



CITY OF SURPRISE
Planning and Zoning Commission Meeting
16000 N. Civic Center Plaza
Surprise, AZ 85374
Thursday, June 17, 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 June 3, 2021 Planning and Zoning Commission Minutes. | None |
| | | | Ashley Labhart
Community
Development |

REGULAR AGENDA ITEM - PUBLIC HEARING:

- | | | | |
|----|------------|--|---|
| 2. | District 3 | Consideration and action to approve or disapprove a Conditional Use Permit to allow a new drive-thru facility, generally located south of Greenway Road and west of Cotton Lane, FS20-210. | Shirley Phan
Community
Development |
| 3. | District 5 | Consideration and action to approve or disapprove a Conditional Use Permit for a new private Christian school located south of Bell Road and east of West Point Parkway in the West Point Towne Center PAD. Case FS20-288. | Sergio Angulo
Community
Development |
| 4. | District 5 | Consideration and action to recommend approval or disapproval of a Major Zoning Amendment, entitled "Sierra Verde Planned Area Development Amendment to RZ03-188" dated April 2021, for a property generally located north of Waddell Road and east of 140th Drive in the Sierra Verde PAD. Case FS21-177. | Sergio Angulo
Community
Development |

5. District 1 Consideration and action to recommend approval or disapproval of three zoning changes for Enclave Point:
1) Rezone from Residential Ranch (RR) to Residential High Density with Planned Unit Development Overlay (RH-15 PUD) amending development standards and limiting residential density to 13.58 dwelling units per acre;
2) Rezone 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 3.20 dwelling units per acre; and,
3) Rezone from Residential Medium Density with a Planned Unit Development Overlay (RM-9 PUD) to Residential High Density with Planned Unit Development Overlay (RH-15 PUD) amending development standards and limiting residential density to 13.58 dwelling units per acre for Enclave Point. (Case FS21-026)
- Robert Kuhfuss
Community
Development

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

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: June 9, 2021 at 2:45 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: June 17, 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 June 3, 2021 Planning and Zoning Commission Minutes.

Motion:

I move to approve/disapprove the June 3, 2021 Planning and Zoning Commission Minutes.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. 6-3-21 PZ MIN
-

**CITY OF SURPRISE
PLANNING AND ZONING COMMISSION**

MEETING MINUTES

June 3, 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 June 3, 2021.

A. ROLL CALL

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

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; Tierney Farago Administrative Specialist and Ashley Labhart, Planning and Zoning Secretary.

COUNCIL MEMBERS PRESENT:

Councilmember Jack Hastings.

B. PLEDGE OF ALLEGIANCE

C. CURRENT EVENTS REPORT

None.

D. STAFF REPORT

None.

CALL TO THE PUBLIC:

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

William Smith – Surprise, AZ – Requested the Commission disapprove the rezoning for land near 163rd and Happy Valley Rd as it pertained to proposed apartments in the area.

Hearing no additional requests, Chair Bash closed the call to the public.

CONSENT AGENDA:

Item 1 – Internal – Consideration and action pertaining to approval of the May 20, 2021 Planning and Zoning Commission meeting Minutes.

Commissioner Smith made a motion to approve the May 20, 2021, Planning and Zoning Commission Minutes as presented.

Commissioner Chapman seconded the motion. Chair Bash abstained. Motion passes with 6 votes in favor.

REGULAR AGENDA ITEMS REQUIRING A PUBLIC HEARING:

ITEM: 2 – District 3 - Consideration and action to approve or disapprove a Conditional Use Permit (Use Only) to allow a new CBD Coffee facility on Lot 3 of Sierra Montana Crossings, generally located south of Greenway Road and west of Cotton Lane, FS20-730.

Robert Kuhfuss, Current Planning Supervisor, presented item 2 to the Commission.

Chair Bash opened the public hearing.

Hearing no requests, Chair Bash closed the call to the public.

Commissioner Rosenbaum made a motion to approve the Conditional Use Permit (Use Only) to allow for a new CBD Coffee location on Lot 3 of Sierra Montana Crossings, generally located south of Greenway Road and west of Cotton Lane, subject to stipulations “a” and “b”.

Commissioner Sartor seconded the motion. Motion passes with 7 votes in favor.

REGULAR AGENDA ITEMS NOT REQUIRING A PUBLIC HEARING:

ITEM: 3 – District 5 - Consideration and action to approve or disapprove a Site Plan for Bungalows at Bell and Sarival, generally located south of Bell Road between Sarival Avenue and Sunrise Boulevard. (Case FS20-776)

Robert Kuhfuss, Current Planning Supervisor, presented item 3 to the Commission.

Chair Bash acknowledged there were members of the public who wished to speak on the item despite the fact the item was not a public hearing. Chair Bash elected to provide the opportunity for members of the public to speak and opened for comment.

Don Levy – Mountain Vista Ranch HOA Board Member, Surprise, AZ - Acknowledged on behalf of himself and certain residents within the Mountain Vista Ranch Community, they are in favor of the development, however, there are many traffic, safety and well-being concerns as it pertains to the proposed roadway extension and are not in favor of the roadway development.

Wayne Tuttle – HOA President for the Mountain Vista Ranch Community, Surprise, AZ – Revisited historical conversations and planning with regard to the area, and conveyed there are many traffic, safety and well-being concerns as it pertains to the proposed roadway extension and are not in favor of the roadway development.

Hearing no additional requests, Chair Bash closed the opportunity for public comment.

Mark Reddi, Architect for RVi Planning Landscape Architecture provided feedback and information in response to questions and comments received.

The Commission discussed the following:

- Parking
- Traffic studies
- Private drive parameters

Commissioner Smith made a motion to approve the Site Plan entitled “Bungalows on Sarival”, subject to stipulations “a” through “e”.

Commissioner Rosenbaum seconded the motion. Motion passes with 7 votes in favor.

ITEM: 4 – District 6 - Consideration and action to approve or disapprove a proposed Site Plan to allow a new office and warehouse facility on Lot 62 of Skyway Business Park II, generally located south of Cactus Road and west of Dysart Road, FS20-439.

Robert Kuhfuss, Current Planning Supervisor, presented item 3 to the Commission.

Commissioner Chapman made a motion to approve the Site Plan for Skyway Commons Phase II Building B, subject to stipulations “a” through “e”.

Commissioner Krous seconded the motion. Motion passes with 7 votes in favor.

OTHER BUSINESS:

Item G – Other Business and Future Agenda Items.

Commissioner Krous advised he will be absent for the June 17, 2021 Planning and Zoning Commission meeting.

ADJOURNMENT:

Hearing no further business, Chair Bash called for a motion to adjourn. Commissioner Smith made a motion to adjourn, Commissioner Chapman seconded the motion. All voted in favor.

Meeting adjourned at 6:33 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: June 17, 2021 Contact Person: Shirley Phan
Submitting Department: Community Development District: District 3
Staff Recommendations:

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

Agenda Wording:

Consideration and action to approve or disapprove a Conditional Use Permit to allow a new drive-thru facility, generally located south of Greenway Road and west of Cotton Lane, FS20-210.

Motion:

I move to approve/disapprove the Conditional Use Permit for Kentucky Fried Chicken, subject to stipulations "a" through "e".

Background:

Juan Salamanca, on behalf of Pak Foods LLC, requests a Conditional Use Permit to allow for a new drive-thru facility, generally located south of Greenway Road and west of Cotton Lane.

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- FS20-210-Kentucky Fried Chicken- Staff Report
2. 01-FS20-210-Kentucky Fried Chicken- CUP- Vicinity Map
3. 02-FS20-210-Kentucky Fried Chicken- CUP- Site Plan

4. 03-FS20-210-Kentucky Fried Chicken- CUP- Landscape Plan
 5. 04-FS20-210-Kentucky Fried Chicken- CUP- Elevation
 6. 05-FS20-210-Kentucky Fried Chicken- CUP- Neighborhood Participation Report
 7. 06- FS20-210- Kentucky Fried Chicken CUP Affidavit_Redacted
 8. FS20-210-Kentucky Fried Chicken- CUP
-

Conditional Use Permit

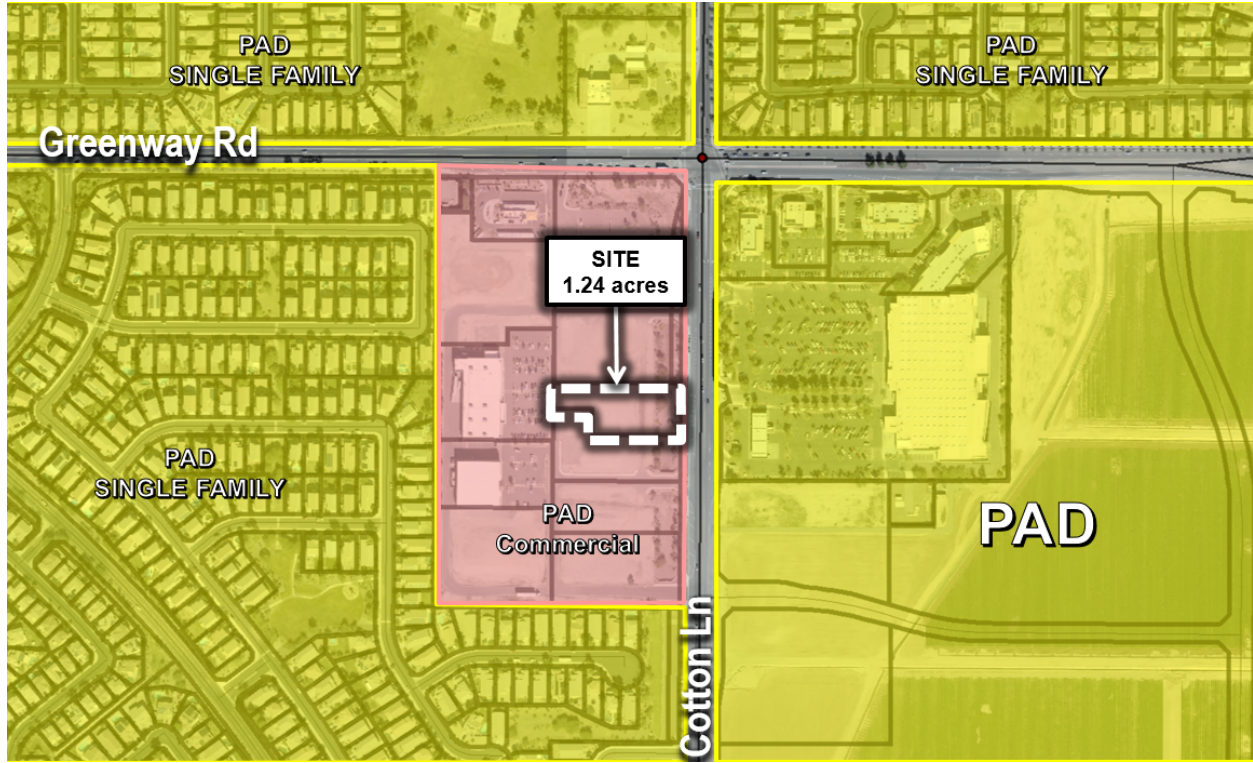
REPORT TO THE PLANNING AND ZONING COMMISSION

1 **Case:** **FS20-210**
2
3 **Project Name:** Kentucky Fried Chicken
4
5 **Council District:** 3- Mesquite
6
7 **Meeting Date:** **June 17, 2021**
8
9 **Planner:** Shirley Phan
10
11
12 **Owner:** Tanweer Ahmed, Pak Foods LLC
13
14 **Applicant:** Juan Salamanca, Texas Land Engineers
15
16 **Request:** Conditional Use Permit
17
18 **Site Location:** Generally, located south of Greenway Road and west of Cotton
19 Lane
20
21 **Site Size:** 1.24 acres (approx.)
22
23 **General Plan Conformance:** The proposal is consistent with the Surprise General Plan
24 2035.
25
26 **Support/Opposition:** Neighborhood Outreach Meeting was held on March 24, 2021.
27 No residents attended the meeting.
28
29 **Staff Recommendation:** Approve, subject to stipulations "a" through "e"
30
31

32 **Project Description:**

33
34 Juan Salamanca on behalf of Pak Foods LLC, requests approval of a Conditional Use Permit
35 to allow for a new Kentucky Fried Chicken facility on Lot 2a of Sierra Montana Crossings,
36 generally located south of Greenway Road and west of Cotton Lane. The subject site is
37 zoned PAD and has a land use designation of Community Commercial C-2.

38
39 **Surrounding Zoning:**



PAD (Commercial)	PAD (Commercial)	PAD (Commercial)
PAD (Commercial)	PAD (Commercial)	PAD (Commercial)
PAD (Commercial)	PAD (Commercial)	PAD (Commercial)

43
44 **History:**

45
46 **September 14, 2000:** The Mayor and City Council approved the Sierra Montana PAD
47 (Planned Area Development) under case PAD99-100.

48
49 **November 29, 2018:** Staff met with the applicant to discuss proposed site plan changes
50 during a Concept Review meeting held under CR18-608.

51
52 **March 19, 2020:** The applicant filed a request for a Conditional Use Permit for a new
53 Kentucky Fried Chicken under case FS20-210.

54
55 **March 24, 2021:** The applicant held a neighborhood outreach meeting to discuss the project.

56
57 **Neighborhood Outreach Meeting:**

58
59 The applicant held a Neighborhood Outreach Meeting on March 24, 2021 via Zoom Meeting.
60 Residents from the vicinity were offered the opportunity to attend and ask questions about
61 the project and voice their concerns. No residents attended the meeting besides City staff
62 and Councilwoman Aly Cline. Councilwoman Cline did not have any concerns and is in favor
63 of the proposed project.

64
65 **Analysis:**

66
67 The Sierra Montana PAD references the C-2 uses listed under Title 17 for Principally
68 Permitted uses and Conditionally Permitted uses. Title 17 lists "Convenience food
69 restaurant" as Conditionally Permitted in C-2 zoning districts, but requires an analysis of
70 any proposed Conditionally Permitted use to be based on the Use Specific Standards
71 listed under section 17.28.080.C.3. of Title 17. These standards include the following:

72
73 Convenience food restaurants: Convenience food restaurants shall be subject to
74 the same limitations and conditions as are specified heretofore in subsections
75 (C)(l)(a) and (e) of this section for Automobile Service Stations.

76
77 C(1). Automobile Service Stations:

- 78
79 a. Site improvements such as buildings or structures (permanent or
80 temporary) shall be separated from any residential zone by at least
81 fifty feet. Parking areas shall be separated from any residential
82 zone by at least fifteen feet.
83 b. The total site area shall not be less than twelve thousand square
84 feet.
85 c. Pump islands shall be set back not less than twenty-five feet from
86 any street right-of-way line, not less than forty feet from any
87 nonstreet property line and not less than seventy-five feet from any
88 residential zone boundary.
89 d. Hydraulic hoists, pits, and all lubrication, greasing, washing, repair
90 and diagnostic equipment shall be used and enclosed within a
91 building.
92 e. Interior curbs of not less than six inches in height shall be
93 constructed to separate driving surfaces from sidewalks,
94 landscaped areas and street rights-of-way.

95
96 This Conditional Use Permit (CUP) application has been reviewed against the standards
97 listed above. The applicant also included a lighting photometric study with the application. At
98 this time staff has reviewed the use of the subject site and finds this CUP application
99 conforms to the requirements set forth under Title 17.

The site is to be accessed through an existing shared driveway on the east side of the property; the driveway having direct access to and from Cotton Lane. The site will also take indirect access from the adjacent parking lot, which in turn takes access from Greenway Road. The proposed site plan also demonstrates good pedestrian connectivity to the existing sidewalk along Cotton Lane.

A total of 34 parking spaces will be provided on site which will meet the City standards of one (1) space per 250 sq.ft. The parking spaces are placed in close proximity of the building for convenience of the employees and customers. Two (2) of the spaces will be handicap-accessible.

Title 17 does not have specific landscape requirements therefore the proposed landscaping was evaluated under the SUDC. The proposed landscape meets the requirements of the Sierra Montana PAD and the SUDC. On-site the applicant is proposing 15.9% landscape coverage, which meets the minimum requirement. Additionally, a screening wall and landscaping along Cotton Lane will screen the drive-thru on the east side of the property. The proposed onsite landscape will match the landscape of the existing development in Sierra Montana Crossing Plaza. A refuse enclosure is proposed to be located along the northwest side of the building and will be screened with a decorative CMU wall.

The Sierra Montana PAD and Title 17 does not have any specific architectural requirements for commercial buildings. The applicant proposes to include KFC's corporate brand colors and material palette for the proposed building.

At this time staff has reviewed the use of the subject site and finds this CUP application conforms to the requirements set forth under Title 17.

Reviewing Agencies:

In addition to the standard city internal reviewing departments, Flood Control District, and Luke AFB were included in the routing of this request. None of the reviewing agencies indicated any concerns over the request.

Summary:

Staff believes the proposed Conditional Use Permit meets the requirements of the Sierra Montana PAD, Title 17, SUDC, and the General Plan.

Findings:

- The proposed Conditional Use Permit is consistent with the Surprise General Plan 2035.
- The proposed Conditional Use Permit meets the provisions of the Sierra Montana PAD as well as both Title 17 and SUDC as applicable.

144 **Recommendation:**

145
146 Based on the findings noted above, staff recommends the Commission move to **approve**
147 the proposed Conditional Use Permit, subject to stipulations 'a' through 'e' as outlined below:
148

149 A. Development and use of the site shall be consistent with the Site Plan entitled
150 "Kentucky Fried Chicken (KFC)" consisting of one (1) sheet prepared by Texas
151 Land Engineers, INC. and stamped received April 29, 2021.
152

153 B. Landscaping of the site shall be consistent with the Landscape Plan entitled
154 "Kentucky Fried Chicken (KFC)" consisting of two (2) sheets prepared by Texas
155 Land Engineers, INC. and stamped received April 27, 2021.
156

157 C. Building elevations shall be consistent with the Elevations entitled "KFC"
158 consisting of three (3) sheets prepared by Texas Land Engineers, INC. and
159 stamped received November 30, 2020.
160

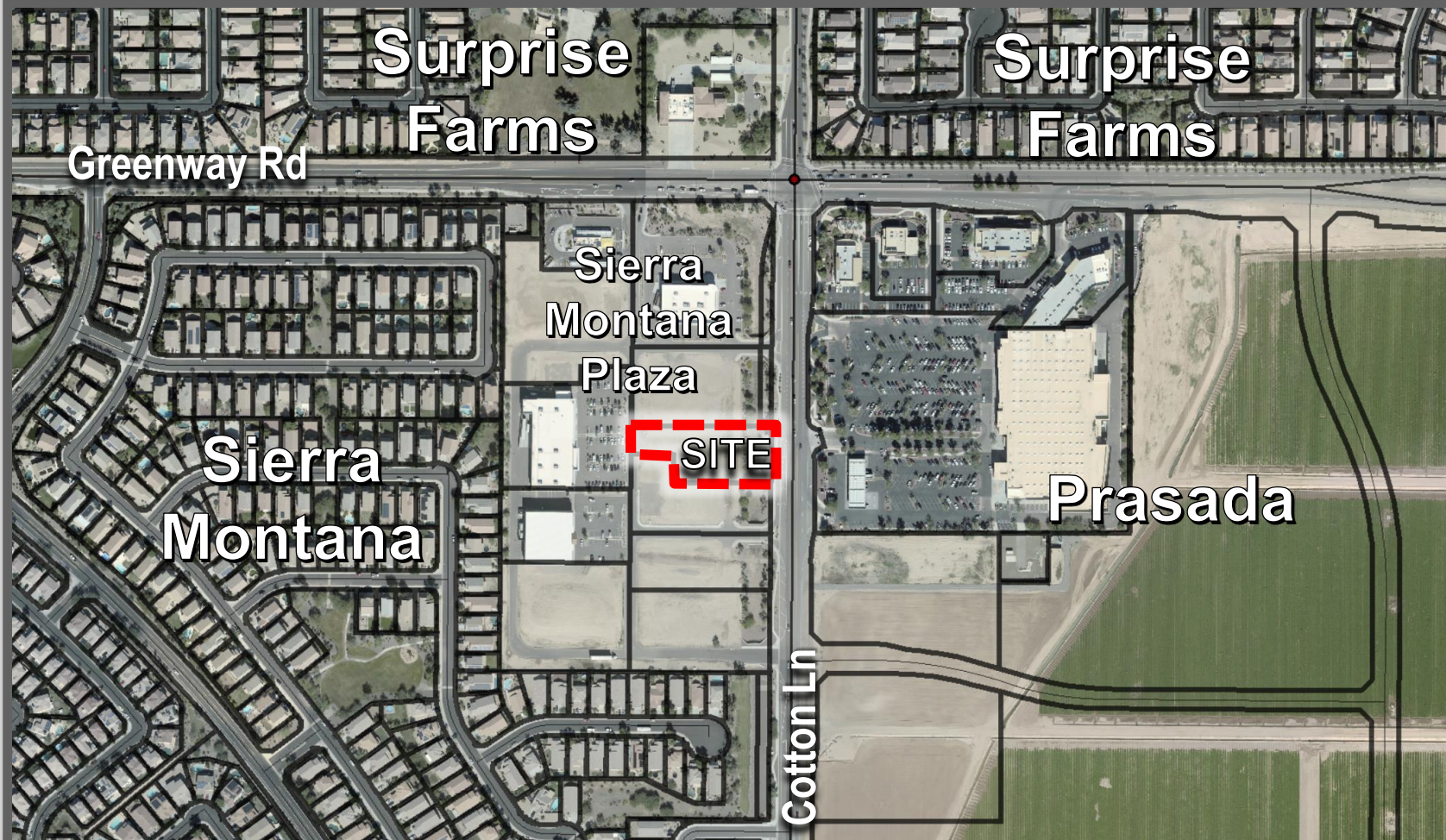
161 D. This Site Plan is valid for one (1) year after approval by the Planning and Zoning
162 Commission. This Site Plan shall expire on the one (1) year anniversary of
163 approval, unless construction commences prior to that date.
164

165 E. Non-compliance with the approved plan for this case will be treated as a violation
166 in accordance with the provisions of Article XIV of the Surprise Unified
167 Development Code.
168

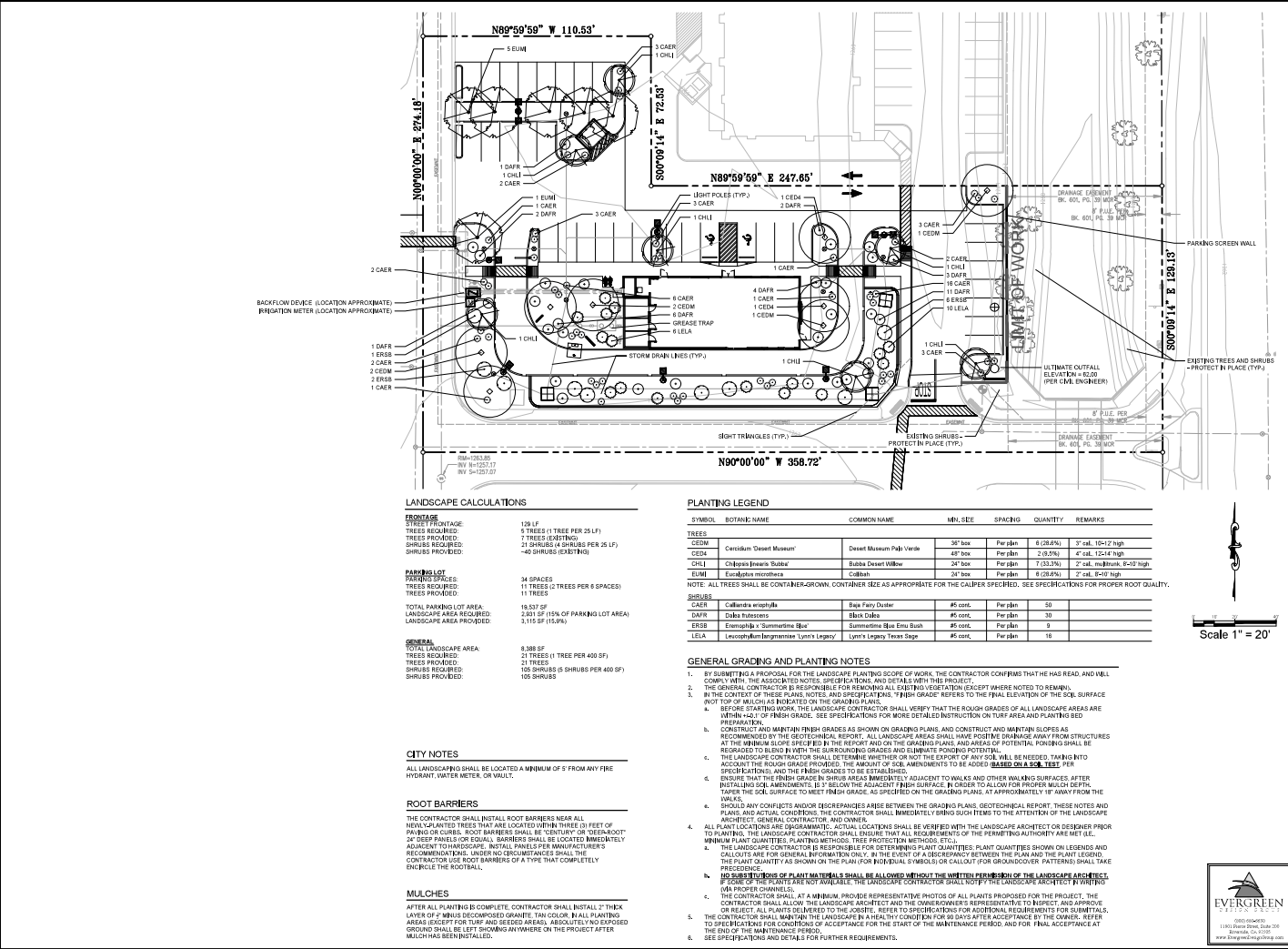
169 However, should the Commission wish to **deny** the request, the Commission should make
170 its own findings and base its decision on those alternative findings.
171

172 **Attachments:**

- 173
174 01 Vicinity Map
175 02 Site Plan
176 03 Landscape Plan
177 04 Elevations
178 05 Neighborhood Participation Report
179 06 Affidavit of Posting



FS20-210 VICINITY MAP



TEXAS LAND ENGINEERS, INC.
7102 W. SAM HOUSTON
PARKWAY N., SUITE 230
HOUSTON, TX 77060
PH: (713) 935-4145

KEY: 1.00 2.00 3.00 4.00 5.00 6.00 7.00 8.00 9.00 10.00 11.00 12.00 13.00 14.00 15.00 16.00 17.00 18.00 19.00 20.00 21.00 22.00 23.00 24.00 25.00 26.00 27.00 28.00 29.00 30.00 31.00 32.00 33.00 34.00 35.00 36.00 37.00 38.00 39.00 40.00 41.00 42.00 43.00 44.00 45.00 46.00 47.00 48.00 49.00 50.00 51.00 52.00 53.00 54.00 55.00 56.00 57.00 58.00 59.00 60.00 61.00 62.00 63.00 64.00 65.00 66.00 67.00 68.00 69.00 70.00 71.00 72.00 73.00 74.00 75.00 76.00 77.00 78.00 79.00 80.00 81.00 82.00 83.00 84.00 85.00 86.00 87.00 88.00 89.00 90.00 91.00 92.00 93.00 94.00 95.00 96.00 97.00 98.00 99.00 100.00

KENTUCKY FRIED CHICKEN (KFC)
STORE NO: D212-131
15166 N. COTTON LANE
SURPRISE, ARIZONA

PLANTING PLAN

Professional Engineer
L. J. J. J.

PROJECT NO: 15166-01
DATE: FEBRUARY 2023
DRAWN BY: LAM
CHECKED BY: LAM, RM

SHEET
LP-1

CASE #FS20-210

PLANTING SPECIFICATIONS

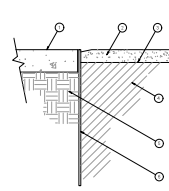
1. QUALITY OF LANDSCAPE CONTRACTOR
 - a. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS, AS APPLICABLE TO THE PROJECT.
 - b. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
 - c. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
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PLANTING SPECIFICATIONS

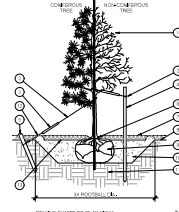
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PLANTING SPECIFICATIONS

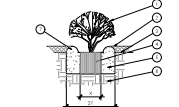
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 - c. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.



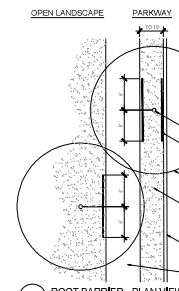
D ROOT BARRIER - SECTION
SCALE: NOT TO SCALE



A TREE PLANTING
SCALE: NOT TO SCALE



B SHRUB AND PERENNIAL PLANTING
SCALE: NOT TO SCALE



C ROOT BARRIER - PLAN VIEW
SCALE: NOT TO SCALE



TEXAS LAND ENGINEERS, INC.
7010 W. SAM HOUSTON
HOUSTON, TX 77060
PH: (713) 955-4145

NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

KENTUCKY FRIED CHICKEN (KFC)
STORE NO: D212-131
15166 N. COTTON LANE
SURPRISE, ARIZONA

PLANTING DETAILS AND SPECIFICATIONS

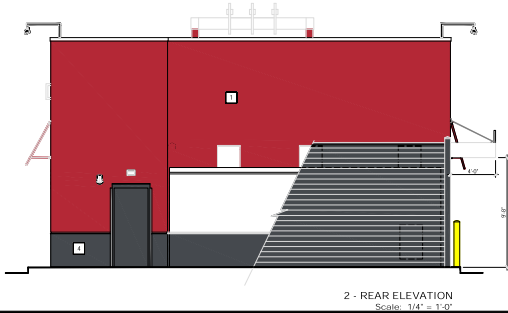
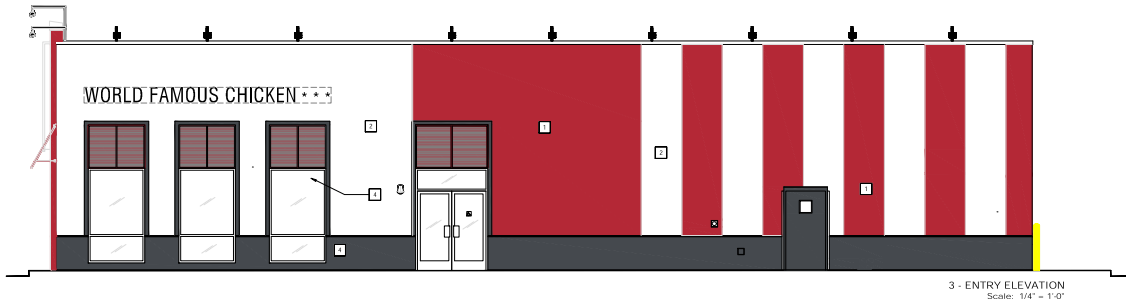
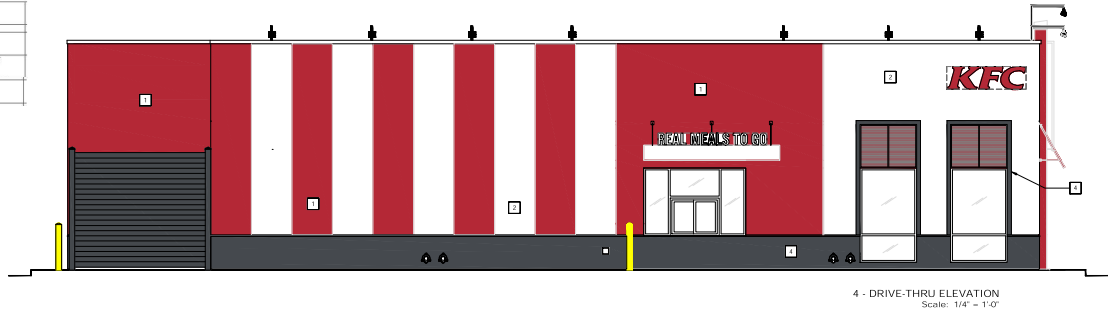


THE PROJECT NO: 15166-131
DATE: FEBRUARY 2023
DRAWN BY: LAM
CHECKED BY: LAM, RM

SHEET
LP-2

CASE #FS20-210

SYMBOL	EXTERIOR WALL AREA	MANUFACTURER	COLOR
1	EXTERIOR PAINT	BENJAMIN MOORE	ALUM EXTERIOR PAINT COLOR: RED 2000-15 LOW LUSTRE 804
2	EXTERIOR PAINT	BENJAMIN MOORE	WALL, SELECT EXTERIOR PAINT RECOMMEND: 2025 TO LOW LUSTRE 804
3	EXTERIOR PAINT	BENJAMIN MOORE	ALUM EXTERIOR PAINT BLACK HATCH: 7125-06 LOW LUSTRE 804



PAK FOODS, LLC
17514 BUTTE CREEK
HOUSTON, TX 77060
P.E. (281) 568-4637

PLAN SET REVISIONS:

CONTRACT DATE:	05.22.2018
BUILDING TYPE:	Kb 55-17
PLAN VERSION:	2018-A
SITE NUMBER:	313247
ENTRY NUMBER:	448989
STORE NUMBER:	313247

KFC
15186 N. COTTON LAKE
SURPRISE, ARIZONA 85388



COLOR
EXTERIOR
ELEVATIONS

A4.2

PLOT DATE: 10/11/2020

CASE No. ES20-210

PO Box 15271
Phoenix, AZ 85060

VIA: eMail

March 30, 2021

City of Surprise Community Development Department
Planning and Zoning Division
16000 N. Civic Center Plaza
Surprise, AZ 85374

Attn: Ms. Shirley Phan

RE: *Citizen Review Meeting Participation Report*
Sierra Montana PAD – FS20-210 KFC Conditional Use Permit
15166 N. Cotton Ln.

PURPOSE:

The purpose of this Citizen Review Meeting Participation Report is to summarize the Virtual Citizen Review Meeting held to inform nearby citizens, property owners and neighborhood associations of our proposed development. This report demonstrates that those affected by the development have had an adequate opportunity to learn about and to comment on the plan in advance of the Planning Commission Meeting.

SUMMARY:

A. Citizen Review Meeting was scheduled for March 24, 2021 at 6:00 PM

B. Outreach to neighbors conducted by City of Surprise Community Development

- Notice published at least once on a newspaper of general circulation published or circulated in the municipality at least fifteen (15) days prior to the meeting date
- Sent notice by first-class mail to all real property owners within a 300' radius no less than seven (7) days prior to the meeting date
- Sent notice by first-class mail to any village committee or special community group which is located in the area AND the head of any homeowners association or registered neighborhood within a 300' radius no less than seven (7) days prior to the meeting date

C. Outreach to neighbors conducted by KFC development team

- Site posted with project data and Citizen Review Meeting information at least fifteen (15) days prior to the meeting date (EXHIBIT "A")

D. Zoom virtual Citizen Review Meeting was held on May 24th at 6:00PM .

- KFC development team Attendees: Jeff Muckerman & John Gerdes
- City of Surprise Attendees: Ms. Aly Cline (District 2 Councilmember), Ms. Shirley Phan (Community Development) and Mr. Lloyd Abrams (Community Development)
- No other attendees and no one from neighborhood was present
- No direct correspondence from notifications received by development team

E. CITIZEN REVIEW MEEETING DISCUSSION:

- Brief summary of project provided
- Conceptual plans and aerial photos shown for project overview
- Lack of neighbor-attendees attributed to the great distance to nearest single family home lot.

City of Surprise
Citizen Review Meeting Participation Report
30 March 2021

- Councilmember inquired about recently closed KFC location in her council district.
- Development team suggested that real estate team is eyeing Surprise for additional locations.
- Development team suggested that this 20-acre portion of the 700 + acre Sierra Montana PAD was very well suited for such commercial development and that the proposed KFC location would harmonize here. In furtherance, it was noted that across the street was soon-to-come further commercial development and that buffers to any residential uses from this site were great.

Thank you very much for your assistance, please call me or reach out if you would like to discuss.

Respectfully,

A handwritten signature in black ink, appearing to read 'Jeff Muckerman', with a stylized flourish at the end.

Jeff Muckerman

AFFIDAVIT OF POSTING

Case Number FS20-210
Project Name: KFC, SIERRA MONTANA PAD
Project Location: 15166 N. COTTEN LN.
Date Site Posted: 3-8-2021

In order to assist in providing adequate notice to interested parties, the applicant for any type of public hearing shall erect two (2) signs providing notice of the date, time, and place of the scheduled hearing(s). These signs must be erected not less than fifteen (15) calendar days prior to the date of the first hearing. The signs shall also include the description of the request as contained on the formal development application. The size and format of this sign shall meet requirements established by the city (see example).

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, as well as the information on the sign, until final disposition of the case.

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

[Signature] 3/8/2021
Owner/Applicant Signature Date

This instrument was acknowledged before me this 8th day of March,
2021 by Jefferson Muckerman

[Signature]
Notary Public

My Commission Expires:



MATTHEW P HEALD
Notary Public - Arizona
Maricopa County
Commission # 589555
My Comm. Expires 08-31-2024

FS20-210
SITE POSTING PHOTOS
3/8/2021



CITY OF SURPRISE **NEIGHBORHOOD MEETING**

Take notice that at the date and time listed, Juan Salamanca, Texas Land Engineers on behalf of Tanweer Ahmed, Pak Foods, LLC will host a Neighborhood Meeting to discuss the project referenced below. Due to the current COVID-19 public health emergency, this meeting will be conducted virtually. By utilizing the access information provided under meeting details, using a computer or phone, any member of the public may participate in the conversation as it pertains to this project. Per City Code the applicant is required to host a Neighborhood Meeting, presenting their project to the public while soliciting feedback and providing answer to questions. Please note, the City of Surprise is not the host of this meeting, however, the assigned City Planner will be available to offer applicant support as needed during this outreach.

Applicant: Juan Salamanca, 713-955-0145, jsalamanca@texaslandengineers.com
City of Surprise Planner: Shirley Phan, 623-222-3153, shirley.phan@surpriseaz.gov

NEIGHBORHOOD MEETING DETAILS

DATE: Wednesday, March 24, 2021

TIME: 6:00 PM

ONLINE ACCESS:

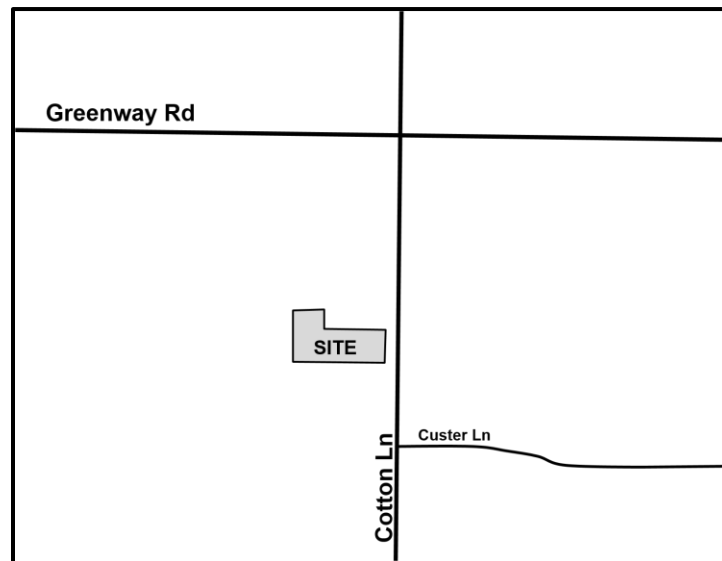
<https://zoom.us/j/93737105527?pwd=L1ppRTR6QVE5UHhXTXQvaUc4WUhtZz09>

Call in Zoom meeting: (669)-900-6833

Meeting ID: 937 3710 5527

Passcode: 949542

PROJECT LOCATION



PROJECT DESCRIPTION:

The applicant is requesting approval of a Conditional Use Permit of approximately 1.24 acres for a new Drive-Thru Facility located south of Greenway Road and West of Cotton Lane within the Sierra Montana PAD. Surprise Planning Case FS20-210.

PO Box 15271
Phoenix, AZ 85060

VIA: eMail

March 30, 2021

City of Surprise Community Development Department
Planning and Zoning Division
16000 N. Civic Center Plaza
Surprise, AZ 85374

Attn: Ms. Shirley Phan

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City of Surprise
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Jeff Muckerman

INDEPENDENT NEWSMEDIA INC. USA

17220 N. Boswell Blvd., Suite 101, Sun City, AZ 85373 • 1-800-282-8586

State of Arizona:

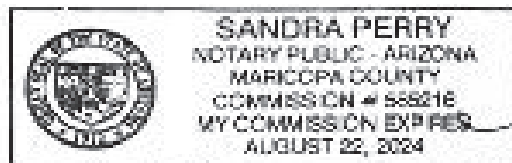
County of Maricopa:

Affidavit of Publication

I Charlene Bisson, Arizona group publisher of Independent Newsmedia Inc. USA, am authorized to make this affidavit of publication. Under oath, I state that the following is true and correct.

The Daily Independent is a newspaper which is published daily, is of general circulation and is in compliance with the Arizona Revised Statutes 10-140.34 & 39-201 A & B. I solemnly swear that the notice was published in the regular and entire section of the said newspaper and not in any supplement. The below listed advertisement appeared in the following issue (s)
03/08/21, 03/10/21

Sworn to and subscribed before me this 10th Day of March, A.D., 2021



Ad Caption: FS20-210
Ad Number: 462343
Total Cost:\$384.00

Publish: Daily Independent, March 8, 2021/462419

CITY OF SURPRISE
NEIGHBORHOOD MEETING

Take notice that at the date and time listed, Juan Salamanca, Texas Land Engineers on behalf of Tanweer Ahmed, Pak Foods, LLC will host a Neighborhood Meeting to discuss the project referenced below. Due to the current COVID-19 public health emergency, this meeting will be conducted virtually. By utilizing the access information provided under meeting details, using a computer or phone, any member of the public may participate in the conversation as it pertains to this project. Per City Code the applicant is required to host a Neighborhood Meeting, presenting their project to the public while soliciting feedback and providing answer to questions. Please note, the City of Surprise is not the host of this meeting, however, the assigned City Planner will be available to offer applicant support as needed during this outreach.

Applicant: Juan Salamanca, 713-955-0145, jsalamanca@texaslandengineers.com
City of Surprise Planner: Shirley Phan, 623-222-3153, shirley.phan@surpriseaz.gov

NEIGHBORHOOD MEETING DETAILS

DATE: Wednesday, March 24, 2021
TIME: 6:00 PM
ONLINE ACCESS:
<https://zoom.us/j/93737105527?pwd=L1ppRTR6QVE5UHhXTXQvaUc4WUhtZz09>
Call in Zoom meeting: (669)-900-6833
Meeting ID: 937 3710 5527
Passcode: 949542



PROJECT DESCRIPTION:

The applicant is requesting approval of a Conditional Use Permit of approximately 1.24 acres for a new Drive-Thru Facility located south of Greenway Road and West of Cotton Lane within the Sierra Montana PAD. Surprise Planning Case FS20-210.

Publish: Daily Independent, March 8, Surprise Independent, March 10, 2021/462343

State of Minnesota)
: ss.
County of Scott)

NOTICE OF JUVENILE HEARING

In the Matter of the Welfare of the Child of: Rebecca Tran and Viengsavanh Souknaalong
Scott Co. Court File No. 70-JV-20-17765

TO: Rebecca Tran and Viengsavanh Soukmalong
addresses: 1282 Jefferson St. S., Shakopee, MN 55379, 2459 South Walnut Dr., Chandler, AZ 85286

Take notice that a hearing regarding the Child(ren), DOB: DOB: 9/11/2003 , will be held in juvenile court on 3/18/2021 at 10:00 AM or soon thereafter at the Scott County Justice Center, 200 Fourth Avenue West, Shakopee, Minnesota.

You are required to be at the hearing or your parental rights may be terminated. ###for long term foster care: You are required to be at the hearing or the court may enter an order permanently affecting your parental or custodial rights to the child(ren). Upon request, the clerk will provide you with a copy of the Petition describing the matter. If you fail to appear at the time and place listed above and stated on the Petition, judgment by default may be entered against you.

BY THE COURT:

Vicky Carlson
Scott County Court Administrator


Deputy Clerk
Karin D. Perkins

Publish: Daily Independent, March 8, 2021/462297

DEVELOPMENT PROJECT NEIGHBORHOOD MEETING

Please be advised, GYS Development LLC on behalf of Brown Family Holdings, will host a Neighborhood Meeting to discuss the project referenced below. Due to the current COVID-19 public health emergency, this meeting will be conducted virtually. Any member of the public may participate in the conversation as it pertains to this project, via phone or computer, by utilizing the access information provided under meeting details. According to Surprise Municipal Code, the applicant is required to host a Neighborhood Meeting to present their project to the public while soliciting feedback and providing answers to questions. Please note, the City of Surprise is not the host of this meeting, however, the assigned City Planner will be available to provide information as needed in response to inquiries received from residents.

Applicant: Tony Ollila with GYS Development LLC, 970-420-1521, tony@gysdev.com
City of Surprise Planner: Laurie Lineberry, 623-222-3045, laurie.lineberry@surpriseaz.gov

NEIGHBORHOOD MEETING DETAILS

DATE: Wednesday, March 24, 2021
TIME: 6:00 PM

ONLINE ACCESS – MICROSOFT TEAMS

https://teams.microsoft.com/dl/launcher/launcher.html?url=%2F%23%2F%2Fmeetup-join%2F19%3Ameeting_NjhmMmM0NDQ0ODA4Zi00N2FILThlYmEtMzNiM2M2NzAwNDQ0%40thread.v2%2F0%3Fcontext%3D%2527b%2522Id%2522%253a%252297d2951a-d00b-463e-a080-beb6e2eb9a64%2522%252c%2522Oid%2522%253a%25221745a585-ce16-4ccc-b7f9-a81f16e7b23%2522%257d%26anon%3Dtrue&type=meetup-join&deeplinkId=767f327e-cd4b-49cf-8217-f5d42379cd1b&directDI=true&mslLaunch=true&enableMobilePage=true&suppressPrompt=true

CALL-IN: 1-619-500-8371
ACCESS CODE 975 849 075#



PROJECT DESCRIPTION:

Conditional Use-Only Permit for an interior climate controlled Self-Storage Facility northwest of the intersection of 163rd and Grand Avenues. Surprise Planning Case FS20-811.

Publish: Daily Independent, March 8, Surprise Independent, March 10, 2021/462321

Page 29 of 153

GET YOUR GAME ON WITH THE CLASSIFIEDS



 **INDEPENDENT**
NEWS MEDIA
Celebrating & Connecting Our Communities

623-972-6101

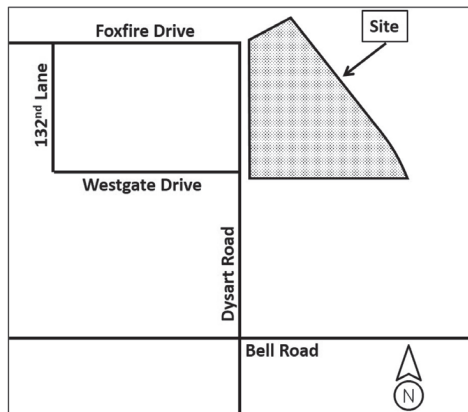
**DEVELOPMENT PROJECT
NEIGHBORHOOD MEETING**

Please be advised, Philip Gollon with ARC Services Inc., on behalf of VP Cinema LLC, will host a Neighborhood Meeting to discuss the project referenced below. Due to the current COVID-19 public health emergency, this meeting will be conducted virtually. Any member of the public may participate in the conversation as it pertains to this project, via phone or computer, by utilizing the access information provided under meeting details. According to Surprise Municipal Code, the applicant is required to host a Neighborhood Meeting to present their project to the public while soliciting feedback and providing answers to questions. Please note, the City of Surprise is not the host of this meeting, however, the assigned City Planner will be available to provide information as needed in response to inquiries received from residents.

Applicant: Philip Gollon, 480.837.0761, pgollon@arcservicesinc.com
City of Surprise Planner: Sergio Angulo, 623.222.3155, sergio.angulo@surpriseaz.gov

NEIGHBORHOOD MEETING DETAILS

DATE: Monday, March 22, 2021
TIME: 6:00 PM
ONLINE ACCESS: <https://zoom.us/j/93337938011?pwd=UXE4MHJ6TIRVUGdJbTRGdklIMFgwdz09>
CALL-IN: +1-646-568-7788
ACCESS CODE (MEETING ID): 933 3793 8011

PROJECT LOCATION**PROJECT DESCRIPTION:**

A Conditional Use Permit for a new Recreational Vehicle (RV) Storage facility on approximately 5.8 acres generally located north of Bell Road and east of Dysart Road. Surprise Planning Case FS20-755.

Publish: Daily Independent, March 1, Surprise Independent, March 10, 2021/461010

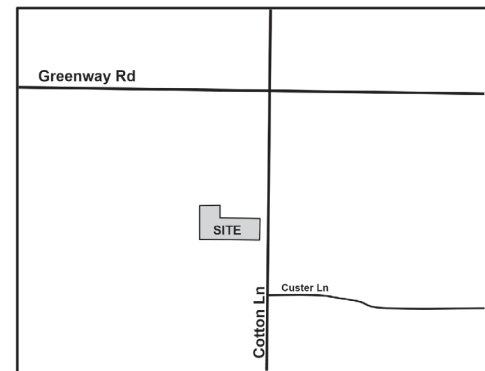
**CITY OF SURPRISE
NEIGHBORHOOD MEETING**

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Applicant: Juan Salamanca, 713-955-0145, jsalamanca@texaslandengineers.com
City of Surprise Planner: Shirley Phan, 623-222-3153, shirley.phan@surpriseaz.gov

NEIGHBORHOOD MEETING DETAILS

DATE: Wednesday, March 24, 2021
TIME: 6:00 PM
ONLINE ACCESS: <https://zoom.us/j/93737105527?pwd=L1ppRTR6QVE5UUhXTXQvUc4WUhtZz09>
Call in Zoom meeting: (669)-900-6833
Meeting ID: 937 3710 5527
Passcode: 949542

PROJECT LOCATION**PROJECT DESCRIPTION:**

The applicant is requesting approval of a Conditional Use Permit of approximately 1.24 acres for a new Drive-Thru Facility located south of Greenway Road and West of Cotton Lane within the Sierra Montana PAD. Surprise Planning Case FS20-210.

Publish: Daily Independent, March 8, Surprise Independent, March 10, 2021/462343

**DEVELOPMENT PROJECT
NEIGHBORHOOD MEETING**

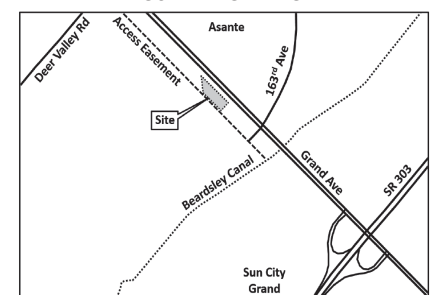
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Applicant: Tony Ollila with GYS Development LLC, 970-420-1521, tony@gysdev.com
City of Surprise Planner: Laurie Lineberry, 623-222-3045, laurie.lineberry@surpriseaz.gov

NEIGHBORHOOD MEETING DETAILS

DATE: Wednesday, March 24, 2021
TIME: 6:00 PM
ONLINE ACCESS – MICROSOFT TEAMS
https://teams.microsoft.com/dl/launcher/launcher.html?url=%2F_%23%2F%2Fmeetup-join%2F19%3Ameeting_NjhmMmM0NDQ0ODA4Zi00N2FILThlYmEtMzNiM2M2NzAwNDQ0%40thread.v2%2F0%3Fcontext%3D%257b%2522Tid%2522%253a%252297d2951a-d00b-463e-a080-beb6e2eb9a64%2522%252c%2522Oid%2522%253a%2522f745a585-ce16-4ccc-b7f9-a81fd16e7b23%2522%257d%26anon%3Dtrue&type=meetup-join&deeplinkId=767f327e-cd4b-49cf-8217-f5d42379cd1b&directDI=true&msLaunch=true&enableMobilePage=true&suppressPrompt=true

CALL-IN: 1-619-500-8371
ACCESS CODE 975 849 075#

QR Code**PROJECT LOCATION****PROJECT DESCRIPTION:**

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**WHEN PUBLIC NOTICES
REACH THE PUBLIC,
EVERYONE BENEFITS.**

Some officials want to move notices from newspapers to government-run websites, where they may not be easily found.



Why try to fix
something that
isn't broken?

2 OUT OF 3

U.S. adults read a
newspaper in print
or online during
the week.

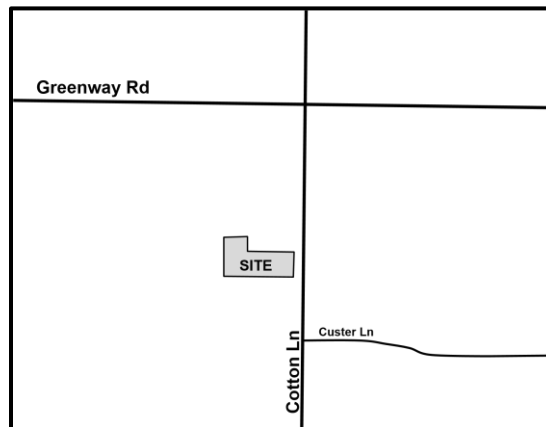


**CITY OF SURPRISE
PUBLIC NOTICE**

Take notice that at the date, time, and place listed below, the City of Surprise Planning and Zoning Commission will hold a Public Hearing at the request of Juan Salamanca with Texas Land Engineers, relating to the proposed Conditional Use Permit for approximately 1.24 acres for a new drive-thru facility located south of the southwest corner of Greenway Road and Cotton Lane within the Sierra Montana Planned Area Development. Kentucky Fried Chicken, Surprise Planning Case FS20-210.

Legal Description: Located in a portion of the Northeast Quarter of Section 11, Township 3 North, Range 2 West of the Gila and Salt River Meridian, Maricopa County, Arizona

PROJECT LOCATION



Community Development Department may be contacted prior to the scheduled meeting for additional information. City of Surprise Planner: Shirley Phan, 623-222-3153, shirley.phan@surpriseaz.gov

Planning and Zoning Commission PUBLIC HEARING

DATE: **June 17, 2021**

TIME: **6:00 PM**

MEETING LOCATION: **16000 Civic Center Plaza,
Surprise, AZ 85374**

The City of Surprise streams and broadcasts its City Council meetings. Watch live on Cox channel 11, www.surpriseaz.gov/surprisetv, or the Surprise City Gov Facebook page at www.facebook.com/cityofsurprise.

City of Surprise public meetings are open to in-person public attendance beginning April 20. In an effort to protect public health, below are the In-Person Public Meeting Guidelines:

- Physical distancing is encouraged
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- Stay home if you are feeling sick.

At this meeting any member of the public may appear and be heard relative to this request. All written comments regarding this request will be made part of the record of the City. Any interested party may obtain an agenda 24 hours prior to the Public Hearing at the Surprise City Hall. Please note that this item will be placed on the next available agenda should the meeting be canceled or quorum be lost.

SMITH'S FOOD & DRUG CENTERS INC

[REDACTED]

TOLLESON, AZ 85353

CUSTER LANE SURPRISE LLC

[REDACTED]

BEVERLY HILLS, CA 90210

CG SHOPPES LLC

[REDACTED]

SCOTTSDALE, AZ 85251

CHANCE REX PROPERTIES LLC

[REDACTED]

WOONSOCKET, RI 2895

JAMES A RAE FAMILY TRUST

[REDACTED]

PHOENIX, AZ 85032

GREEN COTTON BUILDING LLC

[REDACTED]

PHOENIX, AZ 85018

COTTON GREENWAY PARTNERS LLC

[REDACTED]

MANHATTAN BEACH, CA 90266

STRR INVESTMENTS LLC

[REDACTED]

HOUSTON, TX 77090

SURPRISE COVENANT GROUP LLC

[REDACTED]

HENDERSON, NV 89074

COTTON GREENWAY PARTNERS LLC

[REDACTED]

MANHATTAN BEACH, CA 90266

ERIC S. BINKLEY, GS-9, DAFC
56th Fighter

[REDACTED]

Luke AFB AZ 85309-1629

Owner	MAIL_ADD MAIL_CITY	MAIL_STAT MAIL_ZIP
SMITH'S FOOD & DRUG CENTERS INC	[REDACTED]	AZ 85353
CUSTER LANE SURPRISE LLC	[REDACTED]	CA 90210
CG SHOPPES LLC	[REDACTED]	AZ 85251
CHANCE REX PROPERTIES LLC	[REDACTED] [REDACTED]	RI 2895
JAMES A RAE FAMILY TRUST	[REDACTED]	AZ 85032
GREEN COTTON BUILDING LLC	[REDACTED]	AZ 85018
COTTON GREENWAY PARTNERS LLC	[REDACTED]	CA 90266
STRR INVESTMENTS LLC	[REDACTED]	TX 77090
SURPRISE COVENANT GROUP LLC	[REDACTED]	NV 89074
COTTON GREENWAY PARTNERS LLC	[REDACTED]	CA 90266
ERIC S. BINKLEY, GS-9, DAFC		
56th Fighter Wing		
Community Initiatives Team		
[REDACTED]		
Luke AFB AZ 85309-1629		

INDEPENDENT NEWSMEDIA INC. USA

17220 N. Boswell Blvd., Suite 101, Sun City, AZ 85373 • 1-800-282-8586

State of Arizona:

County of Maricopa:

Affidavit of Publication

I Charlene Bisson, Arizona group publisher of Independent Newsmedia Inc. USA, am authorized to make this affidavit of publication. Under oath, I state that the following is true and correct.

The Daily Independent is a newspaper which is published daily, is of general circulation and is in compliance with the Arizona Revised Statutes 10-140.34 & 39-201 A & B. I solemnly swear that the notice was published in the regular and entire section of the said newspaper and not in any supplement. The below listed advertisement appeared in the following issue (s)
05/24/21, 05/26/21

Sworn to and subscribed before me this 26th Day of May, A.D., 2021



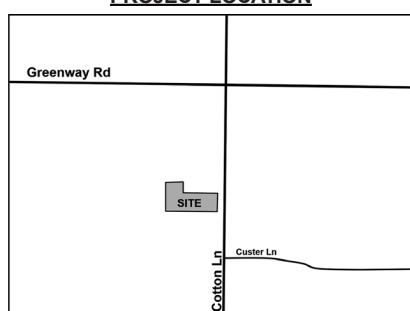
Ad Caption: FS20-210
Ad Number: 476341
Total Cost:\$384.00

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PROJECT LOCATION



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MEETING LOCATION: 16000 Civic Center Plaza, Surprise, AZ 85374

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Publish: Daily Independent, May 24, Surprise Independent, May 26, 2021/476341

Wayne P. Marsh
WAYNE P. MARSH, PLC State Bar No. 003814
9949 W. Bell Rd., Suite 201
Sun City, AZ 85351
(623) 933-7427
Email: wayne.marsh3@gmail.com
Attorney for: Personal Representative

SUPERIOR COURT OF ARIZONA, MARICOPA COUNTY

In the Matter of the Estate of:

NO. PB 2021-070579

COREY RYAN ROBERTSON,

Deceased.

NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN that **DENIS ROBERTSON** has been appointed Personal Representative of this Estate. All persons having claims against the Estate are required to present their claims within four months after the date of the first publication of this notice or the claims will be forever barred. Claims must be presented by delivering or mailing a written statement of the claim to the Personal Representative C/O: Wayne P. Marsh, PLC 9949 W. Bell Rd., Suite 201, Sun City, AZ 85351.

DATED this 13 day of May, 2021.

Wayne P. Marsh
WAYNE P. MARSH
9949 W. Bell Rd., Suite 201
Sun City, AZ 85351

WAYNE P. MARSH, PLC

By *Wayne P. Marsh*
Wayne P. Marsh
Attorney for Personal Representative

Publish: Daily Independent, May 17, 24, 31, 2021/475566

CITY OF EL MIRAGE NOTICE OF PUBLIC HEARING

PLEASE NOTE: Planning & Zoning Commission meetings are once again open to the public; however, social distancing and mask wearing are recommended for the safety of all. Please visit the City of El Mirage webpage for information on accessing the meeting virtually or by phone: www.elmirageaz.gov or call 623-876-2996.

The El Mirage Planning and Zoning Commission will hold a Public Hearing at 5:30 p.m. on Tuesday, June 8, 2021, at the El Mirage Council Chamber, 10000 N. El Mirage Road, El Mirage, Arizona 85335 on the following proposal(s): A Public Hearing, closure of Public Hearing followed by a discussion and recommendation on a Zoning Application to rezone a parcel of land from Suburban Neighborhood (SN) to Mixed-Urban (MU) for a Multi-Family Use located at 11733 W. River Road, El Mirage, Arizona 85335 submitted by Jose R Soto.

The public is welcome to attend and comment and for more information contact the City of El Mirage Planner, Jose A. Macias at 10000 N. El Mirage Road, El Mirage, Arizona, 85335; call 623-876-2996 [TDD 623-933-3258]; or e-mail jmacias@elmirageaz.gov.

Publish: Daily Independent, May 24, 2021/476808

CITY OF EL MIRAGE NOTICE OF PUBLIC HEARING

PLEASE NOTE: Planning & Zoning Commission meetings are once again open to the public; however, social distancing and mask wearing are recommended for the safety of all. Please visit the City of El Mirage webpage for information on accessing the meeting virtually or by phone: www.elmirageaz.gov or call 623-876-2996.

The El Mirage Planning & Zoning Commission will hold a Public Hearing at 5:30 p.m. on Tuesday, June 8, 2021, at the El Mirage Council Chamber, 10000 N. El Mirage Road, El Mirage, Arizona 85335 on the following proposal(s): A Public Hearing, closure of Public Hearing followed by a discussion and recommendation on a Zoning Application for a Conditional Use Permit request for a Non-Profit, Religious Assembly, Kiosk Use and a request to divert from the Thunderbird Road Overlay District regulations located at 12601 W. Thunderbird Road submitted by Destiny Ministries, LLC.

The public is welcome to attend and comment and for more information contact the City of El Mirage Planner, Jose A. Macias at 10000 N. El Mirage Road, El Mirage, Arizona, 85335; call 623-876-2996 [TDD 623-933-3258]; or e-mail jmacias@elmirageaz.gov.

Publish: Daily Independent, May 24, 2021/476803

CITY OF EL MIRAGE NOTICE OF PUBLIC HEARING

PLEASE NOTE: Planning & Zoning Commission meetings are once again open to the public; however, social distancing and mask wearing are recommended for the safety of all. Please visit the City of El Mirage webpage for information on accessing the meeting virtually or by phone: www.elmirageaz.gov or call 623-876-2996.

The El Mirage Planning and Zoning Commission will hold a Public Meeting at 5:30 p.m. on Tuesday, June 8, 2021, at the El Mirage Council Chamber, 10000 N. El Mirage Road, El Mirage, Arizona 85335 on the following proposal(s): A Public Hearing, closure of Public Hearing followed by a discussion and recommendation on a Zoning Application for a Conditional Use Permit for a Multi-Family Use located at 11733 W. River Road, El Mirage, Arizona 85335 submitted by Jose Ruben Soto.

The public is welcome to attend and comment and for more information contact the City of El Mirage Planner, Jose A. Macias at 10000 N. El Mirage Road, El Mirage, Arizona, 85335; call 623-876-2996 [TDD 623-933-3258]; or e-mail jmacias@elmirageaz.gov.

Publish: Daily Independent, May 24, 2021/476811

LET THEM KNOW WHO YOU ARE TODAY & GET RESULTS TOMORROW
623-972-6101

GARAGE SALE



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Sell unwanted items at your next yard sale!

to advertise call

623-972-6101

CITY OF SURPRISE PUBLIC NOTICE

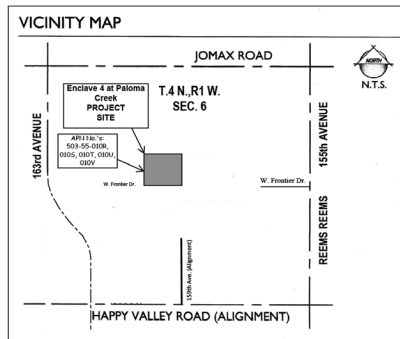
FS20-739 Enclave IV at Paloma Creek Annexation

Take notice that at the date, time, and place listed below, the City of Surprise City Council will hold a Public Hearing at the request of Kent Xander of KAX Group LLC and Dichiaro 10 LLC, relating to the proposed annexation of parcels 503-55-010R, 503-55-010S, 503-55-010T, 503-55-010U, and 503-55-010V.

Case FS20-739, Enclave IV at Paloma Creek consists of 9.95 acres of unincorporated land requesting annexation into the City of Surprise and establish equivalent City Zoning, generally located between Happy Valley Road and Jomax Road and east of 163rd Avenue.

Legal Description: Located in a portion of Section 6, Township 4 North, Range 1 West, of the Gila and Salt River Base and Meridian, Maricopa County, City of Surprise Arizona.

PROJECT LOCATION



Community Development Department may be contacted prior to the scheduled meeting for additional information. City of Surprise Planner: Joshua Mike, AICP 623-222-3134, joshua.mike@surpriseaz.gov

CITY COUNCIL PUBLIC HEARING

DATE: **June 15, 2021**
TIME: **6:00 PM**
MEETING LOCATION: **16000 Civic Center Plaza, Surprise, AZ 85374**

Meetings of the Surprise City Council have reopened to in-person public participation, while maintaining online and cable viewing options. The public may be heard relative to this request or may submit comments at any time prior to the Public Hearing at publiccomments@surpriseaz.gov. Physical distancing is encouraged, Wearing of face coverings / masks is recommended. Please stay home if you are feeling sick.

All written comments regarding this request will be made part of the record of the City. Any interested party may obtain an agenda 24 hours prior to the Public Hearing at the Surprise City Hall. Please note that this item will be placed on the next available agenda should the meeting be canceled or quorum be lost.

Publish: Daily Independent, May 28, Surprise Independent, May 26, 2021/476789

DEVELOPMENT PROJECT NEIGHBORHOOD MEETING

Please be advised, Joseph Osborn with JDO Architecture, on behalf of Mark Hornberger, will host a Neighborhood Meeting to discuss the project referenced below. This meeting will be conducted in person and virtually. Any member of the public may participate in the conversation as it pertains to this project in person, or via phone or computer, by utilizing the access information provided under meeting details.

According to Surprise Municipal Code, the applicant is required to host a Neighborhood Meeting to present their project to the public while soliciting feedback and providing answers to questions. Please note, the City of Surprise is not the host of this meeting, however, the assigned City Planner will be available to provide information as needed in response to inquiries received from residents.

Applicant: Joseph Osborn, 480-686-6981, josborn@jdoaz.com

City of Surprise Planner: Sergio Angulo, 623.222.3155, sergio.angulo@surpriseaz.gov

NEIGHBORHOOD MEETING DETAILS

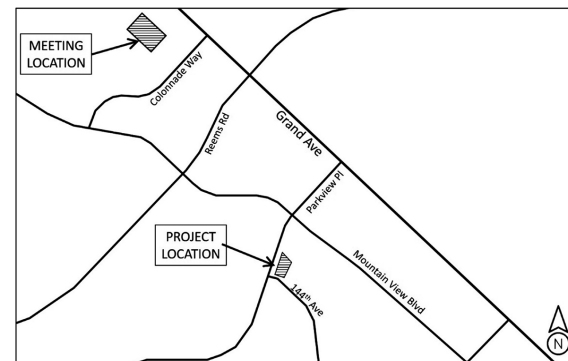
DATE: Monday, June 7, 2021
TIME: 6:00 PM
IN-PERSON LOCATION: Hampton Inn and Suites
14783 W Grand Ave Surprise, AZ 85374
ONLINE ACCESS: <https://us02web.zoom.us/j/89605105888?pwd=WkxCTytEaS8vdDI1L2l5TWFXUk1aZz09>

CALL-IN: +1-253-215-8782

MEETING ID: 896 0510 5888

PASSCODE: 4264031

PROJECT LOCATION & MEETING LOCATION



PROJECT DESCRIPTION:

A Conditional Use Permit to allow for a new detached garage in a residential property located at 18337 N 144th Ave Surprise, AZ 85374. Surprise Case: FS21-118.

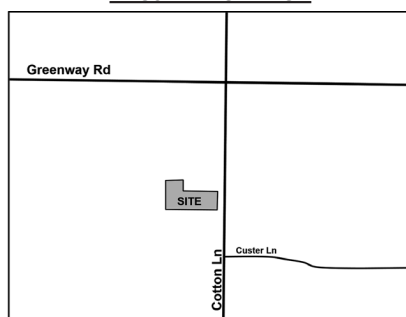
Publish: Daily Independent, May 20, Surprise Independent, May 26, 2021/476340

CITY OF SURPRISE PUBLIC NOTICE

Take notice that at the date, time, and place listed below, the City of Surprise Planning and Zoning Commission will hold a Public Hearing at the request of Juan Salamanca with Texas Land Engineers, relating to the proposed Conditional Use Permit for approximately 1.24 acres for a new drive-thru facility located south of the southwest corner of Greenway Road and Cotton Lane within the Sierra Montana Planned Area Development. Kentucky Fried Chicken, Surprise Planning Case FS20-210.

Legal Description: Located in a portion of the Northeast Quarter of Section 11, Township 3 North, Range 2 West of the Gila and Salt River Meridian, Maricopa County, Arizona

PROJECT LOCATION



Community Development Department may be contacted prior to the scheduled meeting for additional information. City of Surprise Planner: Shirley Phan, 623-222-3153, shirley.phan@surpriseaz.gov

Planning and Zoning Commission PUBLIC HEARING

DATE: **June 17, 2021**
TIME: **6:00 PM**
MEETING LOCATION: **16000 Civic Center Plaza, Surprise, AZ 85374**

The City of Surprise streams and broadcasts its City Council meetings. Watch live on Cox channel 11, www.surpriseaz.gov/surprisetv, or the Surprise City Gov Facebook page at www.facebook.com/cityofsurprise.

City of Surprise public meetings are open to in-person public attendance beginning April 20. In an effort to protect public health, below are the In-Person Public Meeting Guidelines

- Physical distancing is encouraged
- Wearing face covering/masks is recommended
- Stay home if you are feeling sick.

At this meeting any member of the public may appear and be heard relative to this request. All written comments regarding this request will be made part of the record of the City. Any interested party may obtain an agenda 24 hours prior to the Public Hearing at the Surprise City Hall. Please note that this item will be placed on the next available agenda should the meeting be canceled or quorum be lost.

Publish: Daily Independent, May 24, Surprise Independent, May 26, 2021/476341

CITY OF SURPRISE NOTICE OF PUBLIC HEARING

Enclave IV at Paloma Creek Rezone

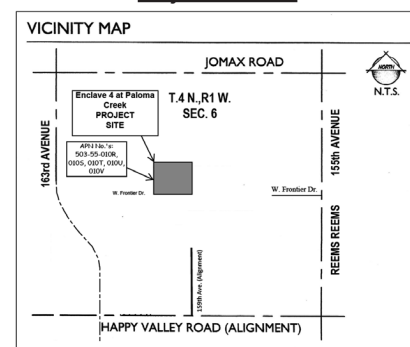
Take notice that at the date, time, and place listed below, the City of Surprise City Council will hold a Public Hearing at the request of Kent Xander of KAX Group LLC and Dichiaro 10 LLC, relating to the proposed rezoning of 9.56 acres from Residential Ranch (RR) to Residential Medium Density with a Planned Unit Development Overlay (RM-9 PUD) amending development standards and limiting residential density to 3.21 dwelling units per acre. Case FS20-738, Enclave IV at Paloma Creek.

Legal Description: Located in a portion of Section 6, Township 4 North, Range 1 West, of the Gila and Salt River Base and Meridian, Maricopa County, City of Surprise Arizona.

The Community Development Department may be contacted prior to the scheduled meeting for additional information by contacting City of Surprise Planner: Robert H. Kuhfuss, AICP 623-222-3137, robert.kuhfuss@surpriseaz.gov

DATE: **City Council – June 15, 2021**
TIME: **6:00 PM**
PHYSICAL LOCATION: **16000 Civic Center Plaza, Surprise, AZ 85374**
ONLINE ACCESS: <https://surprisetv.surpriseaz.gov/live>

Project Location



Meetings of the Surprise City Council have reopened to in-person public participation, while maintaining online and cable viewing options. The public may be heard relative to this request or may submit comments at any time prior to the Public Hearing at publiccomments@surpriseaz.gov. Physical distancing is encouraged, Wearing of face coverings / masks is recommended. Please stay home if you are feeling sick.

All written comments regarding this petition will be made part of the record of the City. Any interested party may obtain an agenda 24 hours prior to the Public Hearing at the Surprise City Hall. Please note that this item will be placed on the next available agenda should the meeting be canceled or quorum be lost.

Publish: Daily Independent, May 28, Surprise Independent, May 26, 2021/476789



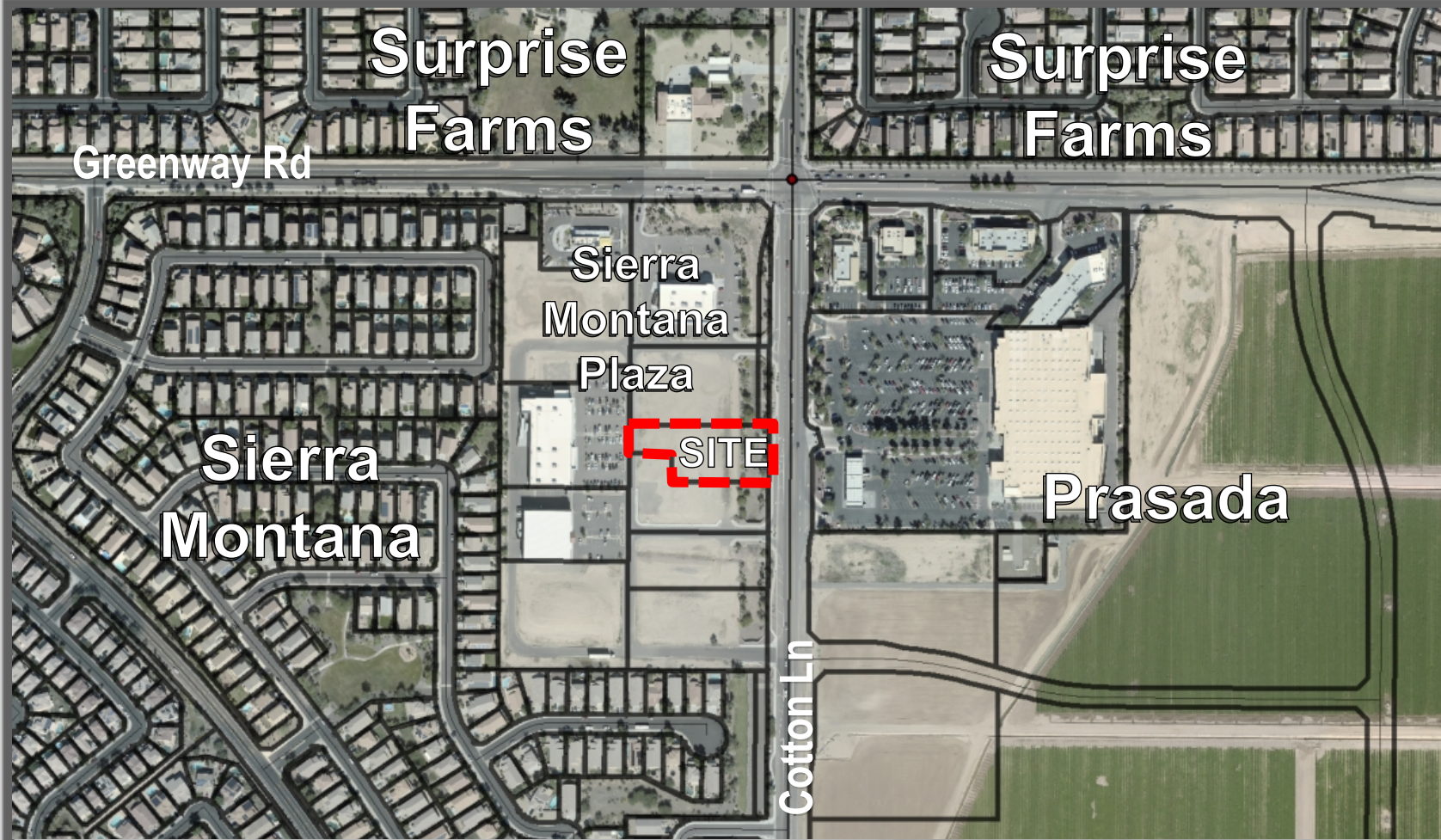
FS20-210

Kentucky Fried Chicken

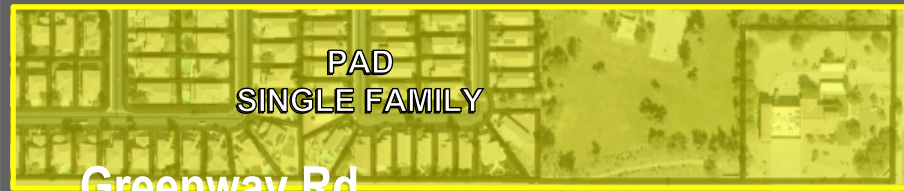
Conditional Use Permit

Planning & Zoning Commission

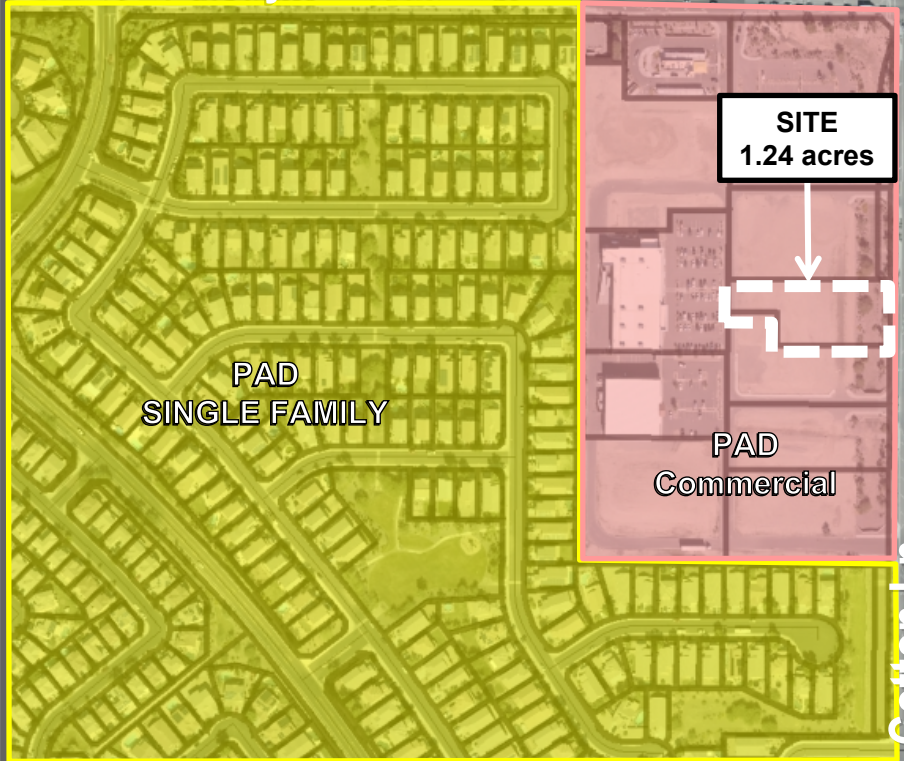
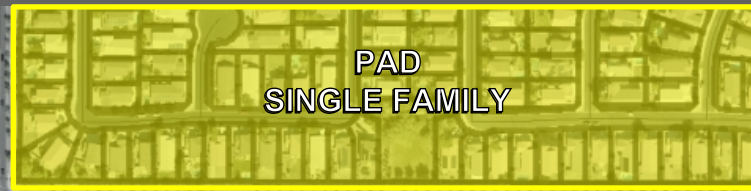
June 17, 2021



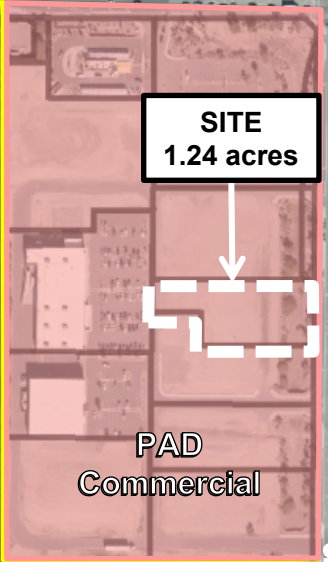
FS20-210 VICINITY MAP



Greenway Rd



PAD
SINGLE FAMILY



SITE
1.24 acres

PAD
Commercial

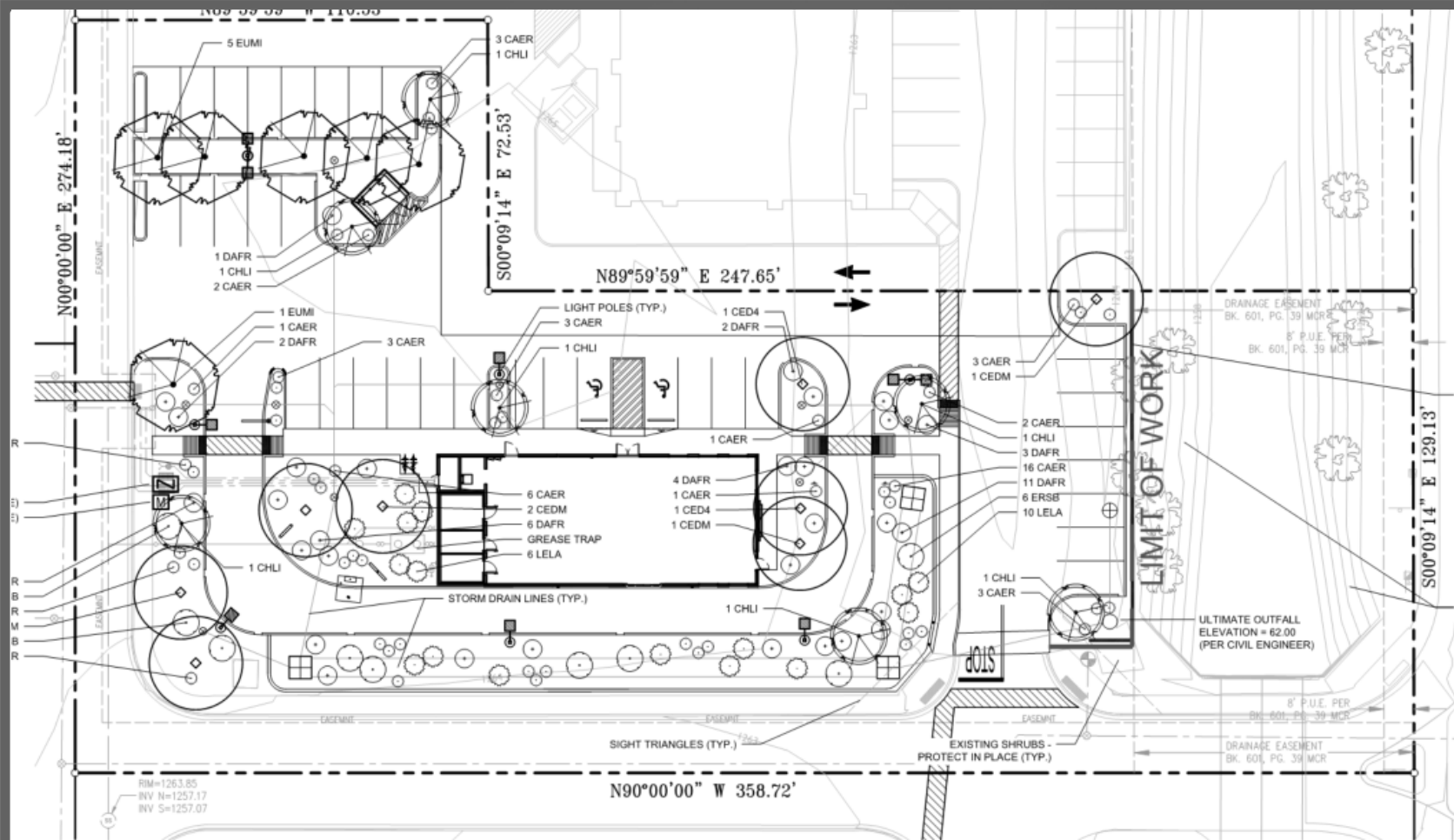
Cotton Ln



PAD

FS20-210 Zoning





FS20-210 LANDSCAPE PLAN

Architectural elevation drawing of a building facade. The left section is white with the text "WORLD FAMOUS CHICKEN" and three large windows. The right section is red with vertical white stripes and a central entrance. A small grey structure is on the far right.

[illegible]

Page 42 of 153



Outreach

Neighborhood Meeting

- March 24, 2021





RECOMMENDATION

Staff Recommendation:

- Recommend approval subject to Stipulations 'A' through 'E'

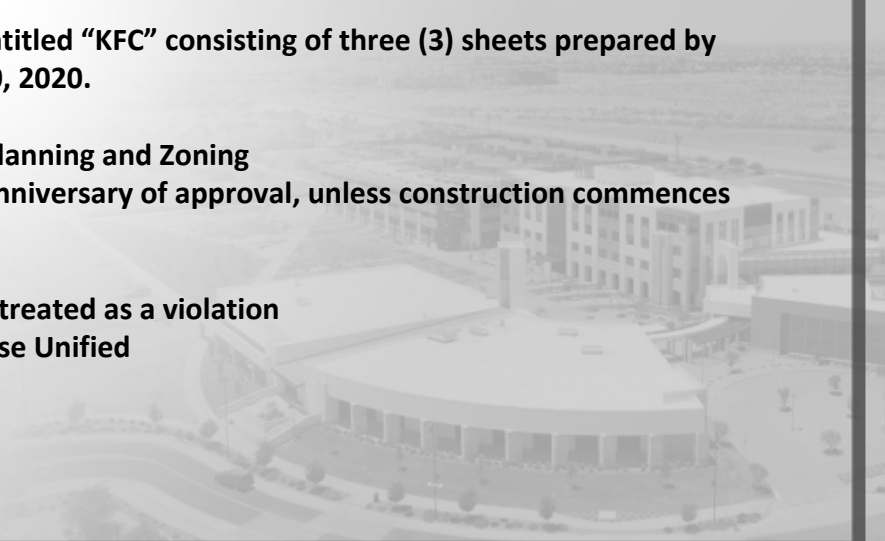


QUESTIONS OR COMMENTS?

Thank You



STIPULATIONS

- A. Development and use of the site shall be consistent with the Site Plan entitled “Kentucky Fried Chicken (KFC)” consisting of one (1) sheet prepared by Texas Land Engineers, INC. and stamped received April 29, 2021.**
 - B. Landscaping of the site shall be consistent with the Landscape Plan entitled “Kentucky Fried Chicken (KFC)” consisting of two (2) sheets prepared by Texas Land Engineers, INC. and stamped received April 27, 2021.**
 - C. Building elevations shall be consistent with the Elevations entitled “KFC” consisting of three (3) sheets prepared by Texas Land Engineers, INC. and stamped received November 30, 2020.**
 - D. This Site Plan is valid for one (1) year after approval by the Planning and Zoning Commission. This Site Plan shall expire on the one (1) year anniversary of approval, unless construction commences prior to that date.**
 - E. Non-compliance with the approved plan for this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.**
- 



CITY OF SURPRISE
Planning and Zoning Commission Meeting

Council Meeting Date: June 17, 2021 Contact Person: Sergio Angulo
Submitting Department: Community Development District: District 5
Staff Recommendations:

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

Agenda Wording:

Consideration and action to approve or disapprove a Conditional Use Permit for a new private Christian school located south of Bell Road and east of West Point Parkway in the West Point Towne Center PAD. Case FS20-288.

Motion:

I move to approve/disapprove a Conditional Use Permit for a new private Christian school subject to stipulations "a" and "b" as memorialized in the staff report.

Background:

Sierra Nichols with Surprise Christian Academy, requests approval of a Conditional Use Permit for a new private Christian school in the West Point Towne Center PAD. The subject property is zoned PAD – Multi-Family, and is located south of Bell Road and east of West Point Parkway.

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 - FS20-288 - Staff Report

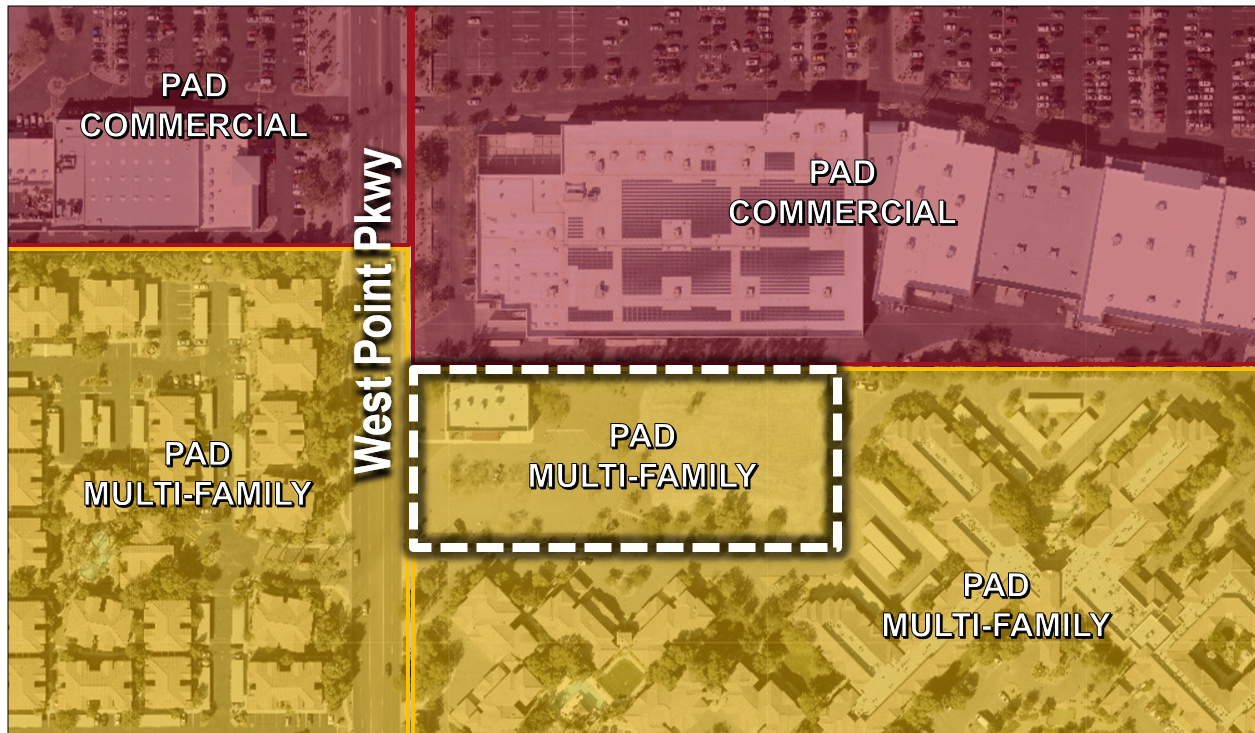
2. 01 - FS20-288 - Vicinity Map
 3. 02 - FS20-288 - Citizen Participation Report
 4. 03 - FS20-288 - Affidavit of Posting
 5. FS20-288 - PowerPoint
-

Conditional Use Permit

REPORT TO THE PLANNING AND ZONING COMMISSION

1 **Case:** **FS20-288**
2
3 **Project Name:** Surprise Christian Academy
4
5 **Council District:** 5 – Palm
6
7 **Meeting Date:** June 17, 2021
8
9 **Planner:** Sergio Angulo
10
11
12 **Owner:** MDPC Holdings Surprise LLC
13
14 **Applicant:** Sierra Nichols with Surprise Christian Academy
15
16 **Request:** Conditional Use Permit for a Private Christian School
17
18 **Site Location:** Valley Life Church - Surprise. Generally located south of Bell
19 Road and east of West Point Parkway
20
21 **Site Size:** 3.08 Acres (approx.)
22
23 **General Plan**
24 **Conformance:** The proposal is consistent with the Surprise General Plan 2035.
25
26 **Support/Opposition:** None known.
27
28 **Staff Recommendation:** Staff recommends the Commission **approve** case FS20-288,
29 subject to stipulations 'a' and 'b'.

30 **Existing Land Zoning:**



PAD – Multi-Family	PAD – Commercial	PAD – Commercial
PAD – Multi-Family	PAD – Multi-Family	PAD – Multi-Family
PAD – Multi-Family	PAD – Multi-Family	PAD – Multi-Family

History:

June 20, 1984: The subject property was annexed into the City of Surprise by the Mayor and City Council.

October 26, 1995: The Mayor and City Council approved the Planned Area Development for West Point Towne Center.

March 23, 2020: Staff met with the applicant to discuss the project during a regularly scheduled Concept Review meeting under CR20-166.

May 1, 2020: The applicant filed a request for a Conditional Use Permit for a new private Christian school, the subject project.

Neighborhood Meeting:

The applicant held a Neighborhood Outreach Meeting on April 27, 2021, which was properly advertised. No one from the public attended the meeting. See the attached Citizen Participation Report.

Project Description:

Sierra Nichols with Surprise Christian Academy, requests approval of a Conditional Use Permit for a new private Christian school in the West Point Towne Center PAD.

The subject property is zoned Planned Area Development (PAD) with a multi-family land use designation. The West Point Towne Center PAD lists the uses allowed in R-3 zoning districts as listed in Title 17. Title 17 lists Schools as Conditionally Permitted in R-3 zoning districts.

The applicant proposes to use the existing building onsite as a private school for kindergarten and first grade students. Overall, there will be a total of 36 students, two (2) teachers, and two (2) teacher assistants. Currently, the site provides adequate access and provides good vehicular circulation to allow for an effective drop-off and pick-up system. The applicant proposes to use the site as is and does not propose any changes to the site.

The site currently has 51 parking spaces which exceeds the minimum parking requirement (4 spaces) of the SUDC.

Landscape onsite meets the requirements of the West Point Towne Center PAD and will remain as is.

Reviewing Agencies:

In addition to the standard city internal reviewing departments, the Maricopa County Flood Control District, 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 proposed Conditional Use Permit meets the requirements of the West Point Towne Center PAD, the SUDC, and the General Plan.

Findings:

- The proposed Conditional Use Permit is consistent with the Surprise General Plan 2035.
- The proposed Conditional Use Permit meets the provisions of the West Point Towne Center PAD and the SUDC as applicable.

Recommendation:

91

92 Based on the findings noted above, staff recommends the Commission **approve** case FS20-
93 288, subject to stipulations 'a' and 'b' as outlined below:

94

95 a. This Conditional Use Permit is valid for one (1) year after approval by the
96 Planning and Zoning Commission. This Conditional Use Permit shall expire
97 on the one (1) year anniversary of approval, unless use of the site as a
98 private school commences prior to that date.

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

102 However, should the Commission wish to **deny** the request, the Commission should make
103 its own findings and base its decision on those alternative findings.

104

105 **Attachments:**

106

107 01 Vicinity Map

108 02 Citizen Participation Report

109 03 Affidavit of Posting



FS20-288 VICINITY MAP

Community Outreach Meeting Participation Report

Surprise Christian Academy

Case Number (FS20-288)

April 27, 2021 6:00pm

On April 27, 2021 at 6:00pm, Surprise Christian Academy invited the citizens of Surprise, AZ to a community outreach meeting regarding the approval of a conditional-use permit. The permit requested is for use of the building located at 16761 North West-Point Parkway, Surprise, AZ 85374 in an educational aspect in addition to the already religious use.

The meeting was held at the building address as well as virtually through an online meeting website, Go To Meeting. Participants had the option to attend physically, virtually on their device, or over the phone by calling in. 22 days before the meeting, a sign was posted in front of the building detailing all information regarding how to attend. The City of Surprise also included an announcement of the meeting in the local paper.



Physical Meeting Location: 16761 N. West-Point Pkwy, Surprise, AZ 85374

Virtual Login Information:

Link – <https://global.gotomeeting.com/join/126227573>

Access Code – 126-227-573

Call-in Number - +1 (872)240-3212

Those in attendance included:

- Sierra Nichols, Director of Surprise Christian Academy
- Vonda Brooks, Representative of Valley Life Church
- Sergio Angulo, Planner for City of Surprise
- Robert Kuhfuss, Planning Supervisor for City of Surprise

There were no community members in attendance, which leads us to believe that there are no concerns or issues amongst the community with the approval of the conditional-use permit.

AFFIDAVIT OF POSTING

Case Number FS20-288
Project Name: Christian school @ Valley Life church
Project Location: West Point Towne ~~center~~ Center or 12
Date Site Posted: 4-2-2021

In order to assist in providing adequate notice to interested parties, the applicant for any type of public hearing shall erect two (2) signs providing notice of the date, time, and place of the scheduled hearing(s). These signs must be erected not less than fifteen (15) calendar days prior to the date of the first hearing. The signs shall also include the description of the request as contained on the formal development application. The size and format of this sign shall meet requirements established by the city (see example).

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, as well as the information on the sign, until final disposition of the case.

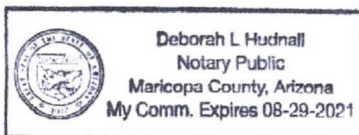
I confirm that the site has been posted as required, for the case noted above. Photographs of the site posting, and any subsequent changes/updates made to the sign, have also been submitted.

[Signature] 4/2/21
Owner/Applicant Signature Date

This instrument was acknowledged before me this 2 day of April,
2021 by David Thomas

[Signature]
Notary Public

My Commission Expires: 08-29-2021



Notice of Public Hearing

City of Surprise

Neighborhood Meeting

Date: April 27, 2021

Time: 6:00 PM

Location: Online & In-Person

16761 N. West Point Pkwy Surprise AZ 85374

Link: <https://global.gotomeeting.com/join/126227573>

Planning and Zoning

Date: _____

Time: _____

Location: _____

City Council

Date: _____

Time: _____

Location: _____

In an effort to protect public health during the COVID-19 pandemic, public comment options have changed for City Council and Planning and Zoning Commission Meetings. Visit the following website for information.
www.surpriseaz.gov/CivcAlerts.aspx?AID=4802

Access Code: 126-227-573

Call-in Number: +1 (872)240-3212

Case Number(FS20-288)

Approval of a Conditional Use Permit to allow for a private Christian school to operate in the existing Valley Life Church Surprise, located in the West Point Towne Center Planned Area Development.



Case Number: FS20-288

**For more information, call:
623-222-3011**

SUNDAY, APRIL 4
9AM | 10:30AM

Notice of Public Hearing

City of Surprise

Neighborhood Meeting
Date: April 21, 2021
Time: 6:00 PM
Location: Online

Planning and Zoning
Date: _____
Time: _____
Location: _____

City Council
Date: _____
Time: _____
Location: _____

Link: <https://global.gotomeeting.com/join/126227573>

Access Code: 126-227-573
Call-in Number: +1 (872)240-3212

Case Number(FS20-288)

Approval of a Conditional Use Permit to allow for a private Christian school to operate in the existing Valley Life Church Surprise, located in the West Point Towne Center Planned Area Development.

Case Number: FS20-288

For more information, call:
623-222-3011

In an effort to protect public health during the COVID-19 pandemic, public comment options have changed for City Council and Planning and Zoning Commission Meetings. Visit the following website for information.
www.surpriseaz.gov/CivcAlerts.aspx?AID=4802





FS20-288

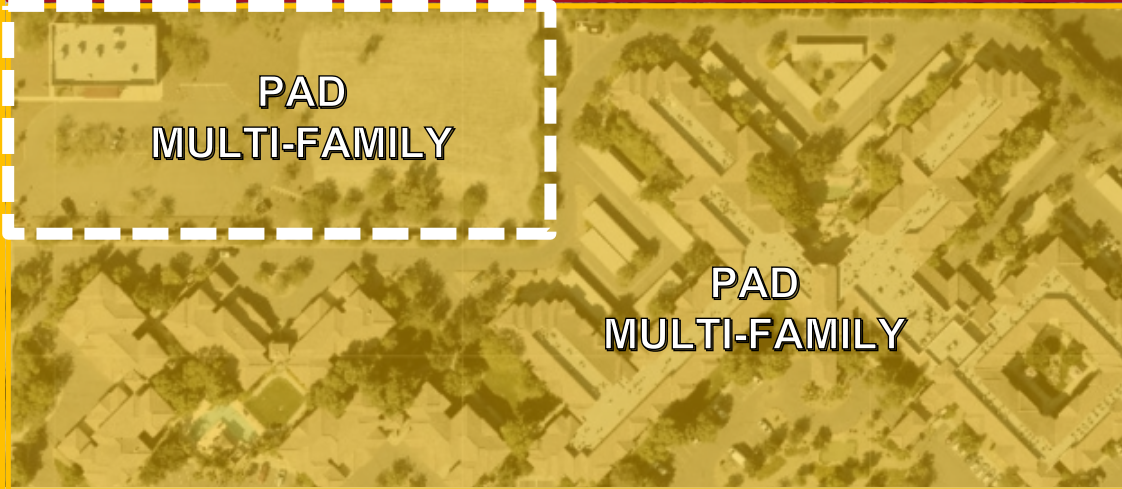
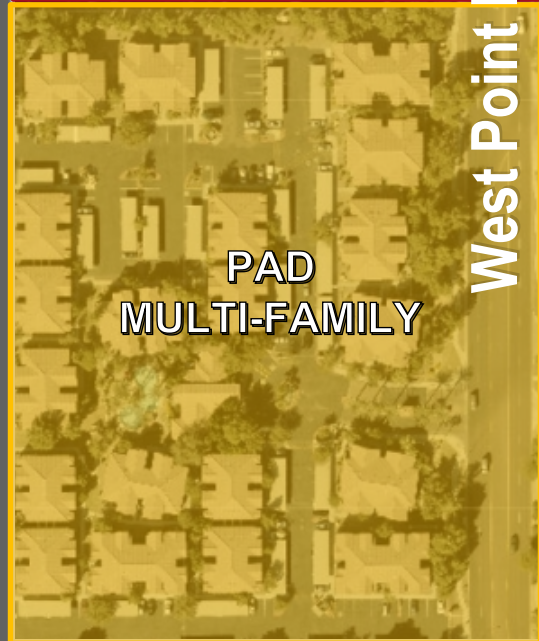
**Surprise Christian Academy
Conditional Use Permit**

Planning & Zoning Commission

June 17, 2021



FS20-288 VICINITY MAP



West Point Pkwy

FS20-288 ZONING





FS20-288 PROJECT SITE



RECOMMENDATION

Staff recommends the P&Z Commission to Approve Case FS20-288 subject to stipulations 'a' and 'b'.



QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Planning and Zoning Commission Meeting

Council Meeting Date: June 17, 2021 Contact Person: Sergio Angulo
Submitting Department: Community Development District: District 5
Staff Recommendations:

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

Agenda Wording:

Consideration and action to recommend approval or disapproval of a Major Zoning Amendment, entitled "Sierra Verde Planned Area Development Amendment to RZ03-188" dated April 2021, for a property generally located north of Waddell Road and east of 140th Drive in the Sierra Verde PAD. Case FS21-177.

Motion:

I move to recommend approval/disapproval of a Major Zoning Amendment, entitled "Sierra Verde Planned Area Development Amendment to RZ03-188" dated April 2021, subject to stipulations "a" and "b" as memorialized in the staff report.

Background:

The subject property is part of the "Sierra Verde" PAD, which allows for uses permitted under Title 17 in commercial, business park, and light industrial zoning districts. The applicant requests to increase the maximum allowed outdoor RV storage in a mini-warehouse facility from ten percent to twenty-four percent.

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 - FS21-177 - Staff Report - PZ
 2. 01 - FS21-177 - Vicinity Map - PZ
 3. 02 - FS21-177 - Zoning Amendment Document - PZ
 4. 03- FS21-177 Citizen Participation Report
 5. 04- FS21-177 Affidavit of Posting
 6. FS21-177 - PowerPoint - PZ
-

ZONING AMENDMENT

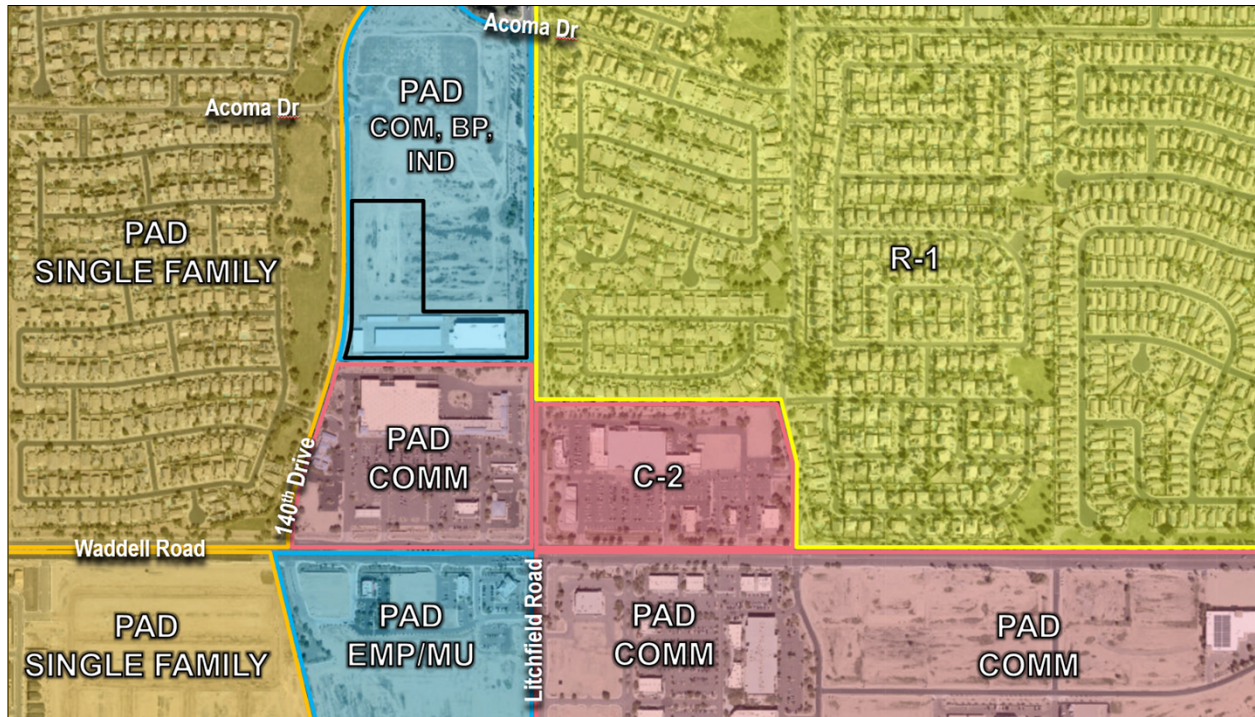
REPORT TO THE PLANNING AND ZONING COMMISSION

1 **Case:** FS21-177
2
3 **Project Name:** Surprise Self Storage RV Expansion
4
5 **Council District:** 5 – Palm
6
7 **Meeting Date:** June 17, 2021
8
9 **Planner:** Sergio Angulo
10
11
12 **Owner:** GSA Group Surprise 2, LLC
13
14 **Applicant:** Michelle Bach with EAPC Architects Engineers, Inc.
15
16 **Request:** Major Zoning Amendment to increase the allowable Outdoor RV
17 Storage area in a Mini-Warehouse Facility.
18
19 **Site Location:** Generally north of Waddell Road and east of 140th Drive in a portion
20 of Section 9, Township 3 North, Range 1 West of the Gila and Salt River
21 Meridian, Maricopa County, Arizona.
22
23 **Site Size:** 10.4 acres (approx.)
24
25 **Density:** N/A
26
27 **General Plan Conformance:** The proposal is consistent with the Surprise General Plan 2035
28
29 **Support/Opposition:** The applicant held two (2) neighborhood outreach meetings, the first
30 on April 26, 2021 and the second on May 17, 2021.
31
32 **Staff Recommendation:** Staff recommends the Commission move to recommend **approval** to
33 the Mayor and City Council, case FS21-177, subject to stipulations ‘a’
34 and ‘b’.

35 **Project Description:**

EAPC Architects Engineers, Inc., on behalf of GSA Group Surprise 2, LLC, requests approval of a Major Zoning Amendment to allow for an increase to the allowable outdoor RV storage area in a mini-warehouse facility from ten percent to twenty-four percent. The subject site is approximately 10.4 acres and is generally located north of Waddell Road and east of 140th Drive in the Sierra Verde Planned Area Development.

Surrounding Land Zoning:



PAD – Single Family	PAD – COM/BP/IND	R-1
PAD – Single Family	PAD – COM/BP/IND	R-1
PAD – Single Family	PAD - COMM	C-2

Background:

February 25, 1999: The subject property was annexed into the City of Surprise by the Mayor and City Council.

August 7, 2003: The Mayor and City Council approved the Rezone of the subject property from R1-43 to PAD to allow uses permitted under Title 17 in commercial, business park, and light industrial zones.

April 20, 2017: The Planning and Zoning Commission approved a Conditional Use Permit (case FS16-512) for the existing self-storage facility on a portion of the site.

August 20, 2020: A Concept Review meeting was held for the current proposal under case CR20-484.

March 2, 2021: The applicant filed a request for a Major Zoning Amendment under case FS21-177, the subject case.

Neighborhood Outreach:

The applicant held two (2) neighborhood outreach meetings for this project. The first meeting was on April 26, 2021, which was not attended by anyone from the general public. After the meeting, staff noticed that the site had not been posted as required by the Surprise Land Development Ordinance (LDO), therefore it did not meet all advertising requirements.

The applicant held a second neighborhood outreach meeting on May 17, 2021 which was properly advertised per the requirements of the LDO. During this meeting, residents from the vicinity connected to the meeting virtually. One neighbor asked if construction onsite will impact 140th Drive. Two (2) other residents expressed their desire for additional entertainment and retail type of uses on the site, but did not fully oppose the project.

Analysis and Discussion:

The subject property is zoned Planned Area Development (PAD) and allows for uses permitted under Title 17 in commercial, business park, and light industrial zoning districts. Title 17 lists Warehouse, Residential Storage (Mini-Warehouse) as Conditionally Permitted in C-2 zoning districts and therefore must comply with the use specific standards listed under Section 17.28.080.C.19.

Section 17.28.080.C.19.d.ii limits the amount of outdoor RV storage permitted in a mini-warehouse facility to a maximum of ten percent of the site. With this zoning amendment application the applicant requests to increase the maximum allowed outdoor RV storage in a mini-warehouse facility to twenty-four percent. In addition to increasing the limitation on outdoor RV storage, the applicant is including a requirement that all outdoor RV storage must be located within the interior of the site and be screened from view of surrounding properties.

The applicant proposes to expand the existing self-storage facility onsite. A Conditional Use Permit is currently under review for that proposed expansion under case FS20-702. Increasing the amount of allowed outdoor RV storage will not only allow the applicant to move forward with the expansion of the existing storage facility, but will also help bring the existing facility in conformance with this requirement. Currently, the outdoor RV storage on the existing facility is approximately 16% of the site.

Conformance with Adopted Plans:

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

95

96 **Reviewing Agencies:**

97

98 In addition to the standard city internal reviewing departments, Luke Air Force Base, Maricopa Water
99 District, and ADOT were included in the routing of this request. None of the reviewing agencies
100 indicated any concerns over the request.

101

102 **Summary:**

103

104 The proposed Major Zoning Amendment meets the requirements of the Surprise General Plan, the
105 Sierra Verde PAD (case RZ03-188), and the Surprise LDO.

106

107 **Findings:**

108

- 109 • The proposed Major Zoning Amendment is consistent with the Surprise General Plan 2035.
- 110 • The proposed Major Zoning Amendment is consistent with Sierra Verde PAD (case RZ03-188).
- 111 • The reviewing agencies have indicated no objections to the request.

112 **Recommendation:**

113

114 Based on the findings noted above, staff recommends the Commission move to recommend
115 **approval** of case **FS21-177** to the City Council, subject to stipulations ‘a’ and ‘b’ as outlined below:

116

- 117 a. Development and use of the site shall be in substantial conformance with the Zoning
118 Amendment document entitled “Sierra Verde Planned Area Development Amendment to
119 RZ03-188”, dated revised April 2021 and stamped received April 29, 2021.
- 120
- 121 b. Non-compliance with the stipulations of approval of this case will be treated as a violation in
122 accordance with the provisions of Article XIV of the Surprise Unified Development Code.

123

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

126 **Attachments:**

127

- 128 01 Vicinity Map
- 129 02 Zoning Amendment Document
- 130 03 Citizen Participation Report
- 131 04 Affidavit of Posting



FS21-177

SIERRA VERDE

Planned Area Development Amendment to RZ03-188

NWC | North Litchfield & West Waddell Roads

Submitted to:

City of Surprise
Planning & Zoning Division
16000 N Civic Center Plaza
Surprise, AZ 85374

Prepared: February 2021
Revised: April 2021

DEVELOPMENT ADVISORS



EAPC ARCHITECT ENGINEERS

Michelle Bach
901 E. Madison Street

Phoenix, AZ 85034
V: (602) 441-4505
E: michelle.bach@eapc.net

IPLAN CONSULTING

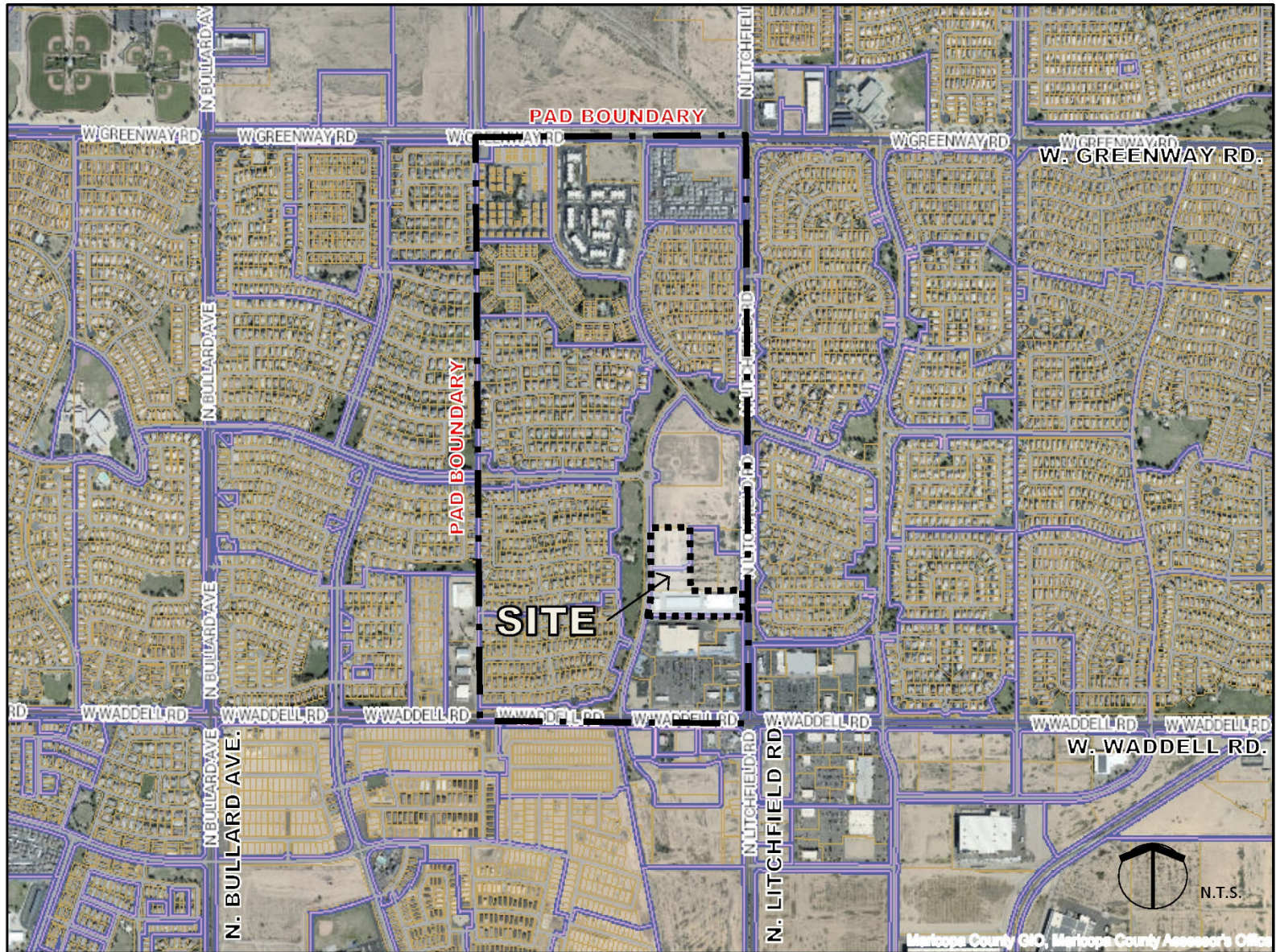
Greg Davis
3317 S. Higley Road
Suite 114-622
Gilbert, AZ 85297
V: (480) 227-9850
E: greg@iplanconsulting.com

Submitted on Behalf of:

GSA SURPRISE 2, LLC

John Hartman
4915 E. Baseline Road, Ste. 105
Gilbert, AZ 85234
V: (480) 305-7002
E: John@Landmark.net

SITE AERIAL EXHIBIT



Base Map Source: Maricopa County Assessor, 2021

1. PURPOSE | BACKGROUND

Purpose of this document is to request an amendment to the Sierra Verde Planned Area Development (PAD) consisting of approximately 320-acres of real property, generally located at the northwest corner of North Litchfield and West Waddell Roads. More specifically, the request is for a major PAD amendment concerning the approximate 10.4-acre (gross) property (See Appendix A) in the Sierra Verde PAD by modifying the maximum amount of Outdoor RV Storage permitted in conjunction with a permitted Self-Storage Facility from a maximum of ten-percent (10%) to a maximum of twenty-four percent (24%). This proposed increase of net land area for Outdoor RV Storage area exceeds current regulatory provisions of fifteen (15) percent, as set forth in the Section 106-10.40 Self-Storage Facilities of the City of Surprise Land Development Ordinances, 2020.

The Sierra Verde PAD, initially consisting of approximately 277-acres, was approved by the Surprise City Council in August 2002; however, City Council has subsequently modified the PAD zoning on a number of occasions to modify development standards, modify land uses and modify landscape provisions. In September 2003, Council also approved a Rezone (Ordinance No. 03-21; RZ03-188) to incorporate the previous exception parcel generally located north and west of the northwest corner of North Litchfield and West Waddell Roads. This previous exception parcel consists of approximately 43-acres of real property, is located under the Luke Air Force Base (AFB) noise contours, and provided for a new overall PAD land area of approximately 320-acres. It is understood this 2003 PAD amendment was initiated in effort to bring the property into conformance with the Surprise General Plan 2020 land use map, while also including limitations on uses deemed compatible with continued military operations at Luke AFB. Additionally, this approved PAD (Ordinance No. 03-21; RZ03-188) references allowed uses and standards as those set forth in Title 17 of the City's previous Zoning Code. Further, Section 17.28.020.C.19.d.ii of Title 17 established limitations on outdoor recreational vehicle (RV) storage at a maximum of 10-percent (10%) of the site.

2. ZONING

2.1 ZONING AND LAND USE

The subject property is PAD. The uses permitted on the subject property are those permitted under Title 17, a previous zoning ordinance, in commercial, business park, and light industrial zones. No land use changes are proposed with this amendment.

2.2 DEVELOPMENT STANDARDS

Inclusion of Development Standards within this Project Narrative protects not only the adjacent property owners, but also the future property owners within the boundaries of the PAD. These standards generally permit greater flexibility in the development of a higher quality environment, while preserving the public health, safety and welfare of Surprise citizens as a whole. These development standards shall apply solely to the subject property as shown in Appendix A.

In the event of a conflict or inconsistency between the provisions of the PAD and otherwise applicable ordinances such as, but not limited to, the Planning and Design Guidelines or the City’s Land Development Ordinances, the provisions of this PAD shall prevail.

The following table provides a comparison of the proposed site development standards to those identified as requirements, as set forth in Title 17. Deviations from dimensional standards are indicated in **bold** typeface.

TABLE 2.201: SITE DEVELOPMENT STANDARDS		
<i>STANDARD</i>	<i>PROPOSED</i>	<i>EXISTING</i>
Outdoor RV Storage Area (Percent of Net Site Area) ¹ :	24	10

1. All outdoor RV storage shall be located interior to the site and shall be screened from view from surrounding properties. Parking style and garage style storage facilities shall provide an eight (8) foot decorative view-obscuring wall to screen the entire storage area. There shall be no storage of abandon, damaged, or junked boats, trailers or recreational vehicles in the storage facility.

3. LEGAL DESCRIPTION

Legal Description: See Legal Description (gross acreage to centerline of adjacent streets); and, Draft Re-Plat of LOT 1 – 140TH DRIVE & WADDELL ROAD, included as Appendix A.

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APPENDICES

APPENDIX A

LEGAL DESCRIPTION

LEGAL DESCRIPTION

(Gross Acreage)

ALL OF LOT 1 AND A PORTION OF LOT 2 OF SIERRA VERDE SELF STORAGE FINAL PLAT AS RECORDED IN BOOK 1327, PAGE 39 AND LOT 8 OF SIERRA VERDE PARCEL 11 FINAL PLAT AS RECORDED IN BOOK 1022, PAGE 6, MARICOPA COUNTY RECORDER, BEING A PORTION OF THE SOUTHEAST QUARTER (SE1/4), SECTION 9, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOW:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 9, FROM WHICH THE SOUTHEAST CORNER THEREOF BEARS, SOUTH 00 DEGREES 05 MINUTES 12 SECONDS EAST, 2648.12 FEET;

THENCE ALONG THE EAST LINE OF THE SOUTHEAST QUARTER, SOUTH 00 DEGREES 05 MINUTES 12 SECONDS EAST, 1455.15 FEET;

THENCE LEAVING SAID EAST LINE, SOUTH 89 DEGREES 54 MINUTES 48 SECONDS WEST, 55.00 FEET TO THE POINT OF BEGINNING;

THENCE ALONG A LINE THAT IS PARALLEL AND 55.00 FEET WEST OF SAID EAST LINE, SOUTH 00 DEGREES 05 MINUTES 12 SECONDS EAST, 232.81 FEET;

THENCE LEAVING SAID PARALLEL LINE, NORTH 89 DEGREES 21 MINUTES 12 SECONDS WEST, 967.05 FEET TO A POINT ON CENTERLINE 104TH DRIVE, AND TO A NON-TANGENT CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 1850.00 FEET, THE CENTER OF WHICH BEARS NORTH 78 DEGREES 39 MINUTES 21 SECONDS WEST;

THENCE NORTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 11 DEGREES 25 MINUTES 51 SECONDS, AND AN ARC LENGTH OF 369.08 FEET TO A TANGENT LINE;

THENCE CONTINUING ALONG SAID CENTERLINE, NORTH 00 DEGREES 05 MINUTES 12 SECONDS WEST, 429.76 FEET;

THENCE LEAVING SAID CENTERLINE, SOUTH 89 DEGREES 11 MINUTES 08 SECONDS EAST, 418.01 FEET;

THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 568.61 FEET;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 513.18 FEET TO THE POINT OF BEGINNING.

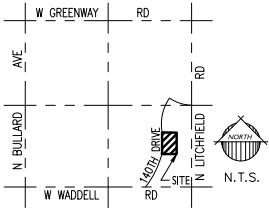
SAID PORTION OF LAND CONTAINING 454,826 SQUARE FEET, OR 10.4414 ACRES, MORE OR LESS, AND BEING SUBJECT TO ANY EASEMENTS, RESTRICTIONS, AND/OR RIGHTS-OF-WAYS OF RECORD OR OTHERWISE.

THIS DESCRIPTION SHOWN HEREON IS NOT TO BE USED TO VIOLATE SUBDIVISION REGULATIONS OF THE STATE, COUNTY AND/OR MUNICIPALITY, OR ANY OTHER LAND DIVISION RESTRICTIONS.

RE-PLAT

SURPRISE SELF STORAGE

A RE-PLAT OF LOTS 1 AND 2 OF SIERRA VERDE SELF STORAGE FINAL PLAT AS RECORDED IN BOOK 1327, PAGE 39 AND LOT 8 OF SIERRA VERDE PARCEL 11 FINAL PLAT AS RECORDED IN BOOK 1022, PAGE 6, MARICOPA COUNTY RECORDER, BEING A PORTION OF THE SOUTHEAST QUARTER (SE1/4), SECTION 9, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA



SEC. 9
T.3 N., R.1 W.
VICINITY MAP

DEDICATION

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

KNOW ALL PERSONS BY THESE PRESENTS: THAT LEVINE INVESTMENTS LP, AN ARIZONA LIMITED PARTNERSHIP AND GSA SURPRISE LP, A CALIFORNIA LIMITED PARTNERSHIP, "OWNER", HAS SUBDIVIDED UNDER THE NAME "SURPRISE SELF STORAGE" A RE-PLAT OF A PORTION OF LOTS 1 AND 2 OF SIERRA VERDE SELF STORAGE FINAL PLAT AS RECORDED IN BOOK 1327, PAGE 39 AND LOT 8 OF SIERRA VERDE PARCEL 11 FINAL PLAT AS RECORDED IN BOOK 1022, PAGE 6, MARICOPA COUNTY RECORDER, BEING A PORTION OF THE SOUTHEAST QUARTER (SE1/4), SECTION 9, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA, AS SHOWN AND RE-PLATTED HEREON AND DOES HEREBY PUBLISH THIS RE-PLAT AS AND FOR THE RE-PLAT OF "SURPRISE SELF STORAGE" AND DECLARES THAT THIS RE-PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH PARCEL AND EASEMENT CONSTITUTING THE SAME, AND THAT EACH PARCEL AND EASEMENT SHALL BE KNOWN BY THE NUMBER, LETTER, AND/OR AND NAME GIVEN TO EACH RESPECTIVELY AS SHOWN ON THIS RE-PLAT.

OWNER HEREBY GRANTS TO THE PUBLIC A PERPETUAL NON-EXCLUSIVE EASEMENT IN, UPON, OVER, UNDER, THROUGH, AND ACROSS THE AREAS DESIGNATED AS PUBLIC UTILITY EASEMENTS AS SHOWN ON THE PLAT FOR THE PURPOSE OF ACCESSING, INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING, AND UTILIZING PUBLIC UTILITIES.

OWNER HEREBY GRANTS TO THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE (USAF) AN AVIGATION EASEMENT OVER AND ACROSS THIS PLAT AND EVERY LOT AND PARCEL THEREOF, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT OF FLIGHT OF AIRCRAFT OVER THIS PLAT, TOGETHER WITH ITS ATTENDANT NOISE, VIBRATIONS, FUMES, DUST, FUEL AND LUBRICANT PARTICLES, AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, OR OPERATING AT OR ON LUKE AIR FORCE BASE AND AUXILIARY FIELD.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL CROSS ACCESS EASEMENT ACROSS THE PLAT INCLUDING ROADS AND STREETS, OPEN SPACES, COMMUNITY FACILITIES, TRACTS, SIDEWALKS, DRAINAGE BASINS AND ANY PROPERTY WITHIN THE PLAT OWNED BY THE HOMEOWNERS ASSOCIATION FOR THE PURPOSES OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS FOR EMERGENCY VEHICLES.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL NON-EXCLUSIVE EASEMENT OVER, UPON, AND ACROSS THE AREAS DESIGNATED AS SIGHT VISIBILITY TRIANGLES FOR THE PURPOSE OF ENSURING THAT THESE AREAS REMAIN FREE OF SIGHT VISIBILITY OBSTRUCTIONS.

THE EASEMENTS GRANTED WITHIN THIS DEDICATION ARE PERMANENT AND PERPETUAL AND SHALL RUN WITH THE LAND AND BE BINDING UPON OWNER AND ITS HEIRS, ASSIGNS, AND SUCCESSORS IN INTEREST TO THIS PLAT OR ANY PARCEL THEREOF.

IN WITNESS WHEREOF, OWNER HAS HEREUNTO CAUSED ITS CORPORATE NAME TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY THE UNDERSIGNED, DULY AUTHORIZED OFFICER THIS _____ DAY OF _____, 2021.

LEVINE INVESTMENTS LP, AN ARIZONA LIMITED PARTNERSHIP
BY _____ DATE _____

ITS _____

GSA SURPRISE LP, A CALIFORNIA LIMITED PARTNERSHIP
BY _____ DATE _____

ITS _____

ACKNOWLEDGMENT

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

ON THIS _____ DAY OF _____, 2021 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____, WHO ACKNOWLEDGED HIMSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC DATE

MY COMMISSION EXPIRES:

ACKNOWLEDGMENT

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

ON THIS _____ DAY OF _____, 2021 BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED _____, WHO ACKNOWLEDGED HIMSELF TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC DATE

MY COMMISSION EXPIRES:

LEGAL DESCRIPTION

ALL OF LOT 1 AND LOT 2 OF SIERRA VERDE SELF STORAGE FINAL PLAT AS RECORDED IN BOOK 1327, PAGE 39 AND LOT 8 OF SIERRA VERDE PARCEL 11 FINAL PLAT AS RECORDED IN BOOK 1022, PAGE 6, MARICOPA COUNTY RECORDER, BEING A PORTION OF THE SOUTHEAST QUARTER (SE1/4), SECTION 9, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOW:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 9, FROM WHICH THE SOUTHEAST CORNER THEREOF BEARS, SOUTH 00 DEGREES 05 MINUTES 12 SECONDS EAST, 2648.12 FEET;

THENCE ALONG THE EAST LINE OF THE SOUTHEAST QUARTER, SOUTH 00 DEGREES 05 MINUTES 12 SECONDS EAST, 1455.15 FEET;

THENCE LEAVING SAID EAST LINE, SOUTH 89 DEGREES 54 MINUTES 48 SECONDS WEST, 55.00 FEET TO THE POINT OF BEGINNING;

THENCE ALONG A LINE THAT IS PARALLEL AND 55.00 FEET WEST OF SAID EAST LINE, SOUTH 00 DEGREES 05 MINUTES 12 SECONDS EAST, 232.81 FEET;

THENCE LEAVING SAID PARALLEL LINE, NORTH 89 DEGREES 21 MINUTES 12 SECONDS WEST, 936.53 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF 104TH DRIVE, AND TO A NON-TANGENT CURVE, CONCAVE WESTERLY, HAVING A RADIUS OF 1880.00 FEET, THE CENTER OF WHICH BEARS NORTH 78 DEGREES 49 MINUTES 43 SECONDS WEST;

THENCE NORTHERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 11 DEGREES 15 MINUTES 29 SECONDS, AND AN ARC LENGTH OF 369.40 FEET TO A TANGENT LINE;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY, NORTH 00 DEGREES 05 MINUTES 12 SECONDS WEST, 429.29 FEET;

THENCE LEAVING SAID RIGHT-OF-WAY, SOUTH 89 DEGREES 11 MINUTES 08 SECONDS EAST, 544.80 FEET;

THENCE SOUTH 89 DEGREES 47 MINUTES 45 SECONDS EAST, 105.24 FEET TO THE EAST LINE OF SAID LOT 2;

THENCE ALONG SAID EAST LINE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, 566.01 FEET TO THE NORTH LINE OF SAID LOT 1;

THENCE ALONG SAID NORTH LINE, NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, 251.17 FEET TO THE POINT OF BEGINNING.

RELEASE OF LIABILITY

LEVINE INVESTMENTS, LP, A LIMITED PARTNERSHIP ["OWNER"] DOES HEREBY (1) RELEASE AND DISCHARGE THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE (USAF) AND THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE USAF AND THE CITY OF SURPRISE, OF AND FROM ANY LIABILITY FOR ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY THAT MAY ARISE AT ANY TIME IN THE FUTURE OVER, OR IN CONNECTION WITH AIRCRAFT OVERFLIGHTS FROM AIRCRAFT UTILIZING LUKE AIR FORCE BASE, WHETHER SUCH DAMAGE SHALL ORIGINATE FROM NOISE, VIBRATION, FUMES, DUST, FUEL AND LUBRICANT PARTICLES, AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, OR OPERATING AT OR ON LUKE AIR FORCE BASE AND ITS AUXILIARY FIELDS. THIS INSTRUMENT SHALL RUN WITH THE LAND AND BE BINDING UPON OWNER AND ITS HEIRS, ASSIGNS, AND SUCCESSORS IN INTEREST TO THIS PLAT OR ANY PARCEL OR LOT THEREOF. THIS INSTRUMENT DOES NOT RELEASE THE USAF FROM LIABILITY FOR DAMAGE OR INJURY TO PERSON OR PROPERTY CAUSED BY FALLING AIRCRAFT OR FALLING PHYSICAL OBJECTS FROM AIRCRAFT, EXCEPT AS STATED HEREIN WITH RESPECT TO NOISE, FUMES, DUST, FUEL, AND LUBRICANT PARTICLES.

LOT AREA TABLE			
LOT #	AREA (SF)	AREA (AC)	
1	430,863	9.8913	
2	148,555	3.4104	
TOTAL	579,418	13.3017	

GENERAL NOTES

- OWNER HEREBY FURTHER AGREES TO INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE FROM ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY THAT MAY ARISE IN CONNECTION WITH THE USE OF THE SIDEWALKS LOCATED WITHIN THE RIGHT-OF-WAY.
- SPRINKLERS ARE REQUIRED IN ALL ONE AND TWO FAMILY DWELLINGS BUILT IN AREAS WHICH DO NOT HAVE AN ADEQUATE WATER SUPPLY.
- THE PROPERTY OWNER AT THE TIME WHEN CITY OF SURPRISE WATER, AND/OR SEWER INFRASTRUCTURE IS AVAILABLE AT THE PROPERTY, SHALL BE REQUIRED TO CONNECT IN ACCORDANCE WITH SURPRISE MUNICIPAL CODE AND PAY ALL APPLICABLE FEES. ANY OWNER OF THE PROPERTY SHALL NOTIFY PROSPECTIVE BUYERS AND THE PUBLIC OF THIS NOTE, AND SALES CONTRACT SITE, REPORT SHALL CONTAIN SUCH NOTE.
- PROPERTY OWNERS, OR ANY SUBSEQUENT OWNERS SHALL NOT PROCEED WITH ANY ON SITE GRADING OR EXCAVATION WITHOUT FIRST OBTAINING A PERMIT FROM THE OF SURPRISE.
- THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "ZONE X SHADED AND ZONE A," BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04013C1880L, WITH A DATE OF IDENTIFICATION OF OCTOBER 16, 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.
- ANY APPURTENANCES INCLUDING BUT NOT LIMITED TO ROAD SIGNS, STRIPING, CURB AND GUTTER, AND SIDEWALKS ARE PRIVATE; APPURTENANCES ARE OWNED, MAINTAINED AND REPAIRED BY OWNER OR THE HOMEOWNER'S ASSOCIATION FORMED BY OWNER. THE CITY OF SURPRISE SHALL NOT MAINTAIN OR REPAIR ANY ROAD DESIGNATED AS "PRIVATE."
- IN ACCORDANCE WITH ARS § 9-461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
- PURSUANT TO A.R.S. § 42-11102, THE CITY OF SURPRISE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA, IS EXEMPT FROM ALL TAXES AND ASSESSMENTS BASED ON ASSESSED VALUE EXCEPT FOR SPECIAL DISTRICTS #14751 AND 14710, WHEN APPLICABLE.
- THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS AND PARKS SHALL BE THE RESPONSIBILITY OF THE OWNER OR THE ASSOCIATION FORMED BY THE OWNER.
- THE MAINTENANCE OF LANDSCAPING WITHIN THE ADJACENT PUBLIC RIGHTS-OF-WAY, INCLUDING LANDSCAPED MEDIANS WITHIN COLLECTORS AND LOCAL STREETS AND LANDSCAPED AREAS BETWEEN THE CURB AND THE DETACHED SIDEWALK, SHALL BE THE RESPONSIBILITY OF THE ADJACENT PROPERTY OWNER OR THE PROPERTY ASSOCIATION FORMED BY THE ADJACENT PROPERTY.
- LANDSCAPING MAINTENANCE OF THE MEDIANS WITHIN THE PUBLIC RIGHT-OF-WAY WITHIN ANY ARTERIAL OR PARKWAY STREET CLASSIFICATION SHALL BE RESPONSIBILITY OF THE CITY OF SURPRISE AFTER ACCEPTANCE.

100 YEAR ASSURED WATER SUPPLY

THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF THE CITY OF SURPRISE WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT TO SECTION 45-476 ARIZONA REVISED STATUTES.

PUBLIC NOTICE

THE LOTS DEPICTED ON THIS PLAT ARE LOCATED WITHIN THE VICINITY OF LUKE AIR FORCE BASE AND MAY BE SUBJECT TO OVERFLIGHTS BY JET AIRCRAFT. ALL STRUCTURES WITHIN THIS PLAT SHALL BE CONSTRUCTED IN COMPLIANCE WITH THE SOUND ATTENUATION STANDARDS ADOPTED BY THE CITY OF SURPRISE. A MAP DEPICTING THE MOST CURRENT ADOPTED MAG NOISE CONTOURS IN RELATION TO THIS PLAT SHALL BE DISPLAYED IN ALL SALES OFFICES. ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE CITY OF SURPRISE COMMUNITY DEVELOPMENT DEPARTMENT.

LOT 1 OWNER

GSA SURPRISE LP
2042 BUSINESS CENTER DR
STE 100
IRVINE CA 92612

LOT 2 OWNER

LEVINE INVESTMENTS LP
1702 E. HIGHLAND AVE
STE-310
PHOENIX, ARIZONA 85016

SURVEYOR

ROBERT A. JOHNSTON
EPS GROUP INC.
1130 N. ALMA SCHOOL ROAD, STE 120
MESA, ARIZONA 85201
PH: (480) 503-2250

REFERENCE DOCUMENTS:

- (R1) FINAL PLAT OF "SIERRA VERDE PARCEL 11", BOOK 1022, PAGE 06, MCR
- (R2) FINAL PLAT OF "SIERRA VERDE SELF STORAGE", BOOK 1327, PAGE 39, MCR

BASIS OF BEARINGS

THE CENTER LINE OF LITCHFIELD ROAD PER FINAL PLAT "SIERRA VERDE PARCEL 11", RECORDED IN BOOK 1022, PAGE 06, MARICOPA COUNTY RECORDS, ALSO BEING THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 3 NORTH, RANGE 1 WEST, MARICOPA COUNTY RECORDS. THE BEARING OF WHICH IS:

SOUTH 00 DEGREES 05 MINUTES 12 SECONDS EAST

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS _____ DAY OF _____, 2021, BY THE CITY ENGINEER OF SURPRISE, ARIZONA.

APPROVED _____ CITY ENGINEER _____ DATE

CITY OF SURPRISE COUNCIL APPROVAL

APPROVED BY THE CITY COUNCIL OF THE CITY OF SURPRISE, ARIZONA, THIS _____ DAY OF _____, 20____.

ATTEST:

MAYOR _____ DATE

CITY CLERK _____ DATE

CERTIFICATION

I, ROBERT A. JOHNSTON, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA; THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UNDER MY DIRECTION DURING THE MONTH OF JULY 2020; THAT THE SURVEY IS TRUE AND CORRECT TO MY KNOWLEDGE AND BELIEF; THAT ALL MONUMENTS ACTUALLY EXIST OR WILL BE SET AS SHOWN; THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

DATE FINAL PLAT APRIL 27, 2021.

ROBERT A. JOHNSTON, R.L.S. 37495
EPS GROUP, INC.
1130 N. ALMA SCHOOL ROAD, SUITE 120
MESA, AZ 85201



1130 N. Alma School Rd, Suite 120
Mesa, AZ 85201
T: 480.903.2250 | F: 480.935.1799
www.epsgr oup.i n.c .c o.m



SURPRISE SELF STORAGE

SURPRISE, ARIZONA

RE-PLAT

Project:

Revisions:



Drawn by: CAJ
Reviewed by: RAJ

Job No.
20-0880

RP01

Sheet No.
1
of 2

SURPRISE CASE FS20-702

Participation Report

FS21-177 Surprise Self-Storage RV and Storage Expansion – Neighborhood Meeting minutes

April 26th, 2021 Meeting

Time: 6pm-7pm

Virtual Platform: Zoom

Meeting ID: 846 2320 8726

Passcode: 918916

Physical Location: 14136 N Litchfield Rd

Surprise, AZ 85379

- Attendance
 - Owner: John Hartman
 - EAPC Architects Engineers Owner Representative/Applicant: Michelle Bach
 - City members: Lloyd Abrams, Sergio Angulo and Robert Kuhfuss
- Meeting Notes
 - No one from the general public attended this public meeting.

May 17th, 2021 Meeting

Time: 6pm-7pm

Virtual Platform: Zoom

Meeting ID: 850 3547 7063

Passcode: 682515

Physical Location: 14136 N Lichfield Rd

Surprise, AZ 85379

- Attendance
 - Owner: John Hartman
 - EAPC Architects Engineers Owner Representative/Applicant: Michelle Bach
 - City members: Sergio Angulo and Robert Kuhfuss
 - City councilman: Jack Hastings
 - Neighbors: Dustin, Abby and one additional call in via phone
- Meeting Notes
 - Participant Dustin was concerned about how long construction will take and if it will impact travel along 140th drive. Responded to concern by clarifying construction is

expected to take about 8 months. Construction will impact some of the road on 140th drive for access to the site, but some construction access can occur through the existing site.

- Participant was concerned about storage being expanded and wanted to see more retail space instead.
- Participant Abby wanted to know what other sorts of entertainment and retail will be included in the project. Responded by explaining that the expansion will occur in only one of the vacant parcels, while the other parcels are owned by a different entity, so that will not be part of the current development.

	Phoenix AZ	St. Paul, Bemidji MN	Minot, Bismarck, Fargo, Grand Forks, Williston ND	
	Sioux Falls SD	Fort Collins CO	Norwich VT	Buenos Aires ARG



AFFIDAVIT OF POSTING

Application No: FS20-702 & FS21-177

Applicant Name:

Location: North of Waddell Road and east of 140th Drive

Date Site Posted: May 3rd, 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

5-3-2021
Date

This instrument was acknowledged before me on this 3rd day of May, 2021, and by Maria Hitt. I witness whereof I hereunto

set my hand and official seal.

Marybeth Conrad
Notary Public

10-25-2024
My commission expires



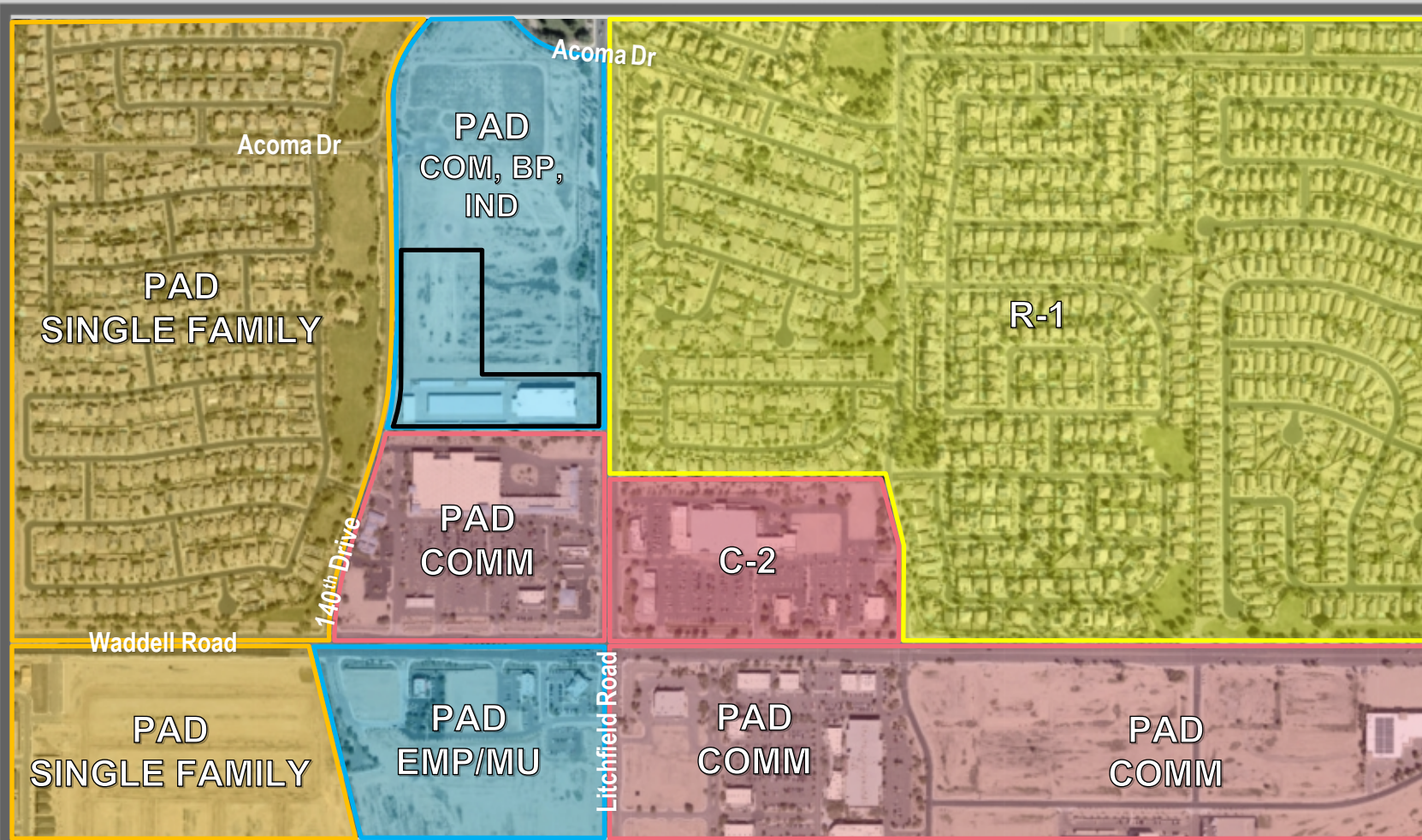


FS21-177
Major Zoning Amendment
Surprise Self-Storage RV Expansion

Planning & Zoning Commission

June 17, 2021

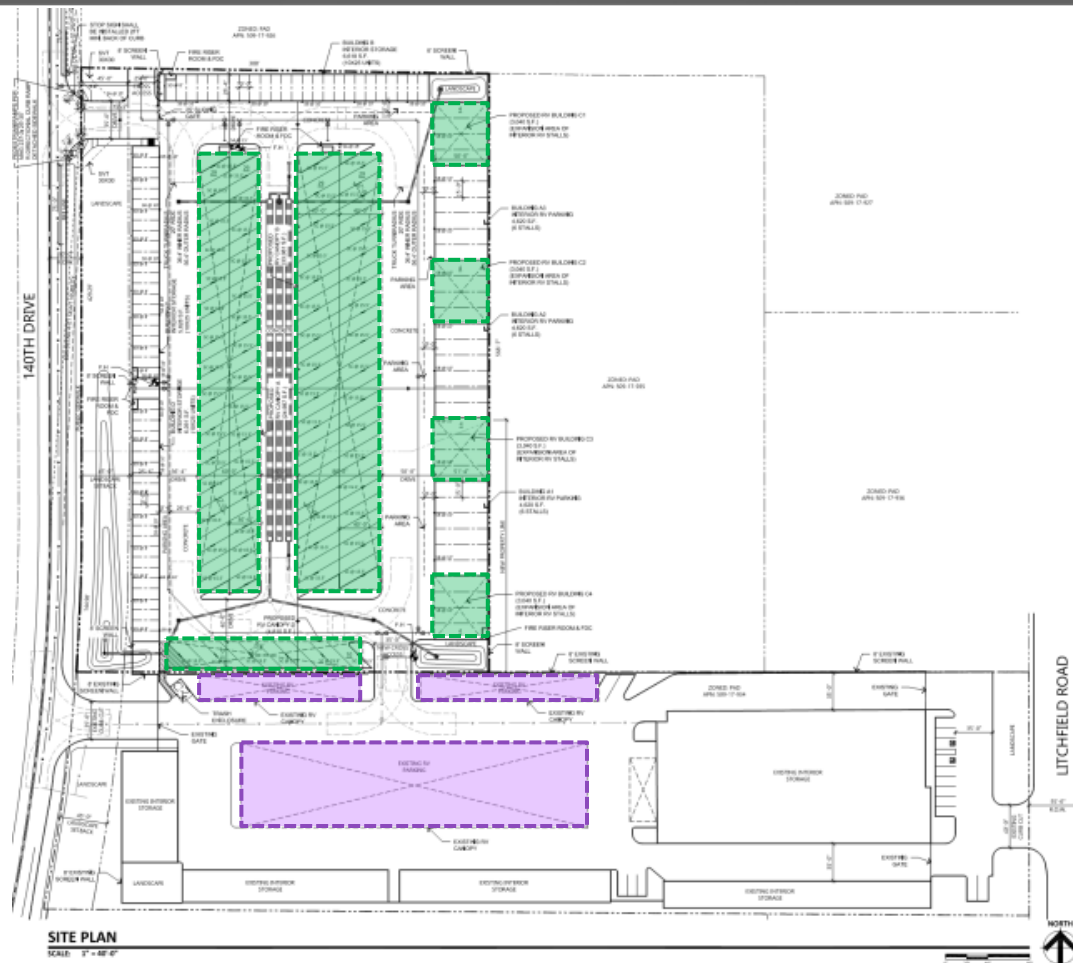




FS21-177 ZONING

Standard	Current (Title 17)	Proposed
Outdoor RV Storage Percentage	10%	24%
Screening Requirement	Screened from view	Interior of the Site and Screened from view

 NEW
OUTDOOR RV STORAGE



FS21-177 CONCEPTUAL SITE PLAN



RECOMMENDATION

Staff recommends the P&Z Commission Recommend Approval to the Mayor and City Council subject to stipulations 'a' and 'b'.



QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE
Planning and Zoning Commission Meeting

Council Meeting Date: June 17, 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 three zoning changes for Enclave Point:

- 1) Rezone from Residential Ranch (RR) to Residential High Density with Planned Unit Development Overlay (RH-15 PUD) amending development standards and limiting residential density to 13.58 dwelling units per acre;
- 2) Rezone 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 3.20 dwelling units per acre; and,
- 3) Rezone from Residential Medium Density with a Planned Unit Development Overlay (RM-9 PUD) to Residential High Density with Planned Unit Development Overlay (RH-15 PUD) amending development standards and limiting residential density to 13.58 dwelling units per acre for Enclave Point. (Case FS21-026)

Motion:

Motion to recommend approval/disapproval of the Enclave Point rezone subject to stipulations “a” through “c”.

Background:

Kent Xander, on behalf of Ellen 40 LLC et al, seeks approval of a rezone of approximately 21.3 acres. The proposed rezone is divided into three (3) zoning parcels. One zoning parcel will change from RM-9 PUD to RH-15 PUD. The second zoning parcel will change from RR to RH-15 PUD, while a third zoning parcel will change from RR to RM-9 PUD. Each of the requested PUD Overlays will amend development standards and limit residential density specific to that parcel.

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 FS21-026 Enclave Point Rezone 06-17-21 P&Z Staff Report
 2. 01 FS21-026 Enclave Point Rezone Vicinity Map
 3. 02 FS21-026 Enclave Point Rezone Case Map
 4. 03 FS21-026 Enclave Point Rezone Narrative
 5. 04 FS21-026 Enclave Point Citizen Participation Plan Final_Redacted
 6. 05 FS21-026 Enclave Point Updated Site Posting Affidavit
 7. FS21-026 Enclave Point Rezone Presentation for 06-17-21 P&Z
-

ZONE CHANGE

REPORT TO THE PLANNING AND ZONING COMMISSION

Case: FS21-026

Project Name: Enclave Point Rezone

Council District: 1 - Acacia

Meeting Date: June 17, 2020

Planner: Robert H. Kuhfuss, AICP

Owner: Wittrock Land 1 LLC/Pacific Premier Trust (Custodian)/Wittrock Land 2 LLC/Wittrock Land 3 LLC Et al and Ellen 40, LLC

Applicant: Kent Xander

Request: Rezone:

1) From Residential Ranch (RR) to Residential High Density with Planned Unit Development Overlay (RH-15 PUD) amending development standards and limiting residential density to 13.58 dwelling units per acre

2) 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 3.20 dwelling units per acre

3) From Residential Medium Density with a Planned Unit Development Overlay (RM-9 PUD) to Residential High Density with Planned Unit Development Overlay (RH-15 PUD) amending development standards and limiting residential density to 13.58 dwelling units per acre

Site Location: Generally located on the northeast corner of Happy Valley Road and 163rd Avenue

Area:

- 1) 13.30 acres (approx.)
- 2) 2.81 acres (approx.)
- 3) 5.18 acres (approx.)

Total 21.29 acres (approx.)

Density:

1)	13.58 DU/Ac
2)	3.20 DU/Ac
3)	13.58 DU/Ac
Overall 12.16 DU/Ac	

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

Support/Opposition: Opposition received

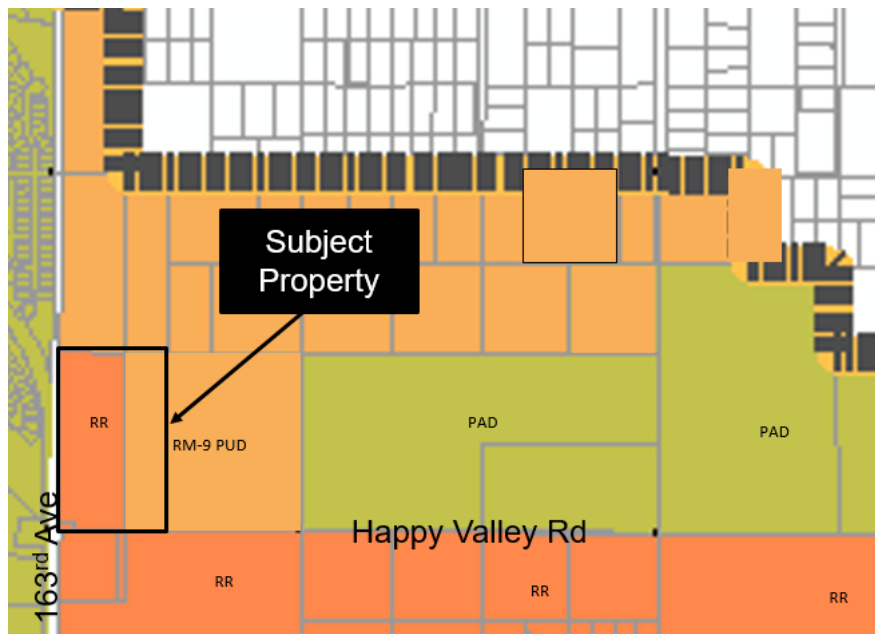
Staff Recommendation: **Approve**, subject to stipulations “a” through “c”

PROJECT DESCRIPTION:

Kent Xander, on behalf of Ellen 40 LLC et al, seeks approval of a rezone of approximately 21.3 acres. The proposed rezone is divided into three (3) zoning parcels. One zoning parcel will change from RM-9 PUD to RH-15 PUD. The second zoning parcel will change from RR to RH-15 PUD, while a third zoning parcel will change from RR to RM-9 PUD. Each of the requested PUD Overlays will amend development standards and limit residential density specific to that parcel.

EXISTING ZONING:

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



68 **BACKGROUND:**

69
70 **September 5, 2019:** The City Council approved the annexation of the subject property under case
71 FS18-149.

72
73 **October 20, 2020:** The City Council approved the Ellen Ranch Rezone under case FS20-090.

74
75 **January 11, 2021:** The applicant filed the subject request under Case FS21-026.

76
77 **May 3, 2021:** The applicant held a Citizen Outreach meeting for this request.

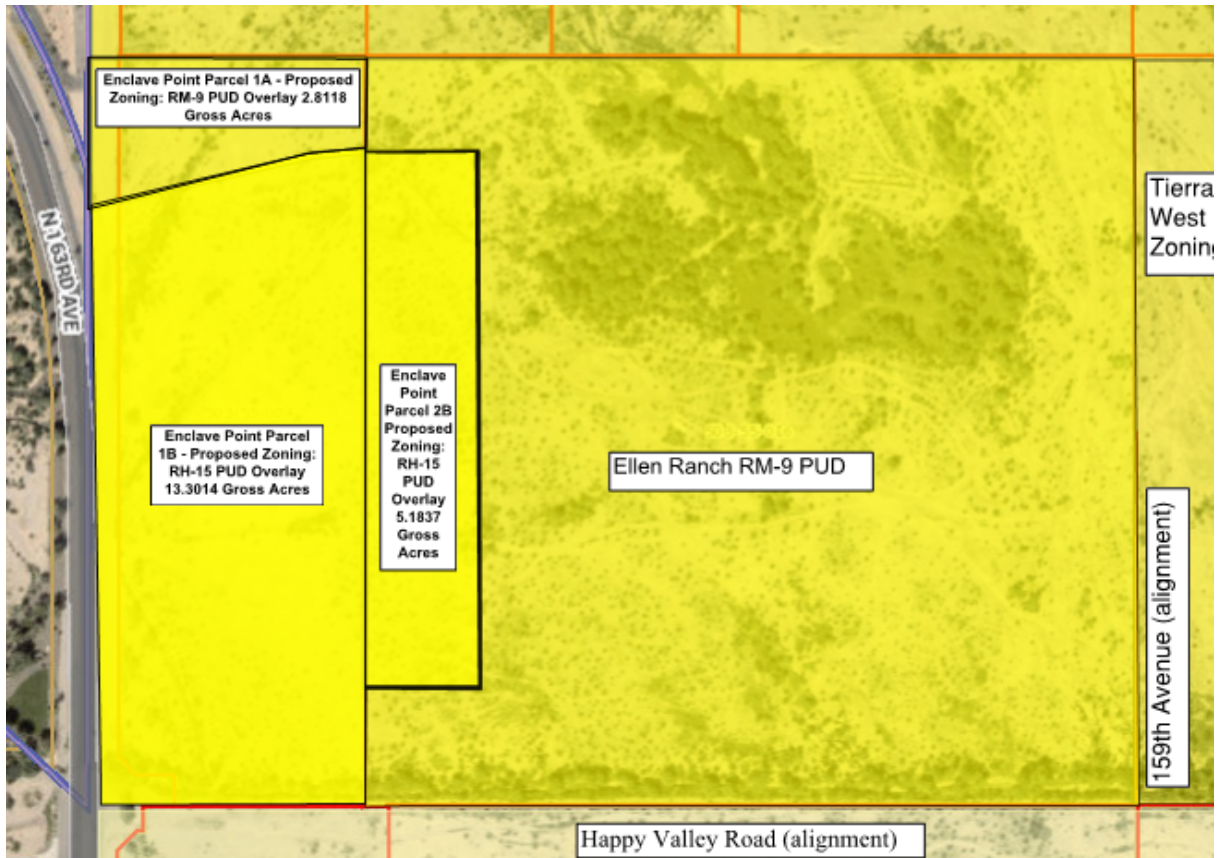
78
79 **CITIZEN OUTREACH:**

80
81 The applicant held their Citizen Outreach meeting in a hybrid in-person / virtual format on May 3,
82 2021. Several local area residents were in attendance in both formats. Those attending in person
83 expressed concerns over traffic, rental communities, inadequate infrastructure, property values, and
84 public safety; however, those attending virtually were not able to participate in the conversation due
85 to technical difficulties. In the outreach summary provided by the applicant (see attached), the
86 applicant states that contact information was made available to those attending virtually so they
87 could follow up if desired. The outreach meeting, along with the subject Planning and Zoning
88 Commission hearing, were advertised in accordance with state and local requirements.

89
90 **ANALYSIS AND DISCUSSION:**

91
92 The original Ellen ranch rezone involved approximately 40 acres and served to rezone from RR to RM-
93 9 PUD; however, the original rezone did not include or factor in the property immediately to the west,
94 which is somewhat constrained from a development point of view. The existing RR zoning is not
95 conducive to the property's location being on the "hard corner" of two major thoroughfares, and its
96 limited access makes it infeasible as a viable commercial property. In order to create a more viable
97 parcel, the applicant proposes to essentially take land mass away from Ellen Ranch and attribute it to
98 Enclave Point, while providing a short segment of single-family residential along the northern end of
99 the site. These parcel configurations are depicted below and in Exhibit B of the zoning narrative.

100
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105 [Continued on following page]
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113
114

115 There are two (2) zoning districts contemplated by this request. One parcel (Parcel 1A) will enjoy the
116 same development standards as were originally approved for Ellen Ranch as depicted below, except
117 that the density figure has been adjusted from 5.53 DU/Ac. to 3.20 DU/Ac due to the parcel's limited
118 size:

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[Continued on following page]

Table A - Enclave Point Parcel 1A**Residential Medium Density RM-9 PUD Overlay
Development Standards Comparison Table**

Development Standard	City Base RM-9 Development Standards	RM-9 PUD Overlay Development Standards
Maximum Density	9.0	3.20 (9 lots max)
Minimum Lot Area	4,500	4,050
Minimum Lot Width	40'	45'
Minimum Lot Depth	100'	90'
Minimum Front Yard Setback (livable area / front-facing garage)	12'/20'	12'/21' ⁽¹⁾
Minimum Side Yard Setback	TBD	5'
Minimum Rear Yard Setback	20'	10' ⁽²⁾
Maximum Building Height	35'	35'
Street Side/Corner Lot	N/A	5' ⁽³⁾
Driveway Width	30%	40%
Driveway Area	30%	40%
Minimum Open Space (%NRA)	20%	25%

(1) 20-foot front yard garage setback measured from property line.

(2) Porches/patios may encroach 2.5' into the rear yard setbacks.

(3) 10' landscape tract required.

[Continued on following page]

143 The other two parcels will develop under a separate set of standards as depicted below, in
 144 anticipation of a bungalow style apartment complex:

Table B - Enclave Point Parcel 1B and Parcel 2B

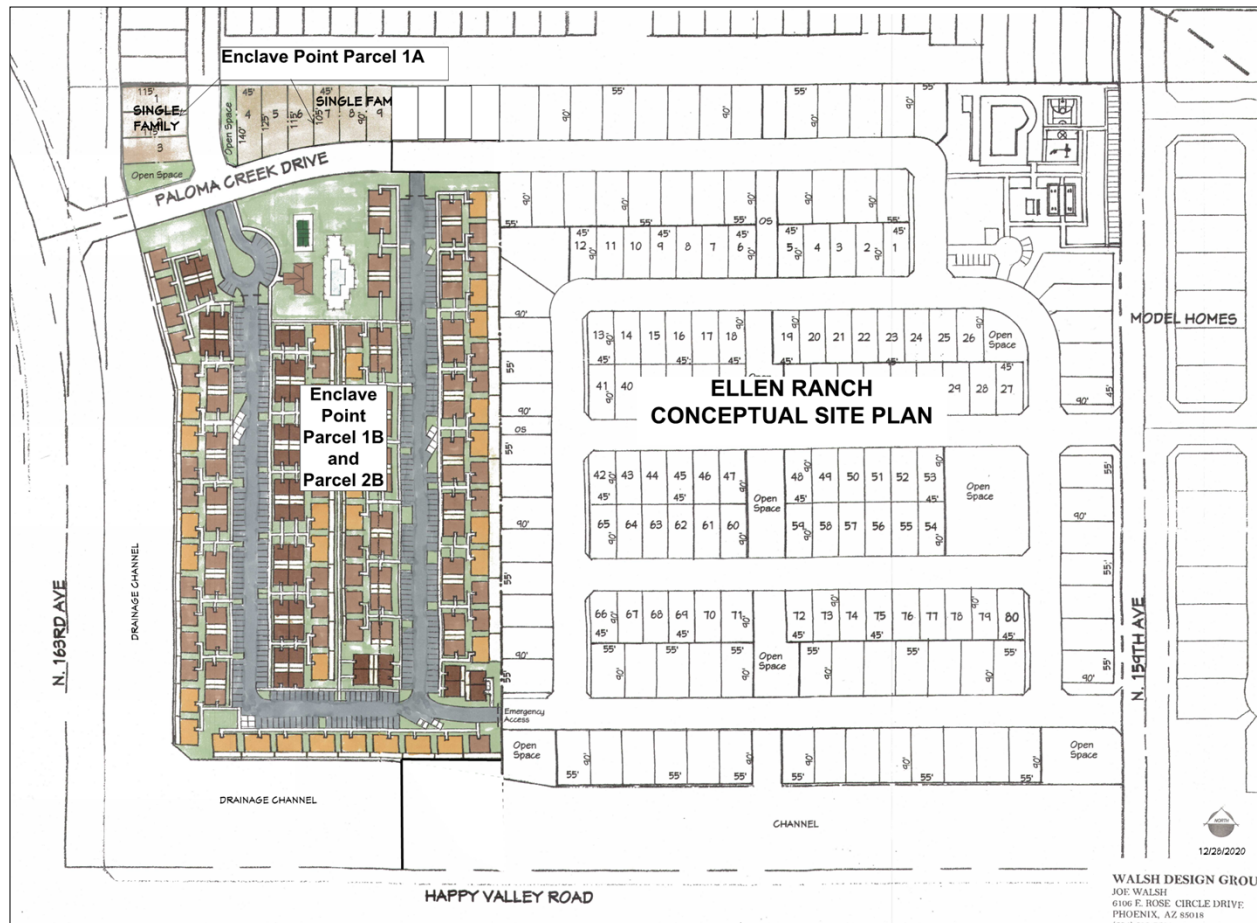
**Residential High-Density RH-15 PUD Overlay
 Development Standards Comparison Table**

DEVELOPMENT STANDARD	RH-15 CONVENTIONAL	RH-15 PUD (PROPOSED)
Maximum Dwelling Units per Acre	15.0	13.58 (250 units max)
Minimum Lot Area per Dwelling Unit	2,400	2,400
Maximum Building Height	35' / 3 Stories	35' / 3 Stories
Building Setbacks		
North (Front)	30'	20' (1)
South (Rear)	30' (1)	10' as measured from the Drainage Channel Tract
East (Side)	10' (1)	10' (1)
West (Side)	10' (1)	10' as measured from the Drainage Channel Tract
Minimum Building Separation (Within the Project)	25'	10' for 1 Story 25' for Multi-Story
Landscape Buffers		
North (Front)	20'	20'
South (Rear)	24'	Zero as measured from the Drainage Channel Tract
East (Side)	24'	Zero if 1 Story 24' if Multi-Story
West (Side)	24'	Zero as measured from the Drainage Channel Tract
Vehicle Parking		
Studio and 1 Bedroom	1.5 Spaces per DU	1.0 Spaces per DU
2 Bedroom	2.0 Spaces per DU	2.0 Spaces per DU
3+ Bedroom	2.5 Spaces per DU	2.0 Spaces per DU
Office	1.0 space per 250 SF Gross Floor Area	1.0 space per 250 SF Gross Floor Area
Visitor	N/A	0.2 Spaces per DU
Bicycle parking		
Residential	0.5 per dwelling	Zero per DU if 1 Story with back yard, 0.5 per DU if pedestal apartment building
Office	1 Space per 20 vehicle Spaces	1 Space per 20 vehicle Spaces

- (1) Where the building height exceeds 20 feet and is located adjacent to existing single family dwelling, one additional foot of yard setback shall be required for everyone foot of height above a 20 foot building.
 (2) Minimum Lot Area per Dwelling Unit shall be determined by building area, parking requirements, useable open space, retention, and setback requirements.

The nine (9) dwelling units associated with Parcel 1A will become part of the Ellen Ranch subdivision and will enjoy the amenities associated with that community. Parcels 1B and 2B will enjoy the amenities associated with the bungalow style apartments proposed for those parcels.

While the subject rezone request does not include a Site Plan, a conceptual site design is included as Exhibit F of the zoning narrative and is shown below:



UTILITY AND SERVICES TABLE:

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

163 **CONFORMANCE WITH ADOPTED PLANS:**

164
165 **Surprise General Plan 2035:** The Surprise General Plan 2035 shows the subject property as lying
166 within the Neighborhood Character Area, which supports residential development of any density,
167 provided appropriate transitions are made between the various Neighborhood types included within
168 the character area. Zoning Parcel 1A, at 3.20 DU/Ac, most closely aligns with the Suburban
169 Neighborhood type, while Zoning Parcels 1B and 2B, at 13.58 DU/Ac, most closely align with the
170 Urban Neighborhood type. Both are consistent with the General Plan in this regard.

171
172 **REVIEWING AGENCIES:**

173
174 The subject request was routed to the standard internal and external reviewing agencies, who
175 indicated no objections to the request.

176
177 **SUMMARY:**

178
179 The subject Zone Change request anticipates the future development of nine (9) single-family lots on
180 approximately 2.81 acres together with approximately 250 bungalow style apartments on
181 approximately 18.48 acres. Both include PUD Overlays intended to grant relief from certain
182 development standards and limiting density. All city reviewing departments have reviewed the
183 request and expressed no concerns.

184
185 **FINDINGS:**

- 186
187 • The proposed Zone Change is consistent with recent approvals in the surrounding area.
188 • The proposed Zone Change is consistent with the Surprise General Plan.
189 • The reviewing agencies have indicated no objections.

190
191 **Recommendation:**

192
193 Based on the findings noted above, staff recommends the Commission move to recommend
194 **approval** of the subject Rezone request to the City Council, subject to stipulations 'a' through 'c' as
195 outlined below:

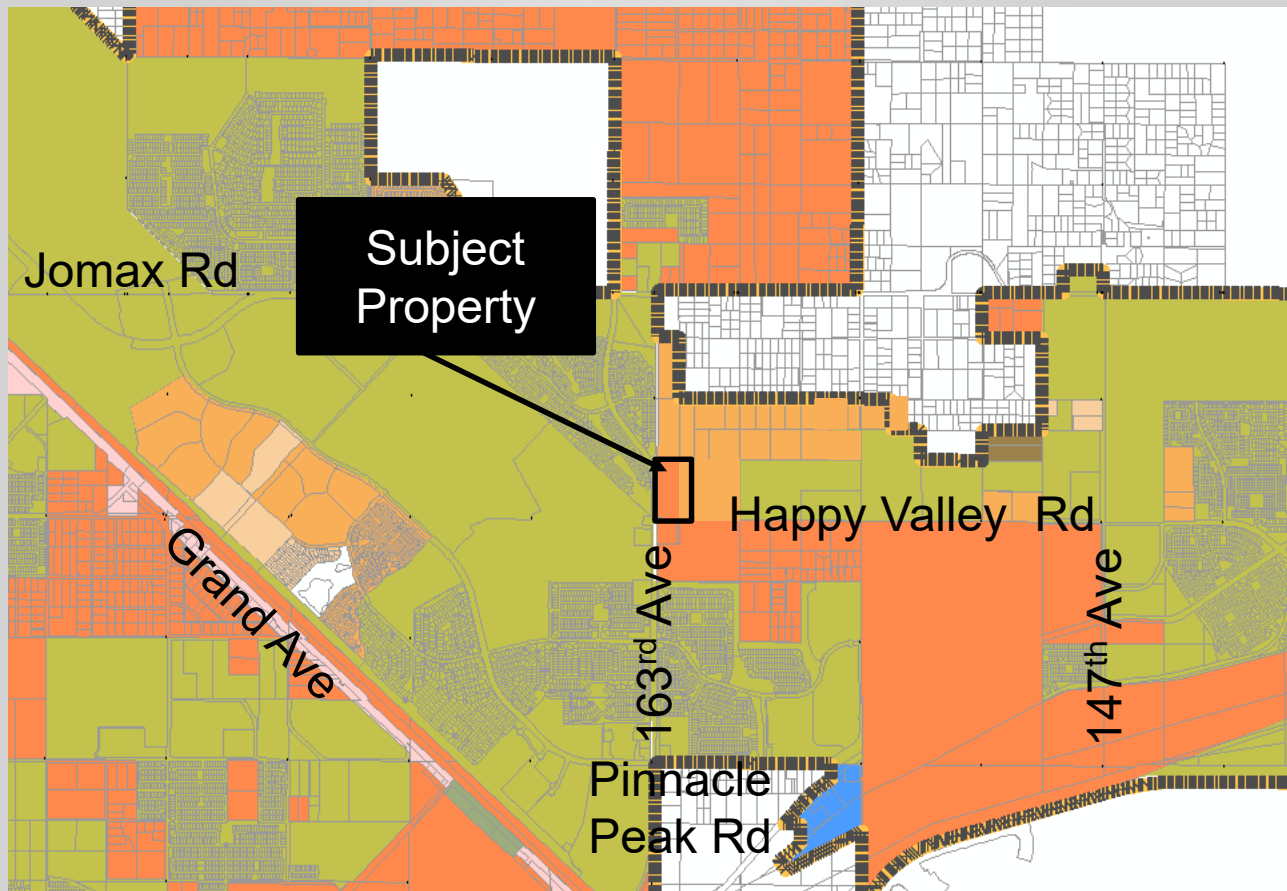
- 196
197 a. Development and use of the site shall be consistent with the rezone narrative entitled
198 "Enclave Point Rezone", prepared by Kent A. Xander and received April 5, 2021.
199
200 b. Prior to the City approving a final plat, site plan, or building permit within the property, the
201 applicant shall provide the City with a Notice of Payment from William Lyon Homes, Inc., that
202 the Happy Valley West ("HVV") Buy-in Fee, the Happy Valley East ("HVE") Buy-in Fee, the
203 Water Buy-in Fee, and the Sewer Buy-in Fee, as applicable, all as described in the Rancho
204 Mercado Supplemental Development Agreement (Regional Improvements Overlay
205 Agreement), as amended, have been paid.
206

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.

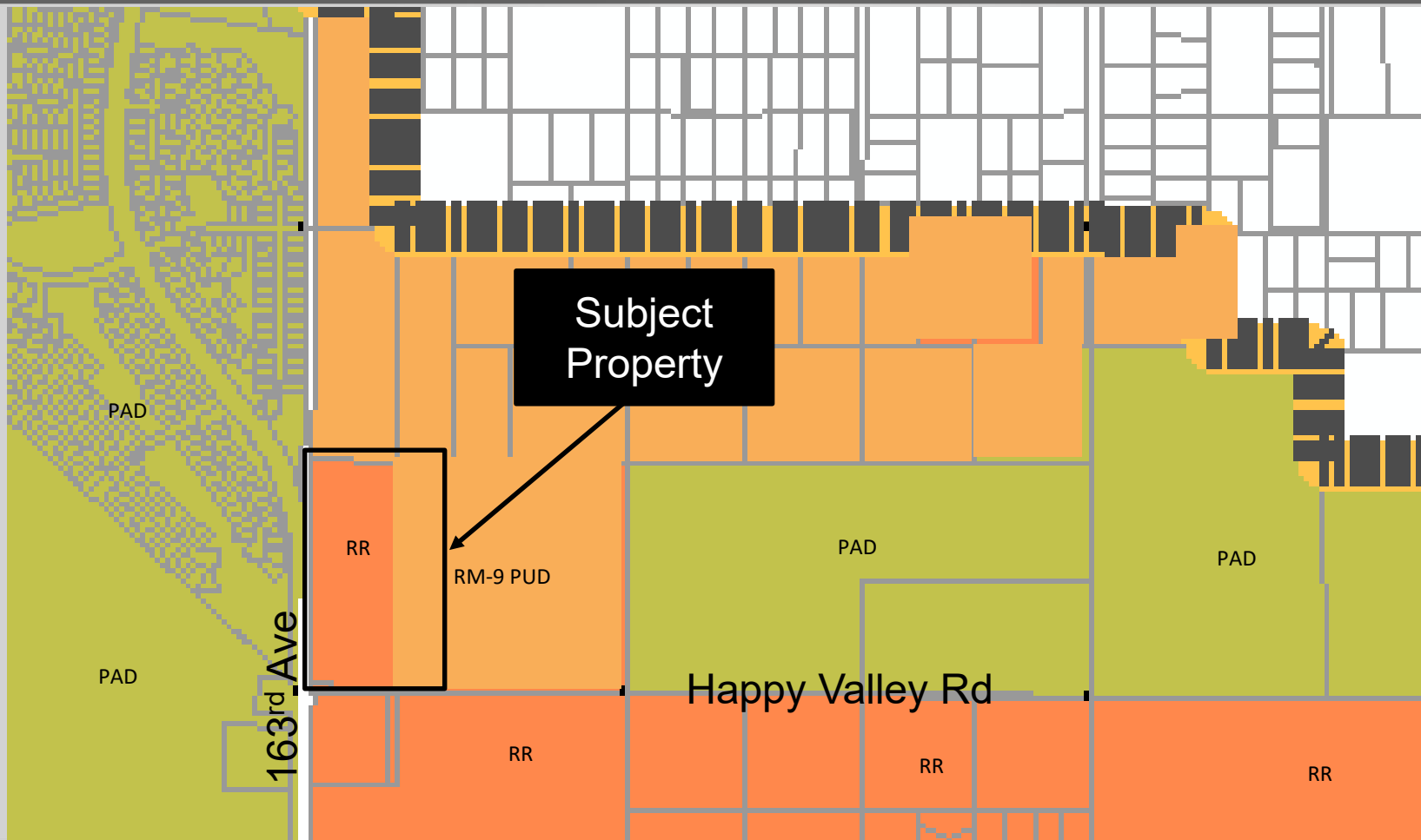
However, should the Commission wish to recommend denial of the request, the Commission should make its own findings and base its decision on those alternative findings.

Attachments:

- 01 Enclave Point Vicinity Map
- 02 Enclave Point Case Map
- 03 Enclave Point Zone Change Narrative
- 04 Enclave Point Citizen Outreach Report
- 05 FS21-026 Enclave Point Updated Site Posting Affidavit



FS21-026 Vicinity Map



Narrative for ENCLAVE POINT REZONE

Case No. FS21-026
Rezone Residential Ranch (RR) to
RH-15 (Residential High Density) PUD and RM-9 PUD (Medium High
Density) and Rezone RM-9 PUD to RH-15 (Residential High Density)

21.2969 Gross Acres

Northeast corner Happy Valley Road and 163rd Avenue
Surprise, Arizona

Prepared by: Kent A. Xander

Submitted To: City of Surprise

Dated: December 30, 2020

Revised: March 16, 2021

Revised: April 1, 2021

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Vicinity Map.....	4
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Conformance with the adopted Surprise General Plan 2035.....	9
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Transportation/Traffic and Utilities.....	10
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Proposed Zoning Map.....	Exhibit B
Legal Description and Map.....	Exhibit C
Conceptual Development Plan	Exhibit D
General Plan 2035 Land Use Map	Exhibit E
Enclave Point relationship to Ellen Ranch and Paloma Creek Map.....	Exhibit F

Enclave Point Team:**Applicant /**

Kent A. Xander

kxander@kaxgroup.com9290 E. Thompson Peak Pkwy., Unit 227
Scottsdale, Arizona 85255**Land Planner**

Joe Walsh - Walsh Design Group

Landoc@cox.net6106 E. Rose Circle Drive
Phoenix, Arizona 85018**Location and Introduction:**

A Vicinity Map is shown on page 4 illustrating Enclave Point location at the NEC Happy Valley Road and 163rd Avenue.

Located at the northeast corner of Happy Valley Road and 163rd Avenue, Enclave Point is a 21.2969 gross acre proposed High Density and Medium Density Residential development adjacent to Paloma Creek PUD to the north and Ellen Ranch PUD to the east.

Applicant is requesting a zone change for Enclave Point Parcel 1A - 2.8118 gross acres from Residential Ranch (RR) to RM-9 PUD, Enclave Point Parcel 2A - 13.3014 gross acres from Residential Ranch (RR) to RH-15 PUD, and Enclave Point Parcel 2B - 5.1837 gross acres of Ellen Ranch from RM-9 PUD to RH-15 PUD.

Enclave Point density provides for excellent transition buffer from Happy Valley Road and 163rd Avenue arterials to lower density subdivisions Paloma Creek to the north and Ellen Ranch to the east. This project includes working with and the cooperation with Paloma Creek Owner to the north and Ellen Ranch Owner to the east to formulate a cohesive development plan working out pedestrian pathways, traffic circulation, utilities, and drainage.

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

East

- | | | |
|---------------|---------------|----------------------|
| • Ellen Ranch | 39.75 Acres | 220 lots (45' x 90') |
| | 5.53 / DU/Ac. | |

North

- | | | |
|----------------|--------------|------------------------|
| • Paloma Creek | 150.68 Acres | 27 lots (70' x 115') |
| | 3.6 / DU/Ac. | 11 lots (62.5' x 122') |
| | | 195 lots (50' x 115') |
| | | 309 lots (45' x 115') |

West across 163rd Avenue

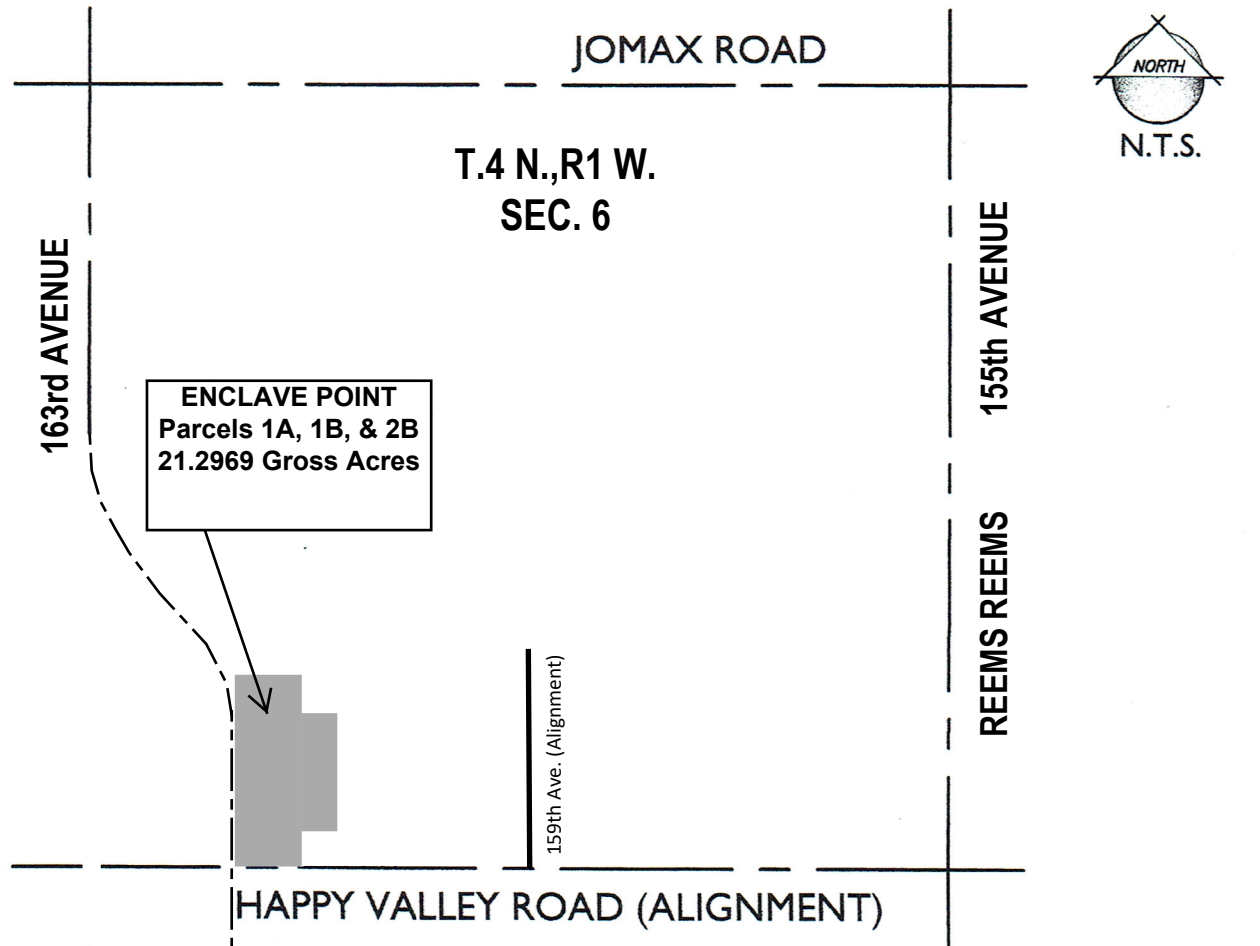
- | | | |
|-------------------------------|---------------|-----------------------|
| • Desert Oasis Baer Parcel B9 | 42.47 Acres | 141 lots (50' x 115') |
| | 3.32 / DU/Ac. | |

South of Happy Valley Road

- | | | |
|---------------|-------------|-----------|
| • Vacant Land | Vacant Land | RR Zoning |
|---------------|-------------|-----------|

Exhibit F Map shows Enclave Point relationship to Paloma Creek to the north, Ellen Ranch to the east.

VICINITY MAP



Description of Rezone Request for Enclave Point:

Applicant is requesting a zone change for the following Parcels.

Enclave Point Parcel 1A – 2.8118 gross acres

- Enclave Point Parcel 1A - 2.8118 gross acres from Residential Ranch (RR) to RM-9 PUD to develop 9 single-family 45' x 90' lots. The Developments Standards for Enclave Point Parcel 1A are consistent with those approved for Ellen Ranch RM-9 PUD under case FS20-090.

Enclave Point Parcels 1B and Parcel 2B – 18.4851 gross acres.

- Enclave Point Parcel 1B - 13.3014 gross acres from Residential Ranch (RR) to RH-15 PUD.
- Enclave Point Parcel 2B - 5.1837 gross acres of Ellen Ranch from RM-9 PUD to RH-15 PUD. The remaining portion of Ellen Ranch RM-9 PUD will respect the density limitations, amenity, and open space requirements per the Ellen Ranch RM-9 PUD.
- Enclave Point Parcel 1B and Parcel 2B will include a maximum of 250 multi-family residential units on 18.4851 gross acres for a total gross density of 13.58 DU/Ac.

See **Exhibit B**, Proposed Zoning Map and see **Exhibit C** for Legal Description and Map Exhibit.

Enclave Point Parcel 1A Development Standards are described below & shown in Table A.

Enclave Point Parcel 1A RM-9 Zoning Designations and Development Standards:

The single-family residential zoning designation of the property will use the Convention Character Pattern in accordance with Section 122-22 of the SUDC. The Ellen Ranch RM-9 PUD overlay designation shall be applied to Enclave Point Parcel 1A to allow modification of certain RM-9 development standards within the Surprise Unified Development Code ("SUDC") in effect at the time of this application.

Enclave Point Parcel 1A Open Space and Homeowners Association:

There are provisions in the current SUDC which require a minimum of 20% open space and certain amenities for the homeowners within a planned subdivision. Enclave Point Parcel 1A will be developing 9 single-family detached homes with a minimum 45' x 90 lot. Onsite minimum Open Space for Enclave Point Parcel 1A shall be calculated based on offsite street drainage and on-site drainage needs to retain water for Parcel 1A. Enclave Point Parcel 1A will be part of Paloma Creek Master Homeowners Association and amenities.

Enclave Point Parcel 1A Driveway Width and Area:

1. There is a provision in the SUDC which limits the width of a single-family residential driveway to 30% of the lot width. Enclave Point Parcel 1 will be developing 45-foot-wide lots. If the residential lot is limited to 30% of the lot width, the driveways would only be 13.5' wide. Since a minimum width of a parking space is 9 feet and a driveway needs to accommodate a 2-car garage, Enclave Point Parcel 1A proposes the driveway to be a maximum width of 18' or a maximum of 40% of the lot width.
2. There is a provision in the SUDC which limits the area of a residential driveway to 30% of the required front area, which is the area located between the front setback line and the front lot line. Enclave Point Parcel 1 proposes the driveway to be a maximum area of 40% of the of the required front area to accommodate a two-car garage and an appropriate width driveway.

Enclave Point Parcel 1B and Parcel 2B Development Standards are described below and shown in Table B.

Enclave Point Parcel 1B and Parcel 2B - RH-15 Zoning Designations and Development Standards:

The multi-family residential zoning designation of the property will use the Convention Character Pattern in accordance with Section 122-33 of the SUDC. The Planned Unit Development (PUD) overlay designation shall be applied to the property to allow modification of certain RH-15 development standards within the SUDC in effect at the time of application. The proposed PUD amendment request will provide additional provisions to allow for the development of a multi-family multi-story attached product configured on a single lot or to allow for the development of a single-family detached and duplex gated community with one-story rental homes designed in a cluster configuration on a single lot.

Enclave Point Parcels 1B and 2B proposes to provide a community swimming pool amenity.

Table A - Enclave Point Parcel 1A

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

Development Standard	City Base RM-9 Development Standards	RM-9 PUD Overlay Development Standards
Maximum Density	9.0	3.20 (9 lots max)
Minimum Lot Area	4,500	4,050
Minimum Lot Width	40'	45'
Minimum Lot Depth	100'	90'
Minimum Front Yard Setback (livable area / front-facing garage)	12'/20'	12'/21' ⁽¹⁾
Minimum Side Yard Setback	TBD	5'
Minimum Rear Yard Setback	20'	10' ⁽²⁾
Maximum Building Height	35'	35'
Street Side/Corner Lot	N/A	5' ⁽³⁾
Driveway Width	30%	40%
Driveway Area	30%	40%
Minimum Open Space (%NRA)	20%	25%

- (1) 20-foot front yard garage setback measured from property line.
(2) Porches/patios may encroach 2.5' into the rear yard setbacks.
(3) 10' landscape tract required.

Table B - Enclave Point Parcel 1B and Parcel 2B**Residential High-Density RH-15 PUD Overlay
Development Standards Comparison Table**

DEVELOPMENT STANDARD	RH-15 CONVENTIONAL	RH-15 PUD (PROPOSED)
Maximum Dwelling Units per Acre	15.0	13.58 (250 units max)
Minimum Lot Area per Dwelling Unit	2,400	2,400
Maximum Building Height	35' / 3 Stories	35' / 3 Stories
Building Setbacks		
North (Front)	30'	20' (1)
South (Rear)	30' (1)	10' as measured from the Drainage Channel Tract
East (Side)	10' (1)	10' (1)
West (Side)	10' (1)	10' as measured from the Drainage Channel Tract
Minimum Building Separation (Within the Project)	25'	10' for 1 Story 25' for Multi-Story
Landscape Buffers		
North (Front)	20'	20'
South (Rear)	24'	Zero as measured from the Drainage Channel Tract
East (Side)	24'	Zero if 1 Story 24' if Multi-Story
West (Side)	24'	Zero as measured from the Drainage Channel Tract

Vehicle Parking		
Studio and 1 Bedroom	1.5 Spaces per DU	1.0 Spaces per DU
2 Bedroom	2.0 Spaces per DU	2.0 Spaces per DU
3+ Bedroom	2.5 Spaces per DU	2.0 Spaces per DU
Office	1.0 space per 250 SF Gross Floor Area	1.0 space per 250 SF Gross Floor Area
Visitor	N/A	0.2 Spaces per DU
Bicycle parking		
Residential	0.5 per dwelling	Zero per DU if 1 Story with back yard, 0.5 per DU if pedestal apartment building
Office	1 Space per 20 vehicle Spaces	1 Space per 20 vehicle Spaces

- (1) Where the building height exceeds 20 feet and is located adjacent to existing single family dwelling, one additional foot of yard setback shall be required for everyone foot of height above a 20 foot building.
- (2) Minimum Lot Area per Dwelling Unit shall be determined by building area, parking requirements, useable open space, retention, and setback requirements.

Enclave Point Conceptual Development Plan is shown on **Exhibit D**. The plan shows the following:

- Enclave Point Parcel 1A - 9 lots with a minimum lot size of 45' x 90' zoned RM-9 PUD on 2.8118 gross acres for a total gross density of 3.20 DU/Ac.
- Enclave Point Parcel 1B and Parcel 2B will include a maximum of 250 multi-family residential units on 18.4851 gross acres for a total gross density of 13.58 DU/Ac.

The result of the Enclave Point Rezone with a PUD Overlay would be:

- Enclave Point will be in conformance with the adopted Surprise General Plan 2035 as noted below.
- The development of Enclave Point will occur in a manner that is consistent with the surrounding Planned Area Developments and share in major offsite infrastructure costs with other adjacent projects.
- The development will have seamlessly been integrated and aligned with adjacent zoning, open space, pedestrian trails, drainage tracts, roads, and utilities with adjacent Paloma Creek/Ellen Ranch PUD.
- The Sugar Dike will remain in-situ except that it will be revegetated in a manner consistent with Tierra Verde West and Tierra Verde East.

Conformance with the adopted Surprise General Plan 2035:

The Surprise General Plan 2035, attached as **Exhibit E**, shows the subject property as lying within the Neighborhood Land Use Character Area, which supports residential development at densities greater than 8 DU/Acre in an Urban Neighborhood type, this project complies with the General plan in this regard. Enclave Point will be buffered from Happy Valley Road by a large open space and 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 lots along the south side of the subject property will be set back off Happy Valley Road with open space and pedestrian trails through the property and connecting to the open space planned for Ellen Ranch and Paloma Creek.

Ingress/Egress/Access:

1. Access is driven by the timing of Paloma Creek, Tierra Verde West, and Ellen Ranch development schedule.
2. Primary access to Enclave Point is from 163rd Ave to Paloma Creek Drive.
3. Secondary access is east through Ellen Ranch to 159th Avenue to Happy Valley Road.

Transportation/Traffic and Utilities

- Upon development of Enclave Point PUD, all necessary utilities for Enclave Point will be extended from adjacent Paloma Creek/Ellen Ranch 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 has been submitted to the City. Specifically, this TIA will include all phases of the Paloma Creek PUD, including Paloma Creek Enclaves I, II, III, IV, and Ellen Ranch.



EXHIBIT A

Existing Zoning Map

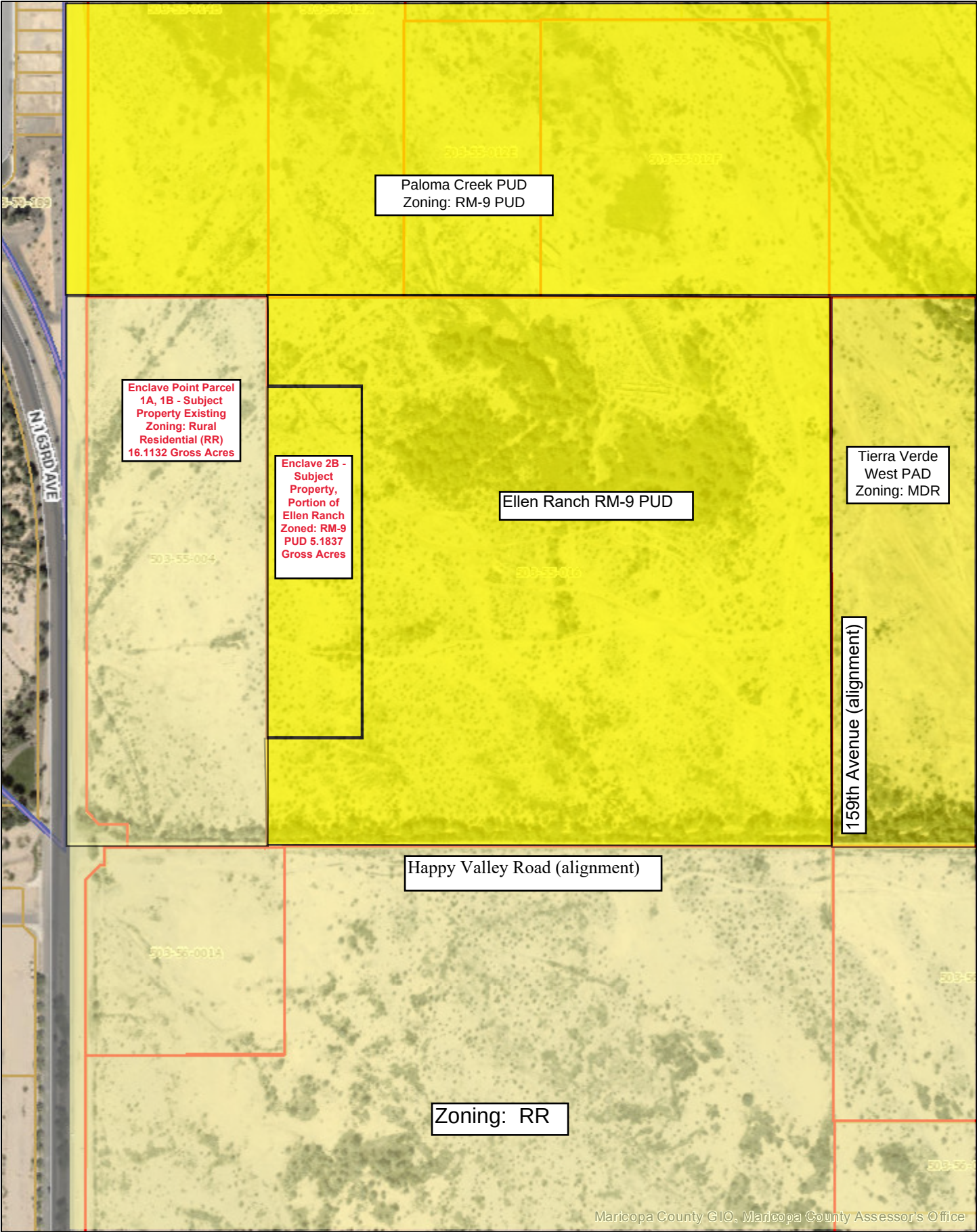


Exhibit B

Proposed Zoning Map

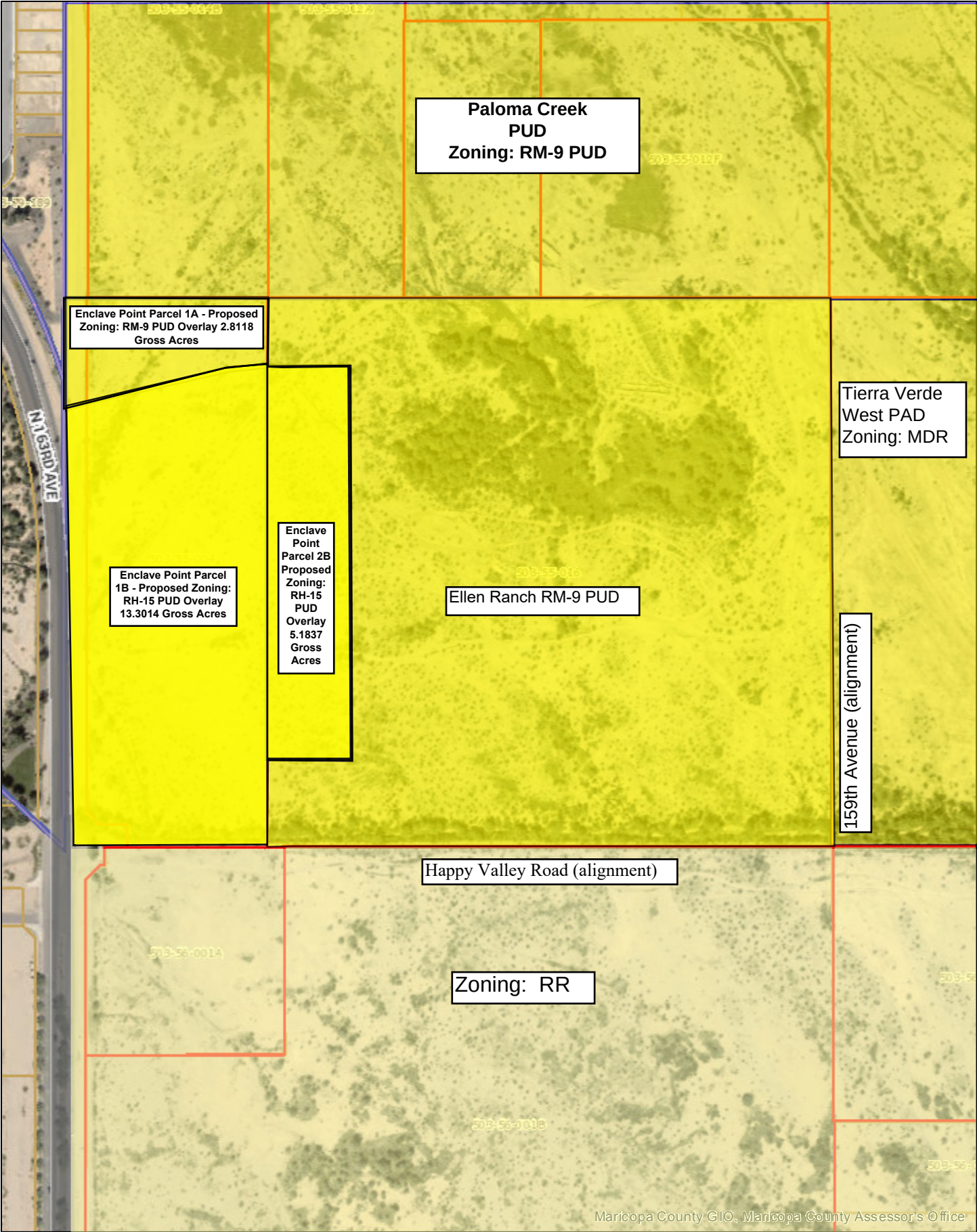


Exhibit C
Page 1 of 6



**Legal Description
Enclave Point
Parcel 1A**

Job No. 16-400.3

3/15/2021

A portion of Lot 7, Section 6, Township 4 North, Range 1 West of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the West Quarter Corner of said Section 6, being marked by a 2" Maricopa County Department of Transportation aluminum cap flush, from which the Southwest Corner of said Section 6, being marked by a 2" aluminum cap flush stamped RLS 36562, bears South 0 degrees 23 minutes 36 seconds West, 2635.15 feet;

thence along the West line of said Section 6, South 0 degrees 23 minutes 36 seconds West, 1317.57 feet to the Northwest Corner of said Lot 7 and the **POINT OF BEGINNING**;

thence along the North line of said Lot 7, South 89 degrees 46 minutes 49 seconds East, 527.11 feet to the Northeast corner thereof;

thence along the East line of said Lot 7, South 0 degrees 05 minutes 25 seconds East, 164.66 feet to the beginning of a non-tangent curve, concave Southeast, from which the radius point bears South 8 degrees 41 minutes 52 seconds East a distance of 964.50 feet;

thence Southwesterly 100.79 feet along the arc of said curve to the left through a central angle of 5 degrees 59 minutes 14 seconds;

thence South 75 degrees 18 minutes 54 seconds West, 392.68 feet;

thence South 31 degrees 05 minutes 50 seconds West, 41.01 feet;

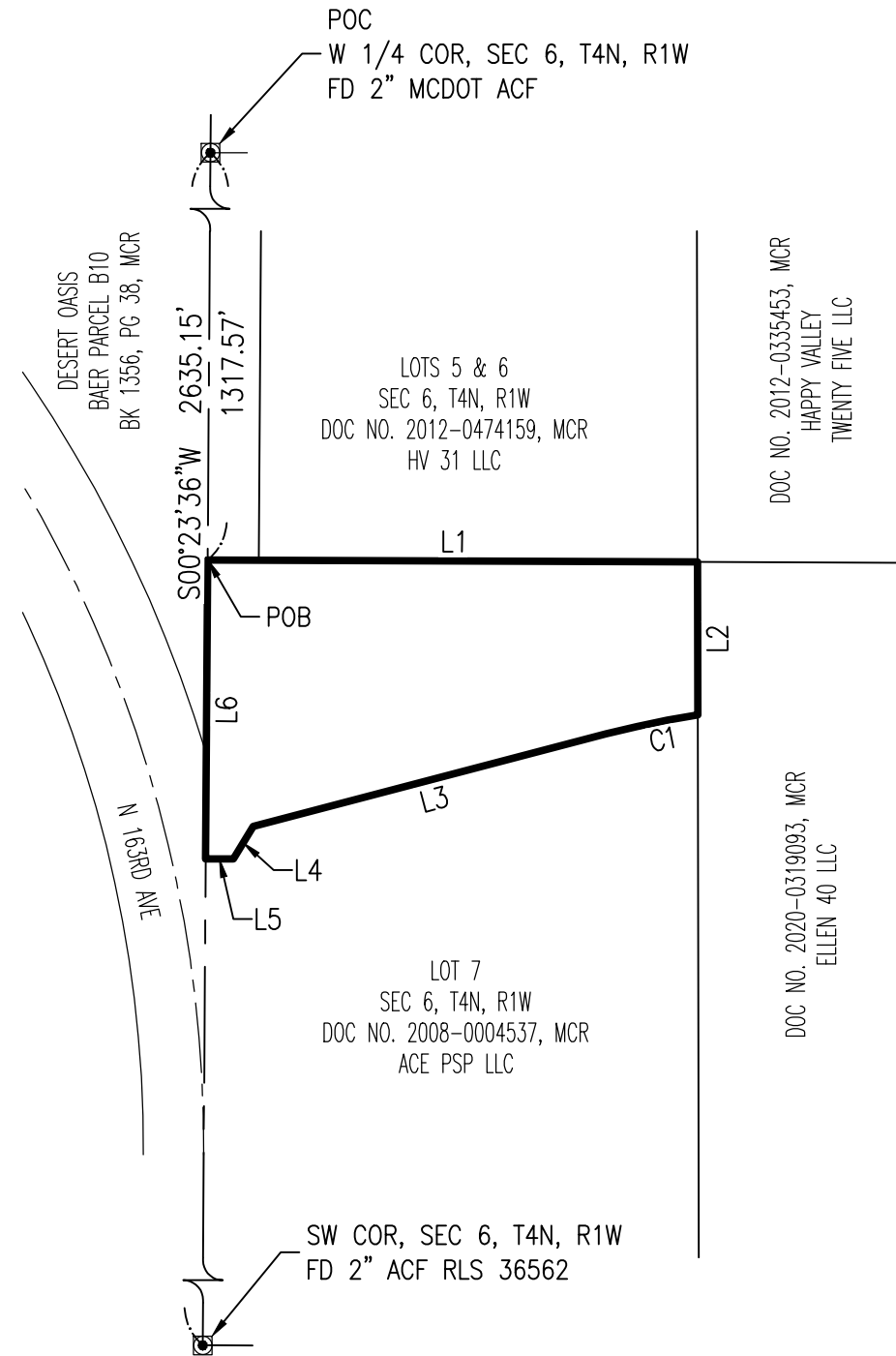
thence North 89 degrees 36 minutes 24 seconds West, 29.88 feet to a point on the West line of said Section 6;

thence along said West line, North 0 degrees 23 minutes 36 seconds East, 321.57 feet to the **POINT OF BEGINNING**.

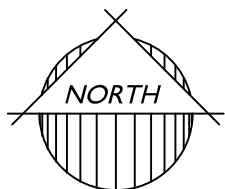
Contains 122,484 square feet or 2.8118 acres, more or less.



Mar 15, 2021 1:26pm Q:\Projects\2016\16-400\Land Survey\Legals\16-400.3 LD13 Enclave Point Parcel 1A.dwg



LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°46'49"E	527.11'
L2	S00°05'25"E	164.66'
L3	S75°18'54"W	392.68'
L4	S31°05'50"W	41.01'
L5	N89°36'24"W	29.88'
L6	N00°23'36"E	321.57'



SCALE: 1"=200'

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C1	100.79'	964.50'	5°59'14"	50.44'	100.74'	S78°18'31"W

16-400.3

Enclave Point
Parcel 1A

Exhibit



1130 N Alma School Rd
Ste 120 Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

Exhibit C
Page 3 of 6



**Legal Description
Enclave Point
Parcel 1B**

Job No. 16-400.3

3/15/2021

A portion of Lot 7, Section 6, Township 4 North, Range 1 West of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

BEGINNING at the Southwest Corner of said Section 6, being marked by a 2" aluminum cap flush stamped RLS 36562, from which the West Quarter Corner of said Section 6, being marked by a 2" Maricopa County Department of Transportation aluminum cap flush, bears North 0 degrees 23 minutes 36 seconds East, 2635.15 feet;

thence along the West line of said Section 6, North 0 degrees 23 minutes 36 seconds East, 996.01 feet;

thence South 89 degrees 36 minutes 24 seconds East, 29.88 feet;

thence North 31 degrees 05 minutes 50 seconds East, 41.01 feet;

thence North 75 degrees 18 minutes 54 seconds East, 392.68 feet to the beginning of a curve, concave Southeast, having a radius of 964.50 feet;

thence Northeasterly 100.79 feet along the arc of said curve to the right through a central angle of 5 degrees 59 minutes 14 seconds to a point on the East line of said Lot 7;

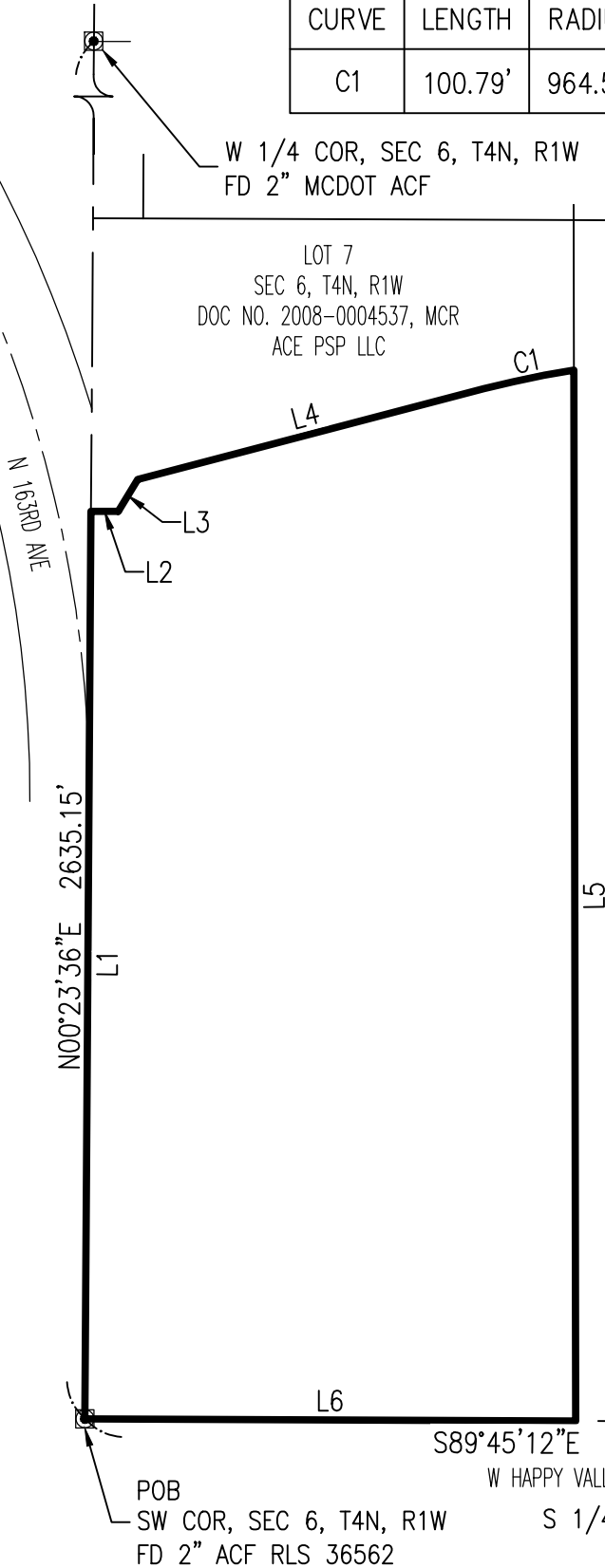
thence along said East line, on a non-tangent line South 0 degrees 05 minutes 25 seconds East, 1153.18 feet to a point on the South line of said Section 6;

thence along said South line, North 89 degrees 45 minutes 12 seconds West, 538.23 feet to the **POINT OF BEGINNING**.

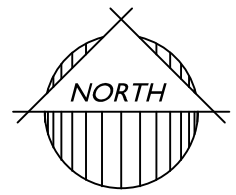
Contains 579,409 square feet or 13.3014 acres, more or less.



CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C1	100.79'	964.50'	5°59'14"	50.44'	100.74'	N78°18'31"E



LINE TABLE		
LINE	BEARING	LENGTH
L1	N00°23'36"E	996.01'
L2	S89°36'24"E	29.88'
L3	N31°05'50"E	41.01'
L4	N75°18'54"E	392.68'
L5	S00°05'25"E	1153.18'
L6	N89°45'12"W	538.23'



SCALE: 1"=200'

Mar 15, 2021 1:28pm Q:\Projects\2016\16-400\Land Survey\Legals\16-400.3 LD14 Enclave Point Parcel 1B.dwg

16-400.3

Enclave Point
Parcel 1B

Exhibit



1130 N Alma School Rd
Ste 120 Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

Exhibit C
Page 5 of 6



**Legal Description
Enclave Point
Parcel 2B**

Job No. 16-400.3

3/15/2021

A portion of the Southwest Quarter of Section 6, Township 4 North, Range 1 West of the Gila and Salt River Meridian, Maricopa County, Arizona, more particularly described as follows:

COMMENCING at the Southwest Corner of said Section 6, being marked by a 2" aluminum cap flush stamped RLS 36562, from which the South Quarter Corner of said Section 6, being marked by a 3" Bureau of Land Management brass cap, bears South 89 degrees 45 minutes 12 seconds East, 1850.96 feet;

thence along the South line of said Section 6, South 89 degrees 45 minutes 12 seconds East, 538.23 feet to the Southeast Corner of Lot 7 of said Section 6;

thence along the East line of said Lot 7, North 0 degrees 05 minutes 25 seconds West, 152.73 feet to the **POINT OF BEGINNING**;

thence continuing along said East line, North 0 degrees 05 minutes 25 seconds West, 1000.45 feet to the beginning of a non-tangent curve, concave Southerly, from which the radius point bears South 8 degrees 41 minutes 52 seconds East a distance of 964.50 feet;

thence Easterly 150.11 feet along the arc of said curve to the right through a central angle of 8 degrees 55 minutes 03 seconds;

thence South 89 degrees 46 minutes 49 seconds East, 74.82 feet;

thence South 0 degrees 00 minutes 28 seconds East, 1012.21 feet;

thence North 89 degrees 45 minutes 12 seconds West, 222.94 feet to the **POINT OF BEGINNING**.

Contains 225,802 square feet or 5.1837 acres, more or less.



CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C1	150.11'	964.50'	8°55'03"	75.21'	149.96'	N85°45'40"E



DOC NO. 2020-0319093, MCR
ELLEN 40 LLC

LINE TABLE		
LINE	BEARING	LENGTH
L1	N00°05'25"W	152.73'
L2	N00°05'25"W	1000.45'
L3	S89°46'49"E	74.82'
L4	S00°00'28"E	1012.21'
L5	N89°45'12"W	222.94'

N 163RD AVE

N00°23'36"E 2635.15'

LOT 7
SEC 6, T4N, R1W
DOC NO. 2008-0004537, MCR
ACE PSP LLC

POB

L5

538.23'

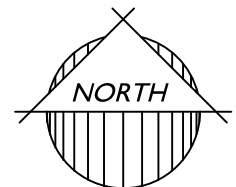
S89°45'12"E 1850.96'

W HAPPY VALLEY RD

POC

SW COR, SEC 6, T4N, R1W
FD 2" ACF RLS 36562

S 1/4 COR, SEC 6, T4N, R1W
FD 3" BLM BC



SCALE: 1"=200'

Mar 15, 2021 1:32pm Q:\Projects\2016\16-400\Land Survey\Legals\16-400.3 LD16 Enclave Point Parcel 2B.dwg

16-400.3

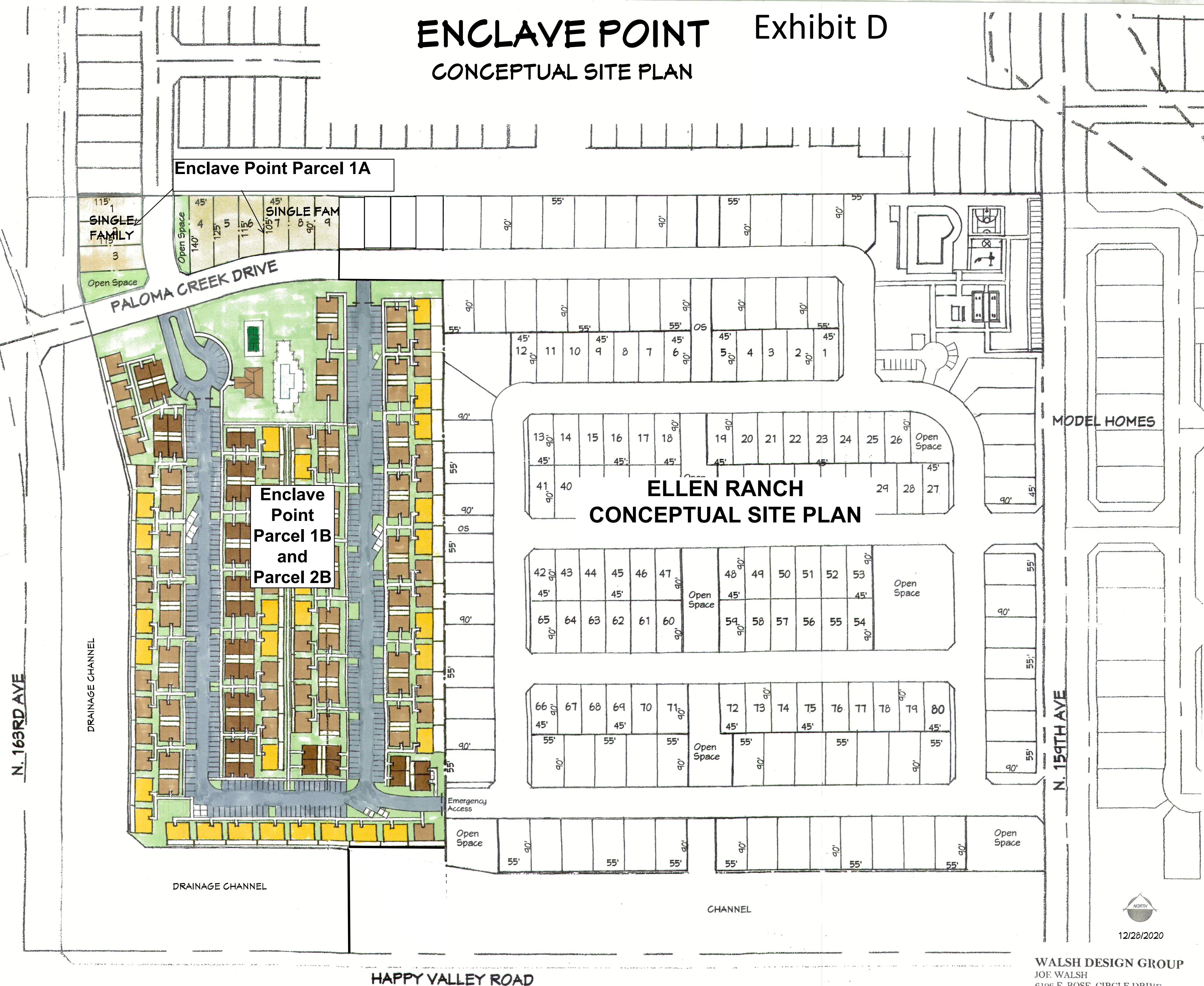
Enclave Point
Parcel 2B

Exhibit

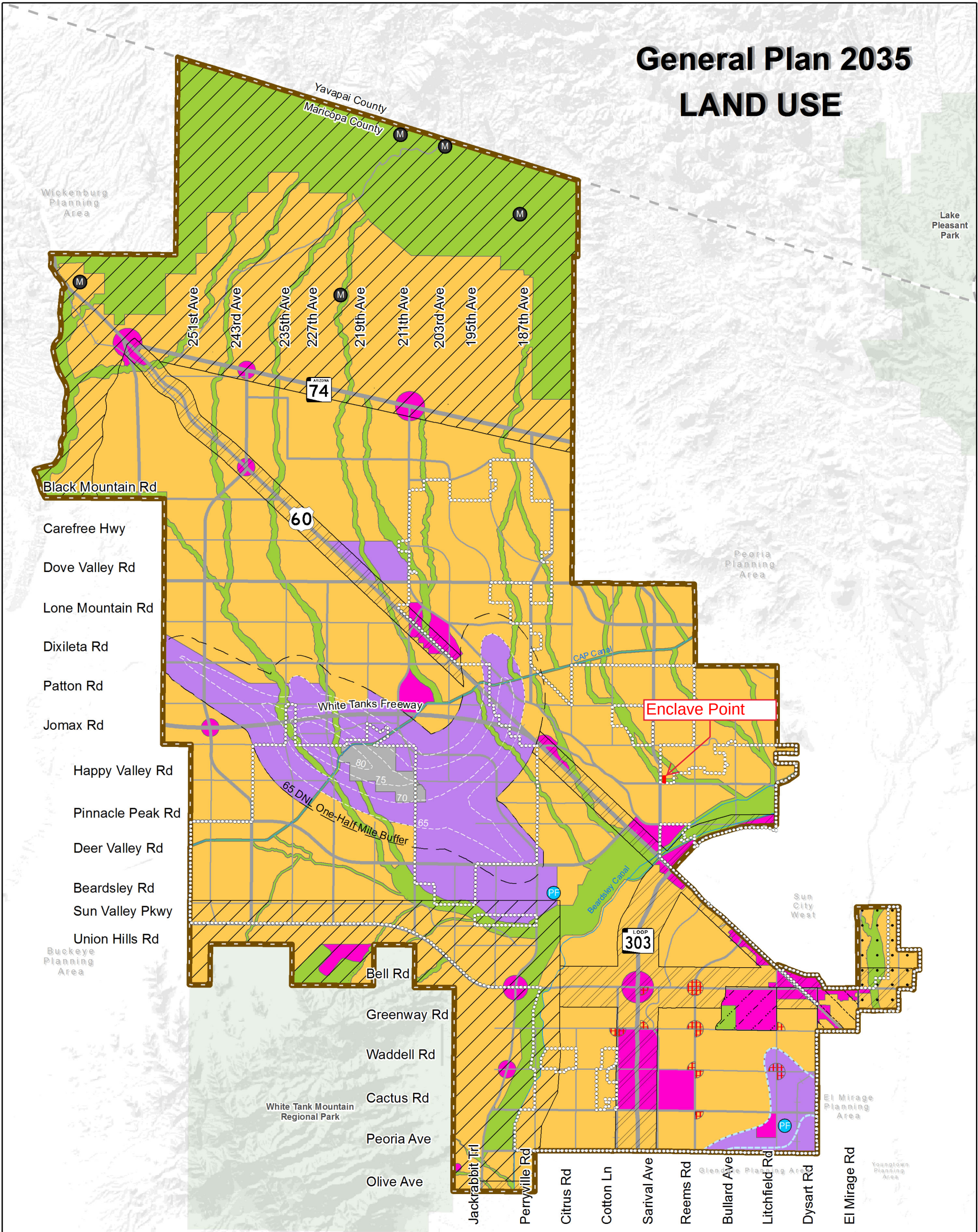


1130 N Alma School Rd
Ste 120 Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

Exhibit D



General Plan 2035
LAND USE



Character Areas

- Neighborhood
 - Rural
 - Suburban
 - Urban
- Commerce & Office
 - Mixed Use: Residential
 - Mixed Use: Commercial
 - Regional Commercial
 - Commercial Office
- Employment
 - Business Park
 - Industrial
- Open Space
(As described on page 53)

Sub Areas

- Luke Compatibility District
- Scenic Lands Development
- Surprise Center District
- Surprise Heritage District
- Transit Oriented Development District
- Aggregate Resource Areas

Features

- Planning Area
- Aux 1 Noise Contours
- Luke AFB Noise Contours
- Canals
- Military
- Existing Community Commercial
- Public Facility
- Mining

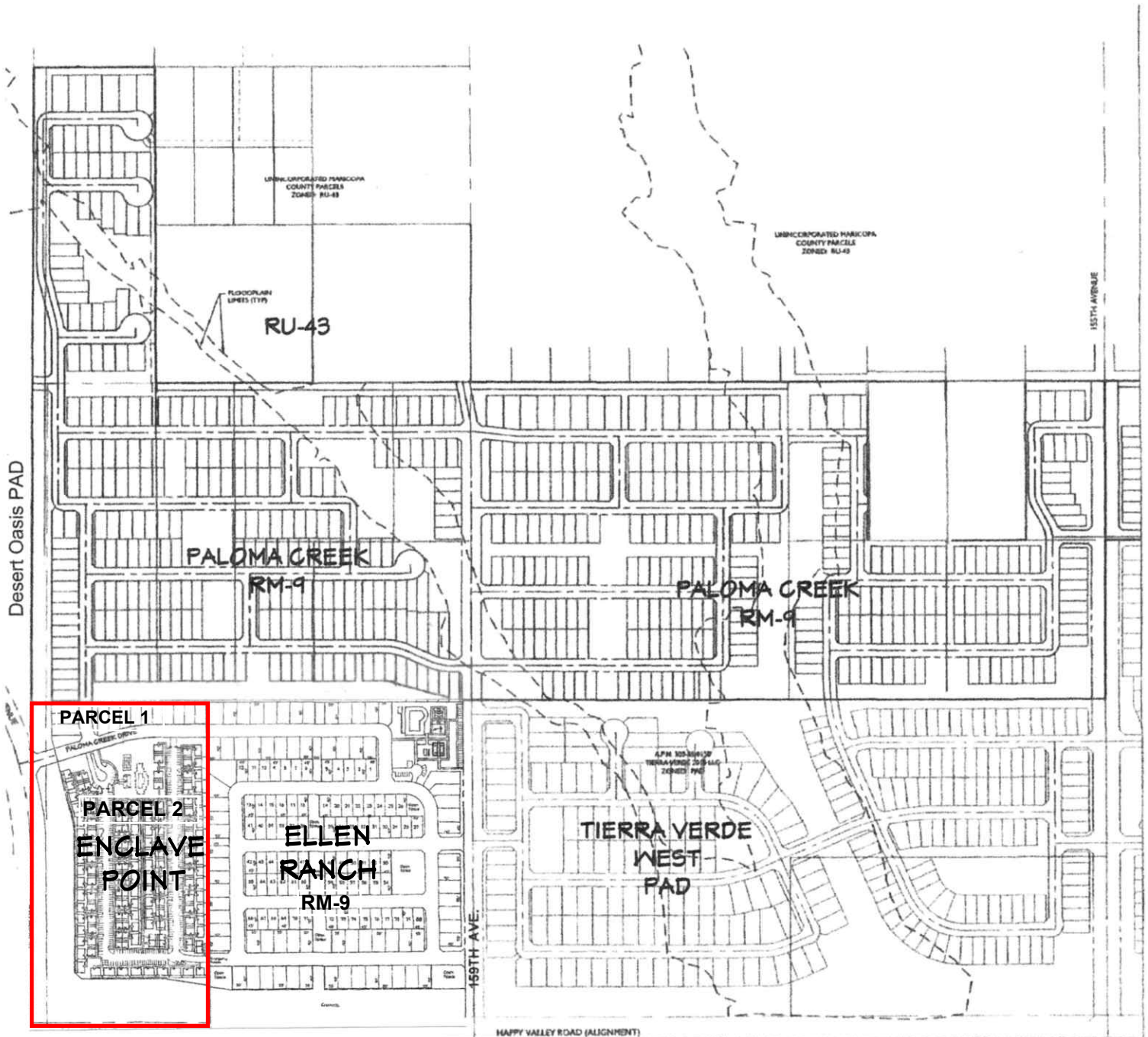
Circulation

- Freeway
- Parkway
- Major Arterial
- Minor Arterial
- BNSF Rail

0 1 2 Miles

Exhibit F

ENCLAVE POINT AND SURROUNDING PLANNED AREA DEVELOPMENTS





Enclave Point Rezone

Citizen Participation Plan

May 5, 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 Point Citizen Participation Plan & Report

Enclave Point at Paloma Creek PUD is Located at the northeast corner of Happy Valley Road and 163rd Avenue, Enclave Point is a 21.2969 gross acre proposed High Density and Medium Density Residential development adjacent to Paloma Creek PUD to the north and Ellen Ranch PUD to the east. Applicant is requesting a zone change for Enclave Point Parcel 1A - 2.8118 gross acres from Residential Ranch (RR) to RM-9 PUD, Enclave Point Parcel 2A - 13.3014 gross acres from Residential Ranch (RR) to RH-15 PUD, and Enclave Point Parcel 2B - 5.1837 gross acres of Ellen Ranch from RM-9 PUD to RH-15 PUD.

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 homeowner's 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 April 15, 2021 to alert interested citizens and stakeholders of our upcoming combined virtual and in-person open house on May 3, 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 combined virtual and in-person open house on Go-to-Meetings while we were in actual attendance at the Asante Prep. Academy School located 23251 N. 166th Drive in Surprise at 6:00 pm. During the open house, there were approximately fifteen (15) in-person attendees and approximately fourteen (14) people who participated virtually. The sign-in sheets are attached at **Tab 2**. The discussion was primarily between the in-person attendees, the applicant, the owners, Kent Xander and John Wittrock, Lloyd Abrams, City's Asst. Planning Director and Councilman Winters. The discussion included the following topics/opinions from the in-person participants:

- The meeting attendees were generally not in favor of the proposed rezoning
- Traffic and under-built roadways were the over-riding concern of the attendees
- Attendees also expressed concerns about low-income housing, rental product, and property values
- There was also discussion about public safety concerns, impact fees and city infrastructure



After our discussion, we felt the participants were able to express their concerns, questions, and opinions throughout the open house. Smaller discussion groups broke off after the conclusion of the in-person open house.

City staff required a hybrid meeting with virtual attendees. The virtual attendees heard the same development proposal presentation but lacked the discussion between the applicant and owners that the in-person group accomplished. We attempted to discuss any questions and concerns with the virtual attendees towards the end of the meeting time. There was some interaction, but we feel the virtual attendees did not have the same access to the applicant and owners as the in-person group. We offered individual calls and emails to each of the virtual attendees to make up for their lack of 'full' participation in the open house. We offered our phone numbers and email addresses for the virtual attendees to follow up with the applicants and owner with any questions they may have after the completion of the open house.

There was only one (1) comment card left behind which is attached at **Tab 3**. 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 in-person and virtual attendees if requested. We have been working cooperatively with City staff on the 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 reach out to them and provide updates to the City staff with an amended report.

TAB 1



CITY OF SURPRISE
Site posting Process

AFFIDAVIT OF POSTING
(Sign modification)

Application No: FS21-026
Applicant Name: _____
Location: Northeast corner of 163rd Ave and Happy Valley
Date Site Posted: April 12, 2021 sign modified: April 15th, 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.

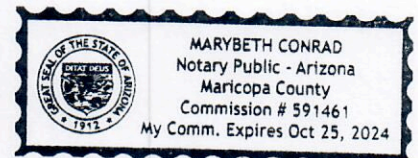
I confirm that the site has been posted as required above, for the case noted above. A picture of the site posting, and photos of any subsequent changes/updates made to the sign, have also been submitted.

Maria Hitt 4-15-2021
Applicant/Representative Signature Date

This instrument was acknowledged before me on this 15th day of April, 2021, and by Maria Hitt. I witness whereof I hereunto set my hand and official seal.

Marybeth Conrad
Notary Public
10.25.2024
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).

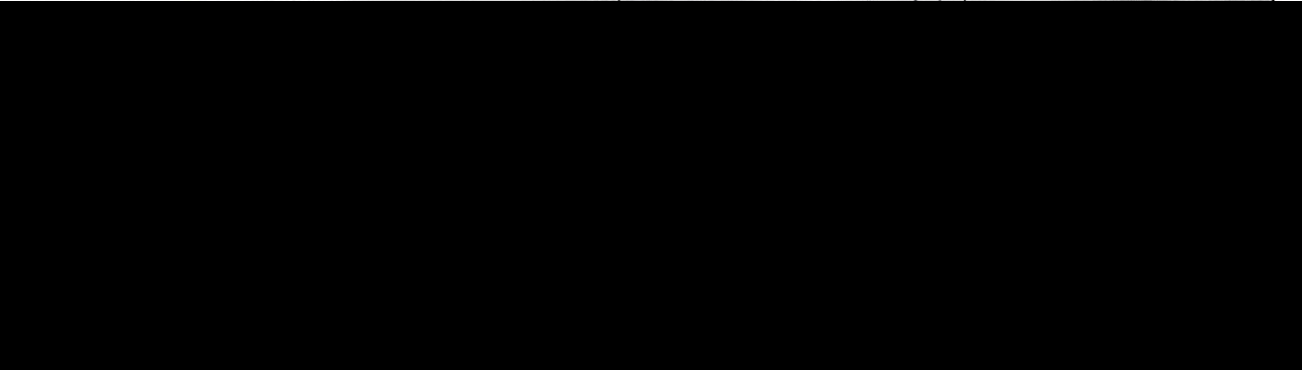


TAB 2

NEIGHBORHOOD MEETING SIGN-IN SHEET

Asante Preparatory Academy

Date : 5/3/2021 Time: 6:00PM - 7:00PM

NAME	ADDRESS	EMAIL	PHONE #
Robin Marsaw			
Sandy Marsaw			
Heather Wright			
DANA WRIGHT			
ARMANDO BAHRE			

FS21-026

Enclave Point

Applicant: Tiffany Bosco, P.A.

NEIGHBORHOOD MEETING SIGN-IN SHEET

Asante Preparatory Academy

Date : 5/3/2021 Time: 6:00PM - 7:00PM

NAME	ADDRESS	EMAIL	PHONE #
Tammy Graffi			
Greg Graffi			
T.E. GRAFFI			

NEIGHBORHOOD MEETING SIGN-IN SHEET

Asante Preparatory Academy

Date : 5/3/2021 Time: 6:00PM - 7:00PM

NAME	ADDRESS	EMAIL	PHONE #
Sue Tingle			
Andy Cepon			

Date : 5/3/2021 Time: 6:00PM - 7:00PM

Page 4 of 4
Page 137 of 153

TAB 3

COMMENT CARD

NAME: Andy Cepon

ADDRESS: [REDACTED] Surprise 85388

COMMENT: Support this project. the City ~~is~~ needs
more housing options.

Please Send Comment Card or Contact Us with Additional Comments or Questions

Kurt Jones

2525 E Camelback Road – Seventh Floor

Phoenix, AZ 85016

602-452-2729, kaiones@tblaw.com



CITY OF SURPRISE
Site posting Process

AFFIDAVIT OF POSTING
(Sign modification)

Application No: FS21026
Applicant Name: _____
Location: Northeast corner of 163rd Ave and Happy Valley
Date Site Posted: April 12, 2021 sign modified: May 26th, 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.

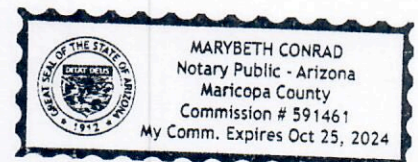
I confirm that the site has been posted as required above, for the case noted above. A picture of the site posting, and photos of any subsequent changes/updates made to the sign, have also been submitted.

Maria Hitt 5-26-2021
Applicant/Representative Signature Date

This instrument was acknowledged before me on this 26th day of May, 2021, and by Maria Hitt, I witness whereof I hereunto set my hand and official seal.

Mary Beth Conrad
Notary Public
10-25-2024
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).



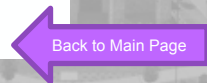
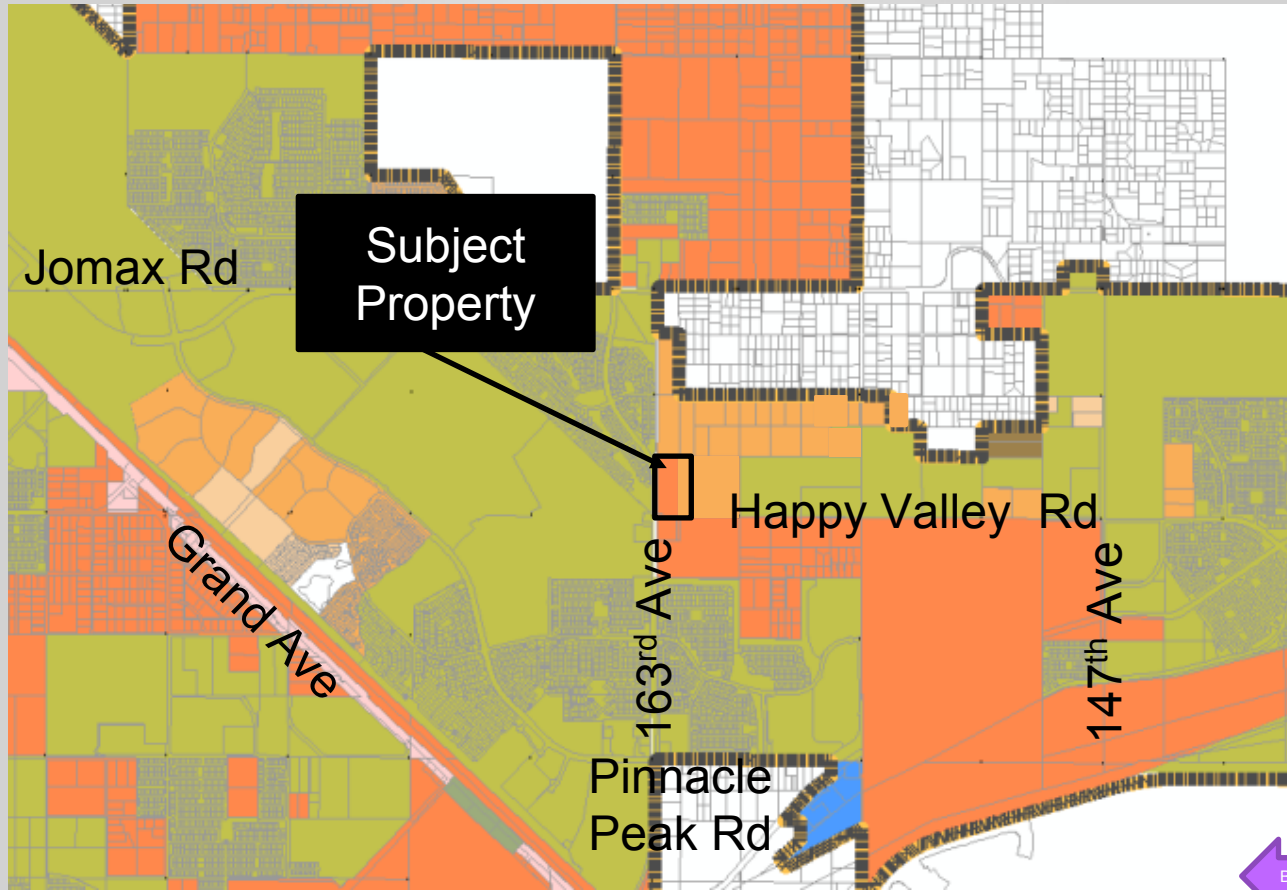


Planning and Zoning Commission

June 17, 2021

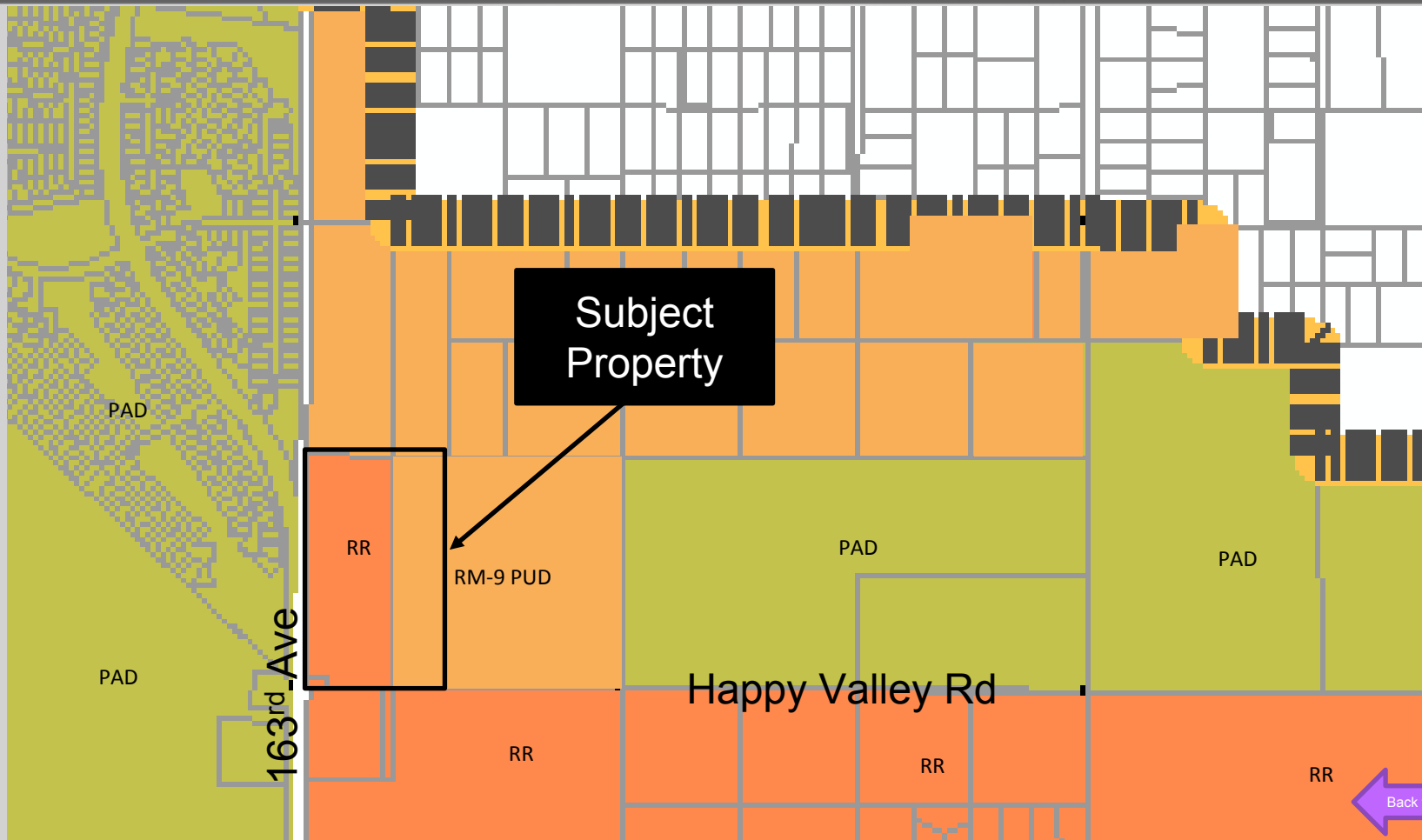
[FS21-026 Enclave Point Rezone](#)

End

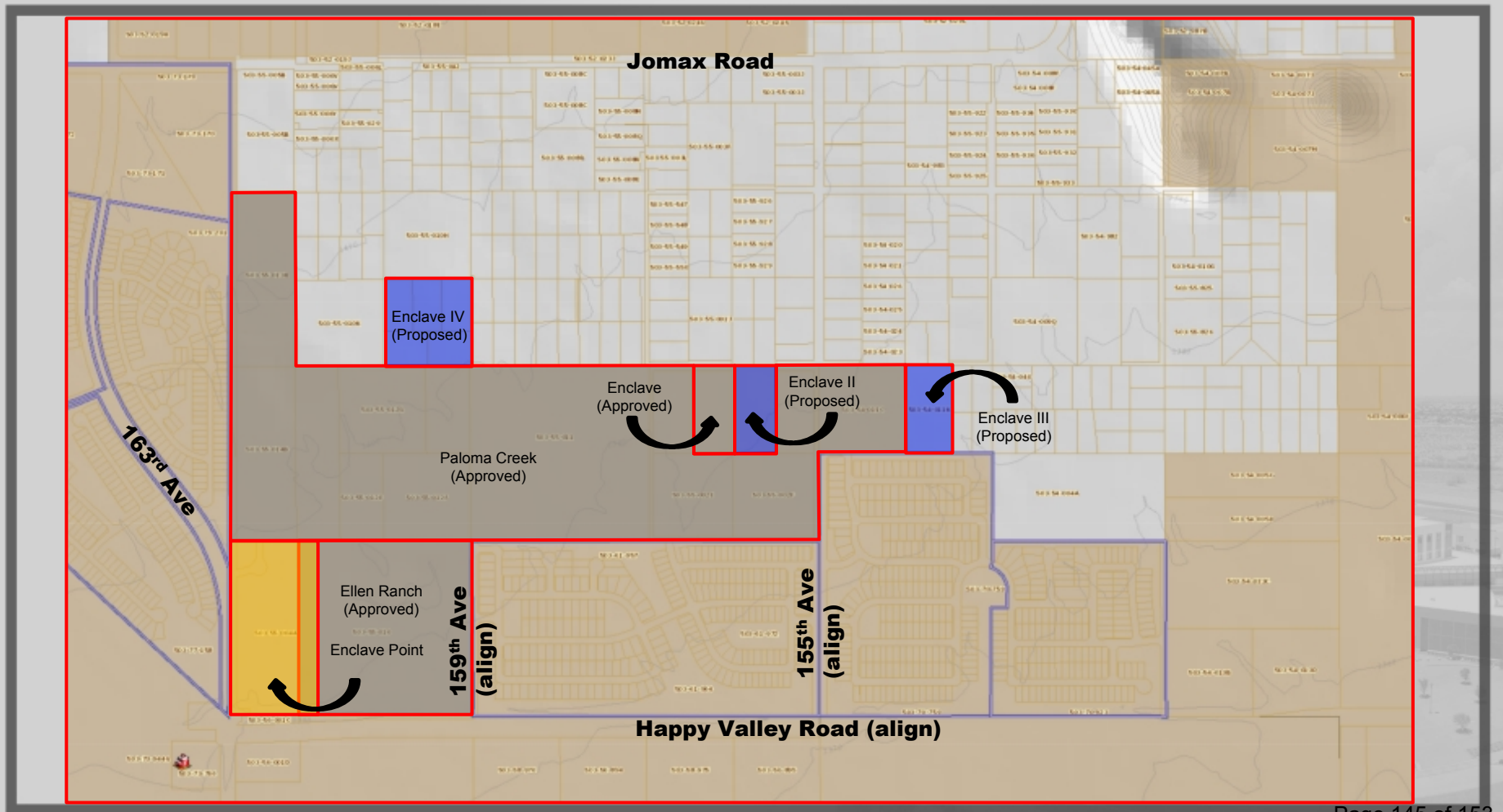


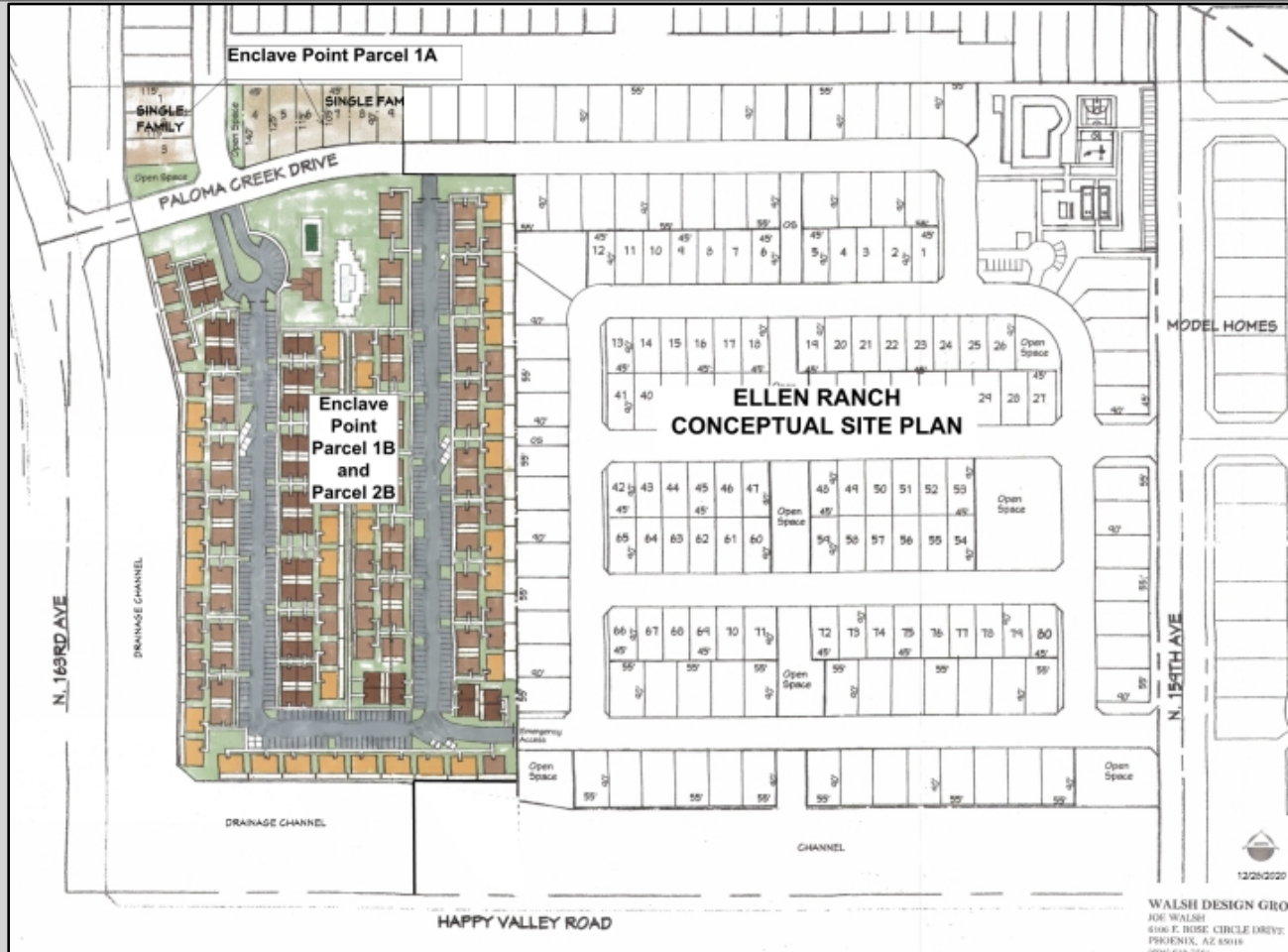
FS21-026 Vicinity Map

FS21-026 Case Map



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WALSH DESIGN GROUP
 100 WALSH
 6100 E. ROSE CIRCLE DRIVE
 PHOENIX, AZ 85018
 (602) 998-1141

FS21-026 Site Design

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Table A - Enclave Point Parcel 1A

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

Development Standard	City Base RM-9 Development Standards	RM-9 PUD Overlay Development Standards
Maximum Density	9.0	3.20 (9 lots max)
Minimum Lot Area	4,500	4,050
Minimum Lot Width	40'	45'
Minimum Lot Depth	100'	90'
Minimum Front Yard Setback (livable area / front-facing garage)	12'/20'	12'/21' (1)
Minimum Side Yard Setback	TBD	5'
Minimum Rear Yard Setback	20'	10' (2)
Maximum Building Height	35'	35'
Street Side/Corner Lot	N/A	5' (3)
Driveway Width	30%	40%
Driveway Area	30%	40%
Minimum Open Space (%NRA)	20%	25%

(1) 20-foot front yard garage setback measured from property line.

(2) Porches/patios may encroach 2.5' into the rear yard setbacks.

(3) 10' landscape tract required.

FS21-026 RM-9 PUD Development Standards

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Table B - Enclave Point Parcel 1B and Parcel 2B

**Residential High-Density RH-15 PUD Overlay
Development Standards Comparison Table**

DEVELOPMENT STANDARD	RH-15 CONVENTIONAL	RH-15 PUD (PROPOSED)
Maximum Dwelling Units per Acre	15.0	13.58 (250 units max)
Minimum Lot Area per Dwelling Unit	2,400	2,400
Maximum Building Height	35' / 3 Stories	35' / 3 Stories
Building Setbacks		
North (Front)	30'	20' (1)
South (Rear)	30' (1)	10' as measured from the Drainage Channel Tract
East (Side)	10' (1)	10' (1)
West (Side)	10' (1)	10' as measured from the Drainage Channel Tract
Minimum Building Separation (Within the Project)	25'	10' for 1 Story 25' for Multi-Story
Landscape Buffers		
North (Front)	20'	20'
South (Rear)	24'	Zero as measured from the Drainage Channel Tract
East (Side)	24'	Zero if 1 Story 24' if Multi-Story
West (Side)	24'	Zero as measured from the Drainage Channel Tract
Vehicle Parking		
Studio and 1 Bedroom	1.5 Spaces per DU	1.0 Spaces per DU
2 Bedroom	2.0 Spaces per DU	2.0 Spaces per DU
3+ Bedroom	2.5 Spaces per DU	2.0 Spaces per DU
Office	1.0 space per 250 SF Gross Floor Area	1.0 space per 250 SF Gross Floor Area
Visitor	N/A	0.2 Spaces per DU
Bicycle parking		
Residential	0.5 per dwelling	Zero per DU if 1 Story with back yard, 0.5 per DU if pedestal apartment building
Office	1 Space per 20 vehicle Spaces	1 Space per 20 vehicle Spaces

(1) Where the building height exceeds 20 feet and is located adjacent to existing single family dwelling, one additional foot of yard setback shall be required for every one foot of height above a 20 foot building.

(2) Minimum Lot Area per Dwelling Unit shall be determined by building area, parking requirements, useable open space, retention, and setback requirements.

FS21-026 RH-15 PUD Development Standards

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Neighborhood Outreach

May 3, 2021 Hybrid in-person / virtual

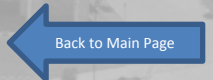
Concerns:

- Traffic
- Rental
- Infrastructure
- Property values
- Public safety

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 Point Rezone”, prepared by Kent A. Xander and received April 5, 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, the Water Buy-in Fee, and the Sewer 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.

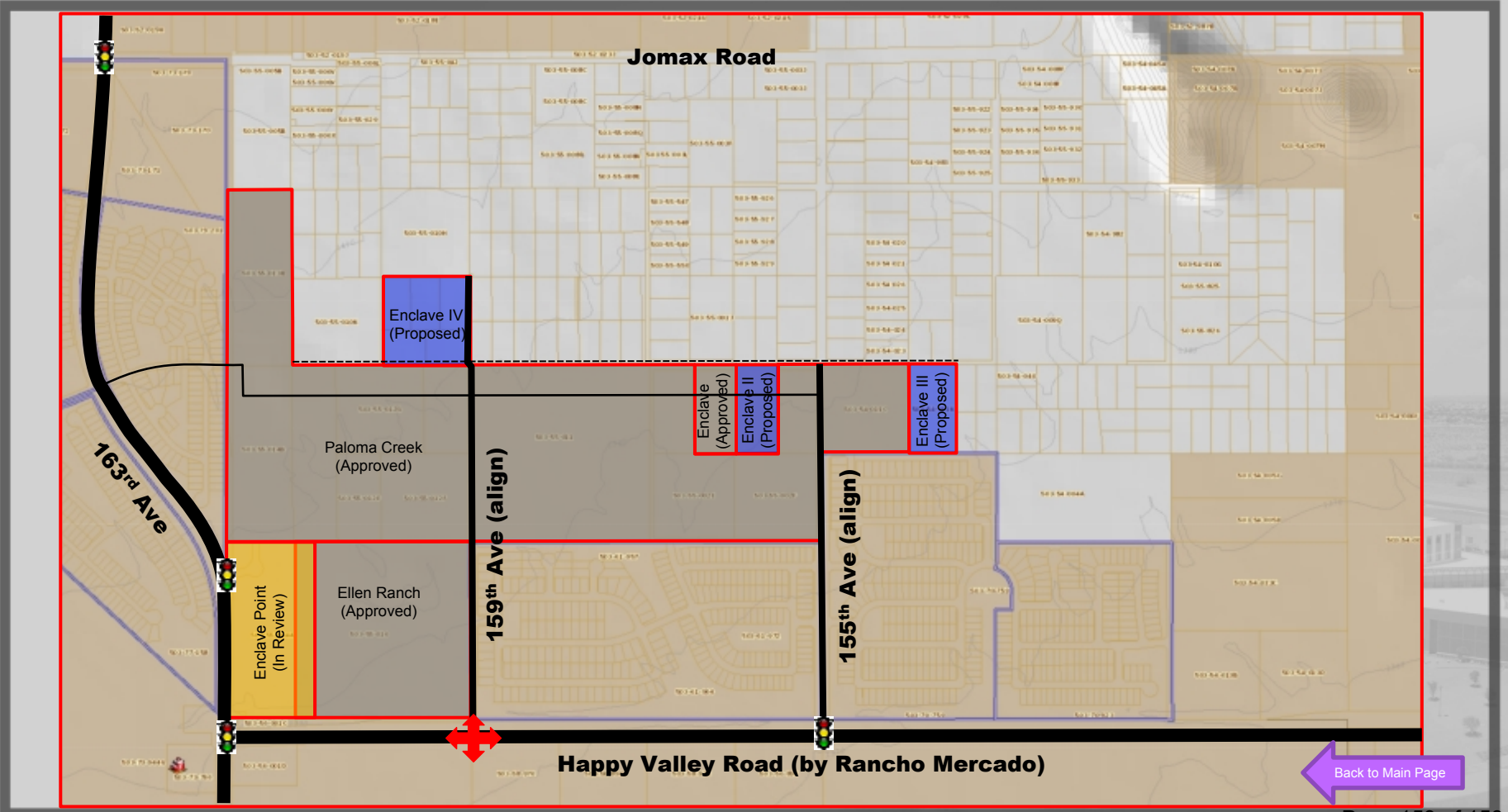




QUESTIONS OR COMMENTS?

Thank You

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