



CITY OF SURPRISE
Planning and Zoning Commission
16000 N. Civic Center Plaza
Surprise, AZ 85374
Thursday, February 15, 2024 @ 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 February 1, 2024, Planning and Zoning Commission Regular Meeting Minutes. | Alyssa Carpenter
Community
Development |
|----|----------|---|--|

REGULAR AGENDA ITEM - PUBLIC HEARING:

- | | | | |
|----|------------|---|---|
| 2. | Citywide | Consideration and action pertaining to a Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinances (LDO) to revise sections to clarify the readability, provide better interpretation, or remove conflicts with other section of the LDO related to that given regulation. Case FS23-1057. | Community
Development |
| 3. | District 1 | Consideration and action pertaining to a rezone of approximately 42.92 gross acres from Planned Area Development (PAD) and Rural Residential (RR) to Community Commercial (C-2) and Residential High Density (R-3), for a site generally located on the northeast corner of 163 rd Ave. and Jomax Rd. Case #FS23-0552. | Leslie Carnie
Community
Development |
| 4. | District 1 | Consideration and action pertaining to a rezone of approximately 31.46 acres from Residential Medium Density (R-2) and Residential High Density (R-3) to R-2 Planned Unit Development (PUD), generally located west of 155 th Avenue and north of Jomax Road. Case FS23-0352. | Trevor Fleetham
Community
Development |

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

- G. Other Business and Future Agenda Items
- H. Executive Session

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

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

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

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

I. Adjournment

KRISTI PASSARELLI, CITY CLERK

POSTED: Wednesday, February 8, 2024 @ 2:00 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

Council Meeting Date: February 15, 2024

Contact Person: Alyssa Carpenter, Administrative
Assistant - Senior

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 February 1, 2024, Planning and Zoning Commission Regular Meeting Minutes.

Motion:

I move to approve or disapprove the February 1, 2024, Planning and Zoning Commission Regular Meeting Minutes.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. 02-01-2024 MINS of P&Z

**CITY OF SURPRISE
PLANNING AND ZONING COMMISSION**

MEETING MINUTES

February 1, 2024 / 6:00 PM

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

CALL TO ORDER.

Chair Holland 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 February 1, 2024.

A. ROLL CALL

In attendance were, Commissioner Dennis Bash, Vice Chair Ken Chapman, Chair Jared Holland, Commissioner Mitchell Rosenbaum, Commissioner Jay Leonard, and Commissioner Matthew Keating. Commissioner Dennis Smith had an excused absence.

STAFF PRESENT:

Jeffrey Murray, Deputy City Attorney; Lloyd Abrams, Director of Community Development; Tiffany Copp, Assistant Director of Community Development; Jason Moquin, Planning Manager; Chris Sexton, Current Planner; Tanner Wessel, Current Planner; Alyssa Carpenter, Planning and Zoning Secretary; and Patricia Rademacher, Administrative Specialist.

COUNCIL MEMBERS PRESENT:

None.

B. PLEDGE OF ALLEGIANCE

C. CURRENT EVENTS REPORT

Lloyd Abrams introduced Tiffany Copp as the newly appointed Assistant Director of Planning and Real Estate.

D. STAFF REPORT

None.

CALL TO THE PUBLIC:

Chair Holland opened the call to the public to discuss any items not listed on the agenda. Hearing no requests, Chair Holland closed the call to the public.

CONSENT AGENDA:

Item 1 – Internal – Consideration and action to approve or disapprove the January 18, 2024, Planning and Zoning Commission Regular Meeting Minutes.

Commissioner Bash made a motion to approve the January 18, 2024, Planning and Zoning Commission Regular Meeting Minutes. Vice Chair Chapman seconded the motion. Motion passed with 4 votes in favor. Commissioner Keating and Commissioner Leonard abstained.

REGULAR AGENDA ITEM – PUBLIC HEARING:

Item 2 – District 4 – Consideration and action regarding a Use-Only Conditional Use Permit (CUP) for a dual licensee marijuana facility use located near the northwest corner of Bell Road and Dysart Road on a vacant 1.11 acres parcel zoned Community Commercial (C-2). FS23-0512

Chris Sexton, Current Planner, presented item 2 to the Commission.

Lindsey Schube, representative for the applicant, presented additional information to the Commission.

Chair Holland opened the public hearing.

Hearing no further requests, Chair Holland closed the public hearing.

The Commission discussed the following:

- Separation requirements and possibility of having two facilities in proximity within two different jurisdictions.
- Great location and fit for this use and commended Planning Department.

Commissioner Bash motioned to approve case FS23-0512, a Use-Only CUP for Bella Fiesta Pad B, subject to stipulations 'a' through 'd' as outlined in the staff report. Commissioner Rosenbaum seconded the motion. Motion passed with 5 votes in favor. Chair Holland voted against.

REGULAR AGENDA ITEM – NON-PUBLIC HEARING:

Item 3 – District 1 – Consideration and action regarding the approval of the Preliminary Plat entitled “Unit Q – 5 Packs – Phase 3 – Toll at Prasada”, dated November 15, 2023, a property generally located west of Cotton Lane, between Cactus Road and Peoria Avenue. Case FS23-0840.

Tanner Wessel, Current Planner, presented item 3 to the Commission.

The Commission discussed the following:

- None

Commissioner Keating motioned to approve case FS23-0840, Preliminary Plat entitled “Unit Q – 5 Packs – Phase 3 – Toll at Prasada, dated November 15, 2023, subject to stipulations 'a' through 'c' as outlined in the staff report. Commissioner Leonard seconded the motion. Motion passed with 6 votes in favor.

OTHER BUSINESS AND FUTURE AGENDA ITEMS:

None

ADJOURNMENT:

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

Meeting adjourned at 6:30 pm

Jared Holland
Planning and Zoning Commission Chair

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

ATTEST BY: _____
Alyssa Carpenter, Planning and Zoning Secretary

DATE: _____



CITY OF SURPRISE Planning and Zoning Commission

Council Meeting Date: February 15, 2024 Contact Person: Jani Wertin
Submitting Department: Community Development District: Citywide
Staff Recommendations:

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

Consideration and action pertaining to a Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinances (LDO) to revise sections to clarify the readability, provide better interpretation, or remove conflicts with other section of the LDO related to that given regulation. Case FS23-1057.

Motion:

Motion to recommend **approval/denial** of the proposed Zoning Text Amendment to the Surprise Land Development Ordinance to revise sections to clarify the readability, provide better interpretation, or remove conflicts with other section of the LDO related to that given regulation.

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 further real-world application of the new code, staff have identified areas of conflict within the text and others in need of clarification. This text amendment (FS23-1057) aims to address those areas to improve clarity and remove conflicts within the LDO.

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 - FS23-1057 ZTA for 2024 Clean Up - Staff Report 021524 PZ
 2. 01 - FS23-1057 ZTA for 2024 Clean Up - Narrative
 3. 02 - FS23-1057 ZTA for 2024 Clean Up - Legislative Edit.1
 4. 03 - FS23-1057 ZTA for 2024 Clean Up - Use Table
 5. 04 - FS23-1057 ZTA for 2024 Clean Up - Citizen Participation Report
 6. FS23-1057 LDO ZTA Presentation 021524 PZ
-

ZONING TEXT AMENDMENT

REPORT TO THE PLANNING AND ZONING COMMISSION

Case: FS23-1057

Project Name: Zoning Text Amendment for LDO Clarification

Council District: Citywide

Meeting Date: February 15, 2024

Planner: Jani Wertin, Planner II

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 known

Staff Recommendation: Staff recommends the Commission recommend **approval** of FS23-1057 to the Mayor and City Council.

PROJECT DESCRIPTION:

Staff initiated this Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinances (LDO) to correct scrivener's errors, improve the readability, provide better interpretation, and remove internal conflicts with other sections of the LDO related to the same subject matter.

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 further 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 (FS23-1057) aims to address those areas to improve clarity and remove conflicts within the LDO.

45 **ANALYSIS AND DISCUSSION:**

46 The proposed zoning text amendment includes several changes dispersed throughout the
47 chapters of the Land Development Ordinance. While none of these are significant changes
48 themselves, this text amendment will greatly improve the clarity of the LDO and remove
49 conflicts within the text that staff has discovered while implementing this code since its
50 adoption in December of 2020.

51
52 The following are examples representative of the different types of changes being proposed
53 with this amendment. The full extent of the proposed changes are outlined in the attached
54 Legislative Edit.

55
56 **Updates to correct Scrivener's Errors**

57 Chapter 101 – Administrative Provisions

58 *Article 2 – Rules of Interpretation and Glossary of Terms (101-2.2: Glossary of terms)*

59 This section contains the glossary of terms. The definition of Street, arterial (major and
60 minor) is currently italicized, which does not match the formatting of the rest of the
61 glossary. This revision will amend the italicization to match the formatting of the rest of
62 the glossary.

63
64 Chapter 106 – Zoning and Use Standards

65 *Article 6 – Commercial Zoning Districts (106-6.1.: General)*

66 Subsection C goes over the process required to establish a commercial zoning district.
67 This revision will amend the typo in the last sentence of this subsection that shows
68 'proposed uses' incorrectly as 'proposed uses.'

69
70 **Updates for Clarity**

71 Chapter 101 – Administrative Provisions

72 *Article 2 – Rules of Interpretation and Glossary of Terms (101-2.2: Glossary of terms)*

73 This section contains the glossary of terms. The definition of Variance includes specific
74 information regarding what and how a variance can be used. This revision will remove
75 this information from the definition and add it to Chapter 102 - Review Process and
76 Applications, Article 6 - Type 3 Application and Requests, Sec. 102-6.5. Variances, A,
77 thereby consolidating this information, making it easier to find and ensure clarity.

78
79 Chapter 106 – Zoning and Use Standards

80 *Article 2 – Residential Zoning Districts (106-2.3: Residential Low Density (R-1))*

81 This section includes a table which outlines the Development Standards for Residential
82 Low Density (R-1). This revision will add the footnote 'Corner lots where block endcap
83 landscape tracts are provided are not subject to the minimum street side setbacks' to
84 clarify our setback standards and resolve any conflict with Chapter 108 - Land Division
85 and Subdivision Regulations, Article 2 - Reports, Plans, and Design Standards, Sec.
86 108-2.4. - Circulation design standards, D. Block planning, 3.

87
88 **Updates for Consistency**

89 Chapter 103 – Enforcement

90 *Article 1 – In General (103-1.3: Administrative Remedies)*

This section contains information on Administrative Remedies. This revision will change the formatting of the bullets to be consistent with the rest of the code.

Chapter 102 – Review Process and Applications

Article 4 – Type 1 Application and Requests (102-4.2: Site Plan Review)

This section contains information on the Site Plan Review process, to include validity limits. This revision will reduce the validity limit of approved site plans from 2 years to 1 year to be consistent with the validity limits of our other applications.

Updates due to changes in State Statute

Chapter 102 – Review Process and Applications

Article 6 - Type 3 Application and Requests (102-6.1: General Plan Amendments and Specific Area Plans)

This section contains information on the General Plan Amendment and Specific Area Plan review process. This revision will change the timeline in which these applications are to be heard before City Council to be in line with newly adopted state statute which now requires applications to be heard within 12 months of submittal.

Chapter 108 – Land Division and Subdivision Regulations

Article 1 – General Process and Overview (108-1.7: Abandonment of Recorded Subdivision)

This section contains information on the process of abandoning recorded subdivisions and references a specific section of the Arizona Revised Statute (ARS) which has changed recently. This revision will update this statute reference to reflect the new and correct section.

Updates due to other changes in the LDO

Chapter 106 – Zoning and Use Standards

Article 6 – Commercial Zoning Districts (106-6.1: General)

Subsection C goes over the process required to establish a commercial zoning district. This revision will remove reference to Table 106-1d, which is an outdated reference to a table that no longer exists because of a previous amendment.

Chapter 106 – Zoning and Use Standards

Article 1 – In General (106-1.8: Compliance with other provisions)

This section includes the land use matrix (Table 106-1c), a table that outlines the permitted uses of each zoning district, the conditions in which they are permitted, and any applicable Use Specific Standards. This revision will update numerous Use Specific Standard section references in the table to reflect the correct section number.

Chapter 108 – Land Division and Subdivision Regulations

Article 2 – Reports, Plans, and Design Standards (108-2.4: Circulation design standards)

This section contains information on the various circulation design standards with subsection B, General design, covering general design standards for circulation, to include streetlight design standards. The lighting standards listed in Chapter 107 of the LDO were recently updated through another zoning text amendment, FS22-1581, which

was approved by City Council November 6, 2023. As a part of this amendment, the outdated street light standards listed in Chapter 107 were replaced with a reference to the Engineering Design Manual (EDS). To be consistent with this newly adopted amendment, this revision will replace the existing reference to Chapter 107 of the LDO for Streetlight Design Standards to the EDS.

Updates to amend Burdensome Standards

Chapter 108 – Land Division and Subdivision Regulations

Article 2 – Reports, Plans, and Design Standards (Chapter 108 – 2.5: Lot planning)

This section outlines the various configuration, access, and dimensional standards lots are required to meet. As a part of this section, residential lots that are less than fifty (50) feet wide required to have vehicular access from an alley. As this requirement is burdensome to enforce, this revision will amend the language to remove this requirement and instead encourage vehicular access from an alley for residential lots that are less than fifty (50) feet wide.

Chapter 101 – Administrative Provisions

Article 2 – Rules of Interpretation and Glossary of Terms (101-2.2: Glossary of terms)

This section contains the glossary of terms. This revision will amend the definition of Lot Line, front to add language allowing the community development director or designee the discretion to determine the front lot line of lots with significant site constraints.

CONFORMANCE WITH ADOPTED PLANS:

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

CITIZEN PARTICIPATION:

An in-person outreach meeting was held on January 10, 2024, in the Community Room of City Hall. There were no members of the public in attendance. City staff has not received any opposition.

SUMMARY:

This Text Amendment to the Land Development Ordinances (LDO) will remove conflicts, provide clarification, and improve overall readability of the LDO.

RECOMMENDATION:

Based on the findings noted above, staff recommends the Commission recommend **approval** of the subject Zoning Text Amendment request to the Mayor and City Council.

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

Attachments:

- 01 Narrative
- 02 ZTA Legislative Edit
- 03 Use Table
- 04 Citizen Participation Report
- 05 Affidavit of Public Notice
- PPT

Narrative

Land Development Ordinance Zoning Text Amendment

FS23-1057 – December 8, 2023

PROJECT DESCRIPTION

The City initiated Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinances (LDO) intends to revise sections of the LDO to correct scrivener's errors, improve the readability, provide better interpretation, and remove internal conflicts with other sections of the LDO related to the same subject matter. In order to accomplish this, this text amendment proposes the following changes:

- Corrections to scrivener's errors, incorrect references, and other minor cleanup items that will improve clarity and consistency.
- Adding language to allow discretion for determining the front of a corner single-family residential lot.
- Reduction of Site Plan validity limits from 2 years to 1 year.
- Changes to bring our LDO in line with updated State Statutes.
- Additional language for amendments to Conditional Use Permits.
- Removing the conflict between street side setbacks and landscape tracts in single-family residential.

PART II

LAND DEVELOPMENT ORDINANCE¹

Chapter 101 ADMINISTRATIVE PROVISIONS

ARTICLE II. RULES OF INTERPRETATION AND GLOSSARY OF TERMS

Sec. 101-2.2. Glossary of terms.

Lot line. The boundary that sets the border of a *lot* (commonly known as a property line). For specific application of specific *lot lines* see the definitions below and **Figure 101-2a**.

1. **Lot line, front.** The *lot line* separating the *lot* from the *right-of-way*.
 - a. In the case of an interior lot or through lot, a line separating the lot from the street.
 - b. In the case of a corner lot, the *front lot line* separating the narrowest street frontage of the lot from the street. For square, *corner lots*, the front shall be determined by the community development director or designee. For lots with significant site constraints, the front shall be determined by the community development director or designee.
 - c. In the case of *flag* lots, the *front lot line* shall be the line closest to perpendicular to the street on which the lot accesses, unless determined otherwise by the community development director or designee.
 - d. In the case of irregular shape lots (see **Figure 101-2a**), the *front lot line* shall follow the right-of-way line.
 - e. In the case of recessed lots that does not *abut* a right-of-way, the *front lot line* shall be the access easement unless determined otherwise by the community development director or designee.
2. **Lot line, rear.** A *lot line* which is opposite and most distant from the *front lot line*. An irregular or triangular shaped *lot* may have more than one (1) rear lot line or a line ten (10) feet in length within the *lot*, parallel to and at the maximum distance from the chord of front *lot line*.
3. **Lot line, side.** Any *lot line* that is not a front *lot line* or a rear *lot line*.

Street. A general term used to describe a paved *right-of-way*, municipally or privately owned, serving as a means of travel, usually affording the principal means of access to *abutting* property.

1. **Street, arterial (major and minor).** ~~Streets designed to carry large amounts of traffic across or through the city and designated as such by the city General Plan.~~ Streets designed to carry large amounts of traffic across or through the city and designated as such by the city General Plan.

Variance. A modification or variation of the development standards in **Chapter 106** of the LDO as applied to a specific piece of property, as further outlined in Sec 102-6.5. ~~Dimensional variances only may be allowed; no~~

~~variance regarding use of property shall be permitted; no variance decreasing lot area requirements shall be allowed.~~

Chapter 102 REVIEW PROCESS AND APPLICATIONS

ARTICLE III. PUBLIC OUTREACH AND PUBLIC NOTIFICATION

Sec. 102-3.2. Public notification methods.

- A. Depending on the procedure type, one (1) or more of the following methods of public notification may be required.
 2. Legal ad. In a newspaper of general circulation in the city, a public notice shall be published at least fifteen (15) days ~~for all other applications~~, prior to the public hearing.

Sec. 102-3.3. Neighborhood meetings.

- A. This is conducted by the *applicant* and/or *developer*.
 2. Public notice of the neighborhood meeting is required and shall include ~~both "newspaper publication" and "letter by first class mail"~~ "legal ad," "mail-out by first class mail," and "site posting" as outlined above. The notice shall also be transmitted to the planning agency of any *adjacent* municipalities and unincorporated areas of the county.

ARTICLE IV. - TYPE 1 APPLICATION AND REQUESTS

Sec. 102-4.2. - Site plan review.

- E. Validity limits. Approval of a *site plan* or *amendments* thereto, shall run with the land and may continue to be valid upon a change of *ownership* of the site or change of ownership of the *structure* for a period of ~~two (2) years~~ one (1) year following the date of approval.

Sec. 102-4.4. - Use permits (administrative and temporary).

- A. ~~Those uses that are allowed under an administrative use permit (AUP) and/or a temporary use permit (TUP) in either the land use matrix of Table 106-1a or in the accessory use matrix of Table 106-1b, of this LDO, shall be authorized by the community development director.~~
- A. Those *uses* that are allowed by the land use matrix of this LDO (**Table 106-1c**) under an *administrative use permit* (AUP) and/or a *temporary use permit* (TUP) shall be authorized by the community development director.

ARTICLE VI. TYPE 3 APPLICATION AND REQUESTS

Sec. 102-6.1. - General Plan amendments and specific area plans.

- A. *Amendments* or changes to the city *General Plan* may be initiated by the city council, planning and zoning commission, community development director, or by a property owner or the property owner's authorized representative. Any change to the maps or text of the *General Plan* is an *amendment* to the *General Plan*.
1. Major amendment. An application for a major *amendment* to the *General Plan* must ~~be filed prior to April 1st of the calendar year and must~~ be heard by the city council ~~on the first available council meeting in December of the calendar year~~ within 12 months of when the request was submitted. Any major *amendment* must first be submitted for commission review and recommendation. Major *amendments* shall require an affirmative vote of at least two-thirds (⅔) of the council.

Sec. 102-6.3. Conditional use permits.

- ~~C. Applicability. Uses which may be subject to a CUP are those uses enumerated as "CUP" in either the primary land use matrix of Table 106-1a or in the accessory use matrix of Table 106-1b.~~
- C. Applicability. Uses which may be subject to a CUP are those uses enumerated as "CUP" in the primary land use matrix of Table 106-1c.
- H. *Amendments* to conditional use permits shall be processed in the same manner as the original permit, except that requests to alter or modify an approved conditional use permit by no more than ten (10) percent in comparison to the most recent site plan approved by planning and zoning commission and which typically has no significant changes to infrastructure, buildings and structures, circulation, or grading and drainage, shall be considered minor *amendments* meeting the requirements of Section 102-4.2 of this ordinance and may be authorized by the community development director.

Sec. 102-6.5. Variances.

- A. Purpose. This section provides the potential for relief from the zoning development standards, but not to the permitted uses, densities, or guidelines, of this code. Dimensional variances only may be allowed; no variance regarding use of property shall be permitted; no variance decreasing lot area requirements shall be allowed. Notification for variance requests shall follow the requirements set forth in A.R.S. § 9-462.06 and the provisions outlined in this chapter.

Chapter 103 ENFORCEMENT

ARTICLE I. IN GENERAL

Sec. 103-1.3. Administrative remedies.

- A. Administrative remedies may include:
- (1) The withholding of plan approval, permits, certificates, or any other form of authorization or approval under the authority of the community development director or designee as outlined by the LDO, after determination of any of the following:
- a. Any violation of the LDO; or
- b. Any violation of a condition, stipulation, or qualification of a permit, certificate, approval or other authorization previously granted by the city.

Surprise, Arizona, Municipal Code
PART II LAND DEVELOPMENT ORDINANCE

- (2) Revocation of any plan approval, permit, certificate, or any other form of authorization or approval under the authority of the city manager or designee as outlined by the LDO after determination of any of the following:
- a. There is departure from the plans, specifications, or conditions as required under terms of the permit; or
 - b. The permit was procured by false representation; or
 - c. The permit was issued in error; or
 - d. Any of the provisions of the LDO are being violated.
 - e. Any violation of a condition, stipulation, or qualification of a permit, certificate, approval or other authorization previously granted by the city.
- (3) Written notice of such revocation shall be served upon the *owner*, the *authorized agent* or contractor, or upon any person employed on the premise for which such permit was issued, or shall be posted in a prominent location; and, thereafter, no such construction shall proceed except to correct such violation or to comply with the order. Such order shall state the nature of the violation, the specific provision violated, and the date and time by which the violation must be corrected.
- (4) The city may require a stop to grading, construction, or work on any *building* or *structure* on any land on which there is an uncorrected violation of a provision of the LDO, or of a permit or other form of authorization issued hereunder.
- (5) The city may seek a court ordered injunction or other equitable relief to stop any violation of the LDO or of a permit, certificate or other form of authorization granted hereunder.
- (6) In accordance with this chapter, the codes referenced in Chapter 105, and A.R.S. § 9-499, the city may abate a violation of the LDO.
- (7) The city, at the direction of the city manager or designee may prohibit, restrict, or revoke occupancy of any *building* by any person or entity in which there has been a failure to comply with any permit, plans, specifications, or conditions required under the terms of the permit or any plan or other approval of the city.

~~[(1)] The withholding of plan approval, permits, certificates, or any other form of authorization or approval under the authority of the community development director or designee as outlined by the LDO, after determination of any of the following:~~

- ~~a. Any violation of the LDO; or~~
- ~~b. Any violation of a condition, stipulation, or qualification of a permit, certificate, approval or other authorization previously granted by the city.~~

~~[(2)] Revocation of any plan approval, permit, certificate, or any other form of authorization or approval under the authority of the city manager or designee as outlined by the LDO after determination of any of the following:~~

- ~~a. There is departure from the plans, specifications, or conditions as required under terms of the permit; or~~
- ~~b. The permit was procured by false representation; or~~
- ~~c. The permit was issued in error; or~~
- ~~d. Any of the provisions of the LDO are being violated.~~

~~[(3)] Written notice of such revocation shall be served upon the *owner*, the *authorized agent* or contractor, or upon any person employed on the premise for which such permit was issued, or shall be posted in a prominent location; and, thereafter, no such construction shall proceed except to correct such~~

~~violation or to comply with the order. Such order shall state the nature of the violation, the specific provision violated, and the date and time by which the violation must be corrected.~~

~~[(4)] The city may stop grading, construction, or work on any *building or structure* on any land on which there is an uncorrected violation of a provision of the LDO, or of a permit or other form of authorization issued hereunder.~~

~~[(5)] The city may seek a court ordered injunction or other equitable relief to stop any violation of the LDO or of a permit, certificate or other form of authorization granted hereunder.~~

~~[(6)] In accordance with this chapter, the codes referenced in chapter 105, and A.R.S. § 9-499, the city may abate a violation of the LDO.~~

~~[(7)] The city, at the direction of the city manager or designee may prohibit, restrict, or revoke occupancy of any *building* by any person or entity in which there has been a failure to comply with any permit, plans, specifications, or conditions required under the terms of the permit or any plan or other approval of the city.~~

- B. In addition to any administrative penalties, any person who violates any provision of the LDO or any provision of any code referenced and adopted by the LDO; or who erects, constructs, *alters* or repairs a *building or structure* in violation of the approved construction documents, directive of the city manager or designee, or of a permit or certificate issued under the provisions of any code adopted by the LDO, may be found guilty of a civil or criminal violation.

Chapter 104 - FUNDAMENTAL DEVELOPMENT REQUIREMENTS

ARTICLE II. - ENVIRONMENTALLY AND CULTURALLY SENSITIVE LANDS DEVELOPMENT STANDARDS

Sec. 104-2.1. - Applicability.

- B. Elsewhere, when any portion of a development site, regardless of the acreage, *zoning*, or location within the city can be identified as having *environmentally sensitive features or cultural resources*, the entire development site shall be required to adhere to the following processes, procedures, and regulations:
1. Develop an *Environmental Inventory Plan* and report of the site;
 2. Utilize an *Integrated Conservation Design* approach in the design and development of the project; and
 3. Comply with the *environmentally sensitive lands standards* outlined in **Chapter 5 of the PEDS** ~~in the PEDS—Chapter 5~~ and the standards outlined in the following sections.

Sec. 104-2.8. - Hillside development area regulations.

- B. *Gross residential density* limitations. The maximum number of *lots* into which land located in a *hillside development area* may be *subdivided* shall be the sum of the number of *lots* allowed in each slope category of land as shown in **Table 104-2.b** below.

Table 104-2b—Hillside Gross Residential Density Allocation

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Slope of Land/Lot	Maximum Number of Lots Per Gross Acre
0% to 10%	Underlying <i>zoning</i>
10% to 15%	1.30 *
15% to 20%	1.00 *
20% to 25%	0.70
25% to 30%	0.50
30% to 35%	0.30
35% to 40%	0.20
40% and over	0.10
Notes: * The allowable gross <i>residential density</i> of these slope categories may exceed the maximum number of <i>lots</i> shown above when density is transferred from a higher slope category (refer to Section 104-1.10 Section 104-1.11 for details). In no case shall the <i>gross residential density</i> exceed the sum of the number of <i>lots</i> allowed by the <i>zoning district</i> and in no case shall units be transferred to a location of higher elevation within the project.	

C. Land disturbance regulations.

5. The total combined maximum height of any *fill* and/or the depth of any *cut*, including grading for the construction of public or *private streets* or any subsequent grading, along with the establishment of any *building site* or driveway shall be ten (10) feet, as measured from natural *grade*, regardless of whether the *fill* or *cut* is retained, un-retained, or a combination thereof. These limitations may be amended on a site-by-site basis by the planning and zoning commission. However, the community development director may approve unexposed basement *cuts* exceeding the maximum ten (10) foot depth if all of the following criteria are met:
 - d. The total depth of *cut* shall not exceed twenty-four (24) feet at any point (refer to detail in **Chapter 5** of the PEDS).

Chapter 105 BUILDINGS AND BUILDING REGULATIONS

ARTICLE II. TECHNICAL CODES

Sec. 105-23. Administration and enforcement; conflict of laws.

The administrative authority for enforcement of this article shall be vested in the city manager or such delegate as the city manager may authorize or appoint. ~~This article shall be construed and enforced in conjunction with Chapter 125.~~ In the event there is a conflict between the provisions of this article or the codes adopted by this article and any other provision of this Code, then the provisions of this article or the codes adopted by this article shall prevail.

Chapter 106 ZONING AND USE STANDARDS

ARTICLE I. IN GENERAL

Sec. 106-1.1. Zoning classification.

- A. In accordance with the authority granted in A.R.S. § 9-462.01.B. in order to classify and regulate the use of land, *buildings* and *structures*, and to regulate the open areas around and between the *buildings* and *structures*, and to regulate the density of *dwelling units*, the city is hereby divided into the *zoning districts* and overlay districts as incorporated herein **Table 106-1a** below:

Table 106-1a—Land Development Ordinance (LDO) Zoning Districts and Density		
Symbol	District Name	Dwelling Units Ratios
RR	Residential rural	43,560-sf/du
R-1	Residential low density	4,950-sf/du
R-2	Residential medium density	4,000-sf/du
R-3	Residential high density	
SHD-RO	Surprise heritage district—Residential overlay	Overall 8-du/ae
SHD-CO	Surprise heritage district—Commercial overlay	Overall 10-du-ae
TND-R	Traditional neighborhood development—Residential	Overall 8-du/ae
TND-C	Traditional neighborhood development—Commercial	
TND-MU	Traditional neighborhood development—Mixed use	Max. 18-du/ae
TND-OS	Traditional neighborhood development—Open space	
MU-1	Mixed use medium density	8-du/ae
MU-2	Mixed use high density	Min. 8-du/ae
MU-3	Mixed use resort	8-20-du/ae
C-O	Office commercial	
C-1	Neighborhood commercial	
C-2	Community commercial	
C-3	Regional commercial	
BP	Business park	
I-1	Light industrial	
I-2	General industrial	
I-3	Heavy industrial	
OS-1	Open space conservation	
OS-2	Open space recreation	
PF	Public facilities	

Sec. 106-1.4. - Establishment of land uses.

- A. The land use matrix (**Table 106-1c**) describes allowed primary land uses within the different *zoning districts* and overlay *zoning districts* on the basis of common functional characteristics and land use compatibility. *Accessory structures* and land uses that may be allowed *accessory* to the *legal primary uses* within the different *zoning districts* and overlay *zoning districts* are also described in *this table*. The symbolism used in **Table 106-1c** is defined as follows:

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1. **"P"** **"P"** designates that the *use* is permitted by right.
2. **"AUP"** **"AUP"** designates that the *use* is permitted with an "administrative use permit" as well as any use specific standards per **Article X** of this chapter herein; processed as a Type 1 development application (see [Chapter 102](#)).
3. **"CUP"** designates that the *use* is permitted with a "conditional use permit" as well as any use specific standards per **Article X** of this chapter herein; processed as a Type 3 development application (see [Chapter 102](#)).
4. **"(blank space)"** a blank space designates that the *use* is not permitted.

~~B. The accessory use matrix (Table 106-1d) further describes accessory structures and land uses that may be allowed accessory to the legal primary uses within the different zoning districts and overlay zoning districts. The symbolism used in Table 106-1d is the same as those defined in Section 106-1.4A. above.~~

- C. The zoning administrator shall determine if *uses* not expressly listed in ~~Tables 106-1c and 106-1d~~ **Table 106-1c** are significantly similar or dissimilar to particular *uses*:
1. Uses that are found to be similar shall meet the same requirements as the related *use* listed in this section.
 2. Uses that are found to be dissimilar, yet appropriate, shall require a text *amendment* processed in accordance with [Chapter 102](#) .
 3. Uses that are not listed in this section and are found to be dissimilar and inappropriate shall be prohibited.

Sec. 106-1.7. - Development standards and encroachments.

- A. Setbacks . *Setbacks* shall not include any *structures, parking spaces, or drive aisles*; except as listed herein and/or other sections of this ordinance.
5. *Accessory uses* identified in ~~Table 106-1d~~ **106-1c** and regulated in **Article X** of this chapter.

Sec. 106-1.8. - Compliance with other provisions.

- B. Use specific standards . Those land *uses* listed in ~~Table 106-1c and Table 106-1d~~ that have specific *use* standards associated with them shall comply with the specific standards outlined in **Article X** herein as well as to the PEDS in [Chapter 107](#) .

See document entitled Use Table for revisions to table.

ARTICLE II. RESIDENTIAL ZONING DISTRICTS

Sec. 106-2.2. Rural residential (RR).

- C. Development standards . **Table 106-2b** below identifies the required development standards for the rural residential (RR) *zoning district*.

Table 106-2b—Rural Residential (RR) Zoning District
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Min. lot area (sf)	≥ 43,560
Min. lot width	130
Min. front setback (ft)	30
Min. rear setback ¹ (ft)	30
Min. side setback ¹ (ft)	20
Min. street side setback ¹ (ft)	20
Max. bldg. height (ft)	40
Lot coverage	25%
Open space (% of gross acres of residential development) ²	10%
Notes: 1. <i>Garage</i> face and embellishments shall be <i>setback</i> a minimum of 20 feet measured from the opposing property line except rear, <i>alley</i> loaded <i>garages</i>, which shall be <i>setback</i> nine feet from edge of <i>alley</i> line. 2. The city requires <i>open space</i> on a new subdivision; if recorded as metes and bounds or by a <i>minor land division</i> than then <i>open space</i> will be required on each individual <i>lot</i>; such as <i>open space</i> or trail easements.	

Sec. 106-2.3. - Residential low density (R-1).

- C. Development standards. Table 106-2c below identifies the required development standards for the residential low density (R-1) zoning district.

Table 106-2c—Residential Low Density (R-1) Zoning District						
Lot Categories	A ³	B	C	D	E	F
General Plan compatibility	Suburban	Suburban	Suburban	Suburban and rural	Rural	Rural
Lot area (sf)	4,950—7,999	8,000—11,999	12,000—17,999	18,000—27,999	28,000—43,559	≥43,560
Min. lot width (sf)	45	60	80	90	100	130
Min. front setback ¹ (ft)	12	12	15	20	20	30
Max. front setback (ft)	25	25	30	35		
Min. rear setback ¹ (ft)	15	20	20	25	30	30
Min. side setback ¹ (ft)	5 & 8	5 & 10	10	10 & 15	20	20
Min. street side setback ^{1 4} (ft)	15	15	15	15	20	20
Max. bldg. height (ft)	35	35	35	35	35	35

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Max. lot coverage		45%	40%	30%	30%	25%
Open space (% of gross area of residential development) ³	20%	20%	20%	15%	15%	10%
Notes: 1. <i>Garage</i> face and embellishments shall be <i>setback</i> a minimum of 20 feet measured from any opposing property line; except rear <i>alley</i> loaded <i>garages</i>, which shall be <i>setback</i> six feet from edge of <i>alley</i> line. 2. The city requires <i>open space</i> on a development/subdivision basis rather than on a <i>lot-by-lot</i> basis. Subdivisions with more than one lot category will provide the higher percentage of open space. 3. Residential projects shall contain no more than 50 percent of lots less than 48 feet wide as calculated across whole subdivisions or preliminary plat and will include mitigating designs outline in Chapter 108 of this ordinance. 4. Corner lots where block endcap landscape tracts are provided are not subject to the minimum street side setbacks.						

Sec. 106-2.4. - Residential medium density (R-2).

- C. Development standards. Table 106-2d below identifies the required development standards for the residential medium density (R-2) zoning district.

Table 106-2d—Residential Medium Density (R-2) Zoning District				
Lot Categories	A ⁴	B ⁴	C	D
General Plan compatibility	Urban	Suburban	Suburban	Suburban
Lot area (sf)	3,500—4,949	4,950—7,999	8,000—11,999	≥12,000
Min. lot width (sf)	40	45	70	80
Min. front setback ¹ (ft)	10	12	12	15
Max. front setback (ft)	25	25	25	30
Min. rear setback ¹ (ft)	10	15	20	20
Min. side setback ¹ (ft)	5 & 7 ²	5 & 8 ²	5 & 10	10
Min. street side setback ^{1 5} (ft)	10	10	10	10
Max. bldg. height (ft)	35	35	35	35
Open space (% of gross acres of residential development) ³	25%	20%	20%	20%
Notes: 1. <i>Garage</i> face and embellishments shall be <i>setback</i> a minimum of 20 feet measured from any opposing property line, except rear <i>alley</i> loaded <i>garages</i>, which shall be <i>setback</i> nine feet from <i>alley</i> edge line.				

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2. May be reduced to zero feet *setback* for *single-family dwellings* as *attached building* and separated by a *common wall* along the property line. End units must maintain the larger *setback*.
3. The city requires *open space* on a subdivision or development site basis rather than on a *lot-by-lot* basis. Subdivisions with more than one lot category will provide the higher percentage of open space.
4. Residential projects shall contain no more than 50 percent of lots less than 48 feet wide as calculated across whole subdivisions or preliminary plat and will include mitigating designs outline in [Chapter 108](#) of this ordinance.
5. Corner lots where block endcap landscape tracts are provided are not subject to the minimum street side setbacks.

Sec. 106-2.5. - Residential high density (R-3).

Table 106-2e—Residential High Density (R-3) Zoning District			
Net Density (du/ac)	8-11.9	12-14.9	15+
Min. setback to arterial ROW (ft) ²	20	20	20
Min. setback to collector and local ROW (ft) ²	15	15	15
Min. setback adjacent to residential zoning (ft)	10	15	20
Min. setback adjacent to non-residential zoning (ft)	20	20	20
Max. bldg. height ¹ (ft)	45	50	60
Open space (sf/du)	150	150	150
Notes: 1. The <i>height</i> of any <i>structure</i> , or portions thereof, shall not exceed 30 feet in <i>height</i> measured at the <i>setback</i> line when <i>adjacent</i> to <i>single-family, two-family, three-family development parcels</i> . The <i>height</i> of the accessory <i>structure</i> may increase at a ratio of one foot vertical for every one foot horizontal as measured relative to the property line to a maximum <i>height</i> equal to the <i>zoning</i> . 2. <i>Setback</i> may be reduced to ten feet along collector or local <i>right-of-way</i> for units that open to the <i>street</i> and exclude a perimeter wall.			

ARTICLE III. SURPRISE HERITAGE DISTRICT (SHD) ZONING DISTRICTS

Sec. 106-3.1. General standards.

- C. Establishment of zoning districts . The SHD *zoning district* is an umbrella district that is applicable to all properties within this geographic area and includes either the *zoning* regulations and standards present on the property at the time the SHD *zoning* was adopted or one (1) of the overlay *zoning districts* specifically associated with the SHD *zoning district* as further described below:

1. SHD-RO. This residential overlay (RO) permits *uses* allowed as shown in **Table 106-1c** and ~~Table 106-1d~~. Designs should be indicative of historic residential neighborhoods and the small scale *cottage industry uses* that are pedestrian-oriented and support the residents and allow for them to live, work, and play within their neighborhood. Limited commercial *uses* and *multi-family uses* shall be designed to match the scale, massing, and appearance of the *single-family* neighborhood may be appropriate on adequately sized *infill parcels*. Commercial *structures* are limited to three thousand (3,000) square feet. A minimum of five thousand (5,000) square feet of *lot area per dwelling unit* (5,000 sf/du) is required for all residential *lots*. *Gross residential density* for the SHD-RO *zoning district* shall be compliant with the suburban development type in the *General Plan* for up to eight (8) *dwelling units* per acre.
2. SHD-CO. This commercial overlay (CO) permits *uses* allowed as shown in **Table 106-1c** and ~~Table 106-1d~~ in **Article I** of this chapter. Designs should promote the local arts and culture as well as *business opportunities* that are compatible with and supportive of the residential overlay. A mix of neighborhood-scale commercial, retail, *entertainment establishments*, *live-work buildings*, and *mixed use* development shall be the primary land *uses*. Commercial *uses* shall be limited to forty-five thousand (45,000) square feet. *Multi-family* complexes may also be permitted within this overlay district if appropriately located at the fringes of the district to serve as a *buffer* to the *adjacent* residential neighborhood. A minimum of four thousand (4,000) square feet of *lot area per dwelling unit* (4,000 sf/du) is required for allowed *multi-family* and *mixed use* developments. *Gross residential density* for the SHD-CO *zoning district* shall be compliant with the *mixed use* residential and commercial development types in the *General Plan* for up to ten (10) *dwelling units* per acre.

Sec. 106-3.2. Design and development standards in the SHD zoning district.

B. Development standards.

1. Existing *mobile homes* and *manufactured homes* that are not in compliance with the use-specific standards of **Section 106-10.25 106-10.26** 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 of **Section 106-10.25 106-10.26** herein.

ARTICLE IV. TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND) ZONING DISTRICTS

Sec. 106-4.1. - General.

C. General provisions.

4. All land *uses* shall comply with the land *use* matrix in **Table 106-1c** and ~~Table 106-1d~~ in **Article I** of this chapter.

Sec. 106-4.2. - Establishment of TND zoning districts.

- B. The overlay zones indicate the proposed future land *uses* that are anticipated for the different *development parcels* that are shown on the "TND plan of development," but the definitive boundaries are not confirmed until the *platting* process is completed. The overlay zones associated with TND *zoning district* are described below:
 1. TND-R. This residential overlay is for those *development parcels* that are predominately designated for residential and the other neighborhood oriented land *uses* listed in **Table 106-1c** and ~~Table 106-1d~~ in **Article I** of this chapter.

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2. TND-C. This commercial overlay is for those *development parcels* that are predominately designated for commercial land *uses* listed in **Table 106-1c** and **Table 106-1d** in **Article I** of this chapter.
3. TND-MU. This *mixed use* overlay is for those *development parcels* that are designated for *mixed use* by vertically or horizontally integrating residential with commercial land *uses* listed in **Table 106-1c** and **Table 106-1d** in **Article I** of this chapter.
4. TND-OS. This *open space* overlay is for those *development parcels* that are designated as *open space*, to be retained in perpetuity as such, per the percentages required for the particular TND development. *Uses* shall be limited to those listed in **Table 106-1c** and **Table 106-1d** in **Article I** of this chapter.

Sec. 106-4.3. Review and process.

C. Incentives.

4. The TND residential (TND-R) overlay is the only *zoning district* where the "shared court" (commonly known as four-packs and five-packs), "shared cluster", "mansion *apartment*", or rowhouse/townhome housing products are permitted to be utilized in the city (see PEDS, **subsection 2.5D 2.5E** for specific details).

Sec. 106-4.4. Development standards.

- C. All *development parcels* shall adhere to the approved TND plan of development.

Table 106-4b—Development Standards for TND-R Parcels								
Lot Categories	A ⁹	B	C ¹	D ¹	E ¹	F ¹	G ⁷	
Lot area (square feet)	2,000—3,499	3,500—4,949	4,950—7,999	8,000—11,999	12,000—17,999	18,000 and over	Multi-family 16,000	Commercial & MU 16,000
Min. lot width (sf)	35 ⁸	40 ⁸	50	70	80	90	N/A	N/A
Min. front setback (ft)	5 ²	10 ^{2, 5}	12 ^{2, 5}	15 ^{2, 5}	25 ⁴	30 ⁴	15	15
Max. front setback (ft)	N/A	N/A	N/A	N/A	N/A	N/A	25	25
Min. side setback (ft)	5 ³	5 & 7 ³	5 & 8 ³	5 & 10	10	10 & 15	10	10

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Min. rear setback (ft) ²	5	10	15 ⁵	20 ⁵	25	30	20	15
Max. bldg. height (ft)	30	30	30	30	30	30	45 ⁶	35 ⁶
Lot coverage %	70%	60%	50%	50%	50%	40%	60%	60%

Notes:

1. Minimum *lot* area of 4,000 square feet per *dwelling unit*; except *lots* in column A and B are permitted one *dwelling unit*.
2. *Garage* face and embellishments shall be *setback* a minimum of 20 feet measured from any opposing property line; except rear *alley* loaded *garages*, which shall be *setback* six feet from *alley* edge line.
3. May be reduced to zero feet *setback* for *single-family dwellings* as *attached building* and separated by *common wall* along property line. End units must maintain the larger *setback*.
4. A covered front porch may encroach closer to the *street* by up to eight feet.
5. A covered porch may encroach into the *setback* by up to five feet.
6. The *height* of any *structure*, or portions thereof, shall not exceed 30 feet in *height* measured at the *setback* line when *adjacent* to *single-family* or *two-family lots*. The *height* of the *structure* may increase at a ratio of one-foot vertical for every one-foot *setback* horizontally, as measured relative to the property line, to the maximum allowed *height*.
7. Minimum *lot* area of 2,500 square feet per *dwelling unit*.
8. TND projects shall contain no more than 50 percent of lots less than 48 feet wide and will include mitigating designs outline in **Chapter 108** of this ordinance.
9. Only be used for a residential development with access for each dwelling unit provided by a common shared drive or rear-loaded alley.

ARTICLE V. - MIXED USE ZONING DISTRICTS

Sec. 106-5.1. - General.

- B. Intent . It is intended for the *mixed use zoning districts* to permit a wider variety of residential *uses* but a more specific range of commercial *uses* focused on meeting the daily needs of the residents while being compatible with and integrated into the residential neighborhoods. It is also the intent of these districts to create the *live-work-play* environment designed to promote a pedestrian scaled walkable development. All land *uses* shall comply with the land use matrix in **Table 106-1c and Table 106-1d** in **Article I** of this chapter.
- C. General standards .
 1. All development, regardless of the land use mix, shall comply with **Chapter 107** of this ordinance and adhere to the **planning and engineering design standards (PEDS) Planning and Engineering Design Standards (PEDS)** as applicable.
 9. All projects shall provide one hundred fifty (150) square feet of on-site usable *open space* per *dwelling unit*; unless otherwise indicated in the following MU development standards tables. Onsite *open space* shall include *amenities* and safety features that enable residents to *use* the *open*

space. Acceptable types of *open space* are listed below and the design of such areas is further detailed in the PEDS (~~see volume 1, chapter 3~~) (see Volume 1, [Chapter 3](#)).

- D. Process. A type 3 review is required to establish any of the *mixed use zoning districts*. All development within a *mixed use zoning district* shall require a type 1 *site plan* review prior to the submittal for a *building* and/or grading permit. Some ~~proposed uses~~ [proposed uses](#) may require a *conditional use permit* (see [Table 106-1c](#) and [Table 106-1d](#) in [Article 1](#) herein for requirements).

Sec. 106-5.4. - Mixed use resort (MU-3).

C. Review and process.

1. Procedures.

a. A resort master *site plan* (MSP) shall be submitted as part of the *rezoning* process pursuant to [Chapter 102](#) of this ordinance. The resort MSP is the compilation of exhibits that demonstrate compliance with all requirements of this ordinance and shall identify the size and location of each allowed *development parcel* listed below.

(1) Residential. A residential *development parcel* does not require space designed for commercial occupancy but is meant for a variety of housing.

(2) Non-residential. A non-residential *development parcel* has no residential requirement associated with the land uses permitted in [Table 106-1c](#) and [Table 106-1d](#).

ARTICLE VI. - COMMERCIAL ZONING DISTRICTS

Sec. 106-6.1. - General.

- A. Purpose. The commercial *zoning districts* are intended to provide locations, standards and regulations for all varieties of retail shopping, service establishments, neighborhood convenience, entertainment, and *office uses* in a manner that is consistent with the *General Plan* while providing employment opportunities for existing and future residents of the city.

B. Applicability and intensity.

1. The commercial *zoning district(s)* may be applicable for land that is within the neighborhood, commerce and office, and employment character areas of the *General Plan*.

2. The commercial *zoning districts* listed below represent the different levels of allowed intensity of a development or land use in relation to the *building* size, scale, and overall impact on surrounding neighborhoods (i.e. corner store vs. traditional grocery store vs. typical big box with *outdoor display area*) as delineated in the land use matrix [Table 106-1c](#) in [Article I](#) of this chapter.

3. Outdoor *uses* such as dining, display, storage, *drive-through* facilities, entertainment *uses*, and sound systems may be allowed only in certain zones and under certain conditions as delineated in the ~~accessory use matrix [Table 106-1d](#)~~ [land use matrix Table 106-1c](#) in [Article I](#) of this chapter.

- C. Process. A type 3 review is required to establish a commercial *zoning district*. All development within a commercial *zoning district* shall require a type 1 *site plan* review prior to submittal for a *building* and/or grading permit. Some ~~proposed uses~~ [proposed uses](#) may require a type 3 review for *conditional use permits* per [Table 106-1c](#) and [Table 106-1d](#) in [Article 1](#) of this chapter.

ARTICLE VII. EMPLOYMENT ZONING DISTRICTS

Sec. 106-7.1. - General.

- C. Applicability and intensity .
2. The employment *zoning districts* listed below represent the different levels of allowed intensity of a development or land *use* in relation to the *building* size, scale, and overall impact on surrounding neighborhoods and developments. All land *uses* shall comply with the land *use* matrix in **Table 106-1c and Table 106-1d** herein or otherwise is considered in violation of this Code.
- D. Review and process . A type 3 review is required to establish any of the employment *zoning districts*. All development within the *business park zoning district* or any of the industrial *zoning districts* shall require a type 1 *site plan* review prior to the submittal for a *building* and/or grading permit. Some ~~proposed uses~~ **proposed uses** may require a type 3 review for *conditional use permits* as identified in **Table 106-1c and Table 106-1d** in **Article 1** of this chapter.

Sec. 106-7.2. Establishment of employment zoning districts.

- B. ***Light industrial (I-1) zoning district.*** The light industrial *zoning district* provides for a mix of industrial activities which have generally negative impacts on the community, and which may be incompatible with other *uses*.
2. The *uses* permitted within the I-1 *zoning district* are intended to be indoor *uses* with restricted and limited outdoor operations and storage, see **Section ~~106-10.34~~ 106-10.32**.
- C. ***General industrial (I-2) zoning district.*** The general industrial *zoning district* provides for a mix of industrial activities requiring large land areas unencumbered by nearby residential or commercial development.
2. The *uses* permitted within the I-2 *zoning district* are a variety of indoor *uses* with outdoor operations and storage, see **Section ~~106-10.34~~ 106-10.32**.

ARTICLE VIII. - CIVIC ZONING DISTRICTS

Sec. 106-8.1. - General.

- C. Review and process . A type 3 review is required to establish any of the civic *zoning districts*. All development within the public facilities or any of the open space *zoning districts* shall require a type 1 *site plan* review prior to application for a *building* and/or grading permit. Some ~~proposed uses~~ **proposed uses** may require a type 3 review for *conditional use permits* per **Table 106-1c and Table 106-1d** in **Article 1** of this chapter.

ARTICLE IX. - OVERLAY ZONING DISTRICTS

Sec. 106-9.1. - Planned unit development (P) overlay.

E. General regulations and permitted deviations.

1. The PUD overlay district may establish alternate standards (except lot area per dwelling unit) for those found in [Chapter 106](#) and ~~Chapter 109~~ [Chapter 107](#). Standards developed through the PUD overlay district rezoning process shall be appropriate to the location and context for the site for which the project is proposed. Standards created through the PUD overlay should also assist in the fulfillment of the goals, objectives, and policies in the General Plan. Approval of the standards is based on the site plan provided as part of the PUD.
2. All PUD districts shall otherwise adhere to the regulations established in this ordinance. Any PUD overlay zoning districts containing standards that do not adhere to [Chapter 106](#) or ~~signage standards found in Chapter 109~~ [Chapter 107](#) shall be identified at the time of PUD zoning approval and shall be set forth in the development plan.

ARTICLE X. USE SPECIFIC STANDARDS

Sec. 106-10.2. Accessory dwelling units (ADU).

- A. *Single-family residential uses* will be limited to only one (1) *accessory dwelling unit (ADU)* per lot of record in the RR, R-1 and R-2, SHD-RO, and TND-R zoning districts. ~~A site plan review shall be required.~~

- H. Development standards. Table 106-10a below identifies the dimensional standards required for an ADU.

Table 106-10a—Accessory Dwelling Units (ADU)					
	Max ADU Size ¹	Building Separation ²	Setback (Front Yard) ³	Setback (Side and/or Rear Yard)	Height
Detached ADU	50% of primary dwelling	5'	Not permitted	5'	9' ^{4, 6}
Attached ADU ⁵	50% of primary dwelling	n/a	Same as zoning min. setbacks	Same as zoning min. setbacks	Same as zoning allowed height

Surprise, Arizona, Municipal Code
PART II LAND DEVELOPMENT ORDINANCE

Table 106-10a—Accessory Dwelling Units (ADU)

	Max ADU Size ¹	Building Separation ²	Setback (Front Yard) ³	Setback (Side and/or Rear Yard)	Height
Notes: 1. Calculated by the floor area of the first floor of the principal <i>building</i>. Maximum area of <i>ADU</i> shall not exceed 800 square feet if the primary <i>dwelling</i> exceeds 1,600 square feet. 2. May be increased as required by the <i>building</i> and/or fire codes. 3. The entrance to the <i>ADU</i> shall not face be visible from the <i>street</i>, except for entrances that do not have <i>access</i> from the ground level, such as entrances from balconies or decks. <i>Access</i> shall not create the appearance of a <i>two-family dwelling</i>. 4. The <i>height</i> of an <i>ADU structure</i> shall not exceed nine feet as measured at the five-foot <i>setback</i> line. The <i>height</i> of the <i>ADU structure</i> may increase at a ratio of one foot vertical for every one foot horizontal as measured relative to the property line to a maximum <i>height</i> equal to the <i>zoning district</i> (see Figures 106-10a and 106-b). 5. The <i>ADU</i> shall be connected to the primary <i>dwelling</i> by a common roof, covered passageway, or <i>common wall</i> without direct <i>access</i> to the primary <i>dwelling unit</i>. 6. On <i>lots</i> 30,000 square feet or greater each <i>ADU</i> has a maximum <i>height</i> equal to the <i>zoning district</i> when constructed within the <i>building envelope</i>.					

Sec. 106-10.3. Accessory uses and structures.

- A. All residential *accessory uses* (including *ADUs*), *buildings*, *structures*, and fencing shall be located on the same *lot* as the principal or main *use* and be at least five (5) feet from *another structure* or as required by the *building* and/or fire codes, except that fencing *used* to separate properties in a subdivision may straddle the common property line. *Accessory structures* in residential districts shall not be located within any easement or setback required by **Table 106-10b – Accessory Structures**.
- J. 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 Yard)	Height
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 <i>building</i> and all other accessory structures. 2. May be increased as required by the <i>building</i> and/or fire codes.					

3. The *height* of an *accessory structure* shall not exceed nine feet as measured at the five-foot *setback* line. The *height* of the *accessory structure* may increase at a ratio of one foot vertical for every one foot horizontal as measured relative to the property line to a maximum *height* of 15 feet (see **Figures 106-10a** and **106-10b**).
4. Each *accessory structure* has a maximum area not to exceed 3,000 square feet 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 square feet 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*.

Sec. 106-10.5. - Agricultural operations and facilities.

- H. A *farm stand* may be permitted as an *accessory use* to *agricultural operations* for the purpose of selling produce or other products principally raised or produced on the premises. Exempt from the provisions in ~~Section 106-10.3~~ **Section 106-10.5**, the *farm stand* shall be located and constructed to meet the following requirements:

Sec. 106-10.8. Animal hospital, clinic, shelter, **grooming, or boarding facilities.**

- A. A report from a qualified acoustical and/or environmental engineer, either that there are no negative impacts on neighboring residential *uses* or that they can be mitigated through appropriate design may be required.
- B. The *building* construction methods shall incorporate soundproof barriers and be designed to properly eliminate odors, waste, and other contaminants to protect *adjacent* properties.
- C. Activities shall be located within a fully enclosed soundproof *building*. No outdoor boarding shall be permitted, except in the case of *animal hospital/clinics* that service large *agricultural animals*.
- D. Outdoor exercise areas may not be placed immediately *adjacent* to or within one hundred (100) feet of an *adjacent* residential *use* or residentially zoned property.

Sec. 106-10.9. Assisted living home.

- C. ~~A group home or an adult development home~~ **An assisted living home** shall not be permitted any *signage*, graphics, display, or other visual forms of identification, other than that permitted for a residential *dwelling*.

Sec. 106-10.13. Community gardens.

- K. If a *community garden* is no longer in operation or left fallow, for longer than one hundred eighty (180) days, the site shall be returned to its original form, unless otherwise developed in accordance with this ordinance. Any reestablishment of a *community garden* on the same site shall require processing and approval of a new ~~conditional use permit~~ **site plan**.

Sec. 106-10.29. Model home complex.

- I. Where *model **home** homes* complexes consist of **more than** two (2) ~~or more than~~ homes, xeriscape landscaping techniques shall be *used* for a minimum of one-third (⅓) of the models.

Sec. 106-10.52. - Vehicle washing facilities (also known as car washes).

- A. *Vehicle washing facilities* may be self-serve or full-serve as a *primary* or an *accessory use* to *vehicle fueling stations* or *vehicle service facilities*.
- B. *Vehicle washing facilities* shall be subject to conditions (c)—(f), (h), (j)—(l), under *vehicle fueling stations* as outlined in ~~Section 106-10.47~~ **Sec. 106-10.48** above.

Chapter 107 DESIGN AND DEVELOPMENT REGULATIONS

ARTICLE II. LANDSCAPE AND SCREENING REGULATIONS

Sec. 107-2.1. Purpose and applicability.

- D. Any proposed *building*, *building additions*, or *use* of land that requires *site plan* review by the city shall also include, either on the *site plan* or on a separate sheet, information on the required landscaping designed in compliance with the PEDS and, if applicable, the subdivision regulations. The landscape plan shall be prepared by a state registered landscape architect, a state certified nurseryman, or other qualified professional. The landscape plans shall be submitted at the time of application for *rezoning*, *use permit*, *platting*, or at the time of *building permit* if none of the above applications are required. ~~Specific plan submittal requirements are outlined in the PEDS, volume 1, appendix D.~~

Sec. 107-2.3. General landscaping standards.

- A. **Tree specifications and standards.**
 - 1. The required trees in the article are listed in "box size" as the industry standard when identified on landscape plans. All trees materials at the time of planting shall have a specified in the "Container Grown Tree Guide," published by the Arizona Nursery Association (ANA). A copy of the latest edition of the specification list will be maintained by the city.

ARTICLE IV. PARKING AND LOADING REGULATIONS

Sec. 107-4.1. Purpose and applicability.

- C. The community development director or designee shall determine the parking and loading requirements for *uses* that do not correspond to the categories listed in **Table 107-4b** and ~~Table 107-4d~~ **107-4c**. In such instances, the *applicant* shall provide adequate information by which the proposal can be reviewed, which includes but may not necessarily be limited to the following:
 - 1. Type of *uses*.
 - 2. Number of employees.
 - 3. *Building* design including square footage of public areas, *sales areas*, *display area*, service area, restricted areas, and *ancillary* outdoor spaces.
 - 4. *Parking spaces* proposed on site.
 - 5. *Parking spaces* provided elsewhere.
 - 6. Hours of operation.

Sec. 107-4.2. General provisions.

- C. With the exception of a *shared parking* agreement pursuant to **Section 107-4.8**, *off-street parking* facilities shall be located on the same *lot* as the *use* they are intended to serve.

Sec. 107-4.4. Multi-family, mixed use, and non-residential use provisions.

- A. The minimum number of required *off-street parking spaces*, as outlined in **Table 107-4a** **107-4c**, may be reduced by the number of *on-street parking spaces abutting* the property lines of the *lot* or *parcel*.

Sec. 107-4.8. Shared parking and loading.

- C. *Recorded plats* shall convey, within the dedication statement, agreement to *shared parking* and *ingress and egress* as follows:
1. "Owner hereby grants to the ultimate owner of each *parcel* created by this *plat* an easement over, upon and across the entire *plat* for the purpose of providing continuous and uninterrupted *ingress and egress* and parking to each *parcel* created by this *plat*".
- D. *Commerce centers* that contain *uses* designed around common circulation, parking, and pedestrian connectivity may replace the quantity of required parking in **Section 107-4.9** according to **Table 107-4b**.

Table 107-4b Commerce Center Parking Standards		
Zoning	Min. Spaces per Non-Residential GFA (Square Feet)	Min. Spaces per Dwelling Unit (DU)
C-O C-O and C-1	1 per 400	
MU-1, MU-2, TND-MU	1 per 500	1.5
C-2, TND-C, SHD-CO	1 per 200	1
C-3	1 per 500	
I-1 and I-2	1 per 1,000	

Sec. 107-4.9. Minimum off-street parking requirements.

- B. The community development director or designee will determine if *uses* are significantly similar or dissimilar to particular *uses* not expressly listed in **Table 107-4c**. The parking requirement for *uses* that are significantly dissimilar to *uses* listed in **Table 107-4c** shall be determined by the community development director or designee. In such instances, the *applicant* will provide adequate information by which the proposal can be reviewed, which includes but not limited to the following:
1. Type of *use(s)*.
 2. Number of employees.
 3. *Building* design capacity.
 4. Square feet of *sales areas* and service area.
 5. *Parking spaces* proposed on site.
 6. *Parking spaces* provided elsewhere.

Table 107-4c—Parking Standards	
Uses	Min. Off-Street Parking Spaces
Residential	
Assisted living center (more than 10 residents)	0.5 per sleeping room
Assisted living home (10 or less residents)	2 per dwelling unit plus 0.5 per sleeping room
Dormitory	0.5 per sleeping room
Dwelling, live/work	2 per DU
Dwelling, multi-family (4 or more)	Studio-1B=1/unit, 2+B=2.0/unit plus 1 per 250 sf of office and community facility uses 0.2 spaces per DU dedicated to visitor parking
Dwelling, single-family	2 per DU
Dwelling, two-family (duplex)	2 per DU
Dwelling, three-family (triplex)	2 per DU
Group home	Same as residence dwelling

Chapter 108 LAND DIVISION AND SUBDIVISION REGULATIONS

ARTICLE I. GENERAL PROCESS AND OVERVIEW

Sec. 108-1.4. Minor land division, lot line adjustment, or parcel assemblage.

- A. The provisions of a *minor land division* will only apply to *original lots*.
- B. The community development director or designee will determine the specific ~~final~~-plat submittal requirements necessary for appropriate review of the *minor land division, lot line adjustment or parcel assemblage* at the time of the concept review meeting.
- C. If the community development director or designee in concurrence with the city engineer finds that the proposed *minor land division, lot line adjustment, or parcel assemblage* meets all of the requirements of the LDO and the PEDS, the ~~final~~-plat will be approved and the director and city engineer will date and sign the approval block on the ~~final~~-plat.
- D. After approval, city will record the ~~final~~-plat and the *applicant* will pay to the city the fee charged by the county recorder.
- E. An *applicant* aggrieved by the decision of the community development director may file for an appeal of the decision to the board of adjustment.

Sec. 108-1.5. Subdivisions.

- D. Final plat overview.
 - 2. The *applicant* shall provide the city with all information, outlined by the community development director or designee in conjunction with the *final plat* concept review meeting and consistent with information outlined in **Article III** herein, essential for review of the improvement plans and *final plat*.

Sec. 108-1.7. - Abandonment of recorded subdivision.

- A. ~~Pursuant to provisions of Title 28, Chapter 14, Article 1, Subsections 28-1901 through 28-1908, A.R.S.,~~ Pursuant to the provisions of Title 28, Chapter 20, Article 8 of the Arizona Revised Statutes, as may be amended or renumbered from time to time, the abandonment of all or part of a recorded subdivision may be initiated by written petition to the council, said petition to be signed by all *owners* of real property in said subdivision requesting abandonment of all *streets*, *alleys* and easements within said subdivision and giving the legal description and recording information thereof.

ARTICLE II. REPORTS, PLANS, AND DESIGN STANDARDS

Sec. 108-2.3. Specific plan(s) required.

- B. A preliminary landscape and *open space* plan shall be submitted as part of the *preliminary plat* application, as required in **Article II** herein, and a final landscape and *open space* plan shall be submitted as part of the *final plat*/improvement plan submittal package. ~~The format and information required for both submittals can be found in volume 1, appendix D of the PEDS.~~

Sec. 108-2.4. - Circulation design standards.

- B. General design.
 - 8. Installation of streetlights shall be in accordance with ~~design and specification standards detailed in Chapter 107, Article III of the LDO.~~ the Surprise Street Light Design Guidelines of the Engineering Development Standards (EDS) Manual.
- C. Types of *streets*.
 - 4. Private streets. *Private streets* shall not be permitted, except within gated communities.
 - c. A statement shall be required on the face of any *plat* having an approved *private street*(s) that the *private street*(s) shall be maintained to city standards by the *developer* or an authorized ~~homeowner; if;~~ homeowner's association at said *developer* or association's expense.
- D. Block planning.
 - 1. A *block* shall have a length ranging from four hundred (400) feet to no more than one thousand three hundred twenty (1,320) feet in length; unless otherwise restricted by the PEDS or deviated by the council when considered necessary for safety reasons or in order to secure efficient *use* of the land.

- a. A residential neighborhood *block* within a subdivision shall have a length ranging from four hundred (400) to eight hundred (800) feet as measured along the centerline of the *street* and between intersecting *street* centerlines; and
 - b. Be designed to accommodate no more than ten (10) *single-family* residential *lots* on either side of a *local street* to equal a not-to-exceed combined total of twenty (20) *single-family*, detached residential *lots* per *block*.
 - c. A longer perimeter *block* may be approved by the city engineer and council when *adjacent* to a major *street* in order to reduce the number of intersections.
2. *Blocks* which are over six hundred (600) feet in length shall provide a landscaped pedestrian easement, not less than thirty (30) feet wide, mid-*block* to allow easier *access* to the subdivision *open space*, the community pedestrian circulation system, or direct pedestrian *access* to the exterior *arterial streets*.
 3. *Block* endcap landscape tracts shall be required; unless an acceptable alternative design is proposed. Endcap landscape tracts shall be a minimum of ten (10) feet wide when *adjacent* to *local streets* and fifteen (15) feet wide *adjacent* to collector and arterial roads. These tracts shall be landscaped in accordance with [Chapter 107](#) and shall be maintained by the *adjacent* property owner and/or ~~homeowner; if; association.~~ homeowner's association.

Sec. 108-2.5. - Lot planning.

D. Lot dimensions.

6. Residential *lots* that are less than fifty (50) feet wide ~~shall~~ are encouraged to have vehicular access from an *alley*.

Sec. 108-2.6. Stormwater drainage and environmental water features.

- D. The required drainage report (per ~~subsection 108-4.2A~~ 108-2.2) must address the effect of the proposed subdivision on existing upstream and downstream drainage facilities outside the area of the land division. No land division shall be approved unless adequate drainage will be provided to an adequate drainage watercourse or facility. The city engineer will determine the adequacy of the drainage facilities for purposes of council review, but such determination will not relieve the property *owner* from any responsibility related to stormwater or drainage; such responsibility shall remain that of the property *owner*.

Sec. 108-2.9. Public utilities.

- E. When as a result of the subdivision development, it is necessary to relocate, renew, or expand existing facilities within or *adjacent* to the *platted* area, the *developer* shall make the necessary arrangements with the serving utility for these installations to be placed underground at the time of development of the property as part of the required *off-site* and on-site improvements. The *developer* shall be responsible for the costs of the underground construction, in accordance with the underground policy of the city and the serving utility. ~~Check wording on the interpretation of burying distribution line versus transmission line. Check the underground policy.~~

Chapter 109 – SIGNS

ARTICLE I. - IN GENERAL; PROCESS AND OVERVIEW

Sec. 109-1.6. - Glossary of terms.

Lawful temporary event. A use of land that is permitted by and in accordance with ~~Section 106-10.42~~ **Section 106-10.43** of this Code. For purposes of this chapter, the following uses are also considered lawful temporary events: real estate open houses occurring within lands zoned for residential uses; and, religious institutions where religious services or religious events are held on lands zoned for residential uses, but where the primary use established for said land is that of a public school, private school, or charter school, or other community facility, or public meeting hall.

Sec. 106-1.8. Compliance with other provisions.

- A. Planning and engineering design standards (PEDS) as referenced in **Chapter 107, Article I**. The articles within the PEDS shall apply where applicable, based on the specific *zoning* and land *use*, and will govern the general site design and development, *open space* design, circulation design, landscape and *streetscape* design, and *building* form and architecture of a development in addition to those listed below.
- B. Use specific standards. Those land *uses* listed in **Table 106-1c** and ~~**Table 106-1d**~~ that have specific *use* standards associated with them shall comply with the specific standards outlined in **Article X** herein as well as to the PEDS in **Chapter 107**.
- C. Parking regulations. In addition to the PEDS, the parking regulations in **Chapter 107, Article IV** herein shall apply.
- D. Landscaping regulations. All landscaping associated with development shall comply with the PEDS and **Chapter 107, Article II** herein.
- E. Outdoor lighting. All *outdoor lighting* shall comply with the PEDS and **Chapter 107, Article III** herein.
- F. Environmentally sensitive land regulations. All development, regardless of *zoning* or *use* of the land, on lands that are determined to contain *environmentally sensitive features* or that contain *cultural resources* shall comply with **Chapter 104, Article II** herein and **Chapter 5** of the PEDS.
- G. Land division and subdivision regulations. The additional regulations governing the division of land in **Chapter 108** herein shall apply.
- H. Signage. All *signage* proposed shall comply with **Chapter 109** herein.
- I. Life safety codes. All life safety codes as adopted per **Chapter 105** herein.

Table No. 106-1c—Primary Land Use Matrix for All Zoning Districts																									
"P" = Permitted; "AUP" = Administrative Use Permit; "CUP" = Council Conditional Use Permit; "(blank space)" = Prohibited																									
	Residential				Surprise Heritage District		Traditional Neighborhood Neighborhood Development				Mixed Use			Commercial				Employment				Open Space/Public Uses			Use Specific Specific Standards
Zoning Districts																									Specific regulations can be found in sections listed below
Uses	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	
Residential																									
Assisted living center (more than 10 residents)			P	P	AUP	P	AUP		P			P													
Assisted living home (10 or less residents)	P	P	P		P		P																		Sec. 106-10.9
Dormitory						CUP						CUP				CUP	CUP	CUP	CUP						
Dwelling, live/work									P		P	P	P												Sec. 106-4 106-10.24
Dwelling, multi-family (4 or more)				P	CUP	P	P		P		P	P	P												
Dwelling, single-family	P	P	P		P		P																		
Dwelling, two-family (duplex)			P	P	AUP		P						P												
Dwelling, three-family (triplex)			P	P	AUP		P						P												
Group home	P	P	P	P	P		P																		Sec. 106-10.21
Manufactured homes	P				P																				Sec. 106-10.26
Model home complex	P	P	P				P						P												Sec. 106-10.29
Commercial																									
Airport or private airstrip	CUP																	CUP	CUP	CUP					Sec. 106-10.6

Amusement and/or theme park													CUP				CUP									Sec. 106-10.7
Animal boarding facility						P									P	P		P								Sec. 106-10.8
Animal clinic	CUP					P		P						P	P	P		P								Sec. 106-10.8
Animal grooming						P		P			P			P	P	P	P		P							Sec. 106-10.8
Animal hospital						P										P	P		P							Sec. 106-10.8
Animal shelter	CUP															CUP	CUP		CUP						P	Sec. 106-10.8
Athletic or fitness club (commercial)						P		P	P		P	P	P		P	P	P	P	P							
Bank						P		P	P		P	P		P	P	P	P	P								
Bar/nightclub						CUP		CUP	CUP		CUP	CUP	CUP		CUP	CUP	CUP									Sec. 106-10.10
Bus terminal																	P		P	P				P		
Campground													CUP													
Catering Services						P		P	P					P	P	P	P		P	P						
Cemetery and mausoleum	CUP	CUP	CUP	CUP												CUP	CUP									Sec. 106-10.12
Cemetery, pet (limited to small animals)																CUP	CUP		CUP							Sec. 106-10.12
Community facility	P	P	P	P	AUP	P	P	P	P	P	P	P	P											P	P	
Community garden	P	P	P		P	P	P		P	P	P													P	P	Sec. 106-10.13
Daycare center (child or adult)		CUP	CUP	CUP	AUP	P	AUP	P	P		P	P		P	P	P	P	P								Sec. 106-10.15
Entertainment establishment—indoor						P		P	P		P	P	P		P	P	P	P	P							
Entertainment establishment—outdoor													P				P		P							
Fairground/stadium	CUP												CUP				CUP		CUP						CUP	
Funeral home, mortuary						CUP											CUP	CUP								
Galleries, museums (including display and production space)						P		P	P		P	P	P		P	P	P									

Golf course (public or private)										P			P											P		PEDS
Hotels, motels, resort, timeshares						P		P	P			P	P			P	P									
Library	P	P	P	P	P	P	P		P	P	P	P			P	P	P						P	P		
Marijuana facility																CUP	CUP		CUP	CUP						Sec. 106-10.27
Marijuana testing facility/laboratory																		P	P	P						Sec. 106-10.27
Medical hospital, overnight surgical facility																	P	P								Sec. 106-10.25
Medical office (health care facility)						P		P	P		P	P	P	P	P	P	P	P								
Microbrewery, distillery, winery						CUP		P	CUP			CUP	CUP		P	P	P									
Nursing care facility			P	P	CUP	P	P					P				P	P									
Office, general						P		P	P		P	P		P	P	P	P	P	P	P	P	P		P		
Park, recreation, and open space	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Park and ride						AUP	AUP	AUP	AUP		P	P							P	P				P		
Parking lot, parking structure					CUP	P	AUP	AUP	AUP		CUP	CUP	CUP			CUP	CUP		CUP	CUP				P		
Personal service establishment					AUP	P	AUP	P	P		P	P	P	P	P	P	P	P								
Places of assembly					CUP	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		
Plant nursery					AUP	P		P								P	P		P					P		Sec. 106-10.30 106- 10.33
Post office					P	P		P	P						P	P	P	P						P		
Private club						P		P	P		P	P			P	P	P									
Public facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
Racetrack													CUP						CUP	CUP						Sec. 106-10.36
Recreational vehicle (RV) park	CUP												CUP				CUP									Sec. 106-10.37
Recreational vehicle (RV) storage																	CUP		P	P						

Repair service establishment					AUP	P	AUP	P	P		P	P	P	P	P	P	P	P	P	P					
Restaurant					AUP	P		P	P		P	P	P		P	P	P		P	P					
Restaurant, convenience/ take out						P	AUP	P	P		P	P	P	P	P	P	P	P	P					P	
Retail shopping establishment					AUP	P	AUP	P	P		P	P	P	P	P	P	P	P	P	P					
Schools: pre-k through 12 (private)		CUP	CUP	CUP			CUP				CUP	CUP			CUP	CUP									Sec. 106-10.39
Schools: universities or colleges (public or private)						CUP						CUP			CUP	CUP	CUP	P	CUP					P	Sec. 106-10.39
Schools: vocational (technical or trade)						CUP										CUP	CUP	P	CUP	CUP					Sec. 106-10.39
Self-storage facility						CUP										CUP	CUP	CUP	CUP	CUP					Sec. 106-10.40
Service call establishment					AUP	P	AUP	P	P		P	P	P	P	P	P	P	P	P	P					
Sexually oriented business																				CUP	CUP				Sec. 106-10.41
Shooting range— indoor only																	P		P	P					
Showroom/ sales office						P		P	P		P	P	P	P	P	P	P	P	P						
State and county vehicle inspection station						P										P	P		P	P				P	
Tattoo and body piercing																CUP	P								Sec. 106-10.45 106-10.46
Technology/ business incubator space						P												P	P						
Utility equipment infrastructure	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	
Utility service yard	CUP																	P						P	
Vehicle fueling station						P									P	P	P	P	P	P	P				Sec. 106-10.47 106-10.48

Vehicle rental facilities																P	P		P	P					Sec. 106-10.48 106-10.49
Vehicle sales and leasing: new or used (commercial, including equipment)																			P	P					Sec. 106-10.49 106-10.50
Vehicle sales and leasing: new or used (OHV, motorcycles, boats, or similar)																	CUP	P	P	P					Sec. 106-10.49 106-10.50
Vehicle sales and leasing: new or used (personal)																	CUP		P	P					Sec. 106-10.49 106-10.50
Vehicle service: major repair																	CUP		P	P					Sec. 106-10.50 106-10.51
Vehicle service: minor repair						CUP											CUP	CUP	P	P	P				Sec. 106-10.50 106-10.51
Vehicle washing facilities																P	P		P						Sec. 106-10.51 106-10.52
Wireless tele-communication facilities	P	P	P	P	P	P	P	P	P		P	P		P	P	P		P	P	P	P			P	Chapter 107
Zoo and exotic animal keeping	CUP																		CUP				CUP	CUP	Sec. 106-10.52 106-10.53
Employment/industrial																									
Agricultural operations	P																								Sec. 106-10.5
Auction—vehicle (passenger, commercial) and heavy equipment																			P	P					
Batch plant, paving material mixing plant																					CUP				
Brick, clay, concrete, or																				P	P				

similar product— manufacturing																									
Contractor yard																		P	P	P					
Correctional institutions/facilities																				CUP				CUP	
Data center																	P	P							
Equestrian cen- ter, commercial stables	CUP												P			P	P								Sec. 106-10.18
Farm and heavy equipment rental, sales, service or storage	CUP																		P						
Feed and tack sales	CUP														P	P	P		P						
Fleet-based services																		P	P						
Food manufacturing and processing						CUP												CUP	P	P					
Freight depot/distribution center																		CUP	CUP	P					
Grain processing; including milling, drying, storage	CUP																		P	P					
Laundry, dry cleaning: bulk operation (pick-up and delivery)																			P	P					
Machine shop, welding shop																		P	P	P					
Manufacturing and fabrication																		P	P	P					
Manufactured home, portable building, oversized and recreational (RV) vehicle sales and service																CUP			P	P					
Mining and mineral extraction																					CUP				Sec. 106.10.28
Plant nursery (growing facility and wholesale)	CUP																		P	P				P	

Printing plant (commercial scale)																	P	P	P					
Recycling, collection facility																CUP		P	P	P			P	Sec. 106-10.38
Recycling, processing facility																			P	P			P	Sec. 106-10.38
Research facility— laboratory and testing																	P	P	P					
Sand and gravel operation																				P				
Sanitary landfill, solid waste facility																				CUP				
Stone product curing, fabrication																			P	P				
Taxidermist																		P	P					
Tile, roofing and waterproofing production																			P					
Truck stop (full service and repair permitted)																		P	P					Sec. 106-10.46 106- 10.47
Vehicle towing and impound lot																			P					
Warehouse/ distribution																		P	P					
Water aquifer recharge/ storage facility	CUP																		P	P	CUP	CUP	P	
Water reclamation or wastewater facility																			P	P			P	
Wholesale shopping establishment																P	P	P	P					
Accessory uses/structures/buildings																								
Accessory dwelling unit (ADU)	P	P	P		P		P																	Sec. 106-10.2

Accessory uses and structure	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 106-10.3
Bed and breakfast establishments	AUP	AUP	AUP		AUP	P	AUP																		Sec. 106-10.11
Common area open space	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Community facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Community garden	P	P	P	P	P	P	P	P	P	P	P	P	P										P	P	Sec. 106-10.13
Drive-through facilities						CUP										CUP	CUP		CUP						Sec. 106-10.17
Farm stand	P																								
Heliport, helipad	CUP																CUP	CUP	CUP						Sec. 106-10.22
Home occupation	P	P	P	P	P	P	P		P		P	P	P												Sec. 106-10.23
Outdoor dining area						P		P	P		P	P		P	P	P	P	P							Sec. 106-10.30
Outdoor display, sales area																	P		P	P					Sec. 106-10.31
Outdoor play for animal boarding facility						CUP											CUP	P		P					Sec. 106-10.8
Outdoor storage and use area																	CUP		P	P					Sec. 106-10.32
Portable carports	P	P	P	P																					Sec. 106-10.35 106-10.34
Ranch	P																								
Recycling, reverse vending machines																P	P							P	Sec. 106-10.38
Sport courts	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 106-10.43 106-10.44
Swimming pool	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P						P	P	Sec. 106-10.44 106-10.45
Cottage industry																									
Galleries, studio (including display and production space)					AUP		AUP																		Sec. 106-10.14

Office					AUP		AUP																		Sec. 106-10.14
Personal service establishment					AUP		AUP																		Sec. 106-10.14
Restaurant					AUP		AUP																		Sec. 106-10.14
Retail shopping establishment					AUP		AUP																		Sec. 106-10.14
Service call establishment					AUP		AUP																		Sec. 106-10.14
Welding shop in association with art gallery					AUP		AUP																		Sec. 106-10.14
Temporary uses																									
Construction trailers	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 106-10.35
Donation bins	P	P	P	P	P	P		P						P	P	P	P	P	P	P	P			P	Sec. 106-10.16
Mobile vending	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Chapter 26
Portable storage containers	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 106-10.35
Seasonal sales (including farmer's markets)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 106-10.42 106-10.43; Sec. 106-10.19
Special events	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 106-10.42 106-10.43

(Ord. No. 2021-24 , § 1(Exh. A), 11-16-21; Ord. No. 2021-17 , § 1(Exh. A), 2-1-22)

Citizen Participation Report

Land Development Ordinance Zoning Text Amendment

FS23-1057 – January 10, 2024

PROJECT DESCRIPTION

The City has initiated this Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinances (LDO) to correct scrivener's errors, improve readability, and remove internal conflicts with other sections of the LDO related to the same subject matter. As a part of these changes, this amendment is proposing the following:

- Corrections to scrivener's errors, incorrect references, and other minor cleanup items that will improve clarity and consistency.
- Adding language to allow discretion for determining the front of a corner single-family residential lot.
- Reduction of Site Plan validity limits from 2 years to 1 year.
- Changes to bring our LDO in line with updated State Statutes.
- Additional language for amendments to Conditional Use Permits.
- Removing the conflict between street side setbacks and landscape tracts in single-family residential.

ADVERTISING

The meeting was advertised in the Surprise Independent on Wednesday, December 20, 2023 and the Daily News Sun on Friday, December 22, 2023, and published on the City website.

MEETING DESCRIPTION & ATTENDANCE

The meeting was held at City Hall in the Community Room on January 10, 2024 at 6 p.m. and ended at approximately 7 p.m. There were no members of the public in attendance during the duration of the meeting.

FEEDBACK

No feedback or concerns were expressed.

State of Arizona:

County of Maricopa:

Affidavit of Publication

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

The Daily Independent is a newspaper which is published daily, is of general circulation and is in compliance with the Arizona Revised Statutes 10-140.34 & 39-201 A & B. I solemnly swear that the notice was published in the regular and entire section of the said newspaper and not in any supplement. The below listed advertisement appeared in the following issue (s)
12/20/23, 12/22/23

Charlene Bisson



Terri L. Rodgers

Sworn to and subscribed before me this 22nd Day of December, A.D., 2023

Ad Caption: FS23-1057
Ad Number: 630090
Total Cost:\$418.00

Public Notice

Public Notice

Public Notice

Public Notice

Public Notice

Public Notice

Public Notice

Public Notice

**DEVELOPMENT PROJECT
NEIGHBORHOOD MEETING**

Please be advised, Daniel Lerma with Upward Architects will host a Neighborhood Meeting to discuss the project referenced below. Any member of the public may participate in this conversation as it pertains to this project by utilizing the access information provided under Meeting Details below. 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:

Daniel Lerma with Upward Architects,
(602) 753-5222, daniel@upwardarchitects.com

City of Surprise Planner:

Leslie Carnie, (623) 222-3153,
Leslie.Carnie@surpriseaz.gov

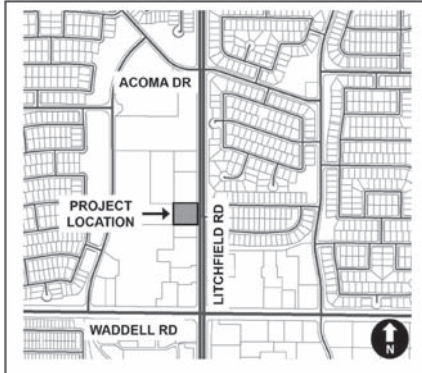
NEIGHBORHOOD MEETING DETAILS**In Person**

DATE: December 20, 2023

TIME: 6:00 PM

LOCATION:

Hilton Garden Inn
16601 N. Stadium Way
Surprise, AZ. 85374

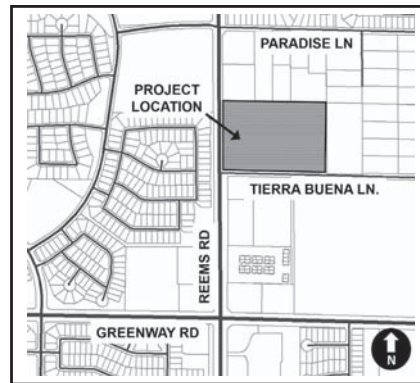
Project Location**Meeting Location****PROJECT DESCRIPTION:**

A Comprehensive Sign Program for a proposed commerce center generally located north of the northwest corner of Litchfield Rd. and Waddell Rd. Surprise Planning Case # FS23-0853

Publish: Surprise Independent,
December 20, 2023/630050

**CITY OF SURPRISE
PUBLIC NOTICE**

Take notice that at the date, time, and place listed below, the City of Surprise Planning and Zoning Commission and City Council will hold a Public Hearings at the request of, Benjamin Graff relating to the Zone Change of approximately 12 acres from Neighborhood Commercial with Planned Unit Development Overlay (C-1 PUD) and Rural Residential (RR) to Residential High Density (R-3) to allow for the development of an "age in place" retirement community on a site generally located on the northeast corner of Reems Rd. and Tierra Buena Ln. Surprise Case #FS22-0858.

PROJECT LOCATION

Community Development Department may be contacted prior to the scheduled meeting for additional information. City of Surprise Planner: Leslie Carnie 623-222-3153, leslie.carnie@surpriseaz.gov.

Planning and Zoning Commission

Date: December 21, 2023

Time: 6:00 p.m.

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

City Council Meeting

Date: January 16, 2024

Time: 6:00 p.m.

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

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

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 note that this item will be placed on the next available agenda should the meeting be canceled, or quorum be lost.

Publish: Surprise Independent,
December 20, 2023/630049

**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 Ms. Lindsay Schube relating to a proposed zoning text amendment to the Surprise Land Development Ordinance (case FS23-0512) and seeks to remove an existing development standard related to marijuana facilities. The LDO currently limits the number of entrances to a marijuana facility to a single entrance. The applicant proposed to remove this limitation in the LDO per Arizona Revised Statutes (A.R.S.) §36-2806(c).

Community Development Department may be contacted prior to the scheduled meeting for additional information. City of Surprise Planner: Chris Sexton 623-222-3134, Christina.sexton@surpriseaz.gov.

Planning and Zoning Commission

Date: January 4, 2024

Time: 6:00 p.m.

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

City Council

Date: January 16, 2024

Time: 6:00 p.m.

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

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

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 Christina Sexton at 623-222-3134 or at christina.sexton@surpriseaz.gov 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, December 15,
Surprise Independent, December 20,
2023/630221

**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. Any member of the public may participate in the conversation as it pertains to this project by 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:

Jani Wertin; 623-222-3151;

jani.wertin@surpriseaz.gov

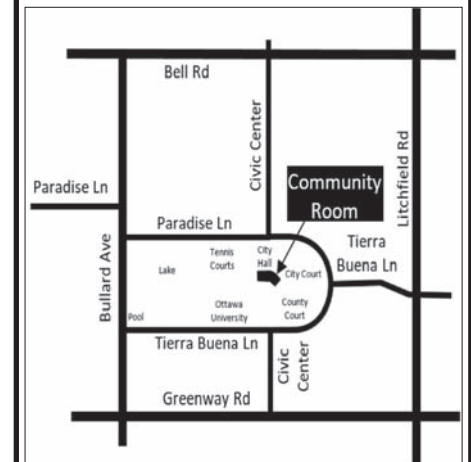
**NEIGHBORHOOD
MEETING DETAILS**

DATE: Wednesday, January 10, 2024

TIME: 6:00 PM

PHYSICAL LOCATION:

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

MEETING LOCATION**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 # FS23-1057.

Publish: Daily Independent,
December 22, Surprise Independent,
December 20, 2023/630090

Public Notice

Public Notice

Public Notice

Public Notice

Public Notice

Public Notice

Public Notice

Public Notice

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

In Re the Matter of:

Michele Tyler,
Petitioner

and

Todd Malan,
Respondent

Case #: FN2018-053276

ORDER TO APPEAR

Petition for Contempt/Enforcement

The Court has reviewed the **Petition for Contempt** filed on **10/12/2023**. The Petition seeks civil contempt sanctions and alleges that Respondent has failed to comply with the Court's orders. Accordingly, pursuant to Arizona Rules of Family Law Procedure 91 and 92,

IT IS ORDERED that Petitioner and Respondent shall appear **in person** at an **Evidentiary Hearing** on the following date, time, and location:

Judicial Officer: Judge James R. Knapp
Date / Time of Hearing: 1/16/2024 at 11:00 AM (60 minutes)
Hearing Location: Maricopa County Superior Court
Northeast Regional Court Center
18380 N 40th St, Courtroom 106
Phoenix, Arizona 85032

FAILURE TO APPEAR

The parties are required to appear for the hearing. **Failure to appear at the hearing may result in the court issuing a child support or civil warrant for your arrest. If you are arrested, you may be held in jail for up to 24 hours before you see a judge.**

Where to Find Additional Information & Forms

The Arizona Judicial Branch has a Family Law Information website, <https://www.azcourts.gov/familylaw>, with links to the Arizona Revised Statutes and the Arizona Rules of Family Law Procedure (ARFLP), which govern these proceedings (go to "Authorities" section). The Superior Court Law Library Resource Center (LLRC) also provides training classes and has detailed instruction packets available online at <https://superiorcourt.maricopa.gov/lrc/family-court-forms/>. Any party to a case can register and access the Clerk of Court's Electronic Court Record (ECR) for their particular case at <https://ecr.clerkofcourt.maricopa.gov/login.aspx>.

EXHIBIT REQUIREMENTS

The Court will decide the issue(s) based on the testimony and evidence presented at the hearing. Accordingly, **IT IS ORDERED** that the parties submit any proposed hearing exhibits as follows:

- (1) Submit Hearing Exhibits through Case Center.** This division is piloting Case Center (also known as Case Lines), a statewide electronic exhibit portal. Attorneys must submit exhibits through Case Center; self-represented litigants can request to opt-out of Case Center by contacting the judge's division (DRJ14@jbazmc.maricopa.gov or (602) 372-2928). Exhibits must be submitted at least 3 days before the hearing.

Each party must make sure the Court has the party's valid current email address. If you do not have an email address, you can obtain a free one through accounts.google.com. Each party must register for Case Center at www.digital.evidence.azcourts.gov. The website has links to training resources that will guide you through uploading exhibits and navigating Case Center. The Clerk of Court will email each party (or their attorney of record) a case-specific Case Center link that the party will use to upload exhibits. Case Center accepts most digital formats (including photographs, PDFs, Word files, audio files, and video files). Case Center automatically numbers the exhibits. Petitioner's exhibits have an A- prefix (Exhibit A1, A2, etc.) and Respondent's exhibits have a B- prefix (Exhibit B1, B2, etc.). Third parties will have a C- or D- prefix. During the hearing, the parties must refer to exhibits using the Case Center exhibit numbers. For assistance with Case Center, contact AOC Support Services at (602) 452-3519 or pasupport@courts.az.gov, Monday – Friday 7 AM – 6 PM.

- (2) Exchange Exhibits.** At least 3 days before the hearing, you must give the other party copies of all exhibits you submitted for use at the hearing. Exhibits you do not give to the other party before the hearing may not be used in the hearing.

- (3) Appear for the Hearing and Present Your Case.** At the hearing, each party will be allowed approximately half of the time available to present their case, including any witness testimony and exhibits. All witnesses must be present at the beginning of the hearing to be sworn in by the Clerk and to be provided the Court's admonition. The witnesses may then be released from the hearing and you will need to notify the witness when to return to the hearing to testify.

The Court only considers an exhibit after a party explains its relevance and moves for its admission into evidence. The judge will use Case Center to view the exhibits. Each party must either (1) bring paper copies for themselves and any witnesses or (2) access the exhibits on Case Center using their own wifi-enabled device.

A party presenting an exhibit should be prepared to identify the page(s) with relevant information. Any party that wants to present electronic media (such as audio or video) during a hearing must upload it into Case Center and be prepared to identify and play the relevant portions during the hearing.

SERVICE

The filing party **MUST SERVE** a copy of the Petition, this Order to Appear, and all related documents on the other party in accordance with the Arizona Rules of Family Law Procedure. The party that filed the pleadings must make good faith efforts to complete service promptly and within 10 days of receipt of this Order to Appear.

Proof of service must be filed with the Clerk's Office and a copy provided to this Division at least 5 days before the hearing. Failure to do so may result in the hearing being rescheduled or the Petition dismissed. For information about service of process see ARFLP 40 and 41.

OTHER INSTRUCTIONS

Settlement: Counsel and the parties are reminded of their obligation to give prompt notice of any settlement to the Court. (See ARFLP 70.) Should the parties reach a full agreement prior to the date of the trial, the Court will consider a motion to vacate the trial only if both parties stipulate.

Any postponement or change will be granted only in accordance with appropriate rules, based on a showing of good cause, and will require the express written approval of the Court. A motion to continue filed less than 30 days before the scheduled trial date will likely be denied.

Trial Record: All court proceedings are recorded digitally and not by a court reporter. Pursuant to Local Rule 2.22, if a party desires a court reporter for any proceeding in which a court reporter is not mandated by Arizona Supreme Court Rule 30, the party must submit a written request to the assigned judicial officer at least ten (10) judicial days in advance of the hearing, and must pay the authorized fee to the Clerk of the Court at least two (2) judicial days before the proceeding. The fee is \$140 for a half-day and \$280 for a full day.

Either party may register for access to their case via the Electronic Court Record at <https://ecr.clerkofcourt.maricopa.gov/login.aspx>.

Requests for **reasonable accommodation** for persons with disabilities must be made to the division assigned to the case at least three judicial days before the scheduled hearing. Requests for an **interpreter** for persons with limited English proficiency must be made at least ten days in advance of the scheduled hearing.

November 30, 2023

Date

Judge James R. Knapp
Maricopa County Superior Court

Publish: Daily Independent, December 22, 29, January 4, 11, 2023/630824

DEVELOPMENT PROJECT NEIGHBORHOOD MEETING

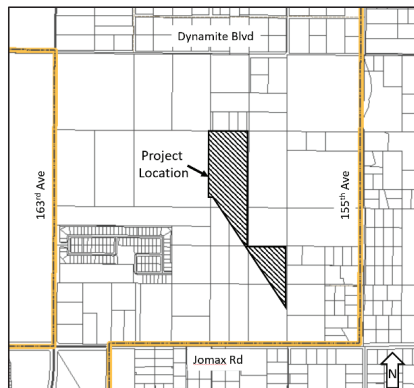
Please be advised that Berry Riddell, LLC will host an in-person Neighborhood Meeting to discuss the project referenced below. Any member of the public may participate in the conversation as it pertains to this project. According to Surprise Municipal Code, the applicant is required to host a Neighborhood Meeting to present the proposal 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: Berry Riddell, LLC, 480.682.3916, ed@berryriddell.com
City of Surprise Planner: Trevor Fleetham, 623.222.3156, trevor.fleetham@surpriseaz.gov

NEIGHBORHOOD MEETING DETAILS

DATE: Monday, January 8, 2024
TIME: 6:00 PM
LOCATION: Asante Preparatory Academy – Library
23251 N. 166th Dr. Surprise, AZ 85387

PROJECT LOCATION



MEETING LOCATION



PROJECT DESCRIPTION:

A rezone of approximately 31.46 gross acres generally located west of 155th Avenue and north of Jomax Road from Residential Medium Density (R-2) and Residential High Density (R-3) to R-2 Planned Unit Development (PUD). Case # FS23-0352.

Publish: Surprise Independent, December 20,
Daily Independent, 22, 2023/629462

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. Any member of the public may participate in the conversation as it pertains to this project by 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

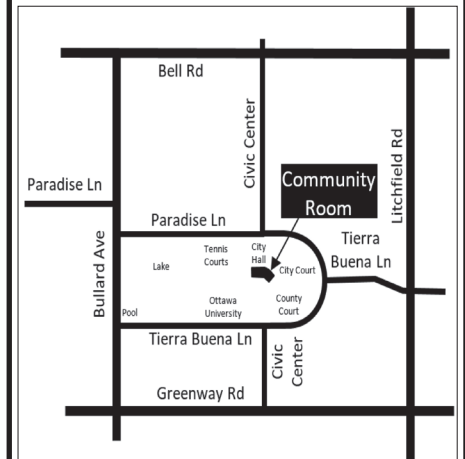
City of Surprise Planner:
Jani Wertin; 623-222-3151;
jani.wertin@surpriseaz.gov

NEIGHBORHOOD MEETING DETAILS

DATE: Wednesday, January 10, 2024
TIME: 6:00 PM
PHYSICAL LOCATION:

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

MEETING LOCATION



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 # FS23-1057.

Publish: Daily Independent,
December 22, Surprise Independent,
December 20, 2023/630090

Public NoticePublic NoticePublic Notice

ORDINANCE # 2024-01

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING A REZONE OF APPROXIMATELY 12 ACRES FROM NEIGHBORHOOD COMMERCIAL WITH PLANNED UNIT DEVELOPMENT OVERLAY (C-1 PUD) AND RURAL RESIDENTIAL (RR), TO RESIDENTIAL HIGH DENSITY (R-3), AND APPROVING THE RELEASE OF AN EXISTING DEED RESTRICTION FOR A SITE GENERALLY LOCATED ON THE NORTHEAST CORNER OF REEMS RD. AND TIERRA BUENA LN.

WHEREAS, this Ordinance was properly noticed for public hearing and the necessary hearings and opportunity for public input were completed;

WHEREAS, the subject site is located on the northeast corner of Reems Road and Tierra Buena Lane;

WHEREAS, the subject site is approximately 12 acres and is currently zoned Neighborhood Commercial with Planned Unit Overlay Development (C-1 PUD) and Rural Residential (RR);

WHEREAS, in 2015, the City Council placed a deed restriction on a portion of the subject site to ensure that the approximate 2.37-acre parcel would be a "Senior Housing development" with no more than 16 units;

WHEREAS, in order to integrate the use of the entire parcel, including the 2.37 acre parcel with the existing deed restriction, the subject site requires modification of the applicable zoning regulations, including the removal of the deed restriction;

WHEREAS, the proposed Rezone to Residential High Density (R-3), satisfies the requirements set forth in the City of Surprise Land Development Ordinance (LDO);

WHEREAS, this Rezone is in harmony with the purposes and intent of the zoning ordinance and the Surprise General Plan; and

WHEREAS, on December 21, 2023, the Planning and Zoning Commission recommended that the Rezone for The Pointe at Surprise be approved.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Surprise, Arizona, as follows:

Section 1. Removal of Deed Restriction. The deed restriction previously placed on parcel 501-17-063, Lot 1, of the Mariposa Acres Final Plat approval (case# FS12-168) to ensure that the use for the approximate 2.37-acre parcel would be a "Senior Housing development" with no more than 16 units, is hereby removed in order to integrate this parcel into the larger "The Pointe at Surprise" development;

Section 2. Rezoning. The parcel legally described on **Exhibit A** and depicted on **Exhibit B**, known as "The Pointe at Surprise," is rezoned from Neighborhood Commercial with Planned Unit Development overlay (C-1 PUD) and Rural Residential (RR), to Residential High Density (R-3) subject to the following stipulations:

a. Development and use of the site shall be consistent with the Zone Change narrative entitled "Age-In-Place Senior Living Development", prepared by Quarles & Brady, and stamped received October 25, 2023.

b. 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.

Section 3. Amendment of Zoning Map. The City of Surprise zoning map is herewith amended to reflect the change in districts referred to in Section 1 above.

Section 4. Codification. This Ordinance is not of a general nature and shall not be codified.

Section 5. Repeal of Conflicting Ordinances. All ordinances or parts of ordinances in conflict with the provisions of this ordinance or any part of the code adopted herein by reference are hereby repealed, upon the effective date of this Ordinance.

Section 6. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 7. Effective Date. This ordinance shall become effective at the time and in the manner prescribed by law.

PASSED AND ADOPTED this 16th day of January 2024.

Skip Hall, Mayor

Attest: Approved as to form:

Kristi Passarelli, City Clerk Robert Wingo, City Attorney

EXHIBITS ON FILE
CONTACT THE SURPRISE CITY CLERK'S OFFICE
16000 N. CIVIC CENTER PLAZA, SURPRISE, AZ. 85374 - 623-222-1200

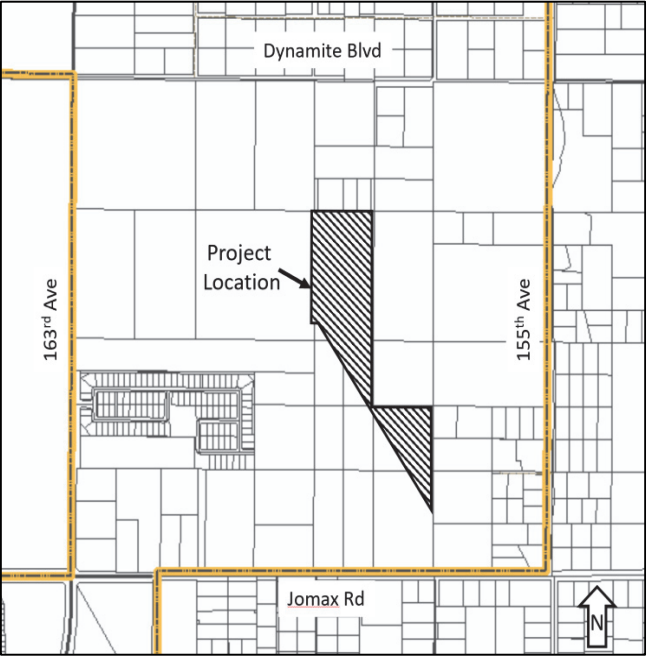
Publish: Daily Independent, January 23, 24, 25, 26, 2024/635238

Public NoticePublic NoticePublic Notice

CITY OF SURPRISE
PUBLIC NOTICE

Take notice that at the date, time, and place listed below, the City of Surprise Planning and Zoning Commission and the City Council will hold Public Hearings at the request of Berry Riddell, LLC to the proposed rezone request from Residential Medium Density (R-2) and Residential High Density (R-3) to R-2 Planned Unit Development (PUD) for approximately 31.46 acres generally located west of 155th Avenue and north of Jomax Road. (Surprise Case FS23-0352).

Project Location:



Planning and Zoning Commission

Date: February 15, 2024
Time: 6:00 p.m.
Place: Surprise City Hall
16000 N. Civic Center Plaza
Surprise, AZ 85374

City Council

Date: March 18, 2024
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, January 26,
Surprise Independent, January 31, 2024/635296

Public NoticePublic Notice

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INDEPENDENT NEWS & MEDIA

Attorney for Personal Representative:
ROBERT F. JECKEL, P.L.L.C.
Robert F. Jeckel No. 003801
17028 North Boswell Boulevard
Sun City, AZ 85373
(623) 972-1133
Email: legal@jnlegal.com
Personal Representative:
DEBRA LYNN EVANS
11501 Creek Brook Drive
Louisville, KY 40229
IN THE SUPERIOR COURT OF THE STATE OF ARIZONA IN AND FOR THE COUNTY OF MARICOPA In the Matter of the Estate of NORMA JEAN BAKER, Deceased. NO. PB2024-070055 NOTICE TO CREDITORS NOTICE IS HEREBY GIVEN that the undersigned has been appointed Personal Representative of the 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 law offices of ROBERT F. JECKEL, P.L.L.C., 17028 North Boswell Boulevard, Sun City, Arizona 85373, attorneys for the Estate. DATED: January 22, 2024. Signed DEBRA LYNN EVANS Personal Representative ROBERT F. JECKEL, P.L.L.C.
Signed By: Robert F. Jeckel
Attorney for Personal Representative
Publish: Daily January 26, February 2, 9, 2024/635788

ZONING TEXT AMENDMENT

Public Notice

Take notice that at the date, time, and place listed below, the City of Surprise Planning and Zoning Commission and the City Council will hold Public Hearings relating to the proposed zoning text amendment to the Surprise Land Development (LDO) in order to provide clarification and remove conflicts with other sections of the LDO.

MEETING DETAILS

PLANNING & ZONING COMMISSION

DATE: Thursday, February 15, 2024
TIME: 6:00 PM
LOCATION: Surprise City Hall
16000 N Civic Center Plaza
Surprise, AZ 85374

CITY COUNCIL

DATE: Tuesday, March 5, 2024
TIME: 6:00 PM
LOCATION: 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 Jani Werten with the City of Surprise at 623-222-3151 or jani.werten@surpriseaz.gov for additional information.

Publish: Surprise Independent, January 24, Daily Independent, January 26, 2024/635163



S U R P R I S E
A R I Z O N A

Planning & Zoning Commission
February 15, 2024

Zoning Text Amendment
2024 Clean Up
FS23-1057



BACKGROUND

- **December 15, 2020** - 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.
- **December 11, 2024** - Staff initiated this zoning text amendment following further real-world application of the new code, where various conflicts and errors within the text were found.



OVERVIEW

- This Clean-up Amendment will:
 - Correct scrivener's errors
 - Provide clarity and consistency
 - Update references and processes to reflect recent changes to State Statute
 - Update remnant sections of code that were not captured in previous zoning text amendments
 - Remove or amend standards that are difficult to enforce, or are otherwise burdensome

SCRIVENER'S ERRORS

Chapter 101 – Administrative Provisions

Article 2 – Rules of Interpretation and Glossary of Terms

102-2.2 Glossary of terms

Street. A general term used to describe a paved *right-of-way*, municipally or privately owned, serving as a means of travel, usually affording the principal means of *access* to *abutting* property.

1. **Street, arterial (major and minor).** ~~Streets designed to carry large amounts of traffic across or through the city and designated as such by the city General Plan.~~ Streets designed to carry large amounts of traffic across or through the city and designated as such by the city General Plan.

SCRIVENER'S ERRORS

Chapter 106 – Zoning and Use Standards

Article 6 – Commercial Zoning Districts

106-6.1 General

- C. Process. A type 3 review is required to establish a commercial *zoning district*. All development within a commercial *zoning district* shall require a type 1 *site plan* review prior to submittal for a *building* and/or grading permit. Some ~~proposed uses~~ proposed uses may require a type 3 review for *conditional use permits* per **Table 106-1c** ~~and Table 106-1d~~ in **Article 1** of this chapter.



CLARITY

Chapter 101 – Administrative Provisions

Article 2 – Rules of Interpretation and Glossary of Terms

102-2.2 Glossary of terms

Variance. A modification or variation of the development standards in **Chapter 106** of the LDO as applied to a specific piece of property. ~~Dimensional variances only may be allowed; no variance regarding use of property shall be permitted; no variance decreasing lot area requirements shall be allowed.~~



CLARITY

Chapter 102 – Review Process and Applications

Article 6 – Type 3 Application and Requests

102-6.5 Variances

- A. Purpose. This section provides the potential for relief from the *zoning* development standards, but not to the *permitted uses*, densities, or guidelines, of this code. **Dimensional *variances* only may be allowed; no *variance* regarding use of property shall be permitted; no *variance* decreasing *lot* area requirements shall be allowed.** Notification for *variance* requests shall follow the requirements set forth in A.R.S. § 9-462.06 and the provisions outlined in this chapter.

CLARITY

Chapter 106 – Zoning and Use Standards

Article 2 – Residential Zoning Districts

106-2.3 Residential low density (R-1)

- C. Development standards. Table 106-2c below identifies the required development standards for the residential low density (R-1) zoning district.

Table 106-2c—Residential Low Density (R-1) Zoning District						
Lot Categories	A ³	B	C	D	E	F
General Plan compatibility	Suburban	Suburban	Suburban	Suburban and rural	Rural	Rural
Lot area (sf)	4,950—7,999	8,000—11,999	12,000—17,999	18,000—27,999	28,000—43,559	≥43,560
Min. lot width (sf)	45	60	80	90	100	130
Min. front setback ¹ (ft)	12	12	15	20	20	30
Max. front setback (ft)	25	25	30	35		
Min. rear setback ¹ (ft)	15	20	20	25	30	30
Min. side setback ¹ (ft)	5 & 8	5 & 10	10	10 & 15	20	20
Min. street side setback ¹ (ft)	15	15	15	15	20	20
Max. bldg. height (ft)	35	35	35	35	35	35
Max. lot coverage		45%	40%	30%	30%	25%
Open space (% of gross area of residential development) ³	20%	20%	20%	15%	15%	10%
Notes:						
1. Garage face and embellishments shall be setback a minimum of 20 feet measured from any opposing property line; except rear alley loaded garages, which shall be setback six feet from edge of alley line.						
2. The city requires open space on a development/subdivision basis rather than on a lot-by-lot basis. Subdivisions with more than one lot category will provide the higher percentage of open space.						
3. Residential projects shall contain no more than 50 percent of lots less than 48 feet wide as calculated across whole subdivisions or preliminary plat and will include mitigating designs outline in Chapter 108 of this ordinance.						
4. Corner lots where block endcap landscape tracts are provided are not subject to the minimum street side setbacks.						

CONSISTENCY

Chapter 103 – Enforcement

Article 1 – In General

103-1.3 Administrative Remedies

A. Administrative remedies may include:

- (1) The withholding of plan approval, permits, certificates, or any other form of authorization or approval under the authority of the community development director or designee as outlined by the LDO, after determination of any of the following:
 - a. Any violation of the LDO; or
 - b. Any violation of a condition, stipulation, or qualification of a permit, certificate, approval or other authorization previously granted by the city.
- (2) Revocation of any plan approval, permit, certificate, or any other form of authorization or approval under the authority of the city manager or designee as outlined by the LDO after determination of any of the following:
 - a. There is departure from the plans, specifications, or conditions as required under terms of the permit; or
 - b. The permit was procured by false representation; or
 - c. The permit was issued in error; or
 - d. Any of the provisions of the LDO are being violated.
- (3) Written notice of such revocation shall be served upon the owner, the authorized agent or contractor, or upon any person employed on the premise for which such permit was issued, or shall be posted in a prominent location; and, thereafter, no such construction shall proceed except to correct such violation or to comply with the order. Such order shall state the nature of the violation, the specific provision violated, and the date and time by which the violation must be corrected.
- (4) The city may stop grading, construction, or work on any building or structure on any land on which there is an uncorrected violation of a provision of the LDO, or of a permit or other form of authorization issued hereunder.

(5) The city may seek a court ordered injunction or other equitable relief to stop any violation of the LDO or of a permit, certificate or other form of authorization granted hereunder.

(6) In accordance with this chapter, the codes referenced in Chapter 105, and A.R.S. § 9-499, the city may abate a violation of the LDO.

(7) The city, at the direction of the city manager or designee may prohibit, restrict, or revoke occupancy of any building by any person or entity in which there has been a failure to comply with any permit, plans, specifications, or conditions required under the terms of the permit or any plan or other approval of the city.

[(1)]—The withholding of plan approval, permits, certificates, or any other form of authorization or approval under the authority of the community development director or designee as outlined by the LDO, after determination of any of the following:

a.—Any violation of the LDO; or

b.—Any violation of a condition, stipulation, or qualification of a permit, certificate, approval or other authorization previously granted by the city.

[(2)]—Revocation of any plan approval, permit, certificate, or any other form of authorization or approval under the authority of the city manager or designee as outlined by the LDO after determination of any of the following:

a.—There is departure from the plans, specifications, or conditions as required under terms of the permit; or

b.—The permit was procured by false representation; or

c.—The permit was issued in error; or

d.—Any of the provisions of the LDO are being violated.

[(3)]—Written notice of such revocation shall be served upon the owner, the authorized agent or contractor, or upon any person employed on the premise for which such permit was issued, or shall be posted in a prominent location; and, thereafter, no such construction shall proceed except to correct such violation or to comply with the order. Such order shall state the nature of the violation, the specific provision violated, and the date and time by which the violation must be corrected.

[(4)]—The city may stop grading, construction, or work on any building or structure on any land on which there is an uncorrected violation of a provision of the LDO, or of a permit or other form of authorization issued hereunder.

[(5)]—The city may seek a court ordered injunction or other equitable relief to stop any violation of the LDO or of a permit, certificate or other form of authorization granted hereunder.

[(6)]—In accordance with this chapter, the codes referenced in chapter 105, and A.R.S. § 9-499, the city may abate a violation of the LDO.

[(7)]—The city, at the direction of the city manager or designee may prohibit, restrict, or revoke occupancy of any building by any person or entity in which there has been a failure to comply with any permit, plans, specifications, or conditions required under the terms of the permit or any plan or other approval of the city.



CONSISTENCY

Chapter 102 – Review Process and Applications

Article 4 – Type 1 Application and Requests

102-4.2 Site Plan Review

- E. Validity limits . Approval of a *site plan* or *amendments* thereto, shall run with the land and may continue to be valid upon a change of *ownership* of the site or *structure* for a period of ~~two (2) years~~ **one (1) year** following the date of approval.

STATUTE CHANGES

Chapter 102 – Review Process and Applications

Article 6 – Type 3 Application and Requests

102-6.1 General Plan Amendments and Specific Area Plans

1. Major amendment. An application for a major *amendment* to the *General Plan* must be filed prior to April 1st of the calendar year and must be heard by the city council ~~on the first available council meeting in December of the calendar year~~ within 12 months of when the request was submitted. Any major *amendment* must first be submitted for commission review and recommendation. Major *amendments* shall require an affirmative vote of at least two-thirds ($\frac{2}{3}$) of the council.

STATUTE CHANGES

Chapter 108 – LAND DIVISION AND SUBDIVISION REGULATIONS

Article 1 – General Process and Overview

108-1.7 Abandonment of Recorded Subdivision

- A. ~~Pursuant to provisions of Title 28, Chapter 14, Article 1, Subsections 28-1901 through 28-1908, A.R.S.,~~ Pursuant to the provisions of Title 28, Chapter 20, Article 8 of the Arizona Revised Statutes, as may be amended or renumbered from time to time, the abandonment of all or part of a recorded subdivision may be initiated by written petition to the council, said petition to be signed by all *owners* of real property in said subdivision requesting abandonment of all *streets, alleys* and easements within said subdivision and giving the legal description and recording information thereof.



LDO CHANGES

Chapter 106 – Zoning and Use Standards

Article 6 – Commercial Zoning Districts

106-6.1 General

- C. Process. A type 3 review is required to establish a commercial *zoning district*. All development within a commercial *zoning district* shall require a type 1 *site plan* review prior to submittal for a *building* and/or grading permit. Some ~~proposed uses~~ proposed uses may require a type 3 review for *conditional use permits* per Table 106-1c and ~~Table 106-1d~~ in Article 1 of this chapter.

LDO CHANGES

Chapter 106 – Zoning and Use Standards

Article 1 – In General

106-1.8 Compliance with other provisions

Table No. 106-1c—Primary Land Use Matrix for All Zoning Districts "P" = Permitted; "AUP" = Administrative Use Permit; "CUP" = Council-Conditional Use Permit; "(blank space)" = Prohibited																									
	Residential				Surprise Heritage District		Traditional Neighborhood Neighborhood Development				Mixed Use			Commercial				Employment				Open Space/Public Uses			Use Specific Standards
Zoning Districts																									
Uses	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
Residential																									
Assisted living center (more than 10 residents)			P	P	AUP	P	AUP		P			P													
Assisted living home (10 or less residents)	P	P	P		P		P																		Sec. 106-10.9
Dormitory						CUP						CUP				CUP	CUP	CUP	CUP						
Dwelling, live/work									P		P	P	P												Sec. 106-4 106-10.2
Dwelling, multi-family (4 or more)				P	CUP	P	P		P		P	P	P												



LDO CHANGES

Chapter 108 – Land Division and Subdivision Regulations

Article 2 – Reports, Plans, and Design Standards

108-2.4 Circulation design standards

B. General design.

8. Installation of streetlights shall be in accordance with ~~design and specification standards detailed in Chapter 107, Article III of the LDO.~~ the Surprise Street Light Design Guidelines of the Engineering Development Standards (EDS) Manual.

BURDENSOME STANDARDS

Chapter 108 – Land Division and Subdivision Regulations

Article 2 – Reports, Plans, and Design Standards

108-2.5 Lot Planning

D. Lot dimensions.

6. Residential *lots* that are less than fifty (50) feet wide ~~shall~~ are encouraged to have vehicular access from an *alley*.

BURDENSOME STANDARDS

Chapter 101 – Administrative Provisions

Article 2 – Rules of Interpretation and Glossary of Terms

102-2.2 Glossary of terms

Lot line. The boundary that sets the border of a *lot* (commonly known as a property line). For specific application of specific *lot lines* see the definitions below and **Figure 101-2a**.

1. **Lot line, front.** The *lot line* separating the *lot* from the *right-of-way*.
 - a. In the case of an interior lot or through lot, a line separating the lot from the street.
 - b. In the case of a corner lot, the *front lot line* separating the narrowest street frontage of the lot from the street. For square, *corner lots*, the front shall be determined by the community development director or designee. For lots with significant site constraints, the front shall be determined by the community development director or designee.



CITIZEN PARTICIPATION

Neighborhood Outreach Meeting:

- When: January 10, 2024 at 6 p.m.
- Where: City Hall
- Attendance: None in attendance
- Feedback: None Received



RECOMMENDATION

Staff recommends the Commission recommend
approval of FS23-1057.



SURPRISE
ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You



CITY OF SURPRISE
Planning and Zoning Commission

Council Meeting Date: February 15, 2024 Contact Person: Leslie Carnie
Submitting Department: Community Development District: District 1
Staff Recommendations:

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

Agenda Wording:

Consideration and action pertaining to a rezone of approximately 42.92 gross acres from Planned Area Development (PAD) and Rural Residential (RR) to Community Commercial (C-2) and Residential High Density (R-3), for a site generally located on the northeast corner of 163rd Ave. and Jomax Rd. Case #FS23-0552.

Motion:

Motion to recommend Approval of the rezone of approximately 42.92 gross acres from Planned Area Development (PAD) and Rural Residential (RR), to Community Commercial (C-2) and Residential High Density (R-3), subject to stipulations 'a' through 'e' as memorialized in the staff report. Case# FS23-0552.

Background:

Jeff Blilie of Beus Gilbert McGroder PLLC, proposes to rezone approximately 42.92 gross acres to Community Commercial (C-2) and Residential High Density (R-3) to allow for the development of a 475-unit residential development with adjoining commerce center with office and retail space. The site is located on the northeast corner of 163rd Ave and Jomax Rd.

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-FS23-0552 Desert Arroyo Rezone - Staff Report
 2. 01 – FS23-0552 Desert Arroyo Rezone – Vicinity Map
 3. 02 – FS23-0552 Desert Arroyo Rezone – Zoning Map
 4. 03 – FS23-0552 Desert Arroyo Rezone – Proposed Zoning Map
 5. 04 - FS23-0552 Desert Arroyo Rezone - Rezone Narrative
 6. 05 - FS23-0552 Desert Arroyo Rezone - Luke AFB Comments
 7. 06 - FS23-0552 Desert Arroyo Rezone - Citizen Participation Report
 8. 07 - FS23-0552 Desert Arroyo Rezone - Support-Opposition
 9. 08 - FS23-0552 Desert Arroyo Rezone - Affidavit of Posting
 10. FS23-0552 Desert Arroyo Rezone - Presentation2
-

REZONE

REPORT TO THE PLANNING AND ZONING COMMISSION

Case: FS23-0552

Project Name: Desert Arroyo Rezone

Council District: 1 - Acacia

Meeting Date: February 15, 2024

Planner: Leslie Carnie

Owner: Jomax SWA Investments, LLC & Hughes Ranch, LLC

Applicant: Jeff Blilie of Beus Gilbert McGroder, PLLC

Request: Rezone of approximately 42.92 gross acres from Planned Area Development (PAD) and Rural Residential (RR) to Community Commercial (C-2) and Residential High Density (R-3). Case #FS23-0552

Site Location: Generally located on the northeast corner of 163rd Ave. and Jomax Rd.

Site Size: 42.92 Gross Acres (approx.)

Density: 17.7 du/ac (Net)

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

Support/Opposition: A Citizen Participation Meeting was September 13, 2023. Refer to attached Citizen Participation Report.

Staff Recommendation: The subject case meet's the rezone requirements set forth in the Land Development Ordinance. City staff has approved rezone application subject to stipulations 'a' through 'e'.

Project Description:

Jeff Blilie of Beus Gilbert McGroder PLLC, proposes to rezone approximately 42.92 gross acres to Community Commercial (C-2) and Residential High Density (R-3) to allow for the development of a 475-unit residential development with adjoining commerce center with office and retail space. The site is generally located on the northeast corner of 163rd Ave. and Jomax Rd.

Background:

November 03, 1988: The subject parcels were annexed into the City under Ordinance 88-24.

April 13, 2006: City Council approved the PAD for Legacy Village under Case PAD05-358

April 13, 2023: A Concept Review meeting for the subject case was held under case CR23-0279.

July 03, 2023: The applicant filed a request for a Zone Change and Final Plat under case FS23-0552.

August 23, 2023: The applicant filed a request for Site Plan Review under case FS23-0679.

September 23, 2023: The applicant held an In-Person Citizen Outreach Meeting to discuss the project.

Analysis and Discussion:

The applicant requests a rezone of approximately 42.92 gross acres. Currently, approximately 20 acres of the site is zoned in the Legacy Village PAD with an underlying zoning of C-2. The remainder of the site is zoned RR. The subject Rezone would reconfigure the commercial area into an approximate 13.2 net acre parcel oriented to increase Jomax Rd. frontage. Two parcels will also be created and zoned R-3 for a high-density residential development, with a 475-unit cap, providing a transition from the commercial zoning to the lower density residential zoning to the North and the East.

A Final Plat application was also submitted to run concurrent with this rezone application to create parcels consistent with the proposed zoning. As a part of the Final Plat review, a TIA was submitted, reviewed, and approved by the City's transportation department. Below is the conceptual Site Plan submitted by the applicant. There are both three-quarter and half (right in-right out) access points provided along 163rd Ave. Two driveways from Jomax Rd. provide three-quarter access to the commerce center and full access to the multi-family development.

Conceptual Site Plan

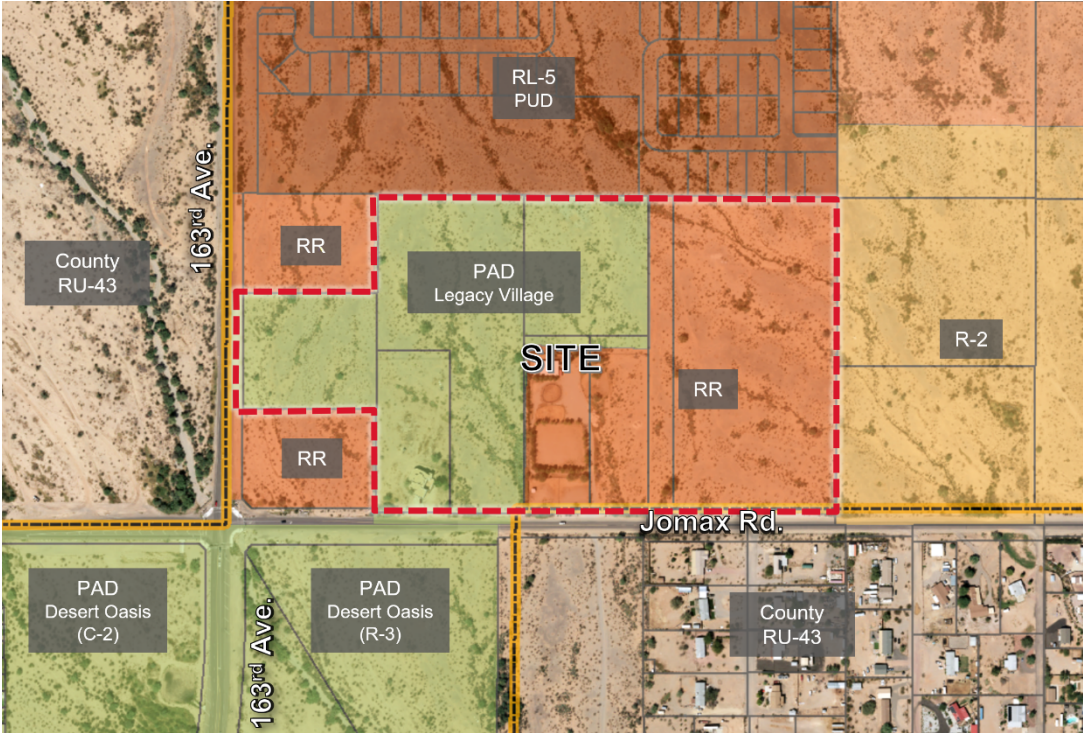
February 15, 2024 - Planning & Zoning Commission
Case: FS23-0552 – Desert Arroyo- Rezone

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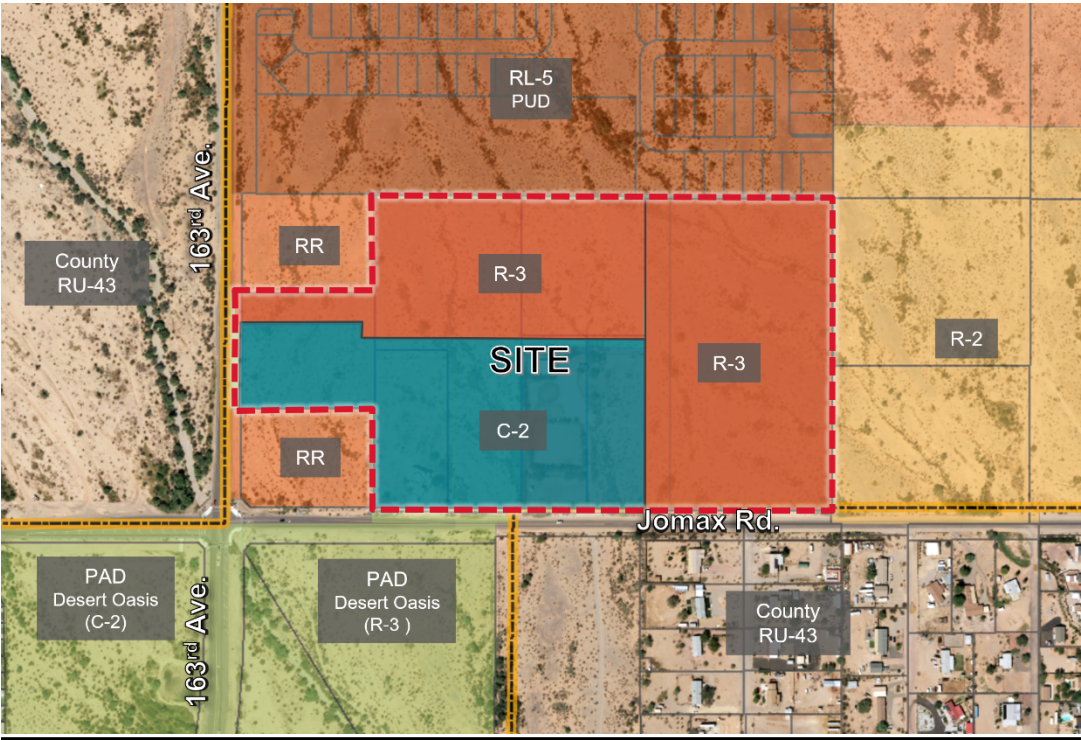
Existing Zoning



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Proposed Zoning

February 15, 2024 - Planning & Zoning Commission
Case: FS23-0552 – Desert Arroyo- Rezone



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104

The development of the project site is subject to review and approval of a comprehensive Site Plan review, in which the site design, architecture, parking, setbacks, and landscaping will be reviewed in accordance with the requirements prescribed by the City’s LDO requirements and the adopted Planning and Engineering Design Standards (PEDS). The tables below reflect the current LDO requirements for the R-3 and C-2 Zoning Districts.

Table 106-2e—Residential High Density (R-3) Zoning District			
Net Density (du/ac)	8-11.9	12-14.9	15+
Min. setback to arterial ROW (ft) ²	20	20	20
Min. setback to collector and local ROW (ft) ²	15	15	15
Min. setback adjacent to residential zoning (ft)	10	15	20
Min. setback adjacent to non-residential zoning (ft)	20	20	20
Max. bldg. height ¹ (ft)	45	50	60
Open space (sf/du)	150	150	150

Notes:

1. The *height* of any *structure*, or portions thereof, shall not exceed 30 feet in *height* measured at the *setback* line when *adjacent* to *single-family, two-family, three-family development parcels*. The *height* of the *accessory structure* may increase at a ratio of one foot vertical for every one foot horizontal as measured relative to the property line to a maximum *height* equal to the *zoning*.
2. *Setback* may be reduced to ten feet along collector or local *right-of-way* for units that open to the *street* and exclude a perimeter wall.

Table 106-6a—Commercial Zoning Districts

	C-2
Minimum <i>lot</i> area (sf)	18,000
Min. <i>setback</i> to arterial <i>ROW</i>	35 ^{5, 6}
Min. <i>setback</i> to collector and local <i>ROW</i> (ft)	20 ^{5, 6}
Min. <i>setback adjacent</i> to residential <i>zoning</i> (ft)	30 ^{5, 6}
Min. <i>setback adjacent</i> to non-residential <i>zoning</i> (ft)	15 ^{5, 6}
Max. bldg. <i>height</i> (ft)	40 ²
Max. size per <i>use/tenant</i> (sf) ³	45,000
Max size per <i>commerce center</i> (ac) ⁴	20

Notes:

2. The *height* of any *structure*, or portions thereof, shall not exceed 30 feet in *height* measured at the *setback* line when *adjacent* to rural residential (RR), residential low density (R-1), and residential medium density (R-2) *zoning*. The *height* increases at a ratio of one foot vertical for every one foot horizontal as measured relative to the property line to a maximum *height* equal to the *zoning district*.
5. Projects designed as *commerce center* will comply with overall development standards regarding perimeter *setbacks* from *abutting* developments.
6. *Pad sites* within a *commerce center* may have reduced *setbacks* along boundaries internal to the master *site plan* if the whole development complies with parking and landscaping regulations. Approval by the community development director or designee is required.

Utility and Services Table:

Electric:	APS
Water:	CITY OF SURPRISE
School District	NO SCHOOL DISTRICT

Conformance with Adopted Plans:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports the development of high-density residential projects. The Neighborhood Character Area permits low, medium, and high-density residential projects with no limit on density. The proposed 17.7 du/ac is in conformance with the higher density housing of the Urban Neighborhoods that are encouraged along arterial roadways.

121 **Reviewing Agencies:**

122
123 In addition to the standard city internal reviewing departments and Luke Air Force Base,
124 the Maricopa Water District, and ADOT were included in the routing of this request. None
125 of the reviewing agencies indicated any concerns over the request.
126

127 **Citizen Outreach:**

128
129 An outreach meeting was held meeting on September 13, 2023, at the Asante
130 Preparatory Academy. A total of 31 people were in attendance. Many residents were
131 opposed to the project and voiced concerns regarding increased traffic, water supply, light
132 pollution, and effects on wildlife. A summary of this meetings can be found in the attached
133 Citizen Outreach Report.
134

135 **Summary:**

136
137 Staff believes the proposed rezone is consistent with the manner and intent of the Surprise
138 Municipal Code. If approved, the site will be allowed to be developed in accordance with the
139 requirements of the City of Surprise.
140

141 **Findings:**

- 142
143
 - The proposed Zone Change is consistent with the Surprise General Plan 2035.
 - The proposed Zone Change demonstrates compliance with the criteria set forth in
145 the Surprise Municipal Code.
 - The reviewing agencies have indicated no objections to the request.
147

148 **Staff's Recommendation:**

149
150 Based on the findings noted above, the subject rezone has been approved by city staff
151 subject to stipulations 'a' through 'e' as outlined below.
152

- 153
 - a. Development and use of the site shall be consistent with the C-2 and R-3
154 development standards set forth in the Land Development Ordinance (LDO), and
155 the residential the unit count is not to exceed 475 dwelling units.
156
 - b. The subject rezone is conditioned upon the approval and recordation of the Final Plat
157 entitled "A Final Plat for Desert Arroyo", submitted under the subject case number.
158
 - c. The granting of this change in use of the property has been at the request of the
159 applicant, with the consent of the landowner. The granting of this approval allows
160 the property to enjoy uses in excess of those permitted by the zoning existing on
161 the date of application, subject to conditions. In the event of the failure to comply
162 with any condition, the property shall revert to the zoning that existed on the date
163
164

February 15, 2024 - Planning & Zoning Commission
Case: FS23-0552 – Desert Arroyo- Rezone

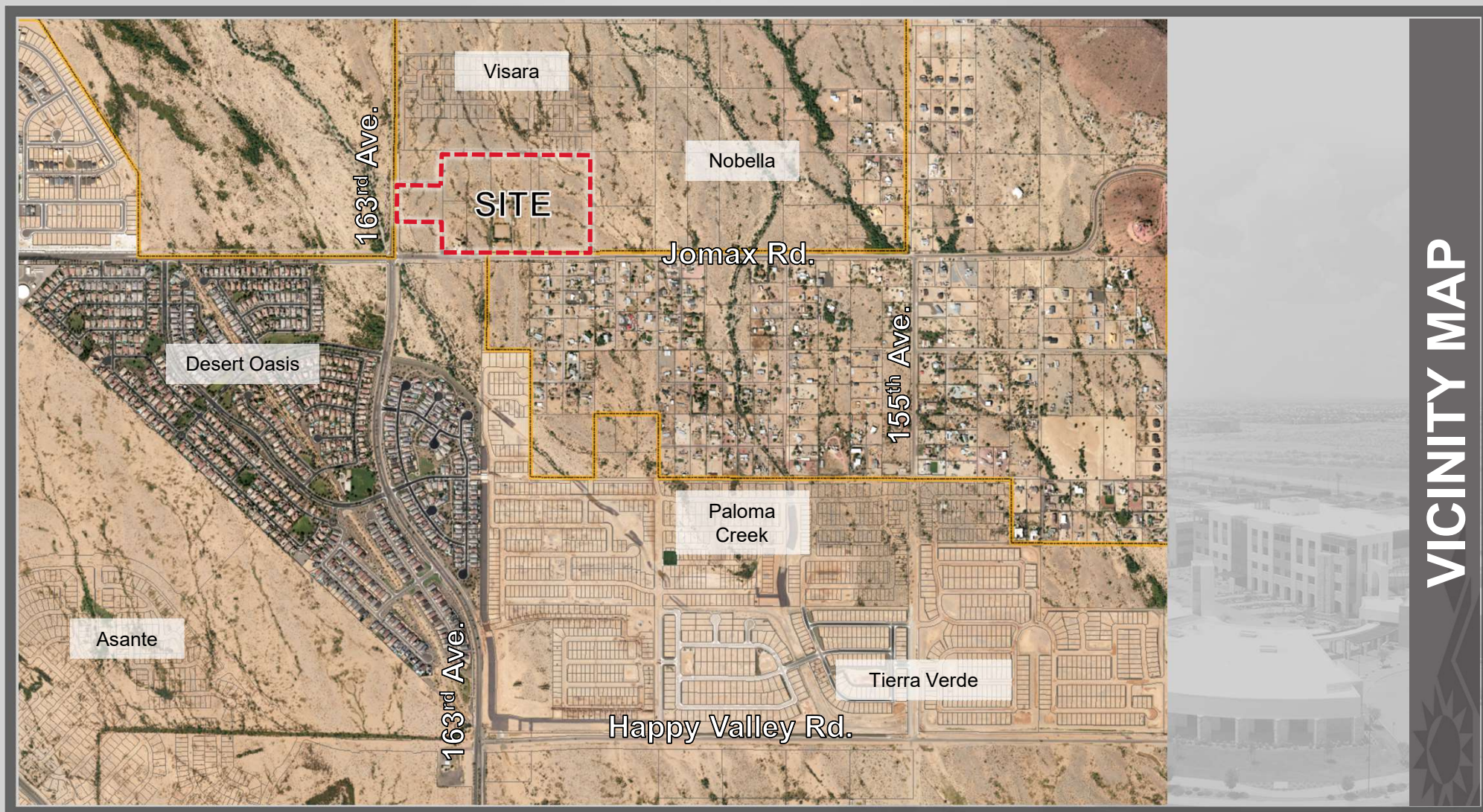
of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation of the Zone Change.

- d. The property owner/s and their successors waive claim for diminution in value if the City of Surprise takes action to rescind approval due to noncompliance with conditions.
- e. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the applicable provisions of the Surprise Municipal Code.

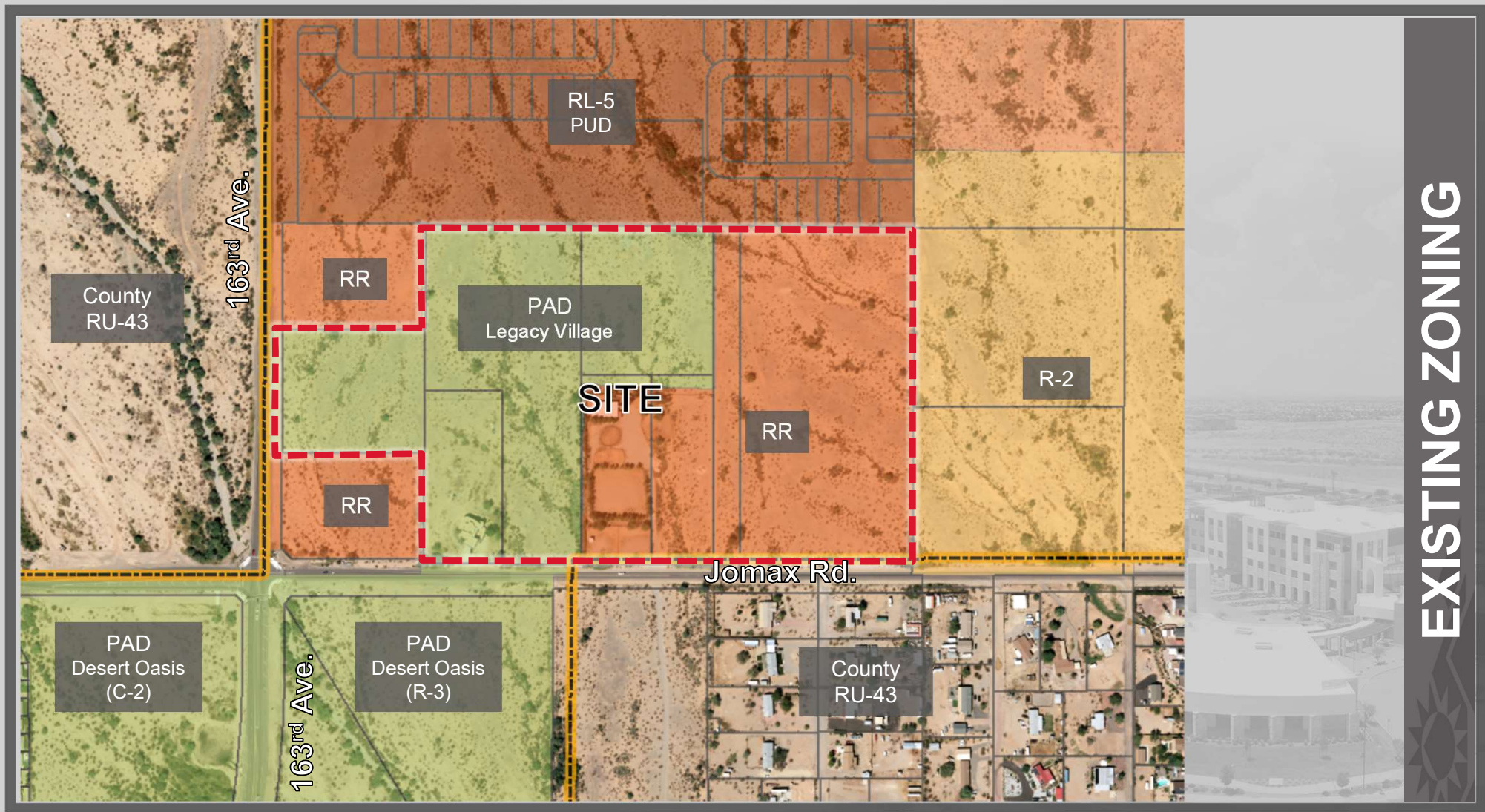
However, should the Commission wish to recommend **denial** of the request, the Commission should make its own findings and base its decision on those alternative findings.

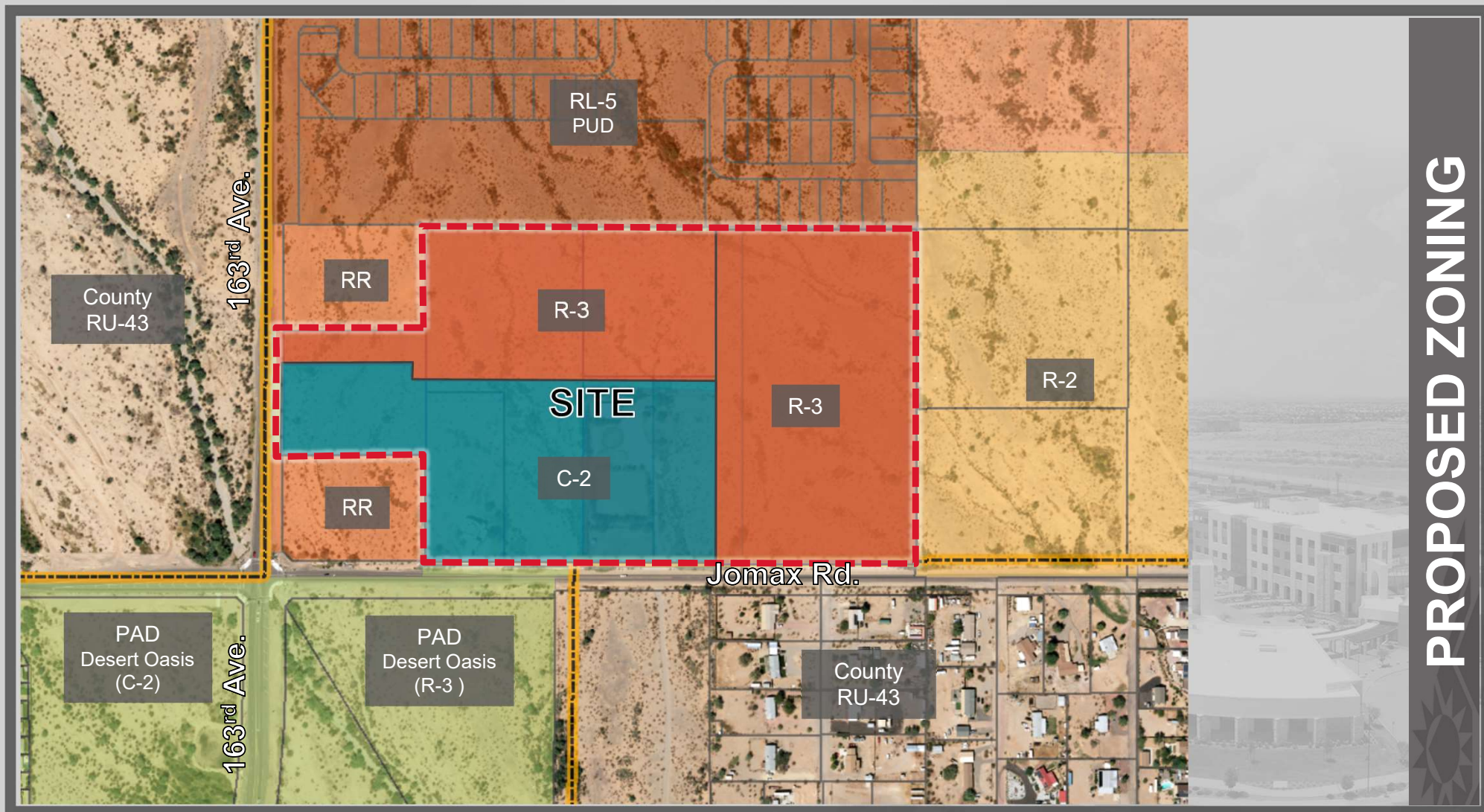
Attachments:

01 Vicinity Map
02 Existing Zoning Map
03 Proposed Zoning Map
04 Rezone Narrative
05 Luke AFB comments
06 Citizen Outreach Report
07 Support/Opposition
08 Affidavit of Site Posting & Public Notice
PPT



VICINITY MAP





PROPOSED ZONING

Rezoning Narrative
for
Desert Arroyo

Rezoning request near the northeast corner of 163rd Ave and Jomax Rd

FS23-0552



First Submittal: July 3, 2023

Resubmittal: September 6, 2023

Resubmittal: November 28, 2023

Resubmittal: December 19, 2023

Resubmittal: January 4, 2023

Submitted on behalf of
EcoVista Development LLC

4400 N Scottsdale Road Suite 9500
Scottsdale, Arizona 85251
(480) 215-6088



Submitted by

Beus Gilbert McGroder PLLC

701 North 44th Street
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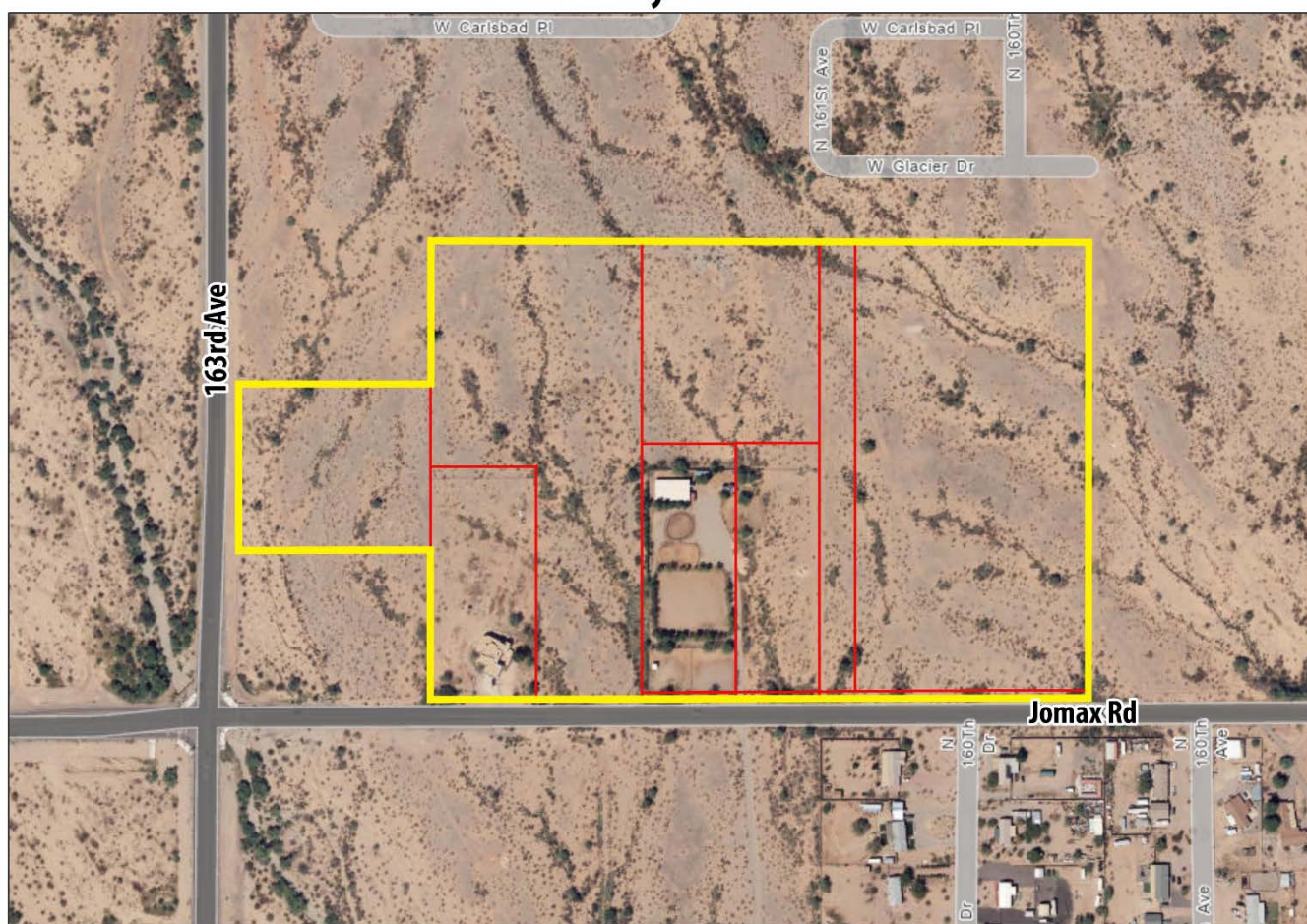


Purpose of Request

Beus Gilbert McGroder, on behalf of EcoVista Development LLC, is requesting a rezoning and final plat across approximately 42.9 gross acres (40.1 net acres) at the northeast corner of 163rd Ave and Jomax Rd (see **Figure 1. Site Aerial Context**), which consists of the following 10 existing parcels: 503-52-019G, 503-52-019R, 503-52-019Q, 503-52-079, 503-52-081B, 503-52-080B, 503-52-081A, 503-52-080A, 503-52-019M, and 503-52-019K. Approximately 20 acres of the site is currently zoned for the Legacy Village PAD, which is intended for commercial uses, whereas the remainder of the site is zoned Rural Residential (see **Exhibit A. Existing Zoning**). The approval of this request will rezone the property for 13.3 acres (net) of C-2 zoning nearest to the intersection of 163rd Ave and Jomax Rd and 26.8 acres (net) of R-3 zoning behind the commercial uses (see **Exhibit B. Proposed Zoning**).

Figure 1. Site Aerial Context

Desert Arroyo Site Aerial



Site Context

The site is largely vacant, undeveloped desert, with the exception of a small house and ranch located along Jomax Rd. The surrounding area is also largely vacant and undeveloped desert land, except for some existing single-family homes southeast of the site, south of Jomax Road. However, the majority of the adjacent undeveloped land has been recently entitled for more intense development.

	Land Use	Zoning	Existing Conditions
North	Neighborhood	RL-5 (R-1) PUD	The Rio Caballo community was approved in 2021 for 700 single-family residential units across approximately 187 acres of land.
East	Neighborhood	R-2/R-3	The Nobella mixed residential community was approved in 2022 and included a combination of R-2 and R-3 zoning or densities ranging between 2 du/ac and 14 du/ac.
South	Neighborhood	PAD (Surprise) / RU-43 (County)	The area south of Jomax Rd from the site includes a portion of the Desert Oasis PAD, particularly Parcel B1 that allows for apartments up to 18 du/ac. East of the Desert Oasis PAD are single-family residences within unincorporated Maricopa County.
West	Neighborhood	RR, RU-43 (County)	There are two adjacent properties abutting to the site the east, both of which are vacant, undeveloped desert land. There is a 2.68-acre property on the hard corner of 163 rd Ave and Jomax Rd that is zoned Rural Residential, but is proposed to be rezoned to C-2 for a Circle K gas station and convenience store. The other property is also zoned Rural Residential, but is also expected to be developed commercially given its frontage along 163 rd Avenue. West of 163 rd Ave from the site is undeveloped State Trust Land currently within unincorporated Maricopa County.

Project Overview

Given the location of the property, at the intersection of 163rd Ave, which is identified as a Parkway, and Jomax Road, which is identified as a Minor Arterial, the site lends itself to the proposed combination of commercial/office and multi-family residential uses. The commercial property has been reconfigured in a more appropriate manner to accommodate the anticipated commercial/office needs in the area. The proposed multi-family portion of the project provides the opportunity for a unique product type to the City of Surprise, one that is compatible in scale with the adjacent entitlements and will further diversify the residential options for current and future residents, supporting the housing needs of the City as it continues to grow.

Commercial Development

The 13.3 acres (net) of commercial (**Exhibit D**) will accommodate the development of approximately 135,000 square feet of floor area in accordance with the C-2 development standards. The conceptual site plan (**Exhibit C**) shows an example of a commercial development oriented in an integrated campus-like setting with a centralized open space and a network of public pedestrian paths for customers and employees to enjoy. This commercial space is anticipated to support a combination of retail uses and office space that serves the needs of the growing area. The slight reduction in commercial zoning for the project helps right-size the commercial acreage for development, and maintains commercial options for the approximately 4-acre vacant property to the north along Jomax Road. Considering the maximum size per commerce center is capped at 20 acres, the proposed Circle K gas station at the hard corner consisting of 2.68 acres, in addition to the 13.3-acre commerce center proposed in this request, the entire commercial corner would sit at just over 16 acres, thus maintaining approximately 4 acres for future commercial development on the vacant property along 163rd Ave. Examples of the intended character, scale, look, and feel of this commercial development is provided in the sample photographs below.

Central Open Space



Shaded Outdoor Seating



Pedestrian-Friendly Retail



Two-Story Retail + Office



Multifamily Development

The 26.8 acres (net) of multifamily (**Exhibit E**) will provide for maximum of 475 residential units, for a density of approximately 17.7 dwelling units per acre to be developed in accordance with the R-3 development standards. The conceptual site plan (**Exhibit C**) shows a sample residential project with residential units consisting of 2-story, 1-, 2-, and 3-bed townhome-like units, each with private, rear-loaded garages. The townhomes front towards a well-landscaped interior courtyard with interconnected pedestrian paths. These pedestrian paths connect each townhome to the common resort-like amenities, and are integrated with the public pedestrian paths that wind throughout the proposed commerce center, together which foster a highly walkable and pedestrian-friendly community. The scale of this multifamily community is comparable to the adjacent Desert Oasis PAD that was approved back in 2000, and which permits densities up to 18 du/ac directly across Jomax Road. The townhome-like residential units also provide an appropriate transition in scale and density from the adjacent Rio Caballo and Nobella residential communities to the adjacent major commerce center. The increased density is appropriate given the interconnectedness and walkability between the residential community and the commerce center. The robust pedestrian amenities and access between the multifamily community and commerce center will support reduced vehicular traffic on 163rd Ave and Jomax Rd. Sample renderings of multi-family architecture are provided below that express the intended character of the multifamily community:

Pedestrian paths connect to each front door



Well landscaped and shaded sidewalks



Rear-loaded private garages



Simple and modern character



Centralized resort-like community amenities



Cohesive architectural character



Vehicular Access

Vehicular access to this project is proposed in five locations:

- Full turn movements along Jomax Rd approximately 1,733 feet east of 163rd Ave providing direct access to the multifamily community
- $\frac{3}{4}$ access along 163rd Ave approximately 674 feet north of Jomax Rd that provides access both the commercial development and the multifamily community, as well as a future development to the vacant property to the north along 163rd Ave
- $\frac{3}{4}$ access along Jomax Rd approximately 990 feet east of 163rd Ave servicing the commercial center
- A $\frac{1}{2}$ turn movement (right in, right out) along 163rd Ave that is shared with the gas station on the hard corner approximately 336 feet from Jomax Rd
- A $\frac{1}{2}$ turn movement (right in, right out) along Jomax Rd that is shared with the gas station on the hard corner approximately 495 feet east of 163rd Ave

Infrastructure

Sewer and water service will be provided to the development by the City of Surprise. Sewer infrastructure is currently in the area.

Water infrastructure is being developed in this area for the City of Surprise by the SPA North Water Expansion Group. We are currently participating with the SPA North Water Expansion Group in the infrastructure development process.

Community Benefits

The development of this property will provide a bevy of community benefits, including:

- Construction of the much-needed half-street improvements to 163rd Avenue and Jomax Road
- Supplement the City's need for additional housing options, particularly rental housing
- Support walkability and new pedestrian between commercial activity and residential communities, reducing vehicular trips
- Attract new commercial opportunities and activity amid a fast-growing area of the City

Consistency with the General Plan

The proposed project is consistent with the City of Surprise General Plan land use map, which designates the subject property as the Neighborhood Character Area (see **Exhibit F. General Plan Character Area Designation**). This proposed project would be classified under the Urban Neighborhood Development Type, which allows for a mix of residential types, as well as community commercial uses in close proximity to one another. This project will deliver community commercial uses and professional office uses horizontally integrated with multifamily residential with a robust network of pedestrian paths connecting future residents to the commercial activity. The Urban Neighborhood Development Type will provide an appropriate transition between the Suburban Neighborhood Development Types designed for the adjacent Nobella and Rio Caballo communities.

This request is also highly consistent with the relevant goals and policies in the City of Surprise General Plan 2035. The subject site is within the 163rd Ave Corridor Residential Growth Area, which is intended for a full range of housing opportunities along with appropriately located commercial areas at a major intersection of two arterial roads. The project's consistency with the relevant goals and policies are outlined below.

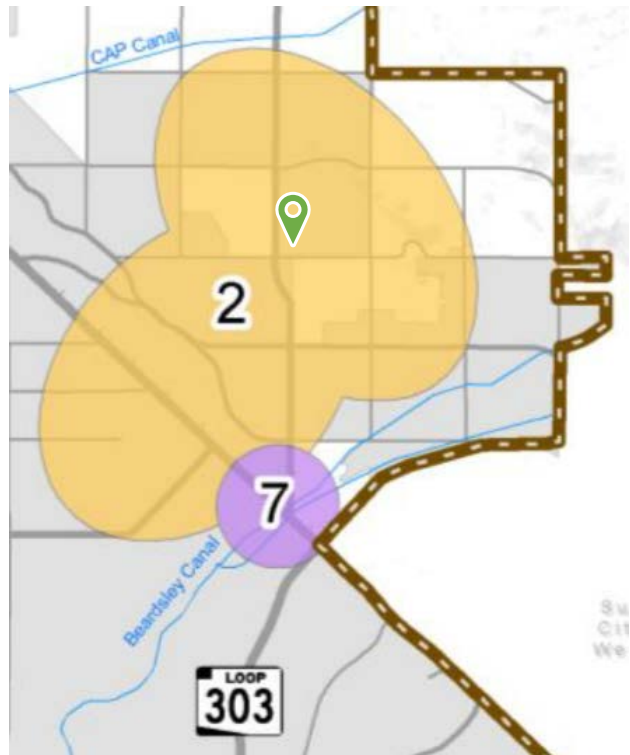
Growth Element

Goal 1: Sustainable Growth

Support sustainable growth that ensures effective, efficient, and equitable provision of public services, land, and infrastructure.

- Policy 1. Promote infrastructure expansion where it will be more efficient and effective, and minimizes adverse impacts outside the identified growth areas.
- Policy 2. Give priority to infrastructure upgrades and improvements in the identified growth areas.
- Policy 3. Focus infrastructure improvements in designated growth areas and contiguous to existing development.

Response: The subject site is within the 163rd Corridor Growth Area identified in the General Plan, and is surrounded by developing and future entitled residential communities.



Land Use Element

Goal 1: Unique Community

The City of Surprise will provide a unique living experience by offering a sense of place and an intimate community atmosphere with all the conveniences of an active urban area.

- Policy 4. City of Surprise will promote future development plans that provide opportunities for residents to engage in public activities locally through neighborhood-scale retail and housing developments; enhanced greenspace and recreation opportunities; enhanced transportation options for the community, including improved pedestrian and bicycle infrastructure; and the connection of the city through streetscape corridors.

Response: The proposed project integrates the future multifamily residences with the robust commercial opportunities via an interconnected pedestrian network, providing future residents ample opportunities to engage in any activities occurring in the adjacent commerce center. Both the proposed residential and commercial developments also provide ample open space spread evenly throughout the development. The multifamily community will also further provide centralized resort-like amenities for its residents to engage and interact together. Further, the approval of this request will also enhance the streetscape along both 163rd Ave and Jomax Road, connecting future residents between adjacent residential neighborhoods such as the Rio Caballo and Nobella communities.

Goal 6: Variety of Housing

Provide high-quality housing in a range of residential densities and types.

- Policy 1. The City shall encourage development of neighborhoods that broaden the choice of type, size, and affordability of housing in Surprise.
- Policy 2. The City shall promote various residential options that provide amenities and conveniences within the residence and surrounding community that is above the median housing mix.
- Policy 3. The city shall strive to create a balanced housing mix of detached and attached housing that fosters an economically sustainable city.

Response: The City of Surprise is dominated by single-family housing today. The proposed residential community will provide a unique housing product that provides new housing opportunities for future employees and residents in the City. The proposed multifamily community will provide a high-quality, yet low-maintenance housing product for future renters who are looking to downsize from an existing single-family home in the City, and/or are seeking a simpler lifestyle without the burden of owning and maintaining a home.

Housing Element

Goal 2: Housing Variety

Seek a variety of housing options that meet the socioeconomic needs of people who live and work in the City.

- Policy 3. Promote various residential options that provide amenities and conveniences within the residence and surrounding community that is above the median housing mix.
- Policy 4. Consider incentives for the development of diverse housing types, including smaller, more affordable units.
- Policy 5. Maintain a communitywide housing mix to serve the evolving demographic and economic needs of its residents.
- Policy 7. Preserve and expand quality, affordable rental options within various areas of the community.
- Policy 8. Integrate housing and employment through mixed-use projects in more urban areas, as a means to increase housing supply while promoting diversity and neighborhood vitality.

Response: The residential community will integrate the City's housing needs and diverse housing options as described previously with commercial access and employment opportunities. The multifamily community will be highly integrated with the proposed commerce center through interconnected pedestrian paths that wind through the commerce center and connect to each residential unit through scenic landscaped courtyards.

Alternate Modes Element

Goal 1: Bicycles and Pedestrians

Develop and promote safe bicycle and pedestrian systems, and provide connectivity throughout Surprise.

- Policy 1. Facilitate the integration of bicycle facilities on collector, arterial and parkway streets to meet or exceed the national average.
- Policy 2. Develop a safe and convenient network of sidewalks, crossings and paths for walking and bicycling that provides connections between schools, recreation facilities, residential areas, transit stops and business centers.

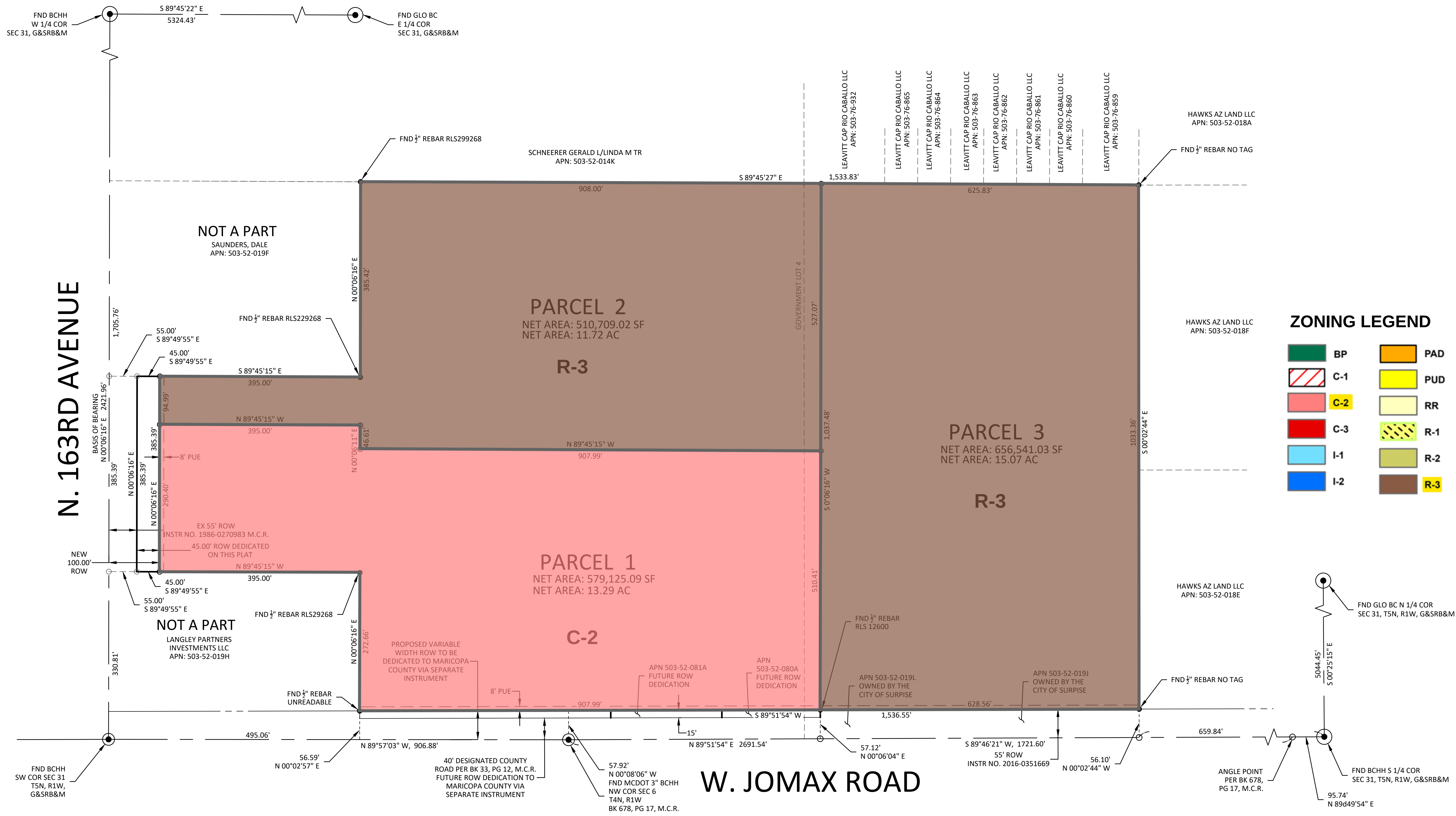
Response: The proposed project will support safe bicycle and pedestrian systems by incorporating a robust pedestrian network that pans across the multifamily community and connected to the commerce center, provide safe spaces for both pedestrians and bicycles where they do not need to compete with automobiles.

Exhibit A

Existing Zoning

Exhibit B

Proposed Zoning



ZONING LEGEND

	BP		PAD
	C-1		PUD
	C-2		RR
	C-3		R-1
	I-1		R-2
	I-2		R-3

RDA

RON DEITRICK ARCHITECTS
rondeitrick.com 602.577.7171



EcoVista
Development

DESERT ARROYO

A MIXED-USE COMMERCIAL & RETAIL DESTINATION AND MULTI-FAMILY COMMUNITY

SURPRISE, ARIZONA

REZONING EXHIBIT
PROPOSED ZONING

DATE: 12/19/23



Exhibit C

Conceptual Site Plan



THE VILLAGES AT DESERT ARROYO WEST - 210 UNITS

(11.847 AC MULTI-FAMILY)
GROSS SITE AREA: 520,222 SF (11.94 AC)
NET SITE AREA: 510,709 SF (11.72 AC)

BUILDING TYPES	1 BED	2BED	3BED	TOTAL
8 UNIT	(2)	(4)	(2)	80
10 BUILDINGS	(3)	(6)		20
9 UNIT		6	12	18
2 BUILDINGS	(3)	(6)	(2)	
11 UNIT		24	48	16
8 BUILDINGS	(4)	(8)		88
12 UNIT		8	16	24
2 BUILDINGS		58	116	36
TOTAL UNITS	28%	55%	17%	210
TOTAL BUILDINGS				22

PARKING: REQUIRED = 118 SP PROVIDED = 123 SP

USEABLE OPEN SPACE:
REQUIRED : 210 D.U. x 150 SF = 31,500 SF PROVIDED : 36,000+ SF

THE SHOPS
AT
DESERT ARROYO
(RESTAURANT / RETAIL / OFFICE)
GROSS SITE AREA: 658,090 SF (15.12 AC)
NET NET AREA: 578,125 SF (13.29 AC)

PARKING REQUIRED AND PROVIDED: 553 SPACES

BUILDING	RESTAURANT + PATIO	RETAIL
A	1,500 / 100 = 15	0 / 400 = 0
B	2,500 / 100 = 25	0 / 400 = 0
C	3,000 / 100 = 30	0 / 400 = 0
D	0 / 100 = 0	11,000 / 400 = 28
E	0 / 100 = 0	7,000 / 400 = 18
F	6,000 / 100 = 60	15,000 / 400 = 38
G	8,000 / 100 = 80	0 / 400 = 0
H	5,000 / 100 = 50	0 / 400 = 0
I	6,000 / 100 = 60	5,000 / 400 = 13
J	0 / 100 = 0	7,000 / 400 = 18
K	0 / 100 = 0	8,000 / 400 = 20
L	0 / 100 = 0	7,000 / 400 = 18
M	8,000 / 100 = 80	0 / 400 = 0
TOTAL:	40,000 SF 400 SP 60,000 SF 153 SP	

35,000 SF OF 2ND FLOOR OFFICE SPACE IN BUILDINGS F & I
WILL HAVE A SHARED PARKING AGREEMENT WITH RETAIL

THE VILLAGES AT DESERT ARROYO EAST - 265 UNITS

(14.908 AC MULTI-FAMILY)
GROSS SITE AREA: 691,119 SF (15.87 AC)
NET SITE AREA: 656,541 SF (15.07 AC)

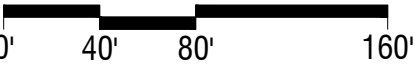
BUILDING TYPES	1 BED	2BED	3BED	TOTAL
5 UNIT	(1)	(2)	(2)	5
1 BUILDING		1	2	
6 UNIT	(2)	4	8	12
2 BUILDINGS		4	8	
7 UNIT	(2)	4	(1)	2
2 BUILDINGS		4	(2)	14
8 UNIT	(2)	18	36	18
9 BUILDINGS	(3)	(6)	(2)	72
11 UNIT		21	42	14
7 BUILDINGS	(4)	(8)		77
6 BUILDINGS		24	48	72
13 UNIT	(3)	(6)	(4)	13
1 BUILDING		3	6	
9 BUILDINGS		75	150	40
TOTAL UNITS	28%	57%	15%	265
TOTAL BUILDINGS				28

PARKING: REQUIRED = 153 SP PROVIDED = 168 SP

USEABLE OPEN SPACE:
REQUIRED : 265 D.U. x 150 SF = 39,750 SF PROVIDED : 46,000+ SF

CONCEPTUAL SITE PLAN
MULTI-FAMILY : 26.79 AC (NET) - 475 UNITS
COMMERCIAL : 13.29 AC (NET) - 135,000 SF

DATE : 11/28/23
SCALE : 1" = 80'



SP-100

Exhibit D

Legal Description (Commercial)

LEGAL DESCRIPTION - PARCEL 1

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 31 FROM WHICH THE WEST QUARTER CORNER BEARS SOUTH 89 DEGREES 57 MINUTES 03 SECONDS EAST, A DISTANCE OF 906.88 FEET TO POINT;

THENCE NORTH 89 DEGREES 46 MINUTES 21 SECONDS EAST, A DISTANCE OF 1,721.60 FEET;

THENCE SOUTH 89 DEGREES 57 MINUTES 03 SECONDS EAST ALONG SAID SOUTH LINE OF SECTION 31, A DISTANCE OF 495.06 FEET;

THENCE LEAVING SAID SOUTH LINE NORTH 00 DEGREES 02 MINUTES 57 SECONDS EAST, A DISTANCE OF 56.59 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF W. JOMAX ROAD, SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE NORTH 00 DEGREES 06 MINUTES 16 SECONDS EAST, A DISTANCE OF 272.66 FEET;

THENCE NORTH 89 DEGREES 45 MINUTES 15 SECONDS WEST, A DISTANCE OF 395.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF N. 163RD AVENUE;

THENCE NORTH 00 DEGREES 06 MINUTES 16 SECONDS EAST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 290.40 FEET;

THENCE SOUTH 89 DEGREES 45 MINUTES 15 SECONDS EAST, A DISTANCE OF 395.00 FEET;

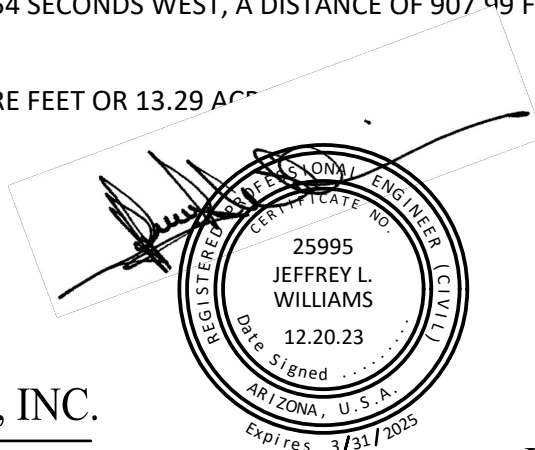
THENCE SOUTH 00 DEGREES 06 MINUTES 11 SECONDS WEST, A DISTANCE OF 46.61 FEET;

THENCE SOUTH 89 DEGREES 45 MINUTES 15 SECONDS EAST, A DISTANCE OF 907.99 FEET;

THENCE SOUTH 00 DEGREES 06 MINUTES 16 SECONDS WEST, A DISTANCE OF 510.41 FEET TO A POINT ON SAID NORTH RIGHT-OF-WAY LINE OF W. JOMAX ROAD;

THENCE SOUTH 89 DEGREES 51 MINUTES 54 SECONDS WEST, A DISTANCE OF 907.99 FEET TO THE TRUE POINT OF BEGINNING;

SAID PARCEL CONTAINS 579,125.09 SQUARE FEET OR 13.29 ACRES



R.B. WILLIAMS & ASSOCIATES, INC.

CONSULTING ENGINEERS

1921 S. ALMA SCHOOL ROAD, SUITE 101 PHONE: (480) 424-2352
MESA, ARIZONA 85210 FAX: (480) 424-2353

**PARCEL 1
LEGAL DESCRIPTION**

Exhibit E

Legal Description (Multifamily)

LEGAL DESCRIPTION - PARCEL 2

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 31 FROM WHICH THE WEST QUARTER CORNER BEARS SOUTH 89 DEGREES 57 MINUTES 03 SECONDS EAST, A DISTANCE OF 906.88 FEET TO POINT;

THENCE NORTH 89 DEGREES 46 MINUTES 21 SECONDS EAST, A DISTANCE OF 1,721.60 FEET;

THENCE NORTH 00 DEGREES 06 MINUTES 16 SECONDS EAST ALONG THE WEST LINE OF SAID SECTION 31, A DISTANCE OF 716.20 FEET TO A POINT;

THENCE SOUTH 89 DEGREES 49 MINUTES 66 SECONDS EAST, A DISTANCE OF 100.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF N. 163RD AVENUE, SAID POINT BEING THE SAID POINT BEING THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 45 MINUTES 15 SECONDS EAST, A DISTANCE OF 395.00 FEET;

THENCE NORTH 00 DEGREES 06 MINUTES 16 SECONDS EAST, A DISTANCE OF 385.42 FEET;

THENCE SOUTH 89 DEGREES 45 MINUTES 27 SECONDS EAST, A DISTANCE OF 908.00 FEET;

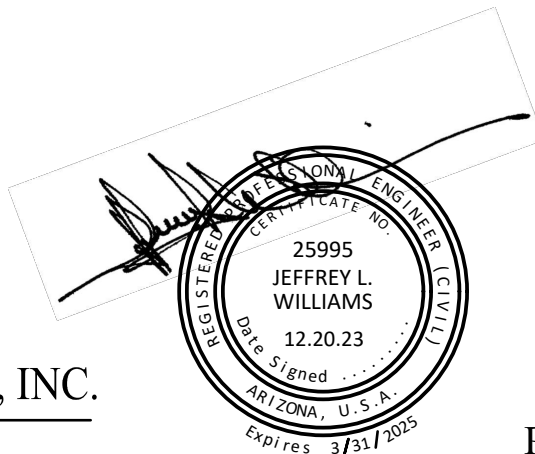
THENCE SOUTH 00 DEGREES 06 MINUTES 16 SECONDS WEST, A DISTANCE OF 527.07 FEET;

THENCE NORTH 89 DEGREES 45 MINUTES 15 SECONDS WEST, A DISTANCE OF 907.99 FEET;

THENCE NORTH 00 DEGREES 06 MINUTES 11 SECONDS EAST, A DISTANCE OF 46.61 FEET;

THENCE NORTH 89 DEGREES 45 MINUTES 15 SECONDS WEST, A DISTANCE OF 395.00 FEET TO THE TRUE POINT OF BEGINNING;

SAID PARCEL CONTAINS 510,709.02 SQUARE FEET OR 11.72 ACRES, MORE OR LESS



R.B. WILLIAMS & ASSOCIATES, INC.

CONSULTING ENGINEERS

1921 S. ALMA SCHOOL ROAD, SUITE 101 PHONE: (480) 424-2352
MESA, ARIZONA 85210 FAX: (480) 424-2353

**PARCEL 2
LEGAL DESCRIPTION**

LEGAL DESCRIPTION - PARCEL 3

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 31 THENCE SOUTH 89 DEGREES 57 MINUTES 03 SECONDS EAST, A DISTANCE OF 906.88 FEET TO A POINT;

THENCE NORTH 89 DEGREES 46 MINUTES 21 SECONDS EAST, A DISTANCE OF 496.12 FEET;

THENCE LEAVING SAID SOUTH LINE NORTH 00 DEGREES 06 MINUTES 04 SECONDS WEST, A DISTANCE OF 57.12 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF W. JOMAX ROAD, SAID POINT BEING THE TRUE POINT OF BEGINNING;

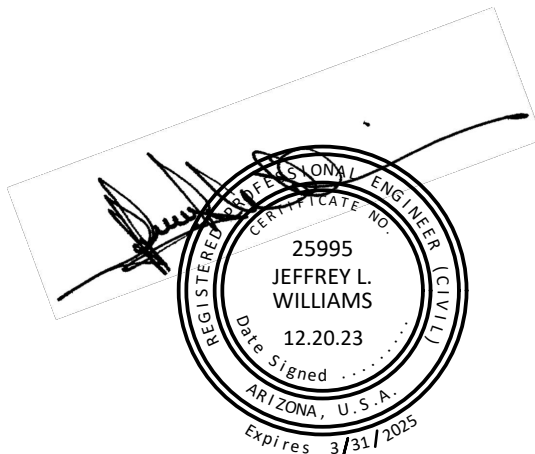
THENCE NORTH 89 DEGREES 51 MINUTES 54 SECONDS EAST ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 628.56 FEET;

THENCE NORTH 00 DEGREES 02 MINUTES 44 SECONDS WEST, A DISTANCE OF 1,033.36 FEET;

THENCE SOUTH 89 DEGREES 45 MINUTES 27 SECONDS WEST, A DISTANCE OF 625.83 FEET;

THENCE SOUTH 00 DEGREES 06 MINUTES 16 SECONDS WEST, A DISTANCE OF 1,037.48 FEET TO A POINT ON SAID NORTH RIGHT-OF-WAY LINE, SAID POINT BEING THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 656,541.03 SQUARE FEET OR 15.07 ACRES, MORE OR LESS



R.B. WILLIAMS & ASSOCIATES, INC.

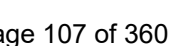
CONSULTING ENGINEERS

1921 S. ALMA SCHOOL ROAD, SUITE 101 PHONE: (480) 424-2352
MESA, ARIZONA 85210 FAX: (480) 424-2353

**PARCEL 3
LEGAL DESCRIPTION**

Exhibit F

General Plan Character Area Designation



Leslie Carnie

From: RAHN, JENNIFER L CIV USAF AETC 56 FW/CVE <jennifer.rahm@us.af.mil>
Sent: Thursday, July 13, 2023 1:10 PM
To: Tierney Farago
Cc: 56 FW/CIT Community Initiative; Nichole Flores
Subject: RE: FS23-0553 Desert Arroyo New Digital Submittal 07.10.23
Attachments: smime.p7s; ATT00001.txt; ATT00002.htm

Importance: High

Good afternoon Ms. Farago,

Thank you for the opportunity to provide comments on the design review application for Desert Arroyo. The site sits on approximately 41.34 acres of vacant land located at the northeast corner of 163rd Avenue and Jomax Road in Surprise, AZ. The project is for a 500-unit townhouse development and surrounding 100,000SF of commercial space. The site falls approximately 3.45 miles outside the Luke AFB Aux- 1 2004 JLUS 65 Ldn, "high noise or accident potential zone" as defined by A.R.S. § 28-8461 and is within the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461.

In an effort to promote a more compatible co-existence, Luke AFB follows the guidelines in the Graduated Density Concept (GDC). The GDC proposes, in the absence of a more restrictive state, county or municipal general or comprehensive plan, graduating densities away from the 65 Ldn as follows: a maximum of 2 du/ac from the 65 Ldn to 1/2 mile, a maximum of 4 du/ac from 1/2 to 1 mile, and a maximum of 6 du/ac from 1 to 3 miles. The proposed site is located outside of the GDC.

As described in the application, this request will not have a negative impact on Luke AFB Flight Operations. Since the site will be located inside the "territory in the vicinity of a military airport," it will be subjected to approximately 170 over flights per day. We a strong notification program on the part of the county to inform the future occupant(s) about Luke AFB operations.

Respectfully,

Jenn Rahn

Senior Planner, Community Initiatives Team
56th Fighter Wing
Luke AFB AZ 85309
Office: 623-856-9981
DSN: 896-9981

From: Tierney Farago <Tierney.Farago@surpriseaz.gov>
Sent: Monday, July 10, 2023 10:59 AM
To: 56 FW/CIT Community Initiative <56FW.CIT.CommunityInitiative@us.af.mil>; Afshin Ahouraiyan (Flood Control District of Maricopa County) <Afshin.Ahouraiyan@Maricopa.Gov>; Alex Garza (Maricopa Assoc of Governments) <AGarza@azmag.gov>; Chris Cain (Maricopa Water District) <chrisc@mwdaz.com>; Darren Gerard <Darren.Gerard@maricopa.gov>; Debbie Trasancos (Maricopa Water District) <debbiet@mwdaz.com>; Ernest (USPS) <Ernest.L.James@usps.gov>; Eva Pierce <eva.pierce@dysart.org>; Ibeth - USPS <Ibeth.L.Roman@usps.gov>; Jerome

Choy (ADOT) <jchoy@azdot.gov>; Kevin Shipman <kevin.shipman@dysart.org>; Leslie - MWD <lesliej@mwdaz.com>; Mark Frago <fragom@mail.maricopa.gov>; Mary Orta - Surprise Chamber <mary.orta@surpriseregionalchamber.com>; MCDOT <MCDOTPlanning@maricopa.gov>; Raoul Sada - Surprise Chamber <raoul@surpriseregionalchamber.com>; Victor.Schaum <Victor.Schaum@cox.com>; Yvonne Aguirre <yvonne.aguirre@swgas.com>

Cc: Nichole Flores <Nichole.Flores@surpriseaz.gov>

Subject: [Non-DoD Source] FS23-0553 Desert Arroyo New Digital Submittal 07.10.23

Good afternoon,

Attached please find the **application, narrative, site plan, rezone, and final plat** for the above referenced project.

Please feel free to contact us with any questions.

Thanks,

TIERNEY FARAGO

Planning Project Coordinator

City of Surprise | Community Development

16000 N. Civic Center Plaza

Surprise, AZ 85374

623-222-3154

PLEASE NOTE: Effective August 3, 2022 we will be adding 2 business days for out-processing notices.

This e-mail and any accompanying files transmitted are intended solely for the use of the individual or entity to whom they are addressed; if you have received this e-mail in error please delete it and notify the sender. In addition, under Arizona law, e-mail communications and e-mail addresses may be public records.

0.1

Desert Arroyo

Citizen Participation Report

FS23-0552

Northeast Corner of 163rd Ave and Jomax Rd

October 6, 2023

Submitted on behalf of
EcoVista Development LLC

4400 N Scottsdale Road Suite 9500
Scottsdale, Arizona 85251
(480) 215-6088



Submitted by
Beus Gilbert McGroder PLLC

701 North 44th Street
Phoenix, Arizona 85008
www.beusgilbert.com
(480) 429-3000



Purpose of Request

Beus Gilbert McGroder, on behalf of EcoVista Development LLC, is requesting a rezoning and final plat across approximately 42.9 gross acres (40.1 net acres) at the northeast corner of 163rd Ave and Jomax Rd. Approximately 20 acres of the site is currently zoned for the Legacy Village PAD, which is intended for commercial uses, whereas the remainder of the site is zoned Rural Residential. The approval of this request will rezone the property for 13.3 acres (net) of C-2 zoning nearest to the intersection of 163rd Ave and Jomax Rd and 26.8 acres (net) of R-3 zoning behind the commercial uses, permitting the development of a horizontal mixed-use community featuring 135,000 square feet of commercial space and 475 multifamily residential units.

This Citizens Participation Report summarizes the outreach methods used to inform residents of the proposed rezoning request, the feedback that has been received, as well as a summary of how the applicant responded to the feedback and/or addressed any concerns.

Outreach

The following methods were utilized to inform interested neighbors and stakeholders of the proposed project:

- Mailed postcards to all property owners within 300 feet of the project site informing property owners of the proposed project and upcoming neighborhood meeting
- Installed two 4-foot by 8-foot signs on the property along 163rd Avenue and Jomax Road
- Published information as a legal ad in a local newspaper
- Hosted a neighborhood meeting on September 13, 2023 at the Asante Preparatory Academy located at 23251 N 166th Dr., which is less than three miles from the subject site

Citizen Feedback

September 13, 2023 Neighborhood Meeting

The applicant hosted a neighborhood meeting on Wednesday, September 13, 2023 at 6:00 pm at the Asante Preparatory Academy Media Center after notifying property owners and stakeholders. A total 31 people were in attendance and participated in the neighborhood meeting. The applicant shared the proposed site plan with the participants along with a brief presentation that informed attendees of the proposed uses and housing typologies as reflected in the site plan. Following the presentation, the applicant opened the meeting for questions and comments from attendees to provide their feedback. The following summarizes the questions and comments raised, as well as the applicant's response.

Who is building the site?

Ecovista Development is the developer requesting the rezoning request. Ecovista will likely develop the multifamily component of this project, whereas the commercial portion will be sold and built by another developer.

Nobody wants high density

The City of Surprise has a major gap in the current market-rate rental market. The City simply has not kept pace with the other cities in the Valley in providing rental units to its residents. So, there is a major need in the City right now to deliver market-rate multifamily rental units and to diversify the housing stock. Additionally, this developer would not be considering this location if there was not a demand for multifamily housing in this area.

Why can't this land be preserved as open space?

This land is privately owned and already contains entitlements allowing commercial development on the majority of the site. There are additional approved entitlements on the land surrounding this site, providing little to no value as a desert preserve from a community standpoint. What we are proposing – commercial and multifamily development – would result in the highest and best use of the site at the intersection of two arterial roads.

The development of this land will create an urban heat island effect

All development contributes to the urban heat island. This development will follow all City of Surprise Land Development Ordinance requirements to mitigate the urban heat island effect, including the provisions for 150 square feet of open space per dwelling unit. The proposed Desert Arroyo residential development will actually exceed this standard by providing over 79,000 square feet of open space. This development will also provide a plethora of shade trees throughout the site to cast shade, which will further assist in combating the urban heat island effect.

There have been enough units that the City of Surprise has already approved in this area

The City of Surprise's population has increased rapidly since 2000, growing 342% between 2000 and 2020. This growth rate is only behind the City of Buckeye and the City of Goodyear in all of Maricopa County. This rapid growth is expected to continue through 2040, particularly with the completion of the TSMC plant nearby in North Phoenix. However, the housing stock, and particularly the market-rate rental housing stock, needs to keep pace. So, the increased market-rate rental housing in the City is necessary to accommodate the growing population of the City.

What happens during an emergency?

Both multifamily communities, Desert Arroyo East and Desert Arroyo West, have secondary emergency ingress/egress points through the commercial portion of the site.

The commercial development is too close to residential homes

The site already contains 20 acres of commercial zoning via the Legacy Village PAD. This proposal only reconfigures the commercial zoning to a more appropriate location closer to the intersection of the two arterial roads – 163rd Ave and Jomax Rd.

Where will this project receive water from?

The site is within the City of Surprise water services area being within the City limits. The applicant is working with and contributing towards the SPA 2 North Water Group to coordinate the continued development of the Desert Oasis Water Campus to provide sufficient water for future development in the area.

Don't want to live near rentals

This rental community will be gated and professionally managed to maintain a high-end luxury community.

Why did we choose townhome units instead of single-family homes?

This site is located at the intersection of two arterial roadways, which is an ideal location for higher density development, like townhomes, and less appropriate for single-family homes. The Surprise Housing Study also identifies a major need for market-rate rental housing, which this project is delivering.

Is this development intended to accommodate the TSMC Plant?

This project may accommodate some TSMC employees given the proximity. However, this project is not directly related to the TSMC development.

Will there be any horse trails?

No, this project will not be providing any horse trails. There are no horse trails on the property today, and the site will be completely surrounded by future development, restricting any horse movement beyond the site in any event.

What will happen with Jomax Road?

Jomax Road will be improved and widened per City standards, which include 2 lanes in each direction with a center median.

Can we limit height to one story?

These townhomes will not have any stacked units. The townhomes we have designed are limited to two stories, which accommodates a private garage on the first floor and living spaces on the second floor. These two-stories will be no higher than what is allowed in any zoning district, including the existing RR zoning on some of the property today, which allows heights up to 40 feet, as well as the RU-43 zoning in the County across Jomax Road, which has a maximum height of 30 feet.

Have impacts to wildlife been considered?

The subject site is not a major wildlife corridor today. Additionally, the subject site will be completely surrounded by future development as mentioned previously. So, there will be nowhere for wildlife to go on the property.

What type of lights will be used on site?

This project will only utilize fully shielded light fixtures to minimize any light pollution.

What type of retail is planned for the commercial development?

We have not secured any tenants yet. However, it is anticipated to accommodate a mixture of offices, restaurants, and other retail shopping.

There is too much traffic already on 163rd Ave

We understand that 163rd Avenue is congested today, particularly the intersection of 163rd Avenue and Grand Avenue. This mixed-use project is expected to actually reduce congestion at this intersection. The proposed commercial center will attract some office and retail traffic away from the congested intersection as new jobs and destinations are created in the local community. According to our Traffic Impact Analysis, the proposed commercial center will attract nearly 5,000 daily trips, many of which would otherwise be forced to traverse through the 163rd Avenue and Grand Avenue intersection to reach their office/retail destinations. Comparatively, the proposed residential development in Desert Arroyo is expected to generate approximately 3,200 daily trips, although roughly 1,000 of which will be captured internally by the mixed-use nature of the Desert Arroyo development. So, the net effect of the proposed Desert Arroyo project is an estimated reduction of 2,800 daily trips through the 163rd Avenue and Grand Avenue intersection.

Will this community be Section 8 Housing?

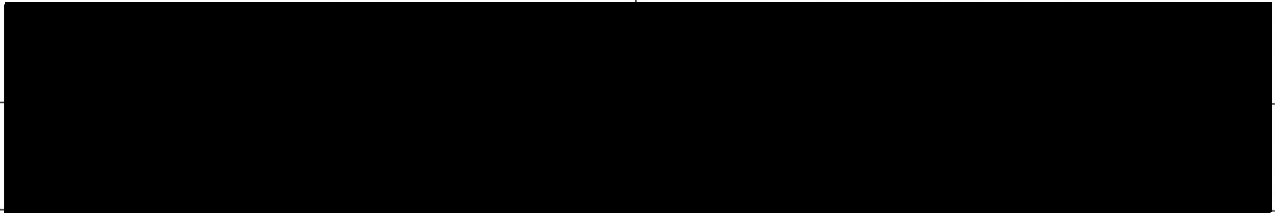
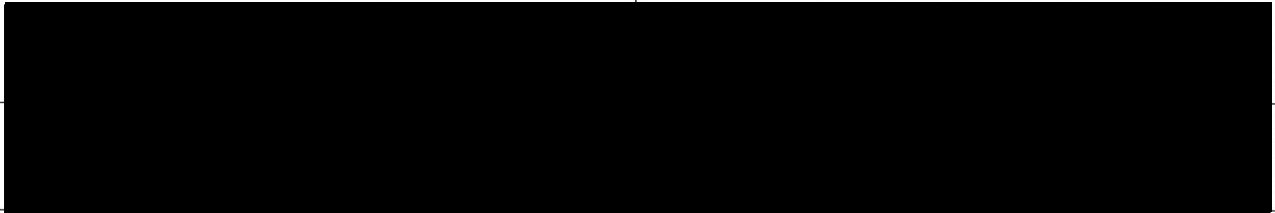
This community will not be Section 8 Housing. All units will be market-rate.

Name	Email	Address
Bob Kerley		
Linda Lizardo		

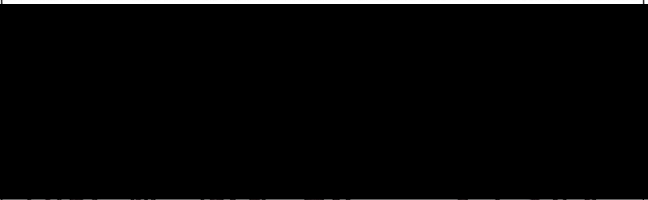
Meeting: Desert Arroyo Neighborhood Meeting Date: 9/13/2023 Location Asante Prep Academy Media Center

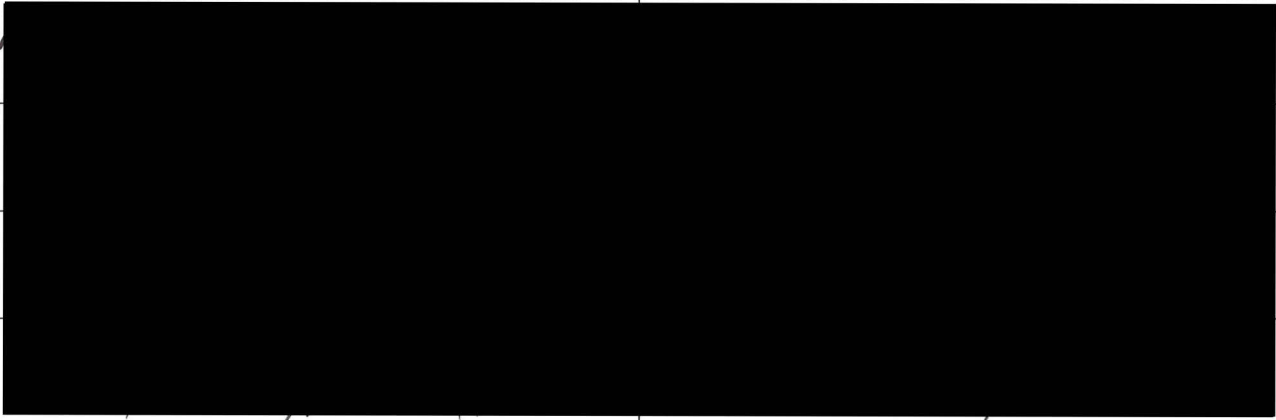
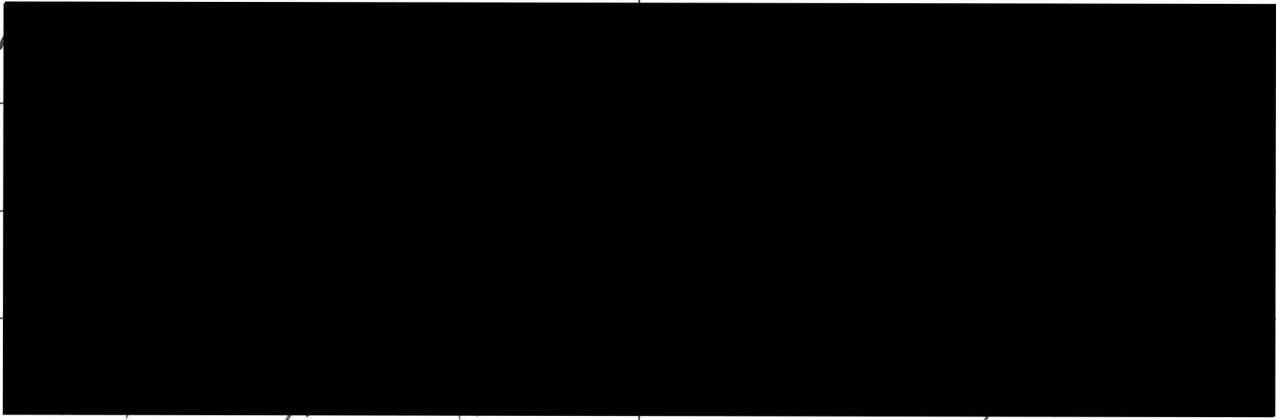
Name	Email	Address
Joe Soria		

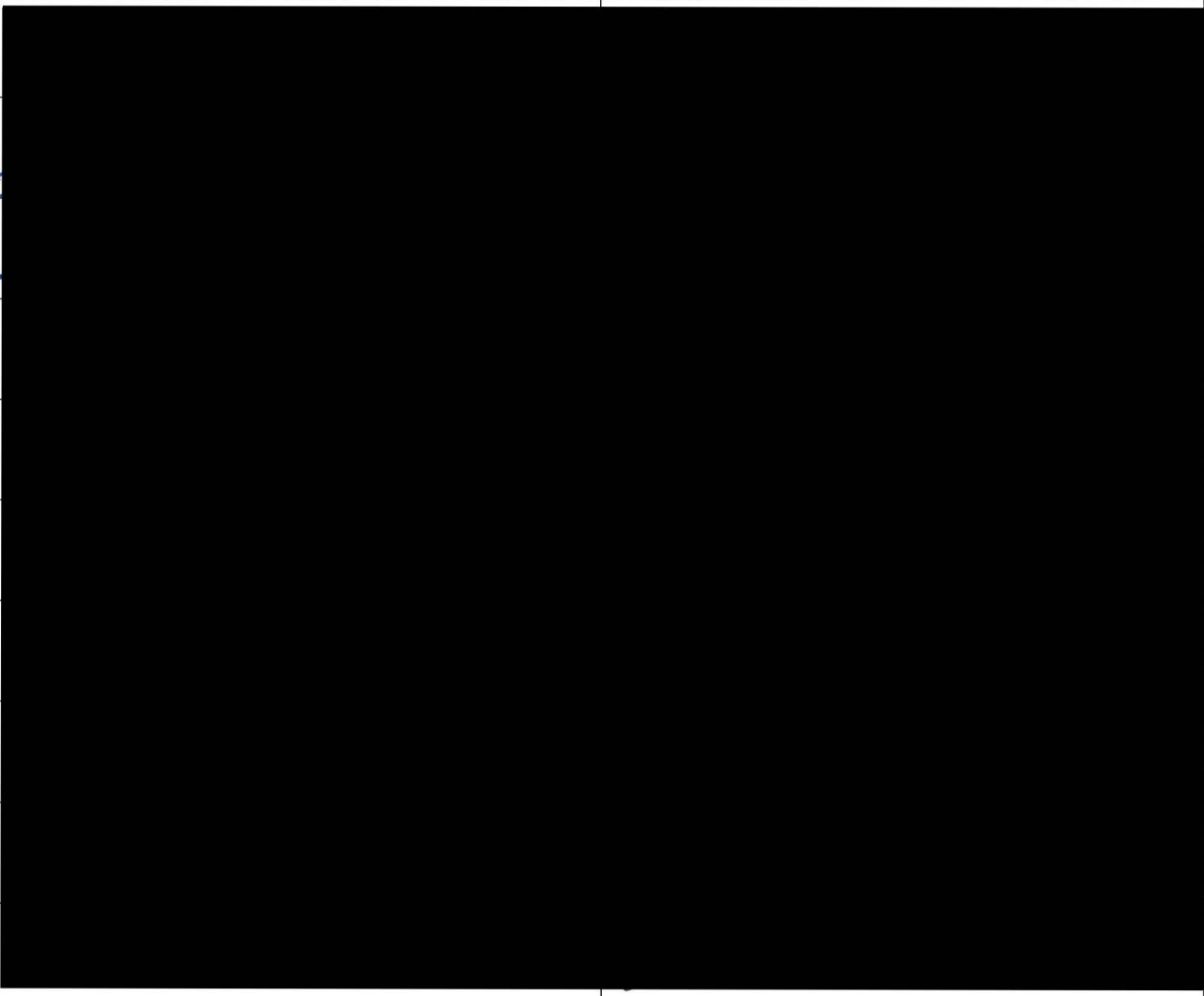
Meeting: The Shops @ Desert Arroyo Date: 9/13/2023 Location: Asante Prep Acad

Name	Email	Address
Dodge Marshall		
Lisa Cornelius		

Name	Email	Address
Lisa Barton		
Aleisha Stefani		
Jeff Vajcner		
Jennie Vajcner		

Name	Email	Address
Cathy Zamorano		
Andy Cepon		

Name	Email	Address
Dianne Blumberg Richard Cox		
Danny + Lisa Lininger		
Kevin Perry		
DAVID MARSH		

Name	Email	Address
Patty Allan		
Scott & Janice Phillip		
Kissling		
William GAIDES		
Karen & Mike Fanton		
Dan & Tony Jude		
Mike Faith		
Lisa Tonks		
Karen Cote		
Tanya Hance		

Meeting: Desert Arroyo Neighborhood Meeting Date: 9/13/2023 Location Asante Prep Academy Media Center

Name	Email	Address
GERALD HERRERA, JR		

From: [Lloyd Abrams](#)
To: [Leslie Carnie](#)
Subject: FW: More Apartments
Date: Friday, September 8, 2023 12:38:35 PM
Attachments: [IMG_5003.png](#)
[image002.jpg](#)

Leslie,

Would you please add to the case file.

Thank you,

Lloyd Abrams
Community Development Director
City of Surprise
Office: 623-222-3021

From: Nick Haney <Nick.Haney@surpriseaz.gov>
Sent: Thursday, September 7, 2023 9:10 PM
To: Lloyd Abrams <Lloyd.Abrams@surpriseaz.gov>
Subject: FW: More Apartments

Hello,
Can we please add these comments to the file?
Thank you,
Nick



Nick Haney
Councilman, District 1

P 623.222.1300
E nick.haney@surpriseaz.gov
City of Surprise
[Newsletter](#)- *Subscribe for monthly updates*



From: Joe Mansour [REDACTED]
Sent: Thursday, September 7, 2023 4:57 AM
To: Nick Haney <Nick.Haney@surpriseaz.gov>
Subject: More Apartments

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

Nick

I am not sure when enough is enough how many more apartments we are going to put on 163. It took my wife 32 minutes to go through 2 lights on grand. This is getting to a point were the city just don't get it. Please oppose anymore rezoning. The folks here are tired of fighting this every month.

Thank you

Joe Mansour

[REDACTED]

[REDACTED]

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From: [Dodge Marshall](#)
To: [Leslie Carnie](#)
Subject: Concerns of Jomax Construction
Date: Tuesday, September 19, 2023 7:17:16 AM

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

September 19th, 2023

Good Day Leslie,

I retrieved your email address from the Neighborhood Meeting postcard for **Case FS23-0552**. I attended both the September 13th meeting and the September 18th meetings regarding rezoning changes to my community and more importantly Jomax Road.

Frankly I am disgusted with the glut of homes being built in and around my home at [REDACTED] [REDACTED]. I addressed some of my concerns with the representative from Beus Gilbert McGroder PLLC, but obviously that is not as effective as notifying the press, or a government representative.

As you can tell from my address listed above, I am DIRECTLY ACROSS THE STREET from the new proposal of Desert Arroya Shops and The Villages. My street of 160th Drive is one of only two ingress/egress points for the residential townhomes proposed. But it gets even better. The egress point on 163rd will require a U-turn after exiting The Villages which means that the majority of the 475+ residents will be leaving their complex on 160th Drive & Jomax. I expressed the fact that the City of Surprise has approved the rezoning of high-density homes to the tune of approximately 30,462 homes within a 2.7 mile radius of my home already and a whopping 141 approved projects and almost 189,000 dwellings overall in the Surprise boundaries.

We share the same roads, the same aquifers, and what's left of it, the same desert with all that "progress".

In my humble opinion, until all the new homes have been built and sold and there is a new way to exit this side of the US 60, it would be negligent on the part of the City to expand any more. I lived in Desert Oasis in 2013-2016 and valued the surrounding community. I bought my current home with the understanding that this was zoned RR all around me. I bought property for my horses and was confident that when I bought here, that it would remain zoned RR. Boy was I wrong!!

So, leave it to be said, enough is enough. I am opposed to additional properties being rezoned to High Density. I am not opposed to 2 homes per acre. I am opposed to ANY commercial undertakings in and around Jomax or even farther North. In addition, I was surprised and

disgusted to hear that a Circle K (or any form of gas station) has possibly been allocated for the corner of Jomax and 163rd ?

Leslie, I feel like I am being taken advantage of and guess what.....I was here first, so I feel I have the right to speak openly that this overstepping of the desert is unacceptable.

*Respectfully,
M. Dodge Marshall*



From: [Lloyd Abrams](#)
To: [Leslie Carnie](#)
Subject: FW: Fs23-0552 development project
Date: Tuesday, September 19, 2023 8:25:30 AM

Please add to case file.

Thanks,

Lloyd Abrams
Community Development Director
City of Surprise
Office: 623-222-3021

From: Nick Haney <Nick.Haney@surpriseaz.gov>
Sent: Monday, September 18, 2023 9:37 PM
To: Lloyd Abrams <Lloyd.Abrams@surpriseaz.gov>
Subject: Fwd: Fs23-0552 development project

Can we please add this to the file for this project?
Thank you,
Nick

Nick Haney
Surprise City Councilman
District 1

From: David Booth [REDACTED]
Sent: Wednesday, September 13, 2023 11:15:41 AM
To: Nick Haney <Nick.Haney@surpriseaz.gov>
Subject: Fs23-0552 development project

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

Hello,

I would like to reach out and voice my opinion on the matter as I will not be able to attend. I live off 168th and dale lane, to the north of this project and absolutely object to the zoning and approval of it. We do not need more homes in the area, there is so much going in already without the road infrastructure to support it.

David Booth

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Lana Algas

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

David Peña

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

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I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Claudia Gonzalez


Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

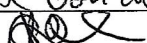
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

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I urge you to approve this request!

Sincerely,

Alex Gonzalez


Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

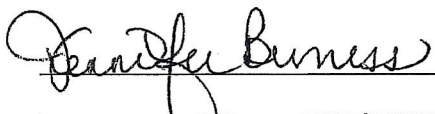
RE: NEC Jomax Road & 163rd Avenue

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I urge you to approve this request!

Sincerely,



Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Carrie A. Parkinson

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

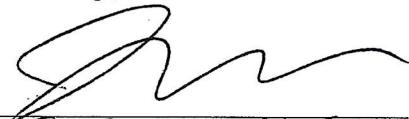
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


J. DOUGHERTY

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

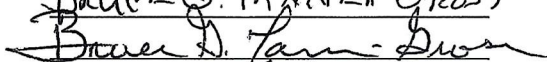
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Bruce G. Tanner-Gras


Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Serem Hintz

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Garrett Dye
Garrett Dye

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Jana Knecht
Jana Knecht

-Under the condition that
more roads from Grand +
the 303 are built to
accommodate the incoming
traffic.

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

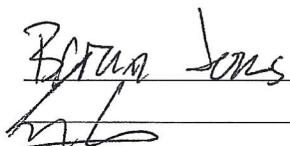
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



A handwritten signature in black ink, appearing to read 'David Demof', is written over a horizontal line. The signature is stylized with a large initial 'D' and a long, sweeping underline.

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

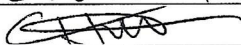
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Chase Hulbert


Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

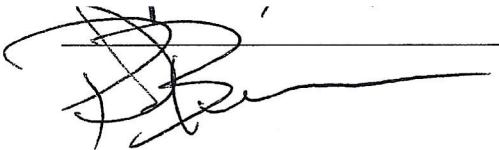
Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

RATISCH Burke

A handwritten signature, likely of Ratish Burke, written in black ink. The signature is stylized and appears to be written over a horizontal line.

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

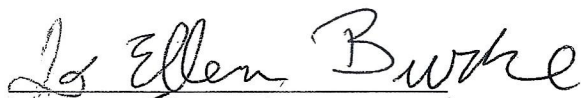
RE: NEC Jomax Road & 163rd Avenue .

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


Ellen Burke

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


Arlin Hestington

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

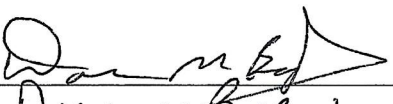
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


Duane Belen.

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

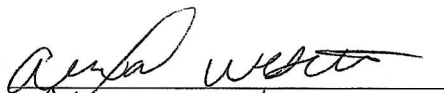
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


Alexa Wescott

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


Frederick Fisher

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Alex Weinert 

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Nicole Weiner

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

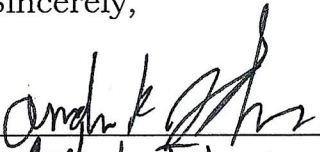
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Andrew L. Johnson

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

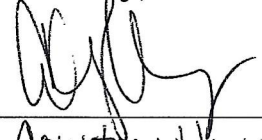
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Courten Hurdlen

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



LEE L. DANIELS

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


PAT HOPPER

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

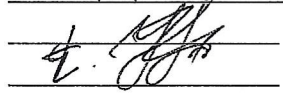
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Tatiana Young


Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


Britanni Anderson

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

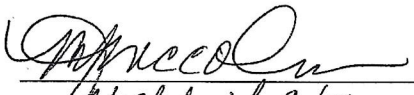
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Michele McCole

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

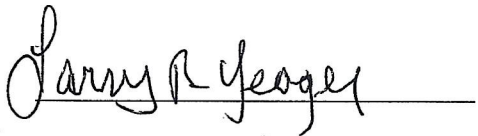
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

A handwritten signature in cursive script, reading "Larry R. Yeager", followed by a horizontal line.

LARRY R. YEAGER

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

DONNA L. GERGER

Donna L. Yeager

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

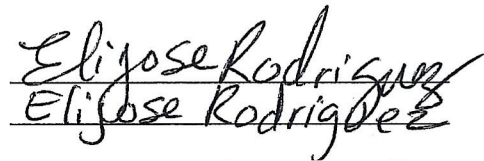
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


Eligose Rodriguez

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

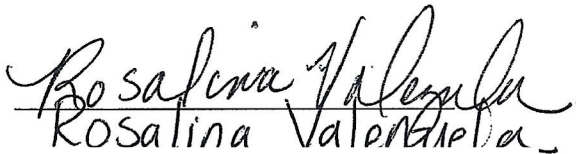
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


ROSALINA VALENZUELA

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

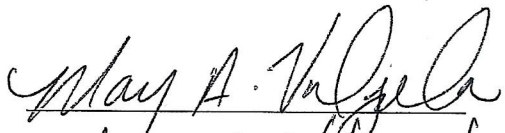
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


Mary A. Valenzuela

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


Harlie Zamora

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Erick Zamora

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Jacobs", written over a horizontal line.

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Zachary Smith

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Ethan Miller

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

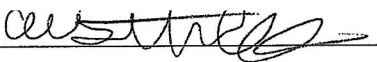
Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Austin Cahill _____

 _____

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

John Lord

John Lord

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Robert M. Barnes

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Robert Griego
B. Griego

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

JORDAN BRITTNER


Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


Giselle Nathross

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Robert Wells

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


DAWNA GALLANT

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request! *AS LONG AS THE COMMERCIAL DEV
IS COMPLETED AS PART OF PHASE 1.*
Sincerely,



Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Melissa Natalizio

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

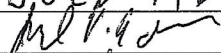
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

JOEL ADAMS


Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Wesley Pulley

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


M. H. Baron

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


ARTHA L. CHARLES

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


Scarlet Chaves

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


Anaïe Morse

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

William Harris
William Harris

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Adam Crasob

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

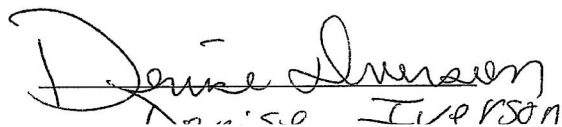
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


DENISE IVERSON

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


William Feriancek

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

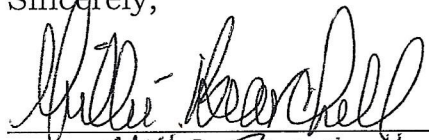
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


Millie Bearchell

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

MARGARET JACKSON
Mrs. Margaret Jackson

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Madison Bigbey
meri

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

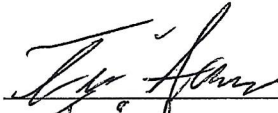
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


Tori Amos

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

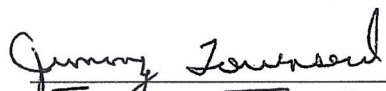
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


JIMMY TOWNSEND

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

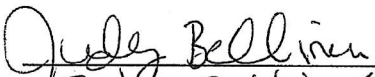
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


Judy Bellman

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

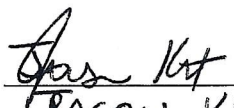
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



JASON KENT

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Rochele Kent
Rochele Kent

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

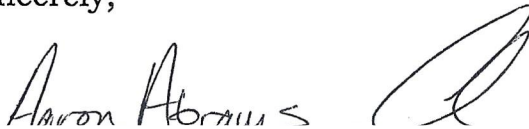
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

 _____

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

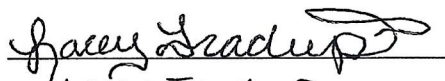
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


Lacey Trachsel

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

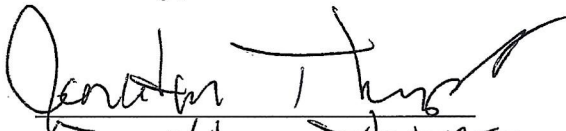
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


Jonathan Thompson

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

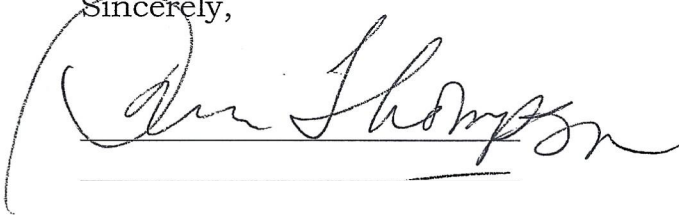
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

A handwritten signature in black ink, reading "Dan Thompson". The signature is written in a cursive style with a large, looping initial "D". Below the signature is a horizontal line.

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

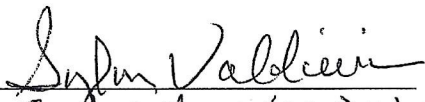
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


SILVIA VALDIVIA

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



CARLOS G. VALDIVIA

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Michael J Vitez

A handwritten signature in cursive script, reading "Michael J Vitez", written over a horizontal line.

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Eleanor Vitez

Eleanor Vitez

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

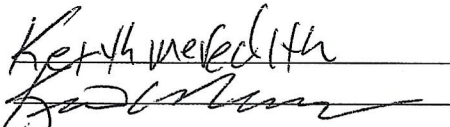
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

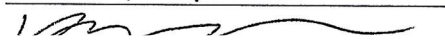
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Kaity Jensen


Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Ana Flores
[Signature]

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Kayce Ad V Kayce
Kayce Ad V Kayce

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

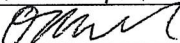
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Omar Shahed Ali


Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Randy Keana

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


JACK KANANIAN, IV

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Rachael Davis


Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


Theresa Joseph

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

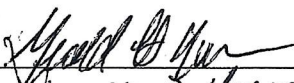
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Gerald D. Herrera

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Joe Chanay
Joe Chanay

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

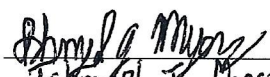
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


Ismael J. Myers

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


Stephen Turner

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Robert Harper

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

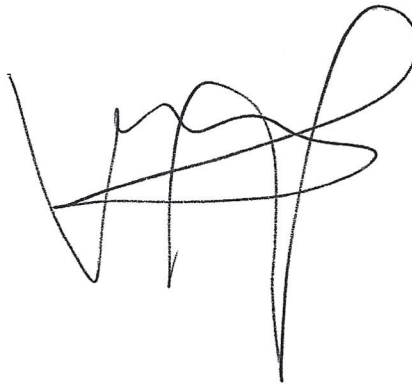
Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Angelica

A stylized, handwritten signature in black ink, consisting of several overlapping loops and a long vertical stroke at the end.

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

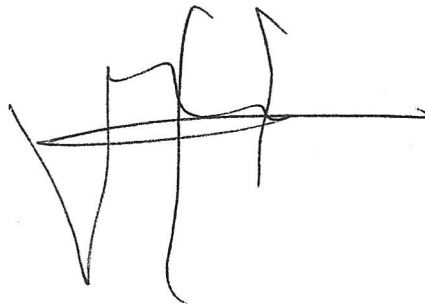
Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

REBOIA

A stylized handwritten signature, possibly reading 'REBOIA', consisting of several overlapping loops and a horizontal line.

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

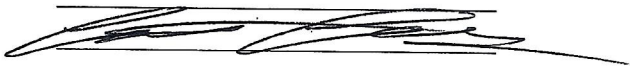
Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Patricia Commeyas



Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

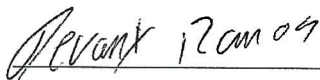
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Devany Zamora

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


Nora Pittner

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


Eddie Lumbreas

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

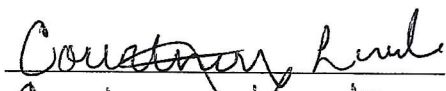
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


Courtney Lumbraas

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

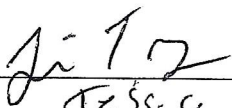
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Jessica Traca

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

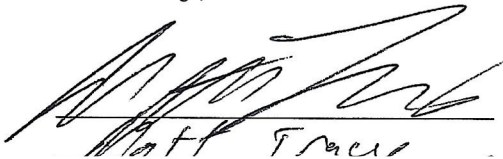
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Matt Trues

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

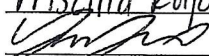
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Priscilla Rajasekhar


Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

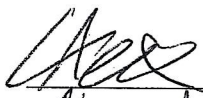
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Alexander Wilcox

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Bayley Bintlowl
Bayley Bintlowl

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

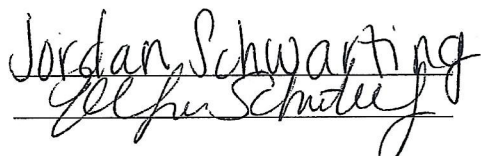
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


Jordan Schwarting
Elmer Schuler

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Taylor Harker

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Jason Thompson
2/1/08

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Anthony Tied

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Darcy Badd

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

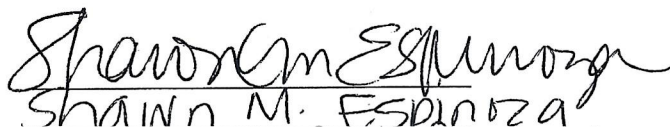
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


SHANN M. ESPINOZA

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

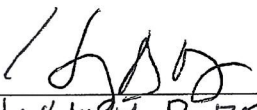
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Dear Mayor and Council Members:

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I urge you to approve this request!

Sincerely,


HENRY STOKES

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

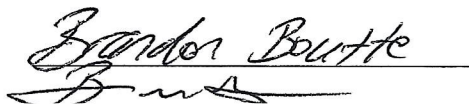
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

A handwritten signature in cursive script, reading "Brandon Bourke", is written over a horizontal line.

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Ron Mendes . . .

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

A handwritten signature in cursive script, appearing to read "Derraine Chast".

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


Lauren Donahue

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Skyler Donahue

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Jessica Rose Taroni

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Joy Varitek.

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely, 

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

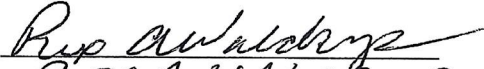
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


REXA A. WALDROD

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Marion Bright

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Philip Booth


Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

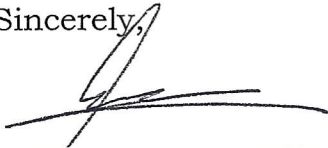
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

A handwritten signature in dark ink, appearing to read 'Gabriel Ayala R.', with a stylized flourish at the end.

Gabriel Ayala R.

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

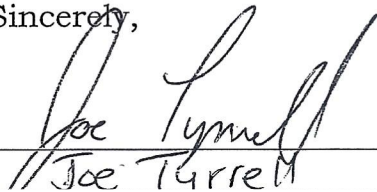
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Joe Turrell

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

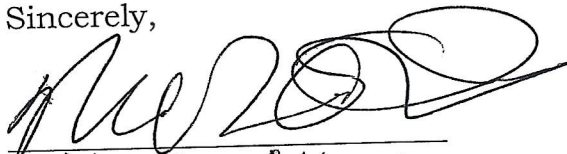
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Nicholas Olivas

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

 Jeremy A. Banecek

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

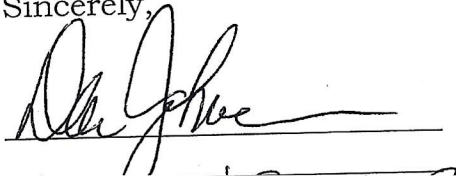
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

A handwritten signature in black ink, appearing to read "John", is written over a horizontal line. The signature is fluid and cursive.

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Debra Johnson
Debra Johnson

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Lyndsey Errill

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Christine Binder

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

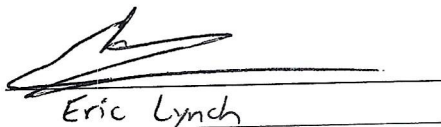
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Eric Lynch

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Shelby Minor


Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Arlander B Lee
ARLANDER B LEE

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

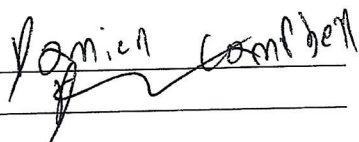
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

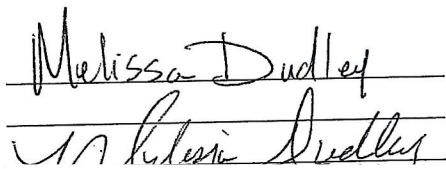
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Ms Melissa Dudley

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


Harriett Siviter

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


Carolyn Sue Moore

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Carla Wilder
Carla Wilder

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

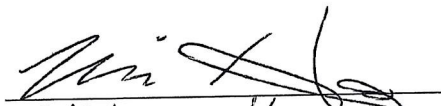
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


Nicholas House

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Justin Meyer

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

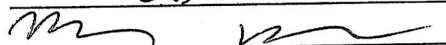
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Marcus Perez


Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


Deborah Hendrick

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Domnique Mencias

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


Arick Hare

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

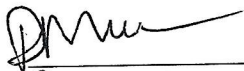
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Dawn Marave

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,



Devin Mack

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


Brian Cromer

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

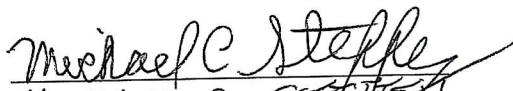
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


MICHAEL C. STEFFEN

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Autumn Porronce
AD

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


Denise Cromer

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,


WAYNE STOVALL

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

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I urge you to approve this request!

Sincerely,



Gina Smith

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

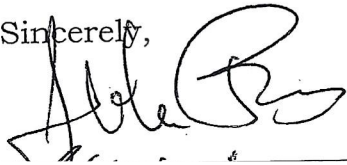
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I urge you to approve this request!

Sincerely,

A handwritten signature in black ink, appearing to read "John Parys", written over a horizontal line.

JOHN PARYS

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

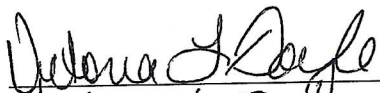
RE: NEC Jomax Road & 163rd Avenue

Dear Mayor and Council Members:

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I urge you to approve this request!

Sincerely,


Victoria L. Davis

Mayor and City Council Members
City of Surprise
16000 N. Civic Center Plaza
Surprise, Arizona 85374

RE: NEC Jomax Road & 163rd Avenue.

Dear Mayor and Council Members:

I am a nearby resident, and I am writing to express my SUPPORT for the proposed mixed-used commercial/residential development located near the northeast corner of Jomax Road and 163rd Avenue. Our area is in desperate need of neighborhood commercial to serve the community, and multi-family housing at this location serves as an appropriate transition to the existing neighborhoods. By providing commercial opportunities at 163rd and Jomax means fewer residents have to travel to Grand Avenue for goods and services, which ultimately means potentially less traffic at the intersection of 163rd and Grand.

I urge you to approve this request!

Sincerely,

Aimee Haynes

AFFIDAVIT OF POSTING

Application No: FS23-0552

Applicant Name: Bues Gilbert McGroder PLLC

Location: NEC 163rd Ave & Jomax Rd

Date Site Posted: 12/27/23

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).

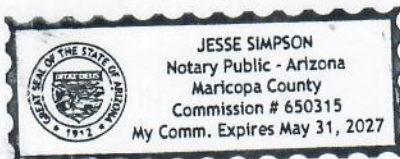
Such notice shall be clearly legible and placed at a prominent location on the site – Generally adjacent and perpendicular to the public right-of-way. It shall be the *responsibility of the applicant* to erect and to maintain the sign on the subject property and to maintain the hearing information on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

Patrick *On* 12.27.2023
Applicant/Representative Signature Date

This instrument was acknowledged before me on 12/27/23, by Patrick
Anspaugh. I witness whereof I hereunto set my hand and official seal.



Jesse Simpson
Notary Public
5/31/27
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).*

Notice of Public Hearing

City of Surprise

In-Person

Neighborhood Meeting

Date: September 13, 2023

Time: 6:00 P.M.

Location: Asante Preparatory School

Media Center:

23251 N 166th Dr

Surprise, AZ 85387

Planning & Zoning

Date: February 15, 2024

Time: 6:00 P.M.

Location: Council Chambers

16000 Civic Center Plaza

Surprise, AZ 85374

City Council

Date: March 18, 2024

Time: 6:00 P.M.

Location: Council Chambers

16000 Civic Center Plaza

Surprise, AZ 85374

Acreage: 41.34

Case # FS23-0552

Applicant: Beus Gilbert McGroder PLLC

Contact: Kurt Waldier, kwaldier@beusgilbert.com, 480-429-3061

Request: Rezone from Legacy Village PAD/Rural Residential to C-2 (13.36 acres) and R-3 (27.54 acres) for a horizontal mixed-use development featuring approx. 135,000 square feet of commercial space and 475 residential units.

For more information, call: 623-222-3011 www.surprise.gov



December 27, 2023 at 9:22 AM
26761-28199 N 163rd Ave
Maricopa County



Notice of Public Hearing

City of Surprise

In-Person

Neighborhood Meeting

Date: September 13, 2023

Time: 6:00 P.M.

Location: Asante Preparatory School

Media Center:
23251 N 166th Dr
Surprise, AZ 85387

Planning & Zoning

Date: February 15, 2024

Time: 6:00 P.M.

Location: Council Chambers
16000 Civic Center Plaza
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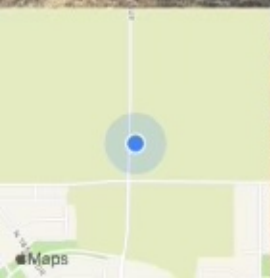
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www.surprise.gov



December 27, 2023 at 9:22 AM
26761-28199 N 163rd Ave
Maricopa County



Notice of Public Hearing

City of Surprise

In-Person

Neighborhood Meeting

Date: September 13, 2023

Time: 6:00 P.M.

Location: Asante Preparatory School

Media Center:

23251 N 166th Dr

Surprise, AZ 85387

Planning & Zoning

Date: February 15, 2024

Time: 6:00 P.M.

Location: Council Chambers

16000 Civic Center Plaza

Surprise, AZ 85374

City Council

Date: March 18, 2024

Time: 6:00 P.M.

Location: Council Chambers

16000 Civic Center Plaza

Surprise, AZ 85374

Acreage: 41.34

Case # FS23-0552

Applicant: Beus Gilbert McGroder PLLC

Contact: Kurt Waldier, kwaldier@beusgilbert.com, 480-429-3061

Request: Rezone from Legacy Village PAD/Rural Residential to C-2 (13.36 acres) and R-3 (27.54 acres) for a horizontal mixed-use development featuring approx. 135,000 square feet of commercial space and 475 residential units.

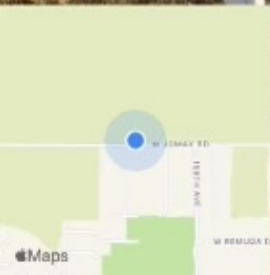


For more information, call: 623-222-3011 www.surprise.gov

December 27, 2023 at 9:32 AM

15931-15999 W Jomax Rd

Maricopa County



Notice of Public Hearing

City of Surprise

In-Person

Neighborhood Meeting

Date: September 13, 2023

Time: 6:00 P.M.

Location: Asante Preparatory School
Media Center
23251 N 166th Dr
Surprise, AZ 85387

Planning & Zoning

Date: February 15, 2024

Time: 6:00 P.M.

Location: Council Chambers
16000 Civic Center Plaza
Surprise, AZ 85374

City Council

Date: March 18, 2024

Time: 6:00 P.M.

Location: Council Chambers
16000 Civic Center Plaza
Surprise, AZ 85374

Acreage: 41.34

Case # FS23-0552

Applicant: Beus Gilbert McGroder PLLC

Contact: Kurt Waldier, kwaldier@beusgilbert.com, 480-429-3061

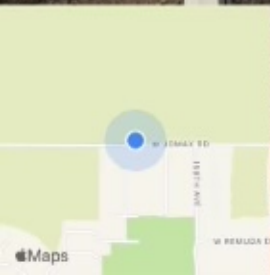
Request: Rezone from Legacy Village PAD/Rural Residential to C-2 (13.36 acres) and R-3 (27.54 acres) for a horizontal mixed-use development featuring approx. 135,000 square feet of commercial space and 475 residential units.

For more information, call: 623-222-3011

www.surprise.gov



December 27, 2023 at 9:32 AM
15931-15999 W Jomax Rd
Maricopa County





S U R P R I S E
ARIZONA

FS23-0552
Desert Arroyo
Rezone

Planning & Zoning Commission
February 15, 2024



VICINITY MAP



BACKGROUND

November 03, 1988: The subject parcels were annexed into the City under Ordinance 88-24.

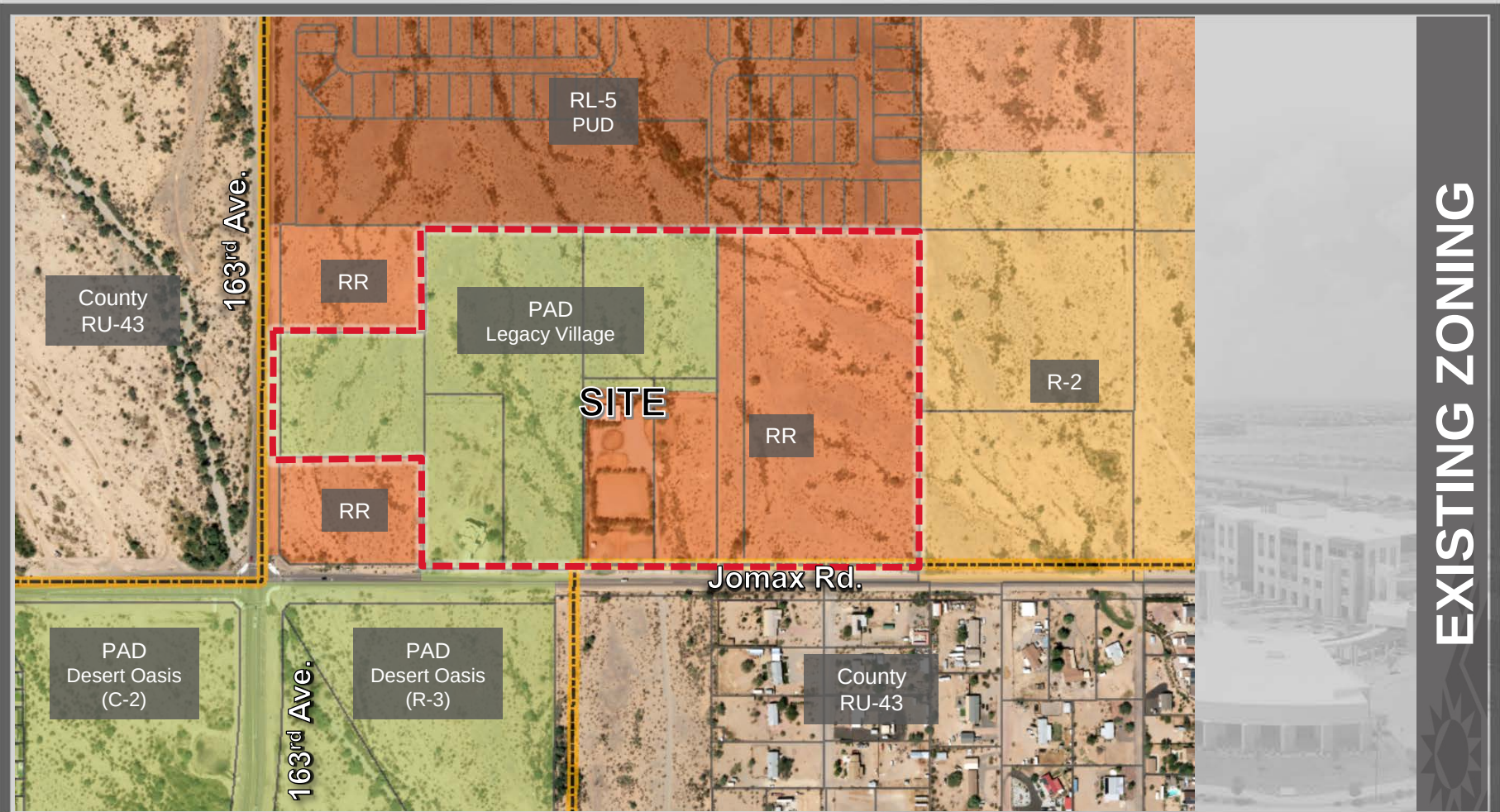
April 13, 2006: City Council approved the PAD for Legacy Village under Case PAD05-358

April 13, 2023: A Concept Review meeting for the subject case was held under case CR23-0279.

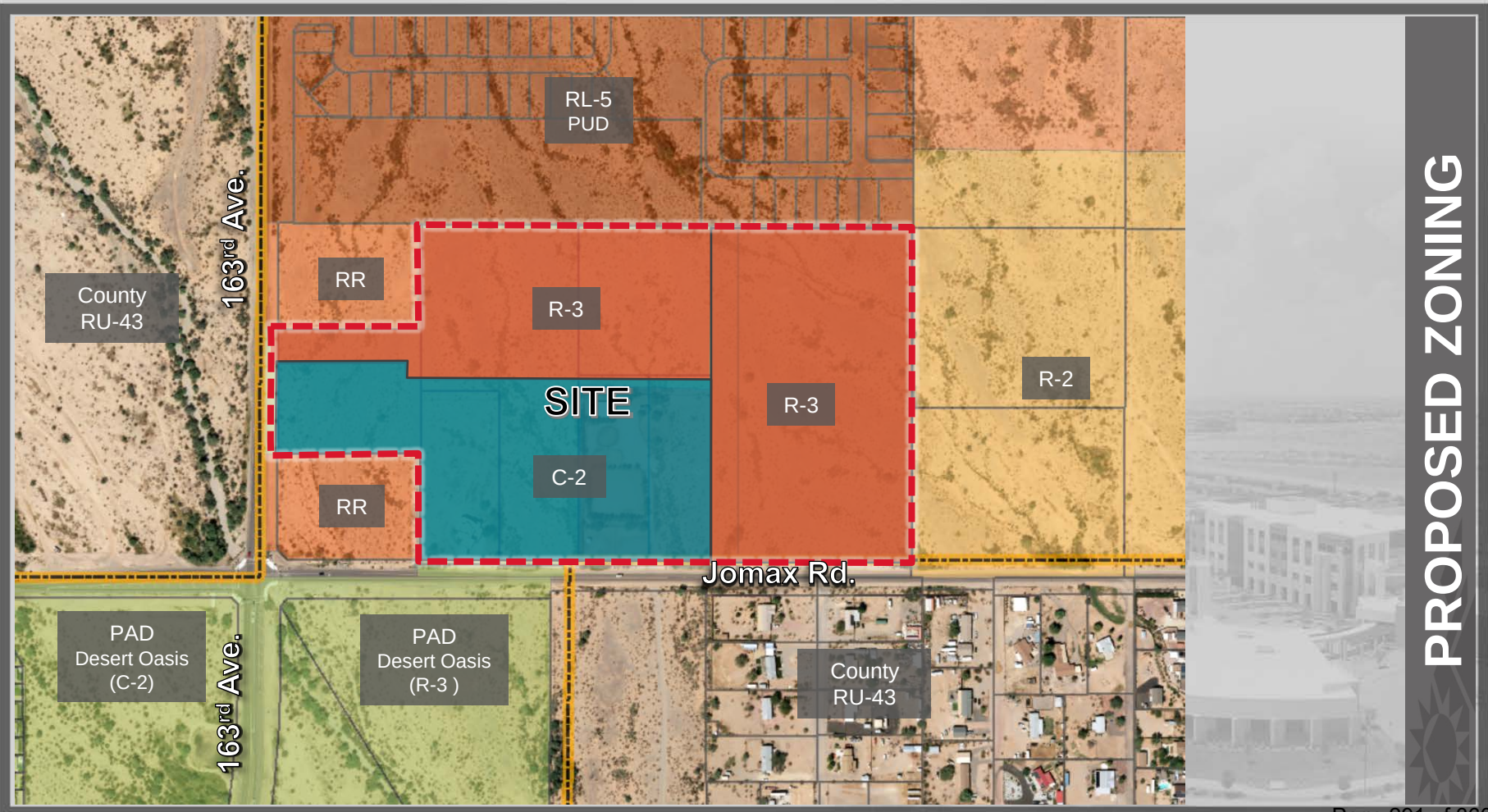
July 03, 2023: The applicant filed a request for a Zone Change and Final Plat under case FS23-0552.

August 23, 2023: The applicant filed a request for Site Plan Review under case FS23-0679.

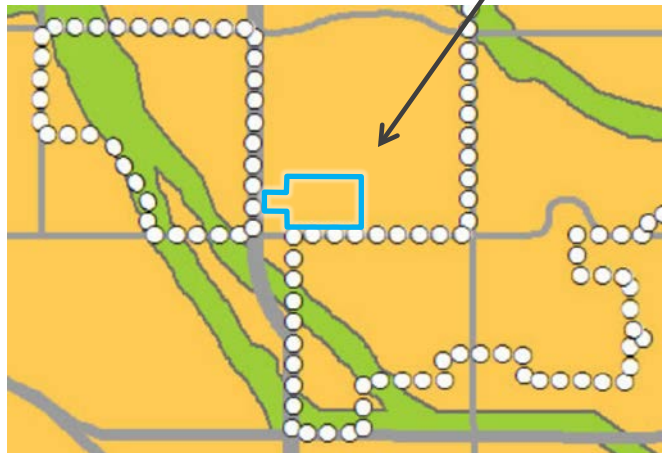
September 23, 2023: The applicant held an In-Person Citizen Outreach Meeting to discuss the project.



EXISTING ZONING



Project Location



Character Areas

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

Sub Areas

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

- 163rd Ave and Jomax Rd. are arterial roadways. The Neighborhood Character area supports Urban Neighborhoods with higher density residential and supporting commercial and office along arterial roadways.

Table 106-2e—Residential High Density (R-3) Zoning District

Net Density (du/ac)	8-11.9	12-14.9	15+
Min. setback to arterial ROW (ft) ²	20	20	20
Min. setback to collector and local ROW (ft) ²	15	15	15
Min. setback adjacent to residential zoning (ft)	10	15	20
Min. setback adjacent to non-residential zoning (ft)	20	20	20
Max. bldg. height ¹ (ft)	45	50	60
Open space (sf/du)	150	150	150

Notes:

1. The *height* of any *structure*, or portions thereof, shall not exceed 30 feet in *height* measured at the *setback* line when *adjacent* to *single-family, two-family, three-family development parcels*. The *height* of the *accessory structure* may increase at a ratio of one foot vertical for every one foot horizontal as measured relative to the property line to a maximum *height* equal to the *zoning*.
2. *Setback* may be reduced to ten feet along collector or local *right-of-way* for units that open to the *street* and exclude a perimeter wall.

Table 106-6a—Community Commercial (C-2) Zoning District

	C-2
Minimum <i>lot</i> area (sf)	18,000
Min. <i>setback</i> to arterial <i>ROW</i>	35 ^{5, 6}
Min. <i>setback</i> to collector and local <i>ROW</i> (ft)	20 ^{5, 6}
Min. <i>setback adjacent</i> to residential <i>zoning</i> (ft)	30 ^{5, 6}
Min. <i>setback adjacent</i> to non-residential <i>zoning</i> (ft)	15 ^{5, 6}
Max. bldg. <i>height</i> (ft)	40 ²
Max. size per <i>use/tenant</i> (sf) ³	45,000
Max size per <i>commerce center</i> (ac) ⁴	20

Notes:

2. The *height* of any *structure*, or portions thereof, shall not exceed 30 feet in *height* measured at the *setback* line when *adjacent* to rural residential (RR), residential low density (R-1), and residential medium density (R-2) *zoning*. The *height* increases at a ratio of one foot vertical for every one foot horizontal as measured relative to the property line to a maximum *height* equal to the *zoning district*.
5. Projects designed as *commerce center* will comply with overall development standards regarding perimeter *setbacks* from *abutting* developments.
6. *Pad sites* within a *commerce center* may have reduced *setbacks* along boundaries internal to the master *site plan* if the whole development complies with parking and landscaping regulations. Approval by the community development director or designee is required.



CONCEPTUAL PLAN



OUTREACH

- Site Posting, 300' Mailers, Newspaper Publishings, Project Website
- Citizen Participation Meeting:
 1. In-Person: September 13, 2023
 - 31 Attendees
 - o Questions and Concerns
 - Traffic
 - Water
 - Light Pollution
 - Wildlife





RECOMMENDATION

The subject case meets the Rezone requirements set forth in the Land Development Ordinance. City staff has approved Rezone application subject to stipulations 'a' through 'e'.



SURPRISE
ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You





STIPULATIONS

- a. Development and use of the site shall be consistent with the C-2 and R-3 development standards set forth in the Land Development Ordinance (LDO), and the residential the unit count is not to exceed 475 dwelling units.
- b. The subject Rezone is conditioned upon the approval and recordation of the Final Plat entitled “A Final Plat for Desert Arroyo”, submitted under the subject case number.
- c. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, the property shall revert to the zoning that existed on the date of application. It is, therefore, stipulated and agreed that either revocation due to the failure to comply with any conditions, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such revocation of the Zone Change.
- d. The property owner/s and their successors waive claim for diminution in value if the City of Surprise takes action to rescind approval due to noncompliance with conditions
- e. 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.



CITY OF SURPRISE Planning and Zoning Commission

Council Meeting Date: February 15, 2024

Contact Person: Trever Fleetham, PLANNER
SENIOR

Submitting Department: Community Development District: District 1

Staff Recommendations:

Consent: No

Regular: No

Public Hearing: Yes

Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to a rezone of approximately 31.46 acres from Residential Medium Density (R-2) and Residential High Density (R-3) to R-2 Planned Unit Development (PUD), generally located west of 155th Avenue and north of Jomax Road. Case FS23-0352.

Motion:

Motion to recommend approval/denial of the proposed Rezone to the City Council subject to stipulations 'a' through 'f' as outlined in the staff report.

Background:

In April 2023, the City Council approved a rezone request for a master-planned development known as Nobella. Within this plan, Parcel 1.1 was zoned Residential Medium Density (R-2) and Parcel 2.1 was zoned Residential High Density (R-3) to accommodate varying types of residential development. The applicant is now requesting to further rezone these parcels, which together encompass approximately 31.46 acres, so that they are both R-2 with a Planned Unit Development (PUD) Overlay. The PUD Overlay is utilized to request deviations from the LDO, as outlined in Section 106-9. The applicant is not requesting any changes to the remainder of the Nobella area, nor to the originally approved overall density.

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 - FS23-0352 Nobella Rezone - Staff Report 021524 PZ
 2. 01 - FS23-0352 - Nobella Rezone - Vicinity Map
 3. 02 - FS23-0352 - Nobella Rezone - Zoning Map
 4. 03 - FS23-0352 - Nobella Rezone - Proposed Zoning
 5. 04 - FS23-0352 - Nobella Rezone - Zoning Narrative
 6. 05 - FS23-0352 - Nobella Rezone - Citizen Participation Report - Redacted
 7. 06 - FS23-0352 - Nobella Rezone - Affidavit of Site Posting
 8. 07 - FS23-0352 - Nobella Rezone - Luke AFB Comments
 9. 08 - FS23-0352 - Nobella Rezone - Citizen Feedback
 10. FS23-0352 - Nobella Rezone - Presentation
-

Case: **FS23-0352**

Project Name: Nobella Rezone

Council District: 1 – Acacia

Meeting Date: **February 15, 2024**

Planner: Trever Fleetham, AICP

Owner: Hawks AZ Land, LLC

Applicant: Wendy Riddell with Berry Riddell, LLC

Request: Rezone from Residential Medium Density (R-2) and Residential High Density (R-3) to R-2 Planned Unit Development (PUD).

Site Location: Generally west of 155th Avenue and north of Jomax Road.

Site Size: 31.46 acres (approx.)

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

Support/Opposition: See attached Citizen Participation Report

Staff Recommendation: Staff recommends the Commission move to recommend **approval** of case **FS23-0352** to the City Council, subject to stipulations 'a' through 'f'.

30 **Project Description:**

31 Berry Riddell, LLC, on behalf of the owners, requests a rezone for approximately 31.46 acres of
32 the master-planned development known as Nobella, generally located west of 155th Avenue and
33 north of Jomax Road. The applicant is requesting the subject parcels be rezoned from Residential
34 Medium Density (R-2) and Residential High Density (R-3) to R-2 with a Planned Unit Development
35 (PUD) Overlay. The PUD Overlay is utilized to request deviations from the LDO, as outlined in
36 Section 106-9, to accommodate specific future residential development.

37
38 **Background:**

39 **November 3, 1988:** The subject properties were annexed into the City of Surprise under Ordinance
40 88-24.

41 **June 21, 2022:** The Mayor and City Council approved Ordinance #2022-12 for a rezone for a
42 development known as Nobella, including the subject property, from RR to R-2 and R-3 under case
43 FS21-828.

44 **January 26, 2023:** Staff met with the applicant to discuss the project during a regularly scheduled
45 Concept Review meeting under CR22-1633.

46 **April 26, 2023:** The applicant filed a related request for a rezone from R-2 to R-3, including a
47 redistribution of density, for a portion of the original Nobella (the subject property) under case FS23-
48 0352, the subject case.

49 **September 18, 2023:** The applicant held a neighborhood outreach meeting to discuss the project.

50 **January 8, 2024:** After amending the application and the requested zoning district, the applicant held
51 a second neighborhood outreach meeting to discuss the project.

52
53 **Neighborhood Meeting Summary:**

54 The applicant held an in-person neighborhood outreach meeting on September 18, 2023 at the
55 Asante Preparatory Academy Library. There were approximately 20 people in attendance. During this
56 meeting, residents from the vicinity expressed their concerns regarding regional traffic, density,
57 water and sewer, project timeline, product type, school capacity, and follow up/ next steps.

58
59 After amending the application and the requested zoning district, the applicant held a second
60 neighborhood outreach meeting on January 8, 2024, at the Asante Preparatory Academy Library.
61 There were approximately 13 people in attendance. During this meeting, the applicant presented the
62 changes to the application and residents from the vicinity expressed concerns similar to what was
63 heard during the first outreach meeting.

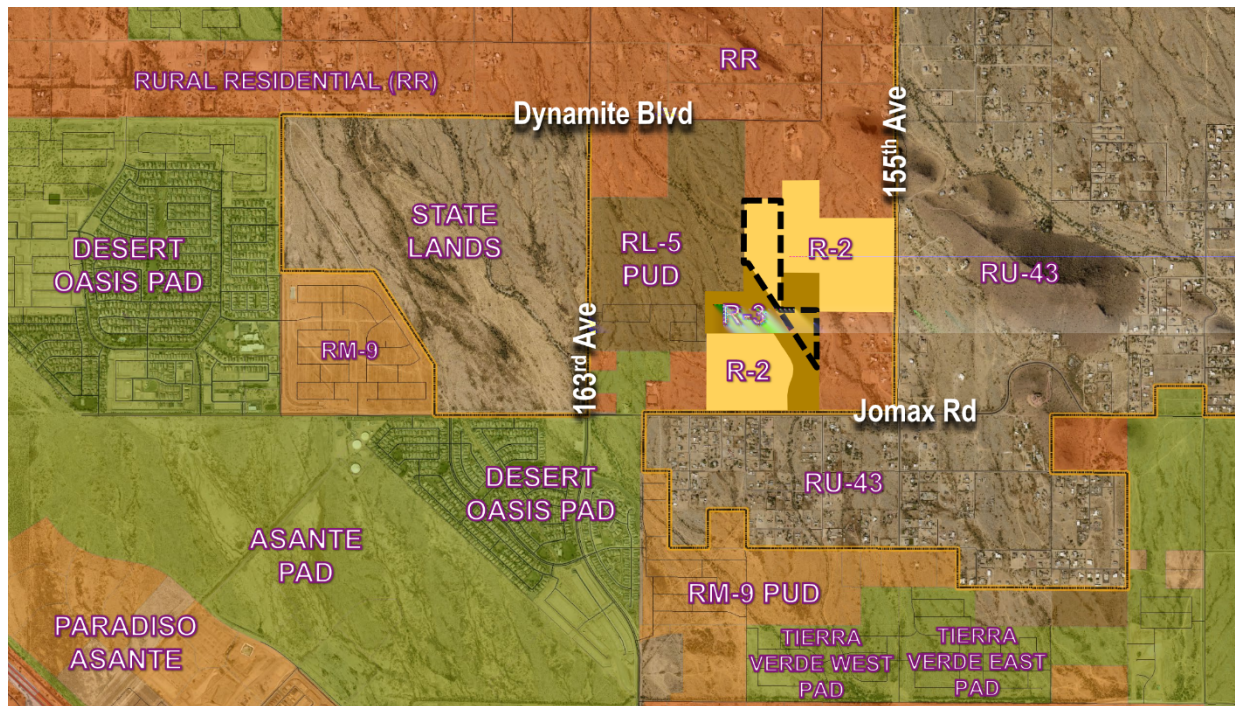
64
65 Both meetings were advertised pursuant to the requirements of the LDO, including legal ads, site
66 postings, and property owner mailers. See the attached Citizen Participation Report for a detailed
67 summary of the meetings.
68

Analysis and Discussion:

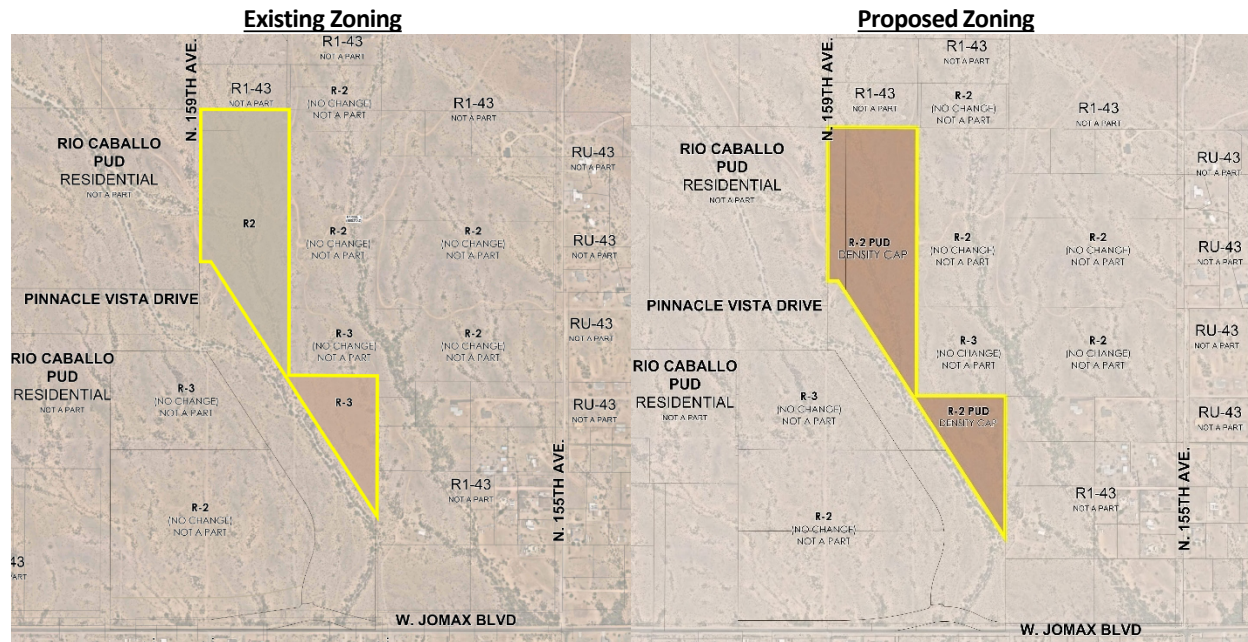
In April 2023, the City Council approved a rezone request for a master-planned development known as Nobella. Within this plan, Parcel 1.1 was zoned Residential Medium Density (R-2), and Parcel 2.1 was zoned Residential High Density (R-3) to accommodate varying types of residential development. The applicant is now requesting to further rezone these parcels, which together encompass approximately 31.46 acres, so that they are both R-2 with a Planned Unit Development (PUD) Overlay. The PUD Overlay is utilized to request deviations from the LDO, as outlined in Section 106-9. The applicant is not requesting any changes to the remainder of the Nobella area, nor to the originally approved overall density.

The existing and proposed zonings are shown below.

Existing Zoning



RL-5 PUD	RR	RR
RL-5 PUD	R-2/R-3	R-2/R-3
R-3	R-3	RR



Development Plan & Deviations

The developer is proposing a for-rent, single-family detached home product on individual, platted lots. The desired housing product, lot size, and density necessitates a base zoning of R-2. In order to achieve the proposed development, the applicant is requesting certain deviations from the R-2 development standards under the provisions of the Planned Unit Development (PUD) Overlay.

The deviations requested are as follows:

- Reduction of the side setbacks from 5 ft. & 7 ft. to 5 ft. & 5 ft.
 - *Justification:* The reduction will allow for more flexibility in home product to achieve the desired development.
- Reduction of the minimum open space percentage from 25% to 20%.
 - *Justification:* The subject site is directly adjacent to the Nobella linear park, which will provide open space and amenities for the overall development. While this area may not be included in the plat for the subject site and calculated as on-site open space, this park still serves the subject site.
- Removal of Note #3 from Table 106-2d regarding open space calculations and requirements.
 - *Justification:* The removal of this note will provide clarity and avoid any future confusion regarding the open space calculations for the subject site. The linear park will be constructed to serve the overall Nobella development but may not be specifically included in the plat for the subject site.
- Removal of Note #4 from Table 106-2d regarding lots less than 48 feet wide.

- *Justification:* The development proposed for the subject site is planned to include more than 50% of lots less than 48 feet wide. However, the overall Nobella development will not include more than 50%.

The following table provides a comparison between the development standards per the LDO and what is being requested under the PUD:

Table 106-2d—Residential Medium Density (R-2) Zoning District – PUD COMPARISON				
Lot Categories	A ⁴	R-2 PUD		
General Plan compatibility	Urban	Urban		
Lot area (sf)	3,500—4,949	3,500—4,949		
Min. lot width (sf)	40	40		
Min. front setback ¹ (ft)	10	10		
Max. front setback (ft)	25	25		
Min. rear setback ¹ (ft)	10	10		
Min. side setback ¹ (ft)	5 & 7 ²	5 & 5 ²		
Min. street side setback ¹ (ft)	10	10		
Max. bldg. height (ft)	35	35		
Open space (% of gross acres of residential development) ³	25%	20%		
Notes: 1. <i>Garage</i> face and embellishments shall be <i>setback</i> a minimum of 20 feet measured from any opposing property line, except rear <i>alley</i> loaded <i>garages</i> , which shall be <i>setback</i> nine feet from <i>alley</i> edge line. 2. May be reduced to zero feet <i>setback</i> for <i>single-family dwellings</i> as <i>attached building</i> and separated by a <i>common wall</i> along the property line. End units must maintain the larger <i>setback</i> . 3. The city requires open space on a subdivision or development site basis rather than on a lot by lot basis. Subdivisions with more than one lot category will provide the higher percentage of open space. 4. Residential projects shall contain no more than 50 percent of lots less than 48 feet wide as calculated across whole subdivisions or preliminary plat and will include mitigating designs outline in Chapter 108 of this ordinance.				

Density

The original Nobella rezone included anticipated densities and unit counts for each parcel. As part of this rezone request, the applicant is proposing a reallocation of densities so as to not increase the overall density beyond what was originally approved. A breakdown of the requested changes is as follows:

Unit Redistribution			
<u>Parcel</u>	<u>Approved Units</u>	<u>Requested Units</u>	<u>Change</u>
Parcel 1.1	70	111	+41
Parcel 2.1	81	39	-42

Density Changes			
<u>Parcel</u>	<u>Approved Density</u>	<u>Requested Density</u>	<u>Change</u>
Parcel 1.1	3.8 du/ac	6.0 du/ac	+2.2 du/ac
Parcel 2.1	9.8 du/ac	4.7 du/ac	-5.1 du/ac

Open Space & Amenities

The original Nobella master plan included large linear park amenity for the overall development that included trails, gardens, sports courts, dog parks, play structures and more. The subject request does not propose to alter that original plan and these parcels will have access to this centralized open space and the amenities included.

Access

The subject sites will gain access via Jomax Road to the south, and the new roadways of 159th Avenue and Oberlin Way as part of the overall Nobella development.

Utility and Services Table:

Electric:	APS
Water:	City of Surprise
Wastewater:	City of Surprise
Refuse:	City of Surprise
Natural Gas:	Southwest Gas
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 Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. The applicant is proposing a redistribution of dwelling units/densities to achieve a zero net increase. The applicant has provided open space areas to meet the transition requirements of the General Plan. As such, the proposed rezone demonstrates consistency with this land use category.

Reviewing Agencies:

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

Summary:

The proposed rezone from Residential Medium Density (R-2) and Residential High Density (R-3) to R-2 Planned Unit Development (PUD) Overlay is consistent with the Surprise General Plan 2035 and will be developed under the provisions of the LDO.

Findings:

- The proposed rezone has been found to be consistent with the Surprise General Plan 2035.
- The proposed rezone has been found to be consistent with the Land Development Ordinance.

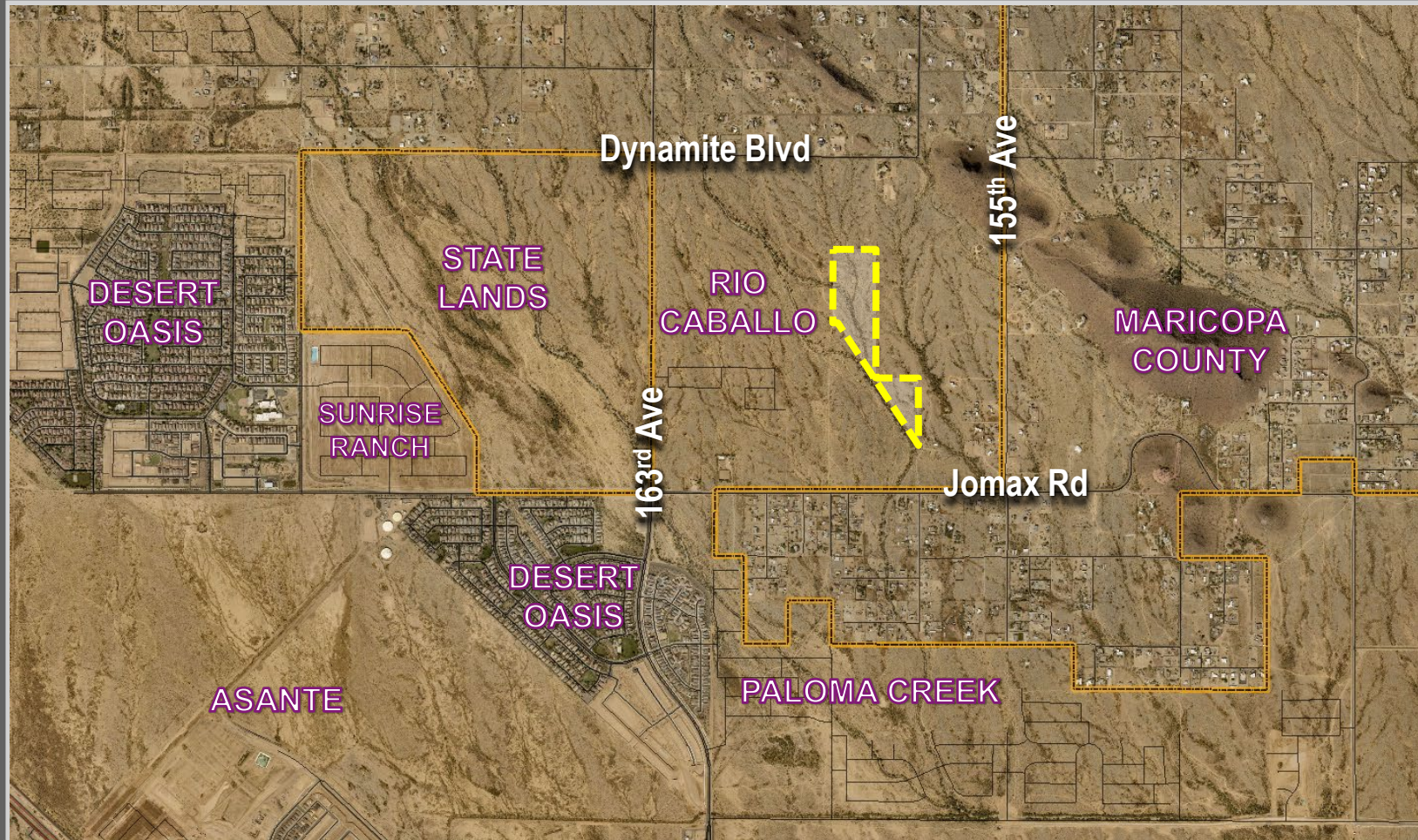
Recommendation:

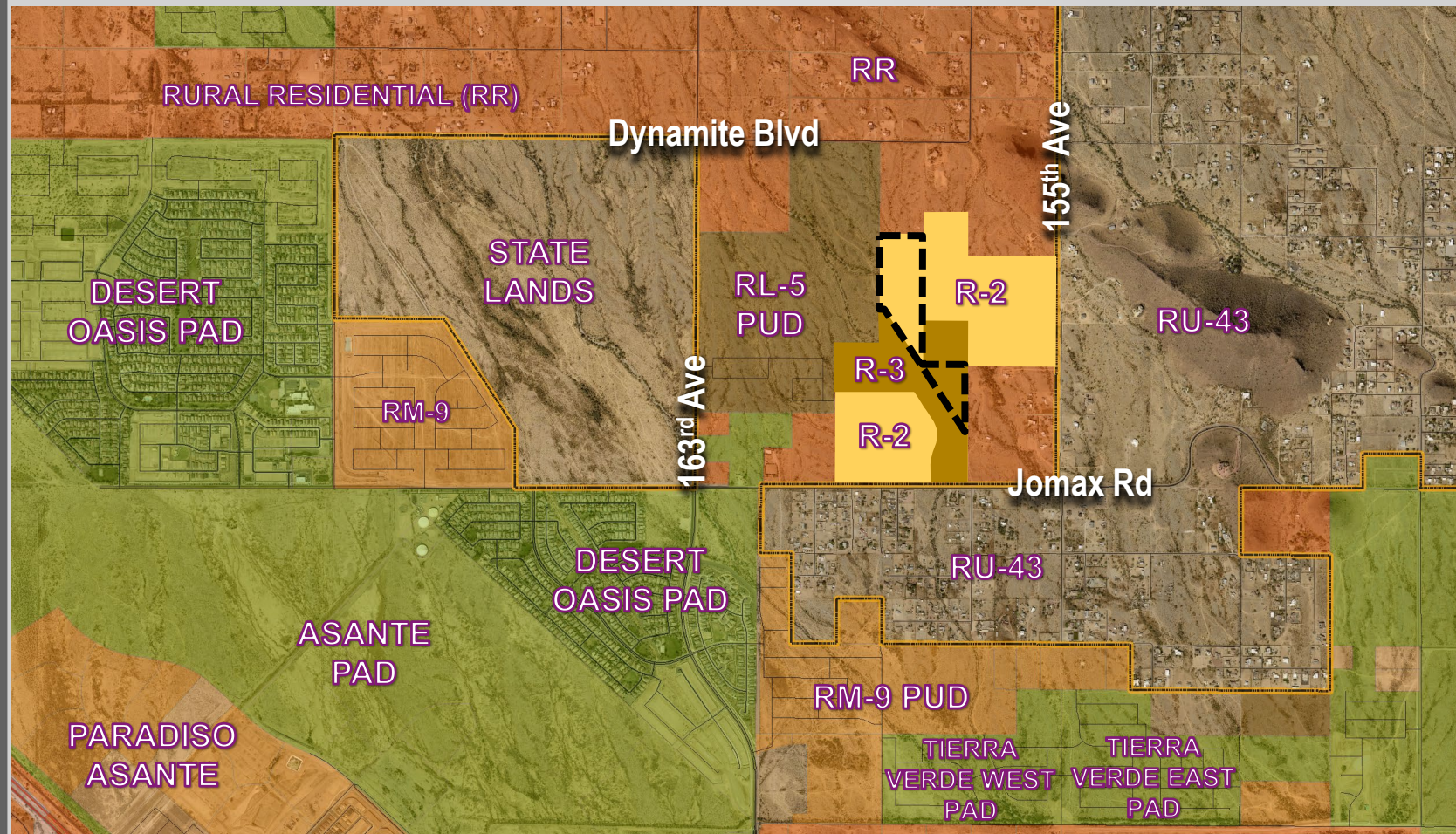
Based on the findings noted above, staff recommends the Commission move to recommend **approval** of case **FS23-0352** to the City Council, subject to stipulations 'a' through 'f' as outlined below:

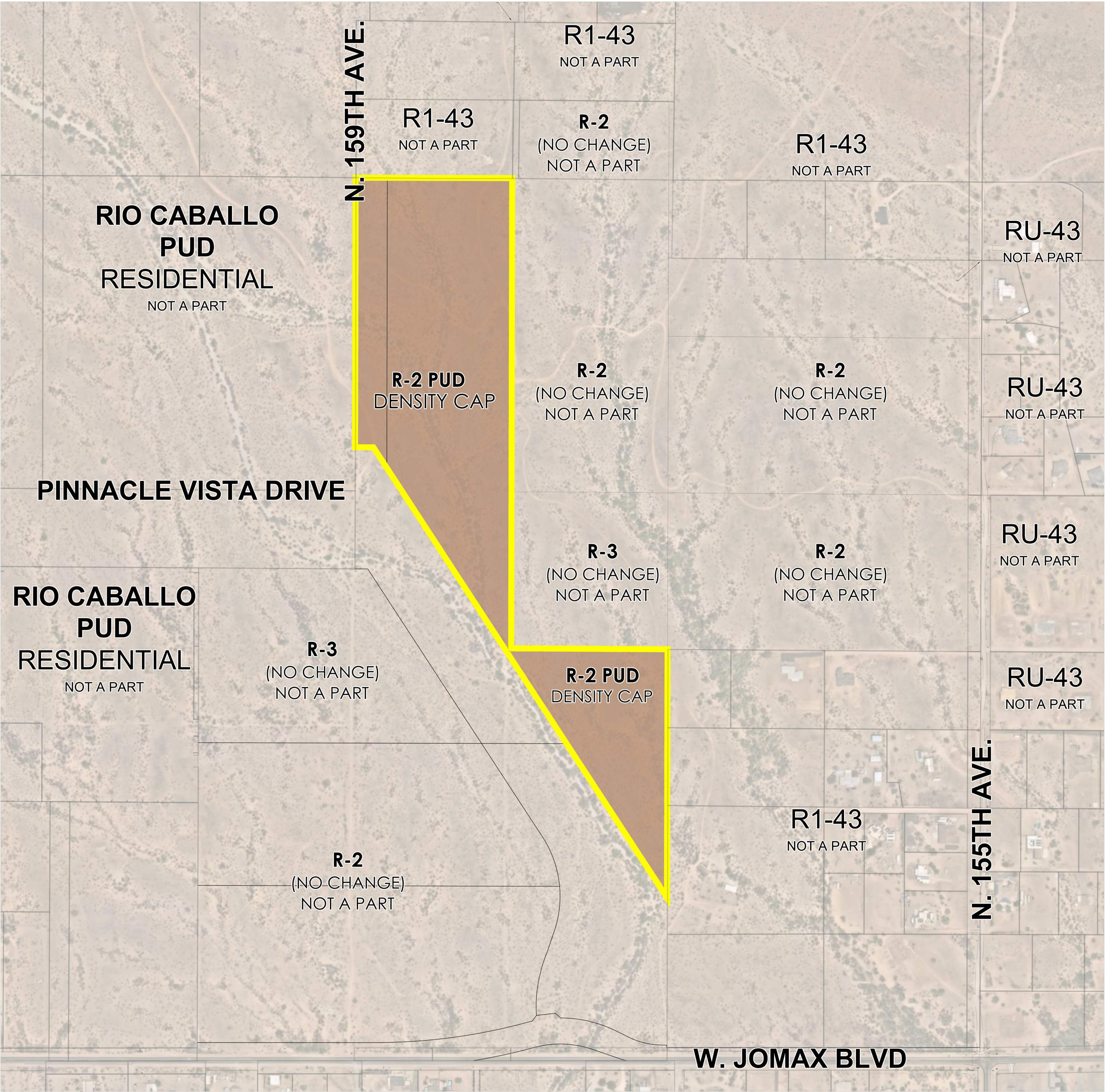
- a. Development and use of the site shall be consistent with the rezone narrative entitled "Zoning Amendment PUD Narrative Nobella", prepared by Berry Riddell LLC dated December 4, 2023.
- b. Applicant must submit proof of payment for sewer treatment capacity with final plat submittals.
- c. Applicant must submit proof of payment for SPA 2 Sewer Interceptor Agreement buy-in fee (MCR# 20090350621) prior to city approval of Final Plat.
- d. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, the City Council may take appropriate action to revert the Property's to the zoning to that zoning district that existed on the date of application. It is, therefore, stipulated and agreed that either reversion or revocation due to the failure to comply with any conditions, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such reversion or revocation of the Zone Change. The Zone Change enhances the value of the property above its value as of the date the Zone Change is granted and reverting to the prior zoning results in the same value of the property as if the Zone Change had never been granted.
- e. The property owner/s and their successors waive claim for diminution in value if the City of Surprise takes action to rescind approval due to noncompliance with conditions.
- f. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the applicable provisions of the Surprise Municipal Code.

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

203	<u>Attachments:</u>
204	
205	01 Vicinity Map
206	02 Current Zoning Map
207	03 Proposed Zoning Map
208	04 Narrative Document
209	05 Citizen Participation Report
210	06 Affidavit of Site Posting
211	07 Luke AFB Comments
212	08 Citizen Feedback
213	PPT





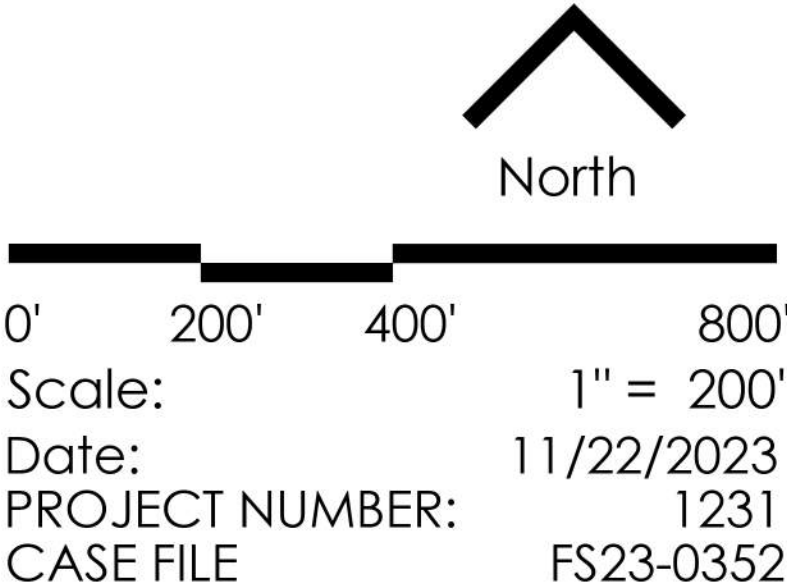
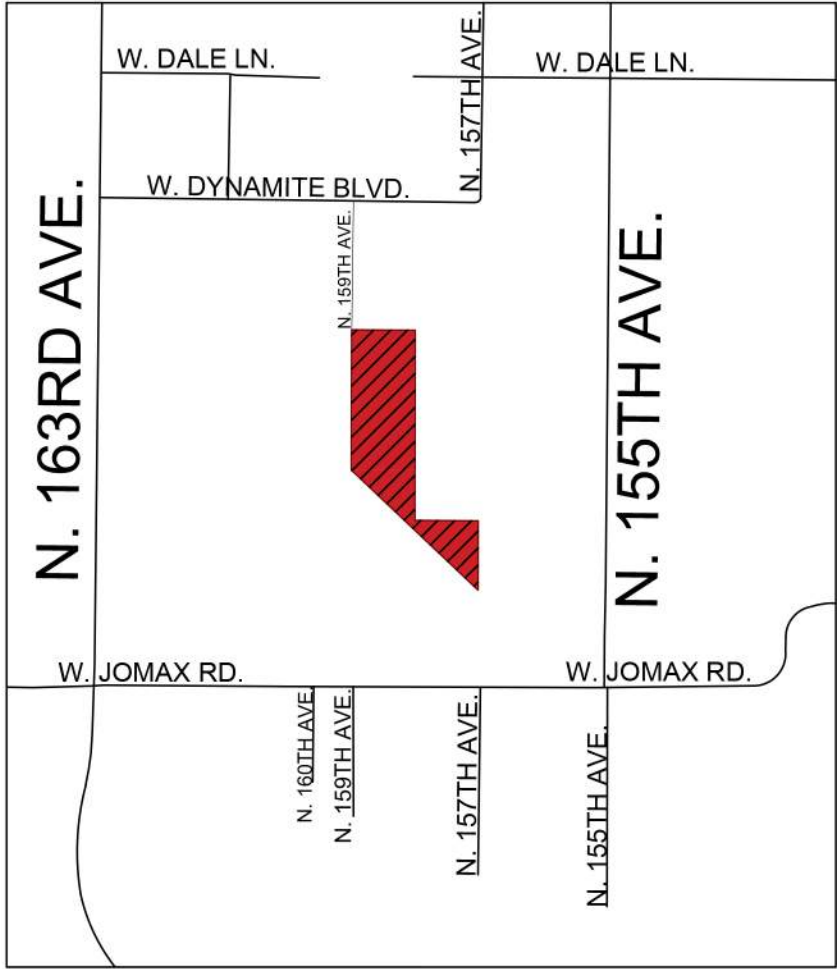


PROPOSED ZONING MAP

PROJECT DATA	
REZONE ACRES:	± 31.46 AC.
EXISTING CONDITION:	UNDEVELOPED DESERT
GENERAL PLAN DESIGN:	NEIGHBORHOOD
EXISTING ZONING:	R-2 & R-3
PROPOSED ZONING:	R-2 PUD (± 31.46 AC.)

PROJECT DATA	
	R-2 PUD MEDIUM DENSITY (DENSITY CAP)
	REZONE BOUNDARY (± 31.46 Ac.)

VICINITY MAP



APPLICANT/ATTORNEY:	
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PLANNER:	
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Zoning Amendment PUD Narrative

Nobella

North of the NEC of 159th Avenue and Jomax Road

FS23-0352

1st Submittal: April 21, 2023

2nd Submittal: August 4, 2023

3rd Submittal: September 21, 2023

4th Submittal: October 16, 2023

Final Submittal: December 4, 2023

Prepared for:

Hines

2375 East Camelback Road, Suite 150

Phoenix, Arizona 85016

DEVELOPMENT TEAM

DEVELOPER

Hines
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Terrascope Consulting
Dave West, PE
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Phoenix, Arizona 85012

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C. DEVELOPMENT PLAN	5
D. CONSISTENCY WITH GENERAL PLAN.....	7
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F. CONCLUSION.....	7

EXHIBITS

Approved Zoning Map	A
Proposed Zoning Map	B
Proposed Conceptual Site/Land Use Plan	C

REQUEST

The purpose of this request is to seek a downzoning on 31.46 acres (the "Site"), a portion of the approximately 199.21-gross-acre Nobella master planned site ("Nobella") located approximately one-quarter mile east of the northeast corner of 163rd Avenue and Jomax Road. The Site is comprised of multiple land parcels including portions of Maricopa County Assessor Parcel Numbers 503-52-023M, 503-52-023N, 503-52-023R, 503-52-023S, 503-52-023P, 503-52-026R, 503-52-026S, 503-52-026T, and 503-52-026U, (the "Site"). The Site is currently undeveloped desert land.

The Site is bounded on the west by the +/- 187-acre Rio Caballo PAD which requested approximately 700 lots. To the north, across Dynamite Boulevard, are large-lot residential homes. To the east, adjacent to the Site and across 155th Avenue, are large lot residential homes in Surprise and Maricopa County's jurisdictions. To the south, across Jomax Road, are large-lot residential homes in Maricopa County's jurisdiction.

ENTITLEMENT HISTORY AND REZONING PLAN

On June 21, 2022, the City of Surprise (the "City") City Council voted to approve zoning case number FS21-828, which rezoned Nobella from RR (Rural Residential) to R-2 (Residential Medium Density) and R-3 (Residential High Density). This is a request to amend an approximately 32-acre portion of Nobella to redistribute the R-2 and R-3 densities on the Site. Importantly, this request does not seek to increase the overall density for Nobella, only to reconfigure the existing zoning districts. Again, this is a downzoning from R-3 to R-2 PUD. The Site includes portions of Nobella Parcels 1.1 and 2.1.

The Site is presently entitled for R-2 uses and R-3 uses that are located internal to the Nobella Site. Again, the intent of this request is to reallocate densities within Parcels 1.1 and 2.1, not to increase the overall allowed density within Nobella.

The proposal is to rezone the Site, a portion of Parcel 1.1, adjacent to the approved Rio Caballo PUD, from R-2 to R-2 PUD and Parcel 2.1 is to be downzoned from R-3 to R-2 PUD with a cap on the total density permitted.

DEVELOPMENT PLAN

The Site comprises portions of Parcel 1.1 and Parcel 2.1 of the approved Nobella master planned site. The intent of Nobella is to develop a unique community that provides a diversity of housing products including traditional single-family, single-family for rent, and build for rent product types.

The rezoning will allow the reallocation of densities in Parcels 1.1 and 2.1 of the Nobella master planned community to create greater unity with the surrounding context. Specifically, the intent is to reallocate the densities on a portion of Parcel 1.1 which was originally approved for 70 units and is now proposed for a maximum of 111 units. Parcel 2.1 was originally approved for 81 units and is now proposed to be limited to a maximum of 39 units. Individual lot sizes will vary throughout Nobella. Again, please note that there will be no increase in density for the overall Nobella project as this is ultimately a request to downzone the Site from R-3 zoning to R-2 PUD zoning.

The R-2 PUD Modified Development Standards for Parcel 1.1 and Parcel 2.1 are outlined below.

Table 106-2d—Residential Medium Density (R-2) Zoning District – PUD COMPARISON				
Lot Categories	A ⁴	R-2 PUD		
General Plan compatibility	Urban	Urban		
Lot area (sf)	3,500—4,949	3,500—4,949		
Min. lot width (sf)	40	40		
Min. front setback ¹ (ft)	10	10		
Max. front setback (ft)	25	25		
Min. rear setback ¹ (ft)	10	10		
Min. side setback ¹ (ft)	5 & 7 ²	5 & 5 ²		
Min. street side setback ¹ (ft)	10	10		
Max. bldg. height (ft)	35	35		
Open space (% of gross acres of residential development) ³	25%	20%		
Notes: 1. <i>Garage</i> face and embellishments shall be <i>setback</i> a minimum of 20 feet measured from any opposing property line, except rear <i>alley</i> loaded <i>garages</i> , which shall be <i>setback</i> nine feet from <i>alley</i> edge line. 2. May be reduced to zero feet <i>setback</i> for <i>single-family dwellings</i> as <i>attached building</i> and separated by a <i>common wall</i> along the property line. End units must maintain the larger <i>setback</i> . 3. The city requires open space on a subdivision or development site basis rather than on a lot-by-lot basis. Subdivisions with more than one lot category will provide the higher percentage of open space. 4. Residential projects shall contain no more than 50 percent of lots less than 48 feet wide as calculated across whole subdivisions or preliminary plat and will include mitigating designs outline in Chapter 108 of this ordinance.				

PUD Justification

The purpose of the PUD is to request to downzone the Site from R-3 zoning to R-2 PUD zoning and to modify select development standards including open space, setbacks, and the number of lots that are less than 48 feet wide as shown in the table above. It is important to note that though we are requesting to reduce the on-Site open space from 25% to 20%, the open space percentage for overall Nobella (as well as the parcels controlled by Hines) exceeds the required 25%. Further, all of the parcels within Nobella (including the Site) will continue to have access to the amenitized linear park. Similarly, while we are requesting to remove the requirement that restricts the number of lots that can be less than 48 feet wide, the overall Nobella project meets this requirement. Lastly, we have requested to reduce the side yard setback from 7 feet to 5 feet which allows the flexibility to create a better, nicer looking product with high quality architectural features.

Access

Primary access into the Site is from a new street alignment along Jomax Road and will traverse the Site south to north. Secondary access to the Site is expected to be provided on the northern boundary.

Open Space

The intent for the Site is to develop a unique community that will be consistent with Nobella and the surrounding approved and proposed developments. Much thought and care has gone into the open space design for the Site to ensure residents have a rich and fulfilling lifestyle at Nobella. Both natural and usable open space will be provided. Nobella is traversed by a large wash and a unique pedestrian greenbelt. The greenbelt seamlessly blends drainage into a large linear park amenity that will promote an active and healthy lifestyle for residents. This zoning amendment will not impact the previously proposed green belt and amenities. The green belt and amenities will remain as previously proposed.

The rezoning of the Site will not have a negative impact on the overall design of Nobella. Open spaces such as wash trails, trail nodes, and pocket parks, will accommodate pedestrian amenities such as benches, shade trees, and passive and active open areas. Additional opportunities anticipated include an extensive looped walking/running trail, butterfly gardens, shade structures, sport courts, multifunctional lawn, dog park, lighting, and health-oriented play structures. All these elements will enhance the community and create an identity and dedication to a healthy lifestyle.

CONSISTENCY WITH GENERAL PLAN

As proposed, Nobella complies with the City of Surprise 2035 General Plan land use Character Area of Neighborhood. The Neighborhood Land Use Character Area supports a range of residential development including rural, suburban, and urban development types. The Suburban Neighborhoods Development Type allows for a diverse variety of housing options with densities ranging from 2-8 du/ac for varying income levels. The overall density for the proposal is compatible with the Suburban Neighborhoods Development Type.

The General Plan's Anticipated Growth Map shows where growth is likely and encouraged to occur within the City. The Site is located within the 163rd Corridor Growth Area. The 163rd Avenue Corridor Growth Area is designated as a growth area that should include a full range of housing opportunities.

INFRASTRUCTURE

All infrastructure for the Site shall conform to the approved requirements for infrastructure for the Nobella master planned community.

CONCLUSION

This request is to downzone an approximate 32-acre Site to reconfigure the densities within the Nobella master planned community. As identified throughout this narrative, the proposal meets the required findings outlined in City of Surprise Zoning Ordinance. This development will bring a number of positive benefits to the community including synergy with surrounding developments, the addition of quality residences to the housing stock, and an increase in property values.

EXHIBIT A

Approved Zoning Map

PROJECT DATA

PROJECT DATA

VICINITY MAP

APPLICANT/ATTORNEY:

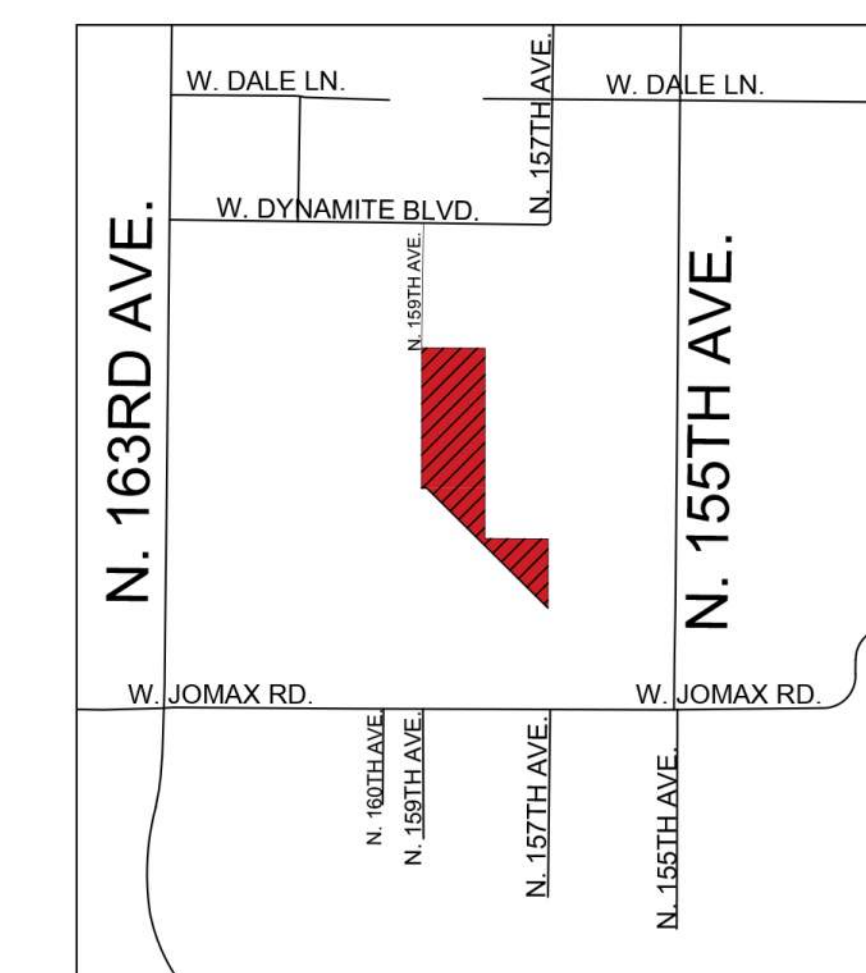
BERRY	RIDDELL LLC
-------	----------------

DEVELOPER:

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Managing Director
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brandon.dillingham@hines.com
602.385.4000

PLANNER:

SCAPEGOAT
DESIGN STUDIO
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480.999.4400

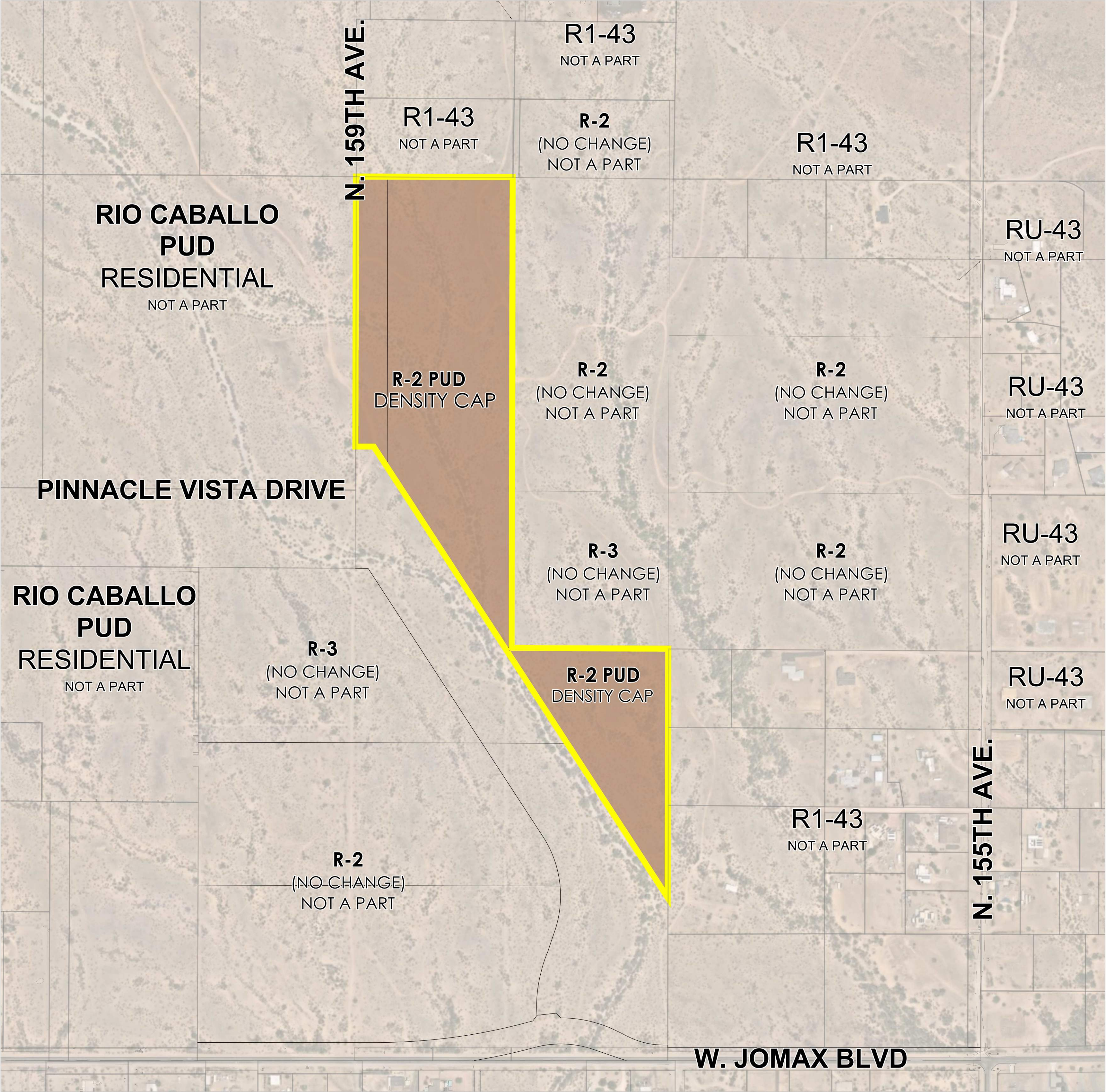


North

0' 200' 400' 800'
Scale: 1" = 200'
DATE: 11/22/2023
PROJECT NUMBER: 1231
FS CASE # FS23-0352

EXHIBIT B

Proposed Zoning Map

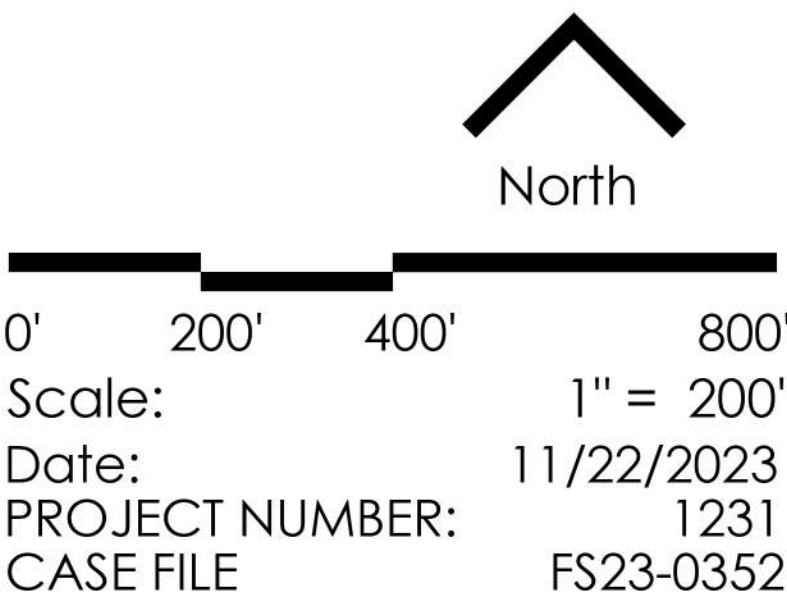
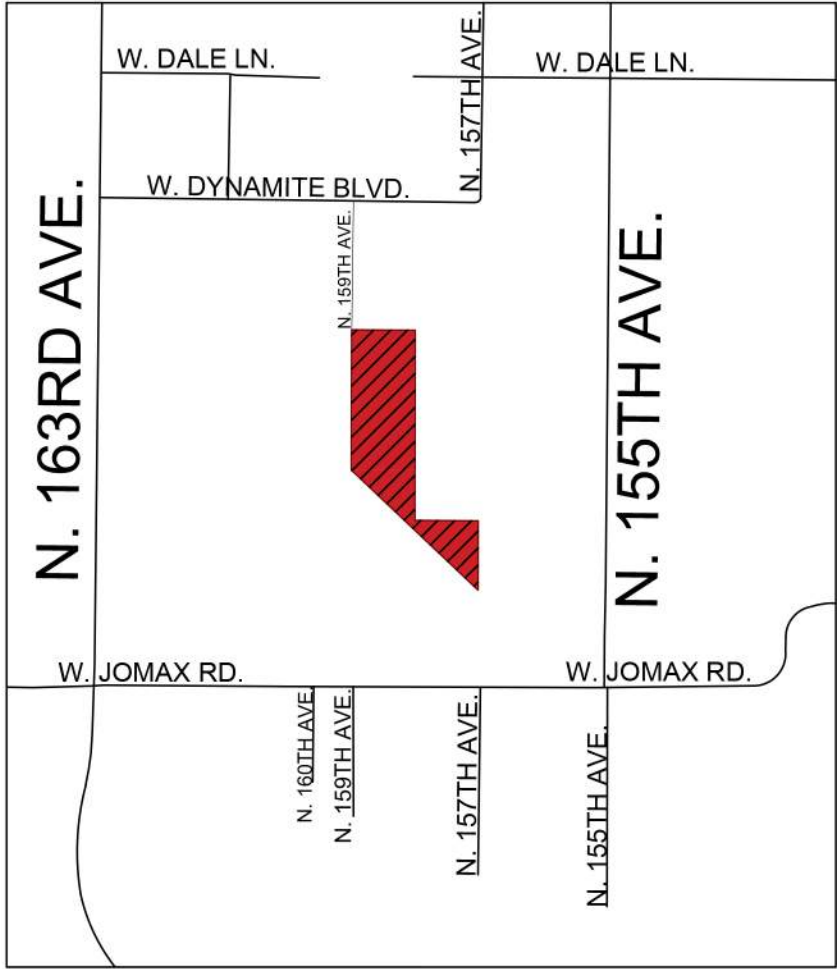


PROPOSED ZONING MAP

PROJECT DATA	
REZONE ACRES:	± 31.46 AC.
EXISTING CONDITION:	UNDEVELOPED DESERT
GENERAL PLAN DESIGN:	NEIGHBORHOOD
EXISTING ZONING:	R-2 & R-3
PROPOSED ZONING:	R-2 PUD (± 31.46 AC.)

PROJECT DATA	
	R-2 PUD MEDIUM DENSITY (DENSITY CAP)
	REZONE BOUNDARY (± 31.46 Ac.)

VICINITY MAP



APPLICANT/ATTORNEY:	
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DEVELOPER:	
HINES Brandon Dillingham Managing Director 2375 E. Camelback Road Suite 150 Phoenix, Arizona 85016 brandon.dillingham@hines.com 602.385.4000	Hines

PLANNER:	
SCAPEGOAT DESIGN STUDIO Jason N. Hadley, Principal 7057 E. McDonald Dr., Suite #2 Scottsdale, Arizona 85250 jhadley@scapegoatds.com 480.999.4400	SCAPEGOAT DESIGN STUDIO 7057 East McDonald Drive Suite 2 Scottsdale, Arizona 85250 Telephone 480.999.4400 www.SCAPEGOATds.com

EXHIBIT C

Proposed Conceptual Site/Land Use Plan



NOBELLA

Surprise, Arizona

CONCEPTUAL SITE AND LAND USE PLAN

PROJECT DATA		
REZONE ACRES:		± 31.46 AC.
EXISTING CONDITION:		UNDEVELOPED DESERT
GENERAL PLAN DESIGN:		NEIGHBORHOOD
EXISTING ZONING:		R-2 & R-3
PROPOSED ZONING:		R-2 PUD

LEGEND	
	R-2 PUD MEDIUM DENSITY (6.0 DU/AC. CAP)
	R-2 PUD MEDIUM DENSITY (4.7 DU/AC. CAP)
	OPEN SPACE BUFFER
	REZONE BOUNDARY
	PRIMARY ENTRY
	SECONDARY ENTRY

VICINITY MAP

APPLICANT/ATTORNEY:

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DEVELOPER:

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DESIGN STUDIO
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Scottsdale, Arizona 85250
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480.999.4400

North

0' 300' 600' 1200'

SCALE: 1" = 300'

DATE: 11/22/2023

PROJECT NUMBER: 1231

CASE FILE: FS23-0352

7507 East McDonald Drive Suite 2
Scottsdale, Arizona 85250
Telephone 480.999.4400
www.SCAPEGOATds.com

Page 326 of 360

Citizen Participation Report

FS23-0352

Approx. one-quarter mile east of the northeast
corner of 163rd Avenue and Jomax Road

First Submittal: October 13, 2023
Revised Submittal: January 11, 2024

Prepared for:

Hines
2375 East Camelback Road, Suite 150
Phoenix, AZ 85016

Prepared by:

Berry Riddell LLC
Wendy Riddell, Esq.
Elyse DiMartino, Planner
6750 E Camelback Road, Suite 100
Scottsdale, Arizona 85251

PROPOSAL

This Citizen Participation Plan (“CPP”) is being provided in association with a request to rezone approximately 31.46 acres (the “Site”), a portion of the approximately 199.21-gross-acre Nobella master planned site (“Nobella”) located approximately one-quarter mile east of the northeast corner of 163rd Avenue and Jomax Road.

The CPP provides information regarding our notification techniques and processes for reaching out to residents, interested persons, etc., to get feedback on the proposal.

PUBLIC NOTIFICATION TECHNIQUES

Methods for reaching out to interested parties may include the following:

- Door-to-door outreach;
- Open house/neighborhood meetings;
- Follow up meetings if needed;
- Individual meetings with residents, business, and community stakeholders;
- Email and telephone correspondence;
- Sign postings; and,
- Any other means of notification as required by the City of Surprise Planning Division.

PARTIES AFFECTED BY APPLICATION

The Site is bounded on the west by the +/- 187-acre Rio Caballo PAD which requested approximately 700 lots. To the north, across Dynamite Boulevard, are large-lot residential homes. To the east, adjacent to the Site and across 155th Avenue, are large lot residential homes in Surprise and Maricopa County’s jurisdictions. To the south, across Jomax Road, are large-lot residential homes in Maricopa County’s jurisdiction.

CITIZEN PARTICIPATION, ISSUES, CONCERNS AND PROBLEMS

September 2023 – Meetings with Stakeholders

We were able to engage directly with many of the surrounding community members thanks to the connection we made having met with many of them last year. This allowed for a very focused approach to community outreach allowing us to connect with them via phone calls and texts. We were able to explain the updated proposal and answer questions in real time. Many of the residents did not see a need to attend the neighborhood meeting as the proposal seemed straightforward to them. The credibility that we established with many of these neighbors in the past aided in the success of this outreach.

September 1, 2023 – Sign Postings and Notification Letters

Notification signs were posted on the site on September 1, 2023, with the neighborhood meeting information. City staff sent out a mailer with the neighborhood meeting information and published a legal ad in the newspaper as well. The mailers were sent to neighbors within

300 feet of the larger overall Nobella boundary.

September 18, 2023 – Neighborhood Meeting

The neighborhood meeting was held on September 18, 2023, at the Asante Preparatory Academy Library. This meeting was held in person. The meeting was an open house with stations that included background information and the rezoning request. Several members of the development team were available to discuss and provided an opportunity for community members to express their support and concerns and ask questions about the proposed request.

Neighbors who signed in and provided their contact information will now be updated as new project information emerges. The questions and comments at the meeting covered the following topics: regional traffic concerns, density, water and sewer, business intentions, land sales, project timeline, product type, property values, section 8 housing, history of Hines company, school capacity, and follow up/next steps as it pertains to meetings. Many of the concerns we heard were centered around a nearby development that is also requesting entitlements.

Nearly all questions were able to be answered on site, though some questions require follow up and additional information.

Following the meeting, we engaged with neighbors who requested follow up and exchanged information to continue communication. As the applicant, we intend to address the concerns raised at the meeting by working with the neighbors and the city to provide the most appropriate and beneficial solution to each.

December 22, 2023 – Sign Postings and Notification Letters

Notification signs were posted on the site on December 22, 2023, with the second neighborhood meeting information. City staff sent out a mailer with the neighborhood meeting information and published a legal ad in the newspaper as well. The mailers were sent to neighbors within 300 feet of the larger overall Nobella boundary.

January 8, 2024 –2nd Neighborhood Meeting

A second neighborhood meeting was held on January 8, 2024, at the Asante Preparatory Academy Library. A second meeting was held due to the change of our rezoning request for the Site. We modified our request to rezone a portion of Parcel 1.1 from R-2 to R-2 PUD and Parcel 2.1 is to be downzoned from R-3 to R-2 PUD. This meeting was held in person. The meeting was an open house with stations that included background information and the updated rezoning request. Several members of the development team were available to discuss and provided an opportunity for community members to express their support and concerns and ask questions about the proposed request.

Neighbors who signed in and provided their contact information will now be updated as new project information emerges. The questions and comments at the meeting covered the following topics: regional traffic concerns, density, water and sewer, business intentions, land sales, project timeline, product type, property values, and follow up/next steps as it pertains to meetings.

Nearly all questions were able to be answered on site, though some questions require follow-up and additional information.

Following the meeting, we engaged with neighbors who requested follow up and exchanged information to continue communication. As the applicant, we intend to address the concerns raised at the meeting by working with the neighbors and the city to provide the most appropriate and beneficial solution to each.

Ongoing Communication and Engagement

Throughout the lifespan of this project, our team has been available by phone and email to answer questions and to facilitate communication. We have also made available time to sit and follow up in person with any person or group wanting to express their input on the project.

Neighborhood Meeting: Nobella
September 18, 2023
Sign-in Sheet

Print Name	Address	Phone	Email
ANDY WONG			
Brandon D. Hahn			
Alex Schreier			
JAMES CROGITT			
Tim Gilliland			
Karen Cote			
MIKE HAMANN			
LUAY HAMANN			
Roy Peña			
Bennett & Debra Ockrim			
David & Cori Wiedhorz			
Kirk and Lisa Reese			
Marcelino Sainz			
William Brumby			
Jennie Vajner			
Jeff Vajner			
Adam Szilagyi			

Neighborhood Meeting: Hines – Jomax & 163rd Ave

January 8, 2024

Sign-in Sheet

Print Name	Address	Phone	Email
Karen Cote			
Gabrielle Orozco			
Brandon Orozco			
David Wiedholz			
Marvin McCormick			
Rebekah Myssie			
Mason Paul			
Robin Landt			
Nancy Petranovich			
Kirk Raze			
RODNEY CLIFF			
Tim Kissling			
Jodi Abruzzese			

AFFIDAVIT OF POSTING

Application No: FS23-0352
Applicant Name: Berry Riddell
Location: W of NWC 155th Ave & Jomax Rde
Date Site Posted: 01/22/24

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).

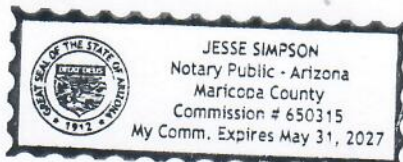
Such notice shall be clearly legible and placed at a prominent location on the site – Generally adjacent and perpendicular to the public right-of-way. It shall be the *responsibility of the applicant* to erect and to maintain the sign on the subject property and to maintain the hearing information on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

[Signature] 1-22-24
Applicant/Representative Signature Date

This instrument was acknowledged before me on 01/22/24, by Patrick Anspaugh. I witness whereof I hereunto set my hand and official seal.



[Signature]
Notary Public 5/31/27
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).*

Notice of Public Hearing City of Surprise

Neighborhood Meeting

Date: January 8, 2024

Time: 6:00 P.M. - 7:00 P.M.

Location: Asante Preparatory Academy
23251 N. 166th Dr.
Surprise, AZ 85387

Planning & Zoning

Date: February 15, 2024

Time: 6:00 P.M.

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

City Council

Date: March 18, 2024

Time: 6:00 P.M.

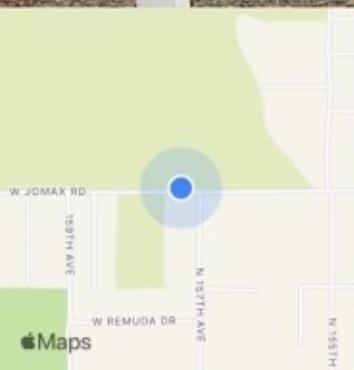
Location: Surprise City Hall
16000 N. Civic Center Plaza
Surprise, AZ 85374

Case number: FS23-0352

Request: A rezone amendment of approximately 31.46 acres generally located west of 155th Avenue and north of Jomax Road from Residential Medium Density (R-2) and Residential High Density (R-3) to R-2 Planned Unit Development (PUD).



For more information, call: 623-222-3011 Surpriseaz.gov



January 22, 2024 at 12:50 PM

15701-15791 W Jomax Rd

Page 334 of 360
Maricopa County

Notice of Public Hearing

City of Surprise

Neighborhood Meeting

Date: January 8, 2024

Time: 6:00 P.M. - 7:00 P.M.

Location: Asante Preparatory Academy
23251 N. 166th Dr.
Surprise, AZ 85387

Planning & Zoning

Date: February 15, 2024

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Location: Surprise City Hall
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Date: March 18, 2024

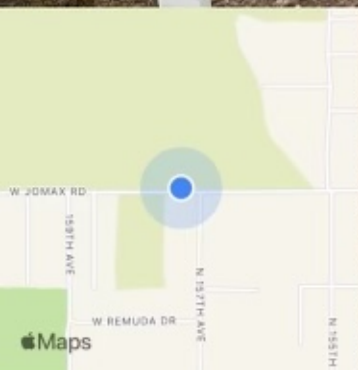
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16000 N. Civic Center Plaza
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January 22, 2024 at 12:50 PM

15701-15791 W Jomax Rd

Page 335 of 360

Maricopa County

Notice of Public Hearing

City of Surprise

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City Council

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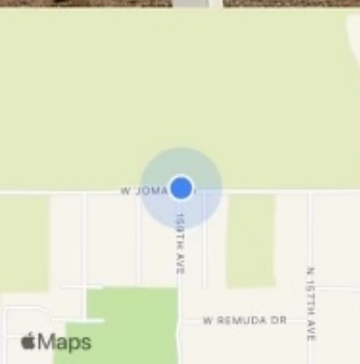
Location: Surprise City Hall
16000 N. Civic Center Plaza
Surprise, AZ 85374

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For more information, call: 623-222-3011 Surpriseaz.gov



January 22, 2024 at 12:37 PM

15821-15849 W Jomax Rd

Page 336 of 360
Maricopa County

Notice of Public Hearing City of Surprise

Neighborhood Meeting

Date: January 8, 2024

Time: 6:00 P.M. - 7:00 P.M.

Location: Asante Preparatory Academy
23251 N. 166th Dr.
Surprise, AZ 85387

Planning & Zoning

Date: February 15, 2024

Time: 6:00 P.M.

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

City Council

Date: March 18, 2024

Time: 6:00 P.M.

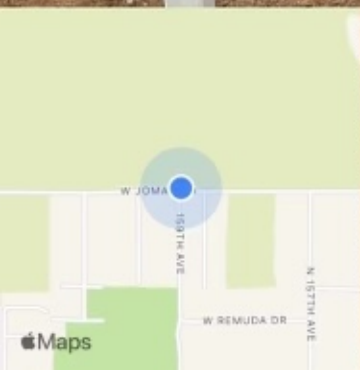
Location: Surprise City Hall
16000 N. Civic Center Plaza
Surprise, AZ 85374

Case number: FS23-0352

Request: A rezone amendment of approximately 31.46 acres generally located west of 155th Avenue and north of Jomax Road from Residential Medium Density (R-2) and Residential High Density (R-3) to R-2 Planned Unit Development (PUD).



For more information, call: 623-222-3011 Surpriseaz.gov



January 22, 2024 at 12:37 PM

15821-15849 W Jomax Rd

Page 337 of 360
Maricopa County

From: [RAHN, JENNIFER L CIV USAF AETC 56 FW/CVE](#)
To: [Nichole Flores](#)
Subject: RE: FS23-0352 Nobella Rezone - New Digital Submittal 04.26.23
Date: Wednesday, April 26, 2023 12:42:27 PM

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

Good afternoon Ms. Flores,

Thank you for the opportunity to provide comments on the revised pre-plat proposal for Nobella. The site sits on approximately 200 acres of vacant land located at Jomax Road east of 163rd Avenue in Surprise AZ. This revision proposal is to rezone 69-acres within the total site with varying areas of R-2 and R-3 designations. The site falls approximately 3.2 miles outside the Luke AFB AUX-1 2004 JLUS 65 Ldn, "high noise or accident potential zone" as defined by A.R.S. § 28-8461 and is within the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461.

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

The developer has stated they do not request to increase the overall density, but to reallocate previously approved densities throughout the site. The project, as described, should not have a negative impact on Luke AFB flight operations due to the fact that it is outside the GDC. However, Luke AFB reserves the right to review/comment on final plans submitted to Surprise. The site is located within the "territory in the vicinity of a military airport," it will be subjected to approximately 170 over flights a day. If this development is approved, we recommend a strong notification program on the part of the applicant is to inform future occupant(s) about Luke AFB operations.

V/r,

Jenn Rahn

Senior Planner, Community Initiatives Team
56th Fighter Wing
Luke AFB AZ 85309
Office: 623-856-9981
DSN: 896-9981

From: Nichole Flores <Nichole.Flores@surpriseaz.gov>
Sent: Wednesday, April 26, 2023 11:09 AM
To: 56 FW/CIT Community Initiative <56FW.CIT.CommunityInitiative@us.af.mil>; Afshin Ahouraiyan (Flood Control District of Maricopa County) <Afshin.Ahouraiyan@Maricopa.Gov>; Alex Garza (Maricopa Assoc of Governments) <AGarza@azmag.gov>; Aspasia Angelou (Nadaburg School

District) <aangelou@nadaburgsd.org>; Barbara J Remondini, Ph.D. (Wickenburg School District) <bremondini@wusd9.org>; Chris Cain (Maricopa Water District) <chrisc@mwdaz.com>; Darren V Gerard (Maricopa County Planning) <Darren.Gerard@maricopa.gov>; Debbie Trasancos (Maricopa Water District) <debbiet@mwdaz.com>; Ernest (USPS) <Ernest.L.James@usps.gov>; Eva Pierce <eva.pierce@dysart.org>; Gregory McDowell (MCDOT) <Gregory.McDowell@maricopa.gov>; Ibeth - USPS <Ibeth.L.Roman@usps.gov>; RAHN, JENNIFER L CIV USAF AETC 56 FW/CVE <jennifer.rahn@us.af.mil>; Jerome Choy (ADOT) <jchoy@azdot.gov>; Judy Lopez - Beardsley Water Company <managefnm365@aol.com>; Kevin Shipman <kevin.shipman@dysart.org>; Leslie - MWD <lesliej@mwdaz.com>; Mark Frago <fragom@mail.maricopa.gov>; Mary Orta - Surprise Chamber <mary.orta@surpriseregionalchamber.com>; MCDOTPlanning@maricopa.gov (MCDOT) <MCDOTPlanning@maricopa.gov>; Raoul Sada - Surprise Chamber <raoul@surpriseregionalchamber.com>; Rovell Foggy (Liberty Utilities) <Rovell.Foggy@libertyutilities.com>; Shelby Rios (MWD) <shelbyr@mwdaz.com>; Victor.Schaum <Victor.Schaum@cox.com>; Yvonne Aguirre <yvonne.aguirre@swgas.com>

Subject: [Non-DoD Source] FS23-0352 Nobella Rezone - New Digital Submittal 04.26.23

Good morning,

Attached please find the **application** and **rezone document** for the above referenced project.

Please feel free to contact us with any questions.

Best regards,

Nichole Flores

Planning Project Coordinator

City of Surprise | Community Development

16000 N Civic Center Plz | Surprise AZ 85374

(623) 222-3244 Direct

Please note effective August 3, 2022, we will be adding a 2-business day out-processing for ALL notices

This e-mail and any accompanying files transmitted are intended solely for the use of the individual or entity to whom they are addressed; if you have received this e-mail in error please delete it and notify the sender. In addition, under Arizona law, e-mail communications and e-mail addresses may be public records.

0.1

From: [Garrett Rains](#)
To: [Trevor Fleetham](#)
Subject: Case # FS23-0352
Date: Monday, September 18, 2023 9:07:01 PM

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

When does the voting take place for the above mentioned case? A move forward with this would be detrimental to the community. If it matters. Please let me know details

-Garrett

From: [Garrett Rains](#)
To: [Trevor Fleetham](#)
Subject: Case # FS23-0352
Date: Monday, September 18, 2023 9:06:06 PM

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

I would like contact information to all board members and developers related to this horrendous plan. Your response to this email would be greatly appreciated. And please let me know the next meeting date.

-Garrett

From: [Alec Bottrell](#)
To: [Trever Fleetham](#)
Subject: CASE FS23-0352
Date: Monday, September 18, 2023 9:10:46 PM

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

Good evening,

What are the dates for this case number meeting FS23-0352? This is an absolute terrible idea and the community WILL NOT stand for this. We do not need apartment buildings in our rural part of town and it is UNSAFE. There is not enough INFRASTRUCTURE here to handle the traffic or the people. DO NOT LET THIS PASS.

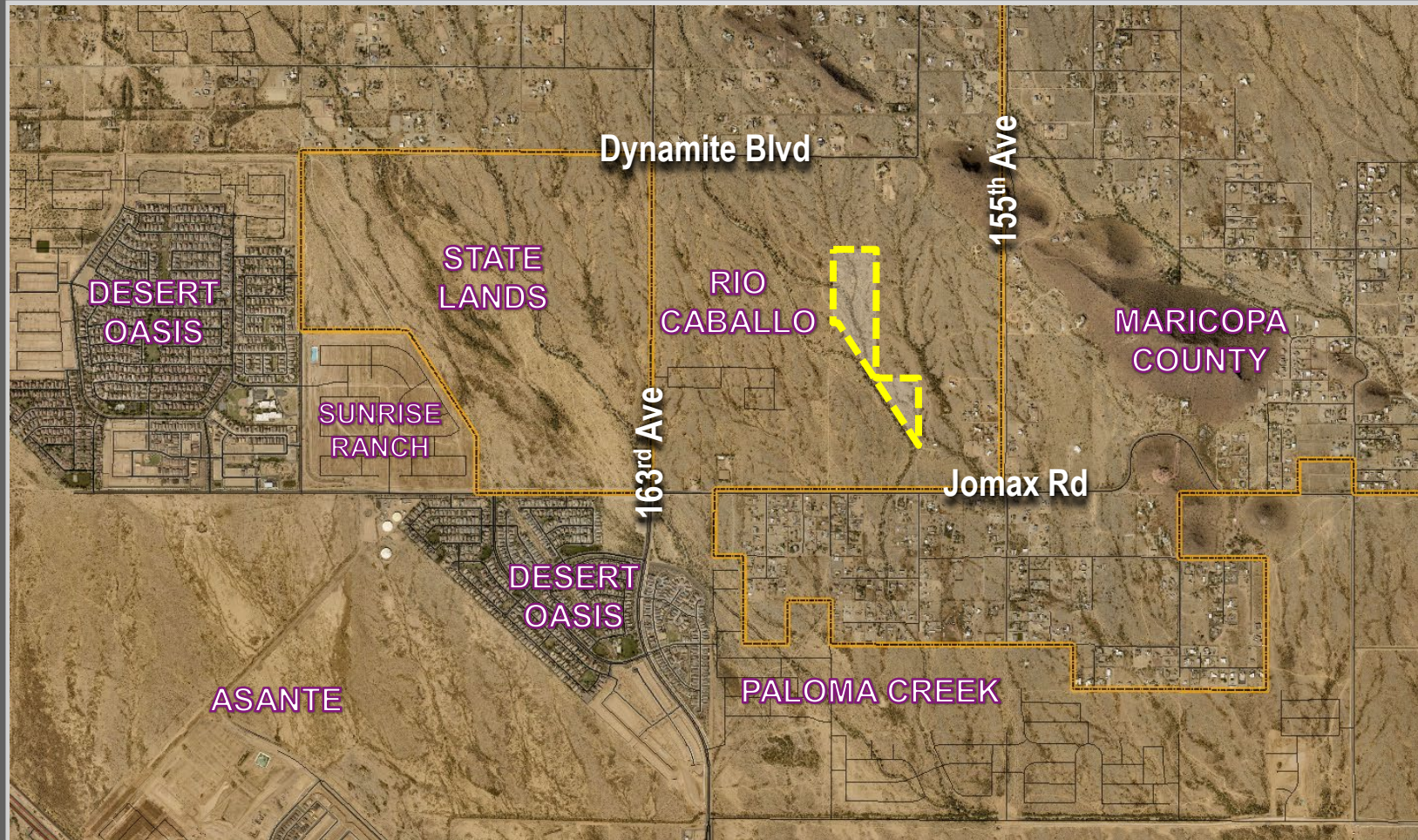
Sent from my iPhone

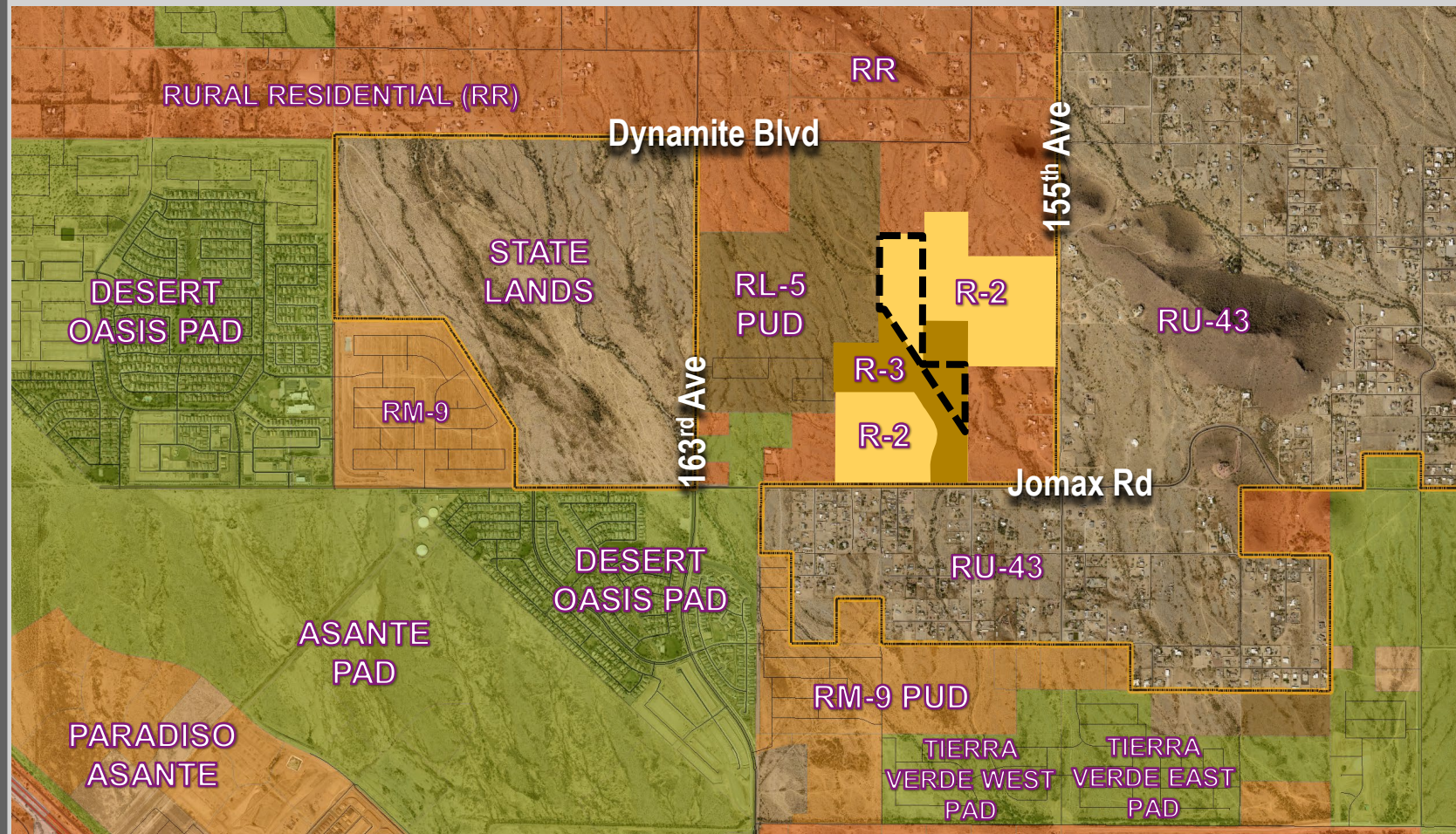


FS23-0352

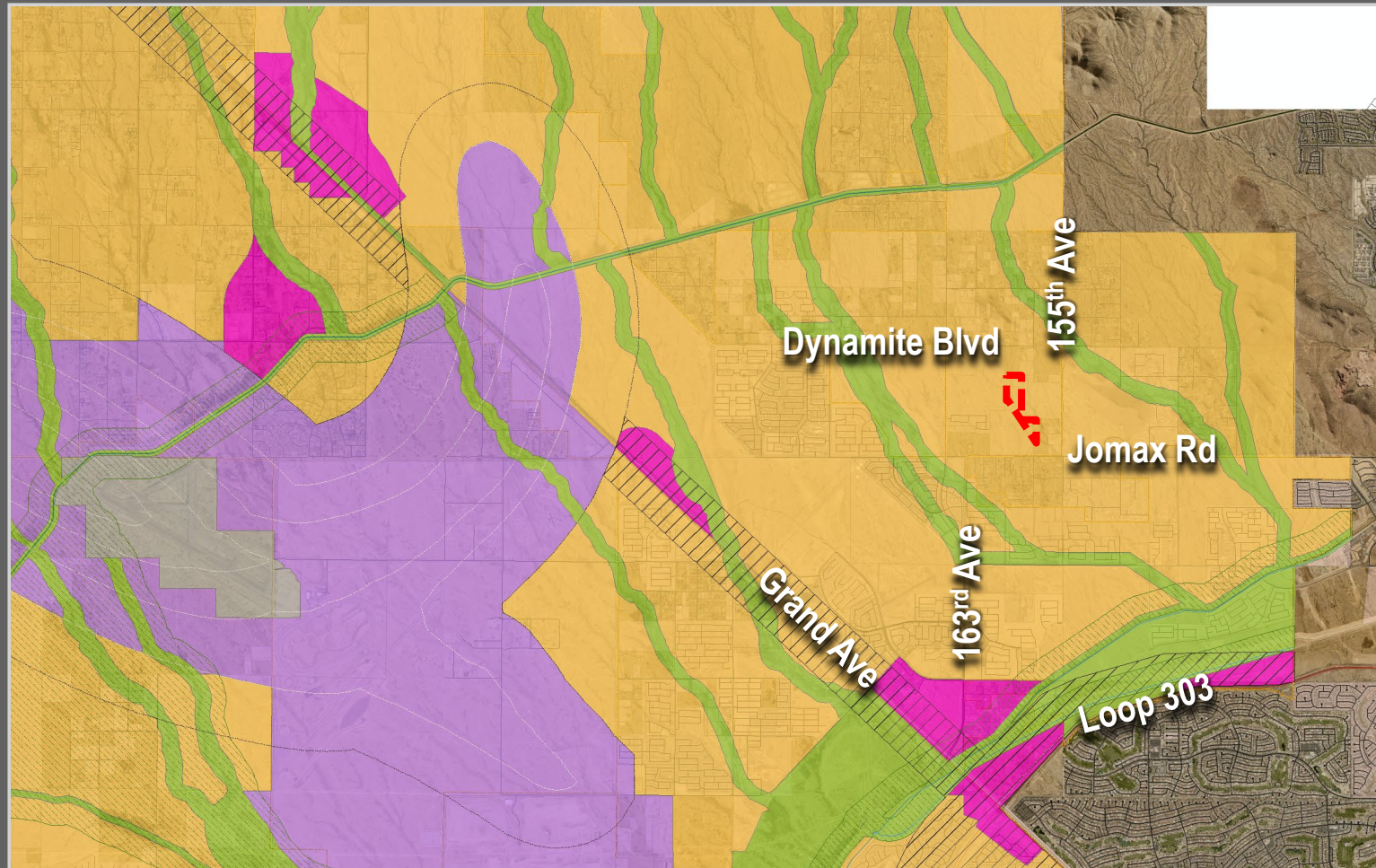
Nobella Rezone

Planning & Zoning Commission
February 15, 2024

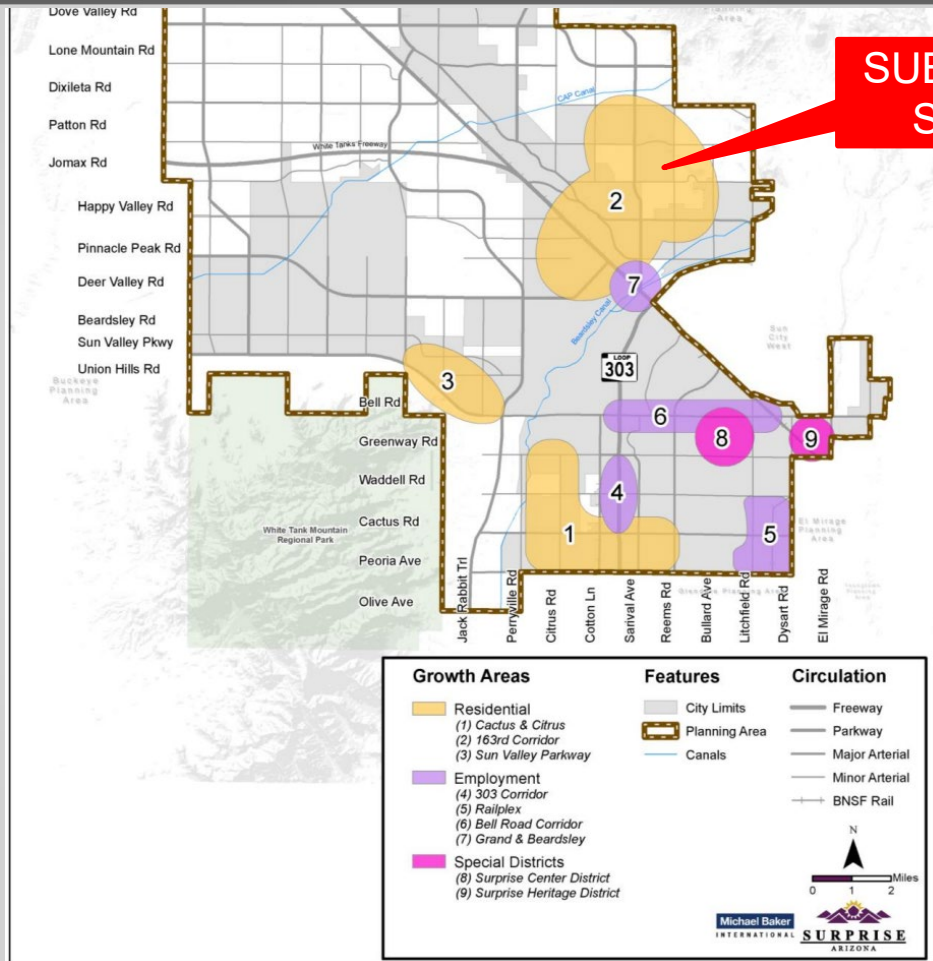




EXISTING ZONING MAP

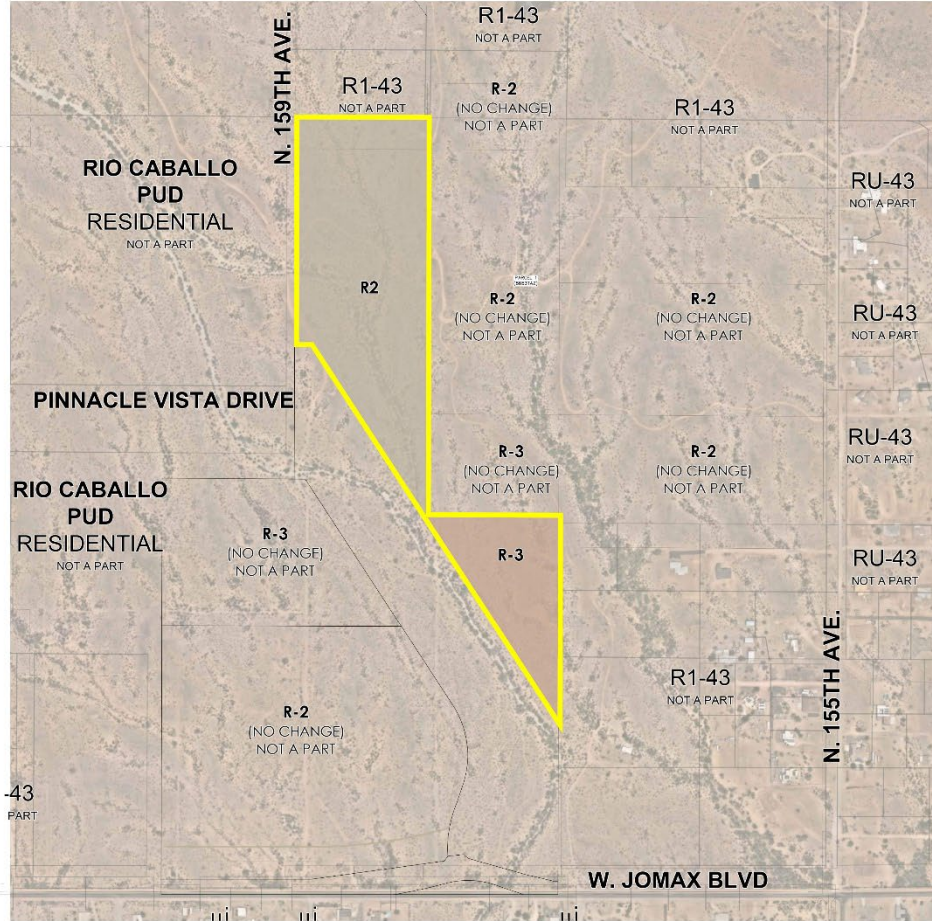


GENERAL PLAN LAND USE



SUBJECT SITE

GENERAL PLAN LAND USE



NOBELLA

Surprise, Arizona

APPROVED ZONING MAP

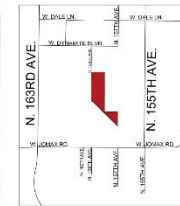
PROJECT DATA

GROSS ACRES: ± 31.46 AC.
 EXISTING CONDITION: UNDEVELOPED DESERT
 GENERAL PLAN DESIGN: NEIGHBORHOOD
 EXISTING ZONING: R-2 & R-3
 PROPOSED ZONING: R-3 ± 31.46 AC.

PROJECT DATA

- R-2 (MEDIUM / MEDIUM-LOW DENSITY RESIDENTIAL)
- R-3 (MEDIUM - HIGH DENSITY RESIDENTIAL)
- REZONE BOUNDARY (+/- 31.46 Ac.)

VICINITY MAP



APPLICANT/ATTORNEY:

BERRY RIDDELL LLC.
 Wendy Riddell, Esq.
 6750 E. Camelback Road
 Suite 100
 Scottsdale, Arizona 85251
 wr@berryriddell.com
 480.385.2727

BERRY RIDDELL

DEVELOPER:

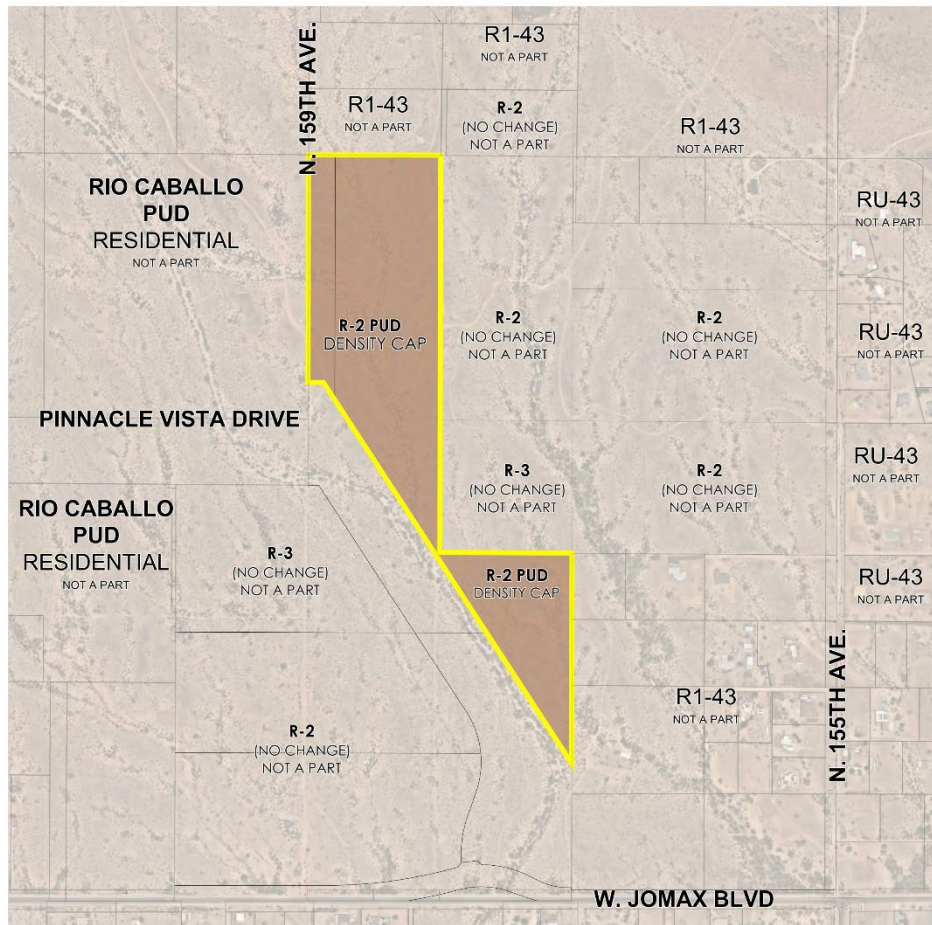
HINES
 Brandon Dillingham
 Managing Director
 2375 E. Camelback Road
 Suite 150
 Phoenix, Arizona 85016
 brandon.dillingham@hines.com
 602.385.4000

PLANNER:

SCAPEGOAT
 DESIGN STUDIO
 Jason N. Hadley, Principal
 7507 E. McDonald Dr. Suite #2
 Scottsdale, Arizona 85250
 jhadley@scapegoatds.com
 480.999.4400



EXISTING ZONING



NOBELLA

Surprise, Arizona

PROPOSED ZONING MAP

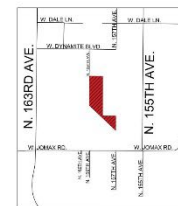
PROJECT DATA

REZONE ACRES: ± 31.46 AC.
 EXISTING CONDITION: UNDEVELOPED DESERT
 GENERAL PLAN DESIGN: NEIGHBORHOOD
 EXISTING ZONING: R-2 & R-3
 PROPOSED ZONING: R-2 PUD (± 31.46 AC.)

PROJECT DATA

R-2 PUD MEDIUM DENSITY (DENSITY CAP)
 REZONE BOUNDARY (± 31.46 AC.)

VICINITY MAP



APPLICANT/ATTORNEY:

BERRY RIDDELL, LLC.
 Wendy Riddell, Esq.
 6750 E. Camelback Road
 Suite 100
 Scottsdale, Arizona 85251
 wr@berryriddell.com
 480.385.2727

BERRY RIDDELL
INC.

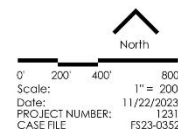
DEVELOPER:

HINES
 Brandon Dillingham
 Managing Director
 2375 E. Camelback Road
 Suite 150
 Phoenix, Arizona 85016
 brandon.dillingham@hines.com
 602.385.4000

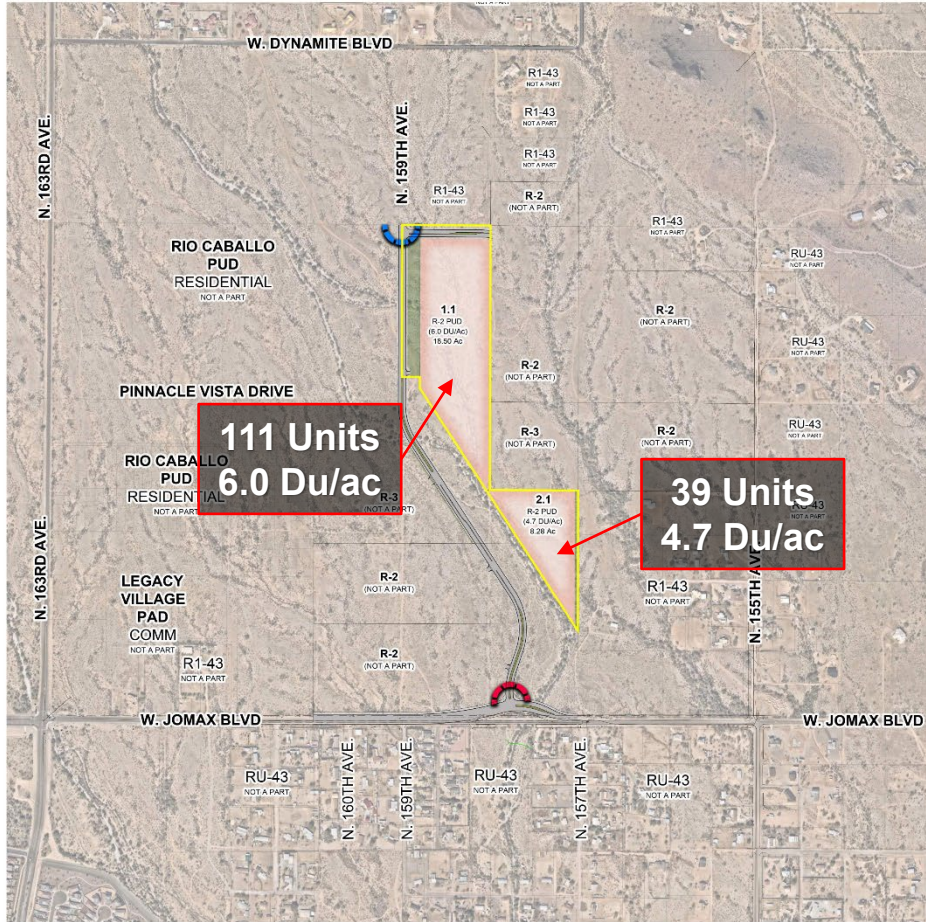
Hines

PLANNER:

SCAPEGOAT
 DESIGN STUDIO
 Jason N. Hadley, Principal
 7057 E. McDonald Dr., Suite #2
 Scottsdale, Arizona 85250
 jhadley@scapegoatds.com
 480.999.4400



PROPOSED ZONING



NOBELLA

Surprise, Arizona

CONCEPTUAL SITE AND LAND USE PLAN

PROJECT DATA

REZONE ACRES:	± 31.46 AC.
EXISTING CONDITION:	UNDEVELOPED DESERT
GENERAL PLAN DESIGN:	NEIGHBORHOOD
EXISTING ZONING:	R-2 & R-3
PROPOSED ZONING:	R-2 PUD

LEGEND

	R-2 PUD MEDIUM DENSITY (6.0 DU/AC. CAP)
	R-2 PUD MEDIUM DENSITY (4.7 DU/AC. CAP)
	OPEN SPACE BUFFER
	REZONE BOUNDARY
	PRIMARY ENTRY
	SECONDARY ENTRY

VICINITY MAP



APPLICANT/ATTORNEY:

BERRY RIDDELL LLC.
Wendy Riddell, Esq.
6750 E. Camelback Road
Suite 100
Scottsdale, Arizona 85251
wr@berryriddell.com
480.385.2727

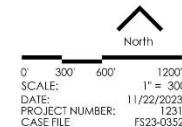
BERRY RIDDELL
INC.

DEVELOPER:

HINES
Brandon Dillingham
Managing Director
2375 E. Camelback Road
Suite 150
Phoenix, Arizona 85016
brandon.dillingham@hines.com
602.385.4000

PLANNER:

SCAPEGOAT
DESIGN STUDIO
Jason N. Hadley, Principal
7507 E. McDonald Dr., Suite #2
Scottsdale, Arizona 85250
jhadley@scapegoatds.com
480.999.4400



CONCEPTUAL LAND USE



DENSITY

Unit Redistribution

<u>Parcel</u>	<u>Approved Units</u>	<u>Requested Units</u>	<u>Change</u>
Parcel 1.1	70	111	+41
Parcel 2.1	81	39	-42

Density Changes

<u>Parcel</u>	<u>Approved</u>	<u>Requested</u>	<u>Change</u>
Parcel 1.1	3.8 du/ac	6.0 du/ac	+2.2 du/ac
Parcel 2.1	9.8 du/ac	4.7 du/ac	-5.1 du/ac

PUD DEVIATIONS

Table 106-2d—Residential Medium Density (R-2) Zoning District – PUD COMPARISON

Lot Categories	A ⁴	R-2 PUD		
General Plan compatibility	Urban	Urban		
Lot area (sf)	3,500—4,949	3,500—4,949		
Min. lot width (sf)	40	40		
Min. front setback ¹ (ft)	10	10		
Max. front setback (ft)	25	25		
Min. rear setback ¹ (ft)	10	10		
Min. side setback ¹ (ft)	5 & 7 ²	5 & 5 ²		
Min. street side setback ¹ (ft)	10	10		
Max. bldg. height (ft)	35	35		
Open space (% of gross acres of residential development) ³	25%	20%		

Notes:

1. *Garage* face and embellishments shall be *setback* a minimum of 20 feet measured from any opposing property line, except rear *alley* loaded *garages*, which shall be *setback* nine feet from *alley* edge line.

2. May be reduced to zero feet *setback* for *single-family dwellings* as *attached building* and separated by a *common wall* along the property line. End units must maintain the larger *setback*.

~~3. The city requires open space on a subdivision or development site basis rather than on a lot by lot basis. Subdivisions with more than one lot category will provide the higher percentage of open space.~~

~~4. Residential projects shall contain no more than 50 percent of lots less than 48 feet wide as calculated across whole subdivisions or preliminary plat and will include mitigating designs outline in Chapter 108 of this ordinance.~~



OUTREACH

Neighborhood Meetings:

September 18, 2023 & January 8, 2024

- Concerns:
 - Traffic
 - Density
 - Water & sewer
 - Product type & project timeline
 - School capacity



RECOMMENDATION

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



SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

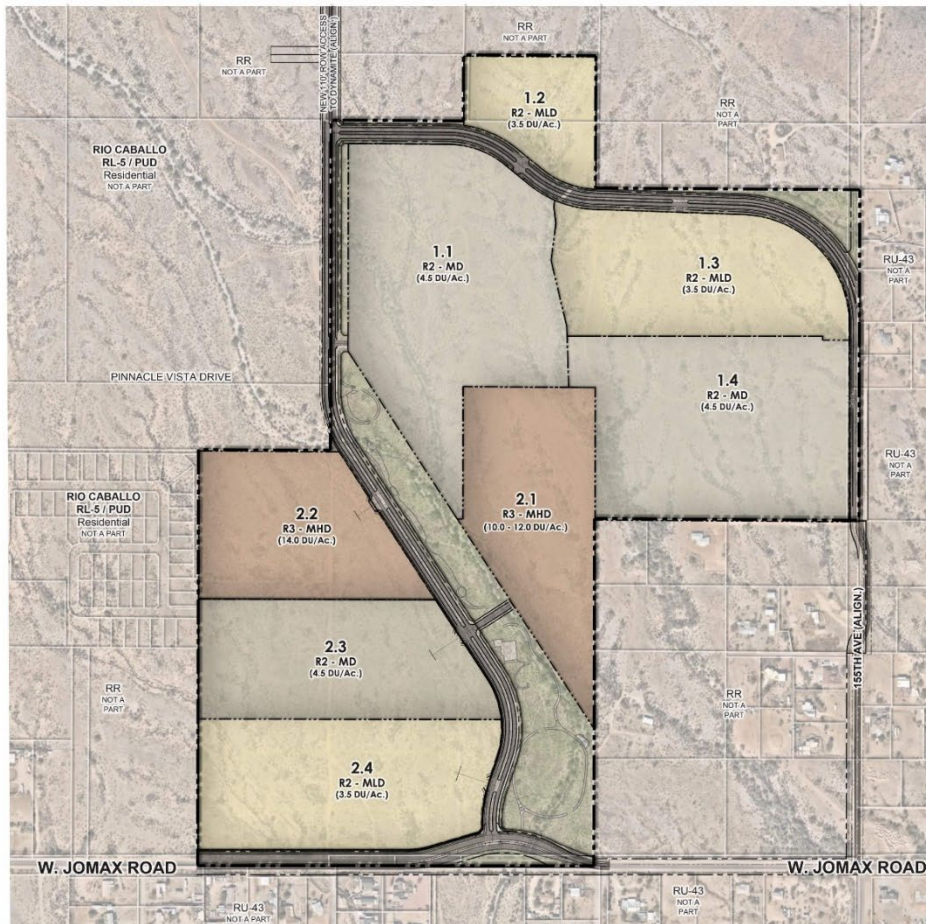
Thank You





STIPULATIONS

- a. Development and use of the site shall be consistent with the rezone narrative entitled “Zoning Amendment PUD Narrative Nobella”, prepared by Berry Riddell LLC dated December 4, 2023.
- b. Applicant must submit proof of payment for sewer treatment capacity with final plat submittals.
- c. Applicant must submit proof of payment for SPA 2 Sewer Interceptor Agreement buy-in fee (MCR# 20090350621) prior to City approval of Final Plat.
- d. The granting of this change in use of the property has been at the request of the applicant, with the consent of the landowner. The granting of this approval allows the property to enjoy uses in excess of those permitted by the zoning existing on the date of application, subject to conditions. In the event of the failure to comply with any condition, the City Council may take appropriate action to revert the Property’s to the zoning to that zoning district that existed on the date of application. It is, therefore, stipulated and agreed that either reversion or revocation due to the failure to comply with any conditions, does not reduce any rights that existed on the date of application to use, divide, sell or possess the property and that there would be no diminution in value of the property from the value it held on the date of application due to such reversion or revocation of the Zone Change. The Zone Change enhances the value of the property above its value as of the date the Zone Change is granted and reverting to the prior zoning results in the same value of the property as if the Zone Change had never been granted.
- e. The property owner/s and their successors waive claim for diminution in value if the City of Surprise takes action to rescind approval due to noncompliance with conditions.
- f. 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.



NOBELLA

Surprise, Arizona

CONCEPTUAL LAND USE PLAN

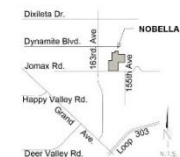
PROJECT DATA

GROSS ACRES	+/- 199.21 Acres
EXISTING CONDITION	UNDEVELOPED DESERT
GENERAL PLAN DESIG.	NEIGHBORHOOD
EXISTING ZONING	RR
PROPOSED ZONING	R-2 (+/- 143.64 Acres)
	R-3 (+/- 55.57 Acres)

LEGEND

R2	MEDIUM / LOW DENSITY	RESIDENTIAL	(3.0 - 4.0 DU/AC.)
R2	MEDIUM DENSITY	RESIDENTIAL	(4.0 - 5.0 DU/AC.)
R3	MEDIUM / HIGH DENSITY	RESIDENTIAL	(6.0 - 8.0 DU/AC.)
R3	MEDIUM HIGH DENSITY	RESIDENTIAL	(12.0 - 14.0 DU/AC.)
	COMMUNITY OPEN SPACE		
	PROJECT BOUNDARY		

VICINITY MAP



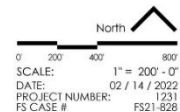
DEVELOPER:

Hines

Brandon Dillingham, Managing Director
2375 E. Camelback Road, Suite 150
Phoenix, Arizona 85016
brandon.dillingham@hines.com
602.385.4000

PLANNER:

Jason N. Hadley, Principal
4026 N. Miller Road, Suite 1700
Scottsdale, Arizona 85251
jhadley@scapegoats.com
480.999.4400



CONCEPTUAL LAND USE



NOBELLA

SURPRISE, ARIZONA

CONCEPTUAL LOTTING PLAN

PROJECT DATA

GROSS ACRES +/- 199.21 Acres
 EXISTING CONDITION UNDEVELOPED DESERT
 GENERAL PLAN DESIG. NEIGHBORHOOD
 EXISTING ZONING RR
 PROPOSED ZONING R-2 (+/- 138.68 Acres)
 R-3 (+/- 55.57 Acres)

LEGEND

R2	MEDIUM / LOW DENSITY	RESIDENTIAL	(3.0 - 4.0 DU/AC.)
R2	MEDIUM DENSITY	RESIDENTIAL	(4.0 - 5.0 DU/AC.)
R3	MEDIUM / HIGH DENSITY	RESIDENTIAL	(6.0 - 8.0 DU/AC.)
R3	MEDIUM / HIGH DENSITY	RESIDENTIAL	(12.0 - 14.0 DU/AC.)
	COMMUNITY OPEN SPACE		
	COMMUNITY TRAIL		
	PROJECT BOUNDARY		
	PRIMARY ENTRY		

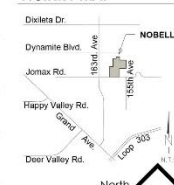
SITE DATA

PARCEL	GROSS AREA (Ac.)	ZONING	LOTS / UNITS PROVIDED	LOT SIZE	DENSITY (DU/AC.)	O.S. REQUIRED (Ac.)
1.1	31.11	R2-MD	118	48' X 115'	3.79	6.22
1.2	7.90	R2-MLD	15	60' X 120'	1.90	1.38
1.3	18.77	R2-MLD	74	53' X 120'	4.05	3.75
1.4	25.34	R2-MD	111	48' X 115'	4.38	5.07
TOTAL	83.12 Ac.		320		3.85 DU/AC.	16.42 Ac.
2.1	18.28	R3-MHD	180	--	9.55	.62
2.2	16.97	R3-MHD	238	--	14.00	.82
2.3	19.08	R2-MD	82	48' X 115'	4.30	3.82
2.4	21.93	R2-MLD	77	60' X 120'	3.51	4.39
TOTAL	76.28 Ac.		577		7.58 DU/AC.	9.65 Ac.
R-2	124.15		479		3.86 DU/AC.	24.83
R-3	35.25		418		11.86 DU/AC.	1.44
TOTAL	159.40 Ac.		897		6.63 DU/AC.	26.27 Ac.

GROSS DENSITY

ROW	19.91
O.S.	19.90
TOTAL	199.21 Ac.
	R2 / R3
	897
	4.50 DU/AC.

VICINITY MAP



DEVELOPER:

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PLANNER:

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SCALE: 1" = 200' - 0"
 DATE: 02 / 16 / 2022
 PROJECT NUMBER: 1231
 CASE FILE: CR-21-453

CONCEPTUAL LOTTING

SURPRISE, ARIZONA

CONCEPTUAL OPEN SPACE PLAN

PROJECT DATA

GROSS ACRES	+/- 199.21 Acres
EXISTING CONDITION	UNDEVELOPED DESERT
GENERAL PLAN DESIG.	NEIGHBORHOOD
EXISTING ZONING	RR
PROPOSED ZONING	R-2 (+/- 138.68 Acres) R-3 (+/- 55.57 Acres)

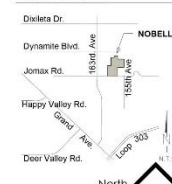
LEGEND

 COMMUNITY OPEN SPACE
 COMMUNITY TRAIL
 PROJECT BOUNDARY

SITE DATA

PARCEL	GROSS AREA (Ac.)	ZONING	O.S. REQUIRED	O.S. REQUIRED (Ac.)	O.S. PROVIDED (Ac.)	O.S. PROVIDED (%)
1.1	31.11	R2 - MD	20%	6.22	7.31	24%
1.2	7.90	R2 - MD	20%	1.58	4.07	52%
1.3	17.77	R2 - MD	20%	3.75	3.47	19%
1.4	25.34	R3 - MD	20%	5.07	5.57	22%
TOTAL	83.12 Ac.			16.62 Ac.	20.56 Ac.	24%
2.1	18.28	R3 - MHD (150 S.F./DU)		.62	2.80	- -
2.2	16.97	R3 - MHD (150 S.F./DU)		.82	10.70	- -
2.3	19.08	R2 - MD	20%	3.82	2.08	58%
2.4	21.56	R2 - MD	20%	4.39	6.61	30%
TOTAL	76.28 Ac.			9.65 Ac.	24.79 Ac.	32%
R-2	154.15		20%	24.83	31.85	26%
R-3	35.25	(150 S.F./DU)		1.44	13.90	- -
TOTAL	199.40 Ac.			26.27 Ac.	45.35 Ac.	28%
ROW	19.91				19.90	
O.S.	19.90				19.90	
TOTAL	219.31 Ac.	R2 / R3		26.27 Ac.	65.25 Ac.	32%

VICINITY MAP



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