

1 **Case:** **FS16-391**
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3 **Project Name:** 175th & Sweetwater Preliminary Plat
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5 **Council District:** 3
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7 **Meeting Date:** **February 7, 2017** (continued from January 17, 2017)
8
9 **Planner:** Robert H. Kuhfuss, AICP
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12 **Owner:** A & B Investments, Inc.
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14 **Applicant:** Mark Reddie of LVA Urban Design Studio on behalf of AZ Community
15 Development, LLC
16
17 **Request:** Preliminary Plat
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19 **Site Location:** Southeast corner of 175th Avenue and Sweetwater Avenue
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21 **Site Size:** 10 acres (approx.)
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23 **Density:** 4.9 DU/Ac
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25 **General Plan Conformance:** The proposal is consistent with the Surprise General Plan 2035
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27 **Support/Opposition:** None known
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29 **Staff Recommendation:** **Approve**, subject to stipulations ‘a’ through ‘g’
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31 **Commission**
32 **Recommendation:** **Approve**, subject to stipulations ‘a’ through ‘g’
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40 **Introduction:**

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42 Mark Reddie of LVA Urban Design Studio, on behalf of AZ Community Development, LLC, seeks
43 approval of five (5) separate requests relating to the proposed development in what is currently a
44 county island located in the western portion of Surprise, near Sarah Ann Ranch. These five requests
45 are listed below, with the subject request highlighted in **bold font**; however, this report should be
46 read in the context of the other four requests.

47
48 Case FS16-391 – 175th & Sweetwater

- 49 • Zone Change from RR to RM-9 PUD
- 50 • **Preliminary Plat**

51 Case FS16-392 – Magnolia

- 52 • Rezone from RR to RM-6 PUD; from RR to RM-9 PUD; from RH PUD to RM-9 PUD; from RR
53 to RH PUD with Flex Zone; from RR to CR PUD with Flex Zone and from RR to CR PUD.
- 54 • Preliminary Plat

55 Case FS16-427 – Annexation*, **

56
57 Four of the five aforementioned requests were presented to the Planning and Zoning Commission,
58 who made a favorable recommendation to the City Council. The City Council heard the four
59 requests on January 17, 2017, but continued same to a date-certain of February 7, 2017 at the
60 applicant’s request. The fifth request involves the actual annexation of the property and was
61 approved by the City Council on January 17, 2017.

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63 The following map depicts the county island status as currently existing and post-annexation.
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67 * The annexation request was initially tied to FS16-391 and FS16-392; however, due to the differing land masses
68 involved, the annexation was broken out from the other two cases and assigned its own case number.

69 ** The blank petition relating to the proposed annexation was reviewed and heard by the City Council during a public
70 hearing conducted on November 15, 2016. The City Council approved the annexation on January 17, 2017. Information
71 regarding the proposed annexation is discussed under separate cover.

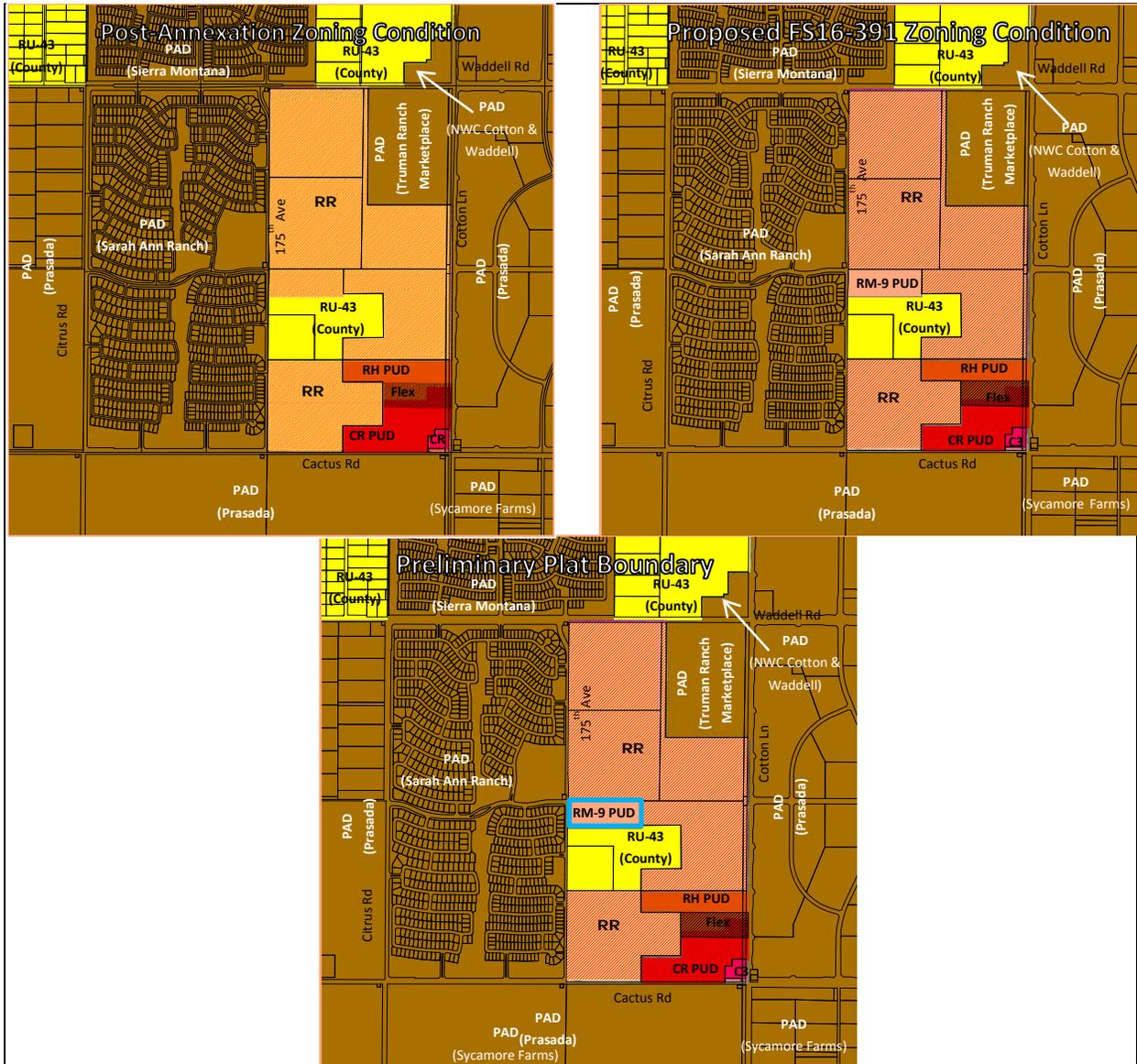
72 **Project Description:**

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74 The subject request involves a 10-acre, 49-lot Preliminary Plat in the proposed RM-9 PUD zoning
75 district and anticipates the prior approval of the aforementioned annexation case proposed under
76 FS16-427, as well as the related zone change request under FS16-391. This Preliminary Plat also
77 anticipates the approval of the Preliminary Plat sought under case FS16-392 for the Magnolia
78 project as the two are interconnected as will be discussed later in this report. This Preliminary Plat
79 also anticipates a single lot product type, provides 2.4 acres of open space and implements the
80 development standards, amenities, and other design features of the PUD Overlay.

81
82 **Surrounding Land Zoning:**

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84 The aforementioned annexation covers a large portion (approximately 203 acres) of the
85 unincorporated land located within the affected county island with the exception of any land
86 located north of Waddell Road as well as the Paradise Honors school campus. Similarly, the FS16-
87 391 Zone Change and Preliminary Plat only encompass a portion of the annexation area. The
88 following three (3) maps depict the post-annexation zoning condition, the proposed zoning
89 condition assuming the FS16-391 zone change is approved, and the subject Preliminary Plat.

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91 [See map set on following page.]



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Background:

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

August 8, 2016: Staff met with the applicant to discuss RU annexation logistics.

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

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

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

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

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

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

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

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

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

124
125 **January 5, 2017:** The Planning and Zoning Commission recommended approval of the requested
126 zone change subject to staff-recommended stipulation “a” through “g”.

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128 **January 17, 2017:** The City Council continued the subject request to a date-certain of February 7,
129 2017 at the applicant’s request.

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131 **Citizen Outreach:**

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

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149 **Analysis and Discussion:**

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 151 Unlike typical “PAD” zoning, the subject request falls under the current SUDC. As such, the uses
 152 associated with each of the proposed zoning districts are per Section 122-43 of the SUDC. The PUD
 153 Overlay proposed under the companion case, however, will allow certain deviations from the
 154 development standards as specified in the SUDC. The following table as taken from the zoning
 155 narrative expresses the proposed residential development standards applicable to the site. Those
 156 items expressed in red font deviate from the base standard. Also of note are several footnotes
 157 which serve to clarify how certain development standards are to be applied.
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Table 1: RM-9 PUD Development Standards

Development Standard	RM-9 City Base Standard	Proposed RM-9 PUD Standard
Maximum Number of Units	N/A	525
Maximum Density	9.0	9.0
Minimum Lot Area (sf)	4,500	3,000
Minimum Lot Width (ft)	40	40
Minimum Lot Depth (ft)	100	60
Minimum Front Yard Setback (ft) (1) (2)	12/20	8/20
Minimum Side Yard Setback (ft) (3)	TBD	5
Minimum Rear Yard Setback (ft)	20	13
Maximum Building Height (ft)	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 8' setback (unless adjacent to a PUE, in which case the minimum front setback 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.

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 160
 161 The subject Preliminary Plat proposes alley loaded products. The related zone change anticipates
 162 this lot product and includes a PUD Overlay to amend the development standards accordingly. The
 163 lot product is illustrated on Sheet 3 of the Preliminary Plat along with the Development Standards
 164 table included in the zoning narrative. Staff notes that considerable effort went into creating the
 165 development standards that would meet the objectives of the applicant while addressing staff
 166 concerns over as parking, trash collection, fire access, and proximity to public utility easements.
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168 Sweetwater Avenue will bisect the site, with access to both Cotton Lane and 175th Avenue. The
169 majority of Sweetwater Avenue is located within the Magnolia project; however, a small portion of
170 that right-of-way located within the 175th & Sweetwater project. Since Sweetwater Avenue
171 cohabitates both projects, it is essential that both Phase 1 of the Magnolia project be platted and
172 developed concurrently with the 175th & Sweetwater project. As an alternative, Sweetwater
173 Avenue could be implemented in its entirety through a Master Plat, a Map of Dedication or a
174 combined Final Plat. Staff has included a stipulation to addresses this issue.

175
176 The 175th & Sweetwater project provides approximately 2.4 acres of open space, which includes
177 perimeter and end-block landscape tracts, and co-use turf/retention areas. Although the amenities
178 associated with this Preliminary Plat are minimal, the project is immediately adjacent to the highly
179 amenitized Truman Community Center. Further, the intent is for this Preliminary Plat to integrate
180 with the Magnolia project to the extent of being part of the same HOA. As with Magnolia,
181 Sweetwater Avenue will be flanked on either side by a substantial open space tract thereby
182 enhancing the openness of the neighborhood.

183
184 The development will include certain wall configurations, which are consistent with the Magnolia
185 project. Figure 7 of the zoning narrative best illustrate the wall configuration, although the same
186 are illustrated on Sheet WD-1 of the subject Preliminary Landscape Plan. The locations of these
187 wall and entry features are expressed on Sheet W-1 of the Preliminary Landscape Plan.

188
189 The project will be well landscaped using a robust plant palette intended to enhance and reinforce
190 the overall theme of the community. Most, but not all, of the plant species identified on the
191 Preliminary Landscape Plan are included in the Arizona Department of Water Resources (ADWR)
192 List of Drought Tolerant Plant Species. Several species listed on the Preliminary Landscape Plan,
193 such as but not limited to the Magnolia tree, are not on the AWDR list; however, these plants will
194 be used sparingly throughout the project. Staff notes that per the SUDC, only those plant species
195 that are included in the ADWR list may be used within the public right-of-way. Further, the use of
196 turf within the median of a public right-of-way is prohibited. The proposed landscape design meets
197 these requirements.

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199 **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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204 **Conformance with Adopted Plans:**

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206 **Surprise General Plan 2035:** The Surprise General Plan 2035 shows the subject property as lying
207 within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac
208 or more, provided appropriate transitions are made between the various Neighborhood types
209 included within the character area. The subject proposal contemplates up to 49 dwelling units,
210 which equates to approximately 4.9 DU/Ac. As such the proposed zoning most closely aligns with
211 the Suburban Neighborhood type and is consistent with the General Plan.

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213 **Reviewing Agencies:**

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

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219 **Arizona Department of Transportation (ADOT):** In an email dated September 20, 2016 (attached),
220 ADOT indicated the proposed development would not affect any ADOT highway facilities.

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

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227 **Surprise GIS:** City of Surprise GIS requires certain revisions relating to the AutoCAD files for the
228 project. Staff has included a stipulation to address this issue.

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230 **Summary:**

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232 The 175th & Sweetwater project is very well designed and is consistent with the General Plan and
233 SUDC as amended by the PUD Overlay. The proposed development standards requested under the
234 PUD Overlay will allow the applicant to develop the site in a creative manner in keeping with the
235 intent of the SUDC and satisfying staff concerns. Amenities included will provide recreational
236 opportunities for the neighborhood residents.

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238 **Findings:**

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- 240 • The proposed Preliminary Plat is consistent with the zone change proposed under case
- 241 FS16-391.
- 242 • The proposed development standards will allow the property to be reasonably developed.

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247 **Commission Recommendation:**

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The Planning and Zoning recommended **approval** of the subject Preliminary Plat request to the City Council, subject to stipulations ‘a’ through ‘g’ as outlined below:

- a. Development of the site shall be in substantial conformance with the Preliminary Plat entitled “S.E.C 175th Ave & Sweetwater”, prepared by David Evans and Associates, dated revised November 2016 and stamped received November 28, 2016, except as modified by the following stipulations.
- b. Landscaping of the development shall be consistent with the Preliminary Landscape Plan entitled “175th & Sweetwater”, Prepared by LVA Urban Design Studio, dated revised November 2016 and stamped received November 7, 2016, except as modified by the following stipulations.
- c. Final Platting of Phase I of the 175th & Sweetwater development shall occur concurrently with the Final Platting of the Magnolia development contemplated under FS16-392, unless an alternative methodology is approved by the City of Surprise with respect to the Sweetwater Avenue right-of-way.
- d. Prior to Final Plat approval, the applicant shall obtain approval from the Maricopa Water District with respect to the development’s effect on MWD facilities.
- e. Within 30 days of approval of the subject Preliminary Plat by the City Council, the applicant shall submit revised AutoCAD drawings in accordance with City of Surprise GIS standards.
- f. Approval of this Preliminary Plat request presumes the approval of the rezone proposed under FS16-391. Should said rezone request fail, the subject Preliminary Plat granted under the subject approval is null and void.
- g. 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.

The Council is free to accept the Commission’s findings and recommendation; however, should the City Council wish to deny the request, the Council should make its own findings and base its decision on those alternative findings.

290	<u>Attachments:</u>
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292	01 Vicinity Map (1 page)
293	02 Case Map (1 page)
294	03 Preliminary Plat (5 pages)
295	04 Preliminary Landscape Plan (5 pages)
296	05 Luke AFB comments (2 pages)
297	06 ADOT comments (1 page)
298	07 MWD comments (1 page)