

1     **Case:**                                 **FS16-300**  
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3     **Project Name:**                     Marley Park Legacy Expansion Re-Plat  
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5     **Council District:**                 6  
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7     **City Council Date:**               **November 1, 2016**  
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10    **Planner:**                             Robert H. Kuhfuss, AICP  
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13    **Owner:**                               Marley Park Phase II, LLC  
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15    **Applicant:**                         Dan Kelly of DMB, INC. for Marley Park Phase II, LLC  
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17    **Request:**                             Re-plat of Lot 2 of the Final Plat for Marley Park Legacy Charter  
18   School  
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20    **Site Location:**                     East of Bullard Avenue between Waddell Road and Sweetwater  
21   Avenue in Marley Park  
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23    **Site Size:**                             Approx. 132.95 Ac.  
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25    **Density:**                               N/A  
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27    **Findings:**  
28        • The proposed Re-Plat is consistent with the Surprise General Plan 2035.  
29        • The proposed Re-Plat is consistent with the Marley Park PAD.  
30        • The proposed Re-Plat is consistent with the SUDC.  
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32    **Alternative Actions:**               **Approval** of the requested Re-Plat will facilitate the expansion of the  
33   Marley Park Legacy Traditional Charter School campus.  
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35   **Denial** of the requested Final Plat will hinder the expansion of  
36   Marley Park Legacy Traditional Charter School campus.  
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44 **PROJECT DESCRIPTION:**

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46 Dan Kelly of DMB, INC. on behalf of Marley Park Phase II, LLC, seeks approval of a re-plat located  
47 within Marley Park. The original final plat showed two (2) lots; one for the Marley Park Legacy  
48 Charter School (Lot 1) and the other consisting of the balance of the parent parcel (Lot 2). The  
49 proposed re-plat seeks to re-plat Lot 2 of the original final plat to accommodate the expansion of  
50 the Marley Park Legacy Charter School campus. The resulting lot configuration will consist of Lot 2A  
51 and Lot 2B, with the school expansion occurring on Lot 2A. There will be no right-of-way associated  
52 with this plat as these improvements have already been performed.

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54 **BACKGROUND:**

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56 **December 4, 2014:** The Planning and Zoning Commission approved the original site plan for Marley  
57 Park Legacy Traditional Charter School under Case FS14-310.

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59 **December 16, 2014:** The City Council approved the original Final Plat for Marley Park Legacy  
60 Charter School. Said plat was subsequently recorded under Book 1211, Page 27 MCR on December  
61 22, 2014.

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63 **July 7, 2016:** The applicant filed a request for the subject case.

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65 **REVIEWING AGENCIES:**

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

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70 **Luke Air Force Base (LAFB):** LAFB indicates no objections to the request, but advises the applicant  
71 review sound attenuation requirements and engage in a strong notification program with respect  
72 to the air base and its operations.

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74 **Maricopa Water District (MWD):** MWD advises the subject property lies outside of their service  
75 area.

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77 **SUMMARY:**

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79 The proposed re-plat will facilitate the expansion of the Marley Park Legacy Charter School.

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81 **Findings:**

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- The proposed Re-Plat is consistent with the Surprise General Plan 2035.
  - The proposed Re-Plat is consistent with the Marley Park PAD.
  - The proposed Re-Plat is consistent with the SUDC.

- 87    **ATTACHMENTS:**  
88  
89    01 – Vicinity Map (1 page)  
90    02 – Case Map (1 page)  
91    03 – Final Plat (4 pages)  
92    04 – Luke AFB Comments (1 page)  
93    05 – MWD Comments (1 page)