

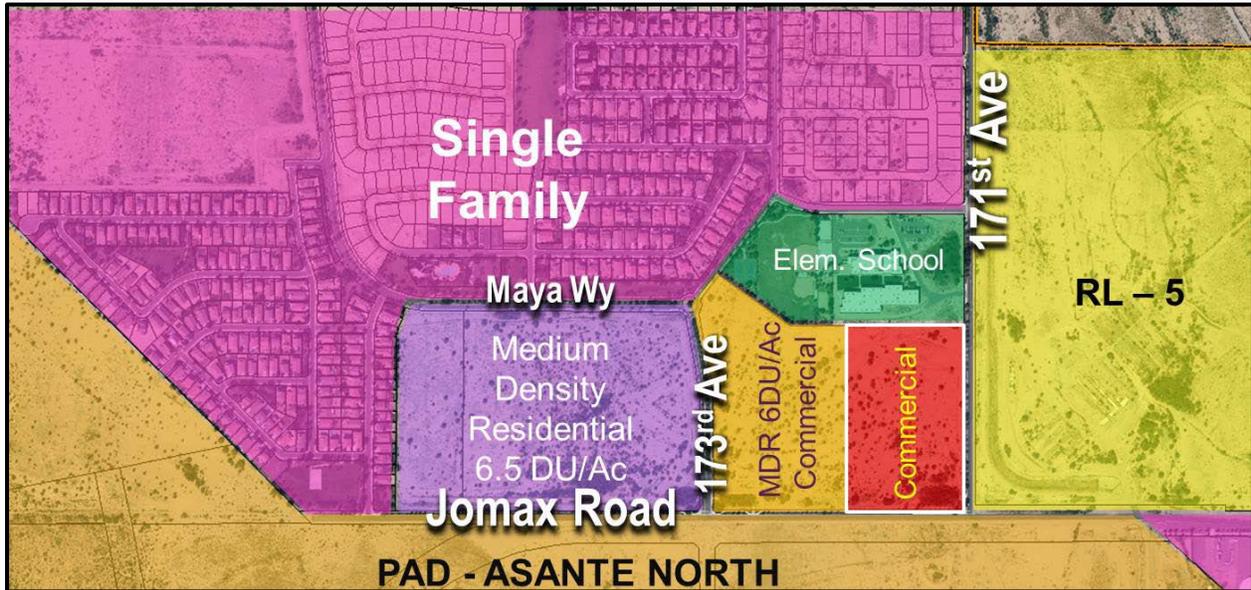
ZONE CHANGE

REPORT TO THE CITY COUNCIL

1 **Case:** **FS16-343**
2
3 **Project Name:** Mirano at Desert Oasis Parcel 8
4
5 **Council District:** 1 – Acacia
6
7 **Meeting Date:** **December 20, 2016**
8
9 **Planner:** Sergio Angulo
10

11
12 **Owner:** 171st Avenue Northwest, LLC
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14 **Applicant:** Kent A. Xander
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16 **Request:** The applicant, on behalf of the owner, requests an amendment to
17 the Desert Oasis at Surprise Planned Area Development (PAD) to
18 change the land use designation of approximately 8.08 acres of
19 Parcel L8 from Commercial to Medium Density Residential. The
20 applicant is also proposing to amend the required Front Setback for
21 garages in Parcels L7 and L8-B.
22
23 **Site Location:** Northwest corner of 171st Avenue and Jomax Road.
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25 **Site Size:** Approximately 8.08 acres
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27 **General Plan Conformance:** The proposal is consistent with the Surprise General Plan 2035.
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29 **Support/Opposition:** Both support and opposition was encountered during the Public
30 Review meeting and are expanded upon in the Citizen Participation
31 Report.
32
33 **Project Description:**
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35 Kent Xander, on behalf of 171st Avenue Northwest LLC, requests an amendment to the Desert Oasis
36 at Surprise Planned Area Development (PAD) to change the land use designation of approximately
37 8.08 acres of Parcel L8 from Commercial to Medium Density Residential. The applicant is also
38 proposing to amend the Front Setback for garages in Parcels L7 and L8.

39 **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/Commercial	Desert Oasis PAD Commercial	Residential Low Density (RL-5)
Asante North PAD Residential	Asante North PAD Residential	Asante North PAD Residential

40 **Background:**

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

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

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

46 **August 10, 2016:** The applicant filed a related request for a Major PAD Amendment under case FS16-343, the subject case.

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

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

53 **December 1, 2016:** The Planning and Zoning Commission reviewed the proposed project.

54 **Citizen Outreach:**

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

66 **Analysis and Discussion:**

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

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

89 Currently there are three (3) parcels in Desert Oasis at Surprise designated for commercial
90 development, Parcels B2, B3 (located at the southwest and southeast corners of Jomax Road and
91 163rd Avenue), and Parcel L8 (the subject Parcel); a total of 34.02 (approx.) acres of commercial land
92 in Desert Oasis. If the City Council chooses to approve this PAD Amendment, there will be 25.94
93 (approx.) acres remaining of commercial land in Desert Oasis.

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

102
103 During the review process of this PAD Amendment case, staff found that there had been a
104 nonconforming lot split of Desert Oasis at Surprise Parcel L7 and Parcel L8, the subject lot. To bring
105 these lots into compliance, the applicant submitted a Final Plat application under case FS16-379
106 that was approved by the Mayor and the City Council on November 15, 2016.

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108 **Surprise General Plan 2035:**

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110 The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood
111 Character Area, which in a suburban neighborhood supports residential development between two
112 and eight dwelling units per acre (2-8 DU/Ac). The proposed PAD Amendment proposes a density of
113 6 DU/Ac which demonstrates consistency with this land use category.

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115 **Reviewing Agencies:**

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117 The standard city and outside reviewing agencies indicate no objections to the request. Luke Air
118 Force Base, Maricopa Water District, and Nadaburg School District were included in the routing of
119 this case.

120
121 **Summary:**

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123 The request is for a PAD Amendment to the Desert Oasis at Surprise PAD to change the Land Use of
124 8.08 acres (approx.) of Parcel L8 from Commercial to Medium Density Residential and to amend the
125 required front setbacks for Parcels L7 and L8-B.

126
127 **Findings:**

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- 130 • The proposed land use change is consistent with the Surprise General Plan 2035.
 - 131 • The proposed land use change will remain within the maximum allowed Medium Density
132 Residential units by the Desert Oasis at Surprise PAD.

133 **Attachments:**

- 134
135 01 - Vicinity Maps
136 02 - PAD Amendment Document

- 137 03 - Citizen Participation Report
- 138 04 - Luke AFB comments
- 139 05 – Nadaburg School District Letter