

# PRELIMINARY PLAT

## REPORT TO THE CITY COUNCIL

1	<b>Case:</b>	<b>FS16-334</b>
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3	<b>Project Name:</b>	Tierra Verde West
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5	<b>Council District:</b>	1
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7	<b>Meeting Date:</b>	<b>January 3, 2017</b>
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9	<b>Planner:</b>	Robert H. Kuhfuss, AICP
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12	<b>Owner:</b>	Tierra Verde 2015, LLC
13		
14	<b>Applicant:</b>	Ted Northrup of Atwell, LLC
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16	<b>Request:</b>	237-lot, 16-tract Preliminary Plat
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18	<b>Site Location:</b>	North of the Happy Valley Road alignment between the 155 <sup>th</sup> 19 Avenue alignment and the 159 <sup>th</sup> Avenue alignment
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21	<b>Site Size:</b>	79.56 acres (approx.)
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23	<b>Density:</b>	2.98 DU/Ac (gross)
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25	<b>General Plan Conformance:</b>	The proposal is consistent with the Surprise General Plan 2035
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27	<b>Support/Opposition:</b>	None known
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29	<b>Commission</b>	
30	<b>Recommendation:</b>	<b>Approve</b> subject to stipulations "a" through 'h'

31 **PROJECT DESCRIPTION:**

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33 Ted Northrup of Atwell, on behalf of Tierra Verde 2015, LLC, seeks approval of a 237-lot, 16-tract  
34 Preliminary Plat located along the north side of the Happy Valley Road alignment, between 155<sup>th</sup>  
35 Avenue and 159<sup>th</sup> Avenue, in the Tierra Verde West PAD. Development will include a mix of single-  
36 family residential lots, which are in conformance with the recently approved Minor PAD  
37 Amendment.

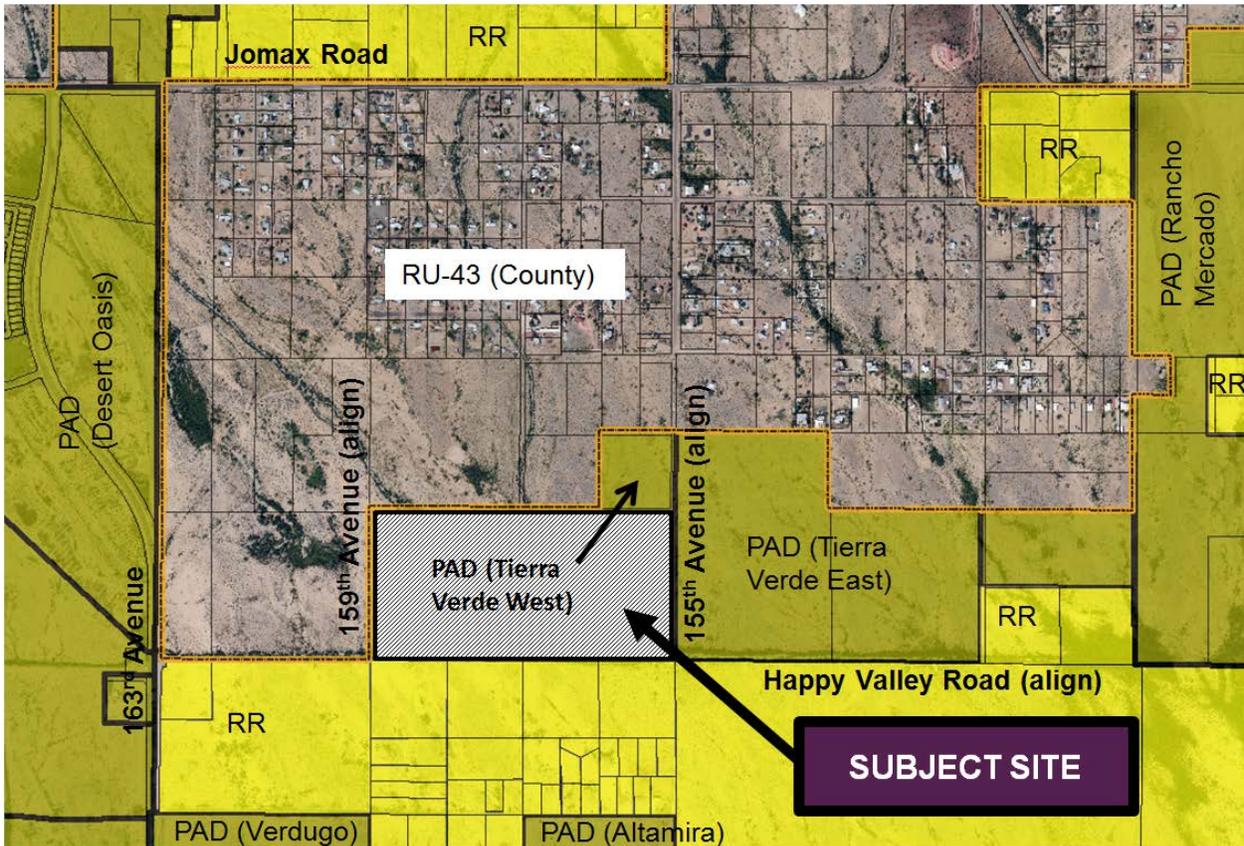
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39 **EXISTING ZONING:**

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41 The following map depicts the existing zoning of the subject site and its surrounds.

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43 **BACKGROUND:**

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45 **March 21, 2006:** The Surprise City Council approved the Tierra Verde West PAD under case PAD05-  
46 401, subject to stipulations “a” through “h”.

47

48 **May 3, 2012:** Staff met with the applicant to discuss a Major PAD Amendment and Preliminary Plat  
49 for Tierra Verde East and West under case CR12-135.

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51 **January 10, 2013:** Staff met with the applicant to discuss a Minor General Plan Amendment and  
52 Major PAD Amendment request for Tierra Verde West under case CR12-393.

53

54 **March 4, 2013:** The applicant filed an application for a Minor General Plan Amendment for Tierra  
55 Verde West under case FS13-080. Said application expired due to inactivity.

56

57 **March 13, 2013:** The applicant filed an application for a Major PAD Amendment for Tierra Verde  
58 West under case FS13-097. Said application expired due to inactivity.

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60 **May 1, 2013:** The applicant filed an application for a Major PAD Amendment and Preliminary Plat  
61 for Tierra Verde West under case FS13-165. Said application expired due to inactivity.

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63 **November 21, 2013:** Staff met with the applicant to discuss a Preliminary Plat for Tierra Verde  
64 West under case CR13-497.

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66 **May 26, 2016:** Staff met with the applicant to discuss a Minor PAD Amendment and Preliminary  
67 Plat for Tierra Verde West under case CR16-227.

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69 **July 29, 2016:** The applicant filed a request for a Minor Zoning Amendment and Preliminary Plat  
70 covering the subject property under case FS16-334, the subject case.

71

72 **November 2, 2016:** Staff approved a Minor PAD Amendment to the Tierra Verde West PAD under  
73 case FS16-334.

74

75 **December 15, 2016:** The Planning and Zoning Commission heard the request at their regularly  
76 scheduled meeting and recommended approval of the request to the City Council subject to staff  
77 recommended stipulations.

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79 **CITIZEN OUTREACH:**

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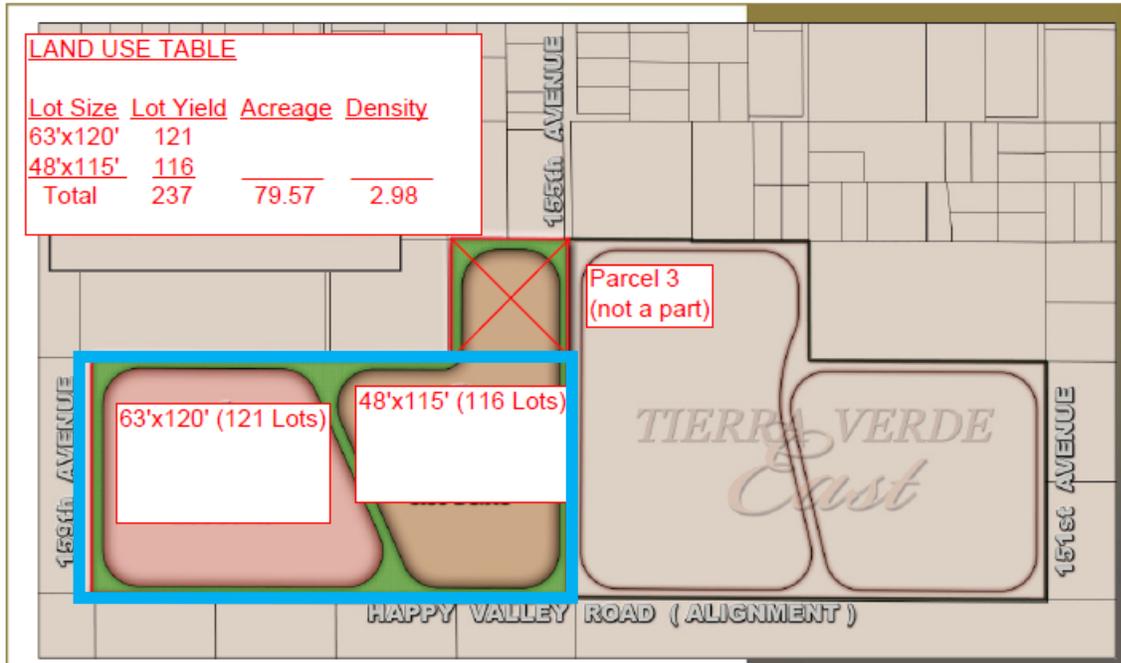
81 N/A

82 **ANALYSIS AND DISCUSSION:**

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84 The subject Preliminary Plat covers approximately 79.56 acres of the larger 88 acre Tierra Verde  
 85 West PAD, which was approved by the City Council in 2006 and subsequently amended via Minor  
 86 Amendment in November 2016. The following map, taken from the amended Tierra Verde West  
 87 PAD document, expresses the currently approved land uses. The general limits of the subject  
 88 Preliminary Plat are shown in blue.

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91 As noted in the background section of this report, staff administratively approved a Minor  
 92 Amendment to the PAD, which served in part to amend the lot yield for a portion of the PAD.  
 93 Note that neither the subject Preliminary Plat nor the associated Minor Amendment includes  
 94 approximately nine (9) acres located at the extreme northeast corner of the PAD. Should that nine  
 95 (9) acre parcel ever develop, it will do so either under the development criteria originally approved  
 96 under the Tierra Verde West PAD or will rezone out of the PAD altogether.

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98 Also approved under the aforementioned Tierra Verde West Minor Amendment are revisions to  
 99 the development standards relating to the proposed lot product. These development standards  
 100 are summarized in the following tables. Again, the nine (9) acre portion of the PAD that is not part  
 101 of the subject request will either develop per the original PAD or will rezone out of the PAD  
 102 altogether.

SUBURBAN RESIDENTIAL DESIGN GUIDELINES TABLE 63'x120'		SUBURBAN RESIDENTIAL DESIGN GUIDELINES TABLE 48'x115'	
REGULATIONS	PROPOSED PAD STANDARDS	REGULATIONS	PROPOSED PAD STANDARDS
MIN. FRONT SETBACK	10' LIVING/20' FACE GARAGE	MIN. FRONT SETBACK	10' LIVING/20' FACE GARAGE
MIN. SIDE YARD SETBACK	5'/5'	MIN. SIDE YARD SETBACK	5'/5'
MIN. CORNER SIDE SETBACK	10' (INCLUDES ADJACENT LANDSCAPE TRACT)	MIN. CORNER SIDE SETBACK	10' (INCLUDES ADJACENT LANDSCAPE TRACT)
MIN. REAR SETBACK	15'	MIN. REAR SETBACK	15'
MIN. LOT FRONTAGE REQ. (AT BSL)	63'	MIN. LOT FRONTAGE REQ. (AT BSL)	48'
MIN. LOT SIZE (SF)	7,480	MIN. LOT SIZE (SF)	5,450
MAX. BUILDING HEIGHT	30'	MAX. BUILDING HEIGHT	30'

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105 Access to the site will be from Happy Valley Road at both 155<sup>th</sup> Avenue and 159<sup>th</sup> Avenue. The  
 106 applicant will be responsible for half-street improvements to both 155<sup>th</sup> Avenue and 159<sup>th</sup> Avenue,  
 107 including the construction of two box culverts, while William Lyon Homes will be responsible for the  
 108 construction of Happy Valley Road; however, the exact location of the Happy Valley Road right-of-  
 109 way and the extent of the associated improvements is still under discussion as a result of the  
 110 proximity of the “sugar dike” and associated wash to adjacent lands.

111

112 The sugar dike was installed by the Army Corp of Engineers decades ago in an effort to protect the  
 113 nearby auxiliary air field, which has long since been decommissioned. Generally, this dike straddles  
 114 the east-west midsection line and due to its age has become an active riparian area suitable for  
 115 preservation; however, in order to preserve the dike and associated wash, the Happy Valley Road  
 116 right-of-way must shift to the south for much of its entire length. Since much of the land onto  
 117 which would be located the re-aligned right-of-way is State Trust Land, the Arizona State Land  
 118 Department (ASLD) must agree to the proposed location. Discussions are still underway with the  
 119 ASLD and the Flood Control District of Maricopa County, which is why the Preliminary Plat is  
 120 ambiguous in this regard. While the fate of the sugar dike and the associated wash is unknown at  
 121 this time, staff’s preference is that both the dike and the wash remain in-situ if possible.

122

123 Regardless, as noted above, William Lyon Homes is responsible for the construction of Happy Valley  
 124 Road, and as part of the Development Agreement between the City of Surprise and William Lyon  
 125 Homes, certain buy-ins are required. The applicant will contribute their pro rata share of the costs  
 126 to construct Happy Valley Road to William Lyon Homes through a “Street Buy-in Fee”, the amount  
 127 of which to be determined.

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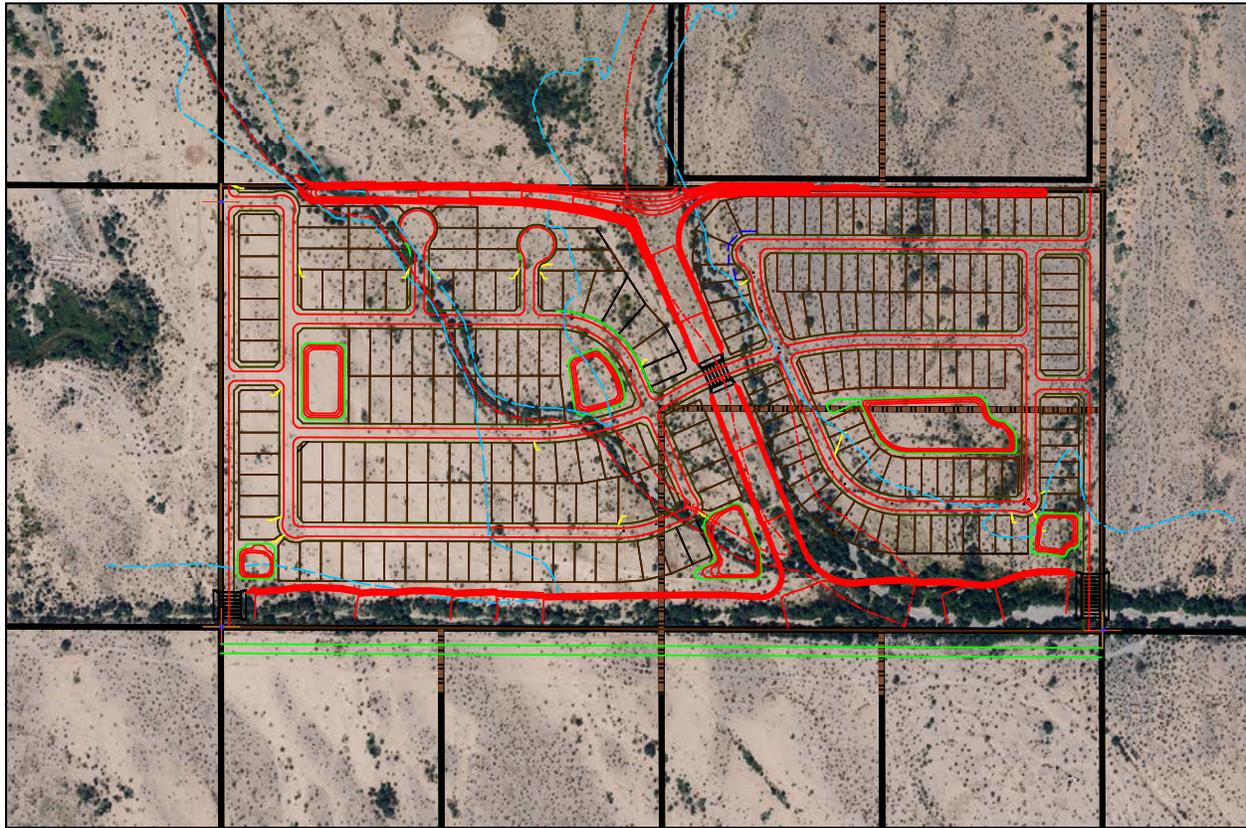
129 The project will have in excess of 30% open space. Landscaping throughout the site will consist of  
 130 native or near-native plant species consistent with the Tierra Verde PAD. The project will also  
 131 feature considerable amenities including tot-lot, BBQ, and ramadas and trails, as shown on Sheet  
 132 L1-10 of the attached Landscape Plans.

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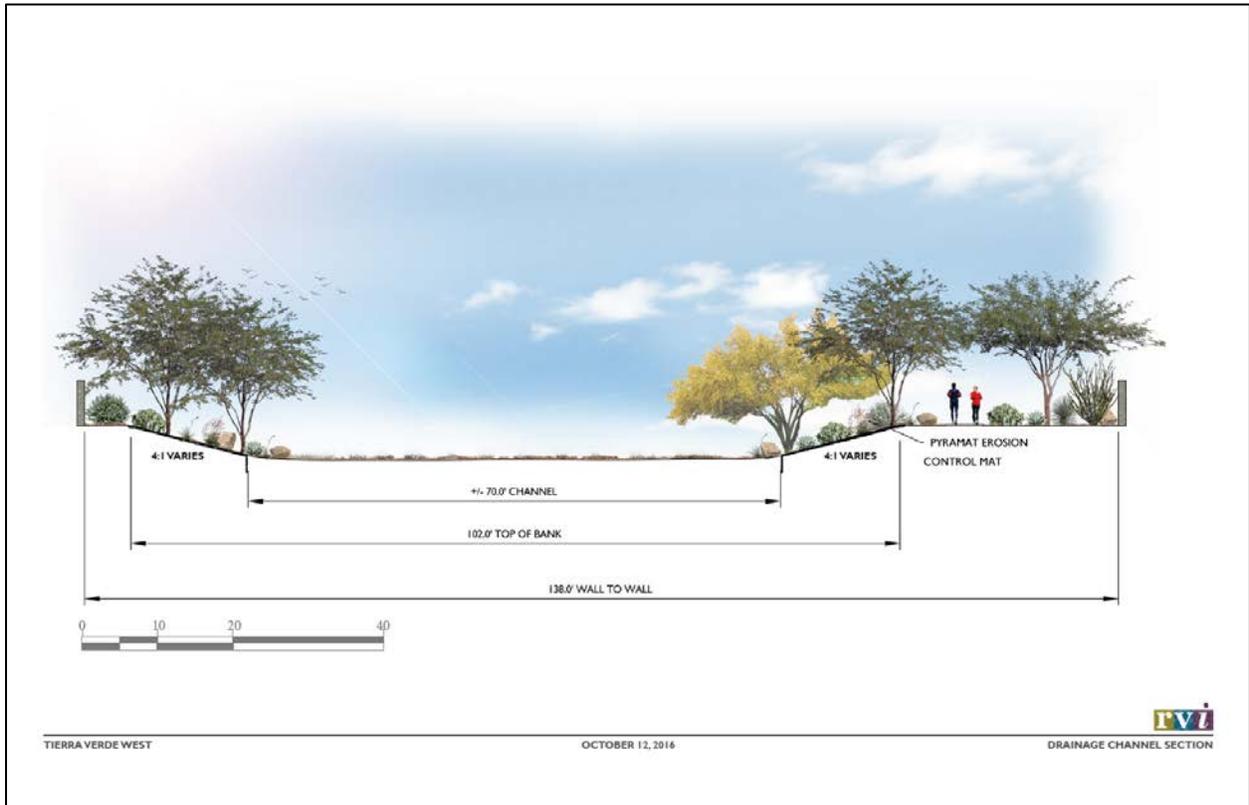
134 Primary theme walls will consist of split-face CMU panels anchored on each end by faux stone  
135 battered columns, each capped with a pre-cast concrete element. View walls of similar character  
136 will be utilized adjacent to open space areas where appropriate. Walls within the interior will  
137 consist of smooth-face pilaster blocks. Two entry monuments approximately eight (8) feet tall will  
138 be located near the southeast and southwest corners of the site. These elements are expressed on  
139 Sheet L1.10 of the attached Landscape Plans.

140  
141 The subject property has considerable drainage constraints in that much of the land drains in a  
142 sheet flow manner, with naturally occurring washes bisecting the site from northwest to southeast.  
143 Staff's preference is for these two wash corridors to also remain in-situ; however, to do so  
144 significantly limits the developer's ability to generate the lot yield needed to amortize the expenses  
145 associated with development. As an alternative, the applicant proposes to catch the off-site flows  
146 entering the site via a channel located along the northern edge of the site then direct those flows to  
147 a centrally located drainage channel, which would intersect the aforementioned sugar dike wash  
148 towards the eastern end of the site.

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150 While this approach will accommodate the required drainage volume, other than the public trail  
 151 and landscaping that will be located along the side of the channel, as well as Upper Sonoran Desert  
 152 seed mix applied within the channel, the channel itself will have little amenity value. As noted  
 153 previously, staff's preference would be for the existing washes to remain in-situ; however, if the  
 154 channel approach is necessary, staff's would prefer the channel be more highly amenitized. That  
 155 said, the applicant is of the opinion that because of the drainage velocity associated with the  
 156 channel, any treatments such as turf bottom would scour away during a heavy rain event and  
 157 create a potentially unsafe condition.  
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**UTILITY AND SERVICES TABLE:**

Electric:	APS
Water:	City of Surprise
Wastewater:	City of Surprise
Refuse:	City of Surprise
Natural Gas:	SWG
Irrigation:	N/A
Schools:	Dysart USD
Fire:	City of Surprise
Phone:	Qwest
Cable:	Cox

161 **CONFORMANCE WITH ADOPTED PLANS:**

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163 **Surprise General Plan 2035:** The Surprise General Plan 2035 shows the subject property as lying  
164 within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac  
165 or more, provided appropriate transitions are made between the various Neighborhood types  
166 included within the character area. At 2.98 DU/Ac, the project most closely aligns with the  
167 Suburban Neighborhood type and is consistent with the General Plan in this regard. The General  
168 Plan also seeks public trail connectivity, which will be implemented in the development through the  
169 Final Plat and related improvement plans.

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171 **REVIEWING AGENCIES:**

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173 **Luke Air Force Base (LAFB):** In a letter dated August 5, 2016 (attached), LAFB indicated the  
174 proposed Preliminary Plat meets the Graduated Density Concept and will not negatively impact  
175 flight operations.

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177 **Maricopa Water District (MWD):** In an email dated August 1, 2016, MWD indicated the subject site  
178 is located outside of their service area.

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180 **SUMMARY:**

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182 The proposed subdivision meets the requirements of the Tierra Verde West PAD as amended. The  
183 amenities included will provide recreational opportunities for the residents of the community.  
184 Once developed, the population base generated by the subdivision contribute to the local schools  
185 enrollment, while providing incentive for much needed retail services in the area.

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187 **FINDINGS:**

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  - The proposed Preliminary Plat is consistent with the Surprise General Plan 2035.
  - The proposed Preliminary Plat is consistent with the Tierra Verde West PAD as amended by FS16-334.
  - The reviewing agencies have indicated no objections to the request.

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194 **COMMISSION RECOMMENDATION:**

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196 The Planning and Zoning Commission recommended the City Council **approve** the proposed  
197 Preliminary Plat subject to the following stipulations:

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  - a. Development of the site shall be in conformance with the Preliminary Plat entitled  
200 "Preliminary Plat for Tierra Verde West", consisting of 4 full-size sheets, prepared by  
201 Atwell Engineering and stamped received November 10, 2016, except as modified  
202 below.

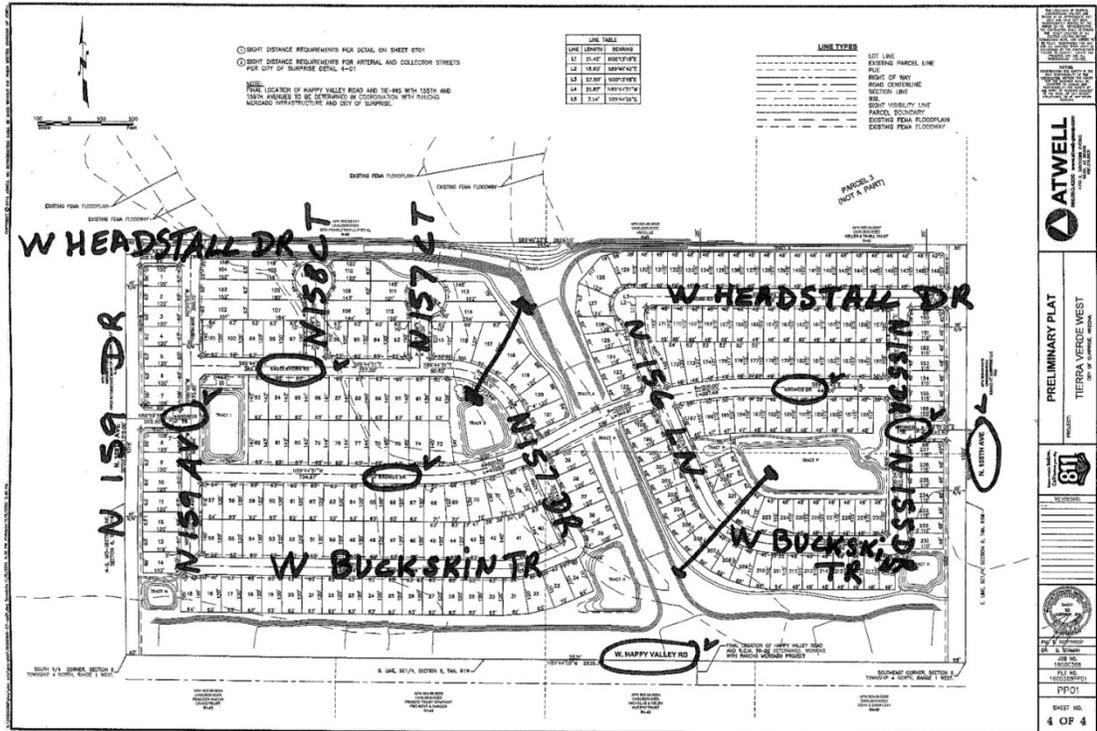
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- b. Landscaping and amenities of the site shall be in conformance with the Preliminary Landscape Plans entitled “Tierra Verde West”, consisting of 10 full-size sheets, prepared by RVI Planning and Landscape Architecture and stamped received November 10, 2016, except as modified below.
- c. All Final Plats shall include a Plat Note advising of the fact that Happy Valley Road may become a six-lane Major Arterial at some point in the future.
- d. Prior to approval of the Final Plat for Tierra Verde West, the location of the Happy Valley Road alignment with respect to the sugar dike and associated wash shall be determined and the Final Plat reflective of such determination.
- e. Prior to Final Plat approval the applicant shall submit a revised Preliminary Plat for Tierra Verde West that shows the extension of the reclaimed water line along Happy Valley Road.
- f. Should it become necessary to extend 156<sup>th</sup> Lane northward into the future Paloma Creek development, said extension will be considered substantial conformance with the approved Tierra Verde West Preliminary Plat.
- g. Within 30 days of approval of the subject request, the applicant shall submit a revised Preliminary Plat and related AutoCAD files that address the following GIS comments:
  - 1. Revise the street names on the Preliminary Plat based on the attached map.
  - 2. The AutoCAD files must reference a minimum of **two physical monuments** in order for the City to tie in your project data to the City drawings. The monuments shall be (a) section corner(s) and /or quarter corner(s) as surveyed under the Maricopa County Geodetic Densification and Cadastral Survey (GDACS) project and/or monuments recognized by the National Geodetic Survey (NGS) as B order or better (with bearing and distances noted). **Centerlines are not acceptable.**
  - 3. Resubmit the AutoCAD files for:
    - ALTA showing easement
    - Street Master Plan with street names for the entire development (all subdivisions)
    - Preliminary Plat with lot lines and corrected street names
    - Preliminary Civil Improvement Plans (grading, drainage, water, sewer, reclamation, paving, as applicable)

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4. The following outlines the requirements for the disk format / record electronic files:

CAD files (.dwg) will be provided in the latest commercially available release of AutoCAD. Drawings are to be purged of all extraneous information, will be "bound" to insert all reference files, will be accompanied by any non-native fonts, and will be free of complex file pathing which complicates file openings when transferred from the CDROM. Binding of reference files will be done using AutoCAD's Xref "Insert" option so as to avoid layer and block name corruption. PC compatible CD in Datum NAD 83 (2002Adjustment) Arizona State Plane Coordinate Systems, Central Zone and in decimal units. The subject parcel will reference a minimum of two physical monuments and; the monuments will be (a) section corner(s) and /or quarter corner(s) as surveyed under the Maricopa County Geodetic Densification and Cadastral Survey (GDACS) project and/or monuments recognized by the National Geodetic Survey (NGS) as B order or better. See Maricopa Website for details at: [www.mcdot.maricopa.gov/survey/home.htm](http://www.mcdot.maricopa.gov/survey/home.htm)



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h. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.

However, should the Council wish to deny the request, the Council should make its own findings and base its decision on those alternative findings.

269	<b><u>Attachments:</u></b>
270	
271	01 – Vicinity Map (1 page)
272	02 – Case Map (1 page)
273	03 – Preliminary Plat (4 pages)
274	04 – Preliminary Landscape Plans (10 pages)
275	05 – Tierra Verde West Drainage Cross Section (1 page)
276	06 – Paloma Creek Conceptual Site Plan (1 page)
277	07 – Luke AFB letter (2 pages)