

MAGNOLIA

A MASTER PLANNED COMMUNITY
SURPRISE, ARIZONA
PUD ZONING APPLICATION
DECEMBER 2016

LVA urban design studio
land planning • development entitlements • landscape architecture
120 south ash avenue • tempe, arizona 85281 • 480.994.0994



DAVID EVANS
AND ASSOCIATES, INC.



CivTech

PROJECT TEAM

Developer: Surprise Village Partners, LLC
c/o AZ Community Development, LLC
Mr. Joseph Kalish and Jack Hilton
11024 N. 28th Drive, Suite 170
Phoenix, AZ 85029
(602) 499-0899

Land Planner: LVA Urban Design Studio, LLC
Mr. Mark Reddie
120 South Ash Avenue
Tempe, AZ 85201
(480) 994-0994



Civil Engineer: David Evans & Associates
Mr. Don Willie
4600 E. Washington Street, Suite 250
Phoenix, AZ 85034
(602) 678-5151



Traffic: CivTech
Ms. Dawn Cartier
10605 N. Hayden Road, Suite 140
Scottsdale, AZ 85260
(480) 659-4250



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1.0 DESCRIPTION OF REQUEST

1.1 Introduction

On behalf of Surprise Village Partners, LLC, Managed by AZ Community Development, LLC, LVA Urban Design Studio, LLC is requesting a zone change on 178 acres of property currently zoned R1-43 to approximately 78.6 acres of RM-6 PUD, approximately 95.2 acres of RM-9 PUD, approximately 1.8 acres of RH-PUD and approximately 2.4 acres of CR-PUD. Note that approximately 2.3 acres within the RH-PUD and CR-PUD is in a flex zone which allows the flexibility for either zoning district based on the final site plan configuration. This request includes a PUD Overlay on the entire 181 acres located at the northeast corner of Cactus Road and 175th Avenue. The site is an irregular-shaped parcel located ½ mile west of the Loop 303 freeway, and is bounded by Cactus Road to the south, Cotton Lane to the east, Waddell Road to the north, and 175th Avenue to the west. See **Figure 1, Vicinity Map** for the property boundary and general location and **Appendix A, Legal Description and ALTA Surveys** for the legal boundaries of the property. Concurrent with this request, the applicant will be submitting an Annexation application and a Preliminary Plat for the property as well. Note that a companion zoning application and preliminary plat is also being processed for an additional 10-acre property at the southeast corner of 175th Avenue and Sweetwater Avenue. Upon annexation and rezoning, the intent is to include this parcel within the overall Magnolia master planned community.

1.2 Project Overview and Zoning Request

The proposed project, called Magnolia, will be developed as a highly amenitized, single-family residential master planned community within an active growth area of the City of Surprise. Magnolia will include a blend of various lot sizes, a centralized community center, abundant active and passive open spaces, a connected trail system, and attractive landscaping throughout. The land use plan will provide for a density transition from south to north, with slightly higher densities within the southern portion of the property. The residential zoning for the property will include RM-9 PUD for the southern portion of the property, and RM-6 PUD for the northern portion of the property, using the Conventional Character Pattern. See **Figure 2, Proposed Zoning Map** for the location of the zoning district boundaries. The RM-9 PUD and RM-6 PUD zoning designations are affiliated with the following minimum lot sizes:

- RM-9 PUD: 3,000 square foot minimum lot size
- RM-6 PUD: 4,900 square foot minimum lot size

The plan also includes a 4.2-acre commercial and high density residential parcel that will be combined with the commercial and high density residential property at the northwest corner of Cactus Road and Cotton Lane. This is being included to facilitate a private land exchange agreement between property owners to provide more efficiency and better connectivity within each development project. The 4.2-acre property will be zoned to conform to the approved zoning of the adjoining property in accordance with Ordinance 2010-13, which includes RH-PUD, CR-PUD, and a Flex-Zone overlay. (See **Figure 2, Proposed Zoning Map** for the CR-PUD and RH-PUD district boundaries and flex-zone location). Also, see **Appendix G: Land Exchange Parcels Legal Description** for the location of the two 4.2 acre properties affiliated with the land exchange.

Magnolia will include up to 900 residential units (plus an additional 55 units within the adjacent 10-acre parcel at Sweetwater and 175th Avenue), with a maximum gross density of 5.0 dwelling units per acre. This is consistent with the 2-8 dwelling units per acre density range permitted within the Neighborhood General Plan Land Use designation. While lot sizes may vary with the final development plan (and can vary without triggering an amendment to the zoning, so long as they meet the minimum development standards defined in **Table 1**), the concept plan includes a mix of the following lot sizes:

- 55' x 115'
- 45' x 110'
- 40' x 98' alley product
- 50' x 63' cluster product (lot sizes vary slightly within each 6-pack cluster pod)

1.3 Residential Zoning Designations and Development Standards

The residential zoning designation affiliated with the property will use the Conventional Character Pattern in accordance with **Section 122-33** of the Surprise Unified Development Code. The PUD overlay designation shall be applied to the property to allow modification of various development standards proposed within the community. Unless specifically modified herein, the development of the property shall comply with **Chapter 122** of the Surprise Municipal Code as may be subsequently amended. In the event of a conflict between a development standard, provision or regulation between the Magnolia Rezoning application and the Surprise Municipal Code, the standard within this rezoning application shall prevail.

The property includes two single family residential zoning districts, including 78.6 acres of RM-6 PUD, and 95.2 acres of RM-9 PUD. The proposed residential development standards affiliated with the RM-6 PUD and RM-9 PUD zoning districts to be modified are provided in the table below. Note that only “red” text items include modified standards. These amended development standards were created based on the anticipated lot sizes and product types proposed within the community in concert with the creation of meaningful, connected open space and a community design that emphasizes a high quality visual appearance throughout the community. One of the possible design features that may be provided within the community is an alley-loaded and/or cluster product where the vehicle garages are accessed off a rear alley or private drive, de-emphasizing the garage from public view, creating an attractive, pedestrian-oriented environment from the public realm. If provided, the alleys and/or private drives will be a minimum of 20' in width (10' on either side of the lot line) with 3' concrete ribbon on either side (26' minimum between structures), with the garage door at the back of the concrete ribbon. This design standard supports the 13' rear setback requirement proposed in the RM-9 PUD standards.

Table 1: RM-6 PUD and RM-9 PUD Development Standards

Development Standard	RM-6 City Base Standard	Proposed RM-6 PUD Standard	RM-9 City Base Standard	Proposed RM-9 PUD Standard
Maximum Number of Units	N/A	375	N/A	525
Maximum Density	6.0	6.0	9.0	9.0
Minimum Lot Area (sf)	6,000	4,900	4,500	3,000
Minimum Lot Width (ft)	50	45	40	40
Minimum Lot Depth (ft)	100	100	100	60
Minimum Front Yard Setback (ft) (1) (2)	12/20	12/20	12/20	8/20
Minimum Side Yard Setback (ft) (3)	TBD	5	TBD	5
Minimum Rear Yard Setback (ft) (4)	20	15/20	20	13
Maximum Building Height (ft) (5)	35	35	35	35

Footnotes:

- (1) Front facing garages shall have a minimum 20' front yard setback where facing a public street. Livable space, front porches, courtyards and side entry garage shall have a minimum 12' setback for RM-6 and 8' setback for RM-9 (unless adjacent to a PUE, in which case the minimum front setback for RM-9 shall be 10').
- (2) Where an 8' PUE is provided adjacent to a front yard, a minimum 10' front setback is required to provide a minimum 2' separation between the PUE and the building.
- (3) For side yards abutting a public street, a minimum 5' landscape tract shall be provided between the right-of-way and the lot. Coupled with the minimum 5' side yard setback, this will provide for a minimum of 10' between the ROW and the building where adjacent to a public street.
- (4) For RM-6 PUD, single-story minimum setback is 15', and two-story minimum setback is 20'.
- (5) For cluster product in the RM-9 PUD district, the rear two units within each cluster shall be single story, unless the builder chooses to fire sprinkler those homes, in which case two story units shall be permitted.

1.4 Residential Development Plan Concept

The development plan concept represented in **Figure 3** is non-regulatory and subject to change without triggering an amendment to the zoning, but has been provided to graphically illustrate how the property may be developed, including roadway access and connectivity, relationship between individual development parcels and lot configuration, location of the community center and active and passive open spaces, trail connectivity, and relationship of uses and improvements along the perimeter of the property. The development plan concept represented in **Figure 3** includes a mix of four single-family detached lot sizes, including two conventional single-family residential lot types, an alley-loaded product that provides vehicle access from a rear alley and pedestrian access from the public street or common open space courtyard, and a 6-pack cluster product that provides vehicular access from an internal private drive and pedestrians access from the public street or within a common open space courtyard. The alley product and cluster product allow for a smaller lot size, while ensuring that garages do not dominate the streetscape. The front doors and livable space within these home types faces the public

street or common open space, creating an attractive streetscape environment that is oriented toward pedestrians rather than vehicles and garage doors. Garage doors are located within an alley or private drive, and are shielded from public street view. Wide landscaped open spaces corridors are provided at primary entries to the community, creating an attractive, open feel for residents and visitors as they enter and circulate through the neighborhoods.

The layout was designed in a more traditional grid street system, with wide open space corridors and connectivity, providing pedestrian circulation separate from the primary roadway alignments in many locations. The community center is centrally located within the community along Sweetwater Avenue, providing centralized pedestrian and vehicular access to all residents, and ensuring its high visibility as the primary amenity for Magnolia. The perimeter of the community is designed to minimize lots that back up to the adjacent public streets by providing several no-load local streets and/or wide landscape setbacks between the perimeter streets and the homes within the community. This will prevent the monotony of long, perimeter walls and rooftops along the perimeter of the property, and will create a much more open and attractive streetscape to the community, from both internal and external to the site. See **Figure 3**, *Development Plan Concept* for a visual representation of a conceptual development plan option for Magnolia.

1.5 Circulation Plan

Magnolia is surrounded on all four sides by existing streets, including Cactus Road on the south, Cotton Lane on the east, Waddell Road on the north, and 175th Avenue on the west. Cactus, Cotton, and Waddell are all classified as Major Arterial streets with a 68' half-street right-of-way. 175th Avenue is classified as a Residential Collector with a 40' half-street right-of-way. Additionally, Sweetwater Avenue, a planned Residential Collector with a full 80' right-of-way section, will be dedicated and constructed to provide east/west access through the center of the site.

Magnolia proposes a minimum of five access points into the community, including two full movement access points at Cotton Lane and Sweetwater and at 175th Avenue and Sweetwater. A three-quarter turn movement intersection is proposed at Cactus Road and 174th Avenue (limiting left-turns out). At least two additional full movement access points are proposed along 175th Avenue to provide local connections to the development.

Three roadway modifications are requested as part of this development, including the following:

- Traffic Circles on Sweetwater Avenue and on 174th Avenue: A 4-way traffic circle at intersection of Sweetwater Avenue and 172nd Drive and a 3-way traffic circle at the terminus of 174th Avenue and Larkspur Drive. These are proposed as a traffic calming feature as well as a visual enhancement to the community at primary circulation routes within the community.
- Modified Local Street Section for 174th Avenue: The plan includes an option for a modified local street standard to increase the right-of-way to 80' and to provide center landscaped medians (no longer than 200-feet in length without a break) within the street section.
- Traffic Calming Techniques for Local Streets: Traffic calming chokers coupled with connected pedestrian open spaces are proposed along local streets that exceed 800' in length and approximately ten continuous homes without a break. Note that per

Section 122.33(c)(7), Circulation, block length may be exceeded if appropriate pedestrian and vehicular connections are provided. In all cases, there are at least two points of access for vehicles, a separate pedestrian trail connection at the choker location, and additional landscaping provided mid-block.

Details regarding each of these modifications will be submitted with the preliminary plat for the property.

A Traffic Impact Analysis for the property has been prepared and is included with this rezoning application as an **Appendix**. A series of conclusions and recommendations related to roadway improvements are provided within the study.

Bicycle lanes will be provided on Sweetwater Avenue and 175th Avenue in accordance with the City's standard detail for Residential Collector Streets to facilitate bicycle movements within and adjacent to the property. Pedestrian circulation will include a series of setback sidewalks along public streets, as well as a dedicated 6' off-street multi-use trail system that will provide pedestrian and non-motorized access and connectivity throughout the development. The trail system provides for both public trails (through a dedicated public trails easement) and private trails as shown and labeled on **Figure 4, Open Space and Trails Master Plan**.

1.6 Landscape Theme and Community Character

The community identity is based on the Magnolia, an ancient plant genus, and one of the first flowering plants known to mankind. Its thick and waxy petals evolved to protect the flowers from damage by the beetles that it still depends upon for pollination. Widely known for its longevity and sublimely beautiful large aromatic flowers, the magnolia tree is a symbol of sweetness, purity, and the love of nature. Old fashioned elegance, inspired by this iconic flower, will characterize the design of Magnolia to create a traditional neighborhood with a landscape that exudes the timeless charm of the South where magnolia thrive. Magnolia is a place to live and celebrate the simple pleasures of life.

In addition to a limited number of Magnolia trees used in strategic and highly visible locations within the community (note that as the Magnolia tree is not included in the ADWR list of drought-tolerant species, it will not appear in the public right of way per City Code), the overall landscape theme uses elegant and traditional old-world trees and shrubs that are found on the low-water use plant list. Primary trees include Oak, Ash, and Magnolia trees; with secondary trees including Evergreen Elm, Italian Cypress, Ficus, Vitex, Bahuania, and pollen free Swan-Hill Olive trees. Aromatic white-flowering plants may include Jasmine, Citrus, Natal Plum, Gardenia, and Plumeria. Old-fashioned garden-style plants may include English Ivy, Lily, White Lantana, Indian Hawthorn, Boxwood, Pentas, Vinca, Lady Bank's Rose, Myrtle, Rosemary, Guara, and Verbena. While many of these aromatic and old-fashioned plants may be included in select locations throughout the community, due to the harsh desert climate, selected colorful desert shrubs and groundcover plants will also be included throughout. A complete list of plant materials will be provided at the time of preliminary plat, and shall conform to Chapter 122 of the Surprise Municipal Code as may be subsequently amended.

Magnolia's character and hardscape elements will include formal tones and elegant simplicity that are characteristic of traditional architecture. Entry monuments, theme walls and signage will use simple forms of stucco, single scored block, cast stone and ornamental iron. Precast concrete floral accent plaques and brick may be used as accent

materials for walls and paving. To provide a pleasing contrast with the many shades of green and white present in the plant materials, the hardscape color scheme will build a white, gray and black foundation palette, accented with bright bursts of color at focal points and in site furniture. See **Figure 6, Community Entry Monument** and **Figure 7 and 7A, Community Wall Details** for the design concept for the primary entry monument and various wall types proposed within the community.

Wall Height Modification

For lots that back up to non-residential uses, perimeter walls may be up to eight (8) feet in height with an additional two (2) feet retaining wall for a total height of ten (10) feet.

1.7 Open Space, Trails and Amenities Plan

Magnolia will provide an abundance of interconnected parks, open space and 6-foot trails that encourages walking and alternative modes of transportation within the community. The heart of the community is the 8-acre Truman Community Center, a private, HOA maintained recreation complex that will include amenities such as a community building with fitness facilities, meeting rooms, and full-service kitchen, a competition-sized swimming pool with cabanas and hot tub, and various additional recreational amenities such as tennis and pickle ball courts, sand volleyball, multi-use sport court, tot-lot playground, splash pad, picnic areas with barbeque grills, shade ramadas, a great lawn with retention, trails and landscaping. See **Figure 5, Truman Community Center Sketch Concept** for a general layout and potential amenities proposed for the community center.

In addition to the Truman Community Center, Magnolia will include several pocket parks and linear trails corridors throughout the development with active and passive recreational amenities such as tot-lots, shade ramadas, picnic areas, multi-use play fields with retention, dog park, trails, landscaping, and other active and passive improvements. All pocket parks will have access to the linear trail system that connects the development parcels within the community.

Perimeter open space and landscaping will also be provided where adjacent to public streets, including:

- **Cotton Lane:** Minimum 60' wide landscape buffer to include a drainage corridor for off-site flows, retention, landscaping and entry monument at the primary entry at Sweetwater Avenue.
- **Cactus Road:** Minimum 120' wide landscape buffer to include a drainage corridor for off-site flows, retention, landscaping and an entry monument at the secondary entry at 174th Avenue and Cactus Road. This exceeds the minimum landscape buffer requirement of 60' by double.
- **Waddell Road:** Minimum 25' wide landscape buffer from back of sidewalk to include landscaping improvements. This is a modification from **Section 122-137(e)(1), Roadway Landscape Buffer**, which requires a 60' setback for major arterial streets. This modification will impact approximately 585' of linear frontage along Waddell Road. However, there are wide, landscaped open space tracts at the intersection of Waddell Road and 175th Avenue, and along the eastern edge of the property along Waddell Road. Additionally, a decorative theme wall and enhanced landscaping will be provided along this frontage to enhance the visual character within this area.

- 175th Avenue: Minimum 40' wide landscape buffer to include landscaping and neighborhood entry monuments at the roadway entries into the community. This exceeds the minimum landscape buffer requirement of 15' by more than double.

Additional landscaped open space will be provided along several primary roadways and center landscaped medians within Magnolia. Including the Truman Community Center, pocket parks, trails, and additional active and passive open space and landscaped areas within and adjacent to the right-of-way, Magnolia will provide a minimum of 25% open space, a 5% increase in the 20% requirement per the Conventional Character Pattern standard.

Landscape Modifications

The provisions of Article X of Chapter 122 of the Surprise Municipal Code as may be subsequently amended shall apply with the following modifications related to the landscaping and hardscaping within the proposed APS Power Line Easement along the north edge of Cactus Road:

- (1) Trees, shrubs and hardscape elements which could hinder access and maintenance of the power line poles by APS should not be located within 50' of base of the poles.
- (2) The location of all trees or screening walls or the alteration of ground level within with APS Easement shall first be approved by the appropriate APS representative before permitted by the City of Surprise.
- (3) The species of all trees within the APS Easement should be limited to those currently allowed by APS under their power lines. The list and species may be added or removed at the sole discretion of APS Representatives at the time landscaping plans are presented to them for approval.

1.8 Drainage Master Plan

The site generally slopes in a southeasterly direction. 175th Avenue is an improved half street adjacent to the site. There is a street median with a full section fronting the school site and a full section at the intersection of 175th Avenue and Waddell Road. The road slopes general in a southerly direction and there is a large catch basin south of the intersection of 175th Avenue and Waddell Road that captures the street runoff into the street storm drain system.

Waddell Road is an improved street with curb on the north side and no curb along the south side of the road. The road slopes in an easterly direction.

Cactus Road alignment is a dirt road adjacent to the site that has been recently paved. The road follows the slope of the land in an easterly direction. There is an existing culvert at the intersection of 175th Avenue and Cactus Road that conveys runoff in an easterly direction. The estimated flow from the culvert is 540 cfs. There is an earthen ditch adjacent to the road alignment within an APS easement to the north that conveys the runoff from Cactus Road existing culvert and the farm field to the north towards the east. The ditch ends with earthen basin located northwest of the intersection of Cotton Lane and Cactus Road.

The site is located mostly in Zone X according to FIRM Panel 04013C1660L, revised October 2013. Portion of the site along Cotton Lane is located in Zone A. The design team is in the process of preparing a Conditional Letter of Map Revision to be submitted to the Maricopa County Flood Control District (MCFCD) and to the City of Surprise. After

approval by the City, it will be submitted to FEMA. The CLOMR application is based on the fact that the drainage conditions in the area have changed with the development upstream and there is currently less flow impacting the site. The site will have drainage channels traversing the eastern boundary (along Cotton Lane) and the southern boundary (along Cactus Road) to account for the offsite flow reaching the site.

The intent of the grading design is to convey the runoff generated onsite during a 100-year 2-hour storm event or smaller into retention basins, located throughout the subdivision. The roadways will convey the street runoff to various basins distributed throughout the development. When the street capacity is exceeded, catch basins with storm drain system will be installed to allow the runoff to stay within the street right-of-way section.

The finish floor elevations for the site will be set higher than the adjacent 100-year water elevations and the cascading outfall elevations for the site in case of storm events beyond the 100-year storm events.

The grading improvements shown on the grading and drainage plans will follow the phasing of the project. The offsite improvements will also follow the phasing of the project. The catch basin, in relation to street capacity, will be added during final design and they are not reflected on the preliminary grading and drainage plans.

1.9 Water & Sewer Master Plans

Water

The existing water infrastructure around the site is split in two zones, zone 2 and zone 3, per EPCOR description. The zone 2 is in the southeasterly side of the project along Cotton Lane, and zone 3 is in the northwest part of the project along 175th Avenue. The proposed water main serving the project as part of Zone 2 connects to an existing 12" water line, approximately 700 feet south of Waddell Road on Cotton Lane. The new main continues south, entering our project site in Sweetwater Avenue. The main is extended through the project local streets and exits the project site at Cactus Road. The 12 inch main will be extended easterly along Cactus Road to Cotton Lane, where it will connect to an existing 16" water line at the intersection. An 8" loop will be used to follow up with the balance of the water line system, to serve the project for zone 2.

Zone 3 will connect to an existing 12" water line at Sweetwater Avenue and 175th Avenue. The main will continue easterly along Sweetwater Avenue approximately 1,350 feet. This will serve an 8" loop that heads northerly and westerly through the subdivision until it connects to the existing 12" water line approximately 1,450 feet north of Sweetwater Avenue on 175th Avenue. An 8" loop will continue to serve the balance of the project.

Sewer

The sewer will connect to an existing 12" sewer line in 175th Avenue, at two locations. One connection will be made at the intersection of 175th Avenue and the southerly most proposed road, and another at the road just south of the existing school site. These connections will serve the southwesterly part of the subdivision.

Another sewer main connection will be extended to the existing 12" sewer line at the southeast corner of Cactus Road and Cotton Lane. The main will be located within Cotton

Lane, entering our subdivision approximately 1,400 feet further north into the subdivision to serve the balance of the project.

1.10 Commercial & Multi-Family Residential Zoning Designation and Development Standards

This section shall only apply to the 4.2 acre property at the southeast corner of the site that is designated as 1.8 acres of RH-PUD and 2.4 acres of CR-PUD (which also includes a flex overlay for 2.3 acres of the property based on the configuration of the final site plan for the commercial and multi-family development). This property is affiliated with the property transfer, and the development standards defined below are identical to the standards defined within the adopted zoning associated with Ordinance 2010-13, affiliated with Zoning Case# FS-10-051.

Character Pattern

The subject property shall utilize the Marketplace Character Pattern as described in Section 122-37 of the Surprise Municipal Code. Unless specifically modified herein, the development of the property shall comply with Chapter 122 of the Surprise Municipal Code.

Land Use Designations

The subject property is proposed to be developed with a mix of commercial and high density residential. The southern 2.4 acres fall under the Regional Commercial (CR) Use District while the northern 1.8 acres fall under the Residential High Density (RH) Use District. As part of the PUD overlay, flexibility of the zoning boundaries is expected. The 2.3 acre area between the two zoning districts, as shown on Figure 2: Proposed Zoning Map, shall be designated a flex zone, where the proposed zoning boundaries can be finalized at the time of the Site Plan Approval. As such, any modifications to the zoning boundaries that is within the designated flex zone shall be reviewed and approved by the Community Development Director. However, any increase to the area of land within the Residential high Density (RH) Use District shall not permit an increase to the maximum number of dwelling units beyond a total of 384 dwelling units.

Development standards as part of the PUD overlay for these districts are listed below.

Planned Unit Development Overlay

Development Standards

Unless specifically modified herein, the development of the property shall comply with Chapter 122 of the Surprise Municipal Code.

Table 2: CR-PUD and RH-PUD Development Standards

Regional Commercial (CR)					
Min. Lot Area	Min. Lot Width	Min. Front or Street Side Setback (1) (2)	Min. Side & Rear Setback (1)	Maximum Building Height	
N/A	N/A	20'	0' (3) (4)	45' (4)	

Residential High Density (RH) (5)					
Maximum Number of Dwelling Units	Maximum Gross Density	Min. Front or Street Side Setback (1) (2)	Min. Side & Rear Setback (1)	Maximum Building Height	Min. Recreational Space per D/U
384	30	20'	15' (4)	45' (4)	30%

Footnotes:

- (1) All setbacks are subject to the applicable adopted Building Codes.
- (2) Build-to-Lines are not required to be established for projects within this PUD. Minimum front and street side setbacks will be traditional and follow the table above.
- (3) A 20’ minimum building setback is required for Commercial uses next to Multi-Family or Single-Family Attached Residential Zoning. A 45’ minimum building setback is required for Commercial uses next to Single-Family Detached Residential Zoning.
- (4) When directly adjacent to Single-Family Detached Residential Zoning, for any commercial or residential building that exceeds a height of 35’, the side and/or rear minimum setback shall have an additional distance of 1’ for each 1’ of building height above 35’.
- (5) These High Density Residential Development standards assume the property will develop as multi-family apartments. If a single-family attached product is developed, the minimum lot dimensions and setbacks shall be determined at the time of Preliminary Plat and/or Final Plat approval whichever comes first and shall be consistent with the Marketplace Character Pattern as described in Chapter 122 of the Surprise Municipal Code.

Parking and Loading Standards

All provisions in Article IX of Chapter 122 of the Surprise Municipal Code shall apply.

Landscape Standards

The provisions of Article X of Chapter 122 of the Surprise Municipal Code shall apply with the following additions related to the landscaping and hardscaping within the proposed APS Power Line Easement along the north edge of Cactus Road:

- (1) Trees, shrubs and hardscape elements which could hinder access and maintenance of the power line poles by APS should not be located within 50’ of base of the poles.

- (2) The location of all trees or screening walls or the alteration of ground level within with APS Easement shall first be approved by the appropriate APS representative before permitted by the City of Surprise.
- (3) The species of all trees within the APS Easement should be limited to those indicated in Exhibit J, which lists the currently acceptable species of trees allowed by APS under their power lines. This list is not an absolute list and species may be added or removed at the sole discretion of APS Representatives at the time landscaping plans are presented to them for approval.

Lighting Standards

All provisions in Article XI of Chapter 122 of the Surprise Municipal Code shall apply as well as any applicable Engineering Development Standards.

Signage Standards

All provisions in Chapter 112 of the Surprise Municipal Code shall apply.

Grading and Drainage Standards

All provisions of the Engineering Development Standards shall apply. Prior to final site plan approval, a Conditional Letter of Map Revision (CLOMR) will be filed with FEMA to request a Letter of Map Revision (LOMP) to reclassify the flood zone designation to Zone X on the FIRM maps and eliminate the property from being in a flood zone.

1.11 FUTURE HOME OWNERS ASSOCIATION RESPONSIBILITY

The Magnolia community will include a home owners association (HOA) that will own and maintain all common community amenities, including the Truman Community Center, signage and entry monuments, parks, trails, open space tracts, private alleys and drives, and other common areas within the development. The HOA will include a formal governance structure to be established by the HOA bylaws and community Covenants, Conditions and Restrictions (CC&R's). In the early phases of the project, the HOA will be managed by the master developer or homebuilder until such time as there are enough homeowners take over the management responsibilities. The purchasers of property within the Magnolia community will automatically become members of the HOA and will be required to pay annual dues for the ongoing operation and maintenance of community facilities owned by the HOA. Regarding the 175th & Sweetwater project, it is the intent that this development will become part of the Magnolia community and HOA after annexation and zoning approval, however, if that does not happen, an agreement related to the dedication of all necessary right-of-way for the construction of Sweetwater will be required prior to the first phase of development of either project.

2.0. EXISTING CONDITIONS ANALYSIS

2.1 Property Location and Description

The proposed site is located on the northeast corner of Cactus Road and 175th Avenue within unincorporated Maricopa County (currently within a County island), but within City of Surprise General Planning area. More specifically, the property is an irregular shaped assemblage of parcels generally bounded by 175th Avenue to the west, Waddell Road to the north, Cotton Lane to the east, and Cactus Road to the south. The subject site is made up several parcels, as defined in **Appendix 1, *Legal Description and ALTA Survey***.

The intent is to annex the property into the City of Surprise concurrent with this rezoning application.

The assemblage of properties included in the rezoning application are owned by various property owners; however, the intent is that upon annexation and rezoning approval, all properties included within the rezoning application (with the exception of the CR/RH zoning) will be developed under a single ownership entity as part of the Magnolia master planned community. The CR/RH zoned property will be developed as part of the commercial development at the northwest corner of Cactus Road and Cotton Lane, and is included as part of a land swap to benefit both developments by removing narrow fingers on the commercial property and adding better connectivity within the residential development parcels. The following Assessor Parcel Numbers are included with this zoning application:

- APN# 502-04-004
- APN# 502-04-006A
- APN# 502-04-006B
- APN# 502-04-005D
- APN# 502-04-022D
- APN# 502-04-002E
- APN# 502-04-002Q
- APN# 502-04-023C
- APN# 502-04-022A
- APN# 502-04-002R

2.2 Existing Land Use, General Plan Designation and Zoning

The subject property is currently vacant land that was once used for agricultural purposes. Properties surrounding the site include single-family residential, agricultural and vacant land to the north, single-family residential, agricultural and vacant land of the future Prasada Commercial Complex to the east, agricultural and vacant land to the south, and single family residential property to the west. Paradise Honors School, a K-12 charter school is also located immediately adjacent to the property along 175th Avenue, and has plans to expand further east with new classroom buildings, parking, athletic fields and other associated improvements. See **Table 5** below and **Figure 1, Vicinity Map** for the existing land uses on the site and surrounding area.

The proposed site is currently within the City of Surprise 2035 General Plan boundary and is designated as *Neighborhood Character Area*. The site is also within the *Residential (Citrus and Cactus) Growth Area* as defined within the Anticipated Growth map in the General Plan. The Neighborhood land use designation allows for densities up to 8+ dwelling units per acre and supports a wide variety of residential development opportunities. The proposed zoning is in conformance with the Neighborhood General Plan designation, and will utilize the *Suburban Development Type (2-8 du/ac)* throughout the community. See **Table 5** below and **Figure 9, Existing General Plan Land Use Map** for the general plan land use designation on the site and surrounding area.

Currently, the property is zoned RU-43 (Rural 43) in unincorporated Maricopa County, permitting 1 dwelling units per acre. The intent of this zoning district is to conserve open

land use and permit farming and rural residential uses. See **Table 5** below and **Figure 10**, *Existing Zoning Map* for the existing zoning on the site and surrounding area.

Table 3: Existing Land Use, General Plan Designation and Zoning

	LAND USE	GENERAL PLAN DESIGNATION	ZONING DESIGNATION
SITE	Vacant	Neighborhood	County RU-43
NORTH	Single-family residential agricultural & vacant	Neighborhood	County RU-43 & PAD
EAST	Single family residential, agricultural and vacant	Commerce & Office - TOD sub area	PAD, CR PUD, RH PUD
SOUTH	Agricultural and vacant	Neighborhood	PAD
WEST	Single family residential and charter school	Neighborhood	PAD

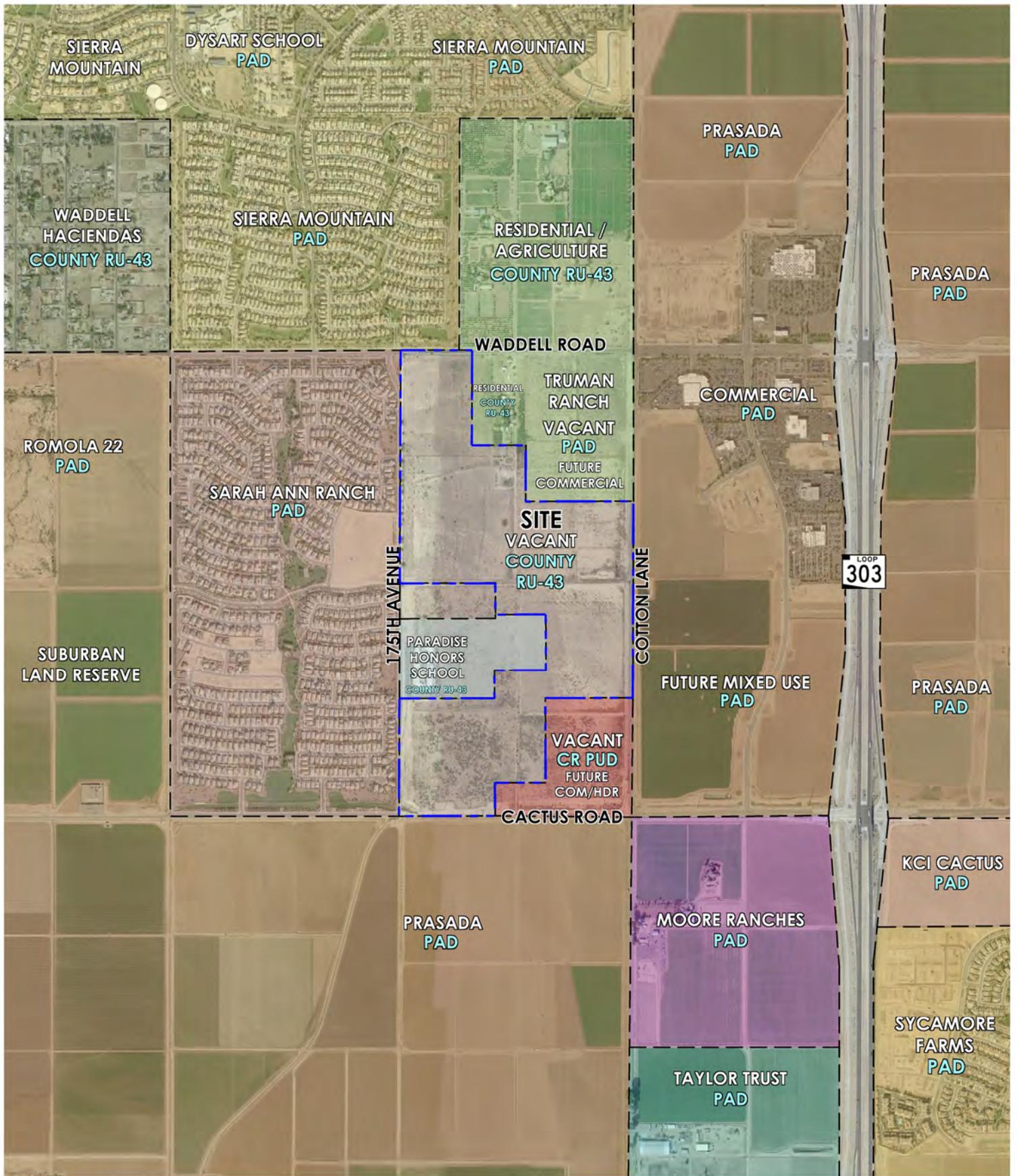
2.3 Regional Facilities and Services

The site falls within the City of Surprise Planning Boundary, but is currently located in unincorporated Maricopa County. The site is surrounded on all sides by the City of Surprise jurisdictional limits, with the exception of a portion of the northern boundary, making this property part of a County island. **Figure 1**, *Vicinity Map* shows the jurisdictional limits of the City of Surprise city limits in relation to lands within unincorporated Maricopa County.

The proposed property is approximately ½ mile west of the Loop 303 Freeway, with direct access to both the Cactus Road and Waddell Road interchanges, providing excellent access to the site along the regional freeway system. The site is bounded by three major arterial roads, including Cactus Road to the south, Cotton Lane to the east, and Waddell Road to the north. 175th Avenue, a Residential Collector, is located along the western boundary of the site. Sweetwater Road, a planned east/west Residential Collector road, will run through the center of the property connecting 175th Avenue to Cotton Lane.

The subject property is within the Dysart Unified School District (SUSD). The property is within the boundary of the Sonoran Heights Elementary School, located at 11405 N. Greer Ranch Parkway, and the Shadow Ridge High School, located at 10909 N. Perryville Road. Paradise School, a K-12 charter school, is also located immediately adjacent to the property at 12775 N. 175th Avenue.

Upon annexation into the City of Surprise, fire & emergency services, law enforcement services, and refuse collection will all be provided by the City. The nearest fire station, Surprise Fire-Medical Station #307, is located 2 miles east of the site near Sarival Avenue and Cactus Road. The nearest Police Station is located in Surprise City Hall, approximately 6 miles northeast of the site.



MAGNOLIA

FIGURE 1: VICINITY MAP

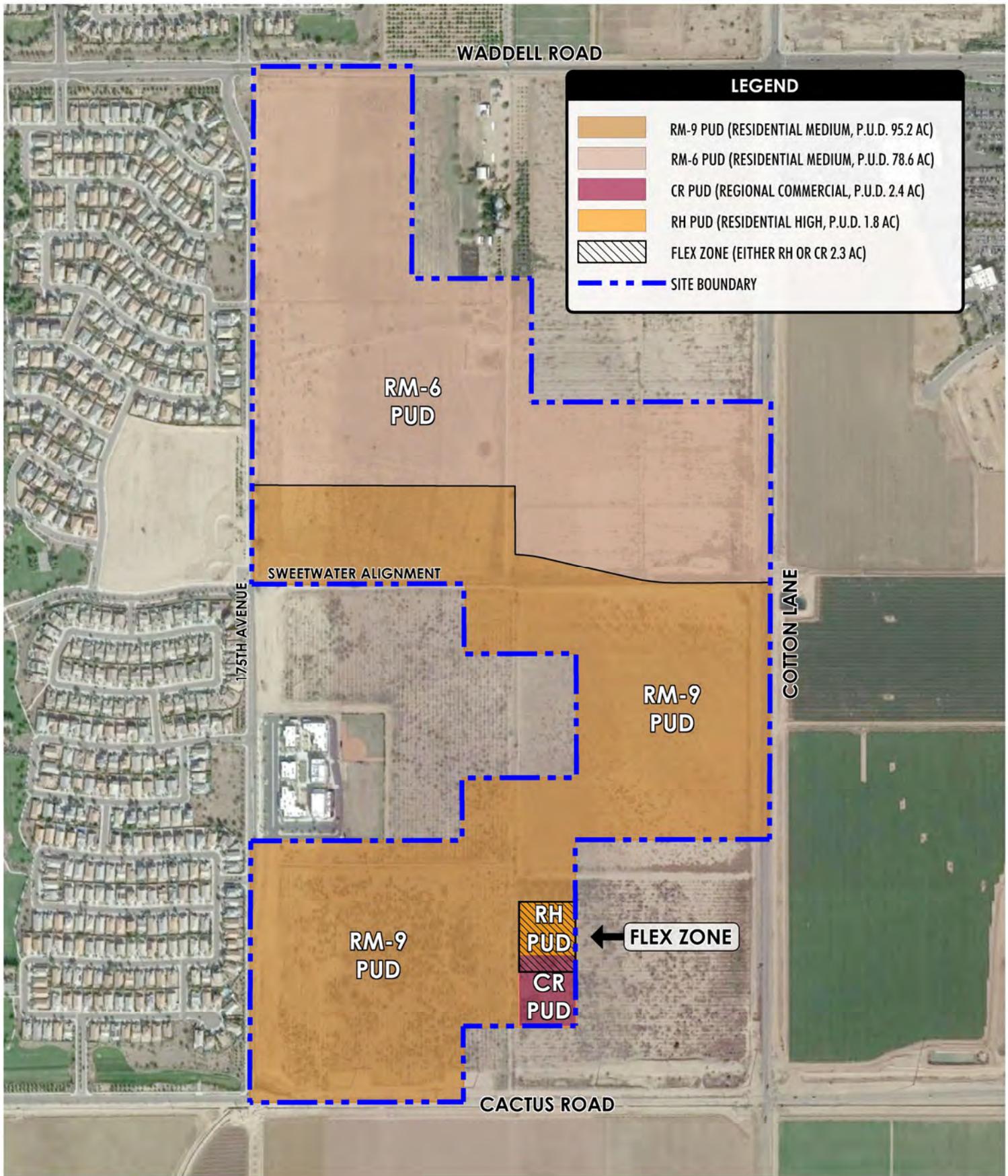
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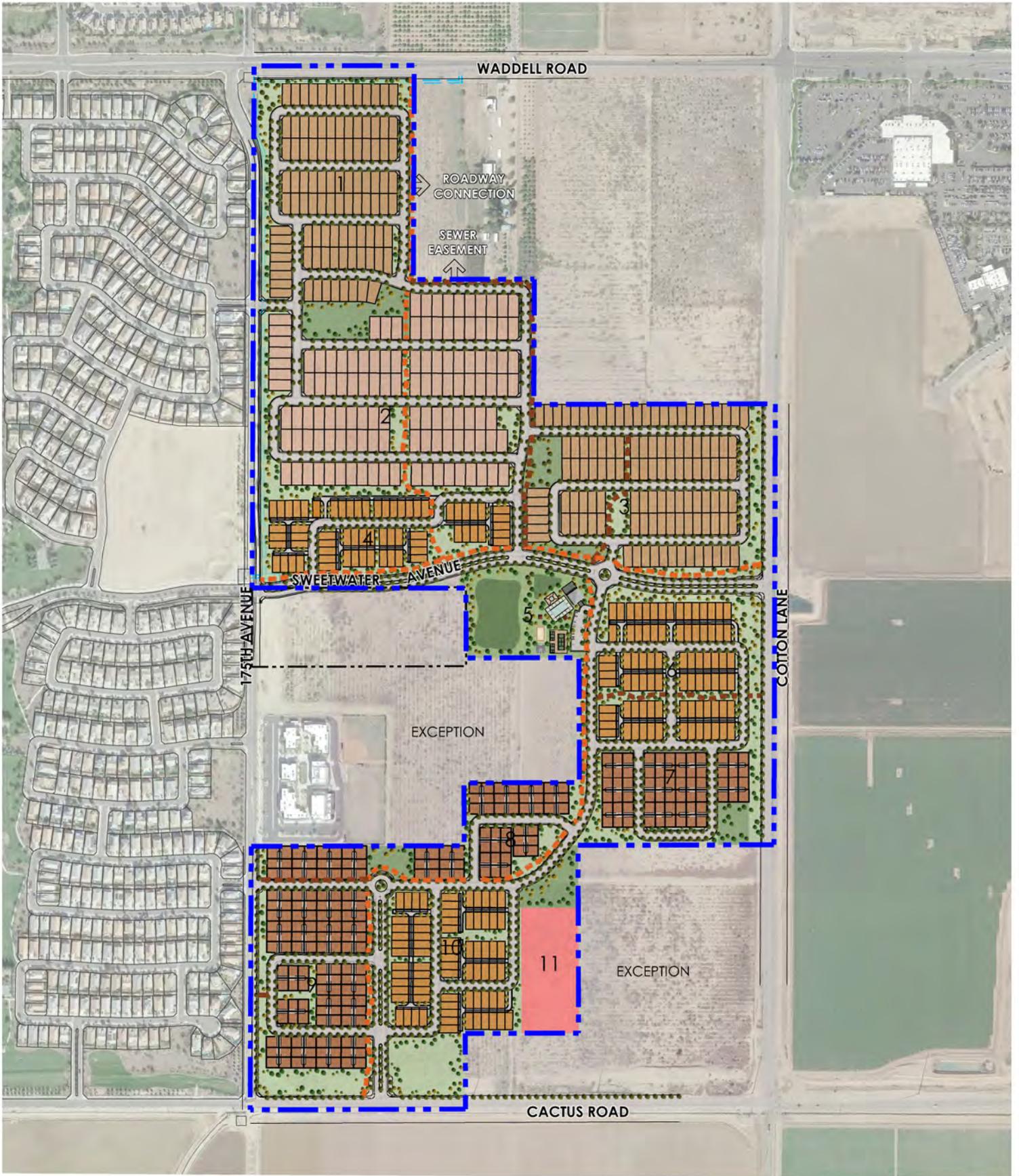
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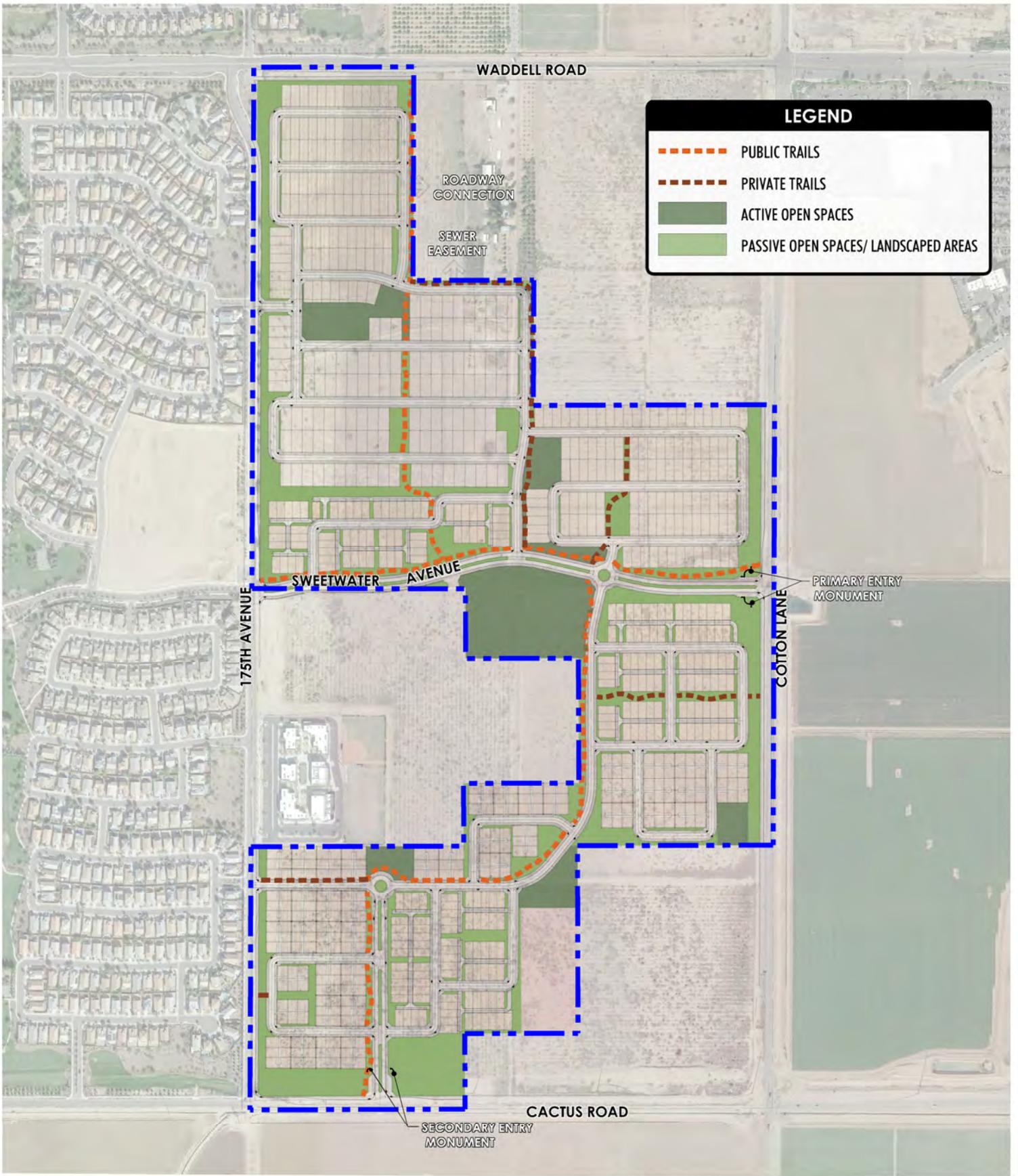




MAGNOLIA

FIGURE 3: DEVELOPMENT PLAN CONCEPT







MAGNOLIA

FIGURE 5: TRUMAN COMMUNITY CENTER SKETCH CONCEPT

APPROX. SCALE:NTS

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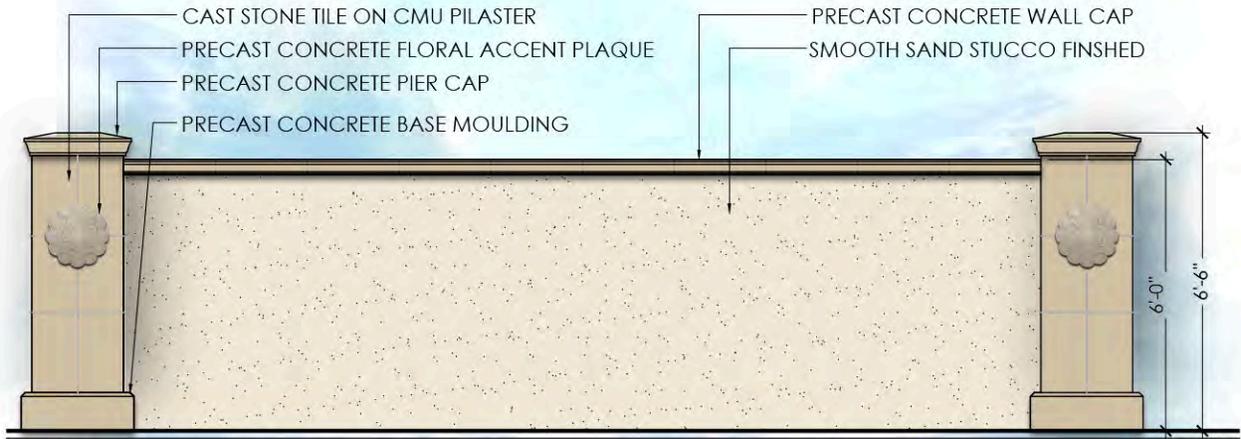
PRIMARY ENTRY MONUMENT



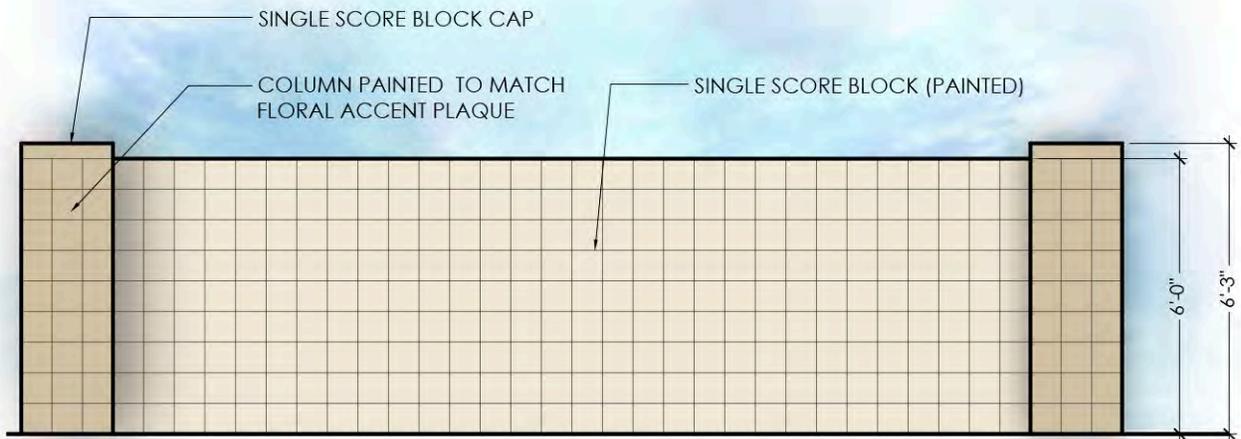
ENTRY FEATURE IN MEDIAN



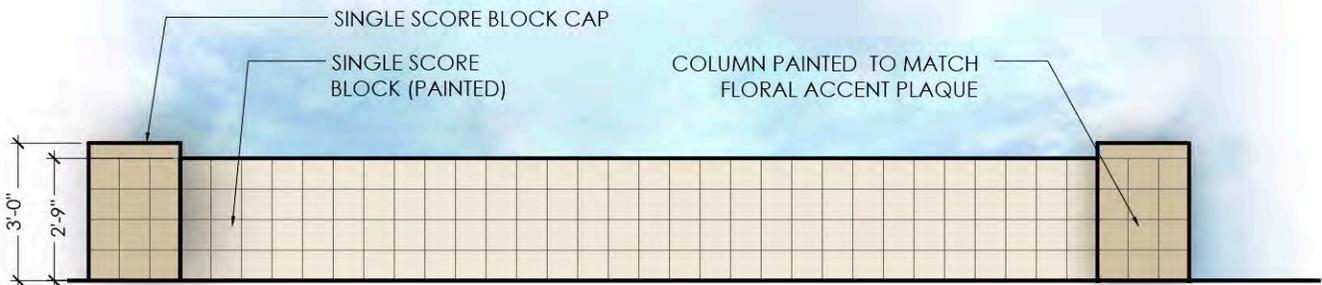
PRIMARY ENTRY PLAN VIEW (COTTON LANE & SWEETWATER AVE)



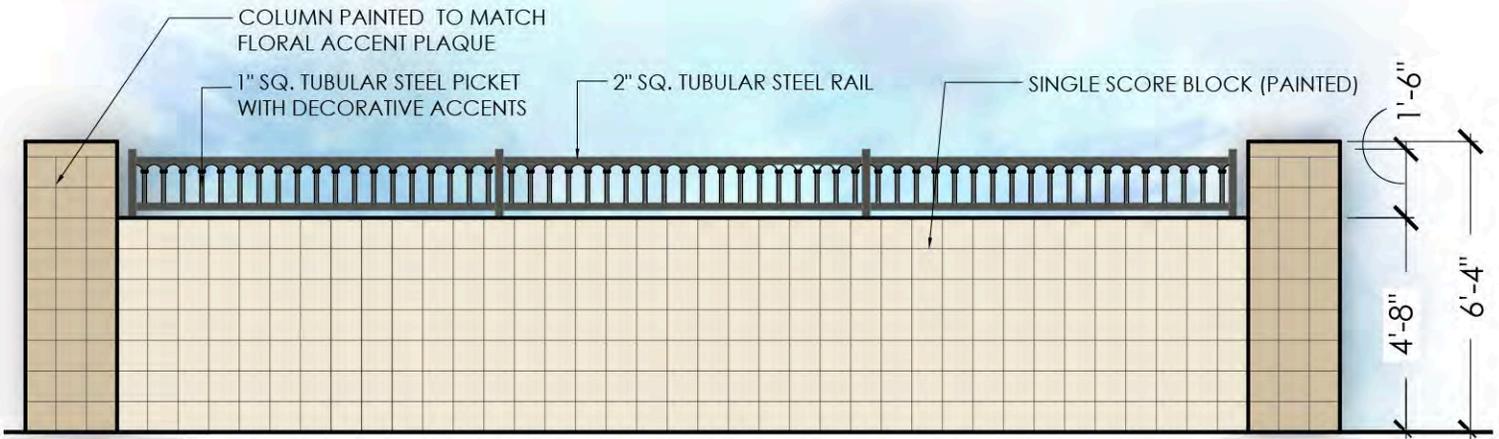
ENHANCED THEME WALL



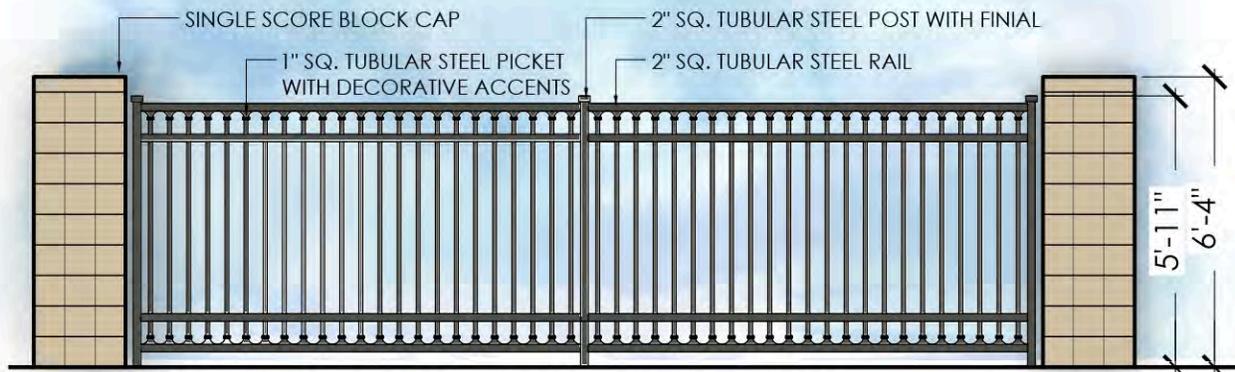
THEME WALL



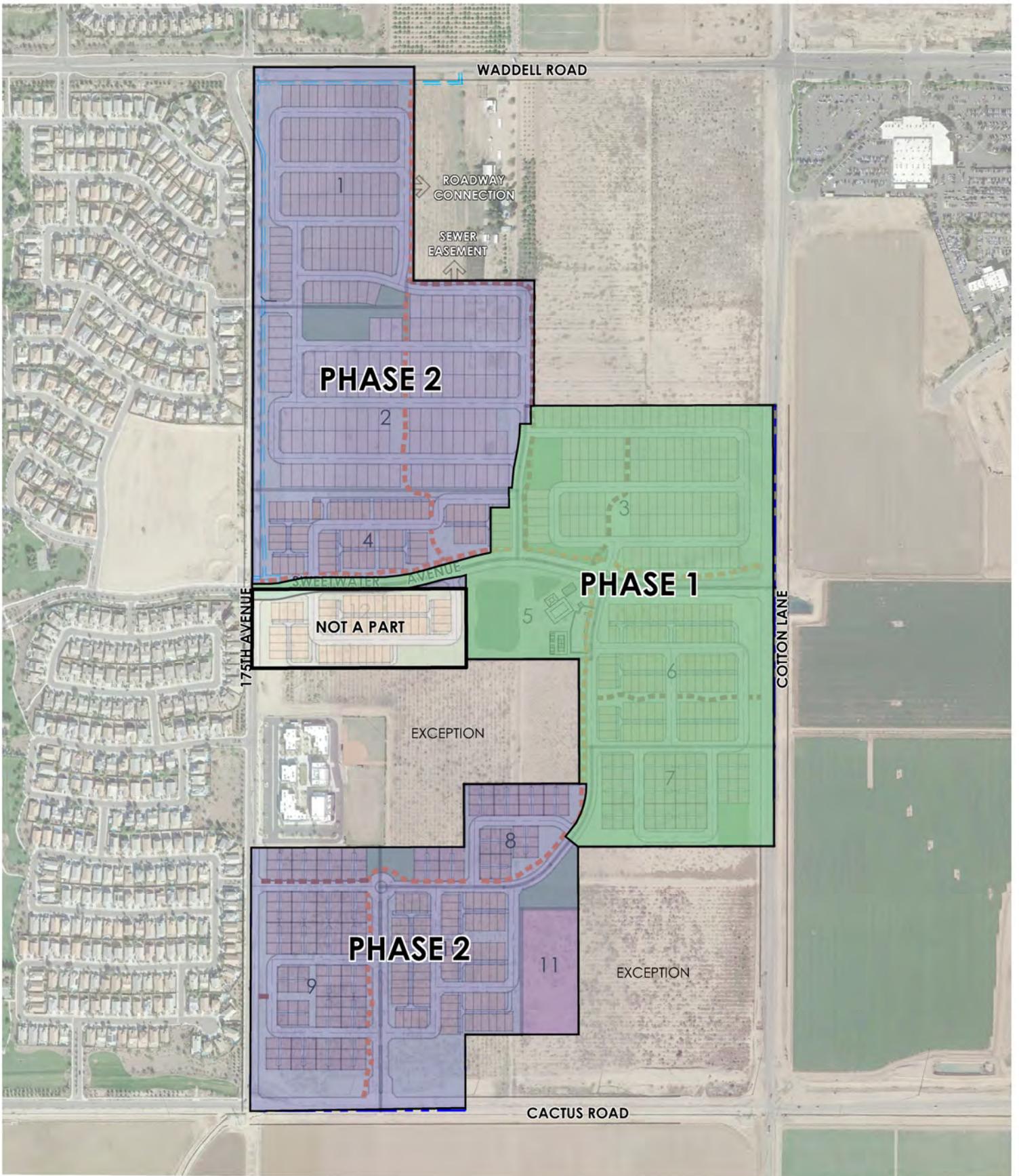
PONY WALL

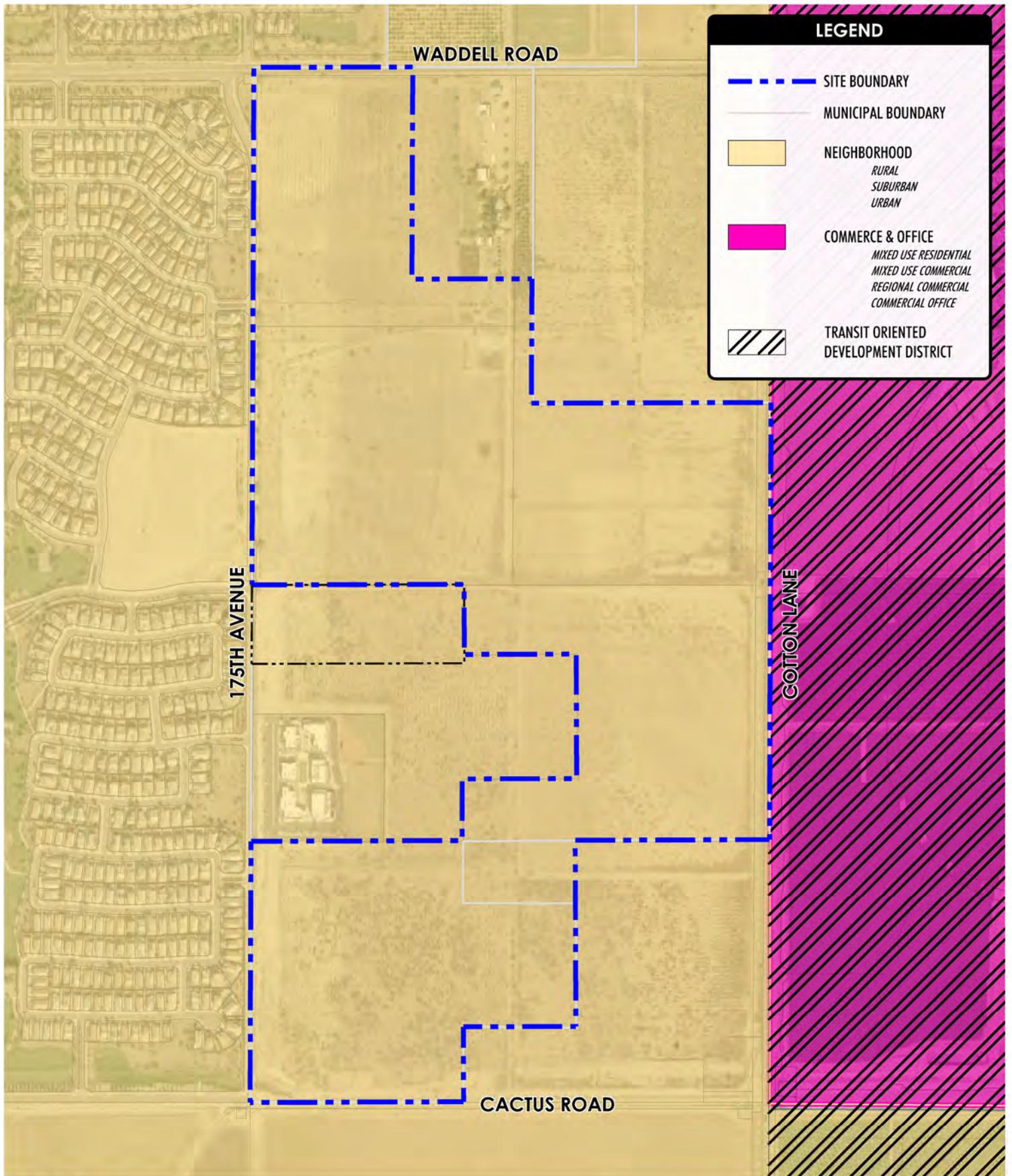


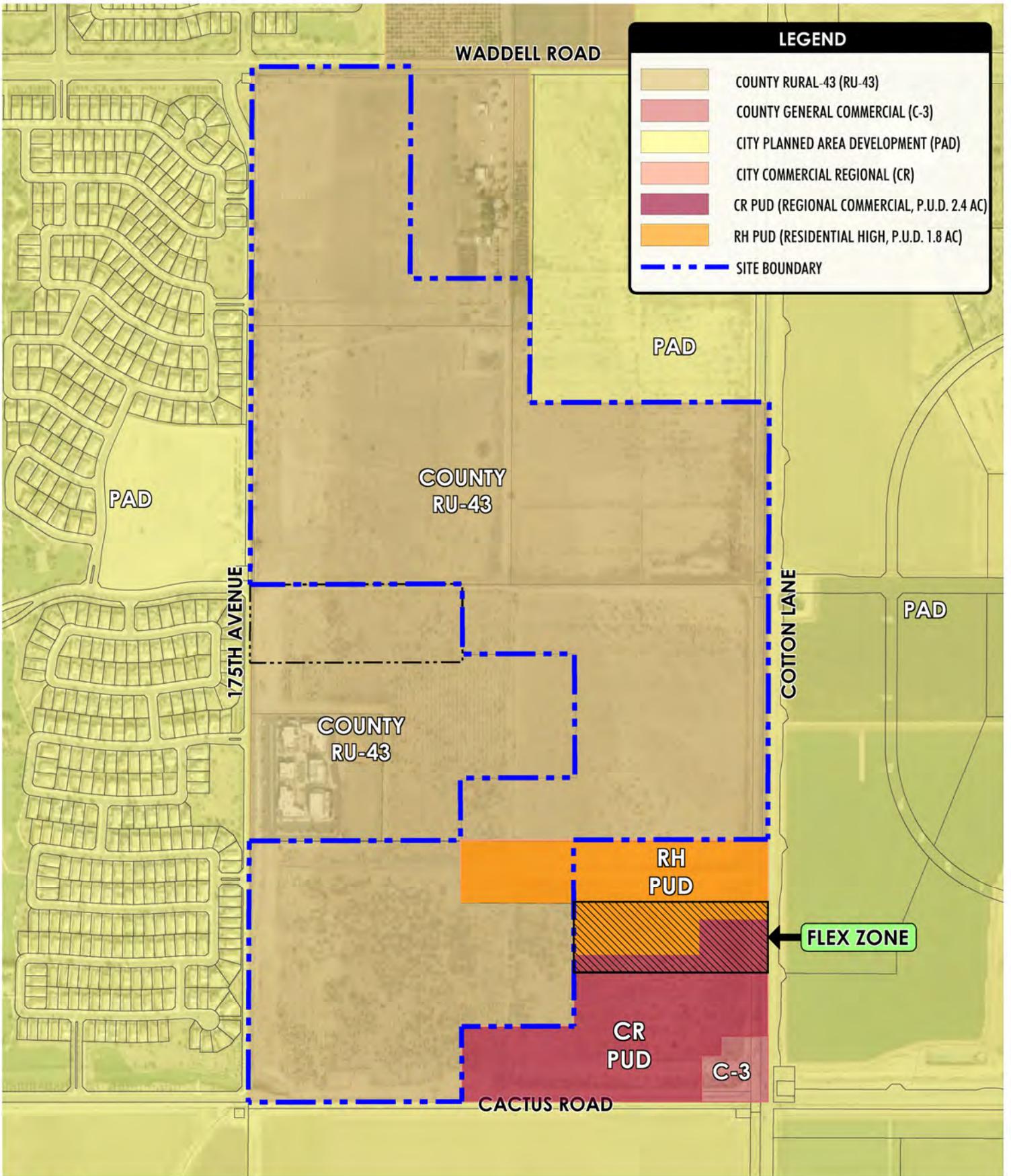
PARTIAL VIEW FENCE (DECORATIVE WROUGHT IRON REQUIRED)



FULL VIEW FENCE (DECORATIVE WROUGHT IRON REQUIRED)







LEGEND	
	COUNTY RURAL-43 (RU-43)
	COUNTY GENERAL COMMERCIAL (C-3)
	CITY PLANNED AREA DEVELOPMENT (PAD)
	CITY COMMERCIAL REGIONAL (CR)
	CR PUD (REGIONAL COMMERCIAL, P.U.D. 2.4 AC)
	RH PUD (RESIDENTIAL HIGH, P.U.D. 1.8 AC)
	SITE BOUNDARY

