

1 **Case:** **FS16-379**
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3 **Project Name:** Desert Oasis Parcels L7 & L8
4
5 **Council District:** 1 - ACACIA
6
7 **City Council Date:** **November 15, 2016**
8
9 **Planner:** Sergio Angulo
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12 **Owner:** DKJ Desert Oasis, LLC (Parcel L7)
13 171 Avenue Northwest, LLC (Parcel L8)
14
15 **Applicant:** Kent A. Xander
16
17 **Request:** Final Plat to subdivide a 30.32 acres (approx.) lot into two (2) lots in
18 Desert Oasis at Surprise.
19
20 **Site Location:** Generally north of Jomax Road and west of 171st Avenue
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22 **Site Size:** 30.32 acres (approx.)
23
24
25 **Findings:**
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27 • The proposed Final Plat is consistent with the Surprise General Plan 2035.
28 • The proposed Final Plat is consistent with the Surprise Municipal Code.
29 • The proposed Final Plat is consistent with the Desert Oasis at Surprise PAD.
30
31 **Staff**
32 **Recommendation:** **Approve** [no stipulations on final plats]
33
34 **History:**
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36 • On October 12, 2000 the Mayor and City Council approved the annexation of the subject
37 property.
38 • On September 14, 2000 the Mayor and City Council approved the Desert Oasis at Surprise
39 Planned Area Development.
40 • On May 26, 2016 the Maricopa County Recorder’s Office recorded a metes and bounds
41 document which split the subject lot. Creating two (2) nonconforming lots.

- 42 • On September 2, 2016 the applicant filed a request for a Final Plat approval to subdivide the
43 subject lot to bring it into compliance with the City’s requirements.
44

45 **Additional Information:**
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47 The applicant is requesting a Final Plat approval that will subdivide a 30.32 acre (approx.) lot into
48 two (2) lots. The subject site is located at the northwest corner of Jomax Road and 171st Avenue
49 and includes Parcel L7 and Parcel L8 of the Desert Oasis at Surprise Planned Area Development.
50 Originally 171 Avenue Northwest, LLC. owned all 30.32 acres (approx.) but earlier this year DKJ
51 Desert Oasis, LLC. purchased the eastern 17.32 (approx.) acres and the subject lot was split through
52 a metes and bounds document. As per the Land Divisions section of the Surprise Unified
53 Development Code (SUDC), all property splits must be approved by the City. The split of the subject
54 lot was not approved by the City and violated the Land Divisions section of the SUDC, consequently
55 creating two (2) nonconforming lots. Approval of this Final Plat by the City Council will bring the
56 subject lots into conformance.
57

58 As mentioned above, the subject site includes Parcels L7 and L8 of the Desert Oasis at Surprise PAD
59 and this Final Plat sets the boundary property lines for each parcel. Both parcels are currently
60 vacant. Parcel L7 is a 17.32 (approx.) acre lot and is zoned PAD – Medium Density Residential with
61 an allowed density of six (6) dwelling units per acre. Parcel L8 is a 12.98 (approx.) acre lot and is
62 zoned PAD – Commercial. This Final Plat does not propose any new right-of-way dedication but it
63 does propose to abandon 20 feet of right-of-way of Jomax Road. The reason for the abandonment
64 is the reclassification of Jomax Road from a Parkway to an Arterial which requires less right-of-way.
65 In place of right-of-way, the applicant is proposing a 20-foot Public Utility Easement and (public)
66 Multi-Use Trial Easement along Jomax Road.
67

68 Under a separate case application the applicant is proposing a rezone to 12 acres of Parcel L8 from
69 PAD Commercial to PAD Medium Density Residential for a future residential subdivision. When
70 ready, the applicant will be scheduled for a public hearing for this rezone application. This Final Plat
71 application (case FS16-379) will simply take care of a nonconforming lot split and bring the subject
72 lots into conformance with the SUDC and City processes.
73

74 **Attachments:**
75

- 76 01 Vicinity Map
77 02 Final Plat
78 03 Luke AFB Comments
79

80 **Enclosure:**
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- 82 Sealed mylars