

63191-0001



July 29, 2008

Andy Jochums
480-429-3100

**RE: City Council Approval for PADA08-044
Sierra Verde Parcel 8 PADA**

Dear Applicant:

The above-referenced application was approved on July 24, 2008, by the City of Surprise City Council. Attached is a copy of any approved stipulations.

In order to finalize the approval, the applicant must submit the following items **within fifteen (15) days** of this notice:

1. One (1) copy of the updated PADA, including all adopted stipulations, the ordinance approving the PADA and any modifications approved by the City Council.

The applicant must now remove from the property all signage advertising the public hearings. These signs **must be removed** within one week after the final disposition of the case.

If you require further information or assistance, please do not hesitate to contact the Planning office at 623.222.3133.

Sincerely,

SURPRISE COMMUNITY DEVELOPMENT

STIPULATIONS

REQUIRED ACTIONS. The applicant and/or owner shall comply with the following stipulations of Case PADA08-044, Sierra Verde Parcel 8.

- a. All public notice signs shall be removed from the site immediately following a final decision by the City Council as applicable.
- b. All parcel numbers shall be active prior to submittal of any building permit and shall stay active throughout the construction process until a Letter of Compliance and/or Certificate of Occupancy is issued. Any subdivision or lot split shall be reviewed and approved by the City of Surprise prior to recordation with Maricopa County.
- c. All future landscape plan submittals shall comply with the Planning and Design Guidelines Manual. Any changes to the Design Guidelines shall either meet or exceed the standards.
- d. Grass will only be allowed in active recreation areas only. Grass in the public medians or right of way is prohibited. Synthetic turf, granite and low water use plants will be allowed in the median and right of way.

ORDINANCE #08-30

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF
THE CITY OF SURPRISE, ARIZONA, APPROVING A
PLANNED AREA DEVELOPMENT AMENDMENT, PADA
08-044, FOR A PROJECT KNOWN AS "SIERRA VERDE
PARCEL 8", LOCATED GENERALLY ON THE
SOUTHWEST CORNER OF GREENWAY AND
LITCHFIELD ROADS.**

WHEREAS, this Ordinance has been properly noticed for public hearing and the necessary hearings and opportunity for public input have been completed; and

WHEREAS, the original Sierra Verde PAD was approved by Council on August 22, 2002; and

WHEREAS, the PADA08-044 requests a change in the existing land use designation from medium/high density residential to mixed-use, and

WHEREAS, the amendment is in harmony with the purposes and intent of the zoning ordinance, the plan for the area, and the Surprise General Plan 2020; and

WHEREAS, the amendment is subject to stipulations as defined in the Report to the City Council as attached.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Surprise, as follows:

Section 1. This ordinance is not of a general and permanent nature and shall not be codified.

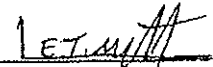
Section 2. The Sierra Verde PAD Amendment, submitted as application PADA08-044, a copy of which is on file in the Community Development Department, is approved.

Section 3. All present and future owners of the property described in the staff report shall develop the property only in accordance with the requirements and exhibits found in the PAD document, and in compliance with the stipulations contained in the Report to the City Council attached.

Section 4. This Ordinance shall become effective thirty-one (31) days after formal passage by the Council.

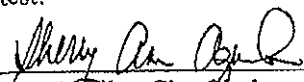
[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

APPROVED AND ADOPTED this 24th day of July, 2008.



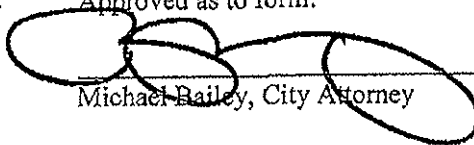
L.E. Truitt, Mayor

Attest:



Sherry Aguilar, City Clerk

Approved as to form:



Michael Bailey, City Attorney

Yeas: Mayor Truitt, Vice Mayor Villanueva, Council Members; Longabaugh, Alton,
Williams, Johnson and Hall.

Nays: _____

**CITY OF SURPRISE
COMMUNITY DEVELOPMENT DEPARTMENT**

PADA08-044

Planned Area Development Amendment

for:

Sierra Verde Parcel 8

City Council

Hearing Date: **July 10, 2008**

STAFF:	Adam Copeland, 623.222.3137
LOCATION:	On the SWC of Greenway Road and Litchfield Road.
DESCRIPTION OF THE REQUEST:	Approval of a Planned Area Development Amendment.
SUMMARY ANALYSIS:	The applicant is requesting a Planned Area Development Amendment approval.

City of Surprise
Planning and Zoning Division

EXECUTIVE SUMMARY

PADA08-044
Sierra Verde Parcel 8

APPLICANT:	Andy Jochums Beus Gilbert, PLLC 4800 North Scottsdale Road, Suite 6000 Scottsdale, AZ 85251 P: 480.429.3000 F: 480.429.3100 ajochums@beusgilbert.com
OWNER:	Katie Vance 3400 Carillon Point Kirkland, WA 98033 P: 425.250.1050 F: 425.250.1051
HEARING DATE:	June 03, 2008
STAFF:	Adam Copeland
LOCATION:	On the SWC of Greenway Road and Litchfield Road.
DESCRIPTION of the REQUEST:	Approval of a Planned Area Development Amendment.
STAFF RECOMMENDATION:	Approval
SUMMARY ANALYSIS:	The applicant is requesting a Planned Area Development Amendment approval for Sierra Verde Parcel 8.

HISTORY

1. On August 22, 2002, the City Council approved a Planned Area Development for Sierra Verde. The land use classification on Parcel 8 was mixed use.

2. On October 19, 2006 the City Council approved a Planned Area Development Amendment for Sierra Verde Parcels 7 and 8 changing the land use classification from mixed use to medium/high density residential and commercial.
3. The applicant submitted a project known as the "The Brownstones" on October 12, 2006 to Community Development, but it never moved forward to the Planning and Zoning Commission and City Council. This was due to the current downturn in the housing market for single-family attached townhomes.
4. Parcels 7 and 8 are currently undeveloped, but have existing paved access and available infrastructure. Parcels 1 through 6 have been fully developed.

STAFF ANALYSIS

Proposal:

The applicant is requesting a Planned Area Development Amendment to Sierra Verde Parcel 8. Because of market conditions, the current approved land use classification (medium/high density residential) is proposed to change back to the original designation of mixed use. The density of the project will remain at the originally approved residential unit count of 234.

Development Standards:

Staff worked with the applicant to provide a list of performance standards that shall be addressed at the time of site plan review. These performance standards include:

- Strong community scale design characteristics.
- Pedestrian level lighting.
- Sidewalks with tree grates, where appropriate.
- Plazas and courtyards.
- Promotion of adjacent community use through design.
- Appropriate building orientation and scale.
- Design and landscape sensitivity to directly adjacent single-family residential.
- Enhanced corner treatments at Greenway Road and Litchfield Road, as well as Greenway Road and 140th Drive.

Circulation:

Access to the site will be from Greenway Road to the north, Litchfield Road to the east, and 140th Drive to the west. More detail will be provided at the time of site plan.

Schools:

Any residential use proposed on the site shall be required to enter into a school district agreement prior to moving forward to the Planning and Zoning Commission or City Council.

Community Outreach:

A community outreach meeting was held on March 26, 2008. The applicant went over the land use proposal, making the residents aware that no apartments will be permitted on site. Some residents had concerns regarding the design and architecture. The applicant agreed to add performance standards to the Planned Area Development Amendment document.

City staff commented that we will ensure that the architecture is at the same quality as the last project known as "The Brownstones." Residents wanted to ensure the project was designed to fit into the community well. Some questions arose about access, and the

applicant explained a traffic impact analysis will be required at the time of site planning. General access was explained.

Other residents talked about green approaches to the development. Staff encourages this type of development, and encouraged the applicant to consider energy efficient approaches to the design at the time of site plan review.

Planning and Zoning Commission Minutes:

• **Item 10: PADA08-044 – Consideration and Action – Sierra Verde Parcel 8.**

Planner Adam Copeland presented the project to the Commission. Staff recommended approval of **PADA08-044 – Sierra Verde Parcel 8**, subject to stipulations 'a' through 'd.'

Paul Gilbert, representing the applicant, stated that this amendment is requesting the land use to be returned to what the original PAD provided, with two changes, eliminate the possibility of apartments and more design standards.

In response to Chair Blair, Mr. Gilbert stated that this property owner will be the master developer. Different parcels will be sold but this owner is the master developer.

Chair Blair opened the meeting for public comment.

Leo Mankiewicz, Surprise resident in Sierra Verde area, stated that he had a very good interaction with developers and is happy with what's happening in the area.

Vice Chair Somers made a motion to **approve PADA08-044 – Sierra Verde Parcel 8**, and adopt staff's findings, subject to stipulations 'a' through 'd.' Commissioner Chapman seconded the motion. The motion passed with a vote of 6 ayes and 1 absent (Bieniek).

Departmental Review:

(All departments have recommended approval of the project subject to all stipulations.)

The Traffic Division will require a traffic impact analysis at the time of site plan review. Traffic provided minor comments on some of the language in the PAD document regarding driveways.

The Fire Department had no comments

The Planning Division recommended that performance standards should included in the document.

The Building Safety Division commented that at the time of site plan review the items below will need to be addressed:

1. Occupancy type(s)
2. Construction type(s)
3. Accessible parking calculations and layout will be reviewed as conceptual only; final is with construction document review and construction inspections.

The Water Serviced Department had no comments.

The Engineering Department needed clarification on an in-lieu payment that was made by the master developer for all of Greenway Road future median improvements. The applicant provided all information requested.

FINDINGS

1. The City Council finds that the proposed planned area development complies with Section 125-35 (c) (2) of the Surprise Municipal Code, which lists considerations of review.
2. The City Council finds that the proposed planned area development complies with Section 125-194 of the Surprise Municipal Code, which allows an alternative to conventional zoning and development approaches and processes per the City of Surprise Municipal Code.
3. The City Council finds that the proposed development meets the guidelines that are set forth in the Planning and Design Guidelines chapter 1 through 9.
4. The City Council finds that the proposed development is consistent with the Surprise General Plan 2020 residential, open space, commercial, mixed use and employment land use categories.

STIPULATIONS

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#13



CITY OF SURPRISE
Main Agenda

July 24, 2008 @ 6:00:00 PM

+ Back Print



Council Meeting Date:	July 24, 2008	Contact Person:	Adam Copeland, Community Development
Submitting Department:	City Clerk	District:	5
Staff Recommendations:	Approve		

Consent	<input checked="" type="checkbox"/>	Regular	<input type="checkbox"/>	Public Hearing	<input type="checkbox"/>	Report/Discussion	<input type="checkbox"/>
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Agenda Wording:

Consideration and action on the final reading of Ordinance No. 08-30, an Ordinance of the Mayor and Council of the City of Surprise, Arizona, approving a Planned Area Development for a project known as "Sierra Verde Parcel 8" (PADA08-044), consisting of changing the existing land use from medium/high density residential to mixed-use. The subject site consists of approximately 17.48 acres located on the southwest corner of Greenway Road and Litchfield Road. (Final Reading)

Motion:

I move to approve the final reading of Ordinance No. 08-30.

Background:

1. On August 22, 2002, the City Council approved a Planned Area Development for Sierra Verde. The land use classification on Parcel 8 was mixed use. 2. On October 19, 2006 the City Council approved a Planned Area Development Amendment for Sierra Verde Parcels 7 and 8 changing the land use classification from mixed use to medium/high density residential and commercial. 3. The applicant submitted a project known as the "The Brownstones" on October 12, 2006 to Community Development, but it never moved forward to the Planning and Zoning Commission and City Council. This was due to the current downturn in the housing market for single-family attached townhomes. 4. Parcels 7 and 8 are currently undeveloped, but have existing paved access and available infrastructure. Parcels 1 through 6 have been fully developed.

Financial Impact Statement:

All activity related to ongoing development of the city of Surprise has an economic and fiscal impact on the city and the region.

ATTACHMENTS:

Click to download

- ORDINANCE
- STAFF REPORT

External Attachment Links:

Meeting Requirements:

Powerpoint x Video White Board Other x

Presentation Speaker Names (spelling and titles for TV captions):

ADAM COPELAND, PLANNER, COMMUNITY DEVELOPMENT

=====
City Clerk's Office only

Council Action

Motion/Second:

Results:

Truitt	_____	For	<u>7</u>
Longabaugh	_____	Against	<u>0</u>
Alton	_____	Passed	<u>XX</u>
Williams	<u>S</u>	Failed	_____
Villanueva	_____	Continue	_____
Johnson	<u>M</u>	Tabled	_____
Hall	_____	Absent	_____

first reading