CITY OF SURPRISE
Planning & Zoning Commission
16000 N. Civic Center Plaza
Surprise, AZ 85374
Thursday, April 17, 2025 @ 6:00 PM
COUNCIL CHAMBERS

A. Call To Order

B. Roll Call

C. Pledge of Allegiance

D. Current Events and Reports

Presentation of Pre-Plats in Review

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 March 20, 2025 Planning and Zoning Commission Regular Meeting Minutes.	Renee Puig-Hink Community Development

REGULAR AGENDA ITEM - PUBLIC HEARING:

2.	District 5	Consideration and action pertaining to a Rezone from Sierra Verde Planned Area Development (PAD) with an underlying of commercial to Residential Medium Density (R-2) with a Planned Unit Development (PUD) overlay, located at the southwest corner of Greenway Road and 140th Drive. Case FS24-0503.	Christina Sexton Community Development
3.	Citywide	Consideration and action pertaining to a Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinance (LDO) to amend the Planned Unit Development (PUD) Overlay code to facilitate infill development. Case FS24-1431.	Christina Sexton 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: Thursday, April 14th,2025 @ 10:00 AM

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

CITY OF SURPRISE
Planning & Zoning Commission

Council Meeting Date: April 17, 2025

Contact Person: Lloyd Abrams, Director - Community Development

Submitting Department: Community Development

District: Internal

Staff Recommendations:

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

Agenda Wording:

Presentation of Pre-Plats in Review

Motion:

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. Pre Plat Presentation - April 2025

COMMUNITY DEVELOPMENT

Preliminary Plat Report – April 2025

Planning and Zoning Commission
April 17, 2025

SURPRISE
ARIZONA

FS24-0502

Greenway Road & 140th Drive

Preliminary Plat Approvals

Planning & Zoning Commission

April 17, 2025

SURPRISE
ARIZONA

FS24-0502 GREENWAY ROAD & 140 DRIVE

The preliminary plat for Greenway Road and 140th Drive proposes to subdivide approximately 4.0 acres at the southwest corner of Greenway Road and 140th Drive, into 66 lots, for a density of 16.5 DU/Ac.

- Zoned Sierra Verde Planned Area Development (PAD)
- Proposed rezone to Residential Medium Density (R-2) with a PUD Overlay
  (P&Z on April 17th and City Council on May 20th)
  - Proposing lot sizes ranging from 1,134 square feet to 1,260 square feet
  - Meets the 20% open space minimum requirement
  - The large, central amenity includes a community pool, BBQ bar, dog park and shade structure.

SURPRISE
ARIZONA

Site Data		
Net Acreage	4.00 AC.	16.50 D.U./Ac.
Open Space	1.03 AC.	20.89%
Description	Units	Mix
21' x 54'	27	41%
25' x 47.5'	39	59%
Total	66	

Parking Data		
Parking Required		
Parking Required	x 2.00 Spaces/DU	132 Spaces
Guest Parking	x 0.20 Spaces/DU	13 Spaces
Parking Provided		145 Spaces
Parking Provided		
Garage Parking	x 2.00 Spaces/DU	132 Spaces
Off Street Parking		17 Spaces
Parking Provided		149 Spaces

ZEN @ SIERRA VERDE

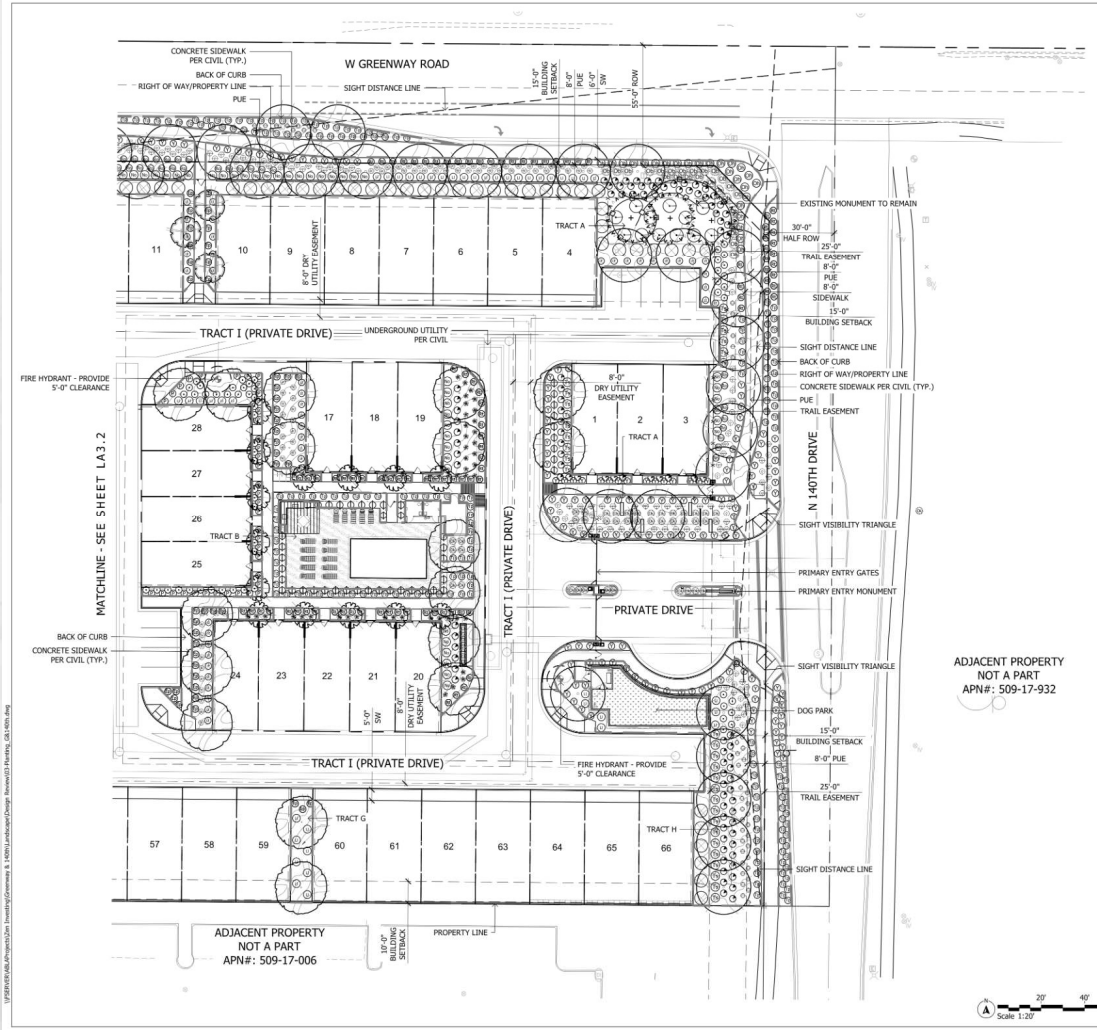
Conceptual Site Plan

Scale 1:30 Date: 02/11/2025

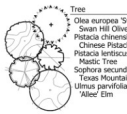
ABLASTUDIO.COM

AB LA

FS24-0502 PRELIMINARY PLAT



PLANT MATERIALS LEGEND

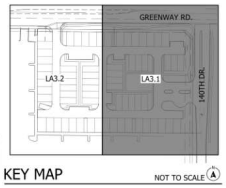


Tree	Cal (in.)	Height (Ft.)	Width (Ft.)	Box (in.)	Qty
Olea europea 'Swan Hill' Swan Hill Olive	-	6'	3'	24"	3
Pistacia chinensis Chinese Pistache	1"	7'	2.5'	24"	25
Pistacia lentiscus Mastic Tree	1"	7'	2.5'	24"	28
Sophora secundiflora Texas Mountain Laurel	0.75"	3'	2'	24"	3
Ulmus parvifolia 'Allee' Elm	1"	7'	3'	24"	38

Extra Large Shrubs	Size	Qty
Dodonea viscosa Green Hopbush	5 gal.	76
Tecoma alata 'Orange Jubilee' Orange Jubilee	15 gal.	12
Tecoma sp. 'Sparky Sparky	5 gal.	41
Large Shrubs	**Size**	**Qty**
Leucophyllum langmaniae 'Rio Bravo' Rio Bravo Sage	5 gal.	49
Medium Shrubs	**Size**	**Qty**
Eremophila glabra spp. carnosa Winter Blaze	5 gal.	58
Eremophila hygrophana Blue Bells Blue Bells	5 gal.	154
Leucophyllum frutescens 'Lynn's Legacy' Lynn's Legacy	5 gal.	137
Nerium oleander 'Petite Pink' Oleander 'Petite Pink'	5 gal.	55
Rosmarinus officinalis 'Upright' Upright Rosemary	5 gal.	50
Small Shrubs	**Size**	**Qty**
Bougainvillea 'Oh-My-My' Oh-My-My Bougainvillea	1 gal.	25
Olea europaea 'Little Ollie' Dwarf Olive	5 gal.	103

Groundcovers	Size	Qty
Ruellia 'Katie' Dwarf Ruellia 'Katie'	1 gal.	112
Eremophila prostrata 'Outback Sunrise' Outback Sunrise Eremophila	gal	47
Lantana sp. 'New Gold' Lantana	1 gal.	165
Lantana montevidensis Purple Trailing Lantana	1 gal.	38
Rosmarinus officinalis 'Prostratus' Trailing Rosemary	1 gal.	127
Teucrium chamaedrys 'prostratum' Prostrate Germander	1 gal.	244
Cacti/ Accents	**Size**	**Qty**
Aloe hyb. 'Blue Elf' Blue Elf Aloe	5 gal.	106
Bouteloua gracilis Blond Ambition	1 gal	138
Hesperaloe parviflora 'Stoplights' Stoplights Red Yucca	3 gal.	70
Opuntia basilaris Beavertail Prickly Pear	5 gal.	25
Opuntia sp. Kelly's Choice Kelly's Choice Prickly Pear	5 gal.	42
Yucca pallida Pale Leaf Yucca	5 gal	54
Inerts	**Qty**	
Decomposed Granite; 3/4" Mahogany - Rock Pros	(2" Depth) 37,330 S.F.	
Pool Deck See Detail 7, Sheet LA6.3	1,837 S.F.	

NOTES:
1. QUANTITIES SHOWN FOR SUBMITTAL PURPOSES ONLY.
2. ALL QUANTITIES SHOWN ARE FOR THE LANDSCAPE ARCHITECT'S ESTIMATING PURPOSES ONLY AND THEREFORE ARE NOT GUARANTEED. THE CONTRACTOR SHALL CALCULATE QUANTITIES BASED ON THIS DRAWING SET.
3. ALL TREES SHALL COMPLY WITH THE LATEST AMENDED EDITION OF THE "ARIZONA NURSERY ASSOCIATION - RECOMMENDED TREE SPECIFICATIONS." SEE SECTION 1903(6)(A), ZONING CODE.



KEY MAP NOT TO SCALE

Contact Arizona 811 at least two full working days before you begin excavation
Call 811 or click Arizona811.com
In Maricopa County: (602) 263-1100

PRELIMINARY LANDSCAPE PLAN
ZEN @ SIERRA VERDE
W GREENWAY RD. & N 140TH DR.
SURPRISE, ARIZONA 85379
SHEET TITLE: PLANTING PLAN

AB LA
310 E. RIO SALADO PARKWAY
TEMPE, ARIZONA 85281
OFFICE: 480.530.0071
WEB: ABLASTUDIO.COM

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DATE: 02-07-2025
ISSUED FOR: DESIGN REV
DRAWN BY:
CHECKED BY: AB, CR
PERMIT NUMBER:
ABLA PROJECT NUMBER: 335-007-24

LA3.1
PG: 6 OF 11

FS24-0502 LANDSCAPE

FS24-1234

Vistas Montana

Preliminary Plat

Planning & Zoning Commission

April 17, 2024

SURPRISE
ARIZONA

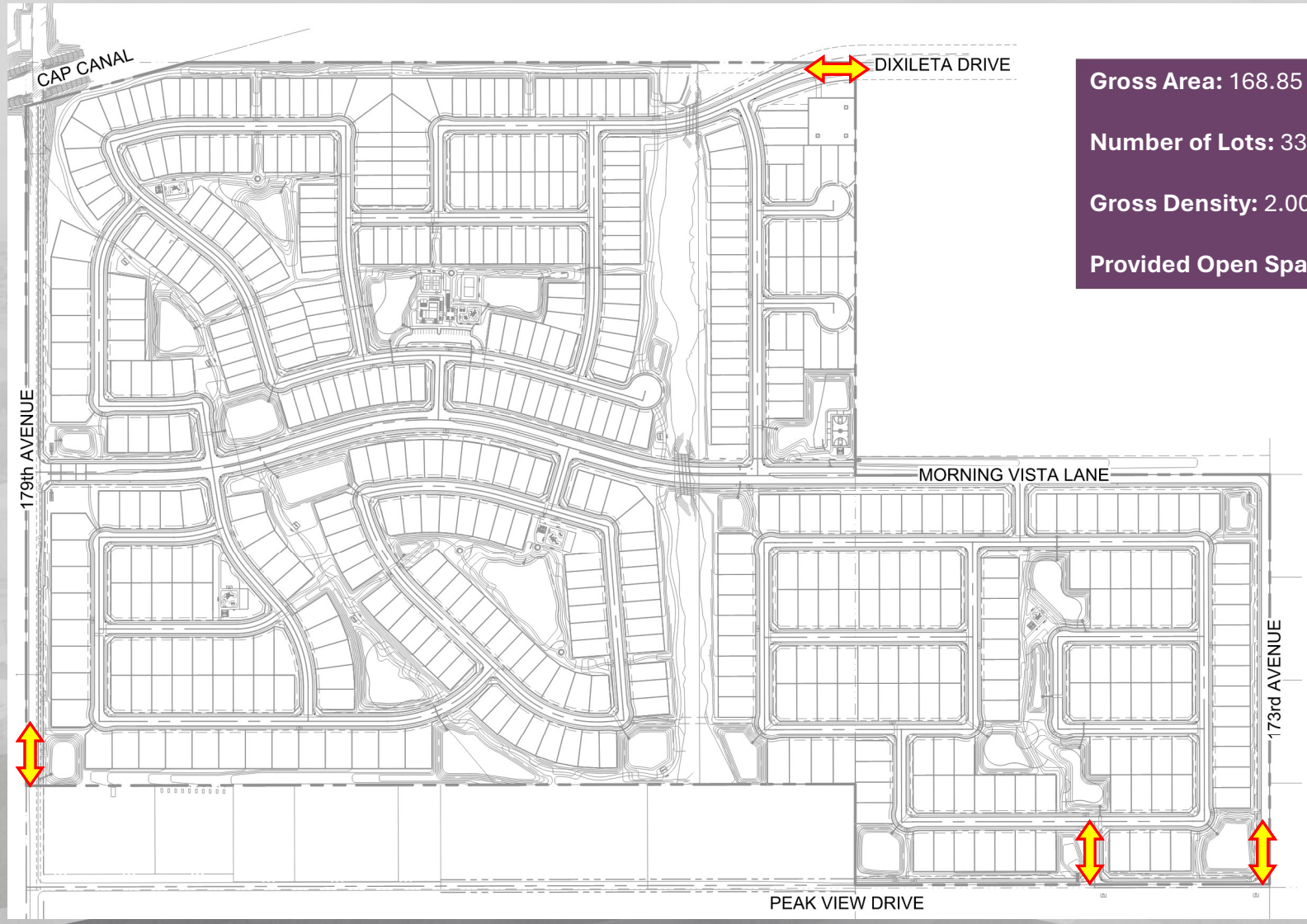
FS24-1234 VISTAS MONTANA

The preliminary plat proposes to subdivide approximately 179.33 acres at the northeast corner of 179th Avenue and Peak View Road, between 179th Avenue and 173rd Avenue, south of Dixileta Road, into 529 lots, for a gross density of 3.85 DU/Ac.

- Zoned Vistas Montanas PAD (Approved by City Council in March of 2023)
- The Preliminary Plat is separated into 5 different parcels, A-E, with lot sizes ranging from 5,400 square feet to 7,800 square feet (6,840 sq ft average).
  - Only 182 of the 529 lots are less than 50 feet wide
- The plat includes 27.8% open space (17.0 acres passive and 32.8 acres active), exceeding the minimum requirement.
- The large, central amenity site includes a community pool, sports courts, play areas, a ramada, turf area and a trail system.
  - Additional amenity sites are located throughout the community

SURPRISE
ARIZONA

FS24-1234 PRELIMINARY PLAT



Gross Area: 168.85 Acres

Number of Lots: 337

Gross Density: 2.00 DU/AC

Provided Open Space: 81.18 Acres

LANDSCAPE PALETTE

TREES
BOTANICAL / COMMON NAME

Acacia aneura
MULGA

Acacia stenophylla
SHOESTRING ACACIA

Acacia willardiana
PALO BLANCO

Caesalpinia cacalaco
CASCALOTE

Celtis reticulata
NETLEAF HACKBERRY

Chilopsis linearis
DESERT WILLOW

Parkinsonia florida
BLUE PALO VERDE

Phoenix dactylifera
DATE PALM

Prosopis glandulosa v. glandulosa `Maverick`
THORNLESS TEXAS HONEY MESQUITE

Prosopis x `Leslie Roy`
LESLIE ROY MESQUITE

Quercus fusiformis 'Joan Lionetti'
JOAN LIONETTI LIVE OAK

Sophora secundiflora
TEXAS MOUNTAIN LAUREL

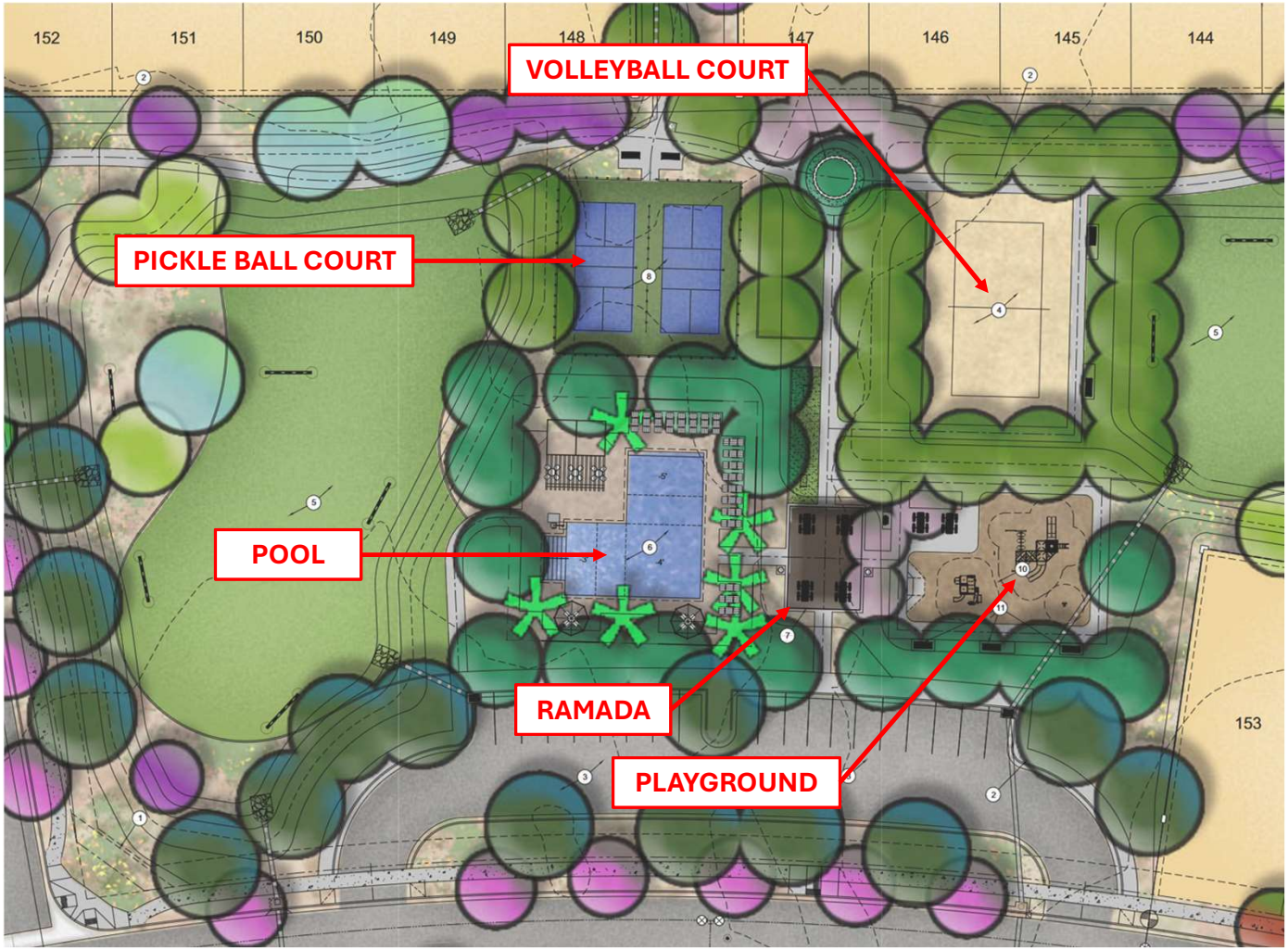
Ulmus parvifolia
EVERGREEN ELM

Vitex agnus-castus
CHASTE TREE

TBD
LOT FRONTAGE TREES TO BE INSTALLED WITH CONSTRUCTION OF HOME

FS24-1234 LANDSCAPE

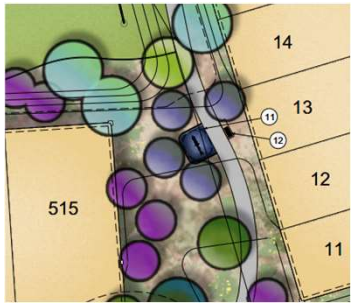
FS24-1234 AMENITIES



MAIN AMENITY SITE

TOT LOT

BASKETBALL COURT



FITNESS NODE

FS24-0967

Desert Trails Phase I

Preliminary Plat

Planning & Zoning Commission

April 17, 2025

SURPRISE
ARIZONA

FS24-0967 DESERT TRAILS PHASE 1

The preliminary plat proposes to subdivide approximately 317.22 acres, generally located north of Deer Valley Road and east of 219th Avenue, into 895 residential lots, for a gross density of 2.82 DU/Ac.

- Zoned Desert Trails Traditional Neighborhood Development (TND) with a Planned Unit Development (PUD) Overlay (Approved by the City Council on April 16, 2024)
- Preliminary Plat includes 895 single-family residential lots ranging from 4,800 square feet to 13,881 square feet. Lots sizes are in conformance the TND lot categories B, C, & D.
- 100’ building setback and screen wall provided along the easterly boundary that abuts the Ford Proving Grounds.
- The plat includes 27.5% open space, exceeding the minimum requirement.
- The large, central amenity site includes a community pool, sports court, play area, outdoor kitchen, shade and turf areas.
- In addition to the centralized main amenity site, centrally located neighborhood amenity areas are planned throughout the parcels.

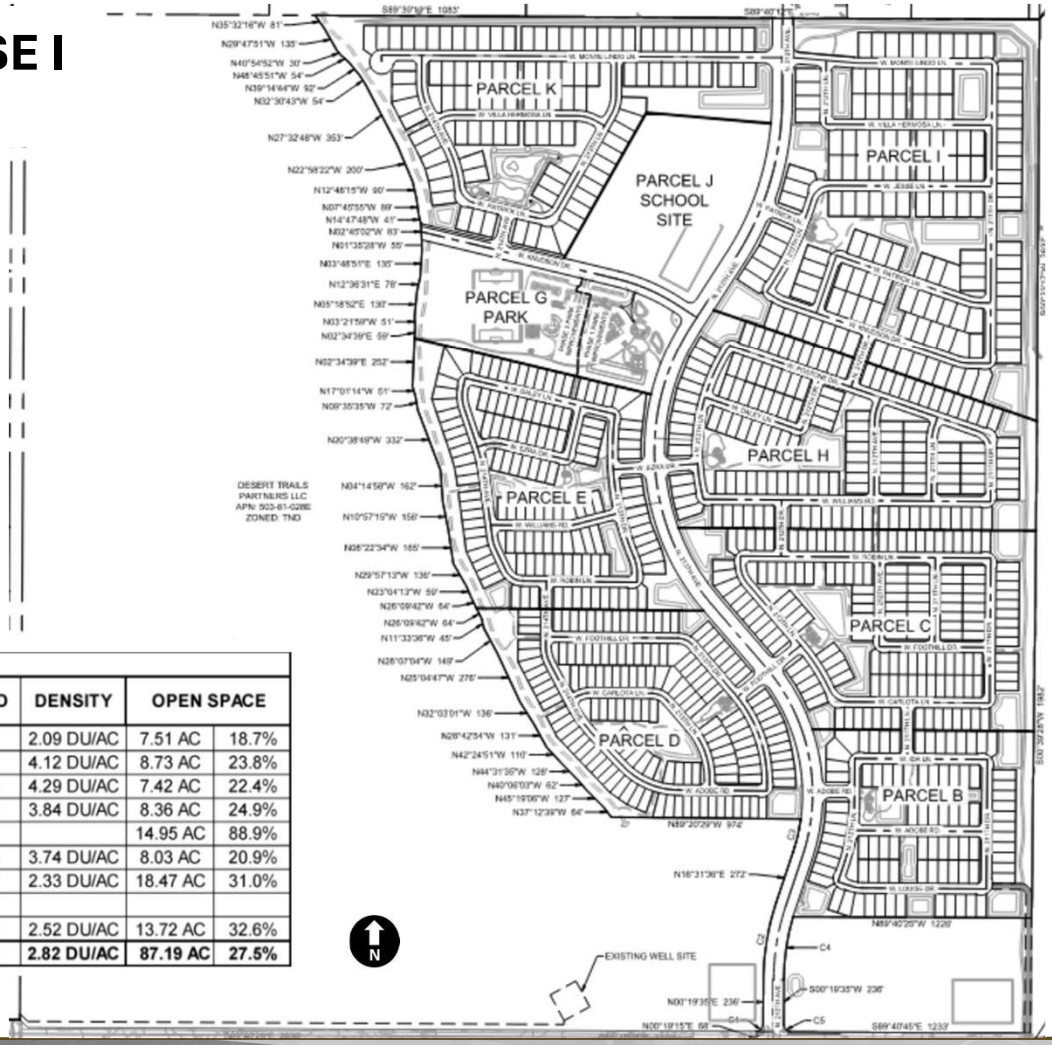
SURPRISE
ARIZONA

DESERT TRAILS PHASE I

Preliminary Plat

LOT AND DENSITY DETAILS	
TOTAL NUMBER OF LOTS	895
TOTAL NUMBER OF TRACTS	66
GROSS RESIDENTIAL DENSITY	2.82 DU/AC
TOTAL GROSS AREA	317.22 AC
ARTERIAL ROW	13.80 AC
TOTAL NET AREA	303.41 AC
NET RESIDENTIAL DENSITY	2.95 DU/AC
SMALLEST LOT SIZE	4800.26 SF
LARGEST LOT SIZE	13881.04 SF
AVERAGE LOT SIZE	6686.55 SF

SITE DATA - PHASE 1								
ZONE	TND CATEGORY	PARCEL	LOT SIZE	GROSS AREA	YIELD	DENSITY	OPEN SPACE	
TND-R	C	B	53' X 120'	40.26 AC	84	2.09 DU/AC	7.51 AC	18.7%
	C	C	48' X 115'	36.61 AC	151	4.12 DU/AC	8.73 AC	23.8%
	B	D	43' X 115'	33.09 AC	142	4.29 DU/AC	7.42 AC	22.4%
	C	E	48' X 115'	33.56 AC	129	3.84 DU/AC	8.36 AC	24.9%
	-	G	PARK	16.82 AC			14.95 AC	88.9%
	C	H	53' X 120'	38.49 AC	144	3.74 DU/AC	8.03 AC	20.9%
	D	I	70' X 130'	59.64 AC	139	2.33 DU/AC	18.47 AC	31.0%
	-	J	SCHOOL	16.62 AC				
	D	K	65' X 125'	42.13 AC	106	2.52 DU/AC	13.72 AC	32.6%
TOTAL				317.22 AC	895	2.82 DU/AC	87.19 AC	27.5%

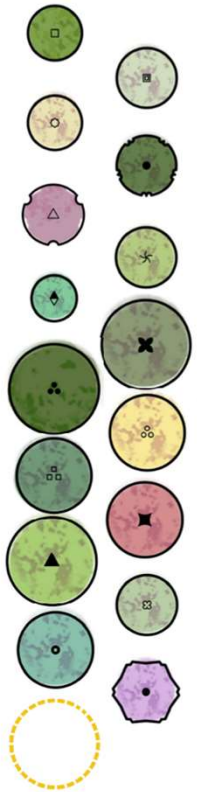


LOTTING & DENSITY

DESERT TRAILS PHASE I

Preliminary Landscape Plan

LANDSCAPE PALETTE



TREES
BOTANICAL / COMMON NAME

Acacia aneura
MULGA

Acacia willardiana
PALO BLANCO

Caesalpinia cacalaco `Smoothie` ™
THORNLESS CASCALOTE

Chilopsis linearis
DESERT WILLOW

Chilopsis linearis `Bubba`
BUBBA DESERT WILLOW

Eucalyptus papuana
GHOST GUM

Fraxinus greggii
LITTLELEAF ASH

Olneya tesota
IRONWOOD

Parkinsonia florida
BLUE PALO VERDE

Parkinsonia x 'Desert Museum'
DESERT MUSEUM PALO VERDE

Parkinsonia praecox
PALO BREA

Pistachia chinensis
CHINESE PISTACHE

Prosopis thornless hybrid 'AZT'
AZT THORNLESS HYBRID MESQUITE

Quercus virginiana
SOUTHERN LIVE OAK

Ulmus parvifolia
EVERGREEN ELM

Vitex agnus-castus
CHASTE TREE

Mesquite or Blue Palo Verde
SALVAGED TREE

LANDSCAPE PLAN

DESERT TRAILS PHASE I

Main Amenity Site

PARK AMENITIES PHASE 1

1. TURF AREA
2. PLAYGROUND #1
3. PARKING #1
4. RESTROOM BUILDING AND MECHANICAL POOL ROOM
5. POOL
6. TRELLIS WITH SEATING
7. OUTDOOR KITCHEN
8. 20' X 20' PICNIC RAMADA
9. BASKETBALL COURT
10. TRAIL PH1
11. PARK SIGN
12. DRAINAGE BASIN PER CIVIL PLANS
13. ARTIFICIAL TURF WITH STRING LIGHTS
14. LANDSCAPE BERM WITH SHADE TREES
15. CORN HOLE
16. FIRE HYDRANT PER CIVIL PLANS
17. SIGHT VISIBILITY TRIANGLE
28. CURB RAMP PER M.A.G. STD. DTL. 237

AMENITY SITE

DESERT TRAILS PHASE I

Parcel K Park

PARK KEYNOTES

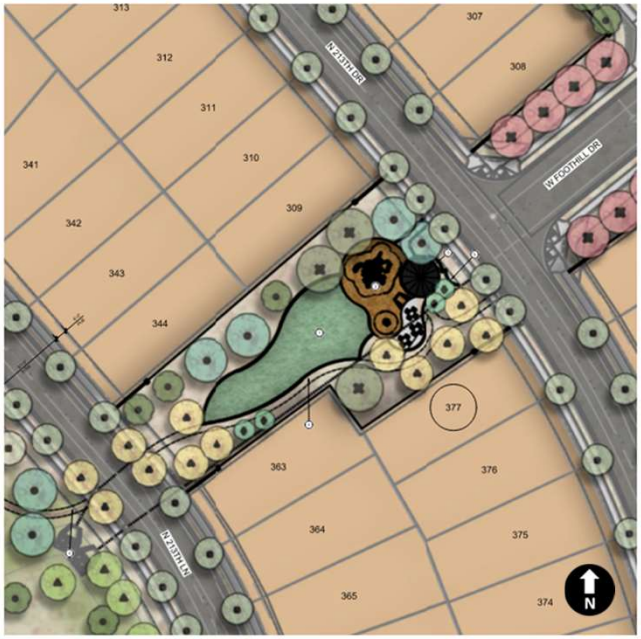
1. TURF AREA
2. PLAYGROUND
3. PICNIC RAMADA
4. TRAIL
5. ACCENT LOW WALL
6. DOG PARK

AMENITY SITE

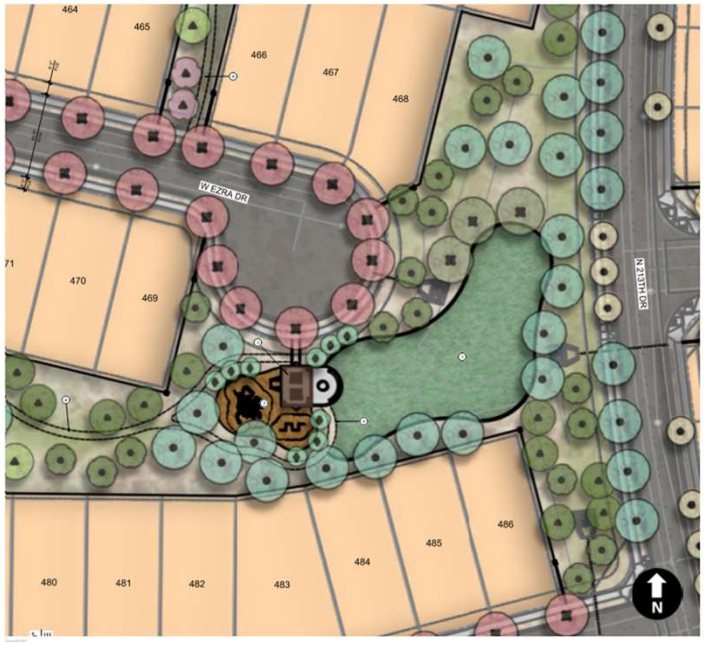
DESERT TRAILS PHASE I

PARK KEYNOTES

1. TURF AREA
2. PLAYGROUND
3. TRELLIS WITH SEATING
4. TRAIL
5. ACCENT LOW WALL



Parcel D Park



Parcel E Park

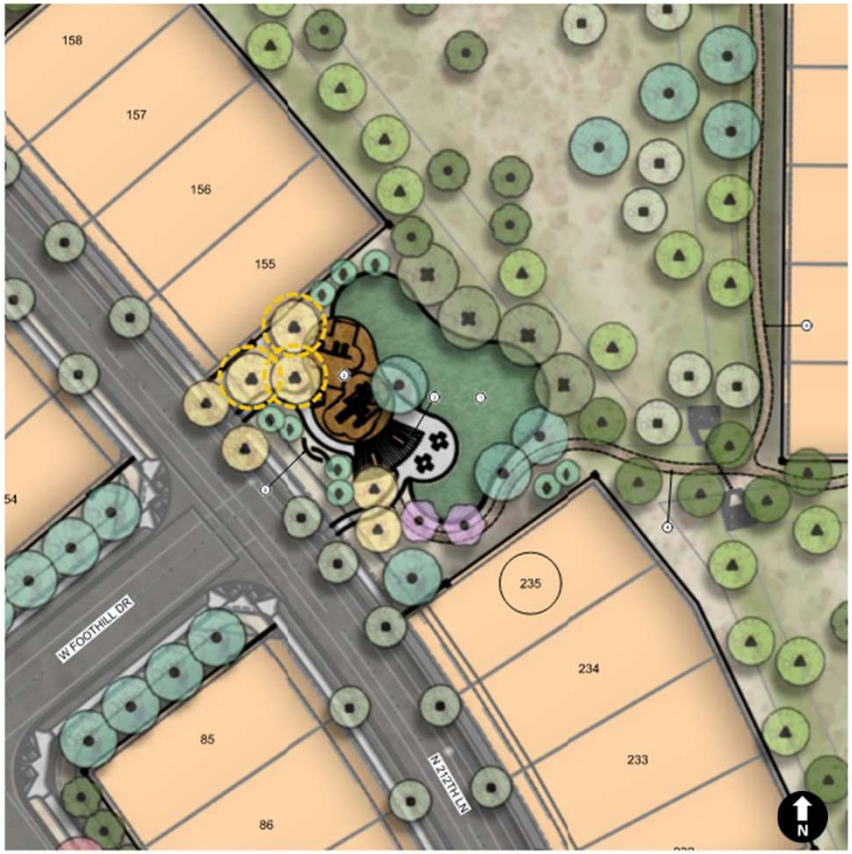
AMENITY SITE

DESERT TRAILS PHASE I

Parcel C Park

PARK KEYNOTES

1. TURF AREA
2. PLAYGROUND
3. TRELLIS WITH SEATING
4. TRAIL
5. ACCENT LOW WALL



AMENITY SITE

Questions or Comments?

THANK YOU

SURPRISE
ARIZONA

CITY OF SURPRISE
Planning & Zoning Commission

Council Meeting Date: April 17, 2025 Contact Person: Renee Puig-Hink
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 March 20, 2025 Planning and Zoning Commission Regular Meeting Minutes.

Motion:
I move to approve the March 20, 2025 Planning and Zoning Commission Regular Meeting Minutes.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:
FTE Impact:

ATTACHMENTS:
1. 3-20-2025 MINS

CITY OF SURPRISE
PLANNING AND ZONING COMMISSION

MEETING MINUTES

March 20, 2025 / 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 March 20, 2025.

A. ROLL CALL
In attendance were, Commissioner Kevin Perry, Commissioner Anthony Spata, Commissioner Jay Leonard, Chair Jared Holland, Commissioner Matthew Keating, and Commissioner Dennis Bash. Vice Chair Ken Chapman had an excused absence.

STAFF PRESENT:
Jeffrey Murray, Chief Deputy City Attorney; Lloyd Abrams, Director of Community Development; Leslie Carnie, Planner II; Trever Fleetham, Planning Manager; Christina Sexton, Planner, Sr.; Tanner Wessel, Planner II; Renee Puig-Hink, Administrative Specialist, Sr.

COUNCIL MEMBERS PRESENT:
- None

B. PLEDGE OF ALLEGIANCE

C. CURRENT EVENTS REPORT
- None

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.

- David Calderon, Surprise, AZ – Discussed parking and safety in Prasada.

Chair Holland closed the call to the public.

CONSENT AGENDA:

Item 1 – Consideration and action to approve or disapprove the March 6, 2025, Planning and Zoning Commission Regular Meeting Minutes.

Commissioner Leonard made a motion to approve the March 6, 2025, Planning and Zoning Commission Regular Meeting Minutes as presented. Commissioner Keating seconded the motion. Motion passed with 6 votes in favor.

Item 2 – Nomination and selection of a Planning and Zoning Commissioner to be the Commission's representative on the Transportation Master Plan Stakeholder Focus Group.

Commissioner Bash made a motion to nominate Commissioner Perry to represent the Planning and Zoning Commission on the Transportation Master Plan Stakeholder Focus Group. Commissioner Leonard seconded the motion. Motion passed with 6 votes in favor.

REGULAR AGENDA ITEM – PUBLIC HEARING:

Item 3 – Consideration and action pertaining to a rezone of approximately 7.9 acres from Business Park (BP) to Light Industrial (I-1) on a site generally located south of the southwest corner of Litchfield Road and Cactus Road. Case FS24-1195.

Leslie Carnie, Planner II, presented item 3 to the Commission.

Chair Holland opened the public hearing.

- None

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

The Commission discussed the following:

- None

Commissioner Keating made a motion to recommend approval of the Dominion Rezone, case FS24-1195, to the City Council subject to stipulations 'a' and 'b' as outlined in the staff report. Commissioner Leonard seconded the motion. Motion passed with 6 votes in favor.

Item 4 – Consideration and action pertaining to a proposed Conditional Use Permit with Site Plan for a freeway monument sign located on APN 501-09-843, a property generally located east of Loop 303 and south of Cactus Road within the State Route 303 Corridor as defined in Section 109-1.9.C.8. of the Land Development Ordinance. Case FS25-0042.

Christina Sexton, Planner, Sr., presented item 4 to the Commission.

Chair Holland opened the public hearing.

- None

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

The Commission discussed the following:

- None

Commissioner Perry made a motion to approve the CUP with Site Plan for Home Depot Freeway Monument Sign, Case FS25-0042, subject to stipulations ‘a’ through ‘e’ as outlined in the staff report. Commissioner Leonard seconded the motion. Motion passed with 6 votes in favor.

Item 5 – Consideration and action regarding a Conditional Use Permit (CUP) with Site Plan for a drive-through facility within a multi-tenant building to be constructed as a part of a larger commercial center, zoned Sycamore Farms Planned Area Development (PAD), located at the southwest corner of Cactus Road and Sarival Avenue. Case# FS24-0170.

Christina Sexton, Planner, Sr., presented item 5 to the Commission.

Chair Holland opened the public hearing.

- None

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

The Commission discussed the following:

- None

Commissioner Perry made a motion to approve the Conditional Use Permit with Site Plan for a drive-through facility known as Fry’s 661 Lot 2 Shops A, Case# FS24-0170, subject to stipulations ‘a’ through ‘e’ 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 Keating made a motion to adjourn. Commissioner Bash seconded the motion. All voted in favor.

Meeting adjourned at 6:19 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: _____
Renee Puig-Hink, Secretary

DATE: _____

CITY OF SURPRISE
Planning & Zoning Commission

Council Meeting Date: April 17, 2025 Contact Person: Christina Sexton
Submitting Department: Community Development District: District 5
Staff Recommendations:

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

Agenda Wording:
Consideration and action pertaining to a Rezone from Sierra Verde Planned Area Development (PAD) with an underlying of commercial to Residential Medium Density (R-2) with a Planned Unit Development (PUD) overlay, located at the southwest corner of Greenway Road and 140th Drive. Case FS24-0503.

Motion:
I move to recommend approval of the Rezone for Greenway Road and 140th Drive, Case FS24-0503, subject to stipulations 'a' and 'b' as outlined in the staff report.

I move to recommend denial of the Rezone for Greenway Road and 140th Drive, Case FS24-0503, because insert reason.

Background:
Brennan Ray, with Ray Law Group, requests a Rezone of approximately 4.0 acres from Sierra Verde Planned Area Development (PAD) to Residential Medium Density (R-2) with a Planned Unit Development (PUD) overlay. The project site is located at the southwest corner of Greenway Road and 140th Drive.

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-FS24-0503 Greenway Rd 140th Dr - Rezone - Final Revised Staff Report
2. 01-FS24-0503 Greenay Rd & 1140th Dr - Rezone - Vicinity Map
3. 02-FS24-0503 Greenway Rd & 140th Dr - Rezone - Existing Zoning Map
4. 03-FS24-0503 Greenway Rd & 140th Dr - Rezone - Proposed Zoning Map
5. 04-FS24-0503 Greenway Rd & 140th Dr - Rezone - Rezone Document
6. 05-FS24-0503 Greenway Rd & 140th Dr - Rezone - Preliminary Plat
7. 06-FS24-0503 Greenway Rd & 140th Dr - Rezone - Luke AFB
8. 07-FS24-0503 Greenway Rd & 140th Dr - Rezone - Citizen Participation Report
9. 08-FS24-0503 Greenway Rd & 140th Dr - Rezone - Affidavit of Posting
10. FS24-0503 - Greenway Rd and 140th Dr Rezone - PZ PowerPoint

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REZONE

REPORT TO THE PLANNING AND ZONING COMMISSION

Case:	**FS24-0503**
Project Name:	Greenway Road and 140th Drive
Council District:	5 - Palm
Meeting Date:	**April 17, 2025**
Planner:	Chris Sexton, Senior Planner

Owner:	CT, LLC/Tang Enterprises Limited Partnership
Applicant:	Brennan Ray with Ray Law Group
Request:	Rezone from Sierra Verde Planned Area Development (PAD), with an underlying zoning of commercial to Residential Medium Density (R-2) with a Planned Unit Development (PUD) overlay
Site Location:	Generally located southwest corner of Greenway Road and 140th Drive
Site Size:	4.0 acres (approx.)
General Plan Conformance:	The proposal is consistent with the Surprise General Plan 2040.
Support/Opposition:	None known.
Staff Recommendation:	As presented, the proposed Rezone would be in compliance with the LDO if approved by Planning and Zoning Commission. Staff recommends the Commission review the applicant's Rezone and decide whether to approve or deny case #FS24-0503. Additional information is located within the Summary section of this report.

Project Description:

Brennan Ray with Ray Law Group requests a rezone of approximately 4.0 acres from Sierra Verde Planned Area Development (PAD) to Residential Medium Density (R-2) with a Planned Unit Development (PUD) overlay. The project site is located at the southwest corner of Greenway Road and 140th Drive.

Background:

February 25, 1999: The subject parcel was annexed into the City of Surprise under Ordinance 99-01.

August 22, 2002: The Mayor and City Council approved a PAD for the Sierra Verde PAD, under case PAD02-036.

February 9, 2004: The Mayor and City Council approved a PAD amendment to rescind specific standards for Parcel 4, under case PADA04-028.

October 19, 2006: The Mayor and City Council approved a PAD amendment for Sierra Verde Parcel 8 to change from mixed use to medium/high density residential under case PADA06-176.

November 22, 2006: The Mayor and City Council approved a PAD amendment to revise landscape standards under case PADA06-460.

July 10, 2008: The Mayor and City Council approved a PAD amendment for Sierra Verde Parcel 8 to change from medium/high density residential to mixed use under case PADA08-044.

August 16, 2016: An application was filed for a PAD Amendment to the Sierra Verde Parcel 8 together with a related Site Plan under case FS16-158, to modify development standards.

October 19, 2023: Staff met with the applicant to discuss the subject project during a regularly scheduled Concept Review meeting under CR23-0876.

March 9, 2024: The applicant filed the rezone request under case, FS24-0503, the subject case.

Analysis and Discussion:

The subject request is for a rezone of approximately 4.0 acres on one (1) undeveloped parcel from Sierra Verde PAD, with an underlying zoning of commercial to Residential Medium Density (R-2) with a Planned Unit Development (PUD) overlay.

The project is proposing 66 two-story townhomes that will be platted for individual lots. A preliminary plat (FS24-0502) is currently in review for the site. The project will comply with the R-2 development standards except for the modifications noted below.

	Current LDO	Proposed PUD standards
	R-2 (B^4 category)	PUD standards
Lot Area (sf)	4,950 – 7,999	1,134-1,260
Min. lot width (sf)	45	21
Min. front setback (sf)	12	0
Min. side yard setback (sf)	5 & 8	0
Max. bldg. height (sf)	35	30
Open space (% of gross area of residential development)	20%	20%

Zero lot lines are being proposed for the proposed townhomes but the below setbacks are for the development perimeter to create sufficient separation and buffers from adjacent uses.

Min. setback to arterial ROW (ft) (Greenway)	20
Min. setback to collector and local ROW (ft)	15
Min. setback adjacent to residential zoning (ft)	20 (single-family) 10 (multi-family)
Min. setback adjacent to nonresidential zoning (ft)	20

Access to the site will be provided via two driveways. The 140th Drive driveway is the primary access which is a right-in, right-out driveway, located southeasterly of the site and the secondary, emergency access only is on Greenway Road and will be a right-in, right out driveway.

Article IX, Overlay Zoning Districts, Section 106-9.1, sets forth the requirements and criteria for Planned Unit Development (PUD) Overlay districts. The purpose of a PUD is to permit flexibility to accommodate creative and imaginative designs that may not be possible under conventional regulations. A PUD is intended to accommodate site constraints and unique circumstances that may include topography or environmentally sensitive lands. A PUD shall identify the various constraints associated with site and demonstrate how the design meets the guiding objectives of a PUD overlay zoning district, including, by way of example:

- Development enriches the whole community through creating a unique sense of place for the residents within the PUD overlay zoning district as well as those in surrounding neighborhoods;
- Provide for a variety of coordinated and compatible land uses through innovative site planning;
- Create a higher standard of development than would be accomplished through the development of individual parcels through conventional zoning regulations;

- Fulfills the goals, objectives, and policies of the General Plan as well as specific plans for city areas that may include, but are not limited to cultural, educational, medical, and/or recreational facilities;
- Provide for a variety of housing types, employment opportunities, and commercial services to achieve a balanced community for families of a wide variety of ages, sizes, and levels of income;

The proposed development furthers the goals and policies of the General Plan 2040 in that it explores creative housing opportunities where appropriate to the character of the area. The project is supported by Goals 4.1, 4.2, 4.3, 7.3, and 8.1 in the General Plan 2040.

Goal 4.1 is to maintain a well-managed forum and this will be accomplished by creating a moderate-density residential use that is compatible with the adjacent multi-family developments while offering a different housing type and lifestyle choice. The project will also respect the established community character by purposefully designing a two-story development to transition between the three-story multi-family community to the west and south and the one-story multi-family community to the east. Also, the PUD process is being utilized to appropriately modify development standards to achieve a cohesive design that is sensitive to site constraints while maintaining high-quality development.

Goal 4.2 is to be a home for everyone. The proposed development directly supports housing diversity by introducing townhomes that fill a crucial “missing middle” housing need in the City and offering a housing option that appeals to various demographics seeking alternatives to traditional single-family or apartment living and addressing the housing shortage.
Goal 4.3 is to foster a sense of place through reuse or redevelopment of maturing areas. This development contributes to a community revitalization by promoting development of a vacant parcel that has failed to develop commercially since its original PAD designation in 2002 and creating a sustainable residential use that will enhance the overall character of the area and support nearby commercial and employment uses.

Goal 7.3 is to increase access to wellness opportunities. The proposed development supports wellness opportunities by providing approximately 20% of open space and creating ample space for recreation and designing amenities and community spaces that promote social interaction and community wellbeing while also offering housing near existing parks and recreational facilities.

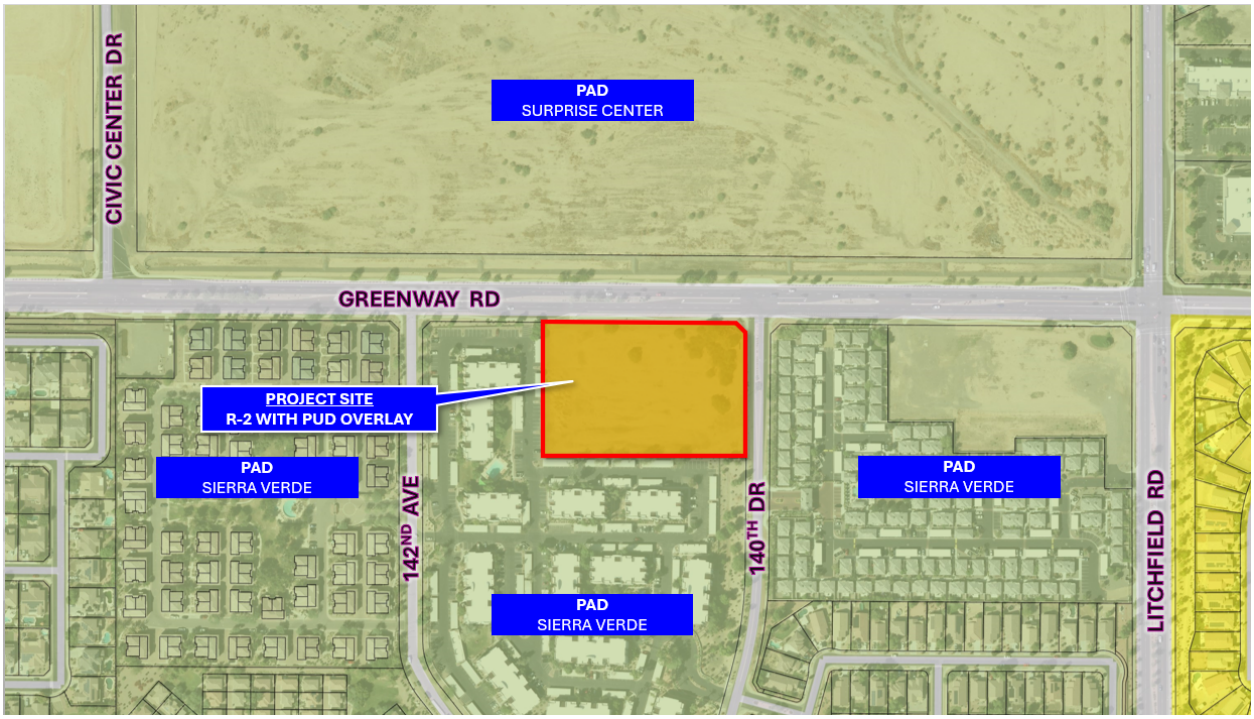
Goal 8.1 is to support economic competitiveness. The development will achieve this by improving the jobs to housing balance by provided housing near the 200-acre Surprise City Center, which includes City Hall, Ottawa University and other employment centers. In addition, it will create housing that will support existing and future commercial development in the area.

The existing and proposed zonings are shown below:

Existing Zoning

Surprise Center PAD	Surprise Center PAD	Surprise Center PAD
Sierra Verde PAD	**Sierra Verde PAD (Commercial)**	Sierra Verde PAD
Sierra Verde PAD	Sierra Verde PAD	Sierra Verde PAD

Proposed Zoning



Surprise Center PAD	Surprise Center PAD	Surprise Center PAD
Sierra Verde PAD	**R-2 with PUD Overlay**	Sierra Verde PAD
Sierra Verde PAD	Sierra Verde PAD	Sierra Verde PAD

Utility and Services Table:

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

Conformance with Adopted Plans:

Surprise General Plan 2040: The Surprise General Plan 2040 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/AC or more. The project most closely aligns with the Urban Neighborhood type and is consistent with the General Plan in this regard as 16.5 DU/AC is being proposed with this development.

Reviewing Agencies:
In addition to the standard city reviewing agencies, Maricopa Water District, Maricopa Flood Control District and Luke AFB were included in the routing of this request. These agencies indicated no objections to the request.

Citizen Outreach:
An outreach meeting was originally scheduled to be held on January 22, 2025. The site was posted with two signs and the mailings were sent out. However, the legal ad was not published 15 days prior to the meeting due to a printing error on the newspaper's behalf. The applicant decided to hold the meeting unofficially with three (3) attendees with staff present. The concerns and questions that were expressed were the number of units, access to the site, if the project would have a monument sign, if the project will have Section 8 housing, and perimeter walls. On February 19, 2025, the applicant held a Neighborhood Meeting at West Point Elementary School with one (1) attendee. The questions/concerns that were expressed were the cost of the monthly rent, whether the units would have garages, and the setbacks.

Summary:
The proposed rezone request is for the development of a future 66-unit townhome project. The project is consistent with the manner and intent of the Surprise Municipal Code and Surprise General Plan 2040. If approved, the site will be developed in accordance with the requirements of the City of Surprise. There are two separate but related two cases in conjunction with this rezone which are a Zone Text Amendment (FS24-1431) and Preliminary Plat (FS24-0502).

Findings:
- The proposed rezone is consistent with the Surprise General Plan 2040.
- The proposed rezone is consistent with the City of Surprise.
- The reviewing agencies have indicated no objections to the request.

Recommendation:
Based on the findings noted above, staff recommends the Commission review the applicant's Rezone and decide whether to approve or deny case #FS24-0503 subject to stipulations 'a' and 'b' as outlined below:

a. Development and use of the site shall be consistent with the Rezone narrative entitled "Zen at Sierra Verde" for Case No. FS24-0503," prepared by Ray Law Firm and dated February 10, 2025.

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.

The Commission may recommend approval to the 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.

Recommended motions:

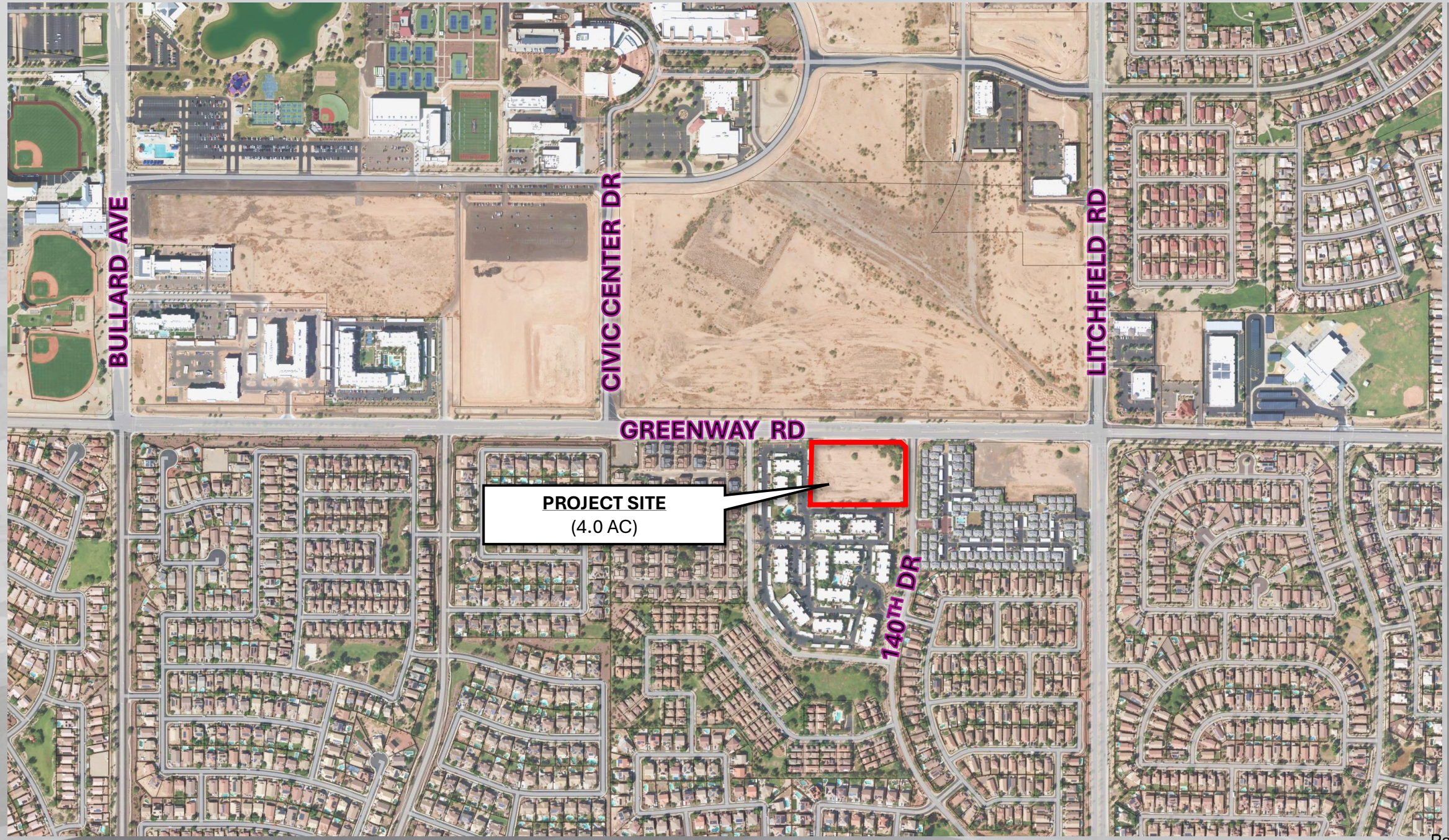
I move to recommend approval of the Rezone for Greenway Road and 140th Drive, Case FS24-0503, subject to stipulations ‘a’ and ‘b’ as outlined in the staff report.

I move to recommend denial of the Rezone for Greenway Road and 140th Drive, Case FS24-0503, because insert reason.

Attachments:

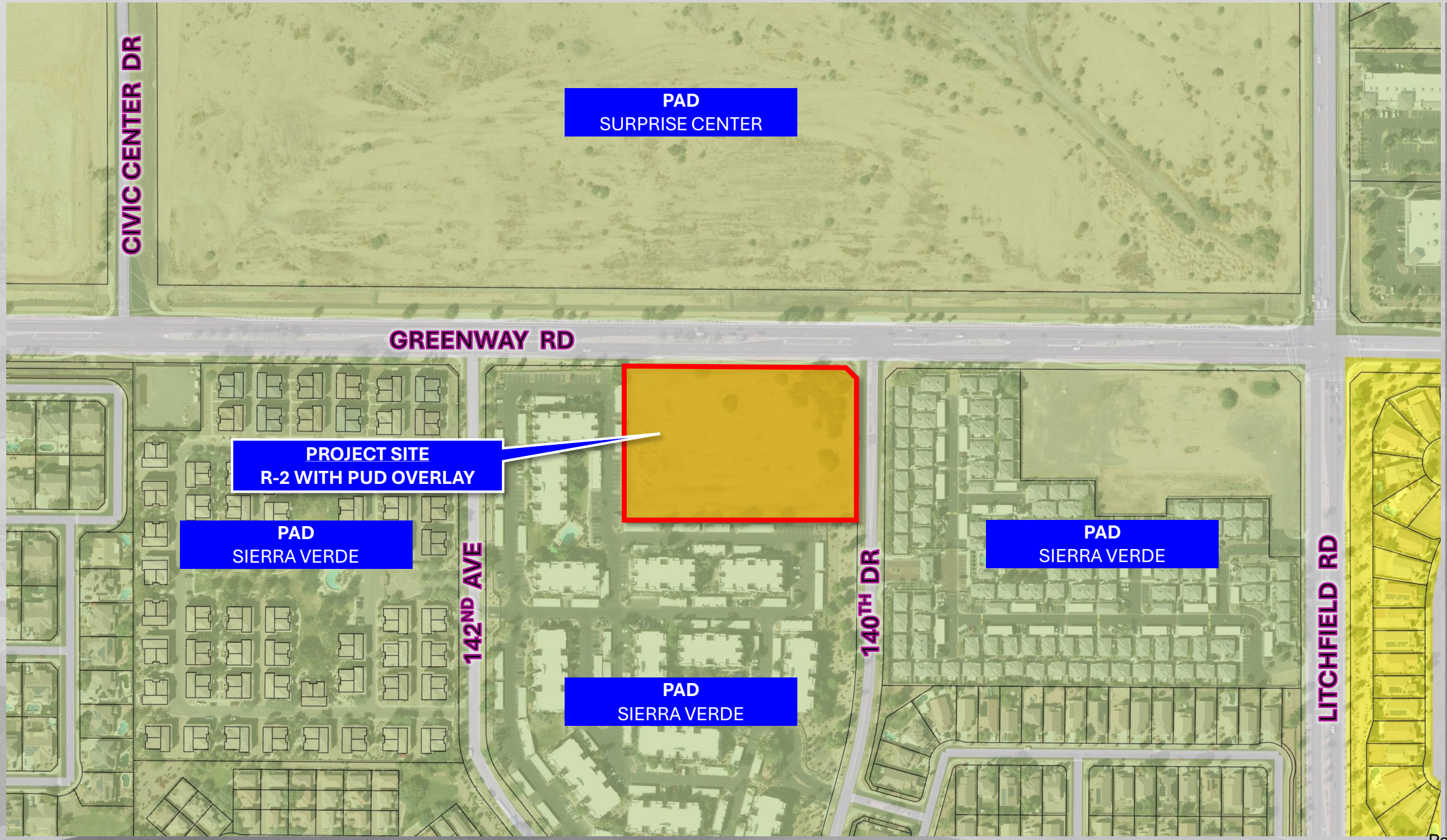
01 Vicinity Map
02 Existing Zoning Map
03 Proposed Zoning Map
04 Rezone Document
05 Preliminary Plat
06 Luke AFB comments
07 Citizen Outreach Report – REDACTED
08 Affidavit of Site Posting
PPT

FS24-0503 VICINITY MAP



FS24-0503 EXISTING ZONING

FS24-0503 PROPOSED ZONING



Rezoning
Narrative

for

Zen at Sierra Verde

Southwest Corner of Greenway Road and 140th Drive

Case Nos: FS24-0503

Submitted: April 8, 2024

Resubmitted: October 21, 2024

Resubmitted: February 10, 2025

Updated: April 7, 2025

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Development Team

Developer:

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Landscape Architect:

ABLA
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Tempe, Arizona 85281

Civil Engineer:

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Attn: Justin McCarty
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Phoenix, Arizona 85014

Architect:

Felten Group
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Phoenix, Arizona 85054

Zoning & Entitlements:

Ray Law Firm
Attn: Brennan Ray
Lisa Gage
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Phoenix, Arizona 85016

I. INTRODUCTION

Zen Investing, LLC ("Zen") is the proposed developer of approximately 4.00 acres at the southwest corner of Greenway Road and 140th Drive (the "Site"). (See ***Exhibit 1***, Aerial.) Zen plans to develop this challenging, vacant, in-fill Site as a high-quality townhome community known as "Zen at Sierra Verde". This community is proposed to contain approximately 66 two-story townhomes for a density of 16.50 du/acre. This development will be an attractive presence in the area and makes good land use sense. To achieve this, Zen requests a rezoning from PAD to R-2 with a PUD overlay.

This community will provide high-quality, unique, additional housing opportunities within the City of Surprise (the "City"). This townhome community represents a lifestyle choice, presenting future residents with a unique living experience. Townhomes fill a crucial "missing middle" housing need in the City, offering a housing option with contemporary design features and energy efficiency that appeal to people seeking alternatives to traditional housing.

II. SITE AND SURROUNDING AREA

This Site is vacant and surrounded by multi-family developments on three sides (west, south, and east). North of the Site (across Greenway Road) is vacant and is anticipated to be developed with commercial uses. This Site, designated "Neighborhood" on the General Plan, is well suited for a townhome community and will provide an additional housing choice in an appropriate location.

III. PROPOSED REZONING

The Site is currently part of the Sierra Verde Planned Area Development ("the PAD"). This Site (Parcel 7 within the PAD) has an underlying zone of Commercial. Zen is proposing to rezone the Site, which has failed to develop under its commercial designation, to allow for this townhome community. This development will utilize R-2 standards with modifications as requested below to provide a unique development. The R-2 PUD zoning, like the development itself, is consistent with good planning principles by conforming with the residential character of the area, with increased density located adjacent to an arterial and collector streets.

Despite the Site's commercial zoning since 2006, it has failed to develop consistent with the entitlements notwithstanding the substantial and significant commercial and residential growth that has occurred in Surprise and Maricopa County. The Site was originally designated for mixed use in the original 2002 PAD, and a 2002 amendment designated this parcel for commercial uses. This amendment application noted the over-saturation of available commercial land in the area—which remains true.

The lack of commercial development on this Site is likely due to the following factors: its mid-block location, changes in the area, more appropriate locations nearby for sustainable commercial development, and considerable changes in the commercial landscape. The Site is relatively small in size, infill in nature, and has limited arterial street access and visibility. These limitations, combined with the changes in the commercial landscape, may explain the development challenges that have prevented this Site from developing.

Since the original approval in 2002, there have been many changes in the City and in the immediate area. The 200-acre Surprise City Center (that includes City Hall, police/fire headquarters, Surprise Stadium, Ottawa University campus, and more) located adjacent to the Site has created the need for additional housing in the immediate area. Additionally, considerable

changes have taken place in the commercial landscape since the original PAD was approved, with the explosion of online shopping and retailers trying to find faster, cheaper, and quicker ways to deliver goods to customers. The online growth was accelerated during the COVID-19 pandemic, which has further impacted traditional brick-and-mortar retail developments. Further, there are ample vacant and underutilized commercial sites nearby, including adjacent sites to the north and northeast. A high-quality residential development is a viable and sustainable solution on this challenging Site and will provide support to the existing and future commercial and employment developments in the area.

Further, the state is facing a significant housing crisis. According to the Arizona Department of Housing, the state is short roughly 270,000 housing units. Specifically, the City is the number eight Top Growth City in America according to the U-Haul Growth Index. Ottawa University's campus in Surprise (near the Site) and the Taiwan Semiconductor Manufacturing plant only 20 minutes from Surprise will only continue to add to the housing demand. This Site, located near schools and residential areas, is well-suited to help meet the housing demand and provide an additional housing option to the area.

This proposed community will address housing affordability concerns, add to the diversity of housing choices, and support the growth Surprise is experiencing. The City is projected to grow by 44.2% over the next ten years and gain approximately 58,300 residents. This growth demands over 20,000 additional residential units. However, a lack of housing supply, rising housing costs, and a lack of diverse housing product may hinder the City's ability to attract new residents and businesses; therefore, limiting future growth. With the growth the City is anticipated to experience, over 20,000 residential units will need to be built; meaning the residential permits per year must increase from approximately 1,486 permits to approximately 2,170 permits per year over the next ten years to support the projected growth.

While reducing commercial land is a concern, commercial uses are supported by the local population. Addressing the issue of housing affordability throughout the region has shifted to become a crucial economic development concern. Therefore, the City is in a unique position in that it is projected to grow relatively fast compared to the overall region. By addressing the issue of housing affordability, the City can further enhance its competitive position in attracting incoming residents as well as those from across the region seeking to relocate. The proposed development will help to address the imbalance in the supply of residential housing and is unlikely to negatively impact the City's potential for commercial development in the coming decade. There are approximately 15.7 million square feet of developable retail space within the City, with 200,000 square feet being built each year. The current retail vacancy rate is expected to remain above 3.2% for the remainder of the decade in the City. Therefore, providing necessary residential uses is needed for commercial viability and the economic viability of the City. This proposed development will help address the lack of needed housing and will not negatively impact commercial development.

IV. PLANNED UNIT DEVELOPMENT CRITERIA

As discussed above, this Site is subject to various constraints that have contributed to its failure to develop. A PUD overlay is necessary on the Site to make the best use of this challenging Site and create a high quality and unique development. Zen's proposal for this townhome community meets the City's PUD criteria as follows.

1. DEVELOPMENT ENRICHES THE WHOLE COMMUNITY THROUGH CREATING A UNIQUE SENSE OF PLACE FOR THE RESIDENTS WITHIN THE PUD OVERLAY ZONING DISTRICT AS WELL AS THOSE IN SURROUNDING NEIGHBORHOODS.

Zen at Sierra Verde will be a unique community and provide a housing choice needed in the area. The combination of single-family living and multi-family-like benefits creates an ideal option for many demographics including young professionals and empty nesters. The high-quality architecture and design will create a sense of place for both residents and passersby. Overall, this community will benefit the area by bringing a sustainable, attractive, and well-managed use to this vacant site.

2. PROVIDE FOR A VARIETY OF COORDINATED AND COMPATIBLE LAND USES THROUGH INNOVATIVE SITE PLANNING.

This community is compatible and appropriate for surrounding uses and is a good land use transition between existing and future adjacent uses. The townhomes will help transition between existing multi-family developments to the west, south, and east, as well as the future commercial uses to the north. This community has further been carefully planned to enhance the pedestrian experience by providing convenient connections and amenities. This design creates a sense of place and community connection.

3. CREATE A HIGHER STANDARD OF DEVELOPMENT THAN WOULD BE ACCOMPLISHED THROUGH THE DEVELOPMENT OF INDIVIDUAL PARCELS THROUGH CONVENTIONAL ZONING REGULATIONS.

This proposed PUD is necessary for this Site to be developed to its highest potential with a community that is high quality, attractive, and exceeds many conventional regulations. Zen at Sierra Verde has been designed with high-quality architecture and amenities and significant open space.

4. PLANNED AND INTEGRATED COMPREHENSIVE TRANSPORTATION SYSTEMS FOR PEDESTRIAN AND VEHICULAR TRAFFIC AS OUTLINED IN THIS ORDINANCE, WHICH MAY INCLUDE PROVISIONS FOR MASS TRANSPORTATION AND ROADWAYS, BICYCLE OR EQUESTRIAN PATHS, PEDESTRIAN WALKWAYS AND OTHER SIMILAR TRANSPORTATION FACILITIES TO MEET THE SITE CONDITIONS.

The pedestrian experience is a key feature in this site design. The residences have been clustered around amenities and walkways to connect residents to outdoor living spaces and community spaces. This careful planning will result in an excellent pedestrian experience for residents and their guests to enjoy.

5. PRESERVE EXISTING ENVIRONMENTALLY SENSITIVE LANDS THAT EXCEEDS THE MINIMUM OPEN SPACE AREA REQUIRED IN THE ORDINANCE AND PROVIDE FOR AND WELL-DESIGNED OPEN SPACE AMENITIES.

Zen at Sierra Verde will exceed open space requirements and have ample well designed amenities. Overall, approximately 1.03 acres of open space (20.89% of the Site's area) will be provided.

6. FULFILLS THE GOALS, OBJECTIVES, AND POLICIES OF THE GENERAL PLAN AS WELL AS SPECIFIC PLANS FOR CITY AREAS THAT MAY INCLUDE, BUT ARE NOT LIMITED TO CULTURAL, EDUCATIONAL, MEDICAL, AND/OR RECREATIONAL FACILITIES.

As stated in Section VII, Subsection D, this proposal is supported by the goals, objectives, and policies of the General Plan.

7. PROVIDE FOR A VARIETY OF HOUSING TYPES, EMPLOYMENT OPPORTUNITIES, AND COMMERCIAL SERVICES TO ACHIEVE A BALANCED COMMUNITY FOR FAMILIES OF A WIDE VARIETY OF AGES, SIZES, AND LEVELS OF INCOME.

Zen at Sierra Verde will contribute to housing variety and will assist with the City's goals of having a variety of housing products for all individuals at various stages of life and income. Townhome communities are an ideal housing product for many individuals and families who may want the benefits of renting but desire a single-family feel.

8. SITE STRUCTURES TO TAKE MAXIMUM ADVANTAGE OF THE NATURAL AND MAN-MADE ENVIRONMENT, PROVIDE VIEW CORRIDORS, AND MINIMIZE ADVERSE ENVIRONMENTAL IMPACT ON SURROUNDING AREAS DURING THE DEVELOPMENT STAGES.

This community is lower in height than many typical multi-family communities. This preserves views and view corridors for residents, those who live and work in the immediate area, and even those in the greater area. Further, steps will be taken to minimize any environmental impacts during development.

9. AVOID PREMATURE OR INAPPROPRIATE DEVELOPMENT THAT WOULD RESULT IN INCOMPATIBLE USES OR WOULD CREATE TRAFFIC AND PUBLIC SERVICE DEMANDS THAT EXCEED THE CAPACITY OF EXISTING OR PLANNED FACILITIES.

This proposed community is ideal and necessary given the housing demand and shortage described above. Further, the proposed community is an appropriate and compatible use for the area. Greenway Road is an arterial that is well suited to handle the traffic impact of this proposal.

10. ALL STANDARDS SET FORTH IN AN APPROVED PUD DOCUMENT SHALL CARRY THE FULL FORCE OF LAW

All standards set forth will carry the full force of law.

V. PROPOSED DEVELOPMENT STANDARDS

Zen will comply with the R-2 development standards except for those modifications noted in bold below.

	R-2 (B^4)	**PUD Standards**
Lot Area (sf)	4,950-7,999	**1,134-1,260**
Min. lot width (sf)	45	**21**
Min. front setback (sf)	12	**0**
Min rear setback (sf)	15	**0**
Min side setback (sf)	5 & 8	**0**
Max. bldg. height (ft)	35	**30**
Open space (% of gross area of residential development)	20%	20%

These deviations are appropriate and compatible with the area. This townhome community has purposely been designed as 2 stories to help transition the 3 story multi-family community located west and south of the Site and the 1-story multi-family community located to the east of the Site. The reduction in lot area and width is necessary and suitable for a townhome community that will be an appropriate use and less intensive than other multi-family developments.

Regarding the setbacks, zero lot line setbacks are requested for the townhomes, but the below setbacks are imposed on the development perimeter in order to create sufficient separation and buffers from adjacent uses.

Min. setback to arterial ROW (ft) (Greenway)	20
Min. setback to collector and local ROW (ft)	15
Min. setback adjacent to residential zoning (ft)	20 (single-family) 10 (multi-family)
Min. setback adjacent to non-residential zoning (ft)	20

Zen's proposed development standards are respectful of the area and surrounding developments and will facilitate the Site being developed as a high-quality and attractive community.

VI. OTHER CITY CONSIDERATIONS FOR ZONING AMENDMENTS

A. Utilities and Emergency Services

The Site is located in the City's service area for water and sewer. Power will be provided by Arizona Public Service (APS).

B. Phasing

Development will be completed in a single phase.

C. Traffic

This proposed community, with only 66 proposed units, will not generate a significant amount of traffic. Per the Traffic Impact Statement this proposed community is anticipated to result in minimal traffic impacts. It is estimated this community will generate approximately 452 trips a day, with 29 trips during the morning peak hour and 36 trips during the evening peak hour. This impact is far lesser than the impact of many commercial uses that could be developed by right on the Site.

VII. CONSISTENCY WITH THE CITY OF SURPRISE 2040 GENERAL PLAN

Zen's proposed development is consistent with the City's 2040 General Plan. The City's General Plan designates the Site as "Neighborhood." The proposed townhome development supports the General Plan's goal to create a safe and secure community with diverse housing while making good use of a vacant lot. The General Plan encourages higher densities near major roadways and close to activity centers such as the Surprise Center/City at Surprise development and Surprise Recreation Campus. Specifically, the proposed community is supported by the following goals and policies of the General Plan:

- **Goal 4.1: Maintain a well-managed community form**

  The Zen at Sierra Verde development maintains a well-managed community form by:

  - Providing visual diversity with high-quality architecture and design that contributes to the character of the surrounding area

- Creating a moderate-density residential use that is compatible with the adjacent multi-family developments while offering a different housing type and lifestyle choice
- Respecting the established community character by purposefully designing a 2-story development to transition between the 3-story multi-family community to the west/south and the 1-story multi-family community to the east
- Utilizing the PUD process to appropriately modify development standards to achieve a cohesive design that is sensitive to site constraints while maintaining high-quality development

- **Goal 4.2: Be a home for everyone**

  The proposed development directly supports housing diversity by:

  - Introducing townhomes that fill a crucial 'missing middle' housing need in the City
  - Offering a housing option with contemporary design features and energy efficiency that appeals to various demographics seeking alternatives to traditional single-family or apartment living
  - Strategically locating higher density housing along Greenway Road, an arterial road with adequate infrastructure to support increased density
  - Addressing the City's housing shortage (as part of the statewide shortage of approximately 270,000 units) and supporting additional opportunities for moderate income households

- **Goal 4.3: Foster a sense of place through reuse or redevelopment of maturing areas**

  This development contributes to community revitalization by:

  - Promoting development of a vacant, underutilized parcel that has failed to develop commercially since its original PAD designation in 2002
  - Providing infill development on a challenging site that has remained vacant despite significant growth in surrounding areas
  - Creating a sustainable residential use that will enhance the overall character of the area and support nearby commercial and employment uses
  - Establishing a unique sense of place through thoughtful site design, pedestrian connections, and community amenities

- **Goal 7.3: Increase access to wellness opportunities**

  This development supports wellness opportunities by:

  - Creating a pedestrian-friendly community design with walkways that encourage physical activity and outdoor engagement
  - Providing approximately 1.03 acres of open space (20.89% of the Site's area), exceeding minimum requirements and creating ample space for recreation
  - Designing amenities and community spaces that promote social interaction and community well-being
  - Offering housing near existing parks and recreational facilities, including the Surprise

Recreation Campus

- Creating convenient connections to outdoor spaces, supporting an active lifestyle for residents

- **Goal 8.1: Support economic competitiveness**

  This development enhances economic competitiveness by:

  - Improving the jobs-to-housing balance by providing needed housing near the 200-acre Surprise City Center, which includes City Hall, Ottawa University, and other employment centers
  - Creating housing that will support existing and future commercial development in the area
  - Addressing housing affordability, which has become a crucial economic development concern for attracting businesses and supporting workforce needs

The proposed Zen at Sierra Verde development aligns with the City's vision for responsible growth that promotes vibrant neighborhoods with distinct identities while offering attractive housing options for a diverse population.

VIII. CONCLUSION

Zen at Sierra Verde will be an exciting and unique housing choice that makes good use of this Site. The proposed development is compatible with the surrounding area and would provide a high-quality development that is appropriate for this residential area. Zen's proposed community will be a sustainable solution for this Site and an attractive presence in the area. We request your approval.

Zen Investing, LLC

Site Data		
Gross Acreage	4.93 AC.	13.39 D.U./Ac.
Net Acreage	4.00 AC.	16.50 D.U./Ac.
Open Space	1.03 AC.	20.89%
Description	Units	Mix
21' x 54'	27	41%
25' x 47.5'	39	59%
Total	66	

Parking Data		
Parking Required		
Parking Required	x 2.00 Spaces/DU	132 Spaces
Guest Parking	x 0.20 Spaces/DU	13 Spaces
Parking Provided		145 Spaces
Parking Provided		
Garage Parking	x 2.00 Spaces/DU	132 Spaces
Off Street Parking		17 Spaces
Parking Provided		149 Spaces

ZEN @ SIERRA VERDE

Conceptual Site Plan

Scale 1:30 Date: 02/11/2025

ABLASTUDIO.COM

AB LA

DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND

26 March 2025

Mr. Mark James
Interim Director, Community Initiatives Team
56th Fighter Wing
14185 West Falcon Street
Luke AFB AZ 85309-1629

Ms. Christina Sexton
City of Surprise Planning Department
16000 N. Civic Center Plaza
Surprise AZ 85374

Re: FS24-0502; ZEN Greenway & 140th (APN: 509-17-007)

Dear Ms. Sexton

Thank you for the opportunity to provide comments on the ZEN Greenway & 140th application. The proposed site is located on approximately 4 acres at the southeast corner of Greenway Road and 140th Drive in Surprise, AZ. The application proposes the development of a multi-family community consisting of 66 townhomes. The site is 0.39 miles outside the Luke AFB 1988 65 Ldn, "high noise or accident potential zone" as identified 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 proposal for the parcel, as stated in the narrative, does not meet the GDC; however, by developing this parcel as proposed, the city guarantees the overall density does not exceed the residential units as stated in the Sierra Vista PAD. Given that stipulation, the Greenway & 140th development will not negatively impact the flying operations at Luke AFB.

If approved, the site will be located within the "territory in the vicinity of a military airport," it will be subjected to approximately 170 over flights per day. We also recommend a strong notification program on the part of the applicant to inform any potential occupant(s) about Luke AFB operations.

If there are any questions, please contact me at (623) 856-6175.

Sincerely

MARK JAMES

Zen at Sierra Verde
Southwest Corner of Greenway Road and 140th Drive
Neighborhood Meeting Report

January 22, 2025
Unofficial Neighborhood Meeting

Attendees:
Shelby Duplesis – Zen Investing, LLC
Brennan Ray – Ray Law Firm
Lisa Gage – Ray Law Firm
Chris Sexton – City of Surprise, Planning
Tanner Wessel – City of Surprise Planning

Overview
Three members of the community attended the meeting. *See Sign-In Sheet* ***Exhibit A.*** Although the meeting was planned to be open house style, Mr. Ray did a brief informal presentation describing the proposed development and the community members asked questions throughout his presentation.

Questions and Comments
Answers, if required, are directly below each comment or question in *italics*.

1. Are the units going to be for sale or rent?
   These units will be for rent but are also being platted so they can be sold individually in the future if the market warrants it.

2. It's currently hard to make a left turn from 140th onto Greenway.
   We have submitted a traffic impact analysis to the City for their review.

3. Who is the target market for renters?
   Generally, these units are very popular with mid-40's divorcees; they like the garage and the fact that the community is gated.

4. Will the residents be parking in the streets?
   Residents will have to sign an agreement to park their cars in their garages.

5. Who will the management company be?
   Stellar Residential.

6. They are thankful that their community entry monument will remain in place and asked if they could pull electricity to it when construction on this development begins.
   The developer has agreed to allow the Sierra Verde community to run electricity to their entry monument from their electric lines in 140th Drive.

7. Will this development have an entry monument sign?
   Yes, the entry monument sign will be at the main entrance along 140th Drive.

8. Is this Section 8 housing?
   No.

9. What is going to be around the outside of the community?
   There will be a block wall along the south and west sides and a view fence on the east side (140th Drive) and a theme wall on the north (Greenway).

February 19, 2025
Official Neighborhood Meeting

Attendees:
Shelby Duplesis – Zen Investing
Lisa Gage – Ray Law Firm
Chris Sexton – City of Surprise, Planning
Trever Fleetham – City of Surprise, Planning
Lloyd Abrams – City of Surprise, Community Development
Kevin Perry – City of Surprise, Planning Commissioner

Overview
One member of the community attended the neighborhood meeting. The sign-in sheet is attached as **Exhibit B**.

Questions and Comments
Answers, if required, are directly below each comment or question in *italics*.

1. What will the monthly rent be?
   This will be dictated by the market at the time the units go up for rent.

2. Are there garages?
   Yes, every unit has an attached 2-car garage.

3. What are the setbacks for this development and what are the required setbacks for this zoning?
   The setbacks have been modified with the PUD overlay to make this development compatible with the surrounding area and provide an appropriate transition between the 3-story multi-family to the west and single-story multi-family to the east. 0' lot line setbacks have been requested for the townhomes, but the setbacks for the overall development are:

Min. setback to arterial ROW (Greenway)	*20'*
Min. setback to collector and local ROW	*15'*
Min. setback adjacent to residential zoning	*20' single-family* *10' multi-family*
Min. setback adjacent to non-residential zoning	*20'*

EXHIBIT A

Wednesday, January 22, 2025 at 6:00pm - Neighborhood Meeting, Westpoint Elementary

Case Nos. FS24-0502, FS24-0503 & FS24-1431 – Zen Investing / SWC Greenway & 140th Dr Higley Rd (Surprise)

SIGN-IN SHEET (PLEASE PRINT)

NAME (Please Print)	ADDRESS (please include Zip Code)	PHONE NO.
Laura Wibeto	[redacted]	[redacted]
& Michael	" [redacted] "	"

Wednesday, January 22, 2025 at 6:00pm - Neighborhood Meeting, Westpoint Elementary
Case Nos. FS24-0502, FS24-0503 & FS24-1431 – Zen Investing / SWC Greenway & 140th Dr Higley Rd (Surprise)

SIGN-IN SHEET (PLEASE PRINT)

NAME (Please Print)	ADDRESS (please include Zip Code)	PHONE NO.
LEO MANKIEWICZ	[redacted]	[redacted]

EXHIBIT B

Wednesday, February 19, 2025 at 6:00pm - Neighborhood Meeting, Westpoint Elementary
Case Nos. FS24-0502, FS24-0503 & FS24-1431 – Zen Investing / SWC Greenway & 140th Ave (Surprise)

SIGN-IN SHEET (PLEASE PRINT)

NAME (Please Print)	ADDRESS (please include Zip Code)	PHONE NO.
LEO MANKIEWICZ	[redacted]	[redacted]

CITY OF SURPRISE
Site posting Process

AFFIDAVIT OF POSTING

Application No: FS24-0502

Applicant Name: Ray Law Firm

Location: SWC 140th Dr and W Greenway Rd

Date Site Posted: 03/21/25

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.

Meghan Liggett — 3-21-25

Applicant/Representative Signature — Date

This instrument was acknowledged before me on 03/21/25, by Meghan Liggett. I witness whereof I hereunto set my hand and official seal.

MARYBETH CONRAD
Notary Public - Arizona
Maricopa County
Commission # 673441
My Comm. Expires Oct 23, 2028

Marybeth Conrad
Notary Public

10-25-28
My commission expires

*Return completed and notarized **affidavit** and all relevant **photo**s 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: February 19, 2025
Time: 6:00 P.M.
Location: West Point Elementary School
13700 W Greenway Rd
Surprise, AZ 85374
Planning & Zoning
Date: April 17, 2025
Time: 6:00 P.M.
Location: Council Chambers
16000 N. Civic Center Plaza
Surprise, AZ 85374
City Council
Date: May 20, 2025
Time: 6:00 P.M.
Location: Council Chambers
16000 N. Civic Center Plaza
Surprise, AZ 85374
Surprise Case Number: FS24-0502
Request: A request for a rezone of one (1) undeveloped parcel, totaling approximately 4.93 gross acres, to change the existing zoning from Sierra Verde Planned Area Development (PAD) to Residential High Density (R-3) with a PUD overlay to modify development standards, most specifically a modification of setbacks for a townhome product, located at the southwest corner of Greenway Road and 140th Drive.
For more information, call: 623-222-3011
www.Surpriseaz.gov
March 21, 2025 at 8:09 AM
+33.623506, -112.363543
14077 W Greenway Rd
Surprise AZ 85379
United States
Maps

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Neighborhood Meeting
Date: February 19, 2025
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For more information, call: 623-222-3011
www.Surpriseaz.gov
March 21, 2025 at 8:05 AM
+33.623097, -112.362770
14077 W Greenway Rd
Surprise AZ 85379
United States
Maps

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City of Surprise
Neighborhood Meeting
Date: February 19, 2025
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Surprise, AZ 85374
Planning & Zoning
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www.Surpriseaz.gov
March 21, 2025 at 8:04 AM
+33.623097,-112.362770
14077 W Greenway Rd
Surprise AZ 85379
United States
Maps

FS24-0503

Greenway Rd and 140th Dr

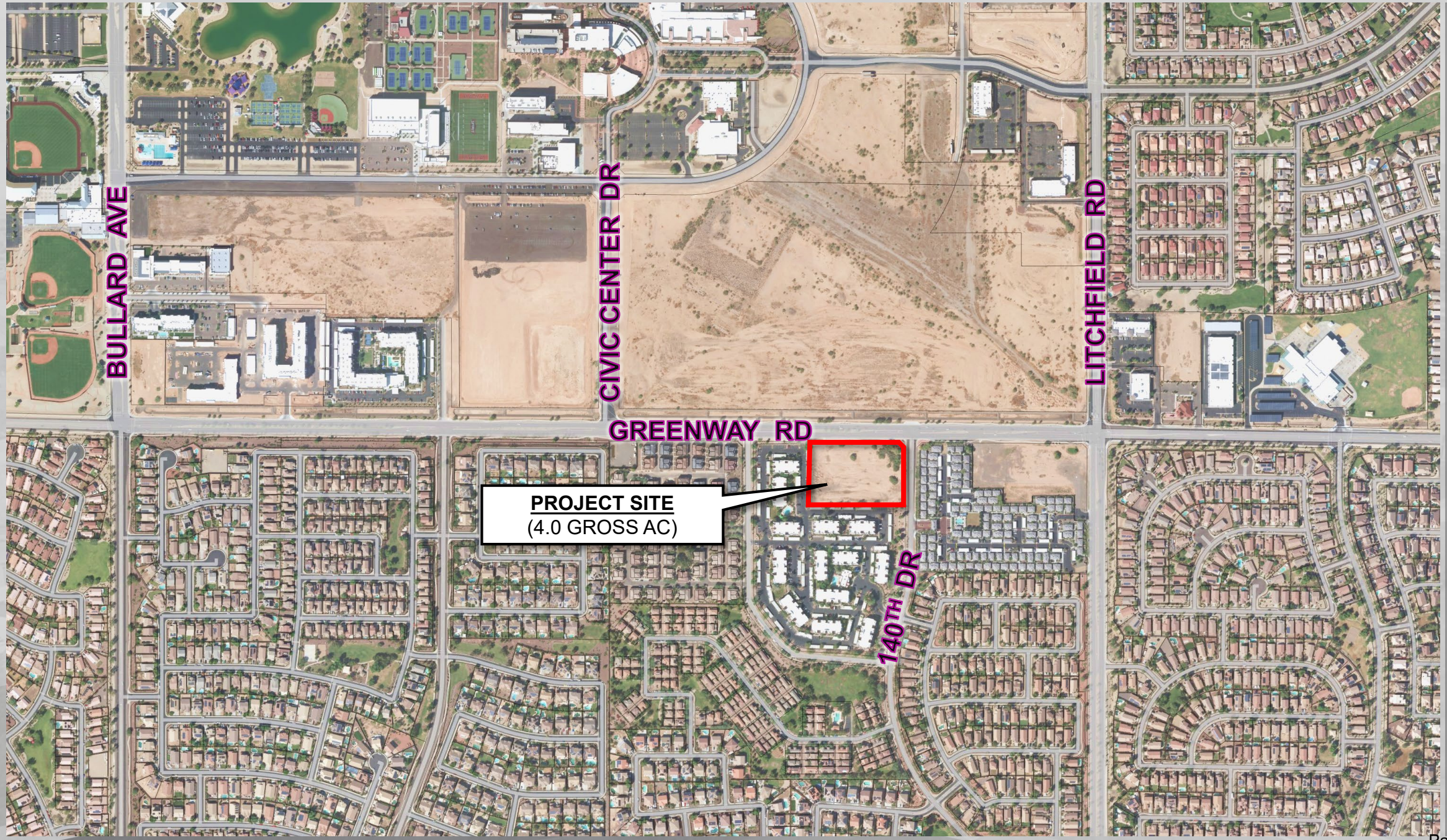
Rezone

Planning & Zoning Commission

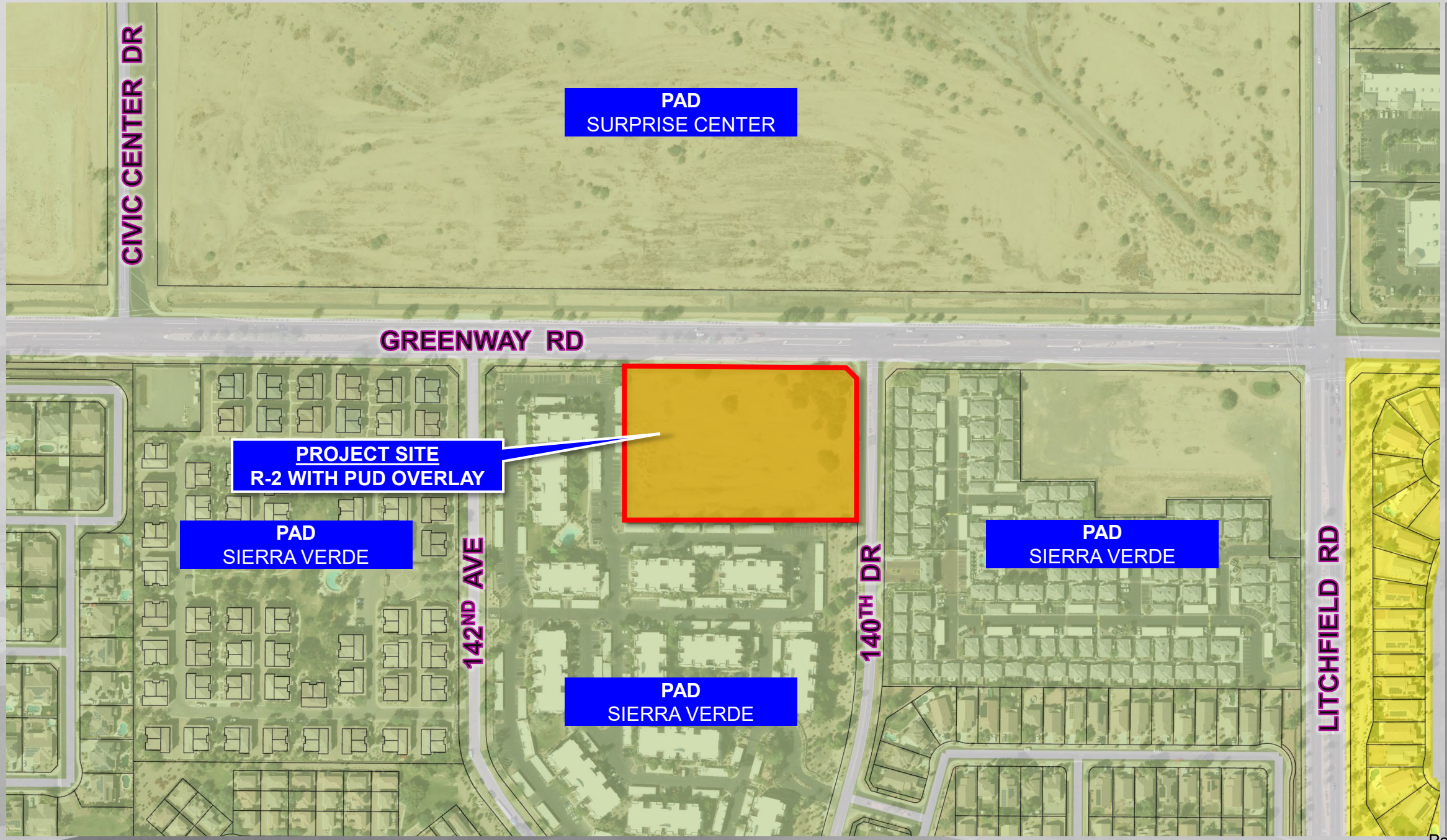
April 17, 2024

SURPRISE
ARIZONA

FS24-0503 VICINITY MAP



FS24-0503 EXISTING ZONING



FS24-0503 PROPOSED ZONING

Background

February 15, 1999: The City Council approved the annexation (Ordinance 99-01) of the subject property.

August 22, 2002: The Mayor and City Council approved a PAD for the Sierra Verde PAD, under case PAD02-036.

February 9, 2004: The Mayor and City Council approved a PAD amendment to rescind specific standards for Parcel 4, under case PADA 04-028.

October 19, 2006: The Mayor and City Council approved a PAD amendment for Sierra Verde Parcel 8 to change from mixed use to medium/high density residential under case PADA06-176.

November 22, 2006: The Mayor and City Council approved a PAD amendment to revise landscape standards under case PADA 06-460.

July 10, 2008: The Mayor and City Council approved a PAD amendment for Sierra Verde Parcel 8 to change from medium/high density to mixed use under case PADA08-044.

Background Continued

August 16, 2016: The applicant filed a request for a PAD amendment to the Sierra Verde Parcel 8 together with a Site Plan under case FS16-158, to modify development standards.

October 19, 2023: Staff met with the applicant to discuss the subject project during a regularly scheduled Concept Review meeting under CR23-0876.

March 9, 2024: The applicant filed the rezone request under case, FS24-0503, the subject case.

General Plan 2040 Compliance

Goal 4.1 – Maintain a well-managed forum

Goal 4.2 – A home for everyone

Goal 4.3 – Foster a sense of place through reuse or redevelopment of mature acres

Goal 7.3 – Increase access to wellness opportunities

Goal 8.1 – Support economic competitiveness

Site Data		
Gross Acreage	4.93 AC.	13.39 D.U./Ac.
Net Acreage	4.00 AC.	16.50 D.U./Ac.
Open Space	1.03 AC.	20.89%
Description	Units	Mix
21' x 54'	27	41%
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Total	66	

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Parking Required		
Parking Required	x 2.00 Spaces/DU	132 Spaces
Guest Parking	x 0.20 Spaces/DU	13 Spaces
Parking Provided		145 Spaces
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Garage Parking	x 2.00 Spaces/DU	132 Spaces
Off Street Parking		17 Spaces
Parking Provided		149 Spaces

ZEN @ SIERRA VERDE

Conceptual Site Plan

Scale 1:30 Date: 02/11/2025

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FS24-0503 PRELIMINARY PLAT

MOTION

I move to recommend approval of the Rezone for Greenway Road and 140th Drive, Case FS24-0503, subject to stipulations ‘a’ and ‘b’ as outlined in the staff report.

I move to recommend denial of the Rezone for Greenway Road and 140th Drive, Case FS24-0503, because insert reason.

Questions or Comments?

THANK YOU

SURPRISE
ARIZONA

STIPULATIONS

a. Development and use of the site shall be consistent with the Rezone narrative entitled “Zen at Sierra Verde” for Case No. FS24-0503,” prepared by Ray Law Firm and dated February 10, 2025.

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.

CITY OF SURPRISE
Planning & Zoning Commission

Council Meeting Date: April 17, 2025 Contact Person: Christina Sexton
Submitting Department: Community Development District: Citywide
Staff Recommendations:

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

Agenda Wording:
Consideration and action pertaining to a Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinance (LDO) to amend the Planned Unit Development (PUD) Overlay code to facilitate infill development. Case FS24-1431.

Motion:
I move to recommend approval of Zoning Text Amendment, Greenway Road and 140th Drive, Case FS24-1431.

I move to recommend denial of Zoning Text Amendment, Greenway Road and 140th Drive, Case FS24-1431.

Background:
Brennan Ray with Ray Law Group initiated this ZTA to the LDO to amend the PUD Overlay code to facilitate infill development including severability; establishing an effective date; and repealing conflicting ordinances.

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-FS24-1431 Greenway Rd 140th Rd - ZTA - final revised staff report

2. 01-FS24-1431 Greenway Rd & 140th Rd - ZTA - Legislative Edits
3. 02-FS24-1431 Greenway Rd & 140th Rd - ZTA- Project Narrative
4. 03-FS24-1431 Greenway Rd & 140th Rd - ZTA - Citizen Participation Report
5. FS24-1431 - Greenway Rd and 140th Dr ZTA - PZ PowerPoint

ZONING TEXT AMENDMENT

REPORT TO THE PLANNING AND ZONING COMMISSION

Case:	**FS24-1431**
Project Name:	Greenway Rd & 140th Rd – Zone Text Amendment (ZTA)
Council District:	Citywide
Meeting Date:	**April 17, 2025**
Planner:	Chris Sexton, Senior Planner

Applicant:	Brennan Ray with Ray Law Group
Request:	Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinance (LDO) to amend the Planned Unit Development (PUD) Overlay code to facilitate development of underutilized, constrained, and challenging sites.
General Plan Conformance:	The proposal is consistent with the Surprise General Plan 2040.
Support/Opposition:	None known.
Staff Recommendation:	As presented, the proposed ZTA would be in compliance with the LDO if approved by Planning and Zoning Commission. Staff recommends the Commission review the applicant's ZTA and decide whether to approve or deny case #FS24-1431. Additional information is located within the Summary section of this report.

PROJECT DESCRIPTION:

Brennan Ray with Ray Law Group initiated this ZTA to the LDO to amend the PUD Overlay code to facilitate development of underutilized, constrained, and challenging sites including severability; establishing an effective date; and repealing conflicting ordinances.

BACKGROUND:

Ray Law Group is proposing a Zoning Text Amendment to the Planned Unit Development (PUD) Overlay section of the municipal code to better facilitate the development of underutilized and constrained parcels. The intent of this amendment is to provide the City with more effective tools to assess and guide the development of these challenging sites in alignment with the goals and policies outlined in the General Plan.

ANALYSIS AND DISCUSSION:

Section 106-9.1(E)(1) proposes to strike-out the words '(except lot area per dwelling unit)'. This change is intended to accommodate sites with various constraints that have failed to develop under existing standards thereby allowing the best use of challenging sites.

Section 106-4.3(C)(4) is amended to remove the word 'only' thereby allowing townhomes to be permitted in zoning districts beyond the Traditional Neighborhood Development (TND) zoning district.

PUBLIC NOTICE / CITIZEN PARTICIPATION:

Public notice was provided in accordance with Arizona law and included publication in a newspaper of general circulation for the City of Surprise. An outreach meeting to present information on the proposed Sierra Verde development of townhomes, which also discussed the proposed ZTA, was originally scheduled to be held on January 22, 2025. The site was posted with two signs and the mailings were sent out however the legal ad was not published 15 days prior to the meeting due to a printing error on the newspaper's behalf. The applicant decided to hold the meeting unofficially with three (3) attendees with staff present. The concerns and questions that were expressed were the number of units, access to the site, if the project would have a monument sign, if the project will have Section 8 housing, and perimeter walls. On February 19, 2025, the applicant held a Neighborhood Meeting at West Point Elementary School, with one (1) attendee, to present information on the proposed Sierra Verde development of townhomes, which also discussed the proposed ZTA. The questions/concerns that were expressed were the cost of the monthly rent, if the units would have garages, and the setbacks.

CONFORMANCE WITH ADOPTED PLANS:

Surprise General Plan 2040: The subject request is consistent with and will help implement the Surprise General Plan 2040.

SUMMARY:

This proposed Zoning Text Amendment to the Land Development Ordinances (LDO) will amend requirements for the development and redevelopment of vacant or underutilized properties.

RECOMMENDATION:

Based on the findings above, staff recommends the Commission review the ZTA and decide whether to approve or deny case #FS24-1431. The Commission may recommend **approval** 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.

Recommended Motions:

I move to recommend approval of Zoning Text Amendment, Greenway Rd and 140th Drive, Case FS24-1431.

I move to recommend denial of Zoning Text Amendment, Greenway Rd and 140th Drive, Case FS24-1431.

ATTACHMENTS:

01 ZTA Legislative Edit
02 Project Narrative
03 Citizen Outreach Report – REDACTED
PPT

Sec. 106-4.3. Review and process.

A. Procedures.

1. A "TND plan of development" shall be submitted as part the re*zoning* process pursuant to **Chapter 102** of this *ordinance*. The TND plan of *development* is the compilation of exhibits that demonstrate compliance with all requirements of this *ordinance*; which at a minimum shall include the following.

   a. A master development plan map that identifies the size and location of each *development parcel.*

   b. Each *development parcel* shall be labeled with one (1) of the overlay *zoning district*s outlined in **subsection 106-4.2.B**.

2. The final approved TND plan of development, which will govern the *development* progress of a specific TND project, shall reflect the project's acreage, approved *lot* yield, and land *use* ratios approved by the city.

3. *Platting* of the individual *subdivisions* within the TND boundary will still be required and shall comply with the PEDS and other design standards as referenced and outlined in **Chapter 107** and the land division and *subdivision* regulations in **Chapter 108** of this *ordinance*.

4. *Parcels* within a TND development that are proposed for any multiple-*building apartment* complex, *mixed use* development, *civic use*, or a commercial development project shall require *site plan* review.

5. The specific overlay boundary lines and associated land *uses* (per **Table 106-1c**) along with the blended *lot* sizes for the residential *parcel*(s) shall be identified at the time of either the *site plan* approval or the *preliminary plat* and recorded on the *final plat.* The *gross residential density* for each residential and *mixed use development parcel* shall be in accordance with the approved TND plan of *development*.

6. At the time of *final plat* recordation, or approval of the *site plan* if no subdivision is required, the overlay *zoning* boundaries are administratively set for the *development parcel.* The city shall monitor each TND development, from the approval of the TND plan of development through the *platting* stage, and then at the *building permit* stage to ensure that the land *use* mixture agreed upon through the initial re*zoning* process and the required variety of *lot* sizes and housing types is maintained. The city shall amend the official Surprise *Zoning* Map to reflect the approved "TND plan of development" and overlay *zoning* boundaries at each stage.

B. Amendments.

1. A council approved TND plan of *development* may be amended administratively for the following circumstances:

   a. Up to a ten (10) percent transfer (increase or decrease) in the allowed quantity of *dwelling unit*s between *development parcels* within the TND;

   b. Up to a ten (10) percent increase or decrease to the overall *gross residential density* of the TND as compared to the city council approval;

   c. Up to a ten (10) percent shift in the individual *development parcel gross area* or configuration, as compared to the city council approval.

2. Requests for an administrative *amendment* shall require the following:

   a. The master *developer*, or the specific *applicant* if the master *developer* is no longer involved in the project, shall provide the city with a "revised TND plan of development" that reflects any and all administratively approved *alterations* to date.

b. No further applications for *plats*, *site plans*, or *building permits* shall be submitted to the city until after the administrative *amendment* request has been determined; and if approved, a new "revised TND plan of *development*" showing the latest approved *amendment* has been submitted back to the city.

3. Administrative *amendment* to the TND plan of development shall not be allowed if:

a. Any *amendment* would require backbone infrastructure (water and wastewater) upsizing, or change the parameters for the master drainage design, or change the amount or intent of the *open space* component of the TND as compared to the initial approval.

4. Any *alteration* to the "TND plan of *development*" that exceeds the limits set for administrative approval, as listed above shall require city council action as a TND *amendment.*

C. Incentives.

1. The TND *zoning district* complies with the neighborhood character area of the *General Plan* by allowing a variety of residential development types and specific supportive commercial. Additionally, the ratios *used* for defining the mix of required land *uses*, delineated in **Table 106-4a**, are based on *dwelling unit* and population as described in the *General Plan.* Thus a *General Plan amendment* should not be required, provided all other provisions of the city *General Plan* are satisfied.

2. After the TND *zoning* and the associated TND plan of *development* is approved by the city, through the public hearing process, further re*zoning* of the individual *development parcels* will not be necessary provided development adheres to the approved TND plan of development.

3. The city allows for certain infrastructure improvements within the *public right-of-way* to be calculated as *open space* if certain *amenities* are provided or design aspects are utilized (see the PEDS in **Chapter 107** for specific details).

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 2.5E** for specific details).

(Ord. No. 2024-03, § 1(Exh. A), 3-5-24)

ARTICLE IX. OVERLAY ZONING DISTRICTS

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

A. Purpose. The planned unit *development* (PUD) overlay *zoning district* facilitates *development* by permitting flexibility to accommodate creative and imaginative designs that may not be possible under conventional regulations. It is intended to accommodate site constraints and unique circumstances that may include topography or *environmentally sensitive lands.*

B. Applicability. The PUD overlay *zoning district* is permitted in all character areas as set forth in the General Plan. A PUD overlay *zoning district* provides for the establishment of distinct regulations as adopted by the city council. A PUD overlay may be applied to any *zoning district* in the city, except for the Surprise Heritage District (SHD), traditional neighborhood development (TND), or on any individual residential *dwellings.* Where a provision in a PUD overlay *zoning district* varies from this ordinance, the provisions in the PUD overlay *zoning district* shall govern.

C. Rationale. An application may request deviations from regulations in this *ordinance*, as permitted in this section. The proposal shall identify the various constraints associated with site and demonstrate how the design meets the following guiding objectives of a PUD overlay *zoning district.*

1. Development enriches the whole community through creating a unique sense of place for the residents within the PUD overlay *zoning district* as well as those in surrounding neighborhoods.
2. Provide for a variety of coordinated and compatible land uses through innovative site planning.
3. Create a higher standard of *development* than would be accomplished through the *development* of individual *parcels* through conventional *zoning* regulations.
4. Planned and integrated comprehensive transportation systems for pedestrian and vehicular traffic as outlined in this *ordinance*, which may include provisions for mass transportation and *roadways*, bicycle or equestrian paths, pedestrian walkways and other similar transportation facilities to meet the site conditions.
5. Preserve existing *environmentally sensitive lands* that exceeds the minimum open space area required in the ordinance and provide for and well-designed open space *amenities.*
6. Fulfills the goals, objectives, and policies of the General Plan as well as specific plans for city areas that may include, but are not limited to cultural, educational, medical, and/or recreational facilities.
7. Provide for a variety of housing types, employment opportunities, and commercial services to achieve a balanced community for families of a wide variety of ages, sizes, and levels of income.
8. Site *structures* to take maximum advantage of the natural and man-made environment, provide view corridors, and minimize adverse environmental impact on surrounding areas during the *development* stages.
9. Avoid premature or inappropriate *development* that would result in incompatible *uses* or would create traffic and *public* service demands that exceed the capacity of existing or planned facilities.
10. All standards set forth in an approved PUD document shall carry the full force of law.

D. Permitted uses.

1. All *uses* shall comply with the underlying *zoning district.*

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 107**. Standards developed through the PUD overlay district re*zoning* 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 district*s containing standards that do not adhere to **Chapter 106** or **Chapter 107** shall be identified at the time of PUD zoning approval and shall be set forth in the *development plan.*

(Ord. No. 2024-03, § 1(Exh. A), 3-5-24)

Text Amendment

for

Section 106-9.1 Planned Unit Development Overlay District

Case Nos: FS24-1431

Date: February 9, 2025

I. INTRODUCTION

The proposed text amendment to Section 106-9.1 of the City of Surprise Zoning Ordinance addresses the need for comprehensive standards governing infill development within the Planned Unit Development (PUD) Overlay district. This amendment aims to facilitate the efficient utilization of vacant and underutilized parcels while ensuring compatibility with existing development patterns and alignment with the City's 2040 General Plan goals and policies.

The PUD Overlay district allows flexibility in development standards to accommodate developments that may not be possible under conventional regulations. The proposed amendment, included as ***Exhibit 1***, introduces appropriate criteria to permit modifications to development standards that recognize the unique challenges and opportunities presented by infill development. Infill sites often present complex development constraints including irregular lot configurations, existing utility infrastructure limitations, adjacent building relationships, and established neighborhood patterns. However, these sites also offer significant opportunities for community enhancement through strategic densification, adaptive reuse, and context-sensitive design.

II. JUSTIFICATION

The proposed amendment is supported by the following:

Strategic Growth Management. The amendment provides a framework for optimizing land utilization while preserving neighborhood character. This approach enables the City to accommodate projected population growth through strategic intensification rather than peripheral expansion. Specific benefits include:

- Reduction in infrastructure expansion costs through utilization of existing utility networks
- Implementation of smart growth principles through strategic placement of higher-density developments
- Establishment of clear parameters for building massing and scale transitions adjacent to existing neighborhoods

Economic Revitalization. The amendment facilitates market-responsive development while ensuring community benefits through structured development requirements. Economic advantages include:

- Creation of catalyst sites for neighborhood-scale commercial development
- Establishment of development parameters that support mixed-use integration
- Reduction of municipal service delivery costs through compact development patterns
- Support for local business growth through increased population density in strategic locations
- Creation of employment opportunities through construction and eventual commercial operations

Infrastructure Efficiency. The amendment maximizes return on existing infrastructure investments while establishing parameters for necessary upgrades. Key efficiency measures include:

- Utilization of existing water and sewer capacity with defined thresholds for system upgrades
- Integration with established transportation networks while requiring specific improvements based on traffic impact analyses

- Coordination with utility providers to optimize existing service delivery systems
- Implementation of smart city infrastructure components in redevelopment areas
- Strategic placement of development intensity near existing transit corridors
- Requirement for infrastructure capacity studies to ensure adequate service delivery

III. 2024 General Plan

The proposed text amendment directly supports multiple goals and policies outlined in the 2040 General Plan:

Goal 4.1: Maintain a well-managed community form

- The amendment supports guided development design and scale by establishing clear standards for infill development
- Promotes neighborhood safety through integrated design requirements
- Enhances development standards specific to infill situations
- Supports Original Town Site revitalization efforts through facilitated redevelopment

Goal 4.2: Be a home for everyone

- Encourages creative housing options through flexible development standards
- Promotes strategic density location in appropriate infill areas
- Preserves existing neighborhood character while allowing for compatible development
- Supports housing diversity through varied development opportunities

Goal 4.3: Foster sense of place through maintenance and redevelopment

- Directly supports the redevelopment of underutilized properties
- Promotes neighborhood character enhancement through design standards
- Facilitates property maintenance and improvement

Goal 6.2: Systems approach to sustainability

- Promotes efficient use of existing infrastructure
- Reduces environmental impact through development of previously disturbed sites
- Supports sustainable development patterns through infill rather than greenfield development

Goal 8.1: Support economic competitiveness

- Implements development incentives for appropriate infill projects
- Deploys strategic infrastructure utilization
- Supports small business through increased development opportunities

IV. Conclusion

The proposed text amendment to Section 106-9.1 provides a comprehensive framework for managing infill development within PUD Overlay district while ensuring alignment with the City's development goals and policies. Through its detailed requirements and standards, the amendment strikes a balance between promoting development and preserving community character, while ensuring infrastructure efficiency and neighborhood compatibility. By implementing this

amendment, the City will be better positioned to achieve its General Plan objectives, foster sustainable urban development, promote economic vitality, preserve neighborhood character, and maximize infrastructure efficiency.

This amendment represents a significant step forward in the City's commitment to smart growth principles and strategic urban development practices. It provides the necessary tools to ensure that infill development contributes positively to the community's long-term vitality and success while maintaining the character and quality of life that makes the City a desirable place to live and work.

Zen at Sierra Verde
Southwest Corner of Greenway Road and 140th Drive
Neighborhood Meeting Report

January 22, 2025
Unofficial Neighborhood Meeting

Attendees:
Shelby Duplesis – Zen Investing, LLC
Brennan Ray – Ray Law Firm
Lisa Gage – Ray Law Firm
Chris Sexton – City of Surprise, Planning
Tanner Wessel – City of Surprise Planning

Overview
Three members of the community attended the meeting. *See Sign-In Sheet* ***Exhibit A.*** Although the meeting was planned to be open house style, Mr. Ray did a brief informal presentation describing the proposed development and the community members asked questions throughout his presentation.

Questions and Comments
Answers, if required, are directly below each comment or question in *italics*.

1. Are the units going to be for sale or rent?
   These units will be for rent but are also being platted so they can be sold individually in the future if the market warrants it.

2. It's currently hard to make a left turn from 140th onto Greenway.
   We have submitted a traffic impact analysis to the City for their review.

3. Who is the target market for renters?
   Generally, these units are very popular with mid-40's divorcees; they like the garage and the fact that the community is gated.

4. Will the residents be parking in the streets?
   Residents will have to sign an agreement to park their cars in their garages.

5. Who will the management company be?
   Stellar Residential.

6. They are thankful that their community entry monument will remain in place and asked if they could pull electricity to it when construction on this development begins.
   The developer has agreed to allow the Sierra Verde community to run electricity to their entry monument from their electric lines in 140th Drive.

7. Will this development have an entry monument sign?
   Yes, the entry monument sign will be at the main entrance along 140th Drive.

8. Is this Section 8 housing?
   No.

9. What is going to be around the outside of the community?
   There will be a block wall along the south and west sides and a view fence on the east side (140th Drive) and a theme wall on the north (Greenway).

February 19, 2025
Official Neighborhood Meeting

Attendees:
Shelby Duplesis – Zen Investing
Lisa Gage – Ray Law Firm
Chris Sexton – City of Surprise, Planning
Trever Fleetham – City of Surprise, Planning
Lloyd Abrams – City of Surprise, Community Development
Kevin Perry – City of Surprise, Planning Commissioner

Overview
One member of the community attended the neighborhood meeting. The sign-in sheet is attached as **Exhibit B**.

Questions and Comments
Answers, if required, are directly below each comment or question in *italics*.

1. What will the monthly rent be?
   This will be dictated by the market at the time the units go up for rent.

2. Are there garages?
   Yes, every unit has an attached 2-car garage.

3. What are the setbacks for this development and what are the required setbacks for this zoning?
   The setbacks have been modified with the PUD overlay to make this development compatible with the surrounding area and provide an appropriate transition between the 3-story multi-family to the west and single-story multi-family to the east. 0' lot line setbacks have been requested for the townhomes, but the setbacks for the overall development are:

Min. setback to arterial ROW (Greenway)	*20'*
Min. setback to collector and local ROW	*15'*
Min. setback adjacent to residential zoning	*20' single-family* *10' multi-family*
Min. setback adjacent to non-residential zoning	*20'*

EXHIBIT A

Wednesday, January 22, 2025 at 6:00pm - Neighborhood Meeting, Westpoint Elementary

Case Nos. FS24-0502, FS24-0503 & FS24-1431 – Zen Investing / SWC Greenway & 140th Dr Higley Rd (Surprise)

SIGN-IN SHEET (PLEASE PRINT)

NAME (Please Print)	ADDRESS (please include Zip Code)	PHONE NO.
Laura Wibeto	[redacted]	[redacted]
& Michael	" [redacted] "	"

Wednesday, January 22, 2025 at 6:00pm - Neighborhood Meeting, Westpoint Elementary
Case Nos. FS24-0502, FS24-0503 & FS24-1431 – Zen Investing / SWC Greenway & 140th Dr Higley Rd (Surprise)

SIGN-IN SHEET (PLEASE PRINT)

NAME (Please Print)	ADDRESS (please include Zip Code)	PHONE NO.
LEO MANKIEWICZ	[redacted]	[redacted]

EXHIBIT B

Wednesday, February 19, 2025 at 6:00pm - Neighborhood Meeting, Westpoint Elementary
Case Nos. FS24-0502, FS24-0503 & FS24-1431 – Zen Investing / SWC Greenway & 140th Ave (Surprise)

SIGN-IN SHEET (PLEASE PRINT)

NAME (Please Print)	ADDRESS (please include Zip Code)	PHONE NO.
LEO MANKIEWICZ	[redacted]	[redacted]

FS24-1431

Greenway Rd and 140th Dr

Zone Text Amendment

Planning & Zoning Commission

April 17, 2024

SURPRISE
ARIZONA

Legislative Edits

CHAPTER 106-4.3(C)(4) - REVIEW PROCESS AND APPLICATIONS

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

Legislative Edits

CHAPTER 106-9.1(E)(1) - REVIEW PROCESS AND APPLICATIONS

The PUD overlay district may establish alternate standards ~~(except lot area per dwelling unit)~~ for those found in Chapter 106 and 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.

MOTION

I move to recommend approval to City Council of the ZTA for Greenway Road and 140th Drive, Case FS24-1431.

I move to recommend denial of the ZTA for Greenway Road and 140th Drive, Case FS24-1431, because <u>insert reason.</u>

Questions or Comments?

THANK YOU

SURPRISE
ARIZONA