



CITY OF SURPRISE
Planning and Zoning Commission Meeting
16000 N. Civic Center Plaza
Surprise, AZ 85374
Thursday, September 16, 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 September 2, 2021 Planning and Zoning Commission Minutes. | Ashley Labhart
Community
Development |
|----|----------|---|--|

REGULAR AGENDA ITEM - PUBLIC HEARING:

- | | | | |
|----|------------|---|---|
| 2. | Citywide | Consideration and action to recommend approval or disapproval of a Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinances (LDO) to improve clarity and remove conflicts. (Case FS21-413) | None

Trevor Fleetham
Community
Development |
| 3. | District 1 | Presentation and action pertaining to the Minor General Plan Amendment to change approximately 107 acres of Open Space Character Area to Neighborhood Character Area, generally located north of McMicken Way and east of the 147th Avenue. Case FS21-154 | Sergio Angulo
Community
Development |
| 4. | District 1 | Presentation and action pertaining to the Zone Change of approximately 14.47 acres from Rural Residential (RR) to Residential High Density (RH-15) with a PUD Overlay, generally located south of Happy Valley Road and east of 147th Avenue. Case FS21-154 | Sergio Angulo
Community
Development |

5. District 1 Consideration and action to recommend approval or disapproval of a Zone Change for approximately 19.89 acres from Residential Ranch (RR) to Residential Medium Density (RM-6) with a PUD Overlay, located on the southwest corner of San Ysidro Road and 158th Avenue. Case FS21-036 Sergio Angulo
Community
Development

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

6. District 2 Consideration and action pertaining to approval of the Site Plan Amendment for Granite Falls Restaurant, generally located on the southeast corner of Clearview Blvd and Sunrise Blvd in the Sun City Grand PAD. Case FS21-305. Robert Kuhfuss
Community
Development
7. District 1 Presentation and action pertaining to the Preliminary Plat for Bonita Ranch. Case FS20-823 Robert Kuhfuss
Community
Development

G. Other Business and Future Agenda Items

H. Executive Session

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

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

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

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

I. Adjournment

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: September 9, 2021 at 3:30 PM

SPECIAL NOTE: PERSONS WITH SPECIAL ACCESSIBILITY NEEDS, INCLUDING LARGE PRINT MATERIALS OR INTERPRETER, SHOULD CONTACT THE CITY CLERK'S OFFICE @ 623.222.1200 OR TTY 623.222.1002, BY NO LATER THAN 24 HOURS IN ADVANCE OF THE REGULAR SCHEDULED MEETING TIME.



CITY OF SURPRISE
Planning and Zoning Commission Meeting

Council Meeting Date: September 16, 2021 Contact Person: Ashley Labhart
Submitting Department: Community Development District: Internal
Staff Recommendations:

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

Agenda Wording:

Consideration and action to approve or disapprove the September 2, 2021 Planning and Zoning Commission Minutes.

Motion:

I move to approve/disapprove the September 2, 2021 Planning and Zoning Commission Minutes.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. 9-2-21 PZ MIN

**CITY OF SURPRISE
PLANNING AND ZONING COMMISSION**

MEETING MINUTES

September 2, 2021 / 6:00 PM

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

CALL TO ORDER.

Vice Chair Kevin Sartor 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 September 2, 2021.

A. ROLL CALL

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

STAFF PRESENT:

Ellen VanRiper, Chief Deputy City Attorney; Chris Boyd, Community Development Director; Lloyd Abrams, Assistant Director of Community Development; Robert Kuhfuss, Current Planner; Sergio Angulo, Current Planner; Trever Fleetham, Current Planner and Ashley Labhart, Planning and Zoning Secretary.

COUNCIL MEMBERS PRESENT:

None.

B. PLEDGE OF ALLEGIANCE

C. CURRENT EVENTS REPORT

Mr. Boyd provided the Commission with an update regarding the selection of a candidate to fill the vacancy on the Commission.

D. STAFF REPORT

None.

CALL TO THE PUBLIC:

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

Nicholas Connaghor – Surprise, AZ – Spoke of the need for more recreation and suggested the City consider additional recreational opportunities and ensure they are in safe locations within the City.

Quintus Schulzke – Surprise, AZ – Provided an update regarding a proposed high-density housing project based off his recent interaction with project representatives.

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

CONSENT AGENDA:

Item 1 – Internal – Consideration and action to approve or disapprove the August 19, 2021 Planning and Zoning Commission Minutes.

Commissioner Smith made a motion to approve the August 19, 2021, Planning and Zoning Commission Minutes as presented.

Commissioner Rosenbaum seconded the motion. Motion passes with 4 votes in favor.

REGULAR AGENDA ITEMS REQUIRING A PUBLIC HEARING:

ITEM: 2 – District 1 - Consideration and action to recommend approval or disapproval of a Comprehensive Sign Program for The Marketplace at Asante, located on the northwest corner of 163rd Avenue and Pat Tillman Boulevard. Case FS21- 391.

Sergio Angulo, Current Planner, presented item 2 to the Commission.

Vice Chair Sartor opened the public hearing.

Hearing no requests, Vice Chair Sartor closed the public hearing.

Andy Gibson of Bootz and Duke Sign Company provided feedback and information in response to questions and comments received.

The Commission discussed the following:

- Requested enhancements
- Standards established
- Development of standards

Commissioner Rosenbaum made a motion to recommend approval of the Comprehensive Sign Program for The Marketplace at Asante, located on the northwest corner of 163rd Avenue and Pat Tillman Boulevard, subject to stipulations 'A' and 'B'.

Commissioner Smith seconded the motion. Motion passes with 4 votes in favor.

REGULAR AGENDA ITEMS NOT REQUIRING A PUBLIC HEARING:

ITEM: 3 – District 6 - Consideration and action regarding a proposed Site Plan to allow a new office and warehouse facility on Lot 3 and 4 of Skyway Business Park II, generally located south of Cactus Road and west of Dysart Road. Case FS20-438

Lloyd Abrams, Assistant Director of Community Development, presented item 3 to the Commission.

Commissioner Chapman made a motion to approve the Site Plan for Skyway Commons Phase II Building D, generally located south of Cactus Road and west of Dysart Road, subject to stipulations 'A' through 'F'.

Commissioner Smith seconded the motion. Motion passes with 4 votes in favor.

ITEM: 4 – District 5 - Consideration and action to approve or disapprove a proposed Site Plan for Springs at Surprise Apartments, generally located between Bell Road, Young Street, Bullard Avenue, and Stadium Way in the Orchards PAD. Case FS20-808

Robert Kuhfuss, Current Planner, presented item 4 to the Commission.

The Commission discussed the following:

- Acreage remaining for future development
- Parking
- Access
- Architectural design

Commissioner Rosenbaum made a motion to approve the Site Plan for Springs at Surprise Apartments, generally located between Bell Road, Young Street, Bullard Avenue, and Stadium Way, subject to stipulations ‘A’ through ‘I’ as outlined in the staff report.
Commissioner Smith seconded the motion. Motion passes with 4 votes in favor.

ITEM: 5 – District 6 - Consideration and action regarding the Site Plan for U- Haul Moving and Storage of Surprise. Case FS20-074

Trever Fleetham, Current Planner, presented item 5 to the Commission.

Commissioner Smith made a motion to approve the Site Plan for U-Haul Moving and Storage of Surprise subject to stipulations ‘A’ through ‘F’ as outlined in the staff report.
Commissioner Rosenbaum seconded the motion. Motion passes with 4 votes in favor.

OTHER BUSINESS:

Item G – Other Business and Future Agenda Items.

None.

ADJOURNMENT:

Hearing no further business, Vice Chair Sartor 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 6:35 P.M.

Kevin Sartor
Planning and Zoning Commission Vice 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: September 16, 2021 Contact Person: Trever Fleetham
Submitting Department: Community Development District: Citywide
Staff Recommendations: None

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

Agenda Wording:

Consideration and action to recommend approval or disapproval of a Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinances (LDO) to improve clarity and remove conflicts. (Case FS21-413)

Motion:

I move to recommend approval of the proposed Zoning Text Amendment to the Surprise Land Development Ordinance to improve clarity and remove conflicts to the City Council.

I move to recommend approval of the proposed Zoning Text Amendment to the Surprise Land Development Ordinance to improve clarity and remove conflicts to the City Council with alternative language.

I move to recommend denial of the proposed Zoning Text Amendment to the Surprise Land Development Ordinance.

Background:

On December 15, 2020 the City Council approved Ordinance 2020-38, which repealed Chapters 101-122 of the Surprise Municipal Code and adopted “Part II – Land Development Ordinance, Chapters 101-111” under case FS18-296. This action, which became effective in January 2021, was a comprehensive update to the City of Surprise zoning code, replacing the Surprise Unified Development Code (SUDC), to help further implement the Surprise General Plan 2035. After several months of real-world application of the new code, staff has identified areas of conflict within the text and others in need of clarification. This text amendment (FS21-413) aims to address those areas to improve clarity and remove conflicts within the LDO.

Objective Analysis:

Policy Compliant:

Financial Impact:

There is no direct financial impact.

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. 00 FS21-413 Zoning Text Amendment for LDO Clarification 09-16-21 P&Z Staff Report
 2. 01 LDO ZTA Narrative
 3. 02 ZTA Legislative Edit
 4. 03 FS21-413 Citizen Participation Report
 5. FS21-413 LDO ZTA Presentation
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ZONING TEXT AMENDMENT

REPORT TO THE PLANNING AND ZONING COMMISSION

Case: FS21-413

Project Name: Zoning Text Amendment for LDO Clarification

Council District: Citywide

Meeting Date: September 16, 2021

Planner: Trever Fleetham, AICP

Applicant: City of Surprise

Request: Zoning Text Amendment to the Surprise Land Development Ordinances to improve clarity and remove conflicts

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

Support/Opposition: None encountered

Staff Recommendation: Staff recommends the Commission recommend **approval** of FS21-413 to the Mayor and City Council

PROJECT DESCRIPTION:

The City has initiated this Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinances (LDO) to correct scrivener errors, improve the readability, provide better interpretation, and remove internal conflicts with other sections of the LDO related to the same subject matter. Additionally, this ZTA includes an amendment to the LDO section regarding Conditional Use Permits, as well as an accompanying City Code amendment to provide for appeal of Conditional Use Permit decision to the City Council.

BACKGROUND:

On December 15, 2020 the City Council approved Ordinance 2020-38, which repealed Chapters 101-122 of the Surprise Municipal Code and adopted "Part II – Land Development Ordinance, Chapters 101-111" under case FS18-296. This action, which became effective in January 2021, was a comprehensive update to the City of Surprise zoning code, replacing the Surprise Unified Development Code (SUDC), to help further implement the Surprise General Plan 2035. After several months of real-world application of the new code, staff has identified areas of conflict within the text

which are in need of clarification. This text amendment (FS21-413) aims to address those areas to improve clarity and remove conflicts within the LDO.

ANALYSIS AND DISCUSSION:

The proposed zoning text amendment includes several changes dispersed throughout the chapters of the Land Development Ordinance. While none of these are significant changes themselves, this text amendment will greatly improve the clarity of the LDO and remove conflicts within the text that staff has discovered while implementing this code since its adoption in December of 2020. The following are descriptions of each proposed change, accompanied by information on the specific section where it can be found within the LDO.

Chapter 102 – Review Process and Applications

Article 2 – Procedure Types and Submittals (102-2.1: Procedure Types)

This section summarizes in table format the application types and their respective procedures and decision authority. The revision will correct the appeal authority for ‘Minor land division/ parcel assemblage’ and ‘corrective plat’ from City Council to Board of Adjustment in order to be in conformance with other sections of the City Code and applicable law.

Article 3 - Public Outreach and Notification (102-3.2: Neighborhood Meetings)

This section identifies the Procedure Types and Applications that require a Neighborhood Meeting. The revision will delete ‘Preliminary Plats’ as an identified application because it conflicts with Table 102-2a and Article 5 – Type 2 Applications and Requests.

Article 6 - Type 3 Application and Requests (102-6.3: Conditional Use Permits)

This section includes procedures for Conditional Use Permits. The revision adds language for the process to appeal the decision of the Planning and Zoning Commission to the City Council.

Chapter 105 – Building and Building Regulations

Article 2 – Technical Codes (105-19: Construction Codes)

This section provides reference to the currently adopted construction codes for the City. The revision updates the references to the currently adopted construction codes.

Chapter 106 – Zoning and Use Standards

Article 1 – In General (106-1.7: Development Standards and Encroachments)

This section provides details on typical development standards. The revision replaces the text for ‘Lot Coverage’ with the verbiage used in the respective definition to provide consistency.

Article 1 – In General (Table No. 106-1c – Primary Land Use Matrix for All Zoning Districts)

This table provides the allowable uses for each zoning district. The revision ensures that ‘Places of Worship’ are allowed in the same zoning designations as ‘Places of Assembly’ to ensure compliance with applicable law.

Article 3 – Surprise Heritage District (SHD) Zoning Districts (106-3.2: Design and Development standards in the SHD Zoning district)

86 This section includes Table 106-3a, the Development Standards Table for the Residential
87 Overlay (SHD-RO). The revision will remove the word ‘total’ from the minimum side setbacks
88 for Single-, Two-, and Three-family residential uses. The intent of this setback is to maintain
89 separation from the side lot lines of at least 5-feet on one side and 10-feet on the other side.

90
91 *Article 10 – Use Specific Standards (106-10.3: Accessory Uses and Structures)*

92 This section includes the standards specific to accessory uses and structures. The revision
93 changes a label in Figure 106-10b from 20’ to 15’ in order to depict the correct maximum height
94 of an accessory structure.

95
96 *Article 10 – Use Specific Standards (106-10.23: Home Occupation)*

97 This section lists the uses that are not permitted as home occupations. This revision removes
98 ‘Sales of weapons or ammunition’ in order to ensure compliance with applicable law. This
99 revision also removes ‘retail sales in general’ which was an unintended addition to this list.

100
101 *Article 10 – Use Specific Standards (106-10.31: Outdoor Display and Sales Areas)*

102 This section includes the standards specific to outdoor display and sales areas. This revision adds
103 ‘I-1’ and ‘I-2’ to the allowed zoning districts in order to match Table No. 106-1c.

104
105 *Article 10 – Use Specific Standards (106-10.40: Self-storage Facilities)*

106 This section includes the use specific standards for self-storage facilities and creates 4 “types” or
107 subcategories. This revision removes the “parking style” type in order to eliminate conflicts with
108 the Recreational Vehicle (RV) Storage use. The verbiage for a parking style type self-storage
109 would include an RV storage, but the two uses have differing allowances within the use table.
110 This revision also removes the maximum size of 2 acres when adjacent to a residential zoning
111 district or a residential use. This provision has been carried over from previous versions of the
112 zoning code and is no longer practical or needed.

113
114 *Article 10 – Use Specific Standards (106-10.47: Vehicle fueling stations)*

115 This section outlines the standards specific to vehicle fueling stations (gas stations), which
116 includes a requirement that fuel canopies fronting on an arterial and/or parkway incorporate solar
117 panels. This revision removes the requirement altogether. While the City encourages the
118 inclusion of solar panels in developments, requiring them may force an increased cost of
119 development or other burdens on the owner/developer.

120
121 Chapter 107 – Design and Development Regulations

122 *Article 2 - Landscape and Screening Regulations (107-2.2: Maintenance)*

123 This section includes the requirements associated the landscape quantities and the various parties
124 responsible for maintenance. The revision includes adding and removing language to clarify the
125 landscaping areas, such as private property, multi-family developments, or landscape strips
126 within the ROW that will be maintained by either the City or private property owners.

127
128 *Article 2 – Landscape and Screening Regulations (107-2.4: Quantity, Size, and Spacing*
129 *Requirements)*

130 This section includes additional landscaping standards specific to certain areas. This revision
131 adds “multi-family” to the section header in order to match the text under that section.

132

Article 3 – Outdoor Lighting Regulations (107-3.7: Outdoor Advertising Signs)

This section provides the lighting requirements specific to outdoor advertising signs. This revision deletes the provisions within this section in order to point back to the sign code (Chapter 109) for sign-specific regulations. This revision will reduce confusion and ensure that all sign-specific requirements are in one place within the code.

Article 4 – Parking and Loading Regulations (107-4.3: R-1 and R-2 Residential Provisions)

This section includes the requirements associated the parking in front yards of homes. The revision includes clarifying what constitutes off-street parking for R-1, R-2, and SHD-RO zoning districts in the front yard. It also reestablishes a limit to the width of driveways to prevent over-paving front yards while allowing typical widths on narrow lots.

Article 4 – Parking and Loading Regulations (107-4.5: Dimensions)

This section provides the dimensions for off-street loading spaces. The revision adds the word “twenty” which was inadvertently left out.

Chapter 108 – Land Division and Subdivision Regulations

Article 1 - General Process and Overview (108-1.8: Maintenance of Medians and Median Landscaping)

This article states the general process and an overview of the Land Division and Subdivision Standards. The revision includes adding Section 1.8-Maintenance of Medians and Median Landscaping. The language was included in the previous Surprise Unified Development Code (SUDC) and mistakenly omitted from the Land Development Ordinances (LDO).

Chapter 109 – Signs

Article 1 – General Process and Overview (109-1.9: Sign classifications and types)

This section regulates building-mounted signs. The revision will add language in subparagraph B to include multi-tenant buildings as having the same regulations as single-story, single-tenant buildings.

Chapter 110 – Development Impact Fees

Article 1 – In General (110-1.1: Definitions)

This section provides definitions for terms used within Chapter 110. The revision adds a definition for Gross Floor Area that will provide clarity on how to assess fees based on square feet.

CONFORMANCE WITH ADOPTED PLANS:

Surprise General Plan 2035: The subject request is consistent with, and will help implement, the Surprise General Plan 2035.

REVIEWING AGENCIES:

The standard city reviewing agencies were included in the routing of this request. None of the reviewing agencies indicated any concerns over the request.

179 **Summary:**

180
181 This Text Amendment to the Land Development Ordinances (LDO) will remove conflicts, provide
182 clarification, and reintroduce language that was mistakenly omitted when replacing the Surprise
183 Unified Development Code (SUDC). Additionally, this ZTA includes an amendment to the LDO section
184 regarding Conditional Use Permits, as well as an accompanying City Code amendment to have
185 appeals from Conditional Use Permit decisions be heard by the City Council.

186
187 **Findings:**

- 188
189 • The proposed Zoning Text Amendment is consistent with the Surprise General Plan 2035.
190 • The proposed Zoning Text Amendment will advance the goals and policies of the General Plan.
191 • The reviewing agencies have indicated no objections.

192
193 **Recommendation:**

194
195 Based on the findings noted above, staff recommends the Commission move to recommend
196 **approval** of the subject Zoning Text Amendment request to the City Council.

197
198 However, should the Commission wish to recommend denial of the request, the Commission should
199 make its own findings and base its decision on those alternative findings.

200
201 **Attachments:**

- 202
203 01 Narrative
204 02 ZTA Legislative Edit
205 03 Citizen Participation Report
206 PPT

Land Development Ordinance Zoning Text Amendment

Narrative – August 2, 2021 – FS21-413

PROJECT DESCRIPTION

The City has initiated this Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinances (LDO) to correct scrivener errors, improve the readability, provide better interpretation, and remove internal conflicts with other sections of the LDO related to the same subject matter. Additionally, this ZTA includes an amendment to the LDO section regarding Conditional Use Permits, as well as an accompanying City Code amendment to provide for appeal of Conditional Use Permit decision to the City Council.

LDO SECTIONS

Chapter 102 – Review Process and Applications

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Article 1 - General Process and Overview (108-1.8: Maintenance of Medians and Median Landscaping)

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Chapter 109 – Signs

Article 1 – General Process and Overview (109-1.9: Sign classifications and types)

This section regulates building-mounted signs. The revision will add language in subparagraph B to include multi-tenant buildings as having the same regulations as single-story, single-tenant buildings.

Chapter 110 – Development Impact Fees

Article 1 – In General (110-1.1: Definitions)

This section provides definitions for terms used within Chapter 110. The revision adds a definition for Gross Floor Area that will provide clarity on how to assess fees based on square feet.

SUMMARY

This Text Amendment to the Land Development Ordinances (LDO) will remove conflicts, provide clarification, and reintroduce language that was mistakenly omitted when replacing the Surprise Unified Development Code (SUDC). Additionally, this ZTA includes an amendment to the LDO section regarding Conditional Use Permits, as well as an accompanying City Code amendment to have appeals from Conditional Use Permit decisions be heard by the City Council.

Draft Zoning Text Amendment to the Land Development Ordinances (FS21-413)

Edits in red are deletions; edits highlighted are additions

CHAPTER 102 - REVIEW PROCESS AND APPLICATIONS

ARTICLE 2 – PROCEDURE TYPES AND SUBMITTALS

102-2.1 Procedure Types

- B. The following **Table 102-2a** describes the level of public outreach required, decision-making authority, and the appeal authority for the applications processed and the approvals that may be granted under this Ordinance.

Table 102-2a: Application Type, Procedure, and Decision Authority Summary								
	Public Outreach				Community Development Director	Planning and Zoning Commission	City Council	Board of Adjustment
	Agenda Posting	Notice Letter & Newspaper	Neighborhood Meeting	Site Posting				
Type 1 Applications								
Zoning Interpretation					D			A
Site Plan Amendment (minor)					D	A		
Minor land division / Parcel assemblage					D		A	A
Administrative Use Permits					D			A
Temporary Use Permits					D	A		
Home Product Review					D	A		
Corrective Plat					D		A	A
PEDS Deviation/Waiver					D	A		
Slope Category Analysis Waiver					D	A		
Administrative Waiver/Extension					D	A		
Type 2 Applications								
Site Plan Review	X				R	D	A	
Site Plan Amendment (major)	X				R	D	A	
Protected Development Rights Plans	X				R	R	D	
Preliminary plats	X				R	R	D	
Final plats	X				R		D	
Original Townsite Incentive	X				R		D	
Development Agreement	X				R		D	
Hillside Cut & Fill Waiver	X			X	R	D		
Type 3 Applications								
General Plan Amendments	X	X	X	X	R	R	D	

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Specific Area Plan Requests	X	X	X	X	R	R	D	
Rezoning Requests	X	X	X	X	R	R	D	
LDO Text Amendments	X	X ⁽¹⁾	X		R	R	D	
Conditional Use Permits	X	X	X	X	R	D	A	
Comprehensive Sign Program	X	X	X	X	R	R	D	
Variances Requests	X	X		X	R			D
Annexation	X	X	X	X	R		D	
Key: X = Required (1) = 1 st Class Letter not required R = Reviews and recommends action to decision-making body D = Decision-making body A = Appeal authority								

ARTICLE 3 – PUBLIC OUTREACH AND PUBLIC NOTIFICATION

102-3.2 Neighborhood Meetings

- A. This is conducted by the *applicant* and/or *developer*.
1. A Neighborhood Meeting is required for all Type 3 Applications that require a public hearing, ~~Preliminary plats~~, and other applications as determined during the Concept Review Meeting. All neighborhood meetings shall be scheduled at a time and publically accessible location near the project that provides reasonable opportunity for assemblage of adjacent landowners, other affected publics, and the applicant to discuss and express their respective views upon the development request. The applicant shall secure a time and location near the proposed project according to the following requirements:

ARTICLE 6 – TYPE 3 APPLICATION AND REQUESTS

102-6.3 Conditional Use Permits

J. THE DECISION BY THE PLANNING AND ZONING COMMISSION TO APPROVE OR DENY A CUP MAY BE APPEALED BY ANY PERSON AGGRIEVED TO THE CITY COUNCIL AS SET FORTH IN SECTION 2-301(f) OF THE SURPRISE CITY CODE.

CHAPTER 105 – BUILDING AND BUILDING REGULATIONS

ARTICLE 2 – TECHNICAL CODES

DIVISION 1 GENERALLY

- 105-19 Construction codes.** The following codes and appendices as published by the International Code Council, and the *amendments* to those codes, as adopted by ordinance, are hereby adopted as amended and declared to be public records. At

least three copies of each code and its corresponding *amendments*, if any, shall be filed in the city clerk's *office* and kept available for public use and inspection.

- A. 2018 ~~2012~~ International *Building* Code.
- B. 2018 ~~2012~~ International Residential Code.
- C. ~~2012 International~~ 2017 NATIONAL Electrical Code.
- D. 2018 ~~2012~~ International Mechanical Code.
- E. 2018 ~~2012~~ International Plumbing Code.
- F. 2018 ~~2012~~ International Fuel Gas Code.
- G. 2018 ~~2012~~ International Energy Conservation Code.
- H. 2006 International Property Maintenance Code.
- I. 2018 ~~2012~~ International Existing *Building* Code.
- J. 2018 ~~2012~~ International Fire Code.
- K. 2018 INTERNATIONAL GREEN CONSTRUCTION CODE

~~A certain public record entitled "2016 Amendments to the 2012 International Codes," dated September 20, 2016, specifically amends the 2012 building code, residential code, mechanical code, plumbing code, fuel gas code, energy conservation code, existing building code, and fire code.~~

ORDINANCE 2019-31 INCLUDES A CERTAIN PUBLIC RECORD ENTITLED "LOCAL AMENDMENTS TO THE 2018 INTERNATIONAL CODES AND THE 2017 NATIONAL ELECTRICAL CODE," DATED NOVEMBER 14, 2019, WHICH SPECIFICALLY AMENDS THE 2018 BUILDING CODE, RESIDENTIAL CODE, FIRE CODE, PLUMBING CODE, MECHANICAL CODE, FUEL GAS CODE, ENERGY CONSERVATION CODE, EXISTING BUILDINGS CODE, GREEN CONSTRUCTION CODE, AND THE 2017 NATIONAL ELECTRICAL CODE.

State Law reference — Adoption by reference, A.R.S. § 9-801 et seq.; state plumbing code, A.R.S. § 41-619.

CHAPTER 106 - ZONING AND USE STANDARDS

ARTICLE 1 – IN GENERAL

106-1.7 Development Standards and Encroachments

- C. ~~Lot coverage. Measured by the total square footage of structures used for protection or shielding from the elements or weather divided by the square footage of the lot.~~ THE PERCENTAGE OF THE LOT AREA COVERED BY A BUILDING

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AND/OR OTHER ALLOWED ROOFED *STRUCTURE* USED FOR PROTECTION OR SHEILDING FROM THE ELEMENTS OR WEATHER.

Table No. 106-1c – Primary Land Use Matrix for All Zoning Districts

Table No. 106-1c - Primary Land Use Matrix for All Zoning Districts																									
"P" = Permitted; "AUP" = Administrative Use Permit; "CUP" = Council Use Permit; "[blank space]" = Prohibited																									
	Residential				Surprise Heritage District		Traditional Neighborhood Development				Mixed Use			Commercial			Employment				Open Space/Public Uses			Use Specific Standards	
Zoning Districts	RR	R-1	R-2	R-3	SHD-RO	SHD-CO	TND-R	TND-C	TND-MU	TND-OS	MU-1	MU-2	MU-3	CO	C-1	C-2	C-3	BP	I-1	I-2	I-3	OS-1	OS-2	PF	Specific regulations can be found in Sections listed below
Uses																									
Commercial																									
Places of Assembly					CUP	P		P	P	P	P	P	P		P	P	P	P	P	P					P
Places of Worship	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P				P

Zoning District	Places of Assembly	Places of Worship
RR		P
R-1		P
R-2		P
R-3		P
SHD-RO	CUP	P
SHD-CO	P	P
TND-R		P
TND-C	P	P
TND-MU	P	P
TND-OS		
MU-1	P	P
MU-2	P	P
MU-3	P	P
CO		
C-1	P	P
C-2	P	P
C-3	P	P
BP	P	P
I-1	P	P
I-2		
I-3		
OS-1		
OS-2		
PF	P	P

ARTICLE 3 – SURPRISE HERITAGE DISTRICT (SHD) ZONING DISTRICTS

106-3.2 Design and Development Standards in the SHD Zoning district.

B. Development Standards.

- Existing *mobile homes* and *manufactured homes* that are not in compliance with the use-specific standards of **Section 106-10.25** herein as

of the effective date of this Ordinance shall be considered as legal non-conforming *structures*. However, the existing *mobile home* or *manufactured home* may be replaced in its' entirety with a conventional site-built home or with a *manufactured home* that complies with the Use Specific Standards outlined in **Section 106-10.25** herein.

- The development standards shown in **Table 106-3a** and **Table 106-3b** below are applicable to all properties within the SHD. These tables identify the development standards for properties zoned into one (1) of the overlay zones.

Table 106-3a – SHD - Residential Overlay Zoning (SHD-RO)			
	Commercial	Single-family, Two-family, Three-family	Multi-family Residential
Min. Lot Area (sf)	5,000		15,000
Min. Lot Area (sf/du)		5,000	5,000
Min. Front setback (ft)	15	12 ^{2,3}	15 ^{2,3}
Max. Front setback (ft)	30	30 ⁴	30 ⁴
Min. Side setback (ft)	10	5 & 10 total ^{1,3}	20 ³
Min. Rear setback (ft)	12	12 ³	20 ³
Max. Bldg. Height (ft)	30	30	35
Lot coverage %		65%	65%
Notes: - May be reduced to 0' setback for <i>Single-family dwellings</i> as attached to and separated by a <i>common wall</i> along the property line. End units shall maintain the larger setback. - A covered front porch may encroach into the <i>front setback</i> by up to five feet (5'). <i>Garage</i> doors/embellishments shall be setback a minimum of twenty feet (20' alley) measured from the opposing property line, except rear, <i>alley</i> loaded <i>garages</i>, which shall be setback six feet (6') from the <i>alley</i> edge line. - Measured from the primary <i>dwelling</i>, excluding front porch.			

ARTICLE 10 – USE SPECIFIC STANDARDS

106-10.3 Accessory Uses and Structures.

Development Standards. **Table 106-10b** below identifies the dimensional standards required for an *accessory structure*.

Table 106-10b - Accessory Structures					
	Max Accessory Structure Size	Building Separation ²	Setback (Front yard)	Setback (Side and Rear)	Height

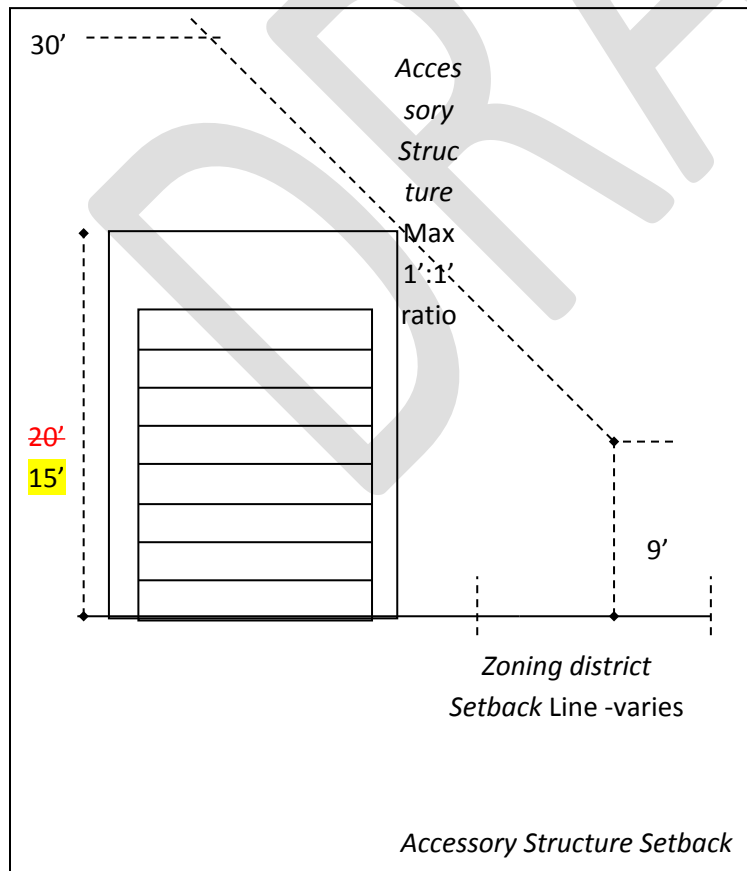
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				yard)	
Shade Structures	400 sf	5'	Same as Zoning min setbacks	5'	9' ³
Other accessory structures	Total lot coverage prescribed by the subject zoning district ^{1, 4}	5'	Not allowed ⁷	5' ⁵	9' ^{3, 6}

Notes:

1. Calculated by the finished floor area of the first floor of the principal *building* and all other accessory structures.
2. May be increased as required by the *building* and/or fire codes
3. The *height* of an *accessory structure* shall not exceed nine feet (9') as measured at the five-foot (5') *setback* line. The *height* of the *accessory structure* may increase at a ratio of one foot vertical for every one foot horizontal (1':1') as measured relative to the property line to a maximum *height* of fifteen feet (15') (See **Figures 106-10a 106-10b**)
4. Each *accessory structure* has a maximum area not to exceed 3,000 sf regardless of lot coverage limits.
5. *Fences* used to separate properties in a subdivision may straddle the common property line
6. On *lots* 30,000 sf or greater each *accessory structure* has a maximum *height* equal to the *zoning district* when constructed within the *building envelope*.
7. In RR *zoning districts*, *accessory structures* are permitted in the *front yard* when constructed within the *building envelope*.

- K.** *Accessory structures for multi-family, mixed use, commercial, and employment projects shall be included as part of an approved site plan and comply with setbacks of the zoning district.*



106-10.23 Home Occupation.

- C. The following *uses* have a pronounced tendency, once started, to rapidly increase beyond the limits permitted for *home occupations* and thereby impair the *use* and value of a residentially zoned area for residential purposes. Therefore, the following *uses* shall not be permitted as *home occupations*: (this list is not all inclusive)
11. ~~Sales of weapons or ammunition, retail sales in general,~~ banks, credit unions or payday lending

106-10.31 Outdoor Display and Sales Areas.

Other retail *businesses* may be permitted *outdoor display areas* as an *accessory use* provided:

1. The *outdoor display area* is only for merchandise sold on the property with the sale of the merchandise being conducted within the *business building*; no open *outdoor sales* shall be permitted.
2. The *display area* is located on private property (not within the public *right-of-way*), not displayed within the landscaping areas, and does not displace any required parking for the *permitted uses*.
3. The merchandise is displayed in a manner allowing for shopping with a clear walkway and displayed only during *business* hours with the merchandise being brought inside at the close of each *business* day, except for permanent *outdoor displays*.
4. The *outdoor display* shall be in a manner that presents a display vignette rather than lined-up and/or chained together, and has no *signage*, blinking lights, movable or audible aspects to the display.
5. The *display area* shall be limited to only twenty-five (25%) percent of the *business* store *frontage* and located within twenty-five feet (25') of the customer entrance.
6. Permanent *outdoor display areas* may be permitted as part of an approved *site plan* for C-3, I-1 AND I-2 Zoning districts.

106-10.40 Self-storage Facilities.

- A. *Self-storage facilities* may be appropriate in the Neighborhood, Commerce and Office, and Employment Character Areas of the *General Plan*, except ~~expect~~ may be considered incompatible in areas within the Transit-Oriented Development (TOD) Strategic Plan and Scenic Lands Sub Area.
- B. There are ~~four~~ THREE different “types” of *self-storage facilities*; each with different land *use* needs and varying degrees of regulations.

1. “Garage style” with single story *buildings* that allow customers to drive directly up to the front of each individual roll-up door storage unit/bay.
 2. “Multi-story/climate controlled” in a single *building* providing *access* to the individual units from an interior hallway within the *building*.
 - ~~3. “Parking style” allows outdoor storage of vehicles, boats, RV’s, and trailers. This type can be a standalone facility or combined with either the garage style or multi-story climate controlled facility.~~
 4. “Portable container” is the remote facility where small roll-off containers are stored after they have been delivered to and picked up from the customer’s location; with no public or customer *access* to the storage facility.
- C. *Self-storage facilities* are for storage purposes only. No on-site retail sales are permitted from a rented storage unit.
- D. Regardless of the “type” the minimum size of any storage facility site shall be one acre (1 ac). ~~The site should be limited to a maximum of two acres (2 ac) when adjacent to a residential zoning district or a residential use.~~
- E. The site shall be contiguous to an arterial or collector road, although *access* may or may not be directly onto such arterial or collector, as determined through the review process.
- F. All *buildings* that are visible from a *public street* shall exhibit architectural enhancements, including variation of rooflines, *uses* of multiple material types, and color variations compatible with surrounding *uses* as set forth in the PEDS (see **Chapter 107**) herein. Architectural plans, including material and color samples, shall be submitted for review at the time of application.
- G. A minimum eight-foot (8’) high masonry *wall* with architectural enhancements shall be provided around the perimeter of the property or storage area. When *adjacent* to a right-of way or public area, the perimeter wall or *building* wall will be designed in accordance with **item F** of this section.
- H. *Outdoor storage* shall be limited to boats, trailers, or *recreational vehicles*. The storage of these vehicles in conjunction with either the garage style or the “multi-story/climate controlled” storage facility shall be limited to a maximum fifteen percent (15%) of the net site area. All outdoor vehicle storage shall be located in the interior of the site and shall be *screened* from view from surrounding properties. ~~Parking style and~~ Garage style storage facilities shall provide an eight foot (8’) 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 any storage facility.
- I. Site Design for Garage style facilities:

1. Each site shall provide a minimum of two (2) exits, one (1) of which may be for emergency vehicle *use* only.
 2. All driveways, parking, loading, and circulation areas shall be paved with concrete, asphalt, or similar material.
 3. All one-way driveways shall provide a fifteen-foot (15') travel lane. Signing and painting shall be *used* to designate traffic direction and parking.
 4. All two-way driveways shall meet the Surprise Standard Details in the PEDS.
 5. When the main driveway directly serves storage areas or cubicles, a ten-foot (10') wide parking lane shall be provided in addition to the travel lane(s).
 6. No garage style *self-storage building* shall be more than two hundred feet (200') long.
- J.** The maximum *building height adjacent* to a residential *zoning district* or within fifty feet (50') of a residential *dwelling* shall be fourteen feet (14') in *height*. *Building height* may be increased one foot in *height* for every two feet of additional *setback* (1':2') to a maximum twenty-four feet (24') in *height* from finished *grade*. The maximum *building height adjacent* to a non-residential *zoning district* shall be a maximum of thirty-five feet (35') in *height* from finished *grade*.
- K.** The required landscape areas shall be provided along all *street frontages* between the *street* and sidewalk, and within areas of the site visible from public view, including areas *adjacent* to all perimeter *fences/walls*.
- L.** No hazardous or flammable materials shall be stored in a mini-storage development.
- M.** No auctions, commercial sales/rentals, garage sales, or other activities not consistent with the approved storage *use* shall be conducted on the premises.
- 106-10.47 Vehicle fueling stations**
- ~~**O.** If fuel canopies are fronting on an arterial and/or parkway, a minimum of 3.5 kW photovoltaic shall be required to be placed on the top of the canopy.~~

CHAPTER 107 DESIGN AND DEVELOPMENT REGULATIONS

ARTICLE 2 – LANDSCAPE AND SCREENING REGULATIONS

107-2.2 REPAIR AND Maintenance RESPONSIBILITIES

- A. The **REPAIR AND** maintenance of all landscaping on the property or abutting *right-of-way, landscape strip, open space, buffer areas, setbacks, parks, retention basins, or pathways* shall be the responsibility of the property owner. **THE CITY OF SURPRISE SHALL NOT HAVE ANY REPAIR OR MAINTENANCE RESPONSIBILITIES ON PRIVATELY OWNED LANDSCAPING, UNLESS BY SEPARATE AGREEMENT.** ~~unless otherwise accepted by the City for maintenance purpose. Maintenance of medians and median landscaping on arterial roads, or on parkways, shall be the responsibility of the city after acceptance.~~
- B. The *developer* must put in place an improvement district, or other City approved mechanism, that shall fund the maintenance of landscape, *open space*, recreation, and/or *retention areas*; unless otherwise accepted by the City.
- C. All projects required to be landscaped shall pass a landscape inspection prior to the issuance of a final inspection or a certificate of occupancy by the city. Landscaping installation shall be in substantial conformance with the approved plan. Significant *alteration* in the design or installation without appropriate plan *amendment* approval is subject to the withholding of final inspection approval.
1. The city shall have the right to deny any project not meeting the provisions of this section.
 2. The city shall also have the right to reject landscape materials as being substandard as to size and/or condition prior to installation.
 3. The *owner* shall, prior to *building permit* approval, provide evidence that all plant materials are guaranteed for a minimum period of 120 days from the date of final approval by the city. Trees, shrubs, vines, ground cover, and turf which have to be replaced under terms of the guarantee shall be guaranteed for an additional 120 days from the date of replacement.
- D. No *setback* and/or landscaped area required by this Ordinance shall be *used* for the parking of vehicles or the storage or display of materials, supplies or merchandise.
- E. Landscaping shall be maintained in accordance with the approved site and landscape plan. Required landscaped areas shall be kept free of trash, debris, weeds, and dead plant material, and shall in all respects be maintained in a neat, clean, and healthful condition. This includes proper pruning, mowing of lawns, weeding, removal of litter, fertilizing, replacement of dead plants, and the regular watering of all plantings.
- F. The removal or destruction of plants and landscape material, previously approved by the city as part of the landscape plan, shall constitute a violation of this

Ordinance. All dead or removed plants shall be replaced with plants of the same variety, and size in accordance with the approved final landscape plan.

- G. Any plant material, that does not survive, shall be replaced within 30 days of its demise or damage.
- H. Plant material shall not be severely pruned but rather maintained based on the specific plant species such that the natural growth pattern, flowering cycle, and characteristic form are not significantly *altered*. Refer to the Arizona Landscape Contractors Association (ALCA) for best practices.
- I. Palm trees shall be pruned once each year to remove dried fronds to eliminate fire hazard and insect infestation.
- J. The property *owner* is responsible for the pruning of any tree overhanging any sidewalk, path or trail, *street*, or *right-of-way* within the city to the degree that maintains visibility of intersections, clearance for large vehicles, and prevent interference with pedestrians and other *multimodal* means of travel.
 - 1. Refer to the PEDS in reference to landscape, fences, and other *structures* regarding potential impacts on sight *visibility triangles* on all *streets*.
 - 2. A minimum vertical clearance of fifteen feet (15') from the top of road pavement shall be required for tree limbs extending over roads and above fire *access* lanes.
 - 3. All dead, diseased or dangerous trees with broken or decaying limbs which the Community Development Director or designee constitutes a hazard to the public shall be removed. A *street* tree that interferes with the proper spread of light along the *street* from a *street* light, or interferes with the visibility of any traffic control device shall be correctively pruned.
 - 4. The City shall have the right, at the expense of the property *owner*, to prune or remove landscaping that the *owner* fails to remove within the time period provided in a notice by the City Code Enforcement. The costs of pruning or removing such hazardous tree or limbs from the public property or *right-of-way* shall be assessed against the property *owner* and shall constitute a lien on the property until paid.
- K. All landscaped areas shall be supported by an automatic irrigation system which may be a spray, soaker, or drip type system.
 - 1. The irrigation system shall terminate in an appropriate number of sprinklers or bibs to ensure a sufficient amount of water to sustain plants within the landscape areas.
 - 2. A reduced pressure-type vacuum breaker shall be required with the installation of all sprinkler systems.

3. All irrigation systems and landscaped areas shall be designed, constructed, and maintained so as to promote water conservation and prevent water overflow or seepage into the *street*, sidewalk, or *parking areas*.

L. Landscaping provided in utility easements

1. If a power line utility easement is included as part of the *open space* of a project, the corridor must be fully landscaped with native and drought tolerant shrubs and tree, which will not exceed a height of twenty-five feet (25'), per Appendices B and C of Vol 1, PEDS. Decomposed granite application shall not be required.
2. The destruction or removal of plant and landscape material, or *fences*, located in a public utility easement (PUE), water easement or *sewer* easement resulting from installation or maintenance of utility infrastructure by a service provider shall be replaced in accordance with the approved landscape plan by the property *owner*.

M. Sidewalks, medians, and *landscape strip* construction and the landscaping within these areas shall adhere to the Property Maintenance regulations as referred to in Chapter 105 of the LDO AND THE NEIGHBORHOOD PRESERVATION ORDINANCE. THE OWNER OF A PARCEL OF REAL PROPERTY OR RESPONSIBLE PARTY IN CONTROL OF ANY LAND ABUTTING A COLLECTOR OR LOCAL STREET RIGHTS-OF-WAY, MEDIANS, SIDEWALKS, OR ALLEYS SHALL BE RESPONSIBLE FOR THE LANDSCAPING AND MAINTENANCE IN THESE AREAS. THE AREAS REQUIRED TO BE MAINTAINED PURSUANT TO THIS SUBSECTION ARE AS FOLLOWS:

1. ANY PORTION OF A STREET, WHICH HAS BEEN OPENED FOR PUBLIC USE, BETWEEN THE CURB LINE, OR IF THERE IS NO CURB LINE THE EDGE OF PAVEMENT, AND THE ABUTTING PROPERTY LINE INCLUDING LANDSCAPING STRIPS AND SIDEWALKS.
 - a. THE CITY SHALL NOTIFY THE OWNER WHEN LANDSCAPING IS FOUND IN VIOLATION OR A SIDEWALK IS FOUND TO BE DEFECTIVE, UNSAFE OR HAZARDOUS, AS DETERMINED BY THE CODE ENFORCEMENT DIVISION OF THE COMMUNITY DEVELOPMENT DEPARTMENT.
 - b. WHENEVER ANY OWNER HAS BEEN NOTIFIED TO CORRECT A LANDSCAPE VIOLATION OR RECONSTRUCT OR REPAIR ANY SIDEWALK, THE CITY MAY PROCEED TO MAINTAIN, RECONSTRUCT, OR REPAIR THE ISSUE THREE (3) DAYS AFTER SUCH NOTICE EXPIRATION, AND THE COST OF SUCH MAINTENANCE, RECONSTRUCTION OR REPLACEMENT SHALL BE PAID BY THE OWNER OF SUCH ABUTTING PROPERTY.

c. THE CITY SHALL NOTIFY THE OWNER OF SUCH ABUTTING PROPERTY OF THE AMOUNT DUE FOR THE MAINTENANCE, RECONSTRUCTION, OR REPLACEMENT OF SUCH LANDSCAPING OR SIDEWALK AND THE OWNER SHALL THEREAFTER PAY TO THE CITY.

2. ONE-HALF (½) OF THE WIDTH OF ABUTTING ALLEYS FROM THE PROPERTY LINE TO THE CENTERLINE OF THE ALLEY.

3. ANY PORTION OF A STREET ABUTTING THE BOUNDARIES OF A PARCEL OF LAND, WHICH STREET HAS NOT BEEN OPENED FOR PUBLIC USE, SHALL BE MAINTAINED BY THOSE PERSONS WHO DEDICATED THE STREET OR THEIR SUCCESSORS IN INTEREST, INCLUDING LESSEES AND OTHER PERSONS IN CONTROL OF THE LAND ABUTTING THE STREET; PROVIDED THAT IF THE ABUTTING LAND ON EITHER SIDE OF SUCH STREET IS OWNED BY DIFFERENT PERSONS AND EACH PERSON HAS AN OBLIGATION TO MAINTAIN THE STREET. HEREUNDER, THEN THE RESPONSIBLE PARTY OR OTHER PERSON IN CONTROL OF THE LAND SHALL ONLY BE REQUIRED TO MAINTAIN ONE-HALF (½) OF THE WIDTH OF THE STREET ABUTTING THEIR LAND.

107-2.4 Quantity, Size, and Spacing Requirements.

C. Parking Areas/Lots, **MULTI-FAMILY** and Non-residential Setbacks

ARTICLE 3 – OUTDOOR LIGHTING REGULATIONS

107-3.7 Outdoor Advertising Signs.

~~A. General Requirements.~~ ALL OUTDOOR ADVERTISING SIGNS SHALL BE IN CONFORMANCE WITH **CHAPTER 109** OF THIS ORDINANCE.

~~1. External fixtures shall be fully shielded, mounted on top or above the sign, and directed downward onto the sign face.~~

~~2. Lamps used for internal and external illumination of signs shall be counted toward the total lumen cap described in Section **107-3.2 C.** above.~~

~~3. Illumination for all advertising signs both externally illuminated and internally illuminated shall be either reduced or turned off as noted in **Table 107-3a** as further described below.~~

~~B. Within the LZ2 and LZ1 Lighting Zones:~~

~~1. Electronic Message Signs (EMS) where permitted per **Chapter 109** of this Ordinance shall adhere to the following:~~

~~a. The maximum lumen level for all land uses shall not exceed 200 nits.~~

- ~~b. Signs shall be required to be equipped with photo cell sensors that are factory locked to dim the sign at night (2 hours after dusk) to 100 nits. An affidavit from the manufacturer attesting to the brightness level shall be submitted with the sign permit application.~~
 - ~~c. The electronic message center portion of the sign shall be turned off when the business activities cease (or 11 pm whichever occurs last). Signs shall include timers that will automatically turn off the digital display.~~
- ~~2. All signage within a non-residential development shall be reduced by thirty (30%) percent by 11:00 p.m. or when the business closes whichever is later.~~
- ~~C. Within the LZ0 Lighting Zone.~~
 - ~~1. The maximum lumen level for any type of sign shall not exceed 100 nits.~~
 - ~~2. All free-standing signs, EMC or otherwise, shall not have white backgrounds.~~
 - ~~3. Electronic Message Signs (EMS) where permitted per Chapter 109 of this Ordinance shall adhere to the following:~~
 - ~~a. The sign was to be factory locked at 100 nits with an affidavit from the manufacturer attesting to this brightness level.~~
 - ~~b. The electronic message center portion of the sign shall be turned off when the business activities cease or 11 pm whichever occurs last. Signs shall include timers that will automatically turn off the digital display.~~
 - ~~c. The sign shall be equipped with photo cell sensors, reducing the surrounding sign brightness to reflect the surrounding ambient light when the EMS portion is turned off.~~
 - ~~4. All signage within both residential and non-residential development shall be shut off by 11:00 p.m. or when the business closes whichever is later.~~

ARTICLE 4 – PARKING AND LOADING REGULATIONS

107-4.3 R-1 and R-2, AND SHD-RO Residential Provisions

- A. ~~Required Off-street parking~~ SPACES WITHIN THE FRONT YARD shall be utilized solely for the parking of licensed and operable passenger vehicles and in addition to Chapter 54, Article IV of the Municipal Code the regulations below shall apply:
 - 1. The recreational vehicle or utility trailer stored in the rear or side yard shall

be behind the front line of the primary *structure*.

2. Placement of a *recreational vehicle* or utility trailer ~~in~~ other than the rear or *side yard* for loading and unloading purposes may be permitted for a period not to exceed seventy-two (72) hours up to two (2) times per month.
3. No person shall *park* a *truck* on any *lot*, except while loading and unloading the *truck*, while services are being provided to the residence by the *truck's* occupant, or for a period of time to exceed twenty (24) hours.
- B. The ~~required~~ *off-street parking spaces* **WITHIN THE FRONT YARD** shall not be *used* for storage of commercial equipment.
- C. Residential parking and driveway areas shall be constructed and maintained, with the required *parking space(s)* being located on and *accessed* by a dust-proof surface.
- D. **DRIVEWAY ENTRANCES AND OFF-STREET PARKING SPACES WITHIN THE FRONT YARD SHALL NOT COMPRISE OF MORE THAN THIRTY PERCENT (30%) OF THE FRONT LOT LINE, EXCEPT THAT EACH LOT IS PERMITTED ONE DRIVEWAY UP TO EIGHTEEN FEET (18') WIDE.**

107-4.5 Dimensions

- D. *Off-street loading spaces*. The number of such required spaces is outlined in **Table 107-4a** and the dimensions, exclusive of *access* or maneuvering area, *platform*, and other appurtenances, are as follows:
 1. Each large space shall have an overhead clearance of at least fifteen feet (15'), shall be at least twelve feet wide and at least fifty feet (12'x50') long.
 2. Each small space shall have an overhead clearance of at least ten feet (10'), shall be at least eight feet wide and at least **TWENTY** feet long (8'x20').

CHAPTER 108 - LAND DIVISION AND SUBDIVISION REGULATIONS

ARTICLE 1 – GENERAL PROCESS AND OVERVIEW

108-1.8 MAINTENANCE OF MEDIANS AND MEDIAN LANDSCAPING.

- A. **THE REPAIR AND MAINTENANCE OF ALL MEDIANS AND MEDIAN LANDSCAPING WITHIN ALL ARTERIAL AND PARKWAY RIGHTS-OF-WAY CLASSIFICATIONS WILL NOT BE THE RESPONSIBILITY OF THE CITY OF SURPRISE UNTIL ALL REQUIREMENTS ARE MET AS DESCRIBED HEREIN.**
 1. **PRIOR TO ACCEPTANCE OF THE MEDIAN AND/OR MEDIAN LANDSCAPING, IF A MEDIAN AND/OR MEDIAN LANDSCAPING IS FOUND TO BE DEFECTIVE, OVERGROWN, UNSAFE OR HAZARDOUS, THE CITY SHALL NOTIFY THE**

APPLICANT AND/OR ASSOCIATION FORMED BY THE APPLICANT OF THE ABUTTING PROPERTY TO RECONSTRUCT AND/OR REPAIR AND/OR REPLACE THE MEDIAN AND/OR MEDIAN LANDSCAPING WITHIN A TIME FRAME NOT TO EXCEED 45 DAYS FROM WRITTEN NOTICE.

2. FAILURE TO REPAIR WITHIN THE TIME ALLOTTED WILL RESULT IN THE WITHHOLDING ON THE COMPANY'S BOND WHEN APPLICABLE. SECTION 42-44 II AND III SHALL APPLY AS DESCRIBED IN THE SURPRISE MUNICIPAL CODE.

B. THE REPAIR AND MAINTENANCE OF ALL MEDIANS AND MEDIAN LANDSCAPING WITHIN ALL COLLECTOR AND LOCAL STREET RIGHTS-OF-WAY CLASSIFICATIONS SHALL BE THE RESPONSIBILITY OF THE APPLICANT AND/OR ASSOCIATION FORMED BY THE APPLICANT. THE CITY OF SURPRISE SHALL NOT HAVE ANY REPAIR OR MAINTENANCE RESPONSIBILITIES FOR MEDIANS LOCATED IN COLLECTOR AND LOCAL STREET RIGHTS-OF-WAY, UNLESS BY SEPARATE AGREEMENT.

1. WHEN A MEDIAN AND/OR MEDIAN LANDSCAPING IS FOUND TO BE DEFECTIVE, OVERGROWN, UNSAFE OR HAZARDOUS, THE CITY SHALL NOTIFY THE OWNER OF THE ABUTTING PROPERTY TO RECONSTRUCT OR REPAIR THE MEDIAN AND/OR MEDIAN LANDSCAPING WITHIN A TIME FRAME NOT TO EXCEED FORTY-FIVE (45) DAYS FROM WRITTEN NOTICE.
2. WHEN AN OWNER NOTIFIED TO REPAIR ANY MEDIAN AND/OR MEDIAN LANDSCAPING, AS PROVIDED IN THE PRECEDING SECTION, FAILS TO REPAIR SUCH MEDIAN AND/OR MEDIAN LANDSCAPING AS REQUIRED BY THE NOTICE AND ORDINANCES OF THE CITY, THE CITY MAY PROCEED TO REPAIR SUCH MEDIAN AND/OR MEDIAN LANDSCAPING THREE (3) DAYS AFTER SUCH NOTICE EXPIRATION TO SUCH OWNER, AND WHEN SO REPAIRED BY THE CITY, THE COST OF SUCH REPAIR SHALL BE PAID BY THE OWNER OF SUCH ABUTTING PROPERTY AND BE COLLECTED AS DESCRIBED HEREIN.

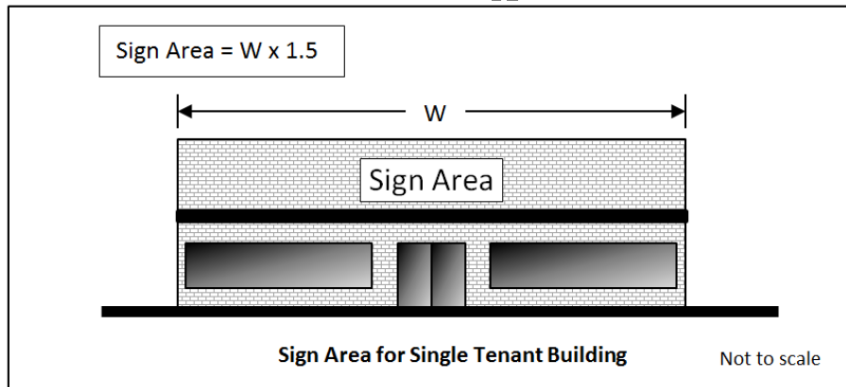
CHAPTER 109 - SIGNS

ARTICLE 1 – IN GENERAL PROCESS AND OVERVIEW

109-1.9 Sign classifications and types. The following sign classifications and types as defined in **section 109-1.6** are permitted in the city as outlined in table 109-1a subject to the following "time, place and manner" restrictions.

- B.** *Building-mounted signs.* Building-mounted signs may only be placed on building elevations which face a street or primary parking lot. For purposes of this section, parking areas adjacent to service bays, access drives located behind a building, or alley ways are not considered primary parking areas.

1. *Building wall signs.* In other than residential zoning, building wall signs are permitted on any building elevation of any primary use building, subject to the following:
 - a. For single story, single-tenant **AND MULTI-TENANT** buildings, any number of building wall signs may be affixed to any building elevation, provided the aggregate sign area does not exceed one and one-half square foot per one linear foot of building elevation **OF THE TENANT WIDTH** on which the sign is mounted.



CHAPTER 110 - DEVELOPMENT IMPACT FEES

ARTICLE 1 – IN GENERAL

110-1.1 Definitions.

- A. Unless otherwise defined in this chapter, terms used in this chapter have the same meaning as used in A.R.S. § 9-463.05.

G

Grandfathered facilities: Capital facilities included in an infrastructure improvement plan or other city planning document, and impact fee study prepared pursuant to applicable law prior to June 1, 2011, and constructed through financing or debt for which development impact fee(s) were Pledged for repayment prior to June 1, 2011.

GROSS FLOOR AREA: FOR FEES ASSESSED ON THE BASIS OF SQUARE FEET, GROSS FLOOR AREA SHALL BE CALCULATED AS FOLLOWS. THE FLOOR AREA WITHIN THE INSIDE PERIMETER OF THE EXTERIOR WALLS OF THE BUILDING UNDER CONSTRUCTION, EXCLUSIVE OF THE VENT SHAFTS AND COURTS, WITHOUT DEDUCTION FOR CORRIDORS, STAIRWAYS, RAMPS, CLOSETS, THE THICKNESS OF THE INTERIOR WALLS, COLUMNS OR OTHER FEATURES. THE FLOOR AREA OF A BUILDING, OR PORTION THEREOF, NOT PROVIDED WITH SURROUNDING EXTERIOR WALLS SHALL BE THE USEABLE AREA UNDER THE HORIZONTAL PROJECTION OF THE ROOF OR FLOOR ABOVE. THE GROSS FLOOR AREA SHALL NOT INCLUDE SHAFTS WITH NO OPENINGS OR INTERIOR COURTS. THE USEABLE SPACE FOR A BUSINESS UNDER THE CANOPY FOR OUTDOOR DINING, GAS PUMPS,

PARKING, DRIVE THROUGH, ETC. WILL BE COUNTED IN GROSS FLOOR AREA SQUARE FOOTAGE CALCULATION.

Draft revision to the City Code (in conjunction with the LDO amendment regarding CUP's)

Sec. 2-301. - Planning and zoning commission.

- (a) *Mission.* To promote the health, safety, and beauty of the community, and secure growth and development within the city in conformance with the General Plan. Where necessary for the efficient and cost effective operation of the city, the city council may direct that the planning and zoning commission may also sit as the board of adjustment and/or the board of construction review.
- (b) *Bylaws.* Unless otherwise delineated within this section, the bylaws contained in section 2-295 apply.
- (c) *Composition.* Members will represent a cross section of stakeholders in the community, including different professions or occupations, so as to constitute as much as possible equal representation for all areas within the city.
- (d) *Powers, duties and responsibilities.* The commission will:
 - (1) Recommend to city council a General Plan, specific plans, and amendments thereto;
 - (2) Review, decide, and make recommendations to city council on matters as set forth in the development code, or as otherwise set forth in this Code.
 - (3) Review and make recommendations to city council regarding design guidelines;
 - (4) Review development applications for consistency with applicable zoning and design standards, consistent with the development code.
 - (5) Review and make recommendations to city council regarding the classification of parcels of land from one zoning district to another, the adoption or modification of the zoning map, and text amendments to the development code.
 - (6) Review and make recommendations to city council regarding regulations and restrictions concerning the erection, construction, reconstruction, alteration, repair, or use of buildings, structures, or land.
 - (7) Make recommendations to city council on policy matters regarding the interpretation, enforcement, and administration of the development code.
 - (8) ~~Make recommendations in all matters pertaining to the use of United States Department of Housing and Urban Development grant funding programs and other community support grant funding programs.~~ REVIEW AND APPROVE OR DENY APPLICATIONS FOR SITE PLAN APPROVAL AND CONDITIONAL USE PERMITS, AS SET FORTH IN THE LAND DEVELOPMENT CODE, OR AS OTHERWISE SET FORTH IN THIS CODE.
- (e) All regular meetings of the planning and zoning commission will be televised when reasonably feasible.
- (f) *Appeals.* ~~When sitting as either the board of adjustment or the board of construction review, only decisions of the planning and zoning commission may be appealed as set forth in section 2-303 or 2-304 as appropriate.~~ Decisions by the Planning and Zoning Commission may be appealed as follows:
 - (1) ANY PERSON AGGRIEVED BY THE DECISION OF THE PLANNING AND ZONING COMMISSION TO APPROVE OR DISAPPROVE AN APPLICATION FOR A CONDITIONAL USE PERMIT MAY APPEAL THE DECISION TO THE CITY COUNCIL WITHIN 15 CALENDAR DAYS AFTER THE COMMISSION HAS RENDERED ITS DECISION. THE AGGRIEVED PERSON, OR ANY MUNICIPAL OFFICER OR OFFICIAL DEPARTMENT OF THE CITY, OR MEMBER OF CITY

COUNCIL, MAY FILE AN APPEAL WHETHER OR NOT THEY WERE A PREVIOUS PARTY TO THE DECISION. APPEALS SHALL BE FILED IN WRITING WITH THE OFFICE OF THE CITY CLERK AND SHALL SPECIFY THE GROUNDS FOR THE APPEAL. THE DECISION BY THE CITY COUNCIL SHALL BE FINAL.

(2) WHEN SITTING AS EITHER THE BOARD OF ADJUSTMENT OR THE BOARD OF CONSTRUCTION REVIEW, DECISIONS OF THE PLANNING AND ZONING COMMISSION MAY BE APPEALED AS SET FORTH IN SECTION 2-303 OR 2-304 AS APPROPRIATE.

DRAFT

Citizen Participation Report

Land Development Ordinance Zoning Text Amendment

August 23, 2021 – FS21-413

PROJECT DESCRIPTION

The City has initiated this Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinances (LDO) to correct scrivener errors, improve the readability, provide better interpretation, and remove internal conflicts with other sections of the LDO related to the same subject matter. Additionally, this ZTA includes an amendment to the LDO section regarding Conditional Use Permits, as well as an accompanying City Code amendment to provide for appeal of Conditional Use Permit decision to the City Council.

ADVERTISING

The meeting was advertised in the Surprise Independent on Wednesday, August 4, 2021 and the Daily News Sun on Friday, August 6, 2021.

MEETING DESCRIPTION

The meeting was held at City Hall on August 23, 2021 at 6 p.m. with virtual attendance available via WebEx.

ATTENDANCE

There were no members of the public in attendance via WebEx or in-person during the duration of the meeting. Councilmember Remley was in attendance and proposed Zoning Text Amendment was discussed. There were no concerns expressed.

ZONING TEXT AMENDMENT NEIGHBORHOOD MEETING

Please be advised that the City of Surprise will host a Neighborhood Meeting to discuss the Zoning Text Amendment (ZTA) to the Land Development Ordinances (LDO) referenced below. This meeting will be conducted virtually and in-person. 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 or attending in person. According to Surprise Municipal Code, we are required to host a Neighborhood Meeting to present the proposal to the public while soliciting feedback and providing answers to questions.

Applicant: City of Surprise

City of Surprise Planner: Trever Fleetham, AICP; 623-222-3156; trever.fleetham@surpriseaz.gov

NEIGHBORHOOD MEETING DETAILS

Monday, August 23, 2021

DATE:

6:00 PM

TIME:

PHYSICAL LOCATION:

City of Surprise
Community Room
16000 N. Civic Center Plaza
Surprise, AZ 85374

MEETING LOCATION



Join from the meeting link

<https://surpriseaz.webex.com/surpriseaz/j.php?MTID=m84493c2181549428e1d3eb33702a7f00>

Join by meeting number

Meeting number (access code): 146 604 5209

Meeting password: KKmrlyeW298

Join by phone

1-408-418-9388 United States Toll

1-602-666-0783 United States Toll (Phoenix)

PROJECT DESCRIPTION:

A Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinances (LDO) in order to provide clarification and remove conflicts with other sections of the LDO, Case # FS21-413

Publish: Daily Independent, August 6, Surprise Independent, August 4, 2021/489168

Miscellaneous

Harley Garmin Zumo
665 GPS \$250. Heated gloves, small \$25. Harley handlebar dock \$20. Ladies size 8 motorcycle boots \$50. King size Sleep Number bed, complete \$100. Airsep oxygen concentrator \$300. Lux 2 person infrared sauna \$600. (480)489-1910

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ZONING TEXT AMENDMENT NEIGHBORHOOD MEETING

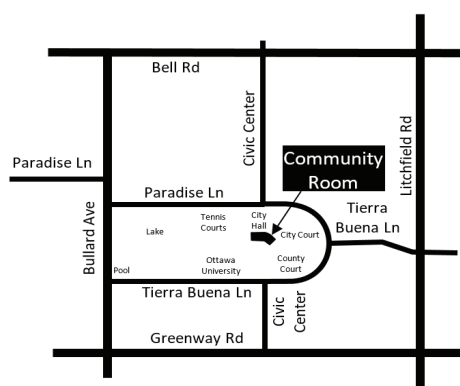
Please be advised that the City of Surprise will host a Neighborhood Meeting to discuss the Zoning Text Amendment (ZTA) to the Land Development Ordinances (LDO) referenced below. This meeting will be conducted virtually and in-person. Any member of the public may participate in the conversation as it pertains to this project, via phone or computer, by utilizing the access information provided under meeting details or attending in person. According to Surprise Municipal Code, we are required to host a Neighborhood Meeting to present the proposal to the public while soliciting feedback and providing answers to questions.

Applicant: City of Surprise
City of Surprise Planner: Trever Fleetham, AICP; 623-222-3156; trever.fleetham@surpriseaz.gov

DATE:
TIME:
PHYSICAL LOCATION:

NEIGHBORHOOD MEETING DETAILS
Monday, August 23, 2021
6:00 PM
City of Surprise
Community Room
16000 N. Civic Center Plaza
Surprise, AZ 85374

MEETING LOCATION



Join from the meeting link
<https://surpriseaz.webex.com/surpriseaz/j.php?MTID=m84493c2181549428e1d3eb33702a7f00>

Join by meeting number
Meeting number (access code): 146 604 5209
Meeting password: KkmryjeW298

Join by phone
1-408-418-9388 United States Toll
1-602-666-0783 United States Toll (Phoenix)

PROJECT DESCRIPTION:

A Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinances (LDO) in order to provide clarification and remove conflicts with other sections of the LDO, Case # FS21-413.

Publish: Daily Independent, August 6, Surprise Independent, August 4, 2021/489168

DEVELOPMENT PROJECT NEIGHBORHOOD MEETING

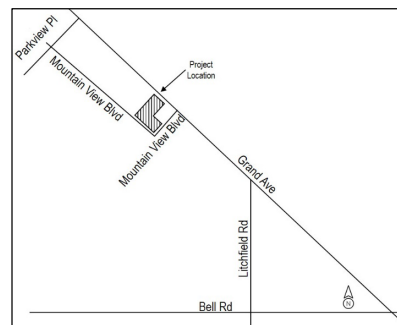
Please be advised, William Hammock with Viaone Design Build, on behalf of E & V Investments LLC, will host a Neighborhood Meeting to discuss the project referenced below. This meeting will be conducted in person and virtually. Any member of the public may participate in the conversation as it pertains 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: William Hammock, 602.722.0363, william@viaonecre.com
City of Surprise Planner: Sergio Angulo, 623.222.3155, sergio.angulo@surpriseaz.gov

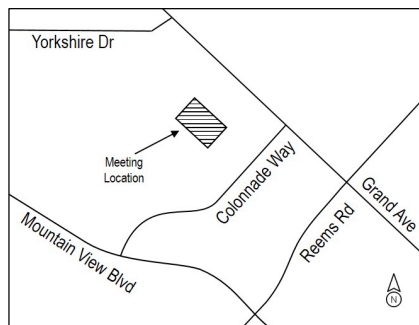
NEIGHBORHOOD MEETING DETAILS

DATE: Monday, August 16, 2021
TIME: 6:00 PM
LOCATION: Hampton Inn & Suites
14783 W Grand Ave Surprise, AZ 85374
ONLINE ACCESS: <https://meet.google.com/xuj-fuit-mxg>
CALL-IN: +1 518-519-0099 MEETING PIN: 304 899 885#

PROJECT LOCATION



MEETING LOCATION



PROJECT DESCRIPTION:

Conditional Use Permit for two (2) new Drive-Through Facilities on approximately 3.88 acres generally located west of the southwest corner of Grand Avenue and Mountain View Boulevard. The proposed uses include a Dunkin' Donuts and a Federico's Mexican Food Restaurant. Surprise Planning Case FS21-391.

Publish: Daily Independent, July 30, Surprise Independent, August 4, 2021/489169

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 Andrew Merchant on behalf of the Ault Companies regarding a Conditional Use Permit with Site Plan for major automotive service and repair. Case FS21-064.

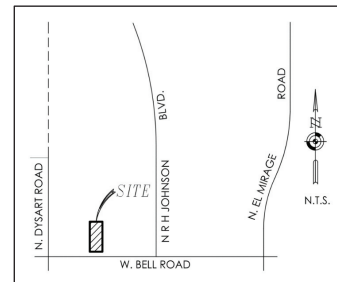
PROJECT DESCRIPTION:

Legal Description: Located in a portion of Section 35, Township 4 North, Range 1 West, of the Gila and Salt River Base and Meridian, Maricopa County, City of Surprise Arizona.

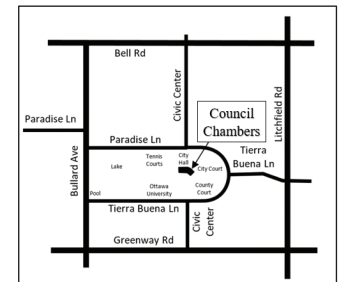
Community Development Department may be contacted prior to the scheduled meeting for additional information. City of Surprise Planner: Robert H. Kuhfuss, AICP 623-222-3137, robert.kuhfuss@surpriseaz.gov.

DATE: Planning and Zoning Commission – August 19, 2021
TIME: 6:00 PM
PHYSICAL LOCATION: 16000 Civic Center Plaza, Surprise, AZ 85374

Project Location



Meeting Location



At this meeting, any member of the public may appear and be heard relative to this request or may submit written comments at any time prior to the Public Hearing. To submit email comments, including Call to the Public for non-agenda items, please email PandZComments@surpriseaz.gov prior to the start of the meeting, which is 6 p.m. Please check the agenda for exact times. Only comments received prior to the start of the meeting will be considered and included in the record. Any interested party may obtain an agenda 24 hours prior to the Public Hearing at the Surprise City Hall. Please contact Robert H. Kuhfuss, AICP at 623-222-3137 for more information regarding this request. 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, July 30, Surprise Independent, August 4, 2021/488830

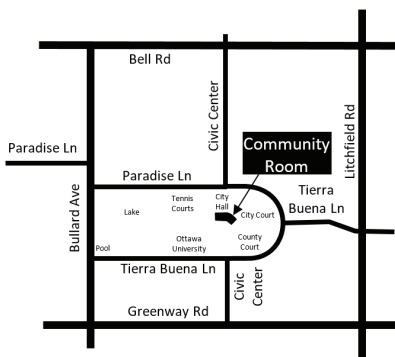
ZONING TEXT AMENDMENT NEIGHBORHOOD MEETING

Please be advised that the City of Surprise will host a Neighborhood Meeting to discuss the Zoning Text Amendment (ZTA) to the Land Development Ordinances (LDO) referenced below. This meeting will be conducted virtually and in-person. 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 or attending in person. According to Surprise Municipal Code, we are required to host a Neighborhood Meeting to present the proposal to the public while soliciting feedback and providing answers to questions.

Applicant: City of Surprise
City of Surprise Planner: Trever Fleetham, AICP; 623-222-3156; trever.fleetham@surpriseaz.gov

NEIGHBORHOOD MEETING DETAILS
DATE: Monday, August 23, 2021
TIME: 6:00 PM
PHYSICAL LOCATION: City of Surprise
Community Room
16000 N. Civic Center Plaza
Surprise, AZ 85374

MEETING LOCATION



Join from the meeting link
<https://surpriseaz.webex.com/surpriseaz/j.php?MTID=m84493c2181549428e1d3eb33702a7f00>

Join by meeting number
Meeting number (access code): 146 604 5209
Meeting password: KKmyJleW298
Join by phone
1-408-418-9388 United States Toll
1-602-666-0783 United States Toll (Phoenix)

PROJECT DESCRIPTION:

A Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinances (LDO) in order to provide clarification and remove conflicts with other sections of the LDO, Case # FS21-413.

Publish: Daily Independent, August 6, Surprise Independent, August 4, 2021/489168

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 Susan Demmitt of Gammage and Burnham, PLC on behalf of Truman Ranch 46 SWC, LLC regarding a Major Amendment to the Truman Ranch PAD for purposes including but not limited to clarifying residential density, clarifying development standards, and modifying architectural standards. Case FS20-829.

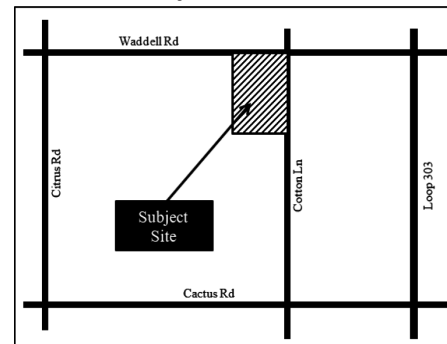
PROJECT DESCRIPTION:

Legal Description: Located in a portion of Section 14, Township 3 North, Range 2 West, of the Gila and Salt River Base and Meridian, Maricopa County, City of Surprise Arizona.

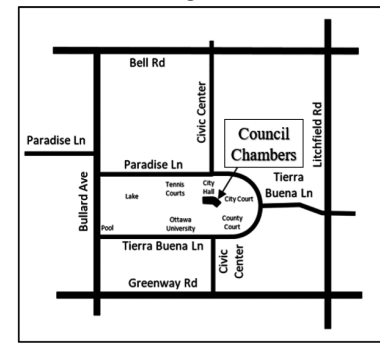
Community Development Department may be contacted prior to the scheduled meeting for additional information. City of Surprise Planner: Robert H. Kuhfuss, AICP 623-222-3137, robert.kuhfuss@surpriseaz.gov

DATE: Planning and Zoning Commission – August 19, 2021
TIME: 6:00 PM
PHYSICAL LOCATION: 16000 Civic Center Plaza, Surprise, AZ 85374

Project Location



Meeting Location



At this meeting, any member of the public may appear and be heard relative to this request or may submit written comments at any time prior to the Public Hearing. To submit email comments, including Call to the Public for non-agenda items, please email PandZComments@surpriseaz.gov prior to the start of the meeting, which is 6 p.m. Please check the agenda for exact times. Only comments received prior to the start of the meeting will be considered and included in the record. Any interested party may obtain an agenda 24 hours prior to the Public Hearing at the Surprise City Hall. Please contact Robert H. Kuhfuss, AICP at 623-222-3137 for more information regarding this request. 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, July 30, Surprise Independent, August 4, 2021/488830

Public Notice

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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:

LOUIS A. (BUD) MOORE, JR.,

Deceased.

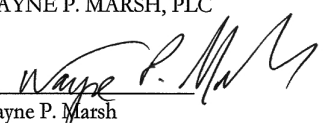
NO. **PB2021-070966**
NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN that **YONG KIM SUN MOORE** 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 at c/o: Wayne P. Marsh, PLC, 9949 W. Bell Rd., Suite 201, Sun City, AZ 85351.

DATED this 17 day of August, 2021.


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

WAYNE P. MARSH, PLC

By: 
 Wayne P. Marsh
 Attorney for Personal Representative

Publish: Daily Independent, August 20, 27, September 3, 2021/492774

Arizona Corporation Commission - RECEIVED: 7/13/2021
 Arizona Corporation Commission - FILED: 6/23/2021

21071307591985

ARTICLES OF AMENDMENT TO ARTICLES OF ORGANIZATION

LIMITED LIABILITY COMPANY

ENTITY INFORMATION

ENTITY NAME: LOFFS LLC
ENTITY ID: L20120377
ENTITY TYPE: Domestic LLC
PERIOD OF DURATION: Perpetual
PROFESSIONAL SERVICES:
CHARACTER OF BUSINESS: Any legal purpose
MANAGEMENT STRUCTURE: Member-Managed

NEW NAME

Loffs LLC

STATUTORY AGENT INFORMATION

STATUTORY AGENT NAME: MASON WILBUR
PHYSICAL ADDRESS: 14519 W VENTURA ST, SURPRISE, AZ 85379
MAILING ADDRESS: 14519 W VENTURA ST, SURPRISE, AZ 85379

KNOWN PLACE OF BUSINESS

14519 W VENTURA ST, SURPRISE, AZ 85379

PRINCIPALS

Member: MASON WILBUR - 14519 W VENTURA ST, SURPRISE, AZ, 85379, USA -- Date of Taking Office: 06/11/2015

SIGNATURE

Member: MASON WILBUR - 07/13/2021

Required Attachment of WILBUR MOBILE HOME SERVICE, LLC

Updating Character of Business to - Any legal purpose

Updating the Limited Liability Company entity name from
 WILBUR MOBILE HOME SERVICE, LLC to
 Loffs LLC

Publish: Daily Independent, August 25, 26, and 27, 2021/493402

Attorney for Personal Representative:
JECKEL & NYKAMP, P.L.L.C.
 Robert F. Jeckel, No. 003801
 Mary A. Nykamp, No. 007716
 10240 West Bell Road, Suite B
 Sun City, AZ 85351
 (623) 972-1133
 Email: mnykamp@jnlegal.com

Personal Representative:
RANDY JOHN SOULIS
 7698 Halleys Drive
 Littleton, CO 80125

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
 IN AND FOR THE COUNTY OF MARICOPA**

In the Matter of the Estate

of

**LINDA LEA COLLIANDER,
 a/k/a LINDA ANDERSON
 COLLIANDER,**

Deceased.

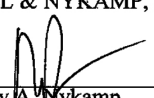
NO. PB 2021-070931
NOTICE TO CREDITORS

NOTICE IS HEREBY GIVEN that the undersigned has been appointed Personal Representative of this Estate. All persons having claims against the Estate are required to present their claims within four (4) months from the date of first publication of this Notice or the claims will be forever barred. Claims must be presented to the undersigned Personal Representative at the Office of Jeckel & Nykamp, P.L.L.C., 10240 West Bell Road, Suite B, Sun City, Arizona 85351, attorneys for the Estate.

DATED: August 6, 2021.


 RANDY JOHN SOULIS
 Personal Representative

JECKEL & NYKAMP, P.L.L.C.

By: 
 Mary A. Nykamp
 Attorney for Personal Representative

Publish: Daily Independent, August 13, 20, 27, 2021/491173

**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 Public Hearings relating to the proposed zoning text amendment to the Surprise Land Development Ordinances (case FS21-413) to improve clarity and remove conflicts, and amending Chapter 2, Article VIII, Section 2-301 of the Surprise Municipal Code entitled Planning and Zoning Commission.

Planning and Zoning Commission

Date: September 16, 2021

Time: 6:00 p.m.

**Place: Surprise City Hall
 16000 N. Civic Center Plaza
 Surprise, AZ 85374**

At these meetings any member of the public may appear and be heard relative to this request or may submit written comments at any time prior to the Public Hearing. 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. Contact Trever Fleetham with the City of Surprise at 623-222-3156 or trever.fleetham@surpriseaz.gov for additional information.

Publish: Daily Independent, August 27, Surprise Independent, August 25, 2021/492860

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 Public Hearings relating to the proposed zoning text amendment to the Surprise Land Development Ordinances (case FS21-413) to improve clarity and remove conflicts, and amending Chapter 2, Article VIII, Section 2-301 of the Surprise Municipal Code entitled Planning and Zoning Commission.

Planning and Zoning Commission

Date: September 16, 2021

Time: 6:00 p.m.

**Place: Surprise City Hall
16000 N. Civic Center Plaza
Surprise, AZ 85374**

At these meetings any member of the public may appear and be heard relative to this request or may submit written comments at any time prior to the Public Hearing. 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. Contact Trever Fleetham with the City of Surprise at 623-222-3156 or trever.fleetham@surpriseaz.gov for additional information.

Publish: Daily Independent, August 27, Surprise Independent, August 25, 2021/492860

CITY OF SURPRISE NEIGHBORHOOD MEETING

Bonita Place – Rezoning Request

NEW MEETING DATE

Please be advised, Kent Xander, on behalf of Xander Lander LLC, 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. **Please note this meeting has been rescheduled to the date and time below.**

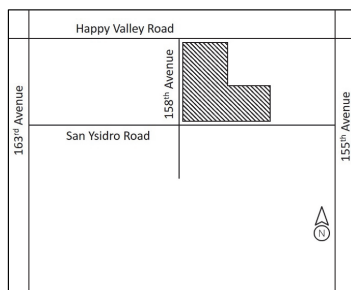
According to the Surprise Municipal Code, the applicant is required to host a Neighborhood Meeting to present their project to the public while soliciting feedback and providing answers to questions. Please note, the City of Surprise is not the host of this meeting, however, the assigned City Planner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

Applicant: Kent Xander, 602-499-9305, kxander@kxgroup.com
City of Surprise Planner: Sergio Angulo, 623-222-3137, sergio.angulo@surpriseaz.gov

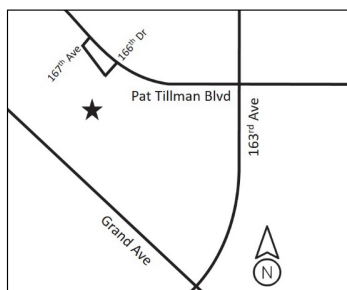
NEIGHBORHOOD MEETING DETAILS

NEW DATE: Wednesday, September 8, 2021
TIME: 6:00 PM
IN-PERSON LOCATION: Asante Preparatory Academy – Cafeteria
23251 N 166th Dr Surprise, AZ 85387
ONLINE ACCESS: <https://www.gotomeet.me/TBZoning/neighborhood-mtg-bonita-place>
CALL-IN: +1 (669) 224-3412 **ACCESS CODE:** 988-620-061

PROJECT LOCATION



MEETING LOCATION



PROJECT DESCRIPTION:

- The applicant is requesting a Zone Change of approximately 27.41 acres from Rural Residential (RR) to Residential Medium Density (R-2) and Residential High Density (R-3) with a Planned Unit Development Overlay for the development of attached and detached single-story rental units located on the southeast corner of Happy Valley Road and the 158th Avenue alignment. Surprise Planning Case FS21-444.

Publish: Daily Independent, August 19, Surprise Independent, August 25, 2021/492535

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Email: legals@newszap.com

Call: 623-972-6101

INDEPENDENT
NEWS MEDIA
Celebrating & Connecting Our Communities



Planning & Zoning Commission
September 16, 2021

Land Development Ordinance
Zoning Text Amendment
FS21-413

CHAPTER 102 - REVIEW PROCESS AND APPLICATIONS

ARTICLE 2 – PROCEDURE TYPES AND SUBMITTALS

102-2.1 Procedure Types

- B. The following **Table 102-2a** describes the level of public outreach required, decision-making authority, and the appeal authority for the applications processed and the approvals that may be granted under this Ordinance.

	Public Outreach				Community Development Director	Planning and Zoning Commission	City Council	Board of Adjustment
	Agenda Posting	Notice Letter & Newspaper	Neighborhood Meeting	Site Posting				
Type 1 Applications								
Zoning Interpretation					D			A
Site Plan Amendment (minor)					D	A		
Minor land division / Parcel assemblage					D		A	
Administrative Use Permits					D			A
Temporary Use Permits					D	A		
Home Product Review					D	A		
Corrective Plat					D		A	
PEDS Deviation/Waiver					D	A		
Slope Category Analysis Waiver					D	A		
Administrative Waiver/Extension					D	A		
Type 2 Applications								
Site Plan Review	X				R	D	A	
Site Plan Amendment (major)	X				R	D	A	
Protected Development Rights Plans	X				R	R	D	
Preliminary plats	X				R	R	D	
Final plats	X				R		D	
Original Townsite Incentive	X				R		D	
Development Agreement	X				R		D	
Hillside Cut & Fill Waiver	X			X	R	D		
Type 3 Applications								
General Plan Amendments	X	X	X	X	R	R	D	
Specific Area Plan Requests	X	X	X	X	R	R	D	
Rezoning Requests	X	X	X	X	R	R	D	
LDO Text Amendments	X	X ⁽¹⁾	X		R	R	D	
Conditional Use Permits	X	X	X	X	R	D	A	
Comprehensive Sign Program	X	X	X	X	R	R	D	
Variances Requests	X	X		X	R			D
Annexation	X	X	X	X	R		D	

Key:
X = Required
(1) = 1st Class Letter not required

R = Reviews and recommends action to decision-making body
D = Decision-making body
A = Appeal authority

Key:
 X = Required
 (1) = 1st Class Letter not required

R = Reviews and recommends action to decision-making body
 D = Decision-making body
 A = Appeal authority

CHAPTER 102 - REVIEW PROCESS AND APPLICATIONS

ARTICLE 3 – PUBLIC OUTREACH AND PUBLIC NOTIFICATION

102-3.2 Neighborhood Meetings

- A. This is conducted by the *applicant* and/or *developer*.
1. A Neighborhood Meeting is required for all Type 3 Applications that require a public hearing, ~~Preliminary plats~~, and other applications as determined during the Concept Review Meeting. All neighborhood meetings shall be scheduled at a time and publically accessible location near the project that provides reasonable opportunity for assemblage of adjacent landowners, other affected publics, and the applicant to discuss and express their respective views upon the development request. The applicant shall secure a time and location near the proposed project according to the following requirements:

CHAPTER 102 - REVIEW PROCESS AND APPLICATIONS

ARTICLE 6 – TYPE 3 APPLICATION AND REQUESTS

102-6.3 Conditional Use Permits

J. THE DECISION BY THE PLANNING AND ZONING COMMISSION TO APPROVE OR DENY A CUP MAY BE APPEALED BY ANY PERSON AGGRIEVED TO THE CITY COUNCIL AS SET FORTH IN SECTION 2-301(f) OF THE SURPRISE CITY CODE.

CHAPTER 105 – BUILDING AND BUILDING REGULATIONS

ARTICLE 2 – TECHNICAL CODES

- A. 2018 ~~2012~~ International *Building* Code.
- B. 2018 ~~2012~~ International Residential Code.
- C. ~~2012 International~~ 2017 NATIONAL Electrical Code.
- D. 2018 ~~2012~~ International Mechanical Code.
- E. 2018 ~~2012~~ International Plumbing Code.
- F. 2018 ~~2012~~ International Fuel Gas Code.
- G. 2018 ~~2012~~ International Energy Conservation Code.
- H. 2006 International Property Maintenance Code.
- I. 2018 ~~2012~~ International Existing *Building* Code.
- J. 2018 ~~2012~~ International Fire Code.
- K. 2018 INTERNATIONAL GREEN CONSTRUCTION CODE

~~A certain public record entitled "2016 Amendments to the 2012 International Codes," dated September 20, 2016, specifically amends the 2012 building code, residential code, mechanical code, plumbing code, fuel gas code, energy conservation code, existing building code, and fire code.~~

ORDINANCE 2019-31 INCLUDES A CERTAIN PUBLIC RECORD ENTITLED "LOCAL AMENDMENTS TO THE 2018 INTERNATIONAL CODES AND THE 2017 NATIONAL ELECTRICAL CODE," DATED NOVEMBER 14, 2019, WHICH SPECIFICALLY AMENDS THE 2018 BUILDING CODE, RESIDENTIAL CODE, FIRE CODE, PLUMBING CODE, MECHANICAL CODE, FUEL GAS CODE, ENERGY CONSERVATION CODE, EXISTING BUILDINGS CODE, GREEN CONSTRUCTION CODE, AND THE 2017 NATIONAL ELECTRICAL CODE.

State Law reference — Adoption by reference, A.R.S. § 9-801 et seq.; state plumbing code, A.R.S. § 41-619.

CHAPTER 106 - ZONING AND USE STANDARDS

ARTICLE 1 – IN GENERAL

106-1.7 Development Standards and Encroachments

- C. Lot coverage. ~~Measured by the total square footage of structures used for protection or shielding from the elements or weather divided by the square footage of the lot.~~ THE PERCENTAGE OF THE LOT AREA COVERED BY A BUILDING AND/OR OTHER ALLOWED ROOFED STRUCTURE USED FOR PROTECTION OR SHEILDING FROM THE ELEMENTS OR WEATHER.

CHAPTER 106 - ZONING AND USE STANDARDS

ARTICLE 1 – IN GENERAL

Table No. 106-1c – Primary Land Use Matrix for All Zoning Districts

Table No. 106-1c – Primary Land Use Matrix for All Zoning Districts																								
"P" = Permitted, "CUP" = Administrative Use Permit, "CUP" = Conditional Permit, "Work Permit" = Professional																								
Zoning Districts	RR	R-1	R-2	R-3	SHD-RO	SHD-CO	TND-R	TND-C	TND-MU	TND-OS	MU-1	MU-2	MU-3	C-1	C-2	C-3	BP	I-1	I-2	I-3	OS-1	OS-2	PF	
Places of Assembly																								
Places of Worship																								
Zoning District	Places of Assembly											Places of Worship												
RR																								
R-1																								
R-2																								
R-3																								
SHD-RO					CUP																			
SHD-CO					P																			
TND-R																								
TND-C					P																			
TND-MU					P																			
TND-OS																								
MU-1					P																			
MU-2					P																			
MU-3					P																			
CO																								
C-1					P																			
C-2					P																			
C-3					P																			
BP					P																			
I-1					P																			
I-2																								
I-3																								
OS-1																								
OS-2																								
PF					P																			

CHAPTER 106 - ZONING AND USE STANDARDS

ARTICLE 3 – SURPRISE HERITAGE DISTRICT (SHD) ZONING DISTRICTS

106-3.2 Design and Development Standards in the SHD Zoning district.

B. Development Standards.

1. The development standards shown in **Table 106-3a** and **Table 106-3b** below are applicable to all properties within the SHD. These tables identify the development standards for properties zoned into one (1) of the overlay zones.

Table 106-3a – SHD - Residential Overlay Zoning (SHD-RO)

	Commercial	Single-family, Two-family, Three-family	Multi-family Residential
Min. Lot Area (sf)	5,000		15,000
Min. Lot Area (sf/du)		5,000	5,000
Min. Front setback (ft)	15	12 ^{2, 3}	15 ^{2, 3}
Max. Front setback (ft)	30	30 ⁴	30 ⁴
Min. Side setback (ft)	10	5 & 10 total ^{1, 3}	20 ³
Min. Rear setback (ft)	12	12 ³	20 ³
Max. Bldg. Height (ft)	30	30	35
Lot coverage %		65%	65%

Notes:

1. May be reduced to 0' setback for *Single-family dwellings* as attached to and separated by a *common wall* along the property line. End units shall maintain the larger setback.
2. A covered front porch may encroach into the *front setback* by up to five feet (5').
3. *Garage* doors/embellishments shall be setback a minimum of twenty feet (20' alley) measured from the opposing property line, except rear, *alley loaded garages*, which shall be setback six feet (6') from the *alley* edge line.
4. Measured from the *primary dwelling*, excluding front porch.

CHAPTER 106 - ZONING AND USE STANDARDS

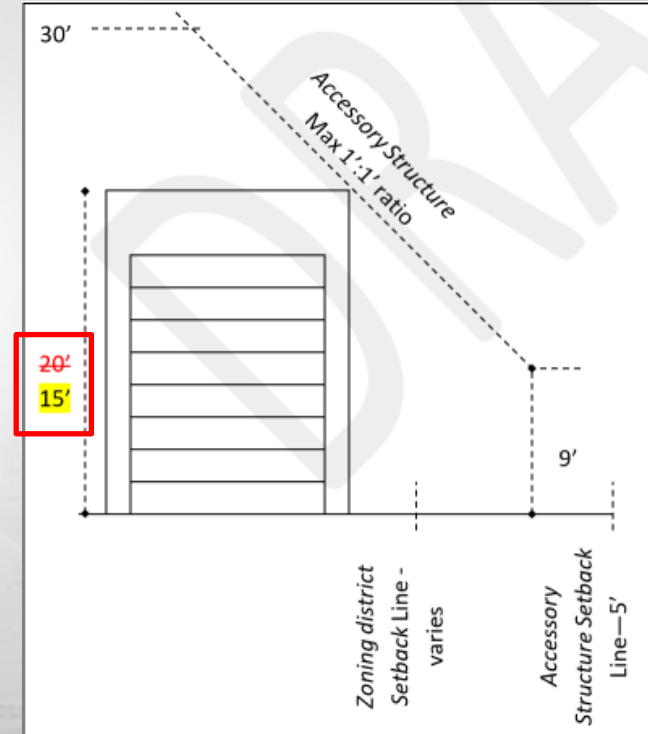
ARTICLE 10 – USE SPECIFIC STANDARDS

106-10.3 Accessory Uses and Structures.

Development Standards. Table 106-10b below identifies the dimensional standards required for an *accessory structure*.

Note 3. The *height* of an *accessory structure* shall not exceed nine feet (9') as measured at the five-foot (5') *setback* line. The *height* of the *accessory structure* may increase at a ratio of one foot vertical for every one foot horizontal (1':1') as measured relative to the property line to a maximum *height* of fifteen feet (15') (See **Figures 106-10a 106-10b**)

- K. *Accessory structures* for multi-family, mixed use, commercial, and employment projects shall be included as part of an approved *site plan* and comply with setbacks of the *zoning district*.



CHAPTER 106 - ZONING AND USE STANDARDS

ARTICLE 10 – USE SPECIFIC STANDARDS

106-10.23 Home Occupation.

- C. The following *uses* have a pronounced tendency, once started, to rapidly increase beyond the limits permitted for *home occupations* and thereby impair the *use* and value of a residentially zoned area for residential purposes. Therefore, the following *uses* shall not be permitted as *home occupations*: (this list is not all inclusive)

11. ~~Sales of weapons or ammunition, retail sales in general,~~ banks, credit unions or payday lending

106-10.31 Outdoor Display and Sales Areas.

Other retail *businesses* may be permitted *outdoor display areas* as an *accessory use* provided:

6. Permanent *outdoor display areas* may be permitted as part of an approved *site plan* for C-3, I-1 AND I-2 Zoning districts.

CHAPTER 106 - ZONING AND USE STANDARDS

ARTICLE 10 – USE SPECIFIC STANDARDS

106-10.40 Self-storage Facilities.

- A. *Self-storage facilities* may be appropriate in the Neighborhood, Commerce and Office, and Employment Character Areas of the *General Plan*, except ~~except~~ may be considered incompatible in areas within the Transit-Oriented Development (TOD) Strategic Plan and Scenic Lands Sub Area.
- B. There are ~~four~~ **THREE** different “types” of *self-storage facilities*; each with different land use needs and varying degrees of regulations.
 - 1. “Garage style” with single story *buildings* that allow customers to drive directly up to the front of each individual roll-up door storage unit/bay.
 - 2. “Multi-story/climate controlled” in a single *building* providing *access* to the individual units from an interior hallway within the *building*.
 - 3. ~~“Parking style” allows outdoor storage of vehicles, boats, RV’s, and trailers. This type can be a standalone facility or combined with either the garage style or multi-story climate controlled facility.~~
 - 4. “Portable container” is the remote facility where small roll-off containers are stored after they have been delivered to and picked up from the customer’s location; with no public or customer *access* to the storage facility.

CHAPTER 106 - ZONING AND USE STANDARDS

ARTICLE 10 – USE SPECIFIC STANDARDS

106-10.40 Self-storage Facilities. (Continued)

- D. Regardless of the “type” the minimum size of any storage facility site shall be one acre (1 ac). ~~The site should be limited to a maximum of two acres (2 ac) when adjacent to a residential zoning district or a residential use.~~
- H. *Outdoor storage* shall be limited to boats, trailers, or *recreational vehicles*. The storage of these vehicles in conjunction with either the garage style or the “multi-story/climate controlled” storage facility shall be limited to a maximum fifteen percent (15%) of the net site area. All outdoor vehicle storage shall be located in the interior of the site and shall be *screened* from view from surrounding properties. ~~Parking style and~~ Garage style storage facilities shall provide an eight foot (8') 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 any storage facility.

106-10.47 Vehicle fueling stations

~~E.~~

CHAPTER 107 DESIGN AND DEVELOPMENT REGULATIONS

ARTICLE 2 – LANDSCAPE AND SCREENING REGULATIONS

107-2.2 REPAIR AND Maintenance RESPONSIBILITIES

- A. The REPAIR AND maintenance of all landscaping on the property or abutting *right-of-way, landscape strip, open space, buffer areas, setbacks, parks, retention basins, or pathways* shall be the responsibility of the property owner. THE CITY OF SURPRISE SHALL NOT HAVE ANY REPAIR OR MAINTENANCE RESPONSIBILITIES ON PRIVATELY OWNED LANDSCAPING, UNLESS BY SEPARATE AGREEMENT.; ~~unless otherwise accepted by the City for maintenance purpose. Maintenance of medians and median landscaping on arterial roads, or on parkways, shall be the responsibility of the city after acceptance.~~

CHAPTER 107 DESIGN AND DEVELOPMENT REGULATIONS

ARTICLE 2 – LANDSCAPE AND SCREENING REGULATIONS

107-2.2 REPAIR AND Maintenance RESPONSIBILITIES

- M. Sidewalks, medians, and *landscape strip* construction and the landscaping within these areas shall adhere to the Property Maintenance regulations as referred to in Chapter 105 of the LDO AND THE NEIGHBORHOOD PRESERVATION ORDINANCE. THE OWNER OF A PARCEL OF REAL PROPERTY OR RESPONSIBLE PARTY IN CONTROL OF ANY LAND ABUTTING A COLLECTOR OR LOCAL STREET RIGHTS-OF-WAY, MEDIANS, SIDEWALKS, OR ALLEYS SHALL BE RESPONSIBLE FOR THE LANDSCAPING AND MAINTENANCE IN THESE AREAS. THE AREAS REQUIRED TO BE MAINTAINED PURSUANT TO THIS SUBSECTION ARE AS FOLLOWS:
1. ANY PORTION OF A STREET, WHICH HAS BEEN OPENED FOR PUBLIC USE, BETWEEN THE CURB LINE, OR IF THERE IS NO CURB LINE THE EDGE OF PAVEMENT, AND THE ABUTTING PROPERTY LINE INCLUDING LANDSCAPING STRIPS AND SIDEWALKS.
 - a. THE CITY SHALL NOTIFY THE OWNER WHEN LANDSCAPING IS FOUND IN VIOLATION OR A SIDEWALK IS FOUND TO BE DEFECTIVE, UNSAFE OR HAZARDOUS, AS DETERMINED BY THE CODE ENFORCEMENT DIVISION OF THE COMMUNITY DEVELOPMENT DEPARTMENT.
 - b. WHENEVER ANY OWNER HAS BEEN NOTIFIED TO CORRECT A LANDSCAPE VIOLATION OR RECONSTRUCT OR REPAIR ANY SIDEWALK, THE CITY MAY PROCEED TO MAINTAIN, RECONSTRUCT, OR REPAIR THE ISSUE THREE (3) DAYS AFTER SUCH NOTICE EXPIRATION, AND THE COST OF SUCH MAINTENANCE, RECONSTRUCTION OR REPLACEMENT SHALL BE PAID BY THE OWNER OF SUCH ABUTTING PROPERTY.
 - c. THE CITY SHALL NOTIFY THE OWNER OF SUCH ABUTTING PROPERTY OF THE AMOUNT DUE FOR THE MAINTENANCE, RECONSTRUCTION, OR REPLACEMENT OF SUCH LANDSCAPING OR SIDEWALK AND THE OWNER SHALL THEREAFTER PAY TO THE CITY.

CHAPTER 107 DESIGN AND DEVELOPMENT REGULATIONS

ARTICLE 2 – LANDSCAPE AND SCREENING REGULATIONS

107-2.2 REPAIR AND Maintenance RESPONSIBILITIES (Continued)

2. ONE-HALF (½) OF THE WIDTH OF ABUTTING ALLEYS FROM THE PROPERTY LINE TO THE CENTERLINE OF THE ALLEY.
3. ANY PORTION OF A STREET ABUTTING THE BOUNDARIES OF A PARCEL OF LAND, WHICH STREET HAS NOT BEEN OPENED FOR PUBLIC USE, SHALL BE MAINTAINED BY THOSE PERSONS WHO DEDICATED THE STREET OR THEIR SUCCESSORS IN INTEREST, INCLUDING LESSEES AND OTHER PERSONS IN CONTROL OF THE LAND ABUTTING THE STREET; PROVIDED THAT IF THE ABUTTING LAND ON EITHER SIDE OF SUCH STREET IS OWNED BY DIFFERENT PERSONS AND EACH PERSON HAS AN OBLIGATION TO MAINTAIN THE STREET. HEREUNDER, THEN THE RESPONSIBLE PARTY OR OTHER PERSON IN CONTROL OF THE LAND SHALL ONLY BE REQUIRED TO MAINTAIN ONE-HALF (½) OF THE WIDTH OF THE STREET ABUTTING THEIR LAND.

107-2.4 Quantity, Size, and Spacing Requirements.

- C. Parking Areas/Lots, MULTI-FAMILY and Non-residential Setbacks

CHAPTER 107 DESIGN AND DEVELOPMENT REGULATIONS

ARTICLE 3 – OUTDOOR LIGHTING REGULATIONS

107-3.7 Outdoor Advertising Signs.

A.

CHAPTER 107 DESIGN AND DEVELOPMENT REGULATIONS

ARTICLE 3 – OUTDOOR LIGHTING REGULATIONS

107-3.7 Outdoor Advertising Signs.

A.

CHAPTER 107 DESIGN AND DEVELOPMENT REGULATIONS

ARTICLE 4 – PARKING AND LOADING REGULATIONS

107-4.3 R-1 and R-2, AND SHD-RO Residential Provisions

- A. ~~Required~~ Off-street parking SPACES WITHIN THE FRONT YARD shall be utilized solely for the parking of licensed and operable passenger vehicles and in addition to Chapter 54, Article IV of the Municipal Code the regulations below shall apply:
1. The *recreational vehicle* or utility trailer stored in the rear or *side yard* shall be behind the front line of the *primary structure*.
 2. Placement of a *recreational vehicle* or utility trailer ~~in~~ other than the rear or *side yard* for loading and unloading purposes may be permitted for a period not to exceed seventy-two (72) hours up to two (2) times per month.
 3. No person shall *park* a *truck* on any *lot*, except while loading and unloading the *truck*, while services are being provided to the residence by the *truck's* occupant, or for a period of time to exceed twenty (24) hours.
- B. The ~~required~~ off-street parking spaces WITHIN THE FRONT YARD shall not be *used* for storage of commercial equipment.
- C. Residential parking and driveway areas shall be constructed and maintained, with the required *parking space(s)* being located on and *accessed* by a dust-proof surface.
- D. DRIVEWAY ENTRANCES AND OFF-STREET PARKING SPACES WITHIN THE FRONT YARD SHALL NOT COMPRISE OF MORE THAN THIRTY PERCENT (30%) OF THE FRONT LOT LINE, EXCEPT THAT EACH LOT IS PERMITTED ONE DRIVEWAY UP TO EIGHTEEN FEET (18') WIDE.

CHAPTER 107 DESIGN AND DEVELOPMENT REGULATIONS

ARTICLE 4 – PARKING AND LOADING REGULATIONS

107-4.5 Dimensions

- D. Off-street loading spaces. The number of such required spaces is outlined in **Table 107-4a** and the dimensions, exclusive of *access* or maneuvering area, *platform*, and other appurtenances, are as follows:
1. Each large space shall have an overhead clearance of at least fifteen feet (15'), shall be at least twelve feet wide and at least fifty feet (12'x50') long.
 2. Each small space shall have an overhead clearance of at least ten feet (10'), shall be at least eight feet wide and at least **TWENTY** feet long (8'x20').

CHAPTER 108 - LAND DIVISION AND SUBDIVISION REGULATIONS

ARTICLE 1 – GENERAL PROCESS AND OVERVIEW

108-1.8 MAINTENANCE OF MEDIANS AND MEDIAN LANDSCAPING.

- A. THE REPAIR AND MAINTENANCE OF ALL MEDIANS AND MEDIAN LANDSCAPING WITHIN ALL ARTERIAL AND PARKWAY RIGHTS-OF-WAY CLASSIFICATIONS WILL NOT BE THE RESPONSIBILITY OF THE CITY OF SURPRISE UNTIL ALL REQUIREMENTS ARE MET AS DESCRIBED HEREIN.
1. PRIOR TO ACCEPTANCE OF THE MEDIAN AND/OR MEDIAN LANDSCAPING, IF A MEDIAN AND/OR MEDIAN LANDSCAPING IS FOUND TO BE DEFECTIVE, OVERGROWN, UNSAFE OR HAZARDOUS, THE CITY SHALL NOTIFY THE APPLICANT AND/OR ASSOCIATION FORMED BY THE APPLICANT OF THE ABUTTING PROPERTY TO RECONSTRUCT AND/OR REPAIR AND/OR REPLACE THE MEDIAN AND/OR MEDIAN LANDSCAPING WITHIN A TIME FRAME NOT TO EXCEED 45 DAYS FROM WRITTEN NOTICE.
 2. FAILURE TO REPAIR WITHIN THE TIME ALLOTTED WILL RESULT IN THE WITHHOLDING ON THE COMPANY'S BOND WHEN APPLICABLE. SECTION 42-44 II AND III SHALL APPLY AS DESCRIBED IN THE SURPRISE MUNICIPAL CODE.

CHAPTER 108 - LAND DIVISION AND SUBDIVISION REGULATIONS

ARTICLE 1 – GENERAL PROCESS AND OVERVIEW

108-1.8 MAINTENANCE OF MEDIANS AND MEDIAN LANDSCAPING.

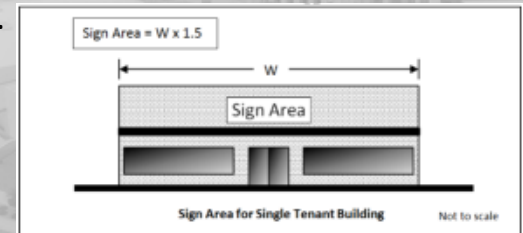
B. THE REPAIR AND MAINTENANCE OF ALL MEDIANS AND MEDIAN LANDSCAPING WITHIN ALL COLLECTOR AND LOCAL STREET RIGHTS-OF-WAY CLASSIFICATIONS SHALL BE THE RESPONSIBILITY OF THE APPLICANT AND/OR ASSOCIATION FORMED BY THE APPLICANT. THE CITY OF SURPRISE SHALL NOT HAVE ANY REPAIR OR MAINTENANCE RESPONSIBILITIES FOR MEDIANS LOCATED IN COLLECTOR AND LOCAL STREET RIGHTS-OF-WAY, UNLESS BY SEPARATE AGREEMENT.

1. WHEN A MEDIAN AND/OR MEDIAN LANDSCAPING IS FOUND TO BE DEFECTIVE, OVERGROWN, UNSAFE OR HAZARDOUS, THE CITY SHALL NOTIFY THE OWNER OF THE ABUTTING PROPERTY TO RECONSTRUCT OR REPAIR THE MEDIAN AND/OR MEDIAN LANDSCAPING WITHIN A TIME FRAME NOT TO EXCEED FORTY-FIVE (45) DAYS FROM WRITTEN NOTICE.
2. WHEN AN OWNER NOTIFIED TO REPAIR ANY MEDIAN AND/OR MEDIAN LANDSCAPING, AS PROVIDED IN THE PRECEDING SECTION, FAILS TO REPAIR SUCH MEDIAN AND/OR MEDIAN LANDSCAPING AS REQUIRED BY THE NOTICE AND ORDINANCES OF THE CITY, THE CITY MAY PROCEED TO REPAIR SUCH MEDIAN AND/OR MEDIAN LANDSCAPING THREE (3) DAYS AFTER SUCH NOTICE EXPIRATION TO SUCH OWNER, AND WHEN SO REPAIRED BY THE CITY, THE COST OF SUCH REPAIR SHALL BE PAID BY THE OWNER OF SUCH ABUTTING PROPERTY AND BE COLLECTED AS DESCRIBED HEREIN.

CHAPTER 109 - SIGNS

ARTICLE 1 – IN GENERAL PROCESS AND OVERVIEW

- 109-1.9 Sign classifications and types.** The following sign classifications and types as defined in **section 109-1.6** are permitted in the city as outlined in table 109-1a subject to the following "time, place and manner" restrictions.
- B. Building-mounted signs.** Building-mounted signs may only be placed on building elevations which face a street or primary parking lot. For purposes of this section, parking areas adjacent to service bays, access drives located behind a building, or alley ways are not considered primary parking areas.
1. *Building wall signs.* In other than residential zoning, building wall signs are permitted on any building elevation of any primary use building, subject to the following:
 - a. For single story, single-tenant **AND MULTI-TENANT** buildings, any number of building wall signs may be affixed to any building elevation, provided the aggregate sign area does not exceed one and one-half square foot per one linear foot of building elevation **OF THE TENANT WIDTH** on which the sign is mounted.



CHAPTER 110 - DEVELOPMENT IMPACT FEES

ARTICLE 1 – IN GENERAL

110-1.1 Definitions.

- A. Unless otherwise defined in this chapter, terms used in this chapter have the same meaning as used in A.R.S. § 9-463.05.

G

GROSS FLOOR AREA: FOR FEES ASSESSED ON THE BASIS OF SQUARE FEET, GROSS FLOOR AREA SHALL BE CALCULATED AS FOLLOWS. THE FLOOR AREA WITHIN THE INSIDE PERIMETER OF THE EXTERIOR WALLS OF THE BUILDING UNDER CONSTRUCTION, EXCLUSIVE OF THE VENT SHAFTS AND COURTS, WITHOUT DEDUCTION FOR CORRIDORS, STAIRWAYS, RAMPS, CLOSETS, THE THICKNESS OF THE INTERIOR WALLS, COLUMNS OR OTHER FEATURES. THE FLOOR AREA OF A BUILDING, OR PORTION THEREOF, NOT PROVIDED WITH SURROUNDING EXTERIOR WALLS SHALL BE THE USEABLE AREA UNDER THE HORIZONTAL PROJECTION OF THE ROOF OR FLOOR ABOVE. THE GROSS FLOOR AREA SHALL NOT INCLUDE SHAFTS WITH NO OPENINGS OR INTERIOR COURTS. THE USEABLE SPACE FOR A BUSINESS UNDER THE CANOPY FOR OUTDOOR DINING, GAS PUMPS, PARKING, DRIVE THROUGH, ETC. WILL BE COUNTED IN GROSS FLOOR AREA SQUARE FOOTAGE CALCULATION.

Sec. 2-301. - Planning and zoning commission.

(d) *Powers, duties and responsibilities.* The commission will:

(8) ~~Make recommendations in all matters pertaining to the use of United States Department of Housing and Urban Development grant funding programs and other community support grant funding programs.~~ REVIEW AND APPROVE OR DENY APPLICATIONS FOR SITE PLAN APPROVAL AND CONDITIONAL USE PERMITS, AS SET FORTH IN THE LAND DEVELOPMENT CODE, OR AS OTHERWISE SET FORTH IN THIS CODE.

(f) *Appeals.* ~~When sitting as either the board of adjustment or the board of construction review, only decisions of the planning and zoning commission may be appealed as set forth in section 2-303 or 2-304 as appropriate.~~ Decisions by the Planning and Zoning Commission may be appealed as follows:

(1) ANY PERSON AGGRIEVED BY THE DECISION OF THE PLANNING AND ZONING COMMISSION TO APPROVE OR DISAPPROVE AN APPLICATION FOR A CONDITIONAL USE PERMIT MAY APPEAL THE DECISION TO THE CITY COUNCIL WITHIN 15 CALENDAR DAYS AFTER THE COMMISSION HAS RENDERED ITS DECISION. THE AGGRIEVED PERSON, OR ANY MUNICIPAL OFFICER OR OFFICIAL DEPARTMENT OF THE CITY, OR MEMBER OF CITY COUNCIL, MAY FILE AN APPEAL WHETHER OR NOT THEY WERE A PREVIOUS PARTY TO THE DECISION. APPEALS SHALL BE FILED IN WRITING WITH THE OFFICE OF THE CITY CLERK AND SHALL SPECIFY THE GROUNDS FOR THE APPEAL. THE DECISION BY THE CITY COUNCIL SHALL BE FINAL.

(2) WHEN SITTING AS EITHER THE BOARD OF ADJUSTMENT OR THE BOARD OF CONSTRUCTION REVIEW, DECISIONS OF THE PLANNING AND ZONING COMMISSION MAY BE APPEALED AS SET FORTH IN SECTION 2-303 OR 2-304 AS APPROPRIATE.



QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Planning and Zoning Commission Meeting

Council Meeting Date: September 16, 2021 Contact Person: Sergio Angulo
Submitting Department: Community Development District: District 1
Staff Recommendations:

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

Agenda Wording:

Presentation and action pertaining to the Minor General Plan Amendment to change approximately 107 acres of Open Space Character Area to Neighborhood Character Area, generally located north of McMicken Way and east of the 147th Avenue. Case FS21-154

Motion:

I move to recommend approval of the Minor General Plan Amendment to change approximately 107 acres of Open Space Character Area to Neighborhood Character Area.

Background:

The subject property falls within the General Plan Open Space Character Area. The applicant proposes a minor General Plan Amendment to change the designated character area from open space to neighborhood. Following the minor general plan amendment, the applicant proposes to rezone the subject property to RH-15 PUD with a maximum density of 8 DU/Ac to allow for the development of 115 new multi-family attached and detached rental units.

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 - FS21-154 - Mandou Ranch - Minor GPA - Staff Report
 2. 01 - FS21-154 - Mandou Ranch - Minor GPA - Vicinity Map
 3. 02 - FS21-154 - Mandou Ranch - Minor GPA Document
 4. 03 - FS21-154 - Mandou Ranch - Minor GPA - Citizen Participation Report - REDACTED
 5. FS21-154 - Mandou Ranch - Minor GPA - PowerPoint
-

MINOR GENERAL PLAN AMENDMENT

REPORT TO THE PLANNING AND ZONING COMMISSION

Case: FS21-154

Project Name: Mandou Ranch

Council District: 1 – Acacia

Meeting Date: September 16, 2021

Planner: Sergio Angulo, Planner II

Owners: Wittrock Land 1 LLC/
Pacific Premier Trust (Custodian)/
Wittrock Land 2 LLC/Wittrock Land 3 LLC et al
Paloma Creek Water Coordinator LLC
William Lyon Homes Inc.
Brookfield Holdings Mercado LLC

Applicant: Kent Xander with KAX Group LLC

Request: Minor General Plan Amendment to change the land use designation of 107 acres from Open Space Character to Neighborhood Character.

Site Location: Generally south of Happy Valley Road and east of 147th Avenue in a portion of Section 9, Township 4 North, Range 1 West, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Dwelling Units: N/A

Site Size: 107 acres (approx.)

Density: N/A

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

Support/Opposition: The applicant held a neighborhood meeting on July 19, 2021. One (1) resident of Surprise attended the meeting to ask questions and express their opinions on this project. There was no opposition to this project at the meeting.

Staff Recommendation: Staff recommends the Commission move to recommend **approval** of the Minor General Plan Amendment case **FS21-154** to the City Council.

Background:

November 10, 2007: The City Council approved the annexation (Ordinance #07-47) of the subject property.

October 29, 2020: Staff met with the applicant to discuss the project during a regularly scheduled Concept Review meeting under CR20-656.

February 24, 2021: The applicant filed a related request for a Minor General Plan Amendment under case FS21-154, the subject case.

July 19, 2021: The applicant held a neighborhood outreach meeting to discuss the project.

Citizen Outreach:

As noted above, the applicant held a virtual neighborhood outreach meeting on July 19, 2021, which was advertised per state law and the requirements of the SUDC. One (1) resident from Surprise attended the meeting to learn about the project and to ask questions. This neighbor asked if the park site to the north was going to be a City or HOA owned park and expressed support for this project. There was no opposition to this project at the meeting. See the attached Citizen Participation Report for a full meeting summary.

Project Description:

Kent Xander with KAX Group LLC requests approval of a Minor General Plan Amendment to change the land use designation on approximately 107 acres from Open Space Character to Neighborhood Character. The general plan allows for modifications that increase or decrease the Open Space Character designated areas to be processed as minor amendments as long as the area is less than 160 acres and the change does not impact substantive portions of the Character Area Land Use plan's mixture or balance.

Analysis and Discussion:

The area that is being modified is approximately 107 acres and is located south of the Beardsley Canal and east and west of 147th Avenue. The area covered in the proposed amendment includes two (2) privately owned parcels and Rancho Mercado residential parcels A1, A2, and A3, which have received Final Plat approval for 391 single-family dwelling units. The intent of the open space area in this location was to preserve the Beardsley Canal and the multi-purpose regional trail that runs along the canal. When the open space land use boundaries were created for this area, the already approved entitlements for the Rancho Mercado parcels were not taken into consideration. This amendment will help correct that discrepancy over these 107 acres and it is City staff's intent to correct the land use designation along the Beardsley Canal during the major general plan update process.

In conjunction with this Minor General Plan Amendment, the applicant is requesting a Zone Change on 14.47 acres (approx.) of Residential Ranch (RR) to Residential High Density (RH-15) with a Planned Unit Development (PUD) Overlay to allow for the development of a multi-family residential project. Approval of this Minor General Plan Amendment will allow the applicant to move forward with this rezone.

Utility and Services Table:

Electric:	APS
Water:	City of Surprise
Wastewater:	City of Surprise
Schools:	Dysart Unified School District

Conformance with Adopted Plans:

Surprise General Plan 2035: The Surprise General Plan 2035 shows the subject property as lying within the Open Space Character Area. The applicant is requesting approval of a Minor General Plan Amendment to change the land use designation of 107 acres from Open Space to Neighborhood Character. The proposed amendment complies with the requirements of the general plan for a minor amendment.

Reviewing Agencies:

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

Summary:

This proposed Minor General Plan Amendment will allow for the development of Mandou Ranch.

114 **Findings:**

- 115
- 116 • The proposed land use modification is supported by the General Plan under the minor
 - 117 amendment process.
 - 118 • The Beardsley Canal area will preserve the Open Space Character designation.
- 119

120 **Recommendation:**

121

122 Based on the findings noted above, staff recommends the Commission move to recommend

123 **approval** of the Minor General Plan Amendment case **FS21-154** to the City Council.

124

125 However, should the Commission wish to recommend denial of the request to the City Council, the

126 Commission should make its own findings and base its decision on those alternative findings.

127

128 **Attachments:**

- 129
- 130 01 Vicinity Map
 - 131 02 General Plan Amendment Document
 - 132 03 Citizen Participation Report



MINOR GPA VICINITY MAP

Narrative for MANDOU RANCH Minor General Plan Amendment Area

Case No. FS21-154
Change the General Plan Designation of Open Space Character
Area to Neighborhood Character Area

107 Gross Acres

Southwest and Southeast corner of 147th Avenue (Bullard)
and Beardsley Canal,
Surprise, Arizona

Prepared by: Kent A. Xander

Submitted To: City of Surprise, Arizona

Dated: February 23, 2021
Revised: April 22, 2021
Revised: May 21, 2021
Revised: June 9, 2021

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Existing General Plan Land Use Map.....	Exhibit A
Proposed General Plan Land Use Map.....	Exhibit B
Parcel Descriptions	Exhibit C
General Plan 2035 Land Use Map	Exhibit D
Mandou Ranch relationship to Rancho Mercado PAD Community Trail and Landscape Map	Exhibit E

Applicant

Kent A. Xander – KAX Group
kxander@kaxgroup.com

Location and Introduction:

A Vicinity Map shown on page 4 illustrates Mandou Ranch Minor General Plan Amendment Area and location.

The Minor General Plan Amendment Area is approximately 107 gross acres and includes Mandou Ranch, property APN 503-69-003C, and Rancho Mercado Development Parcels A1, A2, and A3. Applicant is requesting to change the General Plan Designation of Open Space Character Area to Suburban Neighborhood Character Area for 107 gross acres located at the Southwest and Southeast corner 147th Avenue (Bullard) and Beardsley Canal.

The Surprise General Plan 2035, attached as **Exhibit D**, shows the subject area of the Minor General Plan Amendment Area as lying within the Open Space Character Area. Per Arizona Revised Statutes, ASLD and privately held lands with an Open Space designation may also be developed at a maximum on one dwelling unit per acre or with an alternative, economically viable land use. In order to preserve ASLD and privately held lands as Open Space, governmental acquisition of these lands must occur through purchase or trade. The Applicant is submitting a minor amendment to change the General Plan Land Use designation for the property from Open Space Character Area to Neighborhood Character Area, which supports high-density residential development at densities 8+ DU/Acre in an urban development. Mandou Ranch minor general plan amendment area complies with the General Plan in this regard.

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

East

- | | |
|----------------------------|---------------------------|
| • Rancho Mercado Parcel A3 | Open Space Character Area |
|----------------------------|---------------------------|

South

- | | |
|---------------------------------|---------------------------|
| • Maricopa County Flood Control | Open Space Character Area |
|---------------------------------|---------------------------|

West

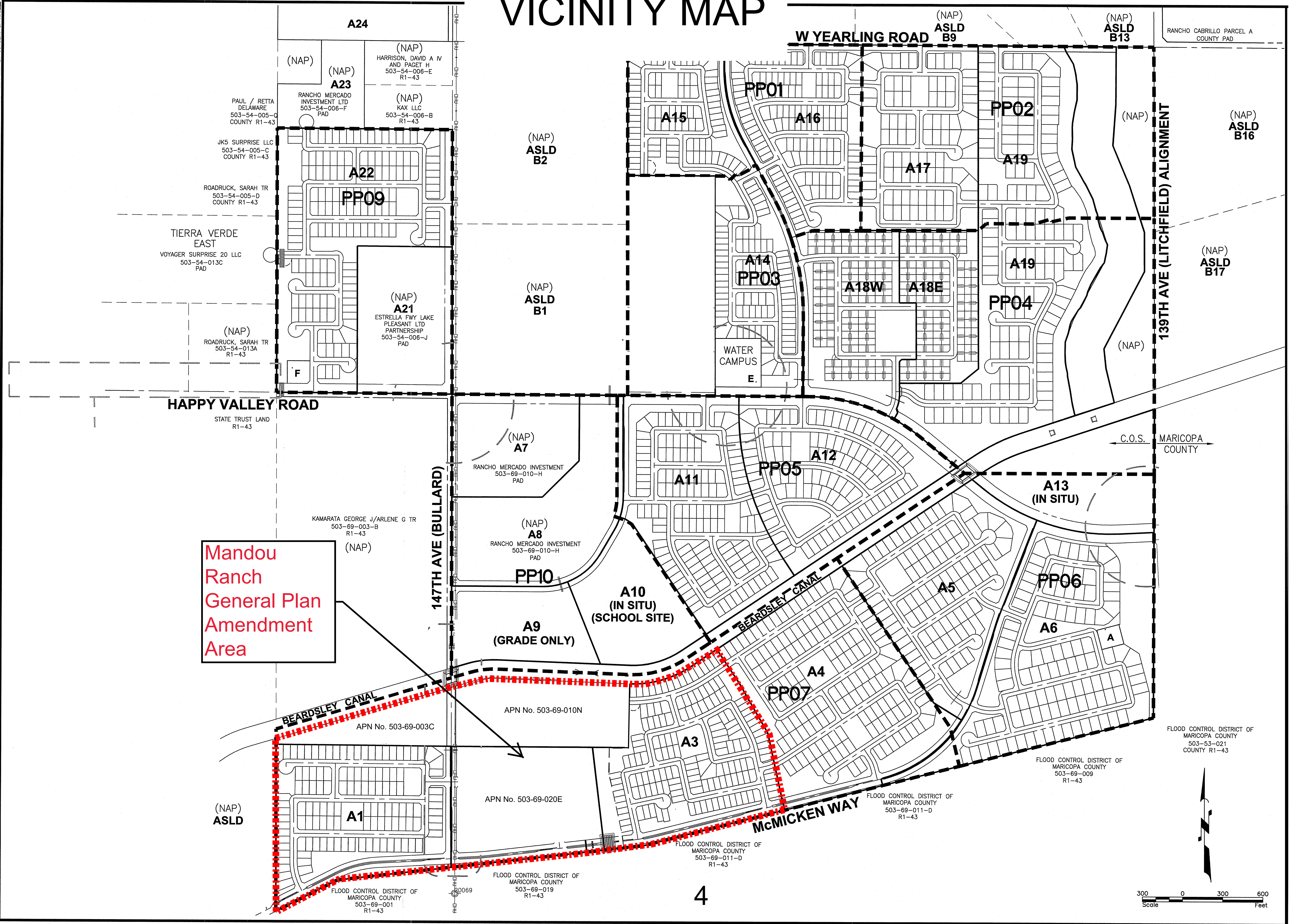
- | | |
|---------------------------------|---------------------------|
| • Arizona State Land Department | Open Space Character Area |
|---------------------------------|---------------------------|

North

- | | |
|---|--|
| • North of Beardsley Canal
Rancho Mercado Parcels A9 & A10 | Neighborhood Character Area
and Open Space Character Area |
|---|--|

Exhibit E Map shows Mandou Ranch Minor General Plan Amendment Area relationship to Rancho Mercado PAD.

VICINITY MAP



Description of Request:

Introduction.

The applicant is requesting a change in the general plan land use designation from Open Space Character Area to Neighborhood Character Area, for 107 gross acres located at the southwest and southeast corner of Beardsley Canal and 147th Avenue (Bullard). See **page 4, Vicinity Map** for the general location.

Project Overview.

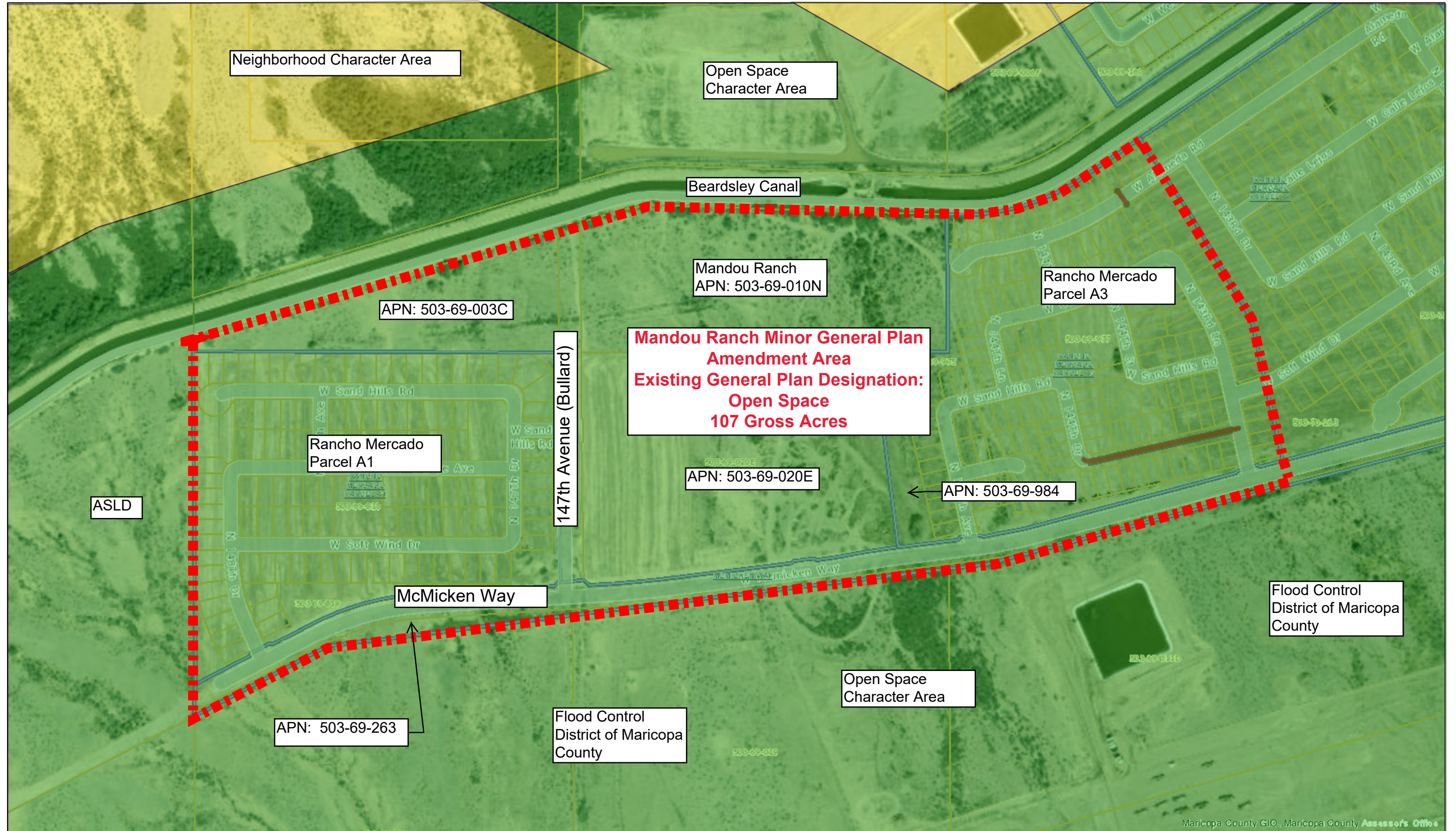
Change the general plan land use designation from Open Space Character Area to Neighborhood Character Area. See **Exhibit B**, proposed general plan land use map, and see **Exhibit C** for Parcel Descriptions included in the Minor General Plan Amendment Area.

The result of the minor general plan amendment would be:

- Proposed Mandou Ranch project will be in conformance with the Surprise General Plan.
- Mandou Ranch minor general plan amendment area development 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 Rancho Mercado PAD.



EXHIBIT A Existing General Land Use Plan Map



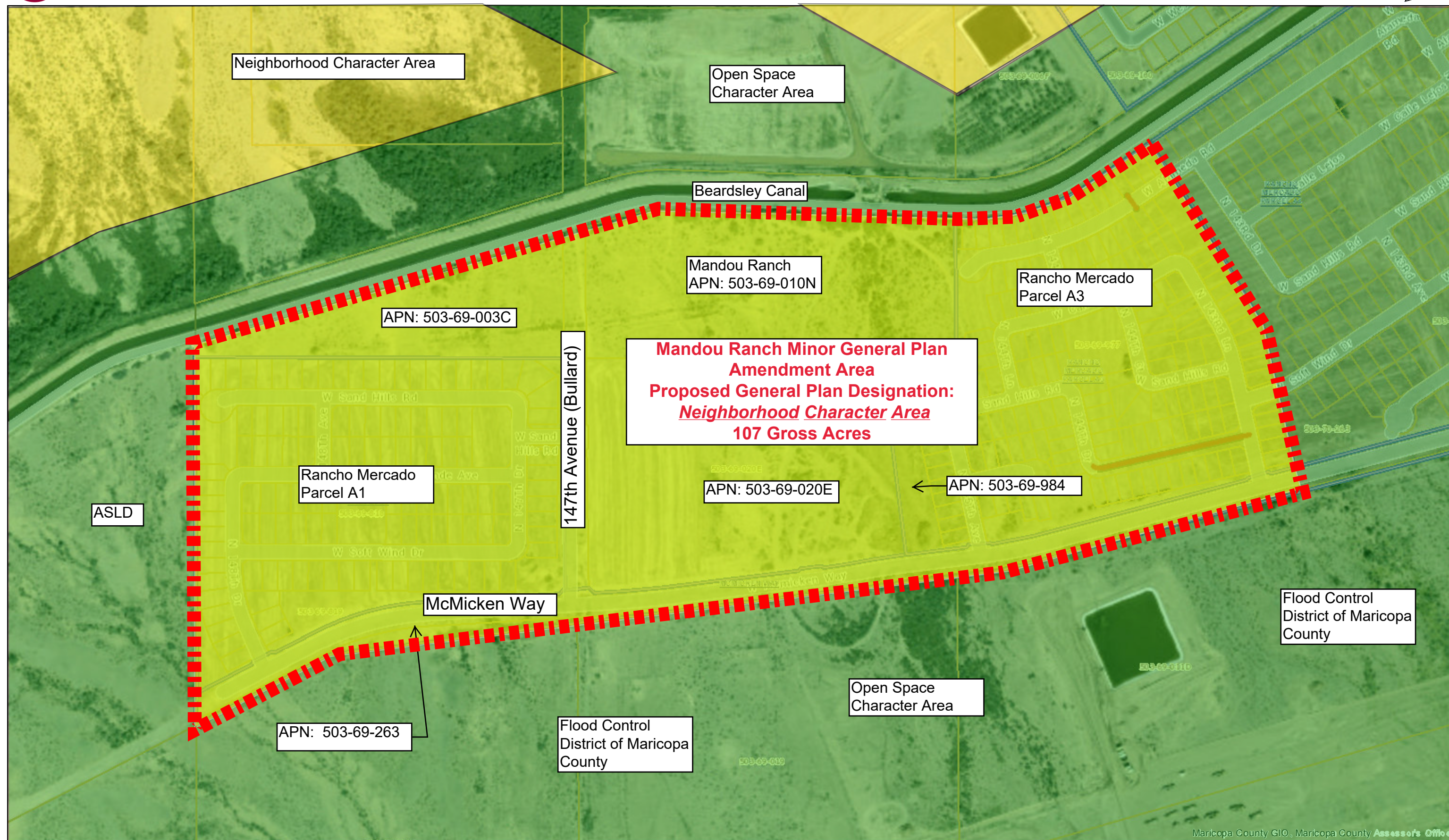
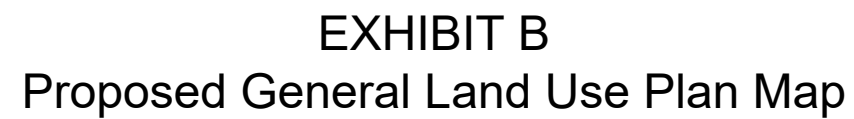


EXHIBIT C

Parcel Descriptions

1. Assessor Parcel Number: 503-69-003C
2. Assessor Parcel Number: 503-69-010N
3. Assessor Parcel Number: 503-69-263
4. Assessor Parcel Number: 503-69-984
5. Assessor Parcel Number: 503-69-020E
6. Rancho Mercado Parcel A1
7. Rancho Mercado Parcel A3

EXHIBIT D

General Plan 2035 LAND USE

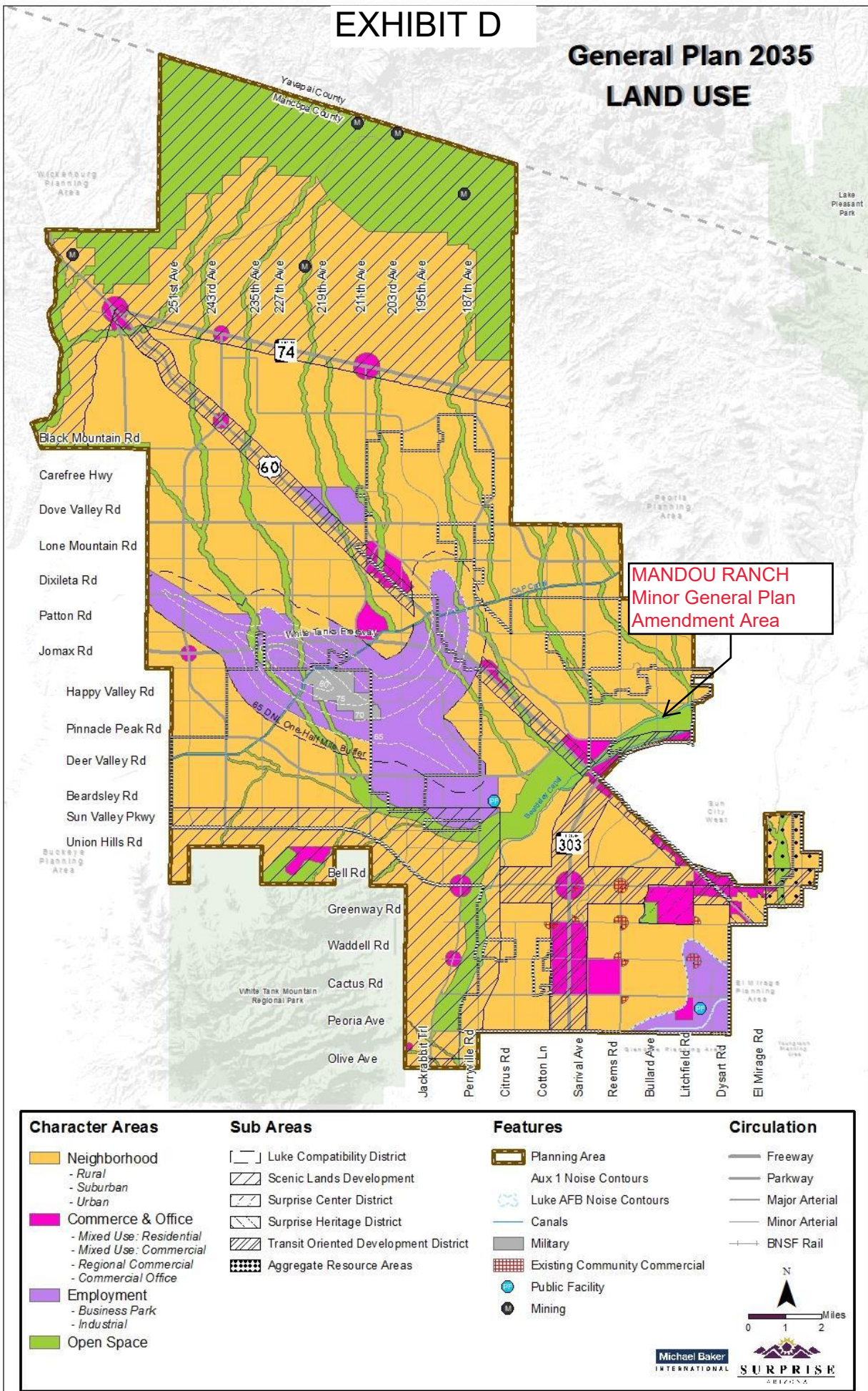
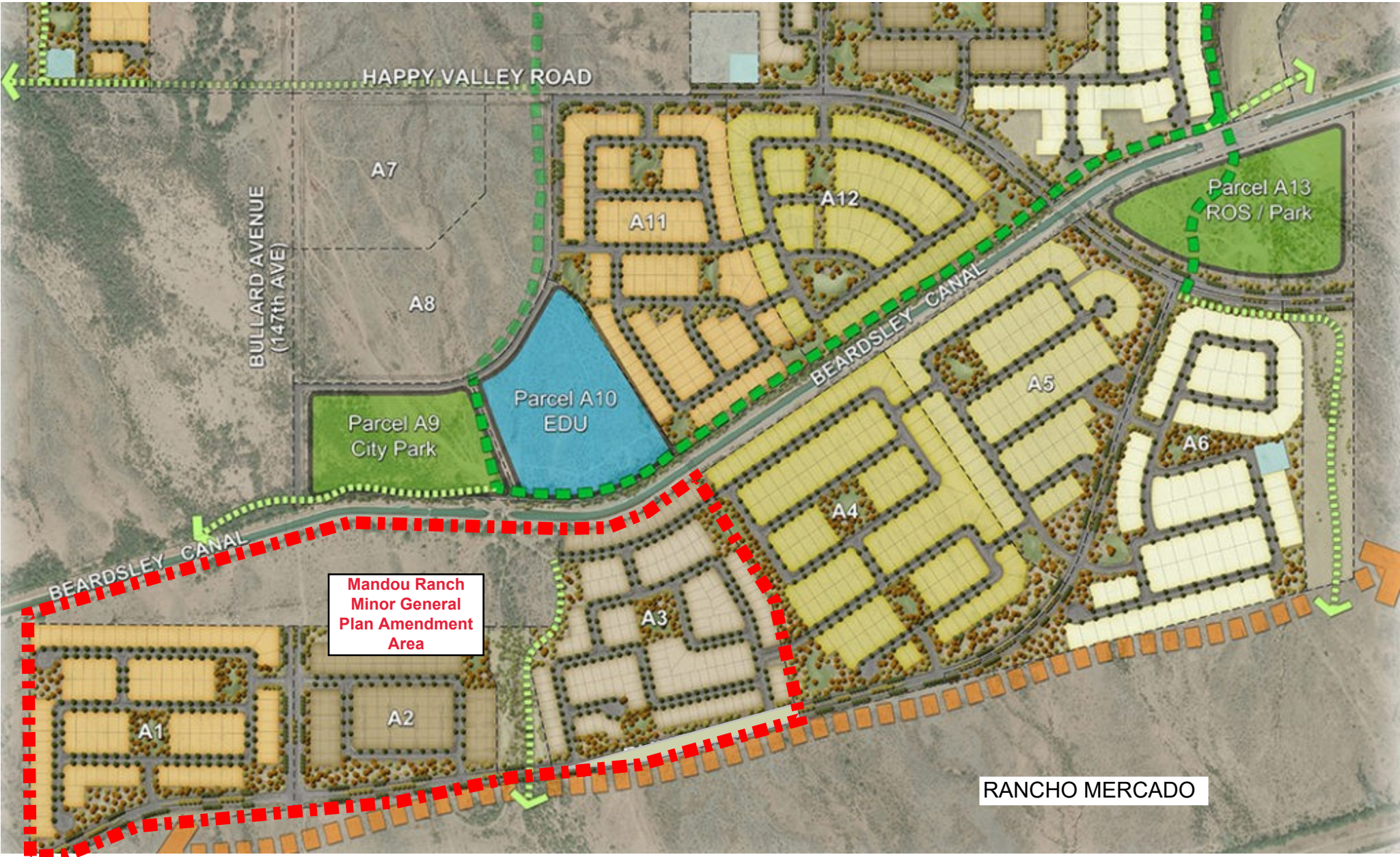


EXHIBIT E





Mandou Ranch

General Plan Amendment and Zoning Case

Citizen Participation Plan

Updated July 20, 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.

Windstone Ranch North Citizen Participation Plan & Report

The Minor General Plan Amendment Area is approximately 107 gross acres and includes Mandou Ranch, property APN 503-69-003C, and Rancho Mercado Development Parcels A1, A2, and A3. Applicant is requesting to change the General Plan Designation of Open Space Character Area to Suburban Neighborhood Character Area for 107 gross acres located at the Southwest and Southeast corner 147th Avenue (Bullard) and Beardsley Canal. The Applicant requests approval of a Zone Change for 14.4726 gross acres from Residential Ranch (RR) to RH-15 PUD Overlay located at the Southeast corner 147th Avenue and Beardsley Canal and 147th Avenue.

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 July 3, 2021, to alert interested citizens and stakeholders of our upcoming combined virtual and in-person open house on July 19, 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 eight (1) in-person attendee and one participant virtually. The sign-in sheets are attached at **Tab 2**. Councilman Roland Winters was present along with City staff, Lloyd Abrams, and Sergio Angulo. The discussion topics included:

- Is the Park north of Mandau Ranch going to be HOA or City owned?

There was 1 (one) comment card left behind at this open house, please refer to **Tab 3**. We have been working cooperatively with City staff on the general plan amendment and rezone request and will continue to work towards public hearings on the proposed request. If we are contacted by any neighbors or stakeholders after we have submitted this citizen participation report to the city, we will reach out to them and provide updates to the city staff with an amended report.

TAB 1



AFFIDAVIT OF POSTING

Application No: FS21-154

Applicant Name:

Location: Southeast corner of Beardsley Canal and 147th Avenue

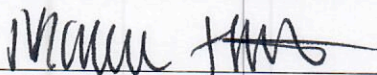
Date Site Posted: July 3rd, 2021

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.

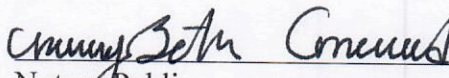
I confirm that the site has been posted as required above, for the case noted above. A picture of the site posting, and photos of any subsequent changes/updates made to the sign, have also been submitted.


Applicant/Representative Signature

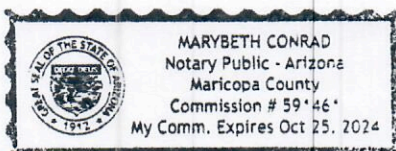
7-3-2021
Date

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

set my hand and official seal.


Notary Public

10-25-2024
My commission expires



TAB 2

NEIGHBORHOOD MEETING SIGN-IN SHEET

Asante Preparatory Academy
Date : 7/19/2021 Time: 6:00PM - 7:00PM

NAME	ADDRESS	EMAIL	PHONE #
Anely Cepen			

Date : 7/19/2021 Time: 6:00PM - 7:00PM

Page 93 of 271

TAB 3

COMMENT CARD

NAME: Andy Cepon

ADDRESS: [REDACTED] Surprise AZ

COMMENT: 8 units per acre to match surrounding properties.
Good use of open space with a proposed park (Rancho Mercado)
across the street to the North. Support changes.

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, kajones@tblaw.com



CITY OF SURPRISE
Site posting Process

AFFIDAVIT OF POSTING
(Sign modification)

Application No: FS21-154
Applicant Name: _____
Location: Southeast corner of Beardsley Canal and 147th Avenue
Date Site Posted: July 3rd, 2021 sign modified: August 18th, 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.

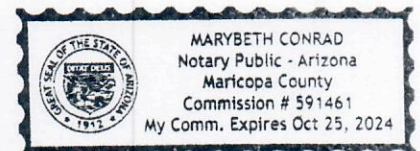
I confirm that the site has been posted as required above, for the case noted above. A picture of the site posting, and photos of any subsequent changes/updates made to the sign, have also been submitted.

Maria Hitt 8.18.2021
Applicant/Representative Signature Date

This instrument was acknowledged before me on this 18th day of August, 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).





FS21-154

Mandou Ranch

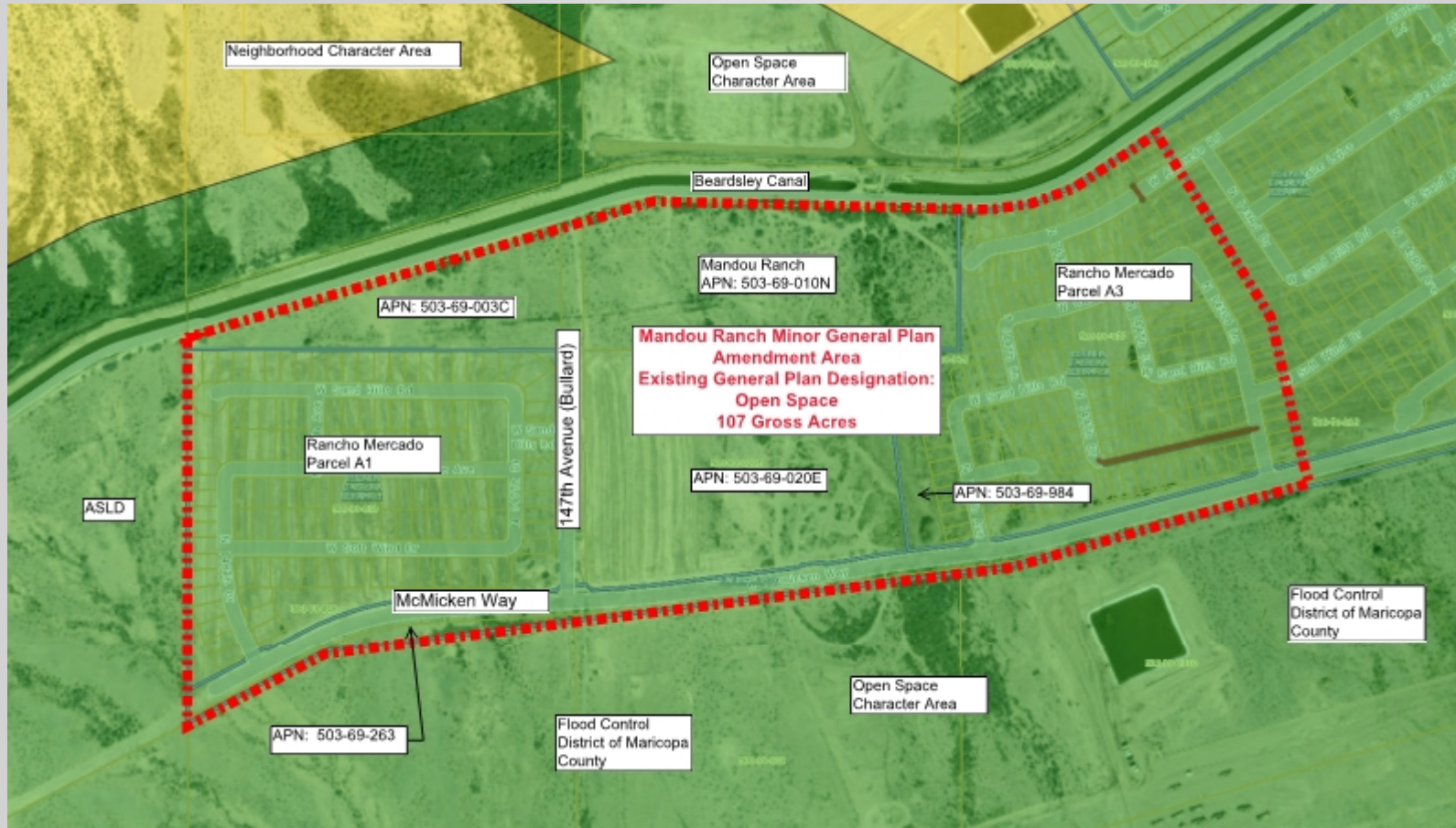
Minor General Plan Amendment

Planning and Zoning Commission

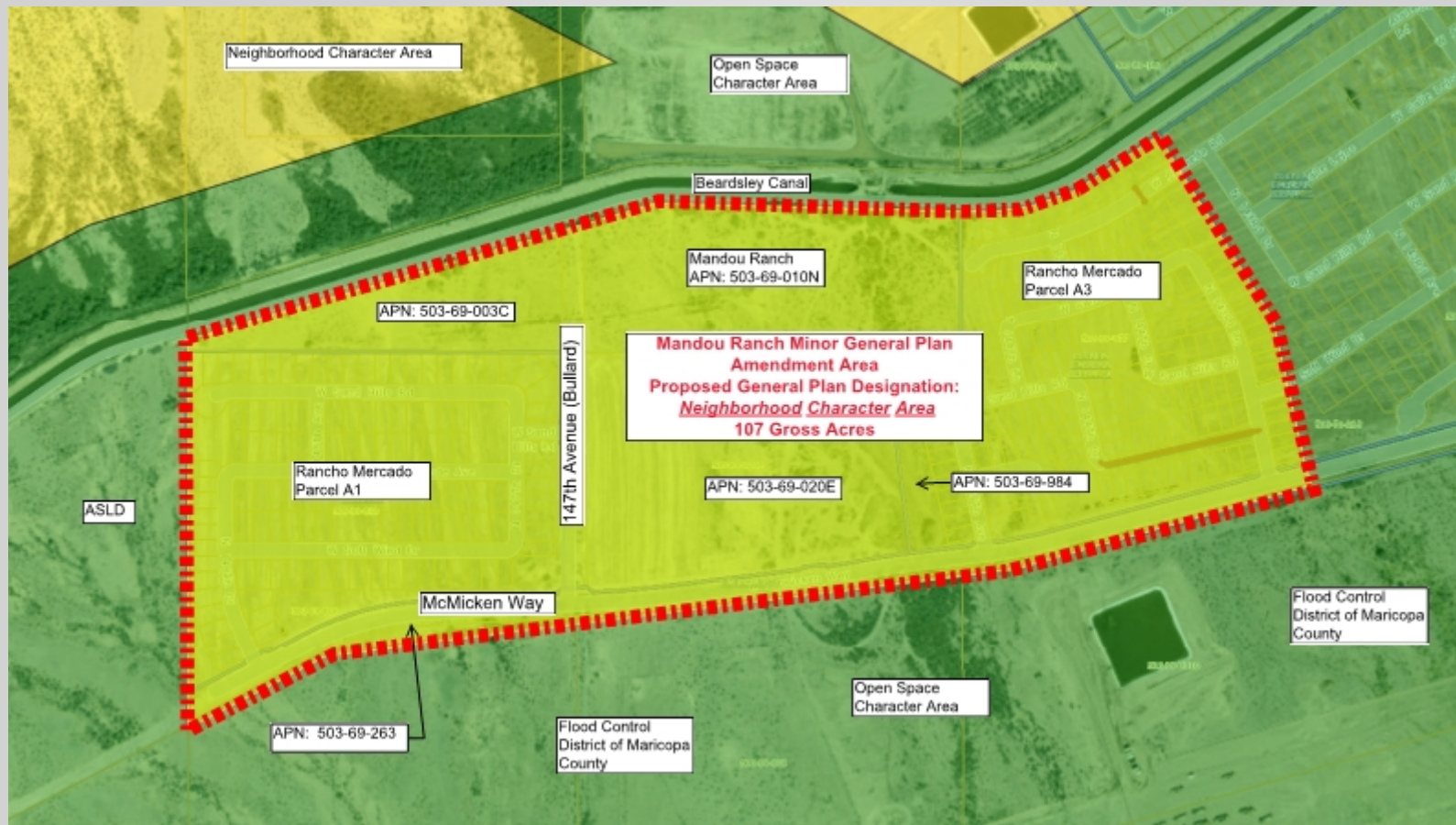
September 16, 2021



MINOR GPA VICINITY MAP



EXISTING GP LAND USE



PROPOSED GPA LAND USE



RECOMMENDATION

Staff recommends the P&Z Commission Recommend Approval to the Mayor and City Council.



**QUESTIONS OR
COMMENTS?**

Thank You



CITY OF SURPRISE Planning and Zoning Commission Meeting

Council Meeting Date: September 16, 2021 Contact Person: Sergio Angulo
Submitting Department: Community Development District: District 1
Staff Recommendations:

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

Agenda Wording:

Presentation and action pertaining to the Zone Change of approximately 14.47 acres from Rural Residential (RR) to Residential High Density (RH-15) with a PUD Overlay, generally located south of Happy Valley Road and east of 147th Avenue. Case FS21-154

Motion:

I move to recommend approval of the Zone Change of approximately 14.47 acres from Rural Residential (RR) to Residential High Density (RH-15) with a PUD Overlay, subject to stipulations 'a' and 'c' as memorialized in the staff report.

Background:

At the time of this report, the subject property falls within the General Plan Open Space Character Area. This Zone Change will follow a minor General Plan Amendment to change the designated character area from open space to neighborhood. Following the minor general plan amendment, the applicant proposes to rezone the subject property to RH-15 PUD with a maximum density of 8 DU/Ac to allow for the development of 115 new multi-family attached and detached rental units.

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 - FS21-154 - Mandou Ranch - Rezone - Staff Report
 2. 01 - FS21-154 - Mandou Ranch - Rezone - Vicinity Map
 3. 02 - FS21-154 - Mandou Ranch - Rezone - Zoning Document
 4. 03 - FS21-154 - Mandou Ranch - Rezone - Citizen Participation Report_Redacted
 5. FS21-154 - Mandou Ranch - Rezone - PowerPoint
-

ZONE CHANGE

REPORT TO THE PLANNING AND ZONING COMMISSION

Case: FS21-154

Project Name: Mandou Ranch

Council District: 1 – Acacia

Meeting Date: September 16, 2021

Planner: Sergio Angulo, Planner II

Owners: Wittrock Land 1 LLC/
Pacific Premier Trust (Custodian)/
Wittrock Land 2 LLC/Wittrock Land 3 LLC Et al.

Applicant: Kent Xander with KAX Group LLC

Request: Zone Change from Residential Ranch (RR) to Residential High Density with a Planned Unit Development (RH-15 PUD) Overlay to allow deviations from the base development standards.

Site Location: Generally south of Happy Valley Road and east of 147th Avenue in a portion of Section 9, Township 4 North, Range 1 West, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Dwelling Units: 115 Units

Site Size: 14.47 acres (approx.)

Density: 8 DU/Ac

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

Support/Opposition: The applicant held a neighborhood meeting on July 19, 2021. One (1) resident of Surprise attended the meeting to ask questions and express their opinions on this project. There was no opposition to this project at the meeting.

Staff Recommendation: Staff recommends the Commission move to recommend **approval** of case **FS21-154** to the City Council, subject to stipulations 'a' through 'c'.

Background:

November 10, 2007: The City Council approved the annexation (Ordinance #07-47) of the subject property.

October 29, 2020: Staff met with the applicant to discuss the project during a regularly scheduled Concept Review meeting under CR20-656.

February 24, 2021: The applicant filed a related request for a Zone Change of approximately 14.47 acres from RR to RH-15 PUD under case FS21-154, the subject case.

July 19, 2021: The applicant held a neighborhood outreach meeting to discuss the project.

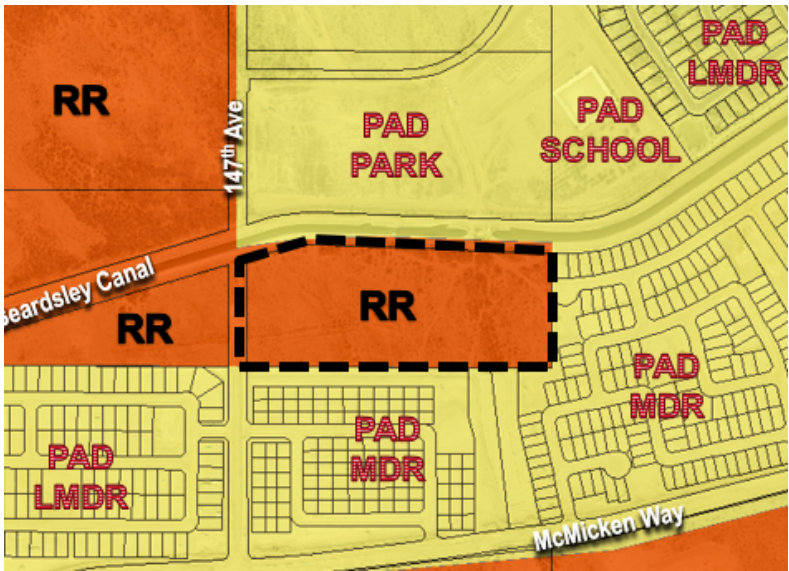
Citizen Outreach:

As noted above, the applicant held a virtual neighborhood outreach meeting on July 19, 2021, which was advertised per state law and requirements of the SUDC. One (1) Resident from Surprise attended the meeting to learn about the project and to ask questions. This neighbor asked if the park site to the north was going to be a City or HOA owned park and expressed support for this project. There was no opposition to this project at the meeting. See the attached Citizen Participation Report for a full meeting summary.

Project Description:

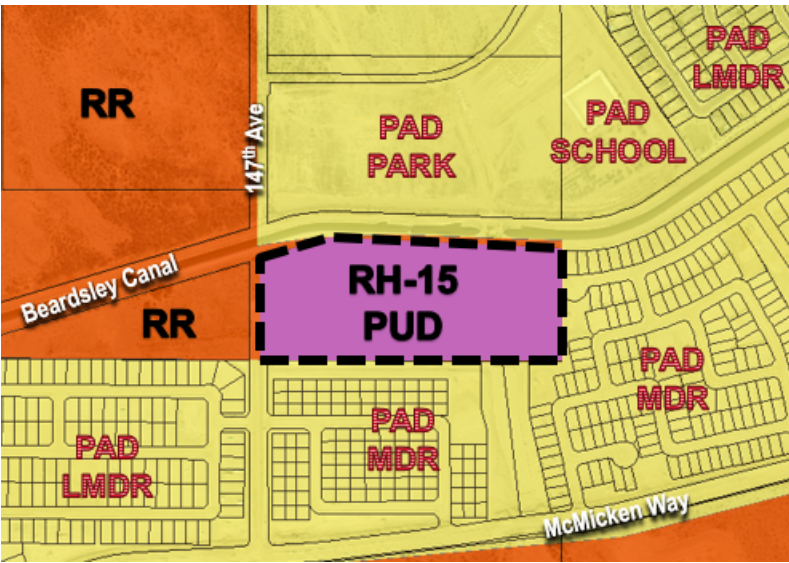
Kent Xander with KAX Group LLC, on behalf of the property owners, requests a Zone Change of 14.47 acres (approx.) of Residential Ranch (RR) to Residential High Density (RH-15) with a Planned Unit Development (PUD) Overlay. The proposed Zone Change request anticipates the eventual development of the property into a multi-family residential subdivision, generally located south of Happy Valley Road and east of 147th Avenue.

72 Existing Land Zoning:



RR	PAD - Park	PAD - School
RR	RR	PAD - MDR
PAD - LMDR	PAD - MDR	PAD - MDR

Proposed Land Zoning:



RR	PAD - Park	PAD - School
RR	RH-15 PUD	PAD - MDR
PAD - LMDR	PAD - MDR	PAD - MDR

Analysis and Discussion:

The applicant requests to rezone the subject property from Residential Ranch (RR) to Residential High Density (RH-15) with a PUD Overlay. This zoning application was submitted and reviewed under the requirements of the SUDC, the City's previous development ordinance. In RH-15 zoned properties, the SUDC allows a maximum density of fifteen (15) dwelling units per acre; however, this PUD Overlay will cap the density at 8 dwelling units to the acre. The proposed PUD Overlay also proposes certain deviations from development standards set forth in the SUDC.

This Zone Change and PUD Overlay will allow the property to develop as a multi-family project consisting of detached and attached rental units. The applicant proposes a maximum of 115 dwelling units that will be developed in 4-pack clusters. This development proposes to take access from 147th Avenue on the west and Alameda Road on the east. Open space and amenities on site will comply with the requirements of the SUDC.

PUD Overlay

As part of the proposed Zone Change and PUD Overlay the applicant requests to deviate from certain development standards set in the SUDC for RH-15 as follows:

Development Standard	RH-15 Conventional Development Standards	Proposed Modifications to RH-15 PUD Development Standards	
Maximum Dwelling Units per Acre	15.0	8.00 (i) (115 units max)	DECREASE
Minimum Lot Area Per Unit	2,400 sq.ft.	2,400 sq.ft.	
Maximum Building Height	35 feet	35 feet	REMAIN
Minimum Building Setbacks (Front) Along 147 th Avenue	30 feet	30 feet	
Minimum Building Setbacks (Side) North adjacent to Beardsley Canal	10 feet	20 feet	INCREASE
Minimum Building Setbacks (Rear) East Adjacent to Rancho Mercado Parcel A3	30 feet	20 feet	DECREASE
Minimum Building Setbacks (Side) South Adjacent to Rancho Mercado Parcel A2	30 feet	20 feet	DECREASE
Recreational Space per Dwelling Unit	35%	35%	REMAIN
Minimum Building Separation	25 feet	10 feet	DECREASE
Bike Parking – Residential	0.5 per dwelling	Zero per dwelling if the home has a backyard	DECREASE
Bike Parking – Leasing Office	1 Per 20 vehicle spaces	1 Per 20 vehicle spaces	REMAIN

93 Aside from the proposed deviations to the development standards shown above, the subject
94 property will be developed per the requirements of the SUDC.

95
96 **Utility and Services Table:**

Electric:	APS
Water:	City of Surprise
Wastewater:	City of Surprise
Schools:	Dysart Unified School District

97
98 **Conformance with Adopted Plans:**

99
100 **Surprise General Plan 2035:** The Surprise General Plan 2035 shows the subject property as lying
101 within the Open Space Character Area. In conjunction with this Zone Change application, the
102 application is also requesting approval of a Minor General Plan Amendment to change the land use
103 designation of 107 acres, which includes the subject property and adjacent already entitled
104 residential property, from Open Space to Neighborhood Character. In an urban neighborhood the
105 general plan supports residential development of eight dwelling units per acre (8 DU/Ac) or greater.
106 The proposed Zone Change and PUD Overlay will allow for a development with a maximum density
107 of 8 DU/Ac, which demonstrates consistency with this land use category.

108
109 **Reviewing Agencies:**

110
111 In addition to the standard city reviewing agencies, Arizona Department of Transportation, Maricopa
112 Water District, and Luke AFB were included in the routing of this request. None of the reviewing
113 agencies indicated any concerns over the request.

114
115 **Summary:**

116
117 This proposed Zone Change and PUD Overlay will reduce the maximum allowed density and amend
118 certain development standards to allow for the development of Mandou Ranch.

119
120 **Findings:**

- 121
- 122 • The proposed Zone Change and density are consistent with the proposed Minor Amendment
 - 123 to the Surprise General Plan 2035 under case FS21-154.
 - 124 • The proposed Zone Change is consistent with the Surprise Unified Development Code, except
 - 125 as amended through the PUD Overlay.
 - 126 • The SUDC allows for the modification of development requirements through the PUD Overlay
 - 127 process.

Recommendation:

Based on the findings noted above, staff recommends the Commission move to recommend **approval** of case **FS21-154** to the City Council, subject to stipulations 'a' through 'c' as outlined below:

- a. Development and use of the site shall be consistent with the rezone narrative entitled "Mandou Ranch Rezone", prepared by Kent A. Xander and dated Revised May 21, 2021
- b. Prior to the City recording a final plat or approving a 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 Sewer Buy-in Fee, and the Water Buy-in Fee, as applicable, all as described in the Rancho Mercado Supplemental Development Agreement (Regional Improvements Overlay Agreement), as amended, have been paid.
- c. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.

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

Attachments:

- 01 Vicinity Map
- 02 Zone Change Document
- 03 Citizen Participation Report



FS21-154 VICINITY MAP

Narrative for MANDOU RANCH REZONE

Case No. FS21-154
Rezone Residential Ranch (RR) to
RH-15 (Residential High Density) PUD Overlay

14.4726 Gross Acres

Southeast corner 147th Avenue and Beardsley Canal,
Surprise, Arizona

Prepared by: Kent A. Xander

Submitted To: City of Surprise, Arizona

Dated: February 23, 2021
Revised: April 22, 2021
Revised: May 21, 2021

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Proposed Zoning Map.....	Exhibit B
Legal Description and Map.....	Exhibit C
Conceptual Plan	Exhibit D
Proposed General Plan Land Use Map.....	Exhibit E
Mandou Ranch relationship to Rancho Mercado PAD Community Trail and Landscape Map	Exhibit F

Mandou Ranch Team:

Applicant

Kent A. Xander – KAX Group
kxander@kaxgroup.com
9290 E. Thompson Peak Pkwy., Unit 227
Scottsdale, Arizona 85255

Land Planner

Joe Walsh - Walsh Design Group
Landoc@cox.net
6106 E. Rose Circle Drive
Phoenix, Arizona 85018

Location and Introduction:

A Vicinity Map is shown on page 4 illustrating Mandou Ranch location (Southeast corner 147th Avenue and Beardsley Canal.

Mandou Ranch is a 14.4726 gross acre proposed Residential High Density development adjacent to Rancho Mercado PAD on the south, east, and north. Applicant is requesting a zone change for 14.4726 gross acres from Residential Ranch (RR) to RH-15 PUD Overlay located at the Southeast corner 147th Avenue and Beardsley Canal. This project includes working with and the cooperation with Rancho Mercado PAD, Beardsley Water Company, and Paloma Creek Water Coordinator to formulate a cohesive development plan working out pedestrian pathways, traffic circulation, utilities, and drainage. Mandou Ranch Conceptual Plan as shown in **Exhibit D**, provides for up to 115-unit Residential High Density development on 14.4726 gross acres or 8.00 DU/Ac.

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

- Rancho Mercado Parcel A3 PAD – MDR. Max Density:
8 / DU/Ac.

South

- Rancho Mercado Parcel A2 PAD – MDR. Max Density:
8 / DU/Ac.

Southwest

- Rancho Mercado Parcel A1 PAD – LMDR. Max Density:
5 / DU/Ac.

West

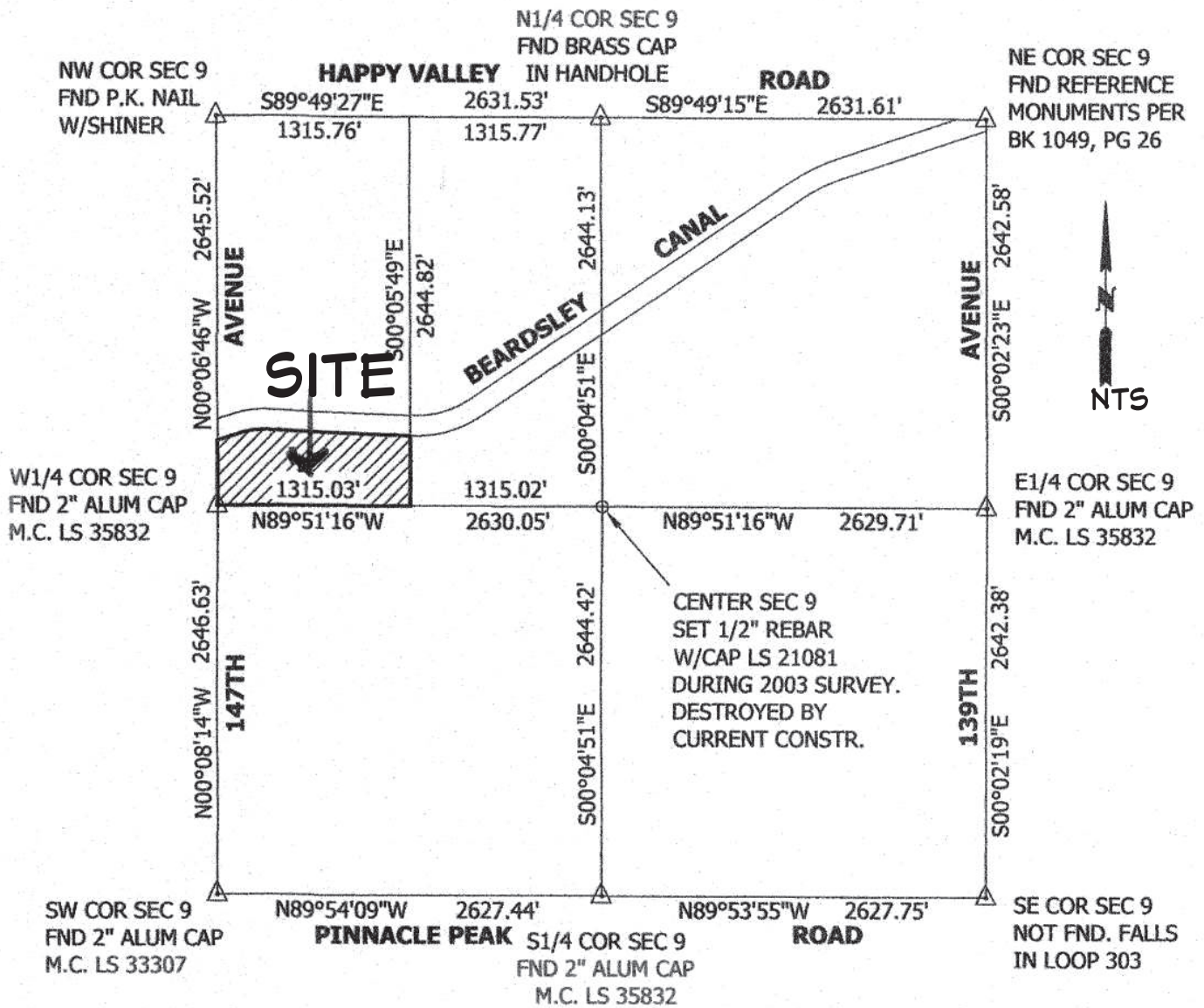
- Vacant Land Rural Residential (RR)

North – north of Beardsley Canal

- Rancho Mercado Parcel A9 PAD - Park

Exhibit F Map shows Mandou Ranch relationship to Rancho Mercado PAD.

VICINITY MAP



Description of Request:

Introduction.

Applicant is requesting a zone change, regarding Case No. FS21-154, for 14.4726 gross acres from Residential Ranch (RR) to Residential High Density (RH-15) with a PUD Overlay located at the southeast corner of Beardsley Canal and 147th Avenue. See **page 4**, Vicinity Map for the general location.

Project Overview and Zoning Request.

Mandou Ranch will be rezoned as a Residential High-Density detached residential rental community. See **Exhibit B**, Proposed Zoning Map and see **Exhibit C** for Legal Description and Map Exhibit.

The 14.4726 gross acres fronting on 147th Avenue is Assessor Parcel Number 503-69-010N and will be rezoned from Residential Ranch (RR) to Residential High Density (RH-15) with a PUD Overlay. Mandou Ranch will include a maximum of 115 multi-family residential units for a gross density of 8 DU/Ac. The residential units will be one and two story.

The Concept Plan design of the project is made up of 4 units built around a short 20-foot wide private drive and each unit will include a two-car garage. Residential access to the units will be from sidewalks built between the units. Each unit would include a fenced yard and covered patio. The size will be determined at preliminary site plan approval. Gated private streets are proposed for Mandou Ranch with a 26-foot roadway and 5-foot attached sidewalks on each side. Per the US Access Board Section 403.5.3, an accessible route with a clear width less than 5' shall provide passing spaces at intervals of 200' maximum. Passing spaces shall be either: a space 5' minimum by 5' minimum; or an intersection of two walking surfaces providing a T-shaped space complying with Section 304.3.2. No parallel parking will be allowed on the private street. Interior sidewalks will be constructed in the open space area to connect to the north homes of the project.

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 as may be subsequently amended. The Planned Unit Development (PUD) overlay designation shall be applied to the property to allow modification of certain RH-15 development standards within the Surprise Zoning Code.

The maximum dwelling units per acre and maximum dwelling units may be reduced due to the physical constraints of the site and a 2-acre wash traversing the site.

The minimum building (side) setback adjacent to Beardsley Canal is increased from 10 feet to 20 feet as per Maricopa County Municipal Water Conversation District Number One.

The minimum building (rear) setback adjacent to Rancho Mercado Parcel A3 is decreased from 30 feet to 20 feet because of the amount of the depth of the open space within Rancho Mercado Parcel A3 adjacent to the project rear setback.

The minimum building (side) setback adjacent to Rancho Mercado Parcel A2 is decreased from 30 feet to 20 feet because of the physical constraints of the site and the amount of the depth of the open space within Rancho Mercado Parcel A2 adjacent to the project side setback.

The minimum building separation is reduced from 25 feet to 10 feet and the apartment homes will be limited to 2-story. The proposed PUD amendment request allows for the development of a rental apartment homes project designed in a cluster configuration on a single tax parcel number/lot.

The project will provide the minimum open space requirement and will include a central open space area with a pool, ramada, tot lot and sport court and parking on-site will meet the minimum vehicle parking requirements for multi-family development and for the office use as listed in the SUDC.

Mandou Ranch community trails will connect with Rancho Mercado to the south and east (the project trail widths shall match the trail widths in Rancho Mercado), and to 147th Avenue to the west. The Rancho Mercado master plan shows a community trail system located along the northern side of the Beardsley Canal. Access to that trail system from Mandou Ranch will be from the sidewalk that would be constructed on the east side of 147th Avenue.

The 100-year flood plain encumbers the entire site. A wash cuts through the site and will be adjusted as it is designed to the south to connect with the canal constructed between Rancho Mercado Parcels A2 and A3. Offsite dirt will be imported, and the site will be completely graded, and with the Flood Plain Use Permit and CLOMR/LOMR documents processed through Maricopa County and FEMA approval the site will be engineered out of the Flood Plain. The wash on site will be designed similar to the adjacent Rancho Mercado Parcels A2 and A3 channel. A low water crossing will be built for the emergency access over the Special Flood Hazard Area.

The following is justification for the development standards the project is requesting to deviate from some of the SUCD requirements. The project site has many physical constraints that forces the project to deviate from some of the SUDC development standards requirements.

- The north side of the site is the Beardsley Canal, and no vehicle or public access is permitted.
- The east side of the site has a large wash traversing through it which causes the site to be divided. The divided eastern portion of the site is small and lacks utility to plan efficiently.
- The south side of the site has no vehicle access to Rancho Mercado Parcel A2.
- The west side of the site is adjacent to 147th Avenue which slopes up from the south side of the site, north to the bridge over the Beardsley Canal. A slope easement was granted to the City so 147th Avenue could be constructed as it slopes up to the north and reaches the Beardsley Canal bridge.
- The main access is on 147th Avenue and is at a fixed location. Planning the entrance further north does not work due to visibility issues looking north on 147th Avenue as it slopes up to the north and reaches the Beardsley Canal bridge.

Table A

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

Development Standard	RH-15 Conventional Development Standards	Proposed Modifications to RH-15 PUD Development Standards
Maximum Dwelling Units per Acre	15.0	8.00 (1) (115 units max)
Minimum Lot Area Per Unit	2,400 sq.ft.	2,400 sq.ft.
Maximum Building Height	35 feet	35 feet
Minimum Building Setbacks (Front) Along 147 th Avenue	30 feet	30 feet
Minimum Building Setbacks (Side) North adjacent to Beardsley Canal	10 feet	20 feet
Minimum Building Setbacks (Rear) East Adjacent to Rancho Mercado Parcel A3	30 feet	20 feet
Minimum Building Setbacks (Side) South Adjacent to Rancho Mercado Parcel A2	30 feet	20 feet
Recreational Space per Dwelling Unit	35%	35%
Minimum Building Separation	25 feet	10 feet
Bike Parking – Residential	0.5 per dwelling	Zero per dwelling if the home has a backyard
Bike Parking – Leasing Office	1 Per 20 vehicle spaces	1 Per 20 vehicle spaces

(1) The maximum dwelling units per acre and maximum dwelling units may be reduced due to the physical constraints of the site and a 2-acre wash traversing the site.

The result of the Mandou Ranch RH-15 Rezone with a PUD Overlay would be:

- Mandou Ranch will be in conformance with the adopted Surprise General Plan 2035 as noted below.
- The development of Mandou Ranch 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 Rancho Mercado PAD.

Conformance with the adopted Surprise General Plan 2035:

In conjunction with this rezone, the applicant is submitting a minor amendment to change the General Plan Land Use designation for the property from Open Space Character Area to Neighborhood Character Area, which supports residential development at densities 8+ DU/Acre in urban developments. This project complies with the General plan in this regard. See attached **Exhibit E** showing the subject property as lying within the Neighborhood Character Area.

Underground Retention for Stormwater:

The developer of Mandou Ranch will provide the minimum requirement for open space. Underground retention for stormwater and “1st flush” engineering of drainage will require the developer to work with City of Surprise Engineering Department and County Flood Control to come up with a solution for engineering drainage. Developer shall provide City of Surprise Engineering Department and County Flood Control engineering plans for review and approval.

Ingress/Egress/Access:

Access to the project will be from 147th Avenue from the west and the extension of W. Alameda Road from the east through Rancho Mercado Parcel A3. The roads in Mandou Ranch will be private except for the extension of W. Alameda Road which will end in a cul-de-sac. An emergency access road will be constructed across the 100-year flood plain to connect the west and east portions of the project.

Maricopa Water District (“MWD”)

The developer of Mandou Ranch will provide copies of any subdivision plats and utility and improvement plans to MWD for review and approval pursuant to *MWD Drawing Requirements*, along with the payment of the applicable plan review fees. The block wall along the Beardsley canal will match the wall used along the Beardsley canal in the adjacent Rancho Mercado parcels.



EXHIBIT A Existing Zoning Map

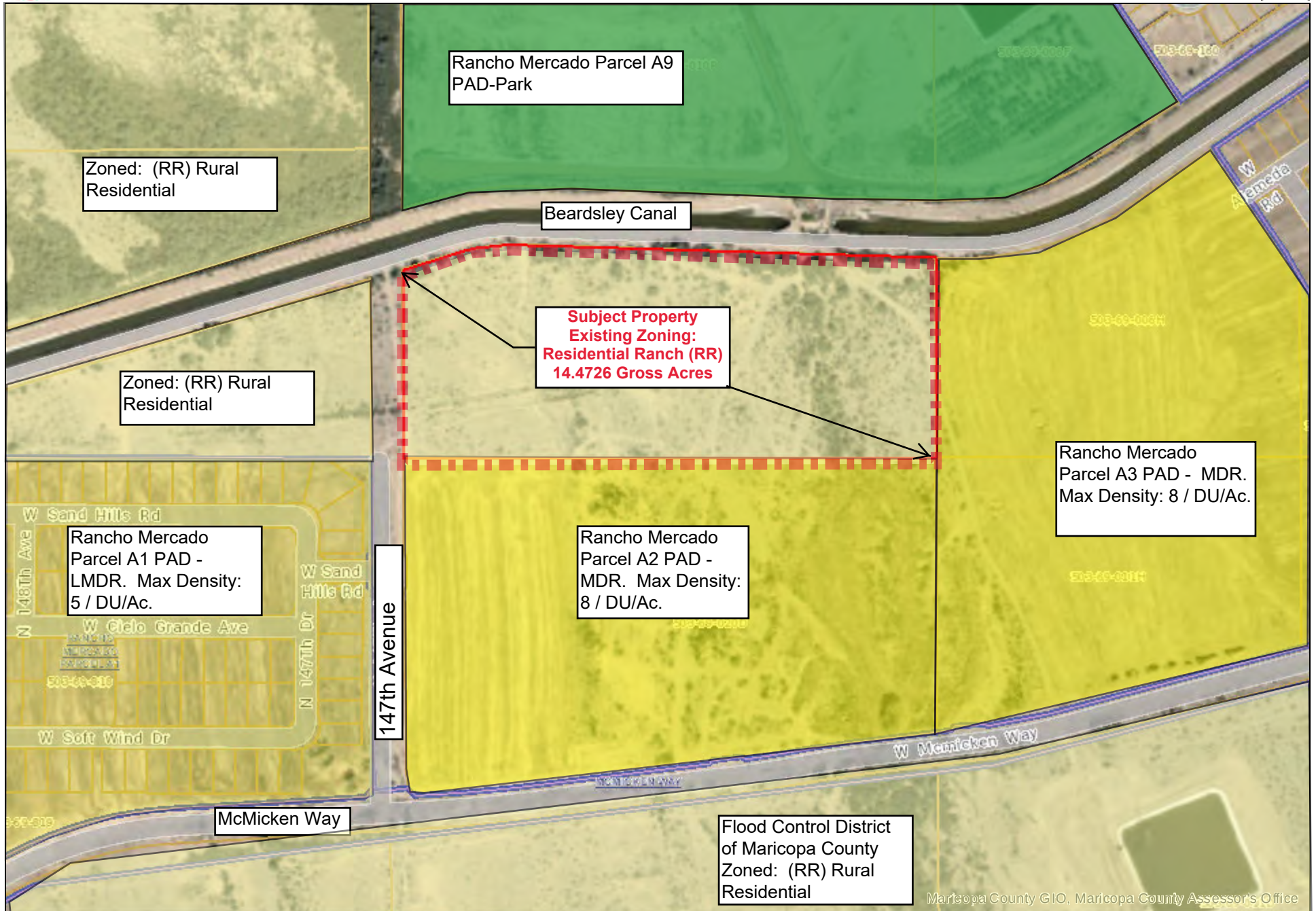


EXHIBIT B PROPOSED ZONING Map

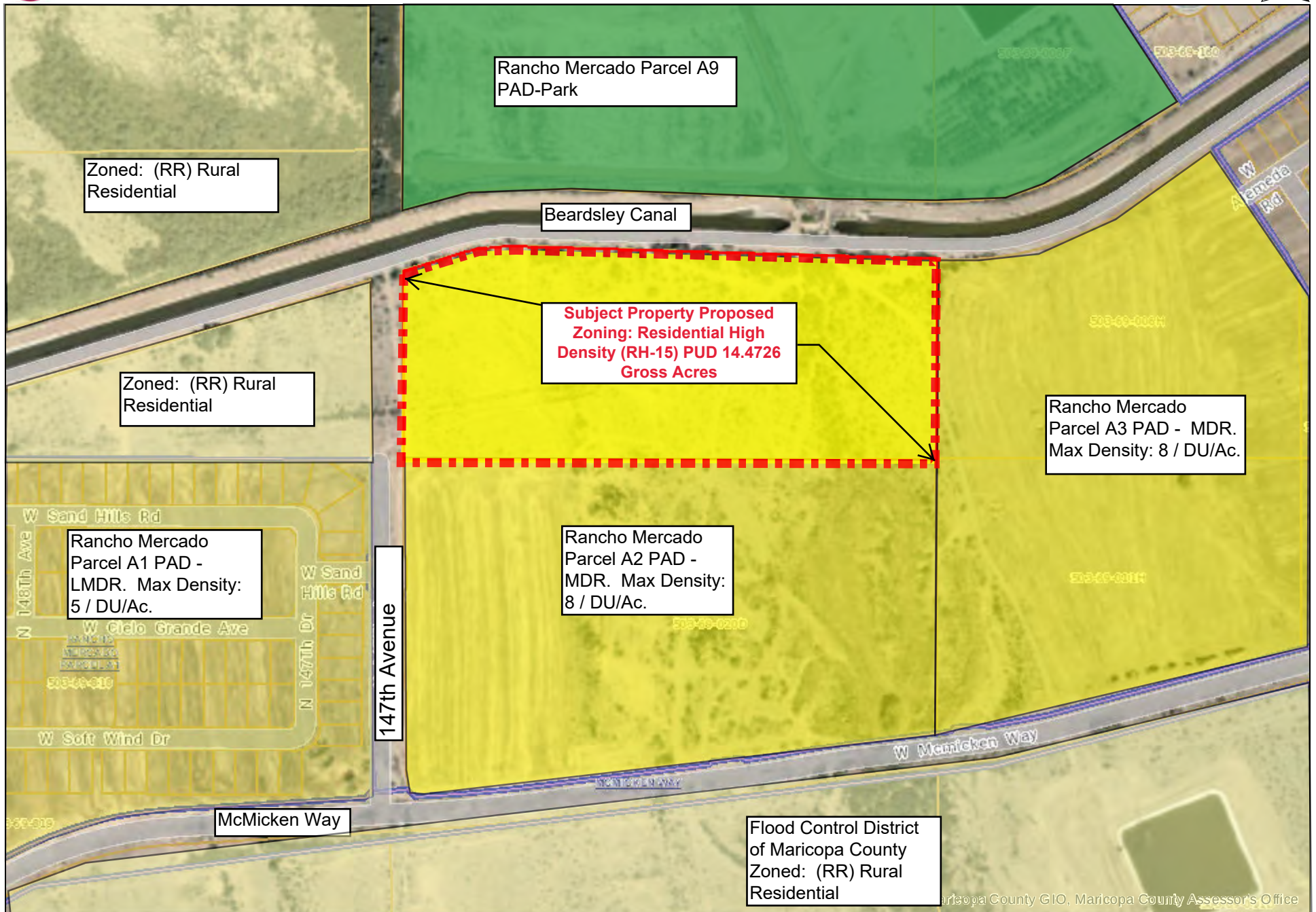


EXHIBIT C - PAGE 1 OF 3

LEGAL DESCRIPTION

APN 503-69-010N

That portion of the Southwest quarter of the Northwest quarter of Section 9, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, lying South of the southerly line of Beardsley Canal, described as follows:

Commencing at the West quarter corner of said Section 9;

Thence South $89^{\circ} 51' 16''$ East along the South line of the Northwest quarter of said Section 9 a distance of 40.00 feet to the East line of the West 40.00 feet of said Northwest quarter and the **POINT OF BEGINNING**;

Thence North $00^{\circ} 06' 46''$ West along said East line a distance of 453.83 feet to the southerly line of said Beardsley Canal as show on map of BEARDSLEY CANAL RIGHT OF WAY as recorded in Book 584 of Maps, page 19, records of Maricopa County, Arizona;

Thence North $73^{\circ} 30' 58''$ East along said southerly line a distance of 123.03 feet to the beginning of a tangent curve, whose radius bears South $16^{\circ} 29' 02''$ East a distance of 560.59 feet;

Thence easterly along said curve and along said southerly line of Beardsley Canal through a central angle of $18^{\circ} 37' 17''$ a distance of 182.19 feet to a to a point of tangency;

Thence South $87^{\circ} 51' 42''$ East continuing along said southerly line a distance of 977.84 feet to the East line of the Southwest quarter of the Northwest quarter of Section 9;

Thence South $00^{\circ} 05' 49''$ East along said East line a distance of 478.15 feet to the Southeast corner of the Southwest quarter of the Northwest quarter of Section 9;

Thence North $89^{\circ} 51' 16''$ West along the South line of the Northwest quarter of Section 9 a distance of 1275.03 feet to the **POINT OF BEGINNING**.

Containing 14.4726 acres



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

Job No. 20079

EXHIBIT C - PAGE 2 OF 3

Parcel Map Check Report

Date: 10/5/2020 3:12:35 PM

Parcel Name: APN 503-69-010N

Process segment order counterclockwise: False

Enable mapcheck across chord: False

North: 984,098.9535' East: 565,951.6425'

Segment# 1: Line

Course: N0°06'46"W Length: 453.83'
North: 984,552.7826' East: 565,950.7492'

Segment# 2: Line

Course: N73°30'58"E Length: 123.03'
North: 984,587.6919' East: 566,068.7226'

Segment# 3: Curve

Length: 182.19' Radius: 560.59'
Delta: 18°37'17" Tangent: 91.91'
Chord: 181.39' Course: N82°49'37"E
Course In: S16°29'02"E Course Out: N2°08'15"E
RP North: 984,050.1424' East: 566,227.7876'
End North: 984,610.3423' East: 566,248.6964'

Segment# 4: Line

Course: S87°51'42"E Length: 977.84'
North: 984,573.8568' East: 567,225.8554'

Segment# 5: Line

Course: S0°05'49"E Length: 478.15'
North: 984,095.7075' East: 567,226.6645'

Segment# 6: Line

Course: N89°51'16"W Length: 1,275.03'
North: 984,098.9466' East: 565,951.6486'

Perimeter: 3,490.06' Area: 14.4726Acre
Error Closure: 0.0092 Course: S41°35'07"E
Error North : -0.00689 East: 0.00611



Thomas L. Rope

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

Job No. 20079



Thomas L. Rope

A PART OF THE NORTHWEST QUARTER OF
SECTION 9 T4N, R1W, G.&S.R.B.M.,
MARICOPA COUNTY, ARIZONA

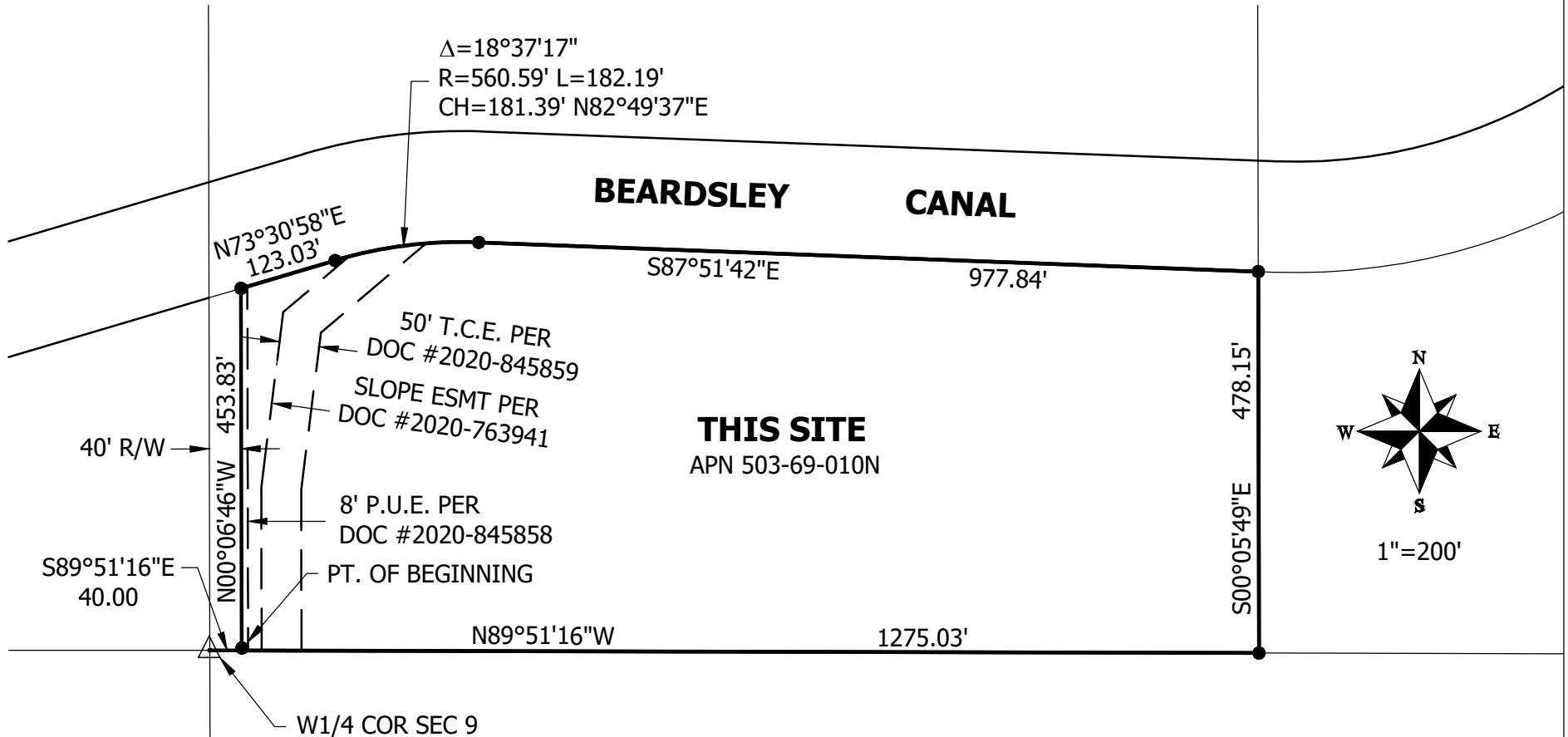




EXHIBIT E Proposed General Land Use Plan Map

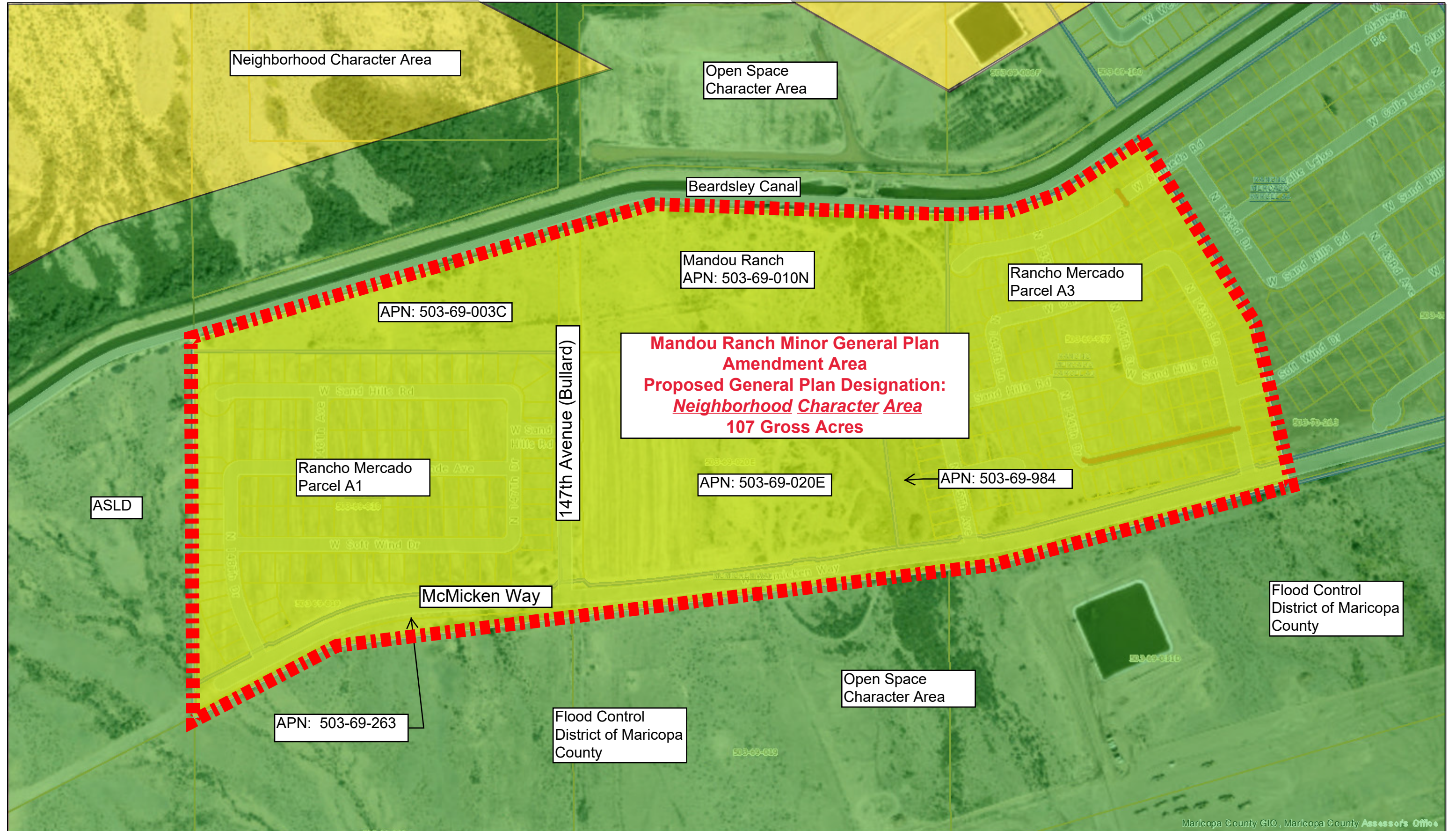


EXHIBIT F





Mandou Ranch

General Plan Amendment and Zoning Case

Citizen Participation Plan

Updated July 20, 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.

Windstone Ranch North Citizen Participation Plan & Report

The Minor General Plan Amendment Area is approximately 107 gross acres and includes Mandou Ranch, property APN 503-69-003C, and Rancho Mercado Development Parcels A1, A2, and A3. Applicant is requesting to change the General Plan Designation of Open Space Character Area to Suburban Neighborhood Character Area for 107 gross acres located at the Southwest and Southeast corner 147th Avenue (Bullard) and Beardsley Canal. The Applicant requests approval of a Zone Change for 14.4726 gross acres from Residential Ranch (RR) to RH-15 PUD Overlay located at the Southeast corner 147th Avenue and Beardsley Canal and 147th Avenue.

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 July 3, 2021, to alert interested citizens and stakeholders of our upcoming combined virtual and in-person open house on July 19, 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 eight (1) in-person attendee and one participant virtually. The sign-in sheets are attached at **Tab 2**. Councilman Roland Winters was present along with City staff, Lloyd Abrams, and Sergio Angulo. The discussion topics included:

- Is the Park north of Mandau Ranch going to be HOA or City owned?

There was 1 (one) comment card left behind at this open house, please refer to **Tab 3**. We have been working cooperatively with City staff on the general plan amendment and rezone request and will continue to work towards public hearings on the proposed request. If we are contacted by any neighbors or stakeholders after we have submitted this citizen participation report to the city, we will reach out to them and provide updates to the city staff with an amended report.

TAB 1



AFFIDAVIT OF POSTING

Application No: FS21-154

Applicant Name:

Location: Southeast corner of Beardsley Canal and 147th Avenue

Date Site Posted: July 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

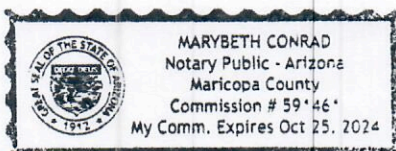
7-3-2021
Date

This instrument was acknowledged before me on this 3rd day of July, 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



TAB 2

Date : 7/19/2021 Time: 6:00PM - 7:00PM

Page 135 of 271

NEIGHBORHOOD MEETING SIGN-IN SHEET

Asante Preparatory Academy
Date : 7/19/2021 Time: 6:00PM - 7:00PM

NAME	ADDRESS	EMAIL	PHONE #
Roland Winters	City of Surprise		

TAB 3

COMMENT CARD

NAME: Andy Cepon

ADDRESS: [REDACTED] Surprise AZ

COMMENT: 8 units per acre to match surrounding properties.
Good use of open space with a proposed park (Rancho Mercado)
across the street to the North. Support changes.

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, kajones@tblaw.com



CITY OF SURPRISE
Site posting Process

AFFIDAVIT OF POSTING
(Sign modification)

Application No: FS21-154
Applicant Name: _____
Location: Southeast corner of Beardsley Canal and 147th Avenue
Date Site Posted: July 3rd, 2021 sign modified: August 18th, 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.

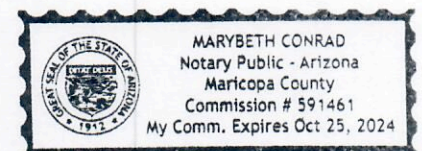
I confirm that the site has been posted as required above, for the case noted above. A picture of the site posting, and photos of any subsequent changes/updates made to the sign, have also been submitted.

Maria Hitt 8.18.2021
Applicant/Representative Signature Date

This instrument was acknowledged before me on this 18th day of August, 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).





FS21-154

Mandou Ranch

Rezone

Planning and Zoning Commission
September 16, 2021



FS21-154 VICINITY MAP



FS21-154 VICINITY MAP

RR

147th Ave

**PAD
PARK**

**PAD
SCHOOL**

**PAD
LMDR**

Beardsley
Canal

RR

RR

**PAD
LDR**

**PAD
MDR**

**PAD
LMDR**

**PAD
MDR**

McMicken Way

RR

EXISTING ZONING

RR

147th Ave

**PAD
PARK**

**PAD
SCHOOL**

**PAD
LMDR**

Beardsley
Canal

RR

**RH-15
PUD**

**PAD
LDR**

**PAD
MDR**

**PAD
LMDR**

**PAD
MDR**

McMicken Way

RR

PROPOSED ZONING

PUD – DEVELOPMENT STANDARDS

Development Standard	RH-15 Conventional Development Standards	Proposed Modifications to RH-15 PUD Development Standards
Maximum Dwelling Units per Acre	15.0	8.00 (i) (115 units max)
Minimum Lot Area Per Unit	2,400 sq.ft.	2,400 sq.ft.
Maximum Building Height	35 feet	35 feet
Minimum Building Setbacks (Front) Along 147 th Avenue	30 feet	30 feet
Minimum Building Setbacks (Side) North adjacent to Beardsley Canal	10 feet	20 feet
Minimum Building Setbacks (Rear) East Adjacent to Rancho Mercado Parcel A3	30 feet	20 feet
Minimum Building Setbacks (Side) South Adjacent to Rancho Mercado Parcel A2	30 feet	20 feet
Recreational Space per Dwelling Unit	35%	35%
Minimum Building Separation	25 feet	10 feet
Bike Parking – Residential	0.5 per dwelling	Zero per dwelling if the home has a backyard
Bike Parking – Leasing Office	1 Per 20 vehicle spaces	1 Per 20 vehicle spaces

DECREASE

REMAIN

INCREASE

DECREASE

REMAIN

DECREASE

REMAIN





RECOMMENDATION

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



QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE
Planning and Zoning Commission Meeting

Council Meeting Date: September 16, 2021 Contact Person: Sergio Angulo
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 a Zone Change for approximately 19.89 acres from Residential Ranch (RR) to Residential Medium Density (RM-6) with a PUD Overlay, located on the southwest corner of San Ysidro Road and 158th Avenue. Case FS21-036

Motion:

I move to recommend approval/disapproval of a Zone Change for approximately 19.89 acres from Residential Ranch (RR) to Residential Medium Density (RM-6) with a PUD Overlay, subject to stipulations 'a' through 'c' as memorialized in the staff report.

Background:

The applicant requests a Zone Change of 19.89 acres from Residential Ranch (RR) to Residential Medium Density with a Planned Unit Development Overlay (RM-6 PUD) for a single-family residential development known as San Ysidro Enclave. The developer proposes 70 dwelling units for a total density of 3.52 DU/Acre.

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 - FS21-036 -San Ysidro Enclave - Staff Report Revised08302021 (3)
 2. 01 - FS21-036 - San Ysidro Enclave - Vicinity Map
 3. 02 - FS21-036 - San Ysidro Enclave - Zoning Document
 4. 03 - FS21-036 - San Ysidro Enclave - Citizen Participation Report_Redacted
 5. FS21-036 - San Ysidro Enclave - PowerPoint
-

ZONE CHANGE

REPORT TO THE PLANNING AND ZONING COMMISSION

Case: FS21-036

Project Name: San Ysidro Enclave

Council District: 1 – Acacia

Meeting Date: September 16, 2021

Planner: Sergio Angulo, Planner II

Owners: Moshi Family Living Trust
Pensco Trust Company LLC (Custodian)/Kevin Siggins Living Tr
Hein Glen O/Kathy A Tr

Applicant: Kent Xander with Xander Lander LLC

Request: Zone Change from Residential Ranch (RR) to Residential Medium Density with a Planned Unit Development (RM-6 PUD) Overlay to allow deviations from the base development standards.

Site Location: South of San Ysidro Road and east of 158th Avenue in a portion of Section 7, Township 4 North, Range 1 West, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Dwelling Units: 70 Units

Site Size: 19.89 acres (approx.)

Density: 3.52 DU/Ac

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

Support/Opposition: The applicant held a neighborhood meeting on June 29, 2021 where residents of the vicinity asked questions and expressed their opinions on this project. There was no opposition to this project at the meeting.

Staff Recommendation: Staff recommends the Commission move to recommend **approval** of case **FS21-036** to the City Council, subject to stipulations 'a' through 'c'.

Background:

January 12, 2006: The City Council approved the annexation (Ordinance #05-60) of the subject property.

December 10, 2020: Staff met with the applicant to discuss the project during a regularly scheduled Concept Review meeting under CR20-745.

January 13, 2021: The applicant filed a related request for a Zone Change of approximately 19.89 acres from RR to RM-6 PUD under case FS21-036, the subject case.

June 29, 2021: The applicant held a neighborhood outreach meeting to discuss the project.

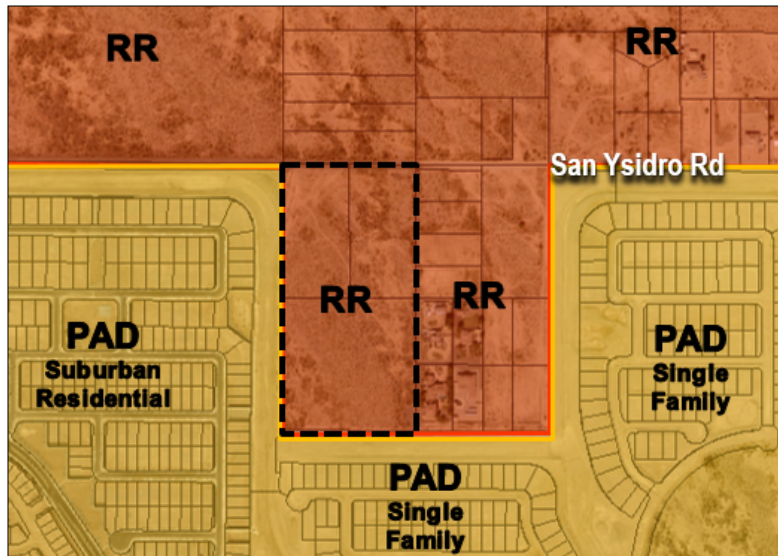
Citizen Outreach:

As noted above, the applicant held a virtual neighborhood outreach meeting on June 29, 2021, which was advertised per state law and requirements of the SUDC. Two (2) residents from the vicinity attended the meeting to learn about the project and ask questions. One (1) neighbor asked questions regarding the developer's improvement requirements along their property. That neighbor seemed relieved to know that the developer plans to provide road improvements for San Ysidro Road and resolve some of the drainage problems on site. There was no opposition to this project at the meeting. See the attached Citizen Participation Report for a full meeting summary.

Project Description:

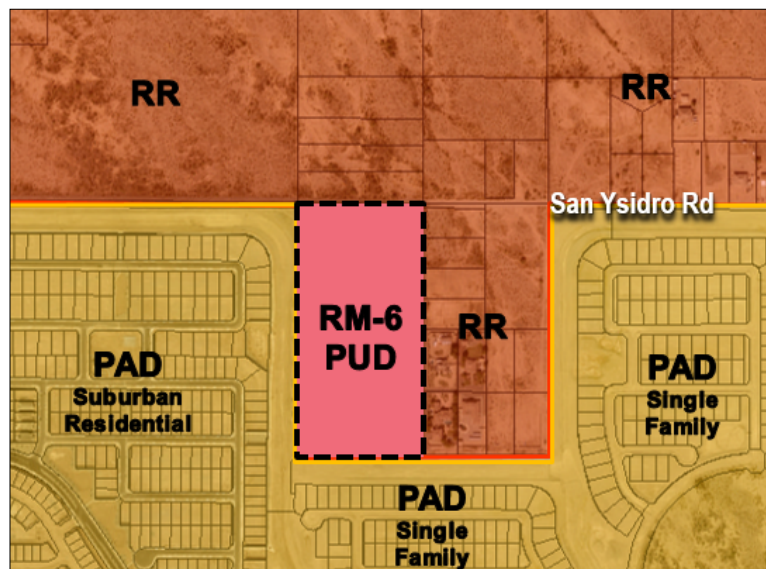
Kent Xander with Xander Lander LLC, on behalf of the property owners, requests a Zone Change for 19.89 acres (approx.) from Residential Ranch (RR) to Residential Medium Density (RM-6) with a Planned Unit Development (PUD) Overlay. The proposed Zone Change request anticipates the eventual development of the property into a single-family residential subdivision, located south of San Ysidro Road and east of 158th Avenue.

Existing Land Zoning:



RR	RR	RR
PAD – Suburban Residential	RR	RR
PAD – Suburban Residential	PAD – Single Family	PAD – Single Family

Proposed Land Zoning:



RR	RR	RR
PAD – Suburban Residential	RM-6 PUD	RR
PAD – Suburban Residential	PAD – Single Family	PAD – Single Family

Analysis and Discussion:

74

The applicant requests to rezone the subject property from Residential Ranch (RR) to Residential Medium Density (RM-6) with a PUD Overlay. This zoning application was submitted and reviewed under the requirements of the SUDC, the City's previous development ordinance. In RM-6 zoned properties, the SUDC allows a maximum density of six (6) dwelling units per acre; however, this PUD Overlay will cap the density at 3.52 dwelling units to the acre. The proposed PUD Overlay also proposes certain deviations from development standards set forth in the SUDC.

This Zone Change and PUD Overlay will allow the property to develop as a single-family community where the applicant proposes a maximum of 70 dwelling units. The project proposes 50' wide lots and approximately 6.23 acres (31.3 %) of open space. This development proposes to take access from San Ysidro Road with an additional emergency access on 158th Avenue to the east. Amenities on site will comply with the requirements of the SUDC.

PUD Overlay

As part of the proposed Zone Change and PUD Overlay the applicant requests to deviate from certain development standards set forth in the SUDC for RM-6 as follows:

	RM-6 Residential Zoning District Development Standards	San Ysidro Enclave RM-6 PUD Proposed Development Standards	
Minimum Width	50'	50'	REMAIN
Maximum Density/Ac.	6.0	3.52	DECREASE
Minimum Lot Area (Per Unit)	6,000	5,750	DECREASE
Minimum Lot Depth	100'	115'	INCREASE
Front Setback (livable)	12'	12' (2)	REMAIN
Front Setback (Garage)	20'	20' (1)	REMAIN
Side Setback	(3)	5' and 8'	CREATE
Rear	20'	20' (4)	REMAIN
Street Side/Corner Lot	10'	10'	REMAIN
Maximum Building Height	35'	35'	REMAIN

- (1) Front facing garages shall have a minimum 20-foot front yard setback measured from back of sidewalk.
- (2) 12-foot livable front setback is measured from the front Lot Line.
- (3) To be determined at Site Plan or Preliminary Plat Review.
- (4) Porches/patios may encroach 2.5' into the rear yard setbacks.

Aside from the proposed deviations to the development standards shown above, the subject property will be developed per the requirements of the SUDC.

94

95 **Utility and Services Table:**

Electric:	APS
Water:	City of Surprise
Wastewater:	City of Surprise
Schools:	Dysart Unified School District

96

97 **Conformance with Adopted Plans:**

98

99 **Surprise General Plan 2035:** The Surprise General Plan 2035 shows the subject property as lying
100 within the Neighborhood Character Area, which in a suburban neighborhood supports residential
101 development between two and eight dwelling units per acre (2-8 DU/Ac). The proposed Zone Change
102 and PUD Overlay will allow for a development with a maximum density of 3.52 DU/Ac, which
103 demonstrates consistency with this land use category.

104

105 **Reviewing Agencies:**

106

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

110

111 **Summary:**

112

113 This proposed Zone Change and PUD Overlay will reduce the maximum allowed density and amend
114 certain development standards to allow for the development of San Ysidro Enclave.

115

116 **Findings:**

117

- 118 • The proposed Zone Change and density are consistent with the Surprise General Plan 2035.
- 119 • The proposed Zone Change is consistent with the Surprise Unified Development Code (SUDC),
120 except as amended through the PUD Overlay.
- 121 • The SUDC allows for the modification of development requirements through the PUD Overlay
122 process.

123 **Recommendation:**

124

Based on the findings noted above, staff recommends the Commission move to recommend **approval** of case **FS21-036** to the City Council, subject to stipulations 'a' through 'c' as outlined below:

- a. Development and use of the site shall be consistent with the rezone narrative entitled "San Ysidro Enclave PUD", prepared by KAX Group, LLC with Revision Date: May 14, 2021.
- b. Prior to the City recording a final plat or approving a 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 ("HVV") Buy-in Fee, the Happy Valley East ("HVE") Buy-in Fee, the Sewer Buy-in Fee, and the Water Buy-in Fee, as applicable, all as described in the Rancho Mercado Supplemental Development Agreement (Regional Improvements Overlay Agreement), as amended, have been paid.
- c. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.

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

Attachments:

- 01 Vicinity Map
- 02 Zone Change Document
- 03 Citizen Participation Report



VICINITY MAP

San Ysidro Enclave PUD

Case No. FS21-036
Rezone from Residential Ranch (RR) to
RM-6 (Residential Medium Density) with a (PUD) Overlay

19.89 Gross Acres

Southwest corner San Ysidro and 158th Avenue, Surprise, AZ

Prepared by: KAX Group, LLC

Submitted To: City of Surprise, Arizona

Dated: November 17, 2020
Revision Date: January 1, 2021
Revision Date: April 28, 2021
Revision Date: May 14, 2021

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Vicinity Map	7
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Conformance with the adopted Surprise General Plan 2035	9
Ingress/Egress/Access.....	9
Transportation/Traffic and Utilities.....	9
Existing Zoning Map.....	Exhibit A
Proposed Zoning Map.....	Exhibit B
Legal Description and Map.....	Exhibit C
Development Concept Plan.....	Exhibit D
Area Map.....	Exhibit E
General Plan 2035 Land Use Map.....	Exhibit F
Drainage Map - South of Happy Valley Road between 163rd Avenue and 157th Avenue.....	Exhibit G

San Ysidro Enclave Team:

Applicant:

KAX Group, LLC
Kent A. Xander kxander@kaxgroup.com
9290 E. Thompson Peak Pkwy., Unit 227
Scottsdale, Arizona 85255
(602) 499-9305

Land Planning:

Walsh Design Group
Joe Walsh landoc@cox.net
6106 E. Rose Circle Drive
Phoenix, AZ 85018
(602) 619-7581

Location and Introduction:

A **Vicinity Map** on **page 4** illustrates San Ysidro Enclave location – Southwest corner San Ysidro and 158th Avenue, Surprise, AZ

San Ysidro Enclave PUD is a proposed 19.89-acre residential subdivision adjacent to the Fulton Homes Escalante Parcel 3 and Escalante Parcel 7 both zoned for an allowed density of 3-4 units per acre. San Ysidro Enclave is adjacent to unincorporated vacant land to the north and vacant land and homes to the east zoned Rural Residential (RR). This project includes working adjacent properties to formulate a cohesive development plan working out circulation, utilities, and drainage issues. The Development Conceptual Plan shown in **Exhibit D**, addresses these issues and provides for a conceptual plan for single family residential subdivision. When San Ysidro Enclave subdivision is developed, the adjacent 27.5 foot ROW half street improvements on W. San Ysidro shall be constructed by the Developer. A 27.5' ROW for 158th Avenue will be dedicated to the City of Surprise at Final Plat and left in-situ.

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

West

- Fulton Homes Escalante Parcel 3 MDR 53' x 120' lots

South

- Fulton Homes Escalante Parcel 7 MDR 58' x 125' lots

North

- Rural Residential (RR) Vacant Land City of Surprise

East

- Rural Residential (RR) Vacant Land City of Surprise
- Existing Single
Family Homes

Description of Request:

Introduction.

Applicant is requesting a zone change, regarding Case No. FS21-036, for 19.89 gross acres from Residential Ranch (RR) to RM-6 Residential Medium Density (RM-6) with a PUD Overlay located at the southwest corner of San Ysidro and 158th Avenue. See **page 4**, Vicinity Map for the general location.

Project Overview and Zoning Request.

San Ysidro Enclave will be rezoned to a PUD Residential Medium Density detached residential subdivision. See **Exhibit B**, Proposed Zoning Map and see **Exhibit C** for Legal Description and Map Exhibit.

The 19.89 gross acres fronting on San Ysidro will be rezoned from Residential Ranch (RR) to Residential Medium Density (RM-6) with a PUD Overlay. San Ysidro Enclave will include a maximum of 70 residential lots for a gross density of 3.52 DU/Ac.

With a cap on density, the Applicant believes the development standards associated with the RM-6 zoning district are more in line with those of the PAD's in the area of the subject property, with certain deviations as articulated in **Table A** of the San Ysidro Enclave Narrative.

San Ysidro Enclave Development Concept Plan shown on **Exhibit D** shows the lot sizes of the subject property to be a minimum lot size of 50' x 115' (5,750 sq. ft.) with two open space areas with pedestrian trial connections along the west, south, and north sides of San Ysidro Enclave.

The SUDC requires that not less than 20% of the "Net Residential Acreage" be set aside as open space. The Net Residential Acreage ("NRA") is calculated by the total amount of land taken up by the individual lots ("Lot Area") combined with the total Open Space. This development will provide a minimum of 20.0% of open space as a % of NRA (Open Space / NRA). The conceptual site plan, attached as Exhibit D shows approximately 40.14% Open Space as a % of NRA. Passive and Active open spaces for the development shall be calculated at pre-plat engineering and landscaping plan submittal.

San Ysidro Enclave Conceptual Plan Open Space as a % of NRA			
	Sq. Ft.	Acres	
Total Gross Area	866,526.01	19.89	% of Project
ROW Dedication	190,000.00	4.36	21.93%
Open Space	271,526.01	6.23	31.34%
Total Lot Sq. Ft.	405,000.00	9.30	46.74%
Total Gross Area	866,526.01	19.89	
NRA = Open Space + Total Sq. Ft. of Lots	676,526.01		
Open Space as a % of NRA	40.14%		

The primary amenity area will follow SUDC 122-137(o) including a Ramada, seating areas, tot lot, with a turf area providing play opportunities for all ages and shaded seating areas.

Justification to Deviate and Modify the Development Standards:

The following is justification to deviate from SUDC RM-6 Development Standards.

- The project site has major offsite drainage issues and physical constraints that forces the project to deviate from some of the SUDC development standards requirements.
- The 100-year flood plain encumbers the entire site. The site will be completely graded, and with the Flood Plain Use Permit and CLOMR/LOMR documents processed through Maricopa County and FEMA approval the site will be engineered out of the Flood Plain.
- Exhibit G is a Drainage Map prepared by EPS Engineering Group. The Map shows the offsite sheet flows in the area south of Happy Valley Road, east of 163rd Avenue to 157th Avenue. Fulton Homes Escalante developed their own channel to take on the offsite sheet flows which did not include San Ysidro Enclave. Exhibit G shows the Escalante channel on the west side and south side of San Ysidro Enclave. As noted in green on the Map, when San Ysidro Enclave subdivision is constructed, the site will need to construct 2 culverts under San Ysidro to a 60 foot offsite drainage tract on the north side of the site and continue the 60 foot channel along the east side of the site to a permanent offsite basin approximately 40,000 square feet.
- The south side of the site San Ysidro Road is designed with a 60 foot offsite drainage tract with 2 culverts under San Ysidro Road.
- The east side of the site 158th Avenue is designed with no points of vehicle access because of the 60' offsite drainage tract and an approximate 40,000 sq. ft. exclusive offsite basin that can't be shared with other drainage.
- Because of the existing Chanel on the south side of the site there is no vehicle access to the south.
- Because of the existing Chanel on the west side of the site there is no vehicle access to the west.

RM-6 Zoning Designations and Development Standards.

It is the intent of San Ysidro Enclave to amend the RM-6 Residential Zoning District Development Standards with certain deviations as articulated in **Table A** and/or described below.

The wash on-site will be designed and constructed to resemble a natural wash and it will serve as an amenity for the development.

The minimum Lot Area Per Unit is being reduced from 6,000 sq. ft. to 5,750 sq. ft. due to the offsite drainage channel and exclusive basin for offsite water located on the east side of the site. The channel and basin will add additional land for open space. With the 27.5 feet right of way being dedicated and left in-situ plus the 60 foot offsite drainage tract, creates an open space buffer to the east adjacent homes of 87.5 feet.

The side yard setbacks will be 5 feet and 8 feet.

The north side of the site San Ysidro Enclave will have two points of vehicle access.

The east side of the site 158th Avenue is designed with no points of vehicle access because of the 60' offsite drainage tract and an approximate 40,000 sq. ft. exclusive offsite basin that can't be shared with other drainage. Next to the exclusive offsite water basin vehicle emergency access will be allowed to access 158th Avenue. The existing cul-de-sac at the SEC of the site will be left in-situ. The two points of vehicle access on San Ysidro and emergency access to 158th Avenue as well as surfacing requirements will meet 2018 IFC chapter 503 requirements and designed at Preliminary Plat.

San Ysidro Enclave wall design will be compatible to Fulton Homes Escalante wall design.

VICINITY MAP

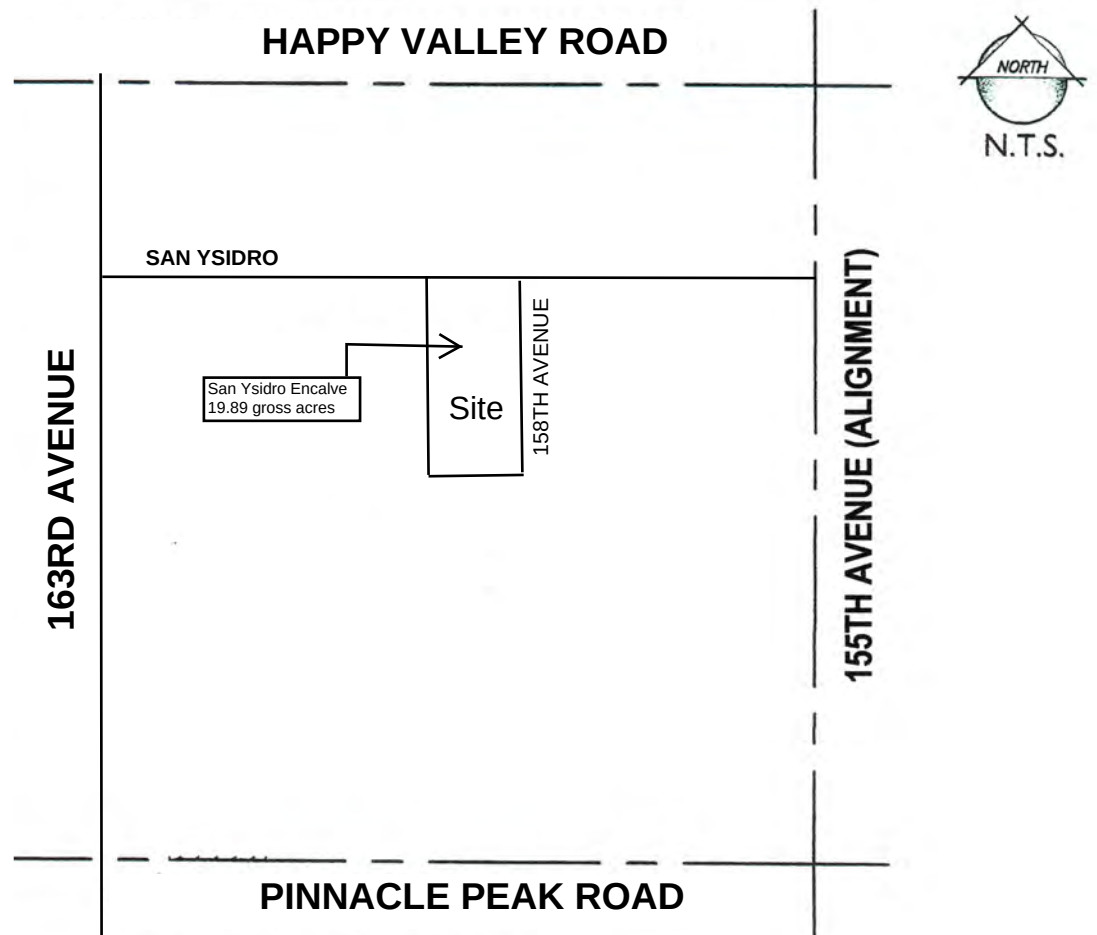


Table A
Residential Medium Density RM-6 PUD Overlay Development Standards Comparison
Table

	RM-6 Residential Zoning District Development Standards	<u>San Ysidro Enclave RM-6 PUD Proposed Development Standards</u>
Minimum Width	50'	50'
Maximum Density/Ac.	6.0	3.52
Minimum Lot Area (Per Unit)	6,000	5,750
Minimum Lot Depth	100'	115'
Front Setback (livable)	12'	12' (2)
Front Setback (Garage)	20'	20' (1)
Side Setback	(3)	5' and 8'
Rear	20'	20' (4)
Street Side/Corner Lot	10'	10'
Maximum Building Height	35'	35'

- (1) Front facing garages shall have a minimum 20-foot front yard setback measured from back of sidewalk.
(2) 12-foot livable front setback is measured from the front Lot Line.
(3) To be determined at Site Plan or Preliminary Plat Review.
(4) Porches/patios may encroach 2.5' into the rear yard setbacks.

The result of the San Ysidro Enclave PUD zone change with a PUD Overlay would be:

- San Ysidro Enclave PUD will be in conformance with the adopted Surprise General Plan 2035 as noted below.
- The development of San Ysidro Enclave PUD will occur in a manner that is consistent with the PUD's and PAD's developed in the area.
- San Ysidro Enclave PUD will provide an open space tract on the north and west side of the San Ysidro Enclave for drainage control, pedestrian trail, and/or open space transition to buffer between the San Ysidro Enclave and the adjacent single-family homes to the west.
- Dedicate a 27.5' right of way on 158th Avenue. (east side of San Ysidro Enclave)
- Dedicate a 27.5' right of way on San Ysidro. (north side of the San Ysidro Enclave)
- Unless specified in this Zoning Narrative Document, all development shall comply with the development standards and design guidelines set in the Surprise Municipal Code at the time of Preliminary Plat.

Conformance with the adopted Surprise General Plan 2035:

The Surprise General Plan 2035 land Use Map shown on **Exhibit F** shows San Ysidro Enclave subdivision as lying within the Neighborhood Land Use Character Area, which in a Suburban Neighborhood supports residential development of 2 to 8 DU/Acre, provided appropriate transitions are made between the various Neighborhood types included within the character area.

At 3.52 DU/Ac, San Ysidro Enclave 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 combination of 158th Ave and planned open space along the east side of San Ysidro Enclave is setback 87.5' feet from the single-family homes to the east.

Ingress/Egress/Access

- Two access points on San Ysidro and one emergency access point to 158th Avenue.

Transportation/Traffic and Utilities

- Onsite public streets shall be constructed to meet City standards widths and cross sections based on approval of the Preliminary Plat.

Exhibit A Existing Zoning Map

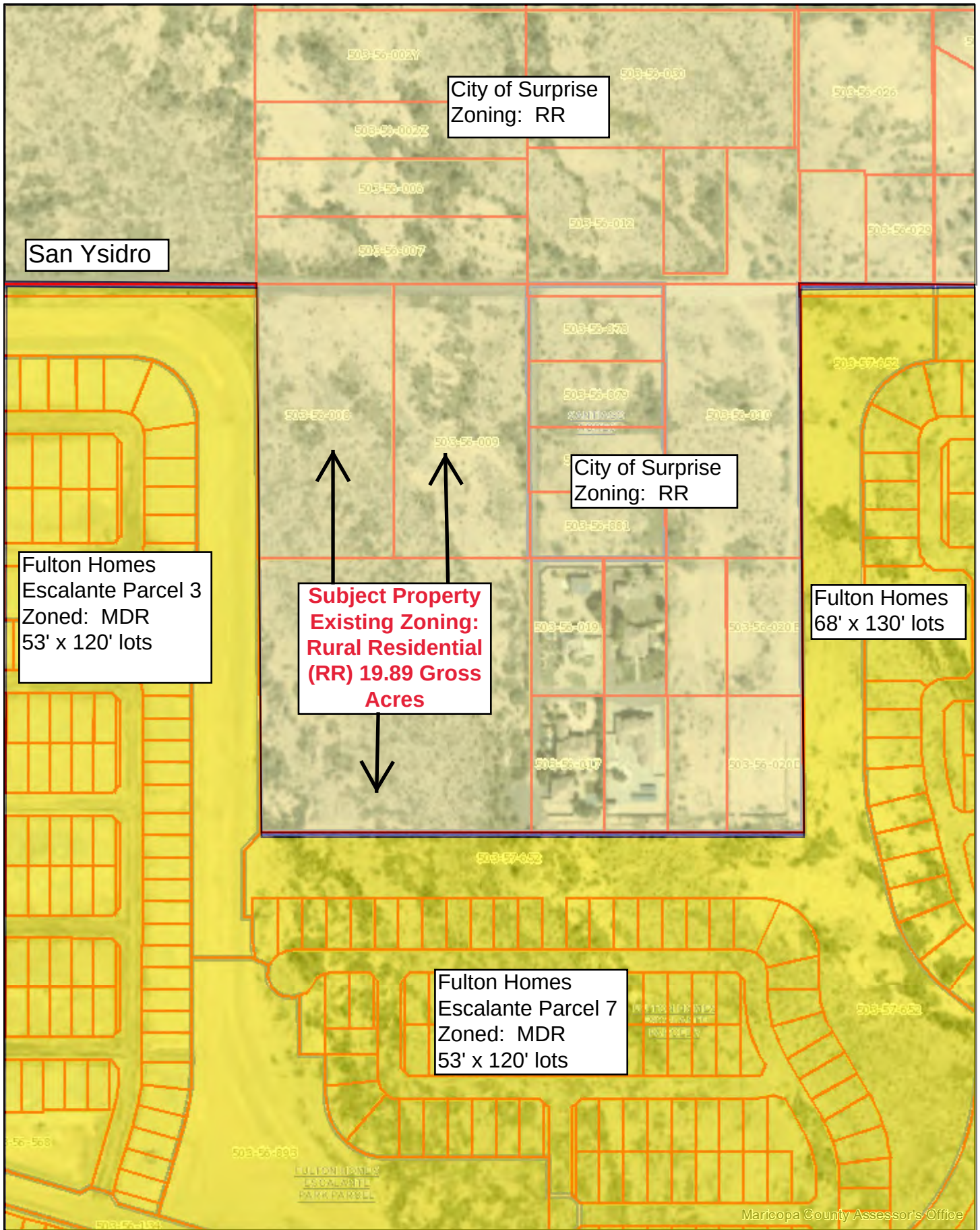




Exhibit B Proposed Zoning Map

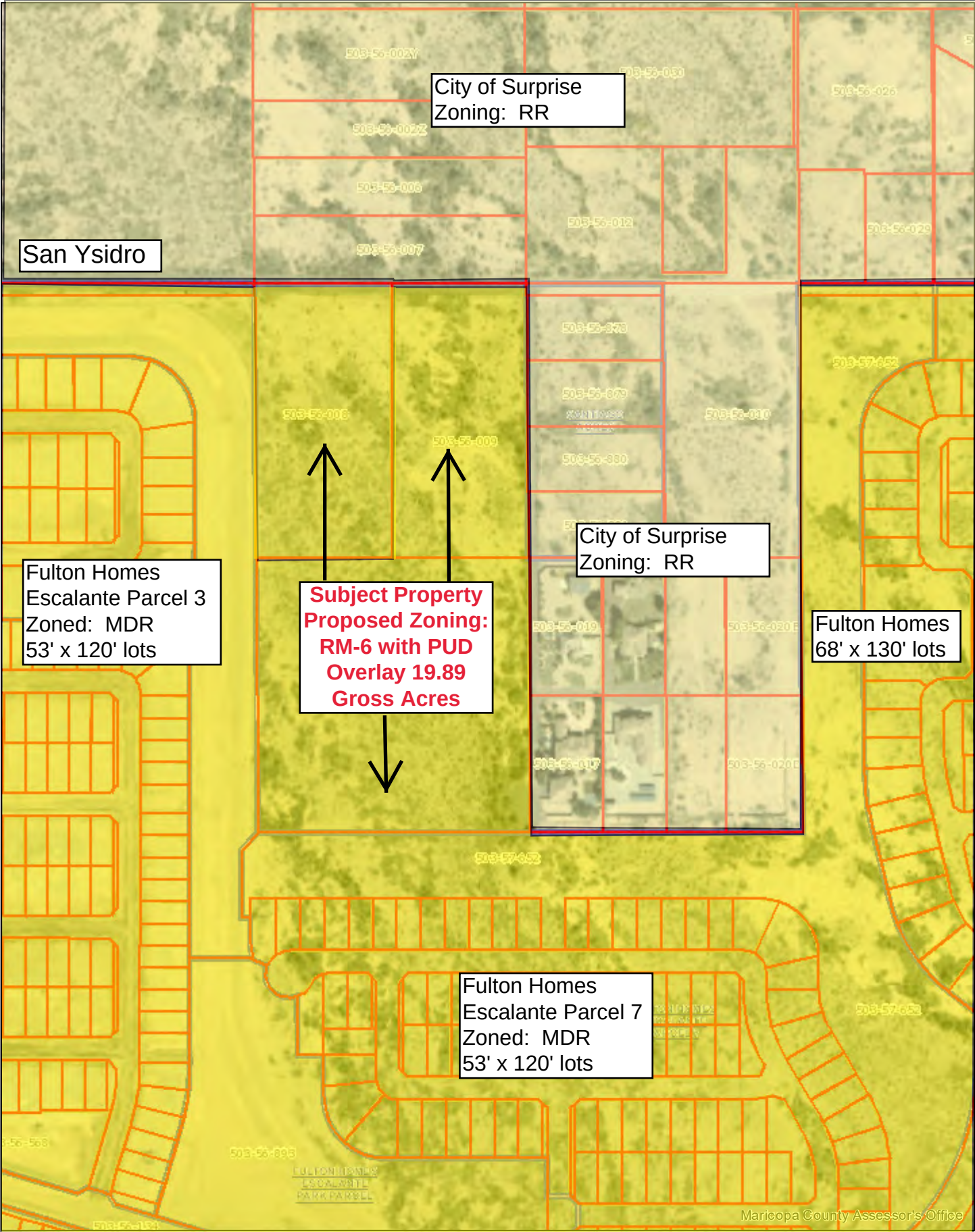


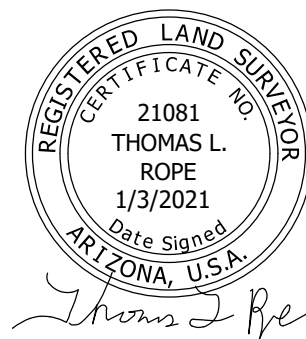
EXHIBIT C - 1 of 3

LEGAL DESCRIPTION

The West half of the Southwest quarter of the Northeast quarter of Section 7, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described by metes and bounds as follows:

Commencing at the Northwest corner of said Section 7;
Thence South 00° 20' 52" West along the West line of said Section 7 a distance of 1317.09 feet to the Northwest corner of the South half of the Northwest quarter of Section 7;
Thence South 89° 43' 18" East along the North line of said South half a distance of 1861.40 feet to the Northwest corner of the Southwest quarter of the Northeast quarter of Section 7 and the **POINT OF BEGINNING**;
Thence South 89° 44' 00" East along the North line of said Southwest quarter a distance of 657.04 feet to the East line of the West half of the Southwest quarter of the Northeast quarter of Section 7;
Thence South 00° 07' 53" East along said East line a distance of 1318.47 feet to the Southeast corner of the West half of the Southwest quarter of the Northeast quarter of Section 7;
Thence North 89° 42' 14" West along the South line of the Northeast quarter of Section 7 a distance of 657.61 feet to the Center of Section 7;
Thence North 00° 06' 24" West along the West line of the Northeast quarter of Section 7 a distance of 1318.12 feet to the **POINT OF BEGINNING**.

Containing 19.8927 acres



JOB NO. 20060

EXHIBIT C - 2 of 3

PARCEL MAP CHECK REPORT

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

Parcel Name: San Ysidro/159th Avenue

Process segment order counterclockwise: False
Enable mapcheck across chord: False

North:985,465.3024' East:552,030.2246'

Segment# 1: Line
Course: S89°44'00"E Length: 657.04'
North: 985,462.2445' East: 552,687.2575'

Segment# 2: Line
Course: S0°07'53"E Length: 1,318.47'
North: 984,143.7779' East: 552,690.2809'

Segment# 3: Line
Course: N89°42'14"W Length: 657.61'
North: 984,147.1765' East: 552,032.6797'

Segment# 4: Line
Course: N0°06'24"W Length: 1,318.12'
North: 985,465.2942' East: 552,030.2258'

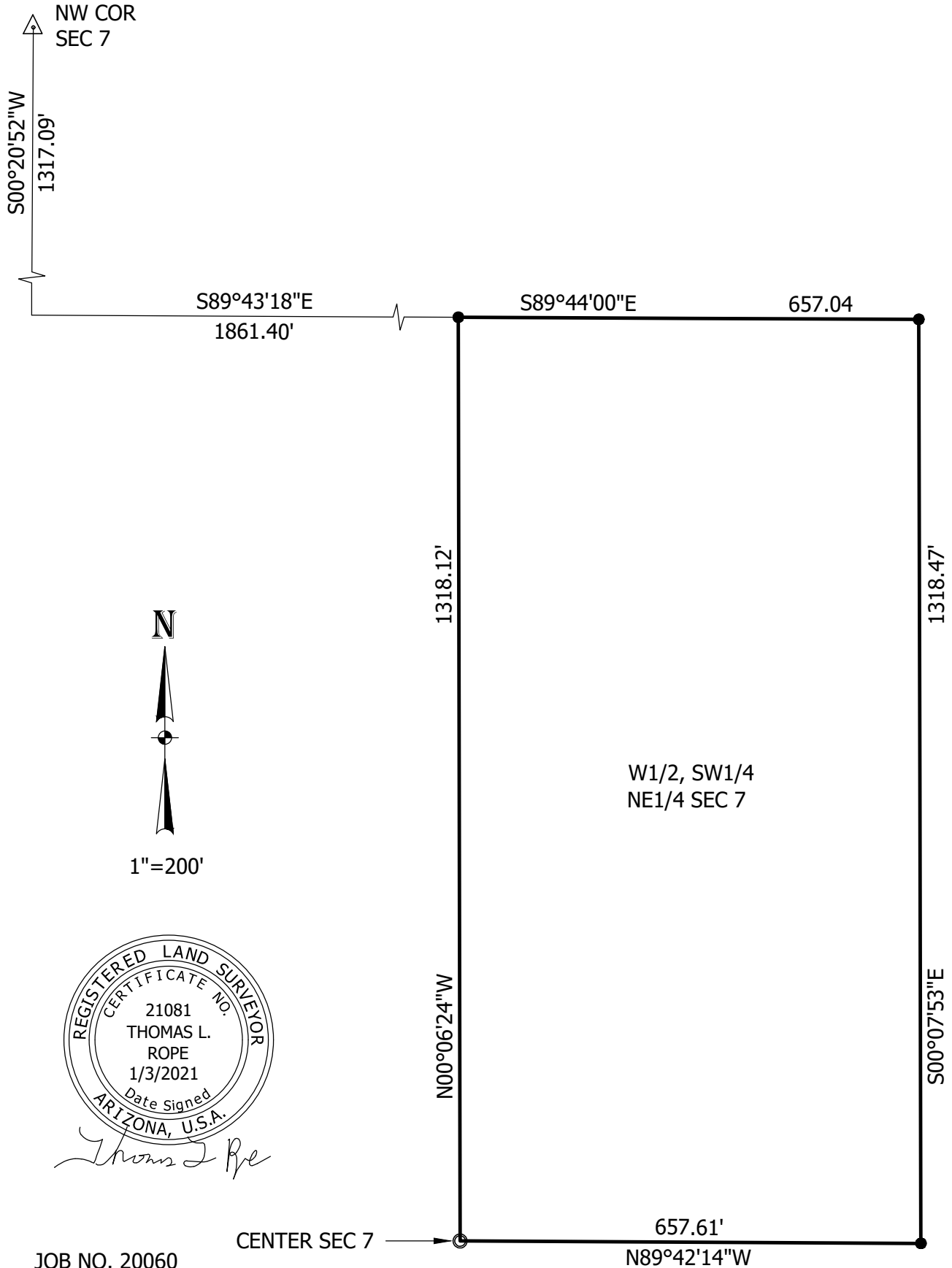
Perimeter: 3,951.24' Area: 19.8924Acre
Error Closure: 0.0083 Course: S8°24'29"E
Error North : -0.00822 East: 0.00122

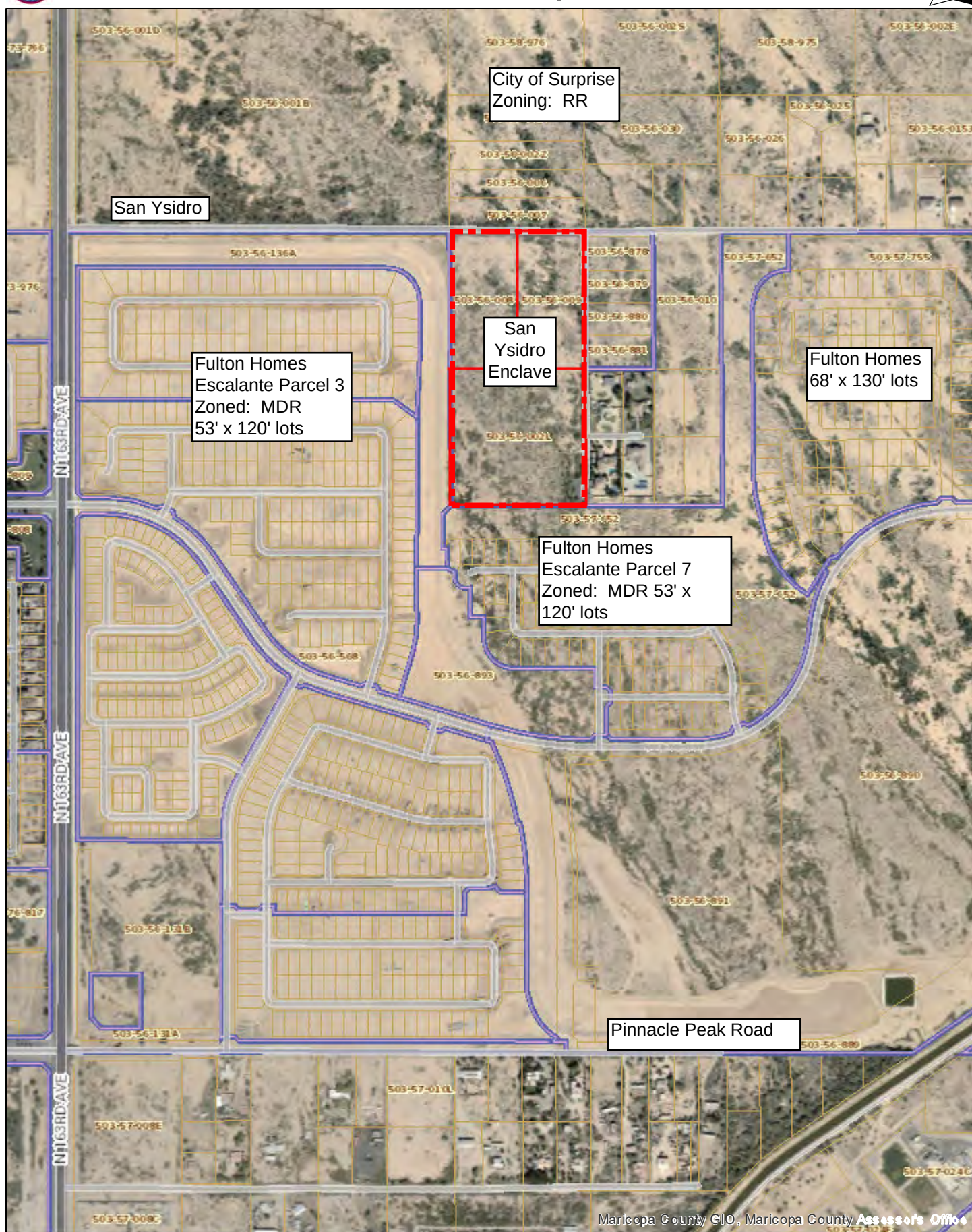
Precision 1: 476,053.01



JOB NO. 20060

A PORTION OF THE NORTHEAST QUARTER OF SECTION 7
T4N, R1W, G.&S.R.B.M., MARICOPA COUNTY, ARIZONA





SAN YSIDRO
ENCLAVE
CONCEPTUAL PLAN

70-50'x115' IOTS

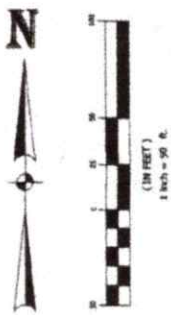


Exhibit F

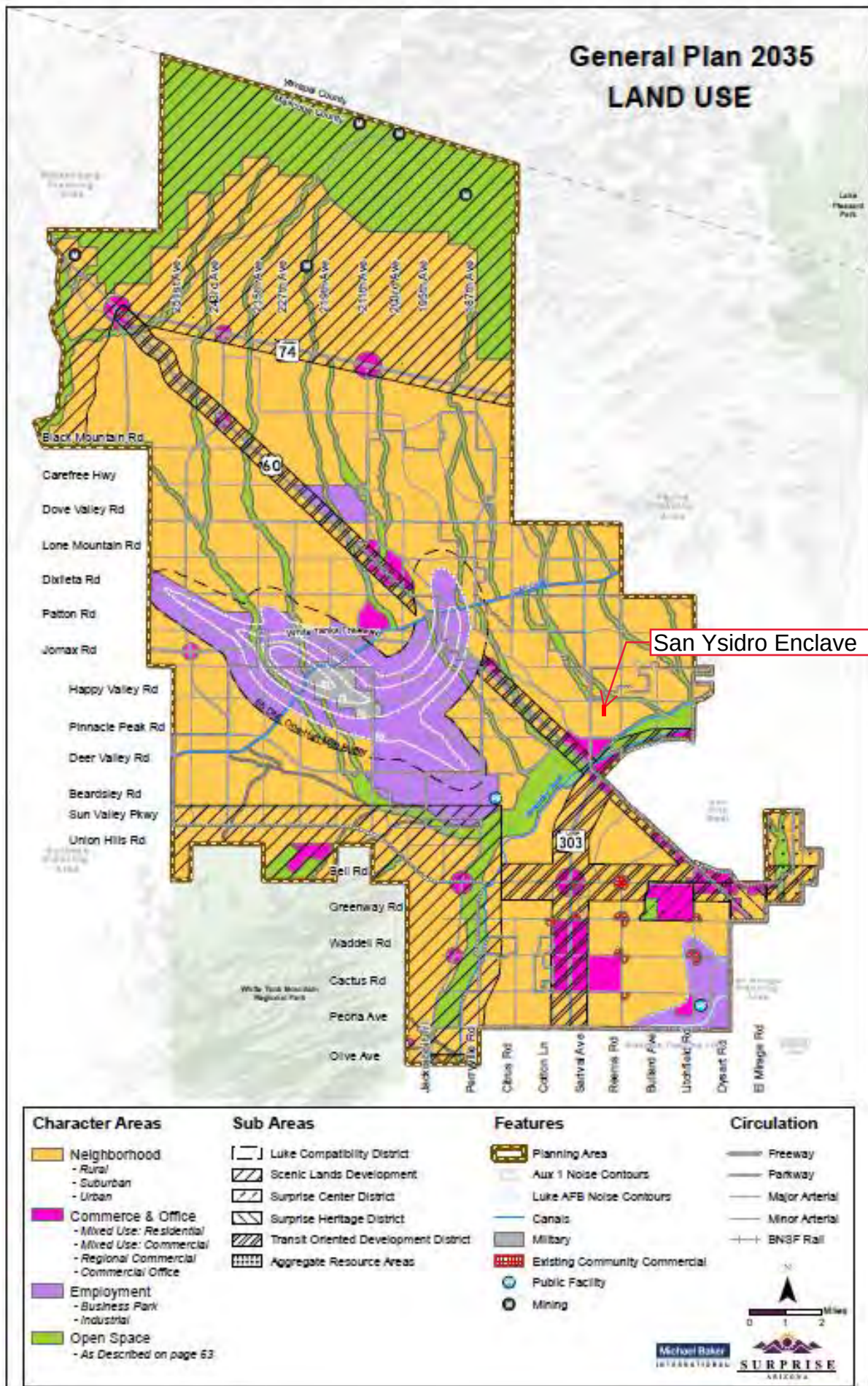
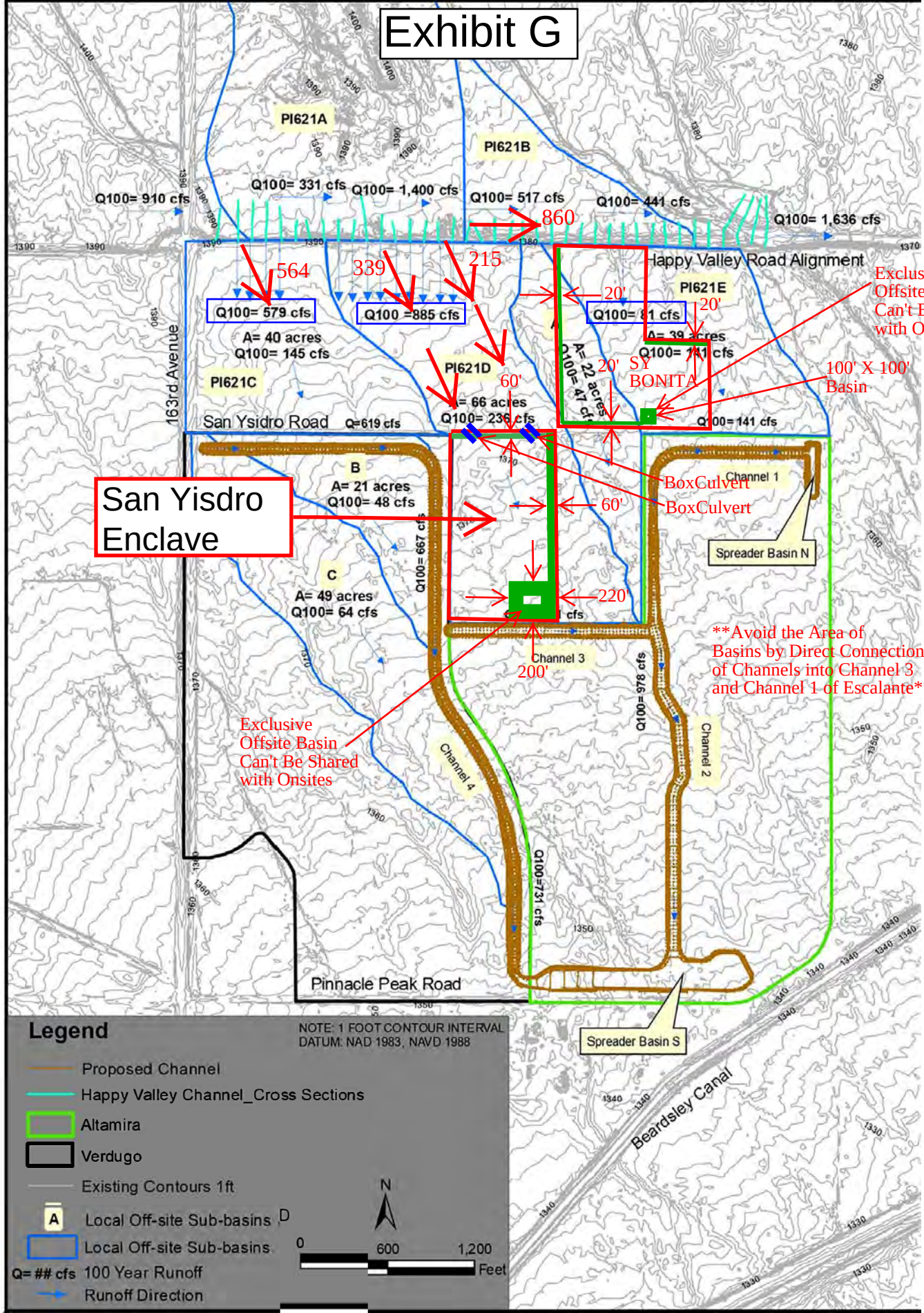


Exhibit G



OFF-SITE FLOW MAP

ALTAMIRA & VERDUGO CLOMR

JOB NO.

01-0178006

PLATE 1

05/03/2013 Page 176 of 271

4550 NORTH 12TH STREET
PHOENIX, ARIZONA 85014
TELEPHONE (602) 264-6831



San Ysidro

Citizen Participation Plan

July 1, 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.

San Ysidro Citizen Participation Plan & Report

San Ysidro Enclave PUD is located at Southwest corner San Ysidro and 158th Avenue. San Ysidro Enclave PUD is a proposed 19.89-acre residential subdivision adjacent to the Fulton Homes Escalante Parcel 3 and Escalante Parcel 7 both zoned for an allowed density of 3-4 units per acre. San Ysidro Enclave is adjacent to unincorporated vacant land to the north and vacant land and homes to the east zoned Rural Residential (RR). Applicant is requesting Rezone from Residential Ranch (RR) to RM-6 (Residential Medium Density) with a (PUD) Overlay.

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 June 11, 2021, to alert interested citizens and stakeholders of our upcoming combined virtual and in-person open house on June 29, 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 five (5) in-person attendees and no participants virtually. The sign-in sheets are attached at **Tab 2**. The discussion was primarily between the in-person attendees, the applicant, the owner, Kent Xander. The discussion included the following topics/opinions from the in-person participants:

- You said this was similar density to Escalante, correct?
- The lot sizes with Maricopa Assessors seem to be smaller. (Comparing lots to the West property)
- You are going to pave the section of San Ysidro just in 158, just north adjacent to your property and east?
- Are these lots larger than other lots in Surprise? (Question from Councilmember Winters)
- The area adjoining, your proposals state you are going to dedicate a ROW?
- When they have continuous row entitled on 158th, will the city take up smoothing the gravel?
- Where are you going to put your mailbox for this?
- Water hook-ups from where you drop off, do you need a building permit proposal?
- You were going to submit your plan to MCFCD, so the area east of you is still part of the flood plain. When you submit to MCFD, I would like to see if we could get the area to the left of you removed from there.
- Does Happy Valley connect to 163rd?
- Are the homes being built the same house value as Escalante?

After our discussion, we felt the participants were able to express their concerns, questions, and opinions throughout the open house.



There were two (2) comment cards left behind which is attached at **Tab 3**. We have committed to working through many of the discussion points during the open house and we will continue to follow up with anyone who reaches out to us. Please refer to **Tab 4** for a copy of the email received from Rich Comroe regarding his list of questions at the neighborhood meeting and clarification from Kent Xander. 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



AFFIDAVIT OF POSTING

Application No: FS21-036

Applicant Name:

Location: Southwest corner of San Ysidro and 158th Avenue

Date Site Posted: June 11th, 2021

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

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

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

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

Maria Hitt
Applicant/Representative Signature

6-11-2021
Date

This instrument was acknowledged before me on this 11th day of June, 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



TAB 2

NEIGHBORHOOD MEETING SIGN-IN SHEET

Asante Preparatory Academy

Date : 6/29/2021 Time: 6:00PM - 7:00PM

NAME	ADDRESS	EMAIL	PHONE #
Andy Cepan			
Rich Comroe			

TAB 3

COMMENT CARD

NAME: Andy Cepon

ADDRESS: [REDACTED] Surprise 85388

COMMENT: 3.52 per acre is less than allowed. Like
the open space buffer to the houses to the east.
Really like ~~that~~ the attempt to pave the 1/4 mile
between 163RD and their property. Fully support
the project.

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

COMMENT CARD

NAME: Rich Conroe

ADDRESS: [REDACTED]

COMMENT: Thumbs Up!

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, kajones@tblaw.com

TAB 4

From: [Kent Xander](#)
To: [Kurt A. Jones](#)
Subject: FW: Public meeting
Date: Wednesday, June 30, 2021 11:45:37 AM

FYI,

Kent A. Xander
Designated Broker
KAX Group, LLC
Owner of Land
6 [REDACTED]

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

From: Rich Comroe [REDACTED]
Sent: Wednesday, June 30, 2021 11:44 AM
To: Kent Xander <[REDACTED]>
Subject: Re: Public meeting

Well put. You did explicitly state that point during the meeting, while I'd guess my less complete paraphrase reflected my wishful hope that some improvement of San Ysidro out to 163rd will succeed [& bring those roadways under Surprise maintenance]!

Rich

On 6/30/21 10:12 AM, Kent Xander wrote:

> Good morning All,
>
> Rich thanks for attending the meeting yesterday evening.
>
> I wanted to clarify a few of Rich's comments below.
>
> San Ysidro Enclave is responsible to develop its frontage on San Ysidro (from 158th Avenue to 159th Avenue). Fulton Homes Escalante project paid to the City, an "In Lieu" fee instead of developing the south side of San Ysidro from 159th Avenue to 163rd Avenue. It is my intention to work with the City to use the Escalante in Lieu funds to construct a 26' wide pavement section from 159th Avenue to 163rd Avenue. I don't know how this will evolve, but it's in our projects best interest to accomplish constructing this pavement section. We will be pre-engineering San Ysidro from 159th Avenue to 163rd Avenue as part of our pre-plat engineering so we can figure out this road section design sooner than later.
>
> San Ysidro Enclave will start the preliminary plat engineering in July. As part of the engineering, the subdivision water design will be drafted which will include the offsite extended waterline design to your groups existing well infrastructure. It is probably a bit pre-mature to get a plumbing contractor involved at this point until San Ysidro Enclave pre-plat is approved.
>
> The homes planned within San Ysidro Enclave will be similar in size and cost to all homes within Escalante.
>
> Please call me with any questions.
>
> Thank you,
>
> Kent A. Xander
> Designated Broker
> KAX Group, LLC
> Owner of Land

> [REDACTED]
> [REDACTED]
> -----Original Message-----
> From: Rich Comroe <[REDACTED]>
> Sent: Tuesday, June 29, 2021 8:34 PM
> To: daryl ricigliano <[REDACTED]> 'Thomas Inman'
> [REDACTED]
> Cc: Kent Xander <[REDACTED]>
> Subject: Public meeting
>
> I attended the public meeting with a few questions. Here's my notes. Kent had an assistant also take notes, so we'll at some point receive their summary, which I expect should be very similar to mine.
>
>
> Q. What are the plans for San Ysidro & 158th roadway?
>
>
> A. They will pave 2-lanes down San Ysidro from 163rd to 158th.
> 158th will be left as it is now (gravel)
>
>
>
> Q. What are their plans for San Ysidro and 158th ROW (right of way)?
>
> A. The new development will dedicated ROW (right of way) to
> Surprise for their development's land adjoining San Ysidro and 158th
> dedicating ROW to Surprise. This is something that both Rick & Daryl
> may consider as both their lots include half of 158th. Mike Gent
> (City of Surprise Public Works) had a few years back told us that
> dedicated ROW had become a required condition for city maintenance of
> any City of Surprise roadway. Mere "access" is not sufficient for city maintenance.
> However, Mike Gent had also told us years back that dedicated ROW is
> itself still insufficient ... that the city must have CONTIGUOUS
> dedicated ROW (all the way from 163rd). The new development can't
> dedicated ROW for San Ysidro from 163rd to their development, as
> that's owned by Fulton Homes on the south, and some other property
> owner on the north.
>
>
> Q. Where will the development put up mailboxes out on 163rd, like us?
>
> A. The development expects the post office to service mailboxes
> installed IN THE NEW DEVELOPMENT. Perhaps there is hope that our
> mailboxes can be relocated closer and finally get USPS parcel service
> to our homes!
>
>
>
> Q. Will we need to obtain building permits for water hookup to our
> houses?
>
> A. Kent suspects yes, and will share the name of their
> development's plumbing contractor (who just extended the Fulton Homes
> water line across the drainage channel to our dumpster). Markade is a
> plumbing subcontractor ... they don't generate plans or participate in
> the permitting process [according to Mark]. Of course, Mark may know
> of a contractor that can plan & permit the work for subcontract to Markade.

>
>
> Q. Will San Ysidro Enclave request removal of their development
> from the Maricopa County Flood Zone Map?
>
> A. I believe Kent had previously said he planned to, and he
> confirmed that at the public meeting. He is not far enough along to
> know anything beyond his intent, but agreed to appraise us of that
> activity when they approach that task ... if there is any chance of
> removing our remaining lots from that flood plain designation I'd be
> for it ... otherwise we'd be just about the only group of lots south
> of San Ysidro classified as flood plain. Redesignation out of the
> flood plain zone would improve lot values!
>
>
>
> Q. In their presentation they described their development as
> "similar" to the adjoining Escalante. Tom asked if I could pose the
> question whether the proposed development would be similar in property
> / home values to the Escalante homes being built around us. It was my
> first impression from their plans that their lots were smaller.
>
> A. They had lot sizes of their planned development and Escalante's
> lots on hand. They strongly asserted that their lots were very
> similar in size to the neighboring Escalante, and that the homes would
> be similar in value. Mind you, they are not similar to our lots or
> the adjoining lots [an acre[+] lot per house ... while the new
> development is 3.52 lots per acre], but their target is at least no
> less than the adjoining Escalante single story homes.
>



FS21-036

San Ysidro Enclave Rezone

Planning and Zoning Commission

September 16, 2021

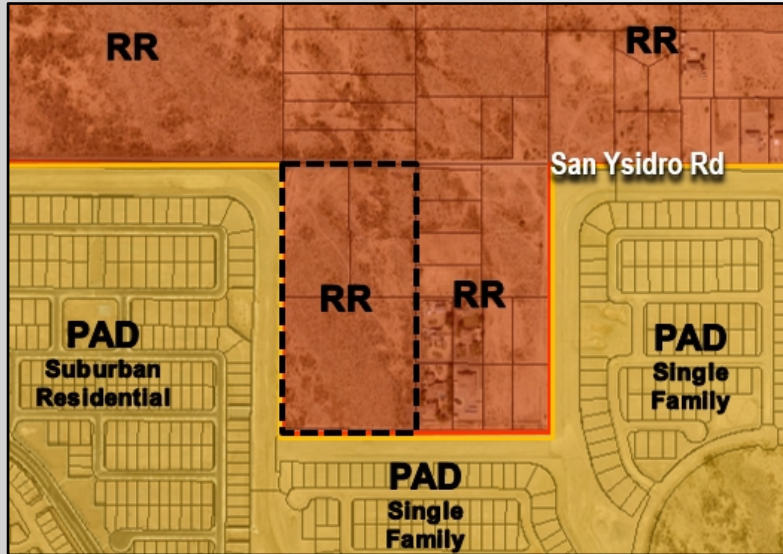


VICINITY MAP

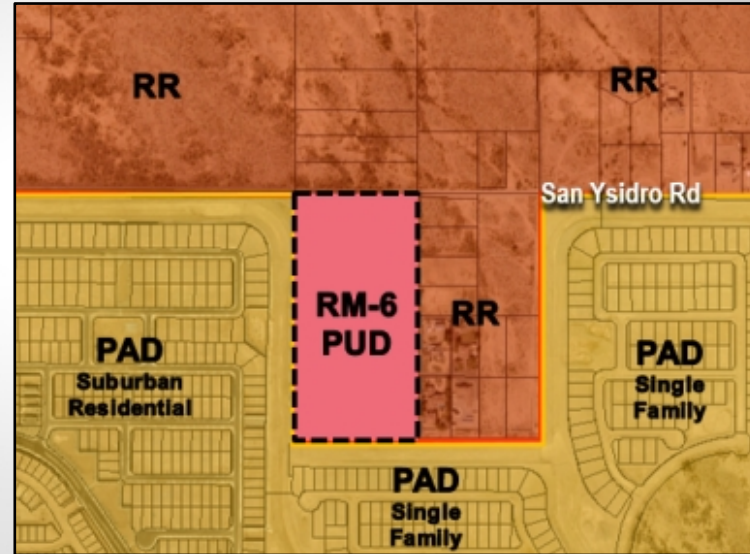


FS21-036 VICINITY MAP

EXISTING ZONING

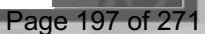


PROPOSED ZONING



	RM-6 Residential Zoning District Development Standards	<u>San Ysidro Enclave RM-6 PUD Proposed Development Standards</u>	
Minimum Width	50'	50'	REMAIN
Maximum Density/Ac.	6.0	3.52	DECREASE
Minimum Lot Area (Per Unit)	6,000	5,750	
Minimum Lot Depth	100'	115'	INCREASE
Front Setback (livable)	12'	12' (2)	REMAIN
Front Setback (Garage)	20'	20' (1)	
Side Setback	(3)	5' and 8'	CREATE
Rear	20'	20' (4)	
Street Side/Corner Lot	10'	10'	REMAIN
Maximum Building Height	35'	35'	

- (1) Front facing garages shall have a minimum 20-foot front yard setback measured from back of sidewalk.
- (2) 12-foot livable front setback is measured from the front Lot Line.
- (3) To be determined at Site Plan or Preliminary Plat Review.
- (4) Porches/patios may encroach 2.5' into the rear yard setbacks.





RECOMMENDATION

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



QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Planning and Zoning Commission Meeting

Council Meeting Date: September 16, 2021 Contact Person: Robert Kuhfuss
Submitting Department: Community Development District: District 2
Staff Recommendations:

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

Agenda Wording:

Consideration and action pertaining to approval of the Site Plan Amendment for Granite Falls Restaurant, generally located on the southeast corner of Clearview Blvd and Sunrise Blvd in the Sun City Grand PAD. Case FS21-305.

Motion:

I move to approve the Site Plan Amendment for Granite Falls Restaurant, generally located on the southeast corner of Clearview Blvd and Sunrise Blvd in the Sun City Grand PAD.

Background:

The Sun City Grand Community Association seeks approval of a Site Plan Amendment as it relates to a proposed remodel of the existing restaurant facility. The proposed amendments are relatively minimal, but exceed staff's authority to approve administratively. The scope of the proposed changes include new dining space, new covered patio, expansion of the outdoor patio, sidewalk improvements, and landscaping.

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 - FS21-305 Granite Falls Restaurant SPA - PZ Staff Report - 09-16-21
 2. 01 - FS21-305 Granite Falls Restaurant Vicinity Map
 3. 02 - FS21-305 Granite Falls Restaurant Case Map
 4. 03 - FS21-305 Granite Falls Restaurant Site Plan
 5. 04 - FS21-305 Granite Falls Restaurant Landscape Plan
 6. 05 - FS21-305 Granite Falls Restaurant Elevations
 7. PP - FS21-305 Granite Falls Restaurant SPA 09-16-21 P&Z PowerPoint
-

SITE PLAN AMENDMENT

REPORT TO THE PLANNING AND ZONING COMMISSION

Case: FS21-305

Project Name: Granite Falls Restaurant Remodel

Council District: 2

Meeting Date: September 16, 2021

Planner: Robert H. Kuhfuss, AICP

Owner/Applicant: Sun City Grand Community Association

Request: Site Plan Amendment for Granite Falls Restaurant

Site Location: Generally located on the southeast corner of Clearview Blvd and Sunrise Blvd in Sun City Grand.

Site Size: 4.68 acres (net)

Dwelling Units: N/A

Density: N/A

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

Support/Opposition: None known

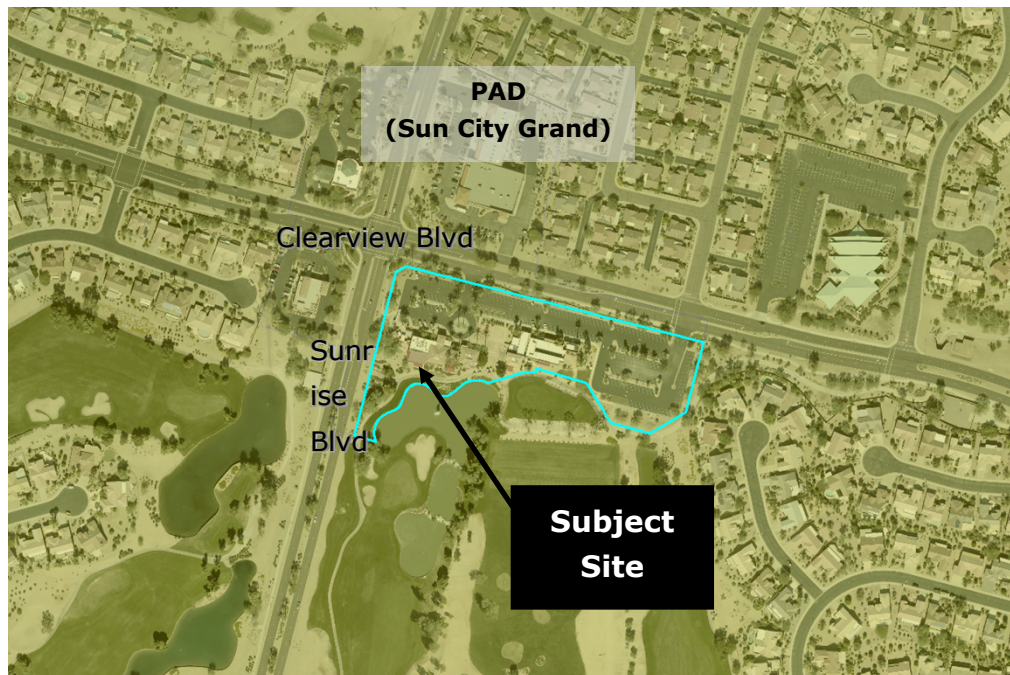
Staff Recommendation: Staff recommends the Commission **approve** the proposed Site Plan Amendment for Granite Falls Restaurant subject to Stipulations “a” through “d.”

PROJECT DESCRIPTION:

The Sun City Grand Community Association seeks approval of a Site Plan Amendment as it relates to a proposed remodel of the existing restaurant facility. The proposed amendments are relatively minimal, but exceed staff's authority to approve administratively. The scope of the proposed changes include new dining space, new covered patio, expansion of the outdoor patio, sidewalk improvements, and landscaping.

EXISTING ZONING:

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



Sun City Grand PAD (Commercial)	Sun City Grand PAD (Commercial)	Sun City Grand PAD (Commercial)
Sun City Grand PAD (Commercial)	Sun City Grand PAD (Commercial)	Sun City Grand PAD (Residential)
Sun City Grand PAD (Golf Course)	Sun City Grand PAD (Golf Course)	Sun City Grand PAD (Residential)

BACKGROUND:

April 28, 1994: The City Council approved the original Sun City Grand PAD under PAD94-007.

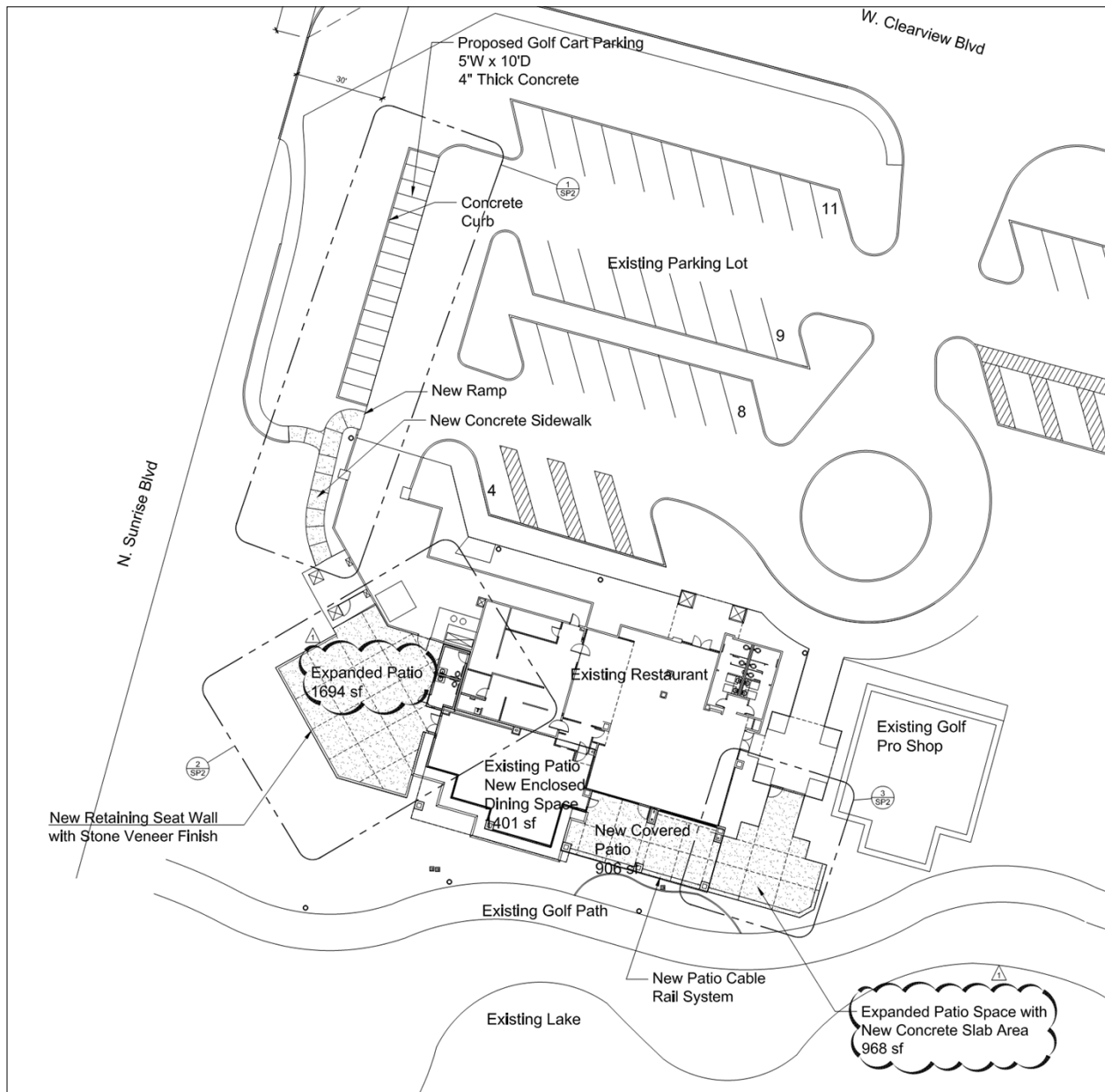
February 25, 1999: The City Council approved the Final Plat for Sun City Grand Willow Grove, which was subsequently recorded under 99-0336787 MCR.

October 1, 2020: Staff met with the applicant to discuss the proposed changes during a regularly scheduled Concept Review meeting under CR20-603.

April 19, 2021: The applicant filed the subject request under case FS21-305.

ANALYSIS AND DISCUSSION:

As noted above, the proposed improvements include new dining space (1,401 SF), new covered patio (906 SF), expansion of the outdoor patio (2,662 SF), sidewalk improvements, and landscaping.



78 **UTILITY AND SERVICES TABLE:**

79

Electric:	APS
Water:	EPCOR
Wastewater:	City of Surprise
Refuse:	Private Collector

80
81 **CONFORMANCE WITH ADOPTED PLANS:**

82
83 The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood
84 Character Area which supports neighborhood commercial uses such as that proposed.

85
86 **REVIEWING AGENCIES:**

87
88 All City reviewing departments have reviewed the request and expressed no objections.
89 The subject Site Plan was also routed to the standard external reviewing agencies, which
90 indicated no objections.

91
92 **SUMMARY:**

93
94 Staff believes the proposed Site Plan Amendment is consistent with the manner and intent
95 of the Sun City Grand PAD in which it occupies. Approval will allow the site to be developed
96 in accordance with the requirements of the City of Surprise.

97
98 **FINDINGS:**

- 99
100
 - The proposed Site Plan demonstrates compliance with the General Plan.
 - The proposed Site Plan demonstrates compliance with the Sun City Grand PAD.
 - The reviewing agencies have indicated no objections to the request.

101
102
103
104 **RECOMMENDATION:**

105
106 Based on the findings noted above, staff recommends the Commission approve the subject
107 Site Plan, Case FS21-305, subject to stipulations 'a' through 'd' as outlined below:

- 108
109
 - a. Development and use of the site shall be consistent with the Site Plan entitled,
110 Granite Falls Restaurant" prepared by Adaptive Architects and received June 29,
111 2021.
 - b. Landscaping of the site shall be consistent with the Landscape Plans entitled
112 "Granite Falls Restaurant", prepared by J2 Engineering and Environmental Design
113 and received July 27, 2021.
 - c. Elevations shall be consistent with the Elevations entitled "Granite Falls
114 Restaurant", prepared by Adaptive Architects and received April 19, 2021.

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

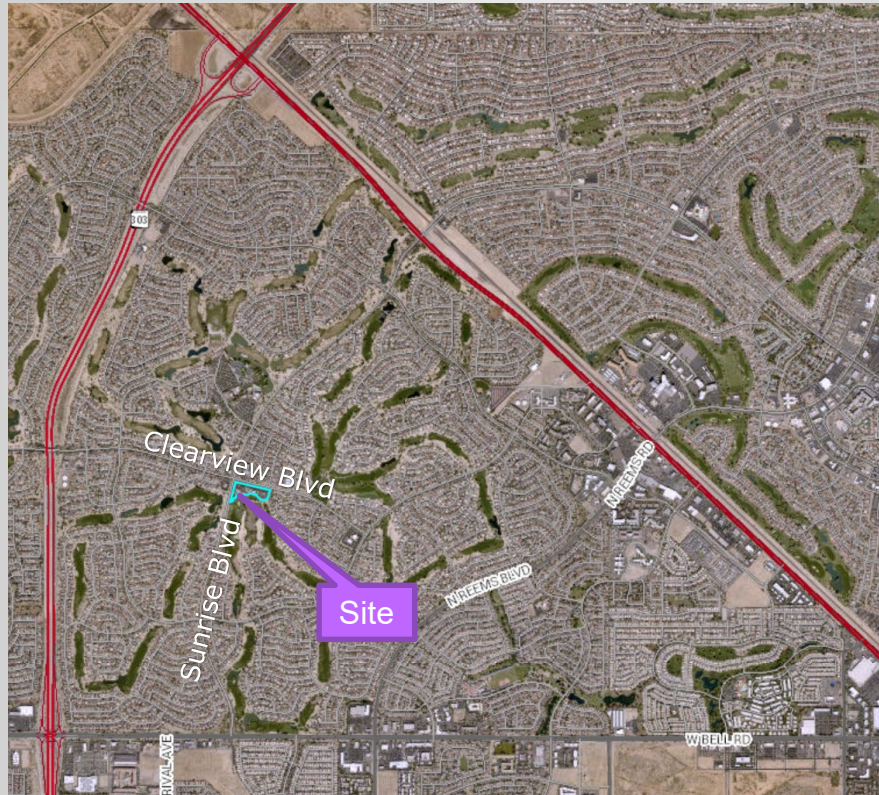
However, should the Commission wish to deny the request, the Commission should make its own findings and base its decision on those alternative findings.

ATTACHMENTS:

- 01 – Vicinity Map
- 02 – Case Map
- 03 – Site Plan
- 04 – Landscape Plan
- 05 – Elevations

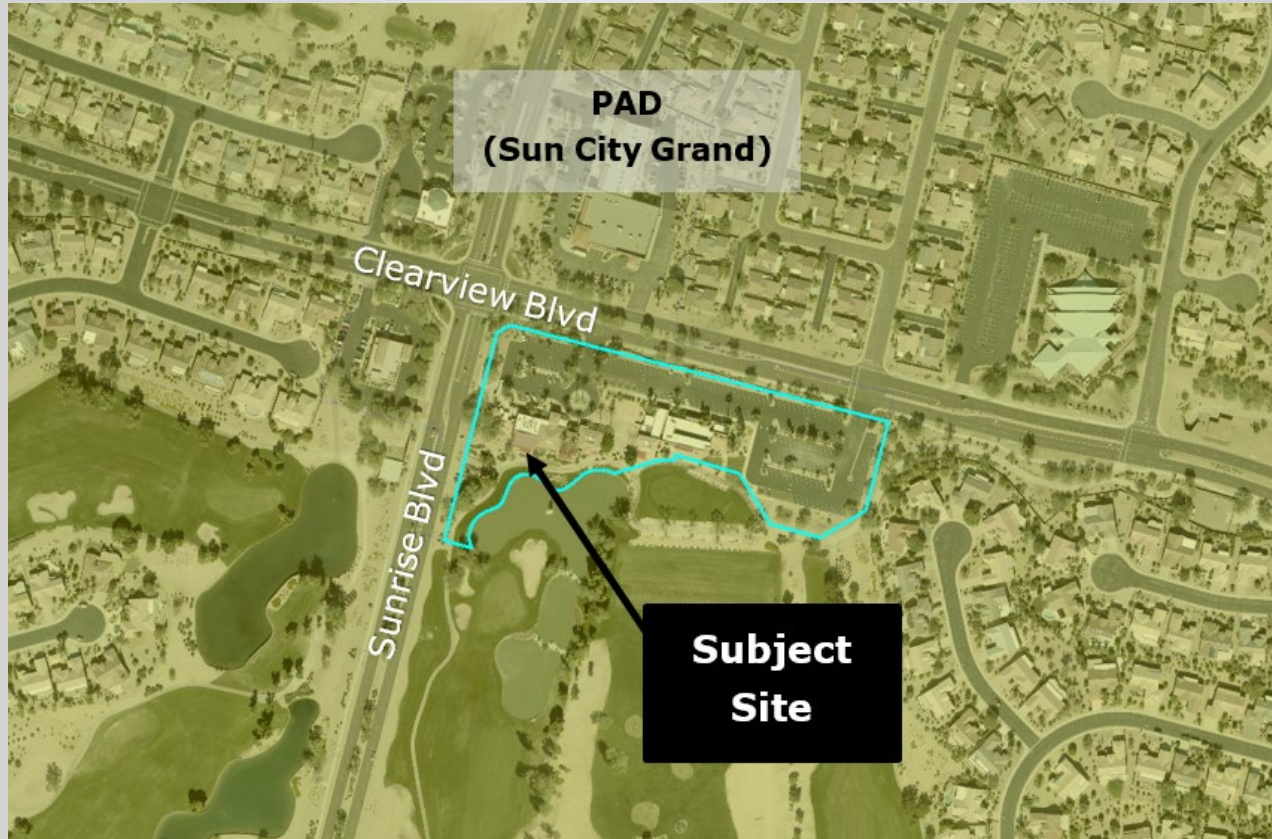
VICINITY MAP

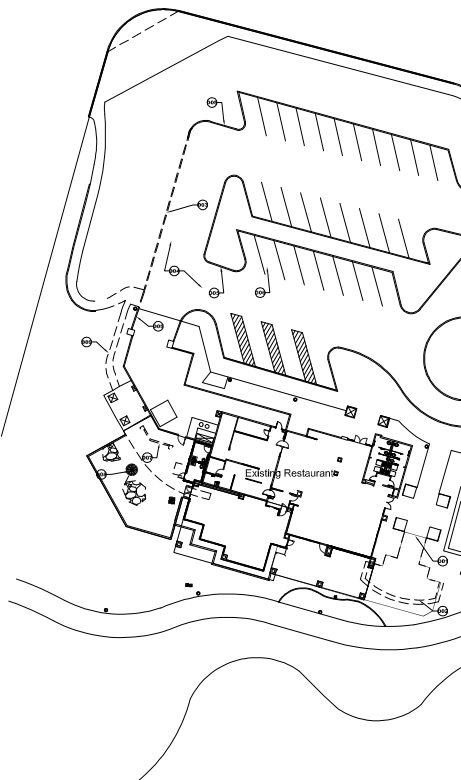
FS21-305
Granite Falls Restaurant



CASE MAP

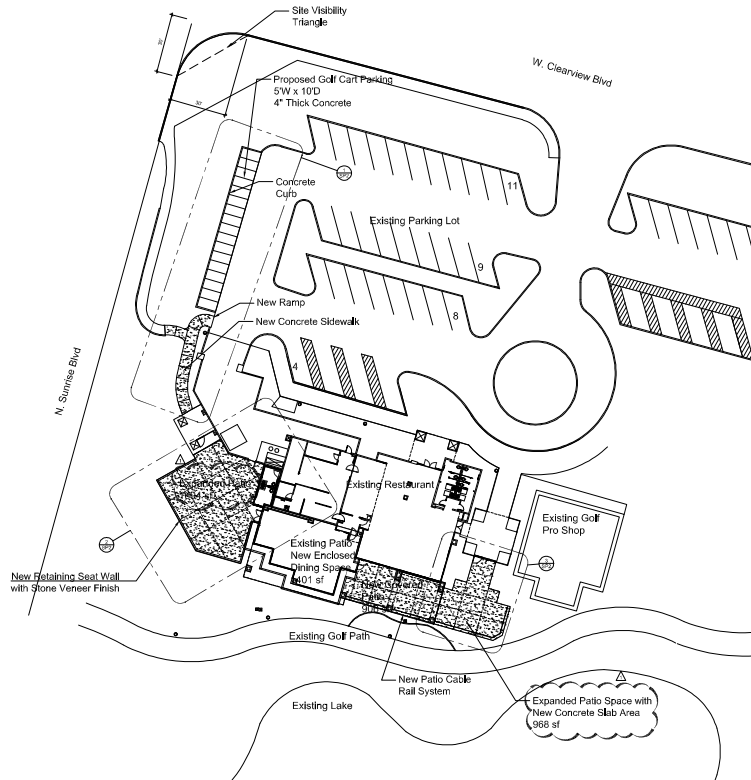
FS21-305
Granite Falls Restaurant





1
SCALE: 1" = 20'-0"

- DEMOLITION PLAN KEYNOTES**
(SEE SHEET 02 FOR DETAILS)
- 1. EXISTING RESTAURANT BUILDING TO BE DEMOLISHED
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 - 100. EXISTING RESTAURANT BUILDING TO BE DEMOLISHED



2
SCALE: 1" = 20'-0"

Project Information

Granite Falls Restaurant
19555 W. Clearview Blvd.
Surprise, AZ 85374

APN: 202-08-007

Owner: Sun City Grand Community Association Inc.
19720 N. Rensington Dr. Surprise, AZ 85374

Architect: Adaptive Architects Inc.
1010 S. State Street Suite 209
Tucson, AZ 85704

Project Name: PADI

Site Area: Approximately 4.75 Acres or 204,000 sq. ft.

Project Description: Extension/renovation of existing indoor dining area and outdoor patio area. Construction of existing roof structure of the patio area. Addition of new patio areas on the North East and South West area. Additional new outdoor areas on the North West area. Additional new golf cart parking.

Existing Restaurant Area = 6400 SF
Existing Dining Area = 2426 SF
Existing Restaurant Area = 480 SF
Existing Patio Area = 1206 SF
Existing Total Area = 1400 SF

New Enclosed Dining Area = 4101 SF
New Restaurant Area = 156 SF
New Covered Patio Area = 906 SF

Total New Construction SF (under roof) = 5153 SF

2403 SF (Area Calculated from below walls)
2651 SF (Area Calculated from Encoder Walls and Roof Overhang)

Patio Area
Expanded Patio Area West = 1054 SF
Expanded Patio Area East = 985 SF

Building Height (Roof): 22'-4" (approximate height of the top of highest finished roof)

Parking Calculations:
Existing Indoor Dining Area:
 1 space / 100 sf required = 2025 / 100 = 21 spaces required
New Indoor Dining Area:
 1 space / 100 sf required = 1050 / 100 = 10 spaces required
New Covered Patio Area:
 1 space / 100 sf required = 1054 / 100 = 11 spaces required
Expanded Patio Area West:
 1 space / 100 sf required = 2027 / 100 = 21 spaces required
Expanded Patio Area East:
 1 space / 100 sf required = 984 / 100 = 9 spaces required
Total Parking Required = 31 + 10 + 11 + 21 + 9 = 82 Spaces

adaptive ARCHITECTS
1010 S. State Street Suite 209
Tucson, Arizona 85704
Phone: (520) 298-1111
Fax: (520) 298-1112
www.adaptivearchitects.com

CONSTRUCTION DOCS

Granite Falls Restaurant
19555 W. Clearview Blvd.
Surprise, AZ 85374

New Construction Overall Site Plan

Project Number: 2013
Project Date: 05/05/2021
Scale: 1/8" = 1'-0"

Sheet Number: **SP1**



PLANT SCHEDULE

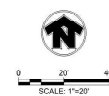
SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QUANTITY
TREES				
	TREE TO BE REMOVED	---	---	03
	EXISTING TREE PROTECT IN PLACE	---	---	XX
	EXISTING DATE PALM PROTECT IN PLACE	---	---	XX

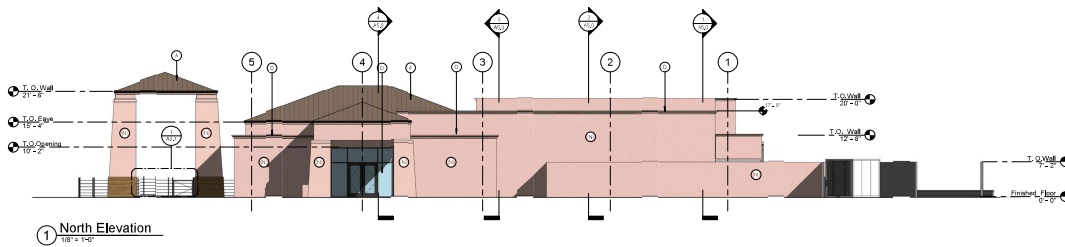
SHRUBS				
	CAESALPINIA PULCHERRIMA	RED BIRD OF PARADISE	5 GAL.	01
	LEUCOPHYLLUM FRUTESCENS "COMPACTA"	COMPACT TEXAS RANGER	5 GAL.	12
	MUEHLENBERGIA RIGENS	OFFER GRASS	5 GAL.	17
	TECOMA X SIERRA APRICOT	SIERRA APRICOT ESPERANZA	5 GAL.	13
	NEROLIUM OLEANDER	"PETITE PINK" OLEANDER	5 GAL.	05

GROUNDCOVERS				
	CARRISA "GREEN CARPET"	GREEN CARPET	3 GAL.	13
	LANTANA "NEW GOLD"	NEW GOLD LANTANA	5 GAL.	19
	ROSEMARYS OFFICINALIS "PROSTRATUS"	UNWY ROSEMARY	5 GAL.	06

ACCENTS				
	DASYLIRION WHEELERI	DESERT SPOON	5 GAL.	01
	HESPERALOE PARVIFLORA	COMPACT TEXAS RANGER	5 GAL.	06

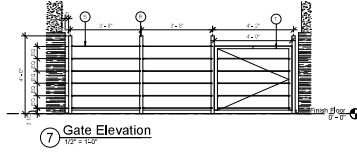
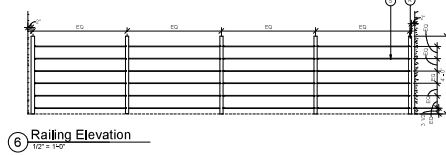
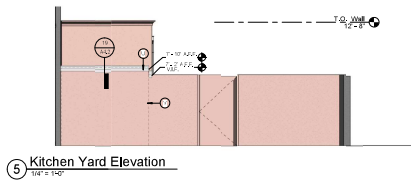
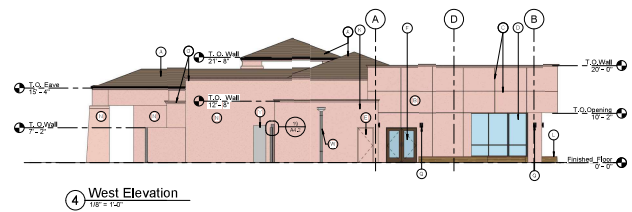
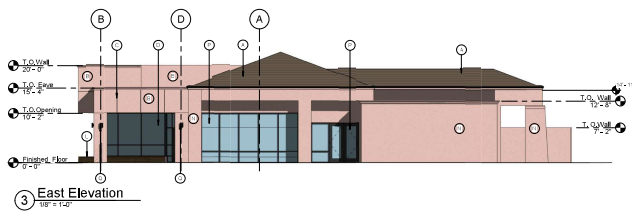
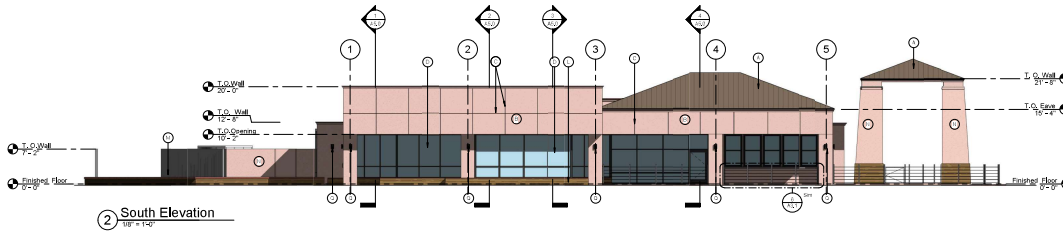
MATERIALS				
	DECOMPOSED GRANITE GROUNDCOVER IN PLANTING AREAS 12" DEPTH WITH COLOR & SIZE MATCHING EXISTING		0,260 SF	
	TURF RESTORATION (MATCH EXISTING)		481 SF	





EXTERIOR ELEVATION KEYNOTES	
1	See Elevation Keynotes for details.
2	See Elevation Keynotes for details.
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ESR Report Number for the proposed RPT System is ESR-2108



adaptive
ARCHITECTS

15955 W. Clearview Blvd.
Surprise, AZ 85374

Phone: (602) 998-1111
Email: info@adaptivearchitects.com

Construction Documents

Granite Falls Restaurant
15955 W. Clearview Blvd.
Surprise, AZ 85374

Exterior Elevations

Project Number: 2021
Date: 05/05/2021

Sheet Number: **A3.1**



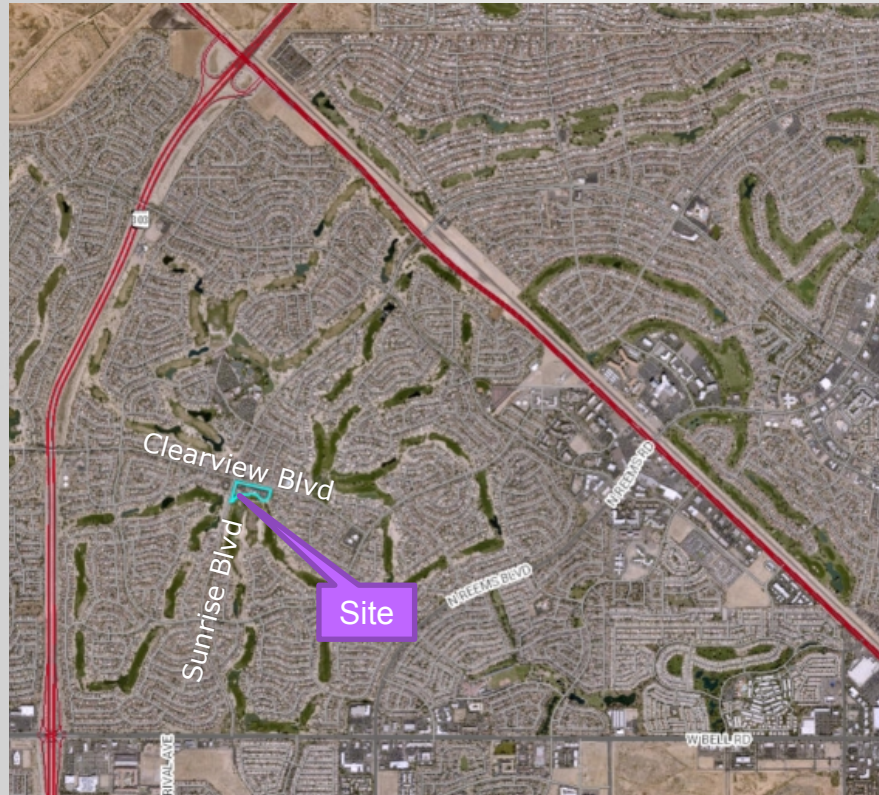
FS21-305

Granite Falls Restaurant Remodel Site Plan Amendment

Planning and Zoning Commission – September 16, 2021

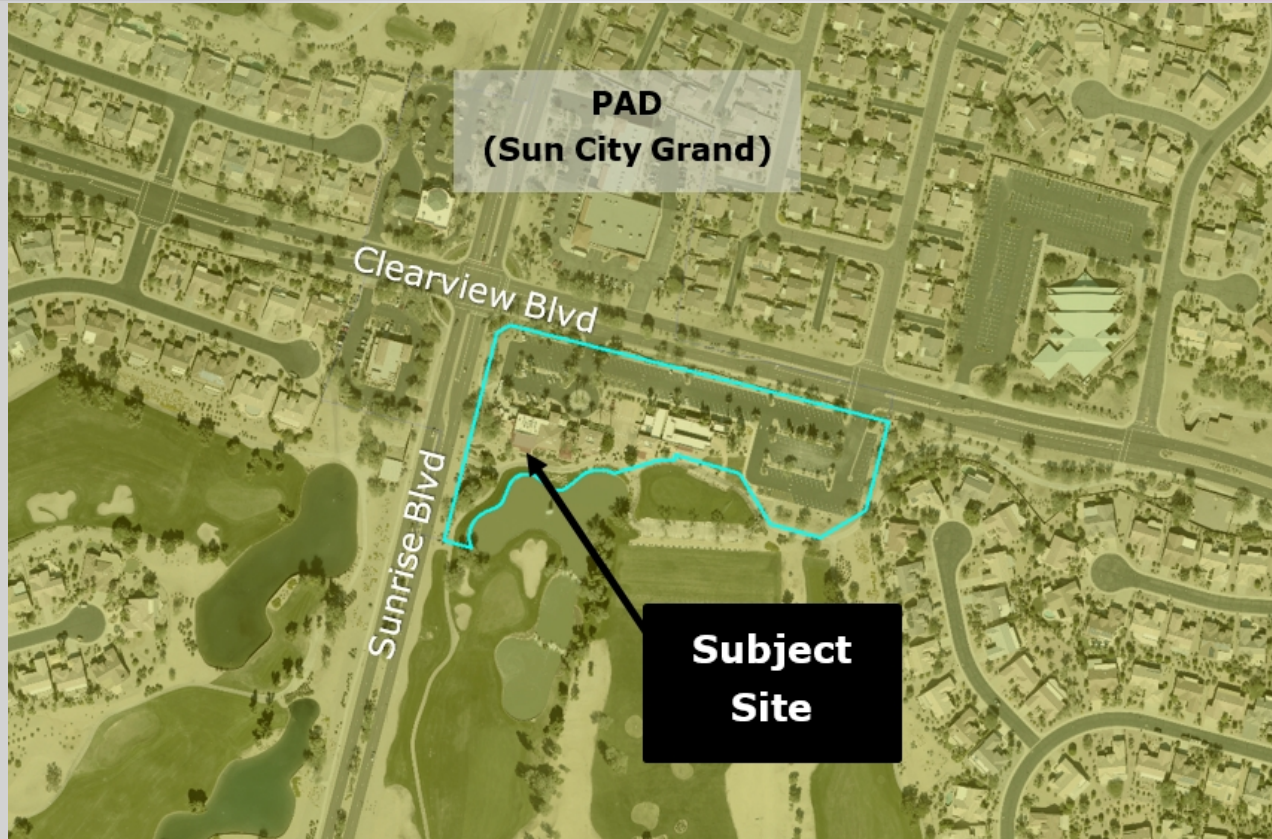
VICINITY MAP

FS21-305
Granite Falls Restaurant



CASE MAP

FS21-305
Granite Falls Restaurant



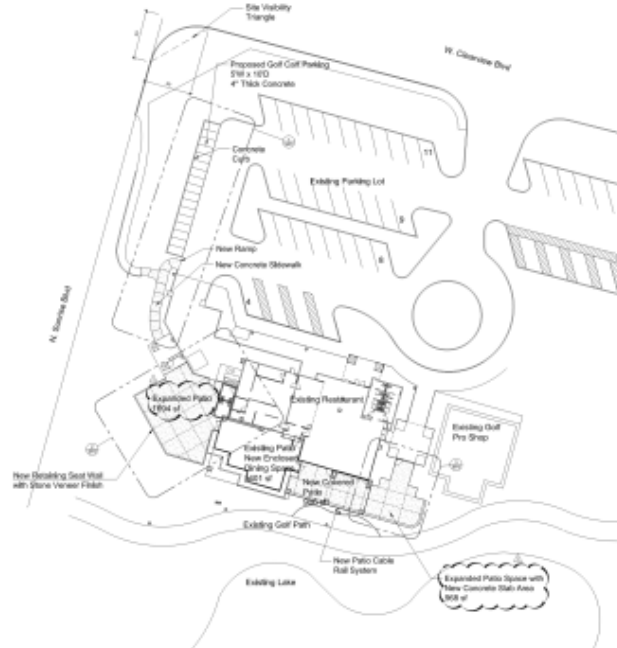
SITE PLAN



1 EXISTING/DEMOLITION PLAN

DEMOLITION PLAN KEYNOTES

- 1. EXISTING RESTAURANT
- 2. EXISTING PARKING LOT
- 3. EXISTING DRIVEWAY
- 4. EXISTING DRIVEWAY
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- 100. EXISTING DRIVEWAY



2 NEW CONSTRUCTION SITE PLAN

Project Information

Owner: Granite Falls Restaurant
1505 W. Clearview Blvd.
Boripos, AZ 85074

State: Arizona
County: Maricopa
City: Boripos

Project: Granite Falls Restaurant

Project: Granite Falls Restaurant

Project: Granite Falls Restaurant

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Project: Granite Falls Restaurant

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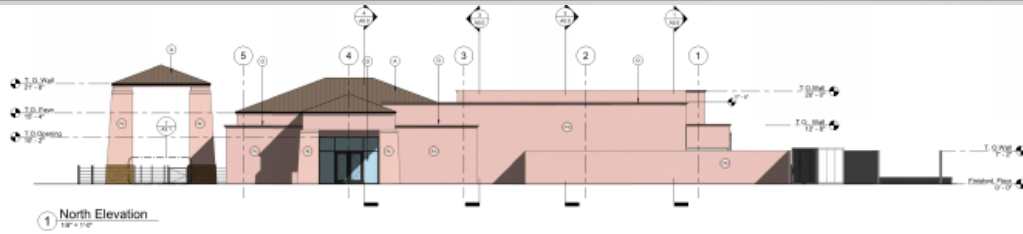
Project: Granite Falls Restaurant

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Project: Granite Falls Restaurant

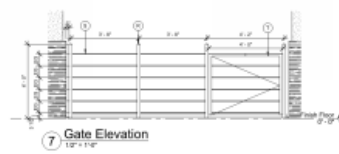
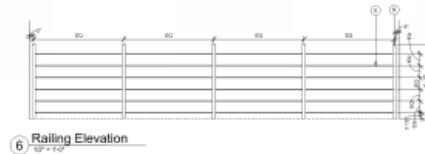
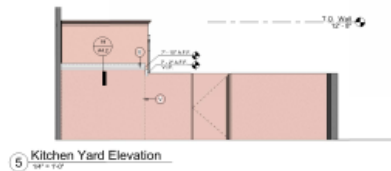
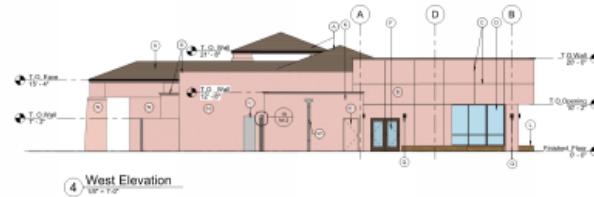
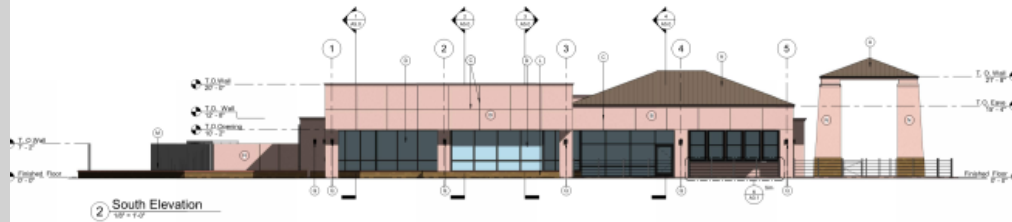


ELEVATIONS



EXTERIOR ELEVATION KEYNOTES	
1	EXTERIOR CONCRETE FINISHES
2	EXTERIOR LIGHTING FIXTURES TO BE SUPPLIED BY OTHER
3	EXTERIOR LIGHTING FIXTURES TO BE SUPPLIED BY OTHER
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12	EXTERIOR LIGHTING FIXTURES TO BE SUPPLIED BY OTHER
13	EXTERIOR LIGHTING FIXTURES TO BE SUPPLIED BY OTHER
14	EXTERIOR LIGHTING FIXTURES TO BE SUPPLIED BY OTHER
15	EXTERIOR LIGHTING FIXTURES TO BE SUPPLIED BY OTHER
16	EXTERIOR LIGHTING FIXTURES TO BE SUPPLIED BY OTHER
17	EXTERIOR LIGHTING FIXTURES TO BE SUPPLIED BY OTHER
18	EXTERIOR LIGHTING FIXTURES TO BE SUPPLIED BY OTHER
19	EXTERIOR LIGHTING FIXTURES TO BE SUPPLIED BY OTHER
20	EXTERIOR LIGHTING FIXTURES TO BE SUPPLIED BY OTHER

2021 Project Number for Approved 2021 System is 2021-100



Construction Documents

Granite Falls Restaurant
15955 W. Clearview Blvd.
Surprise, AZ 85374

Exterior Elevations

Project Number: 2021
Date: 06/05/2021

Sheet Number: A3.1

Recommendation:

Approve subject to stipulations 'a' through 'd'



QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Planning and Zoning Commission Meeting

Council Meeting Date: September 16, 2021 Contact Person: Robert Kuhfuss
Submitting Department: Community Development District: District 1
Staff Recommendations:

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

Agenda Wording:

Presentation and action pertaining to the Preliminary Plat for Bonita Ranch. Case FS20-823

Motion:

I move to recommend approval of the Preliminary Plat entitled "Preliminary Plat for Bonita Ranch", to the City Council subject to stipulations "a" through "d" as memorialized in the staff report.

Background:

Michael Park of Atwell, on behalf of Sun Belt Investments Limited Partnership et. al., seeks approval of a Preliminary Plat covering Rancho Mercado Parcels A23 and A24 (Rancho Mercado PAD), as well as Bonita Ranch Parcels A, B, and C (all zoned RM-6 PUD). The applicant seeks to subdivide the subject property into 208 lots and 15 tracts, to be developed in two (2) phases.

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 - FS20-823 Bonita Ranch Preliminary Plat P&Z Staff Report
2. 01 -FS20-823 Bonita Ranch Vicinity Map
3. 02 -FS20-823 Bonita Ranch Case Map

4. 03 - FS20-823 Bonita Ranch Preliminary Plat
 5. 04 - FS20-823 Bonita Ranch Preliminary Landscape Plan(1)
 6. FS20-823 Bonita Ranch Preliminary Plat P&Z PowerPoint 09-16-21
-

PRELIMINARY PLAT

REPORT TO PLANNING AND ZONING COMMISSION

Case: FS20-823

Project Name: Bonita Ranch – Preliminary Plat

Council District: 1 - Acacia

Planning and Zoning Date: September 16, 2021

Planner: Robert H. Kuhfuss, AICP

Owner: Sun Belt Land Investment Limited Partnership, et. al.

Applicant: Atwell, LLC

Request: Preliminary Plat for a 208-lot single-family residential subdivision in the Rancho Mercado PAD and RM-6 PUD zoning districts

Site Location: Generally located south of Jomax Road and west of 147th Avenue

Site Size: 73.01 acres (approx.)

Gross Density: 2.85 DU/Ac.

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

Support/Opposition: None known

Findings:

- The proposed Preliminary Plat is consistent with the Rancho Mercado PAD and the RM-6 PUD (Bonita Ranch) zoning districts.
- The proposed Preliminary Plat is consistent with applicable City of Surprise regulations.
- The reviewing agencies have indicated no objections to the request.

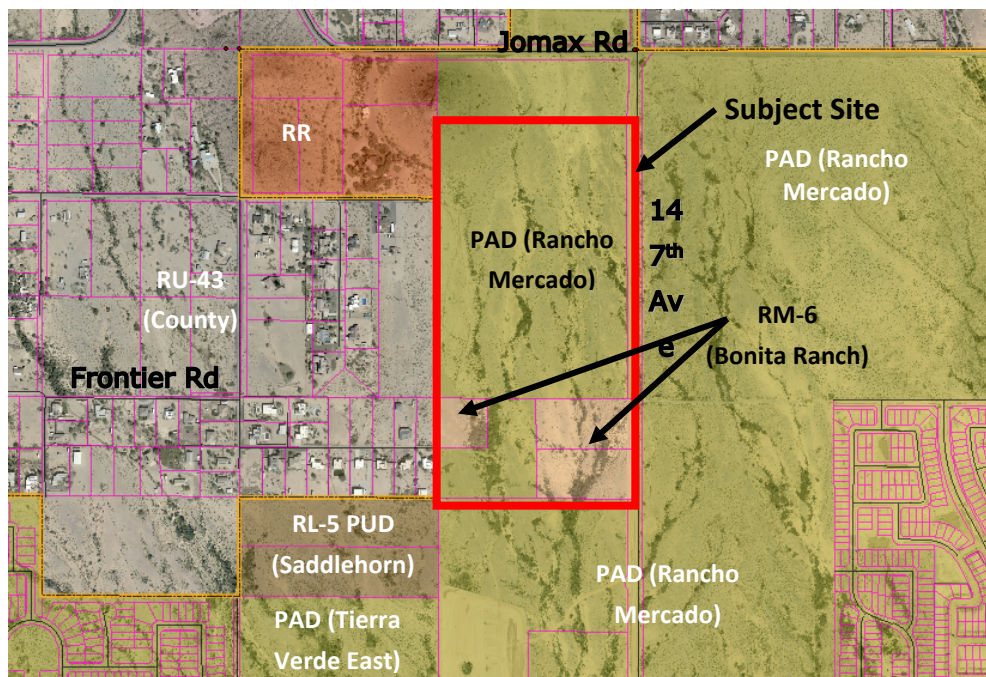
Staff Recommendation: Staff recommends the Commission move to recommend **approval** of case FS20-823 to the City Council, subject to stipulations 'a' through 'd.'

PROJECT DESCRIPTION:

Michael Park of Atwell, on behalf of Sun Belt Investments Limited Partnership et. al., seeks approval of a Preliminary Plat covering Rancho Mercado Parcels A23 and A24 (Rancho Mercado PAD), as well as Bonita Ranch Parcels A, B, and C (all zoned RM-6 PUD). The applicant seeks to subdivide the subject property into 208 lots and 15 tracts, to be developed in two (2) phases.

SURROUNDING LAND ZONING:

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



BACKGROUND:

July 11, 2006: The Maricopa County Board of Supervisors approved a request for a Development Master Plan (DMP) and associated Zone Change for the Rancho Mercado project in what was then unincorporated Maricopa County.

October 11, 2007: The Surprise City Council approved the Rancho Mercado PAD under case PAD06-276, Ordinance #2007-46.

November 10, 2007: The City Council approved the annexation of the Rancho Mercado property under Ordinance # 2007-47.

December 8, 2010: Staff approved a Minor Amendment to the Rancho Mercado PAD under FS10-210.

August 15, 2017: The City Council approved the annexation of Bonita Ranch Parcel A under case FS17-107.

August 15, 2017: The City Council approved the rezoning of Bonita Ranch Parcel A under case FS17-108.

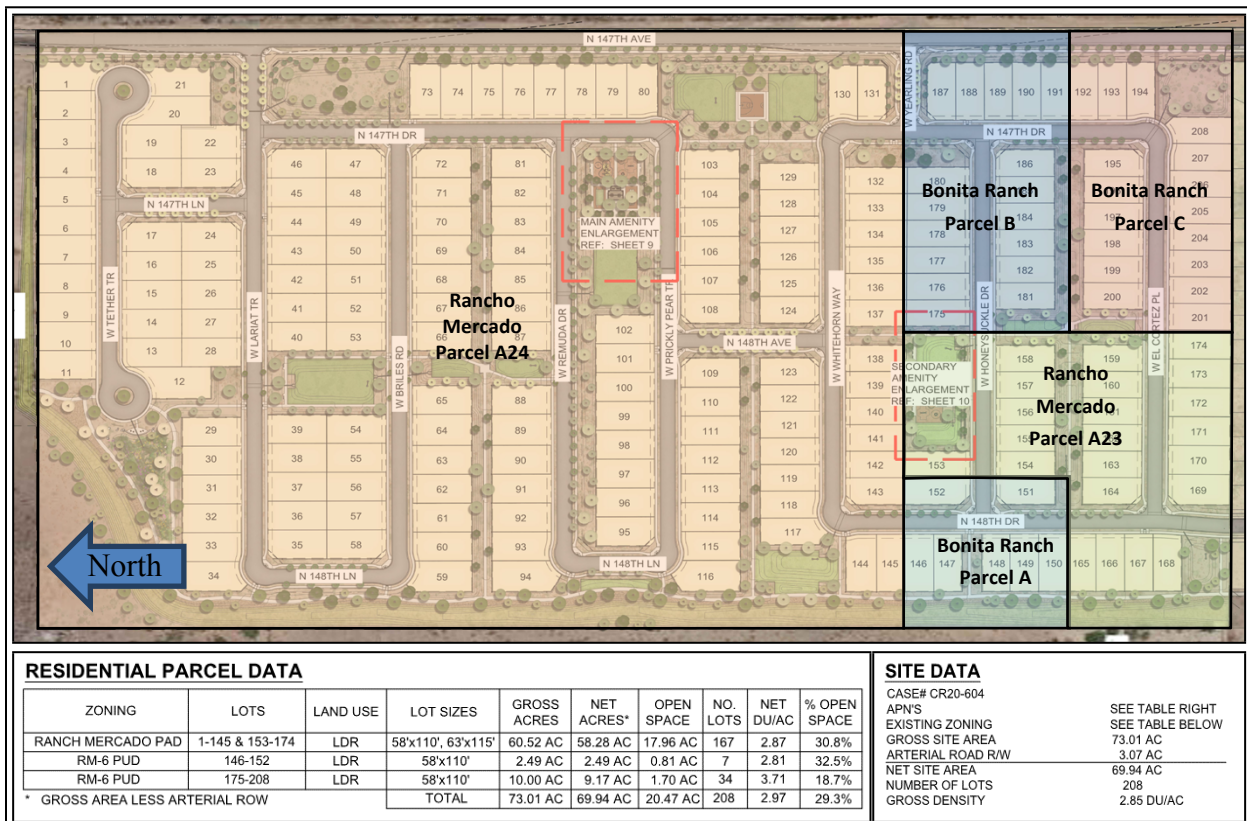
August 15, 2017: The City Council approved the rezoning of Bonita Ranch Parcels B and C under case FS17-109.

October 8, 2020: The applicant discussed the proposed development during a regularly scheduled Concept Review meeting under CR20-604.

December 28, 2020: The applicant filed the subject request under FS20-823.

ANALYSIS AND DISCUSSION:

The subject request includes two (2) parcels located within the Rancho Mercado PAD designated as single-family residential, as well as three (3) parcels that are zoned RM-6 PUD and are associated with Bonita Ranch. The proposed lots will be 58' in width and will range from 110' to 115' in depth. There are a total of 208 lots over approximately 73 acres for a density of 2.85 DU/Ac.



Phasing

The site will be developed in two (2) phases with the Rancho Mercado Parcel A24 comprising the second phase. Rancho Mercado Parcel A23, together with Bonita Ranch Parcels A, B, and C will comprise the first phase.

Access

Access to Phase 1 will be via 147th Avenue on the east and via 148th Drive on the south. 148th Drive actually extends northward from Rancho Mercado Parcel A22, the Final Plat of which is scheduled for City Council on September 7, 2021 under case FS20-664. 148th Drive will also extend northward into Phase 2, as will 147th Drive, while the northernmost portion of Phase 2 will also take access from 147th Avenue.

Open Space

The Rancho Mercado PAD, as well as the RM-6 PUD zoning associated with Bonita Ranch, each requires not less than 15% open space. The applicant proposes between 18.7% and 32.5% open space, depending upon the parcel; however, overall, the applicant proposes 29.3%, consisting of 7.3 acres of Active open space, 8.4 acres of Passive open space, and 4.8 acres Natural open space as depicted on Sheet 16 of the attached Preliminary Landscape Plans and captured below.



	Active	7.23 AC
	Passive	8.45 AC
	Natural	4.79 AC
	Total	20.47 AC

Amenities

Within the aforementioned open space, the applicant proposes three (3) pocket parks, several turf play areas, a nature overlook and butterfly garden, two (2) trail plazas, eight (8) seating nodes and a trail system consisting of 6' internal concrete trail, 8' regional concrete trail and 8' DG trail.

Landscaping

The site will be well landscaped using a variety of drought-tolerant species appropriate for the desert. Areas that have been disturbed to accommodate drainage that are not being utilized for internal turf play areas will be revegetated using a Sonoran Desert wildflower and shrub seed mix.

Walls

Primary Theme Walls will consist of 6' high smooth-face CMU panels with a split-face cap, punctuated by stone-veneer columns. View walls will consist of 6' high smooth-face CMU panels and split-face columns topped with wrought iron. There will also be several segments of 4' high split rail fencing providing visual interest. The plan also calls for three (3) 8' tall entry monuments to be located along the 147th Avenue frontage. These entry monuments will be located within the Rancho Mercado parcels. Section 3.a of the Rancho Mercado PAD which will allow the height of the entry features to be evaluated on a case-by-case basis and approved administratively if deemed appropriate.

Utility and Services Table:

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

Conformance with Adopted Plans:

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

Reviewing Agencies:

In addition to the standard city reviewing agencies, Maricopa County, Arizona Department of Transportation, Maricopa Water District, and Luke AFB were included in the routing of this request, who have indicated no objections to the request.

Summary:

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

Findings:

- The proposed Preliminary Plat is consistent with the Rancho Mercado PAD and RM-6 PUD (Bonita Ranch) zoning districts.
- The proposed Preliminary Plat is consistent with applicable City of Surprise regulations.
- The reviewing agencies have indicated no objections to the request.

Recommendation:

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

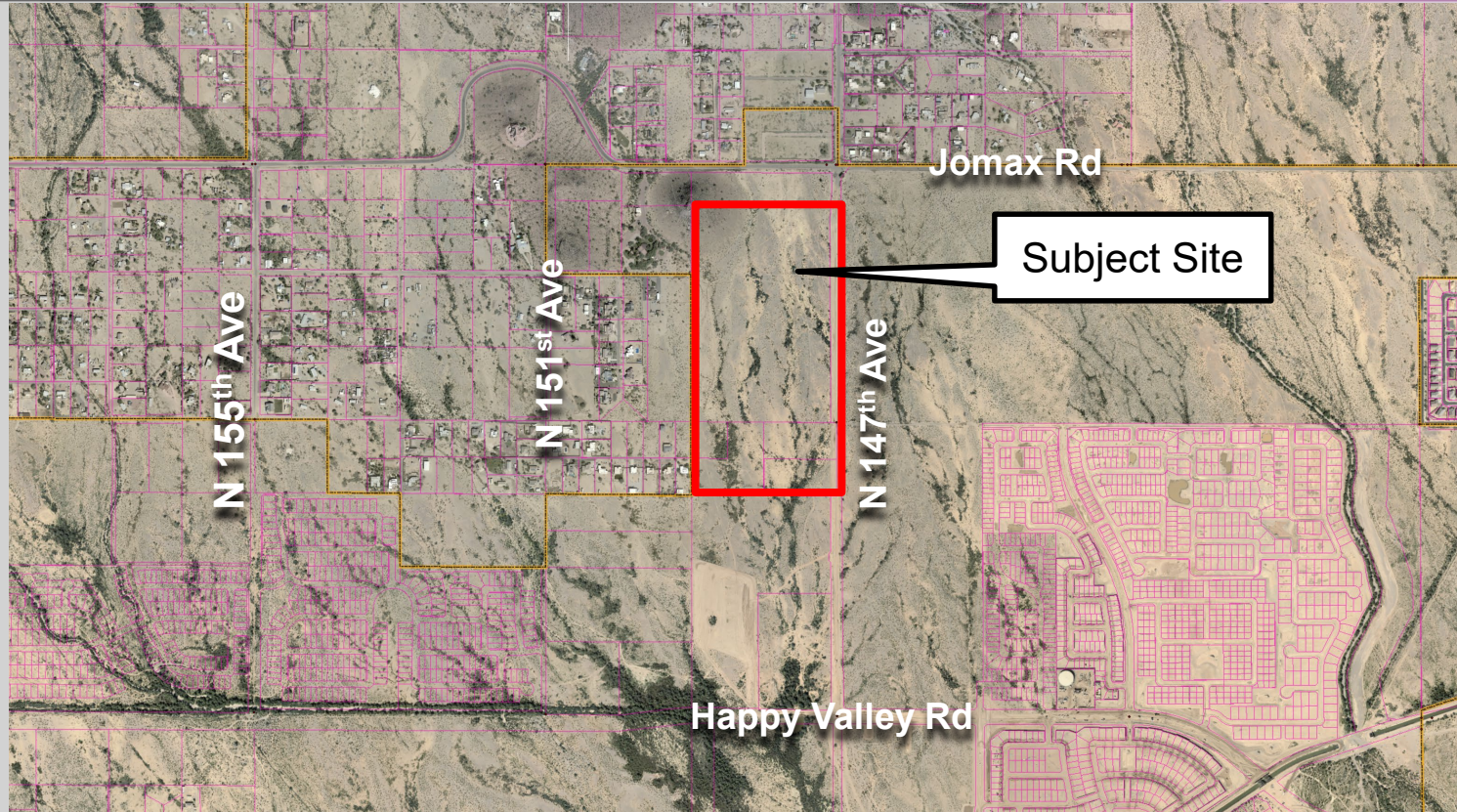
- a. Development and use of the site shall be consistent with the Preliminary Plat entitled "Preliminary Plat for Bonita Ranch", prepared by Atwell and received July 29, 2021.
- b. Landscaping of the site shall be consistent with the Preliminary Landscape Plan entitled "Bonita Ranch Preliminary Landscape Submittal", prepared by RVi Planning + Landscape Architecture and received July 29, 2021.
- c. Prior to the City recording a final plat or approving a 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 Sewer Buy-in Fee, and the Water Buy-in Fee, as applicable, all as described in the Rancho Mercado Supplemental Development Agreement (Regional Improvements Overlay Agreement), as amended, have been paid.
- d. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.

Attachments:

- 01 Vicinity Map
- 02 Case Map
- 03 Preliminary Plat
- 04 Preliminary Landscape Plan

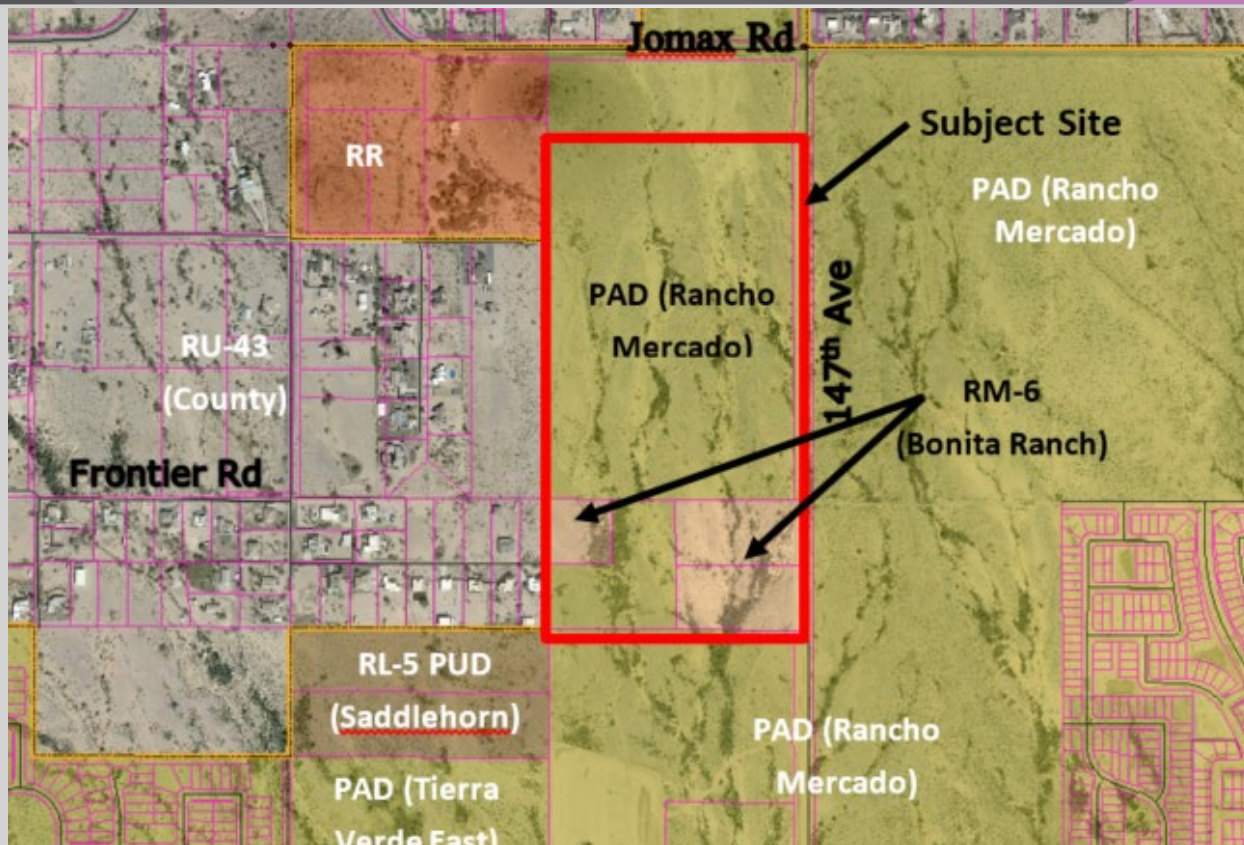
VICINITY MAP

FS20-823
Bonita Ranch PP



CASE MAP

FS20-823
Bonita Ranch PP



LEGAL DESCRIPTION

LOCATED WITHIN A PORTION OF THE EAST HALF OF SECTION 5, TOWNSHIP 4 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT 5.412 NORTH ALUMINUM CAP STAMPED LS 33307, 2011, ACCEPTED AS THE SOUTHEAST CORNER OF SECTION 5, TOWNSHIP 4 NORTH, RANGE 1 WEST FROM WHICH A FOUND 2-INCH ALUMINUM CAP IS STAMPED N83°30'23.30" E, ACCEPTED AS THE EAST QUARTER CORNER OF SECTION 5, TOWNSHIP 4 NORTH, RANGE 1 WEST, THEREOF BEARS N00°07'00" W A DISTANCE OF 254.83 FEET;

THENCE, ALONG THE EAST LINE OF SAID SECTION 5, N00°07'00" W A DISTANCE OF 1865.61 FEET;

THENCE, LEAVING THE EAST LINE OF SAID SECTION 5, N89°41'23" W A DISTANCE OF 55.00 FEET TO THE POINT OF BEGINNING;

THENCE, N89°41'23" W A DISTANCE OF 1255.82 FEET;

THENCE, N00°02'00" W A DISTANCE OF 860.01 FEET;

THENCE, N00°02'00" W A DISTANCE OF 1322.04 FEET;

THENCE, N00°07'00" W A DISTANCE OF 442.34 FEET;

THENCE, N89°33'00" E A DISTANCE OF 125.36 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE LEFT;

THENCE, SOUTHERLY ALONG SAID CURVE AN ARC LENGTH OF 16.33 FEET, WITH A RADIUS OF 2056.11 FEET AND THE RADIAL BEARING OF S89°30'3" E AND A CENTRAL ANGLE OF 00°27'37";

THENCE, S89°05'54" E A DISTANCE OF 1757.21 FEET;

THENCE, S89°07'00" E A DISTANCE OF 860.02 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS A COMPUTED AREA OF 3,548.861 SQUARE FEET OR 80.842 ACRES, MORE OR LESS AND IS SUBJECT TO ANY EASEMENTS, RESTRICTIONS, OR RIGHTS OF WAY OF RECORD OR OTHERWISE.

THE DESCRIPTION SHOWN HEREIN IS NOT TO BE USED TO VIOLATE ANY SUBDIVISION REGULATION OF THE STATE, COUNTY AND/or MUNICIPALITY OR ANY OTHER LOCAL ORDINANCE RESTRICTIONS.

THENCE, S00°00'00" E DISTANCE OF 173.07 FEET;

THENCE, S00°00'00" E DISTANCE OF 173.07 FEET;

THENCE, S00°00'00" E DISTANCE OF 460.02 FEET TO POINT OF BEGINNING.

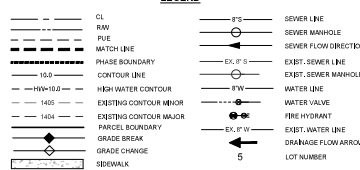
THE ABOVE DESCRIBED PARCELS, CONTAINING A COMPUTED AREA OF 1.04481 SQUARE FEET OR THEREABOUTS, MORE OR LESS AND SUBJECT TO ANY EASEMENTS, RESTRICTIONS OR CHARGES OF ANY RECORD OR RECORDS, ARE HEREBY OFFERED FOR SALE.

THE DESCRIPTION SHOWS NEITHER IF NOR HOW TO VERIFY ANY SUBDIVISION REGULATION OF THE STATE, COUNTY AND/or MUNICIPALITY OR ANY OTHER LAND OWNERS RESTRICTIONS.

LOT #	LOT AREA (SQ)	LOT TABLE	LOT AREA (SQ)	LOT TABLE	LOT AREA (SQ)	LOT TABLE	LOT AREA (SQ)	
LOT #1	8,010.01	LOT #48	7,560.00	LOT #95	7,560.00	LOT #141	8,010.01	7,049.62
LOT #2	7,560.00	LOT #49	7,560.00	LOT #96	7,560.00	LOT #142	7,062.07	7,049.62
LOT #3	7,560.00	LOT #50	7,560.00	LOT #97	7,560.00	LOT #143	7,062.07	7,049.62
LOT #4	7,560.00	LOT #51	7,560.00	LOT #98	7,560.00	LOT #144	7,062.07	7,049.62
LOT #5	7,560.00	LOT #52	7,560.00	LOT #99	7,560.00	LOT #145	7,062.07	7,049.62
LOT #6	7,560.00	LOT #53	7,560.00	LOT #100	7,560.00	LOT #146	7,062.07	7,049.62
LOT #7	7,560.00	LOT #54	7,560.00	LOT #101	7,560.00	LOT #147	7,062.07	7,049.62
LOT #8	7,560.00	LOT #55	7,560.00	LOT #102	7,560.00	LOT #148	7,062.07	7,049.62
LOT #9	7,560.00	LOT #56	7,560.00	LOT #103	7,560.00	LOT #149	7,062.07	7,049.62
LOT #10	7,560.00	LOT #57	7,560.00	LOT #104	7,560.00	LOT #150	7,062.07	7,049.62
LOT #11	7,560.00	LOT #58	7,560.00	LOT #105	7,560.00	LOT #151	7,062.07	7,049.62
LOT #12	7,560.00	LOT #59	7,560.00	LOT #106	7,560.00	LOT #152	7,062.07	7,049.62
LOT #13	7,560.00	LOT #60	7,560.00	LOT #107	7,560.00	LOT #153	7,062.07	7,049.62
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LOT #15	7,560.00	LOT #62	7,560.00	LOT #109	7,560.00	LOT #155	7,062.07	7,049.62
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LOT #17	7,560.00	LOT #64	7,560.00	LOT #111	7,560.00	LOT #157	7,062.07	7,049.62
LOT #18	7,560.00	LOT #65	7,560.00	LOT #112	7,560.00	LOT #158	7,062.07	7,049.62
LOT #19	7,560.00	LOT #66	7,560.00	LOT #113	7,560.00	LOT #159	7,062.07	7,049.62
LOT #20	7,560.00	LOT #67	7,560.00	LOT #114	7,560.00	LOT #160	7,062.07	7,049.62
LOT #21	7,560.00	LOT #68	7,560.00	LOT #115	7,560.00	LOT #161	7,062.07	7,049.62
LOT #22	7,560.00	LOT #69	7,560.00	LOT #116	7,560.00	LOT #162	7,062.07	7,049.62
LOT #23	7,560.00	LOT #70	7,560.00	LOT #117	7,560.00	LOT #163	7,062.07	7,049.62
LOT #24	7,560.00	LOT #71	7,560.00	LOT #118	7,560.00	LOT #164	7,062.07	7,049.62
LOT #25	7,560.00	LOT #72	7,560.00	LOT #119	7,560.00	LOT #165	7,062.07	7,049.62
LOT #26	7,560.00	LOT #73	7,560.00	LOT #120	7,560.00	LOT #166	7,062.07	7,049.62
LOT #27	7,560.00	LOT #74	7,560.00	LOT #121	7,560.00	LOT #167	7,062.07	7,049.62
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LOT #30	7,560.00	LOT #77	7,560.00	LOT #124	7,560.00	LOT #170	7,062.07	7,049.62
LOT #31	7,560.00	LOT #78	7,560.00	LOT #125	7,560.00	LOT #171	7,062.07	7,049.62
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LOT #34	7,560.00	LOT #81	7,560.00	LOT #128	7,560.00	LOT #174	7,062.07	7,049.62
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LOT #69	7,560.00	LOT #116	7,560.00	LOT #163	7,560.00	LOT #209	7,062.07	7,049.62
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LOT #71	7,560.00	LOT #118	7,560.00	LOT #165	7,560.00	LOT #211	7,062.07	7,049.62
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LOT #73	7,560.00	LOT #120	7,560.00	LOT #167	7,560.00	LOT #213	7,062.07	7,049.62
LOT #74	7,560.00	LOT #121	7,560.00	LOT #168	7,560.00	LOT #214	7,062.07	7,049.62
LOT #75	7,560.00	LOT #122	7,560.00	LOT #169	7,560.00	LOT #215	7,062.07	7,049.62
LOT #76	7,560.00	LOT #123	7,560.00	LOT #170	7,560.00	LOT #216	7,062.07	7,049.62
LOT #77	7,560.00	LOT #124	7,560.00	LOT #171	7,560.00	LOT #217	7,062.07	7,049.62
LOT #78	7,560.00	LOT #125	7,560.00	LOT #172	7,560.00	LOT #218	7,062.07	7,049.62
LOT #79	7,560.00	LOT #126	7,560.00	LOT #173	7,560.00	LOT #219	7,062.07	7,049.62
LOT #80	7,560.00	LOT #127	7,560.00	LOT #174	7,560.00	LOT #220	7,062.07	7,049.62
LOT #81	7,560.00	LOT #128	7,560.00	LOT #175	7,560.00	LOT #221	7,062.07	7,049.62
LOT #82	7,560.00	LOT #129	7,560.00	LOT #176	7,560.00	LOT #222	7,062.07	7,049.62
LOT #83	7,560.00	LOT #130	7,560.00	LOT #177	7,560.00	LOT #223	7,062.07	7,049.62
LOT #84	7,560.00	LOT #131	7,560.00	LOT #178	7,560.00	LOT #224	7,062.07	7,049.62
LOT #85	7,560.00	LOT #132	7,560.00	LOT #179	7,560.00	LOT #225	7,062.07	7,049.62
LOT #86	7,560.00	LOT #133	7,560.00	LOT #180	7,560.00	LOT #226	7,062.07	7,049.62
LOT #87	7,560.00	LOT #134	7,560.00	LOT #181	7,560.00	LOT #227	7,062.07	7,049.62
LOT #88	7,560.00	LOT #135	7,560.00	LOT #182	7,560.00	LOT #228	7,062.07	7,049.62
LOT #89	7,560.00	LOT #136	7,560.00	LOT #183	7,560.00	LOT #229	7,062.07	7,049.62
LOT #90	7,560.00	LOT #137	7,560.00	LOT #184	7,560.00	LOT #230	7,062.07	7,049.62
LOT #91	7,560.00	LOT #138	7,560.00	LOT #185	7,560.00	LOT #231	7,062.07	7,049.62
LOT #92	7,560.00	LOT #139	7,560.00	LOT #186	7,560.00	LOT #232	7,062.07	7,049.62
LOT #93	7,560.00	LOT #140	7,560.00	LOT #187	7,560.00	LOT #233	7,062.07	7,049.62
LOT #94	7,560.00	LOT #141	7,560.00	LOT #188	7,560.00	LOT #234	7,062.07	7,049.62
LOT #95	7,560.00	LOT #142	7,560.00	LOT #189	7,560.00	LOT #235	7,062.07	7,049.62
LOT #96	7,560.00	LOT #143	7,560.00	LOT #190	7,560.00	LOT #236	7,062.07	7,049.62
LOT #97	7,560.00	LOT #144	7,560.00	LOT #191	7,560.00	LOT #237	7,062.07	7,049.62
LOT #98	7,560.00	LOT #145	7,560.00	LOT #192	7,560.00	LOT #238	7,062.07	7,049.62
LOT #99	7,560.00	LOT #146	7,560.00	LOT #193	7,560.00	LOT #239	7,062.07	7,049.62
LOT #100	7,560.00	LOT #147	7,560.00	LOT #194	7,560.00	LOT #240	7,062.07	7,049.62
LOT #101	7,560.00	LOT #148	7,560.00	LOT #195	7,560.00	LOT #241	7,062.07	7,049.62
LOT #102	7,560.00	LOT #149	7,560.00	LOT #196	7,560.00	LOT #242	7,062.07	7,049.62
LOT #103	7,560.00	LOT #150	7,560.00	LOT #197	7,560.00	LOT #243	7,062.07	7,049.62
LOT #104	7,560.00	LOT #151	7,560.00	LOT #198	7,560.00	LOT #244	7,062.07	7,049.62
LOT #105	7,560.00	LOT #152	7,560.00	LOT #199	7,560.00	LOT #245	7,062.07	7,049.62
LOT #106	7,560.00	LOT #153	7,560.00	LOT #200	7,560.00	LOT #246	7,062.07	7,049.62
LOT #107	7,560.00	LOT #154	7,560.00	LOT #201	7,560.00	LOT #247	7,062.07	7,049.62
LOT #108	7,560.00	LOT #155	7,560.00	LOT #202	7,560.00	LOT #248	7,062.07	7,049.62
LOT #109	7,560.00	LOT #156	7,560.00	LOT #203	7,560.00	LOT #249	7,062.07	

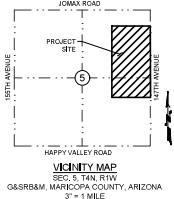
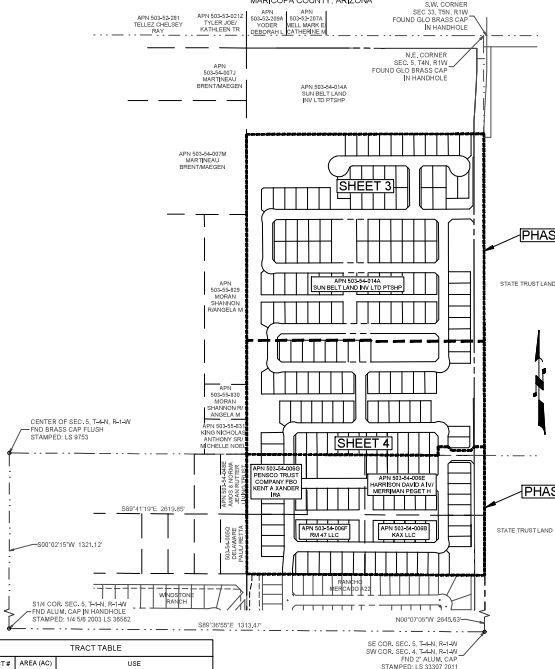
TRACT #	AREA (AC)	USE
TRACT A	10.49	DRAINAGE, OPEN SPACE, UTILITIES, AMENITIES
TRACT B	0.06	OPEN SPACE, UTILITIES
TRACT C	0.06	OPEN SPACE, UTILITIES
TRACT D	0.06	OPEN SPACE, UTILITIES
TRACT E	0.06	DRAINAGE, OPEN SPACE, UTILITIES, AMENITIES
TRACT F	0.06	DRAINAGE, OPEN SPACE, UTILITIES, AMENITIES
TRACT G	0.06	OPEN SPACE, UTILITIES, AMENITIES
TRACT H	3.29	DRAINAGE, OPEN SPACE, UTILITIES, AMENITIES
TRACT I	1.78	DRAINAGE, OPEN SPACE, UTILITIES, AMENITIES
TRACT J	0.06	OPEN SPACE, UTILITIES
TRACT K	0.06	DRAINAGE, OPEN SPACE, UTILITIES, AMENITIES
TRACT L	0.06	OPEN SPACE, UTILITIES
TRACT M	0.06	DRAINAGE, OPEN SPACE, UTILITIES, AMENITIES
TRACT N	1.36	DRAINAGE, OPEN SPACE, UTILITIES, AMENITIES
TRACT O	0.06	OPEN SPACE, UTILITIES
TOTAL	35.47	

LEGEND



PRELIMINARY PLAT FOR BONITA RANCH

A PORTION OF THE EAST HALF OF SECTION 5, TOWNSHIP 4 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA



OWNER REPRESENTATIVE
KAX GROUP
808 E. THOMPSON PEAK HWY.
SUITE 200
SCOTTSDALE, ARIZONA 85259
CONTACT: KAX RANCH
PHONE: (480) 458-8008
KAXRANCH@KAXGROUP.COM

OWNER REPRESENTATIVE
RM47, LLC
1885 N. THOMPSON PEAK HWY.
SUITE 200
SCOTTSDALE, ARIZONA 85259
CONTACT: JOSH HATCOCK
JOHN@HARBELLCUSTOMCARE.COM

ENGINEER
ATWELL
4700 E. SOUTHERN AVE.
MESA, ARIZONA 85205
PHONE: (480) 214-8811
CONTACT: MARABELLA P. RANK, PE
MPE@ATWELL-GRP.COM

DESCRIPTION	SHEET NO.
COVER SHEET	1
DETAILED SHEET	2
PRELIMINARY PLAT	3-4

BASIS OF BEARING

THE WEST-EAST MIDSECTION LINE OF SECTION 4, TOWNSHIP 4 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, WHICH BEARS S89°41'23" W A DISTANCE OF 525.54 FEET, THIS POSITION WAS DERIVED FROM THE ESTABLISHED OLD POINTS DORSO & ALBERT. PROJECT THEN SCALED TO GROUND AT A COMBINED SCALE FACTOR OF 1.000708888 AND VERIFIED AGAINST GOACS BOOK 634, PG. 1, HORIZONTAL ERROR = 0.041 ANGLE ERROR = 00°00'00"

BENCHMARK

NATIONAL GEODETIC SURVEY RD 00080, DESIGNATION Q 388 FOUND U.S. COAST AND GEODETIC SURVEY BRASS CAP STAMPED 7462.3 MM NAVD 83 ELEVATION = 1392.23 (CITY OF SURPRISE BENCHMARK #03 ELEVATION = 1392.23)

FLOODPLAIN DESIGNATION

SEVEN RANCHES LOCATED ON FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) NATIONAL FLOOD INSURANCE PROGRAM (NFIP) FLOOD INSURANCE RATE MAP (FIRM) NO. 46013101C, REVISION OCTOBER 16, 2011. THE PROPERTY IS LOCATED IN FLOOD HAZARD ZONE "V". THIS HAZARD ZONE IS DEFINED AS FOLLOWS:

ZONE V IS DEFINED AS AREAS OUTSIDE THE 100-YEAR FLOODPLAIN AREAS OF 100-YEAR SHEET FLOOD FLOODING WHERE AVERAGE DEPTHS ARE LESS THAN ONE FOOT. AREAS OF 100-YEAR SHEET FLOOD FLOODING WHERE THE CONTINUING DRAINAGE AREAS ARE LESS THAN ONE SQUARE MILE, OR AREAS PROTECTED FROM THE 100-YEAR FLOODS BY LEVEES, NO BASE FLOOD FLOOD DEPTHS OR DEPTHS ARE SHOWN WITH THE ZONE.

SITE DATA

CASEY CRISABA
ARTIST
EXISTING ZONING
OFFICIAL SITE AREA
ARTERIAL ROAD R/W
TOTAL LOTS
NUMBER OF LOTS
GROSS DENSITY

SEE TABLE RIGHT
SEE TABLE BELOW
73.01 AC
73.01 AC
208
2.08 DU/AC

ASSESSOR PARCEL NO'S	ACRES
8534-0008 (PORTION OF)	53.15 ACRES
8534-0008	5.00 ACRES
8534-0009	5.00 ACRES
8534-000F	7.37 ACRES
8534-0005	2.65 ACRES
GROSS AREA	73.01 ACRES

SITE AREA	ACRES
1/4 NORTH AVENUE ROW	3.27 ACRES
INTERIOR ROAD ROW	13.82 ACRES
TRACT AREA	35.84 ACRES
LOT AREA	35.84 ACRES
TOTAL AREA	73.01 ACRES

PHASE DATA

PHASE 1 = 48 LOTS
PHASE 2 = 145 LOTS

RESIDENTIAL PARCEL DATA

ZONING	LOTS	LAND USE	LOT SEES	GROSS ACRES	NET ACRES	OPEN SPACE	NO. OF UNITS	NET DENSITY	% OPEN SPACE
RANCH/MERCADO RD	1-145 & 152-174	URB	SEV175 / SEV176	8532 AC	55.38 AC	17.36 AC	167	1.37	35.9%
RM47 PUD	146-151	URB	SEV177	2.69 AC	2.69 AC	0.81 AC	7	0.81	30.5%
TRACT PUD	152-174	URB	SEV178	10.95 AC	8.17 AC	1.78 AC	31	1.71	35.7%
TOTAL				73.01 AC	66.24 AC	20.47 AC	206	1.37	35.9%

UTILITY PROVIDERS

UTILITY PROVIDERS	CITY OF SURPRISE
SEWER	CITY OF SURPRISE
WATER	CITY OF SURPRISE
FIRE	CITY OF SURPRISE
ELECTRIC	ARIZONA PUBLIC SERVICE (APS)
NATURAL GAS	APS GAS
TELEPHONE	CENTURYLINK
TELEPHONE	COX COMMUNICATIONS
CABLE	COX COMMUNICATIONS
REFUSE COLLECTION	CITY OF SURPRISE

ATWELL
ENGINEERING
4700 E. SOUTHERN AVE.
MESA, ARIZONA 85205
PHONE: (480) 214-8811
CONTACT: MARABELLA P. RANK, PE
MPE@ATWELL-GRP.COM

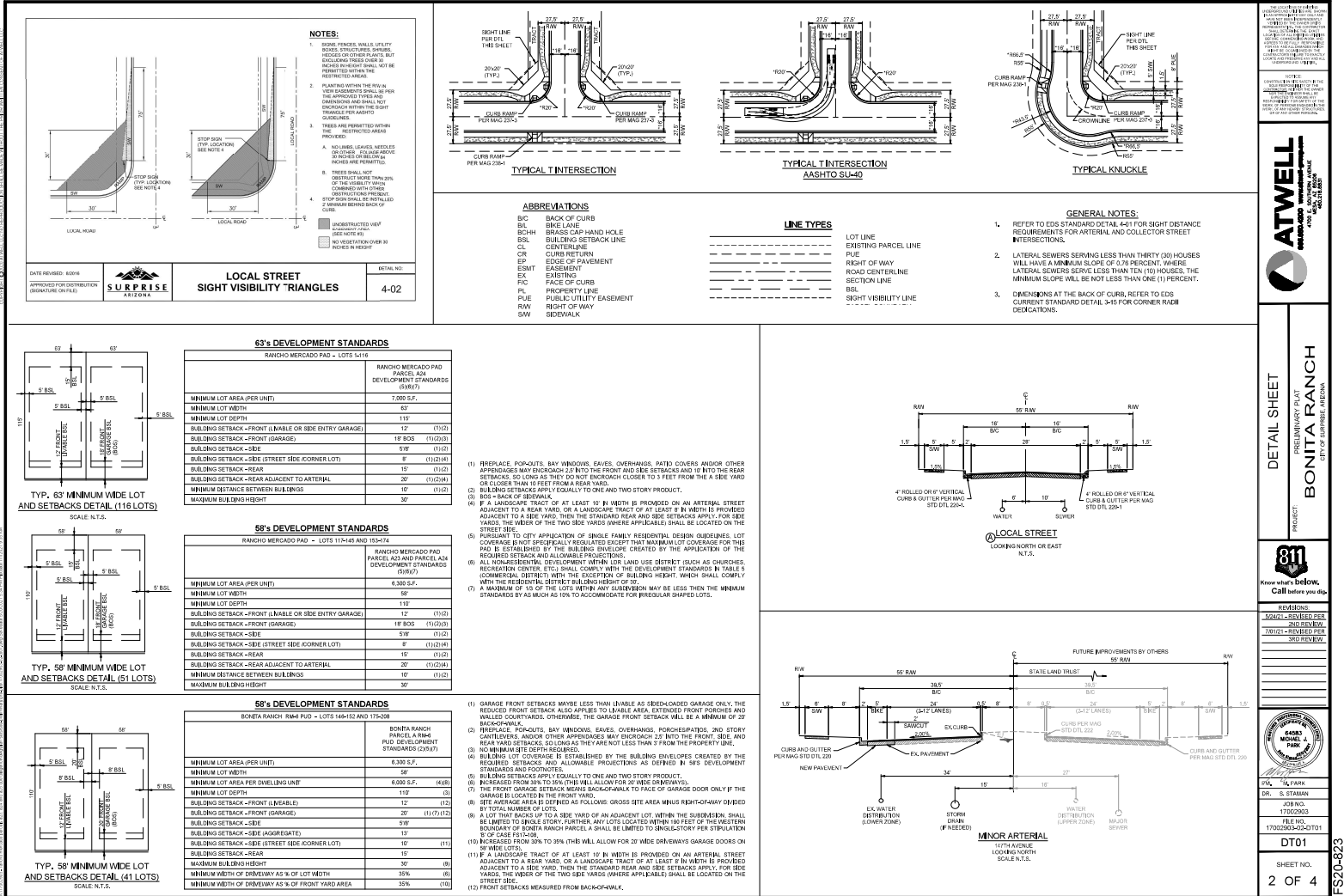


COVER SHEET
PRELIMINARY PLAT
BONITA RANCH
CITY OF SURPRISE, ARIZONA

811
Know what's below.
Call before you dig.

REVISIONS	DATE	BY	DESCRIPTION
1	10/10/2023	JOB NO. 17002303	NO. 17002303
2	10/10/2023	19000003-041-CB01	19000003-041-CB01
3	10/10/2023	CS01	CS01
4	10/10/2023	1 OF 4	1 OF 4

CS01
1 OF 4



ATWELL

ARCHITECTURAL, ENGINEERING, AND LANDSCAPE ARCHITECTURE

1000 N. GATEWAY AVENUE, SUITE 100
BONITA, CA 92001
TEL: 619.435.1234
WWW.ATWELLARCHITECTS.COM

DETAIL SHEET

PRELIMINARY PLAT

BONITA RANCH

CITY OF BONITA RANCH

PROJECT

Know what's below,
Call before you dig

811

REVISIONS

NO.	DATE	DESCRIPTION
1	10/15/2023	ISSUED FOR PERMITS
2	11/01/2023	REVISED PER 811
3	11/01/2023	REVISED PER 811

FOR THE CITY OF BONITA RANCH

DATE: 11/01/2023

BY: S. STANAN

FILE NO: 17002903-02-0101

DT01

SHEET NO.

2 OF 4

64083

PAGE

FOR THE CITY OF BONITA RANCH

DATE: 11/01/2023

BY: S. STANAN

FILE NO: 17002903-02-0101

DT01

SHEET NO.

2 OF 4

BONITA RANCH

PRELIMINARY LANDSCAPE SUBMITTAL

SURPRISE, ARIZONA

CONTACT INFO

OWNER
KAX GROUP
10973 N. 138th Way
Scottsdale, Arizona 85259
602.499.9305
Contact: Kent Xander

LANDSCAPE ARCHITECT

RVI PLANNING + LANDSCAPE ARCHITECTURE

120 S. Ash Avenue
Tempe, Arizona 85281
480.994.0964
Contact: Shawn Byron, PLA

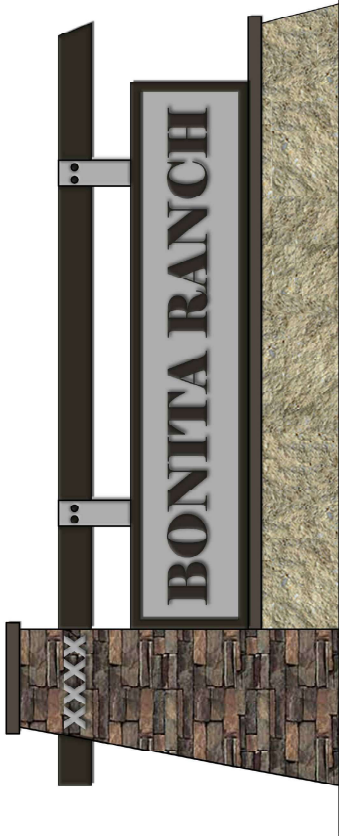
CIVIL ENGINEER

ATWELL

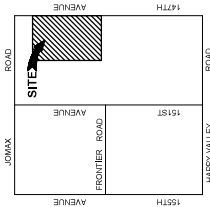
4700 E. Southern Avenue
Mesa, Arizona 85206
480.218.8831
Contact: Mike Park, P.E.

SUBMITTAL HISTORY

DATE	DESCRIPTION / COMMENTS
10/22/2020	1ST PRELIMINARY FLAT
03/22/2021	2ND PRELIMINARY FLAT
05/25/2021	3RD PRELIMINARY FLAT
09/09/2021	4TH PRELIMINARY FLAT



VICINITY MAP



SITE DATA

PROJECT SIZE: 73.01 ACRES (3,180,315 sq. ft)
PROPOSED LOTS: 208 total Lots
PROPOSED DENSITY: 2.85 DU/AC
PROPOSED OPEN SPACE: 20.47 ACRES (903,434 sq. ft)
PERCENT OPEN SPACE: 29.3%
PROPOSED TURF AREA: 2.01 ACRES (87,577 sq. ft)
PROPOSED PERCENT TURF: 9.8%
AREA OF NON-TURF LANDSCAPE: 18.46 ACRES (804,117 sq. ft)
TURF PEAK SEASON DEMAND (GPD): 20,814 GPD
NON-TURF PEAK SEASON DEMAND (GPD): 53,412 GPD
ANNUAL TOTAL DEMAND (GALLONS): 16,295,592 GALLONS



BONITA RANCH • COVER
SURPRISE, ARIZONA
06/30/2021
20001710
KAX GROUP



For illustrative purposes only. Subject to change without notice.

LANDSCAPE MATERIAL SCHEDULE

[illegible]

SONORAN DESERT WILDFLOWER MIX

BOTANICAL NAME	COMMON NAME	LBS/C.	BOTANICAL NAME	COMMON NAME	LBS./C.
AEROLA VILLOSA	DESERT STAIN VERBERNA	0.5	LEUCARELLA GORDONII	GORDON'S BLADEPOOD	0.5
BALAYIA MAI TRACINATA	DESERT MARIGOLD	2.0	LUPINUS SUCCULENTUS	ARROYO LUPINE	2.0
CASSIA COVESII	DESERT SENNA	1.0	PENSTEMON LEATHII	FIRECRACKER PENSTEMON	0.5
ENCINIA FARRUGIOSA	BUTTERFLY BUSH	0.5	PENSTEMON PARROT	PARROT'S PENSTEMON	0.5
ENCINIA FARRUGIOSA	TORRENTIAL BUSH	0.5	PHEDRAE DUMMELII	DRY-ROCK ROSEMARY	0.5
EUCHARDIA LARCHEI POLA	BLUET WAXFLOWER	1.0	SPIRALIS CALIFORNICA	SPRING CREEPER	1.0
GAULTHERIA SERRANA	WINTER FLORIST	1.0	SPIRALIS CALIFORNICA	SPRING CREEPER	1.0
GALLAGHERIA	WINTER FLORIST	1.0	SPIRALIS CALIFORNICA	SPRING CREEPER	1.0

NOTE: SEED MIX SHALL BE PURE LIVE SEED. HYDRO MULCH SHALL BE GRADE A FIBER (NO PAPER) CONSISTING OF A SPECIALLY PREPARED VIRGIN WOOD FIBER PROCESSED TO CONTAIN NO GROWTH OR GERMINATION INHIBITING FACTORS. FURTHER, THE MULCH SHALL BE TREATED AND DISINFECTED SO AS NOT TO CAUSE CELLULOSE DISEASES TO DEVELOP FROM EITHER WATERBORN MYCELIUM OR AIRBORNE FUNGUS. SUCH DISEASES ARE CAUSED BY CERTAIN TYPES OF BACTERIA, FUNGI, AND PLANT PATHOGENS. THE PROPOSED MULCH MATERIAL SHALL HAVE CHARACTERISTICS TO FORM A BLOTTER-LIKE GROUND COVER UPON APPLICATION WITH MOISTURE AND PERMEABLE PROPERTIES AND THE ABILITY TO COVER AND HOLD SEED IN CONTACT WITH THE SOIL. HYDRO MULCH SHALL BE APPLIED AT 1,500 LBS./AC.

HYDROSEED SHRUB MIX SCHEDULE

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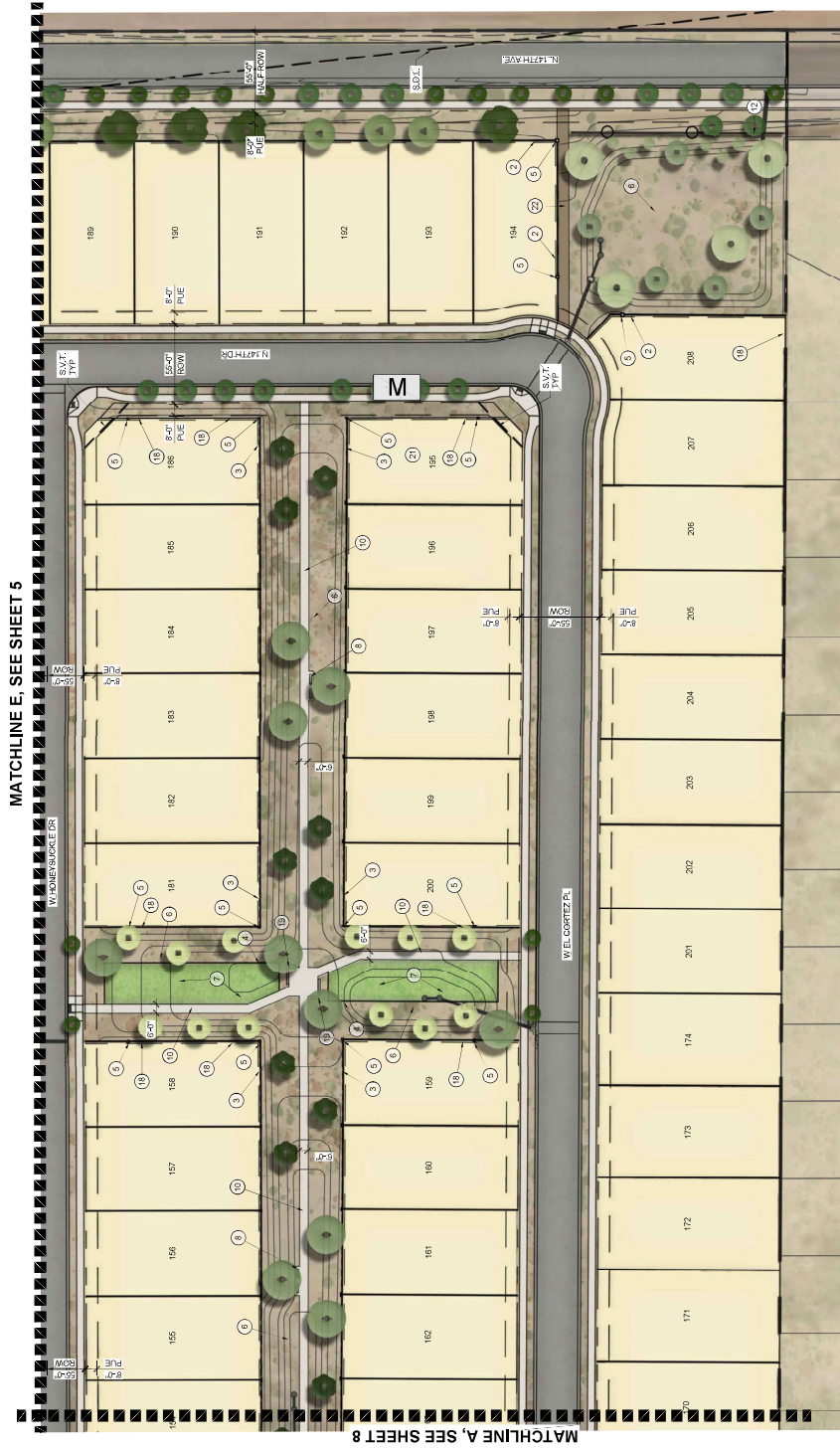
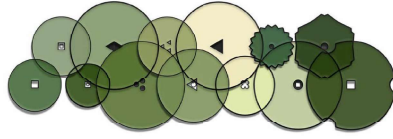
NOTE: WOOD FIBER SHALL BE PURE LIVE SEED, HYDRO MULCH SHALL BE GRADE A FIBER (NO PAPER), CONSISTING OF A SPECIALLY PREPARED VIRGIN SEED MIX PROCESSED TO CONTAIN NO GROWTH OR GERMINATION INHIBITING FACTORS. FURTHER, THE MULCH SHALL BE COVERED WITH AN UNPROCESSED AND UNRESINIFIED WOOD CELLULOSE FIBER MULCH THAT PERMITS AIRFLOW THROUGH WATER AGITATION AND PROVIDES SUFFICIENT MOISTURE FOR SEEDS TO SURVIVE. THE PROPOSED MULCH MATERIAL SHALL HAVE CHARACTERISTICS TO FORM A SLURRY-LIKE GROUND COVER FOR APPLICATION BY SLURRY, THE PROPOSED MULCH SHALL HAVE CHARACTERISTICS TO FORM A SLURRY-LIKE GROUND COVER FOR APPLICATION WITH MOISTURE AND PERCUTATION PROPERTIES AND THE ABILITY TO COVER AND HOLD SEED IN CONTACT WITH THE SOIL. HYDRO MULCH SHALL BE APPLIED AT 1,500 LBS./AC.

BONITA RANCH • PLANT PALETTE

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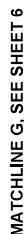
OVERALL LANDSCAPE PALETTE	
ITEM	SIZE
<i>Acacia saligna</i>	24" BOX
<i>Acacia saligna</i>	24" BOX
<i>YALLOW ADACIA</i>	24" BOX
<i>Acacia saligna</i>	24" BOX
<i>PALO BLANCO</i>	24" BOX
<i>FAIRTEX ASH</i>	24" BOX
<i>FAIRTEX ASH</i>	24" BOX
<i>Parsonsiana florida</i>	24" BOX
<i>BLUE PALO VERDE</i>	24" BOX
<i>Parsonsiana monophylla</i>	24" BOX
<i>PROPHYLLLO VERDE</i>	24" BOX
<i>Parsonsiana florida</i>	24" BOX
<i>VELVET MESQUITE</i>	24" BOX
<i>Prosopis / 1427</i>	24" BOX
<i>ACT THORNLESS MESQUITE</i>	24" BOX
<i>Quercus agrifolia</i>	24" BOX
<i>QUERCUS GR.</i>	24" BOX
<i>Sporobolus acrocephalus</i>	24" BOX
<i>TEXAS MOUNTAIN LAUREL</i>	24" BOX
<i>Ulmus parvifolia</i>	24" BOX
<i>EVERGREEN ELM</i>	24" BOX
<i>CHASTETREE</i>	24" BOX
<i>CHASTETREE</i>	24" BOX
<i>Chastetree / 'Island Dwarf'</i>	24" BOX

1	ENTRY MONUMENT	11	PRECAST CONCRETE RAIL FENCE
2	TRUNK WALL	12	FLORING
3	PARTIAL NEW WALL	13	TABLE TENNIS
4	CONCRETE HEADER	14	BUTTERFLY GARDEN
5	DECORATIVE COLUMN	15	DRAINAGE CHANNEL
6	DETENTION AREA	16	VIEWING PLATFORM
7	OPEN TURF	17	DOOLEY WALL
8	SEATING AREA	18	SOFT WALL
9	RAMADA	19	CORNHOLE COURTS
10	LANDSCAPE CONCRETE SIDEWALK	20	MAILBOX
	1/2 BALLETBOAT COURT	21	DOG TRAIL



OVERALL LANDSCAPE PALETTE	
ITEM	SIZE
Arctostaphylos	24" BOX
ARGENTAE	24" BOX
Aucuba saligna	24" BOX
WILLOW ACACIA	24" BOX
Azalea intermedia	24" BOX
Blueberry	24" BOX
Fraxinus salicina 'Pro Grand'	24" BOX
FAN-LEAF ASH	24" BOX
Fraxinus floribunda	24" BOX
Blue Palo Verde	24" BOX
FOOTBALL PALO VERDE	24" BOX
Prosopis juliflora	24" BOX
VELVET MESQUITE	24" BOX
Prosopis x AZUL	24" BOX
LESSER MESQUITE	24" BOX
Quercus agrifolia	24" BOX
LINE OAK	24" BOX
Spodopora acuminata	24" BOX
TEXAS ROCKY MOUNTAIN LAUREL	24" BOX
LAUREL	24" BOX
EVERGREEN ELM	24" BOX
Wax agave-cactus	24" BOX
CHASTE TREE	24" BOX
Crataegus x sinuata 'Pink Charm'	24" BOX
PAN-SAN COTONWOOD	24" BOX

1	ENTRY MONUMENT
2	THEME WALL
3	PARTIAL VIEW WALL
4	CONCRETE HEADER
5	DECORATIVE COLUMN
6	DETENTION AREA
7	OPEN TURF
8	SEATING AREA
9	RAMADA
10	LANDSCAPE CONCRETE
11	HALF BASKETBALL COURT
12	PRECAST CONCRETE
13	PLAYGROUND
14	TABLE TENNIS
15	BUTTERFLY GARDEN
16	DRAINAGE CHANNEL
17	VIEWING PLATFORM
18	DOOLY WALL
19	SEATWALL
20	CORNHOLE COURTS
21	MAILBOX
22	DOG TRAIL

[illegible]

MAINTENANCE B, SEE SHEET 8

MATCHLINE E. SEE SHEET 4

LANDSCAPE NOTES

1. SIGHT DISTANCE REQUIREMENTS ON ARTIFICALS AND COLLECTORS WILL ADHERE TO SURPRISE DETAIL CITY SIGHT VISIBILITY, WITH THE UNCORRECTED VIEW REQUIREMENTS IN SURPRISE DETAIL CITY AND AOS. WILL NOT EXCEED VIEW REQUIREMENTS IN SURPRISE DETAIL CITY AND AOS.
2. TREES, SHRUBS AND OTHER LANDSCAPING ARE PERMITTED WITHIN THE SIGHT DISTANCE REQUIREMENTS IN SURPRISE DETAIL CITY AND AOS.
3. ALL TREES AND SHRUBS SHALL BE MAINTAINED TO THE SPECIFICATIONS SET FORTH IN THE CITY OF SURPRISE DETAIL CITY AND AOS.
4. DEEP ROOT BARRIERS SHALL BE INSTALLED FOR ALL TREES BETWEEN THE EXISTING AND PROPOSED DRIVEWAYS.
5. ALL TREES AND SHRUBS SHALL BE MAINTAINED TO THE SPECIFICATIONS SET FORTH IN THE CITY OF SURPRISE DETAIL CITY AND AOS.
6. OPEN SPACE LIGHTING AND ELECTRICAL SHALL BE PROVIDED AT FINAL PLAT AND BE CONSISTENT WITH ALL CITY OF SURPRISE CODES AND ORDINANCES.
7. THROUGHOUT THE PROJECT, ALL TREES SHALL BE MAINTAINED TO THE SPECIFICATIONS SET FORTH IN THE CITY OF SURPRISE DETAIL CITY AND AOS.
8. FINAL RETAINING WALL LOCATIONS SHALL BE PROVIDED AT FINAL PLAT AND BE CONSISTENT WITH ALL CITY OF SURPRISE CODES AND ORDINANCES.
9. RETAINING WALLS SHALL NOT EXCEED 2 FT IN HEIGHT.
10. FINAL PLANTING DESIGN OR ARTIFICALS SHALL BE MAINTAINED TO THE SPECIFICATIONS SET FORTH IN THE CITY OF SURPRISE DETAIL CITY AND AOS.
11. THE RANCHO HERMOSA WITHIN

MATCHLINE I, SEE SHEET 7



MATCHLINE G. SEE SHEET 5

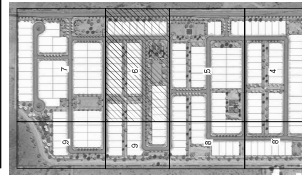
LANDSCAPE MATERIAL SCHEDULE

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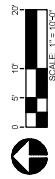
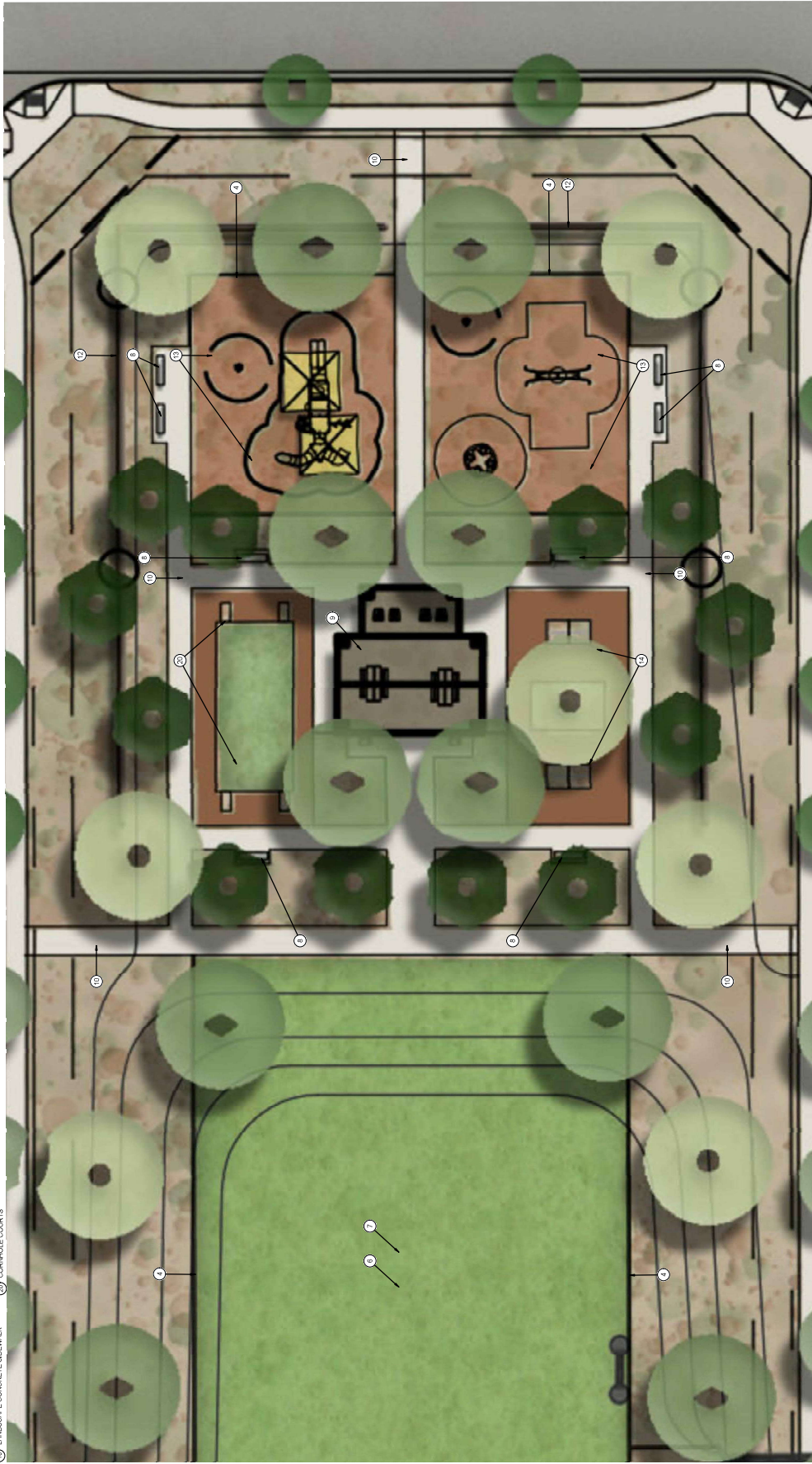
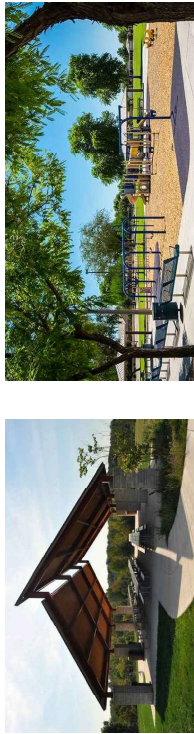
LANDSCAPE KEYNOTES

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| 1 | ENTRY MONUMENT | 11 | LANDSCAPE CONCRETE SIDEWALK |
| 2 | THEME WALL | 12 | LANDSCAPE CONCRETE SIDEWALK |
| 3 | PARTIAL NEW WALL | 13 | LANDSCAPE CONCRETE SIDEWALK |
| 4 | CONCRETE HEADER | 14 | LANDSCAPE CONCRETE SIDEWALK |
| 5 | DECORATIVE COLUMN | 15 | LANDSCAPE CONCRETE SIDEWALK |
| 6 | DEFENTION AREA | 16 | LANDSCAPE CONCRETE SIDEWALK |
| 7 | GREEN TURF | 17 | LANDSCAPE CONCRETE SIDEWALK |
| 8 | SEATING AREA | 18 | LANDSCAPE CONCRETE SIDEWALK |
| 9 | RAMADA | 19 | LANDSCAPE CONCRETE SIDEWALK |
| 10 | LANDSCAPE CONCRETE SIDEWALK | 20 | LANDSCAPE CONCRETE SIDEWALK |
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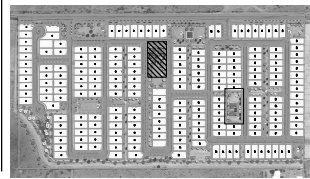
KEY MAP



- LANDSCAPE KEYNOTES**
- 1 ENTRY MONUMENT
 - 2 THEME WALL
 - 3 FERTILIZER VIEW WALL
 - 4 CONCRETE FENCE
 - 5 DECORATIVE COLUMN
 - 6 DETENTION AREA
 - 7 OPEN TURF
 - 8 SEATING AREA
 - 9 RAMADA
 - 10 LANDSCAPE CONCRETE SIDEWALK
 - 11 HALF BASKETBALL COURT
 - 12 PRECAST CONCRETE RAIL FENCE
 - 13 PLAYGROUND
 - 14 TABLE TENNIS
 - 15 BUTTERFLY GARDEN
 - 16 DRAINAGE CHANNEL
 - 17 MOWING PLATFORM
 - 18 DOOLEY WALL
 - 19 SEAT WALL
 - 20 CORNHOLE COURTS



KEY MAP



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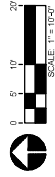
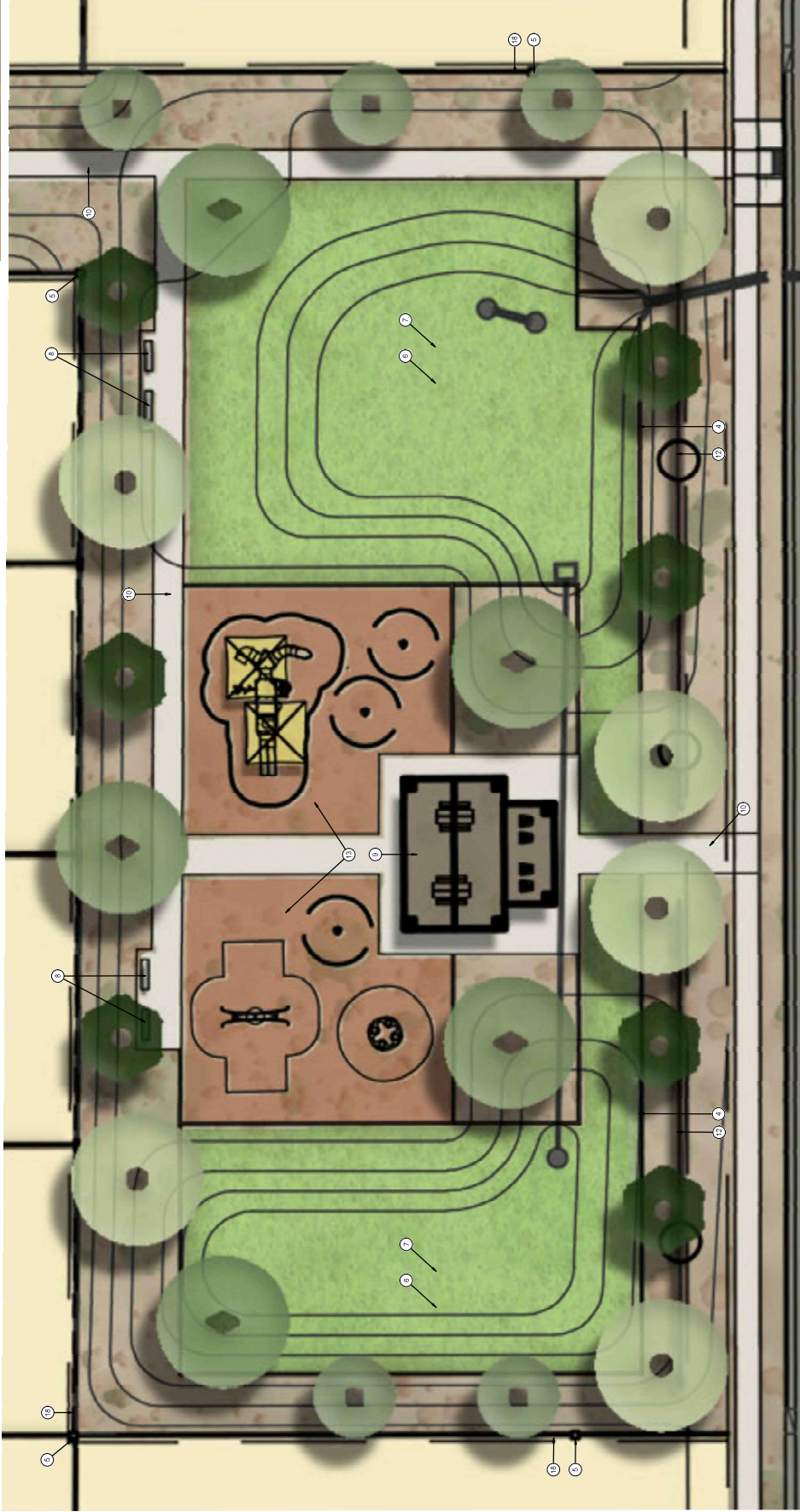
BONITA RANCH • MAIN AMENITY

SURPRISE, ARIZONA
 06/30/2021
 20001710
 KAX GROUP

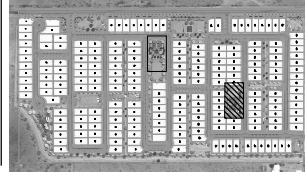


For illustrative purposes only. Subject to change without notice.

- LANDSCAPE KEYNOTES**
- 1 ENTRY MONUMENT
 - 2 THEME WALL
 - 3 PRECAST CONCRETE RAIL FENCE
 - 4 PLAYGROUND
 - 5 TABLE TENNIS
 - 6 BUTTERFLY GARDEN
 - 7 DETENTION AREA
 - 8 DRAINAGE CHANNEL
 - 9 VIEWING PLATFORM
 - 10 DOOLEY WALL
 - 11 SEATING AREA
 - 12 RAMADA
 - 13 LANDSCAPE CONCRETE SIDEWALK
 - 14 HALF BASKETBALL COURT
 - 15 PRECAST CONCRETE RAIL FENCE
 - 16 PLAYGROUND
 - 17 TABLE TENNIS
 - 18 BUTTERFLY GARDEN
 - 19 DRAINAGE CHANNEL
 - 20 VIEWING PLATFORM
 - 21 DOOLEY WALL
 - 22 SEATING AREA
 - 23 RAMADA
 - 24 LANDSCAPE CONCRETE SIDEWALK



KEY MAP



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BONITA RANCH • SECONDARY AMENITY

SURPRISE, ARIZONA
 06/30/2021
 20001710
 KAX GROUP



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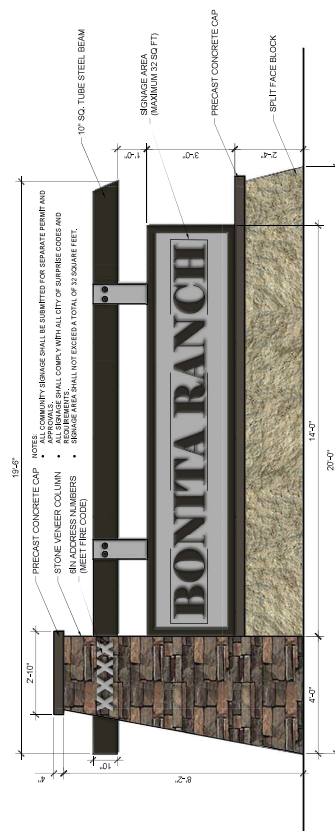
As of Photograph Date



SCALE: 3/4" = 1'-0"

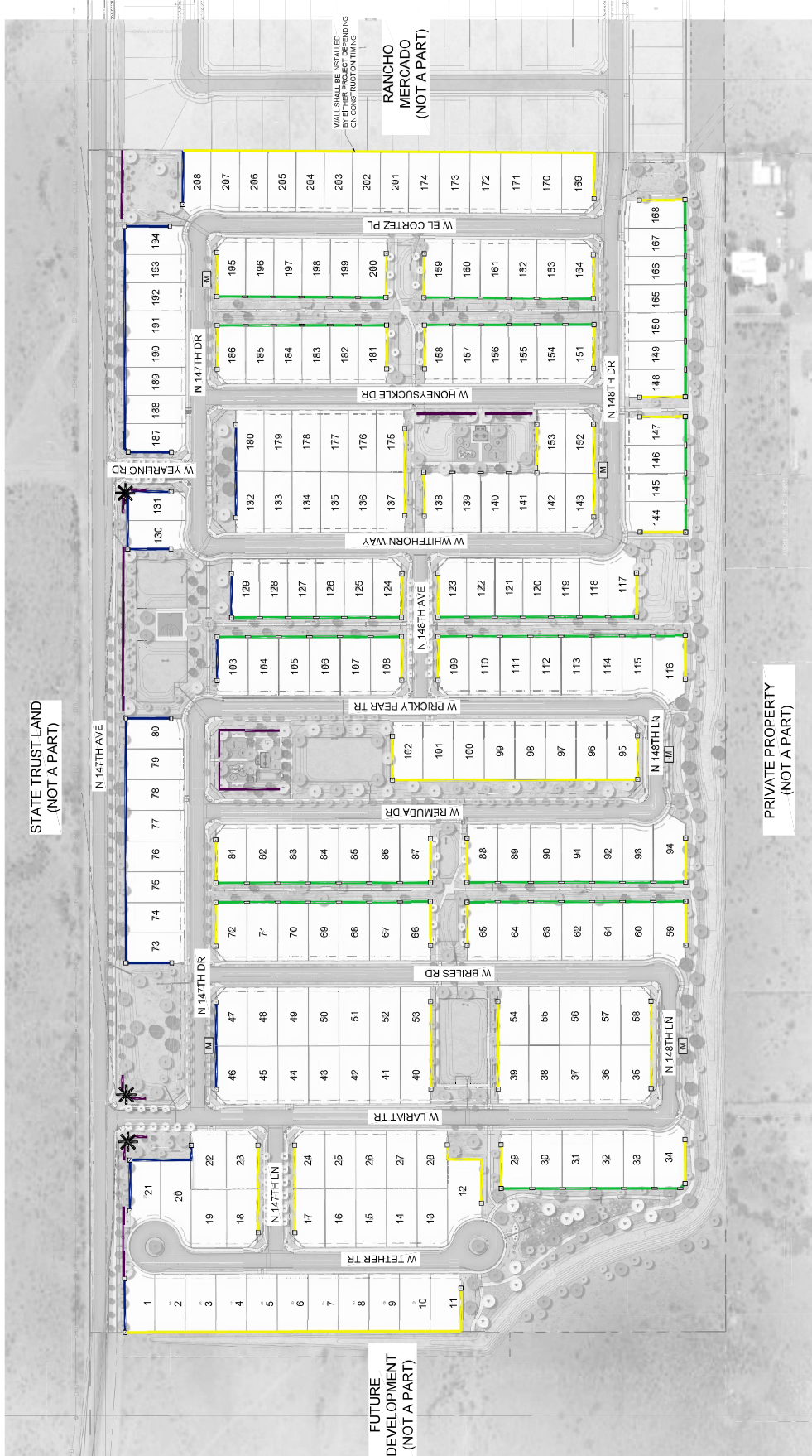


SCALE: 3/4" = 1'-0"



SCALE: 1/2" = 1'-0"

- LEGEND**
- TERME WALL
 - PRECAST CONCRETE RAIL FENCE
 - PARTIAL VIEW WALL
 - PAINTED DOCKEY WALL
 - IN-LINE COLUMN
 - COLUMN
 - ENTRY MONUMENT
 - MILLOX LOCATIONS

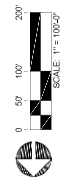
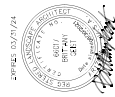


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BONITA RANCH • WALL PLAN

SURPRISE, ARIZONA
 06/30/2021
 # 20001710
 KAX GROUP



For illustrative purposes only. Subject to change without notice.

LEGEND

- ACTIVE AMENITY
- NATURE OVERLOOK AND BUTTERFLY GARDEN
- 8FT INTERNAL CONCRETE TRAIL
- 8FT REGIONAL CONCRETE TRAIL
- 8FT DOG TRAIL
- TRAIL PLAZA
- SEATING NODES



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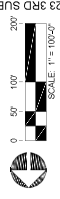


BONITA RANCH • TRAIL SYSTEM

06/30/2021
20001710
KAX GROUP



Aerial Photography Date



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LEGEND

ACTIVE OPEN SPACE	7.23 AC	30%
PASSIVE OPEN SPACE	6.63 AC	41%
NATURAL OPEN SPACE	4.79 AC	23%
TOTAL OPEN SPACE	28.65 AC	



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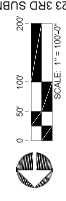
BONITA RANCH • OPEN SPACE CALCULATIONS

PREPARED BY: KAX GROUP
DATE: 06/30/2021
PROJECT: 20001710
DRAWN BY: KAX GROUP



20001710

As of 06/30/2021



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SURPRISE
ARIZONA

FS20-829

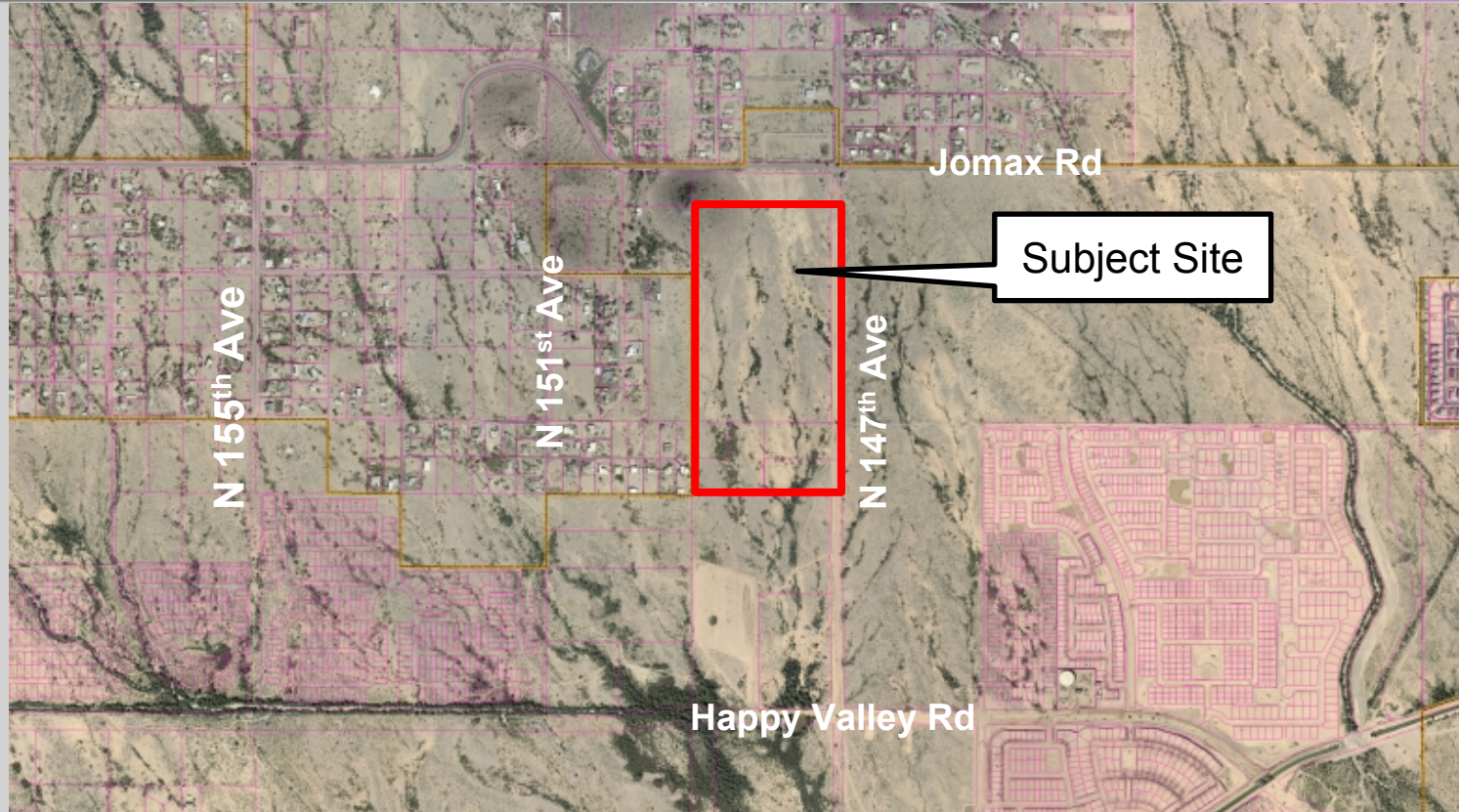
**Bonita Ranch
Preliminary Plat**

Planning and Zoning Commission

September 16, 2021

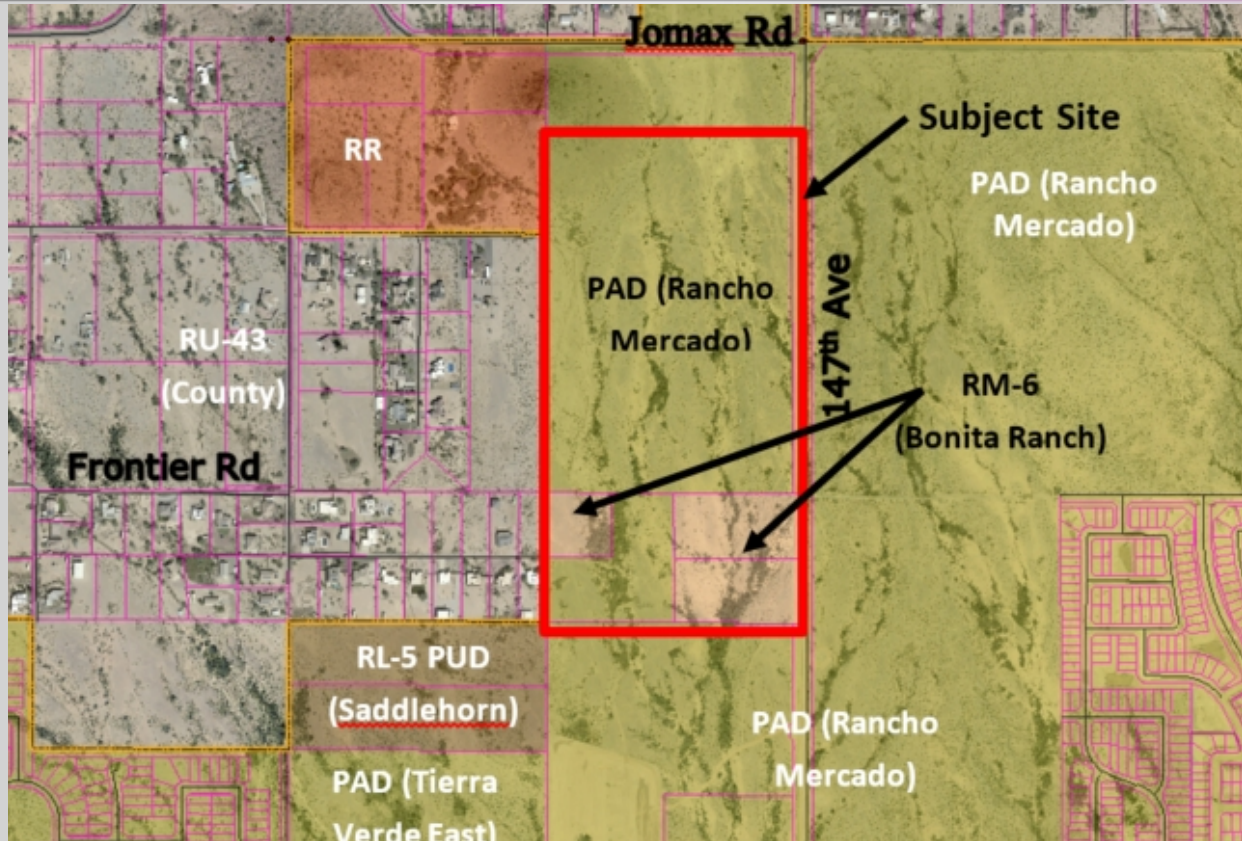
VICINITY MAP

FS20-823
Bonita Ranch PP



CASE MAP

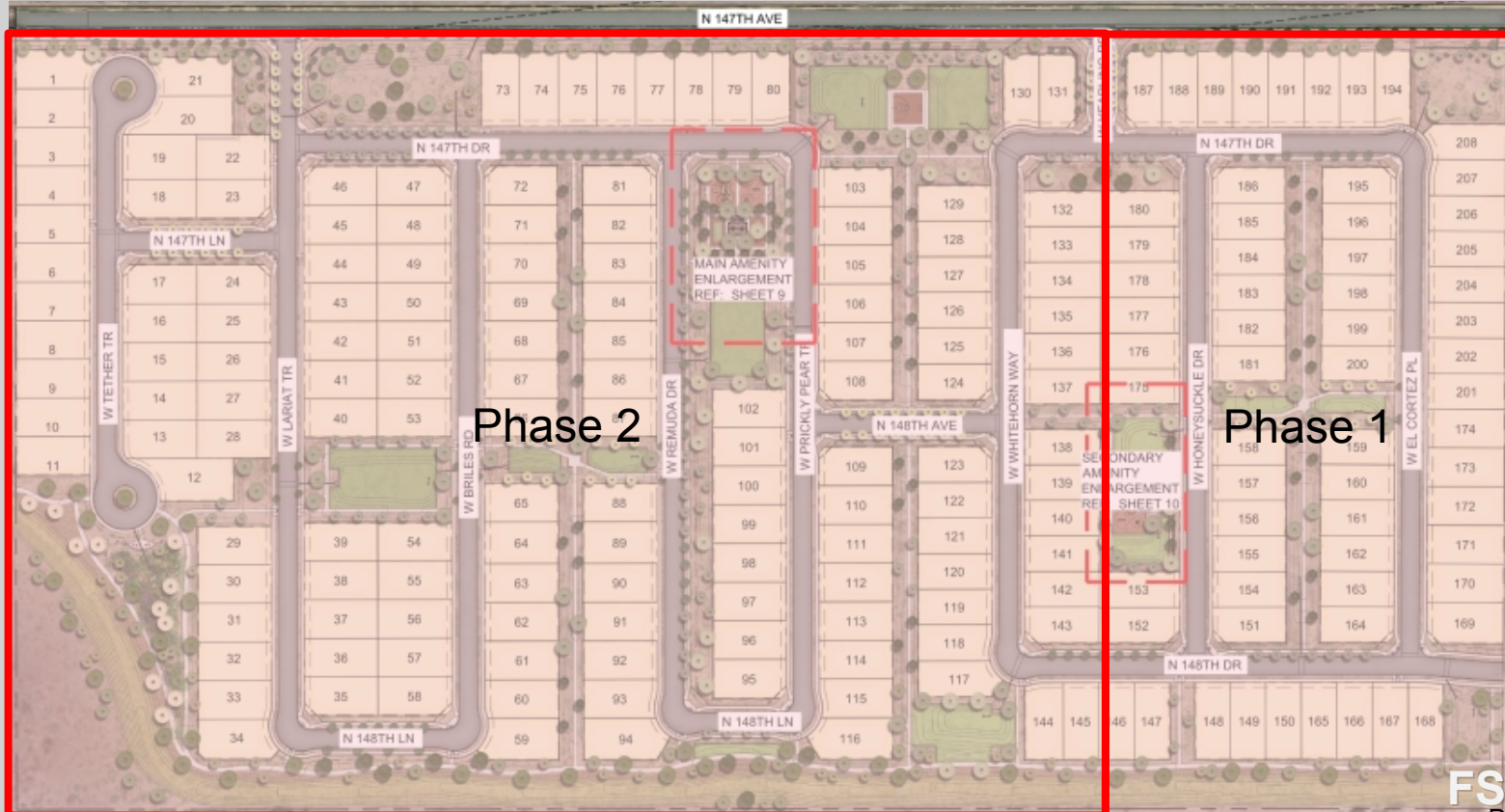
FS20-823
Bonita Ranch PP



Preliminary Plat



Phasing



Access

FS20-823
Bonita Ranch PP



Landscape & Amenities



Landscape & Amenities



Landscape & Amenities



Landscape & Amenities

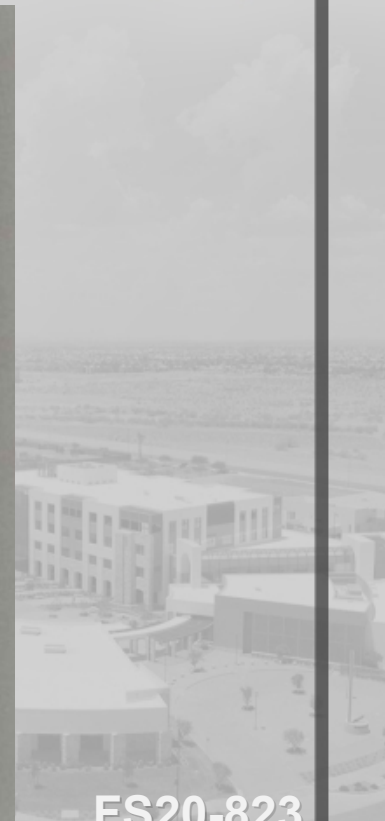


Landscape & Amenities

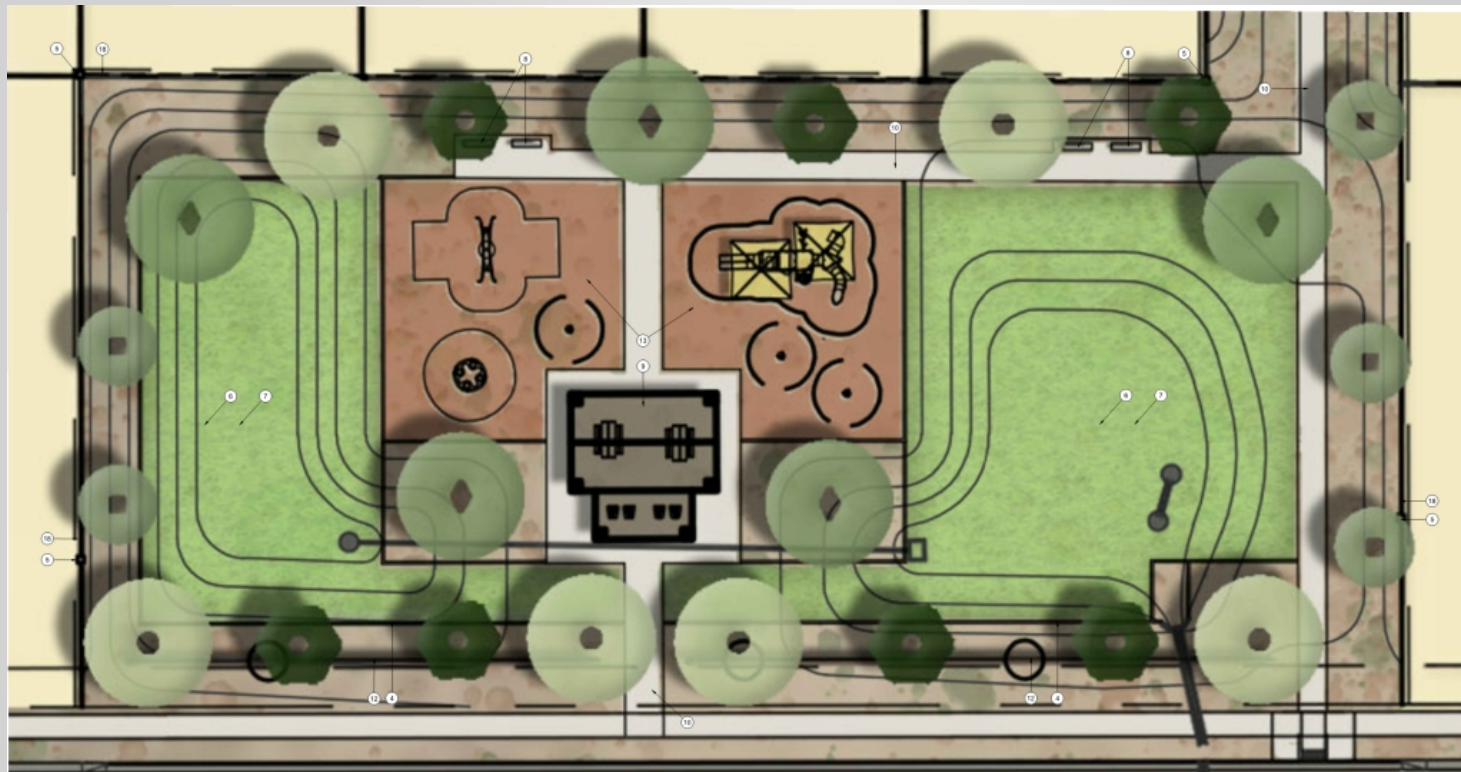




Landscape & Amenities



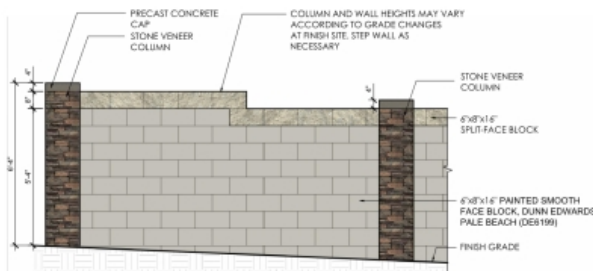
Landscape & Amenities



Wall Plan



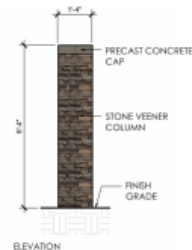
Walls



1 Theme Wall
SCALE: 1/2" = 1'-0"

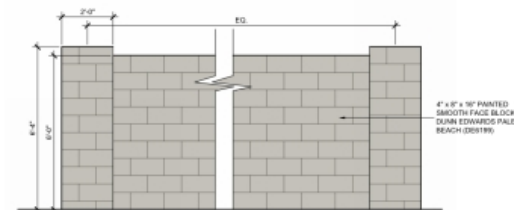


2 Large Theme Column
SCALE: 1/2" = 1'-0"

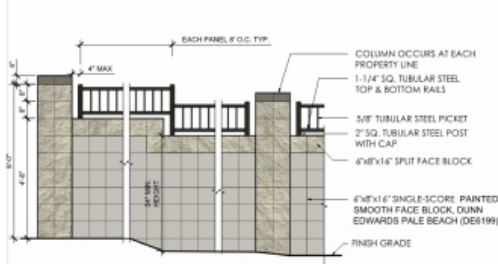


NOTES:
1) SMALL THEME COLUMNS SHALL BE LOCATE AT ALL LOT LINES BETWEEN ADJACENT LOTS.

3 Small Theme Column
SCALE: 1/2" = 1'-0"

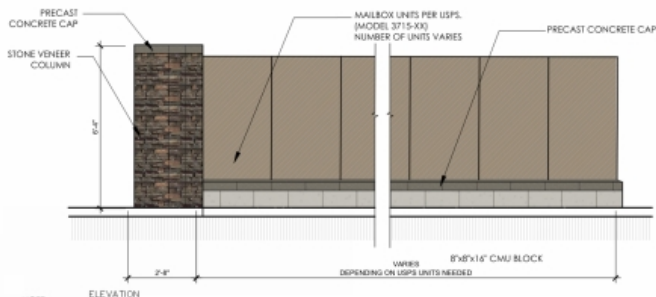
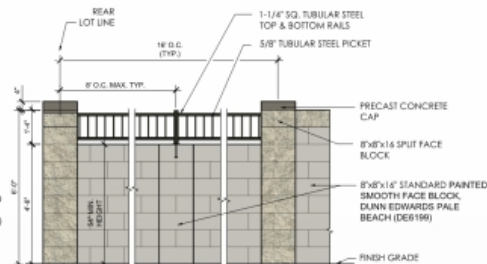


4 Painted Dooley Wall
SCALE: 1/2" = 1'-0"



NOTE:
1) COLUMN AND WALL HEIGHTS WILL VARY ACCORDING TO GRADE CHANGES.

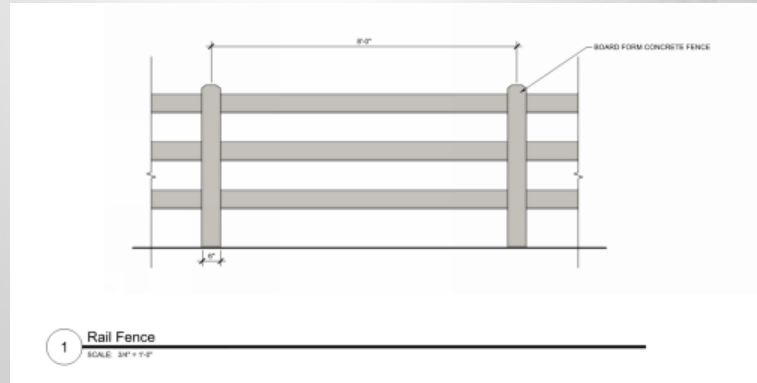
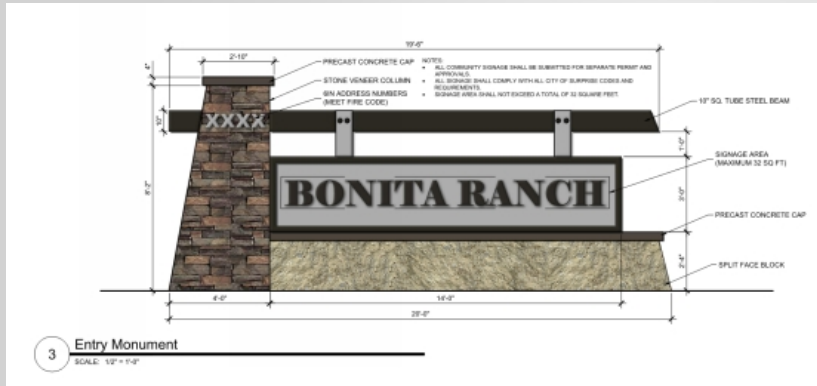
5 View Wall
SCALE: 1/2" = 1'-0"



NOTE:
1. MAILBOX LOCATION PER UNITED STATES POSTAL SERVICE.
2. ADEQUATE LIGHTING WILL BE PROVIDED IN MAILBOX LOCATION.
3. MAILBOX WILL BE ACCESSIBLE PER A.D.A. REQUIREMENTS.

6 Mail Box Cluster
SCALE: 1/2" = 1'-0"

Walls



Trails



Open Space



LEGEND

■	ACTIVE OPEN SPACE	7.23 AC	35%
■	PASSIVE OPEN SPACE	8.45 AC	41%
■	NATURAL OPEN SPACE	4.79 AC	23%
	TOTAL OPEN SPACE	20.47 AC	



RECOMMENDATION

Staff recommends the Commission recommend Approval to the Mayor and City Council subject to stipulations 'a' – 'd'.



QUESTIONS OR COMMENTS?

Thank You



Stipulations

- a. Development and use of the site shall be consistent with the Preliminary Plat entitled “Preliminary Plat for Bonita Ranch”, prepared by Atwell and received July 29, 2021.
- b. Landscaping of the site shall be consistent with the Preliminary Landscape Plan entitled “Bonita Ranch Preliminary Landscape Submittal”, prepared by RVi Planning + Landscape Architecture and received July 29, 2021.
- c. Prior to the City approving a final plat, site plan, or building permit within the property, the applicant shall provide the City with a Notice of Payment from William Lyon Homes, Inc., that the Happy Valley West (“HVW”) Buy-in Fee, the Happy Valley East (“HVE”) Buy-in Fee, and the Water Buy-in Fee, as applicable, all as described in the Rancho Mercado Supplemental Development Agreement (Regional Improvements Overlay Agreement), as amended, have been paid.
- d. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.