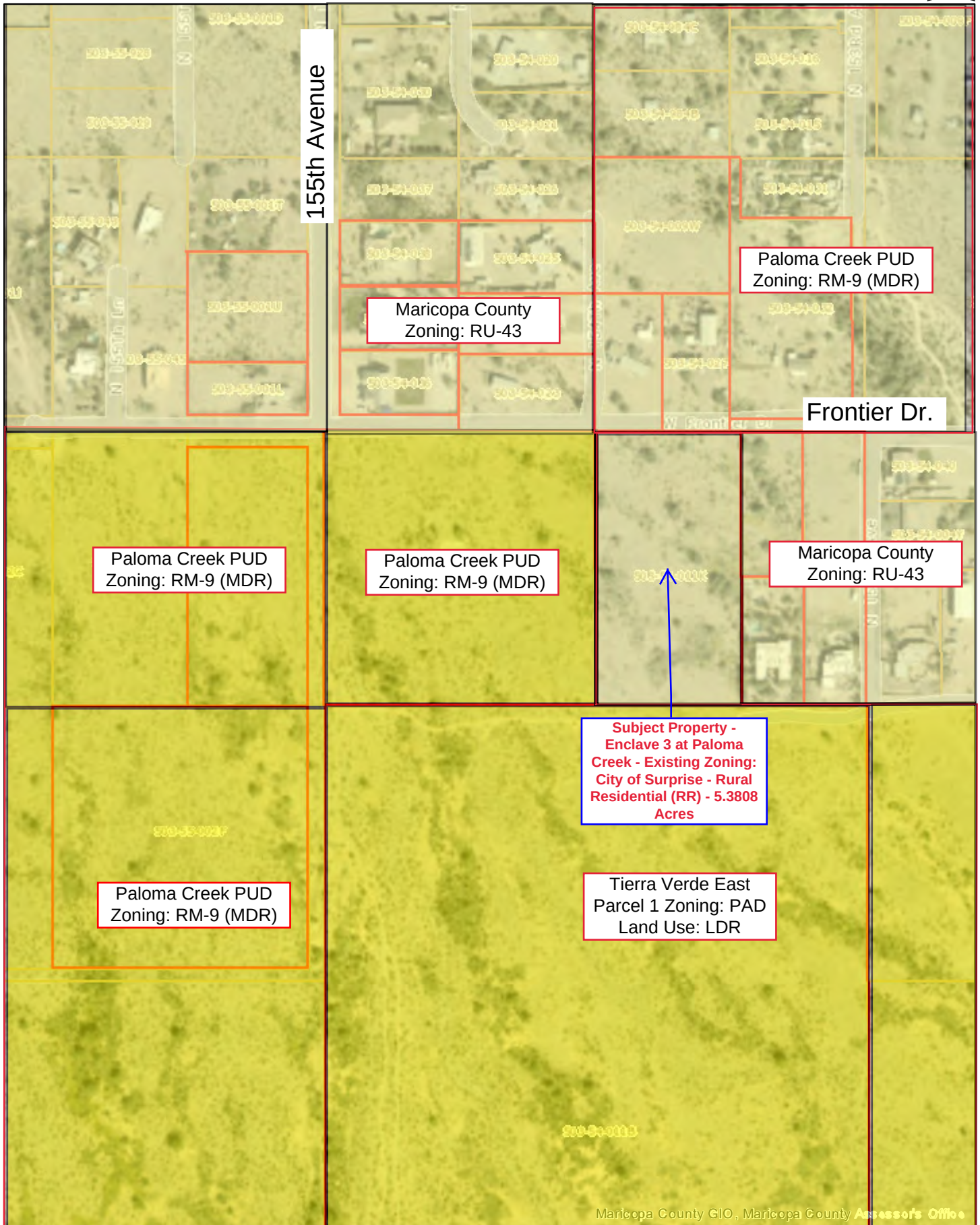
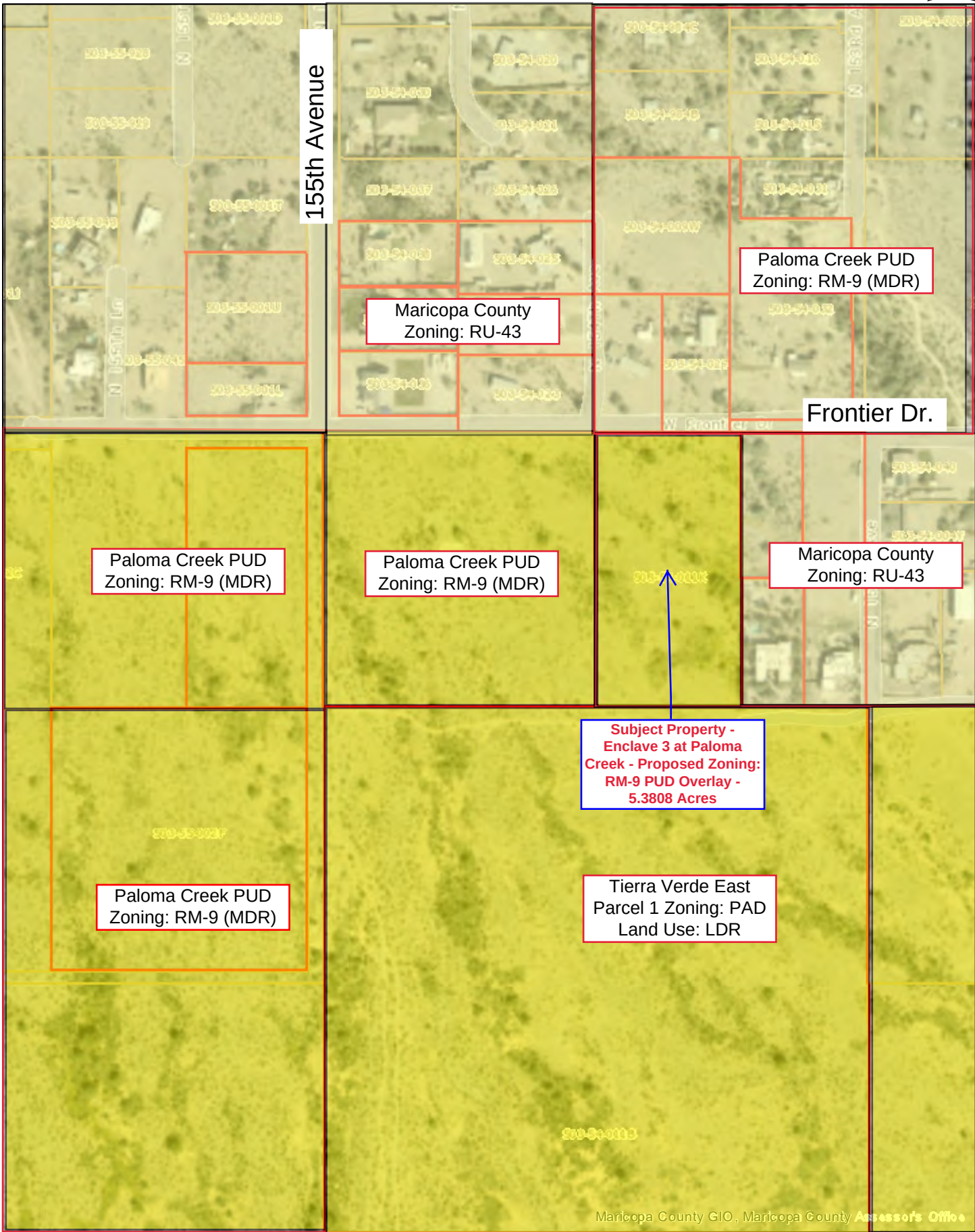


Exhibit B Proposed Zoning Map



LEGAL DESCRIPTION

The West 355.08 feet of the East 655.08 feet of the North half of the Northwest quarter of the Southwest quarter of Section 5, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, .described by metes and bounds as follows:

Commencing at the West quarter corner of said Section 5;
Thence South 89° 41' 02" East along the East-West mid-section line of Section 5 a distance of 654.57 feet to the **POINT OF BEGINNING**;
Thence continuing South 89° 41' 02" East along said line a distance of 355.08 feet;
Thence South 00° 05' 23" West a distance of 660.15 feet;
Thence North 89° 39' 59" West a distance of 355.08 feet;
Thence North 00° 05' 23" East a distance of 660.04 feet to the **POINT OF BEGINNING**.

Containing 5.3808 acres



Land Survey Services PLC
20651 W. Pasadena Ave
Buckeye, AZ 85396-1255

Job No. 16018

Parcel Map Check Report

Prepared by:

Thomas Rope

Land Survey Services, PLC

Date: 3/10/2020 8:50:08 AM

Parcel Name: Paloma Creek

Description: W 355.08', E 655.08', N1/2, NW1/4, SW1/4 Sec 5, T4N, R1W

Process segment order counterclockwise: False

Enable mapcheck across chord: False

North: 989,407.8467'

East: 555,314.8264'

Segment# 1: Line

Course: S89°41'02"E

Length: 355.08'

North: 989,405.8876'

East: 555,669.9010'

Segment# 2: Line

Course: S0°05'23"W

Length: 660.15'

North: 988,745.7384'

East: 555,668.8672'

Segment# 3: Line

Course: N89°39'59"W

Length: 355.08'

North: 988,747.8059'

East: 555,313.7932'

Segment# 4: Line

Course: N0°05'23"E

Length: 660.04'

North: 989,407.8451'

East: 555,314.8268'

Perimeter: 2,030.35'

Area: 5.3808Acre

Error Closure: 0.0016

Course: S15°57'09"E

Error North : -0.00155

East: 0.00044

Precision 1: 1,268,968.75



Land Survey Services PLC
20651 W. Pasadena Ave
Buckeye, AZ 85396-1255

Job No. 16018

A PART OF THE SOUTHWEST QUARTER OF SECTION 5
T4N, R1W, G.&S.R.B.M., MARICOPA COUNTY, ARIZONA

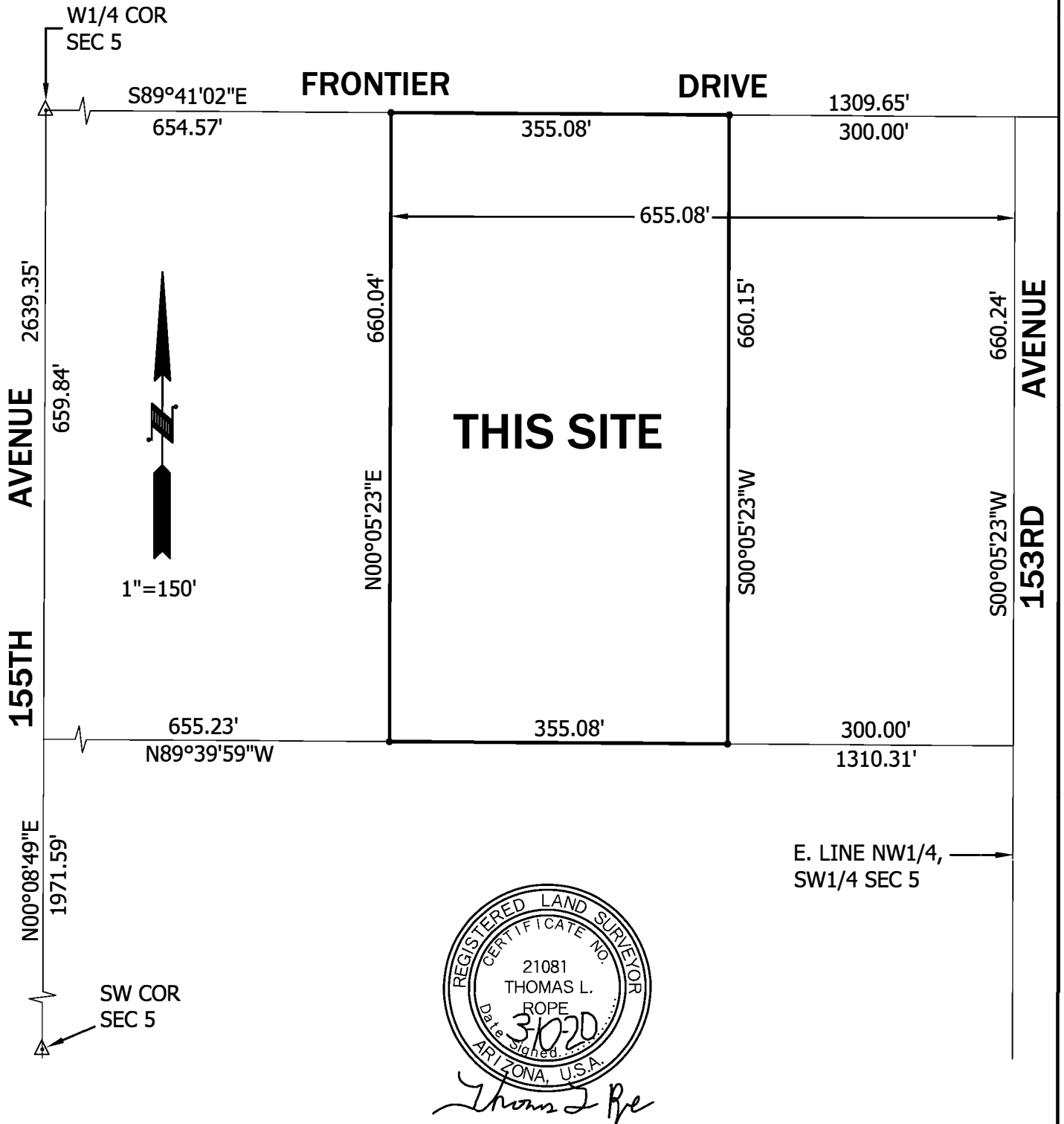


Exhibit D

Paloma Creek PUD
Zoning: RM-9 (MDR)

Subject Property -
Proposed Enclave 3
at Paloma Creek
PUD



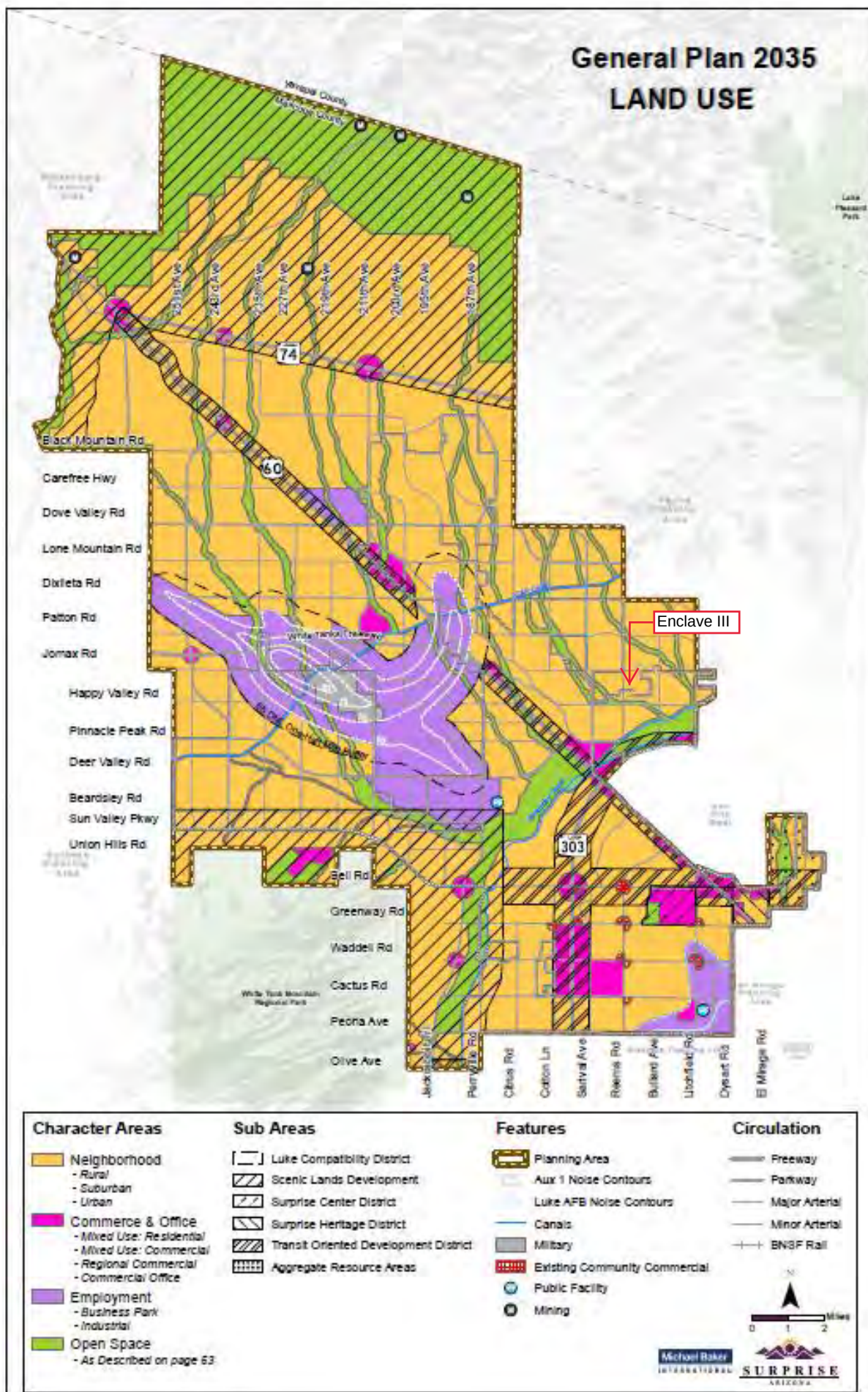
FRONTIER ROAD

155th Avenue

Paloma Creek
Zoning: RM-9
PUD

Trail Connection
to TVE Parcel 4

Tierra Verde East
PAD (MDR)





Enclave III Rezone

Citizen Participation Plan

February 13, 2021

Background

The City of Surprise (City) requires a citizen participation process and report for applications such as this PAD amendment. The purpose of the citizen review process is to:

Ensure that applicants pursue early and effective citizen participation in conjunction with their applications, giving them the opportunity to understand and try to mitigate any real or perceived impacts their application may have on the community;

Ensure that the citizens and property owners of the city have an adequate opportunity to learn about applications that may affect them and to work with applicants to resolve concerns at an early stage of the process; and

Facilitate ongoing communication between the applicant, interested citizens and property owners, city staff, and elected officials throughout the application review process.

The citizen review process is not intended to produce complete consensus on all applications, but to encourage applicants to be good neighbors and to allow for informed decision-making.

Enclave III Citizen Participation Plan & Report

Enclave III at Paloma Creek PUD is a 5.3808-acre proposed residential subdivision adjacent to the east of the approved Paloma Creek PUD Case # FS18-150 zoned for a density of 4 units per acre. The subject property is adjacent to unincorporated vacant land and homes to the north and east zoned RU-43, to the south is Tierra Verde East PAD (MDR). As part of the rezone process, adjacent property owners and stakeholders in the area were notified by the City staff to our proposed application and open house to inform the public of this rezoning request. The case also includes an Annexation from Maricopa County into the City of Surprise.

We met the City's notification requirements, which are:

- Notice of the citizen review meeting shall be provided by the planning and zoning division in the form of a public notice to the following, when applicable:
 - The notice shall be published at least once in a newspaper of general circulation published or circulated in the municipality at least 15 days prior to the meeting date.
City initiated.



- For applications involving rezoning of land which abuts other municipalities or unincorporated areas of the county or a combination thereof, copies of the notice shall be transmitted to the planning agency of such governmental unit butting such land. **City initiated.**
- For applications involving rezoning, subdividing, planned unit developments, site plans with uses permitted on a conditional basis, and legislative matters, all real property owners within a 200-foot or 300-foot radius, the city shall send copies of the notice by first class mail, no less than seven days prior to the hearing. We noticed at 300 feet. **City initiated.**
- Any village committee or special community group which is located in the area of the proposed public hearing request or has considerable interest in the nature of the application; **See City initiated list.**
- The head of any homeowners association or registered neighborhood within the public notice area established in item (3) indicated above. **See City initiated list.**

Site Posting

The site was posted on January 27, 2021 to alert interested citizens and stakeholders of our upcoming virtual open house on February 11, 2021. The photographs of the signs and affidavit are attached at **Tab 1**. The signs do not have the anticipated Planning & Zoning Commission and City Council hearings dates and will be updated as we learn these dates.

Participation Report.

After the notices were sent by staff and the site was posted, we did not field any telephone calls or emails of concern regarding the rezoning case. We held the virtual open house on Go-to-Meetings on February 11, 2021 at 6:00 pm. During the virtual open house, there was one (1) neighbor who participated in virtual open house and discussed the project with the applicant and the applicant's representative. City staff was present in the meeting and during this discussion. The discussion with the one (1) neighbor participant included questions about Frontier Road impacts, construction activity and contact information and drainage. After our discussion, we felt the participant was satisfied with our responses and had no major issues with our rezoning proposal. City Councilwoman Aly Cline also participated in the virtual open house and we answered her questions regarding the proposed case. There were no other members of the public in attendance during the virtual open house.

There is no known opposition to this rezoning case.

We have been working cooperatively with City staff on the rezone request and are ready for public hearings on the proposed rezoning request. If we are contacted by any neighbors or stakeholders after we have submitted this citizen participation report to the City, we will provide updates to the City staff with an amended report.

TAB 1



AFFIDAVIT OF POSTING
(Sign modification)

Application No: FS20-732 & FS20-731

Applicant Name: _____

Location: Southeast corner of 154th Avenue and Frontier Dr

Date Site Posted: January 27th 2021 sign modified: January 28th, 2021

In order to assist in providing adequate notice to interested parties, the applicant for any *type of public hearing* in the City of Surprise shall erect two (2) signs giving notice of the *date, time and place* of the scheduled hearings. These signs must be erected not less than **fifteen (15) days prior** to the date of the first hearing. The signs shall also include the nature of the request as contained on the formal zoning application. The size and format of this sign shall meet requirements established by the Planning and Zoning Department (see page 2).

Such notice shall be clearly legible and placed at a prominent location on the site – Generally adjacent and perpendicular to the public right-of-way. It shall be the *responsibility of the applicant* to erect and to maintain the sign on the subject property and to maintain the hearing information on the sign until final disposition of the case.

It shall also be the *responsibility of the applicant* to remove the signs within one week after the final disposition of the case.

I confirm that the site has been posted as required above, for the case noted above. A picture of the site posting, and photos of any subsequent changes/updates made to the sign, have also been submitted.

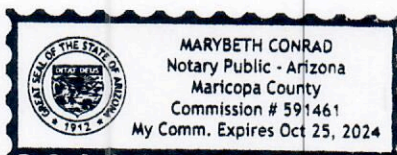
Maria Hitt 1-28-2021
Applicant/Representative Signature Date

This instrument was acknowledged before me on this 28th day of January, 2021, and by Maria Hitt. I witness whereof I hereunto set my hand and official seal.

Marybeth Conrad
Notary Public
10.28.2024

My commission expires

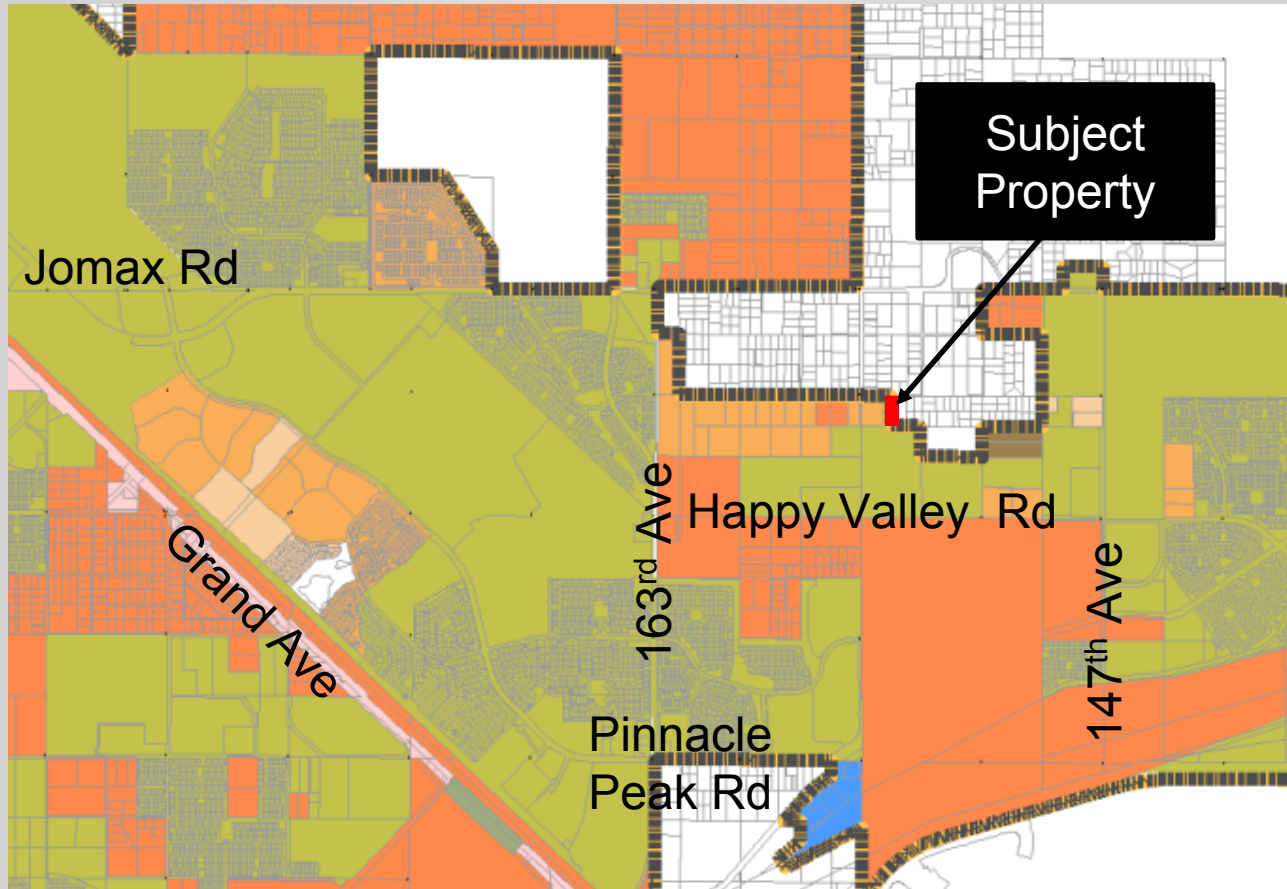
*Return completed and notarized **affidavit** and all relevant **photos** to the Planning and Zoning Department at least fifteen (15) days **prior to** the scheduled meeting(s).*



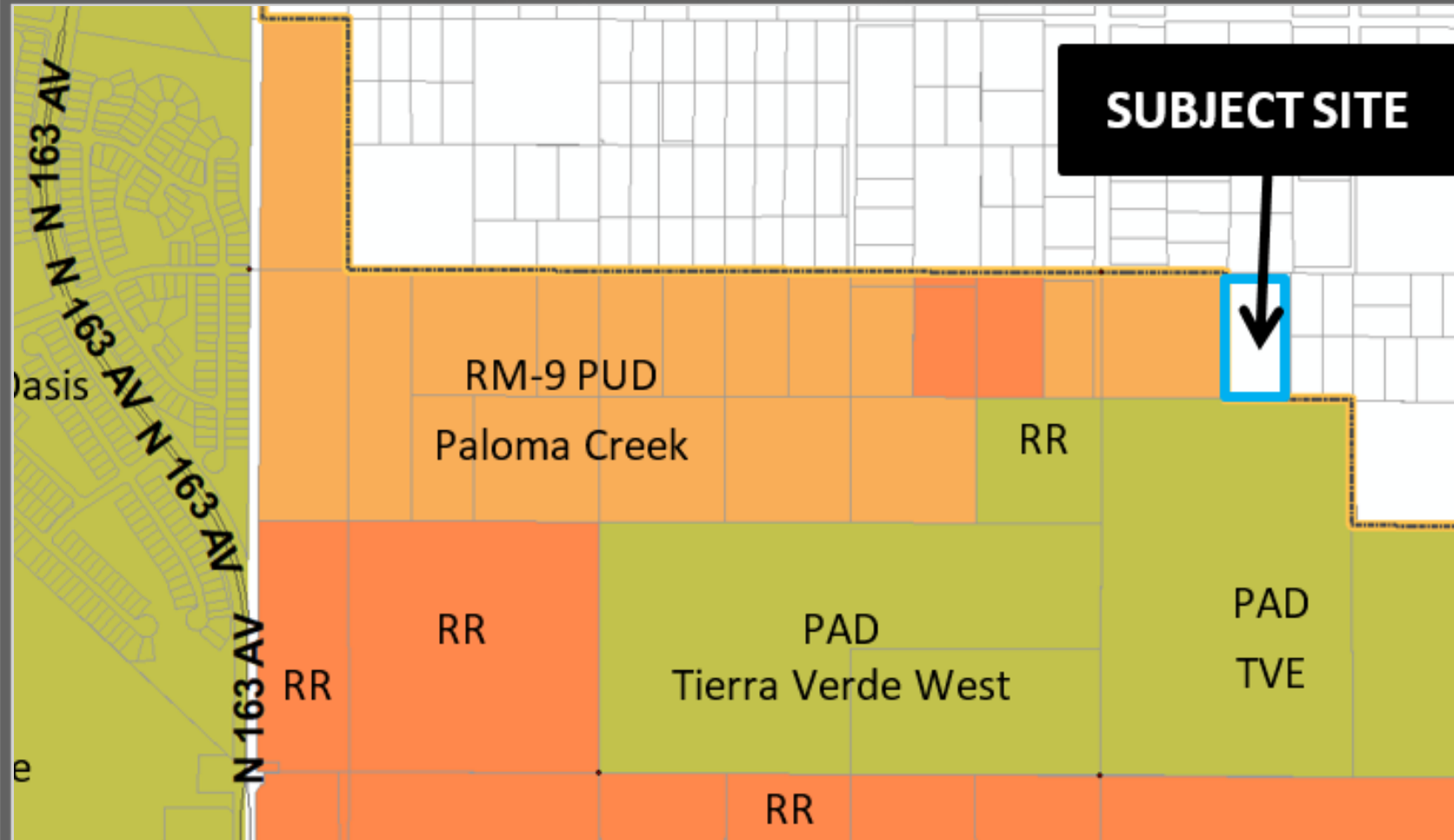


Planning and Zoning Commission
April 15, 2021

Enclave III at Paloma Creek Rezone
FS20-731



FS20-731 Vicinity Map



FS20-731 Case Map

Table A

Residential Medium Density RM-9 PUD Overlay Development Standards

Development Standard	City Base RM-9 Development Standards	Proposed RM-9 PUD Development Standards
Net Residential Acreage Open Space	20%	26.06%
Maximum Density	9.0	3.90
Minimum Lot Area	4,500 Sq. Ft.	4,500 Sq. Ft.
Minimum Lot Width	40'	45'
Minimum Lot Depth	100'	100'
Front Setback (Livable)	12'	12'
Front Setback (Garage)	20'	20' (1) (2)
Minimum Side Yard Setback	- (3)	5'
Minimum Rear Yard Setback	20'	20' (5)
Maximum Building Height	35'	35' (6)
Driveway Width Percentage	30%	40%
Driveway Area Percentage	30%	40%
Street Side/Corner Lot	- (4)	5'

Increase

Decrease

Increase

Added

Increase

Increase

Added

**FS20-731
Development
Standards**

Exhibit D

Paloma Creek PUD
Zoning: RM-9 (MDR)

Subject Property -
Proposed Enclave 3
at Paloma Creek
PUD

FRONTIER ROAD

155th Avenue

Trail Connection
to TVE Parcel 4

Tierra Verde East
PAD (MDR)

Open Space:

- 20% Required
- 26% Proposed
 - Passive (TBD at Pre-plat)
 - Active (TBD at Pre-plat)

FS20-731 Open Space

Staff Recommendation:

Approve subject to stipulations 'a' through 'c'

- a. Development and use of the site shall be consistent with the rezone narrative entitled “Enclave II at Paloma Creek”, prepared by KAX Group, LLC and received January 15, 2021.
- b. Prior to the City approving a final plat, site plan, or building permit within the property, the applicant shall provide the City with a Notice of Payment from William Lyon Homes, Inc., that the Happy Valley West (“HVW”) Buy-in Fee, the Happy Valley East (“HVE”) Buy-in Fee, and the Water Buy-in Fee, as applicable, all as described in the Rancho Mercado Supplemental Development Agreement (Regional Improvements Overlay Agreement), as amended, have been paid.
- c. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the applicable provisions of the Surprise Municipal Code.



QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Planning and Zoning Commission Meeting

Council Meeting Date: April 15, 2021 Contact Person: Robert Kuhfuss
Submitting Department: Community Development District: District 1
Staff Recommendations:

Consent: No Regular: No Public Hearing: Yes Report/Discussion: No

Agenda Wording:

Consideration and action to recommend approval or disapproval of the Rezone of 9.56 acres from Residential Ranch (RR) to Residential Medium Density with a Planned Unit Development Overlay (RM-9 PUD) amending development standards and limiting residential density to 3.21 dwelling units per acre for Enclave IV at Paloma Creek, Case FS20-738.

Motion:

Motion to recommend approval/disapproval of the Enclave IV at Paloma Creek rezone subject to stipulations "a" through "d".

Background:

Kent Xander of KAX Group, LLC, and Dichiaro 10 LLC, seeks approval of a rezone of approximately 9.56 acres from Residential Ranch (RR) to Medium Density Residential (RM-9) with a Planned Unit Development (PUD) Overlay. The PUD Overlay will amend certain development standards, while limiting the maximum density to 3.21 dwelling units per acre. The subject site is adjacent to the recently approved Paloma Creek zoning and preliminary plat requests, and is the subject of a proposed Annexation that is currently in process under case FS20-739.

Objective Analysis:

Policy Compliant:

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city services.

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. 00 FS20-738 Enclave IV at Paloma Creek Rezone 04-15-21 P&Z Staff Report
 2. 01 FS20-738 Enclave IV at Paloma Creek Rezone Vicinity Map
 3. 02 FS20-738 Enclave IV at Paloma Creek Rezone Case Map
 4. 03 FS20-738 Enclave IV at Paloma Creek Zone Change Narrative
 5. 04 FS20-738 Enclave IV at Paloma Creek Zone Change Outreach Summary
 6. 05 FS20-738 Enclave at Paloma Creek Additional Opposition Email (Redact 1)
 7. 05 FS20-738 Enclave at Paloma Creek Opposition Email (Redact.)
 8. FS20-738 Enclave IV at Paloma Creek Rezone Presentation for 04-15-21 P&Z
-

ZONE CHANGE

REPORT TO THE PLANNING AND ZONING COMMISSION

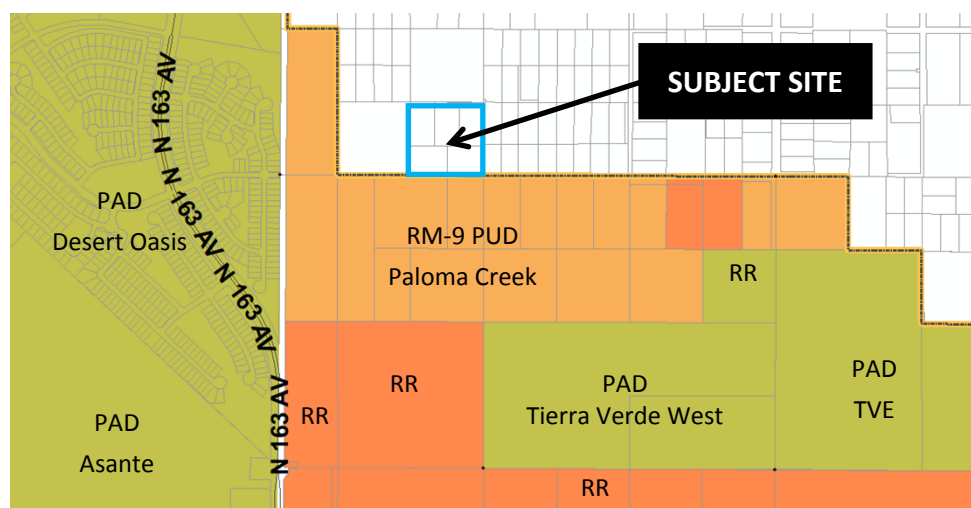
1 **Case:** FS20-738
2
3 **Project Name:** Enclave IV at Paloma Creek Rezone
4
5 **Council District:** 1 - Acacia
6
7 **Meeting Date:** April 15, 2021
8
9 **Planner:** Robert H. Kuhfuss, AICP
10
11
12 **Owner:** Dichiara 10 LLC
13
14 **Applicant:** Kent Xander of KAX Group, LLC
15
16 **Request:** Rezone from Residential Ranch (RR) to Residential Medium Density
17 with a Planned Unit Development Overlay (RM-9 PUD) amending
18 development standards and limiting residential density to 3.21
19 dwelling units per acre
20
21 **Site Location:** Generally located north of the Frontier Road alignment and west of
22 the 159th Avenue alignment
23
24 **Area:** 9.56 acres (approx.)
25
26 **Density:** 3.21 DU/Ac. (approx.)
27
28 **General Plan Conformance:** The proposal is consistent with the Surprise General Plan 2035
29
30 **Support/Opposition:** Considerable opposition expressed
31
32 **Staff Recommendation:** Approval, subject to stipulations "a" through "d"

PROJECT DESCRIPTION:

Kent Xander of KAX Group, LLC, and Dichiara 10 LLC, seeks approval of a rezone of approximately 9.56 acres from Residential Ranch (RR) to Medium Density Residential (RM-9) with a Planned Unit Development (PUD) Overlay. The PUD Overlay will amend certain development standards, while limiting the maximum density to 3.21 dwelling units per acre. The subject site is adjacent to the recently approved Paloma Creek zoning and preliminary plat requests, and is the subject of a proposed Annexation that is currently in process under case FS20-739.

EXISTING ZONING:

The following map depicts the existing zoning of the subject site and its surrounds.



BACKGROUND:

October 15, 2020: Staff reviewed the subject request at a Concept Review meeting under CR20-664.

November 13, 2020: The applicant filed the subject request under Case FS20-738.

November 13, 2020: The applicant filed a companion Annexation request covering the subject site under case FS20-739.

February 25, 2021: The applicant held a Neighborhood Outreach meeting for this request.

71 **CITIZEN OUTREACH:**

72
73 The applicant held their Citizen Outreach meeting in a virtual format on February 25, 2021, which
74 generated active and vocal opposition. The Outreach meeting, along with the subject Planning and
75 Zoning Commission hearing, were advertised in accordance with state and local requirements.

76
77 On March 16, 2021, staff presented two separate "Resolution of Intent to Annex" items to City
78 Council. One of these Resolutions pertained to the subject property. During that meeting, several
79 members of the public spoke in opposition to both the Enclave III and Enclave IV projects; however,
80 one member of the public, who expressed opposition to Enclave IV, expressed support for the
81 (Enclave III) project.

82
83 During the Call to the Public at the March 18, 2021 Commission hearing, several members of the
84 public expressed concerns over upcoming rezone and annexation requests occurring in the area.
85 Most of those comments were directed towards the Enclave IV; however, some comments were of
86 a general nature and apply to the Enclave III request. These include but are not limited to concerns
87 over chemical usage, vehicular traffic, wildlife habitat, dark sky, effects on existing lifestyle, and
88 construction traffic.

89
90 Also discussed was access from Prickly Pear Trail to 159th Avenue, and the future condition of 159th
91 Avenue, should the project move forward. The applicant stated that it was his intent to dedicate and
92 improve 159th Avenue, with said dedication occurring on the west side of the monument line and
93 entirely within the subject property. One local resident expressed how the existing dirt road to the
94 north has been in use for many years and that access to the north should remain intact. Staff notes
95 that a meeting with MCDOT has been scheduled to discuss the future of 159th Avenue as well as the
96 transition from Prickly Pear to 159th; however, the outcome of that meeting is unknown as of the
97 writing of this report.

98
99 In addition, concerns were expressed regarding proposed density relative to that of the adjacent
100 neighborhood. As originally proposed, the project would develop as 36 dwelling units at a density of
101 approximately 3.6 DU/Ac. The applicant agreed to limit the project to 32 dwelling units at a density
102 of approximately 3.2 DU/Ac. While increasing the minimum lot width from 45 feet to 60 feet, with
103 70' lots along the northern edge; however, those in attendance expressed continued concerns over
104 density.

105
106 **ANALYSIS AND DISCUSSION:**

107
108 The subject rezone case anticipates the development of approximately 10 acres of currently
109 undeveloped desert into a single-family residential subdivision consisting of 32 dwelling units. The
110 request also seeks a Planned Unit Development (PUD) overlay for the purpose of amending certain
111 development standards and limiting the residential density to 3.2 DU/Ac. The proposed
112 development standards follow:

DEVELOPMENT STANDARDS FOR ENCLAVE IV AT PALOMA CREEK		
Development Standard:	RM-9 Base Zoning:	RM-9 PUD Zoning:
Maximum Density	9.0 DU/Ac.	3.21 DU/Ac.
Minimum Lot Area:	4,500 sq. ft.	6,000 sq. ft.
Minimum Lot Width:	40'	60'
Minimum Lot Depth:	100'	100'
Minimum Front Setback (livable):	12'	12' ¹
Minimum Front Setback (garage):	20'	20' ¹
Minimum Side Yard Setback:	TBD	5'
Minimum Rear Yard Setback:	20'	20' ²
Maximum Building Height:	35'	35' ³
Street Side Corner Setback:	N/A	5'
Driveway Width:	30%	40%
Driveway Area:	30%	40%
Minimum Open Space (%NRA)	20%	23.5%
Footnotes:		
¹ Measured from property line		
² Porches and patios may encroach 2.5' into the rear yard setback		
³ Homes located along the northern and eastern edges will be limited to single story		

116

117 The above table includes provisions for increased driveway width and area. This is consistent with
 118 the other PUDs in the area and is a carryover from the original Enclave IV narrative, which anticipated
 119 40-foot wide lots. The revised Enclave IV narrative increases the lot width to 60 feet making the
 120 additional percentage unnecessary. Further, the recently approved Land Development Ordinance
 121 (LDO) does not include such a limitation.

122

123 The subject property will include 23.5% open space, which exceeds the minimum requirement of the
 124 SUDC. The subject property will integrate with the adjacent Paloma Creek project and will join the
 125 Paloma Creek HOA, with access to those amenities. The following image depicts the anticipated
 126 layout of the proposed project; however, this Exhibit was not revised relative to the decrease in
 127 number of lots or increase in minimum lot width. Staff is not overly concerned with this oversight
 128 since the Narrative is clear; however, staff has included an additional stipulation for added clarity.

129



130

UTILITY AND SERVICES TABLE:

Water:	City of Surprise
Wastewater:	City of Surprise
Refuse:	City of Surprise
Schools:	Dysart USD

CONFORMANCE WITH ADOPTED PLANS:

Surprise General Plan 2035: The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 3.2 DU/Ac, the project most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard.

REVIEWING AGENCIES:

The subject request was routed to the standard internal and external reviewing agencies, who indicated no objections to the request.

SUMMARY:

The subject Zone Change request anticipates the future development of 32 lots on approximately 10 acres, and includes a PUD overlay intended to grant relief from certain development standards. The Project will include approximately 23.5% open space, will join the Paloma Creek HOA, and will have access to those amenities. All city reviewing departments have reviewed the request and expressed no concerns. A separate but related Annexation request is under review, and the project is the subject of considerable opposition.

FINDINGS:

- The proposed Zone Change is consistent with the pattern of development to the south
- The proposed Zone Change provides for buffering to the north and west
- The proposed Zone Change is consistent with the Surprise General Plan
- The reviewing agencies have indicated no objections.

Recommendation:

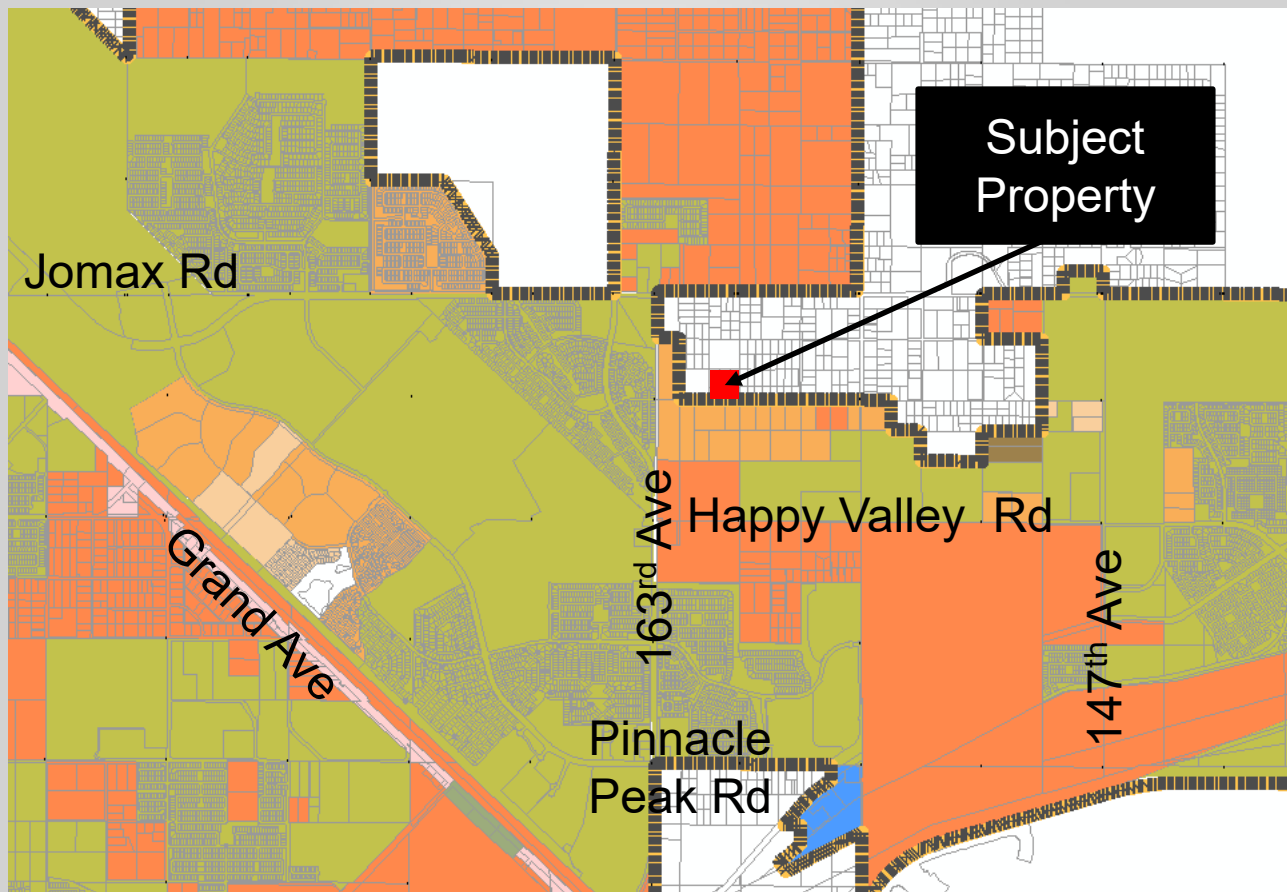
Based on the findings noted above, staff recommends the Commission move to recommend **approval** of the subject Rezone request to the City Council, subject to stipulations 'a' through 'd' as outlined below:

- 171 a. Development and use of the site shall be consistent with the rezone narrative entitled
172 "Enclave IV at Paloma Creek", prepared by KAX Group, LLC and received March 1, 2021.
173
174 b. Prior to the City approving a final plat, site plan, or building permit within the property, the
175 applicant shall provide the City with a Notice of Payment from William Lyon Homes, Inc., that
176 the Happy Valley West ("HVW") Buy-in Fee, the Happy Valley East ("HVE") Buy-in Fee, the
177 Sewer Buy-In Fee, and the Water Buy-in Fee, as applicable, all as described in the Rancho
178 Mercado Supplemental Development Agreement (Regional Improvements Overlay
179 Agreement), as amended, have been paid.
180
181 c. Non-compliance with the stipulations of approval of this case will be treated as a violation in
182 accordance with the applicable provisions of the Surprise Municipal Code.
183
184 d. The maximum number of dwelling units shall not exceed 32.
185

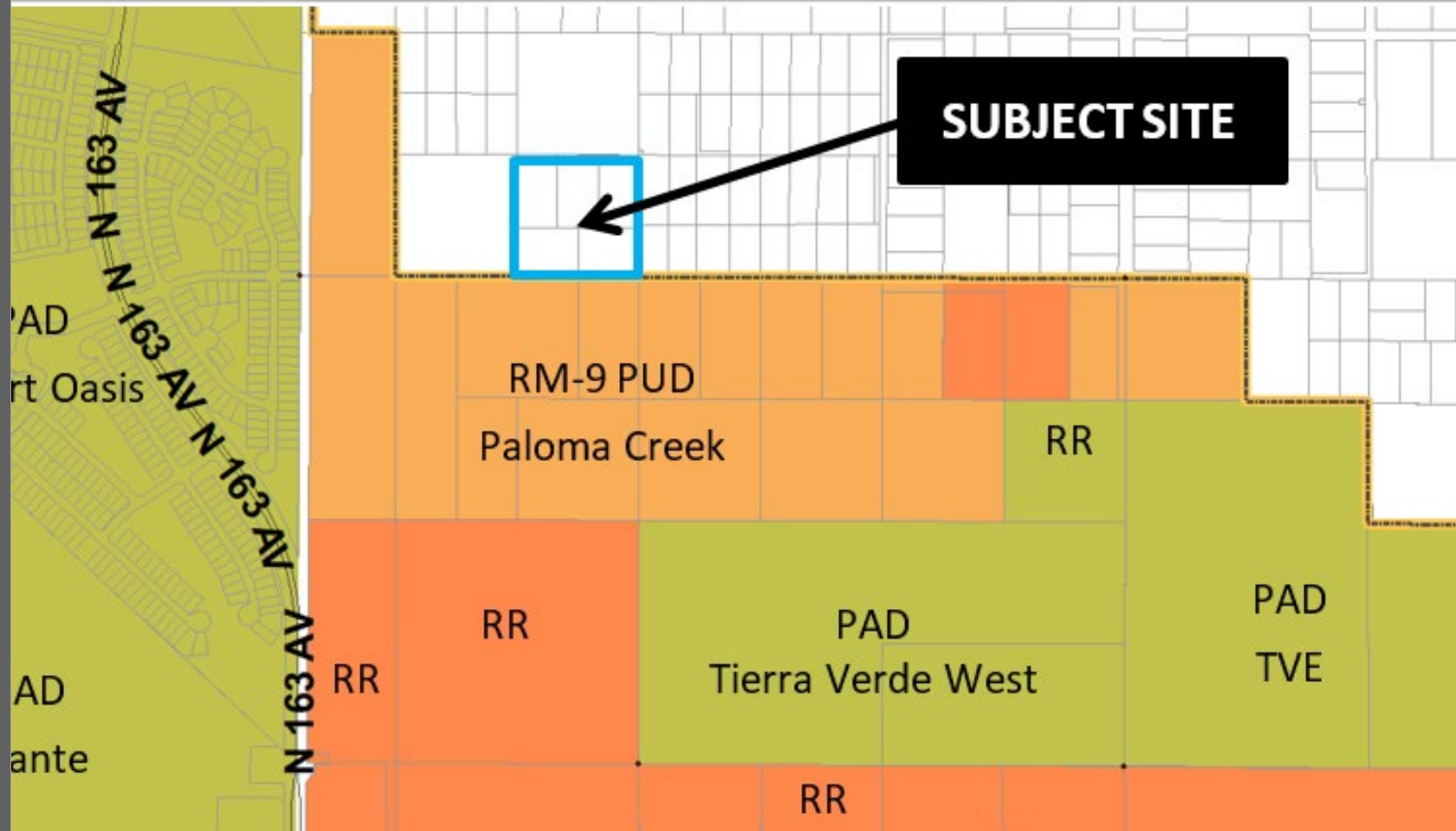
186 However, should the Commission wish to recommend denial of the request, the Commission should
187 make its own findings and base its decision on those alternative findings.
188

189 **Attachments:**
190

- 191 01 Enclave IV at Paloma Creek Vicinity Map
192 02 Enclave IV at Paloma Creek Case Map
193 03 Enclave IV at Paloma Creek Zone Change Narrative
194 04 Enclave IV at Paloma Creek Citizen Outreach Report
195 05 Additional Opposition (redacted)



FS20-738 Vicinity Map



FS20-738 Case Map

ENCLAVE IV AT PALOMA CREEK REZONE

Case No. FS20-738

Rezone from Residential Ranch (RR) to
RM-9 (Residential Medium Density) with a (PUD) Overlay

9.9581 Gross Acres

Northwest corner Frontier Dr. and 159th Avenue

Prepared by: KAX Group, LLC

Submitted To: City of Surprise, Arizona

Dated: November 10, 2020

Revised: December 31, 2020

Revised: January 19, 2021

Revised: March 1, 2021

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Legal Description and Map.....	Exhibit C
Conceptual Development Plan	Exhibit D
General Plan 2035 Land Use Map.....	Exhibit E

Enclave 4 at Paloma Creek Team:

Applicant: KAX Group, LLC – Kent A. Xander - kxander@kaxgroup.com

Location and Introduction:

A **Vicinity Map** on page 4 illustrates Enclave 4 at Paloma Creek location – Northwest corner of Frontier Dr. and 159th Avenue.

Enclave 4 at Paloma Creek PUD is a 9.9581-acre proposed residential subdivision adjacent to the north of the approved Paloma Creek PUD Case # FS18-150 zoned for a density of 4 units per acre. The subject property is adjacent to unincorporated vacant land and homes to the west, north, and east zoned RU-43. This project includes working with and the cooperation with Paloma Creek PUD to the south to formulate a cohesive development plan working out vehicle circulation, utilities, and drainage issues. The Development Conceptual Plan shown in **Exhibit D**, shows a conceptual plan for Enclave 4 at Paloma Creek PUD.

The 7 north lots adjacent to the vacant land on the north of the subject property will be shall be a minimum 70.0' x 130'. The 7 north lots will be setback 50 feet from the north property line. 159th will located on the east side of the proposed subdivision providing a minimum of 55' feet setback from the east property line. Open space will be located on the west side of the proposed subdivision providing a minimum of 50' feet setback from the west property line. The landscape improvements shall be consistent with adjacent to the south approved Paloma Creek PUD Case # FS18-150 plan for W. Frontier Dr. Access will be connected to W. Prickly Pair Trail on the east property line. The main access to Enclave 4 at Paloma Creek will be provided south from Paloma Creek PUD. Pedestrian trails shall be connected to Paloma Creek PUD. Enclave 4 at Paloma Creek PUD will become part of the adjacent Paloma Creek PUD HOA that will maintain all common community amenities, including signage, parks, trails, open space tracts, and other common areas within the development. Both Paloma Creek PUD and Enclave 4 at Paloma Creek PUD will be one subdivision and will have reciprocal access to all amenities and the trail system within their respective projects.

Exhibit A depicts a map of the existing zoning of the subject property and the adjacent PAD's, vacant land, and homes. The adjacent specific zoning and land uses are as follows:

South

- Paloma Creek (RM-9) PUD 150.68 Acres 600 lots

East

- Maricopa County (RU-43) Existing Single-Family Land and Homes

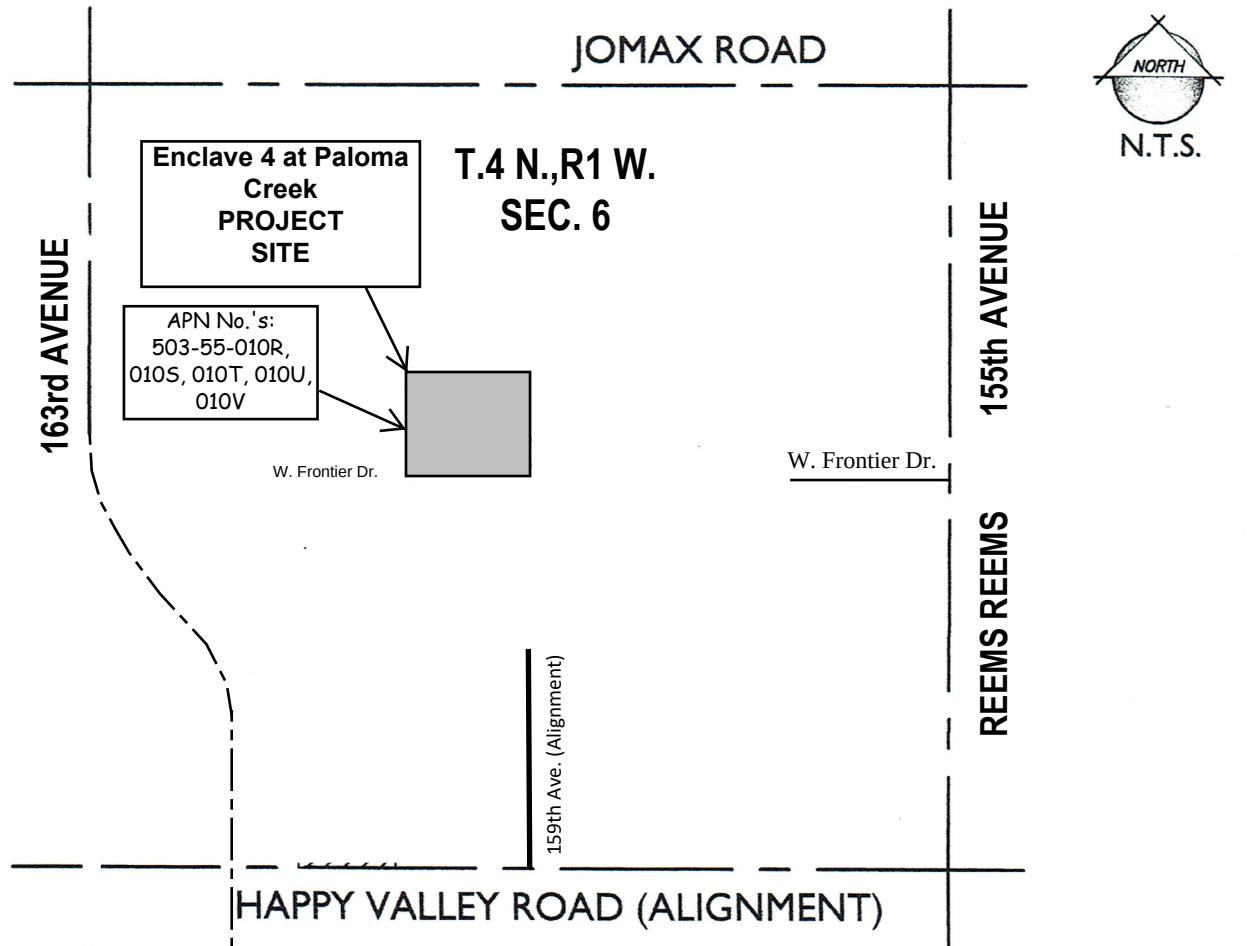
North

- Maricopa County (RU-43) Existing Single-Family Land and Homes

West

- Maricopa County (RU-43) Existing Single-Family Land and Homes

VICINITY MAP



Description of Request:

Applicant, on behalf of the Owner requests approval of a Zone Change (Case# FS20-738) for 9.9581 acres from Residential Ranch (RR) to Residential Medium Density (RM-9) with a PUD Overlay. See **Exhibit B** for Proposed Zoning Map. See **Exhibit C** for Survey Map Exhibit. Approval of this zone change is consistent with adjacent to the south Paloma Creek PUD recently approved by City of Surprise Council.

Base zoning RM-9 allows up to 9 dwelling units per acre (DU/Ac); however, through the PUD Overlay, the subject property proposes not more than 32 dwelling units over approximately 9.9581 gross acres for a maximum gross density of 3.21 DU/Ac.

With a cap on density, the applicant believes the development standards associated with the RM-9 with a PUD Overlay zoning district are in line with those of the adjacent PAD's to the subject property, with certain deviations as articulated in **Table A** of the Enclave 4 at Paloma Creek PUD Narrative.

Enclave 4 at Paloma Creek PUD Development Concept Plan shown on **Exhibit D**. The lot sizes located along the north side of the subject property to be a minimum lot size of 70' x 138'. The remaining standard minimum lot size will be 60' x 115'.

The SUDC requires that not less than 20% of the "Net Residential Acreage" be set aside as open space. The Net Residential Acreage ("NRA") is calculated by the total amount of land taken up by the individual lots ("Lot Area") combined with the total Open Space.

Concept Plan

Dedicated Right of Way	115,482.51 SF	2.66 acres
Open Space	70,982.54 SF	1.63 acres
Cumulative Lot Area	<u>247,307.79 SF</u>	<u>5.67 acres</u>
Gross Area	433,774.84 SF	9.96 Acres
NRA = Open Space + Cumulative Lot Area	318,292.33 SF	7.30 Acres

Minimum Open Space as % of NRA (Open Space / NRA) is: 22.3%

The amenity area is located on the adjacent Paloma Creek PAD and will include a ramada, seating area, and tot lot providing play and gathering opportunities for all ages with a shaded seating area in the west adjacent Paloma Creek PUD. The landscaping plan will develop pedestrian connections to adjacent land and use the same landscaping quantity, quality, and materials as used for adjacent Paloma Creek PUD. Enclave 4 at Paloma Creek PUD will become part of the adjacent Paloma Creek PUD HOA that will maintain all common community amenities, including signage, parks, trails, open space tracts, and other common areas within the development. Both Paloma Creek PUD and Enclave 4 at Paloma Creek PUD will have reciprocal access to all amenities and the trail system within their respective projects. Final design will meet the requirements of the SUDC.

Development Standards:

It is the intent of Enclave 4 at Paloma Creek PUD to amend the RM-9 Residential Zoning District Development Standards as follows: The 7 lots backing to the north property line shall be a minimum 70' x 130' each. A minimum 50-foot open space tract will be landscaped along the North side of the 7 lots adjacent to the north vacant land. The lots along the northern and eastern boundary of the Enclave 4 at Paloma Creek PUD development will be limited to single-story homes. A minimum 55-foot local road along the east Property line adjacent to the east rural property. A minimum 50-foot open space tract will be landscaped along the west property line. The Development Standards depicted in Table A will be consistent the approved Preliminary Plat adjacent to the west rural property. Development Standards for Paloma Creek PUD.

Table A
Residential Medium Density RM-9 PUD Overlay Development Standards

Development Standard	City Base RM-9 Development Standards	Proposed RM-9 PUD Development Standards
Net Residential Acreage Open Space	20%	23.50%
Maximum Density	9.0	3.21
Minimum Lot Area	4,500 Sq. Ft.	6,000 Sq. Ft.
Minimum Lot Width	40'	60'
Minimum Lot Depth	100'	100'
Front Setback (Livable)	12'	12'
Front Setback (Garage)	20'	20' (1) (2)
Minimum Side Yard Setback	— (3)	5'
Minimum Rear Yard Setback	20'	20' (5)
Maximum Building Height	35'	35' (6)
Driveway Width Percentage	30%	40%
Driveway Area Percentage	30%	40%
Street Side/Corner Lot	— (4)	5'

- (1) Front facing garages shall have a minimum 20-foot front yard setback measured from the front Lot Line.
- (2) 12-foot livable front setback is measured from the front Lot Line.
- (3) To be determined at Site Plan or Preliminary Plat Review.
- (4) There is not a street side setback requirement in the SUDC.
- (5) Porches/patios may encroach 2.5' into the rear yard setbacks.
- (6) The Homes located along the northern and eastern edges will be limited to single story.

The result of the Enclave 4 at Paloma Creek PUD zone change with a PUD Overlay would be:

- Enclave 4 at Paloma Creek PUD will be in conformance with the adopted Surprise General Plan 2035 as noted below.
- The development of Enclave 4 at Paloma Creek PUD will occur in a manner that is consistent with the surrounding PUD's and PAD's. The development will be seamlessly integrated and aligned with Paloma Creek PUD zoning, open space, pedestrian trails, drainage tracts, roads, and utilities.
- Enclave 4 at Paloma Creek PUD will provide an open space tract on the north and west side of the subject property for incidental drainage control, pedestrian trail, and open space transition to buffer between the subject property and the adjacent single-family homes to the north and west. Provide a 55' wide local street on the east side of the subject property to provide a transition to buffer between the subject property and the adjacent single-family homes to the east.
- Unless specified in this Zoning Narrative Document, all development shall comply with the development standards and design guidelines set in the Surprise Municipal Code at the time of Preliminary Plat.

Conformance with the adopted Surprise General Plan 2035:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Land Use Character Area, which in a Suburban Neighborhood supports residential development of 2 to 8 DU/Acre, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 3.21 DU/Ac, the project is consistent with the General Plan in this regard. The General plan seeks appropriate buffers and transitions between the various Character Areas. To meet this guideline, the 7 north lots adjacent shall be 70' x 138', setback 50' feet from the north property line.

Ingress/Egress/Access:

The ingress/egress access to Enclave 4 at Paloma Creek PUD will be:

1. Through Paloma Creek PUD at 159th Avenue to 155th Avenue, Happy Valley Road, and 163rd Avenue.
2. W. Prickly Pair Trail

Transportation/Traffic and Utilities

- Upon development of Enclave 4 at Paloma Creek PUD, all necessary utilities for Enclave 4 at Paloma Creek PUD will be extended from adjacent Paloma Creek PUD.
- Onsite public streets shall be constructed to meet City standards widths and cross sections based on approval of the Preliminary Plat.
- A Traffic Impact Analysis per TIA Guidelines found in Chapter 4 of the Surprise Engineering Development Standards in coordination with the surrounding developments was submitted to the City. The TIA includes all phases of the Paloma Creek development.

Exhibit A

Existing Zoning Map

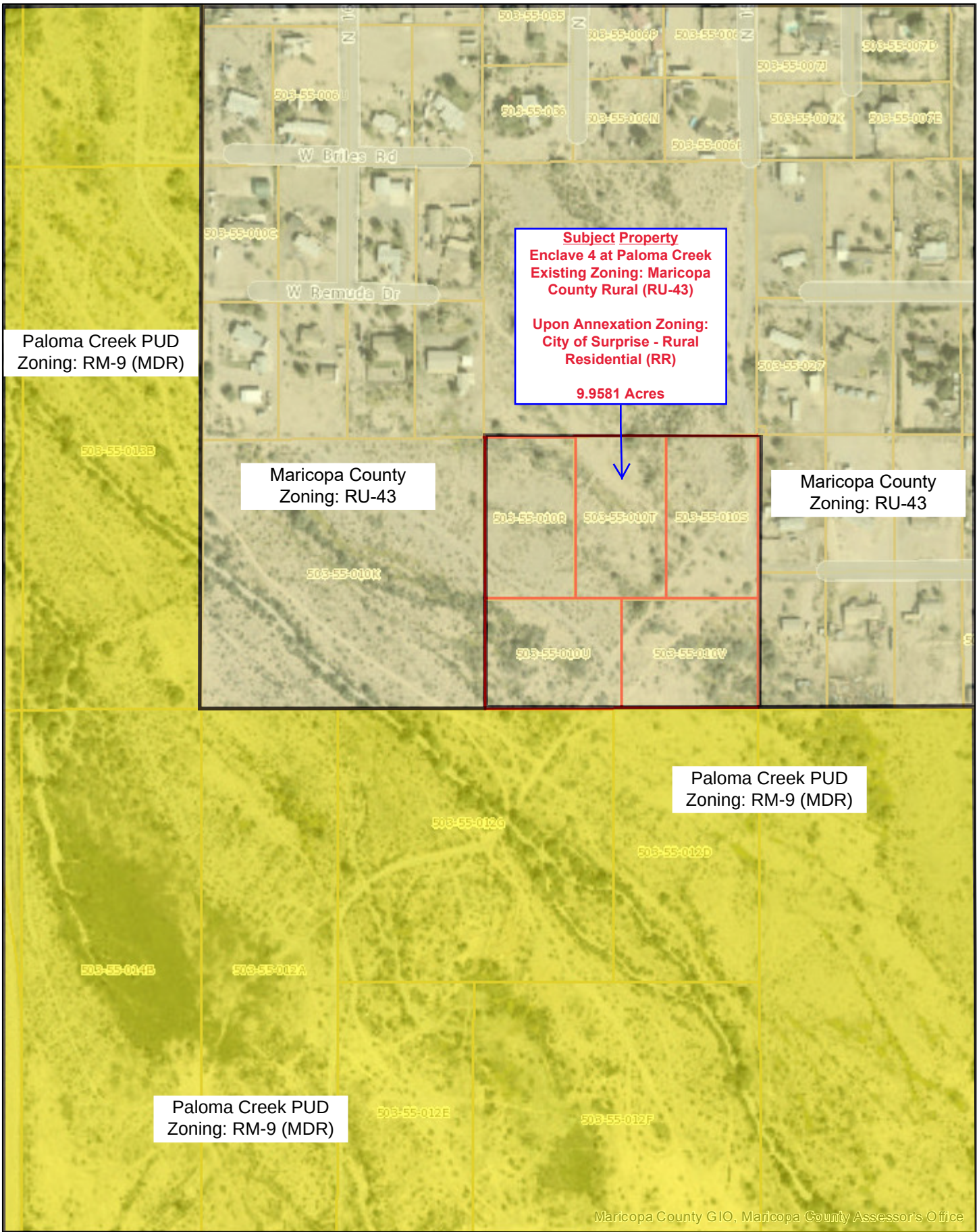
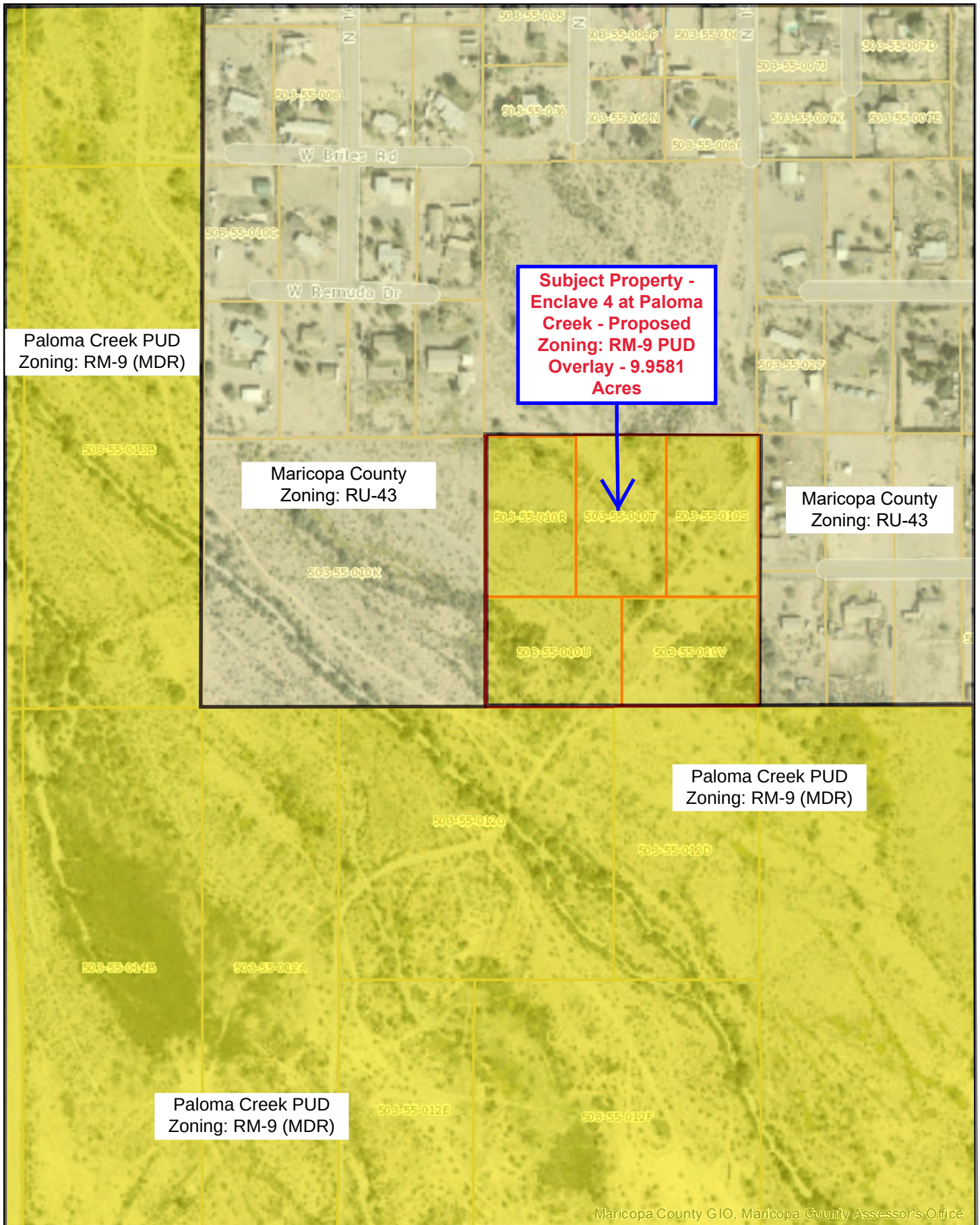




Exhibit B Proposed Zoning Map



LEGAL DESCRIPTION

The Southeast quarter of the Southeast quarter of the Northwest quarter of Section 6,
Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa
County, Arizona described by metes and bounds as follows:

BEGINNING at the Center of said Section 6;

Thence North 89° 48' 24" West along the East-West mid-section line a distance of 658.26 feet;

Thence North 00° 03' 17" West a distance of 658.77 feet;

Thence South 89° 47' 38" East a distance of 658.82 feet to the North-South mid-section line;

Thence South 00° 00' 23" East along said mid-section line a distance of 658.62 feet to the **POINT
OF BEGINNING.**

Containing 9.9581 acres



Land Survey Services PLC
20651 W. Pasadena Ave
Buckeye, AZ 85396-1255

Job No. 10019

Parcel Map Check Report

Prepared by:

Thomas Rope
Land Survey Services, PLC
Date: 3/10/2020 8:50:08 AM

Parcel Name: Paloma Creek
Description: SE1/4, SE1/4, NW1/4 SEC 6, T4N, R1W
Process segment order counterclockwise: False
Enable mapcheck across chord: False

North: 989,285.1762' East: 552,048.0707'

Segment# 1: Line

Course: N89°48'24"W Length: 658.26'
North: 989,287.3973' East: 551,389.8144'

Segment# 2: Line

Course: N0°03'17"W Length: 658.77'
North: 989,946.1670' East: 551,389.1852'

Segment# 3: Line

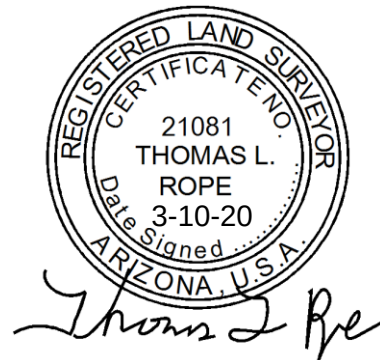
Course: S89°47'38"E Length: 658.82'
North: 989,943.7970' East: 552,048.0010'

Segment# 4: Line

Course: S0°00'23"E Length: 658.62'
North: 989,285.1670' East: 552,048.0744'

Perimeter: 2,634.47' Area: 9.9579Acre
Error Closure: 0.0099 Course: S22°21'11"E
Error North : -0.00911 East: 0.00375

Precision 1: 266,109.09



Land Survey Services PLC
20651 W. Pasadena Ave
Buckeye, AZ 85396-1255

Job No. 10019

A PART OF THE NORTHWEST QUARTER OF SECTION 6
T4N, R1W, G.&S.R.B.M., MARICOPA COUNTY, ARIZONA



N1/4 COR
SEC 6

1625.16'
S00°00'23"E

S89°47'38"E 658.82'

658.77'
N00°03'17"W

658.62'
S00°00'23"E
159TH AVENUE

THIS SITE

1"=150'

1174.39'
N89°48'24"W
W1/4 COR
SEC 6

N89°48'24"W 658.26'
FRONTIER DRIVE

P.O.B.
CENTER
SEC 6

Exhibit D

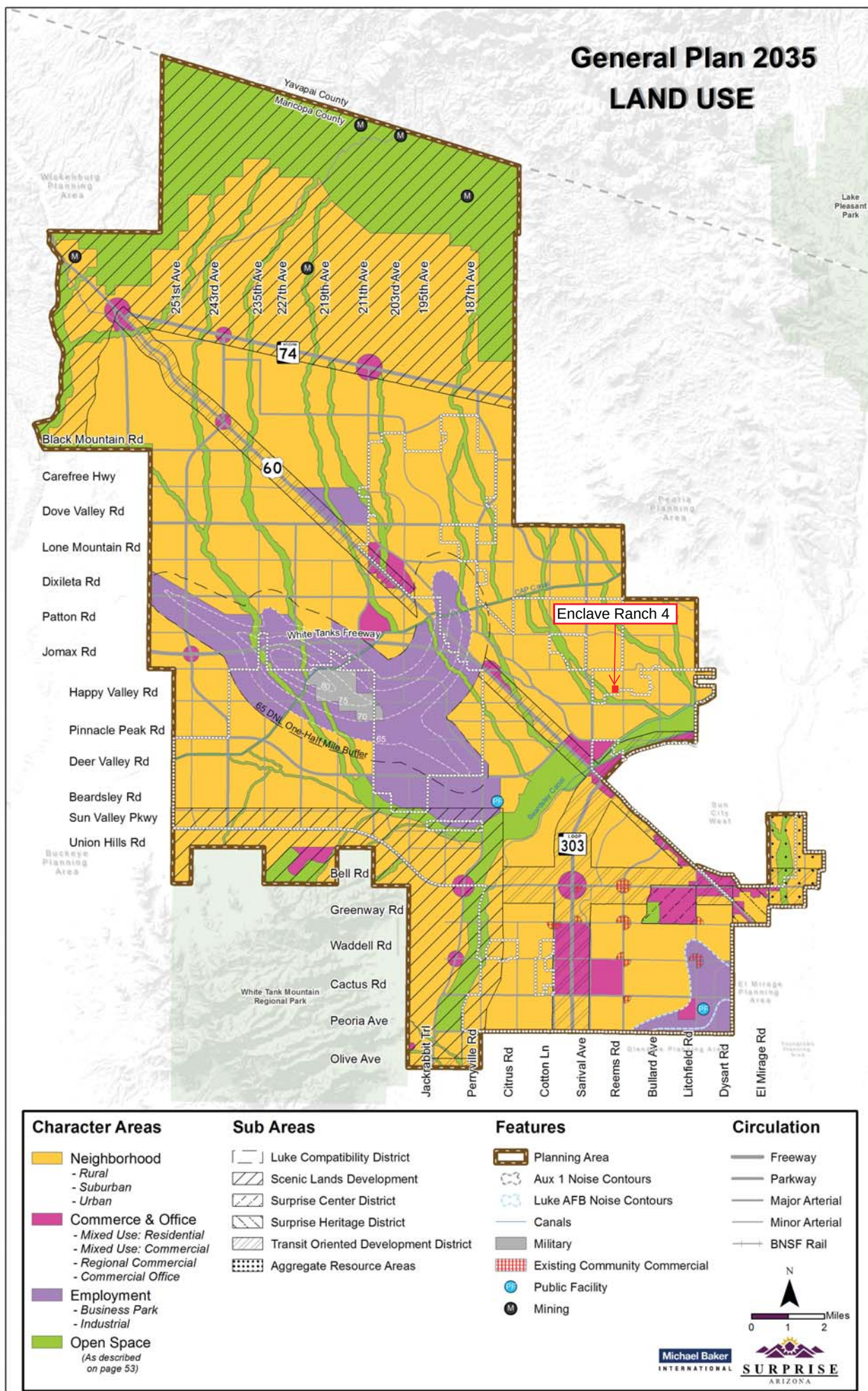
UNINCORPORATED MARICOPA
COUNTY PARCELS
ZONED: RU-43

Concept Plan

159TH AVENUE

Subject Property
Proposed
Enclave
4 at Paloma
Creek PUD

Paloma Creek PUD
Zoning: RM-9 (MDR)





Enclave IV Rezone

Citizen Participation Plan

February 26, 2021

Background

The City of Surprise (City) requires a citizen participation process and report for applications such as this PAD amendment. The purpose of the citizen review process is to:

Ensure that applicants pursue early and effective citizen participation in conjunction with their applications, giving them the opportunity to understand and try to mitigate any real or perceived impacts their application may have on the community;

Ensure that the citizens and property owners of the city have an adequate opportunity to learn about applications that may affect them and to work with applicants to resolve concerns at an early stage of the process; and

Facilitate ongoing communication between the applicant, interested citizens and property owners, city staff, and elected officials throughout the application review process.

The citizen review process is not intended to produce complete consensus on all applications, but to encourage applicants to be good neighbors and to allow for informed decision-making.

Enclave IV Citizen Participation Plan & Report

Enclave 4 at Paloma Creek PUD is a 9.9581-acre proposed residential subdivision adjacent to the north of the approved Paloma Creek PUD Case # FS18-150 zoned for a density of 4 units per acre. The subject property is adjacent to unincorporated vacant land and homes to the west, north, and east zoned RU-43. The proposal is to annex into the City and rezone the property. As part of the rezone process, adjacent property owners and stakeholders in the area were notified by the City staff to our proposed application and open house to inform the public of this rezoning request. The case also includes an Annexation from Maricopa County into the City.

We met the City's notification requirements, which are:

- Notice of the citizen review meeting shall be provided by the planning and zoning division in the form of a public notice to the following, when applicable:
 - o The notice shall be published at least once in a newspaper of general circulation published or circulated in the municipality at least 15 days prior to the meeting date.
City initiated.



- o For applications involving rezoning of land which abuts other municipalities or unincorporated areas of the county or a combination thereof, copies of the notice shall be transmitted to the planning agency of such governmental unit butting such land. **City initiated.**
- o For applications involving rezoning, subdividing, planned unit developments, site plans with uses permitted on a conditional basis, and legislative matters, all real property owners within a 200-foot or 300-foot radius, the city shall send copies of the notice by first class mail, no less than seven days prior to the hearing. We noticed at 300 feet. **City initiated.**
- o Any village committee or special community group which is located in the area of the proposed public hearing request or has considerable interest in the nature of the application; **See City initiated list.**
- o The head of any homeowners association or registered neighborhood within the public notice area established in item (3) indicated above. **See City initiated list.**

Site Posting

The site was posted on February 9, 2021 to alert interested citizens and stakeholders of our upcoming virtual open house on February 25, 2021. The photographs of the signs and affidavit are attached at **Tab 1**. The signs do not have the anticipated Planning & Zoning Commission and City Council hearings dates and will be updated as we learn these dates.

Participation Report.

After the notices were sent by staff and the site was posted, we did not field any telephone calls or emails of concern regarding the rezoning case. We held the virtual open house on Go-to-Meetings on February 25, 2021 at 6:00 pm. During the virtual open house, there were approximately seven (7) County residents who participated in virtual open house and discussed the project with the applicant and the applicant's representative. City staff was present in the meeting and during this discussion. The discussion included the following topics/opinions from the County participants:

- The meeting attendees were generally not in favor of the annexation and increase in density. Jane Peiffer, Mark Graham and Sue Tingle were adamantly opposed.
- Questions regarding sewer and water were resolved through discussion
- Discussion about the annexation statute and process. City staff contributed to this discussion.
- Discussion about City information and incorrect information on this case. City staff committed to ensuring better communication on this case.
- Discussion about 159th Avenue design, how far north will it be built, landscaping on the west side and access to Prickly Pear trail. Applicant and City looking into final design options



regarding this issue.

- Discussion about suburban development next to rural, horse property
- Discussion about single story homes. Applicant committed to the lots along the north side and east side of the development being single story. Applicant committed to lowering number of lots from 36 to 32 lots during the open house.
- Discussion on lot sizes and types of homes. Applicant agreed to increase the width of the lots on the three (3) south rows to 60-foot wide lots.
- Discussion on construction timeframe and contact information if issues arise. Applicant committed to providing neighbors with contact info during construction and approx. time line for construction.
- Discussion about the requirement for streetlights. Applicant committed to dark sky type fixtures and work with the City staff on this issue.
- Discussion of landscaping and chemical usage. Applicant agreed to work with City on native vegetation or native hydro-seed that does not require chemical usage.
- Discussion of walls and perimeter walls/location
- Discussion of drainage and potential impacts to existing County residents. Applicant explained grading and drainage plans at time of platting to ensure no drainage impacts.

After our discussion, we felt the participants were able to express their concerns, questions and opinions throughout the open house. City staff was also present during the virtual open house and participated in the discussion at several times during the 1.4-hour discussion. We also obtained the participants emails during the virtual meeting. We sent the open house participants our project narrative and the PowerPoint presentation the following day by email.

We have committed to working through many of the discussion points during the virtual open house and we will continue to follow up with the meeting attendees with additional information on the project and schedule. We have been working cooperatively with City staff on the annexation and rezone request and will continue to work towards public hearings on the proposed request. If we are contacted by any neighbors or stakeholders after we have submitted this citizen participation report to the City, we will provide updates to the City staff with an amended report.



AFFIDAVIT OF POSTING

Application No: FS20-739 & FS20-738

Applicant Name:

Location: West of 159th Ave and Prickly Pear Trail

Date Site Posted: February 9th, 2021

In order to assist in providing adequate notice to interested parties, the applicant for any type of public hearing in the City of Surprise shall erect two (2) signs giving notice of the date, time and place of the scheduled hearings. These signs must be erected not less than **fifteen (15) days prior** to the date of the first hearing. The signs shall also include the nature of the request as contained on the formal zoning application. The size and format of this sign shall meet requirements established by the Planning and Zoning Department (see page 2).

Such notice shall be clearly legible and placed at a prominent location on the site – Generally adjacent and perpendicular to the public right-of-way. It shall be the responsibility of the applicant to erect and to maintain the sign on the subject property and to maintain the hearing information on the sign until final disposition of the case.

It shall also be the responsibility of the applicant to remove the signs within one week after the final disposition of the case.

I confirm that the site has been posted as required above, for the case noted above. A picture of the site posting, and photos of any subsequent changes/updates made to the sign, have also been submitted.

Maria Hitt
Applicant/Representative Signature

2-9-2021
Date

This instrument was acknowledged before me on this 9th day of February, 2021, and by Maria Hitt. I witness whereof I hereunto

set my hand and official seal.

Mary Beth Conrad
Notary Public

10-28-2024
My commission expires



From: [Ashley Labhart](#)
To: [Joshua Mike](#)
Cc: [Robert Kuhfuss](#)
Subject: FW: Enclave at Paloma 4
Date: Thursday, March 18, 2021 5:01:47 PM

-----Original Message-----

From: Ashley Labhart [REDACTED]
Sent: Thursday, March 18, 2021 4:51 PM
To: Michelle Brown [REDACTED]
Subject: RE: Enclave at Paloma 4

Good afternoon Michelle,

Thank you for your email, and please accept my apologies that your intent was to have comments read at the City Council meeting rather than the Planning and Zoning meeting. Instructions for how to offer Virtual Public Comment during City Council meetings can be found on our website:

<https://www.surpriseaz.gov/Archive.aspx?ADID=10339>

You do have the correct email for offering comments as it pertains to items on the Planning and Zoning Commission agendas which is PandZComments@surpriseaz.gov .

You may also keep up on the status of meetings occurring, by visiting our website and reviewing the online calendar which provides helpful details with regard to upcoming activities (it is located towards the lower right hand corner of the home page):

<https://www.surpriseaz.gov/>

The Planning and Zoning meeting is occurring this evening and will start at 6:00 pm. You may watch the live meeting via Surprise TV, as well as view the agenda for this evening by following the link below:

<https://surprisetv.surpriseaz.gov/meetings/planning-zoning-commission-meetings>

To answer your question, neither Enclave at Paloma 3 or 4 is on the agenda for this evening.

We had an item on as you will see by viewing the agenda, for Enclave at Paloma 2, however, that item is going to be continued indefinitely so it may be adequately noticed.

I will forward your email on to the planner in our department who is handling Enclave 3 & 4 so they may add your comments to the file.

Should you wish to offer comment during the meeting this evening, please let me know as soon as possible and provide the best phone number to reach you at, so I can place you on the phone comment list during our Call to the Public portion of the meeting.

Best Regards,

Ashley Labhart
Senior Administrative Specialist

City of Surprise | Community Development
16000 N. Civic Center Plaza | Surprise, AZ 85374
[REDACTED]

-----Original Message-----

From: Michelle Brown [REDACTED]
Sent: Thursday, March 18, 2021 4:01 PM
To: Ashley Labhart [REDACTED]
Subject: Enclave at Paloma 4

The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.

Hi Ashley I was actually trying to get that last comment read at the city council meeting 3-16. I think you can ignore it. I was just writing to you about maybe getting on the phone comment list for tonight. Someone is calling people saying it's cancelled though. If Enclave at Paloma 3 or 4 is on the agenda I would like to call in. If it is not on the agenda please just read this to yourself so you know what is going on. I am going to email the others personally too.

To say the residents are a little concerned is an understatement. Many had no idea this was in the works. The owner of the 5 lots is trying to sneak it in. As owners of horse property, many have said they were promised to have a native green belt around our area so we did not have to look at the ugly new construction. Some have been riding horses on this land for 30 years. I have been walking the exact land Paloma 4 is going on, for over a decade daily. I have maintained the 4x4 roads and helped the plants and wildlife. I had to rescue a hawk just two months ago on that land who got chewed up in the close construction machinery. How will they get these monster size construction machines in? That part of 159th isn't maintained by the county. It is maintained by private citizens. Are they going to bring them in from Happy Valley somehow? Frontier Rd doesn't go through to that land either. It is owned by private citizens and there is no road there. I do not want our neighborhood to be connected to Happy Valley. I do not need Frontier to come any closer. I do not want paved roads and sidewalks. I do not want lights and poisonous landscaping in place of our desert. Chemicals can kill me, I can't even have them in my food. I am not the only one chemically sensitive in this neighborhood.

The man who bought this land and his representative just spent 30 minutes lying to city council on Tuesday 3/16 to push this through. One lie after another. Only one person found out in time to make the meeting and speak live. This never should have gone through. The residents are ticked now and ready to fight.

As to the idea of moving, there is nowhere for me to go. My back is so messed up I can't wear heavy clothing, going north is out of the question. I can't even wear a light necklace without triggering migraine and seizures. With my seizures I stop breathing at times. I have to be close to a fire station or hospital but not have neighbors right on top of me (because of the chemicals). I can find nowhere like my current home. The firemen at our station have saved my life twice in the last three years. I would have died with a slower response time. The increase in population is going to start effecting me there as well. Please just leave our neighborhood alone. Those five lots are zoned for one home on each acre. That is reasonable as this neighborhood has animals. Those who moved here did so for the space and the ability to do what we want with the county land. we do not want high density or traffic anywhere near us.

Some in the neighborhood are talking of offering to buy it back. We just want to be left alone. Is there any way we can keep it at a lower density or perhaps get them to leave everything on our side of what would be Frontier alone? Those washes are also extremely important to wildlife. If you take out washes how will the mountain lions, bobcats and coyotes get around without freaking people out? If you take out the tall trees you will really mess with our hawks and Great Horned Owls. I also have a mated pair of Cardinals who come back ever year. If you move chemicals in birds usually don't live past the first mating. The chemicals will quickly kill them. We have beekeepers here too. I am sure I don't have to tell you what herbicides and pesticides do to honeybees.

Michelle Brown
[REDACTED]

Never Blame the Rainbows for the Rain

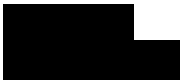
Robert Kuhfuss

From: Ashley Labhart on behalf of Planning and Zoning Comments
Sent: Thursday, March 18, 2021 5:01 PM
To: Joshua Mike
Cc: Robert Kuhfuss
Subject: FW: correct comment for tonight

Josh,

I will be forwarding emails as I receive them that pertain to your Enclave projects, so you may add them to the case file.

Let me know if you have questions.



From: [REDACTED]
Sent: Tuesday, March 16, 2021 3:38 PM
To: Planning and Zoning Comments <PandZComments@surpriseaz.gov>
Subject: correct comment for tonight

****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.****

Sorry the last email wasn't supposed to sent like that, disregard it. This is my comment.

Enclave IV at Paloma Creek
Case numbers
FS20-739
FS20-738

A developer purchased the lots for 5 homes and wants to stick 32 houses on it. Right in the middle of horse property, ranch homes and native desert. Will the new neighbors mind it when the smell and flies are so thick you can't open the door? Also many in this neighborhood are sensitive to chemicals and can't have Roundup landscaped neighbors.

The land he wants to rezone is land I have walked daily and cared for over ten years. He also wants to block the people on Prickly Pear from using 159th ave. It's the only way the folks in the last meeting have ever gotten to their home, they don't believe they can get through the wash to get out 157th. He doesn't care. He said he can get them for trespassing. He owns it now.

Well I guess he can get me for it too. Many of my neighbors have seen me and my dogs walking that land daily. They will testify to it. My husband and I have cleaned up garbage and I have even provided water to the bushes and critters along our path (when the heat gets crazy).

My neighbors who own the land next to his development won't sell and want to retain nature. The horses don't

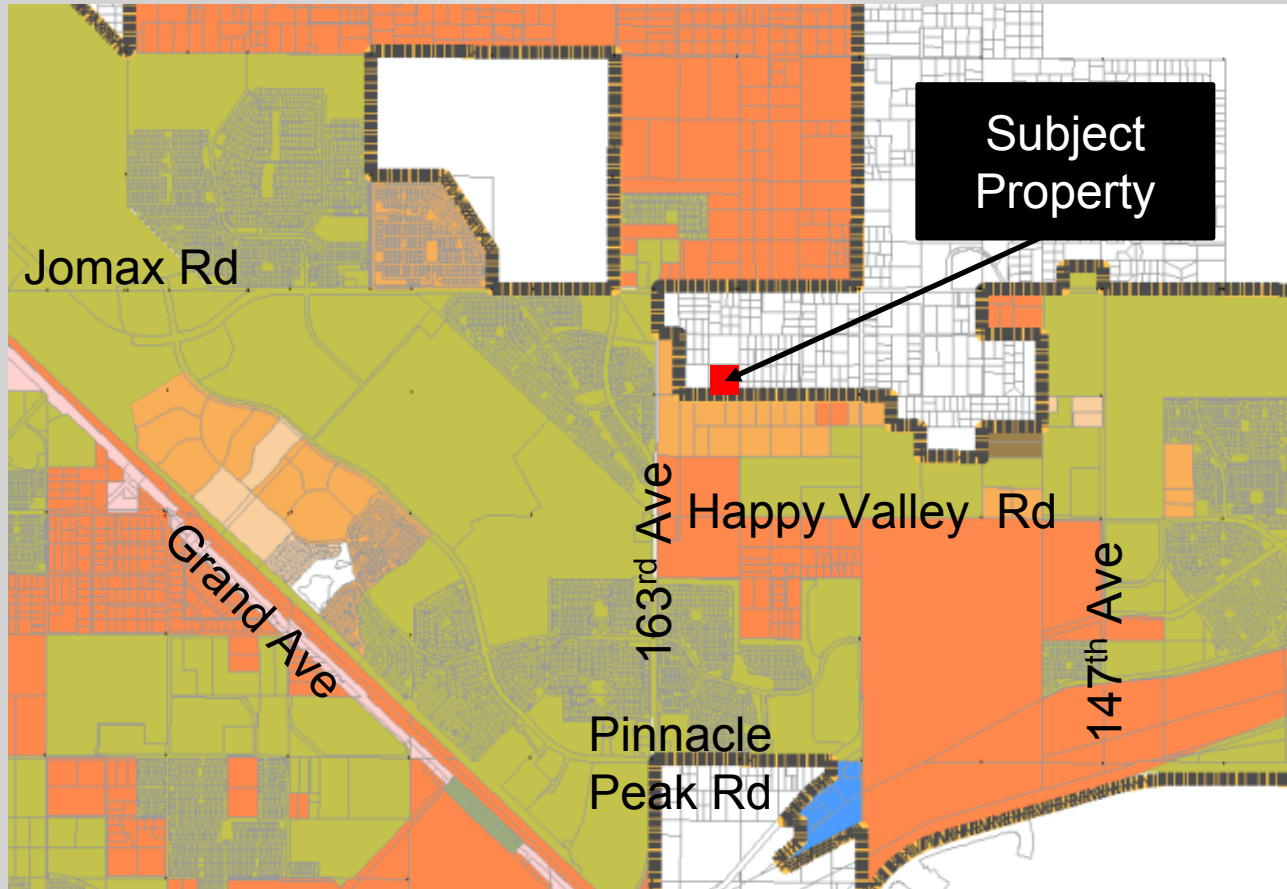
want to walk on sidewalks and asphalt. My neighbors don't want to live next to chemicals. We want our dark skies, dirt roads, and native desert. Please leave us alone and don't annex my neighborhood.

Sent from my Galaxy

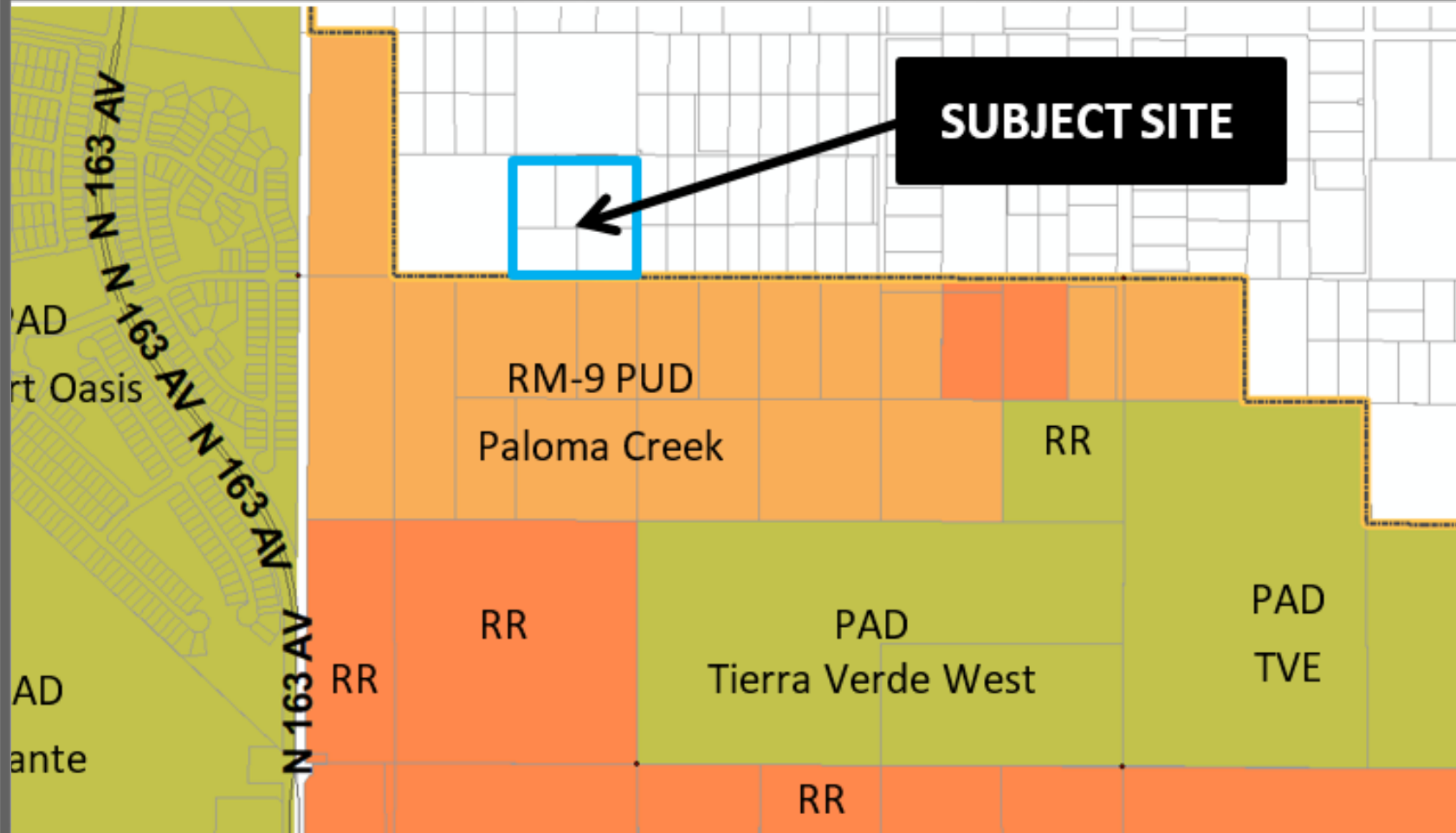


Planning and Zoning Commission
April 15, 2021

Enclave IV at Paloma Creek Rezone
FS20-738



FS20-738 Vicinity Map



FS20-738 Case Map

Table A
Residential Medium Density RM-9 PUD Overlay Development Standards

Development Standard	City Base RM-9 Development Standards	Proposed RM-9 PUD Development Standards
Net Residential Acreage Open Space	20%	23.50%
Maximum Density	9.0	3.21
Minimum Lot Area	4,500 Sq. Ft.	6,000 Sq. Ft.
Minimum Lot Width	40'	60'
Minimum Lot Depth	100'	100'
Front Setback (Livable)	12'	12'
Front Setback (Garage)	20'	20' (1) (2)
Minimum Side Yard Setback	- (3)	5'
Minimum Rear Yard Setback	20'	20' (5)
Maximum Building Height	35'	35' (6)
Driveway Width Percentage	30%	40%
Driveway Area Percentage	30%	40%
Street Side/Corner Lot	- (4)	5'

Increase

Decrease

Increase

Increase

Added

Increase

Increase

Added

FS20-738 Development Standards

Exhibit D

UNINCORPORATED MARICOPA
COUNTY PARCELS
ZONED: RU-43

Concept Plan

159TH AVENUE

Subject Property
Proposed
Enclave
4 at Paloma
Creek PUD

Paloma Creek PUD
Zoning: RM-9 (MDR)

Open Space:

- 20% Required
- 23.5% Proposed
 - Passive (TBD at Pre-plat)
 - Active (TBD at Pre-plat)

FS20-738 Open Space

Outreach:

Meeting held on February 25, 2021

Considerable opposition

Staff Recommendation:

Approve subject to stipulations 'a' through 'd'

- a. Development and use of the site shall be consistent with the rezone narrative entitled “Enclave IV at Paloma Creek”, prepared by KAX Group, LLC and received March 1, 2021.
- b. Prior to the City approving a final plat, site plan, or building permit within the property, the applicant shall provide the City with a Notice of Payment from William Lyon Homes, Inc., that the Happy Valley West (“HVW”) Buy-in Fee, the Happy Valley East (“HVE”) Buy-in Fee, and the Water Buy-in Fee, as applicable, all as described in the Rancho Mercado Supplemental Development Agreement (Regional Improvements Overlay Agreement), as amended, have been paid.
- c. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the applicable provisions of the Surprise Municipal Code.
- d. The maximum number of dwelling units shall not exceed 32.



QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE
Planning and Zoning Commission Meeting

Council Meeting Date: April 15, 2021 Contact Person: Sergio Angulo
Submitting Department: Community Development District: District 1
Staff Recommendations:

Consent: No Regular: Yes Public Hearing: No Report/Discussion: No

Agenda Wording:

Presentation and action to recommend approval or disapproval of the Preliminary Plat for Asante Unit 2.1 & 2.13, dated January 2021, a property generally located north of Asante Boulevard and west of 163rd Avenue in the Asante PAD. Case FS20-504.

Motion:

I move to recommend approval/disapproval of the Preliminary Plat entitled "Preliminary Plat for Asante Unit 2.1 & 2.13", dated January 2021, subject to stipulations "a" through "c" as memorialized in the staff report.

Background:

The subject property is part of the "Asante" PAD, is designated for Low Density Residential Development (LDR), and is generally located west of 163rd Avenue and north of Asante Boulevard. The developer is proposing a total of 155 single-family residential units, at a gross density of 3.1 DU/Ac. The Asante PAD establishes a maximum allowed density of 4.1 DU/Ac for LDR parcels.

Objective Analysis:

Policy Compliant:

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide City Services.

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. 00 - FS20-504 - Staff Report - P&Z
 2. 01 - FS20-504 - Vicinity Map - P&Z
 3. 02 - FS20-504 - Preliminary Plat - P&Z
 4. 03 - FS20-504 - Preliminary Landscape Plans - P&Z
 5. FS20-504 Asante Parcel 2.1 and 2.13 - PowerPoint
-

PRELIMINARY PLAT

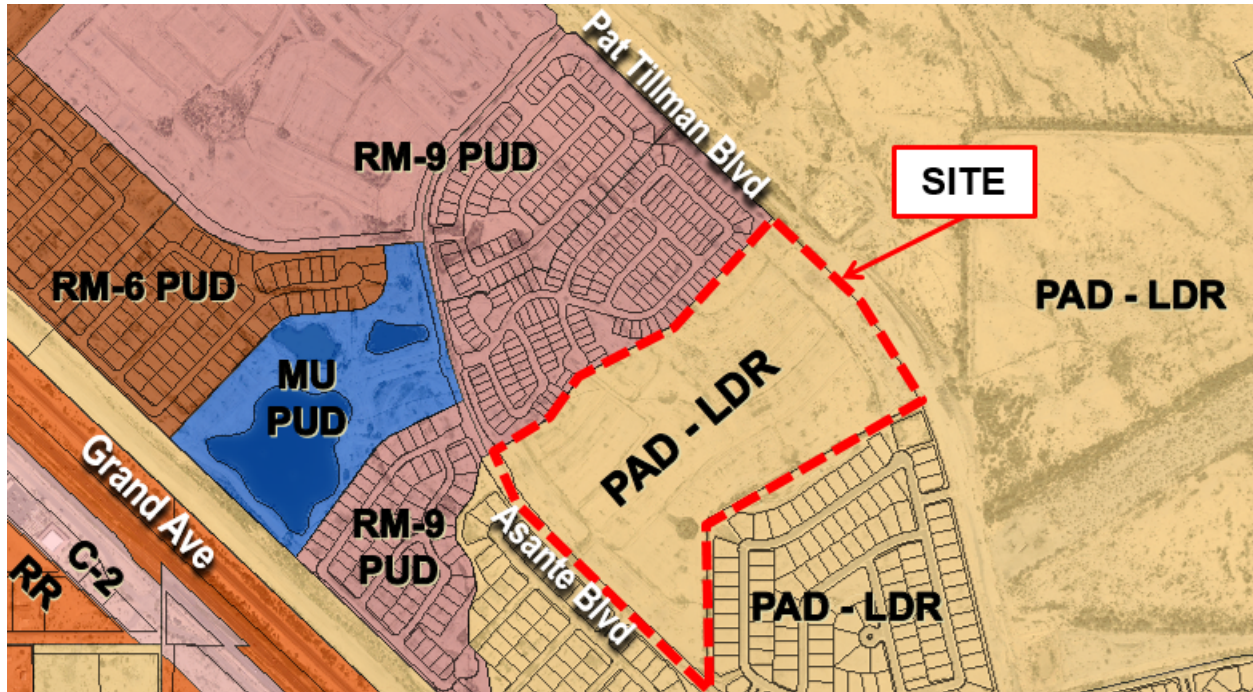
REPORT TO THE PLANNING AND ZONING COMMISSION

1	Case:	FS20-504
2		
3	Project Name:	Asante 2.1 & 2.13
4		
5	Council District:	1
6		
7	Meeting Date:	April 15, 2021
8		
9	Planner:	Sergio Angulo
10		
11		
12	Owner:	LCD Asante, LLC
13		
14	Applicant:	Diego Ortiz with Hilgart Wilson, LLC
15		
16	Request:	Preliminary Plat for 155 Lots
17		
18	Site Location:	Generally west of 163 rd Avenue and north of Asante Boulevard in a
19		portion of Section 11 and a portion of Section 12, Township 4 North,
20		Range 2 West of the Gila and Salt River Meridian, Maricopa County,
21		Arizona.
22		
23	Dwelling Units:	155 Units
24		
25	Site Size:	49.94 acres (approx.)
26		
27	Density:	3.1 DU/Ac
28		
29	General Plan Conformance:	The proposal is consistent with the Surprise General Plan 2035
30		
31	Support/Opposition:	None known
32		
33	Staff Recommendation:	Staff recommends the Commission move to recommend approval to
34		the Mayor and City Council, case FS20-504, subject to stipulations 'A'
35		to 'C'.
36	<u>Project Description:</u>	
37		

38 Hilgart Wilson, LLC., on behalf of LCD Asante, LLC., requests approval of a Preliminary Plat to allow
 39 for the development of a single-family residential subdivision on approximately 49.94 acres in Units
 40 2.1 and 2.13 of the Asante PAD, generally located west of 163rd Avenue and north of Asante
 41 Boulevard.

42

43 **Surrounding Land Zoning:**



RM-9 PUD	PAD - LDR	PAD - LDR
RM-9 PUD	PAD - LDR	PAD - LDR
RM-9 PUD	PAD - LDR	PAD - LDR

44 **Background:**

45

46 **November 3, 1988:** The subject property was annexed into the City of Surprise by the Mayor and City
 47 Council.

48

49 **November 24, 2004:** The Mayor and City Council approved the Asante Planned Area Development.

50 **October 31, 2019:** A Concept Review meeting was held for the current proposal under case CR19-
 51 722.

52 **August 11, 2020:** The applicant filed a related request for a Preliminary Plat under case FS18-646, the
 53 subject case.

54

55 **Citizen Outreach:** N/A

April 15, 2021 P&Z

Case: FS20-504

Page 2 of 4

Analysis and Discussion:

The subject property is zoned Planned Area Development (PAD) with a Low Density Residential land use designation. This development proposes a total of 155 single-family residential lots in Units 2.1 and 2.13 of the Asante PAD. The subject property is 49.94 acres (approx.) and the proposed density is 3.1 dwelling units per acre, which is consistent with the approved PAD. The typical lot sizes proposed in this subdivision are 48' x 120' and 70' x 120'. This development dedicates approximately 12.3 acres (26.34%) for open space, which includes a 2.2-acre tract (Tract H) with playground equipment, a multi-use sport court, and an open turf area for recreation. Additional landscape and retention basins also contribute to the total open space.

The proposed subdivision shows two access points into the site, one on the south side from Asante Boulevard and one located on the north side from Pat Tillman Boulevard. This development provides a good pedestrian trail system connecting the residential lots to the open space tracts, to the sidewalks along Asante Boulevard and Pat Tillman Boulevard, and to the adjacent residential parcel to the east.

Development Standards Table:

Development Standard:		Asante PAD Zoning:
Minimum Lot Area:	5,280 sq. ft.	7,480 sq. ft.
Minimum Lot Width:	48'	68'
Minimum Lot Depth:	110'	110'
Minimum Front Setback (livable):	12'	12'
Minimum Front Setback (garage):	18'	20'
Minimum Side Yard Setback:	5'/8'	5'/8'
Minimum Street Side Yard Setback:	13'	13'
Minimum Rear Yard Setback:	15'	15'
Maximum Building Height:	30'	30'
Maximum Lot Coverage:	N/A	N/A

Utility and Services Table:

Water:	City of Surprise
Wastewater:	City of Surprise
School District:	Dysart Unified School District

Conformance with Adopted Plans:

Surprise General Plan 2035: The proposal is consistent with the Surprise General Plan 2035.

Reviewing Agencies:

In addition to the standard city reviewing agencies, who indicate no objections to the requests, Luke Air Force Base, Maricopa Water District, and ADOT were included in the routing of this case. These agencies also indicate no objections.

Summary:

The proposed Preliminary Plat meets the requirements of the Asante PAD, the Surprise Municipal Code, and the General Plan.

Findings:

- The proposed Preliminary Plat is consistent with the Surprise General Plan 2035.
- The proposed Preliminary Plat is consistent with Asante PAD.
- The reviewing agencies have indicated no objections to the request.

Recommendation:

Based on the findings noted above, staff recommends the Commission move to recommend **approval** to the Mayor and City Council, the Preliminary Plat case FS20-504, subject to stipulations 'A' through 'C' as outlined below:

- A. Development and use of the site shall be consistent with the Preliminary Plat entitled "Preliminary Plat for Asante Unit 2.1 & 2.13" prepared by Hilgart Wilson and dated January 2021.
- B. Landscaping, walls, and amenities associated with the site shall be consistent with the Preliminary Landscape Plan entitled "Asante Units 2.1 & 2.13" prepared by Norris Design and dated March 27, 2020.
- C. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.

However, should the Commission wish to recommend **denial** of the request, the Commission should make its own findings and base its decision on those alternative findings.

Attachments:

- 01 Vicinity Map
- 02 Preliminary Plat
- 03 Preliminary Landscape Plans

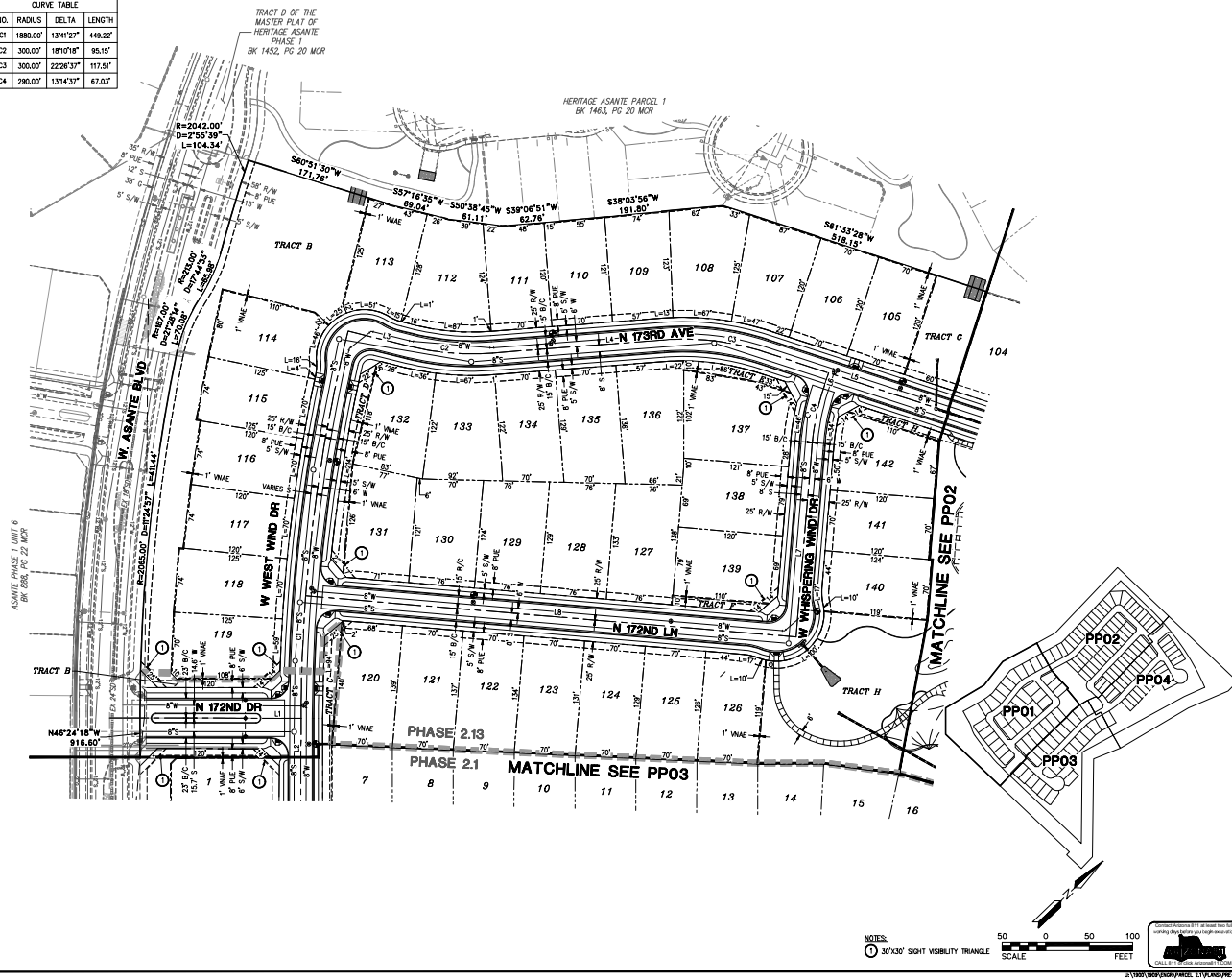


FS20-504 VICINITY MAP

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LINE TABLE		
NO.	DIRECTION	LENGTH
L1	S43°35'42"W	230.00'
L2	N44°24'18"W	169.00'
L3	S57°17'09"W	73.53'
L4	S39°06'51"W	197.25'
L5	S81°33'28"W	396.04'
L6	N28°26'32"E	18.00'
L7	S41°41'09"E	221.57'
L8	S48°18'51"W	565.40'

CURVE TABLE			
NO.	RADIUS	DELTA	LENGTH
C1	1880.00'	13°41'23"	449.22'
C2	300.00'	18°01'08"	95.15'
C3	300.00'	22°26'37"	117.91'
C4	290.00'	13°41'37"	67.03'



REV.

HILGART WILSON

234 E. LUGA AND AVE. STE. 200 | P.O. BOX 500000 | FARGO, ND 58105

88264
DEED
DATE
2/5/21

ASANTE UNIT 2.1 & 2.13
ASANTE BOULEVARD & PAT TILMAN BOULEVARD
SUNRISE, ARIZONA

PRELIMINARY PLAT

HILGART WILSON

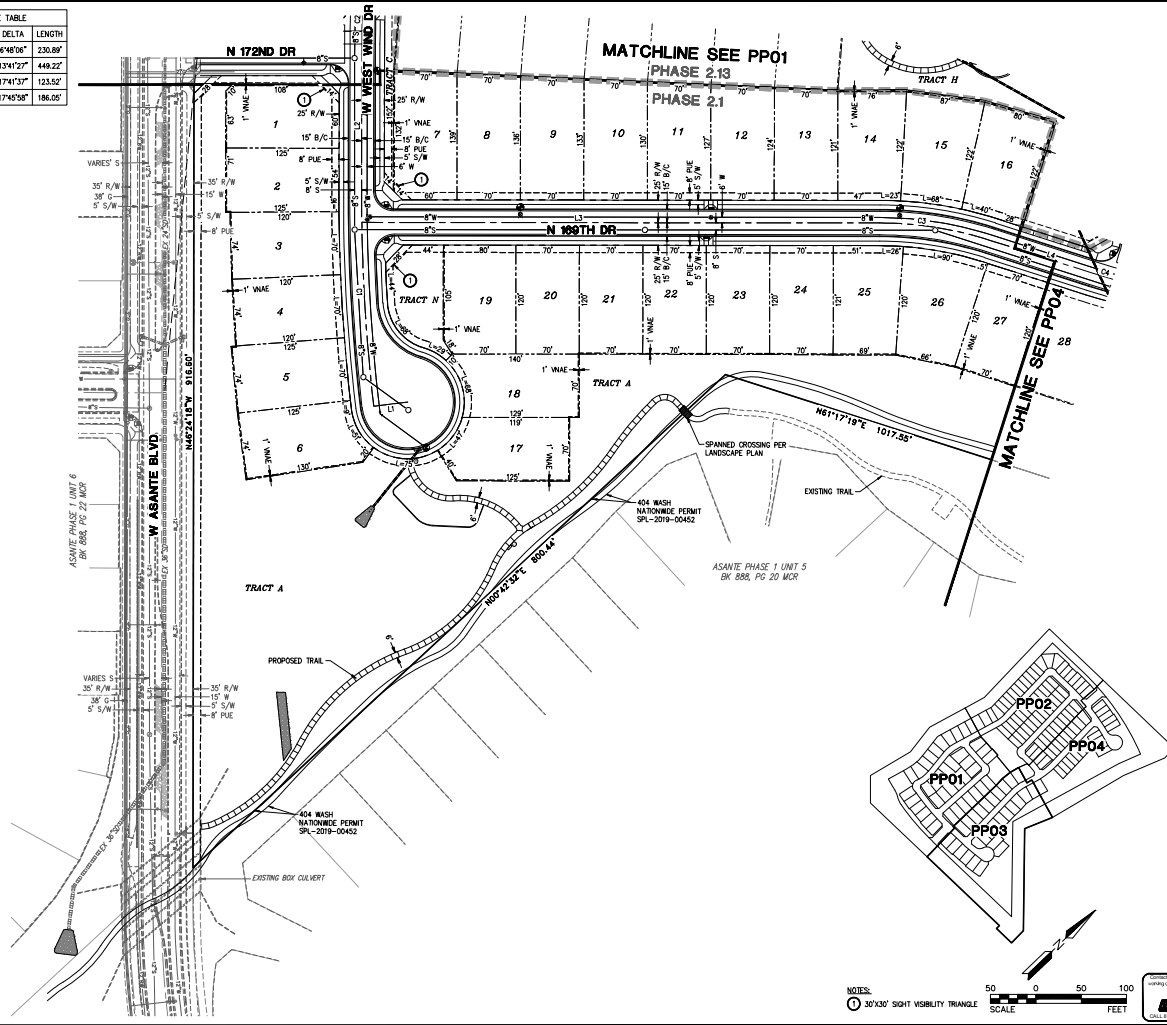
PROJ. NO.: 1909
DATE: JAN 2021
DESIGNED BY: JH
DRAWN BY: JH
APPROVED BY: JH

PP01

SHEET 3 OF 6

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LINE TABLE			CURVE TABLE			
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L1	S36°47'30"W	37.50'	C1	1945.00'	6°48'04"	230.89'
L2	N46°24'18"W	189.00'	C2	1880.00'	13°41'23"	449.22'
L3	S43°35'42"W	571.36'	C3	400.00'	17°41'33"	123.50'
L4	N61°17'19"E	116.71'	C4	600.00'	17°45'58"	186.05'



REV.

HILGART WILSON
234 E. LUGA AND AVE. STE. 200
PHOENIX, AZ 85034
P: 602.960.0267 F: 602.248.2434
www.hilgartwilson.com

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01/22
2/5/21
Hilgart Wilson

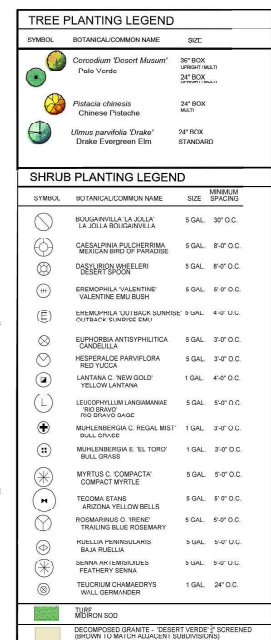
ASANTE UNIT 2.1 & 2.13
ASANTE BOULEVARD & PAT TILMAN BOULEVARD
SURPRISE, ARIZONA

PRELIMINARY PLAT

HILGART WILSON
PROJ. NO.: 1909
DATE: JAN. 2021
DESIGNED BY: JAW
DRAWN BY: JAW
CHECKED BY: JAW
APPROVED BY: JAW

PP03

SHEET 5 OF 6
FSD-504





ASANTE - Unit 2.1 & 2.13

Lennar Homes | Surprise, AZ | February 05, 2021

Preliminary Wall Plan



SMP
ENVIRONMENTAL DESIGN

FS20-504

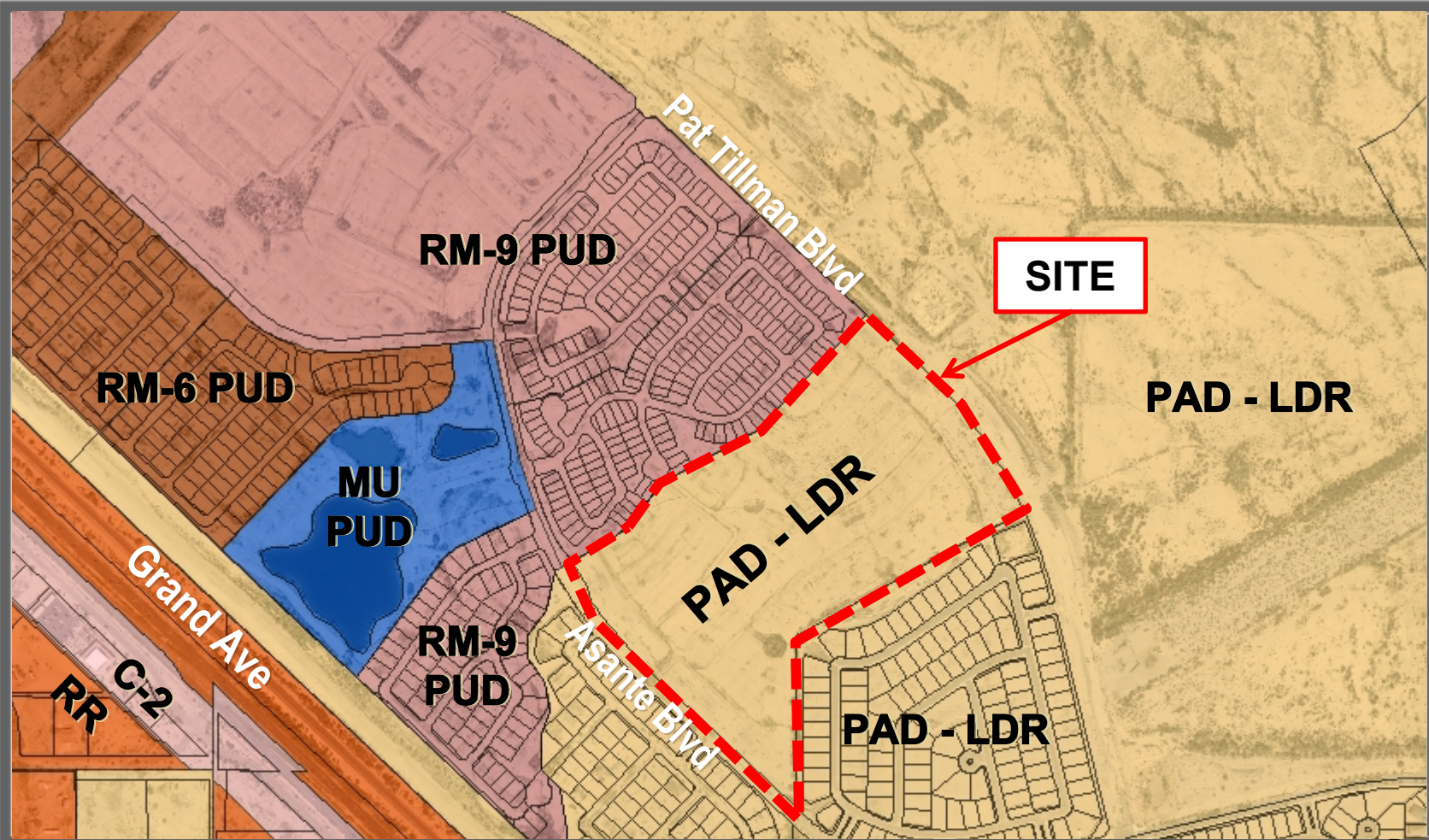


Asante 2.1 & 2.13 Preliminary Plat

Planning & Zoning Commission
April 15, 2021



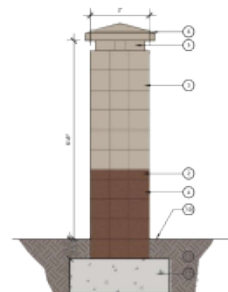
FS20-504 VICINITY MAP







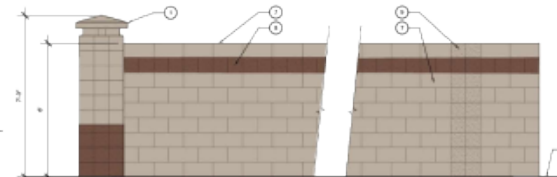
FS20-504 WALL PLAN



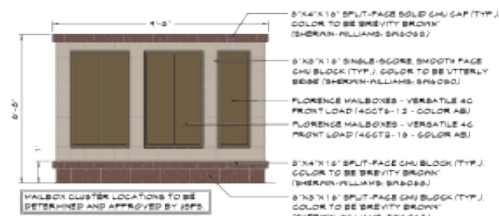
SOUND WALL COLUMN
SCALE: 1" = 1'-0"

LEGEND

1. SOUND WALL COLUMN - REFER TO DETAIL, THIS SHEET
2. 4"x14" SINGLE-SCORE SPLIT FACE CMU BLOCK PAINTED "TATTERLY BROWN" SWATCH
3. 4"x14" SINGLE-SCORE SMOOTH FACE CMU BLOCK PAINTED "TATTERLY BEIGE" SWATCH
4. 4"x14" SINGLE-SCORE SPLIT FACE CMU BLOCK PAINTED "TATTERLY BROWN" SWATCH
5. 4"x14" SINGLE-SCORE SMOOTH FACE CMU BLOCK PAINTED "TATTERLY BEIGE" SWATCH
6. PRECAST CONCRETE CAP BY C.D. I. #PC2 21-18SG, COLOR "SADDLE" 0010
7. 4"x14" CMU INTERLOCK BLOCK PAINTED "TATTERLY BEIGE" SWATCH
8. 4"x14" SINGLE-SCORE SPLIT FACE BLOCK PAINTED "TATTERLY BROWN" SWATCH
9. 4"x14" SINGLE-SCORE SMOOTH FACE 14" BLOCK PAINTED "TATTERLY BEIGE" SWATCH
10. FINISH GRADE
11. COMPLETED SUBGRADE
12. CONCRETE FOOTING AND STEEL REINFORCEMENT PER STRUCTURAL ENGINEER'S DETAILS AND CALLS



SOUND WALL
SCALE: 1" = 1'-0"



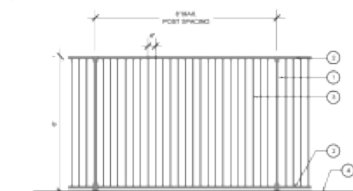
MAILBOX CLUSTER
SCALE: NTS

LEGEND

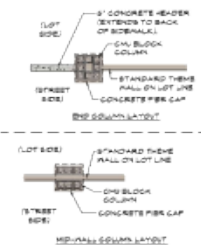
1. 2" SQ. TUBE STEEL POST - WELD POST TO WELD PLATE
2. 1/4" SQ. TUBE STEEL RAIL - PROVIDED WELDED FLANGE FOR ATTACHMENT TO POST
3. 2" SQ. TUBE STEEL PICKET
4. FINISH GRADE

NOTES

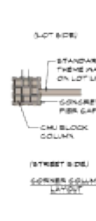
- REFER TO STRUCTURAL ENGINEER'S DETAILS
- CALCULATIONS FOR ALL CONNECTIONS, FOOTINGS AND REINFORCING INFORMATION.
- ALL STEEL FINISH TO BE CARBONAL INDUSTRIES COLOR "TEXTURED RUST" BR-47



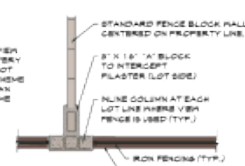
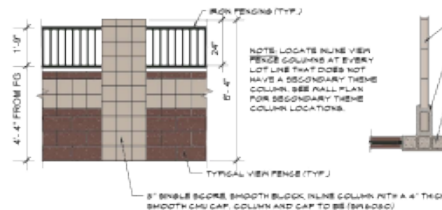
VIEW FENCE
SCALE: NTS



COLUMN LAYOUT
SCALE: NTS



IN LINE FENCING
SCALE: NTS



FS20-504 WALL PLAN



RECOMMENDATION

Staff recommends the P&Z Commission to Recommend Approval to the Mayor and City Council subject to stipulations 'A' – 'C'.



QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE
Planning and Zoning Commission Meeting

Council Meeting Date: April 15, 2021 Contact Person: Robert Kuhfuss
Submitting Department: Community Development District: District 1
Staff Recommendations:

Consent: No Regular: Yes Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action to recommend approval or disapproval of the Preliminary Plat entitled "North Copper Canyon Parcels 2, 3, and 4," received March 30, 2021. (Case FS20-333)

Motion:

I move to recommend approval/disapproval of the Preliminary Plat entitled "North Copper Canyon Parcels 2, 3, and 4," received March 30, 2021, to the City Council subject to stipulations "a" through "c".

Background:

The subject request involves a Preliminary Plat for Parcels 2, 3, and 4 of the North Copper Canyon Community. The applicant seeks to subdivide the subject parcel into 630 lots and 20 tracts for a total of 139.67 gross acres, exclusive of the 20-acre school site.

Objective Analysis:

Policy Compliant:

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city services.

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. 00 - FS20-333 NCC 2, 3 and 4 Preliminary Plat 041521 PZ Staff Report

2. 01 - FS20-333 - Austin Ranch NCC Parcels 2, 3, 4 PP - Vicinity Map - 041521.pdf
 3. 02 - FS20-333 - Austin Ranch NCC Parcels 2, 3, 4 PP - Case Map - 041521.pdf
 4. 03 - FS20-333 - Austin Ranch NCC Parcels 2, 3, 4 PP - Preliminary Plat - 041521
 5. 04 - FS20-333 - Austin Ranch NCC Parcels 2, 3, 4 PP - Landscape Plans - 04521
 6. 05 - FS20-333 LAFB Comments
 7. PP - FS20-333 Austin Ranch NCC Parcels 2, 3, and 4 Preliminary Plat 041521 P&Z PPT
-

PRELIMINARY PLAT

REPORT TO THE PLANNING AND ZONING COMMISSION

Case: FS20-333

Project Name: North Copper Canyon Parcels 2, 3, and 4 Preliminary Plat

Council District: 1 - Acacia

Meeting Date: April 15, 2021

Planner: Robert H. Kuhfuss

Owner: Austin Ranch LLC

Applicant: Duane Hunn of Courtland Homes, Inc.

Request: Preliminary Plat approval for a 630 unit single-family residential subdivision in the Austin Ranch North Copper Canyon PAD.

Site Location: Generally located west of Citrus Road, between Pinnacle Peak Road and Norwich Drive

Dwelling Units: 630 total units

Site Size: 139.67 acres (approx.)

Density: 3.95 DU/Ac

General Plan Conformance: The proposal is consistent with the Surprise General Plan 2035

Support/Opposition: None received

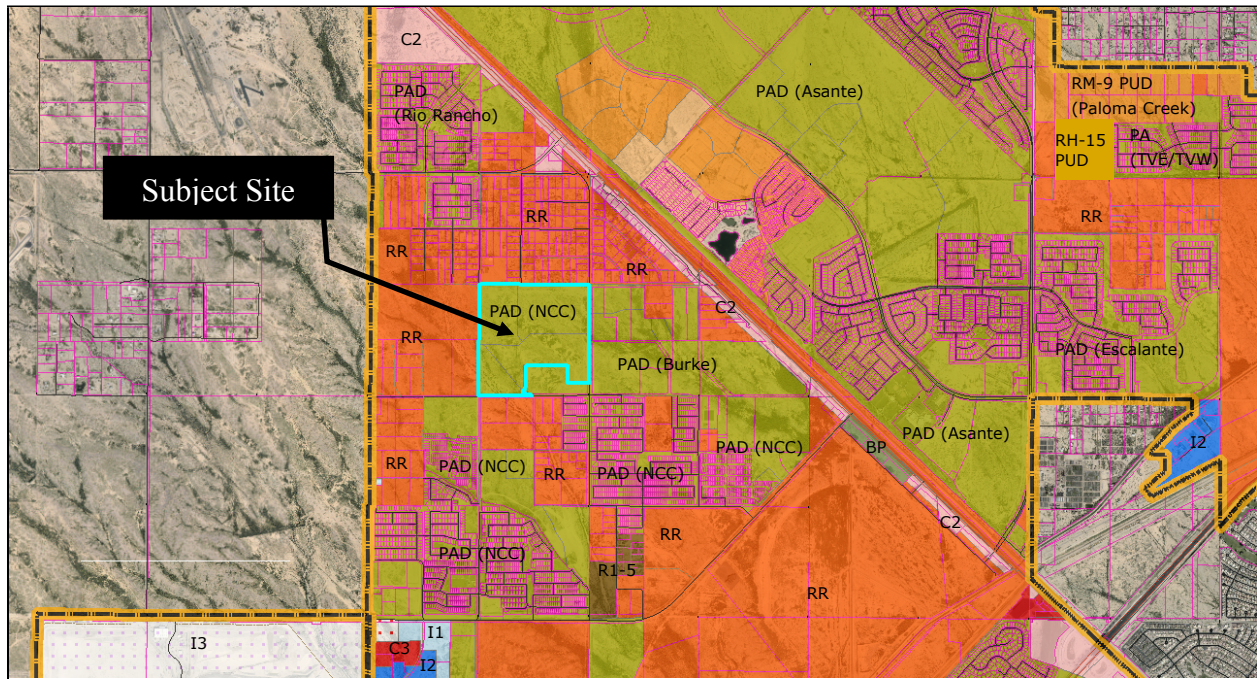
Staff Recommendation: Staff recommends the Commission move to recommend approval of case FS20-333 to the City Council, subject to stipulations 'a' through 'c.'

Project Description:

The subject request involves a Preliminary Plat for Parcels 2, 3, and 4 of the North Copper Canyon Community. The applicant seeks to subdivide the subject parcel into 630 lots and 20 tracts for a total of 139.67 gross acres exclusive of the adjacent 20-acre school site.

Surrounding Zoning:

The following map and chart depicts the existing zoning of the subject site and its surroundings:



Residential Ranch (RR)	Residential Ranch (RR)	Residential Ranch (RR)
Residential Ranch (RR)	North Copper Canyon (PAD)	North Copper Canyon (PAD) Burke PAD
North Copper Canyon (PAD)	North Copper Canyon (PAD) Residential Ranch (RR)	North Copper Canyon (PAD)

Background:

June 8, 1989: The subject project area was annexed into the City of Surprise under Ordinance 89-05.

May 27, 2004: The Mayor and City Council approved the Austin Ranch PAD.

September 29, 2005: The Mayor and City Council approved the Austin Ranch II PAD.

January 26, 2006: The Mayor and City Council approved a Preliminary Plat for Austin Ranch West.

February 18, 2020: The Mayor and City Council approved a Major PADA for North Copper Canyon under case FS19-431.

March 19, 2020: Staff met with the applicant to discuss the project during a regularly scheduled Concept Review meeting under CR20-162.

May 14, 2020: The applicant filed a request for a Preliminary Plat under case FS20-333, the subject case.

Analysis and Discussion:

Duane Hunn of Courtland Homes, Inc. is requesting Preliminary Plat approval for a 630-lot detached single-family residential subdivision on 139.67 acres generally west of Citrus Road, between Pinnacle Peak Road and Norwich Drive. The subject Preliminary Plat provides 630 Low Density Residential (LDR) lots in both 45 and 50 foot widths. This aforementioned acreage figure is exclusive of the 20-acre School Site, which per the PAD, is allowed to be calculated in the overall open space and density calculations. As such, the project provides for a density of 3.95 DU/Ac.

The proposed Preliminary Plat project area is shown below:



The open space comprises 25.7% open space inclusive of the School Site. This figure also includes the Well Site located in the extreme northeast corner of the site. While the well site should not be included in the open space calculation, its effect is negligible and represents less than 0.2% of the project area. Additionally, a public access easement is provided along the wash that crosses the site that will contribute to the City of Surprise trail system.

Utility and Services Table:

Water:	Beardsley Water
Wastewater:	City of Surprise
School District:	Dysart Unified

Conformance with Adopted Plans:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more.

Reviewing Agencies:

In addition to the standard city reviewing agencies, Maricopa County, Arizona Department of Transportation, Maricopa Water District, and Luke AFB were included in the routing of this request. None of the reviewing agencies indicated any concerns over the request.

Summary:

The applicant seeks a Preliminary Plat across the subject property. The proposed development is compatible with the neighboring land uses and the amenities included will provide recreational opportunities for the neighborhood residents.

Findings:

- The proposed Preliminary Plat is consistent with the Surprise General Plan.
- The proposed Preliminary Plat is consistent with the Rezone proposed under Case FS19-431.
- The reviewing agencies have indicated no objections.

Recommendation:

Based on the findings noted above, staff recommends the Commission vote to recommend approval of the subject Preliminary Plat request to the City Council, subject to stipulations ‘a’ through ‘c’ as outlined below:

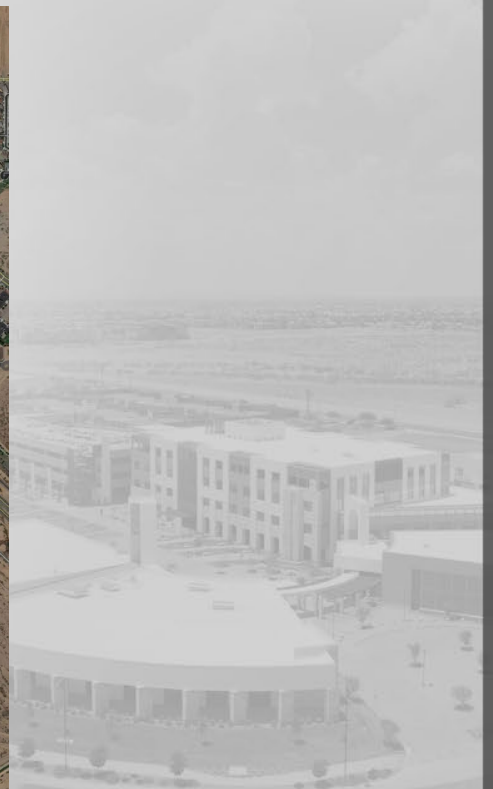
- 122 a. Development and use of the site shall be consistent with the Preliminary Plat entitled
123 "Preliminary Plat for North Copper Canyon Parcels 2, 3, and 4" consisting of seven (7) sheets
124 prepared by CVL Consultants and received March 30, 2021.
125
126 b. Landscaping of the site shall be consistent with the Landscape and Wall Plans entitled North
127 Copper Canyon – Parcels 2, 3 & 4 Preliminary Planting Plan" consisting of five (5) sheets
128 prepared by McCough Adamson and received February 9, 2021.
129
130 c. Non-compliance with the stipulations of approval of this case will be treated as a violation in
131 accordance with the provisions of Article XIV of the Surprise Unified Development Code.
132

133 However, should the Commission wish to recommend denial of the request, the Commission should
134 make its own findings and base its decision on those alternative findings.
135

136 **Attachments:**
137

- 138 01 Vicinity Map
139 02 Case Map
140 03 Preliminary Plat
141 04 Landscape Plans
142 05 Luke AFB comments

FS20-333
Austin Ranch NCC Parcels 2,3,4



CASE MAP

FS20-333

Austin Ranch NCC Parcels 2, 3, 4



EMERGENCY VEHICLE ACCESS (E.V.A.) MUST BE PROVIDED BY THE CONTRACTOR THROUGHOUT THE ENTIRE CONSTRUCTION SITE. THE E.V.A. ROUTE MUST BE SIGNED AND MAINTAINED BY THE CONTRACTOR AT ALL TIMES. SIGNS SHALL BE PLACED AT THE BEGINNING AT THE POINT OF ENTRY AND AT ALL DIRECTIONAL CHANGE LOCATIONS.

BASIS OF BEARINGS: SOUTH 00°28'33" WEST ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 4 NORTH, RANGE 2 WEST ACCORDING TO AN UNRECORDED A-1 T.A. SURVEY BY LAND SURVEY SERVICES, P.L.C.

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA AND IS DESCRIBED AS FOLLOWS:

THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 4 NORTH RANGE 2 WEST OF THE GILA
AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;
EXCEPT THAT PORTION DEEDED TO DYARS UNIFIED SCHOOL DISTRICT NO. 88 ACCORDING
TO DOCUMENT NO. 2007-1317871 AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 10;
THENCE SOUTH 88 DEGREES 40 MINUTES 54 SECONDS WEST, CONCURRENT WITH THE SOUTH
LINE OF SAID SECTION 10, A DISTANCE OF 1348.95 FEET TO A POINT ON THE
ARC OF A TANGENT CURVE;

THENCE WITH THE ARC OF SAID TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 400.00 FEET, THROUGH A CENTRAL ANGLE OF 38 DEGREES 06 MINUTES 26 SECONDS, AN ARC DISTANCE OF 266.04 FEET TO A POINT ON A NON-TANGENT LINE.

THENCE NORTH 37 DEGREES 47 MINUTES 26 SECONDS EAST, ALONG SAID NON-TANGENT LINE, A DISTANCE OF 100.09 FEET TO A POINT ON THE ARC OF A TANGENT CURVE:

THENCE WITH THE ARC OF SAID TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 100.00 FEET, THROUGH A CENTRAL ANGLE OF 37 DEGREES 58 MINUTES 54 SECONDS, AN ARC DISTANCE OF 66.29 FEET TO A POINT ON A TANGENT LINE;

THENCE NORTH 09 DEGREES 48 MINUTES 26 SECONDS EAST, A DISTANCE OF 995.73 FEET;
THENCE SOUTH 00 DEGREES 11 MINUTES 34 SECONDS EAST, A DISTANCE OF 27.50 FEET;
THENCE SOUTH 45 DEGREES 11 MINUTES 34 SECONDS EAST, A DISTANCE OF 21.21 FEET;
THENCE SOUTH 00 DEGREES 11 MINUTES 34 SECONDS EAST, A DISTANCE OF 395.00 FEET;

THENCE SOUTH 00 DEGREES 11 MINUTES 34 SECONDS EAST, A DISTANCE OF 593.50 FEET TO A POINT ON THE 89 DEGREES 48 MINUTES 26 SECONDS EAST, A DISTANCE OF 503.50 FEET TO A POINT ON THE 10 LINE OF SAID SECTION 10; THENCE SOUTH 00 DEGREES 11 MINUTES 34 SECONDS, COINCIDENT WITH SAID EAST LINE, A DISTANCE OF 285.45 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL COAL, OIL AND OTHER MINERAL DEPOSITS, AS RESERVED IN

THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE A, AE, AND X (SHADED) BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04013C1205L WITH A DATE OF IDENTIFICATION OF OCTOBER 18, 2013. FOR COMMUNITY NO. 040053, IN MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.

[illegible]

FIRE	CITY OF SURPRISE
WATER	BEARDSLEY WATER COMPANY
SEWER	CITY OF SURPRISE
POWER	ARIZONA PUBLIC SERVICE (APS)
TELEPHONE	CENTURYLINK
GAS	SOUTHWEST GAS COMPANY
CATV	COX COMMUNICATIONS



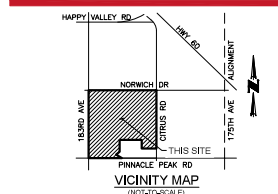
SITE DATA				
	AC	SQ FT	ZONING	APN
*GROSS AREA (THIS PLAT)	139.67	6,063,873		
NET AREA (THIS PLAT)	139.67	5,702,389	PAD	503-73-022A
*CCHOOL SITE GROSS AREA	87.30	3,871,712		
TOTAL GROSS COMBINED AREA	139.67	6,935,065		503-73-022C
PARCEL	TYPICAL LOT SIZE	YIELD	PARCEL ACRES	*DENSITY (DU/AC)
2	40' X 150'	202	32.06%	40.21
3	40' X 150'	211	33.4%	38.85
4	50' X 150'	217	34.44%	60.00
*SCHOOL SITE				20.50
*TOTALS		630	100.0%	159.67

*PREPLAT GROSS AREA DOES NOT INCLUDE SCHOOL SITE GROSS AREA

*SCHOOL TOTAL YIELD DOES NOT INCLUDE SCHOOL SITE GROSS AREA

LOT MK	42' X 115'	413	66%
	50' X 115'	217	34%
TOTAL		630	100%
TOTAL ROW AREA			
LOCAL ROW AREAS (AC)		29.57	
MAJOR ROW AREAS (AC)		0.92	
COMBINED ROW TOTALS		30.48	
TOTAL OPEN SPACE AREA			
PRE-PLAY O.S. TRACT AREAS		20.82	13.04%
WELL SITE		0.20	0.13%
SCHOOL SITE		20.00	12.50%
TOTAL		41.03	25.69%
***OPEN SPACE % = TOTAL OPEN SPACE + SCHOOL SITE / GROSS AREA + SCHOOL SITE GROSS AREA			

OWNER / DEVELOPER	CVL DESIGN TEAM
COURTLAND HOME c/o HUNN DEVELOPMENT 2390 E CAMELBACK ROAD, SUITE 130 PHOENIX, ARIZONA 85016 CONTACT: DUANE HUNN PHONE: 602-640-8960	COE & VAN LOO, LLC. 4550 NORTH 12TH STREET PHOENIX, AZ 85014 CONTACT: MATT OLSEN PHONE: 602-295-5831

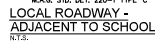


_____	PROPOSED LOTS
_____	PROPOSED ROW
_____	PROPOSED CENTER LINE
-----	(S.V.T.) SIGHT VISIBILITY TRIANGLE
-----	(V.N.A.E.) INDICATES VEHICULAR NON-ACCESS EASEMENT
-----	(P.U.E.) INDICATES PUBLIC UTILITY EASEMENT

SHEET 01 - VICINITY MAP / PARCEL MAP / SITE DATA TABLE / DEVELOPMENT
STANDARDS TABLE / TYPICAL LOT DETAIL / LEGAL DESCRIPTION
SHEET 02 - ROADWAY SECTION DETAILS
SHEET 03 - INDEX MAP
SHEET 04-03 - DEVELOPMENT PLAN



SHEET
01 OF 07
CVL# 14.0295210
CASE # FS20-333
DATE: 2/8/2021



A PORTION OF LAND LOCATED IN THE SOUTHEAST QUARTER OF
SECTION 10, TOWNSHIP 4 NORTH, RANGE 2 WEST, OF THE
GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA

OWNER / DEVELOPER	CVL DESIGN TEAM
COURTLAND HOME & HUNN DEVELOPMENT 2390 E CAMELBACK ROAD, SUITE 130 PHOENIX, ARIZONA 85016 CONTACT: DUANE HUNN PHONE: 623-640-8960	COE & VAN LOO, LLC. 4550 NORTH 12TH STREET PHOENIX, AZ 85014 CONTACT: MATT OLSEN PHONE: 602-285-6831

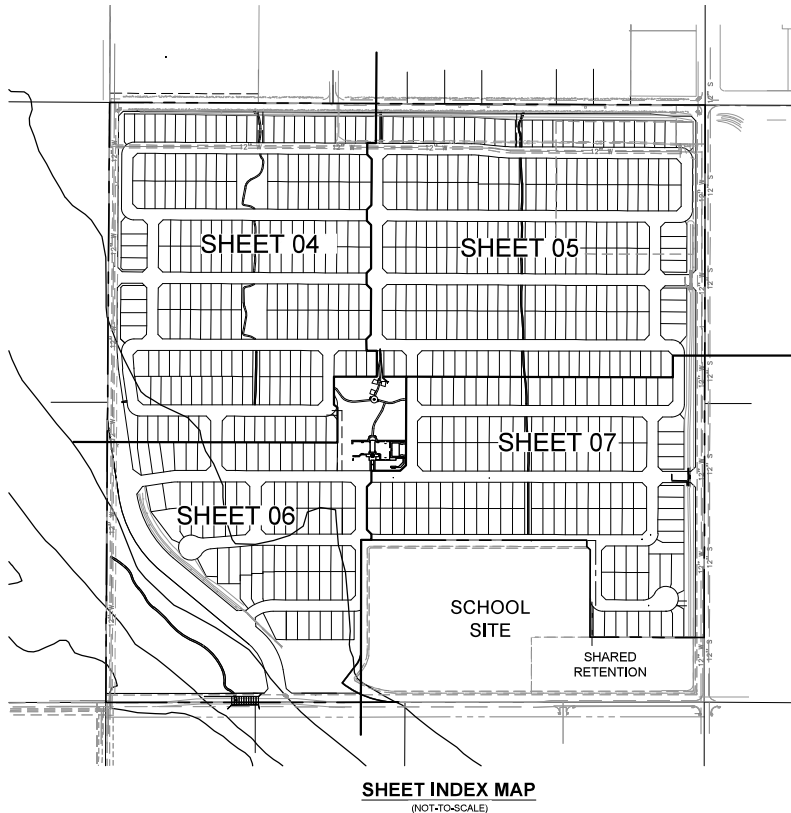


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STANDARDS TABLE / TYPICAL LOT DETAIL / LEGAL DESCRIPTION
SHEET 02 - ROADWAY SECTION DETAILS
SHEET 03 - INDEX MAP
SHEET 04-07 - PRELIMINARY PLAT



SHEET
02 OF 07
PL# 14.0285210
SE # E5C0-333

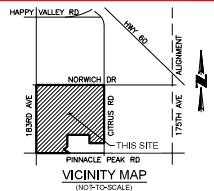
DATE: 2/5/2021



PRELIMINARY PLAT FOR NORTH COPPER CANYON PARCELS 2, 3 AND 4 A PORTION OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 4 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

OWNER / DEVELOPER
COURTLAND HOME LLC
HUNN DEVELOPMENT
2290 E CAMELBACK ROAD, SUITE 130
PHOENIX, ARIZONA 85016
CONTACT: SUANE HUNN
PHONE: 623-440-8590

CVL DESIGN TEAM
COE & VAN LOO LLC
4500 NORTH 12TH STREET
PHOENIX, AZ 85014
CONTACT: MATT OLSEN
PHONE: 602-286-6031



LEGEND	
	PROPOSED LOTS
	PROPOSED ROW
	PROPOSED CENTER LINE
	(S.V.T.) SIGHT VISIBILITY TRIANGLE
	(V.N.A.E.) INDICATES VEHICULAR NON-ACCESS EASEMENT
	(P.U.E.) INDICATES PUBLIC UTILITY EASEMENT

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SHEET 02 - ROADWAY SECTION DETAILS
SHEET 03 - INDEX MAP
SHEET 04-07 - PRELIMINARY PLAT



**SHEET
03 OF 07**
CVL 14.02.06.10
CASE # 1520-101
DATE: 2/6/2021

A PORTION OF LAND LOCATED IN THE SOUTHEAST QUARTER OF
SECTION 10, TOWNSHIP 4 NORTH, RANGE 2 WEST, OF THE
GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA.

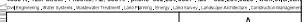
CVL DESIGN TEAM
CCE & VAN LOO LLC

COE & VAN LOO,LLC
4550 NORTH 12TH STREET
PHOENIX, AZ 85014
CONTACT: MATT OLSEN
PHONE: 602-285-6831



- PROPOSED LOTS
- PROPOSED ROW
- PROPOSED CENTER LINE
- (S.V.T.) SIGHT VISIBILITY TRIANGLE
- (V.N.A.E.) INDICATES VEHICULAR NON-ACCESS EASEMENT
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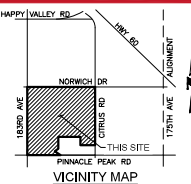


SHEET
04 OF 07
CVL# 14.0295210
CASE # FS20-333
DATE: 2/8/2021

PRELIMINARY PLAT
FOR
NORTH COPPER CANYON
PARCELS 2, 3 AND 4

A PORTION OF LAND LOCATED IN THE SOUTHEAST QUARTER OF
SECTION 10, TOWNSHIP 4 NORTH, RANGE 2 WEST, OF THE
GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA

OWNER / DEVELOPER	CVL DESIGN TEAM
COURTLAND HOME CO HUNN DEVELOPMENT 2390 E CAMELBACK ROAD, SUITE 130 PHOENIX, ARIZONA 85016 CONTACT: DUANE HUNN PHONE: 623-640-8960	COE & VAN LOO, LLC 4550 NORTH 12TH STREET PHOENIX, AZ 85014 CONTACT: MATT OLSEN PHONE: 602-285-6831



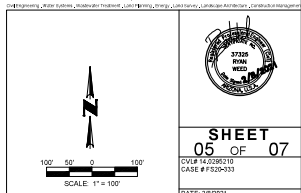
LEGEND

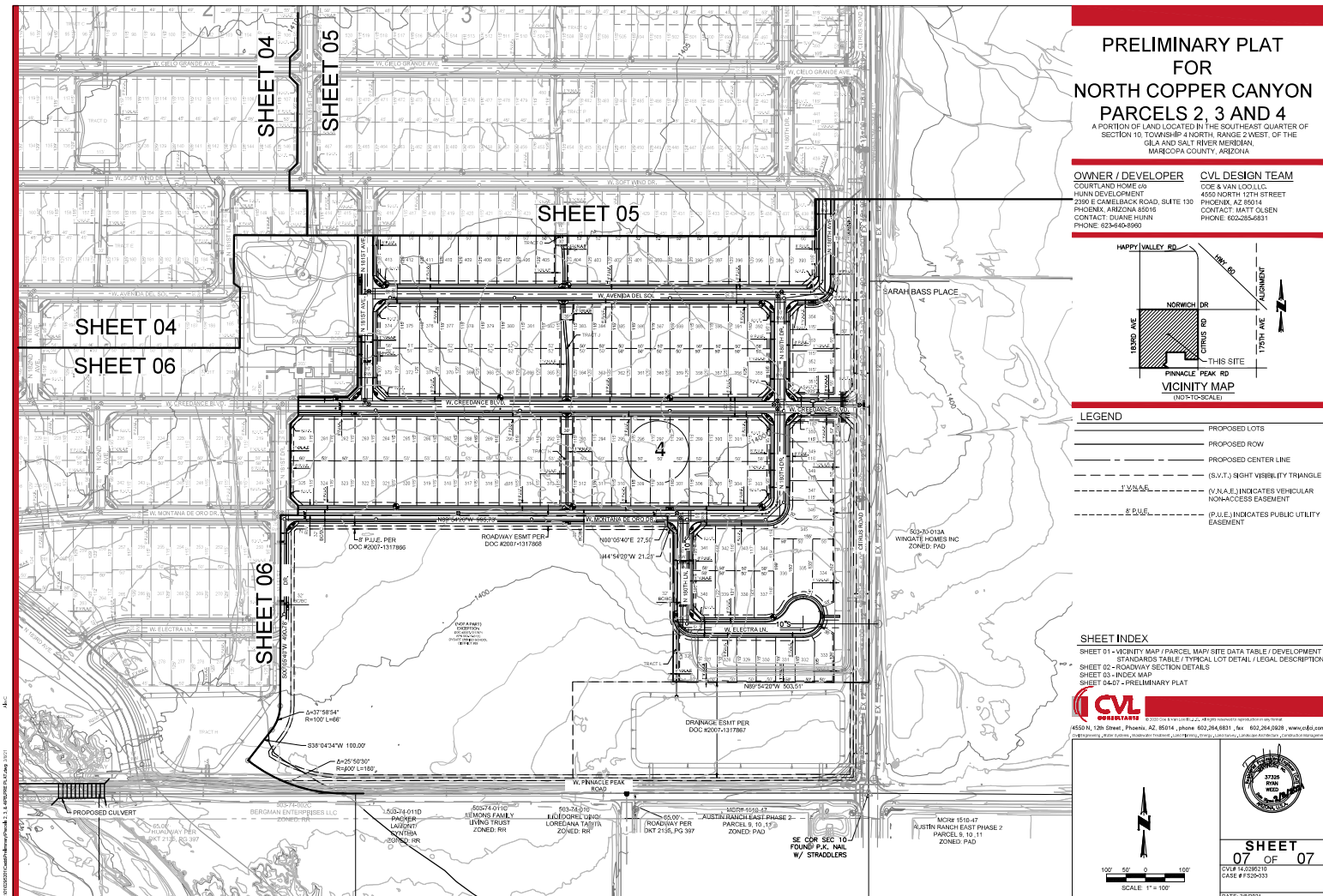
- | | |
|-----------|---|
| _____ | PROPOSED LOTS |
| _____ | PROPOSED ROW |
| _____ | PROPOSED CENTER LINE |
| - - - - - | (S.V.T.) SIGHT VISIBILITY TRIANGLE |
| - - - - - | (V.N.A.E.) INDICATES VEHICULAR
NON-ACCESS EASEMENT |
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EASEMENT |

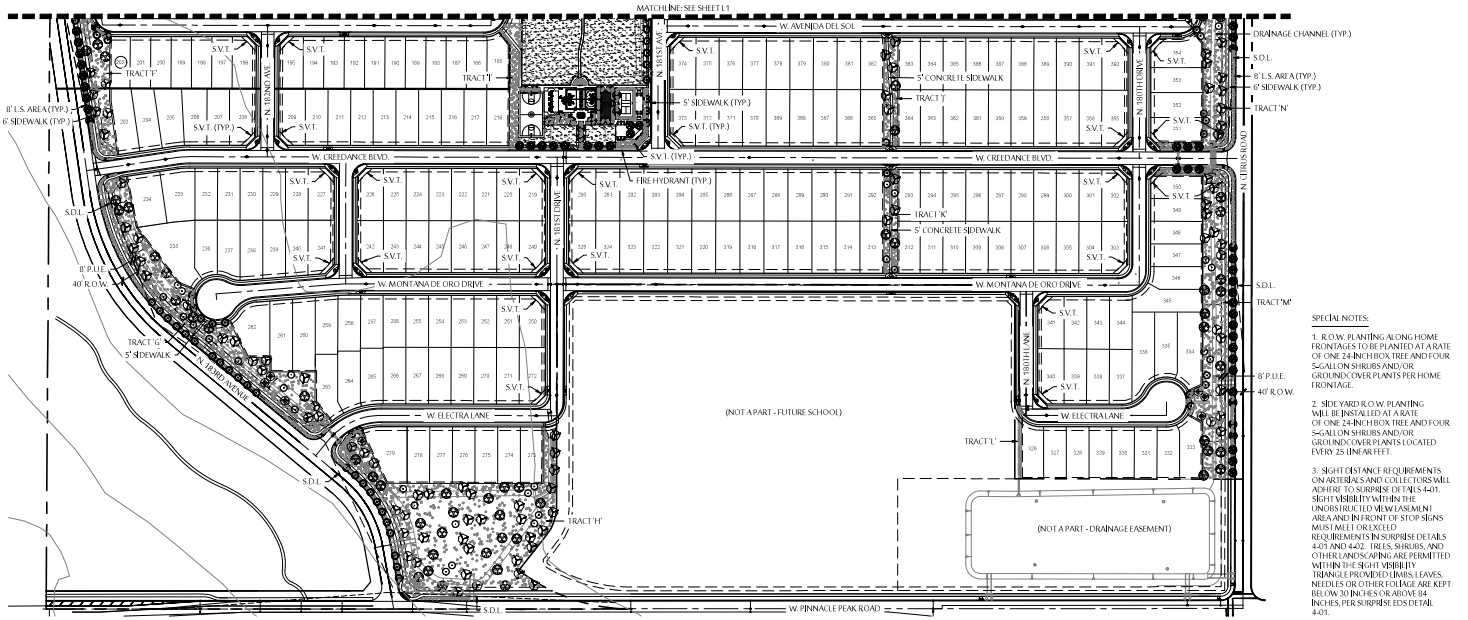
SHEET INDEX

SHEET INDEX

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SHEET 04-07 - PRELIMINARY PLAT







SPECIAL NOTES:

1. ROW PLANTING ALONG HOME FRONTAGES TO BE PLANTED AT A RATE OF ONE 24-INCH BOX TREE AND FOUR SCALLOP SHRUBS AND/OR GROUND COVER PLANTS PER HOME FRONTAGE.
2. SETBACK ROW PLANTING WILL BE INSTALLED AT A RATE OF ONE 24-INCH BOX TREE AND FOUR SCALLOP SHRUBS AND/OR GROUND COVER PLANTS LOCATED EVERY 25 LINEAL FEET.
3. SIGHT TRIANGLE REQUIREMENTS ON INTERSECTIONS AND COLLECTORS SHALL ADHERE TO SURPRISE DETAILS 4-01. SIGHT VISIBILITY WITHIN THE UNOBSERVED VIEW EASEMENT AREA AND IN FRONT OF STOP SIGNS MUST BE MAINTAINED. REQUIREMENTS IN SURPRISE DETAILS 4-01 AND 4-02. TREES, SHRUBS, AND OTHER LANDSCAPING ARE PERMITTED WITHIN THE SIGHT VISIBILITY TRIANGLE PROVIDED BRANCHES, NEEDLES OR OTHER FOLIAGE ARE KEPT BELOW 30 INCHES OR ABOVE 104 INCHES, PER SURPRISE DETAILS 4-01.

PLANT LEGEND

TREES - ALL 24" BOX SHRUBS - ALL 12" BOX GROUND COVERS - ALL 12" BOX	ACACIA ANEURA / MULEGA ACACIA SALIGNA / MALLOW ACACIA CHILOPSIS SP. 'BIO SALADO' / BIO SALADO DESERT MALLOW QUERCUS TESOTA / BROWNWOOD PARSONSIA HYBRID / DESERT MUSEUM PALO VERDE PROSOPIS HYBRID / AZT / AZT THORNLESS MESQUITE *INDICATES A CITY APPROVE STREET ROW TREE THAT IS TO BE INSTALLED WITHIN STOP SIGN EASEMENTS	CALLIANDRA ERIOPHYLLA / NATIVE PARRY DUSTER ENCELIA FARINOSA / BRITTLE BUSH YUCCA EMORPH / DESERT LAVENDER JUSTICIA CALIFORNICA / CHUPAROSA LARREA TRIDENTATA / CREOSOTE BUSH LEUCOPHYLLUM LAEVIGATUM / CHIHUAHUA SAGE SHIMONDISIA CHIHUENSIS / JOJOBA SPHAERALCEA AMBIGUA / GLOBE MALLOW	AGAVE AMERICANA / AMERICAN AGAVE AGAVE PARROTT / PARRY'S AGAVE ASCLEPIAS SUBULATA / DESERT MILKWEED BOUTELOUA GRACILIS / BLONDE AMBITION GRASS DASYODON WHEELERII / DESERT SPOON FOQUIERIA SPLENDENS / OCOTILLO HESPERALOE PARVIFLORA / PEROWE BROUSSARD'S RED YUCCA AMARANTHUS TRILOBATUS / DESERT GRASS OPUNTIA ENGELMANNII / NATIVE PRICKLY PEAR	GROUND COVERS - ALL 12" BOX AMBROSIA DELTOIDEA / TRIANGLE LEAF BUR-SAGE RAUVOFFIA MULTICAPATA / DESERT MARIGOLD EREMOPHILA GLABRA / YBL / OUTBACK SUNBELT ACACIA REDOLENS / TRAILING ACACIA TURF - MONTICORN BERMUDA SOD DECOMPOSED GRANITE - TO BE DETERMINED BY OWNER
--	--	--	--	---

- NOTES:**
1. DUE TO PLANT MATERIAL AVAILABILITY, SUBSTITUTIONS FOR PLANT MATERIAL LISTED ABOVE MAY BE USED. ANY ALTERNATES OR SUBSTITUTIONS MUST BE ON THE APPROVED WATER USE PLANT LIST.
 2. SUBSPECTES OR HYBRIDS OF PLANT MATERIAL LISTED ABOVE MAY BE USED AS ALTERNATES/SUBSTITUTIONS.
 3. ADDITIONAL PLANT MATERIAL MAY BE ADDED TO THE LIST ABOVE DUE TO UTILITY COMPANY OR HOA REQUESTS AND/OR PLANTING RESTRICTIONS WITHIN UTILITY EASEMENTS.
 4. NO TREES TO BE LOCATED WITHIN THE P.U.E. OR ANY OTHER NOTED EASEMENTS. FINAL PLANT MATERIAL SIZE AND LOCATION SHALL COMPLY WITH LIDS STANDARD DETAILS 4-01 AND 4-02.

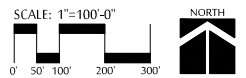


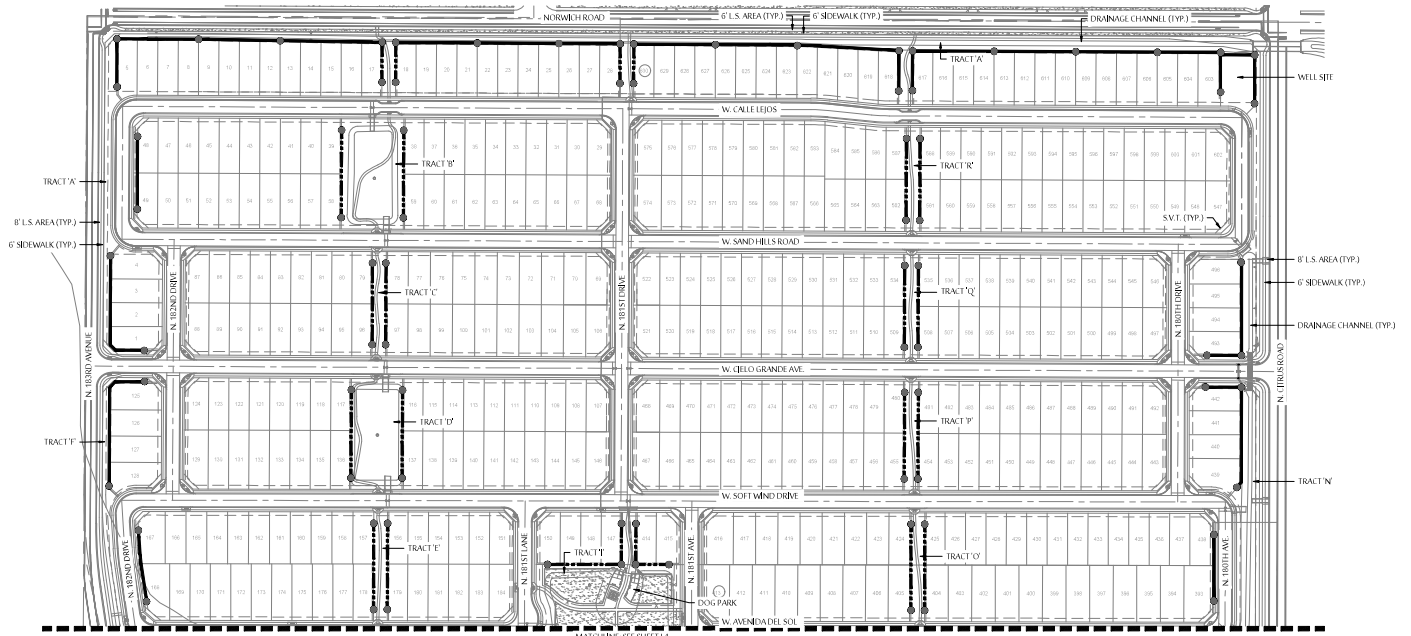
NORTH COPPER CANYON - PARCELS 2, 3 & 4 PRELIMINARY PLANTING PLAN

SWC OF NORWICH ROAD AND CITRUS ROAD - SURPRISE, ARIZONA
FEBRUARY 9, 2021

SHEET L2

CASE # FS20-333





WALL PLAN LEGEND

	THEME WALL (6'-7.552' IN FT.) - SEE DETAIL 'A' ON SHEET L5.
	PARTIAL VENTURE (6'-4.712' IN FT.) - SEE DETAIL 'B' ON SHEET L5.
	PROJECT THEME COLUMNS - (119) TOTAL - SEE DETAIL 'A' ON SHEET L5.

AVERAGE THEME COLUMN SPACING APPROX. 175' APART.

NOTES:

1. ANY QUANTITIES SHOWN ON THIS SHEET ARE FOR CONVENIENCE ONLY. CONTRACTOR TO UTILIZE THE FINAL SITE PLAN TO VERIFY ALL QUANTITIES NECESSARY TO BEYOND INSTALL WALLS, COLUMNS AND FENCING.
2. ALL FOOTINGS, WALLS, FENCES AND THEME COLUMNS ARE TO BE LOCATED OUTSIDE OF THE P.U.E., R.O.W., SITE VISIBILITY TRIANGLES AND FRONT YARD SETBACKS.
3. THEME COLUMNS AND/OR ENDS OF WALLS ARE TO BE 25'-4" OFF THE BACK OF THE R.O.W. SOME THEME COLUMNS MAY HAVE TO BE LOCATED 30' OFF THE BACK OF THE R.O.W. WHERE SITE VISIBILITY TRIANGLE EASEMENTS ARE PRESENT. CONTRACTOR TO INSTALL 6"x6" CONCRETE HEADER FROM THE FRONT OF THE COLUMN (OR END OF WALL) TO THE BACK OF THE SIDEWALK OR STREET FRONTAGE CURB.
4. ANY SIGNAGE REQUIRES A SEPARATE PERMIT.
5. SEE CIVIL PLANS FOR RETAINING WALL LOCATIONS.

SPECIAL NOTE:

THE CITY OF SURPRISE COMMUNITY DEVELOPMENT DEPARTMENT MUST ALSO APPROVE ANY ALTERNATES OR SUBSTITUTIONS.

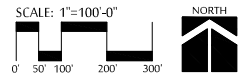


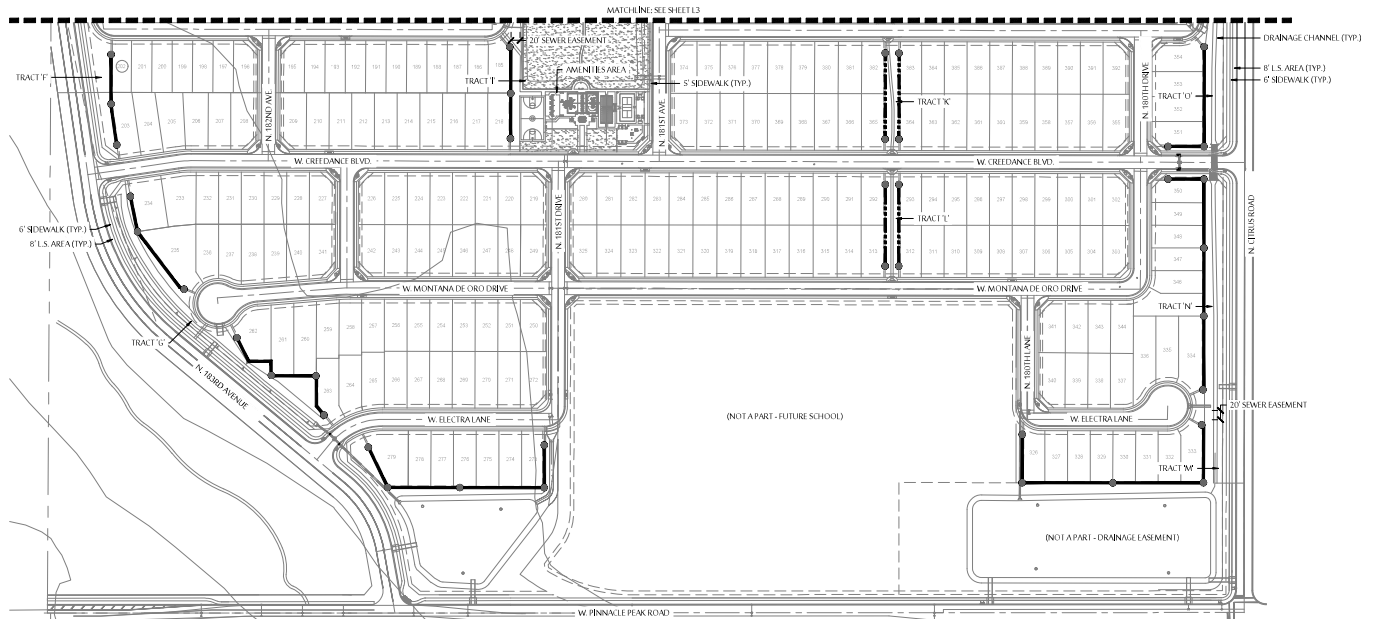
NORTH COPPER CANYON - PARCELS 2, 3 & 4 PRELIMINARY WALL PLAN

SWC OF NORWICH ROAD AND CITRUS ROAD - SURPRISE, ARIZONA
FEBRUARY 9, 2021

SHEET L3

CASE # FS20-333





WALL PLAN LEGEND

	THEME WALL (= 7,552 L.F.T.) -SEE DETAIL 'A' ON SHEET L5.
	PARTIAL VIEW FENCE (= 4,712 L.F.T.) -SEE DETAIL 'B' ON SHEET L5.
	PROJECT THEME COLUMNS (= 119) TOTAL -SEE DETAIL 'A' ON SHEET L5.

AVERAGE THEME COLUMN SPACING: APPROX. 175' APART.

NOTES:

1. ANY QUANTITIES SHOWN ON THIS SHEET ARE FOR CONVENIENCE ONLY. CONTRACTOR TO UTILIZE THE FINAL SITE PLAN TO VERIFY ALL QUANTITIES NECESSARY TO BID AND INSTALL WALLS, COLUMNS AND FENCING.
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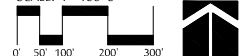
NORTH COPPER CANYON - PARCELS 2, 3 & 4 PRELIMINARY WALL PLAN

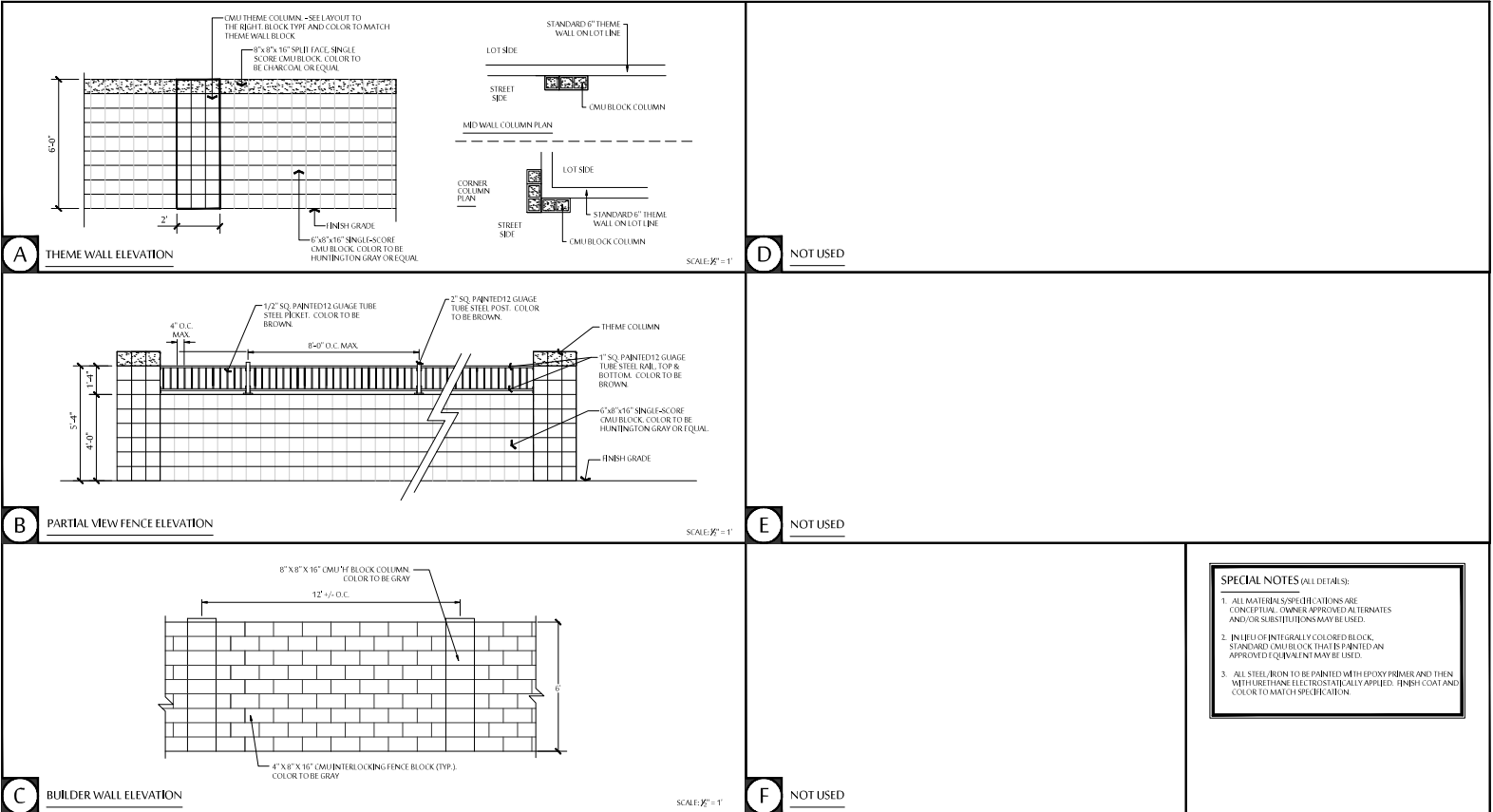
SWC OF NORWICH ROAD AND CITRUS ROAD - SURPRISE, ARIZONA
FEBRUARY 9, 2021

SHEET L4

CASE # FS20-333

SCALE: 1"=100'-0"





NORTH COPPER CANYON - PARCELS 2, 3 & 4

PRELIMINARY WALL DETAILS

SWC OF NORWICH ROAD AND CITRUS ROAD - SURPRISE, ARIZONA
FEBRUARY 9, 2021

SHEET L5
CASE # FS20-333



**DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND**

29 May 2020

Mr. Christopher P. Toale
Director, Community Initiatives Team
56th Fighter Wing
14185 West Falcon Street
Luke AFB AZ 85309-1629

Ms. Lorraine Nevarez
Planning Project Coordinator
Community Development
16000 N. Civic Center Plaza
Surprise AZ 85374

Re: FS20-333; Austin Ranch North Parcels 2, 3, & 4 (APNs: 503-73-022A)

Dear Ms. Nevarez

Thank you for the opportunity to provide comments on the Preliminary Plat for Austin Ranch North Parcels 2, 3, & 4. The site sits on 139.67 acres of vacant land located at southwest corner of W Norwich Dr and N Citrus Rd in Surprise AZ. This request is for 654 lots for a density of 4.7 du/ac. The site is approximately 1.2 miles outside the Aux-1 2004 JLUS 65 Ldn, "high noise or accident potential zone" as defined by A.R.S. § 28-8461 and is outside the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461.

In an effort to promote a more compatible co-existence, Luke AFB follows the guidelines in the Graduated Density Concept (GDC). The GDC proposes, in the absence of a more restrictive state, county or municipal general or comprehensive plan, graduating densities away from the 65 Ldn as follows: a maximum of 2 du/acre from the 65 Ldn to 1/2 mile, a maximum of 4 du/acre from 1/2 to 1 mile, and a maximum of 6 du/acre from 1 to 3 miles. Austin Ranch North Parcels 2, 3, & 4 with a density of 4.7 du/ac falls within these guidelines.

As stated in the narrative, this request will not have a negative impact on Luke AFB Flight Operations. Since the site will be located within the "territory in the vicinity of a military airport," it will be subjected to approximately 165 over flights a day, with some as low as 1,500 feet above ground level. If this development is approved, we recommend you review the sound attenuation requirements found in A.R.S. § 28-8482. In addition, a strong notification program on the part of the applicant would be essential to inform potential residents about Luke AFB operations.

If there are any questions, please contact my Community Planner, Mr. Reggie Christianson at (623) 856-9981.

Sincerely

A handwritten signature in black ink, appearing to read "C. P. Toale". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

CHRISTOPHER P. TOALE

cc:

Colonel Scott W. Walker, Vice Commander, 56th Fighter Wing

Mr. James R. Mitchell, GS-14, 56th Fighter Wing

Ms. Cindy L. Allen, GS-13, General and Environmental Law Attorney, 56th Fighter Wing



FS20-333

Austin Ranch NCC Parcels 2, 3, and 4

Preliminary Plat

Planning & Zoning Commission – April 15, 2021

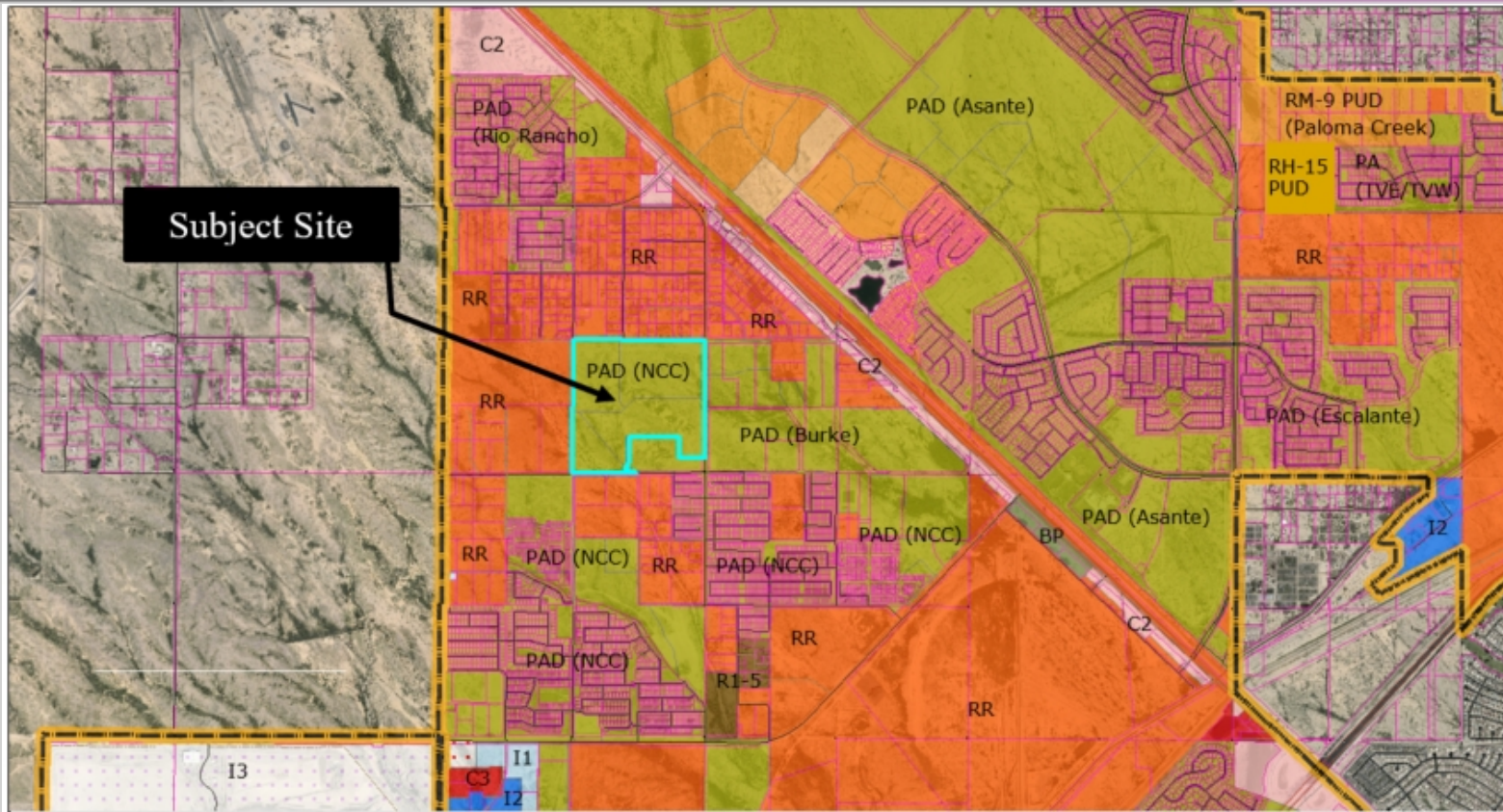
FS20-333
Austin Ranch NCC Parcels 2,3,4



ZONING

FS20-333

Austin Ranch NCC Parcels 2,3,4

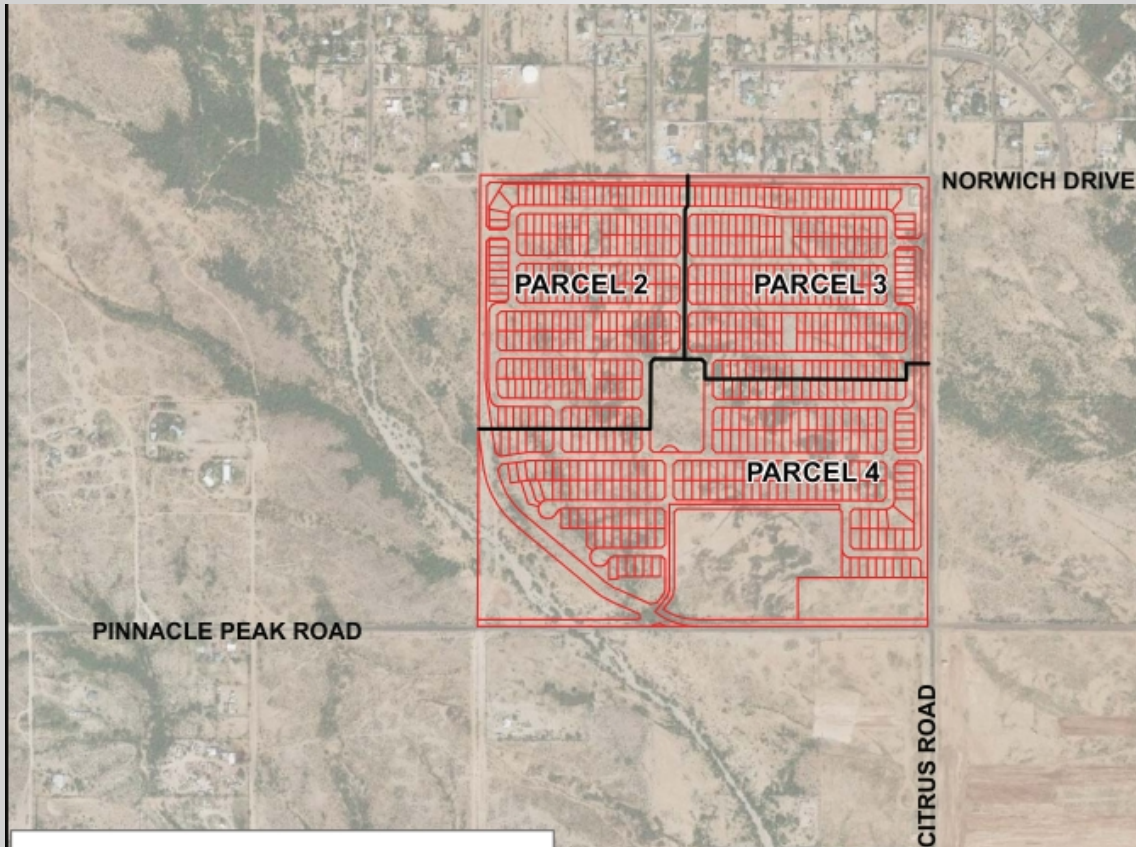


CASE MAP

FS20-333

Austin Ranch NCC Parcels 2, 3, 4





LAYOUT



Active 7.7 Ac

Passive 5.3 Ac

Natural 7.7

School 20.0

Well 0.2

TOTAL 40.9
AC

Trails

LANDSCAPE PLAN

A PORTION OF LAND LOCATED IN THE SOUTHEAST QUARTER OF
SECTION 10, TOWNSHIP 4 NORTH, RANGE 2 WEST, OF THE
GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA.

COURTLAND HOME c/o
HUMN DEVELOPMENT
2308 E. CAMELBACK ROAD, SUITE 1
PHOENIX, ARIZONA 85016
CONTACT: DUANE HUMN
PHONE: 602-840-8983

CDE & VAN LOR LLC
4550 NORTH 12TH STREET
PHOENIX, AZ 85014
CONTACT: NATT OLSON
PHONE: 602-285-8821

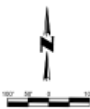


PROPOSED LOT	PROPOSED LOTS
PROPOSED ROW	PROPOSED ROW
PROPOSED CENTER LINE	PROPOSED CENTER LINE
(S.V.T.) SIGHT VISIBILITY TRIANGLE	(S.V.T.) SIGHT VISIBILITY TRIANGLE
(V.N.A.E.) INDICATES VEHICULAR NON-ACCESS EASEMENT	(V.N.A.E.) INDICATES VEHICULAR NON-ACCESS EASEMENT
(P.U.E.) INDICATES PUBLIC UTILITY EASEMENT	(P.U.E.) INDICATES PUBLIC UTILITY EASEMENT

SHEET 01 - VICINITY MAP / PARCEL MAP / SITE DATA TABLE / DEVELOPMENT
STANDARDS TABLE / TYPICAL LOT DETAIL / LEGAL DESCRIPTION
SHEET 02 - ROADWAY SECTION DETAILS
SHEET 03 - INDEX MAP
SHEET 04-07 - PRELIMINARY PLAT



4855 N. 12th Street, Phoenix, AZ 85014, phone 602.264.0831, fax 602.264.0028, www.rvbi.com



SHEET
04 OF 07

U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20535

PRELIMINARY PLAT

PRELIMINARY PLAT FOR NORTH COPPER CANYON PARCELS 2, 3 AND 4

A PORTION OF LAND LOCATED IN THE SOUTHEAST QUARTER OF
SECTION 10, TOWNSHIP 4 NORTH, RANGE 2 WEST, OF THE
GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA.

OWNER / DEVELOPER

COURTLAND HOME CO.
HUMAN DEVELOPMENT
2006 E CAMELBACK ROAD, SUITE 100
PHOENIX, ARIZONA 85016
CONTACT: DEANNE HURN
PHONE: 602-640-6360

CVL DESIGN TEAM

COE & VAN LOO LLC
4550 NORTH 12TH STREET
PHOENIX, AZ 85014
CONTACT: MATT OLSEN
PHONE: 602-285-8531



VICINITY MAP
(NOT TO SCALE)

LEGEND

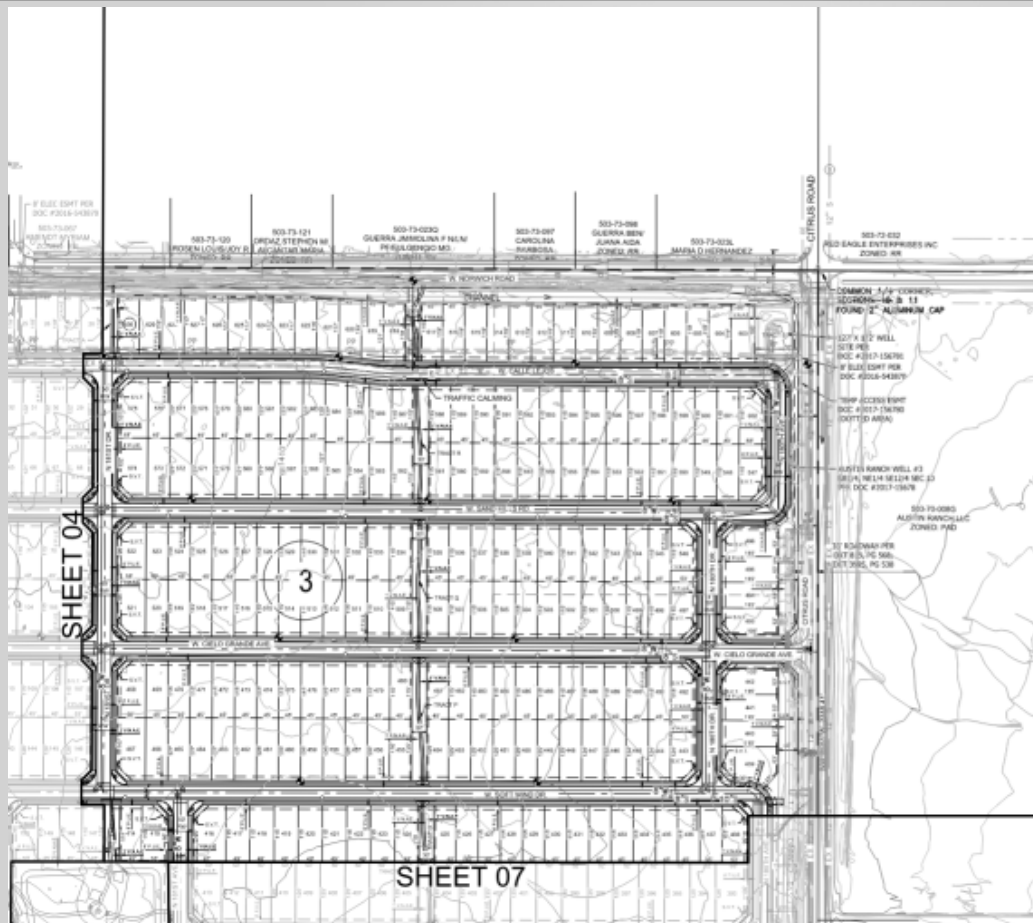
—	PROPOSED LOTS
—	PROPOSED ROW
—	PROPOSED CENTERLINE
—	(S.V.T.) SIGHT VISIBILITY TRIANGLE
—	(V.N.A.E.) INDICATES VEHICULAR NON-ACCESS EASEMENT
—	(P.U.E.) INDICATES PUBLIC UTILITY EASEMENT

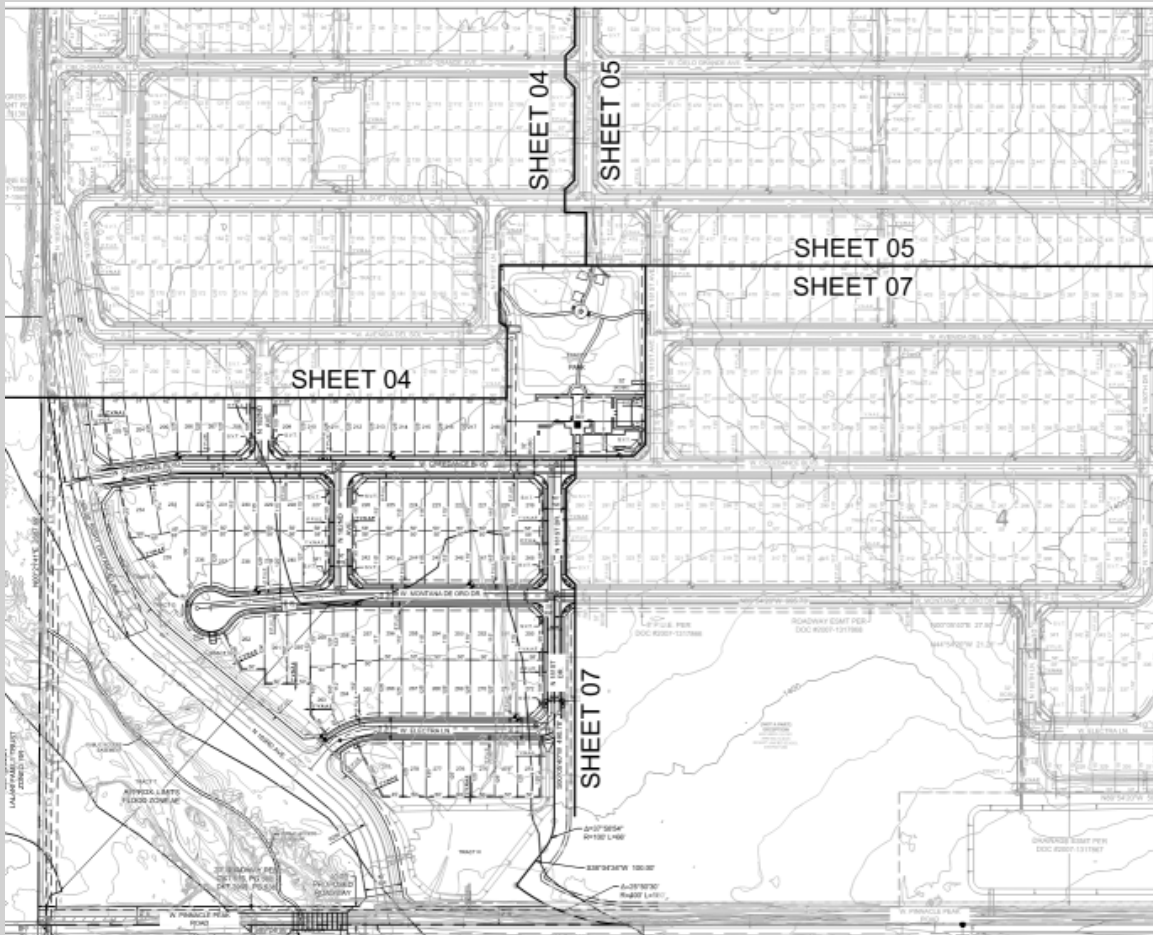
SHEET INDEX

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SHEET 03 - INDEX MAP
SHEET 04-07 - PRELIMINARY PLAT



4050 N. 12th Street, Phoenix, AZ 85016 phone: 602-284-0811 fax: 602-284-0028 www.cvl.com





PRELIMINARY PLAT FOR NORTH COPPER CANYON PARCELS 2, 3 AND 4

A PORTION OF LAND LOCATED IN THE SOUTHEAST QUARTER OF
SECTION 18, TOWNSHIP 4 NORTH, RANGE 2 WEST, OF THE
GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA

OWNER / DEVELOPER
COURTLAND HOMES VIA
HUNN DEVELOPMENT
2901 E CAMBERLAND ROAD, SUITE 100
PHOENIX, ARIZONA 85016
CONTACT: DUSTIN HUNN
PHONE: 602-643-6960

CVL DESIGN TEAM
COE & VAN LOOLIC
4850 NORTH 12TH STREET
PHOENIX, AZ 85014
CONTACT: MATT OLSEN
PHONE: 602-355-4531

VICINITY MAP
(NOT TO SCALE)

LEGEND

- PROPOSED LOTS
- PROPOSED ROW
- PROPOSED CENTER LINE
- (S.V.T.) SIGHT VISIBILITY TRIANGLE
- (V.M.A.S.) INDICATES VEHICULAR
MANEUVERING EASEMENT
- (P.U.E.) INDICATES PUBLIC UTILITY
EASEMENT

SHEET INDEX

- SHEET 01 - VICINITY MAP / PARCEL MAP / SITE DATA TABLE / DEVELOPMENT
STANDARDIS TABLE / TYPICAL LOT DETAIL / LEGAL DESCRIPTION
- SHEET 02 - ROADWAY SECTION DETAILS
- SHEET 03 - INDEX MAP
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CVL
CONCRETE VEHICLE LAYOUT

4025 N. 10TH STREET, PHOENIX, AZ 85016 | PHONE: 602-355-4531 | FAX: 602-355-4532 | WWW.CVLD.COM

City Engineering, State Survey, Subdivision, Topography, Land Planning, Design, Land Survey, Landmark Acquisition, Land Use Engineering

PRELIMINARY PLAT



QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE
Planning and Zoning Commission Meeting

Council Meeting Date: April 15, 2021 Contact Person: Robert Kuhfuss
Submitting Department: Community Development District: District 1
Staff Recommendations:

Consent: No Regular: Yes Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action to recommend approval or disapproval of the Preliminary Plat entitled "Preliminary Plat for Hometown Surprise at Austin Ranch II, Parcel E", generally located on the southeast corner of Deer Valley Road and Citrus Road. (Case FS20-488)

Motion:

I move to recommend to the City Council approval/disapproval of the Preliminary Plat entitled "Preliminary Plat for Hometown Surprise at Austin Ranch II, Parcel E" subject to stipulations "a" through "d" as memorialized in the Staff Report.

Background:

The subject request involves a Preliminary Plat for the Hometown Surprise at Austin Ranch II, Parcel E. The applicant seeks to subdivide the 60.47-acre parcel into 195 lots and 14 tracts.

Objective Analysis:

Policy Compliant:

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city services.

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. 00 - FS20-488 - Hometown Surprise PP - PZ Staff Report - 041521

2. 01 - FS20-488 - Hometown Surprise PP - Vicinity Map
 3. 02 - FS20-488 - Hometown Surprise PP - Case Map
 4. 03 - FS20-488 - Hometown Surprise PP - Preliminary Plat
 5. 04 - FS20-488 - Hometown Surprise PP - Landscape and Wall Plans
 6. 05 - FS20-488 - Hometown Surprise PP - Luke Letter
 7. PP - FS20-488 - Hometown Surprise PP - PZ PowerPoint - 041521
-

PRELIMINARY PLAT

REPORT TO THE PLANNING AND ZONING COMMISSION

1 **Case:** FS20-488

2
3 **Project Name:** Hometown Surprise at Austin Ranch II Preliminary Plat

4
5 **Council District:** 1 - Acacia

6
7 **Meeting Date:** April 15, 2021

8
9 **Planner:** Hobart Wingard

11
12 **Owner:** MMK Deer Valley Citrus Investors, LLC

13
14 **Applicant:** Matt Goodwin of Goodwin and Marshall, Inc.

15
16 **Request:** Preliminary Plat for a 195-lot single-family residential subdivision

17
18 **Site Location:** Generally located on the southeast corner of Deer Valley Road and
19 Citrus Road

20
21 **Dwelling Units:** 195 total units

22
23 **Site Size:** 60.47 acres (approx.)

24
25 **Density:** 3.22 DU/Ac

26
27 **General Plan Conformance:** The proposal is consistent with the Surprise General Plan 2035

28
29 **Support/Opposition:** None received

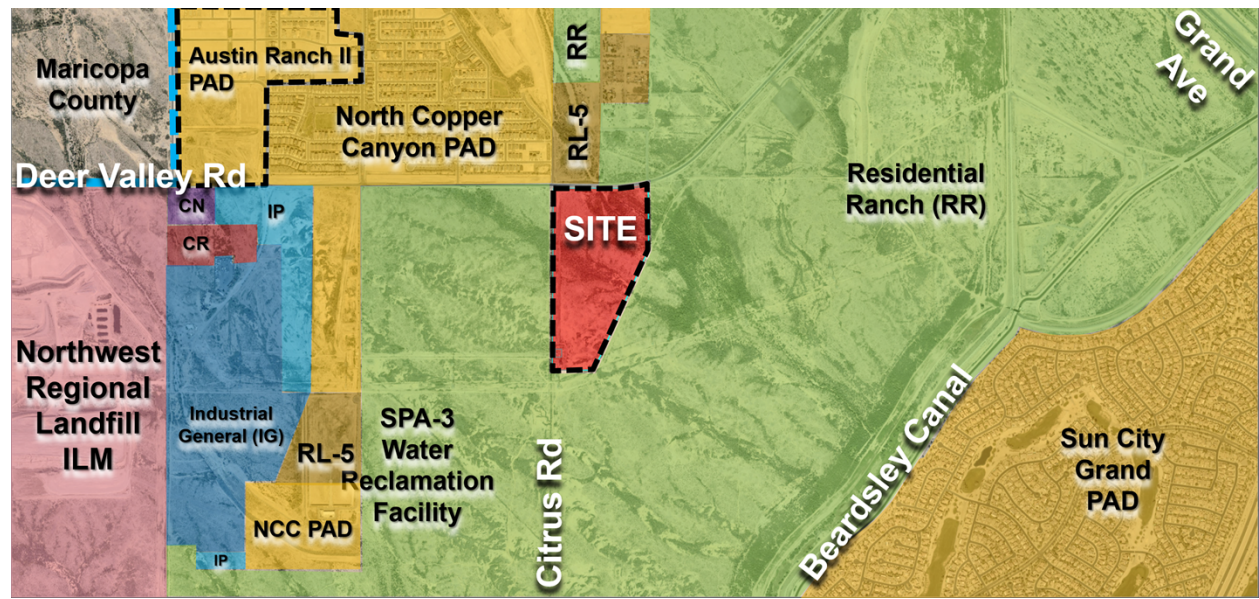
30
31 **Staff Recommendation:** Staff recommends the Commission move to recommend approval of
32 case FS20-488 to the City Council, subject to stipulations 'a' through 'd'

33
34
35
36
37
38
39 **Project Description:**

The subject request involves a Preliminary Plat for the Hometown Surprise at Austin Ranch II. The applicant seeks to subdivide the subject parcel into 195 lots and 14 tracts.

Surrounding Land Zoning:

The following map and chart depicts the existing zoning of the subject site and its surroundings:



North Copper Canyon PAD	Residential Ranch (RR) Low Density Residential (RL-5)	Residential Ranch (RR)
Residential Ranch (RR)	Austin Ranch II PAD	Residential Ranch (RR)
Residential Ranch (RR)	Residential Ranch (RR)	Residential Ranch (RR)

Background:

May 23, 1987: The subject project area was annexed into the City of Surprise under Ordinance 87-03.

September 29, 2005: The Mayor and City Council approved a Planned Area Development (PAD) for the Austin Ranch II PAD under Case PAD05-075.

March 26, 2020: Staff met with the applicant to discuss the project during a regularly scheduled Concept Review meeting under CR20-179.

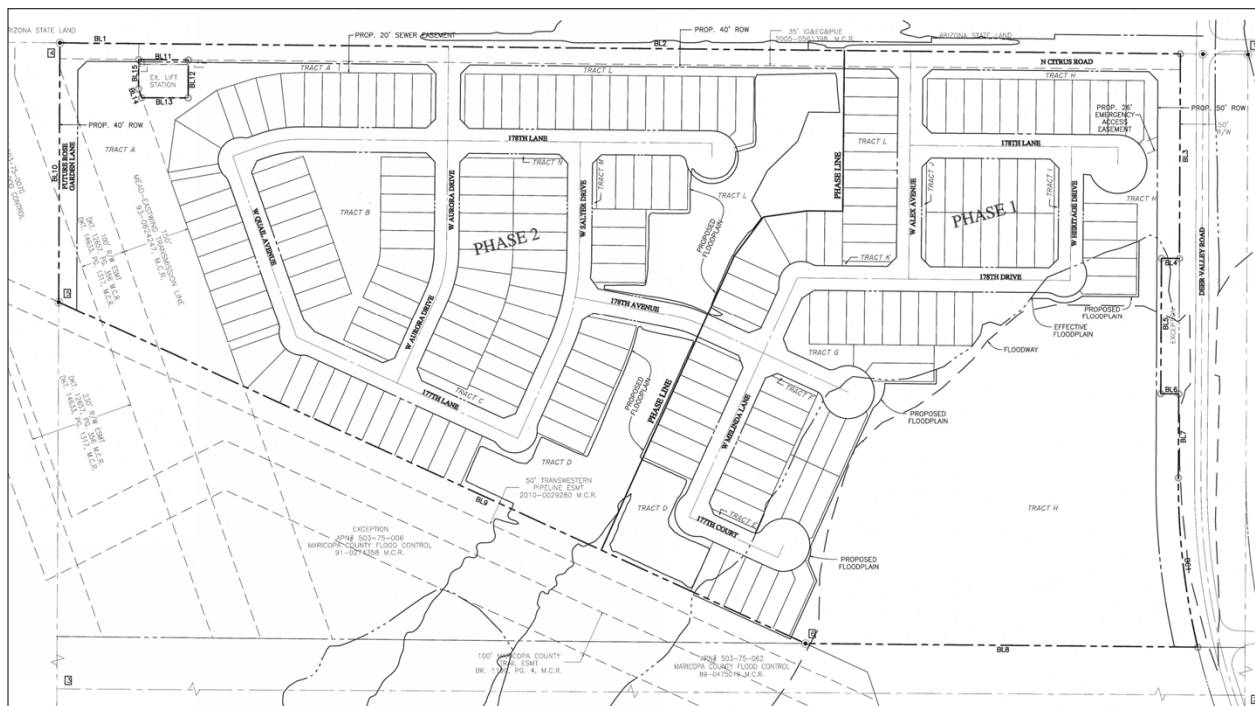
July 31, 2020: The applicant filed a request for a Preliminary Plat, approximately 48.51 acres, under case FS20-488, the subject case.

March 8, 2021: The applicant submitted a revised Preliminary Plat that included a large natural area (Tract H) and increased the overall size of the project to 60.473 acres.

Analysis and Discussion:

Matt Goodwin of Goodwin and Marshall Inc., is requesting Preliminary Plat approval for a 195 lot detached single-family residential subdivision on 60.47 acres, generally located on the southeast corner of Deer Valley and Citrus Roads. The project provides for a density of 3.22 DU/Ac.

The proposed Preliminary Plat project area is shown below:



The subject Preliminary Plat provides 195 Medium Density Residential (MDR) lots. The lots are 40 feet in width. The open space comprises approximately 41% the project area. Additionally, a public access easement is provided along the wash that borders the eastern edge of the site that will contribute to the City of Surprise trail system. Open Space is broken down as shown below:

Active	2.20 acres	8.86 percent
Passive	4.81 acres	19.38 percent
Natural	17.81 acres	71.76 percent
Total	24.82 acres	41.04 percent of site

Utility and Services Table:

Water:	Beardsley Water Company
Wastewater:	City of Surprise
School District:	Dysart Unified

Conformance with Adopted Plans:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more.

Reviewing Agencies:

In addition to the standard city reviewing agencies, Maricopa County, Arizona Department of Transportation, Maricopa Water District, and Luke AFB were included in the routing of this request. None of the reviewing agencies indicated any concerns over the request.

Summary:

The applicant seeks a Preliminary Plat across the subject property. The proposed development is compatible with the neighboring land uses and the amenities included will provide recreational opportunities for the neighborhood residents.

Findings:

- The proposed Preliminary Plat is consistent with the Surprise General Plan.
- The proposed Preliminary Plat is consistent with the Austin Ranch II PAD under Case PAD05-075.
- The reviewing agencies have indicated no objections that are not addressed by the recommended stipulations of approval.

Recommendation:

Based on the findings noted above, staff recommends the Commission vote to recommend approval of the subject Preliminary Plat request to the City Council, subject to stipulations 'a' through 'd' as outlined below:

- a. Development and use of the site shall be consistent with the Preliminary Plat entitled "Preliminary Plat for Hometown Surprise at Austin Ranch II, Parcel E" consisting of ten (10) sheets prepared by Goodwin and Marshall and received March 8, 2021.
- b. Landscaping of the site shall be consistent with the Landscape and Wall Plans entitled "Hometown Surprise," consisting of seven (7) sheets prepared by Langvardt Design Group and received February 16, 2021.

c. The applicant is responsible for constructing parkway half-street improvements along the frontage of Deer Valley Road including the excepted open space tract to the east. City staff and the applicant will provide an executed in-lieu agreement for payment of the proportionate cost of the expanded bridge prior to Final Plat approval.

d. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the applicable provisions of the Surprise Municipal Code.

However, should the Commission wish to recommend denial of the request, the Commission should make its own findings and base its decision on those alternative findings.

Attachments:

01 Vicinity Map

02 Case Map

03 Preliminary Plat

04 Preliminary Landscape Plans

05 Luke AFB Letter

VICINITY MAP

FS20-488

Hometown Surprise PP

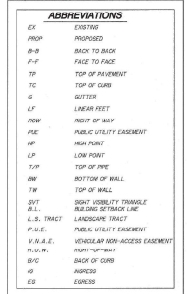


CASE MAP

FS20-488

Hometown Surprise PP



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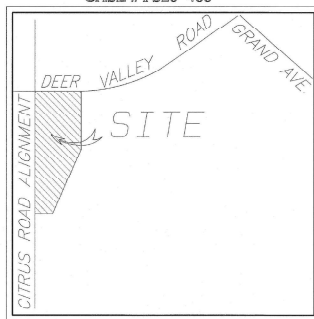
A PORTION OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 4 NORTH
RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN,
CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA

CASE # PS20-488

589°40'37"E ALONG THE MONUMENT LINE OF NORTH LINE NORTHWEST QUARTER AS MEASURED BETWEEN MONUMENTS NUMBERED 1 AND 2 SHOWN HEREON AND DESCRIBED UNDER MONUMENT NOTCS.

BENCHMARK
MAHAROPA COUNTY HIGHWAY DEPARTMENT DISK.
STATION IS LOCATED ON HEADWALL APPROX. 1.75 M. SOUTHWEST OF US 60 OFF THE SOUTH SIDE OF DEER VALLEY RD. STAMPED "DVS".
ELEVATION = (375.45' (NAVD 88 DATUM))

SEWER	CITY OF SURPRISE
WATER	BEARDSLEY WATER COMPANY
ELECTRICITY	A.P.S.
COMMUNICATIONS	CENTURY LINK
COMMUNICATIONS	COX
GAS	SOUTHWEST GAS
POLICE	CITY OF SURPRISE
FIRE	CITY OF SURPRISE
SOLID WASTE	CITY OF SURPRISE



SHEET 1	COVER SHEET
SHEET 2	OVERALL DISPLAY
SHEET 3	PRELIMINARY PLAT DETAILS
SHEETS 4-8	PRELIMINARY PLAT SHEETS
SHEET 9	LOT, TRACT AND USE SUMMARY
SHEET 10	INTERSECTION TRANSITION EXHIBIT

<u>SITE ACREAGE</u>	
TOTAL	60.473

VICINITY MAP

THE SUBJECT TRACT LIES WITHIN THE ZONE X AND ZONE AE ON FEMA MAP #04013C/215L DATED NOVEMBER 16, 2013. ZONE X IS DEFINED AS AREAS OF 0.2% ANNUAL CHANCE FLOOD, AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED LEVEES FROM 1% ANNUAL CHANCE FLOOD. ZONE AE IS DEFINED AS AREAS OF 1% ANNUAL CHANCE FLOOD.

GOODWIN
MARSHALL

CIVIL ENGINEERS ~ PLANNERS ~ SURVEYORS

 **FORESTAR**
20410 North 19th Avenue, Suite 100
Phoenix, Arizona 85027
(480) 368-2357
Contact: Brian Konderik

2705 O. Alma School Road, #2
Chandler, Arizona 85286
(602) 218-7285
Contact: Warren Russell, P.E.

**GOODWIN
MARSHALL**
CIVIL ENGINEERS ~ PLANNERS ~ SURVEYORS

2703 S. Alvir Street, Suite #2
Owensboro, Kentucky 40301
(502) 726-7200
Circle 11 on Reader Service

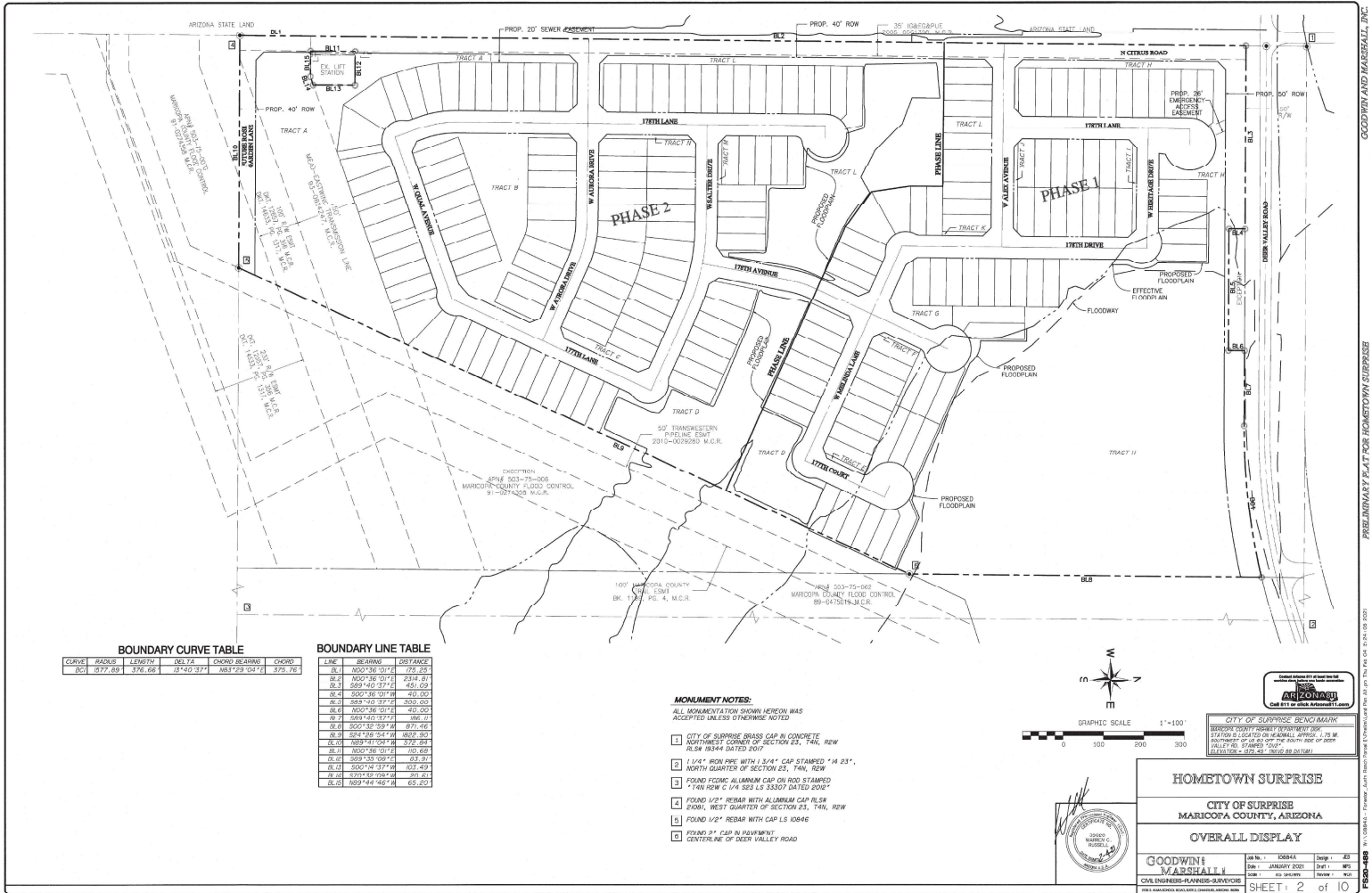


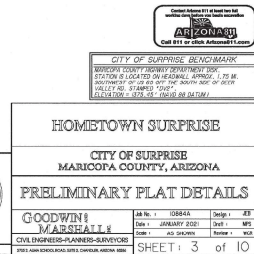
**PRELIMINARY PLAT FOR
HOMETOWN SURPRISE
AUSTIN RANCH II, PARCEL E**

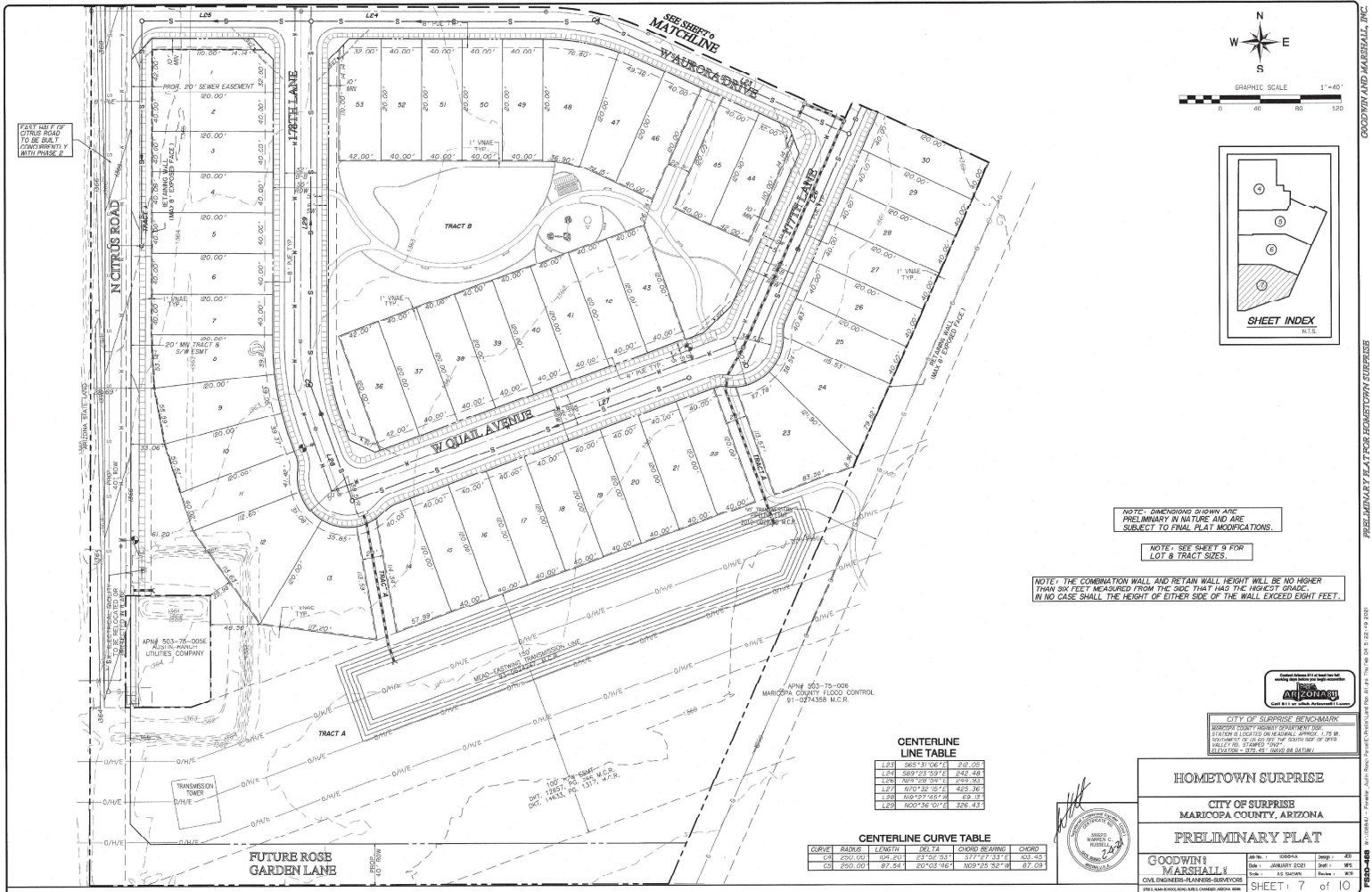
JOB NO. : 10084A	DESIGN : J23	REVISED : NONE
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OWNER/DEVELOPER:
FORESTAR
20410 North 19th Avenue, Suite 100
Phoenix, Arizona 85027

0611 UIC # 23







LOT AREA TABLES

HOMETOWN SURPRISE			HOMETOWN SURPRISE		
LOT NUMBER	SQUARE FEET	TYPICAL LOT	LOT NUMBER	SQUARE FEET	TYPICAL LOT
1	4,990	40.0	101	4,800	40.0
2	4,800	40.0	102	4,800	40.0
3	4,800	40.0	103	4,800	40.0
4	4,800	40.0	104	4,800	40.0
5	4,800	40.0	105	4,800	40.0
6	4,800	40.0	106	4,800	40.0
7	4,800	40.0	107	4,800	40.0
8	4,800	40.0	108	4,800	40.0
9	4,800	40.0	109	4,800	40.0
10	4,800	40.0	110	4,800	40.0
11	4,800	40.0	111	4,800	40.0
12	4,800	40.0	112	4,800	40.0
13	4,800	40.0	113	4,800	40.0
14	4,800	40.0	114	4,800	40.0
15	4,800	40.0	115	4,800	40.0
16	4,800	40.0	116	4,800	40.0
17	4,800	40.0	117	4,800	40.0
18	4,800	40.0	118	4,800	40.0
19	4,800	40.0	119	4,800	40.0
20	4,800	40.0	120	4,800	40.0
21	4,800	40.0	121	4,800	40.0
22	4,800	40.0	122	4,800	40.0
23	4,800	40.0	123	4,800	40.0
24	4,800	40.0	124	4,800	40.0
25	4,800	40.0	125	4,800	40.0
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27	4,800	40.0	127	4,800	40.0
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96	4,800	40.0	196	4,800	40.0
97	4,800	40.0	197	4,800	40.0
98	4,800	40.0	198	4,800	40.0
99	4,800	40.0	199	4,800	40.0
100	4,800	40.0	200	4,800	40.0

TRACT USE TABLES

HOMETOWN SURPRISE		
TRACT NAME	AREA (AC.)	USE
TRACT A	4.00	DRAINAGE, UTILITY EASEMENT, LANDSCAPE
TRACT B	1.19	TURF AREA, LANDSCAPE, PAVILION, PLAY HILL
TRACT C	0.15	LANDSCAPE
TRACT D	3.13	DRAINAGE, LANDSCAPE, PLAY LAWN, PLAYGROUND, PAVILION
TRACT E	0.02	LANDSCAPE
TRACT F	0.02	LANDSCAPE
TRACT G	0.79	LANDSCAPE
TRACT H	12.56	DRAINAGE, LANDSCAPE, TRAIL, PAVILION, PICKLEBALL COURT, PUBLIC ACCESS EASEMENT
TRACT I	0.05	LANDSCAPE
TRACT J	0.05	LANDSCAPE
TRACT K	0.02	LANDSCAPE
TRACT L	3.35	DRAINAGE, LANDSCAPE, TRAIL, PAVILION, PICKLEBALL COURT
TRACT M	0.02	LANDSCAPE
TRACT N	0.06	LANDSCAPE
TOTAL	24.82	

LAND USE SUMMARIES

HOMETOWN SURPRISE	
LAND USE SUMMARY	
40'x120' LOTS	195
TOTAL LOTS	195
GROSS DENSITY	3.22
NET DENSITY	8.65
LOT ACREAGE	22.537
PUBLIC STREETS	13.116
OPEN SPACE	24.820
TOTAL ACREAGE	60.473

ZONING	# LOTS
MDR-PAD	195

Open Space Calculations		
	Acres	%
Total Acreage	60.473	100.00%
Open Space Provided	24.820	41.04%
Active Open Space	2.198	3.64%
Passive Open Space	4.811	7.96%
Natural Open Space	17.811	29.44%



CITY OF SURPRISE BENCHMARK
 WAGON COUNTY HERITAGE DEPARTMENT
 1210 N. 101ST ST. (N. OF SURPRISE AVENUE) 175 W.
 SURPRISE, AZ 85084
 VALLEY RD. STATION 1000
 ELEVATION - 5100.00' - NORTH 88.000°

HOMETOWN SURPRISE

CITY OF SURPRISE
 MARICOPA COUNTY, ARIZONA

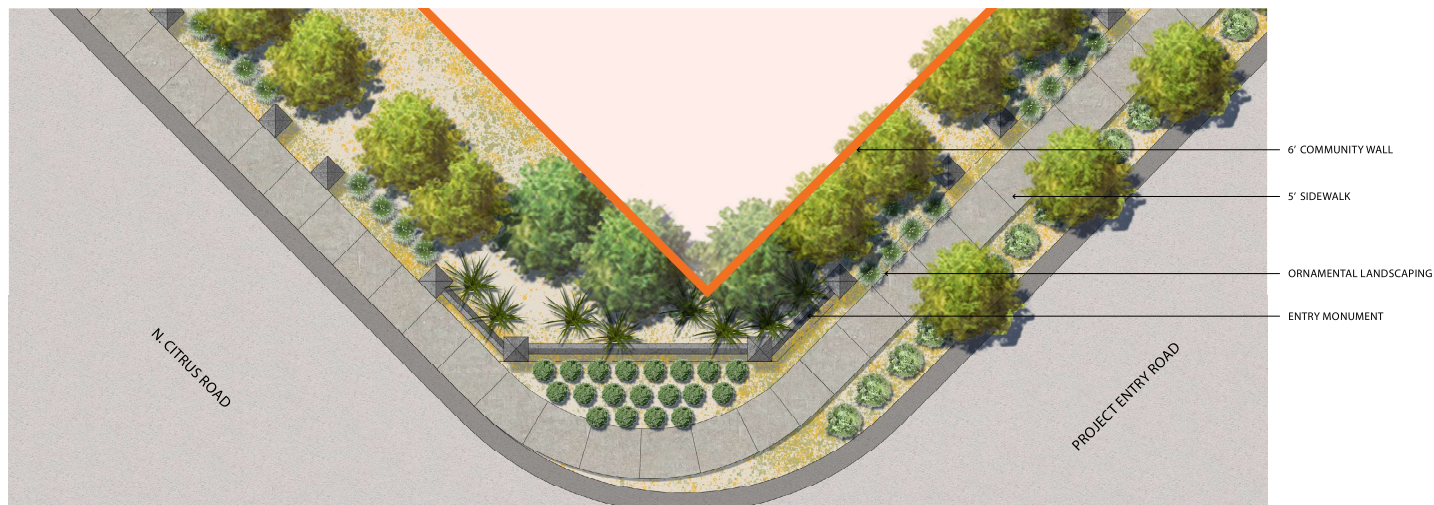
LOT, TRACT & LAND USE SUMMARIES

GOODWIN & MARSHALL, INC.
 CIVIL ENGINEER-PLANNED-SURVEYOR
 No. 00000000 - License - Arizona State Board of Engineers and Surveyors
 No. 00000000 - License - Arizona State Board of Engineers and Surveyors

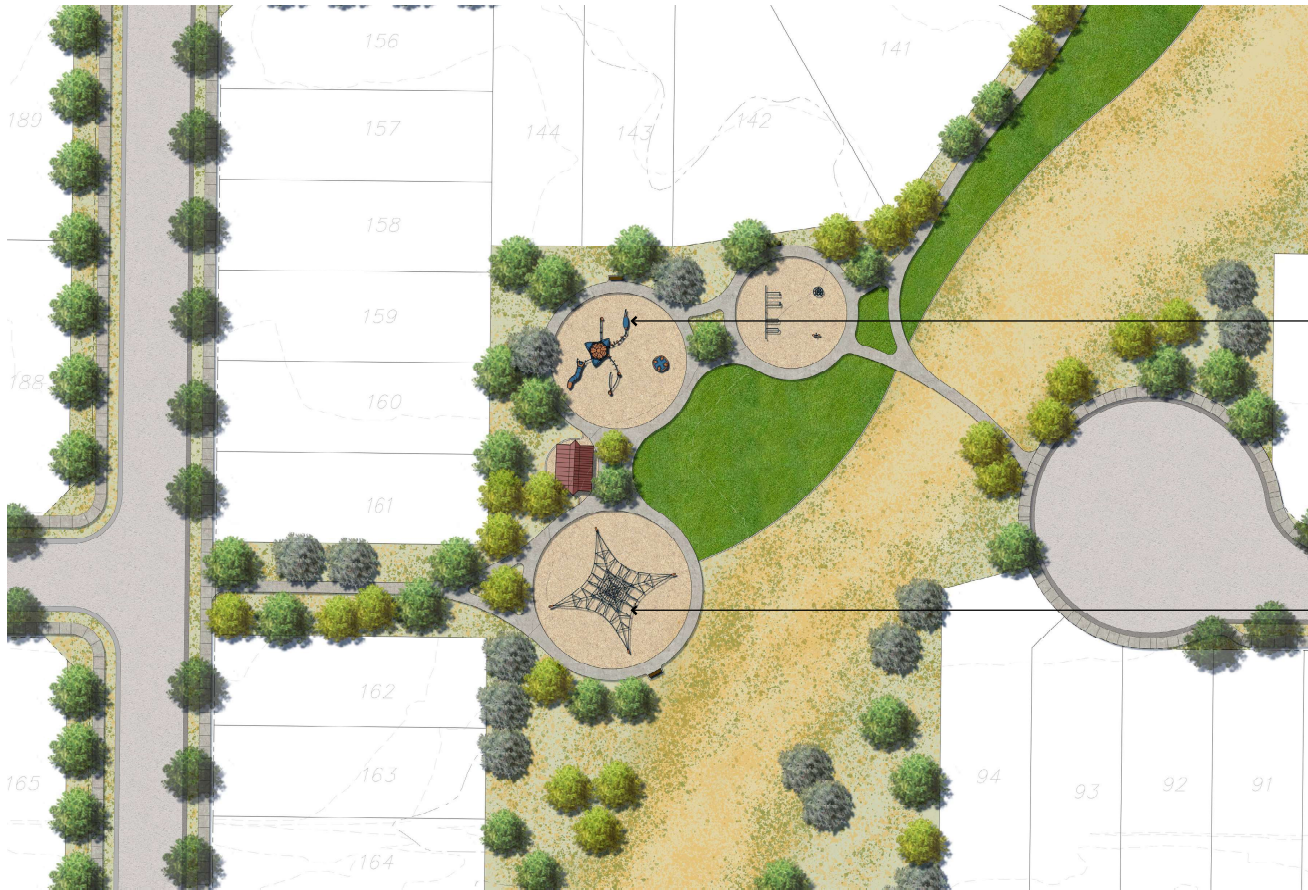


DATE: 1 JANUARY 2021
 SHEET: 9 of 10





COMMUNITY ENTRY MONUMENTATION



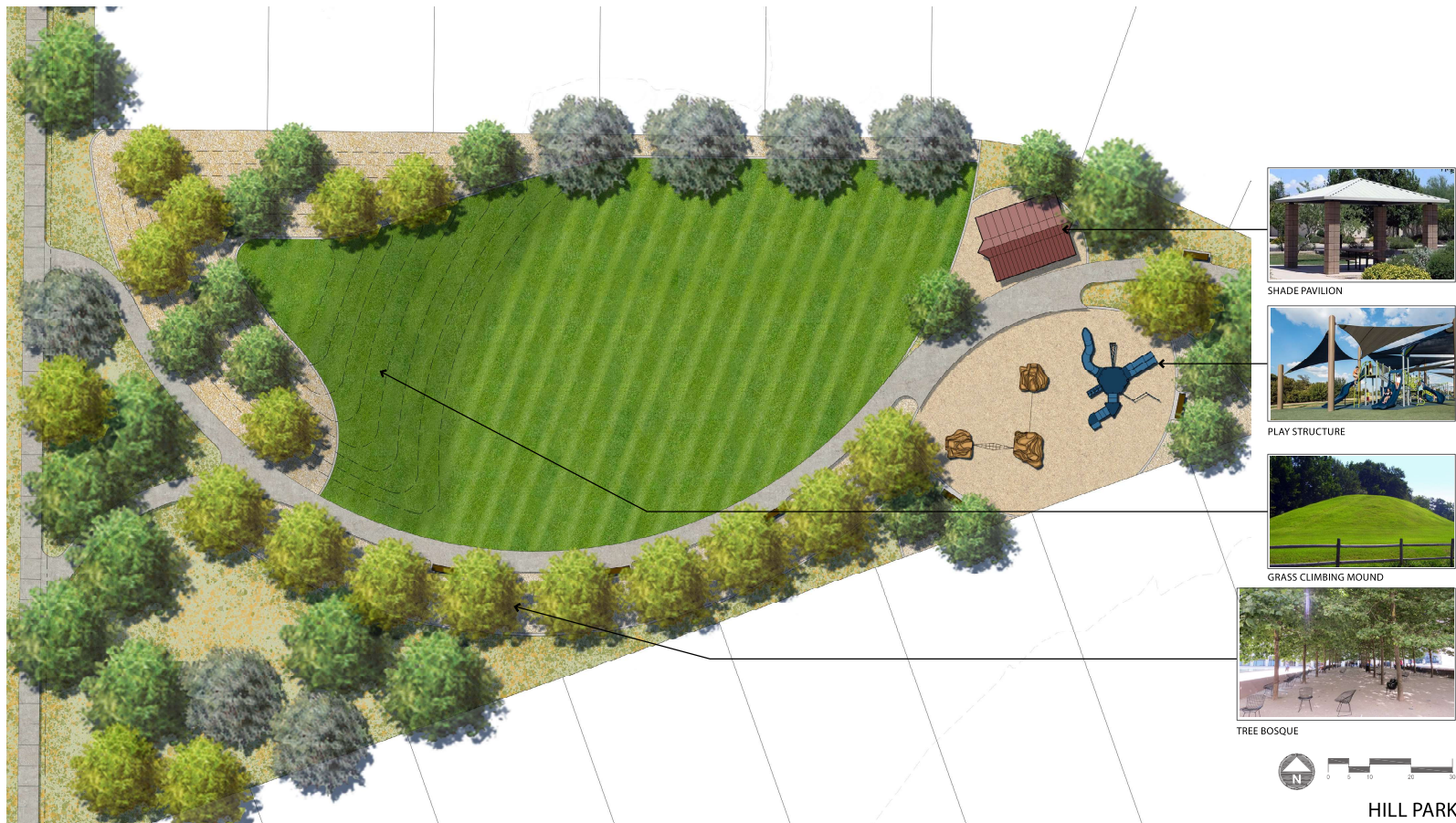
PLAY STRUCTURE

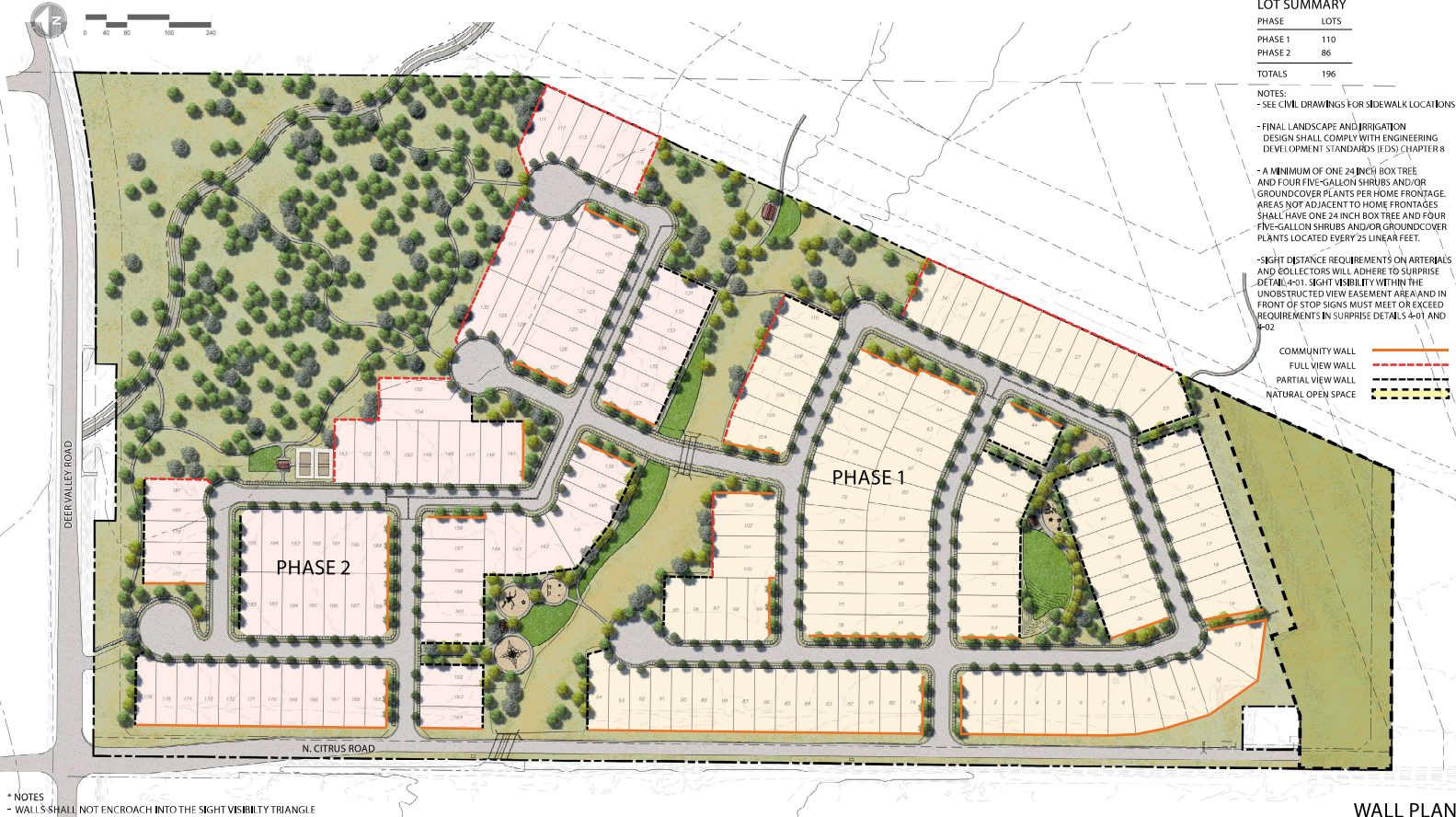


NET CLIMBER



PLAYGROUND PARK





DEVELOPMENT DATA

LOT SUMMARY

PHASE	LOTS
PHASE 1	110
PHASE 2	86
TOTALS	196

- NOTES:
- SEE CIVIL DRAWINGS FOR SIDEWALK LOCATIONS
 - FINAL LANDSCAPE AND IRRIGATION DESIGN SHALL COMPLY WITH ENGINEERING DEVELOPMENT STANDARDS (EDS) CHAPTER 8
 - A MINIMUM OF ONE 24 INCH BOX TREE AND FOUR FIVE-GALLON SHRUBS AND/OR GROUND COVER PLANTS PER HOME FRONTAGE. AREAS NOT ADJACENT TO HOME FRONTAGES SHALL HAVE ONE 24 INCH BOX TREE AND FOUR FIVE-GALLON SHRUBS AND/OR GROUND COVER PLANTS LOCATED EVERY 25 LINEAR FEET.
 - SIGHT DISTANCE REQUIREMENTS ON ARTERIALS AND COLLECTORS WILL ADHERE TO SURPRISE DETAIL 4-01. SIGHT VISIBILITY WITHIN THE UNOBSTRUCTED VIEW EASEMENT AREA AND IN FRONT OF STOP SIGNS MUST MEET OR EXCEED REQUIREMENTS IN SURPRISE DETAILS 4-01 AND 4-02

- COMMUNITY WALL
- FULL VIEW WALL
- PARTIAL VIEW WALL
- NATURAL OPEN SPACE

- * NOTES
- WALLS SHALL NOT ENCR OACH INTO THE SIGHT VISIBILITY TRIANGLE
 - ALL TRAILS TO BE 6' WIDE

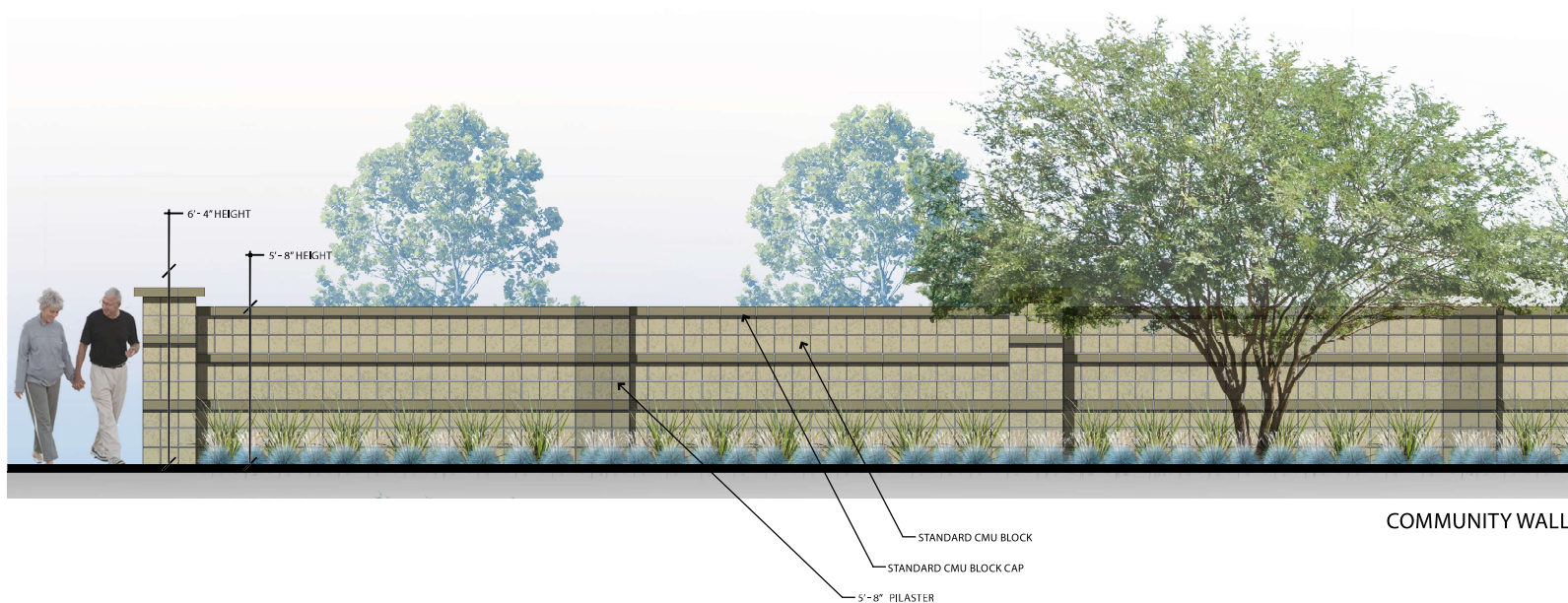
WALL PLAN

CONCEPTUAL LANDSCAPE MASTER PLAN

GOODWIN MARSHALL
CIVIL ENGINEERS - PLANNERS - SURVEYORS

LDG
LAND DEVELOPMENT GROUP
EST. 2004
SALT LAKE CITY, UT

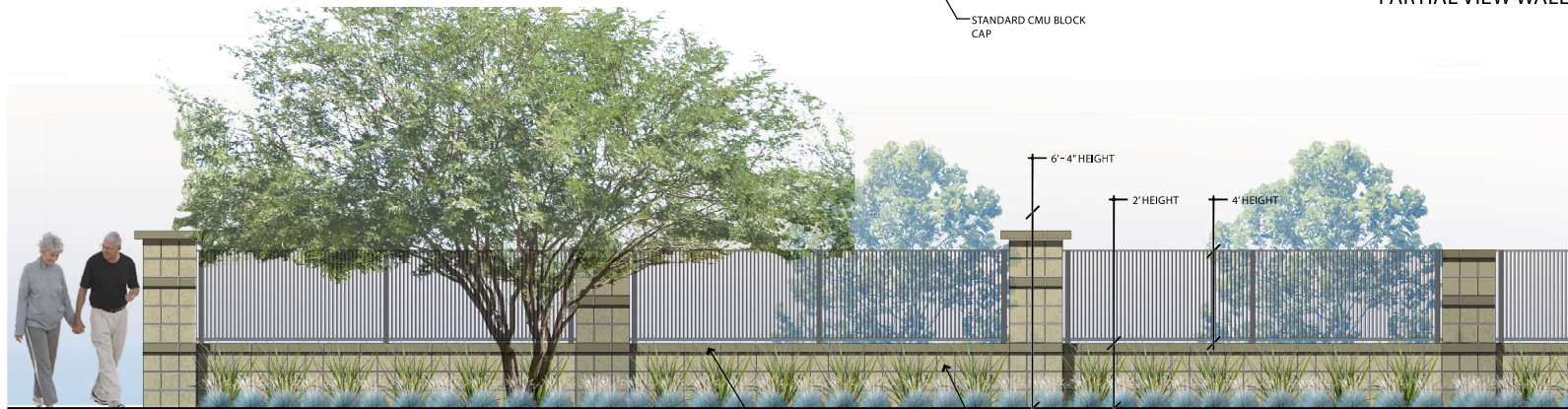
HOMETOWN SURPRISE
CITY OF SURPRISE, AZ
CASE NUMBER: FS20-488
FEBRUARY 2021



* NOTE: WALLS SHALL NOT ENCRROACH INTO THE SIGHT VISIBLTY TRIANGLE



PARTIAL VIEW WALL



FULL VIEW WALL



**DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND**

5 August 2020

Mr. Christopher P. Toale
Director, Community Initiatives Team
56th Fighter Wing
14185 West Falcon Street
Luke AFB AZ 85309-1629

Ms. Lorraine Nevarez
Planning Project Coordinator
Community Development
16000 N. Civic Center Plaza
Surprise AZ 85374

Re: FS20-488, Hometown Surprise (APN: 503-75-005F)

Dear Ms. Nevarez

Thank you for the opportunity to provide comments on the Hometown Surprise Preliminary Plat Application. The site sits on approximately 60 acres of vacant land located East of North Citrus Rd. and South of West Deer Valley Rd. in Surprise AZ. The site is located 1.5 miles outside the Aux-1 2004 JLUS 65 Ldn, "high noise or accident potential zone" as defined by A.R.S. § 28-8461 and is inside the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461.

In an effort to promote a more compatible co-existence, Luke AFB follows the guidelines in the Graduated Density Concept (GDC). The GDC proposes, in the absence of a more restrictive state, county or municipal general or comprehensive plan, graduating densities away from the 65 Ldn as follows: a maximum of 2 du/acre from the 65 Ldn to 1/2 mile, a maximum of 4 du/acre from 1/2 to 1 mile, and a maximum of 6 du/acre from 1 to 3 miles. Hometown Surprise is planned for 196 lots with a density of 3.3 du/ac therefore it falls within these guidelines.

As stated in the narrative, this request will not have a negative impact on Luke AFB flight operations as long as the above GDC guidance is followed. Since the site will be located within the "territory in the vicinity of a military airport," it will be subjected to approximately 165 over flights a day, with some as low as 1,500 feet above ground level. If this development is approved, we recommend you review the sound attenuation requirements found in A.R.S. § 28-8482. In addition, a strong notification program on the part of the applicant would be essential to inform potential residents about Luke AFB operations.

If there are any questions, please contact my Community Planner, Mr. Mark James at (623) 856-9981.

Sincerely

A handwritten signature in black ink, appearing to read "Ch. P. Toale". The signature is fluid and cursive, with the first name "Ch." and last name "Toale" clearly distinguishable.

CHRISTOPHER P. TOALE

cc:

Colonel Luke B. Casper, Vice Commander, 56th Fighter Wing

Ms. Cindy L. Allen, GS-13, General and Environmental Law Attorney, 56th Fighter Wing



FS20-488

Hometown Surprise

Preliminary Plat

Planning and Zoning Commission – April 15, 2021

VICINITY MAP

FS20-488

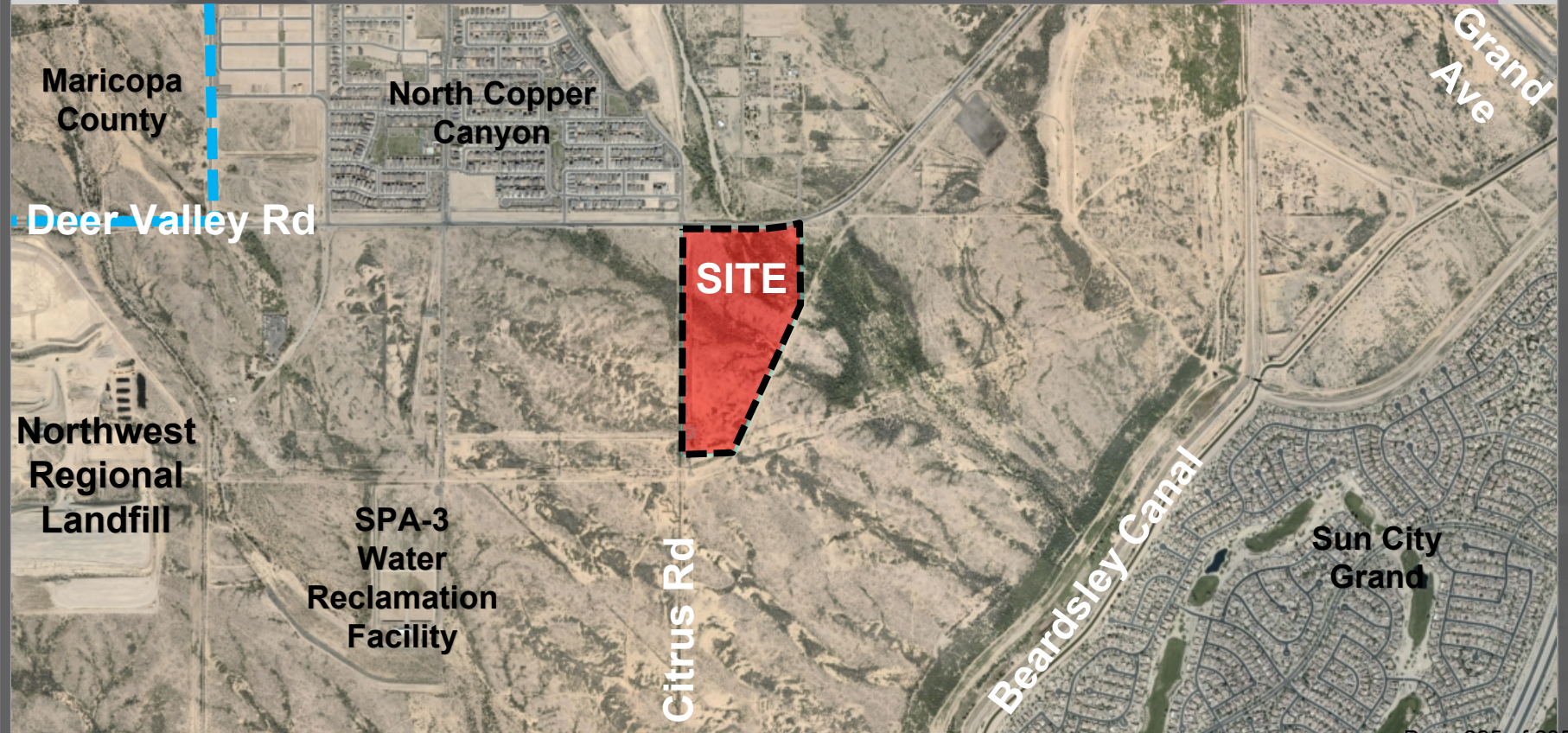
Hometown Surprise PP



CASE MAP

FS20-488

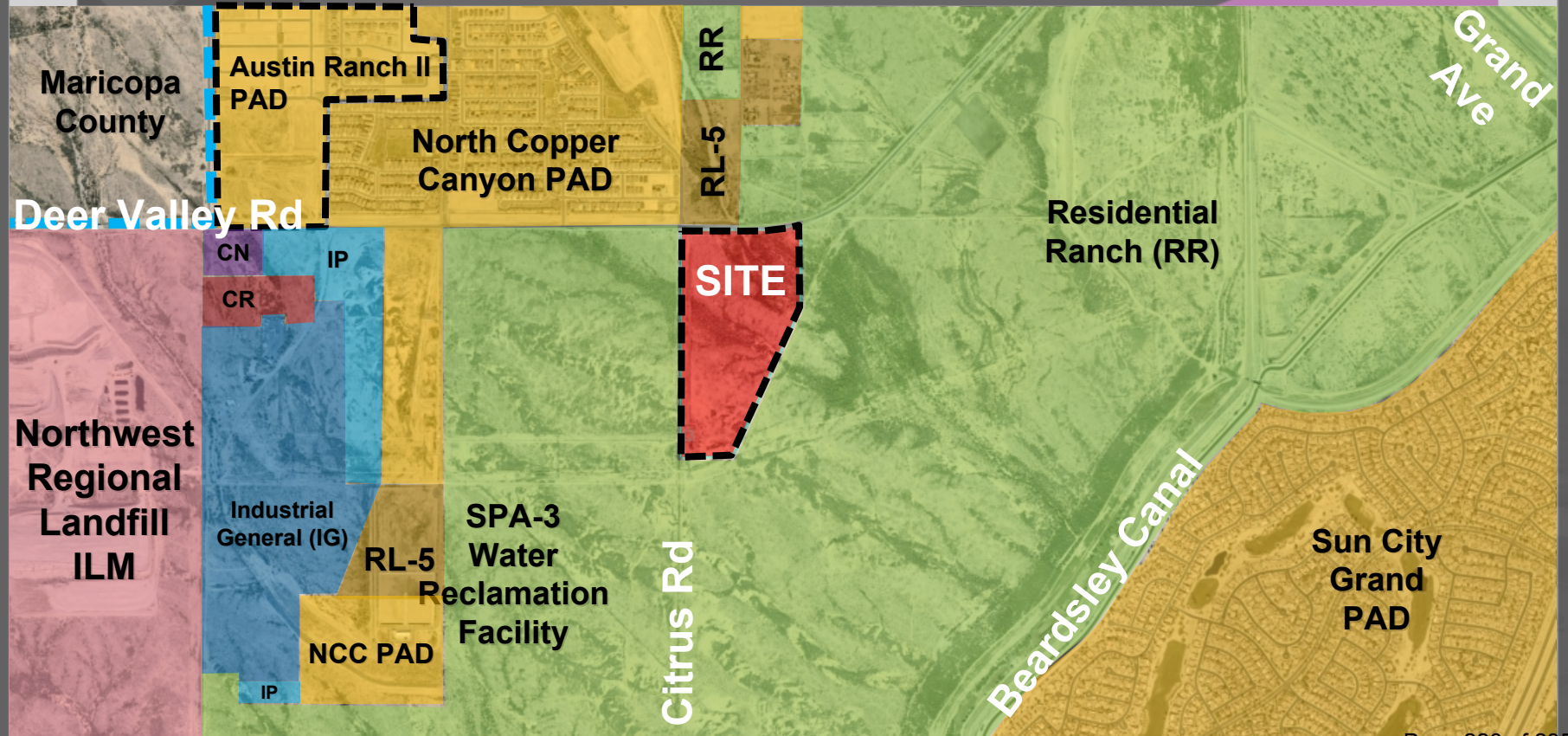
Hometown Surprise PP



ZONING MAP

FS20-488

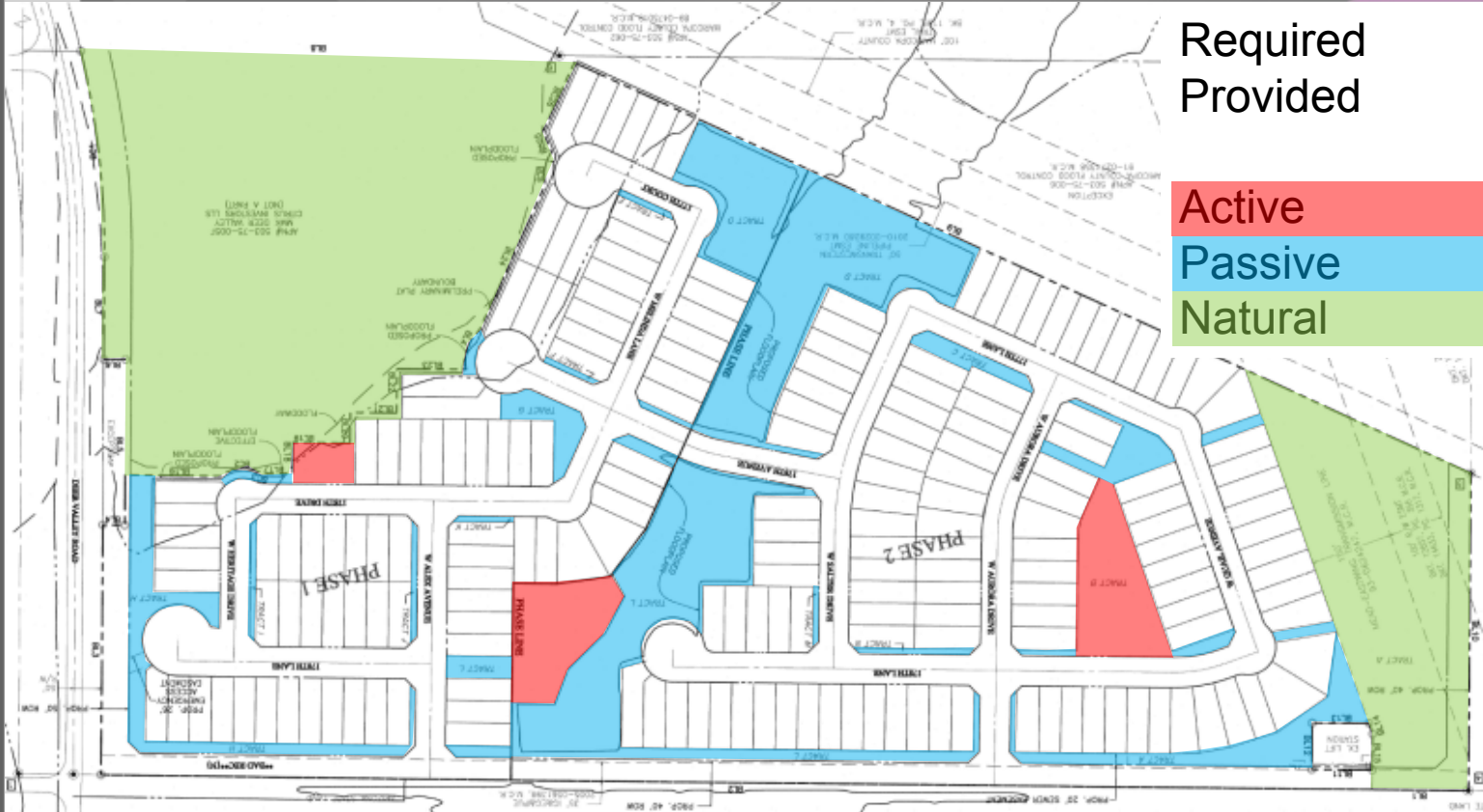
Hometown Surprise PP



PRELIMINARY PLAT



OPEN SPACE



Required
Provided

15.00%
41.04%

Active

8.86%

Passive

19.38%

Natural

71.76%



LANDSCAPE



LANDSCAPE



PLAY STRUCTURE



NET CLIMBER



PLAYGROUND PARK

LANDSCAPE



HILL PARK

WALL PLAN



WALL PLAN



VIEW FENCE/WALL ELEVATION
A00.001 TO 004 00.00



VIEW FENCE/WALL ELEVATION
A00.001 TO 004 00.00



80% CHARDONNAY SOUTHERN (CSV-3034)
20% CHARDONNAY PRESSURE FILLED STONE (CSV-3042)

THEME WALL ELEVATION

Date: 1-27-2005
Revised: 4-4-2005

PAD 2 Prepared By:
Sage Engineering Corp.
3414 S. 48th Street, Suite 8
Phoenix, AZ 85040
Phone: 480-966-9971
Fax: 480-921-4956
Contact: J Patrick Murphy

PAD 2 Prepared For:
Courtland Homes
5333 N. 7th Street, Suite B300
Phoenix, Arizona 85014
Phone: 602-265-3713
Contact: Mr. Joe Walsh

Austin Ranch
PAD 2
Theme & View Wall Details



**QUESTIONS OR
COMMENTS?**

Thank You

- a. Development and use of the site shall be consistent with the Preliminary Plat entitled "Preliminary Plat for Hometown Surprise at Austin Ranch II, Parcel E" consisting of ten (10) sheets prepared by Goodwin and Marshall and received March 8, 2021.
- b. Landscaping of the site shall be consistent with the Landscape and Wall Plans entitled "Hometown Surprise," consisting of seven (7) sheets prepared by Langvardt Design Group and received February 16, 2021.
- c. The applicant is responsible for constructing parkway half-street improvements along the frontage of Deer Valley Road including the excepted open space tract to the east. City staff and the applicant will provide an executed in-lieu agreement for payment of the proportionate cost of the expanded bridge prior to Final Plat approval.
- d. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the applicable provisions of the Surprise Municipal Code.