

1	Case:	FS16-427
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3	Project Name:	Magnolia
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5	Council District:	3
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7	City Council Date:	January 17, 2017
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9	Planner:	Robert H. Kuhfuss, AICP
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12	Owner:	S & S Cotton, LLC et. al.
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14	Applicant:	Mark Reddie of LVA Urban Design Studio on behalf of AZ Community Development, LLC
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17	Request:	Annexation
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19	Site Location:	Generally located between Cotton Lane, 175 th Avenue, Waddell Road and Cactus Road
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22	Site Size:	203.28 acres (approx.)
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24	Density:	N/A
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26	General Plan Conformance:	The proposal is consistent with the Surprise General Plan 2035
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28	Support/Opposition:	None known
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30	Alternative Actions:	Approve: Approval of the proposed annexation will increase the corporate limits of the City of Surprise and allow for the subsequent approval of two (2) related zone change requests and two (2) related Preliminary Plat requests, which in turn will allow the majority of the property to be developed in accordance with the City of Surprise General Plan and Unified Development Code.
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		Deny: Denial of the proposed annexation will result in the continuation of a long-standing county island and prevent the City Council from taking action regarding the related Zone Change and Preliminary Plat requests.

44 **Project Description:**

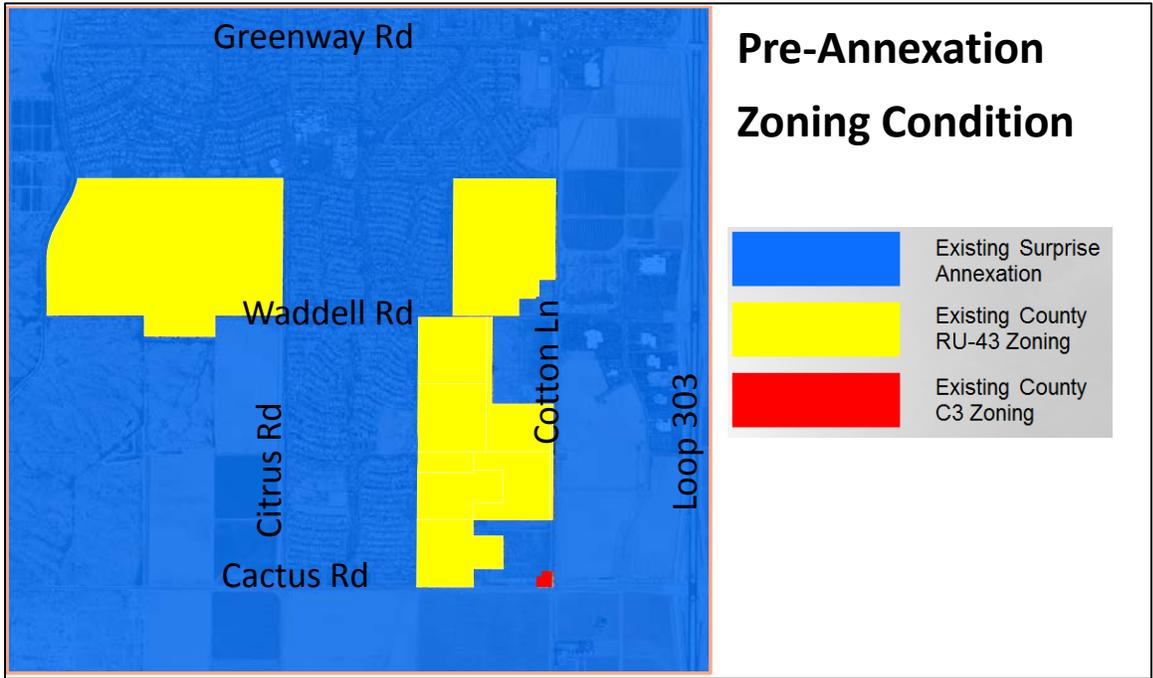
45
46 Mark Reddie of LVA Urban Design Studio, on behalf of AZ Community Development LLC, seeks
47 annexation of several parcels generally located between Cotton Lane and 175th Avenue,
48 Waddell Road and Cactus Road in anticipation of a new residential development. The
49 annexation proposal includes all unincorporated lands located within the aforementioned
50 boundaries except for two (2) properties owned by Paragon Management, LLC, which are
51 associated with Paradise Honors High School.
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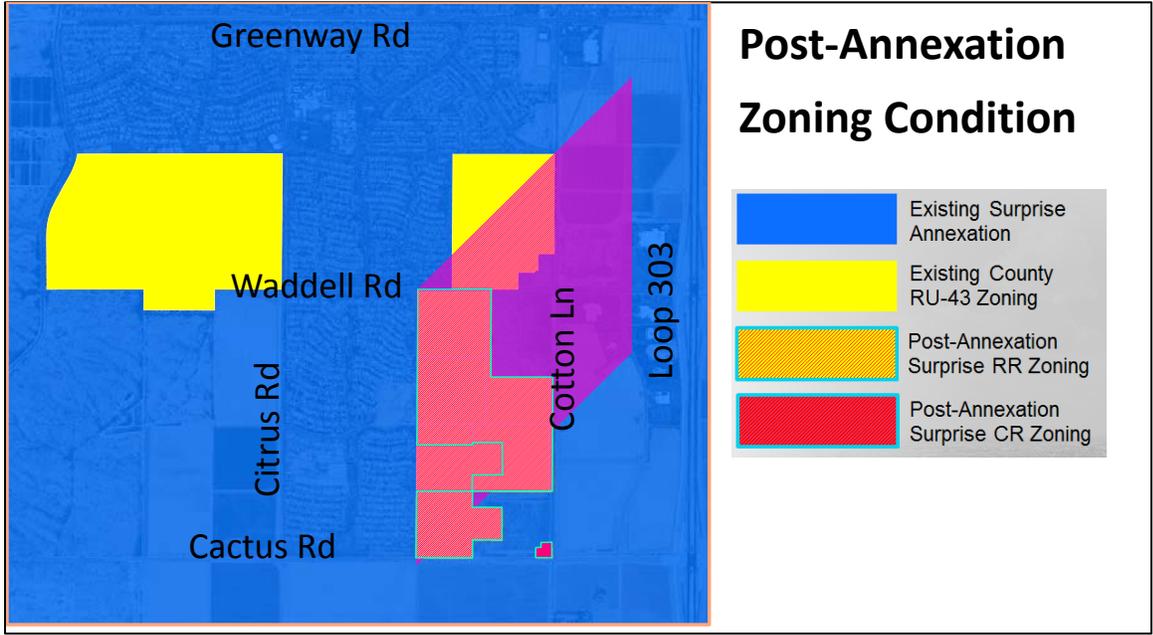
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55 Arizona Revised Statutes require the filling of a blank annexation petition. The blank petition
56 relating to the subject property was recorded with the Maricopa County Recorder’s Office on
57 October 25 2016 (see attached). Arizona Revised Statutes also require that no signatures be
58 obtained during the first 30 days following the filing of the blank petition and that a public
59 hearing be held during the last 10 days of the 30-day waiting period. The hearing was held on
60 November 15, 2016. Once the public hearing is held and the 30-day waiting period has ended,
61 signatures may be collected. State statute further requires that an excess of 50% of the land
62 owners and assessed valuation for all real and personal property sign the petition in order to
63 validate the petition. State statute also allows up to one year following the end of the 30-day
64 period to obtain the required number of signatures. Staff has not received all of the required
65 signatures as of the writing of this report, but anticipates said signatures to be obtained in the
66 immediate future.

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68 The majority of the properties currently enjoy Maricopa County Rural-43 (RU-43) zoning with
69 the exception of a small property located at the southeast corner of the annexation area which
70 is currently zoned County C-3. If annexed, the properties will assume similar RR (Residential
71 Ranch) zoning and CR (Regional Commercial) zoning, respectively. The following two maps
72 depict the pre and post-annexation zoning of the property. Most of the land involved in the
73 annexation, however, is also included in a zone change request being processed under two
74 separate zone change requests (FS16-391 and FS16-392), which are discussed under separate

75 cover. (Note that cases FS16-391 and FS16-392 also include proposed Preliminary Plats which
 76 are discussed under separate cover as well.)
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85 While the majority of the annexation area is also included in the aforementioned zone change
86 request in anticipation of a proposed residential development, approximately 15 acres of land will
87 remain in agricultural production and not be part of the zone change request. Also, the annexation
88 area does not include two properties owned by Paragon Management, Inc. and are associated with
89 the Paradise Honors School.

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91 Staff conducted an economic impact analysis, which shows a negative net impact to the City's
92 operating fund, but a positive net impact to the City's enterprise funds. The economic impacts are
93 summarized in the attached memo dated December 22, 2016.

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95 **Background:**

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97 **July 28, 2016:** Staff met with the applicant to discuss the project during a regularly scheduled
98 Concept Review meeting under CR16-305.

99
100 **August 8, 2016:** Staff met with the applicant to discuss annexation logistics.

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102 **August 23, 2016:** Staff met with the applicant to discuss product design.

103
104 **September 12, 2016:** The applicant filed a request for a Zone Change and Preliminary Plat under
105 case FS16-391. The applicant filed a second request for a companion Zone Change and Preliminary
106 Plat under case FS16-392. The latter also included an annexation request.

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108 **September 28, 2016:** On behalf of the applicant, staff opened case FS16-427 relating to the
109 annexation of the subject property.

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111 **October 19, 2015:** The applicant held a neighborhood outreach meeting to discuss the project.

112
113 **October 31, 2016:** Staff met with the applicant to discuss review comments.

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115 **November 8, 2016:** The applicant filed their second submittal for the subject case.

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117 **November 15, 2016:** The City Council approved the blank annexation petition relating to the
118 annexation of the subject property as well as other proximal properties under case FS16-427.

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120 **December 1, 2016:** Staff met with the applicant to discuss the Final Plat relating to the project
121 during a regularly scheduled Concept Review meeting under CR16-511.

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123 **December 15, 2016:** The Commission continued the case to a date-certain of January 5, 2017 due
124 to an advertising error.

125

126 **January 5, 2017:** The Zone Change and Preliminary Plat requests being processed under FS16-391
127 and FS16-392 are scheduled for review by the Planning and Zoning Commission; however, the
128 Commission’s recommendation is unknown as of the writing of this report.

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130 **Citizen Outreach:**

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132 The site was posted in accordance with the SUDC and state statute. The City of Surprise also sent
133 notices via First Class mail in accordance with the SUDC and state statute. The applicant held a
134 citizen outreach meeting on October 19, 2016, which was well attended. While staff has received
135 no items of opposition or support for the project, the applicant’s Citizen Participation Final Report
136 indicates one (1) member of the public offered positive feedback and two (2) members of the
137 public offered negative feedback. The summary report also indicated that seven (7) people offered
138 neutral comments and suggestions. The body of the summary report is included as an attachment
139 to this report.

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141 **Utility and Services Table:**

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Electric:	Arizona Public Service
Water:	EPCOR
Wastewater:	City of Surprise
Refuse:	City of Surprise
Natural Gas:	Southwest Gas
Irrigation:	Maricopa Water District
Schools:	Dysart USD

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144 **Conformance with Adopted Plans:**

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146 **Surprise General Plan 2035:** The Surprise General Plan 2035 shows the subject property as lying
147 within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac
148 or more, provided appropriate transitions are made between the various neighborhood types
149 included within the Character Area. As currently active or fallow farm land, however, the Rural
150 Neighborhood Type most closely aligns with this property as it supports agricultural uses and
151 related accessory uses such as barns or stables. If the property is annexed, it will achieve “like-
152 zoning”, which will allow those uses to continue up until the time the property is rezoned thereby
153 maintaining continuity with the General Plan’s land use designation. While this is true, the
154 proposed annexation anticipates the subsequent rezoning of a major portion of the property to
155 accommodate up to 900 residential lots with an overall density of approximately 5 DU/Ac, which
156 most closely aligns with the Suburban Neighborhood Type and is consistent with the General Plan.

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162 **Reviewing Agencies:**

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164 **Luke Air Force Base (LAFB):** In a letter dated October 3, 2015, LAFB indicated that the proposed
165 development met the Graduated Density Concept and would not interfere with flight operations.
166 LAFB also requested a robust notification program.

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168 **Arizona Department of Transportation (ADOT):** In an email dated September 20, 2016, ADOT
169 indicated the proposed annexation would not affect any ADOT highway facilities.

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171 **Maricopa Water District (MWD):** In a memo dated October 19, 2016, MWD indicated the property
172 covered by this application is subject to certain MWD interests including existing facilities and other
173 property interests. MWD requires that prior to Final Plat approval, certain comments must be
174 addressed.

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176 **Summary:**

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178 The proposed annexation, if approved, will allow the City Council to proceed with the companion
179 related Zone Change and Preliminary Plat applications that will in turn set the stage for significant
180 residential development within the annexation area and beyond. The proposed annexation will
181 generated a negative impact to the City's operating funds, but a positive impact to the City's
182 enterprise funds.

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184 **Findings:**

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- 186 • The proposed annexation meets the statutory requirement for annexation.
- 187 • The proposed annexation is consistent with the Surprise General Plan 2035.
- 188 • The proposed annexation is consistent with the Surprise Unified Development Code.

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190 **Attachments:**

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192 01 Vicinity Map (1 page)

193 02 Case Map (1 page)

194 03 Recorded Blank Annexation Petition (8 pages)

195 04 Public Participation Report Excerpt (6 pages)

196 05 Adopting Ordinance w/ Exhibits (11 pages)

197 06 Financial Impact Analysis Summary (1 page)