



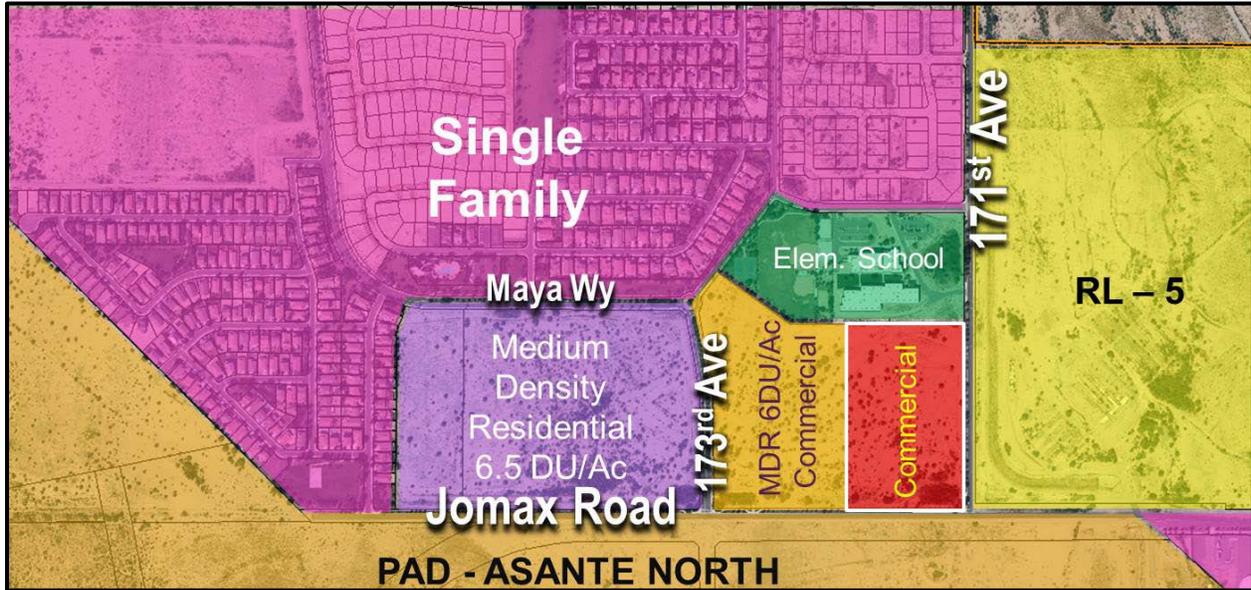
36 **Project Description:**

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38 Kent Xander, on behalf of 171<sup>st</sup> Avenue Northwest LLC, requests an amendment to the Desert Oasis  
 39 at Surprise Planned Area Development (PAD) to change the land use designation of approximately  
 40 8.08 acres of Parcel L8 from Commercial to Medium Density Residential. The applicant is also  
 41 proposing to amend the Front Setback garages in Parcels L7 and L8.

42

43 **Surrounding Land Zoning:**



Desert Oasis PAD School/Open Space	Desert Oasis PAD School/Open Space	Residential Low Density (RL-5)
Desert Oasis PAD Medium Density Residential	<b>Desert Oasis PAD Commercial</b>	Residential Low Density (RL-5)
Asante North PAD Residential	Asante North PAD Residential	Asante North PAD Residential

44 **Background:**

45 **October 12, 2000:** The subject property was annexed into the City of Surprise by the Mayor and City  
 46 Council.

47 **September 14, 2000:** The Mayor and City Council approved the Desert Oasis at Surprise Planned  
 48 Area Development.

49 **June 16, 2016:** A Concept Review meeting was held for the current proposal under case CR16-238.

50 **August 10, 2016:** The applicant filed a related request for a Major PAD Amendment under case  
 51 FS15-343, the subject case.

52 **September 22, 2016:** The applicant held a neighborhood outreach meeting to discuss the project.

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54 **November 15, 2016:** The Mayor and City Council approved a Final Plat application for Desert Oasis  
55 at Surprise Parcels L7 and L8 under case FS16-379.

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57 **Citizen Outreach:**

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59 The site was posted and advertised for a Citizen Review meeting in accordance with the SUDC. The  
60 applicant held a meeting for the proposed PAD Amendment at the Desert Oasis Elementary School  
61 located at 17161 West Bajada Road at 6:00pm on September 22, 2016. The applicant hosted the  
62 event along with a representative from the City of Surprise. Several residents from around the  
63 subject parcel attended and voiced concerns in regards to existing traffic issues on 163<sup>rd</sup> Avenue  
64 and Jomax Road. A resident of Desert Oasis also expressed her concerns over the conservation of  
65 natural open space. Besides those two major concerns, some neighbors were in favor of having a  
66 smaller commercial corner to avoid the development of a “big box” store. The applicant provided a  
67 citizen participation report which includes questions and comments from the meeting.

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69 **Analysis and Discussion:**

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71 The subject parcel, Parcel L8 of Desert Oasis at Surprise, is a 12.98 acre (approx.) vacant parcel  
72 located at the northwest corner of 171<sup>st</sup> Avenue and Jomax Road. Parcel L8 is currently zoned PAD  
73 and designated as Commercial land use. The site is surrounded by and existing elementary school  
74 to the north, a vacant lot (Parcel L7) designated as Medium Density Residential/Commercial to the  
75 west, a vacant lot zoned RL-5 to the east, and the vacant lot to the south which is part of the Asante  
76 North PAD. This proposed PAD Amendment will change the land use designation of 8.08 acres  
77 (approx.) of Parcel L8 from Commercial to Medium Density Residential, leaving the remaining 4.9  
78 acres (approx.) as Commercial. To distinguish the new land use boundaries, the proposed Medium  
79 Density Residential parcel will be labeled as Parcel L8-B and the remaining Commercial parcel will  
80 be labeled as Parcel L8-A. The proposed permitted density within Parcel L8-B will be six (6) dwelling  
81 units per acre, which is what the PAD currently allows in parcels designated as Medium Density  
82 Residential.

83  
84 Along with the proposed land use change the applicant is proposing to modify the existing required  
85 front setback for both front-loaded and side-loaded garages. The required front setback for front-  
86 loaded garages will change from eighteen feet to twenty feet to allow for a longer driveway and  
87 prevent larger vehicles from encroaching into the sidewalks. The required front setback for side-  
88 loaded garages will change from eight (8) feet to ten (10) feet to avoid any conflict with utility  
89 easements which are typically placed along the front property line and tend to be eight (8) feet  
90 wide.

91

92 Currently there are three (3) parcels in Desert Oasis at Surprise designated for commercial  
93 development, Parcels B2, B3 (located at the southwest and southeast corners of Jomax Road and  
94 163<sup>rd</sup> Avenue), and Parcel L8 (the subject Parcel); a total of 34.02 (approx.) acres of commercial land  
95 in Desert Oasis. If the City Council chooses to approve this PAD Amendment, there will be 25.94  
96 (approx.) acres remaining of commercial land in Desert Oasis.

97  
98 The Desert Oasis at Surprise PAD envisioned a total of 406 Medium Density Residential units for the  
99 parcels north of Jomax Road. In May, 2016 the City Council approved a preliminary plat for 269  
100 Medium Density Residential units on Parcel L6, leaving 137 units remaining for Medium Density  
101 Residential units. The applicant is seeking approval of this PAD Amendment to develop 106  
102 residential lots on Parcels L7 and on the subject 8.08 acres (approx.) of Parcel L8 staying within the  
103 permitted residential units and density established in the PAD. If the City Council chooses to  
104 approve the proposed PAD Amendment, the applicant plans to follow up with a preliminary plat  
105 application for the 106-unit subdivision which will be reviewed under a separate case.

106  
107 During the review process of this PAD Amendment case, staff found that there had been a  
108 nonconforming lot split of Desert Oasis at Surprise Parcel L7 and Parcel L8, the subject lot. To bring  
109 these lots into compliance the applicant submitted a Final Plat application under case FS16-379  
110 which was approved by the Mayor and the City Council on November 15, 2016.

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112 **Surprise General Plan 2035:**

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114 The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood  
115 Character Area, which in a suburban neighborhood supports residential development between two  
116 and eight dwelling units per acre (2-8 DU/Ac). The proposed PAD Amendment proposes a density of  
117 6 DU/Ac which demonstrates consistency with this land use category.

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119 **Reviewing Agencies:**

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121 In addition to the standard city reviewing agencies, who indicate no objections to the requests.  
122 Luke Air Force Base, Maricopa Water District, and Nadaburg School District were included in the  
123 routing of this case.

124  
125 **Summary:**

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127 The subject request is for a PAD Amendment to the Desert Oasis at Surprise PAD to change the  
128 Land Use of 8.08 acres (approx.) of Parcel L8 from Commercial to Medium Density Residential and  
129 to amend the required front setbacks for Parcels L7 and L8-B.

130  
131 **Findings:**

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- The proposed land use change is consistent with the Surprise General Plan 2035.

- 134           • The proposed land use change will remain within the maximum allowed Medium Density  
135           Residential units by the Desert Oasis at Surprise PAD.

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137    **Recommendation:**

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139    Based on the findings noted above, staff recommends the Commission move to recommend  
140    **approval** of case **FS16-343** to the Mayor and City Council.

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

144    **Attachments:**

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146    01 - Vicinity Maps

147    02 - PAD Amendment Document

148    03 - Citizen Participation Report

149    04 - Public Engagement Form

150    05 - Luke AFB comments