



CITY OF SURPRISE
Regular City Council Meeting
16000 N. Civic Center Plaza
Surprise, AZ 85374
Tuesday, May 18, 2021 @ 6:00 PM
COUNCIL CHAMBERS

Amended agenda May 13, 2021 at 3:25 PM - Added Proclamation

A. Call To Order

Any prayer or invocation that may be offered before the start of the Regular Council Meeting is a voluntary offering by a private resident of Surprise; has not been previously reviewed or approved by City Council or City staff; should not be considered an endorsement of any particular religion by the City or its officials, as the beliefs, viewpoint, and content are personal to the speaker; and no participation by any person in attendance is required. A list of volunteers is maintained by the office of the City Clerk and interested persons should contact the Clerk's Office for further information.

B. Roll Call

C. Pledge of Allegiance

D. Proclamation and Community Acknowledgements

Proclamation - Recognizing May 9-15, 2021 as National Police Week.

E. City Manager Report

F. City Clerk Report

- | | | |
|----|---|------------------------------|
| 1. | The City Clerk will issue the Oath of Office to the new Surprise Youth Council Members. | None |
| | | Sherry Aguilar
City Clerk |

G. Call To The Public

INSTRUCTIONS: In order to address the City Council, you will need to fill out a Call to the Public Form available at the front counter, and then turn it in to the City Clerk before the meeting begins.

[Download the Call to the Public form](#) (PDF download requires Adobe Acrobat Reader)

[Fill out the Call to the Public form online](#) If submitting form electronically, please submit to City Clerk at least one hour before the meeting start time.

The Call to the Public form is also available at the front counter.

Note: A.R.S. 38-431.01(H)- During this time members of the public may address City Council only on issues within the jurisdiction of the City Council which are not an item on the agenda. At the conclusion of the open call, City Council may respond to criticism, may ask staff to review the matter or may ask that the matter be put on a future agenda. No discussion or action shall take place on any item raised.

Approval of items on the Consent Agenda – all items with an asterisk (*) are considered to be routine matters and will be enacted by one motion and one roll call vote to the City Council. There will be no separate discussion on these items unless a Councilmember requests, in which event the item will be removed from the consent agenda and considered in its normal sequence on the agenda.

Please be aware that Council Members may not discuss or respond to matters raised during call to the public that are not specifically identified on the agenda. Council Members may however, in their discretion, discuss or respond to relevant matters raised during a noticed public hearing or agenda item.

H. Regular City Council Meeting Agenda

CONSENT AGENDA:

- | | | | |
|----|------------|--|--|
| 2. | Citywide | Consideration and action on the minutes of May 4, 2021 Regular City Council Work Session and Regular City Council Meeting. | None

Sherry Aguilar
City Clerk |
| 3. | District 4 | Consideration and action to approve Off Track Wagering for Runner's Sports Bar located at 12751 W. Bell Road, Surprise, Arizona (Crossroads) for the term of June 1, 2021 through May 31, 2024. | None

Sherry Aguilar
City Clerk |
| 4. | District 5 | Consideration and action to approve Off Track Wagering for Brookside II located at 15170 W. Bell Road, Suite 115, Surprise, AZ 85374 for the term of June 1, 2021 through May 31, 2024. | None

Sherry Aguilar
City Clerk |
| 5. | District 4 | Consideration and action pertaining to approval of the Final Plat entitled, "Sahuaro Place" subdividing an approximately 1.050 acre property into four parcels generally located north of Greenway Road and east of Dysart Road, in the Surprise Heritage District Residential Overlay (SHD-RO) zoning district. | None

Shirley Phan
Community
Development |

6.	District 6	Consideration and action pertaining to approval of the Final Plat entitled, Litchfield Self Storage”, subdividing an approximately 24.757 acre property into two parcels generally located on the northwest corner of Litchfield Road and Sweetwater Avenue in the Marley Park PAD; Case FS20-691.	None Sergio Angulo Community Development
7.	District 6	Consideration and action pertaining to the conditional acceptance of certain streets improvements at United Construction Group, generally located at N. Litchfield Road and W. Desert Cove Road; Resolution # 2021-59.	None Mike Gent Public Works
8.	Citywide	Consideration and action pertaining to approval of a Fiscal Year 2021 Budget amendment moving spending authority of \$22,600 within the Southwest Gas Capital Expenditure Fund to the Waddell Road capital improvement project, P61440; Resolution # 2021-66.	None Mike Gent Public Works
9.	Citywide	Consideration and action pertaining to approval of an Intergovernmental Agreement between the City of Surprise and the State of Arizona for the GPS Based Emergency Vehicle Preemption Project; Resolution # 2021-60.	None Kristin Tytler Public Works
10.	District 6	Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at N. 144th Drive and N. 145th Avenue, generally located at N. 144th Avenue and W. Waddell Road. Resolution # 2021-65.	Mike Gent Public Works
11.	District 6	Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at Homestead at Marley Park Phase 4 & 5 Parcel 4; Resolution # 2021-67.	None Mike Gent Public Works
12.	District 6	Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at W. Old Oak Lane, generally located at W. Old Oak Lane and N. Bullard Avenue; Resolution # 2021-62.	Mike Gent Public Works
13.	District 6	Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at Homestead at Marley Park Phase 4 & 5, Parcel 5, generally located at N. 142nd Lane and W. Georgia Drive; Resolution # 2021-68.	Mike Gent Public Works
14.	District 6	Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at Marley Park Phase 4 and 5, Parcel 6, generally located at N. 142nd Lane and W. Waddell Road; Resolution # 2021-69.	None Mike Gent Public Works
15.	District 6	Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at Marley Park Phase 4 and 5, Parcel 7, generally located at N. 142nd Avenue and W. Sweetwater Avenue; Resolution # 2021-70.	None Mike Gent Public Works

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|-----|------------|---|---------------------------------------|
| 16. | District 6 | Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at Homestead at Marley Park Phase 4 & 5, Parcel 8, generally located at West Sweetwater Avenue and North 142nd Avenue; Resolution # 2021-71. | None

Mike Gent
Public Works |
| 17. | District 6 | Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at Homestead at Marley Park Phase 4 & 5, Parcel 9, generally located at West Andora Street and North 144th Lane; Resolution # 2021-72. | None

Mike Gent
Public Works |
| 18. | District 6 | Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at Homestead at Marley Park Phase 4 & 5 – Park A & Model Complex, generally located at W. Old Oak Lane and W. Andora Street; Resolution # 2021-61. | None

Mike Gent
Public Works |
| 19. | District 6 | Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at Sweetwater Avenue, generally located at West Sweetwater Avenue and North Litchfield Road; Resolution # 2021-64. | None

Mike Gent
Public Works |
| 20. | District 6 | Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at West Waddell Road, generally located at West Waddell Road and North Bullard Avenue; Resolution # 2021-63. | None

Mike Gent
Public Works |

REGULAR AGENDA ITEM - PUBLIC HEARING:

- | | | | |
|-----|------------|---|--|
| 21. | District 1 | Consideration and action pertaining to approval of an annexation of an approximately 5.38 acre property known as Enclave III at Paloma Creek, generally located east of 155th Avenue and south of Frontier Drive; Ordinance # 2021-08 (Case FS20-732). | None

Joshua Mike
Community
Development |
| 22. | District 1 | Consideration and action pertaining to approval a rezone of 4.98 acres from Residential Ranch (RR) to Residential Medium Density with a Planned Unit Development Overlay (RM-9 PUD) amending development standards and limiting residential density to 4.01 dwelling units per acre for Enclave II at Paloma Creek, generally located south of the Frontier Road alignment and west of the 155th Avenue alignment; Ordinance # 2021-04 (Case FS20-718). | None

Robert Kuhfuss
Community
Development |
| 23. | District 1 | Consideration and action pertaining to approval of a rezone of 5.38 acres from Residential Ranch (RR) to Residential Medium Density with a Planned Unit Development Overlay (RM-9 PUD) amending development standards and limiting residential density to 3.90 dwelling units per acre for Enclave III at Paloma Creek, generally located south of the Frontier Road alignment and east of the 155th Avenue alignment; Ordinance # 2021-07 (Case FS20-731). | None

Robert Kuhfuss
Community
Development |

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

- | | | | |
|-----|------------|---|--|
| 24. | District 1 | Consideration and action pertaining to approval of a Preliminary Plat entitled, "Asante Unit 2.1 & 2.13" and dated February 5, 2021, an approximately 49.94 acre property generally located north of Asante Boulevard and west of 163rd Avenue in the Asante PAD; Case FS20-504. | None

Sergio Angulo
Community
Development |
| 25. | District 1 | Consideration and action pertaining to approval of the Preliminary Plat entitled, "Hometown Surprise at Austin Ranch II, Parcel E" and dated February 4, 2021, an approximately 60.47 acre property generally located on the southeast corner of Deer Valley Road and Citrus Road; Case FS20-488. | None

Robert Kuhfuss
Community
Development |
| 26. | District 1 | Consideration and action pertaining to approval a Preliminary Plat entitled "North Copper Canyon Parcels 2, 3, and 4" and dated February 8, 2021, an approximately 139.67 acre property generally located west of Citrus Road, between Pinnacle Peak Road and Norwich Drive; Case FS20-333. | None

Robert Kuhfuss
Community
Development |
- I. Other Business and Future Agenda Items
- J. City Council Reports
- K. Executive Session

For information Purposes; Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, but for only the following purposes:

- discussion or consideration of personnel matters (A.R.S. §38-431.03 (A)(1));
- discussion or consideration of records exempt by law from public inspection (A.R.S. §38-401.03 (A)(2));
- discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03 (A)(3));
- discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation (A.R.S. §38-431.03 (a)(4));
- discussion or consultation with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03 (A)(5)); or
- discussion, consultation or consideration for international and interstate negotiations or for negotiations by a city or town, or its designated representatives, with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city or town. A.R.S. §38-401.03 (A)(6)).
- discussing or consulting with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03 (A)(7)).

Confidentiality Requirements Pursuant to A.R.S. §38-431.03(C)(D): Any person receiving executive session information pursuant to A.R.S. §38-431.02 shall not disclose that information except to the Attorney General or County Attorney by agreement of the City Council, or as otherwise ordered by a court of competent jurisdiction.

The council may vote to hold an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03(A)(3).

L. Adjournment

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: May 13, 2021 at 12:25 PM

Amended agenda May 13, 2021 at 3:25 PM - added Proclamation

SPECIAL NOTE: PERSONS WITH SPECIAL ACCESSIBILITY NEEDS, INCLUDING LARGE PRINT MATERIALS OR INTERPRETER, SHOULD CONTACT THE CITY CLERK'S OFFICE @ 623.222.1200 OR TTY 623.222.1002, BY NO LATER THAN 24 HOURS IN ADVANCE OF THE REGULAR SCHEDULED MEETING TIME.



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: May 18, 2021
Submitting Department: City Clerk
Staff Recommendations:

Contact Person:
District: Internal

Consent: No Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Invocation

Motion:

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: May 18, 2021
Submitting Department: City Clerk
Staff Recommendations: None

Contact Person: Mayor Hall
District: Citywide

Consent: No Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Proclamation - Recognizing May 9-15, 2021 as National Police Week.

Motion:

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: May 18, 2021
Submitting Department: City Clerk
Staff Recommendations: None

Contact Person: Sherry Aguilar, City Clerk
District: Internal

Consent: No Regular: Yes Public Hearing: No Report/Discussion: No

Agenda Wording:

The City Clerk will issue the Oath of Office to the new Surprise Youth Council Members.

Motion:

No action taken.

Amiah Trent – 11th
Annaleisa Dixon – 9th
Emily Mionske – 12th
Emma Horton – 12th
Mackenzie Mize – 8th
Nadia Joiner – 10th
Riley LeBlanc – 11th
Soleil Robinson – 12th
Matthew Arroyo – 10th
Stephanie Lopez – 12th
Brooke Wilkins – 10th
Taylee Crockett – 11th
Anna Kate Gent – 9th
Liv Shults – 12th
Maya Calugaru – 10th

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: May 18, 2021
Submitting Department: City Clerk
Staff Recommendations: None

Contact Person: Sherry Aguilar, City Clerk
District: Citywide

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action on the minutes of May 4, 2021 Regular City Council Work Session and Regular City Council Meeting.

Motion:

I move to approve the meeting minutes.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. Work Session 542021
 2. 5421 REG
-

CITY OF SURPRISE
Regular City Council Work Session Minutes
16000 North Civic Center Plaza
Surprise, AZ 85374

Tuesday, May 4, 2021 @ 4:30PM

Call To Order

Roll Call

Mayor Hall called to order the Regular City Council Work Session of May 4, 2021 at 4:30 PM at Surprise City Hall Council Chambers, 16000 N Civic Center Plaza, Surprise, Arizona 85374. Also in attendance with Mayor Hall were Vice Mayor Duffy and Council Members Hastings, Remley, Judd, Winters and Cline.

Staff Present: City Manager, Michael Frazier; City Attorney, Robert Wingo and City Clerk, Sherry Aguilar.

Pledge of Allegiance

Regular City Council Work Session Agenda

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

Call To The Public

John Williams - Promoting the Vista and upcoming shows.

1. Presentation and discussion pertaining to White Tanks Conservancy initiatives - NO ACTION

Government Relations Administrator, Jodi Tas gave an introduction to the guest speakers this evening and turned over the presentation to Les Meyers, Executive Director, Surprise resident and Board Member, Donna Bronski and Councilmember Judd.

The main topic of discussion reviewed the Connectivity Initiative Story Map.

Mayor Hall commented that we have a lot of seniors in our community and would love to hear this story.

Councilmember Judd reminded everyone that there is a website for the White Tanks Conservative that can accept donations.

Vice Mayor Duffy commented that a resident asked if the development is cutting through Jackrabbit trail.

Council Member Cline commented that she will share the info with residents of Sun City Grand, let's discuss how we can do this.

Mayor Hall recognized Mayor Levault from Youngtown, a resident asked what Surprise is going to do to assist, Youngtown has stepped up so I added this item to the agenda.

2. Presentation and discussion pertaining to annual updates to the City's financial policies - NO ACTION

Finance Director, Andrea Davis gave a powerpoint presentation on this item.

Council Member Remley - contributions, how long will it take to catch up?

Ms. Davis - we have to look at it every year. We did dedicate 13 Million towards it, we need to do more but we've made a lot of progress.

Council Member Hastings - 70% funded. Is it with or without the 13 million?

Ms. Davis - without

Council Member Hastings - what percent would we be funded?

Ms. Davis - 45 Million, so 13 of the 45.

Council Member Judd - Need a policy for donated assets, ongoing maintenance costs estimated, this should be clearly defined.

Council Member Cline - Part of the process was a reserve requirement for x number of assets.

Executive Session

Adjournment

Council Member Cline made the motion to adjourn the Regular City Council Work Session of May 4, 2021 at 5:38 PM. Council Member Hastings seconded the motion. Seven yes votes, motion carried.

Skip Hall, Mayor

ATTEST:

Sherry Ann Aguilar, City Clerk, MMC

CERTIFICATION:

I, Sherry Ann Aguilar, City Clerk for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are the true and correct minutes of the Regular City Council Work Session of **Tuesday, May 4, 2021.**

Sherry Ann Aguilar, City Clerk, MMC

CITY OF SURPRISE
Regular City Council Meeting Minutes
16000 North Civic Center Plaza
Surprise, AZ 85374

Tuesday, May 4, 2021 @ 6:00PM

Call To Order

Invocation

Led by Jenica Asseil

Roll Call

Mayor Hall called to order the Regular City Council Meeting of May 4, 2021 at 6:11 PM at Surprise City Hall Council Chambers, 16000 N Civic Center Plaza, Surprise, Arizona 85374. Also in attendance with Mayor Hall were Vice Mayor Duffy and Council Members Hastings, Remley, Judd, Winters and Cline.

Staff Present: City Manager, Michael Frazier; City Attorney, Robert Wingo and City Clerk, Sherry Aguilar.

Pledge of Allegiance

Proclamation and Community Acknowledgements

City Manager Report

1. Reports

City Manager Report - Youth Council reports

City Clerk Report

1. Reports

Call To The Public

Alejandro Christ - April 20th meeting filled with disappointed residents that live on the outskirts of town. The citizens felt they were left out of the loop. I am concerned about the wildlife in this area.

Regular City Council Meeting Agenda

CONSENT AGENDA:

Council Member Cline made the motion to approve the consent agenda, excluding items 4 and 12. Vice Mayor Duffy seconded the motion. Seven yes votes, motion carried.

1. Consideration and action on the minutes of April 16, 2021 Special City Council Meeting and April 20, 2021 Regular City Council Work Session and Regular City Council Meeting - APPROVED

2. Consideration and action pertaining to approval of a Fiscal Year 2021 budget amendment by transferring budget authority of \$175, 500 from General Contingency to the Election 2017 Debt Service Fund for debt issuance fees from the second issuance of the GO Bond; Resolution #2021-44 - APPROVED

3. Consideration and action pertaining to approval of a Fiscal Year 2021 budget amendment by transferring budget authority of \$2, 049, 300 from General Contingency for development agreement reimbursements; Resolution #2021-43 - APPROVED

4. Consideration and action pertaining to adoption of new development services payment processing fees; Resolution # 2021-49 - APPROVED

Councilmember Hastings asked to remove this item from consent to ask for clarification on credit card fees.

Finance Director Andrea Davis gave a powerpoint presentation on this item.

Council Member Cline commented that this is a very low fee, less than what could be charged.

Council Member Hastings at the end of the day, it's still a fee.

Mayor Hall, I understand the concerns but development should pay for development. I am all for it.

Council Member Judd made the motion to approve Resolution 2021-49. Vice Mayor Duffy seconded the motion. Six yes votes, one no vote (Hastings), motion carried.

5. Consideration and action pertaining to adoption of amendments to the FY2022 Comprehensive Financial Management Policies; Resolution #2021-54 - APPROVED

6. Consideration and action pertaining to approval of the Final Plat entitled, Sycamore Farms (Paradisi) “ Parcel B an approximately 36.79 acre property generally located south of the southeast corner of Cactus Road and Cotton Lane in the Sycamore Farms PAD; Case FS20-503 - APPROVED

7. Consideration and action pertaining to approval of the Final Plat entitled, Sycamore Farms (Paradisi) “ Parcel E, an approximately 23.47 acre property generally located south of the southeast corner of Cactus Road and AZ-303 in the Sycamore Farms PAD; Case FS20-525 - APPROVED

8. Consideration and action pertaining to approval the Final Plat entitled, Sycamore Farms (Paradisi) “ Parcel F, an approximately 15.48 acre property generally located south of the southeast corner of Cactus Road and AZ-303 in the Sycamore Farms PAD; Case FS20-544 - APPROVED

9. Consideration and action pertaining to approval of the Final Plat entitled, Sycamore Farms (Paradisi) “ Parcel A, an approximately 27.64 acre property generally located south of the southeast corner of Cactus Road and Cotton Lane in the Sycamore Farms PAD; Case FS20-471 - APPROVED

10. Consideration and action pertaining to approval of a Final Plat entitled, "Homestead at Marley Park Phase 4 & 5 -Parcel 2", an approximately 31.13 acre property generally located at the northeast corner of Bullard and Sweetwater - APPROVED

11. Consideration and action to approve the Final Plat entitled, " 'Waddell Square' A Replat Lots 1B and 1D Waddell Square an approximately 2.98 acre property located generally north of Waddell Road and west of Reems Road – APPROVED

12. Consideration and action pertaining to approval of the Final Plat entitled, Rancho Mercado Parcel A2, an approximately 18.153 acre property generally located on the northeast corner of McMicken Way and 147th Avenue in the Rancho Mercado PAD; Case FS19-755 - APPROVED

Council Member Winters asked to have this item removed for questions.

Lloyd Abrams answered his question regarding cluster homes.

Council Member Winters made the motion to approve Case FS19-755.
Council Member Cline seconded the motion. Seven yes votes, motion carried.

13. Consideration and action pertaining to approval of the Final Plat entitled, Toll at Prasada, Phase 2 Unit F & C AMENDED, an approximately 36.82 acre property re-plat generally located west of Cotton Lane between Cactus Road and Peoria Avenue; Case FS20-684 - APPROVED

14. Consideration and action pertaining to approval of the grant of an easement to Southwest Gas at the SPA1 Wastewater Treatment Facility near Cactus and Litchfield - APPROVED

15. Consideration and action pertaining to acceptance of a sewer line easement from LS Tyler Investments, TK Cowley Investments, Grape Ape Investments, San Felipe Neri Investments, Arete Capital, SCM Hansen, SCM-Zaharis, SCM Pendleton, Allen-Cowley Living Trust, and SCM Woolley, near 159th Avenue and Happy Valley Road - APPROVED

16. Consideration and action pertaining to acceptance of a water line easement from LS Tyler Investments, TK Cowley Investments, Grape Ape Investments, San Felipe Neri Investments, Arete Capital, SCM Hansen, SCM-Zaharis, SCM Pendleton, Allen-Cowley Living Trust, and SCM Woolley, near 159th Avenue and Happy Valley Road - APPROVED

17. Consideration and action pertaining to the approval of an amendment to the Intergovernmental Agreement with Maricopa County to provide Community Action Program services, accepting grant funding, and amending the Fiscal Year 2021 Budget by moving budget

authority in the amount of \$21,000 within the Grants Fund; Resolution # 2021-57 - APPROVED

18. Consideration and action pertaining to approval of a Fiscal Year 2021 budget amendment moving budget authority in the amount of \$760,000 from the Solid Waste Operations Fund to the Solid Waste Capital Fund for establishing P61620: Solid Waste Collection Trucks and amending the Fiscal Year 2021 Contract Awarding Authority List; Resolution # 2021-55 - APPROVED

19. Consideration and action pertaining to approval of an amendment to the Fiscal Year 2021 budget by moving budget authority of \$4,000 from General Contingency to Project G31383 FFY21 GOHS Buckle Up AZ and authorizing acceptance of a grant award from the AZ Governor's Office of Highway Safety (GOHS) for overtime expenses to enforce seatbelt and child passenger safety laws; Resolution # 2021-51 - APPROVED

20. Consideration and action pertaining to approval of an amendment extending the term of the Intergovernmental Agreement with the City of Glendale authorizing Surprise Police Officers to work events at State Farm Stadium; Resolution # 2021-56 - APPROVED

REGULAR AGENDA ITEM - PUBLIC HEARING:

21. Consideration and action pertaining to approval of a rezoning of approximately 1.01 acres of property located north of Waddell Road and west of Reems Road from Community Commercial (CC) to Community Commercial with a Planned Unit Development (CC-PUD) Overlay, Case FS19-674; Ordinance #2021-06.

City Planner, Robert Kuhfuss gave a powerpoint presentation on this item.

Vice Mayor Duffy, is this to move back from the sidewalk by Auto Zone?

Mr. Kuhfuss - Correct

Vice Mayor Duffy made the motion to approve Ordinance 2021-06. Council Member Remley seconded the motion. Seven yes votes, motion carried.

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

22. Consideration and action adopting the tentative expenditure limitation budget for FY2022; directing publication of said tentative budget; and setting a public hearing for June 1, 2021, at 6:00pm at the City of Surprise Council Chambers, 16000 N. Civic Center Plaza, Surprise, Arizona: Resolution # 2021-58 - APPROVED

Finance Director, Andrea Davis and Assistant Finance Director, Holly Osborn gave a powerpoint presentation on this item.

Council Member Cline made the motion to approve Resolution 2021-58. Council Member Winters seconded the motion. Seven yes votes, motion carried.

Council Member Cline made the motion to approve Resolution 2021-58. Council Member Winters seconded the motion. Seven yes votes, motion carried.

Other Business and Future Agenda Items

Council Member Remley - Vagrancy Ordinance
2nd: Council Member Cline

City Council Reports

Council Member Cline - Drinks in the driveway at Bell West Ranch; Meet and Greet at SC Grand Cafe; Coffee with Council at The Colonnade;

Council Member Winters - Rancho Mercado on Saturday Meet & Greet and first visit to the new firehouse.

Council Member Judd - Attended in person maskless ribbon cutting at AZ Pro Suites; wish a farewell to Donna Miller, Recreation Director; visited new fire station 304; Rotary Club of Surprise donated a tree at Dick McComb Park; thank you to Mayor Hall for going out to White Tanks Proclamation for Arbor Day and community meeting at the end of May.

Council Member Hastings - April 24th Surprise Day of Service; attended a coffee event at VetLink at Techcelerator; today is International Firefighter Day; served on the League of Cities Committee for Public Safety; tomorrow round of Police Chief candidate interviews; Thursday is National Day of Prayer; this Saturday monthly Meet and Greet; Community Partnership and Grant, Monday and May 17th a Citizen Review Meeting.

Council Member Remley - First monthly meeting in over a year at the Senior Center, good meeting and the libraries are opening up.

Vice Mayor Duffy - Toured the wastewater plant; Meet & Greet at Spencer's place.

Mayor Hall - This is Professional Municipal Clerk's Week and International Firefighter's Day.

Executive Session

Adjournment

Council Member Cline made the motion to adjourn the Regular City Council Meeting of May 4, 2021 at 7:00 PM. Council Member Winters seconded the motion. Seven yes votes, motion carried.

Skip Hall, Mayor

ATTEST:

Sherry Ann Aguilar, City Clerk, MMC

CERTIFICATION:

I, Sherry Ann Aguilar, City Clerk for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are the true and correct minutes of the Regular City Council Meeting of **Tuesday, May 4, 2021**.

Sherry Ann Aguilar, City Clerk, MMC



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: May 18, 2021
Submitting Department: City Clerk
Staff Recommendations: None

Contact Person: Sherry Aguilar, City Clerk
District: District 4

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action to approve Off Track Wagering for Runner's Sports Bar located at 12751 W. Bell Road, Surprise, Arizona (Crossroads) for the term of June 1, 2021 through May 31, 2024.

Motion:

I move to approve Off Track Wagering for Runner's Sports Bar located at 12751 W. Bell Road, Surprise, Arizona (Crossroads) for the term of June 1, 2021 through May 31, 2024.

Background:

This establishment has hosted Off-Track Wagering at this site since November 2010 through Turf Paradise. The Police Department has no concerns with this request. This request is of a routine nature.

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. City Renewal Request - Runners
-



April 15, 2021

**Sherry Ann Aguilar
City Clerk
City of Surprise
1600 N. Civic Center Plaza
Surprise, AZ. 85374**

Dear Sherry,

Turf Paradise is hereby requesting to renew its Off-track Pari-mutuel Wagering license for Runner's Sports Bar, located at 12751 W. Bell Rd., Surprise, Arizona. Turf Paradise is currently in the process of renewing its Permit to Operate Additional Wagering Facilities with the Arizona Department of Racing. The term of the permit applied for is from June 1, 2021 through May 31, 2024. Therefore, we ask that the term of the license for Runner's Sports Bar be valid until that date. A copy of the Permit to Operate Additional Wagering Facilities will be forwarded to you upon receipt.

**Applicant: David Johnson, Agent
Runner's Sports Bar
12751 W. Bell Rd.
Surprise, AZ. 85374**

Thank you for your attention to this matter. If you have any questions or concerns please contact me at (602) 375-6431.

David Johnson
Assistant General Manager

Turf Paradise



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: May 18, 2021
Submitting Department: City Clerk
Staff Recommendations: None

Contact Person: Sherry Aguilar, City Clerk
District: District 5

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action to approve Off Track Wagering for Brookside II located at 15170 W. Bell Road, Suite 115, Surprise, AZ 85374 for the term of June 1, 2021 through May 31, 2024.

Motion:

I move to approve Off Track Wagering for Brookside II located at 15170 W. Bell Road, Suite 115, Surprise, AZ 85374 for the term of June 1, 2021 through May 31, 2024.

Background:

This establishment has hosted Off-Track Wagering at this site since May 2012 through Turf Paradise. The Police Department has no concerns with this request. This request is of a routine nature.

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. City Renewal Request - Brookside II
-



April 15, 2021

**Sherry Ann Aguilar
City Clerk
City of Surprise
1600 N. Civic Center Plaza
Surprise, AZ. 85374**

Dear Sherry,

Turf Paradise is hereby requesting to renew its Off-track Parimutuel Wagering license for, The Brookside II Sports Bar & Grille, located at 15170 W. Bell Rd., Suite 115, Surprise, Arizona. Turf Paradise is currently in the process of renewing its Permit to Operate Additional Wagering Facilities with the Arizona Department of Racing. The term of the permit applied for is from June 1, 2021 through May 31, 2024. Therefore, we ask that the term of the license for the Brookside II Sports Bar & Grill be valid until that date. A copy of the Permit to Operate Additional Wagering Facilities will be forwarded to you upon receipt.

**Applicant: David Johnson, Agent
Brookside II Sports Bar & Grille
15170 W. Bell Rd., Suite 115
Surprise, AZ. 85374**

Thank you for your attention to this matter. If you have any questions or concerns please contact me at (602) 375-6431.

David Johnson
Assistant General Manager



Turf Paradise



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: May 18, 2021 Contact Person: Shirley Phan
Submitting Department: Community Development District: District 4
Staff Recommendations: None

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to approval of the Final Plat entitled, "Sahuaro Place" subdividing an approximately 1.050 acre property into four parcels generally located north of Greenway Road and east of Dysart Road, in the Surprise Heritage District Residential Overlay (SHD-RO) zoning district.

Motion:

I move to approve the Final Plat entitled, "Sahuaro Place"

Background:

On January 4, 2021, Alliance Land Surveying LLC, submitted a request for a Final Plat. The applicant is requesting approval of a Final Plat that will subdivide a 1.050 acre (approx.) parcel into four (4) parcels in the Surprise Heritage District Residential Overlay (SHD-RO) zoning district.

Objective Analysis:

The proposed Final Plat will divide the 1.050 acre parcel into four (4) lots, with additional right-of-way dedication along Sahuaro Lane and Cactus Lane.

Policy Compliant:

This proposed Final Plat is consistent with the Surprise General Plan 2035 and the Surprise Municipal Code.

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city services.

Budget Impact:

There is no anticipated budget impact related to this item.

FTE Impact:

This item does not have an impact on current staffing levels.

ATTACHMENTS:

1. 00-FS21-002-Sahuaro Place-Final Plat Staff Report
 2. 01-FS21-002- Sahuaro Place- FP- Vicinity Map
 3. 02-FS21-002- Sahuaro Place- FP- Final Plat
 4. FS21-002-CC presentation 051821
-

FINAL PLAT

REPORT TO THE CITY COUNCIL

Case: FS21-002

Project Name: Sahuaro Place Final Plat

Council District: 4- Mulberry

City Council Date: May 18, 2021

Planner: Shirley Phan

Applicant: William Barnes, Alliance Land Surveying LLC.

Request: Final Plat to subdivide a 1.050 acre (approx.) parcel into four (4) parcels in the Surprise Heritage District Residential Overlay (SHD-RO) zoning district.

Site Location: Generally, north of Greenway Road and east of Dysart Road

Site Size: 1.050 acres (approx.)

Density: 3.8 DU/Ac

General Plan Conformance: The proposal is consistent with the Surprise General Plan 2035

Support/Opposition: None known

Findings:

- The proposed Final Plat is consistent with the Surprise General Plan 2035.
- The proposed Final Plat is consistent with the Surprise Municipal Code.

Alternative Actions: **Approval** of the requested Final Plat will allow the applicant to subdivide the site into four (4) lots with dedicated right of way.

Denial of the requested Final Plat will prevent the applicant from subdividing the property as proposed.

39 **PROJECT DESCRIPTION:**

40

41 The applicant is requesting approval of a Final Plat that will subdivide a 1.050 acre (approx.) parcel
42 into four (4) parcels in the Surprise Heritage District Residential Overlay (SHD-RO) zoning district. The
43 Final Plat will also dedicate additional right-of-way along Sahuaro Lane and Cactus Lane.

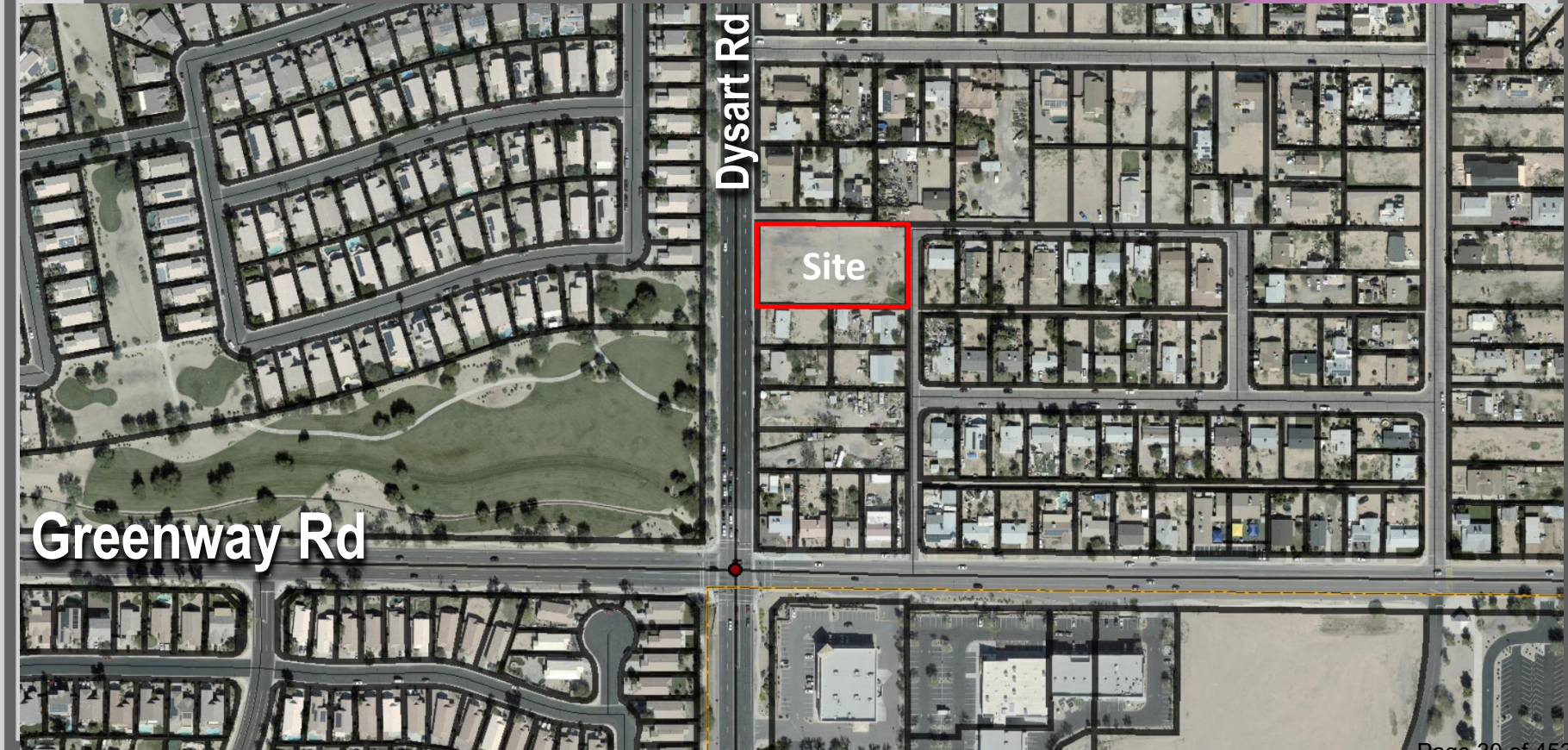
44

45 **Attachments:**

46 01 Vicinity Map

47 02 Final Plat

Vicinity MAP



DEDICATION

STATE OF ARIZONA

COUNTY OF MARICOPA

KNOW ALL PERSONS BY THESE PRESENTS, THAT LUPE GUTIERREZ AN UNMARRIED WOMAN, OWNER, HAS SUBDIVIDED UNDER THE NAME FINAL PLAT FOR "SAHUARO PLACE" A REPLAT OF A PORTION OF TRACT "1" AND A PORTION OF TRACT "2" OF "SUBDIVISION OF LOT 64 OF SURPRISE AMENDED", RECORDED IN BOOK 34 OF MAPS, PAGE 48, RECORDS OF MARICOPA COUNTY, ARIZONA, A SUBDIVISION LOCATED IN A PORTION OF SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN AND PLATTED HEREON AND DOES HEREBY PUBLICLY THIS PLAT AS AND FOR THE PLAT OF "SAHUARO PLACE" AND DECLARES THAT THIS PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT, TRACT, STREET, AND EASEMENT CONSTITUTING SAID, AND THAT EACH LOT, TRACT, STREET, AND EASEMENT SHALL BE KNOWN BY THE NUMBERS, LETTERS, AND/OR NAME GIVEN TO EACH RESPECTIVELY AS SHOWN ON THIS PLAT.

OWNER HEREBY DEDICATES TO THE CITY OF SURPRISE FEE TITLE TO ALL PUBLIC RIGHTS-OF-WAY AS SHOWN ON THE PLAT.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL CROSS EASEMENT ACROSS THE PLAT INCLUDING ROADS AND STREETS, OPEN SPACES, COMMUNITY FACILITIES, TRACTS, SIDEWALKS, DRAINAGE BASINS AND ANY PROPERTY WITHIN THE PLAT OWNED BY THE HOMEOWNERS ASSOCIATION FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED ACCESS AND EGRESS FOR EMERGENCY VEHICLES.

ALL IMPROVEMENTS, FOR STREETS AND PUBLIC UTILITIES OWNED AND OPERATED BY THE CITY, INSTALLED OR CONSTRUCTED BY OWNER WITHIN THE PUBLIC RIGHTS-OF-WAY, THE EASEMENTS, OR ANY TRACTS OR PARCELS HEREBY DEDICATED TO THE CITY OF SURPRISE SHALL BE DEEMED TO HAVE BEEN DEDICATED BY OWNER TO THE CITY UPON THEIR COMPLETION; HOWEVER, SUCH TRANSFER SHALL NOT OCCUR UNTIL THE CITY COUNCIL, FOR THE CITY OF SURPRISE MANIFESTS ITS ACCEPTANCE BY SEPARATE FORMAL COUNCIL ACTION.

OWNER HEREBY FURTHER AGREES TO INDEMNIFY, DEFEND AND HOLD HARMLESS THE CITY OF SURPRISE FROM ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY THAT MAY ARISE IN CONNECTION WITH THE USE OF THE SIDEWALKS LOCATED WITHIN THE RIGHT-OF-WAY, UNTIL SUCH TIME THE CITY OF SURPRISE HAS ACCEPTED THE SIDEWALKS.

OWNER HEREBY GRANTS TO THE PUBLIC A PERPETUAL NON-EXCLUSIVE EASEMENT IN UPGRADES UNDER, THROUGH AND ACROSS THE AREA DESIGNATED AS PUBLIC UTILITY EASEMENTS AS SHOWN ON THE PLAT FOR THE PURPOSE OF ACCESSING, INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING, AND UPGRADING PUBLIC UTILITIES.

OWNER HEREBY GRANTS TO THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE (USAF) AN AVIATION EASEMENT OVER AND ACROSS THIS PLAT AND EVERY LOT AND PARCEL, THEREOF, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT OF FLIGHT OF AIRCRAFT OVER THIS PLAT, TOGETHER WITH ITS ATTENDANT NOISE, VIBRATIONS, FUMES, DUST, FUEL, AND LUBRICANT PARTICLES, AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, OR OPERATING AT OR ON LUKE AIR FORCE BASE AND AUXILIARY FIELD.

LUPE GUTIERREZ AN UNMARRIED WOMAN, OWNER, DOES HEREBY (1) RELEASE AND DISCHARGE THE CITY OF SURPRISE, (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE, AND FROM ANY LIABILITY FOR ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY THAT MAY ARISE AT ANY TIME IN THE FUTURE OVER, OR IN CONNECTION WITH THE AREAS LOCATED WITHIN THE NEWLY DEDICATED RIGHT-OF-WAY AS DEPICTED ON THIS PLAT UNTIL SUCH TIME THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARD AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL, THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT-OF-WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

LUPE GUTIERREZ AN UNMARRIED WOMAN, OWNER, DOES HEREBY (1) RELEASE AND DISCHARGE THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE (USAF) AND THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE USAF AND THE CITY OF SURPRISE, AND FROM ANY LIABILITY FOR ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY THAT MAY ARISE AT ANY TIME IN THE FUTURE OVER, OR IN CONNECTION WITH THE AREAS LOCATED WITHIN THE NEWLY DEDICATED RIGHT-OF-WAY AS DEPICTED ON THIS PLAT UNTIL SUCH TIME THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARD AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL, THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT-OF-WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

IN WITNESS WHEREOF, OWNER HAS HERETOFORE CAUSED THEIR NAME TO BE SIGNED, THIS _____ DAY OF _____, 20____.

LUPE GUTIERREZ
ACKNOWLEDGEMENT:
STATE OF ARIZONA } 55
COUNTY OF MARICOPA }
ON THIS _____ DAY OF _____, 20____, BEFORE ME PERSONALLY
APPEARED LUPE GUTIERREZ, WHOSE IDENTITY WAS PROVEN TO ME ON THE BASIS OF
SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME WAS CLAIMED TO BE, AND
ACKNOWLEDGED THAT SHE SIGNED THE ABOVE DOCUMENT.

NOTARY PUBLIC

MY COMMISSION EXPIRES:

FINAL PLAT OF "SAHUARO PLACE"

A REPLAT OF A PORTION OF TRACT "1" AND A PORTION OF TRACT "2" OF
"SUBDIVISION OF LOT 64 OF SURPRISE AMENDED", RECORDED IN BOOK 34 OF
MAPS, PAGE 48, RECORDS OF MARICOPA COUNTY, ARIZONA, A SUBDIVISION
LOCATED IN A PORTION OF SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 3
NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN,
MARICOPA COUNTY, ARIZONA.

PLAT NOTES

1. THE MAINTENANCE OF LANDSCAPING WITHIN THE ADJACENT PUBLIC RIGHTS-OF-WAY, INCLUDING LANDSCAPED MEDIAN WITHIN COLLECTORS AND LOCAL STREETS, AND LANDSCAPED AREAS BETWEEN THE CURB AND THE DETACHED SIDEWALK, SHALL BE THE RESPONSIBILITY OF THE ADJACENT PROPERTY OWNER OR THE HOMEOWNERS ASSOCIATION FORMED BY THE ADJACENT PROPERTY. LANDSCAPING MAINTENANCE OF THE MEDIANS WITHIN THE PUBLIC RIGHT-OF-WAY WITHIN ANY ARTERIAL OR PARKWAY STREET CLASSIFICATION SHALL BE RESPONSIBILITY OF THE CITY OF SURPRISE AFTER ACCEPTANCE.
2. THE PROPERTY OWNER AT THE TIME WHEN CITY OF SURPRISE AND/OR OTHER INFRASTRUCTURE IS AVAILABLE AT THE PROPERTY, SHALL BE REQUIRED TO CONNECT IN ACCORDANCE WITH SURPRISE MUNICIPAL CODE AND PAY ALL APPLICABLE FEES. ANY OWNER OF THE PROPERTY SHALL NOTIFY PROSPECTIVE BUYERS AND THE PUBLIC OF THIS NOTICE, AND ANY SALES CONTRACTS OR SALES REPORTS SHALL INCLUDE SUCH NOTE.
3. NO ON-SITE DRAINAGE OR EXCAVATION SHALL OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
4. THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "FLOOD 1" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 48013C240L & 48013C180L, WITH A DATE OF DETERMINATION OF 10/04/2014, FOR COMMUNITY NO. 48003, IN MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.
5. IN ACCORDANCE WITH ARS § 9-461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
6. PURSUANT TO A.R.S. § 42-11102, THE CITY OF SURPRISE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA, IS EXEMPT FROM ALL TAXES AND ASSESSMENTS BASED ON ASSESSED VALUE EXCEPT FOR SPECIAL DISTRICTS (PAGES AND PARCELS) WHEN APPLICABLE.
7. PUBLIC NOTES: THE LOTS DEPICTED ON THIS PLAT ARE LOCATED WITHIN THE BOUNDARY OF LUKE AIR FORCE BASE AND MAY BE SUBJECT TO OVERFLIGHTS BY ALL AIRCRAFT. ALL STRUCTURES WITHIN THIS PLAT SHALL BE CONSTRUCTED IN COMPLIANCE WITH THE SOUND ATTENUATION STANDARDS ADOPTED BY THE CITY OF SURPRISE. A MAP SHOWING THE MOST CURRENT ADOPTED MAP USE CONTOURS IN RELATION TO THIS PLAT SHALL BE DISPLAYED IN ALL SALES OFFICES. ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE CITY OF SURPRISE COMMUNITY DEVELOPMENT DEPARTMENT.
8. A BRIDGE TYPE ENTRANCE, SEE MAP DETAIL 262, DESIGNED FOR THE EXISTING CURB, GUTTER AND SIDEWALK, WITH A 10-FOOT LONG ENTRANCE PAD, WILL BE CONSTRUCTED AT THE DISKART ACCESS OF SAHUARO LANE IN CONNECTION WITH THE FIRST BUILDING PERMIT APPLICATION.

OWNER/DEVELOPER

OWNER: LUPE GUTIERREZ, AN UNMARRIED WOMAN
ADDRESS: 13300 W. SAINT MONTY LANE, EL MANSOUR, AZ 85335
PHONE: 628-523-4805

PREPARED BY

ALLIANCE LAND SURVEYING, LLC
7900 N. 70TH AVENUE
SUITE 100
GLENDALE, AZ 85303
(623) 972-2000
G. BRYAN GORTZENBERGER
R.L.S. #31020

SURVEY NOTES

1. THIS SURVEY AND THE DESCRIPTION USED ARE BASED ON A 1ST AMENDED COMMENT FOR TITLE INSURANCE ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, FILE NUMBER 265-589868, DATED SEPTEMBER 5, 2019.
2. THE BEARINGS AND DISTANCES DEPICTED INDICATE ACTUAL FIELD OR COMPILED MEASUREMENTS PERFORMED DURING THE COURSE OF THIS SURVEY. THIS INFORMATION MAY VARY FROM DOCUMENTS OF RECORD USED FOR THIS SURVEY.

BASIS OF BEARING

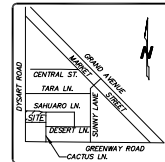
THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 2, USING A BEARING OF NORTH 89 DEGREES 32 MINUTES 20 SECONDS WEST, PER PLAT OF "SURPRISE SOUTH", A SUBDIVISION PLAT RECORDED IN BOOK 171 OF MAPS, PAGE 28, RECORDS OF MARICOPA COUNTY, ARIZONA.

ZONING

SHD-R0, SURPRISE HERITAGE DISTRICT/RESIDENTIAL OVERLY

REFERENCE DOCUMENTS

- (0) PLAT PER BOOK 34, PAGE 48, M.C.R.
- (01) PLAT PER BOOK 115, PAGE 28, M.C.R.
- (02) PLAT PER BOOK 23, PAGE 26, M.C.R.
- (03) PLAT PER BOOK 28, PAGE 10, M.C.R.
- (04) R.O.S. PER BOOK 1063, PAGE 18, M.C.R.
- (05) R.O.S. PER BOOK 1056, PAGE 2, M.C.R.
- (06) DEED 2019-079780, M.C.R.



VICINITY MAP
NOT TO SCALE

INDEX

SHEET 1: DEDICATIONS, APPROVALS, NOTES, REFERENCE DOCUMENTS, PARENT PARCEL DESCRIPTION
SHEET 2: PLAT, AREA TABLE

PARENT PARCEL DESCRIPTION

DEED 2019-079780, M.C.R.
TRACTS 1 AND 2, OF LOT 64 OF SURPRISE AMENDED, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 34 OF MAPS, PAGE 48.
EXCEPT THE WEST 7 FEET THEREOF.

APPROVALS

CITY OF SURPRISE ENGINEER APPROVAL:
DATA ON THIS PLAT REVIEWED AND APPROVED THIS _____ DAY OF _____, 20____, BY THE CITY ENGINEER OF SURPRISE, ARIZONA.

APPROVED _____ CITY ENGINEER _____ DATE _____

CITY OF SURPRISE COUNCIL APPROVAL:
APPROVED BY THE CITY COUNCIL OF THE CITY OF SURPRISE, ARIZONA, THIS _____ DAY OF _____, 20____.

ATTEST: _____ MAYOR _____ DATE _____

_____ CITY CLERK _____ DATE _____

SURVEYOR'S STATEMENT

I, G. Bryan Gortzenberger, hereby state that I am a registered land surveyor in the State of Arizona and that the survey shown herein was completed under my direct supervision during the month of March, 2021, and is correct to the best of my knowledge and the monuments shown actually exist.

G. Bryan Gortzenberger
R.L.S. #31020



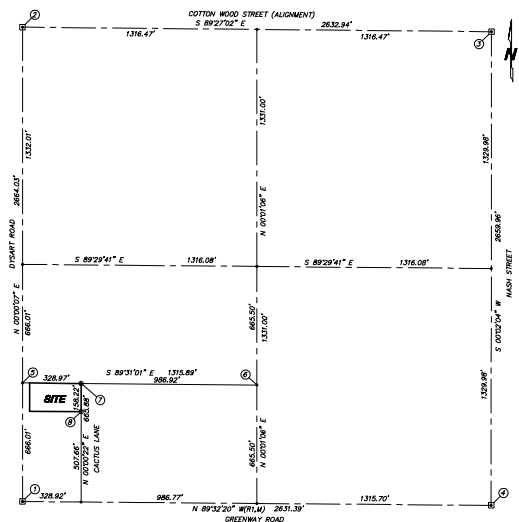
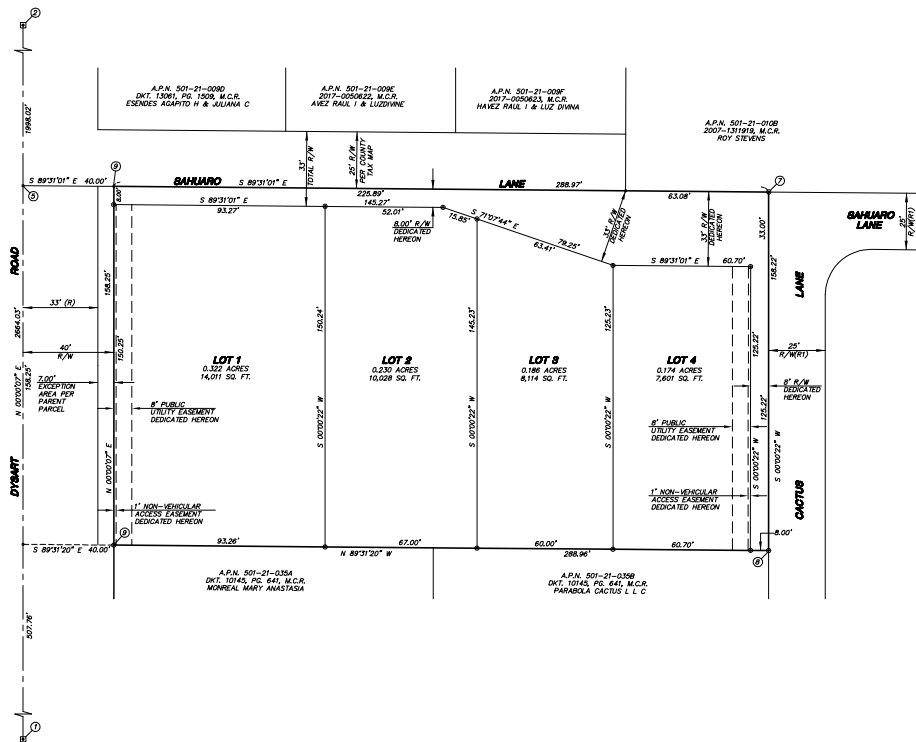
FS21-002

SHEET 1 of 2 DATE: 3-16-21 JOB NO: 200889

SW. 1/4, SEC. 2, T3N, R1W


 Set 1/2" Rebar W/ Cap L.S. 31020
 (See Monument Table)
 Subdivision Line
 Find Survey Monument
 (See Monument Table)
 Lot Line
 See Reference Documents
 Measured
 Right of Way

SCALE : 1" = 20'



MONUMENT TABLE	
①	SW. COR. SEC. 2 - FND BRASS CAP IN HANDHOLE
②	N. 1/4 COR. SEC. 2 - FND BRASS CAP STEM
③	CEN. OF SEC. 2 - FND BRASS CAP FLUSH
④	S. 1/4 COR. SEC. 2 - FND 1" BRASS CAP FLUSH
⑤	NW. COR. S. 1/2, SW. 1/4, SW. 1/4 SEC. 2 - CALCULATED POSITION - NO MONUMENT FND OR SET
⑥	NE. COR. S. 1/2, SW. 1/4, SW. 1/4 SEC. 2 - CALCULATED POSITION - NO MONUMENT FND OR SET
⑦	SUBDIVISION CORNER - NE. COR., TRACT "1" (R) - FND 1/2" REBAR W/CAP L.S. 31020
⑧	SUBDIVISION CORNER - SE. COR., TRACT "2" (R) - FND 1/2" REBAR W/CAP L.S. 31020
⑨	SUBDIVISION CORNER - FND 1/2" REBAR W/CAP L.S. 31020
⑩	SUBDIVISION CORNER - FND 1/2" REBAR W/CAP L.S. 31020



SUBDIVISION AREA = 1.050 ACRES - 45,722 SQ. FT.	
LOT 1 AREA	= 0.322 ACRES - 14,011 SQ. FT.
LOT 2 AREA	= 0.230 ACRES - 10,028 SQ. FT.
LOT 3 AREA	= 0.186 ACRES - 8,114 SQ. FT.
LOT 4 AREA	= 0.174 ACRES - 7,601 SQ. FT.
DEDICATED STREETS	= 0.137 ACRES - 5,968 SQ. FT.

ALLIANCE
LAND SURVEYING, LLC
7000 N. 70th AVENUE, SUITE 504
DENVER, CO 80230
Phone: 303.555-5500
central@alliancellc.com

FS21-002 SHEET: 8 of 8 DATE: 3-18-21 JOB NO: 200629



FS21-002

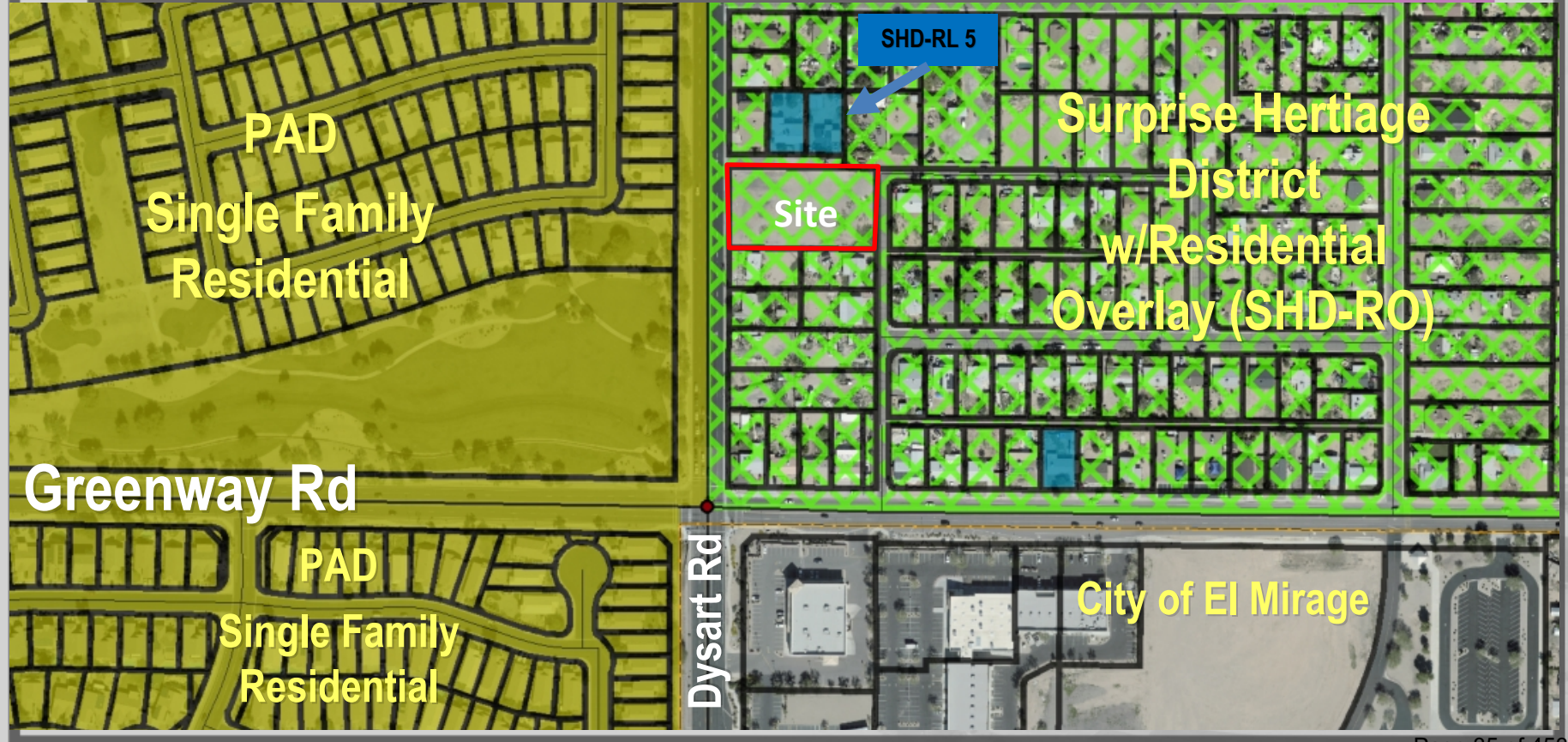
Sahuaro Place Final Plat

City Council
May 18, 2021

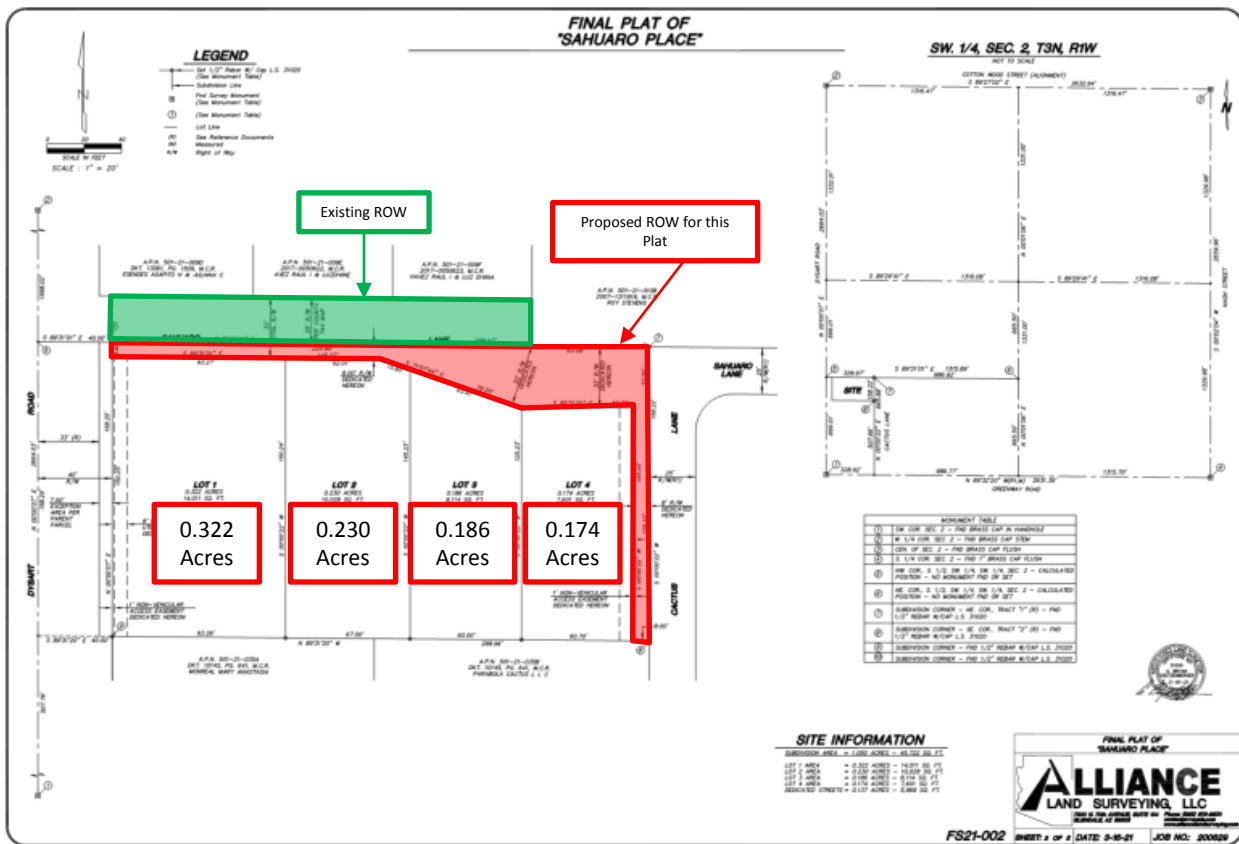
Vicinity MAP



Case Map



Final Plat





QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: May 18, 2021 Contact Person: Sergio Angulo
Submitting Department: Community Development District: District 6
Staff Recommendations: None

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to approval of the Final Plat entitled, "Litchfield Self Storage", subdividing an approximately 24.757 acre property into two parcels generally located on the northwest corner of Litchfield Road and Sweetwater Avenue in the Marley Park PAD; Case FS20-691.

Motion:

I move to approve the Final Plat entitled, "Litchfield Self Storage".

Background:

Michael Buschbacher with Hunter Engineering, on behalf of Sweetwater Storage LLC, seeks approval of a Final Plat to re-plat Lot 2 of Marley Park Square into two (2) new lots.

Objective Analysis:

Approval of the proposed Final Plat will allow the applicant the ability to move forward with the development of a new self-storage facility on a Lot 2 of this plat.

Policy Compliant:

The requested Final Plat is consistent with the Marley Park PAD and advances the goals and policies of the General Plan.

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city services.

Budget Impact:

There is no anticipated budget impact related to this item.

FTE Impact:

This item does not have an impact on current staff levels.

ATTACHMENTS:

1. 00 - FS20-691 - Staff Report
2. 01 - FS20-691 - Vicinity Map

3. 02 - FS20-691 - Final Plat
 4. FS20-691 - PowerPoint
-

Case: FS20-691

Project Name: Litchfield Self Storage Final Plat

Council District: 6

City Council Date: May 18, 2021

Planner: Sergio Angulo, Planner II

Owner: Sweetwater Storage LLC

Applicant: Michael Buschbacher with Hunter Engineering

Request: Final Plat to re-plat Lot 2 of Marley Park Square into two (2) new lots.

Site Location: Northwest corner of Sweetwater Avenue and Litchfield Road

Site Size: 24.757 acres (approx.)

Density: N/A

Findings:

- The proposed Final Plat is consistent with the Surprise General Plan 2035.
- The proposed Final Plat is consistent with the Marley Park PAD.

Alternative Actions: **Approve** – Approval of the proposed Final Plat will allow the applicant the ability to subdivide the property as proposed.

Deny – Denial of the requested Final Plat will prevent the applicant from subdividing the property as proposed.

Additional Information:

37 Michael Buschbacher with Hunter Engineering, on behalf of Sweetwater Storage LLC, seeks
38 approval of a Final Plat to re-plat Lot 2 of Marley Park Square into two (2) new lots. The
39 subject property is approximately 24.757 acres and it is located on the northwest corner of
40 Sweetwater Avenue and Litchfield Road in Marley Park. The subject property is zoned PAD
41 and has a land use designation of Employment/Mixed-Use.

42

43 This Final Plat subdivides Lot 2 of the Marley Park Square commercial plaza into two (2) new
44 lots. Lot 1 has a proposed size of 10.275 acres and Lot 2 of 14.482 acres. Currently a new
45 self-storage facility is proposed in Lot 2 of this re-plat. The Conditional Use Permit application
46 for the proposed self-storage facility was reviewed under case FS20-609 and will be heard
47 by the Planning and Zoning Commission on May 6, 2021. The results of that hearing are
48 unknown as of the writing of this report. This Final Plat does not dedicate any new right-of-
49 way and is in compliance with Marley Park PAD.

50

51 **Attachments:**

52

53 01 Vicinity Map

54 02 Final Plat



FS20-691 VICINITY MAP

FINAL PLAT
FOR
LITCHFIELD SELF STORAGE

A FINAL PLAT IN THE CITY OF SURPRISE, ARIZONA

A RE-PLAT OF LOT 2, OF MARLEY PARK SQUARE, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 926 OF MAPS, PAGE 3 AND AND THAT PROPERTY AS DESCRIBED IN DOCUMENT 2020-053074, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, BEING LOCATED IN A PORTION OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

DEDICATION:

STATE OF ARIZONA
COUNTY OF MARICOPA

KNOW ALL PERSONS BY THESE PRESENTS

THAT SWEETWATER STORAGE LLC, A DELAWARE LIMITED LIABILITY COMPANY, HAVE SUBDIVIDED UNDER THE NAME "LITCHFIELD SELF STORAGE", A REPLAT OF LOT 2 OF MARLEY PARK SQUARE MINOR LAND DIVISION AS RECORDED IN BOOK 926 OF MAPS, PAGE 3, LOCATED WITHIN THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA AS SHOWN AND PLATTED HEREON AND DOES HEREBY PUBLISH THIS PLAT AS AND FOR THE "LITCHFIELD SELF STORAGE", AND DECLARES THAT THIS PLAT SETS FORTH THE LOCATION AND LINES THE DIMENSIONS OF EACH LOT, TRACT, STREET, AND EASEMENT CONSTITUTING SAME, AND THAT EACH LOT, TRACT, STREET, AND EASEMENT SHALL BE KNOWN BY THE NUMBER, LETTER, AND/OR NAME GIVEN TO EACH RESPECTIVELY AS SHOWN ON THIS PLAT.

OWNERS HEREBY GRANT TO THE PUBLIC A PERPETUAL, NON-EXCLUSIVE EASEMENT IN, UPON, UNDER, THROUGH, AND ACROSS THE AREAS DESIGNATED AS PUBLIC UTILITY EASEMENTS AS SHOWN ON THE PLAT FOR THE PURPOSE OF ACCESSING, INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING PUBLIC UTILITIES.

OWNERS HEREBY GRANT TO THE ULTIMATE OWNER OF EACH PARCEL, CREATED BY THIS PLAT AN EASEMENT OVER, UPON AND ACROSS THE ENTIRE PLAT FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS TO EACH PARCEL, CREATED BY THIS PLAT.

OWNERS HEREBY GRANT TO THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE ("USAF") AN AVIATION EASEMENT OVER AND ACROSS THIS PLAT AND EVERY LOT AND PARCEL, THEREBY, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT OF FLIGHT OF AIRCRAFT OVER THIS PLAT, TOGETHER WITH ITS ATTENDANT NOISE, VIBRATION, FUMES, DUST, FUEL AND LUBRICANT PARTICLES, AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, OR OPERATING AT OR ON LAKE AIR FORCE BASE AND AUXILIARY FIELDS.

OWNERS HEREBY GRANT TO THE CITY OF SURPRISE AN ODOOR EASEMENT OVER, UPON AND ACROSS THIS PLAT AND EVERY LOT AND PARCEL, THEREBY, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT TO INVADE WITH ODORS, FUMES, SMELLS, AND PHYSICAL AIRBORNE PARTICULATES CAUSED BY THE OPERATION AND MAINTENANCE OF THE CITY'S WATER RECLAMATION FACILITIES.

OWNERS HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL, NON-EXCLUSIVE EASEMENT ACROSS THE PLAT INCLUDING ROADS AND STREETS OPEN SPACES, COMMUNITY FACILITIES, TRACTS, SIDEWALKS, DRAINAGE BASINS AND ANY PROPERTY WITHIN THE PLAT OWNED BY THE HOMEOWNERS ASSOCIATION FOR THE PURPOSES OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS FOR EMERGENCY VEHICLES.

OWNERS HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL, NON-EXCLUSIVE EASEMENT OVER, UPON, AND ACROSS THE AREAS DESIGNATED AS SIGHT VISIBILITY TRIANGLES FOR THE PURPOSE OF ENSURING THAT THESE AREAS REMAIN FREE OF SIGHT VISIBILITY OBSTRUCTIONS.

OWNERS HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL, NON-EXCLUSIVE PEDESTRIAN ACCESS AND SIDEWALK CONSTRUCTION AND MAINTENANCE EASEMENT OVER, UPON, AND ACROSS THE AREAS DESIGNATED AS SIDEWALK EASEMENTS AS SHOWN ON THE PLAT.

IN WITNESS WHEREOF, OWNER HAS HERETOFORE CAUSED ITS CORPORATE NAME TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY THE UNDERSIGNED, DULY AUTHORIZED OFFICER THIS

_____ DAY OF _____, 2021.

BY: SWEETWATER STORAGE LLC, A DELAWARE LIMITED LIABILITY COMPANY

BY: _____

ITS _____
(TITLE)

PUBLIC NOTICE:

THE LOTS DEPICTED ON THIS PLAT ARE LOCATED WITHIN THE VICINITY OF LAKE AIR FORCE BASE AND MAY BE SUBJECT TO OVERFLIGHTS BY AIRCRAFT. ALL STRUCTURES WITHIN THIS PLAT SHALL BE CONSTRUCTED IN COMPLIANCE WITH THE SOUND ATTENUATION STANDARDS ADOPTED BY THE CITY OF SURPRISE. ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE CITY OF SURPRISE COMMUNITY DEVELOPMENT DEPARTMENT.

RELEASE OF LIABILITY LANGUAGE:

THAT SWEETWATER STORAGE LLC, A DELAWARE LIMITED LIABILITY COMPANY, HEREBY (1) RELEASE AND DISCHARGE THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE (USAF) AND THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE USAF AND THE CITY OF SURPRISE, OF AND FROM ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY THAT MAY ARISE AT ANY TIME IN THE FUTURE OVER, OR IN CONNECTION WITH AIRCRAFT OVERFLIGHTS FROM AIRCRAFT UTILIZING LAKE AIR FORCE BASE, WHETHER SUCH DAMAGES SHALL ORIGINATE FROM NOISE, VIBRATION, FUMES, DUST, FUEL AND LUBRICANT PARTICLES, AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, OR OPERATING AT OR ON LAKE AIR FORCE BASE AND ITS AUXILIARY FIELDS. THIS INSTRUMENT SHALL RUN WITH THE LAND AND BE BINDING UPON OWNER AND ITS HEIRS, ASSIGNS, AND SUCCESSORS IN INTEREST TO THIS PLAT OR ANY PARCEL, OR LOT THEREOF. THIS INSTRUMENT DOES NOT RELEASE THE USAF FROM LIABILITY FOR DAMAGE OR INJURY TO PERSON OR PROPERTY CAUSED BY FALLING AIRCRAFT OR FALLING PHYSICAL OBJECTS FROM AIRCRAFT, EXCEPT AS STATED HEREIN WITH RESPECT TO NOISE, FUMES, DUST, FUEL, AND LUBRICANT PARTICLES.

OWNER HEREBY FURTHER AGREES TO INDEMNIFY, DEFEND AND HOLD HARMLESS THE CITY OF SURPRISE FROM ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSON OR PROPERTY THAT MAY ARISE IN CONNECTION WITH THE USE OF THE SIDEWALKS LOCATED WITHIN THE RIGHT-OF-WAY, UNTIL SUCH TIME THE CITY OF SURPRISE HAS ACCEPTED THE SIDEWALKS.

OWNER:

SWEETWATER STORAGE LLC
(OWNER REPT) NESTLE PROPERTY GROUP LLC
811 N. CATALINA AVE. STE. #1306
REDONDO BEACH, CA
PHONE: (805)551-8222
CONTACT: CJ RODGERS
EMAIL: cjrogers@nestleengr.com

SURVEYOR:

HUNTER ENGINEERING, INC.
1545 N. 74TH STREET, SUITE #200
SCOTTSDALE, ARIZONA 85258
PHONE: (480) 991-3985
FAX: (480) 991-3986
CONTACT: JAMES A. BRUCO
EMAIL: jbruco@hunterengr.com

NOTES:

1. CONSTRUCTION WITHIN PUBLIC UTILITY EASEMENTS EXCEPT BY PUBLIC AGENCIES AND UTILITY COMPANIES SHALL BE LIMITED TO UTILITIES, AND WOOD, WIRE OR REMOVABLE SECTION-TYPE FENCING UNLESS APPROVED OTHERWISE BY THE CITY OF SURPRISE.
2. ALL ELECTRIC AND COMMUNICATION LINES TO BE CONSTRUCTED UNDERGROUND AS REQUIRED BY THE ARIZONA CORPORATION COMMISSION.
3. THIS SUBDIVISION IS LOCATED WITHIN CITY OF SURPRISE WATER SERVICE AREA AND HAS BEEN DESIGNATED AS HAVING AN ASSURED WATER SUPPLY.
4. NO STRUCTURES SHALL BE CONSTRUCTED IN OR ACROSS, NOR SHALL OTHER IMPROVEMENTS OR ALTERATIONS BE MADE TO THE DRAINAGE FACILITIES THAT ARE A PART OF THIS DEVELOPMENT WITHOUT WRITTEN AUTHORIZATION OF THE CITY OF SURPRISE.
5. ALL UTILITIES SHALL BE PLACED UNDERGROUND.
6. THE CITY OF SURPRISE IS NOT RESPONSIBLE FOR AND WILL NOT ACCEPT THE MAINTENANCE OF ANY PRIVATE STREETS, PRIVATE UTILITIES, PRIVATE FACILITIES AND LANDSCAPED AREAS WITHIN THE PROJECT.
7. ALL RETENTION BASINS MUST DRAIN ANY STORM EVENT UP TO AND INCLUDING THE 100-YEAR, TWO-HOUR STORM WITHIN THIRTY-SIX (36) HOURS. OWNER(S) OF ANY BASIN FAILING TO MEET THIS REQUIREMENT MUST TAKE CORRECTIVE ACTION TO BRING THE BASIN INTO COMPLIANCE.
8. ALL DRYWELLS ON THIS PROJECT SHALL BE MAINTAINED BY THE OWNER(S) AND ARE TO BE REPLACED BY THE OWNER(S) WHEN THEY CEASE TO DRAIN THE SURFACE WATER IN A THIRTY-SIX (36) HOUR PERIOD. REGULAR MAINTENANCE OF THE DRYWELL SLOTTED CHAMBER IS REQUIRED TO ACHIEVE THE BEST OPERATION OF THE DRYWELL.
9. ALL INDIVIDUAL LOT PROPERTY CORNERS SHALL BE SET WITH 1/2" REBAR AND CAP BEARING THE REGISTRATION NUMBER OF THE SURVEYOR RESPONSIBLE FOR THEIR PLACEMENT.
10. NO ON SITE GRADING OR EXCAVATION SHALL OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
11. ALL COMMERCIAL/INDUSTRIAL BUILDINGS SHALL BE EQUIPPED WITH A FIRE SPRINKLING SYSTEM, SUBJECT TO THE REVIEW AND APPROVAL BY THE CITY OF SURPRISE FIRE CHIEF OR THE FIRE CHIEF'S DESIGNEE.
12. ZONING FOR THIS PROPERTY IS PAD-EMPLOYMENT, MARLEY PARK PLANNED AREA DEVELOPMENT WITH THE UNDERLYING LAND USE OF EMPLOYMENT.
13. THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "X" DESIGNATION BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04012C060L, WITH A MAP REVISION DATE OF OCTOBER 16, 2013.
14. PURSUANT TO A.R.S. § 40-1150, THE CITY OF SURPRISE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA, IS EXEMPT FROM ALL TAXES AND ASSESSMENTS BASED ON ASSESSED VALUE EXCEPT FOR SPECIAL DISTRICTS #4751 AND 14710, WHEN APPLICABLE.
15. IN ACCORDANCE WITH A.R.S. § 9-461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE, IN COMPLIANCE WITH THE SURPRISE GENERAL PLAN.
16. THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, AND RETENTION BASINS SHALL BE THE RESPONSIBILITY OF THE OWNER OR THE ASSOCIATION FORMED BY THE OWNER.
17. THE MAINTENANCE OF LANDSCAPING WITHIN THE ADJACENT PUBLIC RIGHTS-OF-WAY, INCLUDING LANDSCAPED MEDIAN WITH COLLECTORS AND LOCAL STREET IS AND LANDSCAPED AREAS BETWEEN THE DRAIN AND THE DETACHED SIDEWALK, SHALL BE THE RESPONSIBILITY OF THE ADJACENT PROPERTY OWNER OR THE PROPERTY ASSOCIATION FORMED BY THE ADJACENT PROPERTY.
18. LANDSCAPING MAINTENANCE OF THE MEDIANS WITHIN THE PUBLIC RIGHT-OF-WAY WITHIN ANY ARTERIAL OR PARKWAY STREET CLASSIFICATION SHALL BE RESPONSIBILITY OF THE CITY OF SURPRISE AFTER ACCEPTANCE.
19. ALL IMPROVEMENTS FOR STREETS AND PUBLIC UTILITIES OWNED AND OPERATED BY THE CITY, INSTALLED OR CONSTRUCTED BY THE OWNER WITHIN THE PUBLIC RIGHTS-OF-WAY, THE EASEMENTS, OR ANY TRACTS OR PARCELS HEREBY DEPICTED, TO THE CITY OF SURPRISE SHALL BE DEEMED TO HAVE BEEN DEDICATED BY OWNER TO THE CITY UPON THEIR COMPLETION. HOWEVER, SUCH TRANSFER SHALL NOT OCCUR UNTIL THE CITY COUNCIL FOR THE CITY OF SURPRISE MANIFESTS ITS ACCEPTANCE BY SEPARATE FORMAL COUNCIL ACTION.

NOTICE OF INTERGOVERNMENTAL AGREEMENT:

THE CITY OF SURPRISE ("CITY") AND WMD ENTERED INTO AN INTERGOVERNMENTAL AGREEMENT DATED APRIL 8, 1997, AND RECORDED IN THE MARICOPA COUNTY RECORDER'S OFFICE ON APRIL 9, 1997, UNDER DOCKET NO. 97-0231759 ("IGA"). CITY AND WMD HAVE FACILITIES AND PROPERTY INTERESTS DESCRIBED AND DELINEATED WITHIN CERTAIN SUBDIVISION PLATS OR (FOR LANDS NOT INCLUDED IN A SUBDIVISION PLAT, DECLARATIONS OF TYPED LANDS OR DECLARATIONS OF UNZONED AREA, THAT HAVE PRIOR AND SUPERIOR RIGHTS TO THE UTILITY SERVICE PROVIDERS, AS DEFINED IN THE IGA. THE IGA PROVIDES FOR THE CITY TO HAVE A PUBLIC UTILITY EASEMENT WITHIN CERTAIN WMD PROPERTY INTERESTS AND FOR WMD TO HAVE AN EASEMENT WITHIN CITY'S PUBLIC RIGHTS-OF-WAY, CITY AND WMD RIGHTS WITHIN THESE EASEMENTS ARE SUBJECT TO AND CONTROLLED BY THE TERMS AND CONDITIONS OF THE IGA.

IN LOCATIONS WHERE APPLICABLE, INCLUDING ANY AND ALL DEDICATIONS WITHIN A SUBDIVISION PLAT, WMD'S PRIOR AND SUPERIOR RIGHTS OF ACCESS TO AND USE OF EXISTING AND FUTURE WMD FACILITIES AND PROPERTY INTERESTS, SHALL BE SUBJECT TO THE TERMS AND CONDITIONS OF THE IGA.

CITY SHALL HAVE THE RIGHT TO AUTHORIZE AND CONTROL THE UTILITY SERVICE PROVIDER'S USE AND OCCUPANCY OF THESE EASEMENTS. CITY REQUIRES THAT UTILITY SERVICE PROVIDERS CONSENT TO BE BOUND BY THE IGA PRIOR TO THE USE OR OCCUPANCY OF THE EASEMENTS GRANTED UNDER THE IGA. SUCH USE OR OCCUPANCY OF THE EASEMENTS CONSTITUTES CONSENT OF THE UTILITY SERVICE PROVIDERS TO BE BOUND BY THE IGA.

LOT AREAS:

LOT 1 10.275 ACRES 447,572 SQ.FT.±
LOT 2 14.482 ACRES 630,851 SQ.FT.±

BASIS OF BEARINGS:

BASIS OF BEARING FOR THIS SURVEY IS A BEARING OF SOUTH 00°02'34" EAST, ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, ACCORDING TO THE PLAT OF MARLEY PARK SQUARE, MINOR LAND DIVISION MAP, RECORDED IN BOOK 961, PAGE 3, MARICOPA COUNTY RECORDS, ARIZONA.



VICINITY MAP:

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF MARICOPA, STATE OF ARIZONA, AND IS DESCRIBED AS FOLLOWS:

A PARCEL OF LAND LYING WITHIN SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 16, A MARICOPA COUNTY HIGHWAY DEPARTMENT BRASS CAP FLUSH, FROM WHICH THE EAST QUARTER CORNER OF SAID SECTION, A BRASS CAP FLUSH, BEARS SOUTH 00°02'34" EAST (BASIS OF BEARING), A DISTANCE OF 263.62 FEET;

THENCE ALONG THE EAST LINE OF SAID SECTION, SOUTH 00°02'34" EAST, A DISTANCE OF 115.34 FEET;

THENCE LEAVING SAID EAST LINE, SOUTH 89°57'26" WEST, A DISTANCE OF 56.00 FEET, TO THE WESTERLY RIGHT-OF-WAY LINE OF LITCHFIELD ROAD AS SHOWN ON MAP OF DEDICATION (M.D.) FOR MARLEY PARK SQUARE, LITCHFIELD ROAD AND CACTUS ROAD, RECORDED IN BOOK 839, PAGE 39, MARICOPA COUNTY RECORDS (M.C.R.);

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, SOUTH 00°02'34" EAST, A DISTANCE OF 1209.73 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING, SOUTH 00°02'34" EAST, A DISTANCE OF 1219.81 FEET;

THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY LINE, SOUTH 45°20'46" WEST, A DISTANCE OF 56.19 FEET;

THENCE NORTH 89°57'26" WEST, A DISTANCE OF 393.63 FEET TO THE BEGINNING OF A CURVE;

THENCE WESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 1947.00 FEET, CONCAVE NORTHERLY, THROUGH A CENTRAL ANGLE OF 09°02'45", A DISTANCE OF 307.39 FEET, TO A POINT OF INTERSECTION WITH A NON-TANGENT LINE;

THENCE NORTH 11°36'21" WEST, A DISTANCE OF 1250.15 FEET;

THENCE NORTH 89°57'26" EAST, A DISTANCE OF 890.14 FEET TO THE POINT OF BEGINNING;

ALSO KNOW AS:

LOT 2, OF MARLEY PARK SQUARE, ACCORDING TO THE PLAT OF RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, RECORDED IN BOOK 926 OF MAPS, PAGE 3, AND

EXCEPT THAT PORTION WHICH IS CONVEYED TO CITY OF SURPRISE, AN ARIZONA MUNICIPAL CORPORATION BY THE WARRANTY DEED RECORDED JULY 23, 2019 AS 2019-0557776 OF OFFICIAL RECORDS.

APPROVALS:

CITY OF SURPRISE ENGINEER APPROVAL:

DATA ON THIS PLAT REVIEWED AND APPROVED THIS _____ DAY OF _____, 2021 BY THE CITY ENGINEER OF SURPRISE, ARIZONA.

APPROVED: _____ CITY ENGINEER _____ DATE _____

CITY OF SURPRISE COUNCIL APPROVAL:

APPROVED BY THE CITY COUNCIL OF THE CITY OF SURPRISE, ARIZONA THIS _____ DAY OF _____, 20 _____

ATTEST:

MAYOR

CITY CLERK

MAYOR

CITY CLERK

MAYOR

CITY CLERK

MAYOR

CITY CLERK

MAYOR

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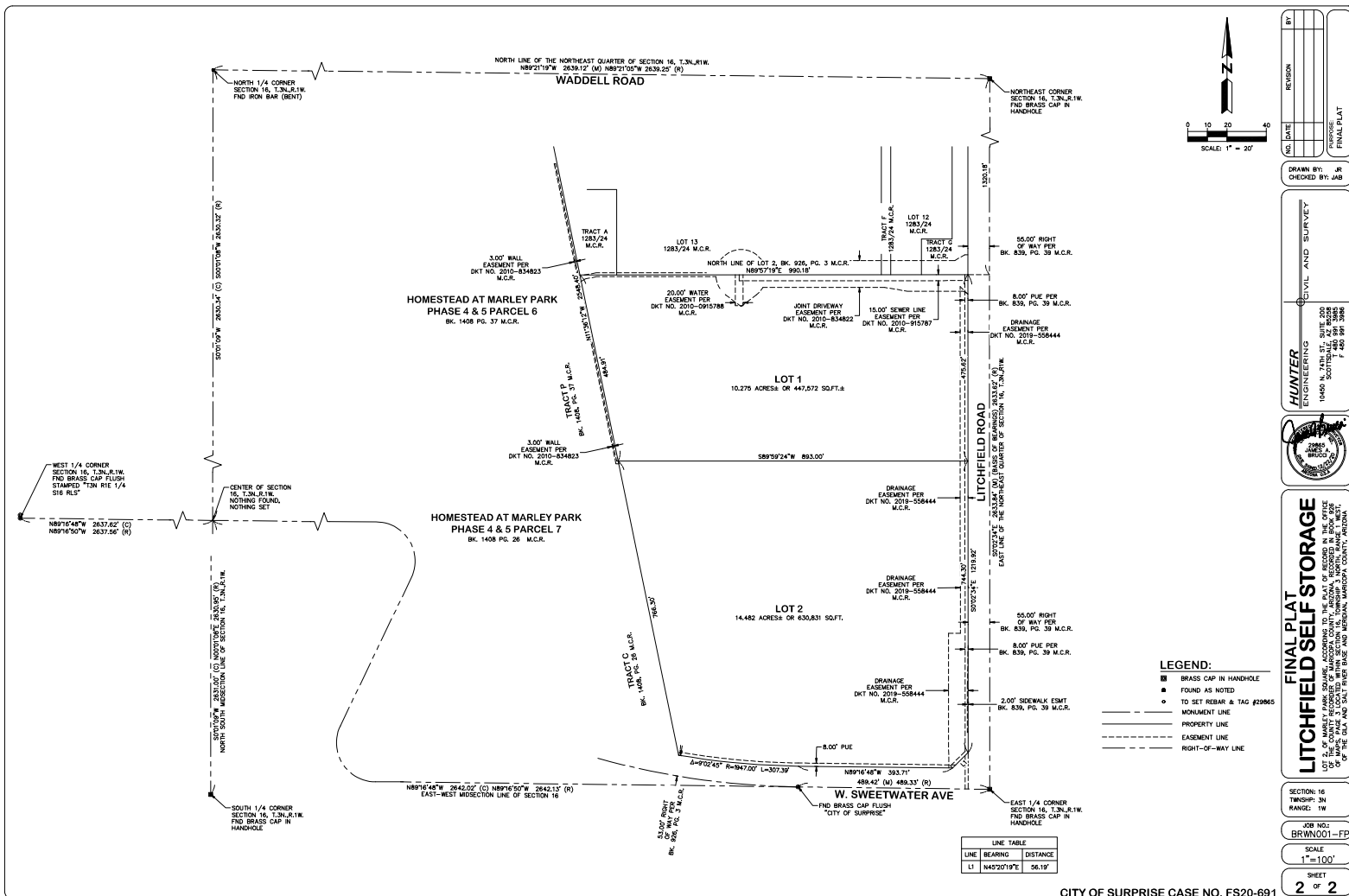
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FS20-691

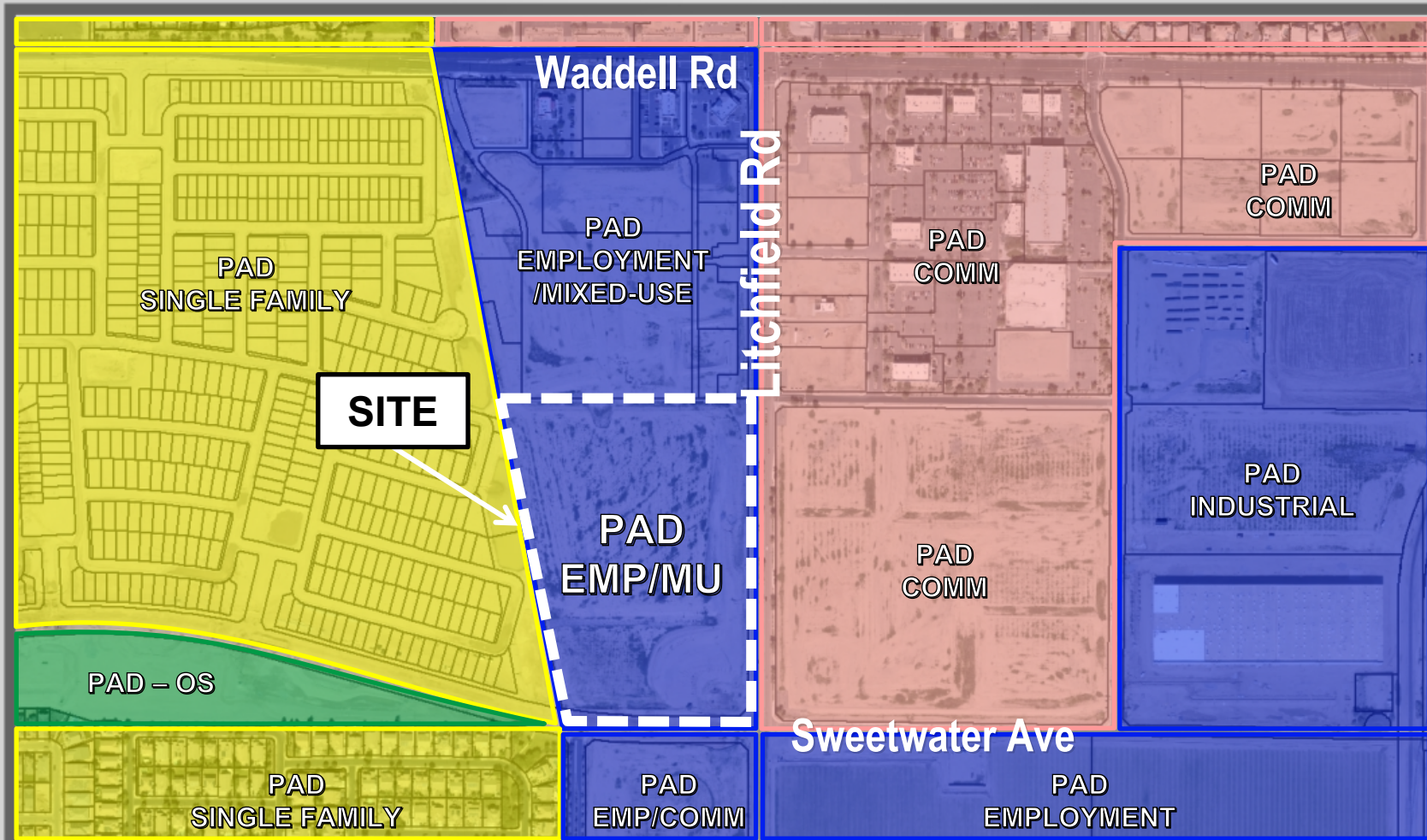
Self-Storage Facility

Final Plat

City Council
May 18, 2021

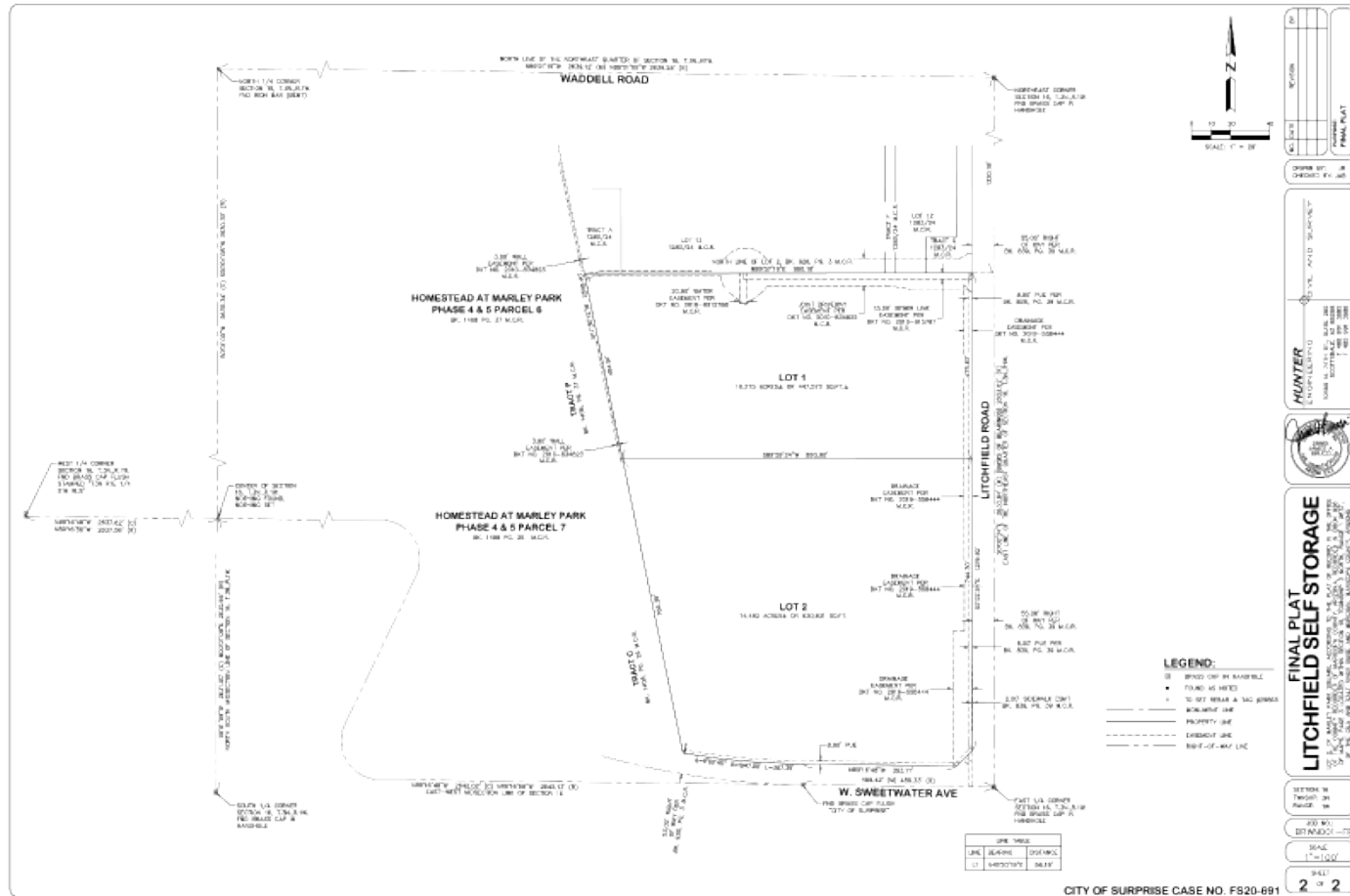


FS20-691 VICINITY MAP



FS20-691 ZONING





FS20-691 FINAL PLAT



QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: May 18, 2021
Submitting Department: Public Works
Staff Recommendations: None

Contact Person: Mike Gent, DIRECTOR - PW
District: District 6

Consent: Yes	Regular: No	Public Hearing: No	Report/Discussion: No
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Agenda Wording:

Consideration and action pertaining to the conditional acceptance of certain streets improvements at United Construction Group, generally located at N. Litchfield Road and W. Desert Cove Road; Resolution # 2021-59.

Motion:

I move to approve Resolution # 2021-59.

Background:

The Public Works Department conducted the final inspection of the public improvements for United Construction Group, generally located at N. Litchfield Road and W. Desert Cove Road, on or about January 28, 2021, totaling 2480 SF and determined that the infrastructure was compliant and acceptable to the city. The infrastructure includes sidewalk only.

Objective Analysis:

The improvements for this property provide access and conveyance to the property. This action will accept the required infrastructure.

Policy Compliant:

City Code generally requires development to install public infrastructure required to serve the development. Upon completion and acceptance of such infrastructure, the infrastructure becomes the property of the City. Acceptance of this infrastructure will officially transfer ownership and future maintenance to the City.

Financial Impact:

Acceptance of streets infrastructure increases the city's asset base and adds to future maintenance commitments. The total acceptance value of the infrastructure included with this item is \$54,180.00.

Budget Impact:

Funding for the infrastructure maintenance now and in the future will be supported from the city's HURF Funds. The anticipated incremental additional maintenance expense associated with the acceptance of these infrastructure items will be incorporated in future year budgets.

FTE Impact:

This action does not change the full time equivalent count.

ATTACHMENTS:

1. 01_Res 2021-59 Acceptance-United Constr Group
 2. 02_Notice of Completion Letter
 3. 03_Inspection Sign-Off Form
 4. 04_Sidewalk SF verification
-

RESOLUTION # 2021-59

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, TO CONDITIONALLY ACCEPT THE STREET IMPROVEMENTS AND COMMENCE MAINTENANCE AFTER TWO YEAR WARRANTY AT UNITED CONSTRUCTION GROUP, GENERALLY LOCATED AT N. LITCHFIELD ROAD AND W. DESERT COVE ROAD.

WHEREAS, the Mayor and City Council of the City of Surprise approved a final plat entitled "Re-plat of Desert Cove Commercial Park" on, October 23rd, 2007;

WHEREAS, BHK-R, CHK-W and BHK-M, the developer of the Desert Cove Commercial Park, dedicated to the City the street and public utility improvements, generally located at N. Litchfield Road and W. Desert Cove Road;

WHEREAS, on or about January 28, 2021, the City of Surprise Public Works Department Engineering Division completed an inspection of the public improvements described in this resolution and found the improvements to be in substantial compliance with the approved plans and specifications;

WHEREAS, the City of Surprise notes that the two-year warranty period will commence upon conditional acceptance by the City; and

WHEREAS, after the conclusion of the two-year warranty period, the City of Surprise will release the warranty and begin maintenance of the street improvements.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows.

Section 1. The City of Surprise conditionally accepts the street improvements generally located as depicted on the map attached as Exhibit A and listed on Exhibit B.

Section 2. Upon final acceptance by the City Engineer, the City Council hereby directs the City to release warranty and begin maintenance of the street improvements.

APPROVED AND ADOPTED this _____ day of _____, 2021.

Skip Hall, Mayor

Attest:

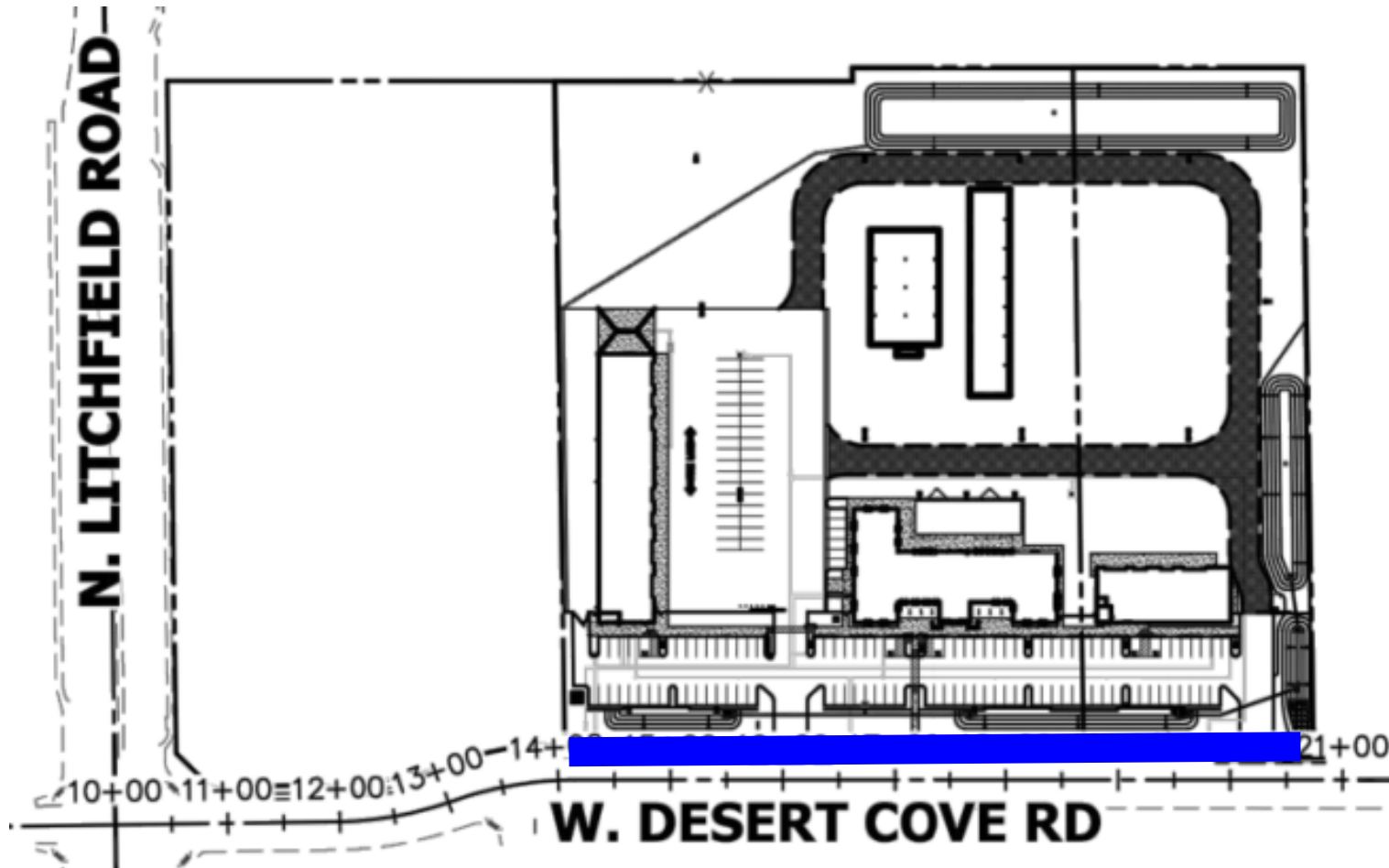
Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

EXHIBIT A

UNITED CONSTRUCTION GROUP



INFRASTRUCTURE TO
BE ACCEPTED:

 SIDEWALK

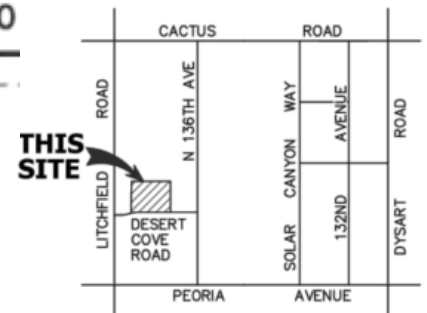




EXHIBIT B

ENGINEERING DIVISION
PUBLIC WORKS
CITY OF SURPRISE
16000 N. CIVIC CENTER PLAZA
SURPRISE, AZ 85374
T. 623-222-6150

Memorandum

To: City of Surprise City Council
From: Public Works – Engineering Services
Date: 04/23/2021
Re: United Construction Group

The public improvements for the above project have been completed and are tentatively scheduled for the May 18, 2021 council agenda for acceptance. The amounts for the infrastructure have been provided by a third party and not the City of Surprise. The following are the infrastructure improvements included with this acceptance and the corresponding valuation that the City will be accepting:

City Concrete: \$54,180.00

January 28, 2021

Wespac Construction
9440 N. 26th St. 100
Phoenix, AZ 85028

**RE: NOTICE OF COMPLETION AND COUNCIL ACTION REQUIREMENT FOR UNITED
CONSTRUCTION GROUP – FS19-771**

The City of Surprise Public Works Department has completed the inspection of the public utility improvements for the above referenced project. These improvements are in substantial compliance with the approved plans and specifications. Council action is required prior to conditional acceptance and the official beginning of the warranty period. The time frame for Council action is approximately 90 days after the following items have been submitted:

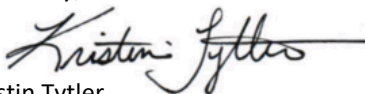
- A copy of all lien releases or a title report
- Actual construction cost for related civil permits issued
- Warranty assurance in a format acceptable by the City

A notice of the required assurance amount and acceptable formats will be sent via email once actual construction costs have been submitted by the applicant. The warranty period starts upon council acceptance for a period of two (2) years; please ensure warranty assurance will not expire prior to this date. The applicant will be notified of the council date as soon as it is scheduled and the warranty financial assurance is required to be submitted to the city 10 calendar days prior to the council date. If a warranty financial assurance is not received within 10 calendar days, council action and start of the warranty period will be delayed, at a minimum, an additional two (2) weeks.

A letter of conditional acceptance and notification that the warranty period has begun will be forwarded upon the completion of council acceptance. Also, a request to release the associated completion assurance will be made; notification will be sent when assurance document is available for pick up.

If you have any questions or concerns, you can reach me at 623-222-6153 or at kristin.tytler@surpriseaz.gov.

Sincerely,



Kristin Tytler
Assistant PW Director/City Engineer

cc: Nuning Lemka, PW Engineering Manager
David Mobley, PW Field Engineering Supervisor
Lynn Stone, PW Business Manager
Lee Lambert, Water Resource Management
Warren Bert, GIS

Mike Gent, Deputy City Manager/PW Director
John McFarland, PW Streets Manager
Jon Gake, Finance
Michael Boule, Water Resource Management
James Marichalar, PW Civil Inspector



PROJECT SIGN OFF FORM

PUBLIC WORKS - ENGINEERING SERVICES, INSPECTIONS

Date Submitted: 1/26/21 ☒ Commercial ☐ Commercial w/Offsite ☐ Residential

☐ COMPLETION ACCEPTANCE (End of Construction) ☒ FINAL ACCEPTANCE (End of Warranty)

12/11/20 Date of Punch-List Walk 1/5/21 Date Punch-List Completed

FS Number: FS19-771 Permit Number(s): E20P-0321,0443,0444,0445,0446,0447

Project Name: United Construction Group

Project Developer/Builder: (Name/Email, Address)

Wespac Construction

9440 N 26TH St 100 Phoenix AZ 85028

MAG TIP Reporting:

Street Name	Classification	Begin Limits	End Limits	# Lanes	Length to nearest ¼ mi.	Features

MATERIALS:

Asphalt:	6" C900 PVC	Size/Type	18	Total LF	Supplier	Total Lane Miles	Total Square Yards
Water:	6" C900 PVC	Size/Type	18	Total LF			
		Size/Type		Total LF			
Sewer:	6" SDR-35 PVC	Size/Type	22	Total LF			
		Size/Type		Total LF			
		Size/Type		Total LF			
Storm:		Size/Type		Total LF			
		Size/Type		Total LF			
		Size/Type		Total LF			
Fire Ln:		Size/Type		Total LF			
		Size/Type		Total LF			

Additional Comments:

SUPPORTING DOCUMENTATION REQUIRED:

- | | |
|---|--|
| ☒ Copy of Punch List
☒ Final Certification Letter from Engineer of Record
☒ Complete Geotechnical Testing Packet
☐ Sewer Pressure Testing Results
☐ Sewer Manhole Vacuum Testing Certification
☐ Sewer Manhole Insecticide Certification
☐ Sewer Videos with Operators Notes (inc. re-videos)
☐ Other _____ | ☐ AOC
☒ Asphalt Concrete Ticket w/ Name of Contractor
☒ Streetlight Energize Letter
☒ As built Documents (PDF copy on CD)
☐ Updated asbuilt CAD base files (copy on CD)

_____ (Specify) |
|---|--|

APPROVAL:

Civil Inspector:

Date: 1-28-21

Civil Engineering Supervisor:

Date: 1-28-2021

GENERAL ENGINEERING NOTES

1. ALL CONSTRUCTION MUST COMPLY WITH THE LATEST REVISIONS UNLESS OTHERWISE STATED ON PLANS.
2. THE ENGINEER SHALL NOT BE RESPONSIBLE FOR CONSTRUCTION METHODS, TECHNIQUES, SEQUENCES, OR PROCEDURES OR FOR SAFETY PRECAUTIONS OR PROGRAMS UTILIZED IN CONNECTION WITH THE WORK, AND THEY WILL NOT BE RESPONSIBLE FOR THE CONTRACTOR'S FAILURE TO CARRY OUT THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR IDENTIFYING ALL OVERHEAD AND UNDERGROUND UTILITY LOCATIONS WHERE CONSTRUCTION ACTIVITIES MAY OCCUR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL UTILITIES LOCATIONS SHOWN ON THE PLANS ARE APPROXIMATE AND NOT FOR CONSTRUCTION PURPOSES. ANY DAMAGE TO EXISTING UTILITIES SHALL BE REPAIRED AND OR REPLACED AT THE CONTRACTOR'S EXPENSE. THE CONTRACTOR SHALL COMPLY WITH ALL CURRENT ARIZONA UNDERGROUND FACILITIES LAWS (ARIZONA REVISED STATUTES TITLE 40, CHAPTER 2, ARTICLE 6.3, SECTION 40-2401.03) CALL ARIZONA REVISED STATUTES TITLE 40, CHAPTER 2, ARTICLE 6.3, SECTION 40-2401.03.
4. THE CITY OF SURPRISE ENGINEERING SERVICES OF PUBLIC WORKS SHALL BE NOTIFIED FORTY-FOUR (44) HOURS PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION WORK AT 6:00-10:00 AM.
5. THE ENGINEER AND APPLICABLE AGENCY MUST APPROVE, PRIOR TO CONSTRUCTION, ANY ALTERATION OR VARIANCE FROM THESE PLANS. ANY VARIATION FROM THESE PLANS SHALL BE PROPOSED AND REQUESTED FOR REVIEW AND APPROVAL, WHETHER SHOWN OR NOT ON THE DRAWING, SHALL BE REPAIRED/REPLACED AT THE CONTRACTOR'S EXPENSE. EXISTING SURFACE FEATURES AND FENCING SHALL BE REPLACED IN KIND.
6. ANY INTERSECTION BY THE CITY, COUNTY, OR THE ENGINEER, SHALL NOT IN ANY WAY RELEASE THE CONTRACTOR FROM ANY LIABILITY FOR DAMAGE TO EXISTING UTILITIES ON THE SITE. ANY DAMAGE TO EXISTING UTILITIES, INCLUDING OR SURFACE FEATURES, SHALL BE REPAIRED/REPLACED AT THE CONTRACTOR'S EXPENSE.
7. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES ON THE SITE. ANY DAMAGE TO EXISTING UTILITIES, INCLUDING OR SURFACE FEATURES, SHALL BE REPAIRED/REPLACED AT THE CONTRACTOR'S EXPENSE.
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12. PRIOR TO FINAL APPROVAL AND ACCEPTANCE OF THE WORK, THE DEVELOPER/CONTRACTOR WILL BE REQUIRED TO CLEAN AND REPAIR ADJACENT OFF-PROJECT ROADWAYS USED OR DAMAGED DURING THE COURSE OF CONSTRUCTION.
13. EMERGENCY VEHICLE ACCESS (E.V.A.) MUST BE PROVIDED BY THE DEVELOPER/CONTRACTOR THROUGHOUT THE ENTIRE CONSTRUCTION PERIOD. THE E.V.A. ROUTE MUST BE BOUND AND MAINTAINED BY THE DEVELOPER/CONTRACTOR AT ALL TIMES. SIGNAGE SHALL BE PLACED BEGINNING AT THE POINT OF ENTRY AND AT ALL DIRECTIONAL CHANGE LOCATIONS.
14. THE PLANS SHALL COMPLY WITH THE ARIZONA WITH DISPERSED ACTS ACCESSIBILITY GUIDELINES, AS PUBLISHED IN THE FEDERAL REGISTER ON SEPTEMBER 15, 2010.

CITY OF SURPRISE - PAVING NOTES

1. THE ACTUAL POINT OF PAVEMENT MATCHING AND/OR TERMINATION SHALL BE DETERMINED IN THE FIELD BY A CITY OF SURPRISE FIELD INSPECTOR.
2. ALL PERMITS, COVER, VALVE BOXES, AND MANHOLE COVERS SHALL BE ADJUSTED TO FINISH GRADE AFTER COMPLETION OF PAVING OR RELATED CONSTRUCTION.
3. CONSTRUCTION OF SURFACE IMPROVEMENTS SHALL NOT BEGIN UNTIL CONFLICTING UNDERGROUND UTILITY CONSTRUCTION IS COMPLETED AND SERVICE CONNECTIONS TO ALL PLANTED LOTS HAVE BEEN INDICATELY EXTENDED TO THE RIGHT-OF-WAY OR PUBLIC UTILITY EASEMENT.
4. THE PERMITTEE SHALL ARRANGE FOR THE RELOCATION COSTS OF ALL UTILITIES, INCLUDING ANY STREET LIGHTS, AND SUBMIT A UTILITY RELOCATION SCHEDULE PRIOR TO THE BEGINNING OF A CONSTRUCTION PERMIT.
5. TREES AND SHRUBBERY IN THE RIGHT-OF-WAY THAT CONFLICT WITH PROPOSED IMPROVEMENTS SHALL NOT BE REMOVED WITHOUT APPROVAL FROM THE CITY. THE PERMITTEE SHALL BE RESPONSIBLE FOR OBTAINING APPROVAL FROM THE CITY OF SURPRISE COMMUNITY DEVELOPMENT AT 623-233-3000 TO REMOVE AND/OR RELOCATE SAGE TREES AND SHRUBBERY.
6. DAMAGED AND/OR REPLACED CONCRETE CURBS, GUTTERS, SIDEWALKS, OR SIDEWALK SLAB THAT IS WITHIN THE RIGHT-OF-WAY SHALL BE REPAIRED OR REPLACED BEFORE FINAL ACCEPTANCE OF THE WORK.
7. GRADING BETWEEN BACK OF CURB AND PROPERTY LINE SHALL BE LIMITED TO 4:1 SLOPE. PROTECT SLOPES FROM EROSION AND/OR TRANSPORT BY AT LEAST TWO FEET OF ADJACENT PRIVATE PROPERTY.
8. ALL CURB ELEVATIONS SHALL HAVE A TWO-FOOT WIDE RETENTION INSTALLATION PER MAJ STANDARD DETAIL 122.
9. STREET SIDE SHALL BE SUPPLIED AND INSTALLED BY THE DEVELOPER. THE LOCATIONS SHOWN ON THE DRAWING, SIGNAGE, OR PAVING PLAN, ALL STREET SIDES SHALL BE RETIRED FOR CITY OF SURPRISE STREET AND STREET SIGN BASE DETAIL 4-1.
10. ASPHALT MIX DESIGN SHALL BE SUBMITTED TO THE CITY OF SURPRISE ENGINEERING DEVELOPMENT SERVICES DIVISION PRIOR TO THE PLACEMENT OF ANY ASPHALT.

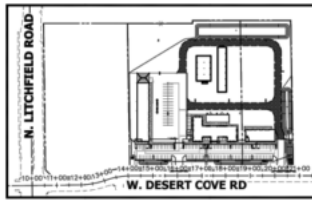
CITY OF SURPRISE - GENERAL GRADING NOTES

1. CONTRACTOR TO FOLLOW RECOMMENDATIONS LISTED IN THE PROJECT SPECIFIC GEOLOGICAL REPORT SHOULD ANY CONFLICTS ARISE BETWEEN THE SOIL INVESTIGATION REPORT AND THESE GRADING PLANS, THE CIVIL ENGINEER SHALL BE CONTACTED FOR CLARIFICATION.
2. THE ENGINEER MAKES NO REPRESENTATION OR GUARANTEE REGARDING EARTHQUAKE QUANTITIES OR THAT THE EARTHQUAKE FOR THIS PROJECT WILL BE DUE TO UNIFORM FIELD CONDITIONS.
3. THE ENGINEER WILL FURNISH FIELD SURVEYS FOR PAID ELEVATION CERTIFICATIONS, UPON NOTIFICATION BY THE GRADING CONTRACTOR. THE PAID ELEVATION CERTIFICATIONS SHALL BE OBTAINED FROM THE CITY OF SURPRISE ENGINEERING SERVICES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING APPROVAL FROM THE CITY OF SURPRISE COMMUNITY DEVELOPMENT AT 623-233-3000 TO REMOVE AND/OR RELOCATE SAGE TREES AND SHRUBBERY.
4. A GRADING PERMIT IS REQUIRED. BEFORE A GRADING PERMIT IS ISSUED BY THE CITY OF SURPRISE ENGINEERING SERVICES, THE CONTRACTOR MUST FIRST OBTAIN A DUST CONTROL PERMIT FROM MARICOPA COUNTY ENVIRONMENTAL SERVICES-IR QUALITY DIVISION.
5. PERMITS, WHEN REQUIRED, MUST BE OBTAINED PRIOR TO OR CONCURRENTLY WITH THE GRADING AND DRAINAGE PERMIT.
6. A SEPARATE PERMIT IS NECESSARY FOR ANY OFFSITE CONSTRUCTION.
7. CONTRACTOR SHALL PROVIDE LEVEL BOTTOM IN ALL RETENTION BASINS AT ELEVATIONS AS SHOWN ON THE PLANS. SIDE SLOPES IN ALL RETENTION BASINS SHALL NOT EXCEED 4:1 UNLESS NOTED OTHERWISE ON THE PLANS.
8. DITCHES, WHEN REQUIRED, MUST BE DESIGNED A MINIMUM OF 10% (10) FEET INTO FIRM, STABLE, NON-ERODIBLE STRATA OR PLACED WITHIN ANY DITCHES.
9. THE CIVIL ENGINEER SHALL BE RESPONSIBLE FOR THE DESIGN OF THE DITCHES SHOWN ON THE PLANS WITH THE ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY (ADEQ).
10. ALL DRAINAGE BASINS SHALL BE DESIGNED TO PROVIDE PROTECTION FROM STORM DRAINAGE (FIVE) HOURS IN DRAINAGE AREA. SEE DETAILS 5-0-1, 5-0-2, AND 5-0-3. REFER TO MAJ DETAILS 500-1 AND 502-2 FOR PIPES LESS THAN THIRTY (30) INCHES IN DIAMETER.
11. SOIL COMPACTOR TEST RESULTS MUST BE SUBMITTED TO THE CITY OF SURPRISE ENGINEERING SERVICES FOR BUILDING PAGES THAT HAVE ONE (1) FOOT OR MORE OF FULL MATERIAL INDICATED.
12. A PAID CERTIFICATION LETTER FOR EACH PHASE OF PAVING SHALL BE SUBMITTED TO THE CITY OF SURPRISE ENGINEERING SERVICES PRIOR TO ANY DRIVE CONSTRUCTION AND FIELD VERIFY EXACT LOCATIONS OF ALL UTILITIES. IF DISCREPANCIES EXIST PRIOR TO ANY DRIVE CONSTRUCTION, THE CONTRACTOR SHALL NOTIFY ENGINEER IMMEDIATELY.
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NOTE REGARDING OPEN AND RETAINING WALLS: THE CITY OF SURPRISE REQUIRES ALL WALLS BE APPROVED BY THE INTERNATIONAL BUILDING CODES.

OFFSITE PAVING PLANS FOR UNITED CONSTRUCTION WEST DESERT COVE ROAD SURPRISE, ARIZONA

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 25, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE 36-1 AND 36-2 WEST RANGES AND MERIDIAN, MARICOPA COUNTY, ARIZONA.



SITE PLAN

SHEET INDEX

EXISTING LEGEND

PROPERTY LINE	---
EASEMENT	---
SEWER LINE	---
WATER LINE	---
STORM DRAIN	---
SANITARY SEWER MANHOLE	---
WATER VALVE	---
WATER METER	---

PROPOSED LEGEND

SEWER LINE	---
WATER LINE	---
STORM DRAIN	---
SANITARY SEWER MANHOLE	---
WATER VALVE	---
WATER METER	---

UNDERGROUND UTILITY NOTE

THE UTILITIES SHOWN ON THESE PLANS ARE BASED ON THE FIELD SURVEY. CONTRACTOR TO CONTACT BLUE STAKE 48 HOURS PRIOR TO ANY DRIVE CONSTRUCTION AND FIELD VERIFY EXACT LOCATIONS OF ALL UTILITIES. IF DISCREPANCIES EXIST PRIOR TO ANY DRIVE CONSTRUCTION, THE CONTRACTOR SHALL NOTIFY ENGINEER IMMEDIATELY.

UTILITY REVIEW

1. THESE PLANS HAVE BEEN SUBMITTED TO THE FOLLOWING UTILITY COMPANIES, WHERE THE WORK TO BE DONE CONFLICTS WITH ANY OF THESE UTILITIES, THE CONFLICTS SHALL BE RESOLVED AS SPECIFIED IN THE SPECIAL PROVISIONS AND/OR AS OTHERWISE NOTED ON THESE PLANS. CONFLICTS ARISING DURING THE COURSE OF CONSTRUCTION FROM UNDISCOVERED DISCREPANCIES SHALL BE REPORTED TO THE INVESTED UTILITY COMPANY AND BE RESOLVED BY THEM AND THE DESIGN ENGINEER.
2. THE CITY WILL NOT PARTICIPATE IN THE COST OF CONSTRUCTION OR UTILITY RELOCATION.

UTILITY	COMPANY	NAME OF COMPANY REPRESENTATIVE	PHONE NUMBER	DATE SENT	DATE SIGNED
DATA, FIBER	CDN COMMUNICATIONS	WITTEN, HELMAN	623-328-1420	11-08-19	01-15-20
COAL, FIBER	CENTURYLINK	CONFLICT LUNDON	480-768-4094	11-08-19	12-02-19
ELECTRIC	APS	RICHARD HAMMITT	623-875-0757	11-08-19	11-20-19
GAS	SOUTHWEST GAS	NORA GALLAGHER	602-864-7648	11-08-19	12-18-19
WATER, SEWER	EPUR WATER	JOHN WIS	623-445-2480	11-08-19	11-13-19

DEVELOPER

UNITED CONSTRUCTION GROUP LLC
4840 N. PAPER DRIVE
GLENNDALE, AZ 85303
PHONE: (602) 841-4000
EMAIL: INFO@UNITEDCONSTRUCTION.COM
CONTACT: KIMMY RUPP

ARCHITECT

DEUTSCH ARCHITECTURE GROUP
4010 E. PAPER DRIVE, RD
PHOENIX, ARIZONA 85038
PHONE: (602) 841-4000
EMAIL: INFO@DEUTSCHARCHITECT.COM
CONTACT: JEFF HORNMAN, P.E.

CIVIL ENGINEER

HUNTER ENGINEERING, INC.
15400 N. 74TH STREET, SUITE 2000
SCOTTSDALE, ARIZONA 85258
PHONE: (480) 361-3885
EMAIL: JACOB@HUNTERENGINEERING.COM
CONTACT: JEFF HORNMAN, P.E.

ACREAGE: 9.235± ACRES

CITY OF SURPRISE BENCHMARK: 2" BRASS DISK WITH BASED DATUM POINT, CATED: CITY OF SURPRISE BENCHMARK AND STAMPED "2017" ON THE TOP OF CURB, ON THE SOUTHWEST CORNER OF DESERT COVE RD. AND LITCHFIELD RD. NAVD 83 ELEVATION = 1127.87

BASIS OF BEARING

THE BASIS OF BEARING FOR THIS SURVEY IS THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 25, T3N, R1E, OF THE 36-1 AND 36-2 WEST RANGES AND MERIDIAN WHICH BEARS NORTH 47° 18' WEST, 1330.97'

ABBREVIATIONS

SYMBOL	ABBREVIATION	SYMBOL	ABBREVIATION
APN	ASSessor PARCEL NUMBER	IF	INVERT ELEVATION
BL	BACK LOT	IR	IMPROVED
BT	BOTTOM	LF	LINEAR FEET
CD	CONCRETE	MT	MATCH LINE
CL	CENTERLINE	NTS	NOT TO SCALE
CV	CURB VERT	OE	OVERHEAD ELECTRIC
CY	CURB YARD	PAE	PUBLIC ACCESS EASEMENT
DE	DEVELOPER	PS PL	PROPERTY LINE
EM	EASEMENT	PMT	PAVEMENT
ES	EASEMENT	RW	RECLAIMED WATER
FF	FINISH FLOOR	RT	RIGHT OF WAY
FG	FINISH GRADE	SD	STORM DRAIN

QUANTITIES (OFFSITE)

CONCRETE	2.0 EA
WATER VALVE	2 EA
WATER METER	4 EA
SEWER	1 EA

NO CONFLICT SIGNATURE BLOCK

I, THE PERSON RESPONSIBLE FOR DESIGNING THE FACILITIES NECESSARY TO SERVE THE DEVELOPMENT, HEREBY CERTIFY THAT ALL OF THE UTILITY COMPANIES LISTED BELOW HAVE REVIEWED THIS PROJECT PROPOSAL, AND ALL CONFLICTS HAVE BEEN RESOLVED AT THIS POINT. NO CONFLICT FORMS HAVE BEEN RETURNED FROM EACH UTILITY COMPANY AND ARE INCLUDED IN THIS SUBMITTAL. I ALSO CERTIFY THAT ALL DRIVE TRANSFORMERS, CABLE BOXES, AND ANY OTHER PUBLIC-PRIVATE APPURTENANCES ARE PLACED SUCH THAT THEY DO NOT NEARLY IMPAIR THE USE OF INTENDED USE OF ANY DEDICATED EASEMENTS OR FACILITIES DEVELOPED WITH THIS PROJECT INCLUDING BUT NOT LIMITED TO STORM WATER STORAGE BASINS, RIGHT OF WAY EASEMENTS AND MAJOR OR OTHER OPEN SPACE EASEMENTS.

AS-BUILT CERTIFICATION

I CERTIFY THAT THE "AS-B



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: May 18, 2021
Submitting Department: Public Works
Staff Recommendations: None

Contact Person: Mike Gent, DIRECTOR - PW
District: Citywide

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to approval of a Fiscal Year 2021 Budget amendment moving spending authority of \$22,600 within the Southwest Gas Capital Expenditure Fund to the Waddell Road capital improvement project, P61440; Resolution # 2021-66.

Motion:

I move to approve Resolution # 2021-66.

Background:

The City currently collects a franchise fee from Southwest Gas to cover the costs associated with relocating their infrastructure as part of city led capital projects. The southwest gas relocations associated with the Waddell Road: Reems Road to State Route 303 have been completed; therefore, we may now proceed with the budget amendment to move the funding from the Southwest Gas franchise fee account into the capital project account.

The total cost associated with the Southwest Gas infrastructure relocations on Waddell Rd. is \$22,600.

Objective Analysis:

This budget amendment will allow the city to pay Southwest Gas for the utility relocations associated with the Waddell Road widening project. This amendment will not have a negative impact on the project budget or the Southwest Gas franchise fee budget.

Policy Compliant:

This item is policy compliant as it relates to the City's financial policies for transferring funds and budget amendments.

Financial Impact:

This action will allow for the one-time reimbursement of \$22,508.31 for the costs associated with the Southwest Gas infrastructure relocations. This reimbursement will be paid for via the Southwest Gas franchise fees that the city collects for this purpose.

Budget Impact:

If approved, this item will amend the FY 2021 adopted budget by moving budget authority in the amount of \$22,600 within the SW Gas Capital Expenditures Fund from contingency to project P61440. This does not represent an actual transfer of funds, but only a transfer of budget authority and does not increase or decrease the total budget.

FTE Impact:

This budget amendment does not include any funding for FTE and does not impact the FTE count for the city.

ATTACHMENTS:

1. Res 2021-66 Budget Amendment for P61440 - SWG Waddell Rd
-

RESOLUTION # 2021-66

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING THE FISCAL YEAR 2021 BUDGET BY MOVING BUDGET AUTHORITY OF \$22,600 WITHIN THE SOUTHWEST GAS CAPITAL EXPENDITURE FUND FROM CONTINGENCY TO THE WADDELL ROAD (SR303-Reems Rd) CAPITAL PROJECT P61440.

WHEREAS, the Waddell road project required funding for South West Gas (SWG) to move and expand the existing gas line associated with Waddell Road project P61440;

WHEREAS, the actual cost to complete this work was \$22,508.31;

WHEREAS, additional funding is required to cover the expense related to the gas line;

WHEREAS, projects involving work performed by SWG which qualify for reimbursement under the Franchise Agreement between SWG Corporation and the City of Surprise must be paid from the SWG Capital Expenditures Fund;

WHEREAS, the FY2021 budget was adopted by Council Resolution #2020-63 on June 2, 2020;

WHEREAS, this action will necessitate a budget amendment; and

WHEREAS, the City of Surprise Administrative Policies requires the approval of the Mayor and Council for budget amendments of this nature.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows.

Section 1. That the statements and schedules attached as *Exhibit A* and incorporated by reference are adopted, amending the budget of the City of Surprise, Arizona for the fiscal year July 1, 2020 through June 30, 2021.

APPROVED AND ADOPTED this ____ day of _____, 2021.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

RESOLUTION # 2021-66

Exhibit A

1. Appropriation The exhibit below represents a movement of budget authority in the amount of \$ 22,600 within the Southwest Gas Capital Expenditure Fund from contingency to Project P61440: Waddell Road (SR303-Reems Rd.) This action represents a transfer of spending authority and does not increase or decrease the total adopted citywide expenditure budget.

Fund	Department	Project/Category	Rev/ Exp	Current Budget	Increase/ (Decrease)	Amended Budget
SW Gas Capital Expenditures	Public Works	P61440 Waddell Rd (SR303- Reems Rd)	E	-	22,600	22,600
SW Gas Capital Expenditures	General Operations	Contingency	E	325,000	(22,600)	302,400
				325,000	-	325,000



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: May 18, 2021
Submitting Department: Public Works
Staff Recommendations: None

Contact Person: Kristin Tytler
District: Citywide

Consent: Yes Regular: No Public Hearing: No Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to approval of an Intergovernmental Agreement between the City of Surprise and the State of Arizona for the GPS Based Emergency Vehicle Preemption Project; Resolution # 2021-60.

Motion:

I move to approve Resolution # 2021-60.

Background:

The City of Surprise applied for Federal CMAQ funding through the Maricopa Association of Government (MAG) System Management and Operations Plan to upgrade its traffic signal emergency vehicle preemption system. The proposed improvements will replace existing outdated optical emergency vehicle preemption system to a central-based GPS emergency vehicle preemption system.

Objective Analysis:

This project will replace existing outdated optical emergency vehicle preemption system to a central-based GPS emergency vehicle preemption system. A GPS-based system will improve emergency vehicle preemption by extending the range that an emergency vehicle can preempt a traffic signal, which will allow the intersection to be cleared in advance of the arrival of the emergency vehicle. This improved operation will reduce the response times of emergency vehicles and will increase the level of safety for all road users. An efficient GPS-based emergency vehicle preemption system will provide a more controlled impact to the intersection by utilizing the emergency vehicles exact location to preempt the traffic signal for an appropriate duration. This will allow the traffic signal to resume its normal operation in a timelier manner.

Policy Compliant:

Pursuant to Arizona Revised Statute §11-951, et seq., the City of Surprise has the authority to enter into an intergovernmental agreement (IGA) with other governmental entities for the purposes set forth in this agreement. This item is policy compliant.

Financial Impact:

The estimated total cost of the project is \$783,501. Surprise's one time contributions to the project are as follows:

\$30,000 – ADOT Project Development Administration

\$42,950 – City’s local match
Total Surprise contribution: \$72,950

Design costs not associated with this IGA are \$48,090. Operational costs associated with the new system are expected to be offset by the reduction of costs with the retiring of the existing system.

Budget Impact:

Funding for this project will come from the Transportation Improvement Fund. Project P61990 GPS Emergency Vehicle Preemption has an approved FY 2021 budget of \$110,000 and additional funding of \$45,200 proposed in the recommended FY2022 budget.

FTE Impact:

This action does not change the full time equivalent count.

ATTACHMENTS:

1. Res2021-60
-

RESOLUTION # 2021-60

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY
OF SURPRISE, ARIZONA APPROVING AN
INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF
ARIZONA FOR THE GPS EMERGENCY BASED VEHICLE
PREEMPTION PROJECT.**

WHEREAS, pursuant to Arizona Revised Statute §11-951, *et seq.*, the City of Surprise has the authority to enter into intergovernmental agreement with other governmental entities for the purposes set forth within;

WHEREAS, the parties desire to enter into an intergovernmental agreement in order to facilitate the replacement of the existing optical emergency vehicle preemption system to a central GPS emergency vehicle system; and

WHEREAS, this project will reduce the response times of emergency vehicles and will increase the level of safety for all road users.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows.

Section 1. The Intergovernmental Agreement between the City of Surprise and the State of Arizona, attached as Exhibit A, is approved.

Section 2. The City Manager, or his designee, is hereby authorized to execute and submit all documents and other necessary or desirable instruments in connection with said agreement.

APPROVED AND ADOPTED this ____ day of _____, 2021.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

EXHIBIT A

INTERGOVERNMENTAL AGREEMENT BETWEEN
THE CITY OF SURPRISE AND THE STATE OF ARIZONA

ADOT CAR No.: IGA 20-0007893-I
AG Contract No.: P001 2020 002019
Project Location/Name: City of Surprise
Type of Work: GPS Based Emergency
Vehicle Preemption
Federal-aid No.: CMAQ-SUR-0(235)T
ADOT Project No.: T0279 01D/03D/01X
TIP/STIP No.: SUR22-060C
CFDA No.: 20.205 - Highway Planning and
Construction
Budget Source Item No.:

INTERGOVERNMENTAL AGREEMENT

BETWEEN
THE STATE OF ARIZONA
AND
CITY OF SURPRISE

THIS AGREEMENT is entered into this date _____, pursuant to the Arizona Revised Statutes ("A.R.S.") §§ 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State" or "ADOT") and the CITY OF SURPRISE, acting by and through its MAYOR and CITY COUNCIL (the "City"). The State and the City are each individually referred to as a "Party" and are collectively referred to as the "Parties."

I. RECITALS

1. The State is empowered by A.R.S. § 28-401 to enter into this Agreement and has delegated to the undersigned the authority to execute this Agreement on behalf of the State.
2. The City is empowered by A.R.S. §§ 9-240, 9-276, 11-951 et seq., and A.R.S. § 48-572 to enter into this Agreement and has by resolution, a copy of which is attached and made a part of, resolved to enter into this Agreement and has authorized the undersigned to execute this Agreement on behalf of the City.
3. The work proposed under this Agreement consists of replacing existing outdated optical emergency vehicle preemption system to a central based GPS emergency vehicle preemption system into and/or alongside the City's existing Advanced Traffic Management System (ATMS), "the Project" or "Equipment". The Project includes procurement, installation, and integration of all software, on-premises computing equipment and in-vehicle communication equipment. The Project cost is estimated at \$783,501.00, as shown in Exhibit A, attached and made a part of this Agreement, which includes federal aid and the City's local match. The State, through the State's Procurement Process and ADOT Procurement contract(s), will utilize an authorized supplier to provide and install the Equipment as outlined in the contract and approved plans to complete this Project with the aid and consent of the State and Federal Highway Administration (FHWA).

4. The interest of the State in this Project is the acquisition of federal funds for the use and benefit of the City and authorization of such federal funds for the Project pursuant to federal law and regulations. If the Project is approved by FHWA and funds for the Project are available the State shall be the designated agent for the City for the Project.

THEREFORE, the Recitals set forth above are incorporated into this Agreement, in consideration of the mutual terms expressed in this Agreement, it is agreed as follows:

II. SCOPE OF WORK

1. The Parties agree:
 - a. The Project will be performed, completed, accepted and paid for in accordance with the requirements of the Project plans and specifications identified in Exhibit A.
 - b. Prior to the State's purchase of Equipment from its authorized supplier, the Parties shall agree on a total final cost of the Project so that the City can adequately budget for its share of the Project cost. In the event the final costs exceed the estimate, the City may terminate this Agreement and the Parties shall have no further obligation hereunder.
 - c. The final Project amount may exceed the initial estimate(s) identified in Exhibit A, and in such case, the City is responsible for, and agrees to pay, any and all actual costs exceeding the initial estimate. If the final Project amount is less than the initial estimate, the difference between the final bid amount and the initial estimate will be de-obligated or otherwise released from the Project. The City acknowledges it remains responsible for, and agrees to pay according to the terms of this Agreement, any and all actual costs exceeding the final Project amount.
2. The State will:
 - a. Execute this Agreement, and if the Project is approved by FHWA and funds for the Project are available, be the City's designated agent for the Project.
 - b. After this Agreement is executed, and prior to performing or authorizing any work, invoice the City for the initial Project Development Administration (PDA) costs, estimated at \$30,000.00 and the City share of the Project costs, estimated at \$42,950.00. If PDA costs exceed the estimate during the review of design, notify the City, obtain concurrence prior to continuing with the review of design, and invoice as determined by ADOT and the City for additional costs to complete PDA for the Project. After the Project costs for the procurement of the Equipment are finalized, the State will either invoice or reimburse the City for the difference between estimated and actual Project costs.
 - c. Submit all required documentation pertaining to the Project to FHWA with the recommendation that the maximum federal funds programmed be approved for the procurement of the Equipment.
 - d. After receipt of the City's PDA and match, and with FHWA authorization, proceed to coordinate with the City regarding Equipment specifications to best ensure the

requirements of the Project are met. Solicit and enter into a contract(s) with the authorized supplier(s) for the purchase and installation of the Equipment. Instruct the vendor to deliver Equipment directly to the City for installation and final acceptance. Should costs exceed the maximum federal funds available it is understood and agreed that the City will be responsible for any overage.

- e. After notification of Project completion, coordinate with the City to perform final inspection, verify installation of all Equipment was performed and completed in compliance with State and FHWA requirements and is in proper working order.
- f. Not be obligated to complete or maintain the Project, should the City fail to budget or provide for proper and perpetual maintenance as set forth in this Agreement.

3. The City will:

- a. Designate the State as the City authorized agent for the Project, including procurement, installation and integration of all software, on-premises computing equipment and in-vehicle communication equipment.
- b. Within 30 days of receipt of an invoice from the State, and prior to procurement of the Equipment, pay the initial PDA costs, estimated at \$30,000.00 and the City's share of Equipment costs, estimated at \$42,950.00. Agree to be responsible for the actual PDA costs, if during the review of design, PDA costs exceed the initial estimate. Be responsible for and pay the difference between the estimated and actual, PDA cost of the Project, within 30 days of receipt of an invoice.
- c. Coordinate with the State during the procurement process, providing Equipment specifications to best ensure the requirements of the Project are met.
- d. Be responsible for any costs exceeding the maximum federal funds available for the Project. Should costs be deemed ineligible or exceed the maximum federal funds available, it is understood and agreed that the City is responsible for these costs; payment for these costs shall be made within 30 days of receipt of an invoice from the State.
- e. Grant to the State, its agents, and/or contractors access to install and inspect the Equipment acquired under this Agreement within the Project schedule. Provide routine maintenance to all installed Equipment for the life of the Equipment. Keep complete records of all Equipment installed per this Project in a manner consistent with State and FHWA requirements.
- f. After notification of Project completion and in coordination with the State, perform final inspection, verify installation of all Equipment was performed and completed in compliance with State and FHWA requirements and is in proper working order.

III. MISCELLANEOUS PROVISIONS

1. This Agreement shall become effective upon signing and dating of the Determination Letter by the State's Attorney General.
2. Any change or modification to the Project will only occur with the mutual written consent of both Parties.
3. The terms, conditions and provisions of this Agreement shall remain in full force and effect until completion of the Project and all related deposits and/or reimbursements are made. Any provisions for maintenance shall be perpetual, unless assumed by another competent entity.
4. This Agreement may be cancelled at any time up to 30 days before the award of the Project contract, so long as the cancelling Party provides at least 30 days' prior written notice to the other Party. It is understood and agreed that, in the event the City terminates this Agreement, prior to award of the Project contract, the City shall be responsible for all PDA costs incurred by the State up to the time of termination. It is further understood and agreed that in the event the City terminates this Agreement, the State shall in no way be obligated to complete or maintain the Project.
5. The City shall indemnify, defend, and hold harmless the State, any of its departments, agencies, officers or employees (collectively referred to in this paragraph as the "State") from any and all claims, demands, suits, actions, proceedings, loss, cost and damages of every kind and description, including reasonable attorneys' fees and/or litigation expenses (collectively referred to in this paragraph as the "Claims"), which may be brought or made against or incurred by the State on account of loss of or damage to any property or for injuries to or death of any person, to the extent caused by, arising out of, or contributed to, by reasons of any alleged act, omission, professional error, fault, mistake, or negligence of the City, its employees, officers, directors, agents, representatives, or contractors, their employees, agents, or representatives in connection with or incident to the performance of this Agreement. The City's obligations under this paragraph shall not extend to any Claims to the extent caused by the negligence of the State, except the obligation does apply to any negligence of the City which may be legally imputed to the State by virtue of the State's ownership or possession of land. The City's obligations under this paragraph shall survive the termination of this Agreement.
6. The cost of the Project under this Agreement is to be covered by the federal funds programmed for this Project, up to the maximum available. The City acknowledges that actual Project costs may exceed the maximum available amount of federal funds, or that certain costs may not be accepted by FHWA as eligible for federal funds. Therefore, the City agrees to pay the difference between actual costs of the Project and the federal funds received.
7. Should the federal funding related to this Project be terminated or reduced by the federal government, or Congress rescinds, fails to renew, or otherwise reduces apportionments or obligation authority, the State shall in no way be obligated for funding or liable for any past, current or future expenses under this Agreement.

8. The cost of the Project under this Agreement includes indirect costs approved by FHWA, as applicable.
9. The Parties warrant compliance with the Federal Funding Accountability and Transparency Act of 2006 and associated 2008 Amendments (the "Act"). Additionally, in a timely manner, the City will provide information that is requested by the State to enable the State to comply with the requirements of the Act, as may be applicable.
10. The City acknowledges and will comply with Title VI of the Civil Rights Act Of 1964.
11. The City acknowledges compliance with federal laws and regulations and may be subject to the CODE OF FEDERAL REGULATIONS, TITLE 2, PART 200 (also known as The Uniform Grant Guidance). Entities that expend \$750,000.00 or more (on or after 12/26/14) of federal assistance (federal funds, federal grants, or federal awards) are required to comply by having an independent audit in accordance with §200.331 Subpart F. Either an electronic or hardcopy of the Single Audit is to be sent to Arizona Department of Transportation Financial Management Services within the required deadline of nine months of the sub recipient fiscal year end.

ADOT – FMS
 Attn: Cost Accounting Administrator
 206 S 17th Ave. Mail Drop 204B
 Phoenix, AZ 85007
SingleAudit@azdot.gov
12. This Agreement shall be governed by and construed in accordance with Arizona laws.
13. This Agreement may be cancelled in accordance with A.R.S. § 38-511.
14. The City shall retain all books, accounts, reports, files and other records relating to the Agreement for five years after completion of the Project. These documents shall be subject at all reasonable times to inspection and audit by the State. Such records shall be produced by the City at the request of ADOT.
15. This Agreement is subject to all applicable provisions of the Americans with Disabilities Act (Public Law 101-336, 42 U.S.C. 12101-12213) and all applicable federal regulations under the Act, including 28 CFR Parts 35 and 36. The Parties to this Agreement shall comply with Executive Order Number 2009-09 issued by the Governor of the State of Arizona and incorporated in this Agreement by reference regarding "Non-Discrimination."
16. Non-Availability of Funds: Every obligation of the State under this Agreement is conditioned upon the availability of funds appropriated or allocated for the fulfillment of such obligations. If funds are not allocated and available for the continuance of this Agreement, this Agreement may be terminated by the State at the end of the period for which the funds are available. No liability shall accrue to the State in the event this provision is exercised, and the State shall not be obligated or liable for any future payments as a result of termination under this paragraph.
17. In the event of any controversy, which may arise out of this Agreement, the Parties agree to abide by arbitration as is set forth for public works contracts if required by A.R.S. § 12-1518.

18. The Parties shall comply with the applicable requirements of A.R.S. § 41-4401.
19. The Parties shall certify that all contractors comply with the applicable requirements of A.R.S. §35-393.01.
20. The Parties shall comply with all applicable laws, rules, regulations and ordinances, as may be amended.
21. All notices or demands upon any Party to this Agreement shall be in writing and shall be delivered electronically, in person, or sent by mail, addressed as follows:

For Agreement Administration:

Arizona Department of Transportation
 Joint Project Agreement Section
 205 S. 17th Avenue, Mail Drop 637E
 Phoenix, AZ 85007
JPABranch@azdot.gov

City of Surprise
 Attn: Jeff Martin
 16000 N. Civic Center Plaza
 Surprise, AZ 85374
 623.222.6026
Jeffery.martin@surpriseaz.gov

For Project Administration:

Arizona Department of Transportation
 Project Management Group
 205 S. 17th Avenue, Mail Drop 614E
 Phoenix, AZ 85007
PMG@azdot.gov

City of Surprise
 Attn: Jeff Martin
 16000 N. Civic Center Plaza
 Surprise, AZ 85374
 623.222.6026
Jeffery.martin@surpriseaz.gov

For Financial Administration:

Arizona Department of Transportation
 Project Management Group
 205 S. 17th Avenue, Mail Drop 614E
 Phoenix, AZ 85007
PMG@azdot.gov

City of Surprise
 Attn: Jeff Martin
 16000 N. Civic Center Plaza
 Surprise, AZ 85374
 623.222.6026
Jeffery.martin@surpriseaz.gov

22. Any revisions to the names and addresses above may be updated administratively by either Party and shall be in writing.
23. In accordance with A.R.S. § 11-952 (D), attached and incorporated in this Agreement is the written determination of each Party's legal counsel that the Parties are authorized under the laws of this State to enter into this Agreement and that the Agreement is in proper form.

IN WITNESS WHEREOF, the Parties have executed this Agreement the day and year first above written.

CITY OF SURPRISE

STATE OF ARIZONA

Department of Transportation
Infrastructure Delivery and Operations Division

By _____
SKIP HALL
Mayor

By _____
STEVE BOSCHEN, PE
Division Director

ATTEST:

By _____
SHERRY AGUILAR
City Clerk

ATTORNEY APPROVAL FORM FOR THE CITY OF SURPRISE

I have reviewed the above referenced Intergovernmental Agreement between the State of Arizona, acting by and through its DEPARTMENT OF TRANSPORTATION, and the CITY OF SURPRISE, an agreement among public agencies which, has been reviewed pursuant to Arizona Revised Statutes §§ 11-951 through 11-954 and declare this Agreement to be in proper form and within the powers and authority granted to the City under the laws of the State of Arizona.

No opinion is expressed as to the authority of the State to enter into this Agreement.

City Attorney

Date

EXHIBIT A**IGA 20-0007893-I
Cost Estimate****T0279**

The federal funds will be used for the procurement costs of the Project. The estimated Project costs are as follows:

ADOT Project Development Administration (PDA) Cost, non-federal-aid:

PDA costs*	\$ 30,000.00
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Subtotal – PDA*	\$ 30,000.00
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Procurement

Federal-aid funds @ 94.3%	\$ 710,551.00
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City's match @ 5.7%	<u>\$ 42,950.00</u>
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Subtotal – Procurement	\$ 753,501.00
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Estimated TOTAL Project Cost	\$ 783,501.00
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Total Estimated City Funds	\$ 72,950.00
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Total Federal Funds	\$ 710,551.00
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* (Included in the City Estimated Funds)



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: May 18, 2021
Submitting Department: Public Works
Staff Recommendations:

Contact Person: Mike Gent, DIRECTOR - PW
District: District 6

Consent: Yes	Regular: No	Public Hearing: No	Report/Discussion: No
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Agenda Wording:

Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at N. 144th Drive and N. 145th Avenue, generally located at N. 144th Avenue and W. Waddell Road. Resolution # 2021-65.

Motion:

I move to approve Resolution # 2021-65.

Background:

The Public Works Department conducted the final inspection of the public improvements for N. 144th Drive and N. 145th Avenue, generally located at N. 144th Avenue and W. Waddell Road, on or about August 10th, 2020, totaling 6,848 SY (approximately 1,622 LF) and determined that the infrastructure was compliant and acceptable to the city. The infrastructure includes asphalt pavement, storm drain, water, reclaimed and wastewater lines.

Objective Analysis:

The improvements for this property provide access and conveyance to the property, storm drains to convey wastewater to retention basins, sewer lines to convey wastewater from the property to the City's public system and water and reclaimed water lines to convey domestic and reclaimed water to the property. This action will accept the required infrastructure.

Policy Compliant:

City Code generally requires development to install public infrastructure required to serve the development. Upon completion and acceptance of such infrastructure, the infrastructure becomes the property of the City. Acceptance of this infrastructure will officially transfer ownership and future maintenance to the City.

Financial Impact:

Acceptance of streets, sewer, water, and storm drain infrastructure increases the city's asset base and adds to future maintenance commitments. The total acceptance value of the infrastructure included with this item is \$1,251,677.00.

Budget Impact:

Funding for the infrastructure maintenance now and in the future will be supported from the city's HURF, Water Operations, Wastewater Operations, and Stormwater Operations Funds. The anticipated incremental additional maintenance expense associated with the acceptance of these infrastructure items will be incorporated in future year budgets.

FTE Impact:

This action does not change the full time equivalent count.

ATTACHMENTS:

1. RES 2021-65 Acceptance Marley Park N 144Dr and 145 Ave-Final
 2. 02_Notice of Completion Letter
 3. 03_Inspector Sign-Off Form
 4. 04_Linear Foot Verification
-

RESOLUTION # 2021-65

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, TO CONDITIONALLY ACCEPT THE STREET AND PUBLIC UTILITY IMPROVEMENTS AND COMMENCE MAINTENANCE AFTER A ONE YEAR WARRANTY AT N. 144TH DRIVE AND N. 145TH AVENUE, GENERALLY LOCATED AT N. 145TH AVENUE AND W. WADDELL ROAD.

WHEREAS, the Mayor and City Council of the City of Surprise approved a map of dedication entitled "North 144th Drive and North 145th Avenue" on, March 20th, 2018;

WHEREAS, Meritage Homes of Arizona, Inc., an Arizona Corporation, the developer of N. 144th Drive and N. 145th Avenue, dedicated to the City the street and public utility improvements, generally located at N. 144th Avenue and W. Waddell Road;

WHEREAS, on or about August 10th, 2020, the City of Surprise Public Works Department Engineering Division completed an inspection of the public improvements described in this resolution and found the improvements to be in substantial compliance with the approved plans and specifications;

WHEREAS, the City of Surprise notes that the one-year warranty period will commence upon conditional acceptance by the City; and

WHEREAS, after the conclusion of the one-year warranty period, the City of Surprise will release the warranty and begin maintenance of the street and public utility improvements.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows.

Section 1. The City of Surprise conditionally accepts the street and public utility improvements generally located as depicted on the map attached as Exhibit A and listed on Exhibit B.

Section 2. Upon final acceptance by the City Engineer, the City Council hereby directs the City to release warranty and begin maintenance of the street and public utility improvements.

SIGNATURES ON THE FOLLOWING PAGE

APPROVED AND ADOPTED this _____ day of _____, 2021.

Skip Hall, Mayor

Attest:

Approved as to form:

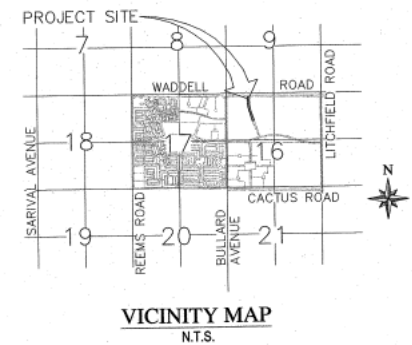
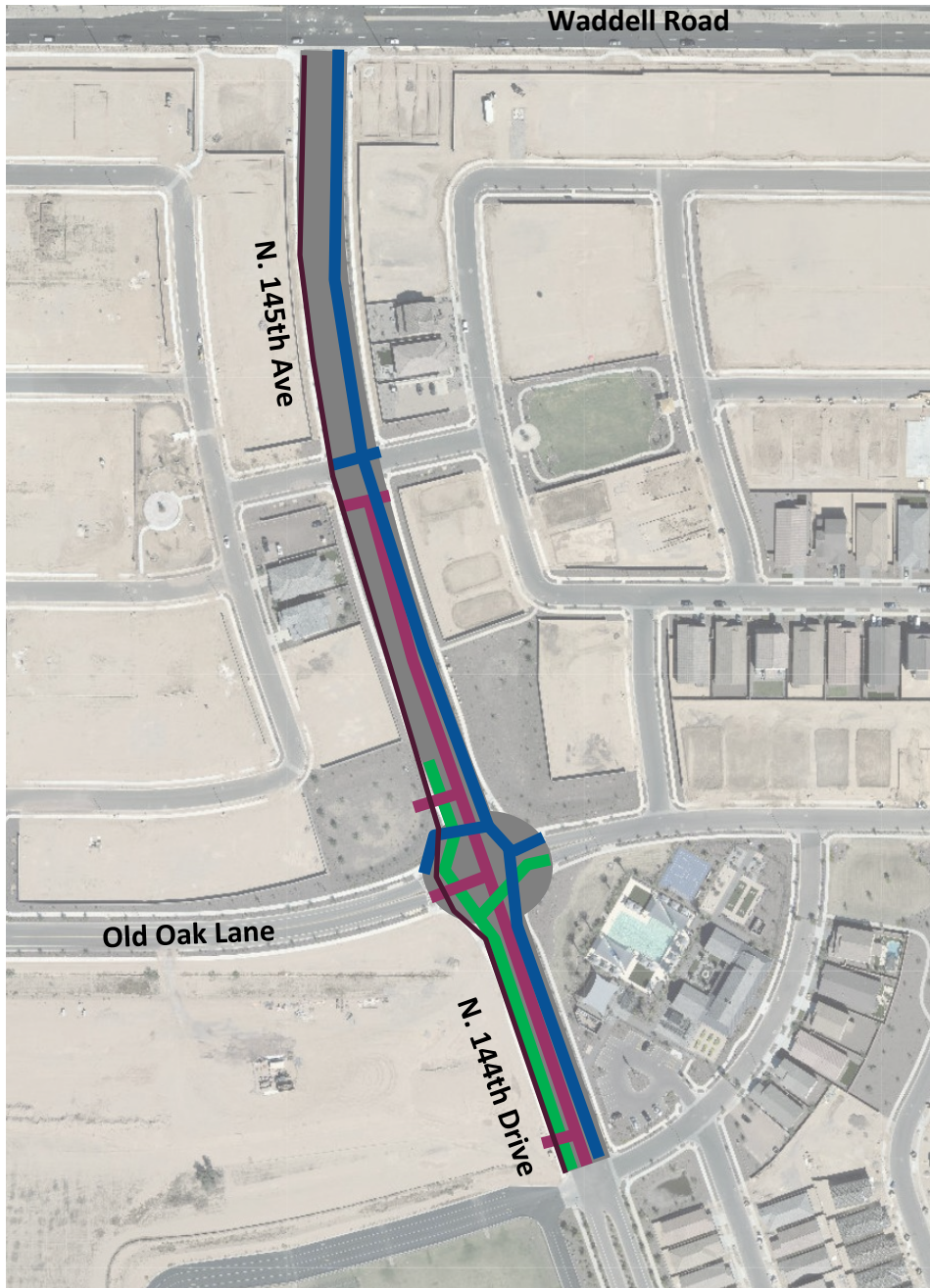
Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

Exhibit A

Map of Infrastructure

Homestead at Marley Park Phase 4 & 5 - 144th Drive and 145th Drive



INFRASTRUCTURE TO

BE ACCEPTED:

-  SEWER
-  WATER
-  RECLAIMED WATER
-  STORM DRAIN
-  ROADWAY



EXHIBIT B

ENGINEERING DIVISION
PUBLIC WORKS
CITY OF SURPRISE
16000 N. CIVIC CENTER PLAZA
SURPRISE, AZ 85374
T. 623-222-6150

Memorandum

To: City of Surprise City Council
From: Public Works – Engineering Services
Date: 4/26/2021
Re: N. 144th Drive and N. 145th Avenue

The public improvements for the above project have been completed and are tentatively scheduled for the May 18th, 2021 council agenda for acceptance. The amounts for the infrastructure have been provided by a third party and not the City of Surprise. The following are the infrastructure improvements included with this acceptance and the corresponding valuation that the City will be accepting:

City Sewer: \$122,695.00
City Water: \$245,045.00
City Reclaimed Water: \$85,650.00
City Storm Drain: \$259,904.00
City Concrete: \$205,941.00
City Paving: \$332,442.00

Total: \$1,251,677.00

August 12, 2020

Meritage Homes
8800 E. Raintree Dr
Scottsdale, AZ 85260

**RE: NOTICE OF COMPLETION AND COUNCIL ACTION REQUIREMENT FOR MARLEY PARK
PHASE 4 & 5 144 DR 145 AVE – FS17-601**

The City of Surprise Public Works Department has completed the inspection of the public utility improvements for the above referenced project. These improvements are in substantial compliance with the approved plans and specifications. Council action is required prior to conditional acceptance and the official beginning of the warranty period. The time frame for Council action is approximately 90 days after the following items have been submitted:

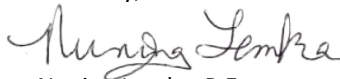
- A copy of all lien releases or a title report
- Actual construction cost for related civil permits issued
- Warranty assurance in a format acceptable by the City

A notice of the required assurance amount and acceptable formats will be sent via email once actual construction costs have been submitted by the applicant. The warranty period starts upon council acceptance for a period of one (1) year; please ensure warranty assurance will not expire prior to this date. The applicant will be notified of the council date as soon as it is scheduled and the warranty financial assurance is required to be submitted to the city 10 calendar days prior to the council date. If a warranty financial assurance is not received within 10 calendar days, council action and start of the warranty period will be delayed, at a minimum, an additional two (2) weeks.

A letter of conditional acceptance and notification that the warranty period has begun will be forwarded upon the completion of council acceptance. Also, a request to release the associated completion assurance will be made; notification will be sent when assurance document is available for pick up.

If you have any questions or concerns, you can reach me at 623-222-6148 or at nuning.lemka@surpriseaz.gov.

Sincerely,



Nuning Lemka, P.E.
Engineering Manager

cc: Kristin Tytler, Assistant PW Director/City Engineer
David Mobley, PW Field Engineering Supervisor
David Kohlbeck, PW Business Manager
Lee Lambert, Water Resource Management
Warren Bert, GIS

Mike Gent, Deputy City Manager/PW Director
John McFarland, PW Streets Manager
Jon Gake, Finance
Michael Boule - Water Resource Management



PUBLIC WORKS
CITY OF SURPRISE
16000 N. CIVIC CENTER PLAZA
SURPRISE, AZ 85374
T. 623-222-6000



PROJECT SIGN OFF FORM

PUBLIC WORKS - ENGINEERING SERVICES, INSPECTIONS

Date Submitted: 08/4/20 _____ Commercial _____ Commercial w/Offsite ☒ Residential

☒ COMPLETION ACCEPTANCE (End of Construction) _____ FINAL ACCEPTANCE (End of Warranty)

1-14-20 _____ Date of Punch-List Walk 2-27-20 _____ Date Punch-List Completed

FS Number: FS17-601 _____ Permit Number(s): E18P-0511,0509,0510,0080,0082,0083

Project Name: Marley Park Phase 4&5 N 144TH DR AND N 145

Project Developer/Builder: (Name/Email, Address)

Meritage Homes 8800 E Raintree Dr Scottsdale Az 85260

MAG TIP Reporting:

Street Name	Classification	Begin Limits	End Limits	# Lanes	Length to nearest ¼ mi.	Features
144TH DR	Local	Future Tie in	145TH AVE	2	1/4	
145TH AVE	Local	144th Dr	Waddell Rd	2	3/4	

MATERIALS:

Asphalt: Vulcan Materials _____ Supplier 1 _____ Total Lane Miles 8,308 _____ Total Square Yards _____

Water: 8" Pvc c-900 cl 200 _____ Size/Type 395 _____ Total LF 12" polywrapped cl 350 _____ Size/Type 1590 _____ Total LF

8" polywrapped cl 350 _____ Size/Type 20 _____ Total LF _____ Size/Type _____ Total LF

Sewer: 8" pvc sdr-35 _____ Size/Type 595 _____ Total LF _____ Size/Type _____ Total LF

12" pvc sdr-35 _____ Size/Type 380 _____ Total LF _____ Size/Type _____ Total LF

Storm: 18" RGRCP _____ Size/Type 291 _____ Total LF 36" RGRCP _____ Size/Type 565 _____ Total LF

30" RGRCP _____ Size/Type 130 _____ Total LF 42" RGRCP _____ Size/Type 341 _____ Total LF

Fire Ln: _____ Size/Type _____ Total LF 48" RGRCP _____ Size/Type 67 _____ Total LF

Additional Comments:

SUPPORTING DOCUMENTATION REQUIRED:

- ☒ Copy of Punch List
- ☒ Final Certification Letter from Engineer of Record _____ AOC
- ☒ Complete Geotechnical Testing Packet _____ ☒ Asphalt Concrete Ticket w/ Name of Contractor
- ☒ Sewer Pressure Testing Results _____ ☒ Streetlight Energize Letter
- ☒ Sewer Manhole Vacuum Testing Certification _____ ☒ As built Documents (PDF copy on CD)
- ☒ Sewer Manhole Insecticide Certification _____ ☐ Updated asbuilt CAD base files (copy on CD)
- ☒ Sewer Videos with Operators Notes (inc. re-videos)
- Other _____ (Specify)

APPROVAL:

Civil Inspector: [Signature]

Date: 8-4-20

Civil Engineering Supervisor: [Signature]

Date: 08/10/2020

Roadway		New Lanes (total) (total incl.	New Bike Lanes (total)	Median Width (ft)	Length (ft)	Length (mile)	Length (Nearest 1/4 mile)	Lane Miles
44th Drive and N. 144th Drive		2	2	12	450.0	0.09	0.25	0.17
44th Drive and N. 145th Avenue		2	2	12	1172.0	0.22	0.25	0.44
				Total	1622.0			



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: May 18, 2021
Submitting Department: Public Works
Staff Recommendations: None

Contact Person: Mike Gent, DIRECTOR - PW
District: District 6

Consent: Yes	Regular: No	Public Hearing: No	Report/Discussion: No
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Agenda Wording:

Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at Homestead at Marley Park Phase 4 & 5 Parcel 4; Resolution # 2021-67.

Motion:

I move to approve Resolution # 2021-67.

Background:

The Public Works Department conducted the final inspection of the public improvements for 11,555 SY (approximately 3,714 LF) and determined that the infrastructure was compliant and acceptable to the city. The infrastructure includes asphalt pavement, storm drain, water and wastewater lines.

Objective Analysis:

The improvements for this property provide access and conveyance to the property, storm drains to convey wastewater to retention basins, sewer lines to convey wastewater from the property to the City's public system and water lines to convey domestic water to the property. This action will accept the required infrastructure.

Policy Compliant:

City Code generally requires development to install public infrastructure required to serve the development. Upon completion and acceptance of such infrastructure, the infrastructure becomes the property of the City. Acceptance of this infrastructure will officially transfer ownership and future maintenance to the City.

Financial Impact:

Acceptance of streets, sewer, water, and storm drain infrastructure increases the city's asset base and adds to future maintenance commitments. The total acceptance value of the infrastructure included with this item is \$965,032.00.

Budget Impact:

Funding for the infrastructure maintenance now and in the future will be supported from the city's HURF, Water Operations, Wastewater Operations, and Stormwater Operations Funds. The anticipated incremental additional maintenance expense associated with the acceptance of these infrastructure items

will be incorporated in future year budgets.

FTE Impact:

This action does not change the full time equivalent count.

ATTACHMENTS:

1. 01_RES 2021-67 Acceptance Marley Park Ph 4, 5 Parcel 4-FINAL
 2. 02_NOC LETTER-signed
 3. 03_Inspector Sign off Form
 4. 04_Linear Foot Verification
-

RESOLUTION # 2021-67

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, TO CONDITIONALLY ACCEPT THE STREET AND PUBLIC UTILITY IMPROVEMENTS AND COMMENCE MAINTENANCE AFTER ONE YEAR WARRANTY AT HOMESTEAD AT MARLEY PARK PHASE 4 & 5 PARCEL 4, GENERALLY LOCATED AT W. WILLOW AVENUE AND N. 145TH AVENUE.

WHEREAS, the Mayor and City Council of the City of Surprise approved a final plat entitled "Homestead at Marley Park Phase 4 & 5 Parcel 4" on, September 5th, 2019;

WHEREAS, Meritage Homes of Arizona, Inc., an Arizona Corporation, the developer of Homestead at Marley Park Phase 4 & 5 Parcel 4, dedicated to the City the street and public utility improvements, generally located at W. Willow Avenue and N. 145th Avenue;

WHEREAS, on or about November 22, 2019, the City of Surprise Public Works Department Engineering Division completed an inspection of the public improvements described in this resolution and found the improvements to be in substantial compliance with the approved plans and specifications;

WHEREAS, the City of Surprise notes that the one-year warranty period will commence upon conditional acceptance by the City; and

WHEREAS, after the conclusion of the one-year warranty period, the City of Surprise will release the warranty and begin maintenance of the street and public utility improvements.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows.

Section 1. The City of Surprise conditionally accepts the street and public utility improvements generally located as depicted on the map attached as Exhibit A and listed on Exhibit B.

Section 2. Upon final acceptance by the City Engineer, the City Council hereby directs the City to release warranty and begin maintenance of the street and public utility improvements.

SIGNATURES ON THE FOLLOWING PAGE

APPROVED AND ADOPTED this _____ day of _____, 2021.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

Exhibit A

Map of Infrastructure

Homestead at Marley Park Phase 4 & 5 - Parcel 4



INFRASTRUCTURE TO

BE ACCEPTED:

- SEWER
- WATER
- STORM DRAIN
- ROADWAY

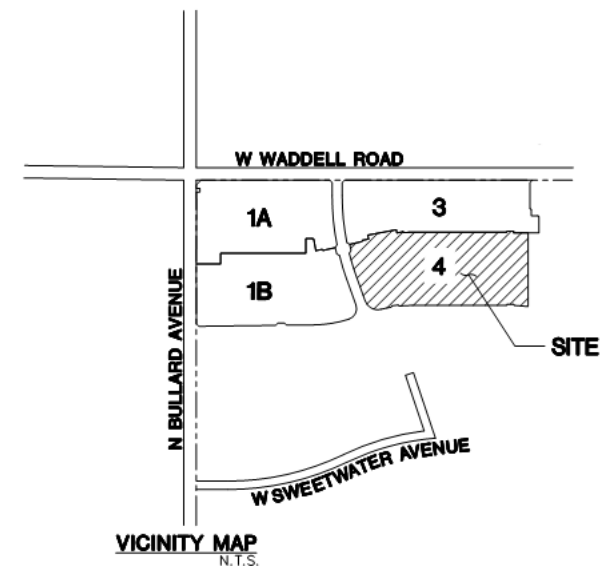




EXHIBIT B

ENGINEERING DIVISION
PUBLIC WORKS
CITY OF SURPRISE
16000 N. CIVIC CENTER PLAZA
SURPRISE, AZ 85374
T. 623-222-6150

Memorandum

To: City of Surprise City Council
From: Public Works – Engineering Services
Date: 04/28/2021
Re: Homestead at Marley Park Phase 4 & 5 Parcel 4

The public improvements for the above project have been completed and are tentatively scheduled for the May 18, 2021 council agenda for acceptance. The amounts for the infrastructure have been provided by a third party and not the City of Surprise. The following are the infrastructure improvements included with this acceptance and the corresponding valuation that the City will be accepting:

- City Paving - \$218,435.00
- City Concrete - \$284,158.00
- City Storm Drain - \$20,328.00
- City Water - \$223,676.00
- City Sewer - \$218,435.00
- **Total - \$965,032.00**

December 04, 2019

Meritage Homes
8800 E. Raintree Dr. 300
Scottsdale, AZ 85260

**RE: NOTICE OF COMPLETION AND COUNCIL ACTION REQUIREMENT FOR HOMESTEAD AT
MARLEY PARK PH 4 & 5 PARCEL 4 – FS18-177**

The City of Surprise Public Works Department has completed the inspection of the public utility improvements for the above referenced project. These improvements are in substantial compliance with the approved plans and specifications. Council action is required prior to conditional acceptance and the official beginning of the warranty period. The time frame for Council action is approximately 90 days after the following items have been submitted:

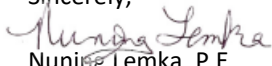
- A copy of all lien releases or a title report
- Actual construction cost for related civil permits issued
- Warranty assurance in a format acceptable by the City

A notice of the required assurance amount and acceptable formats will be sent via email once actual construction costs have been submitted by the applicant. The warranty period starts upon council acceptance for a period of one (1) years; please ensure warranty assurance will not expire prior to this date. The applicant will be notified of the council date as soon as it is scheduled and the warranty financial assurance is required to be submitted to the city 10 calendar days prior to the council date. If a warranty financial assurance is not received within 10 calendar days, council action and start of the warranty period will be delayed, at a minimum, an additional two (2) weeks.

A letter of conditional acceptance and notification that the warranty period has begun will be forwarded upon the completion of council acceptance. Also, a request to release the associated completion assurance will be made; notification will be sent when assurance document is available for pick up.

If you have any questions or concerns, you can reach me at 623-222-6148 or at nuning.lemka@surpriseaz.gov.

Sincerely,



Nuning Lemka, P.E.
Engineering Manager

cc: Kristin Tytler, Assistant PW Director/City Engineer
David Mobley, Field Engineering Supervisor
David Kohlbeck, Public Works Business Manager
Lee Lambert, Water Services
Warren Bert, GIS

Mike Gent, Public Works Director
John McFarland, Public Works Streets Manager
Jonathan Gake, Finance
Michael Boule, Assistant PW Director/Operations
File



7-17-19	Date of Punch-List Walk	8-7-2019	Date Punch-List Completed
---------	-------------------------	----------	---------------------------

8800 E Raintree Dr Scottsdale, AZ 85260

Street Name	Classification	Begin Limits	End Limits	# Lanes	Length to nearest ¼ mi.	Features
Voltaire	Local	144th Dr	143rd Ave	2	1/2	
144th Dr	Local	Eugene	Future Tie in	2	1/4	
143rd ave	Local	Parcel 3	Future Tie in	2	1/2	
Eugene	Local	143rd ave	144th Ln	2	1/2	
144th Ln	Local	Eugene	Future Tie In	2	1/4	

Date: 11/22/2019



PROJECT SIGN OFF FORM

PUBLIC WORKS - ENGINEERING SERVICES, INSPECTIONS

Date Submitted: 11-18-2019 ☐ Commercial ☐ Commercial w/Offsite ☒ Residential

☒ COMPLETION ACCEPTANCE (End of Construction) ☐ FINAL ACCEPTANCE (End of Warranty)

7-17-19 Date of Punch-List Walk 8-7-2019 Date Punch-List Completed

FS Number: FS18-177 Permit Number(s): E18P-0422,0423,0424,0425,0426,0427

Project Name: Marlwy Park Phase 4&5 Parcel 4

Project Developer/Builder: (Name/Email, Address)

Meritage Homes

8800 E Raintree Dr Scottsdale, AZ 85260

MAG TIP Reporting:

Street Name	Classification	Begin Limits	End Limits	# Lanes	Length to nearest 1/4 mi.	Features
144TH DR	Local	Eugene	Future Tie In	2	1/4	
Willow Dr	Local	144th Dr	Future Tie IN	2	1/4	

MATERIALS:

Asphalt: Vulcan Materials Supplier 1 Total Lane Miles Total Square Yards

Water: Size/Type Total LF Size/Type Total LF

 Size/Type Total LF Size/Type Total LF

Sewer: Size/Type Total LF Size/Type Total LF

 Size/Type Total LF Size/Type Total LF

Storm: Size/Type Total LF Size/Type Total LF

 Size/Type Total LF Size/Type Total LF

Fire Ln: Size/Type Total LF Size/Type Total LF

Additional Comments:

SUPPORTING DOCUMENTATION REQUIRED:

☒ Copy of Punch List

☒ Final Certification Letter from Engineer of Record

☒ AOC

☒ Complete Geotechnical Testing Packet

☒ Asphalt Concrete Ticket w/ Name of Contractor

☒ Sewer Pressure Testing Results

☒ Streetlight Energize Letter

☒ Sewer Manhole Vacuum Testing Certification

☒ As built Documents (PDF copy on CD)

☒ Sewer Manhole Insecticide Certification

☒ Updated asbuilt CAD base files (copy on CD)

☒ Sewer Videos with Operators Notes (inc. re-videos)

n/a Other (Specify)

APPROVAL:

Civil Inspector: [Signature]

Date: 11-18-19

Civil Engineering Supervisor: [Signature]

Date: 11/22/2019

Private/Public	Classification	Limits (Begin)	Limits (End)	Paving Paved Dirt Road?	New Lanes (total) (total incl.)	New Bike Lanes (total)	Med Width
	Local	N. 144th Drive	N. 143rd Avenue	N	2	0	0
	Local	N. 145th Avenue	N. 144th Lane	N	2	0	0
	Local	N. 144th Lane	N. 143rd Avenue	N	2	0	0
	Local	W. Eugene Terrace	W. Willow Avenue	N	2	0	0
	Local	W. Old Oak Lane	W. Eugene Terrace	N	2	0	0
	Local	W. Eugene Terrace	W. Voltaire Street	N	2	0	0
	Local	W. Old Oak Lane	W. Voltaire Street	N	2	0	0
							To



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: May 18, 2021
Submitting Department: Public Works
Staff Recommendations:

Contact Person: Mike Gent, DIRECTOR - PW
District: District 6

Consent: Yes	Regular: No	Public Hearing: No	Report/Discussion: No
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Agenda Wording:

Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at W. Old Oak Lane, generally located at W. Old Oak Lane and N. Bullard Avenue; Resolution # 2021-62.

Motion:

I move to approve Resolution # 2021-62.

Background:

The Public Works Department conducted the final inspection of the public improvements for W. Old Oak Lane and N. Bullard Avenue on or about August 10, 2020 totaling 5,612 SY (approximately 1,365 LF) and determined that the infrastructure was compliant and acceptable to the city. The infrastructure includes asphalt pavement, storm drain and water lines.

Objective Analysis:

The improvements for this property provide access and conveyance to the property, storm drains to convey wastewater to retention basins, and water lines to convey domestic water to the property. This action will accept the required infrastructure.

Policy Compliant:

City Code generally requires development to install public infrastructure required to serve the development. Upon completion and acceptance of such infrastructure, the infrastructure becomes the property of the City. Acceptance of this infrastructure will officially transfer ownership and future maintenance to the City.

Financial Impact:

Acceptance of streets, water, and storm drain infrastructure increases the city's asset base and adds to future maintenance commitments. The total acceptance value of the infrastructure included with this item is \$437,933.15.

Budget Impact:

Funding for the infrastructure maintenance now and in the future will be supported from the city's HURF, Water Operations, and Stormwater Operations Funds. The anticipated incremental additional maintenance expense associated with the acceptance of these infrastructure items will be incorporated in future year budgets.

FTE Impact:

This action does not change the full time equivalent count.

ATTACHMENTS:

1. 02_Notice of Completion Letter
 2. 03_Inspector Sign-Off Form
 3. 04_Linear Foot Verification
 4. 01_RES 2021-62 Acceptance Marley Park -Old Oak Lane-final
-

August 12, 2020

Meritage Homes
8800 E. Raintree Dr
Scottsdale, AZ 85260

**RE: NOTICE OF COMPLETION AND COUNCIL ACTION REQUIREMENT FOR MARLEY PARK
PHASE 4 & 5 OLD OAK LANE – FS17-618**

The City of Surprise Public Works Department has completed the inspection of the public utility improvements for the above referenced project. These improvements are in substantial compliance with the approved plans and specifications. Council action is required prior to conditional acceptance and the official beginning of the warranty period. The time frame for Council action is approximately 90 days after the following items have been submitted:

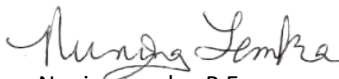
- A copy of all lien releases or a title report
- Actual construction cost for related civil permits issued
- Warranty assurance in a format acceptable by the City

A notice of the required assurance amount and acceptable formats will be sent via email once actual construction costs have been submitted by the applicant. The warranty period starts upon council acceptance for a period of one (1) year; please ensure warranty assurance will not expire prior to this date. The applicant will be notified of the council date as soon as it is scheduled and the warranty financial assurance is required to be submitted to the city 10 calendar days prior to the council date. If a warranty financial assurance is not received within 10 calendar days, council action and start of the warranty period will be delayed, at a minimum, an additional two (2) weeks.

A letter of conditional acceptance and notification that the warranty period has begun will be forwarded upon the completion of council acceptance. Also, a request to release the associated completion assurance will be made; notification will be sent when assurance document is available for pick up.

If you have any questions or concerns, you can reach me at 623-222-6148 or at nuning.lemka@surpriseaz.gov.

Sincerely,



Nuning Lemka, P.E.
Engineering Manager

cc: Kristin Tytler, Assistant PW Director/City Engineer
David Mobley, PW Field Engineering Supervisor
David Kohlbeck, PW Business Manager
Lee Lambert, Water Resource Management
Warren Bert, GIS

Mike Gent, Deputy City Manager/PW Director
John McFarland, PW Streets Manager
Jon Gake, Finance
Michael Boule - Water Resource Management



PROJECT SIGN OFF FORM

PUBLIC WORKS - ENGINEERING SERVICES, INSPECTIONS

Date Submitted: 07/30/20 ☐ Commercial ☐ Commercial w/Offsite ☒ Residential

☒ COMPLETION ACCEPTANCE (End of Construction) ☐ FINAL ACCEPTANCE (End of Warranty)

1-13-20 Date of Punch-List Walk 2-6-20 Date Punch-List Completed

FS Number: FS17-618 Permit Number(s): E18P-0077,0078,0079,0137

Project Name: Old Oak Lane

Project Developer/Builder: (Name/Email, Address)

Meritage Homes 8800 E Raintree Dr Scottsdale Az 85260

MAG TIP Reporting:

Street Name	Classification	Begin Limits	End Limits	# Lanes	Length to nearest ¼ mi.	Features
Old oak In	Local	Bullard Ave	Future Tie in	2	1/2	

MATERIALS:

Asphalt: Vulcan Materials Supplier 1/2 Total Lane Miles 5,495 Total Square Yards

Water: 8" Pvc c-900 CLASS 200 Size/Type 1,385 Total LF Size/Type Total LF

 Size/Type Total LF Size/Type Total LF

Sewer: Size/Type Total LF Size/Type Total LF

 Size/Type Total LF Size/Type Total LF

Storm: Size/Type Total LF Size/Type Total LF

 Size/Type Total LF Size/Type Total LF

Fire Ln: Size/Type Total LF Size/Type Total LF

Additional Comments:

SUPPORTING DOCUMENTATION REQUIRED:

☒ Copy of Punch List

☒ Final Certification Letter from Engineer of Record ☐ AOC

☒ Complete Geotechnical Testing Packet ☒ Asphalt Concrete Ticket w/ Name of Contractor

☒ Sewer Pressure Testing Results ☒ Streetlight Energize Letter

☒ Sewer Manhole Vacuum Testing Certification ☒ As built Documents (PDF copy on CD)

n/a Sewer Manhole Insecticide Certification ☐ Updated asbuilt CAD base files (copy on CD)

n/a Sewer Videos with Operators Notes (inc. re-videos)

 Other (Specify)

APPROVAL:

Civil Inspector: [Signature]

Date: 7-30-20

Civil Engineering Supervisor: [Signature]

Date: 08/10/2020

ay	Limits (End)	Paving Paved Dirt Road?	New Lanes (total) (total incl.	New Bike Lanes (total)	Median Width (ft)	Length (ft)	Length (mile)
Dak Lane	N. 145th Avenue	N	2	2	0	1365.0	0.26
					Total	1365.0	

RESOLUTION # 2021-62

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, TO CONDITIONALLY ACCEPT THE STREET AND PUBLIC UTILITY IMPROVEMENTS AND COMMENCE MAINTENANCE AFTER A ONE YEAR WARRANTY AT W. OLD OAK LANE, GENERALLY LOCATED AT W. OLD OAK LANE AND N. BULLARD AVENUE.

WHEREAS, the Mayor and City Council of the City of Surprise approved a map of dedication entitled "Old Oak Lane" on, March 20th, 2018;

WHEREAS, Meritage Homes of Arizona, Inc., an Arizona Corporation, the developer of W. Old Oak Lane, dedicated to the City the street and public utility improvements, generally located at W. Old Oak Lane and N. Bullard Avenue.

WHEREAS, on or about August 10th, 2020, the City of Surprise Public Works Department Engineering Division completed an inspection of the public improvements described in this resolution and found the improvements to be in substantial compliance with the approved plans and specifications;

WHEREAS, the City of Surprise notes that the one-year warranty period will commence upon conditional acceptance by the City; and

WHEREAS, after the conclusion of the one-year warranty period, the City of Surprise will release the warranty and begin maintenance of the street and public utility improvements.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows.

Section 1. The City of Surprise conditionally accepts the street and public utility improvements generally located as depicted on the map attached as Exhibit A and listed on Exhibit B.

Section 2. Upon final acceptance by the City Engineer, the City Council hereby directs the City to release warranty and begin maintenance of the street and public utility improvements.

APPROVED AND ADOPTED this _____ day of _____, 2021.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

Exhibit A

Map of Infrastructure

Homestead at Marley Park Phase 4 & 5 - W. Old Oak Lane



INFRASTRUCTURE TO

BE ACCEPTED:

- WATER
- STORM DRAIN
- ROADWAY

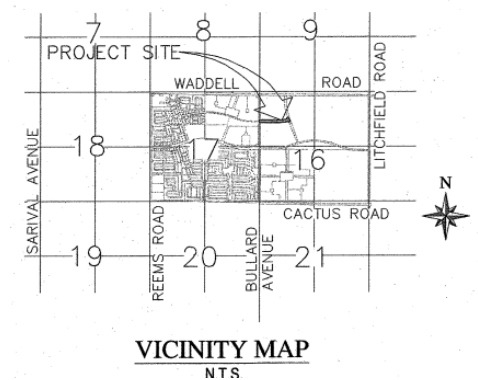




EXHIBIT B

ENGINEERING DIVISION
PUBLIC WORKS
CITY OF SURPRISE
16000 N. CIVIC CENTER PLAZA
SURPRISE, AZ 85374
T. 623-222-6150

Memorandum

To: City of Surprise City Council
From: Public Works – Engineering Services
Date: 4/26/2021
Re: W. Old Oak Lane

The public improvements for the above project have been completed and are tentatively scheduled for the May 18th, 2021 council agenda for acceptance. The amounts for the infrastructure have been provided by a third party and not the City of Surprise. The following are the infrastructure improvements included with this acceptance and the corresponding valuation that the City will be accepting:

City Water: \$87,890.00
City Storm Drain: \$16,372.00
City Concrete: \$125,972.75
City Paving: \$207,698.40

Total: \$437,933.15



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: May 18, 2021
Submitting Department: Public Works
Staff Recommendations:

Contact Person: Mike Gent, DIRECTOR - PW
District: District 6

Consent: Yes	Regular: No	Public Hearing: No	Report/Discussion: No
--------------	-------------	--------------------	-----------------------

Agenda Wording:

Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at Homestead at Marley Park Phase 4 & 5, Parcel 5, generally located at N. 142nd Lane and W. Georgia Drive; Resolution # 2021-68.

Motion:

I move to approve Resolution # 2021-68.

Background:

The Public Works Department conducted the final inspection of the public improvements for Marley Park Phase 4 & 5 – Parcel 5, generally located at N. 142nd Lane and W. Georgia Drive on or about October 9th, 2020 totaling 12,787 SY (approximately 4,110 LF) and determined that the infrastructure was compliant and acceptable to the city. The infrastructure includes asphalt pavement, concrete, water and wastewater lines.

Objective Analysis:

The improvements for this property provide access and conveyance to the property, sewer lines to convey wastewater from the property to the City's public system and water lines to convey domestic water to the property. This action will accept the required infrastructure.

Policy Compliant:

City Code generally requires development to install public infrastructure required to serve the development. Upon completion and acceptance of such infrastructure, the infrastructure becomes the property of the City. Acceptance of this infrastructure will officially transfer ownership and future maintenance to the City.

Financial Impact:

Acceptance of streets, sewer, and water infrastructure increases the city's asset base and adds to future maintenance commitments. The total acceptance value of the infrastructure included with this item is \$1,309,191.61.

Budget Impact:

Funding for the infrastructure maintenance now and in the future will be supported from the city's

HURF, Water Operations, and Wastewater Operations Funds. The anticipated incremental additional maintenance expense associated with the acceptance of these infrastructure items will be incorporated in future year budgets.

FTE Impact:

This action does not change the full time equivalent count.

ATTACHMENTS:

1. 02_Notice of Completion Letter
 2. 03_Inspector Sign-Off Form
 3. 04_Linear Foot Verification
 4. 01_RES 2021-68 Acceptance Marley Park Ph 4, 5 Parcel 5-final
-

December 9, 2020

Meritage Homes
8800 E Raintree Dr., Suite 300
Scottsdale, AZ 85260

**RE: NOTICE OF COMPLETION AND COUNCIL ACTION REQUIREMENT FOR MARLEY PARK
PHASE 4 & 5 PARCEL 5 – FS18-245**

The City of Surprise Public Works Department has completed the inspection of the public utility improvements for the above referenced project. These improvements are in substantial compliance with the approved plans and specifications. Council action is required prior to conditional acceptance and the official beginning of the warranty period. The time frame for Council action is approximately 90 days after the following items have been submitted:

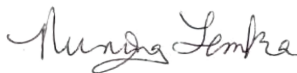
- A copy of all lien releases or a title report
- Actual construction cost for related civil permits issued
- Warranty assurance in a format acceptable by the City

A notice of the required assurance amount and acceptable formats will be sent via email once actual construction costs have been submitted by the applicant. The warranty period starts upon council acceptance for a period of one (1) year; please ensure warranty assurance will not expire prior to this date. The applicant will be notified of the council date as soon as it is scheduled and the warranty financial assurance is required to be submitted to the city 10 calendar days prior to the council date. If a warranty financial assurance is not received within 10 calendar days, council action and start of the warranty period will be delayed, at a minimum, an additional two (2) weeks.

A letter of conditional acceptance and notification that the warranty period has begun will be forwarded upon the completion of council acceptance. Also, a request to release the associated completion assurance will be made; notification will be sent when assurance document is available for pick up.

If you have any questions or concerns, you can reach me at 623-222-6148 or at nuning.lemka@surpriseaz.gov.

Sincerely,



Nuning Lemka, P.E.
Engineering Manager

cc: Kristin Tytler, Assistant PW Director/City Engineer
David Mobley, PW Field Engineering Supervisor
Lynn Stone, PW Business Manager
Lee Lambert, Water Resource Management
Warren Bert, GIS

Mike Gent, Deputy City Manager/PW Director
John McFarland, PW Streets Manager
Jon Gake, Finance
Michael Boule, Water Resource Management
James Marichalar, PW Civil Inspector



6-10-20 Date of Punch-List Walk 7-8-20 Date Punch-List Completed

Meritage Homes 8800 E Raintree Dr Scottsdale Az 85260

Street Name	Classification	Begin Limits	End Limits	# Lanes	Length to nearest ¼ mi.	Features
Georgia Dr	Local	Future Tie in	142nd Dr	2	1/4	
142nd DR	Local	Georgia Dr	Willow Ave	2	1/4	
Georgia Dr	Local	142nd Dr	141st AVE	2	1/2	
Voltaire St	Local	142nd Dr	141st AVE	2	1/2	
Willow ave	Local	142nd Dr	141st Ave	2	1/2	

Page 110 of 453



PROJECT SIGN OFF FORM PUBLIC WORKS - ENGINEERING SERVICES, INSPECTIONS

Date Submitted: 10/6/20 ☐ Commercial ☐ Commercial w/Offsite ☒ Residential

☒ COMPLETION ACCEPTANCE (End of Construction) ☐ FINAL ACCEPTANCE (End of Warranty)

6-10-20 Date of Punch-List Walk 7-8-20 Date Punch-List Completed

FS Number: FS18-245 Permit Number(s): E18P-0655,0656,0657,0658,0659,0660

Project Name: Marley Park Phase 4 & 5 Parcel 5

Project Developer/Builder: (Name/Email, Address)

Meritage Homes 8800 E Raintree Dr Scottsdale Az 85260

MAG TIP Reporting:

Street Name	Classification	Begin Limits	End Limits	# Lanes	Length to nearest ¼ mi.	Features
141st Ave	Local	Georgia Dr	Willow AVE	2	1/4	

MATERIALS:

Asphalt: Vulcan Supplier 2.25 Total Lane Miles 12612 Total Square Yards

Water: 8" Pvc c-900 cl 200 Size/Type 4148 Total LF Size/Type Total LF

Size/Type Total LF Size/Type Total LF

Sewer: 8" pvc sdr-35 Size/Type 3300 Total LF Size/Type Total LF

12" pvc sdr-35 Size/Type 380 Total LF Size/Type Total LF

Storm: 18" RGRCP Size/Type 278 Total LF Size/Type Total LF

Size/Type Total LF Size/Type Total LF

Fire Ln: Size/Type Total LF Size/Type Total LF

Additional Comments:

SUPPORTING DOCUMENTATION REQUIRED:

☒ Copy of Punch List

☒ Final Certification Letter from Engineer of Record

☐ AOC

☒ Complete Geotechnical Testing Packet

☒ Asphalt Concrete Ticket w/ Name of Contractor

☒ Sewer Pressure Testing Results

☒ Streetlight Energize Letter

☒ Sewer Manhole Vacuum Testing Certification

☒ As built Documents (PDF copy on CD)

☒ Sewer Manhole Insecticide Certification

☐ Updated asbuilt CAD base files (copy on CD)

☒ Sewer Videos with Operators Notes (inc. re-videos)

☐ Other _____ (Specify)

APPROVAL:

Civil Inspector: [Signature]

Date: 10-6-20

Civil Engineering Supervisor: [Signature]

Date: 10/09/2020

ay	Limits (End)	Paving Paved Dirt Road?	New Lanes (total) (total incl.	New Bike Lanes (total)	Median Width (ft)	Length (ft)	Length (mile)
ow Avenue	N. 141st Avenue	N	2	0	0	1022.0	0.19
aire Street	N. 141st Avenue	N	2	0	0	1032.0	0.20
rgia Drive	N. 142nd Drive	N	2	0	0	85.0	0.02
rgia Drive	N. 141st Avenue	N	2	0	0	1011.0	0.19
d Drive	W. Georgia Drive	N	2	0	0	505.0	0.10
t Avenue	W. Georgia Drive	N	2	0	0	455.0	0.09
					Total	4110.0	

RESOLUTION # 2021-68

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, TO CONDITIONALLY ACCEPT THE STREET AND PUBLIC UTILITY IMPROVEMENTS AND COMMENCE MAINTENANCE AFTER THE ONE YEAR WARRANTY AT HOMESTEAD AT MARLEY PARK PHASE 4 & 5 PARCEL 5, GENERALLY LOCATED AT N. 142ND LANE AND W. GEORGIA DRIVE.

WHEREAS, the Mayor and City Council of the City of Surprise approved a final plat entitled "Homestead at Marley Park Phase 4 & 5 Parcel 5" on, September 4th, 2018;

WHEREAS, Meritage Homes of Arizona, Inc., an Arizona Corporation, the developer of Homestead at Marley Park Phase 4 & 5 Parcel 5, dedicated to the City the street and public utility improvements, generally located at N. 142nd Lane and W. Georgia Drive;

WHEREAS, on or about October 9th, 2020, the City of Surprise Public Works Department Engineering Division completed an inspection of the public improvements described in this resolution and found the improvements to be in substantial compliance with the approved plans and specifications;

WHEREAS, the City of Surprise notes that the one-year warranty period will commence upon conditional acceptance by the City; and

WHEREAS, after the conclusion of the one-year warranty period, the City of Surprise will release the warranty and begin maintenance of the street and public utility improvements.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows.

Section 1. The City of Surprise conditionally accepts the street and public utility improvements generally located as depicted on the map attached as Exhibit A and listed on Exhibit B.

Section 2. Upon final acceptance by the City Engineer, the City Council hereby directs the City to release warranty and begin maintenance of the street and public utility improvements.

SIGNATURES ON THE FOLLOWING PAGE

APPROVED AND ADOPTED this _____ day of _____, 2021.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

Exhibit A

Map of Infrastructure

Homestead at Marley Park Phase 4 & 5 - Parcel 5

INFRASTRUCTURE TO

BE ACCEPTED:

- SEWER
- WATER
- ROADWAY

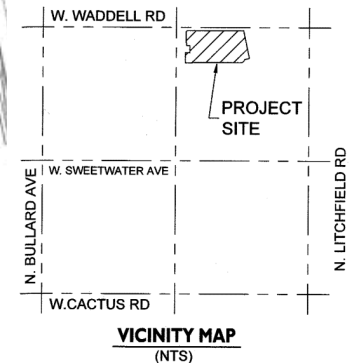
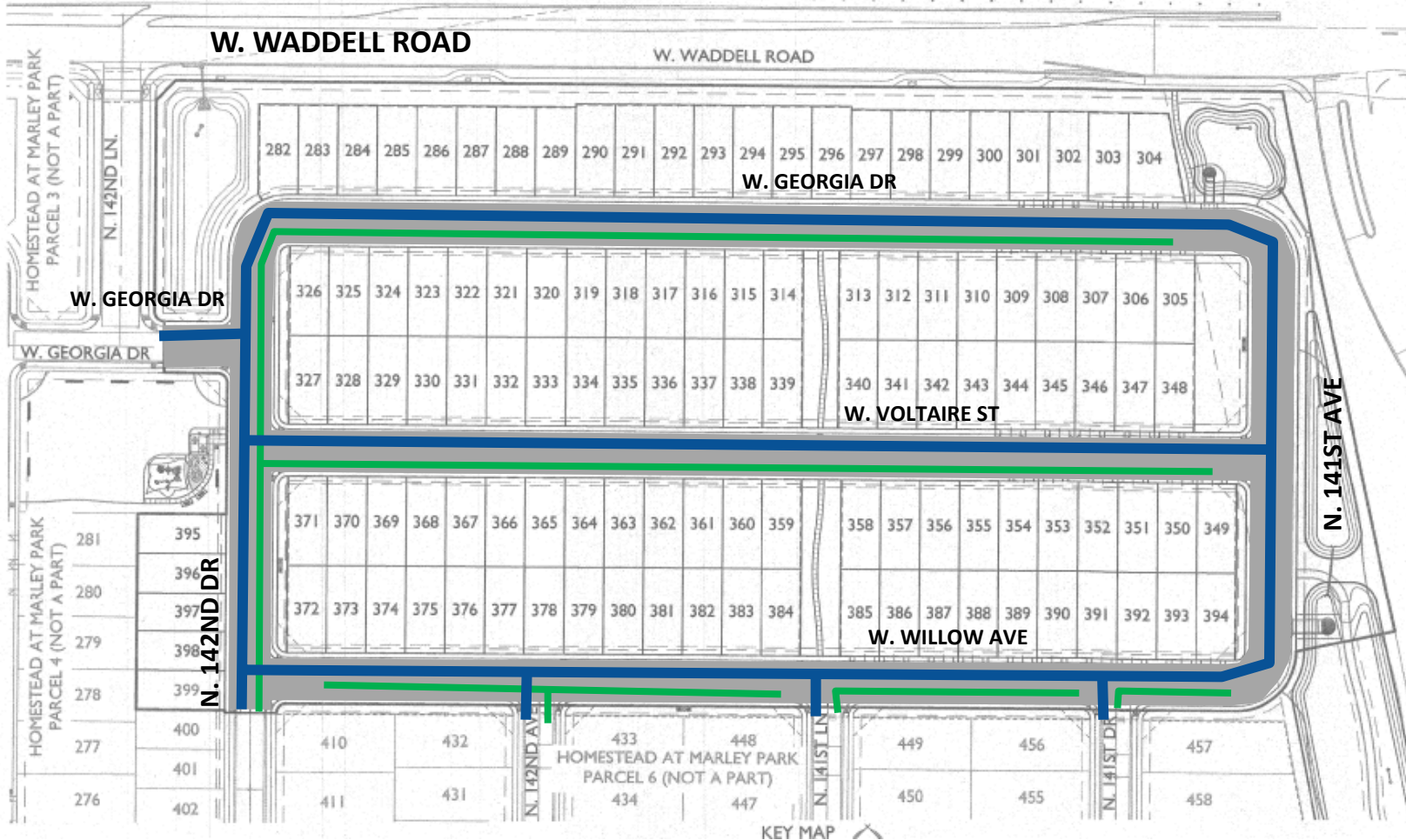




EXHIBIT B

ENGINEERING DIVISION
PUBLIC WORKS
CITY OF SURPRISE
16000 N. CIVIC CENTER PLAZA
SURPRISE, AZ 85374
T. 623-222-6150

Memorandum

To: City of Surprise City Council
From: Public Works – Engineering Services
Date: April 28, 2021
Re: Homestead at Marley Park Phase 4 & 5 Parcel 5

The public improvements for the above project have been completed and are tentatively scheduled for the May 18, 2021 council agenda for acceptance. The amounts for the infrastructure have been provided by a third party and not the City of Surprise. The following are the infrastructure improvements included with this acceptance and the corresponding valuation that the City will be accepting:

- City Paving - \$306,833.25
- City Concrete - \$419,638.16
- City Water - \$304,653.40
- City Sewer - \$278,066.80

- **Total - \$1,309,191.61**



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: May 18, 2021
Submitting Department: Public Works
Staff Recommendations: None

Contact Person: Mike Gent, DIRECTOR - PW
District: District 6

Consent: Yes	Regular: No	Public Hearing: No	Report/Discussion: No
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Agenda Wording:

Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at Marley Park Phase 4 and 5, Parcel 6, generally located at N. 142nd Lane and W. Waddell Road; Resolution # 2021-69.

Motion:

I move to approve Resolution # 2021-69.

Background:

The Public Works Department conducted the final inspection of the public improvements for Homestead at Marley Park Phase 4 & 5 - Parcel 6 on or about July 21, 2020, totaling 14,037 SY (approximately 4,512 LF) and determined that the infrastructure was compliant and acceptable to the city. The infrastructure includes asphalt pavement, concrete, storm drain, water and wastewater lines.

Objective Analysis:

The improvements for this property provide roadways for conveyance through the property, storm drains to convey stormwater to retention basins, and sewer lines to convey wastewater from the property to the City's public system and water lines to convey domestic water to the property. This action will accept the required infrastructure.

Policy Compliant:

City Code generally requires development to install public infrastructure required to serve the development. Upon completion and acceptance of such infrastructure, the infrastructure becomes the property of the City. Acceptance of this infrastructure will officially transfer ownership and future maintenance to the City.

Financial Impact:

Acceptance of streets, sewer, water and storm drain infrastructure increases the city's asset base and adds to future maintenance commitments. The total acceptance value of the infrastructure included with this item is \$1,356,416.72.

Budget Impact:

Funding for the infrastructure maintenance now and in the future will be supported from the city's HURF, Water Operations, Wastewater Operations and Stormwater Operations Funds. The anticipated incremental additional maintenance expense associated with the acceptance of these infrastructure items will be incorporated in future year budgets.

FTE Impact:

This action does not change the full time equivalent count.

ATTACHMENTS:

1. 01_RES 2021-69 Acceptance Marley Park Ph 4, 5 Parcel 6-final
 2. 02_Notice of Completion Letter
 3. 03_Insepector Sign off form
 4. 04_Linear Foot Verification
-

RESOLUTION # 2021-69

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, TO CONDITIONALLY ACCEPT THE STREET AND PUBLIC UTILITY IMPROVEMENTS AND COMMENCE MAINTENANCE AFTER ONE YEAR WARRANTY AT MARLEY PARK PHASES 4 & 5 PARCEL 6, GENERALLY LOCATED AT N. 142ND LANE AND W. WADDELL ROAD.

WHEREAS, the Mayor and City Council of the City of Surprise approved a final plat entitled "Homestead at Marley Park Phase 4 & 5 Parcel 6" on, September 4th, 2018;

WHEREAS, Meritage Homes of Arizona Inc., an Arizona Corporation, the developer of Marley Park Phases 4 & 5 Parcel 6, dedicated to the City the street and public utility improvements, generally located at N. 142nd Lane and W. Waddell Road;

WHEREAS, on or about July 21, 2020, the City of Surprise Public Works Department Engineering Division completed an inspection of the public improvements described in this resolution and found the improvements to be in substantial compliance with the approved plans and specifications;

WHEREAS, the City of Surprise notes that the one-year warranty period will commence upon conditional acceptance by the City; and

WHEREAS, after the conclusion of the one-year warranty period, the City of Surprise will release the warranty and begin maintenance of the street and public utility improvements.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows.

Section 1. The City of Surprise conditionally accepts the street and public utility improvements generally located as depicted on the map attached as Exhibit A and listed on Exhibit B.

Section 2. Upon final acceptance by the City Engineer, the City Council hereby directs the City to release warranty and begin maintenance of the street and public utility improvements.

SIGNATURES ON THE FOLLOWING PAGE

APPROVED AND ADOPTED this _____ day of _____, 2021.

Skip Hall, Mayor

Attest:

Approved as to form:

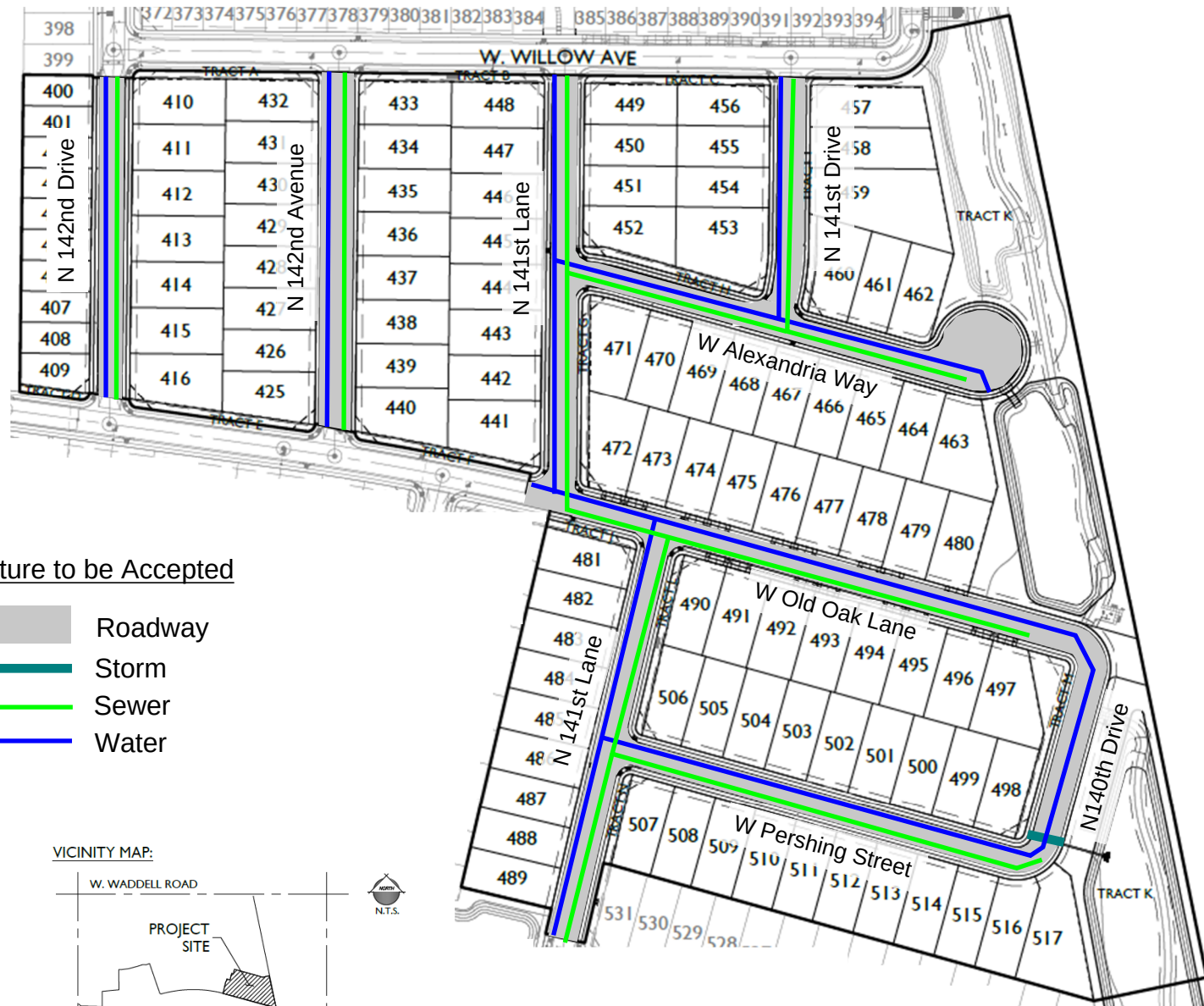
Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

Exhibit A

Map of Infrastructure

Marley Park Phases 4&5 Parcel 6



Infrastructure to be Accepted

- Roadway
- Storm
- Sewer
- Water

VICINITY MAP:

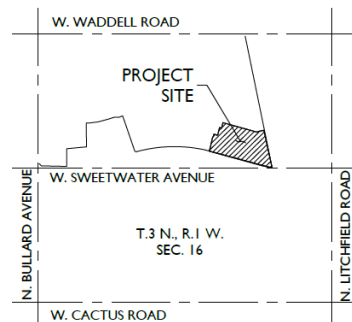




EXHIBIT B

ENGINEERING DIVISION
PUBLIC WORKS
CITY OF SURPRISE
16000 N. CIVIC CENTER PLAZA
SURPRISE, AZ 85374
T. 623-222-6150

Memorandum

To: City of Surprise City Council
From: Public Works – Engineering Services
Date: 4/28/2021
Re: Marley Park Phase 4&5 Parcel 6

The public improvements for the above project have been completed and are tentatively scheduled for the May 18, 2021 council agenda for acceptance. The amounts for the infrastructure have been provided by a third party and not the City of Surprise. The following are the infrastructure improvements included with this acceptance and the corresponding valuation that the City will be accepting:

City Paving - \$344,321.75
City Concrete - \$391,168.97
City Storm Drain - \$10,384.00
City Sewer - \$308,592.00
City Water - \$301,950.00

Total: \$1,356,416.72

December 14, 2020

Meritage Homes
8800 E Raintree Dr
Scottsdale, AZ 85260e

**RE: NOTICE OF COMPLETION AND COUNCIL ACTION REQUIREMENT FOR MARLEY PARK
PHASE 4&5 PARCEL 6 – FS18-214**

The City of Surprise Public Works Department has completed the inspection of the public utility improvements for the above referenced project. These improvements are in substantial compliance with the approved plans and specifications. Council action is required prior to conditional acceptance and the official beginning of the warranty period. The time frame for Council action is approximately 90 days after the following items have been submitted:

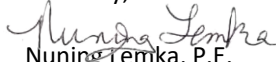
- A copy of all lien releases or a title report
- Actual construction cost for related civil permits issued
- Warranty assurance in a format acceptable by the City

A notice of the required assurance amount and acceptable formats will be sent via email once actual construction costs have been submitted by the applicant. The warranty period starts upon council acceptance for a period of two (1) year; please ensure warranty assurance will not expire prior to this date. The applicant will be notified of the council date as soon as it is scheduled and the warranty financial assurance is required to be submitted to the city 10 calendar days prior to the council date. If a warranty financial assurance is not received within 10 calendar days, council action and start of the warranty period will be delayed, at a minimum, an additional two (2) weeks.

A letter of conditional acceptance and notification that the warranty period has begun will be forwarded upon the completion of council acceptance. Also, a request to release the associated completion assurance will be made; notification will be sent when assurance document is available for pick up.

If you have any questions or concerns, you can reach me at 623-222-6148 or at nuning.lemka@surpriseaz.gov.

Sincerely,



Nuning Lemka, P.E.
Engineering Manager

cc: Kristin Tytler, Assistant PW Director/City Engineer
David Mobley, PW Field Engineering Supervisor
Lynn Stone, PW Business Manager
Lee Lambert, Water Resource Management
Warren Bert, GIS

Mike Gent, Deputy City Manager/PW Director
John McFarland, PW Streets Manager
Jon Gake, Finance
Michael Boule, Water Resource Management
James Marichalar, PW Civil Inspector



PROJECT SIGN OFF FORM

PUBLIC WORKS - ENGINEERING SERVICES, INSPECTIONS

Date Submitted: 10/28/20 ☐ Commercial ☐ Commercial w/Offsite ☒ Residential

☒ COMPLETION ACCEPTANCE (End of Construction) ☐ FINAL ACCEPTANCE (End of Warranty)

7-21-20 Date of Punch-List Walk 8-12-20 Date Punch-List Completed

FS Number: FS18-214 Permit Number(s): E18P-0662,0663,0664,0665,0666,0667

Project Name: Marley Park Phase 4 & 5 Parcel 6

Project Developer/Builder: (Name/Email, Address)

Meritage Homes

8800 E Raintree Dr Scottsdale Az 85260

MAG TIP Reporting:

Street Name	Classification	Begin Limits	End Limits	# Lanes	Length to nearest ¼ mi.	Features
142nd Dr	Local	Future Tie In	Future Tie In	2	1/4	
142nd Ave	Local	Future Tie in	Future Tie in	2	1/4	
141st Ln	Local	Future Tie in	Old Oak Ln	2	1/4	
141st Dr	Local	Future Tie in	Alexandria Way	2	1/4	
Alexandria Way	Local	141st Ln	Cul de sac	2	1/4	

MATERIALS:

Asphalt: Vulcan Supplier 2.25 Total Lane Miles 14129 Total Square Yards

Water: 8" Pvc c-900 cl 200 Size/Type 4851 Total LF Size/Type Total LF

 Size/Type Total LF Size/Type Total LF

Sewer: 8" pvc sdr-35 Size/Type 3955 Total LF Size/Type Total LF

 Size/Type Total LF Size/Type Total LF

Storm: 24" RGRCP CL 3 Size/Type 62 Total LF Size/Type Total LF

24" RGRCP CL 5 Size/Type 35 Total LF Size/Type Total LF

Fire Ln: Size/Type Total LF Size/Type Total LF

Additional Comments:

SUPPORTING DOCUMENTATION REQUIRED:

☒ Copy of Punch List ☐ AOC

☒ Final Certification Letter from Engineer of Record ☒ Asphalt Concrete Ticket w/ Name of Contractor

☒ Complete Geotechnical Testing Packet ☒ Streetlight Energize Letter

☒ Sewer Pressure Testing Results ☒ As built Documents (PDF copy on CD)

☒ Sewer Manhole Vacuum Testing Certification ☐ Updated asbuilt CAD base files (copy on CD)

☒ Sewer Manhole Insecticide Certification

☒ Sewer Videos with Operators Notes (inc. re-videos)

 Other (Specify)

APPROVAL:

Civil Inspector:

Date: 10-28-20

Civil Engineering Supervisor:

Date: 11/20/2020

Private/Public	Classification	Limits (Begin)	Limits (End)	Paving Paved Dirt Road?	New Lanes (total) (total incl.)	New Bike Lanes (total)	Med Width
	Local	W Surrey Drive	W Old Oak Lane	N	2	0	0
	Local	N 141st Lane	N 140th Drive	N	2	0	0
	Local	W Pershing Street	W Old Oak Lane	N	2	0	0
	Local	N 140th Drive	N 141st Lane	N	2	0	0
	Local	W Old Oak Lane	W Willow Avenue	N	2	0	0
	Local	W Old Oak Lane	W Willow Avenue	N	2	0	0
	Local	W Old Oak Lane	W Willow Avenue	N	2	0	0
	Local	N 141st Lane	297' E of 141st Drive	N	2	0	0
	Local	W Alexandria Way	W Willow Avenue	N	2	0	0
							To



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: May 18, 2021
Submitting Department: Public Works
Staff Recommendations: None

Contact Person: Mike Gent, DIRECTOR - PW
District: District 6

Consent: Yes	Regular: No	Public Hearing: No	Report/Discussion: No
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Agenda Wording:

Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at Marley Park Phase 4 and 5, Parcel 7, generally located at N. 142nd Avenue and W. Sweetwater Avenue; Resolution # 2021-70.

Motion:

I move to approve Resolution # 2021-70.

Background:

The Public Works Department conducted the final inspection of the public improvements for Homestead at Marley Park Phase 4 & 5 - Parcel 7 on or about July 14, 2020, totaling 7,370 SY (approximately 2,369 LF) and determined that the infrastructure was compliant and acceptable to the city. The infrastructure includes asphalt pavement, concrete, storm drain, water and wastewater lines.

Objective Analysis:

The improvements for this property provide roadways for conveyance through the property, storm drains to convey stormwater to retention basins, and sewer lines to convey wastewater from the property to the City's public system and water lines to convey domestic water to the property. This action will accept the required infrastructure.

Policy Compliant:

City Code generally requires development to install public infrastructure required to serve the development. Upon completion and acceptance of such infrastructure, the infrastructure becomes the property of the City. Acceptance of this infrastructure will officially transfer ownership and future maintenance to the City.

Financial Impact:

Acceptance of streets, sewer, water and storm drain infrastructure increases the city's asset base and adds to future maintenance commitments. The total acceptance value of the infrastructure included with this item is \$777,939.87.

Budget Impact:

Funding for the infrastructure maintenance now and in the future will be supported from the city's HURF, Water Operations, Wastewater Operations and Stormwater Operations Funds. The anticipated incremental additional maintenance expense associated with the acceptance of these infrastructure items will be incorporated in future year budgets.

FTE Impact:

This action does not change the full time equivalent count.

ATTACHMENTS:

1. 01_RES 2021-70 Acceptance Marley Park Ph 4, 5 Parcel 7-final
 2. 02_Notice of Completion Letter
 3. 03_Inspector Sign off form
 4. 04_Linear Foot Verification
-

RESOLUTION # 2021-70

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, TO CONDITIONALLY ACCEPT THE STREET AND PUBLIC UTILITY IMPROVEMENTS AND COMMENCE MAINTENANCE AFTER A ONE YEAR WARRANTY AT MARLEY PARK PHASES 4 & 5 PARCEL 7, GENERALLY LOCATED AT N. 142ND AVENUE AND W. SWEETWATER AVENUE.

WHEREAS, the Mayor and City Council of the City of Surprise approved a final plat entitled "Homestead at Marley Park Phase 4 & 5 Parcel 7" on, September 4th, 2018;

WHEREAS, Meritage Homes of Arizona Inc., an Arizona Corporation, the developer of Marley Park Phases 4 & 5 Parcel 7, dedicated to the City the street and public utility improvements, generally located at N. 142nd Avenue and W. Sweetwater Avenue;

WHEREAS, on or about July 14, 2020, the City of Surprise Public Works Department Engineering Division completed an inspection of the public improvements described in this resolution and found the improvements to be in substantial compliance with the approved plans and specifications;

WHEREAS, the City of Surprise notes that the one-year warranty period will commence upon conditional acceptance by the City; and

WHEREAS, after the conclusion of the one-year warranty period, the City of Surprise will release the warranty and begin maintenance of the street and public utility improvements.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows.

Section 1. The City of Surprise conditionally accepts the street and public utility improvements generally located as depicted on the map attached as Exhibit A and listed on Exhibit B.

Section 2. Upon final acceptance by the City Engineer, the City Council hereby directs the City to release warranty and begin maintenance of the street and public utility improvements.

SIGNATURES ON THE FOLLOWING PAGE

APPROVED AND ADOPTED this _____ day of _____, 2021.

Skip Hall, Mayor

Attest:

Approved as to form:

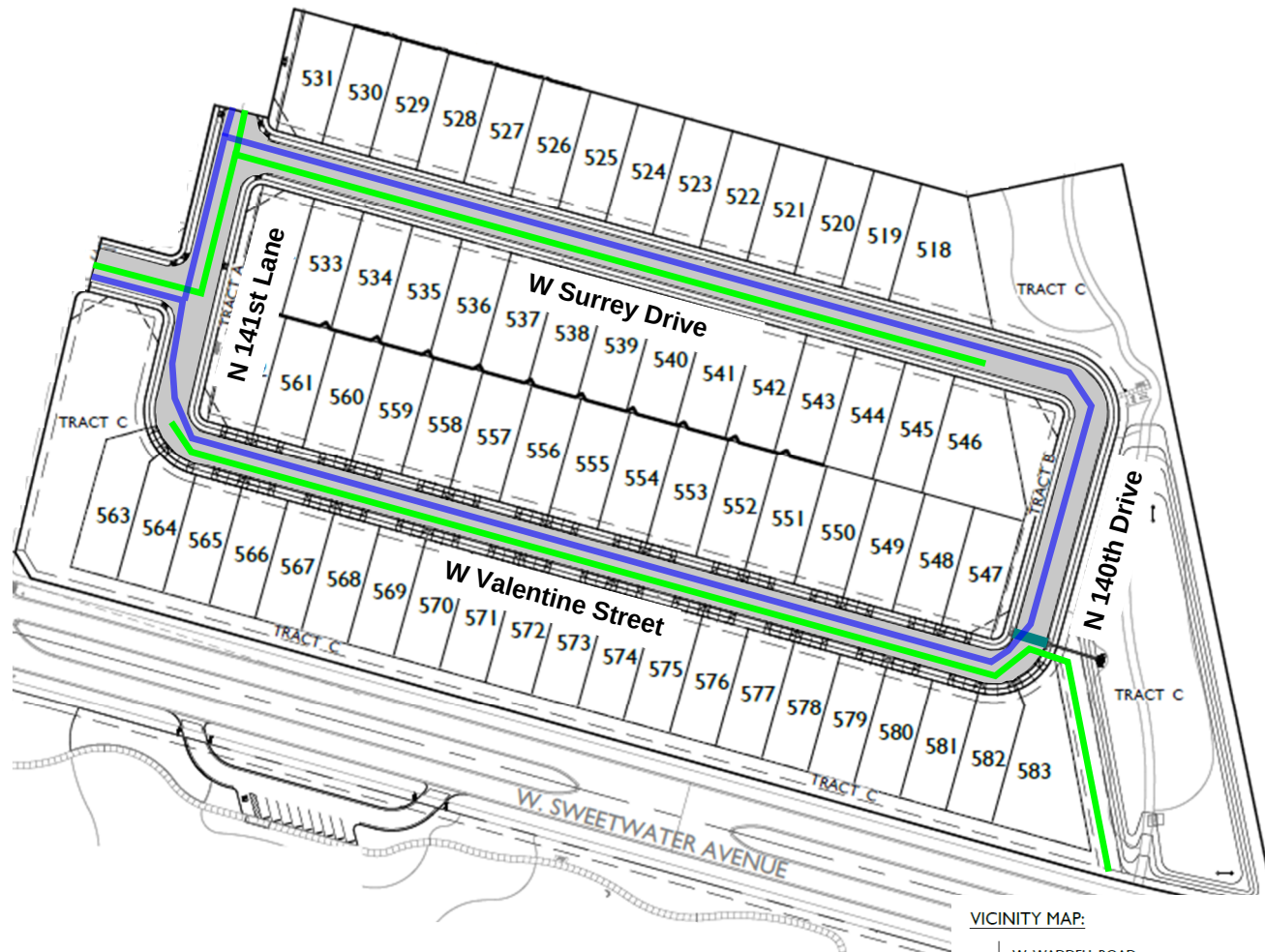
Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

Exhibit A

Map of Infrastructure

Marley Park Phases 4&5 Parcel 7



Infrastructure to be Accepted

	Roadway
	Storm
	Sewer
	Water

VICINITY MAP:

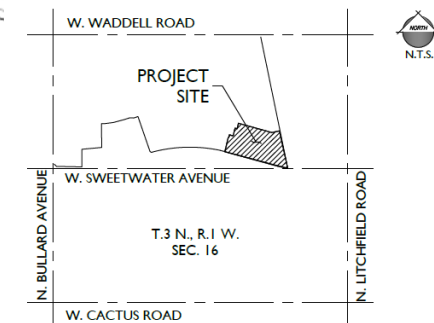




EXHIBIT B

ENGINEERING DIVISION
PUBLIC WORKS
CITY OF SURPRISE
16000 N. CIVIC CENTER PLAZA
SURPRISE, AZ 85374
T. 623-222-6150

Memorandum

To: City of Surprise City Council
From: Public Works – Engineering Services
Date: 4/28/2021
Re: Marley Park Phase 4 & 5 Parcel 7

The public improvements for the above project have been completed and are tentatively scheduled for the May 18th, 2021 council agenda for acceptance. The amounts for the infrastructure have been provided by a third party and not the City of Surprise. The following are the infrastructure improvements included with this acceptance and the corresponding valuation that the City will be accepting:

City Paving - \$184,058.00
City Concrete - \$236,979.87
City Storm Drain - \$8,848.00
City Sewer - \$186,684.00
City Water - \$161,370.00

Total: \$777,939.87

December 14, 2020

Meritage Homes
8800 E Raintree Dr
Scottsdale, AZ 85260

**RE: NOTICE OF COMPLETION AND COUNCIL ACTION REQUIREMENT FOR MARLEY PARK
PHASE 4&5 PARCEL 7 – FS18-190**

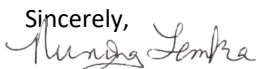
The City of Surprise Public Works Department has completed the inspection of the public utility improvements for the above referenced project. These improvements are in substantial compliance with the approved plans and specifications. Council action is required prior to conditional acceptance and the official beginning of the warranty period. The time frame for Council action is approximately 90 days after the following items have been submitted:

- A copy of all lien releases or a title report
- Actual construction cost for related civil permits issued
- Warranty assurance in a format acceptable by the City

A notice of the required assurance amount and acceptable formats will be sent via email once actual construction costs have been submitted by the applicant. The warranty period starts upon council acceptance for a period of one (1) year; please ensure warranty assurance will not expire prior to this date. The applicant will be notified of the council date as soon as it is scheduled and the warranty financial assurance is required to be submitted to the city 10 calendar days prior to the council date. If a warranty financial assurance is not received within 10 calendar days, council action and start of the warranty period will be delayed, at a minimum, an additional two (2) weeks.

A letter of conditional acceptance and notification that the warranty period has begun will be forwarded upon the completion of council acceptance. Also, a request to release the associated completion assurance will be made; notification will be sent when assurance document is available for pick up.

If you have any questions or concerns, you can reach me at 623-222-6148 or at nuning.lemka@surpriseaz.gov.

Sincerely,

Nuning Lemka, P.E.
Engineering Manager

cc: Kristin Tytler, Assistant PW Director/City Engineer
David Mobley, PW Field Engineering Supervisor
Lynn Stone, PW Business Manager
Lee Lambert, Water Resource Management
Warren Bert, GIS

Mike Gent, Deputy City Manager/PW Director
John McFarland, PW Streets Manager
Jon Gake, Finance
Michael Boule, Water Resource Management
James Marichalar, PW Civil Inspector



7-14-20 Date of Punch-List Walk 8-11-20 Date Punch-List Completed

8800 E Raintree Dr Scottsdale Az 85260

Private/Public	Classification	Limits (Begin)	Limits (End)	Paving Paved Dirt Road?	New Lanes (total) (total incl.)	New Bike Lanes (total)	Med Width
	Local	N 142nd Avenue	N 141st Lane	N	2	0	0
	Local	W Valentine Street	W Surrey Drive	N	2	0	0
	Local	N 141st Lane	N 140th Drive	N	2	0	0
	Local	W Surrey Drive	W Valentine Street	N	2	0	0
	Local	N 141st Lane	N 140th Drive	N	2	0	0
							Total



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: May 18, 2021
Submitting Department: Public Works
Staff Recommendations: None

Contact Person: Mike Gent, DIRECTOR - PW
District: District 6

Consent: Yes	Regular: No	Public Hearing: No	Report/Discussion: No
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Agenda Wording:

Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at Homestead at Marley Park Phase 4 & 5, Parcel 8, generally located at West Sweetwater Avenue and North 142nd Avenue; Resolution # 2021-71.

Motion:

I move to approve Resolution # 2021-71.

Background:

The Public Works Department conducted the final inspection of the public improvements for Homestead at Marley Park Phase 4 & 5 – Parcel 8 on or about December 27, 2019 totaling 19,392 SY (approximately 6,119 LF) and determined that the infrastructure was compliant and acceptable to the city. The infrastructure includes asphalt pavement, storm drain, water and wastewater lines.

Objective Analysis:

The improvements for this property provide access and conveyance to the property, storm drains to convey wastewater to retention basins, sewer lines to convey wastewater from the property to the City's public system and water lines to convey domestic water to the property. This action will accept the required infrastructure.

Policy Compliant:

City Code generally requires development to install public infrastructure required to serve the development. Upon completion and acceptance of such infrastructure, the infrastructure becomes the property of the City. Acceptance of this infrastructure will officially transfer ownership and future maintenance to the City.

Financial Impact:

Acceptance of streets, sewer, water, and storm drain infrastructure increases the city's asset base and adds to future maintenance commitments. The total acceptance value of the infrastructure included with this item is \$1,691,383.00.

Budget Impact:

Funding for the infrastructure maintenance now and in the future will be supported from the city's

HURF, Water Operations, Wastewater Operations, and Stormwater Operations Funds. The anticipated incremental additional maintenance expense associated with the acceptance of these infrastructure items will be incorporated in future year budgets.

FTE Impact:

This action does not change the full time equivalent count.

ATTACHMENTS:

1. 01_RES 2021-71 Acceptance Marley Park Ph 4, 5 Parcel 8-FINAL
 2. 02_Notice of Completion Letter
 3. 03_Inspector sign off form
 4. 04_Linear Foot Verification
-

RESOLUTION # 2021-71

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, TO CONDITIONALLY ACCEPT THE STREET AND PUBLIC UTILITY IMPROVEMENTS AND COMMENCE MAINTENANCE AFTER ONE YEAR WARRANTY AT HOMESTEAD AT MARLEY PARK PHASE 4 & 5 PARCEL 8, GENERALLY LOCATED AT W. SWEETWATER AVENUE AND N. 142nd AVENUE.

WHEREAS, the Mayor and City Council of the City of Surprise approved a final plat entitled "Homestead at Marley Park Phase 4 & 5 Parcel 8" on, September 4th, 2018;

WHEREAS, Meritage Homes of Arizona Inc., an Arizona Corporation, the developer of Homestead at Marley Park Phase 4 & 5 Parcel 8, dedicated to the City the street and public utility improvements, generally located at W. Sweetwater Avenue and N. 142nd Avenue;

WHEREAS, on or about December 27th, 2019, the City of Surprise Public Works Department Engineering Division completed an inspection of the public improvements described in this resolution and found the improvements to be in substantial compliance with the approved plans and specifications;

WHEREAS, the City of Surprise notes that the one-year warranty period will commence upon conditional acceptance by the City; and

WHEREAS, after the conclusion of the one-year warranty period, the City of Surprise will release the warranty and begin maintenance of the street and public utility improvements.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows.

Section 1. The City of Surprise conditionally accepts the street and public utility improvements generally located as depicted on the map attached as Exhibit A and listed on Exhibit B.

Section 2. Upon final acceptance by the City Engineer, the City Council hereby directs the City to release warranty and begin maintenance of the street and public utility improvements.

SIGNATURES ON THE FOLLOWING PAGE

APPROVED AND ADOPTED this _____ day of _____, 2021.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

Exhibit A

Map of Infrastructure

Homestead at Marley Park Phase 4 & 5 - Parcel 8

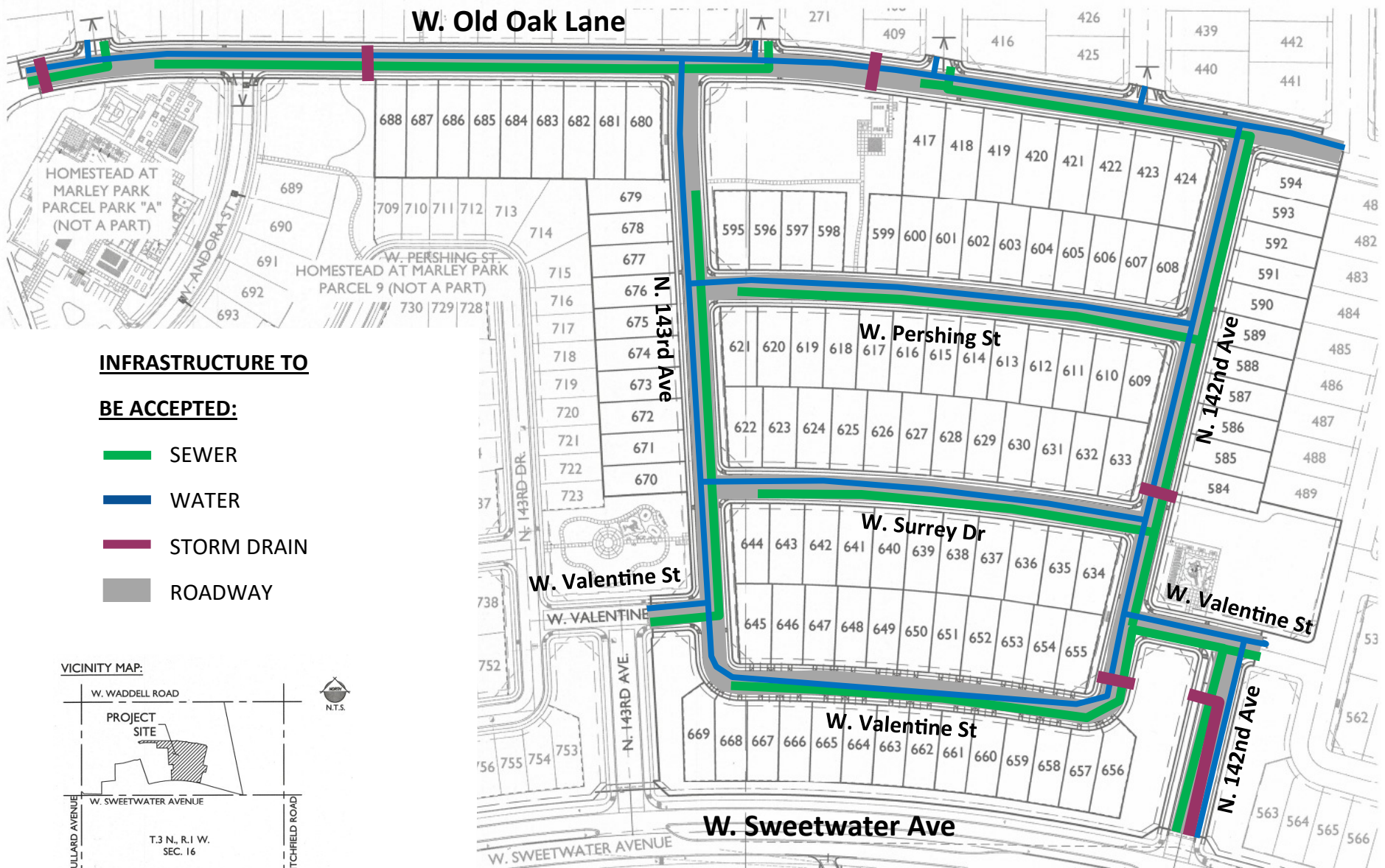




EXHIBIT B

ENGINEERING DIVISION
PUBLIC WORKS
CITY OF SURPRISE
16000 N. CIVIC CENTER PLAZA
SURPRISE, AZ 85374
T. 623-222-6150

Memorandum

To: City of Surprise City Council
From: Public Works – Engineering Services
Date: 4/28/2021
Re: Homestead at Marley Park Phase 4 & 5 – Parcel 8

The public improvements for the above project have been completed and are tentatively scheduled for the May 18th, 2021 council agenda for acceptance. The amounts for the infrastructure have been provided by a third party and not the City of Surprise. The following are the infrastructure improvements included with this acceptance and the corresponding valuation that the City will be accepting:

- City Paving - \$440,575.00
- City Concrete - \$418,378.00
- City Water - \$402,700.00
- City Sewer - \$382,930.00
- City Storm Drain - \$46,800.00

- **Total - \$1,691,383.00**

January 07, 2020

Meritage Homes
8800 E. Raintree Dr. 300
Scottsdale, AZ 85260

**RE: NOTICE OF COMPLETION AND COUNCIL ACTION REQUIREMENT FOR HOMESTEAD AT
MARLEY PARK PHASE 4 & 5 PARCEL 8 – FS18-162**

The City of Surprise Public Works Department has completed the inspection of the public utility improvements for the above referenced project. These improvements are in substantial compliance with the approved plans and specifications. Council action is required prior to conditional acceptance and the official beginning of the warranty period. The time frame for Council action is approximately 90 days after the following items have been submitted:

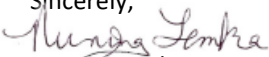
- A copy of all lien releases or a title report
- Actual construction cost for related civil permits issued
- Warranty assurance in a format acceptable by the City

A notice of the required assurance amount and acceptable formats will be sent via email once actual construction costs have been submitted by the applicant. The warranty period starts upon council acceptance for a period of one (1) years; please ensure warranty assurance will not expire prior to this date. The applicant will be notified of the council date as soon as it is scheduled and the warranty financial assurance is required to be submitted to the city 10 calendar days prior to the council date. If a warranty financial assurance is not received within 10 calendar days, council action and start of the warranty period will be delayed, at a minimum, an additional two (2) weeks.

A letter of conditional acceptance and notification that the warranty period has begun will be forwarded upon the completion of council acceptance. Also, a request to release the associated completion assurance will be made; notification will be sent when assurance document is available for pick up.

If you have any questions or concerns, you can reach me at 623-222-6148 or at nuning.lemka@surpriseaz.gov.

Sincerely,



Nuning Lemka, P.E.
Engineering Manager

cc: Kristin Tytler, Assistant PW Director/City Engineer
David Mobley, Field Engineering Supervisor
David Kohlbeck, Public Works Business Manager
Lee Lambert, Water Services
Warren Bert, GIS

Mike Gent, Public Works Director
John McFarland, Public Works Streets Manager
Jonathan Gake, Finance
Michael Boule, Assistant PW Director/Operations
File



PROJECT SIGN OFF FORM

PUBLIC WORKS - ENGINEERING SERVICES, INSPECTIONS

Date Submitted: 12/19/19 _____ Commercial _____ Commercial w/Offsite X Residential

X COMPLETION ACCEPTANCE (End of Construction) _____ FINAL ACCEPTANCE (End of Warranty)

10/17/19 Date of Punch-List Walk 12/4/19 Date Punch-List Completed

FS Number: FS18-162 Permit Number(s): E18P-0590,0591,0592,0593,0594,0595

Project Name: Marley Park Phase 4 and 5 Parcel 8

Project Developer/Builder: (Name/Email, Address)
Meritage Homes, 8800 E Raintree Dr 300, Scottsdale, AZ 85260

MAG TIP Reporting:

Street Name	Classification	Begin Limits	End Limits	# Lanes	Length to nearest ¼ mi.	Features
W Old Oak Ln	Local	N 144th Dr	142nd Ave	2	1/2	
N 143rd Ave	Local	W Old Oak Ln	W Valentine St	2	1/4	
W Pershing St	Local	N 143rd Ave	N 142nd Ave	2	1/4	
W Surrey Dr	Local	N 143rd Ave	N 142nd Ave	2	1/4	
W Valentine St	Local	N 143rd Ave	N 142nd Ave	2	1/4	

MATERIALS:

Asphalt: MR Tanner Supplier 2.25 Total Lane Miles 18953 Total Square Yards

Water: 8" PVC Size/Type 6264 Total LF _____ Size/Type _____ Total LF

_____ Size/Type _____ Total LF _____ Size/Type _____ Total LF

Sewer: 8" PVC Size/Type 5742 Total LF _____ Size/Type _____ Total LF

_____ Size/Type _____ Total LF _____ Size/Type _____ Total LF

Storm: 18" RGRCP Size/Type 98 Total LF 24" RGRCP Size/Type 308 Total LF

18" RGRCP Size/Type 290 Total LF _____ Size/Type _____ Total LF

Fire Ln: N/A Size/Type _____ Total LF _____ Size/Type _____ Total LF

Additional Comments:

SUPPORTING DOCUMENTATION REQUIRED:

X Copy of Punch List

NA Final Certification Letter from Engineer of Record

X Complete Geotechnical Testing Packet

X Sewer Pressure Testing Results

X Sewer Manhole Vacuum Testing Certification

X Sewer Manhole Insecticide Certification

X Sewer Videos with Operators Notes (inc. re-videos)

NA Other _____ (Specify)

NA AOC

X Asphalt Concrete Ticket w/ Name of Contractor

NA Streetlight Energize Letter

X As built Documents (PDF copy on CD)

X Updated asbuilt CAD base files (copy on CD)

APPROVAL:

Civil Inspector: [Signature]

Date: 12/19/19

Civil Engineering Supervisor: [Signature]

Date: 12/27/2019



PROJECT SIGN OFF FORM

PUBLIC WORKS - ENGINEERING SERVICES, INSPECTIONS

Date Submitted: 12/19/19 ☐ Commercial ☐ Commercial w/Offsite ☒ Residential

☒ COMPLETION ACCEPTANCE (End of Construction) ☐ FINAL ACCEPTANCE (End of Warranty)

10/17/19 Date of Punch-List Walk 12/4/19 Date Punch-List Completed

FS Number: FS18-162 Permit Number(s): E18P-0590,0591,0592,0593,0594,0595

Project Name: Marley Park Phase 4 and 5 Parcel 8

Project Developer/Builder: (Name/Email, Address)

Meritage Homes, 8800 E Raintree Dr 300, Scottsdale, AZ 85260

MAG TIP Reporting:

Street Name	Classification	Begin Limits	End Limits	# Lanes	Length to nearest ¼ mi.	Features
N 142nd Ave	Local	W Old Oak Ln	W Valentine St	2	1/4	
W Valentine St	Local	N 142nd	N 141st Ln	2	1/4	
N 142nd Ave	Local	W Valentine St	W Sweetwater Ave	2	1/4	

MATERIALS:

Asphalt: MR Tanner Supplier 2.25 Total Lane Miles 18953 Total Square Yards

Water: _____ Size/Type _____ Total LF _____ Size/Type _____ Total LF

_____ Size/Type _____ Total LF _____ Size/Type _____ Total LF

Sewer: _____ Size/Type _____ Total LF _____ Size/Type _____ Total LF

_____ Size/Type _____ Total LF _____ Size/Type _____ Total LF

Storm: _____ Size/Type _____ Total LF _____ Size/Type _____ Total LF

_____ Size/Type _____ Total LF _____ Size/Type _____ Total LF

Fire Ln: _____ Size/Type _____ Total LF _____ Size/Type _____ Total LF

Additional Comments:

SUPPORTING DOCUMENTATION REQUIRED:

- ☐ Copy of Punch List
- ☐ Final Certification Letter from Engineer of Record
- ☐ Complete Geotechnical Testing Packet
- ☐ Sewer Pressure Testing Results
- ☐ Sewer Manhole Vacuum Testing Certification
- ☐ Sewer Manhole Insecticide Certification
- ☐ Sewer Videos with Operators Notes (inc. re-videos)
- ☐ Other _____ (Specify)
- ☐ AOC
- ☐ Asphalt Concrete Ticket w/ Name of Contractor
- ☐ Streetlight Energize Letter
- ☐ As built Documents (PDF copy on CD)
- ☐ Updated asbuilt CAD base files (copy on CD)

APPROVAL:

Civil Inspector: _____

Date: _____

Civil Engineering Supervisor: _____

Date: _____

Private/Public	Classification	Limits (Begin)	Limits (End)	Paving Paved Dirt Road?	New Lanes (total) (total incl.)	New Bike Lanes (total)	Median Width
	Collector	W. Sweetwater Avenue	W. Valentine Street	N	2	0	0
	Local	N. 143rd Avenue	N. 142nd Avenue	N	2	0	0
	Local	91' west of N. 143rd Avenue	N. 143rd Avenue	N	2	0	0
	Local	N. 142nd Avenue	N. 142nd Avenue	N	2	0	0
	Local	N. 143rd Avenue	N. 142nd Avenue	N	2	0	0
	Local	N. 143rd Avenue	N. 142nd Avenue	N	2	0	0
	Local	N. 144th Drive	N. 141st Lane	N	2	0	0
	Local	W. Valentine Street	W. Old Oak Lane	N	2	0	0
	Local	W. Valentine Street	W. Old Oak Lane	N	2	0	0
							Total



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: May 18, 2021
Submitting Department: Public Works
Staff Recommendations: None

Contact Person: Mike Gent, DIRECTOR - PW
District: District 6

Consent: Yes	Regular: No	Public Hearing: No	Report/Discussion: No
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Agenda Wording:

Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at Homestead at Marley Park Phase 4 & 5, Parcel 9, generally located at West Andora Street and North 144th Lane; Resolution # 2021-72.

Motion:

I move to approve Resolution # 2021-72.

Background:

The Public Works Department conducted the final inspection of the public improvements for Homestead at Marley Park Phase 4 & 5 – Parcel 9 on or about October 21, 2019 totaling 9,150 SY (approximately 2,941 LF) and determined that the infrastructure was compliant and acceptable to the city. The infrastructure includes asphalt pavement, storm drain, water and wastewater lines.

Objective Analysis:

The improvements for this property provide access and conveyance to the property, storm drains to convey wastewater to retention basins, sewer lines to convey wastewater from the property to the City's public system and water lines to convey domestic water to the property. This action will accept the required infrastructure.

Policy Compliant:

City Code generally requires development to install public infrastructure required to serve the development. Upon completion and acceptance of such infrastructure, the infrastructure becomes the property of the City. Acceptance of this infrastructure will officially transfer ownership and future maintenance to the City.

Financial Impact:

Acceptance of streets, sewer, water, and storm drain infrastructure increases the city's asset base and adds to future maintenance commitments. The total acceptance value of the infrastructure included with this item is \$954,197.00.

Budget Impact:

Funding for the infrastructure maintenance now and in the future will be supported from the city's

HURF, Water Operations, Wastewater Operations, and Stormwater Operations Funds. The anticipated incremental additional maintenance expense associated with the acceptance of these infrastructure items will be incorporated in future year budgets

FTE Impact:

This action does not change the full time equivalent count.

ATTACHMENTS:

1. 02_Notice of Completion Letter
 2. 03_Inspector Sign Off Form
 3. 04_Linear Foot Verification
 4. 01_RES 2021-72 Acceptance Marley Park Ph 4, 5 Parcel 9-FINAL
-

October 25, 2019

Meritage Homes
8800 E Raintree Dr 300
Scottsdale, AZ 85260

**RE: NOTICE OF COMPLETION AND COUNCIL ACTION REQUIREMENT FOR HOMESTEAD AT
MARLEY PARK PH 4 & 5 PARCEL 9 – FS18-135**

The City of Surprise Public Works Department has completed the inspection of the public utility improvements for the above referenced project. These improvements are in substantial compliance with the approved plans and specifications. Council action is required prior to conditional acceptance and the official beginning of the warranty period. The time frame for Council action is approximately 90 days after the following items have been submitted:

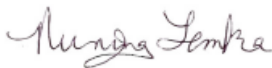
- A copy of all lien releases or a title report
- Actual construction cost for related civil permits issued
- Warranty assurance in a format acceptable by the City

A notice of the required assurance amount and acceptable formats will be sent via email once actual construction costs have been submitted by the applicant. The warranty period starts upon council acceptance for a period of one (1) year; please ensure warranty assurance will not expire prior to this date. The applicant will be notified of the council date as soon as it is scheduled and the warranty financial assurance is required to be submitted to the city 10 calendar days prior to the council date. If a warranty financial assurance is not received within 10 calendar days, council action and start of the warranty period will be delayed, at a minimum, an additional two (2) weeks.

A letter of conditional acceptance and notification that the warranty period has begun will be forwarded upon the completion of council acceptance. Also, a request to release the associated completion assurance will be made; notification will be sent when assurance document is available for pick up.

If you have any questions or concerns, you can reach me at 623-222-6148 or at nuning.lemka@surpriseaz.gov.

Sincerely,



Nuning Lemka, P.E.
Engineering Manager

cc: Kristin Tytler, Assistant PW Director/City Engineer
David Mobley, Field Engineering Supervisor
David Kohlbeck, Public Works Business Manager
Lee Lambert, Water Services
Warren Bert, GIS

Mike Gent, Public Works Director
John McFarland, Public Works Streets Manager
Nick Sarpy, Finance
Michael Boule, Assistant PW Director/Operations
File



PROJECT SIGN OFF FORM

PUBLIC WORKS - ENGINEERING SERVICES, INSPECTIONS

Date Submitted: 10/16/19 _____ Commercial _____ Commercial w/Offsite X Residential

X COMPLETION ACCEPTANCE (End of Construction) _____ FINAL ACCEPTANCE (End of Warranty)

7/22/19 Date of Punch-List Walk 8/16/19 Date Punch-List Completed

FS Number: FS18-135 Permit Number(s): E18P-0600,0598,0597,0601,0599,10

Project Name: Marley Park Phase 4and5 Parcel 9

Project Developer/Builder: (Name/Email, Address)

Meritage Homes Alisa.Schroder@meritagehomes.com

8800 E Raintree Dr 300, Scottsdale, AZ 8520

MAG TIP Reporting:

Street Name	Classification	Begin Limits	End Limits	# Lanes	Length to nearest ¼ mi.	Features
N 143rd Ave	Local	W Sweetwater Ave	W Valentine St	2	1/4	
W Valentine St	Local	N 144th Ln	N 143rd Dr	2	1/4	
N 144th Ln	Local	W Andora St	W Valentine St	2	1/4	
W Surrey Dr	Local	N 144th Ln	N 143rd Dr	2	1/4	
N 144th Dr	Local	W Surrey Dr	W Pershing	2	1/4	

MATERIALS:

Asphalt: MR Tanner/Vulcan Supplier 2 Total Lane Miles 9248 Total Square Yards

Water: 8" PVC Size/Type 3039' Total LF _____ Size/Type _____ Total LF

_____ Size/Type _____ Total LF _____ Size/Type _____ Total LF

Sewer: 8" PVC Size/Type 2832' Total LF _____ Size/Type _____ Total LF

_____ Size/Type _____ Total LF _____ Size/Type _____ Total LF

Storm: 18" RGRCP Size/Type 35' Total LF _____ Size/Type _____ Total LF

36" RGRCP Size/Type 283' Total LF _____ Size/Type _____ Total LF

Fire Ln: N/A Size/Type _____ Total LF _____ Size/Type _____ Total LF

Additional Comments:

SUPPORTING DOCUMENTATION REQUIRED:

X Copy of Punch List

NA Final Certification Letter from Engineer of Record

X Complete Geotechnical Testing Packet

X Sewer Pressure Testing Results

X Sewer Manhole Vacuum Testing Certification

X Sewer Manhole Insecticide Certification

X Sewer Videos with Operators Notes (inc. re-videos)

NA Other _____ (Specify)

NA AOC

X Asphalt Concrete Ticket w/ Name of Contractor

NA Streetlight Energize Letter

X As built Documents (PDF copy on CD)

X Updated asbuilt CAD base files (copy on CD)

APPROVAL:

Civil Inspector: [Signature]

Date: 10/16/19

Civil Engineering Supervisor: [Signature]

Date: 10/21/2019



X COMPLETION ACCEPTANCE (End of Construction) FINAL ACCEPTANCE (End of Warranty)

Date of Punch-List Walk _____ Date Punch-List Completed _____

Project Name: Marley Park Parcel 9

Project Developer/Builder: (Name/Email, Address)

Street Name	Classification	Begin Limits	End Limits	# Lanes	Length to nearest 1/4 mi.	Features
W Pershing St	Local	N 144th Dr	N 143rd Dr	2	1/4	
N 143rd Dr	Local	W Valentine St	W Pershing St	2	1/4	
W Valentine St	Local	N 143rd Dr	N 143rd Ave	2	1/4	

Asphalt:		Supplier	Total Lane Miles	Total Square Yards
Water:	Size/Type	Total LF	Size/Type	Total LF
	Size/Type	Total LF	Size/Type	Total LF
Sewer:	Size/Type	Total LF	Size/Type	Total LF
	Size/Type	Total LF	Size/Type	Total LF
Storm:	Size/Type	Total LF	Size/Type	Total LF
	Size/Type	Total LF	Size/Type	Total LF
Fire Ln:	Size/Type	Total LF	Size/Type	Total LF

SUPPORTING DOCUMENTATION REQUIRED:

- | | |
|---|--|
| ☐ Copy of Punch List | ☐ AOC |
| ☐ Final Certification Letter from Engineer of Record | ☐ Asphalt Concrete Ticket w/ Name of Contractor |
| ☐ Complete Geotechnical Testing Packet | ☐ Streetlight Energize Letter |
| ☐ Sewer Pressure Testing Results | ☐ As built Documents (PDF copy on CD) |
| ☐ Sewer Manhole Vacuum Testing Certification | ☐ Updated asbuilt CAD base files (copy on CD) |
| ☐ Sewer Manhole Insecticide Certification | |
| ☐ Sewer Videos with Operators Notes (inc. re-videos) | |
| ☐ Other _____ | (Specify) |

Civil Inspector: _____

Date: _____

Civil Engineering Supervisor: _____

Date:

te/Public	Classification	Limits (Begin)	Limits (End)	Paving Paved Dirt Road?	New Lanes (total) (total incl.	New Bike Lanes (total)	Me Wid
c	Local	N. 144th Avenue	N. 143rd Drive	N	2	0	
c	Local	N. 143rd Drive	171' east of N. 143rd Drive	N	2	0	
c	Local	N. 144th Avenue	N. 143rd Drive	N	2	0	
c	Local	N. 143rd Lane	N. 143rd Drive	N	2	0	
c	Local	W. Valentine Street	xx' North of W. Valentine Street	N	2	0	
c	Local	W. Surrey Drive	W. Pershing Street	N	2	0	
c	Local	W. Valentine Street	W. Pershing Street	N	2	0	
c	Local	W. Sweetwater Avenue	W. Valentine Street	N	2	0	
							To

RESOLUTION # 2021-72

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, TO CONDITIONALLY ACCEPT THE STREET AND PUBLIC UTILITY IMPROVEMENTS AND COMMENCE MAINTENANCE AFTER A ONE YEAR WARRANTY AT HOMESTEAD AT MARLEY PARK PHASE 4 & 5 PARCEL 9, GENERALLY LOCATED AT W. ANDORA STREET AND N. 144TH LANE.

WHEREAS, the Mayor and City Council of the City of Surprise approved a final plat entitled "Homestead at Marley Park Phase 4 & 5 Parcel 9" on, September 4th, 2018;

WHEREAS, Meritage Homes of Arizona Inc., an Arizona Corporation, the developer of Homestead at Marley Park Phase 4 & 5 Parcel 9, dedicated to the City the street and public utility improvements, generally located at W. Andora Street and N. 144th Lane;

WHEREAS, on or about October 21, 2019, the City of Surprise Public Works Department Engineering Division completed an inspection of the public improvements described in this resolution and found the improvements to be in substantial compliance with the approved plans and specifications;

WHEREAS, the City of Surprise notes that the one-year warranty period will commence upon conditional acceptance by the City; and

WHEREAS, after the conclusion of the one-year warranty period, the City of Surprise will release the warranty and begin maintenance of the street and public utility improvements.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows.

Section 1. The City of Surprise conditionally accepts the street and public utility improvements generally located as depicted on the map attached as Exhibit A and listed on Exhibit B.

Section 2. Upon final acceptance by the City Engineer, the City Council hereby directs the City to release warranty and begin maintenance of the street and public utility improvements.

SIGNATURES ON THE FOLLOWING PAGE

APPROVED AND ADOPTED this _____ day of _____, 2021.

Skip Hall, Mayor

Attest:

Approved as to form:

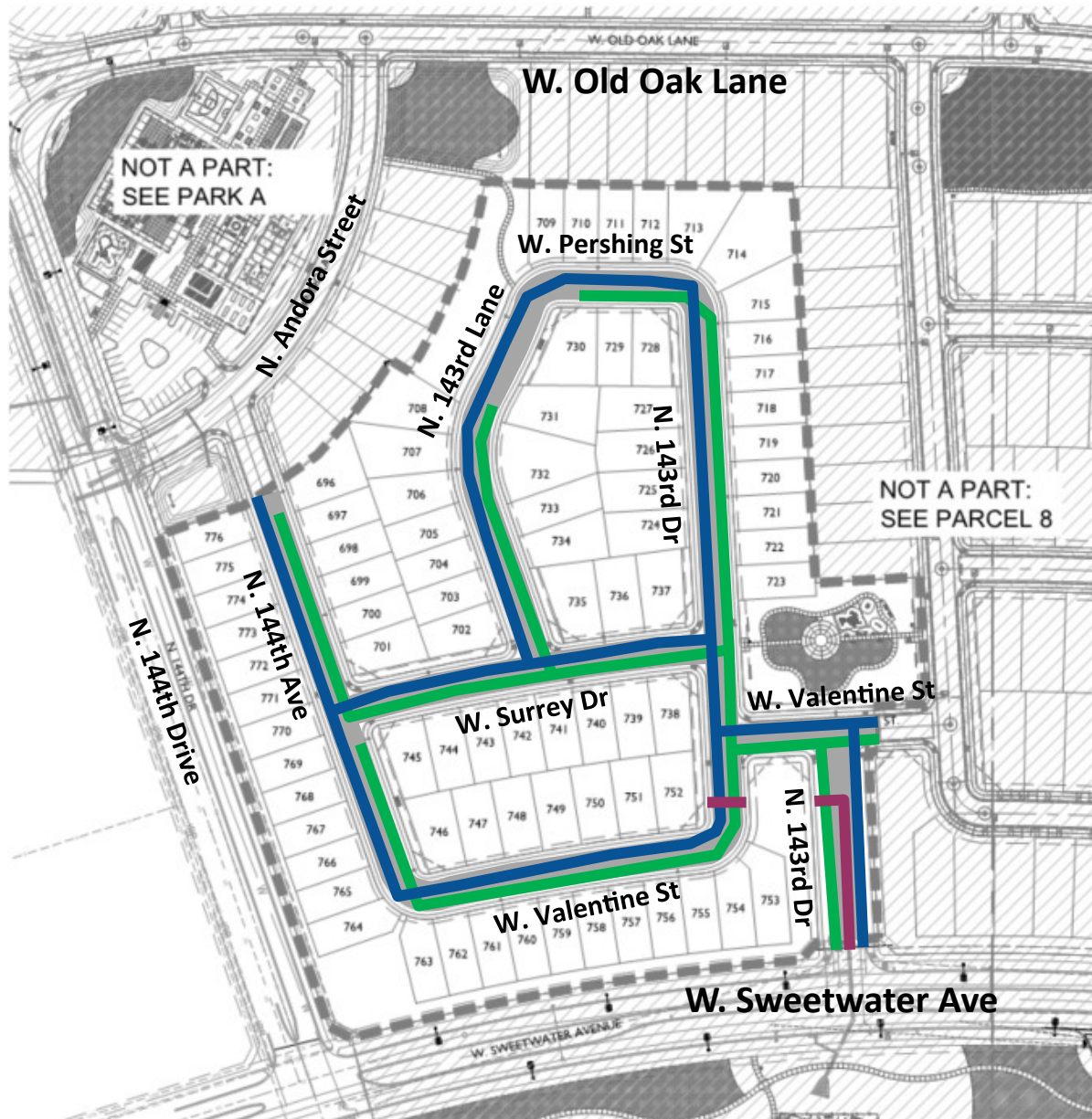
Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

Exhibit A

Map of Infrastructure

Homestead at Marley Park Phase 4 & 5 - Parcel 9



INFRASTRUCTURE TO

BE ACCEPTED:

- SEWER
- WATER
- STORM DRAIN
- ROADWAY

VICINITY MAP





EXHIBIT B

ENGINEERING DIVISION
PUBLIC WORKS
CITY OF SURPRISE
16000 N. CIVIC CENTER PLAZA
SURPRISE, AZ 85374
T. 623-222-6150

Memorandum

To: City of Surprise City Council
From: Public Works – Engineering Services
Date: 4/28/2021
Re: Homestead at Marley Park Phase 4 & 5 – Parcel 9

The public improvements for the above project have been completed and are tentatively scheduled for the May 18th, 2021 council agenda for acceptance. The amounts for the infrastructure have been provided by a third party and not the City of Surprise. The following are the infrastructure improvements included with this acceptance and the corresponding valuation that the City will be accepting:

- City Paving - \$266,417.00
- City Concrete - \$242,380.00
- City Water - \$214,850.00
- City Sewer - \$186,150.00
- City Storm Drain - \$44,400.00

- **Total - \$954,197.00**



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: May 18, 2021
Submitting Department: Public Works
Staff Recommendations: None

Contact Person: Mike Gent, DIRECTOR - PW
District: District 6

Consent: Yes	Regular: No	Public Hearing: No	Report/Discussion: No
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Agenda Wording:

Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at Homestead at Marley Park Phase 4 & 5 – Park A & Model Complex, generally located at W. Old Oak Lane and W. Andora Street; Resolution # 2021-61.

Motion:

I move to approve Resolution # 2021-61.

Background:

The Public Works Department conducted the final inspection of the public improvements for Homestead at Marley Park Phase 4 & 5 – Park A & Model Complex, generally located at W. Old Oak Lane and W. Andora Street on or about August 10th, 2020 totaling 1,867 SY (approximately 600 LF) and determined that the infrastructure was compliant and acceptable to the city. The infrastructure includes asphalt pavement, storm drain, water and wastewater lines.

Objective Analysis:

The improvements for this property provide access and conveyance to the property, storm drains to convey wastewater to retention basins, sewer lines to convey wastewater from the property to the City's public system and water lines to convey domestic water to the property. This action will accept the required infrastructure.

Policy Compliant:

City Code generally requires development to install public infrastructure required to serve the development. Upon completion and acceptance of such infrastructure, the infrastructure becomes the property of the City. Acceptance of this infrastructure will officially transfer ownership and future maintenance to the City

Financial Impact:

Acceptance of streets, sewer, water, and storm drain infrastructure increases the city's asset base and adds to future maintenance commitments. The total acceptance value of the infrastructure included with this item is \$341,172.25.

Budget Impact:

Funding for the infrastructure maintenance now and in the future will be supported from the city's HURF, Water Operations, Wastewater Operations, and Stormwater Operations Funds. The anticipated incremental additional maintenance expense associated with the acceptance of these infrastructure items will be incorporated in future year budgets.

FTE Impact:

This action does not change the full time equivalent count.

ATTACHMENTS:

1. 01_RES 2021-61 Acceptance Marley Park Ph 4, 5-Park, Model Complex
 2. 02_Notice of Completion Letter
 3. 03_Inspector Sign-Off Form
 4. 04_Linear Foot Verification
-

RESOLUTION # 2021-61

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, TO CONDITIONALLY ACCEPT THE STREET AND PUBLIC UTILITY IMPROVEMENTS AND COMMENCE MAINTENANCE AFTER A ONE YEAR WARRANTY AT HOMESTEAD AT MARLEY PARK PHASE 4 & 5 – PARK A & MODEL COMPLEX, GENERALLY LOCATED AT W. OLD OAK LANE AND W. ANDORA STREET.

WHEREAS, the Mayor and City Council of the City of Surprise approved a final plat entitled “Homestead at Marley Park Phase 4 & 5 – Park A & Model Complex” on, June 5th, 2018;

WHEREAS, Meritage Homes of Arizona, Inc., an Arizona Corporation, the developer of Homestead at Marley Park Phase 4 & 5 – Park A & Model Complex, dedicated to the City the street and public utility improvements, generally located at W. Old Oak Lane and W. Andora Street;

WHEREAS, on or about August 10, 2020 the City of Surprise Public Works Department Engineering Division completed an inspection of the public improvements described in this resolution and found the improvements to be in substantial compliance with the approved plans and specifications;

WHEREAS, the City of Surprise notes that the one-year warranty period will commence upon conditional acceptance by the City; and

WHEREAS, after the conclusion of the one-year warranty period, the City of Surprise will release the warranty and begin maintenance of the street and public utility improvements.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows.

Section 1. The City of Surprise conditionally accepts the street and public utility improvements generally located as depicted on the map attached as Exhibit A and listed on Exhibit B.

Section 2. Upon final acceptance by the City Engineer, the City Council hereby directs the City to release warranty and begin maintenance of the street and public utility improvements.

SIGNATURES ON THE FOLLOWING PAGE

APPROVED AND ADOPTED this _____ day of _____, 2021.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

Exhibit A

Map of Infrastructure

Homestead at Marley Park Phase 4 & 5 - Park A and Model Complex





EXHIBIT B

ENGINEERING DIVISION
PUBLIC WORKS
CITY OF SURPRISE
16000 N. CIVIC CENTER PLAZA
SURPRISE, AZ 85374
T. 623-222-6150

Memorandum

To: City of Surprise City Council
From: Public Works – Engineering Services
Date: 4/26/2021
Re: Homestead at Marley Park Phase 4 & 5 – Park A & Model Complex

The public improvements for the above project have been completed and are tentatively scheduled for the May 18, 2021 council agenda for acceptance. The amounts for the infrastructure have been provided by a third party and not the City of Surprise. The following are the infrastructure improvements included with this acceptance and the corresponding valuation that the City will be accepting:

City Sewer: \$75,358.00
City Water: \$97,690.00
City Storm Drain: \$3,600.00
City Concrete: \$61,624.25
City Paving: \$102,900.00

Total: \$341,172.25

August 12, 2020

Meritage Homes
8800 E. Raintree Dr
Scottsdale, AZ 85260

**RE: NOTICE OF COMPLETION AND COUNCIL ACTION REQUIREMENT FOR MARLEY PARK
PHASE 4 & 5 PARK A & MODEL COMPLEX – FS18-103**

The City of Surprise Public Works Department has completed the inspection of the public utility improvements for the above referenced project. These improvements are in substantial compliance with the approved plans and specifications. Council action is required prior to conditional acceptance and the official beginning of the warranty period. The time frame for Council action is approximately 90 days after the following items have been submitted:

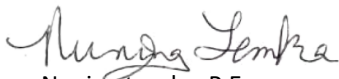
- A copy of all lien releases or a title report
- Actual construction cost for related civil permits issued
- Warranty assurance in a format acceptable by the City

A notice of the required assurance amount and acceptable formats will be sent via email once actual construction costs have been submitted by the applicant. The warranty period starts upon council acceptance for a period of one (1) year; please ensure warranty assurance will not expire prior to this date. The applicant will be notified of the council date as soon as it is scheduled and the warranty financial assurance is required to be submitted to the city 10 calendar days prior to the council date. If a warranty financial assurance is not received within 10 calendar days, council action and start of the warranty period will be delayed, at a minimum, an additional two (2) weeks.

A letter of conditional acceptance and notification that the warranty period has begun will be forwarded upon the completion of council acceptance. Also, a request to release the associated completion assurance will be made; notification will be sent when assurance document is available for pick up.

If you have any questions or concerns, you can reach me at 623-222-6148 or at nuning.lemka@surpriseaz.gov.

Sincerely,



Nuning Lemka, P.E.
Engineering Manager

cc: Kristin Tytler, Assistant PW Director/City Engineer
David Mobley, PW Field Engineering Supervisor
David Kohlbeck, PW Business Manager
Lee Lambert, Water Resource Management
Warren Bert, GIS

Mike Gent, Deputy City Manager/PW Director
John McFarland, PW Streets Manager
Jon Gake, Finance
Michael Boule - Water Resource Management

	Limits (Begin)	Limits (End)	Paving Paved Dirt Road?	New Lanes (total) (total incl.	New Bike Lanes (total)	Median Width (ft)	Length (ft)
	N. 144th Drive	W. Old Oak Lane	N	2	0	0	600.0
						Total	600.0



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: May 18, 2021
Submitting Department: Public Works
Staff Recommendations: None

Contact Person: Mike Gent, DIRECTOR - PW
District: District 6

Consent: Yes	Regular: No	Public Hearing: No	Report/Discussion: No
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Agenda Wording:

Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at Sweetwater Avenue, generally located at West Sweetwater Avenue and North Litchfield Road; Resolution # 2021-64.

Motion:

I move to approve Resolution # 2021-64.

Background:

The Public Works Department conducted the final inspection of the public improvements for Sweetwater Avenue, generally located at W. Sweetwater Avenue and N. Litchfield Road, on or about August 10th, 2020, totaling 16,551 SY (approximately 3,920 LF) and determined that the infrastructure was compliant and acceptable to the city. The infrastructure includes asphalt pavement, storm drain, water, reclaimed water and wastewater lines.

Objective Analysis:

The improvements for this property provide access and conveyance to the property, storm drains to convey wastewater to retention basins, sewer lines to convey wastewater from the property to the City's public system and water and reclaimed water lines to convey domestic and reclaimed water to the property. This action will accept the required infrastructure.

Policy Compliant:

City Code generally requires development to install public infrastructure required to serve the development. Upon completion and acceptance of such infrastructure, the infrastructure becomes the property of the City. Acceptance of this infrastructure will officially transfer ownership and future maintenance to the City.

Financial Impact:

Acceptance of streets, sewer, water, and storm drain infrastructure increases the city's asset base and adds to future maintenance commitments. The total acceptance value of the infrastructure included with this item is \$2,044,296.25.

Budget Impact:

Funding for the infrastructure maintenance now and in the future will be supported from the city's HURF, Water Operations, Wastewater Operations, and Stormwater Operations Funds. The anticipated incremental additional maintenance expense associated with the acceptance of these infrastructure items will be incorporated in future year budgets.

FTE Impact:

This action does not change the full time equivalent count.

ATTACHMENTS:

1. 02_Notice of Completion Letter
 2. 03_Inspector Sign-Off Form
 3. 04_Linear Foot Verification
 4. RES 2021-64 Acceptance Marley Park Sweetwater Ave-Final
-

August 12, 2020

Meritage Homes
8800 E Raintree Dr.
Scottsdale, AZ 85260

**RE: NOTICE OF COMPLETION AND COUNCIL ACTION REQUIREMENT FOR MARLEY PARK
PHASE 4 & 5 SWEETWATER AVE – FS17-584**

The City of Surprise Public Works Department has completed the inspection of the public utility improvements for the above referenced project. These improvements are in substantial compliance with the approved plans and specifications. Council action is required prior to conditional acceptance and the official beginning of the warranty period. The time frame for Council action is approximately 90 days after the following items have been submitted:

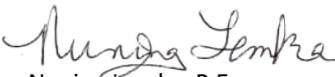
- A copy of all lien releases or a title report
- Actual construction cost for related civil permits issued
- Warranty assurance in a format acceptable by the City

A notice of the required assurance amount and acceptable formats will be sent via email once actual construction costs have been submitted by the applicant. The warranty period starts upon council acceptance for a period of one (1) year; please ensure warranty assurance will not expire prior to this date. The applicant will be notified of the council date as soon as it is scheduled and the warranty financial assurance is required to be submitted to the city 10 calendar days prior to the council date. If a warranty financial assurance is not received within 10 calendar days, council action and start of the warranty period will be delayed, at a minimum, an additional two (2) weeks.

A letter of conditional acceptance and notification that the warranty period has begun will be forwarded upon the completion of council acceptance. Also, a request to release the associated completion assurance will be made; notification will be sent when assurance document is available for pick up.

If you have any questions or concerns, you can reach me at 623-222-6148 or at nuning.lemka@surpriseaz.gov.

Sincerely,



Nuning Lemka, P.E.
Engineering Manager

cc: Kristin Tytler, Assistant PW Director/City Engineer
David Mobley, PW Field Engineering Supervisor
David Kohlbeck, PW Business Manager
Lee Lambert, Water Resource Management
Warren Bert, GIS

Mike Gent, Deputy City Manager/PW Director
John McFarland, PW Streets Manager
Jon Gake, Finance
Michael Boule - Water Resource Management



PROJECT SIGN OFF FORM

PUBLIC WORKS - ENGINEERING SERVICES, INSPECTIONS

Date Submitted: 08/5/20 Commercial ☐ Commercial w/Offsite ☒ Residential

☒ COMPLETION ACCEPTANCE (End of Construction) ☐ FINAL ACCEPTANCE (End of Warranty)

12-3-19 Date of Punch-List Walk 1-15-20 Date Punch-List Completed

FS Number: FS17-584 Permit Number(s): E18P-0028,0029,0030,0031,0032,0033

Project Name: Marley Park Phase 4&5 Sweetwater Ave

Project Developer/Builder: (Name/Email, Address)

Meritage Homes 8800 E Raintree Dr Scottsdale Az 85260

MAG TIP Reporting:

Street Name	Classification	Begin Limits	End Limits	# Lanes	Length to nearest 1/4 mi.	Features
Sweetwater AVE	Local	Future Tie in	144TH Dr	2	3/4	

MATERIALS:

Asphalt: Vulcan Materials Supplier 3/4 Total Lane Miles 16,586 Total Square Yards

Water: 8" Pvc c-900 cl 200 Size/Type 286 Total LF 366 Size/Type 366 Total LF

12" pvc c-900 cl 200 Size/Type 3336 Total LF 366 Size/Type 366 Total LF

Sewer: 8" pvc sdr-35 Size/Type 184 Total LF 366 Size/Type 366 Total LF

12" pvc sdr-35 Size/Type 3332 Total LF 366 Size/Type 366 Total LF

Storm: 18" RGRCP Size/Type 776 Total LF 36" RGRCP Size/Type 366 Total LF

30" RGRCP Size/Type 76 Total LF 24" RGRCP Size/Type 167 Total LF

Fire Ln: Size/Type Total LF Size/Type Total LF

Additional Comments:

SUPPORTING DOCUMENTATION REQUIRED:

- ☒ Copy of Punch List
- ☒ Final Certification Letter from Engineer of Record ☐ AOC
- ☒ Complete Geotechnical Testing Packet ☒ Asphalt Concrete Ticket w/ Name of Contractor
- ☒ Sewer Pressure Testing Results ☒ Streetlight Energize Letter
- ☒ Sewer Manhole Vacuum Testing Certification ☒ As built Documents (PDF copy on CD)
- ☒ Sewer Manhole Insecticide Certification ☐ Updated asbuilt CAD base files (copy on CD)
- ☒ Sewer Videos with Operators Notes (inc. re-videos)
- ☐ Other _____ (Specify)

APPROVAL:

Civil Inspector: [Signature]

Date: 8-5-20

Civil Engineering Supervisor: [Signature]

Date: 08/10/2020

	Limits (Begin)	Limits (End)	Paving Paved Dirt Road?	New Lanes (total) (total incl.	New Bike Lanes (total)	Median Width (ft)	Length (ft)
venue	N. 144th Drive	N. Litchfield Road	N	2	2	22	3920.0
						Total	3920.0

RESOLUTION # 2021-64

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, TO CONDITIONALLY ACCEPT THE STREET AND PUBLIC UTILITY IMPROVEMENTS AND COMMENCE MAINTENANCE AFTER A ONE YEAR WARRANTY AT SWEETWATER AVENUE, GENERALLY LOCATED AT W. SWEETWATER AVENUE AND N. LITCHFIELD ROAD.

WHEREAS, the Mayor and City Council of the City of Surprise approved a Map of Dedication entitled "Sweetwater Avenue Phase 4 and 5" on, March 20th, 2018;

WHEREAS, Meritage Homes of Arizona, Inc., an Arizona Corporation, the developer of Sweetwater Avenue Phase 4 & 5, dedicated to the City the street and public utility improvements, generally located at W. Sweetwater Avenue and N. Litchfield Road;

WHEREAS, on or about August 10th, 2020, the City of Surprise Public Works Department Engineering Division completed an inspection of the public improvements described in this resolution and found the improvements to be in substantial compliance with the approved plans and specifications;

WHEREAS, the City of Surprise notes that the one-year warranty period will commence upon conditional acceptance by the City; and

WHEREAS, after the conclusion of the one-year warranty period, the City of Surprise will release the warranty and begin maintenance of the street and public utility improvements.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows.

Section 1. The City of Surprise conditionally accepts the street and public utility improvements generally located as depicted on the map attached as Exhibit A and listed on Exhibit B.

Section 2. Upon final acceptance by the City Engineer, the City Council hereby directs the City to release warranty and begin maintenance of the street and public utility improvements.

SIGNATURES ON THE FOLLOWING PAGE

APPROVED AND ADOPTED this _____ day of _____, 2021.

Skip Hall, Mayor

Attest:

Approved as to form:

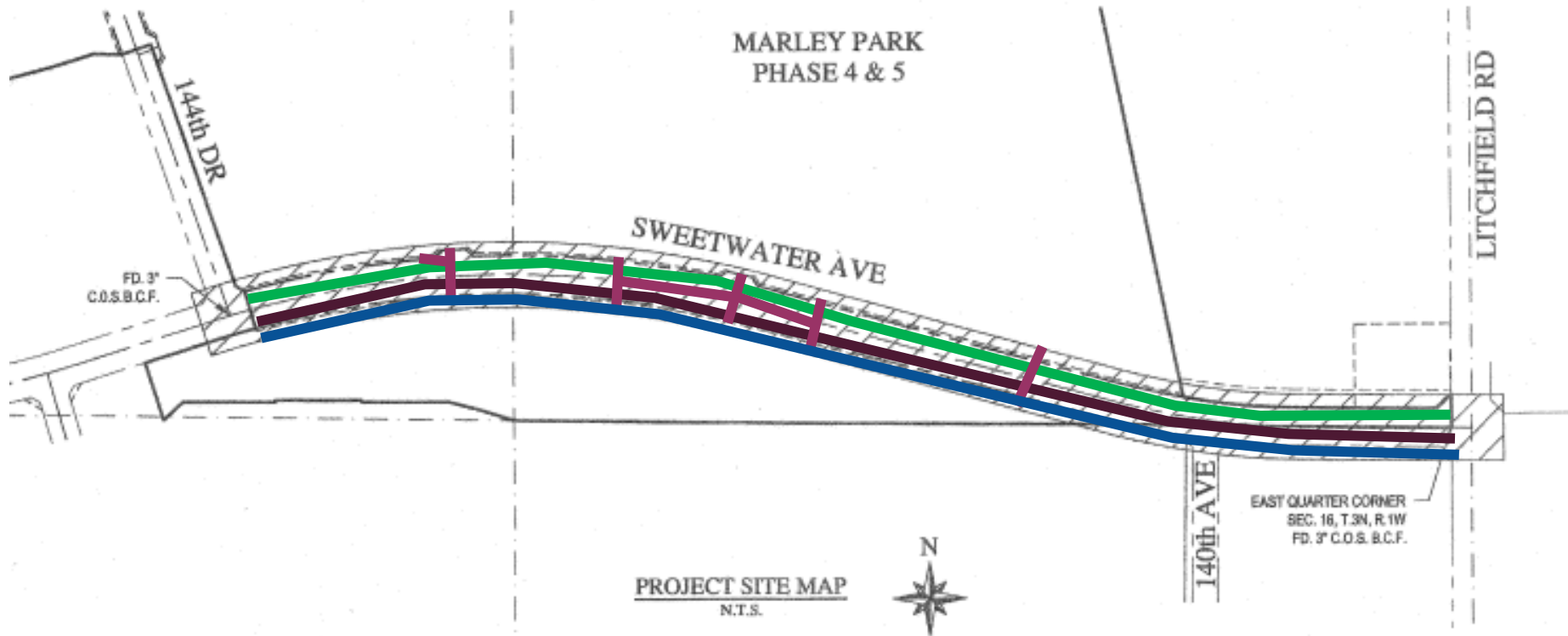
Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

Exhibit A

Map of Infrastructure

Homestead at Marley Park Phase 4 & 5 - W. Sweetwater Avenue



INFRASTRUCTURE TO

BE ACCEPTED:

- SEWER
- WATER
- RECLAIMED WATER
- STORM DRAIN
- ROADWAY

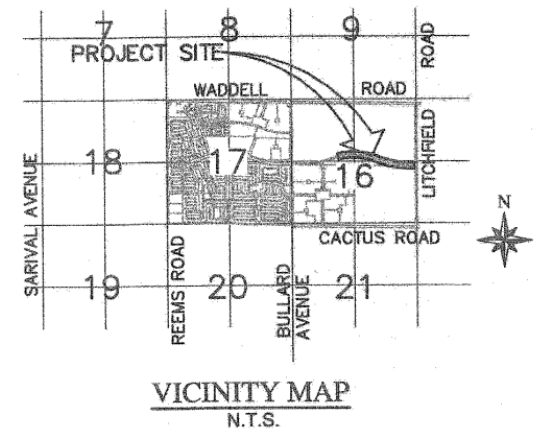




EXHIBIT B

ENGINEERING DIVISION
PUBLIC WORKS
CITY OF SURPRISE
16000 N. CIVIC CENTER PLAZA
SURPRISE, AZ 85374
T. 623-222-6150

Memorandum

To: City of Surprise City Council
From: Public Works – Engineering Services
Date: 4/26/2021
Re: W. Sweetwater Avenue

The public improvements for the above project have been completed and are tentatively scheduled for the May 18th, 2021 council agenda for acceptance. The amounts for the infrastructure have been provided by a third party and not the City of Surprise. The following are the infrastructure improvements included with this acceptance and the corresponding valuation that the City will be accepting:

City Sewer: \$267,088.00
City Water: \$379,160.00
City Reclaimed Water: \$198,544.00
City Storm Drain: \$253,738.00
City Concrete: \$359,999.25
City Paving: \$585,767.00

Total: \$2,044,296.25



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: May 18, 2021
Submitting Department: Public Works
Staff Recommendations: None

Contact Person: Mike Gent, DIRECTOR - PW
District: District 6

Consent: Yes	Regular: No	Public Hearing: No	Report/Discussion: No
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Agenda Wording:

Consideration and action pertaining to the conditional acceptance of certain streets and public utility improvements at West Waddell Road, generally located at West Waddell Road and North Bullard Avenue; Resolution # 2021-63.

Motion:

I move to approve Resolution # 2021-63.

Background:

The Public Works Department conducted the final inspection of the public improvements for W. Waddell Road, generally located at W. Waddell Road and N. Bullard Avenue on or about October 16th, 2020 totaling 15,680 SY (approximately 3,920 LF) and determined that the infrastructure was compliant and acceptable to the city. The infrastructure includes asphalt pavement, concrete, water lines and reclaimed water lines.

Objective Analysis:

The improvements for this property provide access and conveyance to the property and water and reclaimed water lines to convey domestic and reclaimed water to the property. This action will accept the required infrastructure.

Policy Compliant:

City Code generally requires development to install public infrastructure required to serve the development. Upon completion and acceptance of such infrastructure, the infrastructure becomes the property of the City. Acceptance of this infrastructure will officially transfer ownership and future maintenance to the City.

Financial Impact:

Acceptance of streets infrastructure increases the city's asset base and adds to future maintenance commitments. The total acceptance value of the infrastructure included with this item is \$1,219,699.75.

Budget Impact:

Funding for the infrastructure maintenance now and in the future will be supported from the city's HURF and Water Operations Funds. The anticipated incremental additional maintenance expense

associated with the acceptance of these infrastructure items will be incorporated in future year budgets.

FTE Impact:

This action does not change the full time equivalent count.

ATTACHMENTS:

1. 01_RES 2021-63 Acceptance Marley Park -Waddell Road-final
 2. 02_Notice of Completion Letter
 3. 03_Inspector Sign-Off Form
 4. 04_Linear Foot Verification
-

RESOLUTION # 2021-63

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, TO CONDITIONALLY ACCEPT THE STREET AND PUBLIC UTILITY IMPROVEMENTS AND COMMENCE MAINTENANCE AFTER ONE YEAR WARRANTY AT W. WADDELL ROAD, GENERALLY LOCATED AT W. WADDELL ROAD AND N. BULLARD AVENUE.

WHEREAS, the Mayor and City Council of the City of Surprise approved a map of dedication entitled "Waddell Road, Litchfield Road and Cactus Road" on, April 13th, 2006;

WHEREAS, Marley Park Phase II LLC, an Arizona Limited Liability Company, the developer of Marley Park, dedicated to the City the street and public utility improvements, generally located at W. Waddell Road and N. Bullard Avenue;

WHEREAS, on or about October 16th, 2020, the City of Surprise Public Works Department Engineering Division completed an inspection of the public improvements described in this resolution and found the improvements to be in substantial compliance with the approved plans and specifications;

WHEREAS, the City of Surprise notes that the one-year warranty period will commence upon conditional acceptance by the City; and

WHEREAS, after the conclusion of the one-year warranty period, the City of Surprise will release the warranty and begin maintenance of the street and public utility improvements.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Surprise, Arizona, as follows.

Section 1. The City of Surprise conditionally accepts the street and public utility improvements generally located as depicted on the map attached as Exhibit A and listed on Exhibit B.

Section 2. Upon final acceptance by the City Engineer, the City Council hereby directs the City to release warranty and begin maintenance of the street and public utility improvements.

SIGNATURES ON THE FOLLOWING PAGE

APPROVED AND ADOPTED this _____ day of _____, 2021.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

Exhibit A

Map of Infrastructure

Homestead at Marley Park Phase 4 & 5 - W. Waddell Road



INFRASTRUCTURE TO

BE ACCEPTED:

-  ROADWAY
-  WATER
-  RECLAIMED WATER

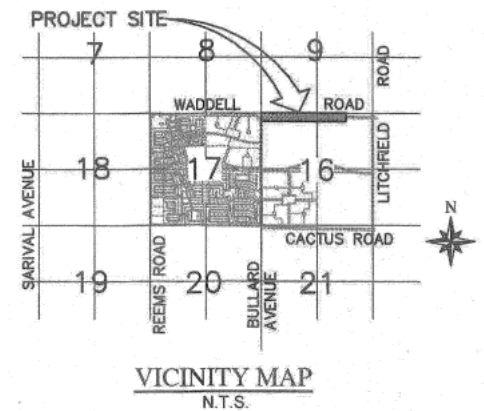




EXHIBIT B

ENGINEERING DIVISION
PUBLIC WORKS
CITY OF SURPRISE
16000 N. CIVIC CENTER PLAZA
SURPRISE, AZ 85374
T. 623-222-6150

Memorandum

To: City of Surprise City Council
From: Public Works – Engineering Services
Date: 4/26/2021
Re: W. Waddell Road

The public improvements for the above project have been completed and are tentatively scheduled for the May 18th, 2021 council agenda for acceptance. The amounts for the infrastructure have been provided by a third party and not the City of Surprise. The following are the infrastructure improvements included with this acceptance and the corresponding valuation that the City will be accepting:

City Water: \$54,058.00
City Reclaimed Water: \$34,430.00
City Concrete: \$261,432.75
City Paving: \$869,779.00

Total: \$1,219,699.75

December 9, 2020

Meritage Homes
8800 E Raintree Dr., Suite 300
Scottsdale, AZ 85260

**RE: NOTICE OF COMPLETION AND COUNCIL ACTION REQUIREMENT FOR MARLEY PARK
PHASE 4 & 5 WADDEL RD – FS17-576**

The City of Surprise Public Works Department has completed the inspection of the public utility improvements for the above referenced project. These improvements are in substantial compliance with the approved plans and specifications. Council action is required prior to conditional acceptance and the official beginning of the warranty period. The time frame for Council action is approximately 90 days after the following items have been submitted:

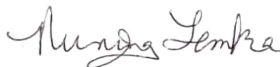
- A copy of all lien releases or a title report
- Actual construction cost for related civil permits issued
- Warranty assurance in a format acceptable by the City

A notice of the required assurance amount and acceptable formats will be sent via email once actual construction costs have been submitted by the applicant. The warranty period starts upon council acceptance for a period of one (1) year; please ensure warranty assurance will not expire prior to this date. The applicant will be notified of the council date as soon as it is scheduled and the warranty financial assurance is required to be submitted to the city 10 calendar days prior to the council date. If a warranty financial assurance is not received within 10 calendar days, council action and start of the warranty period will be delayed, at a minimum, an additional two (2) weeks.

A letter of conditional acceptance and notification that the warranty period has begun will be forwarded upon the completion of council acceptance. Also, a request to release the associated completion assurance will be made; notification will be sent when assurance document is available for pick up.

If you have any questions or concerns, you can reach me at 623-222-6148 or at nuning.lemka@surpriseaz.gov.

Sincerely,



Nuning Lemka, P.E.
Engineering Manager

cc: Kristin Tytler, Assistant PW Director/City Engineer
David Mobley, PW Field Engineering Supervisor
Lynn Stone, PW Business Manager
Lee Lambert, Water Resource Management
Warren Bert, GIS

Mike Gent, Deputy City Manager/PW Director
John McFarland, PW Streets Manager
Jon Gake, Finance
Michael Boule, Water Resource Management
James Marichalar, PW Civil Inspector



PROJECT SIGN OFF FORM

PUBLIC WORKS - ENGINEERING SERVICES, INSPECTIONS

Date Submitted: 10/14/20 Commercial Commercial w/Offsite ☒ Residential

☒ COMPLETION ACCEPTANCE (End of Construction) FINAL ACCEPTANCE (End of Warranty)

2-10-20 Date of Punch-List Walk 2-27-20 Date Punch-List Completed

FS Number: FS17-576 Permit Number(s): E18P-0157,0158,0159,0160,0194,0195

Project Name: Marley Park Phase 4 & 5 Waddell Road

Project Developer/Builder: (Name/Email, Address)

Meritage Homes 8800 E Raintree Dr Scottsdale Az 85260

MAG TIP Reporting:

Street Name	Classification	Begin Limits	End Limits	# Lanes	Length to nearest ¼ mi.	Features
Waddell RD	Local	Bullard Ave	Future Tie in	3	1.5	Median

MATERIALS:

Asphalt: Vulcan Materials Supplier 1.5 Total Lane Miles 17,756 Total Square Yards

Water: 8" Pvc c-900 CLASS 200 Size/Type 88 Total LF Size/Type Total LF

12" pvc c-900 class 200 Size/Type 88 Total LF Size/Type Total LF

Sewer: Size/Type Total LF Size/Type Total LF

 Size/Type Total LF Size/Type Total LF

Storm: 18"RGRCP Size/Type 71 Total LF Size/Type Total LF

 Size/Type Total LF Size/Type Total LF

Fire Ln: Size/Type Total LF Size/Type Total LF

Additional Comments:

SUPPORTING DOCUMENTATION REQUIRED:

☒ Copy of Punch List

☒ Final Certification Letter from Engineer of Record

☒ Complete Geotechnical Testing Packet

☒ Sewer Pressure Testing Results

☒ Sewer Manhole Vacuum Testing Certification

n/a Sewer Manhole Insecticide Certification

n/a Sewer Videos with Operators Notes (inc. re-videos)

 Other (Specify)

 AOC

☒ Asphalt Concrete Ticket w/ Name of Contractor

☒ Streetlight Energize Letter

☒ As built Documents (PDF copy on CD)

 Updated asbuilt CAD base files (copy on CD)

APPROVAL:

Civil Inspector:

Date: 10-14-20

Civil Engineering Supervisor:

Date: 10/16/2020

	Limits (Begin)	Limits (End)	Paving Paved Dirt Road?	New Lanes (total) (total incl.	New Bike Lanes (total)	Median Width (ft)	Length (ft)
	N. Bullard Avenue	N. 140th Drive	N	3	0	22.5	3920.0
						Total	3920.0



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: May 18, 2021 Contact Person: Joshua Mike
Submitting Department: Community Development District: District 1
Staff Recommendations: None

Consent: No Regular: No Public Hearing: Yes Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to approval of an annexation of an approximately 5.38 acre property known as Enclave III at Paloma Creek, generally located east of 155th Avenue and south of Frontier Drive; Ordinance # 2021-08 (Case FS20-732).

Motion:

I move to approve Ordinance # 2021-08.

Background:

A group of property owners is seeking annexation of undeveloped land generally located east of 155th Ave on the south side of Frontier Drive. The annexation proposal is for (1) parcel, consisting of 5.38 acres of unincorporated land within Maricopa County zoning district Rural-43. If annexed, the property will assume the similar Surprise zoning district of Rural Residential (RR) as outlined in the Land Development Ordinances, but the owners have requested a rezoning (Case FS20-731) to Residential Medium Density with a Planned Unit Development Overlay (RM-9 PUD). The City has completed all statutory requirements for the proposed annexation by adoption of Ordinance No. 2021-08.

The applicant held a virtual Citizen Review meeting on February 11, 2021. Advertisements were posted in a local newspaper and (3) signs were posted within the subject property. Neighboring residents attended the meeting to express their concerns about the compatibility with their existing residences. Area residents also participated in the zoning public hearing before the Planning and Zoning Commission and expressed their concerns to the Commission.

Objective Analysis:

Positive impacts include adding additional property to the incorporated limits which will generate additional property taxes and potential development fees. Negative impacts could include providing services to a 5.38 acre area where the City did not previously provide services.

Policy Compliant:

Approval of this proposed annexation would be deemed policy compliant by expanding the range of influence of the City.

Financial Impact:

If the City Council approves this annexation, there could be financial impacts to the City to provide

services to an area which the City did not provide services in the past. If the area is annexed that could result in future development fees, sales, and property taxes. A Financial Impact Analysis has been submitted along with the final annexation documents.

Budget Impact:

If the City Council moves forward to annex this property into the City limits, there could be minor budget impacts to the City to provide services to an area which the City did not provide services in the past. If the area is annexed, the action could result in future development fees, sales, and property taxes.

FTE Impact:

At this time there would be no additional FTEs associated with this item. If the City Council moves forward to annex property into the City limits staff does not believe any future FTEs would be needed based on the potential annexation.

ATTACHMENTS:

1. 00 FS20-732 Enclave III Annexation Staff Report CC 5.18.2021 (1)
 2. 01 FS20-732 Enclave III Annexation-Vicinity Map
 3. 02 FS20-732 Enclave III Sign Petitions
 4. 03 FS20-732 Assessor Annexation Report 20210305
 5. 04 FS20-732 AZ DOR ValueTransmittalLtrRpt
 6. 05 FS20-732 Enclave III Fiscal Impact Analysis Memo
 7. 06 FS20-732 Enclave III Paloma Creek Annexation ORDINANCE 2021-08(revised)
 8. 07 FS20-732 Enclave III Annexation Citizen Participation Plan Final
 9. 08 FS20-732 Enclave III Annexation-Presentation
-



Case: FS20-732

Project Name: Enclave III at Paloma Creek

Council District: 1

City Council Date: May 18, 2021

Planner: Joshua Mike, AICP

Owner: Pensco Trust Company, LLC
Paloma Creek Land 2, LLC

Applicant: Kent A. Xander, KAX Group, LLC

Request: Annexation Ordinance Adoption

Site Location: Generally located east of the 155th Avenue and on the south side of Frontier Road alignments.

Site Size: 5.38 acres (approx.)

General Plan Conformance: The proposal is consistent with the Surprise General Plan 2035

Actions: **Approve:** Approval of the annexation ordinance will increase the corporate limits of the City of Surprise and allow for the subsequent approval of a related zone change request, which in turn will allow the property to be developed in accordance with the City of Surprise General Plan and Surprise Municipal Code.

Deny: Denial of the annexation ordinance will result in the continuation of a long-standing county jurisdiction and prevent the City Council from taking action regarding the related Zone Change requests.

INTRODUCTION:

Kent A. Xander, representing a group of property owners, seeks annexation of an undeveloped parcel generally located between Happy Valley Road and Jomax Road, and east of 155th Ave. The annexation proposal is for 5.38 acres, consisting of (1) parcel with one owner, of unincorporated land adjacent to Surprise City limits.

PROJECT DESCRIPTION:

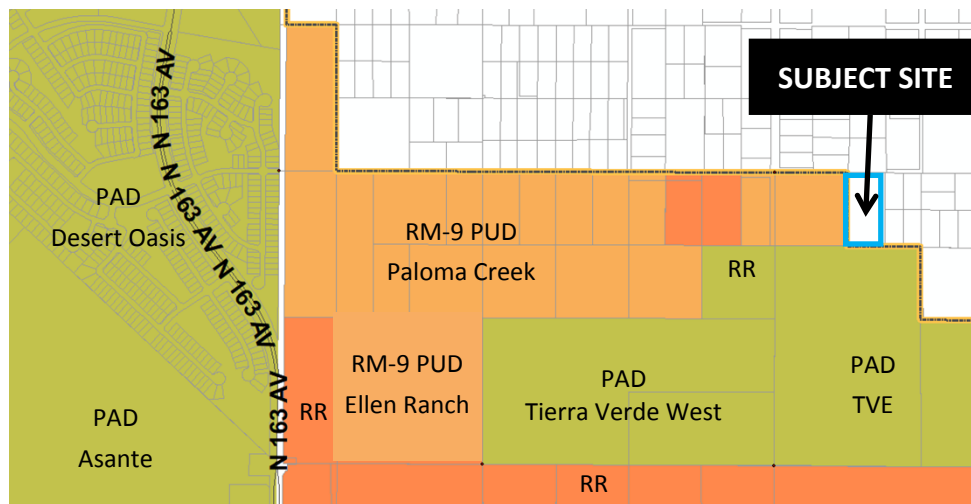
The property is currently zoned Maricopa County Rural-43. If annexed, the property will assume similar Rural Residential (RR) zoning of the Surprise Land Development Ordinances (LDO). In a concurrent development application, this property is part of a rezoning case FS20-731 and will be heard by both the Planning and Zoning Commission and City Council.

The parcel associated with this proposed annexation boundary includes:

- 503-54-011K

EXISTING ZONING:

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



BACKGROUND:

October 15, 2020: Staff reviewed the subject request at a Concept Review meeting under CR20-653.

November 11, 2020: The applicant filed an Annexation request covering the subject site.

November 11, 2020: The applicant filed a rezoning request (Case FS20-731) for the subject site.

February 11, 2021: The applicant held a Neighborhood Outreach meeting for this request.

March 16, 2021: Surprise City Council approved Resolution 2021-33 Enclave III Intent to Annex

March 23, 2021: Surprise City Clerk filed a blank petition with legal description and affidavit verifying that territory is not subject to an earlier filing for annexation as filed with the Maricopa County Recorder's Office. Notice and copies of filings are sent to Clerk of the Board of Supervisors and County Assessor.

April 20, 2021: Surprise City Council held a public hearing within the last ten days of the 30-day waiting period pursuant to A.R.S. §9-471.

April 26, 2021: The City received signed the signed annexation petition.

NEIGHBORHOOD OUTREACH

The site was posted on January 27, 2021 to alert interested citizens and stakeholders of the virtual open house on February 11, 2021. One County resident participated in the virtual meeting and discussed the project with the applicant and City Staff. The applicant answered questions regarding how the proposal ties into the existing County ROW, Frontier Rd.

The applicant addressed and appeared to satisfy the attendee's concerns with construction activities and impacts on drainage.

During the meeting on March 16 for the "Resolution of the Intent to Annex", several members of the public spoke in opposition to both the Enclave III and Enclave IV projects; however, one member of the public, who expressed opposition to Enclave IV, expressed support for the subject (Enclave III) project.

During the Call to the Public at the March 18, 2021 Planning and Zoning Commission hearing regarding the concurrent rezoning case (FS20-731), several members of the public expressed concerns over the upcoming rezone and annexation requests occurring in the area. Most of those comments were directed towards the Enclave IV; however, some comments were of a general nature and apply to the subject request. These include but are not limited to concerns over chemical usage, vehicular traffic, wildlife habitat, dark sky, effects on existing lifestyle, and construction traffic. During the Commission hearing of April 15, 2021, several members of the public expressed concerns.

ARIZONA REVISED STATUTE DESCRIPTION:

Arizona Revised Statutes require the filing of a blank annexation petition. The blank petition relating to the subject property was recorded with the Maricopa County Recorder's Office on March 23, 2021. Arizona Revised Statutes also require that no signatures be obtained during a

30-day waiting period immediately following the filing of the blank petition, and that a public hearing must be held during the last 10 days of the 30-day waiting period. That public hearing occurred on April 20, 2021. Once the public hearing is held and the 30-day waiting period has ended, signatures may be collected. State statute further requires that an excess of 50% of the land owners and assessed valuation for all real and personal property, sign the petition in order to validate the petition. State statute also allows up to one year following the end of the 30-day period to obtain the required number of signatures.

UTILITY AND SERVICES TABLE:

Water:	City of Surprise
Wastewater:	City of Surprise
Refuse:	City of Surprise
Schools:	Dysart USD

SUMMARY:

The proposed annexation includes one parcel, 5.38 acres, and requires signatures from representatives of two ownership groups after the Arizona Revised Statute's required 30-day waiting period that concluded on April 22, 2021. The applicant provided the signatures for Enclave III at Paloma Creek to be eligible for annexation by the City of Surprise. The signed petition is attached to this staff report to be considered by City Council.

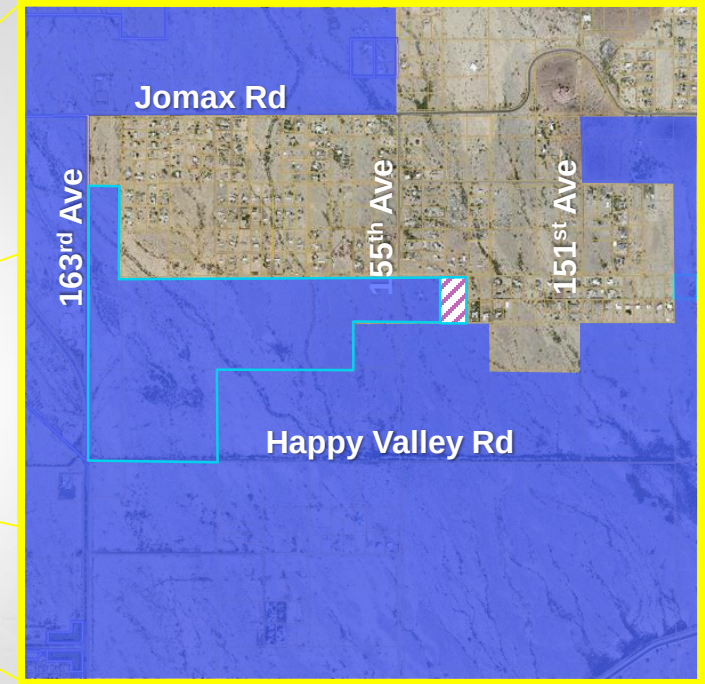
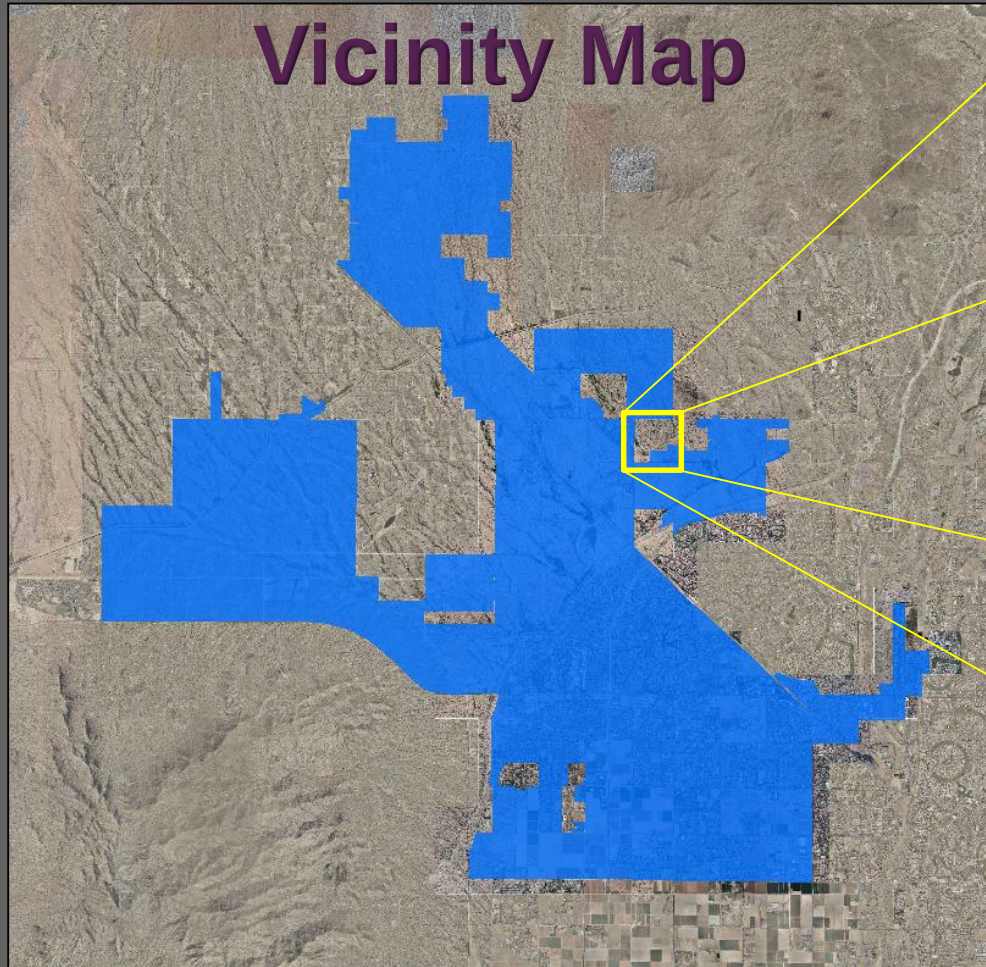
The parcel to be annexed complies with all requirements for size, shape, and contiguity set forth in the Arizona annexation statutes.

<u>Annexation Details</u>	<u>A.R.S Requirements</u>	<u>Provided</u>	<u>Percentage provided</u>
Real Property - 1 parcels	2 signatures	2 signatures	100%
Total Assessed Value - \$8,401	Exceed \$4,200.5	\$8,401	100%

Attachments:

- 01 FS20-732 Enclave III at Paloma Creek Annexation-Vicinity Map
- 02 FS20-732 Enclave III at Paloma Creek Annexation Signed Petition
- 03 FS20-732 Enclave III at Paloma Creek Annexation Assessor Annexation Report
- 04 FS20-732 Enclave III at Paloma Creek Annexation AZ Dept. of Revenue Value Transmittal Report
- 05 FS20-732 Enclave III at Paloma Creek Annexation Impact Analysis
- 06 FS20-732 Enclave III at Paloma Creek Annexation Ordinance 2021-XX
- 07 FS20-732 Enclave III at Paloma Creek Annexation-Citizen Participation Report
- 08 FS20-732 Enclave III at Paloma Creek Annexation-Presentation

Vicinity Map



Proposed Annexation Location

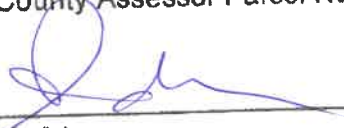
-  Existing Surprise Incorporated Limits
-  Approved Paloma Creek Boundary
-  FS20-732 – Enclave III at Paloma Creek (5.38 acres)

ANNEXATION PETITION

TO THE HONORABLE MAYOR AND COUNCIL OF THE CITY OF
SURPRISE, ARIZONA:

We, the undersigned, the owners of one-half or more of the real and personal property that also represents one-half or more of the value of the real and personal property that would be subject to taxation by the City of Surprise in the event of annexation within the territory proposed to be annexed, which is hereafter described, said territory being contiguous to the corporate limits of the City of Surprise, with the exterior boundaries of the territory proposed to be annexed shown on the map attached hereto, marked "Exhibit "B" and made a part hereof, request the City of Surprise to annex the following described territory, provided that the requirements of A.R.S. §9-471, and amendments thereto are fully observed.

The description of the territory proposed to be annexed as part of the Surprise Case #FS20-732, not already within the present limits of the City of Surprise and located in Maricopa County, Arizona, is as described and attached hereto, marked Exhibit "A" and made part thereof:

DATE	NAME OF PROPERTY OWNER	MAILING ADDRESS	PHONE NO	PARCEL NUMBER OR LEGAL DESCRIPTION
April 26, 2021	Pensco Trust Company, LLC, a Colorado limited liability company, Custodian FBO Kent A. Xander, IRA	PO Box 172859 Denver, CO 80217 1-800-962-4238 Maricopa County Assessor Parcel Number 503-54-011K		Pacific Premier Trust A Division of Pacific Premier Bank By: Liz Anderson It's: Authorized Signatory
By: 		Its:		
April 26, 2021	Paloma Creek Land 2, LLC, an Arizona limited liability company	18835 N. Thompson Peak Parkway, Suite 215, Scottsdale, AZ 85255 602-469-8050 Maricopa County Assessor Parcel Number 503-54-011K		
By: _____		Its: _____		

COLORADO NOTARY ACKNOWLEDGMENT

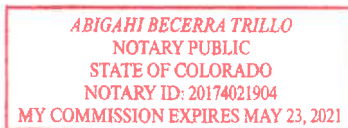
State of Colorado

County of Denver

The foregoing instrument was acknowledged before me this April 26, 2021 by

Liz Anderson

(Seal)



A handwritten signature in blue ink, consisting of a stylized 'A' followed by a long horizontal stroke with a loop at the end.

(Notary's Official Signature)

My Commission Expires: May 23, 2021

PACIFIC PREMIER BANK	
Pacific Premier Trust	Tier B Authority Approved: November 25, 2020

Pacific Premier Trust, a Division of Pacific Premier Bank

Effective June 1, 2020

WHEREAS, effective on June 1, 2020 at 12:01 a.m., Opus Bank a California State chartered bank merged with and into Pacific Premier Bank, a California State-chartered bank headquartered in Irvine, California (the “Bank”);

WHEREAS, shortly thereafter, PENSICO Trust Company, a non-depository trust company organized in the State of Colorado and an indirect wholly-owned subsidiary of Opus Bank, merged with and into the Bank, thereupon becoming a division of the Bank anticipated to be called “Pacific Premier Trust”;

WHEREAS, the Board of Directors of the Bank have previously empowered the President and Chief Operating Officer of the Bank to approve signing authorities constituting “Tier B” authority;

WHEREAS, “Tier B” Authority includes signing authority granted to all officers and employees of the Bank except for authorities granted to the Bank’s named executive officers, namely the Chief Executive Officer, the President and Chief Operating Officer, the Chief Financial Officer, the Chief Innovation Officer and the Chief Credit Officer of the Bank; and

WHEREAS, the initial signing authorities of Pacific Premier Trust do not delegate any signing authorities to the Bank’s named executive officers, and thus constitute “Tier B” Authorities in their entirety.

APPROVAL OF “TIER B” SIGNING AUTHORITIES

NOW THEREFORE, BE IT APPROVED, that each of the individuals with the titled positions as set forth in “**Exhibit A**,” and who are more specifically identified and approved by management in “**Exhibit B**,” are hereby authorized and empowered to purchase, transfer, endorse, sell, assign, borrow, set over and deliver any and all shares of stocks, bonds, debentures, proxies, annuities, certificate of deposits, limited partnerships or other securities, and real-estate holdings now or hereafter standing in the name of the Company for the benefit of clients or their beneficiaries in its name, a dba or any nominee name and to make, execute and deliver any and all written instruments necessary or proper to effectuate the authority hereby conferred. Assets held on behalf of account owners of the Company have historically been, and may currently remain, registered in one or more of the following names:

PENSICO Pension Services	NTC & Co	CRS & Co.
PENSICO Trust Company	FTC & Co	Retirement Accounts & Co.
PENSICO Trust Company, LLC	1st & Co	Retirement Accounts, Inc.
Lincoln Trust Company	Fiserv ISS & Co	Resources Trust Company
IMS & Co	FI & Co	
Trustlynx & Co	FIACO & Co.	

Assets newly purchased on behalf of account owners of the Company may be registered in the name of Pacific Premier Bank; Pacific Premier Trust; Pacific Premier Trust, a division of Pacific Premier Bank; or in the nominee name of NTC & Co.

RESOLVED FURTHER, that the individuals in **Exhibit B** may be removed and substituted as deemed appropriate by management with individuals who hold titles identified on **Exhibit A**.

* * * * *

PACIFIC PREMIER BANK	
Pacific Premier Trust	Tier B Authority Approved: November 25, 2020

Date updated: November 17, 2020

Exhibit A – Selected Officers and Employees of Pacific Premier Trust

Senior Executive Vice President, President
Senior Vice President, Chief of Staff
Senior Vice President, Chief Operating Officer
Senior Vice President, Finance and Analytics
Vice President, Client Services
Vice President, Private Placements
Vice President, Operations

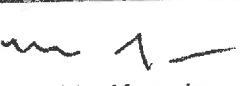
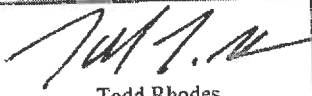
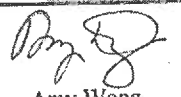
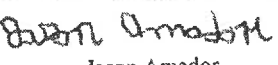
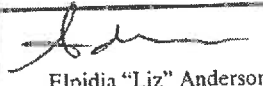
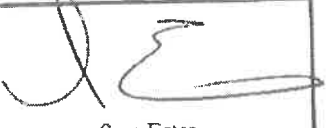
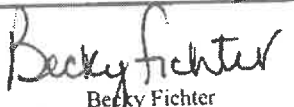
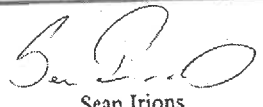
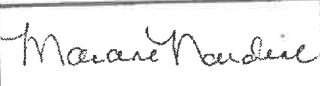
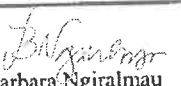
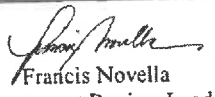
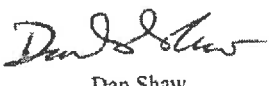
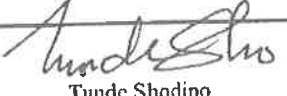
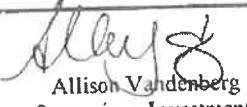
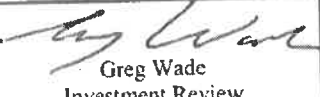
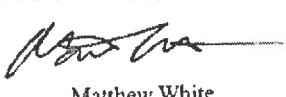
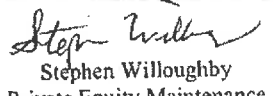
Director, Deal Office
Director, Market Traded Securities
Director, Private Equity
Director, Real Estate & Notes
Investment Review Assistant Supervisor
Investment Review Lead
Investment Review Senior Analyst
Investment Processing Assistant Supervisor
Manager, Business Development and Onboarding
Market Traded Securities Specialist
Onboarding Assistant Supervisor
Private Equity Maintenance Assistant Supervisor
Private Equity Maintenance Senior Specialist
Private Equity Maintenance Specialist
Supervisor, Cash Settlement
Supervisor, Client Services
Supervisor, Investment Processing
Supervisor, Investment Review
Supervisor, Private Equity Maintenance
Supervisor, Real Estate & Notes Maintenance
Supervisor, Reregistration
Supervisor, Retirement Services
Real Estate and Notes Maintenance Lead
Real Estate and Notes Maintenance Associate
Real Estate and Notes Maintenance Specialist
Real Estate and Notes Supervisor
Real Estate and Notes Assistant Supervisor
Retirement Services Assistant Supervisor
Retirement Services Lead
Retention Specialist

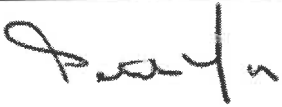
PACIFIC PREMIER BANK

Pacific Premier Trust

Tier B Authority Approved: November 25, 2020

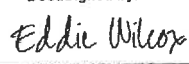
Exhibit B

	 Richard Immesberger Senior Executive Vice President, President	 Todd Rhodes Senior Vice President, Chief Operating Officer	 Amy Wong Senior Vice President, Chief of Staff
 Jennifer Tsang Senior Vice President Finance and Analytics	 Dimetra Pelekidis Vice President, Client Services	 Cheryl Vetromila Vice President, Operations	 Jim Weinberg Vice President, Private Placements
 Cathleen Adcock Supervisor, Client Services	 Jason Amador Real Estate and Notes Maintenance Associate	 Elpidia "Liz" Anderson Real Estate and Notes Supervisor	 Matt Charbonneau Private Equity Maintenance Assistant Supervisor
 Jackie Coles Retirement Services Assistant Supervisor	 Sharon Doyne Market Traded Securities Specialist	 Tina Entin Real Estate & Notes Maintenance Lead	 Sara Estes Investment Review Senior Analyst
 Amy Euler Market Traded Securities Specialist	 Michelle Fausett Investment Review Assistant Supervisor	 Becky Fichter Real Estate and Notes Maintenance Specialist	 Laura Grimes Supervisor, Private Equity Maintenance
 Sean Irions Director, Market Traded Securities	 Natasha Landis Retention Specialist	 Sarah Middleton Investment Review Assistant Supervisor	 Nicholas Miller Supervisor, Retirement Services
 Marcene Nardine Director, Deal Office	 Barbara Ngiralmu Private Equity Maintenance Senior Specialist	 Karla Nguyen Director, Real Estate & Notes	 Francis Novella Investment Review Lead
 Chris Rains Investment Processing Assistant Supervisor	 Ben Sboto Onboarding Assistant Supervisor	 Dan Shaw Retirement Services Lead	 Tunde Shodipo Real Estate and Notes Maintenance Associate
 Allison Vandenberg Supervisor, Investment Processing	 Greg Wade Investment Review Senior Analyst	 Matthew White Director, Private Equity	 Stephen Willoughby Private Equity Maintenance Specialist

PACIFIC PREMIER BANK			
Pacific Premier Trust	Tier B Authority Approved: November 25, 2020		
 Petal Young Supervisor, Reregistration			

APPROVAL OF TIER B SIGNING AUTHORITY

All Tier B authorizations and Signing Authorities set forth above, are hereby adopted and approved.

DocuSigned by:

By: Eddie Wilcox
Name: Edward Wilcox
Title: President/Chief Operating Officer
Pacific Premier Bank

Date: November 25, 2020

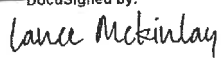
SECRETARY'S CERTIFICATE

I, Lance McKinlay, Assistant Corporate Secretary of Pacific Premier Bank, hereby certify as follows:

1. The Board of Directors of Pacific Premier Bank delegated authority to Eddie Wilcox, President and Chief Operating Officer of the Bank, to approve changes to Tier B authorizations contained in Signing Authorities, and the duly approved resolutions delegating such Tier B approval authority remain in full force and effect.

2. Attached is a true and complete copy of Tier B signing authority related to Pacific Premier Trust, a division of Pacific Premier Bank, as of the date hereof.

Date: November 25, 2020

DocuSigned by:

By: Lance McKinlay
Name: Lance McKinlay
Title: Assistant Corporate Secretary
Pacific Premier Bank

ANNEXATION PETITION

TO THE HONORABLE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA:

We, the undersigned, the owners of one-half or more of the real and personal property that also represents one-half or more of the value of the real and personal property that would be subject to taxation by the City of Surprise in the event of annexation within the territory proposed to be annexed, which is hereafter described, said territory being contiguous to the corporate limits of the City of Surprise, with the exterior boundaries of the territory proposed to be annexed shown on the map attached hereto, marked "Exhibit "B" and made a part hereof, request the City of Surprise to annex the following described territory, provided that the requirements of A.R.S. §9-471, and amendments thereto are fully observed.

The description of the territory proposed to be annexed as part of the Surprise Case #FS20-732, not already within the present limits of the City of Surprise and located in Maricopa County, Arizona, is as described and attached hereto, marked Exhibit "A" and made part thereof:

DATE	NAME OF PROPERTY OWNER	MAILING ADDRESS	PHONE NO	PARCEL NUMBER OR LEGAL DESCRIPTION
April 26, 2021	Pensco Trust Company, LLC, a Colorado limited liability company, Custodian FBO Kent A. Xander, IRA	PO Box 172859 Denver, CO 80217 1-800-962-4238 Maricopa County Assessor Parcel Number 503-54-011K		
By:		Its:		
April 26, 2021	Paloma Creek Land 2, LLC, an Arizona limited liability company	18835 N. Thompson Peak Parkway, Suite 215, Scottsdale, AZ 85255 602-469-8050 Maricopa County Assessor Parcel Number 503-54-011K		
By:		Its:		

EXHIBIT "A"

DESCRIPTION

REZONE OF 5.38 ACRES FROM RESIDENTIAL RANCH (RR) to RESIDENTIAL MEDIUM DENSITY with a PLANNED UNIT DEVELOPMENT OVERLAY (RM-9 PUD) AMENDING DEVELOPMENT STANDARDS AND LIMITING RESIDENTIAL DENSITY TO 3.90 DWELLINGS PER ACRES

The West 355.08 feet of the East 655.08 feet of the North Half of the Northwest quarter of the Southwest quarter of Section 5, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described by metes and bounds as follows:

COMMENCING at the West quarter corner of said Section 5;
Thence South 89°41'02" East along the East-West mid-section line of said Section 5 a distance of 654.57 feet to the POINT OF BEGINNING;
Thence continuing South 89°41'02" East along said line 355.08 feet;
Thence South 00°05'23" West 660.15 feet;
Thence North 89°39'59" West 355.08 feet;
Thence North 00°05'23" East 660.04 feet to the POINT OF BEGINNING.

Containing 5.3808 acres, more or less.

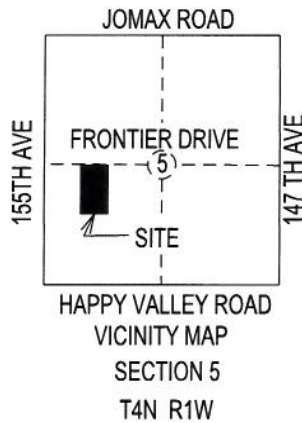
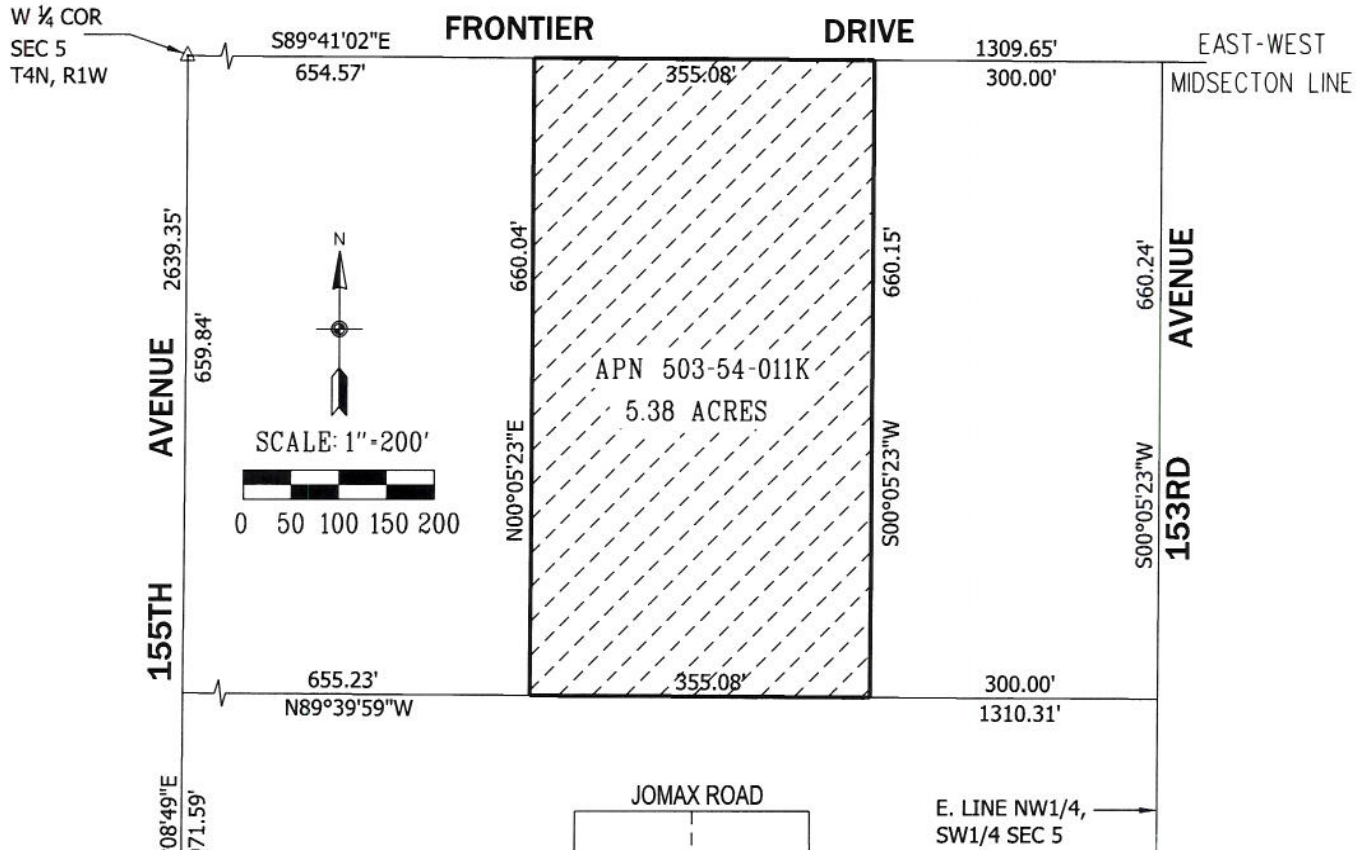
Attached is EXHIBIT "B" and by this reference is made a part hereof.

End of description



EXHIBIT "B"

Rezone of 5.38 acres from Residential Ranch (RR) to Residential Medium Density with a Planned Unit Development overlay (RM-9 PUD) amending development standards and limiting residential density to 3.90 dwelling units per acres



LEGEND

- APN ASSESSORS PARCEL NUMBER
-  REZONE AREA



REZONE from RESIDENTIAL RANCH (RR) to RESIDENTIAL MEDIUM DENSITY with a PLANNED UNIT DEVELOPMENT OVERLAY (RM-9 PUD)



CITY OF SURPRISE
LAND SURVEY DEPARTMENT

PROJECT # 21010

DRAWN BY RCD

DATE 04-26-21

SHEET 1 OF 1

Parcel No	Tax Year	Property Use	Owner Name	Mailing Address	City State Zip
503-54-011K	2021	VACANT LAND	KENT A XANDER IRA/PALOMA CREEK LAND 2 LLC	PO BOX 172859	DENVER CO 80217

Parcel No	Land FCV	CVP PP FCV	Total Assessed Value(LPV)	Net Assessed Val	Parcel Sq Ft
503-54-011K	\$142,900	\$0	\$8,401	\$8,401	234,377
	\$142,900	\$0	\$8,401	\$8,401	

STATE OF ARIZONA

Department of Revenue
Local Jurisdictions District
Fax (602) 542-4425



Douglas A. Ducey
Governor

Robert Woods
Director

March 23, 2021

Mr. Joshua Mike
City of Surprise
16000 N. Civic Center Plaza
Surprise, AZ 85374

RE: Valuation Transmittal for Docket # 07-0980-00, FS20-732 Enclave III at Paloma Creek

Dear Mr. Mike:

According to information provided by the taxpayer(s) and based on unit values established by the Division of Property Valuation and Equalization, the estimates of value for properties located in the proposed annexation areas are as follows:

Taxpayer #	Taxpayer Name	Full Cash Value	Assessed Value
54650	ARIZONA PUBLIC SERVICE COMPANY	\$0.00	\$0.00
56795	Centurylink Communications LLC	\$0.00	\$0.00
54641	SOUTHWEST GAS CORPORATION (T&D)	\$0.00	\$0.00
55370	EPCOR	\$0.00	\$0.00

Please direct any inquiries you may have regarding this estimate to my email address:
fvillaverde@azdor.gov

Sincerely,

Flo Villaverde

Flo Villaverde
GIS Annexations
Telephone: 602 716 6832
Fax: 602 542 4425



Memorandum

To: Lloyd Abrams, Assistant Director, Community Development
From: Stacie Cameron, Sr. Financial Management Analyst
Date: May 5, 2021
Re: FS20-732 Enclave III Fiscal Impact Analysis

Per the Annexation Policy Manual – 2008 Revision, a land use based fiscal impact analysis has been conducted utilizing data provided by the applicant. The data provided assumes residential development of approximately 5.38 acres generally located east of the 155th Avenue alignment and south of the Frontier Drive alignment.

Based on the land use information, the construction timeline, and the development assumptions, the net financial impact to the operating funds of the City of Surprise is positive. Due to construction sales tax collection, a positive impact is projected annually during the first three years of development. Over twenty years, expenses are projected to be \$627,285, and revenue is projected to be \$675,129, resulting in a net financial impact of \$47,844.

ORDINANCE 2021-08

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF SURPRISE MARICOPA COUNTY STATE OF ARIZONA PURSUANT TO THE PROVISIONS OF ARIZONA REVISED STATUTES TITLE 9 CHAPTER 4 ARTICLE 7 AND AMENDMENTS THERETO BY ANNEXING THERETO CERTAIN TERRITORY CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF SURPRISE, CONSISTING OF APPROXIMATELY 5.38 ACRES LOCATED WITHIN SECTIONS 5, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, GENERALLY LOCATED ONE-HALF MILE NORTH OF HAPPY VALLEY ROAD AND 660 FEET EAST OF 155TH AVE.

WHEREAS, a petition in writing accompanied by a map or plot of said real property having been filed and presented to the Mayor and Council of the City of Surprise, Arizona, signed by the owners of more than one-half in value of the real and personal property and more than one-half of the persons owning real and personal property as would be subject to taxation by the City of Surprise in the event of annexation within the territory and land hereinafter described in the attached **Exhibit A** (the "Annexation Area") and as shown by the last assessment of said property which said Annexation Area is contiguous to the City of Surprise, and not now embraced within its limits, asking that the Annexation Area be annexed to the City of Surprise, and to extend and increase the corporate limits of the City of Surprise so as to embrace the same;

WHEREAS, the Mayor and Council of the City of Surprise Arizona are desirous of complying with said petition and extending and increasing the corporate limits of the City of Surprise to include said territory;

WHEREAS, the said petition sets forth a true and correct description of all the exterior boundaries of the entire area proposed to be annexed to the City of Surprise and had attached thereto at all times an accurate map of the territory, as shown in **Exhibit B**, desired to be annexed;

WHEREAS, no alterations increasing or reducing the territory sought to be annexed have been made after the said petition had been signed by any owner of real and personal property in such territory;

WHEREAS, the provisions of A.R.S. § 9-471, and amendments thereto, have been fully observed;

WHEREAS, proper and sufficient certification and proof of the foregoing facts are now on file in the office of the City Clerk of the City of Surprise, Arizona, together with a

true and correct copy of the original petition referred to herein, which is on file in the office of the County Recorder for Maricopa County, Arizona;

WHEREAS, the area to be annexed having been zoned Rural-43 (R-43) in Maricopa County pursuant to A.R.S. § 9-471(L), the Mayor and City Council shall adopt and apply to this area the City of Surprise zoning district Rural Residential (RR) that permit densities and uses no greater than those permitted by the Maricopa County zoning immediately before annexation; and

WHEREAS the Annexation Area is within the “Benefited Area,” as defined and depicted in Exhibit A to the “Rancho Mercado Supplemental Development Agreement (Regional Improvements Overlay Agreement)”, as amended, for water, wastewater, and roadway improvements, by and between the City of Surprise and William Lyon Homes, Inc. (“William Lyon”), approved by Resolution #2017-71, and recorded as Document No. 20170526362 on July 19, 2017, in the Office of the County Recorder of Maricopa County, Arizona.

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

SECTION 1. That the Annexation Area described in the attached **Exhibit A** and depicted in the attached **Exhibit B** be and the same hereby is annexed to the City of Surprise and that the present corporate limits be and the same hereby are extended and increased to include the Annexation Area described in **Exhibit A** and depicted in the attached **Exhibit B** contiguous to the present City limits.

SECTION 2. That a copy of this Ordinance together with an accurate map of the territory hereby annexed, as shown in **Exhibit B**, to the City of Surprise certified by the Mayor of the City of Surprise shall be recorded in the Office of the County Recorder of Maricopa County, Arizona, and that a copy of this ordinance shall be provided to the Clerk of the Board of Supervisors of Maricopa County, Arizona.

SECTION 3. That the property described in SECTION 1 of this Ordinance with Maricopa County zoning of Rural-43 (R-43), shall be designated with City of Surprise zoning district Residential Ranch (RR) pursuant to A.R.S § 9-471(L) upon the effective date of this ordinance.

SECTION 4. That prior to the City recording a final plat or approving either a site plan or building permit within the Annexation Area, the applicant shall provide the City with a Notice of Payment from William Lyon Homes, Inc. that the applicable “Buy-in Fees” for water, sewer, and roadway improvements have been paid, all as defined and described in the Rancho Mercado Supplemental Development Agreement (Regional Improvements Overlay Agreement), as amended.

SECTION 5. That the City of Surprise zoning map is herewith amended to reflect the change in districts referred to in SECTIONS 3 above.

SECTION 6. This Ordinance shall take effect and the annexation of the subject property shall become effective at the time and in the manner prescribed by law.

SECTION 7. This Ordinance is not of general application throughout the City and therefore will not be codified.

SECTION 8. That the provisions of this Ordinance are not severable, and the entirety of this Ordinance shall become null and void and of no effect in the event any provision is finally determined to be illegal or invalid by a court of competent jurisdiction or if any provision should be invalidated by a referendum vote.

PASSED AND ADOPTED this _____ day of _____ 2021.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

CERTIFICATION OF MAP

MAP OF AREA TO BE ANNEXED

I, _____ Mayor of the City of Surprise Arizona do hereby certify that the foregoing map as expressed in Exhibit B is a true and correct map of the territory annexed under and by virtue of the petition of the real and personal property owners in the said territory and by Ordinance No. 2021-08 annexing the territory described in the attached Exhibit A and as shown on said map as a part of the territory to be included within the corporate limits of the City of Surprise Arizona

Mayor

ATTEST

Clerk

EXHIBIT A

LEGAL DESCRIPTION

The West 355.08 feet of the East 655.08 feet of the North half of the Northwest quarter of the Southwest quarter of Section 5, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, .described by metes and bounds as follows:

Commencing at the West quarter corner of said Section 5;
Thence South 89° 41' 02" East along the East-West mid-section line of Section 5 a distance of 654.57 feet to the **POINT OF BEGINNING**;
Thence continuing South 89° 41' 02" East along said line a distance of 355.08 feet;
Thence South 00° 05' 23" West a distance of 660.15 feet;
Thence North 89° 39' 59" West a distance of 355.08 feet;
Thence North 00° 05' 23" East a distance of 660.04 feet to the **POINT OF BEGINNING**.

Containing 5.3808 acres



Land Survey Services PLC
20651 W. Pasadena Ave
Buckeye, AZ 85396-1255

Job No. 16018

EXHIBIT A

Parcel Map Check Report

Prepared by:

Thomas Rope

Land Survey Services, PLC

Date: 3/10/2020 8:50:08 AM

Parcel Name: Paloma Creek

Description: W 355.08', E 655.08', N1/2, NW1/4, SW1/4 Sec 5, T4N, R1W

Process segment order counterclockwise: False

Enable mapcheck across chord: False

North: 989,407.8467'

East: 555,314.8264'

Segment# 1: Line

Course: S89°41'02"E

Length: 355.08'

North: 989,405.8876'

East: 555,669.9010'

Segment# 2: Line

Course: S0°05'23"W

Length: 660.15'

North: 988,745.7384'

East: 555,668.8672'

Segment# 3: Line

Course: N89°39'59"W

Length: 355.08'

North: 988,747.8059'

East: 555,313.7932'

Segment# 4: Line

Course: N0°05'23"E

Length: 660.04'

North: 989,407.8451'

East: 555,314.8268'

Perimeter: 2,030.35'

Area: 5.3808Acre

Error Closure: 0.0016

Course: S15°57'09"E

Error North : -0.00155

East: 0.00044

Precision 1: 1,268,968.75

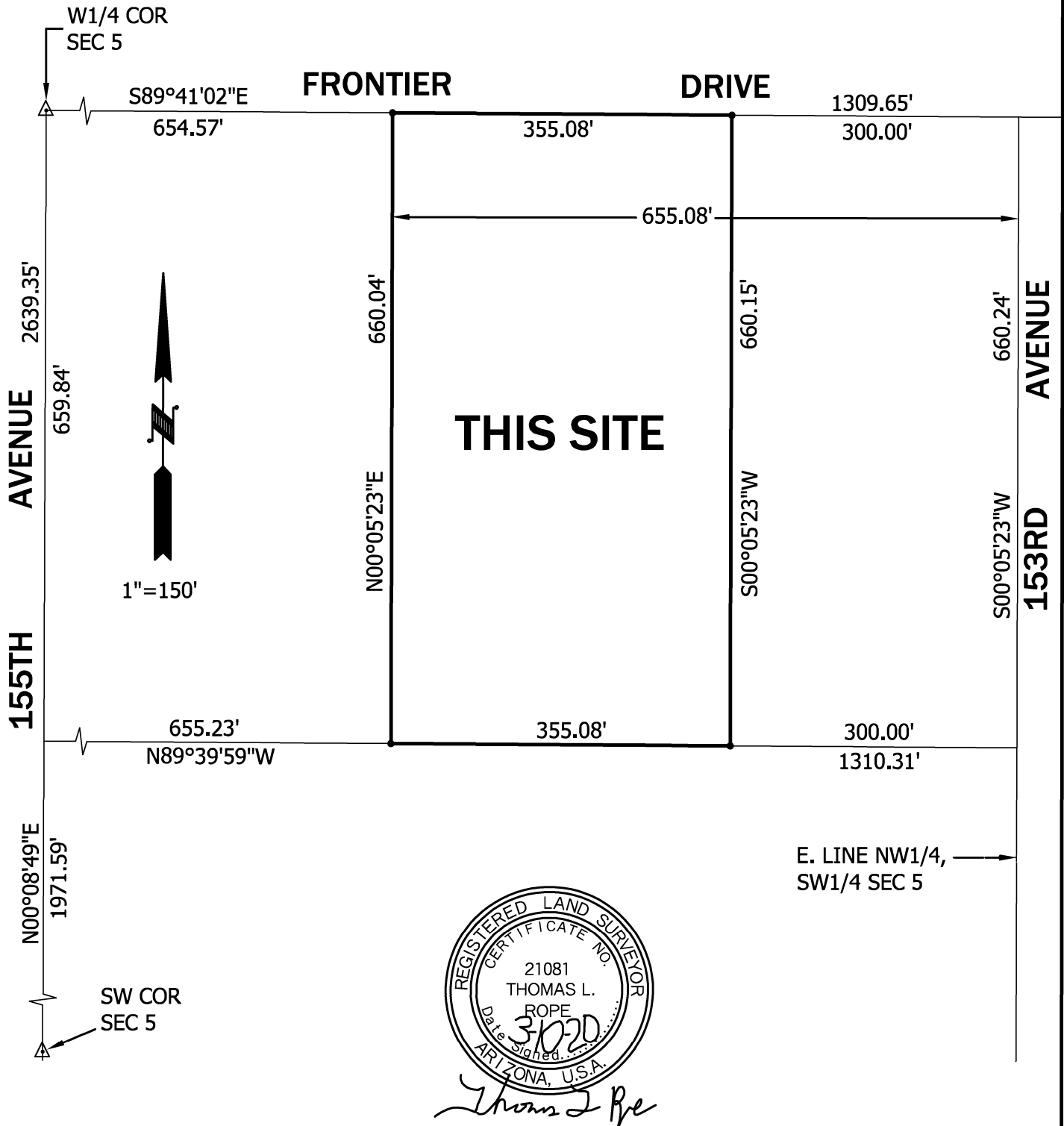


Land Survey Services PLC
20651 W. Pasadena Ave
Buckeye, AZ 85396-1255

Job No. 16018

EXHIBIT B

A PART OF THE SOUTHWEST QUARTER OF SECTION 5
T4N, R1W, G.&S.R.B.M., MARICOPA COUNTY, ARIZONA





Enclave III Rezone

Citizen Participation Plan

February 13, 2021

Background

The City of Surprise (City) requires a citizen participation process and report for applications such as this PAD amendment. The purpose of the citizen review process is to:

Ensure that applicants pursue early and effective citizen participation in conjunction with their applications, giving them the opportunity to understand and try to mitigate any real or perceived impacts their application may have on the community;

Ensure that the citizens and property owners of the city have an adequate opportunity to learn about applications that may affect them and to work with applicants to resolve concerns at an early stage of the process; and

Facilitate ongoing communication between the applicant, interested citizens and property owners, city staff, and elected officials throughout the application review process.

The citizen review process is not intended to produce complete consensus on all applications, but to encourage applicants to be good neighbors and to allow for informed decision-making.

Enclave III Citizen Participation Plan & Report

Enclave III at Paloma Creek PUD is a 5.3808-acre proposed residential subdivision adjacent to the east of the approved Paloma Creek PUD Case # FS18-150 zoned for a density of 4 units per acre. The subject property is adjacent to unincorporated vacant land and homes to the north and east zoned RU-43, to the south is Tierra Verde East PAD (MDR). As part of the rezone process, adjacent property owners and stakeholders in the area were notified by the City staff to our proposed application and open house to inform the public of this rezoning request. The case also includes an Annexation from Maricopa County into the City of Surprise.

We met the City's notification requirements, which are:

- Notice of the citizen review meeting shall be provided by the planning and zoning division in the form of a public notice to the following, when applicable:
 - The notice shall be published at least once in a newspaper of general circulation published or circulated in the municipality at least 15 days prior to the meeting date.
City initiated.



- For applications involving rezoning of land which abuts other municipalities or unincorporated areas of the county or a combination thereof, copies of the notice shall be transmitted to the planning agency of such governmental unit butting such land. **City initiated.**
- For applications involving rezoning, subdividing, planned unit developments, site plans with uses permitted on a conditional basis, and legislative matters, all real property owners within a 200-foot or 300-foot radius, the city shall send copies of the notice by first class mail, no less than seven days prior to the hearing. We noticed at 300 feet. **City initiated.**
- Any village committee or special community group which is located in the area of the proposed public hearing request or has considerable interest in the nature of the application; **See City initiated list.**
- The head of any homeowners association or registered neighborhood within the public notice area established in item (3) indicated above. **See City initiated list.**

Site Posting

The site was posted on January 27, 2021 to alert interested citizens and stakeholders of our upcoming virtual open house on February 11, 2021. The photographs of the signs and affidavit are attached at **Tab 1**. The signs do not have the anticipated Planning & Zoning Commission and City Council hearings dates and will be updated as we learn these dates.

Participation Report.

After the notices were sent by staff and the site was posted, we did not field any telephone calls or emails of concern regarding the rezoning case. We held the virtual open house on Go-to-Meetings on February 11, 2021 at 6:00 pm. During the virtual open house, there was one (1) neighbor who participated in virtual open house and discussed the project with the applicant and the applicant's representative. City staff was present in the meeting and during this discussion. The discussion with the one (1) neighbor participant included questions about Frontier Road impacts, construction activity and contact information and drainage. After our discussion, we felt the participant was satisfied with our responses and had no major issues with our rezoning proposal. City Councilwoman Aly Cline also participated in the virtual open house and we answered her questions regarding the proposed case. There were no other members of the public in attendance during the virtual open house.

There is no known opposition to this rezoning case.

We have been working cooperatively with City staff on the rezone request and are ready for public hearings on the proposed rezoning request. If we are contacted by any neighbors or stakeholders after we have submitted this citizen participation report to the City, we will provide updates to the City staff with an amended report.

TAB 1



AFFIDAVIT OF POSTING
(Sign modification)

Application No: FS20-732 & FS20-731

Applicant Name: _____

Location: Southeast corner of 154th Avenue and Frontier Dr

Date Site Posted: January 27th 2021 sign modified: January 28th, 2021

In order to assist in providing adequate notice to interested parties, the applicant for any *type of public hearing* in the City of Surprise shall erect two (2) signs giving notice of the *date, time and place* of the scheduled hearings. These signs must be erected not less than **fifteen (15) days prior** to the date of the first hearing. The signs shall also include the nature of the request as contained on the formal zoning application. The size and format of this sign shall meet requirements established by the Planning and Zoning Department (see page 2).

Such notice shall be clearly legible and placed at a prominent location on the site – Generally adjacent and perpendicular to the public right-of-way. It shall be the *responsibility of the applicant* to erect and to maintain the sign on the subject property and to maintain the hearing information on the sign until final disposition of the case.

It shall also be the *responsibility of the applicant* to remove the signs within one week after the final disposition of the case.

I confirm that the site has been posted as required above, for the case noted above. A picture of the site posting, and photos of any subsequent changes/updates made to the sign, have also been submitted.

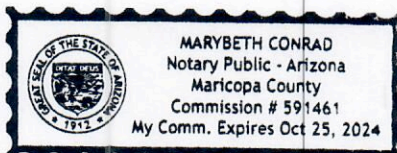
Maria Hitt 1-28-2021
Applicant/Representative Signature Date

This instrument was acknowledged before me on this 28th day of January, 2021, and by Maria Hitt. I witness whereof I hereunto set my hand and official seal.

Marybeth Conrad
Notary Public
10.28.2024

My commission expires

*Return completed and notarized **affidavit** and all relevant **photos** to the Planning and Zoning Department at least fifteen (15) days **prior to** the scheduled meeting(s).*





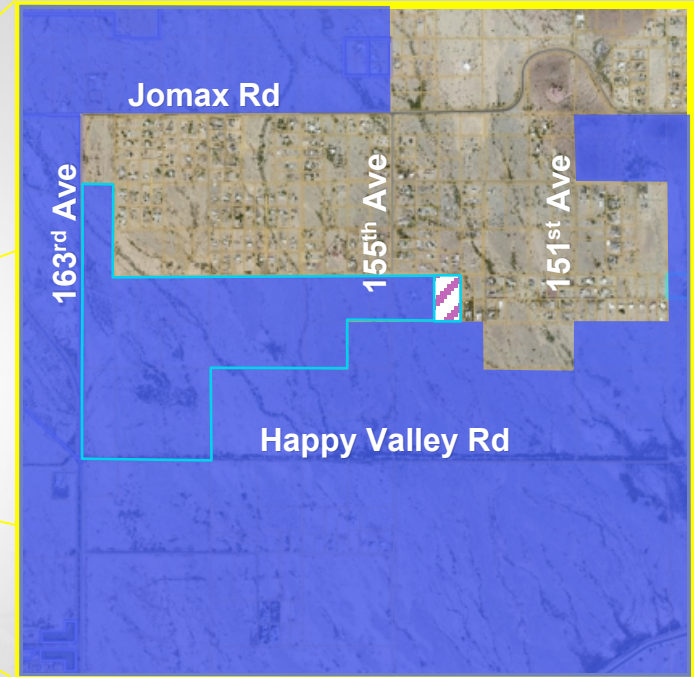
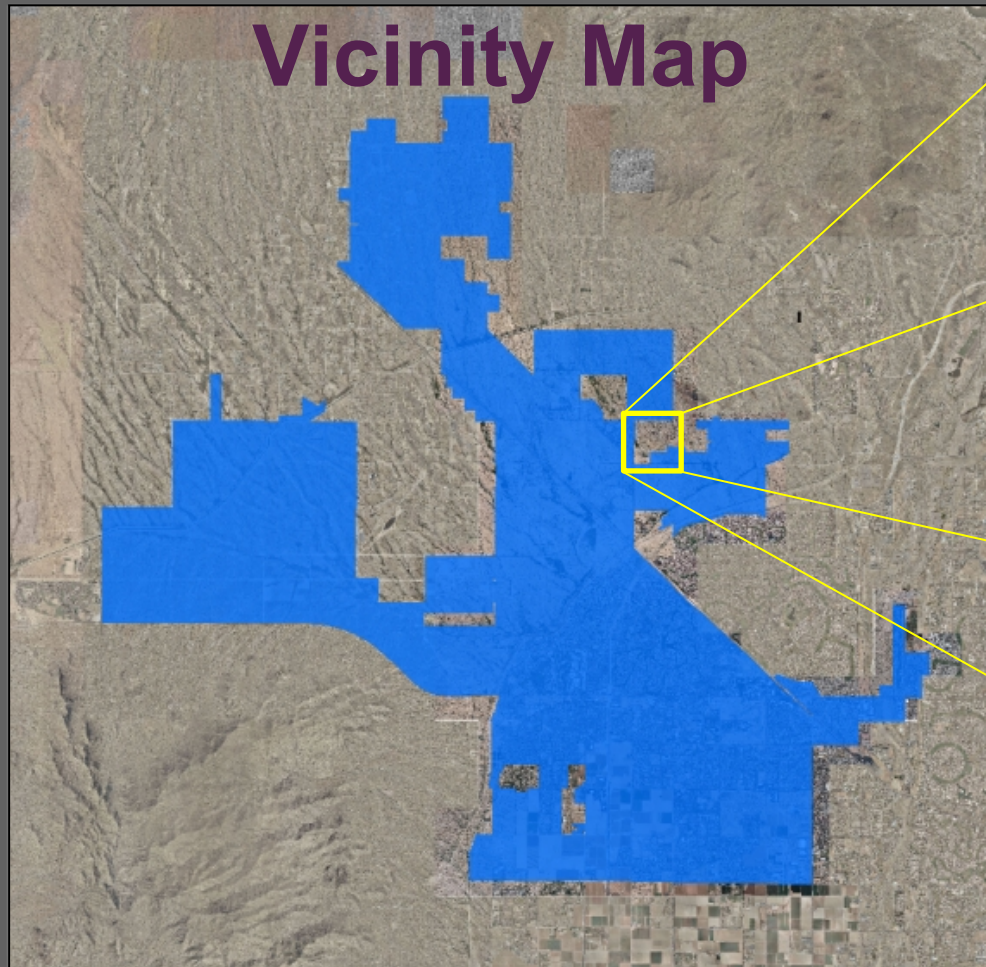
Annexation Ordinance

FS20-732 – Enclave III at Paloma Creek

City Council

May 18, 2021

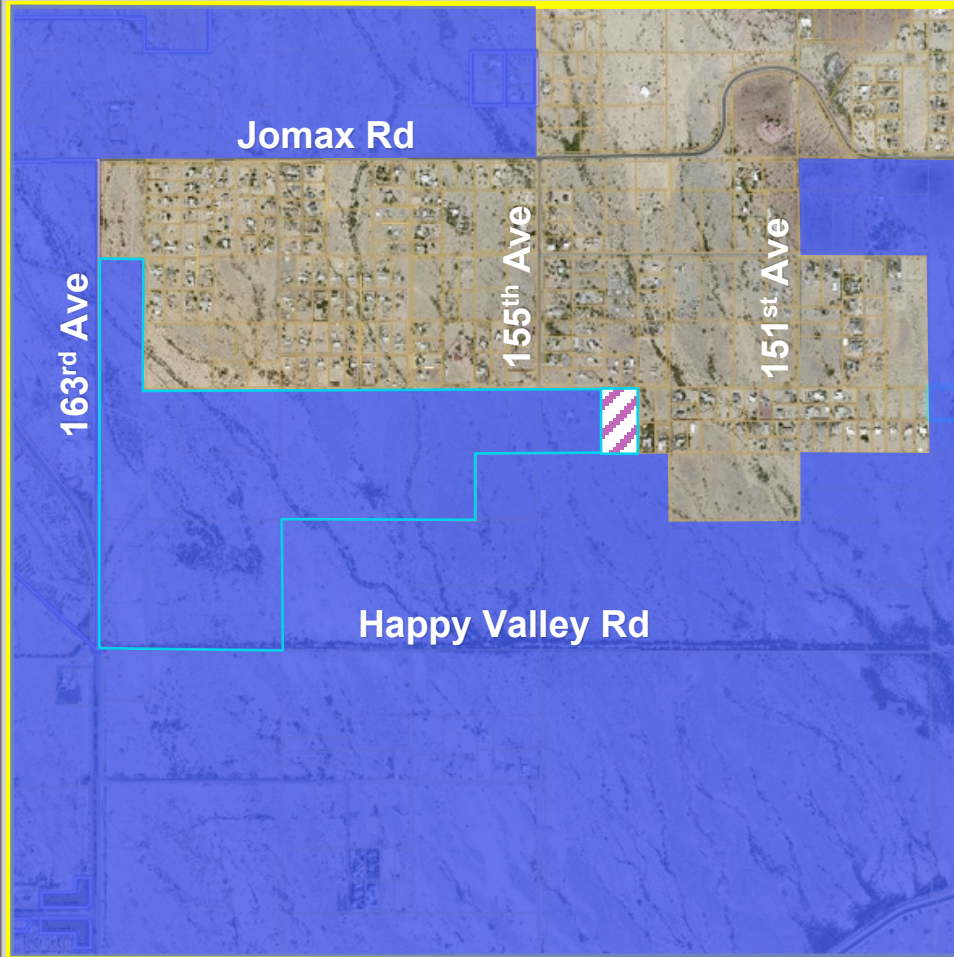
Vicinity Map



Proposed Annexation Location

- Existing Surprise Incorporated Limits
- Approved Paloma Creek Boundary
- FS20-732 – Enclave III at Paloma Creek (5.38 acres)

Case Map



Existing Surprise Incorporated Limits



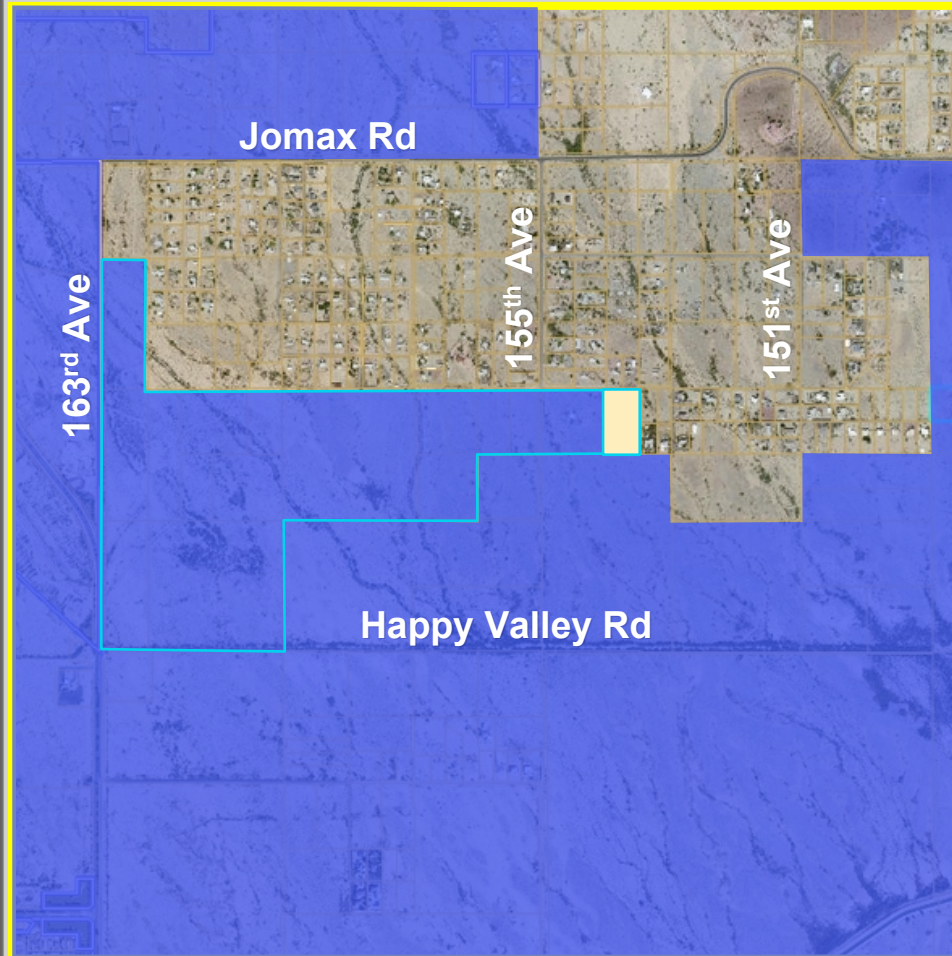
Approved Paloma Creek Boundary

Proposed Annexation location



Enclave III at Paloma Creek

Zoning



Existing Surprise Incorporated Limits



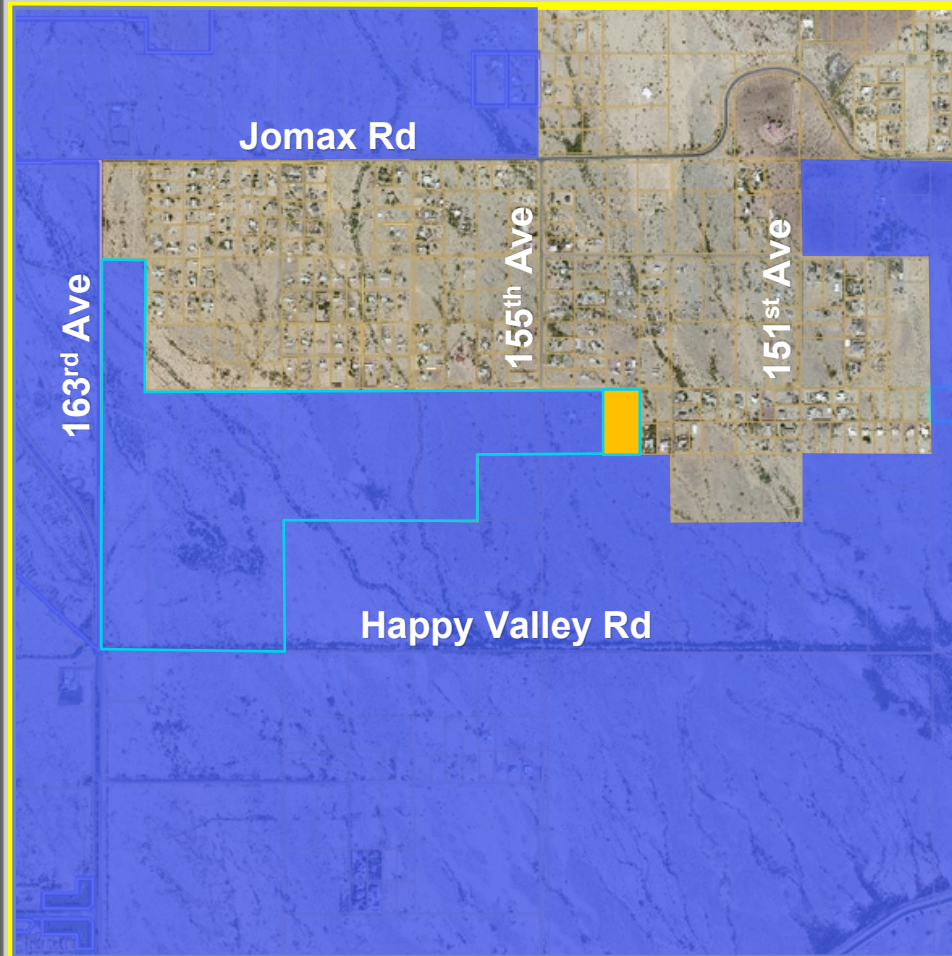
Approved Paloma Creek Boundary

Current County Zoning



RU-43 Maricopa County Zoning

Zoning



Existing Surprise Incorporated Limits



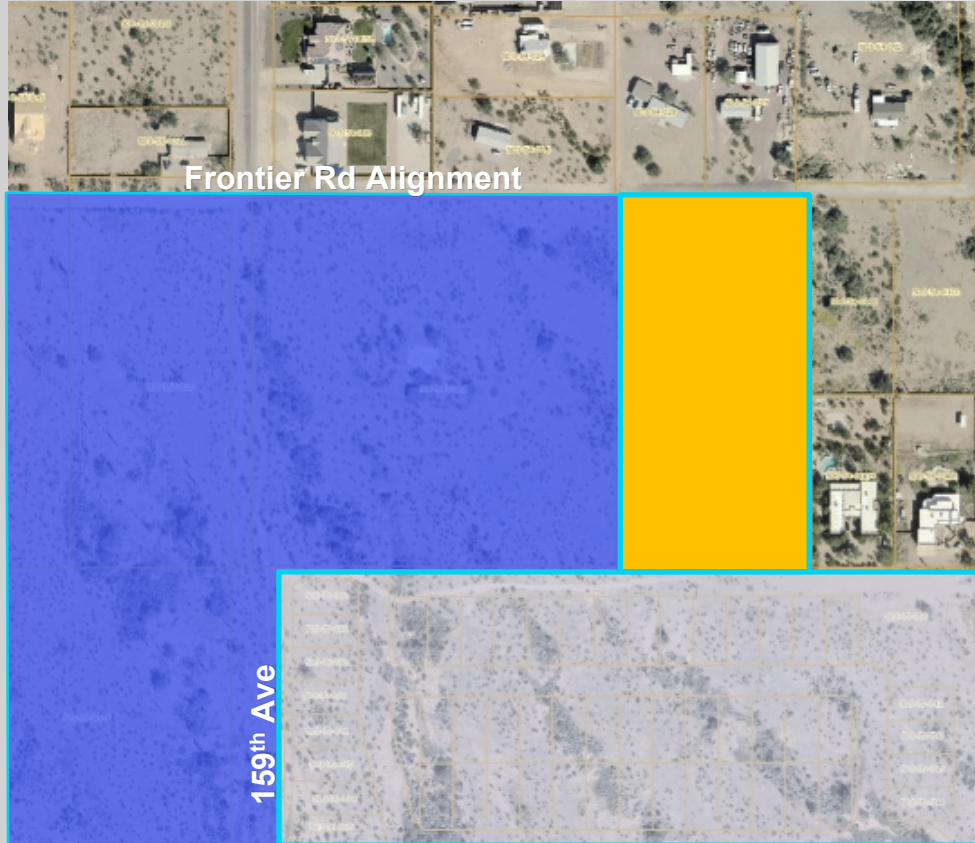
Approved Paloma Creek Boundary

City Equivalent Zoning



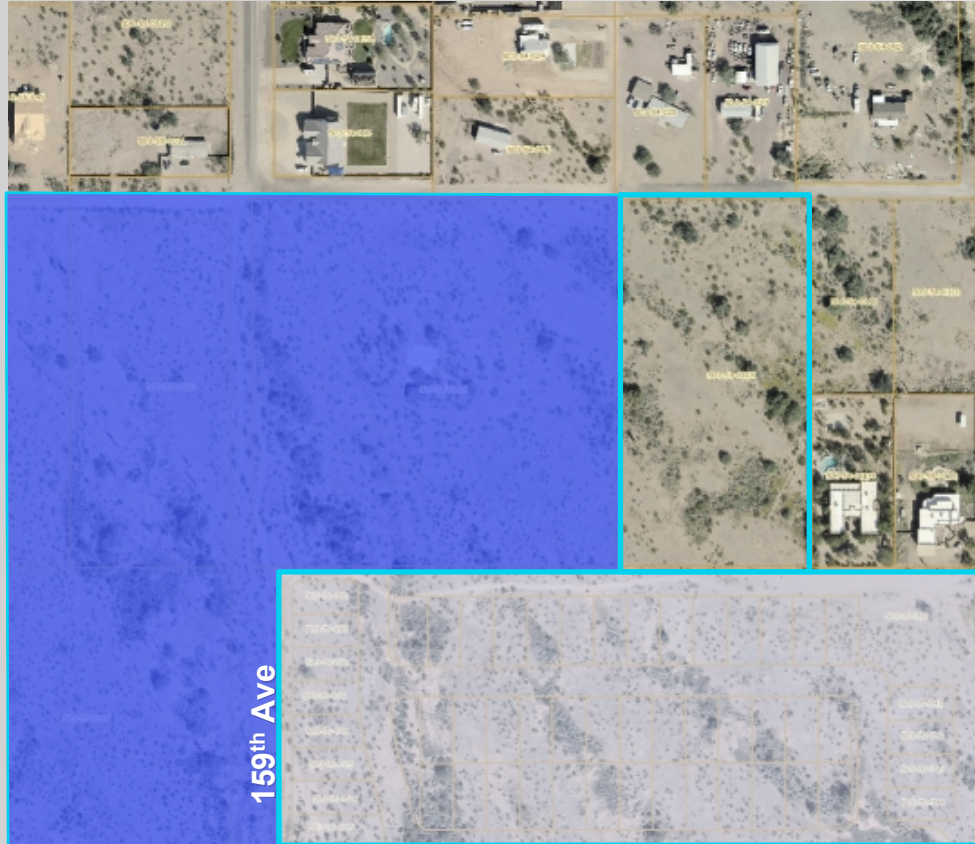
RR Surprise Zoning

Zoning



- Existing Surprise Incorporated Limits
- Approved Paloma Creek Boundary
- Tierra Verde East
- City Equivalent Zoning
- RR Surprise Zoning

Conceptual Layout



Existing Surprise Incorporated Limits



Approved Paloma Creek Boundary



Tierra Verde East

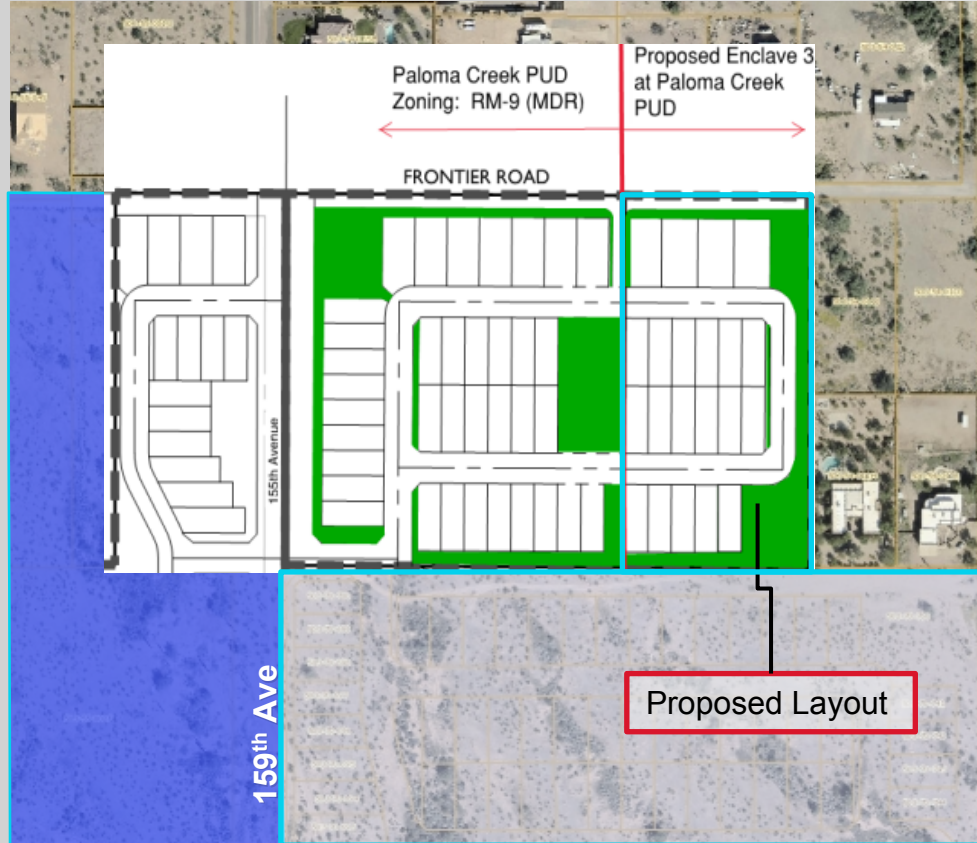
Concurrent Rezoning – FS20-731



RM-9 PUD Surprise Zoning



Conceptual Layout



- Existing Surprise Incorporated Limits
- Approved Paloma Creek Boundary
- Tierra Verde East
- Concurrent Rezoning – FS20-731
- RM-9 PUD Surprise Zoning

Concurrent Cases

FS20-732 – Enclave III at Paloma Creek Annexation

- FS20-731 – Enclave III at Paloma Creek Rezone
- Rezoning: from RR to RM-9 PUD (max 3.9 DU/Ac)
- Virtual Neighborhood Outreach: February 11, 2021
 - Attended by 1 County resident
 - General questions: impact on Frontier Rd, impact of construction equipment, stormwater
- Planning and Zoning Public Hearing: April 15, 2021
 - Received petition to oppose
 - Recommends approval to City Council

Annexation Process

Resolution for the Intent to Annex

- City Council – March 16, 2021

Recorded Blank Petition:

- Begins 30-day waiting period;
- Responses County Assessor and Dept. of Revenue
- Date: March 23, 2020

Public Hearing:

- City Council has public hearing to discuss the annexation proposal
- April 20, 2021 – no action

Obtain signatures on annexation petitions, April 23, 2021

- Staff received signed petitions on April 27, 2021
- City Council considers annexation ordinance
 - May 18, 2021



QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: May 18, 2021 Contact Person: Robert Kuhfuss
Submitting Department: Community Development District: District 1
Staff Recommendations: None

Consent: No Regular: No Public Hearing: Yes Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to approval a rezone of 4.98 acres from Residential Ranch (RR) to Residential Medium Density with a Planned Unit Development Overlay (RM-9 PUD) amending development standards and limiting residential density to 4.01 dwelling units per acre for Enclave II at Paloma Creek, generally located south of the Frontier Road alignment and west of the 155th Avenue alignment; Ordinance # 2021-04 (Case FS20-718).

Motion:

I move to approve Ordinance # 2021-04.

Background:

Kent Xander of Xander Lander LLC, et. al. seeks approval of a rezone of approximately 4.98 acres from Residential Ranch (RR) to Medium Density Residential (RM-9) with a Planned Unit Development (PUD) Overlay. The PUD Overlay will amend certain development standards, while limiting the maximum density to 4.01 dwelling units per acre. The subject site is adjacent to the recently approved Paloma Creek zoning and preliminary plat requests, as well as the recently approved Enclave (I) project.

Objective Analysis:

The subject Zone Change request anticipates the future development of 20 lots on approximately 5 acres, and includes a PUD overlay intended to grant relief from certain development standards. The Project will include 20.1% open space, will join the Paloma Creek HOA, and will have access to those amenities. All city reviewing departments have reviewed the request and expressed no concerns.

Policy Compliant:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 4.01 DU/Ac, the project most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard.

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city

services.

Budget Impact:

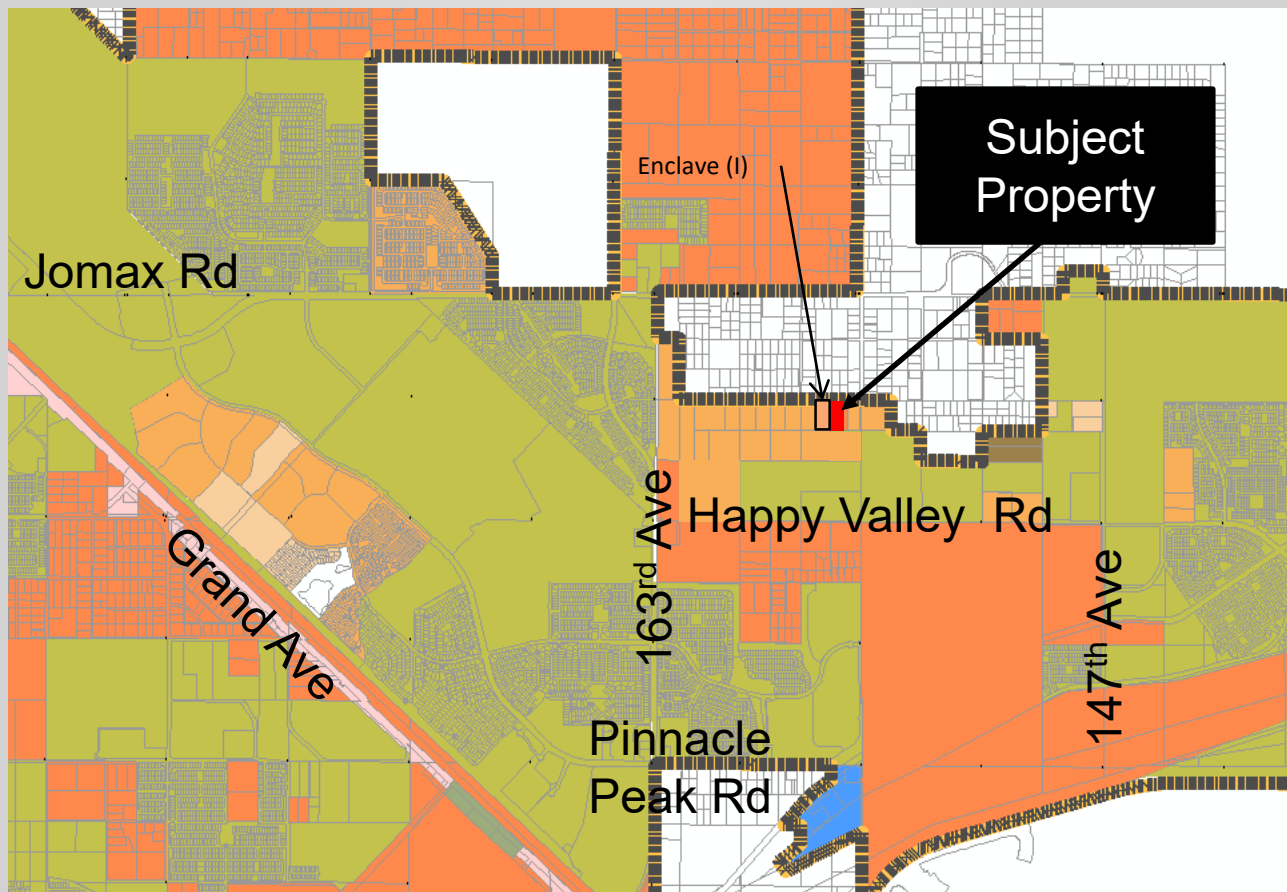
There is no anticipated budget impact related to this item.

FTE Impact:

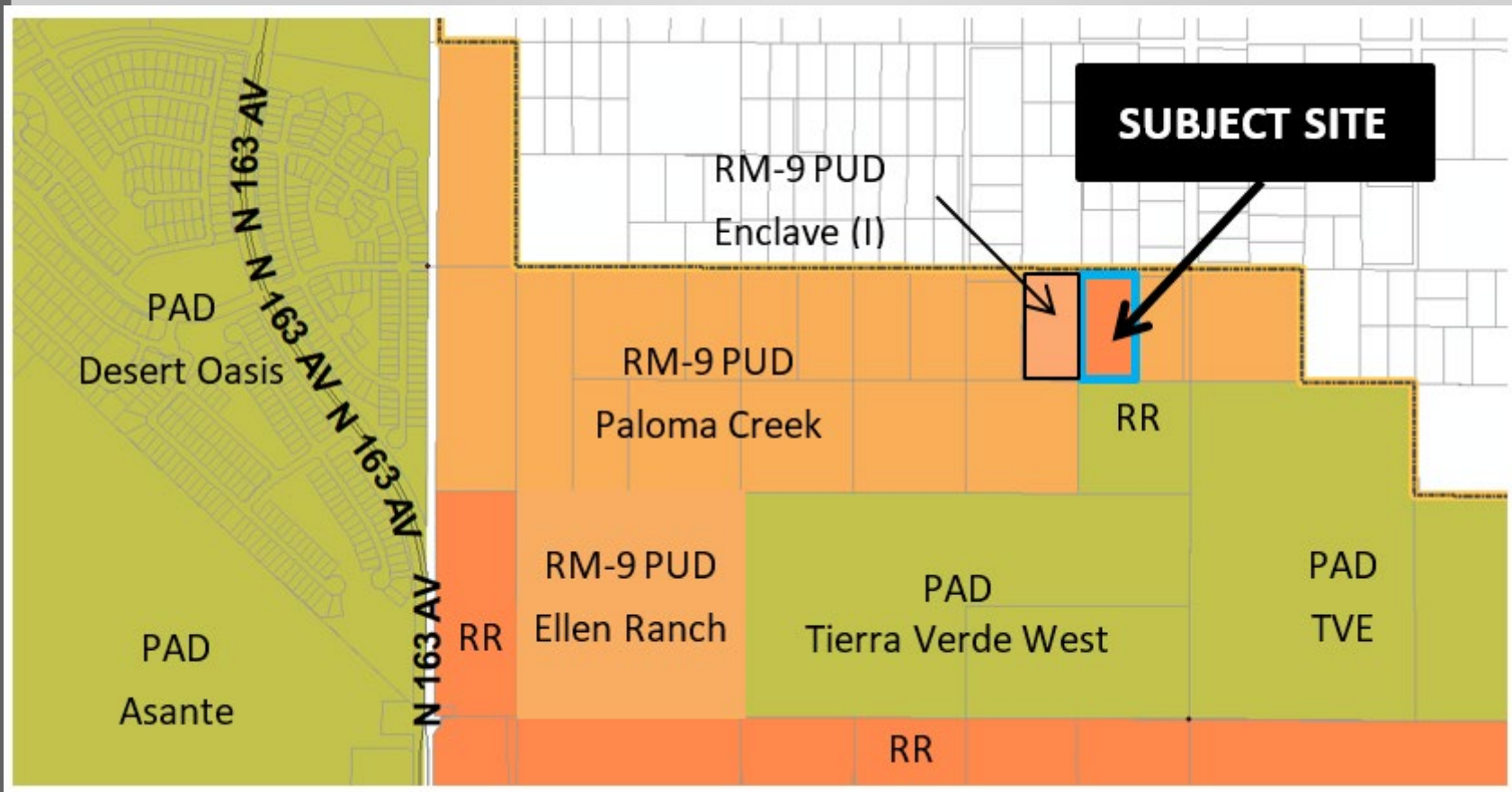
This item does not have an impact on current staffing levels.

ATTACHMENTS:

1. 01 FS20-718 Enclave II at Paloma Creek Rezone Vicinity Map
 2. 02 FS20-718 Enclave II at Paloma Creek Rezone Case Map
 3. 03 FS20-718 Enclave II at Paloma Creek Zone Change Narrative
 4. 04 FS20-718 Enclave II at Paloma Creek Zone Change Outreach Summary
 5. 21.05.10 EVR Ordinance 21-04 Enclave II at Paloma Creek Rezone
 6. Enclave II Paloma Creek Rezone CC 4-29-2021 (1)
 7. 00 FS20-718 Enclave II at Paloma Creek Rezone 05-18-21 CC Staff Report (revised)
-



FS20-718 Vicinity Map



SUBJECT SITE

FS20-718 Case Map

ENCLAVE II AT PALOMA CREEK REZONE

Case No. FS20-718

Rezone from Residential Ranch (RR) to
RM-9 (Residential Medium Density) with a (PUD) Overlay

4.98 Gross Acres

330 feet west of Southwest corner W. Frontier Dr. and 155th Avenue
Surprise, Arizona

Prepared by: KAX Group, LLC

Submitted To: City of Surprise, Arizona

Dated: October 26, 2020

Revised: December 22, 2020

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Existing Zoning Map.....	Exhibit A
Proposed Zoning Map.....	Exhibit B
Legal Description and Map.....	Exhibit C
FS20-421 - Enclave at Paloma Creek PUD Conceptual Development Plan.....	Exhibit D-1
Conceptual Development Plan	Exhibit D-2
General Plan 2035 Land Use Map.....	Exhibit E
Enclave II at Paloma Relationship to Surrounding Property.....	Exhibit F

Enclave II at Paloma Creek Team:

Applicant: KAX Group, LLC – Kent A. Xander - kxander@kaxgroup.com

Location and Introduction:

A **Vicinity Map** on page 4 illustrates Enclave II at Paloma Creek location - 360 feet west of southwest corner W. Frontier Dr. and 155th Avenue.

Enclave II at Paloma Creek PUD is a 4.98-acre proposed residential subdivision adjacent to approved Paloma Creek PUD Case # FS18-150 zoned for a density of 4 units per acre. The subject property is also adjacent to unincorporated vacant land and homes to the north zoned RU-43 and vacant land within the City of Surprise to the west which was recently rezoned from (RR) to RM-9 PUD Overlay Case FS20-421 as shown on **Exhibit D-1**. This project includes working with and the cooperation with Paloma Creek PUD to the west and south and Tierra Verde West PAD to the south to formulate a cohesive development plan working out vehicle circulation, utilities, and drainage issues. The Development Conceptual Plan shown in **Exhibit D-2**, shows a conceptual plan for Enclave II at Paloma Creek PUD.

The 3 north lots adjacent to W. Frontier Dr. shall be minimum 70' x 130', setback 55 feet from the north property line as shown on Exhibit C. Per the approved Preliminary Plat for Paloma Creek PUD, the existing 40' right-of-way along Frontier Road alignment will be vacated at approval of the Final Plat. The landscape improvements shall be consistent with approved Paloma Creek PUD Case # FS18-150 plan for W. Frontier Dr. No access or vehicle traffic will be connected to W. Frontier Dr to the north and two points of access to Enclave II at Paloma Creek PUD will be provided west to Paloma Creek PUD. A pedestrian trail shall be constructed between the north side of the north lot lines and the dedicated right of way on W. Frontier Dr. The pedestrian trail will extend west to Paloma Creek PUD and connect with Paloma Creek PUD pedestrian Trail system. Enclave II at Paloma Creek PUD will become part of the adjacent Paloma Creek PUD HOA that will maintain all common community amenities, including signage, parks, trails, open space tracts, and other common areas within the development. Both Paloma Creek PUD and Enclave II at Paloma Creek PUD will have reciprocal access to all amenities and the trail system within their respective projects.

Exhibit A depicts a map of the existing zoning of the subject property and the adjacent PAD's, vacant land, and homes. The adjacent specific zoning and land uses are as follows:

East and South

- | | | |
|---------------------------|--------------|----------|
| • Paloma Creek (RM-9) PUD | 150.68 Acres | 600 lots |
|---------------------------|--------------|----------|

West

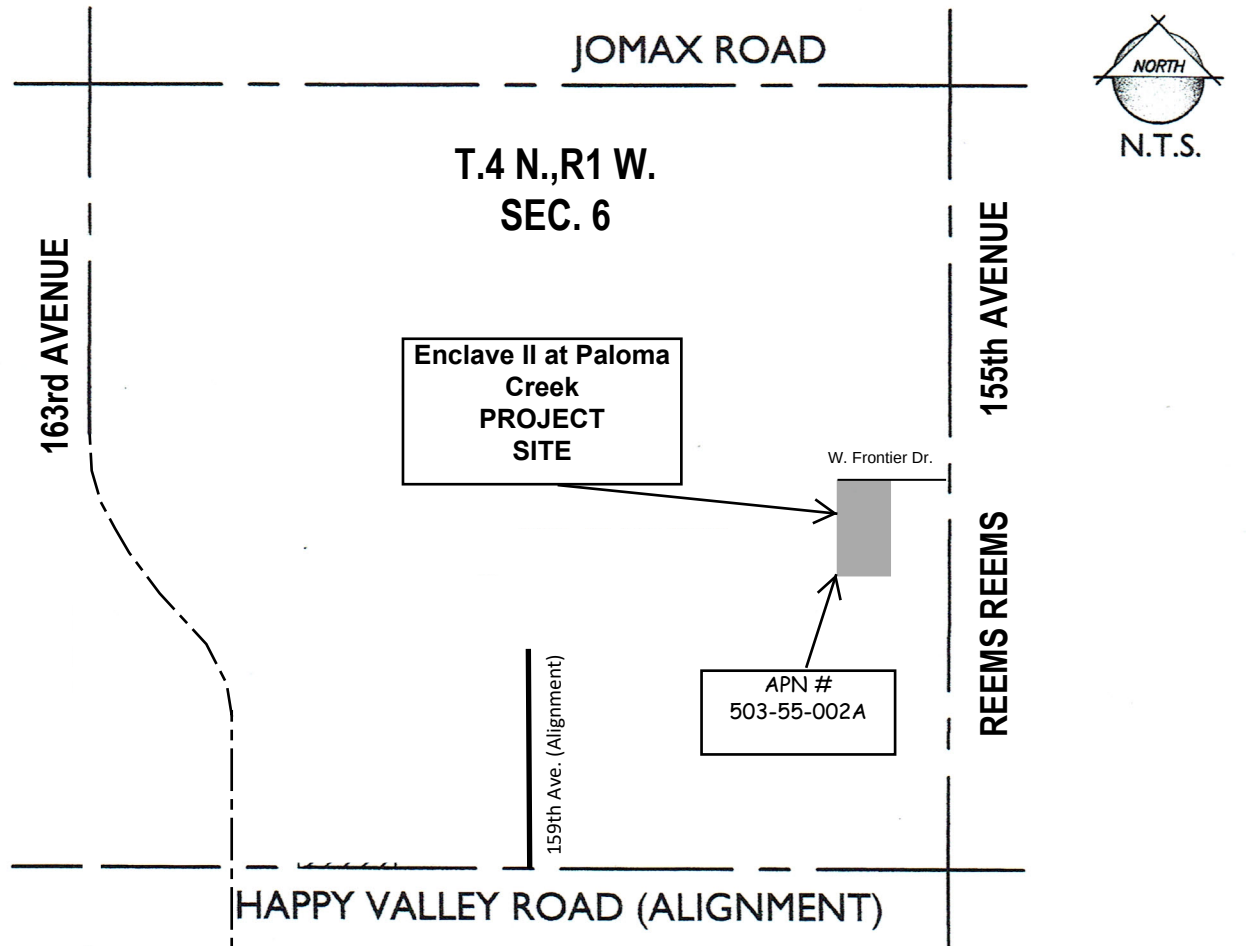
- | | | |
|--------------------------|------------|--|
| • Rural residential (RR) | 4.98 Acres | Enclave at Paloma Creek
rezone FS20-421 was
approved as RM-9 PUD |
|--------------------------|------------|--|

North

- | | |
|---------------------------|---------------------------------------|
| • Maricopa County (RU-43) | Existing Single-Family Land and Homes |
|---------------------------|---------------------------------------|

Exhibit F shows the relationship of the Subject Property to adjacent property.

VICINITY MAP



Description of Request:

Applicant, on behalf of the Owner, requests approval of a Zone Change (Case# FS20-718) for 4.98 acres from Residential Ranch (RR) to Residential Medium Density (RM-9) with a PUD Overlay. See **Exhibit B** for Proposed Zoning Map. See **Exhibit C** for Survey Map Exhibit. Approval of this zone change has the same zoning and development standards with adjacent Paloma Creek PUD recently approved by City of Surprise Council and Enclave 1 at Paloma Creek recently submitted for zoning approval.

Base zoning RM-9 allows up to 9 dwelling units per acre (DU/Ac); however, through the PUD Overlay, the subject property proposes not more than 20 dwelling units over approximately 4.98 gross acres for a maximum gross density of 4.01 DU/Ac.

With a cap on density, the applicant believes the development standards associated with the RM-9 with a PUD Overlay zoning district are in line with those of the adjacent PAD's to the subject property, with certain deviations as articulated below in **Table A** of the Enclave II at Paloma Creek PUD Narrative.

The zoning of Enclave 1 and Enclave 2 will be the same zoning and applicant will run a combined Preliminary Plat and Final Plat in such a way as to not have a zoning district boundary splitting the centralized open space tract. This will enable the plan to provide for a small amenity area in the middle of Enclave 1 and Enclave 2 properties that can serve the residents in the immediate area. This would be followed by a Final Plat. The Preliminary and Final Plat will follow under separate CR numbers.

Enclave II at Paloma Creek PUD Development Concept Plan shown on **Exhibit D-2** shows the lot sizes located along the north side of the subject property to be a minimum lot size of 70' x 140' (9,800 sq. ft.) and a 50-foot landscape open space tract with a pedestrian trail that connects to W. Frontier Dr. and west to Paloma Creek PUD. The Development Standards open space, density, and amenities, and a minimum lot size of 45' x 115'.

The SUDC requires that not less than 20% of the "Net Residential Acreage" be set aside as open space. The Net Residential Acreage ("NRA") is calculated by the total amount of land taken up by the individual lots ("Lot Area") combined with the total Open Space. **This development Enclave II will provide a minimum of 20.12% Open Space as % of NRA.** The following is an estimate of the Open Space as % of NRA for Enclave II*.

Dedicated Right of Way	36,300 SF	0.83 acres
Open Space	48,533 SF	1.11 acres
Cumulative Lot Area	<u>130,475 SF</u>	<u>3.02 acres</u>
Gross Area	263,841 SF	4.97 Acres
NRA = Open Space + Cumulative Lot Area	179,008 SF	4.13 Acres

***There will be no effect on the Open Space as % of NRA for Enclave I which shall remain at a minimum of 23.5%. Both east/west roads within Enclave I will continue east into Enclave II. The open space previously planned within the road continuing east into Enclave II will be replaced with the north/south road (to be taken out of the Enclave I plan) and replaced with Open Space.**

The combined Enclave 1 and Enclave 2 amenity area will include a ramada, seating area, and tot lot providing play and gathering opportunities for all ages with a shaded seating area. The landscaping plan will develop pedestrian connections to adjacent land and use the same landscaping quantity, quality, and materials as used for adjacent Paloma Creek PUD. Enclave II at Paloma Creek PUD will become part of the adjacent Paloma Creek PUD HOA that will maintain all common community amenities, including signage, parks, trails, open space tracts, and other common areas within the development. Both Paloma Creek PUD and Enclave II at Paloma Creek PUD will have reciprocal access to all amenities and the trail system within their respective projects. Final design will meet the requirements of the SUDC.

Development Standards:

It is the intent of Enclave II at Paloma Creek PUD to amend the RM-9 Residential Zoning District Development Standards as follows: The 3 lots backing to the north property line shall be a minimum 70' x 140' equaling 9,800 sq. ft. each. A 50-foot open space tract will be landscaped along the Northeast lot of the 3 lots adjacent to the east rural property. The lots along the northern boundary of the Enclave II at Paloma Creek PUD development will be limited to single-story homes. The Development Standards depicted in Table A will be consistent the approved Preliminary Plat Development Standards for Paloma Creek PUD.

Table A

Residential Medium Density RM-9 PUD Overlay Development Standards

Development Standard	City Base RM-9 Development Standards	Proposed RM-9 PUD Development Standards
Net Residential Acreage Open Space	20%	20.12%
Maximum Density	9.0	4.01
Minimum Lot Area	4,500 Sq. Ft.	4,500 Sq. Ft.
Minimum Lot Width	40'	45'
Minimum Lot Depth	100'	100'
Front Setback (Livable	12'	12'
Front Setback (Garage)	20'	20' (1) (2)
Minimum Side Yard Setback	■ (3)	5'
Minimum Rear Yard Setback	20'	20' (5)
Maximum Building Height	35'	35'
Driveway Width Percentage	30%	40%
Driveway Area Percentage	30%	40%
Street Side/Corner Lot	■ (4)	5'

- (1) Front facing garages shall have a minimum 20-foot front yard setback measured from the front Lot Line.
(2) 12-foot livable front setback is measured from the front Lot Line.
(3) To be determined at Site Plan or Preliminary Plat Review.
(4) There is not a street side setback requirement in the SUDC.
(5) Porches/patios may encroach 2.5' into the rear yard setbacks.

The result of the Enclave II at Paloma Creek PUD zone change with a PUD Overlay would be:

- Enclave II at Paloma Creek PUD will be in conformance with the adopted Surprise General Plan 2035 as noted below.
- The development of Enclave II at Paloma Creek PUD will occur in a manner that is consistent with the surrounding PUD's and PAD's. The development will be seamlessly integrated and aligned with Paloma Creek PUD zoning and FS20-421 Enclave at Paloma Creek PUD, open space, pedestrian trails, drainage tracts, roads, and utilities.
- Enclave II at Paloma Creek PUD will provide an open space tract on the north side of the subject property for incidental drainage control, pedestrian trail, and open space transition to buffer between the subject property and the adjacent single-family homes to the north.
- Unless specified in this Zoning Narrative Document, all development shall comply with the development standards and design guidelines set in the Surprise Municipal Code at the time of Preliminary Plat.

Conformance with the adopted Surprise General Plan 2035:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Land Use Character Area, which in a Suburban Neighborhood supports residential development of 2 to 8 DU/Acre, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 4.1 DU/Ac, the project is consistent with the General Plan in this regard. The General plan seeks appropriate buffers and transitions between the various Character Areas. To meet this guideline, the 3 north lots adjacent to W. Frontier Dr. shall be 70' x 130', setback 55 feet from the north property line as shown on Exhibit C.

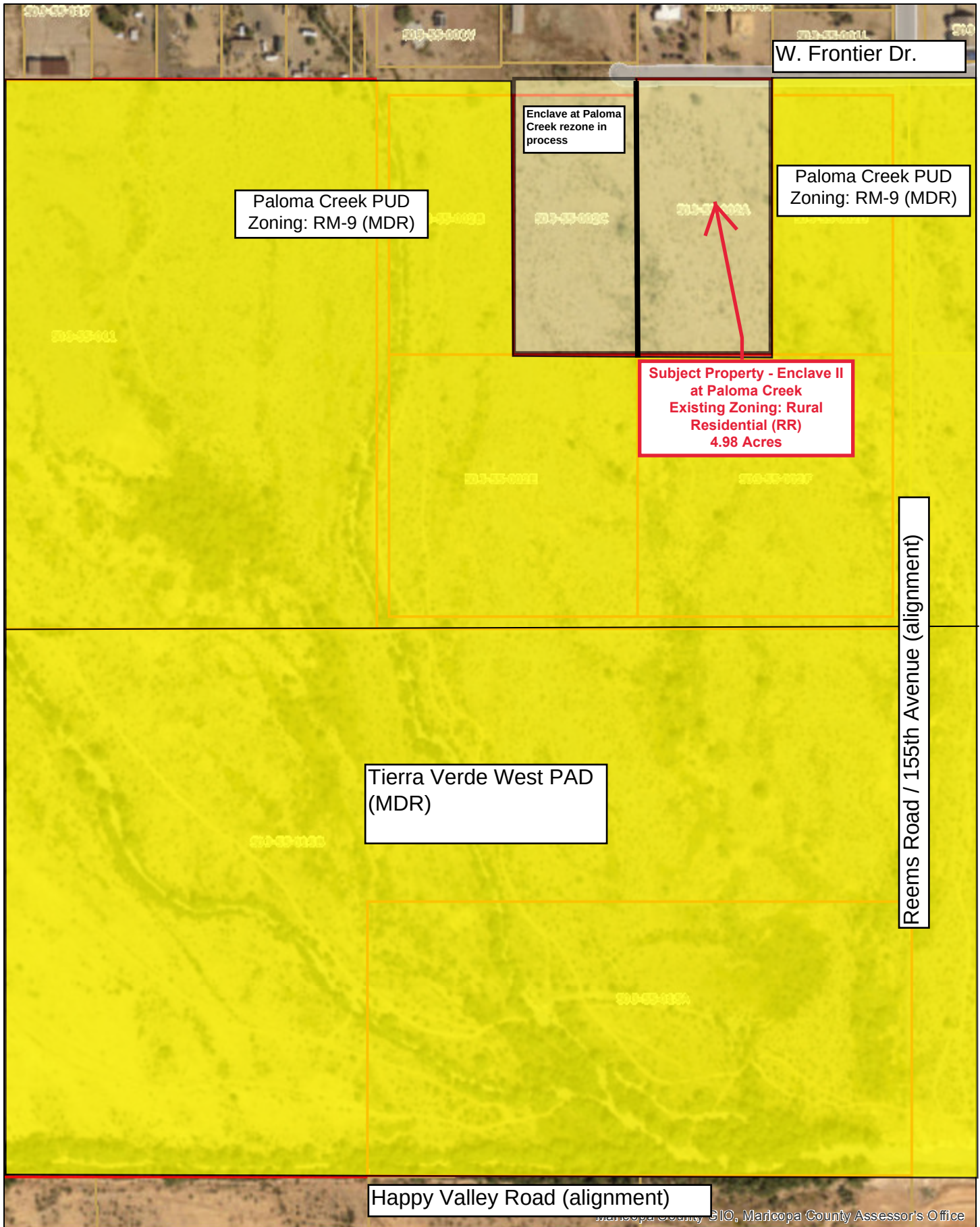
Ingress/Egress/Access:

The ingress/egress access to Enclave II at Paloma Creek PUD will be:

1. Through Paloma Creek PUD to 155th Avenue and 163rd Avenue.
2. Through Tierra Verde West PAD to 155th Avenue and 159th Avenue.
3. Through Paloma Creek PUD to 159th Avenue.
4. Through Paloma Creek PUD to 155th Avenue.

Transportation/Traffic and Utilities

- Upon development of Enclave II at Paloma Creek PUD, all necessary utilities for Enclave II at Paloma Creek PUD will be extended from adjacent Paloma Creek PUD and FS20-421 Enclave II at Paloma Creek.
- Onsite public streets shall be constructed to meet City standards widths and cross sections based on approval of the Preliminary Plat.
- Per the approved Preliminary Plat for Paloma Creek PUD (FS18-150), the existing 40' right-of-way along Frontier Road alignment will be vacated at approval of the Final Plat.
- A new Traffic Impact Analysis per TIA Guidelines found in Chapter 4 of the Surprise Engineering Development Standards in coordination with the surrounding developments will be submitted to the City. Specifically, this TIA will include all phases of the Paloma Creek development, including Enclave II, III, IV, Paloma Creek III, IV, and any other parcels.” under the Transportation/Traffic and utilities.



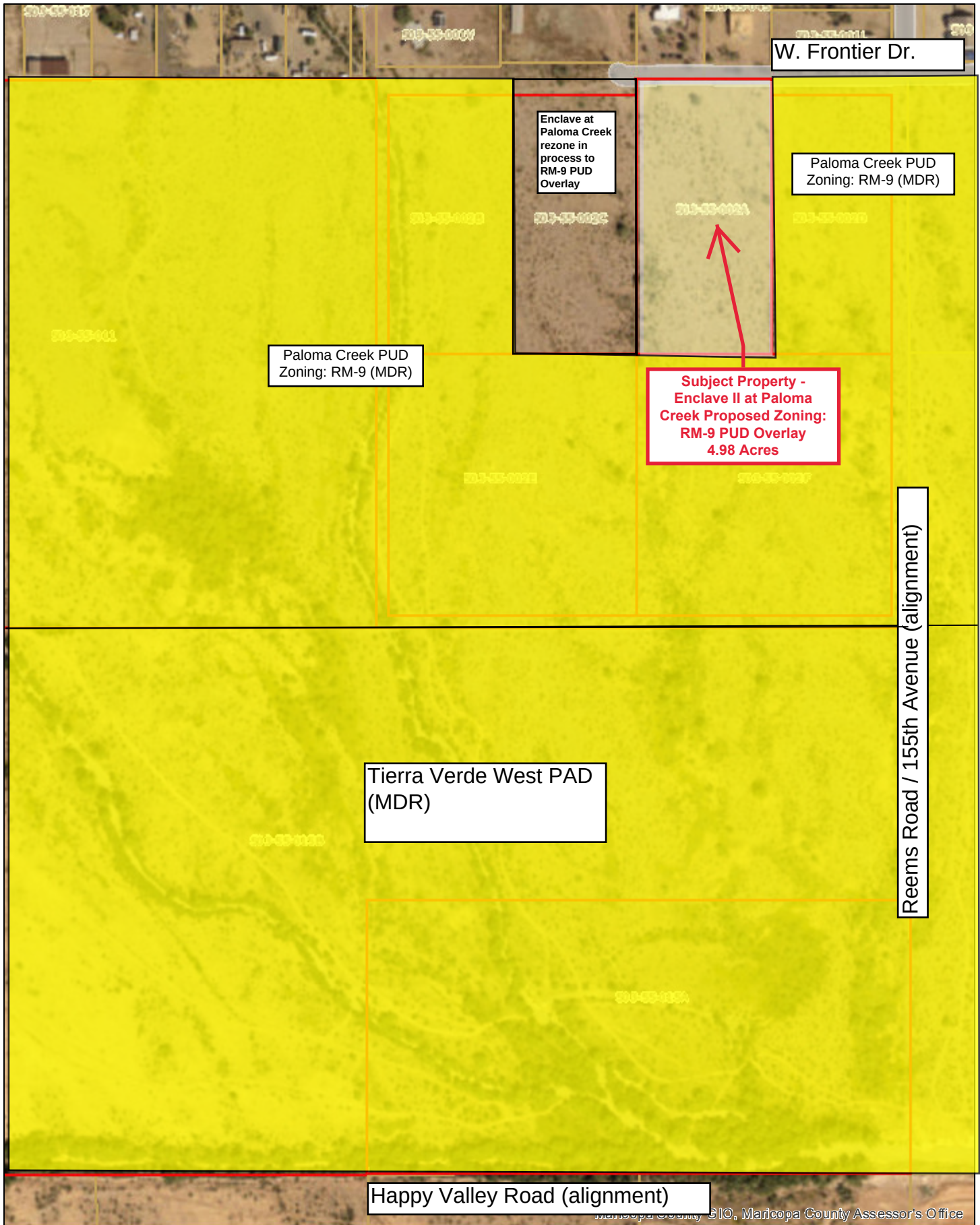


Exhibit C - 1

LEGAL DESCRIPTION

The East half of the Northwest quarter of the Northeast quarter of the Southeast quarter of Section 6, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona described by metes and bounds as follows:

Commencing at the East quarter corner of Said Section 6;
Thence North 89° 48' 24" West along the East-West mid-section line of Section 6 a distance of 658.20 feet to the **POINT OF BEGINNING**;
Thence South 00° 06' 30" West a distance of 659.68 feet;
Thence North 89° 47' 36" West a distance of 328.88 feet;
Thence North 00° 05' 22" East a distance of 659.61 feet to said East-West mid-section line;
Thence South 89° 48' 24" West along said line a distance of 329.10 feet to the **POINT OF BEGINNING**.

Containing 4.9819 acres



Land Survey Services PLC
20651 W. Pasadena Ave
Buckeye, AZ 85396-1255

Job No. 10019

Exhibit C - 2

Parcel Map Check Report

Prepared by:

Thomas Rope
Land Survey Services, PLC

Date: 3/10/2020 8:50:08 AM

Parcel Name: Paloma Creek

Description: E1/2, NW1/4, NE1/4, SE1/4 SEC 6, T4N, R1W

Process segment order counterclockwise: False

Enable mapcheck across chord: False

North: 989,278.5118'

East: 554,022.6612'

Segment# 1: Line

Course: S0°06'30"W

Length: 659.68'

North: 988,618.8330'

East: 554,021.4139'

Segment# 2: Line

Course: N89°47'36"W

Length: 328.88'

North: 988,620.0193'

East: 553,692.5360'

Segment# 3: Line

Course: N0°05'22"E

Length: 659.61'

North: 989,279.6285'

East: 553,693.5657'

Segment# 4: Line

Course: S89°48'24"E

Length: 329.10'

North: 989,278.5180'

East: 554,022.6639'

Perimeter: 1,977.27'

Area: 4.9819Acre

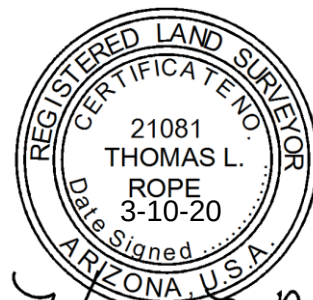
Error Closure: 0.0067

Course: N23°28'30"E

Error North : 0.00617

East: 0.00268

Precision 1: 295,114.93



Land Survey Services PLC
20651 W. Pasadena Ave
Buckeye, AZ 85396-1255

Job No. 10019

Exhibit C - 3

A PART OF THE SOUTHEAST QUARTER OF SECTION 6
T4N, R1W, G.&S.R.B.M., MARICOPA COUNTY, ARIZONA

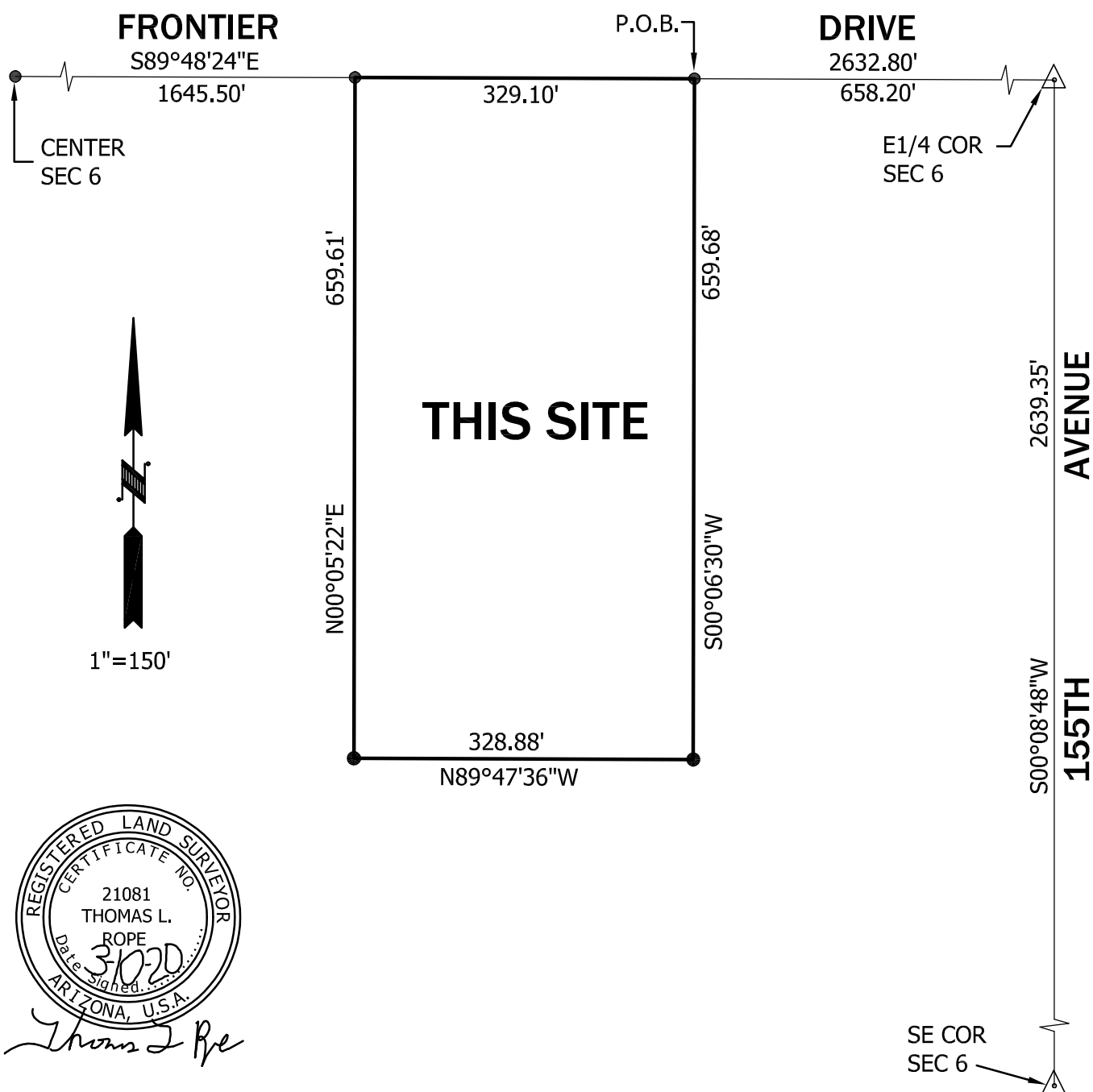
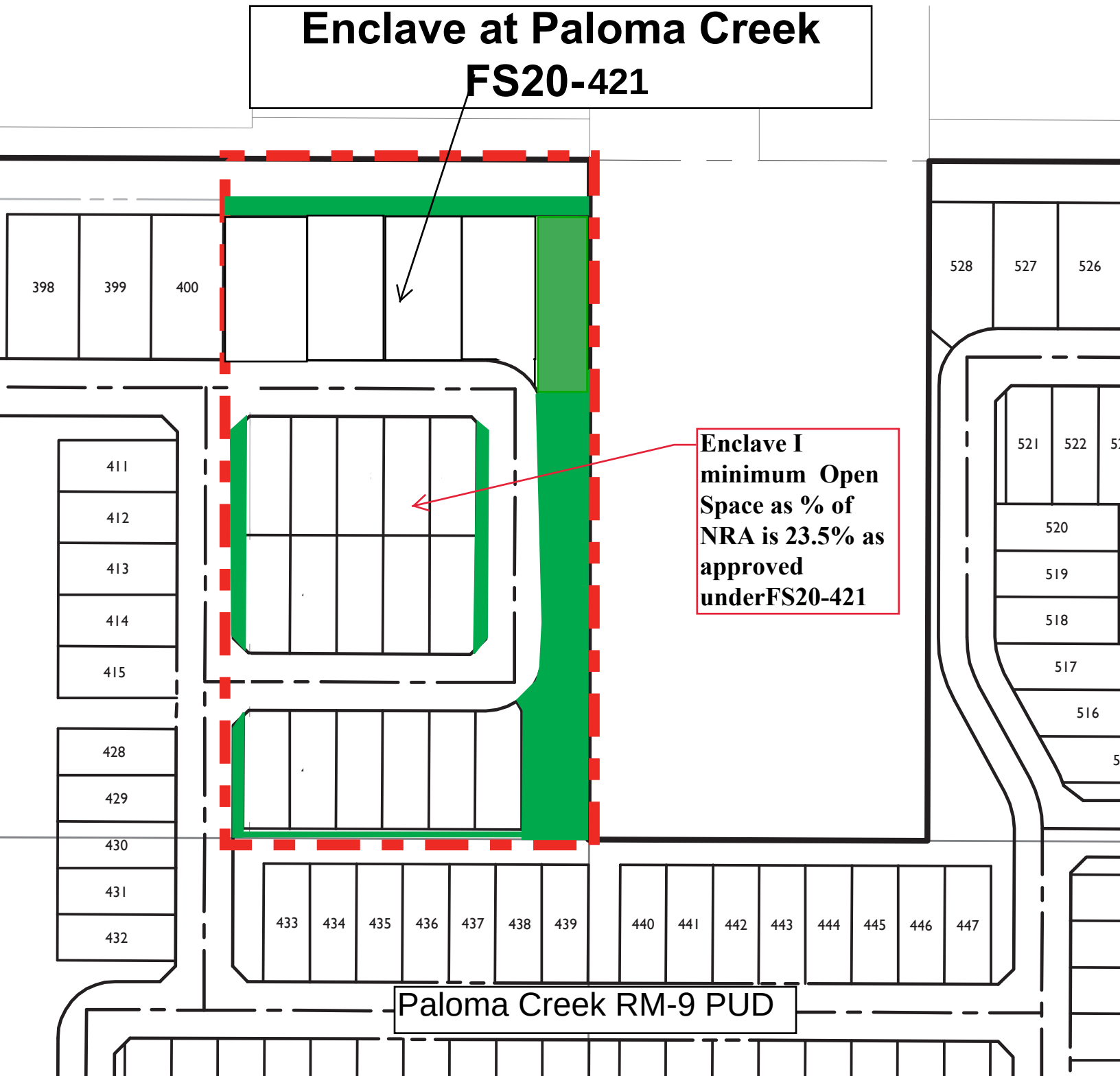


Exhibit D-2



Exhibit D-1

Conceptual Development Plan



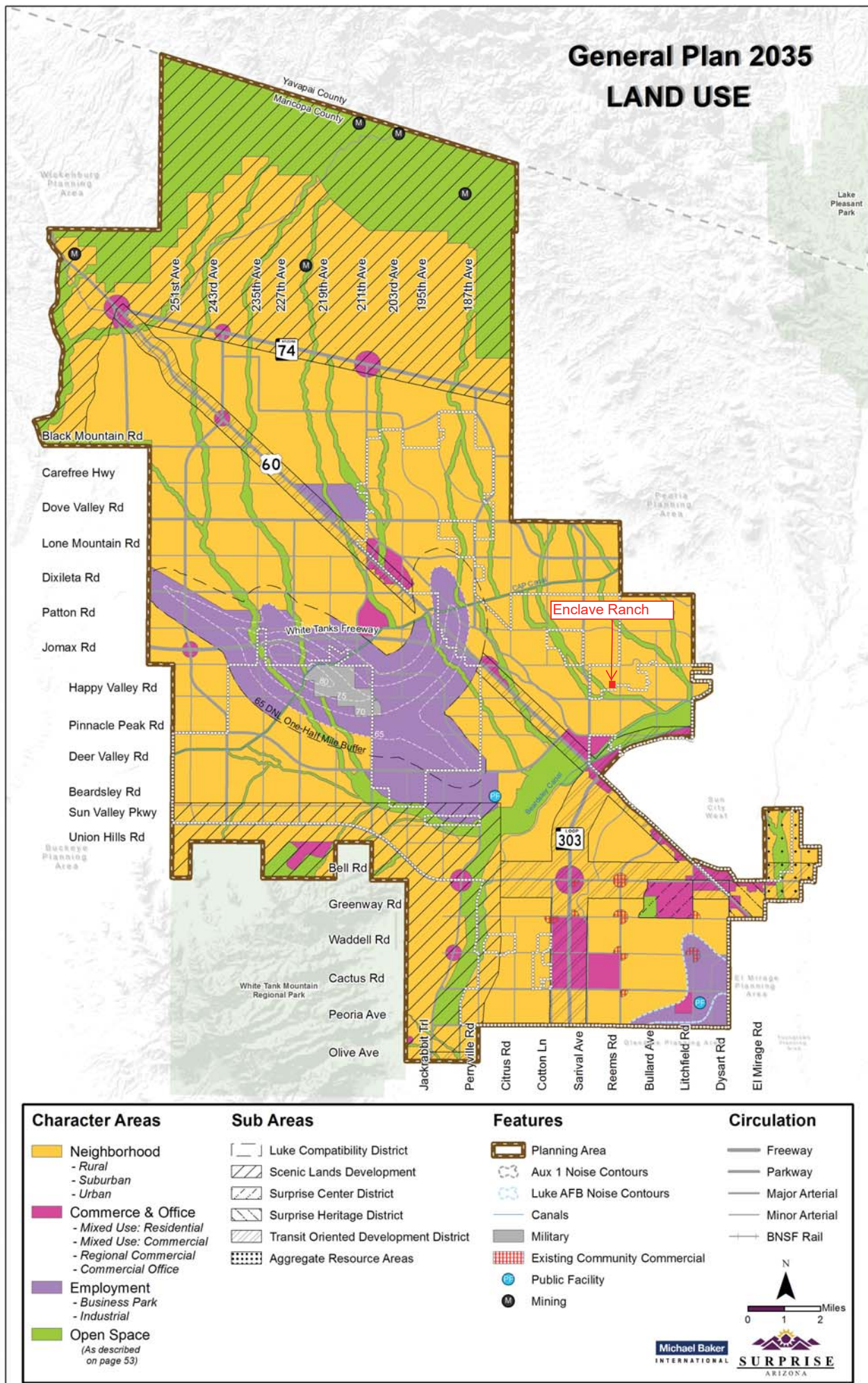


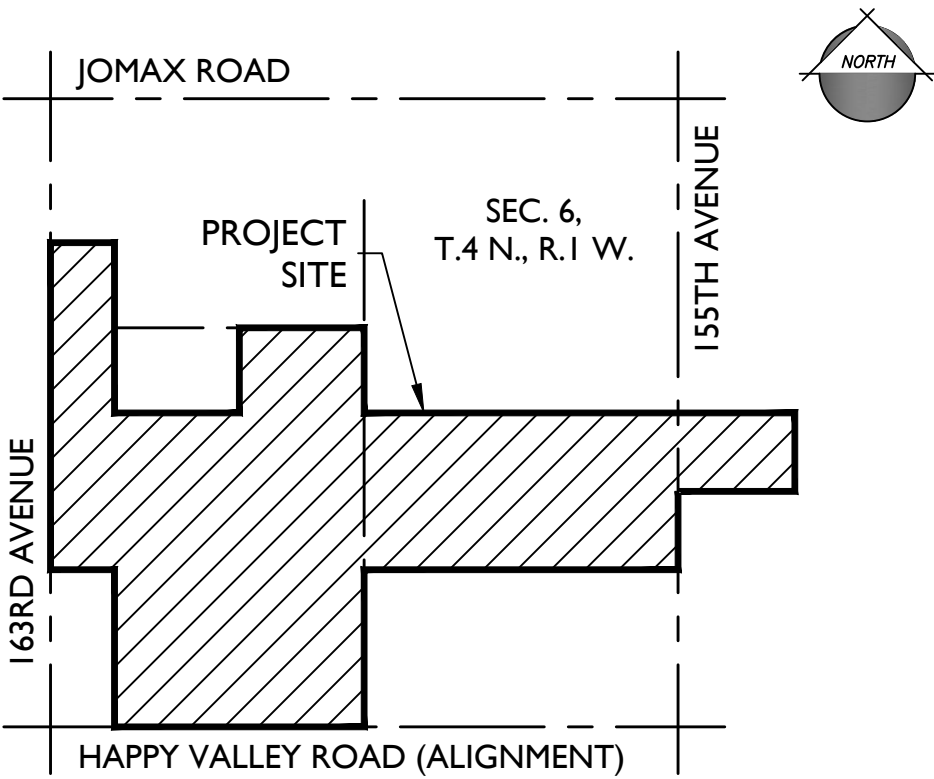
Exhibit F

Enclave II at Paloma Creek
PUD in relation to Paloma
Creek PUD and Enclave at
Paloma Creek FS20-413

DEVELOPMENT PLAN
FOR
PALOMA CREEK

A PORTION OF SECTION 6 AND THE NORTHWEST QUARTER OF
OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER
OF SECTION 5, T.4 N., R.1 W., GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA

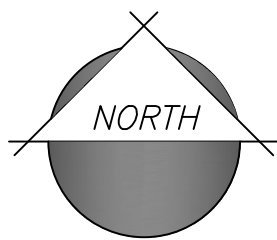
VICINITY MAP



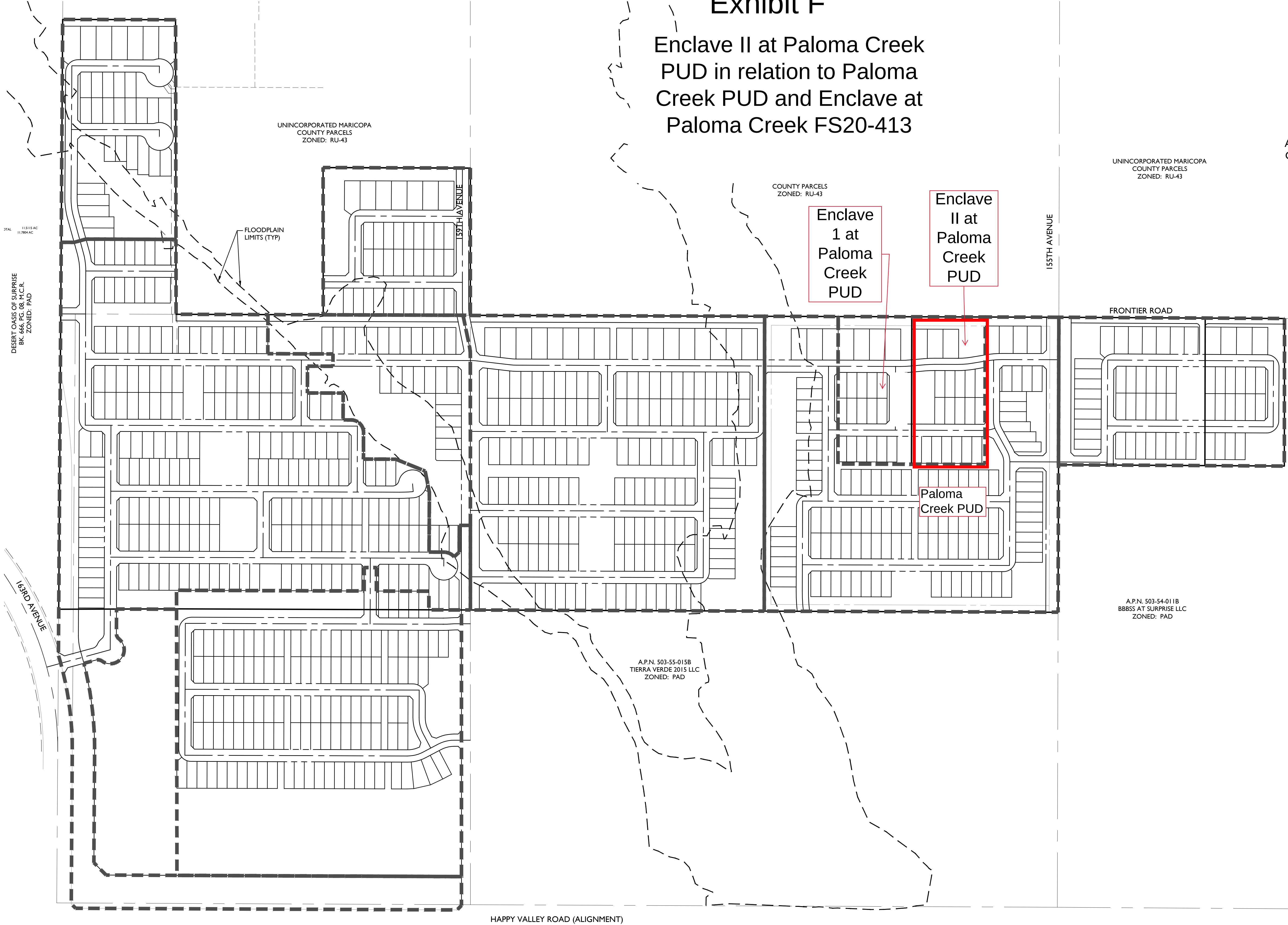
PROJECT TEAM

DEVELOPER MARBELLA CUSTOM HOMES 18835 N. THOMPSON PK PKWY, STE. 215 SCOTTSDALE, AZ 85255 TEL: (602) 469-8050 CONTACT: JOHN WITTROCK	DEVELOPER KAX GROUP, LLC 8530 E. VIA DEL SOL DRIVE SCOTTSDALE, AZ 85255 TEL: (602) 499-9305 CONTACT: KENT XANDER
--	---

CONSULTANT:
EPS GROUP, INC.
1130 N. ALMA SCHOOL RD., STE. 300
MESA, AZ 85260
TEL: (480) 503-2250
FAX: (480) 503-2258
CONTACT: DANIEL AUXIER, PE



200 0 200 400
scale feet





**Enclave II Rezone
Citizen Participation Plan
January 25, 2021**

Background

The City of Surprise (City) requires a citizen participation process and report for applications such as this PAD amendment. The purpose of the citizen review process is to:

Ensure that applicants pursue early and effective citizen participation in conjunction with their applications, giving them the opportunity to understand and try to mitigate any real or perceived impacts their application may have on the community;

Ensure that the citizens and property owners of the city have an adequate opportunity to learn about applications that may affect them and to work with applicants to resolve concerns at an early stage of the process; and

Facilitate ongoing communication between the applicant, interested citizens and property owners, city staff, and elected officials throughout the application review process.

The citizen review process is not intended to produce complete consensus on all applications, but to encourage applicants to be good neighbors and to allow for informed decision-making.

Enclave II Citizen Participation Plan & Report

Enclave II location is located 360 feet west of southwest corner W. Frontier Dr. and 155th Avenue. Enclave II PUD is a 4.98-acre proposed residential subdivision adjacent to approved Paloma Creek PUD Case # FS18-150 and Enclave at Paloma Creek (Enclave I) both zoned for a density of 4 units per acre.

As part of the rezone process, adjacent property owners and stakeholders in the area were notified by the City staff to our proposed application and open house to inform the public of this rezoning request. We met the City's notification requirements, which are:

- Notice of the citizen review meeting shall be provided by the planning and zoning division in the form of a public notice to the following, when applicable:
 - o The notice shall be published at least once in a newspaper of general circulation published or circulated in the municipality at least 15 days prior to the meeting date.
City initiated.



- o For applications involving rezoning of land which abuts other municipalities or unincorporated areas of the county or a combination thereof, copies of the notice shall be transmitted to the planning agency of such governmental unit butting such land. **City initiated.**
- o For applications involving rezoning, subdividing, planned unit developments, site plans with uses permitted on a conditional basis, and legislative matters, all real property owners within a 200-foot or 300-foot radius, the city shall send copies of the notice by first class mail, no less than seven days prior to the hearing. We noticed at 300 feet. **City initiated.**
- o Any village committee or special community group which is located in the area of the proposed public hearing request or has considerable interest in the nature of the application; **See City initiated list.**
- o The head of any homeowners association or registered neighborhood within the public notice area established in item (3) indicated above. **See City initiated list.**

Site Posting

The site was posted on January 11, 2021 to alert interested citizens and stakeholders of our upcoming virtual open house on January 25, 2021. The photographs of the signs and affidavit are attached at **Tab 1**. The signs do not have the anticipated Planning & Zoning Commission and City Council hearings dates and will be updated as we learn these dates.

Participation Report.

After the notices were sent by staff and the site was posted, we did not field any telephone calls or emails of concern regarding the rezoning case. We held the virtual open house on Go-to-Meetings on January 25, 2021 at 6:00 pm. During the virtual open house, there was one (1) neighbor who participated in virtual open house and discussed the project with the applicant and the applicant's representative. City staff was present in the meeting and during this discussion. This neighbor lives in one of the County properties to the north and wanted to better understand the proposed development plan and impacts to the area regarding this rezoning case. After our discussion with her in answering her questions, she was satisfied with our responses and had no issues with our rezoning proposal. There were no other members of the public in attendance during the virtual open house.

There is no known opposition to this rezoning case.

We have been working cooperatively with City staff on the rezone request and are ready for public hearings on the proposed rezoning request. If we are contacted by any neighbors or stakeholders after we have submitted this citizen participation report to the City, we will provide updates to the City staff with an amended report.

TAB 1



AFFIDAVIT OF POSTING

Application No: FS20-718

Applicant Name:

Location: West of Southern corner of 155th Avenue and Frontier Dr

Date Site Posted: January 11th, 2021

In order to assist in providing adequate notice to interested parties, the applicant for any *type of public hearing* in the City of Surprise shall erect two (2) signs giving notice of the *date, time and place* of the scheduled hearings. These signs must be erected not less than **fifteen (15) days prior to** the date of the first hearing. The signs shall also include the nature of the request as contained on the formal zoning application. The size and format of this sign shall meet requirements established by the Planning and Zoning Department (see page 2).

Such notice shall be clearly legible and placed at a prominent location on the site – Generally adjacent and perpendicular to the public right-of-way. It shall be the *responsibility of the applicant* to erect and to maintain the sign on the subject property and to maintain the hearing information on the sign until final disposition of the case.

It shall also be the *responsibility of the applicant* to remove the signs within one week after the final disposition of the case.

I confirm that the site has been posted as required above, for the case noted above. A picture of the site posting, and photos of any subsequent changes/updates made to the sign, have also been submitted.

Maria Hitt
Applicant/Representative Signature

3-29-2021
Date

This instrument was acknowledged before me on this 29th day of March,

2021, and by Maria Hitt. I witness whereof I hereunto

set my hand and official seal.

Marybeth Conrad
Notary Public
10-28-2024

My commission expires



ORDINANCE # 2021-04

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING A REZONE FROM RESIDENTIAL RANCH (RR) TO RESIDENTIAL MEDIUM DENSITY WITH A PLANNED UNIT DEVELOPMENT OVERLAY (RM-9 PUD) AMENDING DEVELOPMENT STANDARDS AND LIMITING RESIDENTIAL DENSITY TO 4.01 DWELLING UNITS PER ACRE FOR ENCLAVE II AT PALOMA CREEK, A PROPERTY GENERALLY LOCATED SOUTH OF THE FRONTIER ROAD ALIGNMENT AND WEST OF THE REEMS ROAD ALIGNMENT.

WHEREAS, this Ordinance was properly noticed for public hearing and the necessary hearings and opportunity for public input were completed;

WHEREAS, the subject site is located generally south of the Frontier Road alignment and west of the Reems Road alignment;

WHEREAS, the subject site is zoned Residential Ranch (RR);

WHEREAS, the proposed use of the subject site requires modification of the applicable zoning regulations;

WHEREAS, the City Council adopted the Land Development Ordinance on December 15, 2020;

WHEREAS, the effective date of the Land Development Ordinance was January 14, 2021;

WHEREAS, the applicant filed the subject rezoning request for Enclave II on November 4, 2020 under case FS20-718;

WHEREAS, accordingly, the Surprise Unified Development Code, not the Land Development Ordinance, is the code applicable to the application to rezone Enclave II;

WHEREAS, the proposed rezone to Residential Medium Density with a Planned Unit Development Overlay (RM-9 PUD), amending development standards, and limiting residential density to 4.01 dwelling units per acre, satisfies the requirements set forth in Chapter 122 of the Surprise Unified Development Code;

WHEREAS, the subject property is located within the "Benefited Area" as described in the Rancho Mercado Supplemental Development Agreement, between the City of Surprise and William Lyon Homes, Inc., as recorded with the Maricopa County Recorder's Office on July 19, 2017, as MCR 20170526362, and as amended by the First

Amendment to the Rancho Mercado Supplemental Development Agreement, as recorded with the Maricopa County Recorder's Office on September 17, 2020, as MCR 20200875257;

WHEREAS, this Rezone is in harmony with the purposes and intent of the zoning ordinance and the Surprise General Plan; and

WHEREAS, on March 18, 2021, the Planning and Zoning Commission recommended approval of the Enclave II at Paloma Creek Rezone.

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

Section 1. *Rezoning.* The parcel legally described on ***Exhibit A*** and depicted on ***Exhibit B***, known as "Enclave II at Paloma Creek" is rezoned from Residential Ranch (RR) to Residential Medium Density with a Planned Unit Development Overlay (RM-9 PUD, amending development standards and limiting residential density to 4.01 dwelling units per acre, subject to the following stipulations:

- a. Development and use of the site shall be consistent with the rezone narrative entitled "Enclave II at Paloma Creek", prepared by KAX GROUP, LLC, and received December 22, 2020.
- b. Prior to the City recording a final plat or approving a site plan or building permit within the property, the applicant shall provide the City with a Notice of Payment from William Lyon Homes, Inc., that the Happy Valley West ("HVW") Buy-in Fee, the Happy Valley East ("HVE") Buy-in Fee, the Sewer Buy-in Fee, and the Water Buy-in Fee, as applicable, all as described in the Rancho Mercado Supplemental Development Agreement (Regional Improvements Overlay Agreement), as amended, have been paid.
- c. 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.

Section 2. *Amendment of Zoning Map.* The City of Surprise zoning map is herewith amended to reflect the change in districts referred to in Section 1 above.

Section 3. *Codification.* This Ordinance is not of a general nature and shall not be codified.

Section 4. *Repeal of Conflicting Ordinances.* All ordinances or parts of ordinances in conflict with the provisions of this ordinance or any part of the code adopted herein by reference are hereby repealed, upon the effective date of this Ordinance.

Section 5. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 6. Effective Date. This ordinance shall become effective at the time and in the manner prescribed by law.

PASSED AND ADOPTED this _____ day of _____ 2021.

Attest:

Skip Hall, Mayor

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

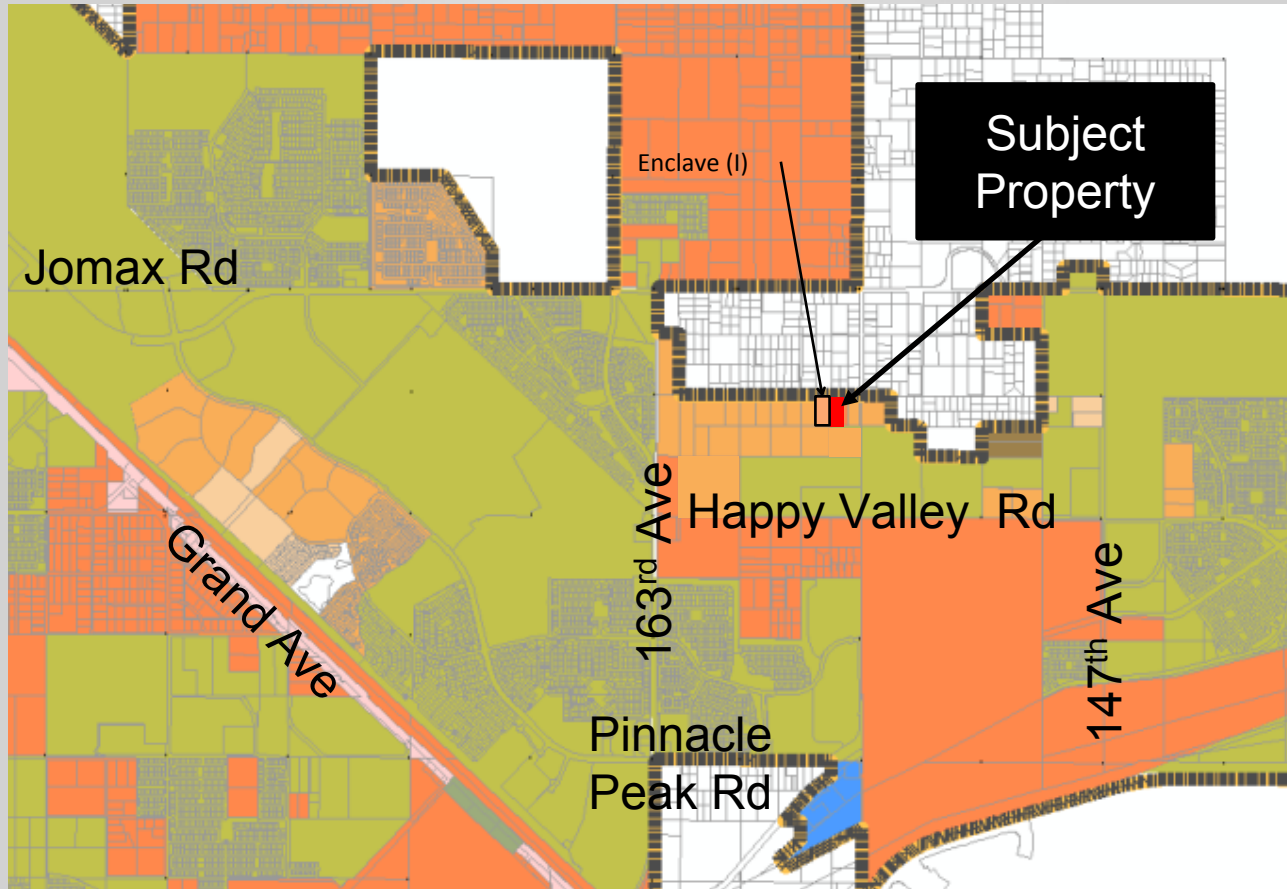
EXHIBIT A
LEGAL DESCRIPTION FOR PROPERTY

EXHIBIT B
DEPICTION OF THE PROPERTY TO BE RE-ZONED

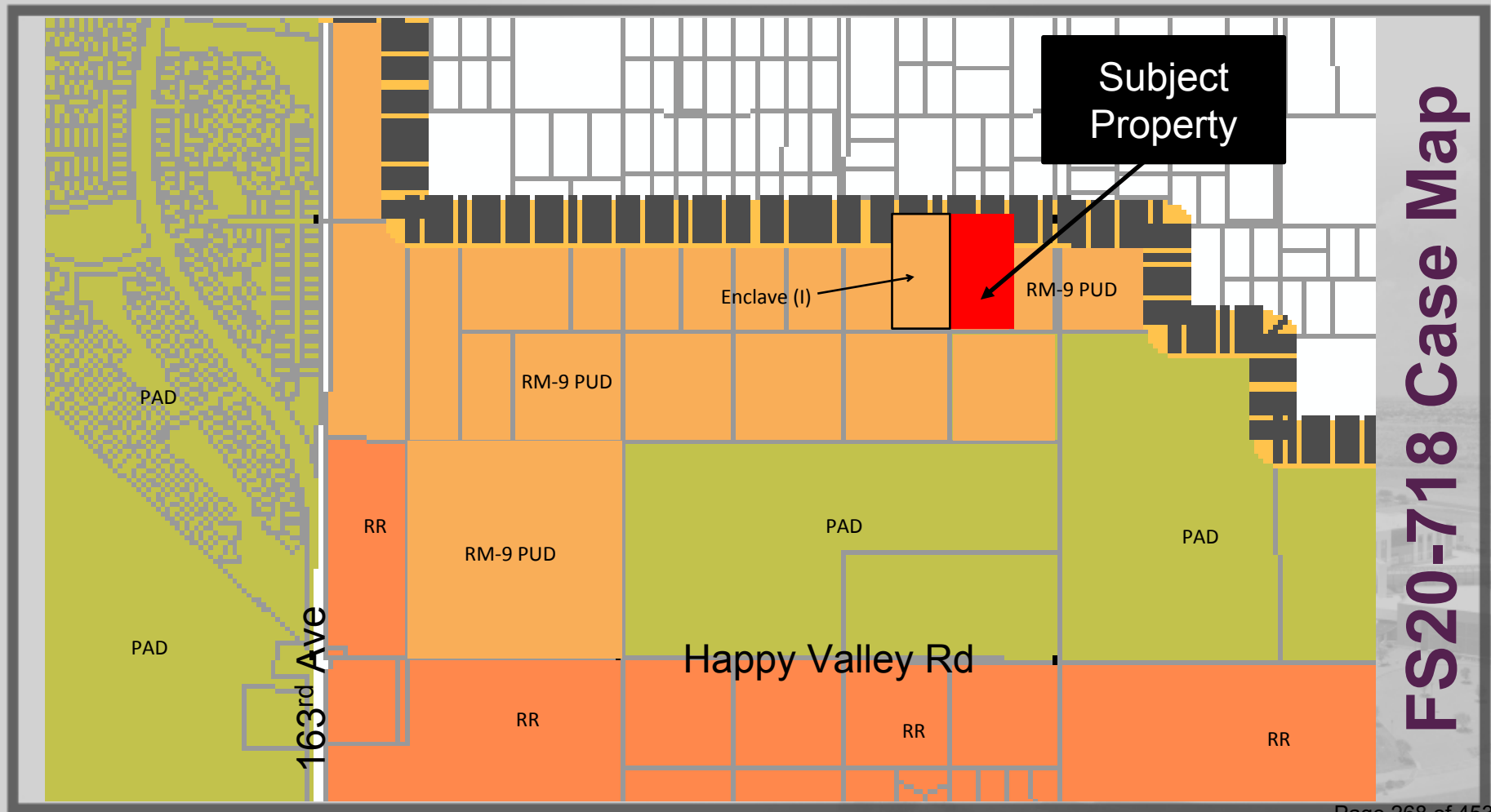


City Council
May 18, 2021

Enclave II at Paloma Creek Rezone
FS20-718



FS20-718 Vicinity Map



FS20-718 Case Map

Enclave II at Paloma Creek
PUD in relation to Paloma
Creek PUD and Enclave at
Paloma Creek FS20-413



Table A

Residential Medium Density RM-9 PUD Overlay Development Standards

Development Standard	City Base RM-9 Development Standards	Proposed RM-9 PUD Development Standards
Net Residential Acreage Open Space	20%	20.12%
Maximum Density	9.0	4.01
Minimum Lot Area	4,500 Sq. Ft.	4,500 Sq. Ft.
Minimum Lot Width	40'	45'
Minimum Lot Depth	100'	100'
Front Setback (Livable)	12'	12'
Front Setback (Garage)	20'	20' (1) (2)
Minimum Side Yard Setback	5' (3)	5'
Minimum Rear Yard Setback	20'	20' (5)
Maximum Building Height	35'	35'
Driveway Width Percentage	30%	40%
Driveway Area Percentage	30%	40%
Street Side/Corner Lot	5' (4)	5'

Increase

Decrease

Increase

Added

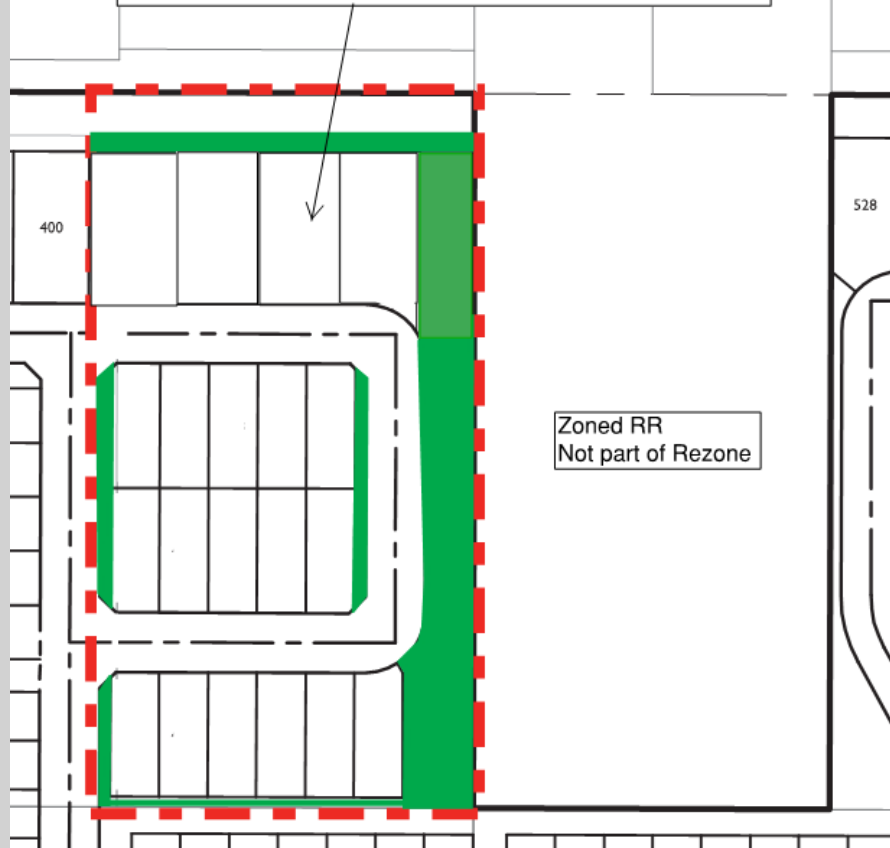
Increase

Increase

Added

FS20-718 Development Standards

Enclave at Paloma Creek



Open Space:

- 20% Required
- 23.5% Proposed
 - Passive (TBD at Pre-plat)
 - Active (TBD at Pre-plat)

Enclave I at
Paloma Creek
minimum Open
Space as % of
NRA is 23.5% as
approved
under FS20-421

Enclave II at
Paloma Creek
minimum Open
Space as % of
NRA is 20.12%

155TH AVENUE

Paloma Cre

Open Space:

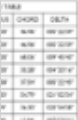
- 20% Required
- 20.12% Proposed
 - Passive (TBD at Pre-plat)
 - Active (TBD at Pre-plat)

NRA = Net Residential Area

FS20-718 Open Space



FS20-7



Neighborhood Outreach

January 25, 2021

Minimal concerns addressed during meeting

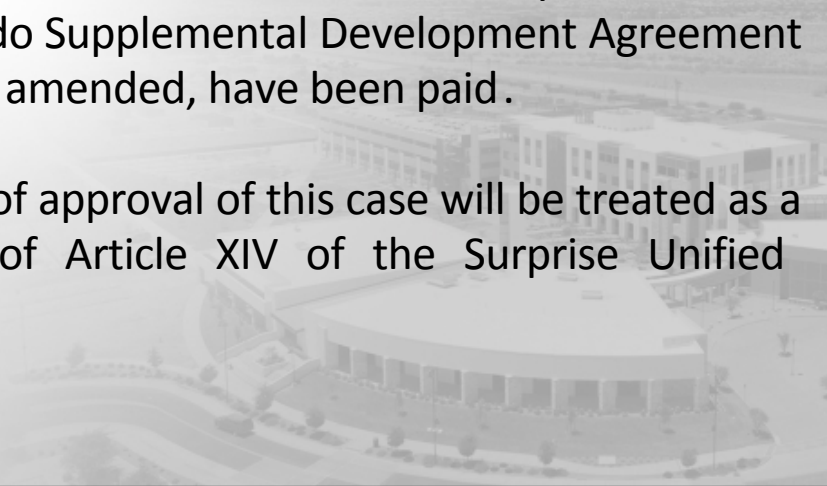
Some cross-over from Enclave IV

Expanded notification for public hearings

Commission Recommendation:

(April 15, 2021)

Approve subject to stipulations 'a' through 'c'

- 
- a. Development and use of the site shall be consistent with the rezone narrative entitled “Enclave II at Paloma Creek”, prepared by Kent A. Xander and received December 22, 2020.
- b. Prior to the City recording a final plat or approving a site plan or building permit within the property, the applicant shall provide the City with a Notice of Payment from William Lyon Homes, Inc. that the Happy Valley West (“HVW”) Buy-in Fee, the Happy Valley East (“HVE”) Buy-in Fee, the sewer Buy-in Fee, and the Water Buy-in Fee, as applicable, all as described in the Rancho Mercado Supplemental Development Agreement (Regional Improvements Overlay Agreement), as amended, have been paid.
- c. 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.



QUESTIONS OR COMMENTS?

Thank You

ZONE CHANGE

REPORT TO THE CITY COUNCIL

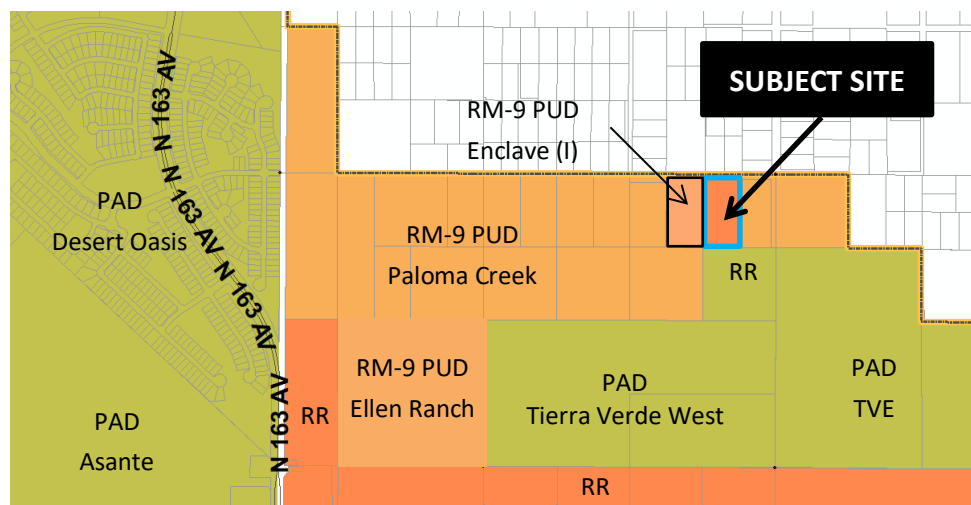
1 **Case:** **FS20-718**
2
3 **Project Name:** Enclave II at Paloma Creek Rezone
4
5 **Council District:** 1 - Acacia
6
7 **Meeting Date:** **May 18, 2021**
8
9 **Planner:** Robert H. Kuhfuss, AICP
10
11
12 **Owner:** Xander Lander, LLC, et. al.
13
14 **Applicant:** Kent Xander
15
16 **Request:** Rezone from Residential Ranch (RR) to Residential Medium Density
17 with a Planned Unit Development Overlay (RM-9 PUD) amending
18 development standards and limiting residential density to 4.01
19 dwelling units per acre
20
21 **Site Location:** Generally located south of the Frontier Road alignment and west of
22 the 155th Avenue alignment
23
24 **Area:** 4.98 acres (approx.)
25
26 **Density:** 4.01 DU/Ac. (approx.)
27
28 **General Plan Conformance:** The proposal is consistent with the Surprise General Plan 2035
29
30 **Support/Opposition:** Some opposition comments made during the Planning and Zoning
31 Commission meeting
32
33 **Commission**
34 **Recommendation:** **Approval**, subject to stipulations "a" through "c"
35
36
37
38
39
40
41
42

PROJECT DESCRIPTION:

Kent Xander of Xander Lander, LLC, et. al. seeks approval of a rezone of approximately 4.98 acres from Residential Ranch (RR) to Medium Density Residential (RM-9) with a Planned Unit Development (PUD) Overlay. The PUD Overlay will amend certain development standards, while limiting the maximum density to 4.01 dwelling units per acre. The subject site is adjacent to the recently approved Paloma Creek zoning and preliminary plat requests, as well as the recently approved Enclave (I) project.

EXISTING ZONING:

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



BACKGROUND:

September 5, 2019: The City Council approved the annexation of the subject property under case FS18-149.

October 15, 2020: Staff reviewed the subject request at a Concept Review meeting under CR20-633.

November 4, 2020: The applicant filed the subject request under Case FS20-718.

January 25, 2021: The applicant held a Neighborhood Outreach meeting for this request.

March 18, 2021: The Planning and Zoning Commission continued the subject case.

April 15, 2021: The Planning and Zoning Commission voted to recommend approval of the request subject to staff recommended stipulations 'a' through 'c'.

CITIZEN OUTREACH:

The applicant held their Citizen Outreach meeting in a virtual format on January 25, 2021. One individual attended the meeting and offered no objections after having their questions answered by the applicant. The Outreach meeting, along with the subject Planning and Zoning Commission hearing, were advertised in accordance with state and local requirements.

During the Call to the Public at the March 18, 2021 Commission hearing, several members of the public expressed concerns over upcoming rezone and annexation requests occurring in the area; however, none of those comments were directed towards the subject request. During the Commission hearing of April 15, 2021, several members of the public expressed concerns.

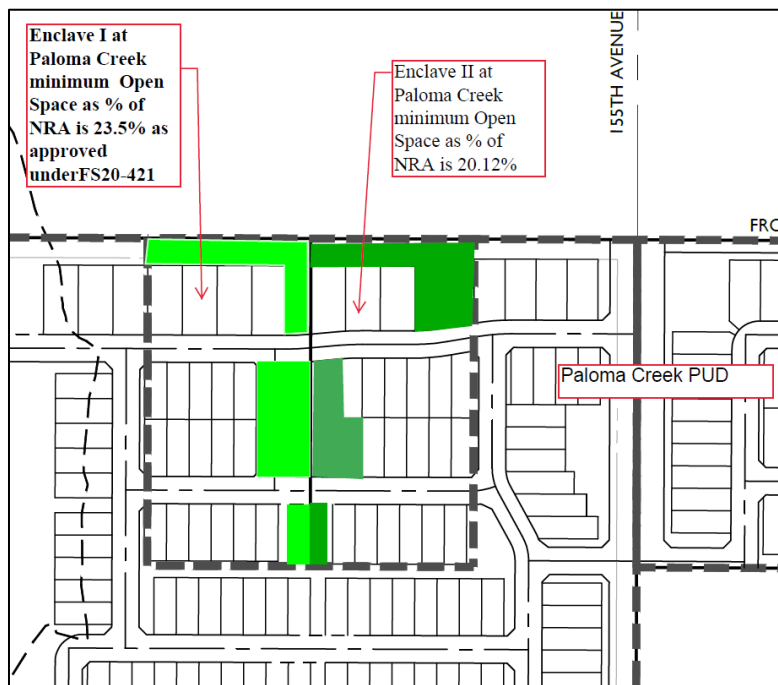
ANALYSIS AND DISCUSSION:

The subject rezone case anticipates the development of approximately 5 acres of currently undeveloped desert into a single-family residential subdivision consisting of 20 lots. The request also seeks a Planned Unit Development (PUD) overlay for the purpose of amending certain development standards and limiting the residential density to 4.01 DU/Ac. The proposed development standards follow:

DEVELOPMENT STANDARDS FOR ENCLAVE AT PALOMA CREEK		
Development Standard:	RM-9 Base Zoning:	RM-9 PUD Zoning:
Maximum Density	9.0 DU/Ac.	4.01 DU/Ac.
Minimum Lot Area:	4,500 sq. ft.	4,500 sq. ft.
Minimum Lot Width:	40'	45'
Minimum Lot Depth:	100'	100'
Minimum Front Setback (livable):	12'	12' ¹
Minimum Front Setback (garage):	20'	20' ¹
Minimum Side Yard Setback:	TBD	5'
Minimum Rear Yard Setback:	20'	20' ²
Maximum Building Height:	35'	35'
Street Side Corner Setback:	N/A	5'
Driveway Width:	30%	40%
Driveway Area:	30%	40%
Minimum Open Space (%NRA)	20%	20.1%
Footnotes:		
¹ Measured from property line		
² Porches and patios may encroach 2.5' into the rear yard setback		

The subject property will include 20.1% open space, which exceeds the minimum requirement of the SUDC. The subject property will join the Paloma Creek HOA and will have access to those amenities. The applicant also proposes an increase in the percent of lot width and front yard area to be occupied by the individual driveways. The SUDC currently limits the width of the driveway to not more than 30% of the lot width. With a proposed lot width of 45', the width of the driveway could not exceed 13.5', which is too narrow to serve a two-car garage. Rather, the applicant proposes an increase to 40%, which would allow for a typical 18' driveway. Similarly, the SUDC limits the driveway area to not more than 30% of the front yard area. A 45' lot width combined with a 20' front setback generates 900 square feet of front yard area, which would only accommodate a 15' deep driveway, based on 18' driveway width. By increasing the area limitation to 40%, a full 18' by 20' driveway may be achieved.

Of interest, the subject property is immediately adjacent to the recently approved Enclave (I) project, and will integrate with that project, as well as the larger Paloma Creek project. Staff anticipates Enclave I and Enclave II being processed together as a single Preliminary Plat, with the Open Space as a percent of the Net Residential Area (NRA) for each parcel as shown. This is expressed in Exhibit D-2 of the project narrative as captured below:



UTILITY AND SERVICES TABLE:

Water:	City of Surprise
Wastewater:	City of Surprise
Refuse:	City of Surprise
Schools:	Dysart USD

116 **CONFORMANCE WITH ADOPTED PLANS:**

117
118 **Surprise General Plan 2035:** The Surprise General Plan 2035 shows the subject property as lying
119 within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac
120 or more, provided appropriate transitions are made between the various Neighborhood types
121 included within the character area. At 4.01 DU/Ac, the project most closely aligns with the Suburban
122 Neighborhood type and is consistent with the General Plan in this regard.

123
124 **REVIEWING AGENCIES:**

125
126 The subject request was routed to the standard internal and external reviewing agencies, who
127 indicated no objections to the request.

128
129 **SUMMARY:**

130
131 The subject Zone Change request anticipates the future development of 20 lots on approximately 5
132 acres, and includes a PUD overlay intended to grant relief from certain development standards. The
133 Project will include 20.1% open space, will join the Paloma Creek HOA, and will have access to those
134 amenities. All city reviewing departments have reviewed the request and expressed no concerns.

135
136 **FINDINGS:**

- 137
138
 - The proposed Zone Change is consistent with the surrounding area.
 - 139 • The proposed Zone Change is consistent with the Surprise General Plan.
 - 140 • The reviewing agencies have indicated no objections.

141
142 **Commission Recommendation:**

143
144 Based on the findings noted above, the Commission moved to recommend **approval** of the subject
145 Rezone request to the City Council, subject to stipulations 'a' through 'c' as outlined below:

- 146
147 a. Development and use of the site shall be consistent with the rezone narrative entitled
148 "Enclave II at Paloma Creek", prepared by Kent A. Xander and received December 22,
149 2020.
- 150
151 b. Prior to the City recording a final plat or approving a site plan, or building permit within the
152 property, the applicant shall provide the City with a Notice of Payment from William Lyon
153 Homes, Inc., that the Happy Valley West ("HVW") Buy-in Fee, the Happy Valley East ("HVE")
154 Buy-in Fee, the Sewer Buy-in Fee, and the Water Buy-in Fee, as applicable, all as described in
155 the Rancho Mercado Supplemental Development Agreement (Regional Improvements
156 Overlay Agreement), as amended, have been paid

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

161
162 However, should the Council wish to deny the request, the Council should make its own findings and
163 base its decision on those alternative findings.

164
165 **Attachments:**

- 166
167 01 Enclave II at Paloma Creek Vicinity Map
168 02 Enclave II at Paloma Creek Case Map
169 03 Enclave II at Paloma Creek Zone Change Narrative
170 04 Enclave II at Paloma Creek Citizen Outreach Report



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: May 18, 2021 Contact Person: Robert Kuhfuss
Submitting Department: Community Development District: District 1
Staff Recommendations: None

Consent: No Regular: No Public Hearing: Yes Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to approval of a rezone of 5.38 acres from Residential Ranch (RR) to Residential Medium Density with a Planned Unit Development Overlay (RM-9 PUD) amending development standards and limiting residential density to 3.90 dwelling units per acre for Enclave III at Paloma Creek, generally located south of the Frontier Road alignment and east of the 155th Avenue alignment; Ordinance # 2021-07 (Case FS20-731).

Motion:

I move to approve Ordinance # 2021-07.

Background:

Kent Xander of Kent Xander IRA/Paloma Creek Land 2 LLC, seeks approval of a rezone of approximately 5.38 acres from Residential Ranch (RR) to Medium Density Residential (RM-9) with a Planned Unit Development (PUD) Overlay. The PUD Overlay will amend certain development standards, while limiting the maximum density to 3.9 dwelling units per acre. The subject site is adjacent to the recently approved Paloma Creek zoning and preliminary plat requests, and is associated with an annexation request being processed under separate cover.

Objective Analysis:

The subject rezone case anticipates the development of approximately 5 acres of currently undeveloped desert into a single-family residential subdivision consisting of 21 dwelling units. The request also seeks a Planned Unit Development (PUD) overlay for the purpose of amending certain development standards and limiting the residential density to 3.9 DU/Ac. The Project will include 26.6% open space, will join the Paloma Creek HOA, and will have access to those amenities. All city reviewing departments have reviewed the request and expressed no concerns.

Policy Compliant:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 3.9 DU/Ac, the project most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard.

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city services.

Budget Impact:

There is no anticipated budget impact related to this item.

FTE Impact:

This item does not have an impact on current staffing levels.

ATTACHMENTS:

1. 00 FS20-731 Enclave III at Paloma Creek Rezone 05-18-21 P&Z Staff Report
 2. 01 FS20-731 Enclave III at Paloma Creek Rezone Vicinity Map
 3. 02 FS20-731 Enclave III at Paloma Creek Rezone Case Map
 4. 03 FS20-731 Enclave III at Paloma Creek Zone Change Narrative
 5. 04 FS20-731 Enclave III at Paloma Creek Zone Change Outreach Summary
 6. Enclaves II, III & IV at Paloma Creek - Email Comments
 7. Enclave at Paloma 4_Redacted
 8. Enclave at Paloma projects - Comments_Redacted
 9. Petition to Stop Annexation and Rezoning 4.15.21_Redacted
 10. Enclave III at Paloma Creek Rezone Presentation for 05-18-21 CC
 11. Ord 2021-07 FS20-731 Enclave III at Paloma Creek Rezone with Exhibits A and B
-

ZONE CHANGE

REPORT TO THE CITY COUNCIL

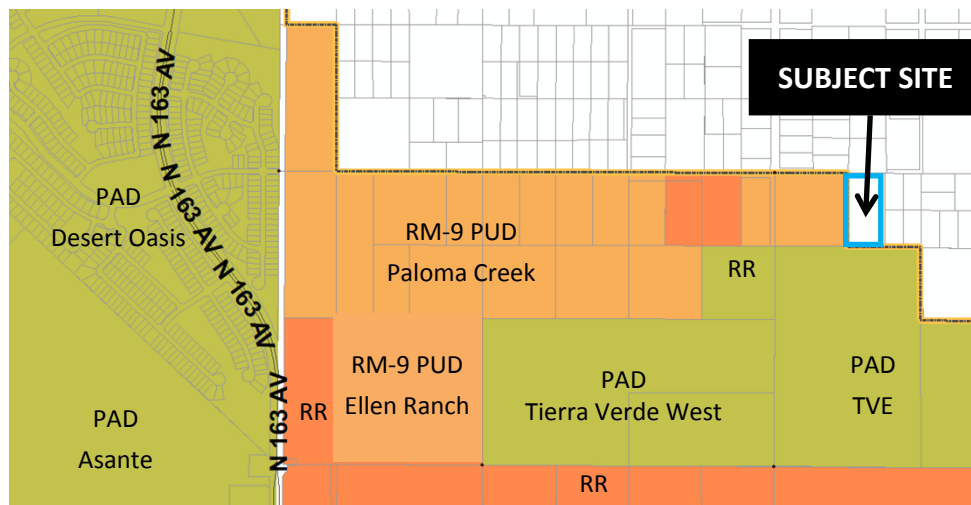
1 **Case:** FS20-731
2
3 **Project Name:** Enclave III at Paloma Creek Rezone
4
5 **Council District:** 1 - Acacia
6
7 **Meeting Date:** May 18, 2021
8
9 **Planner:** Robert H. Kuhfuss, AICP
10
11
12 **Owner:** Kent Xander IRA/Paloma Creek Land 2, LLC
13
14 **Applicant:** Kent Xander
15
16 **Request:** Rezone from Residential Ranch (RR) to Residential Medium Density
17 with a Planned Unit Development Overlay (RM-9 PUD) amending
18 development standards and limiting residential density to 3.90
19 dwelling units per acre
20
21 **Site Location:** Generally located south of the Frontier Road alignment and east of
22 the 155th Avenue alignment
23
24 **Area:** 5.38 acres (approx.)
25
26 **Density:** 3.9 DU/Ac. (approx.)
27
28 **General Plan Conformance:** The proposal is consistent with the Surprise General Plan 2035
29
30 **Support/Opposition:** Some support and opposition expressed
31
32 **Commission**
33 **Recommendation:** Approval, subject to stipulations "a" through "c"
34
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PROJECT DESCRIPTION:

Kent Xander of Kent Xander IRA/Paloma Creek Land 2 LLC, seeks approval of a rezone of approximately 5.38 acres from Residential Ranch (RR) to Medium Density Residential (RM-9) with a Planned Unit Development (PUD) Overlay. The PUD Overlay will amend certain development standards, while limiting the maximum density to 3.9 dwelling units per acre. The subject site is adjacent to the recently approved Paloma Creek zoning and preliminary plat requests, and is the subject of a proposed Annexation that is currently in process under case FS20-732.

EXISTING ZONING:

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



BACKGROUND:

October 15, 2020: Staff reviewed the subject request at a Concept Review meeting under CR20-653.

November 11, 2020: The applicant filed the subject request under Case FS20-731.

November 11, 2020: The applicant filed a companion Annexation request covering the subject site under case FS20-732.

February 11, 2021: The applicant held a Neighborhood Outreach meeting for this request.

April 15, 2021: The Planning and Zoning Commission voted to recommend approval of the request subject to staff recommended stipulations 'a' through 'c'.

71 **CITIZEN OUTREACH:**

72
73 The applicant held their Citizen Outreach meeting in a virtual format on February 11, 2021. One
74 individual attended the meeting and offered no objections after having their questions answered by
75 the applicant. The Outreach meeting, along with the subject Planning and Zoning Commission
76 hearing, were advertised in accordance with state and local requirements.

77
78 On March 16, 2021, staff presented two separate "Resolution of Intent to Annex" items to City
79 Council. One of these Resolutions pertained to the subject property, while the other pertained to
80 the Enclave IV project being processed under a separate case and discussed under separate cover.
81 During that meeting, several members of the public spoke in opposition to both the Enclave III and
82 Enclave IV projects; however, one member of the public, who expressed opposition to Enclave IV,
83 expressed support for the subject (Enclave III) project.

84
85 During the Call to the Public at the March 18, 2021 Commission hearing, several members of the
86 public expressed concerns over the upcoming rezone and annexation requests occurring in the area.
87 Most of those comments were directed towards the Enclave IV; however, some comments were of
88 a general nature and apply to the subject request. These include but are not limited to concerns over
89 chemical usage, vehicular traffic, wildlife habitat, dark sky, effects on existing lifestyle, and
90 construction traffic. During the Commission hearing of April 15, 2021, several members of the public
91 expressed concerns.

92
93 **ANALYSIS AND DISCUSSION:**

94
95 The subject rezone case anticipates the development of approximately 5 acres of currently
96 undeveloped desert into a single-family residential subdivision consisting of 21 dwelling units. The
97 request also seeks a Planned Unit Development (PUD) overlay for the purpose of amending certain
98 development standards and limiting the residential density to 3.9 DU/Ac. The proposed
99 development standards follow:

100
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105
106 [Continued on following page]
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112
113
114

DEVELOPMENT STANDARDS FOR ENCLAVE III AT PALOMA CREEK		
Development Standard:	RM-9 Base Zoning:	RM-9 PUD Zoning:
Maximum Density	9.0 DU/Ac.	3.9 DU/Ac.
Minimum Lot Area:	4,500 sq. ft.	4,500 sq. ft.
Minimum Lot Width:	40'	45'
Minimum Lot Depth:	100'	100'
Minimum Front Setback (livable):	12'	12' ¹
Minimum Front Setback (garage):	20'	20' ¹
Minimum Side Yard Setback:	TBD	5'
Minimum Rear Yard Setback:	20'	20' ²
Maximum Building Height:	35'	35' ³
Street Side Corner Setback:	N/A	5'
Driveway Width:	30%	40%
Driveway Area:	30%	40%
Minimum Open Space (%NRA)	20%	26.06%
Footnotes:		
¹ Measured from property line		
² Porches and patios may encroach 2.5' into the rear yard setback		
³ Homes located along the northern property line will be limited to single story		

116

117 The subject property will include 26.06% open space, which exceeds the minimum requirement of
 118 the SUDC. The subject property will join the Paloma Creek HOA and will have access to those
 119 amenities. The applicant also proposes an increase in the percent of lot width and front yard area to
 120 be occupied by the individual driveways. The SUDC limits the width of the driveway to not more than
 121 30% of the lot width. With a proposed lot width of 45', the width of the driveway could not exceed
 122 13.5', which is too narrow to serve a two-car garage. Rather, the applicant proposes an increase to
 123 40%, which would allow for a typical 18' driveway. Similarly, the SUDC limits the driveway area to
 124 not more than 30% of the front yard area. A 45' lot width combined with a 20' front setback
 125 generates 900 square feet of front yard area, which would only accommodate a 15' deep driveway,
 126 based on 18' driveway width. By increasing the area limitation to 40%, a full 18' by 20' driveway may
 127 be achieved.

128

129 Of interest, the subject property is immediately adjacent to the recently approved Paloma Creek
 130 project, and will integrate with that project. Staff anticipates Enclave III and the adjacent portion of
 131 Paloma Creek being processed together as a single Preliminary Plat, with the Open Space as a percent
 132 of the Net Residential Area (NRA) for each parcel as shown. This is expressed in Exhibit D of the
 133 project narrative as captured below:

134

135

136

137

[Continued on following page]

138

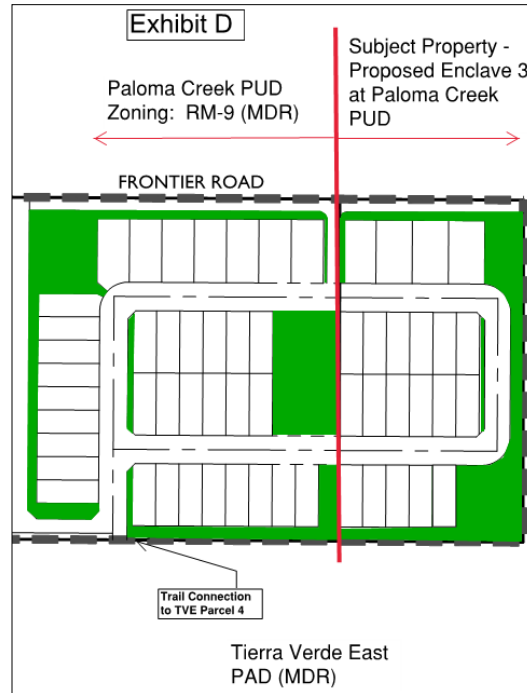
139

140

141

142

143



145

146

147 **UTILITY AND SERVICES TABLE:**

148

Water:	City of Surprise
Wastewater:	City of Surprise
Refuse:	City of Surprise
Schools:	Dysart USD

149

150 **CONFORMANCE WITH ADOPTED PLANS:**

151

152 **Surprise General Plan 2035:** The Surprise General Plan 2035 shows the subject property as lying
 153 within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac
 154 or more, provided appropriate transitions are made between the various Neighborhood types
 155 included within the character area. At 3.9 DU/Ac, the project most closely aligns with the Suburban
 156 Neighborhood type and is consistent with the General Plan in this regard.

157

158 **REVIEWING AGENCIES:**

159

160 The subject request was routed to the standard internal and external reviewing agencies, who
 161 indicated no objections to the request.

162

163

164

165

166

167 **SUMMARY:**

168
169 The subject Zone Change request anticipates the future development of 21 lots on approximately 5
170 acres, and includes a PUD overlay intended to grant relief from certain development standards. The
171 Project will include approximately 26% open space, will join the Paloma Creek HOA, and will have
172 access to those amenities. All city reviewing departments have reviewed the request and expressed
173 no concerns. A separate but related Annexation request is under review, and the project is the
174 subject of some opposition.

175
176 **FINDINGS:**

- 177
178 • The proposed Zone Change is consistent with the pattern of development to the west and south
179 • The proposed Zone Change provides for buffering to the north and east
180 • The proposed Zone Change is consistent with the Surprise General Plan
181 • The reviewing agencies have indicated no objections

182
183 **Commission Recommendation:**

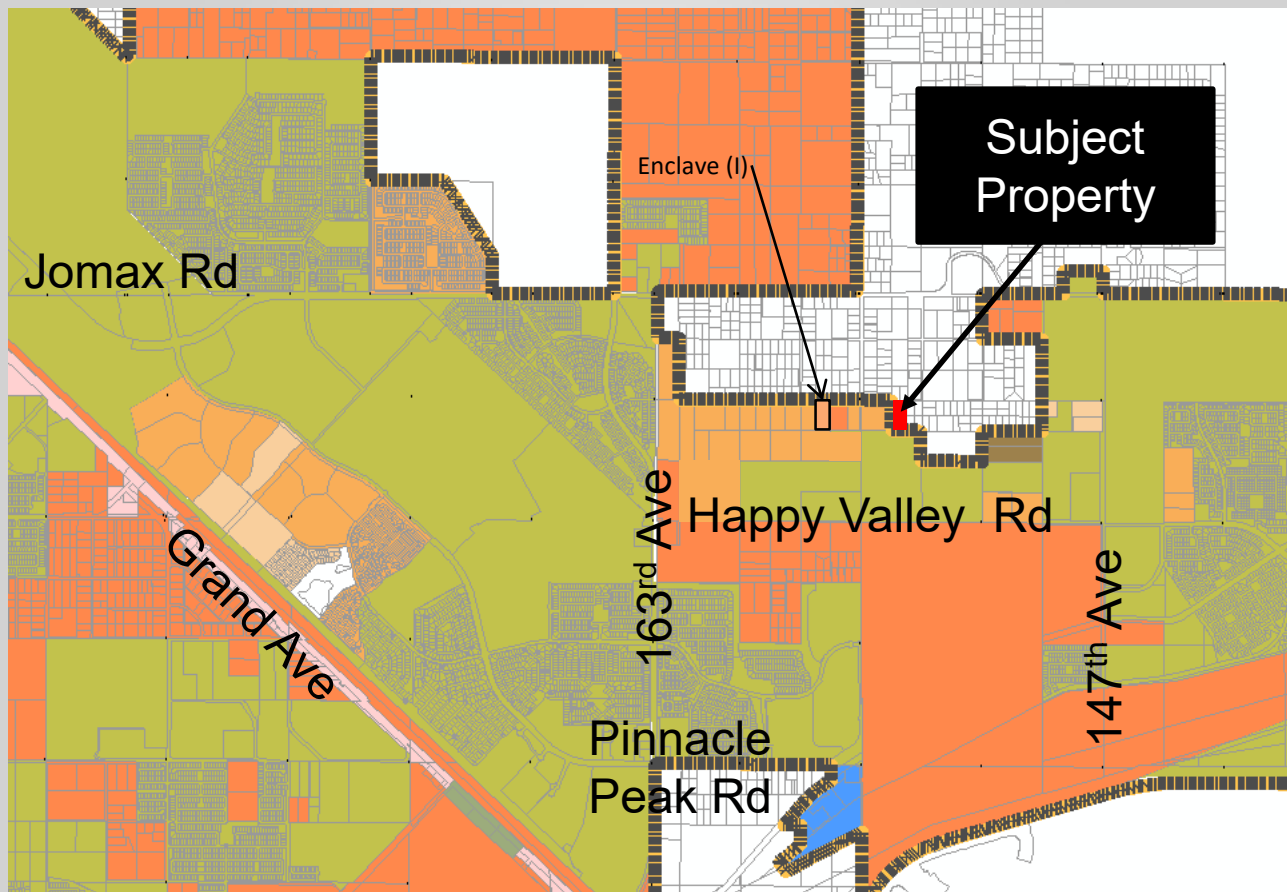
184
185 Based on the findings noted above, the Commission moved to recommend **approval** of the subject
186 Rezone request to the City Council, subject to stipulations ‘a’ through ‘c’ as outlined below:

- 187
188 a. Development and use of the site shall be consistent with the rezone narrative entitled
189 “Enclave III at Paloma Creek”, prepared by KAX Group, LLC and received January 15, 2021.
190
191 b. Prior to the City recording a final plat or approving a site plan or building permit within the
192 property, the applicant shall provide the City with a Notice of Payment from William Lyon
193 Homes, Inc., that the Happy Valley West (“HVW”) Buy-in Fee, the Happy Valley East (“HVE”) Buy-in Fee,
194 the Water Buy-in Fee, and the Sewer Buy-In Fee, as applicable, all as described in
195 the Rancho Mercado Supplemental Development Agreement (Regional Improvements
196 Overlay Agreement), as amended, have been paid.
197
198 c. Non-compliance with the stipulations of approval of this case will be treated as a violation in
199 accordance with the applicable provisions of the Surprise Municipal Code.

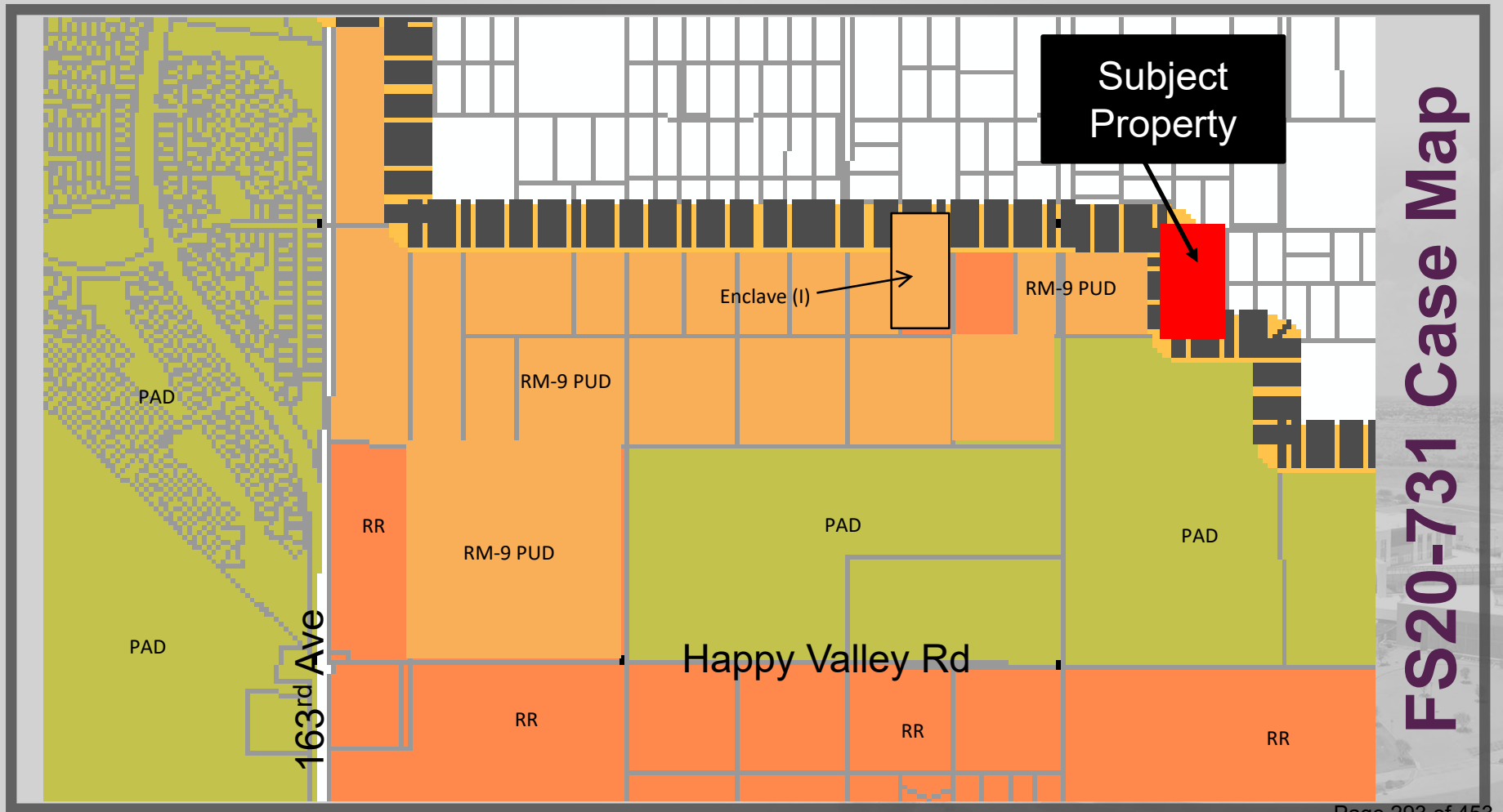
200
201 However, should the Council wish to deny the request, the Council should make its own findings and
202 base its decision on those alternative findings.

203
204 **Attachments:**

- 205
206 01 Enclave III at Paloma Creek Vicinity Map
207 02 Enclave III at Paloma Creek Case Map
208 03 Enclave III at Paloma Creek Zone Change Narrative
209 04 Enclave III at Paloma Creek Citizen Outreach Report
210 Opposition emails
211 Opposition petition



FS20-731 Vicinity Map



FS20-731 Case Map

ENCLAVE III AT PALOMA CREEK REZONE

Case No. FS20-731

Rezone from Residential Ranch (RR) to
RM-9 (Residential Medium Density) with a (PUD) Overlay

5.3808 Gross Acres

660 feet east of Southeast corner W. Frontier Dr. and 155th Avenue

Prepared by: KAX Group, LLC

Submitted To: City of Surprise, Arizona

Dated: November 4, 2020

Revised: December 29, 2020

Revised: January 15, 2021

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Legal Description and Map.....	Exhibit C
Conceptual Development Plan	Exhibit D
General Plan 2035 Land Use Map.....	Exhibit E

Enclave III at Paloma Creek Team:

Applicant: KAX Group, LLC – Kent A. Xander - kxander@kaxgroup.com

Location and Introduction:

A **Vicinity Map** on page 4 illustrates Enclave III at Paloma Creek location - 660 feet east of southeast corner W. Frontier Dr. and 155th Avenue.

Enclave III at Paloma Creek PUD is a 5.3808-acre proposed residential subdivision adjacent to the east of the approved Paloma Creek PUD Case # FS18-150 zoned for a density of 4 units per acre. The subject property is adjacent to unincorporated vacant land and homes to the north and east zoned RU-43, to the south is Tierra Verde East PAD (MDR). This project includes working with and the cooperation with Paloma Creek PUD to the west and south and Tierra Verde East PAD to the south to formulate a cohesive development plan working out vehicle circulation, utilities, and drainage issues. The Development Conceptual Plan shown in **Exhibit D**, shows a conceptual plan for Enclave III at Paloma Creek PUD.

The 4 north lots adjacent to W. Frontier Dr. will be the same size and setback as per the approved Preliminary Plat for Paloma Creek PUD, Case # FS18-150 adjacent to the west. The north 4 lots shall be a minimum 62.5' x 122.5', setback 40 feet from the north property line. The landscape improvements shall be consistent with adjacent approved Paloma Creek PUD Case # FS18-150 plan for W. Frontier Dr. Secondary Emergency access will be connected to W. Frontier Drive located within Paloma Creek PUD adjacent to the Northwest corner of the Property. The access to Enclave III at Paloma Creek will be provided south to Tierra Verde East, west to 155th Avenue. Pedestrian trails shall be connected to W. Frontier Dr and Tierra Verde East PAD. Enclave III at Paloma Creek PUD will become part of the adjacent Paloma Creek PUD HOA that will maintain all common community amenities, including signage, parks, trails, open space tracts, and other common areas within the development. Both Paloma Creek PUD and Enclave III at Paloma Creek PUD will be one subdivision and will have reciprocal access to all amenities and the trail system within their respective projects.

Exhibit A depicts a map of the existing zoning of the subject property and the adjacent PAD's, vacant land, and homes. The adjacent specific zoning and land uses are as follows:

West

- | | | |
|---------------------------|--------------|----------|
| • Paloma Creek (RM-9) PUD | 150.68 Acres | 600 lots |
|---------------------------|--------------|----------|

East

- | | |
|---------------------------|---------------------------------------|
| • Maricopa County (RU-43) | Existing Single-Family Land and Homes |
|---------------------------|---------------------------------------|

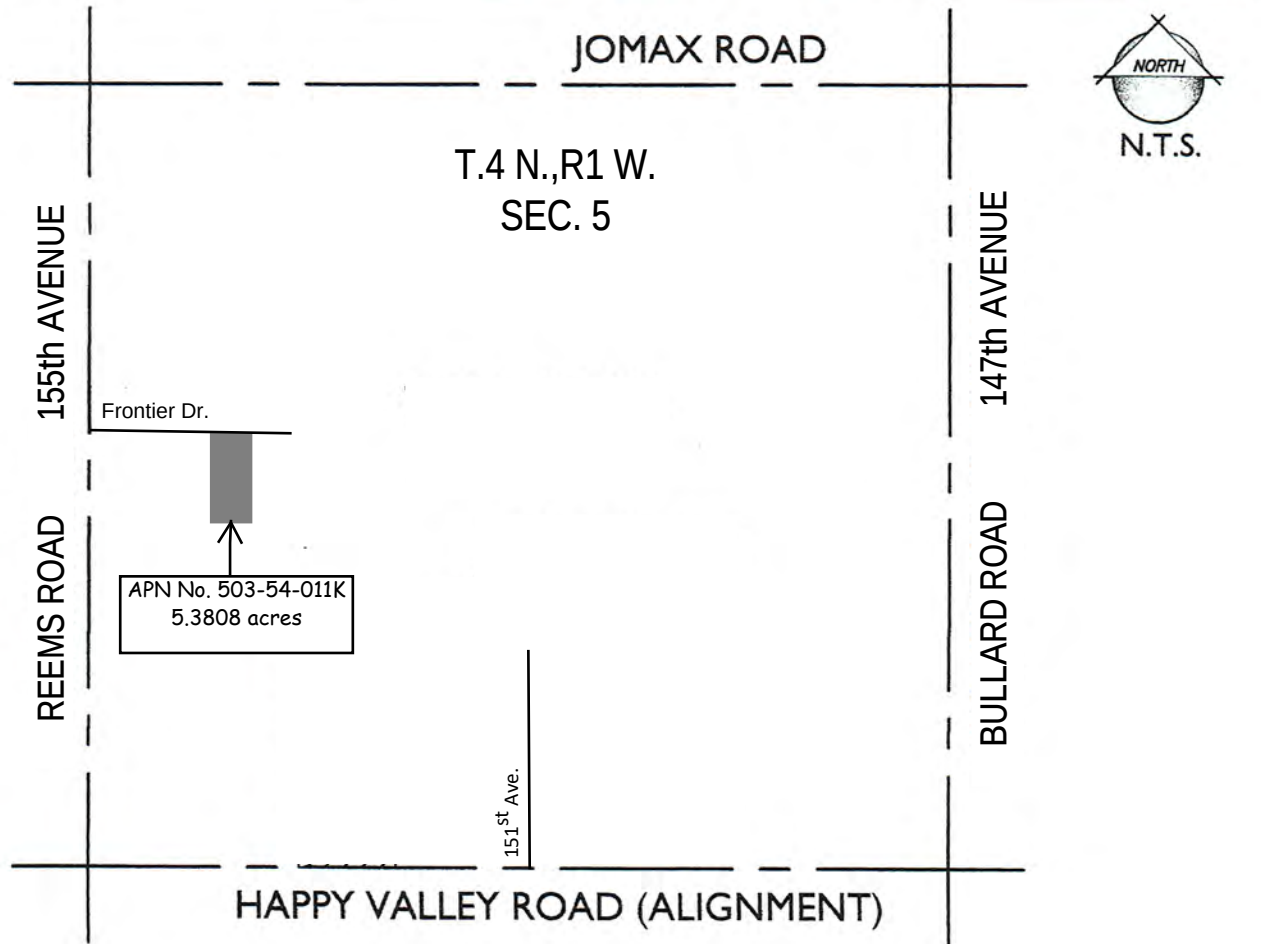
North

- | | |
|---------------------------|---------------------------------------|
| • Maricopa County (RU-43) | Existing Single-Family Land and Homes |
|---------------------------|---------------------------------------|

South

- | | | |
|-------------------------|--------------|----------|
| • Tierra Verde East PAD | 100.00 Acres | 339 lots |
|-------------------------|--------------|----------|

VICINITY MAP



Description of Request:

Applicant, on behalf of the Owner requests approval of a Zone Change (Case# FS20-731) for 5.3808 acres from Residential Ranch (RR) to Residential Medium Density (RM-9) with a PUD Overlay. See **Exhibit B** for Proposed Zoning Map. See **Exhibit C** for Survey Map Exhibit. Approval of this zone change is consistent with adjacent to the west Paloma Creek PUD recently approved by City of Surprise Council.

Base zoning RM-9 allows up to 9 dwelling units per acre (DU/Ac); however, through the PUD Overlay, the subject property proposes not more than 21 dwelling units over approximately 5.3808 gross acres for a maximum gross density of 3.90 DU/Ac.

With a cap on density, the applicant believes the development standards associated with the RM-9 with a PUD Overlay zoning district are in line with those of the adjacent PAD's to the subject property, with certain deviations as articulated in **Table A** of the Enclave III at Paloma Creek PUD Narrative.

Enclave III at Paloma Creek PUD Development Concept Plan shown on **Exhibit D**. The lot sizes located along the north side of the subject property to be a minimum lot size of 62.5' x 122.5'. The remaining standard minimum lot size will be 45' x 115' matches adjacent to the west approved Paloma Creek PUD.

The SUDC requires that not less than 20% of the "Net Residential Acreage" be set aside as open space. The Net Residential Acreage ("NRA") is calculated by the total amount of land taken up by the individual lots ("Lot Area") combined with the total Open Space.

Concept Plan

Dedicated Right of Way	59,750 SF	1.37 acres
Open Space	45,500 SF	1.04 acres
Cumulative Lot Area	<u>129,000 SF</u>	<u>2.96 acres</u>
Gross Area	216,928 SF	5.3808 Acres
NRA = Open Space + Cumulative Lot Area	174,500 SF	4.01 Acres

Open Space as % of NRA (Open Space / NRA) 26.07%

The amenity area is located on the adjacent Paloma Creek PAD and will include a ramada, seating area, and tot lot providing play and gathering opportunities for all ages with a shaded seating area in the west adjacent Paloma Creek PUD. The landscaping plan will develop pedestrian connections to adjacent land and use the same landscaping quantity, quality, and materials as used for adjacent Paloma Creek PUD. Enclave III at Paloma Creek PUD will become part of the adjacent Paloma Creek PUD HOA that will maintain all common community amenities, including signage, parks, trails, open space tracts, and other common areas within the development. Both Paloma Creek PUD and Enclave III at Paloma Creek PUD will have reciprocal access to all amenities and the trail system within their respective projects. Final design will meet the requirements of the SUDC.

Development Standards:

It is the intent of Enclave III at Paloma Creek PUD to amend the RM-9 Residential Zoning District Development Standards as follows: The 4 lots backing to the north property line shall be a minimum 62.5' x 122.5' each. A minimum 50-foot open space tract will be landscaped along the Northeast lot of the 4 lots adjacent to the east rural property. The lots along the northern boundary of the Enclave III at Paloma Creek PUD development will be limited to single-story homes. The easternmost lots shall be separated from the eastern project boundary by a distance of not less than 60 feet. The Development Standards depicted in Table A will be consistent the approved Preliminary Plat Development Standards for Paloma Creek PUD.

Table A**Residential Medium Density RM-9 PUD Overlay Development Standards**

Development Standard	City Base RM-9 Development Standards	Proposed RM-9 PUD Development Standards
Net Residential Acreage Open Space	20%	26.06%
Maximum Density	9.0	3.90
Minimum Lot Area	4,500 Sq. Ft.	4,500 Sq. Ft.
Minimum Lot Width	40'	45'
Minimum Lot Depth	100'	100'
Front Setback (Livable	12'	12'
Front Setback (Garage)	20'	20' (1) (2)
Minimum Side Yard Setback	- (3)	5'
Minimum Rear Yard Setback	20'	20' (5)
Maximum Building Height	35'	35' (6)
Driveway Width Percentage	30%	40%
Driveway Area Percentage	30%	40%
Street Side/Corner Lot	- (4)	5'

- (1) Front facing garages shall have a minimum 20-foot front yard setback measured from the front Lot Line.
- (2) 12-foot livable front setback is measured from the front Lot Line.
- (3) To be determined at Site Plan or Preliminary Plat Review.
- (4) There is not a street side setback requirement in the SUDC.
- (5) Porches/patios may encroach 2.5' into the rear yard setbacks.
- (6) The Homes located along the northern property line will be limited to single story.

The result of the Enclave III at Paloma Creek PUD zone change with a PUD Overlay would be:

- Enclave III at Paloma Creek PUD will be in conformance with the adopted Surprise General Plan 2035 as noted below.
- The development of Enclave III at Paloma Creek PUD will occur in a manner that is consistent with the surrounding PUD's and PAD's. The development will be seamlessly integrated and aligned with Paloma Creek PUD zoning, open space, pedestrian trails, drainage tracts, roads, and utilities.
- Enclave III at Paloma Creek PUD will provide an open space tract on the north side of the subject property for incidental drainage control, pedestrian trail, and open space transition to buffer between the subject property and the adjacent single-family homes to the north and east.
- Unless specified in this Zoning Narrative Document, all development shall comply with the development standards and design guidelines set in the Surprise Municipal Code at the time of Preliminary Plat.

Conformance with the adopted Surprise General Plan 2035:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Land Use Character Area, which in a Suburban Neighborhood supports residential development of 2 to 8 DU/Acre, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 3.9 DU/Ac, the project is consistent with the General Plan in this regard. The General plan seeks appropriate buffers and transitions between the various Character Areas. To meet this guideline, the 4 north lots adjacent to W. Frontier Dr. shall be 62.5 x 122.5', setback 40' feet from the north property line.

Ingress/Egress/Access:

The ingress/egress access to Enclave III at Paloma Creek PUD will be:

1. Through Paloma Creek PUD to 155th Avenue.
2. Emergency access to Frontier Drive
3. Through Paloma Creek PUD south through Tierra Verde East to 155th Avenue.

Transportation/Traffic and Utilities

- Upon development of Enclave III at Paloma Creek PUD, all necessary utilities for Enclave III at Paloma Creek PUD will be extended from adjacent Paloma Creek PUD.
- Onsite public streets shall be constructed to meet City standards widths and cross sections based on approval of the Preliminary Plat.
- A new Traffic Impact Analysis per TIA Guidelines found in Chapter 4 of the Surprise Engineering Development Standards in coordination with the surrounding developments will be submitted to the City. Specifically, this TIA will include all phases of the Paloma Creek development, including Enclave II, III, IV, Paloma Creek III, IV, and any other parcels.” under the Transportation/Traffic and utilities.

VICINITY MAP

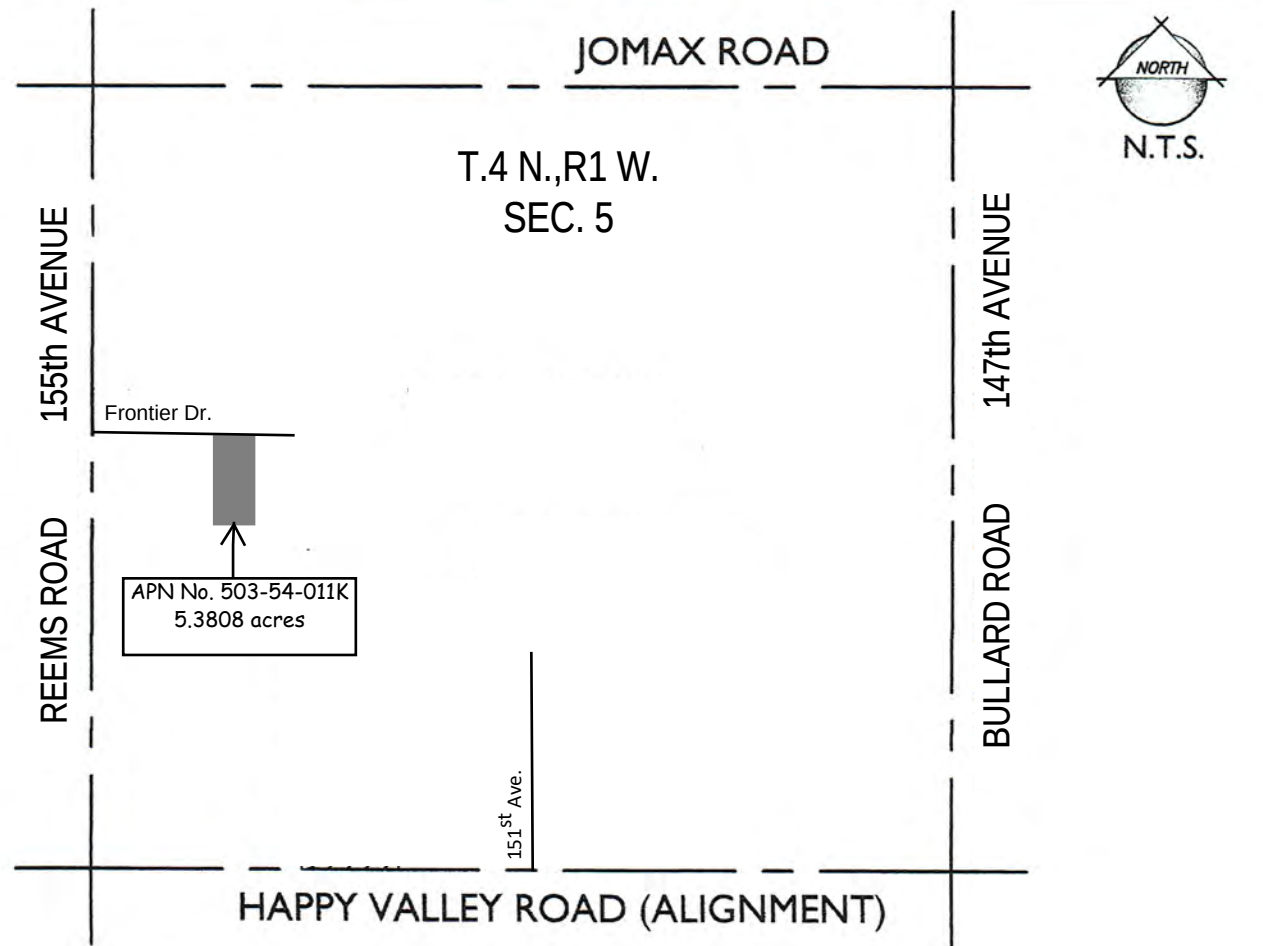


Exhibit A Existing Zoning Map

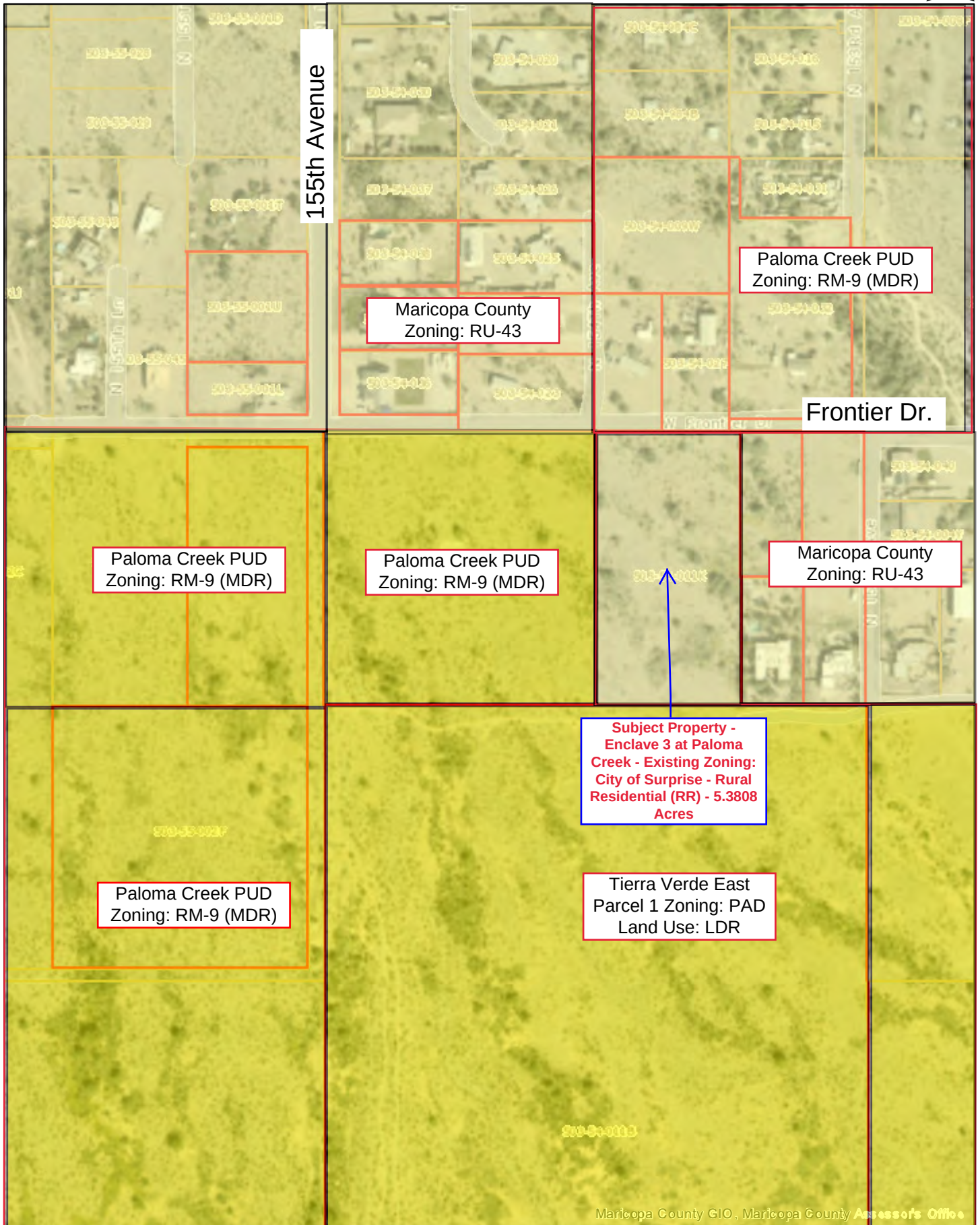
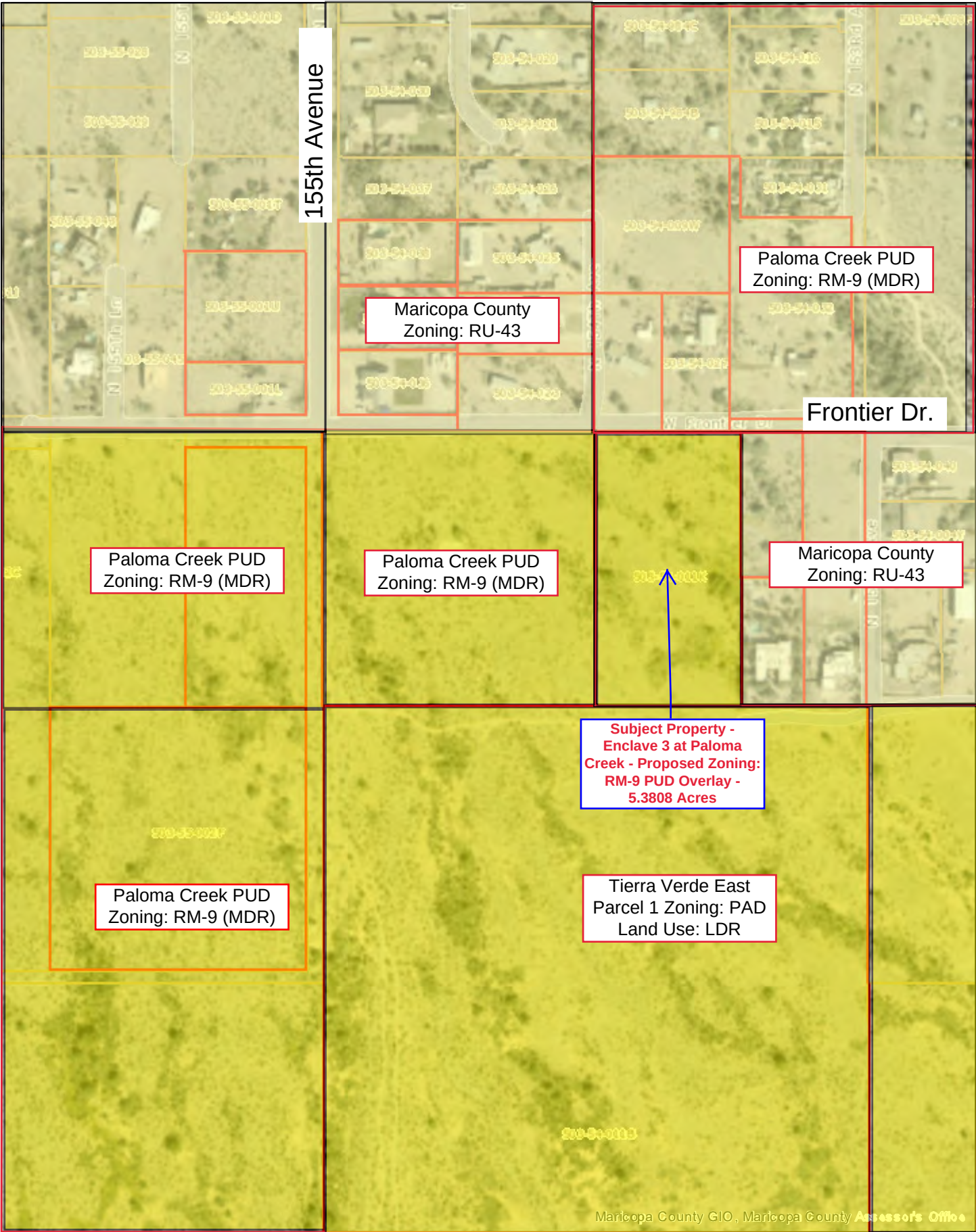


Exhibit B Proposed Zoning Map



LEGAL DESCRIPTION

The West 355.08 feet of the East 655.08 feet of the North half of the Northwest quarter of the Southwest quarter of Section 5, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, .described by metes and bounds as follows:

Commencing at the West quarter corner of said Section 5;
Thence South 89° 41' 02" East along the East-West mid-section line of Section 5 a distance of 654.57 feet to the **POINT OF BEGINNING**;
Thence continuing South 89° 41' 02" East along said line a distance of 355.08 feet;
Thence South 00° 05' 23" West a distance of 660.15 feet;
Thence North 89° 39' 59" West a distance of 355.08 feet;
Thence North 00° 05' 23" East a distance of 660.04 feet to the **POINT OF BEGINNING**.

Containing 5.3808 acres



Land Survey Services PLC
20651 W. Pasadena Ave
Buckeye, AZ 85396-1255

Job No. 16018

Parcel Map Check Report

Prepared by:

Thomas Rope

Land Survey Services, PLC

Date: 3/10/2020 8:50:08 AM

Parcel Name: Paloma Creek

Description: W 355.08', E 655.08', N1/2, NW1/4, SW1/4 Sec 5, T4N, R1W

Process segment order counterclockwise: False

Enable mapcheck across chord: False

North: 989,407.8467'

East: 555,314.8264'

Segment# 1: Line

Course: S89°41'02"E

Length: 355.08'

North: 989,405.8876'

East: 555,669.9010'

Segment# 2: Line

Course: S0°05'23"W

Length: 660.15'

North: 988,745.7384'

East: 555,668.8672'

Segment# 3: Line

Course: N89°39'59"W

Length: 355.08'

North: 988,747.8059'

East: 555,313.7932'

Segment# 4: Line

Course: N0°05'23"E

Length: 660.04'

North: 989,407.8451'

East: 555,314.8268'

Perimeter: 2,030.35'

Area: 5.3808Acre

Error Closure: 0.0016

Course: S15°57'09"E

Error North : -0.00155

East: 0.00044

Precision 1: 1,268,968.75



Land Survey Services PLC
20651 W. Pasadena Ave
Buckeye, AZ 85396-1255

Job No. 16018

A PART OF THE SOUTHWEST QUARTER OF SECTION 5
T4N, R1W, G.&S.R.B.M., MARICOPA COUNTY, ARIZONA

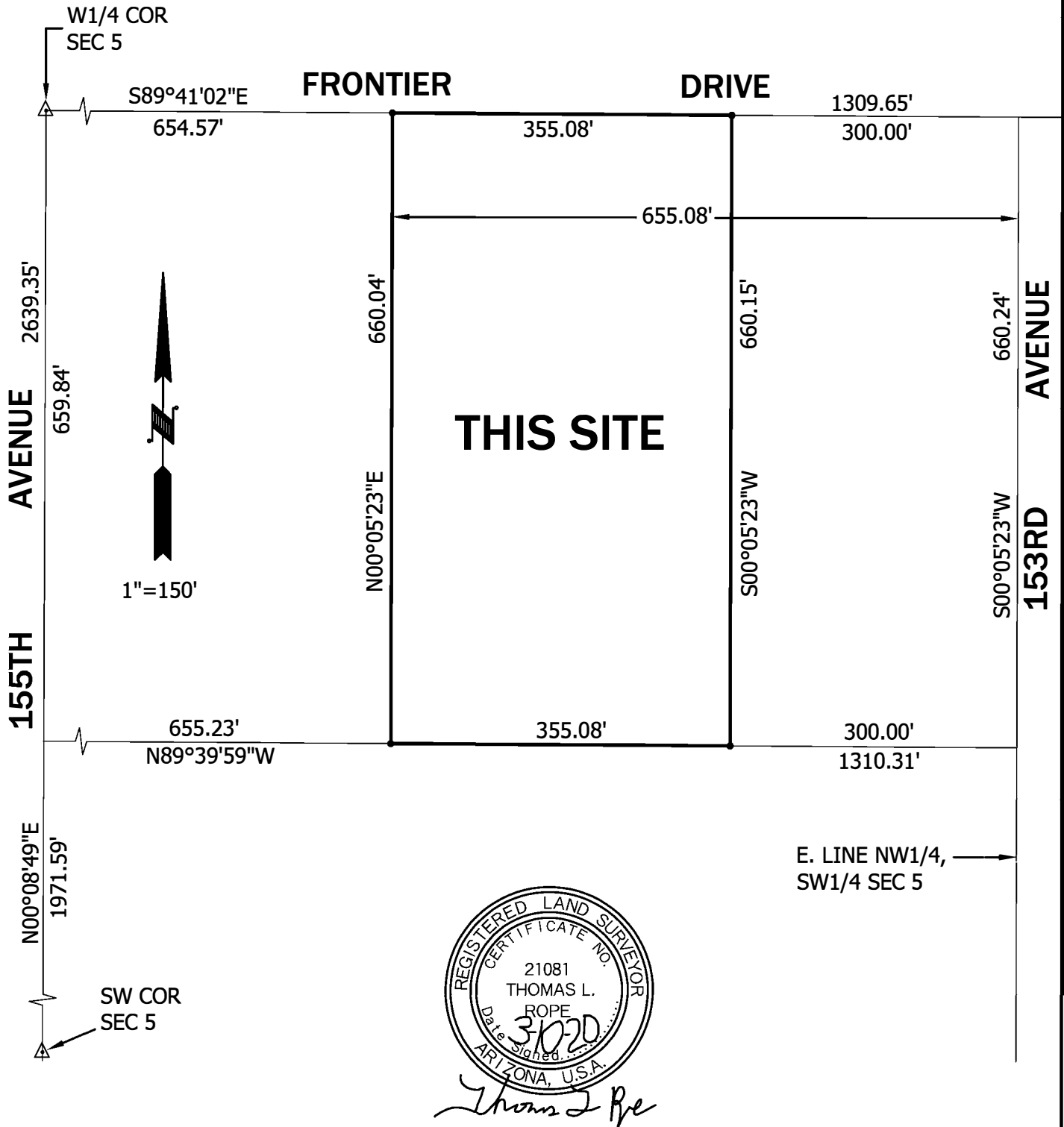


Exhibit D

Paloma Creek PUD
Zoning: RM-9 (MDR)

Subject Property -
Proposed Enclave 3
at Paloma Creek
PUD



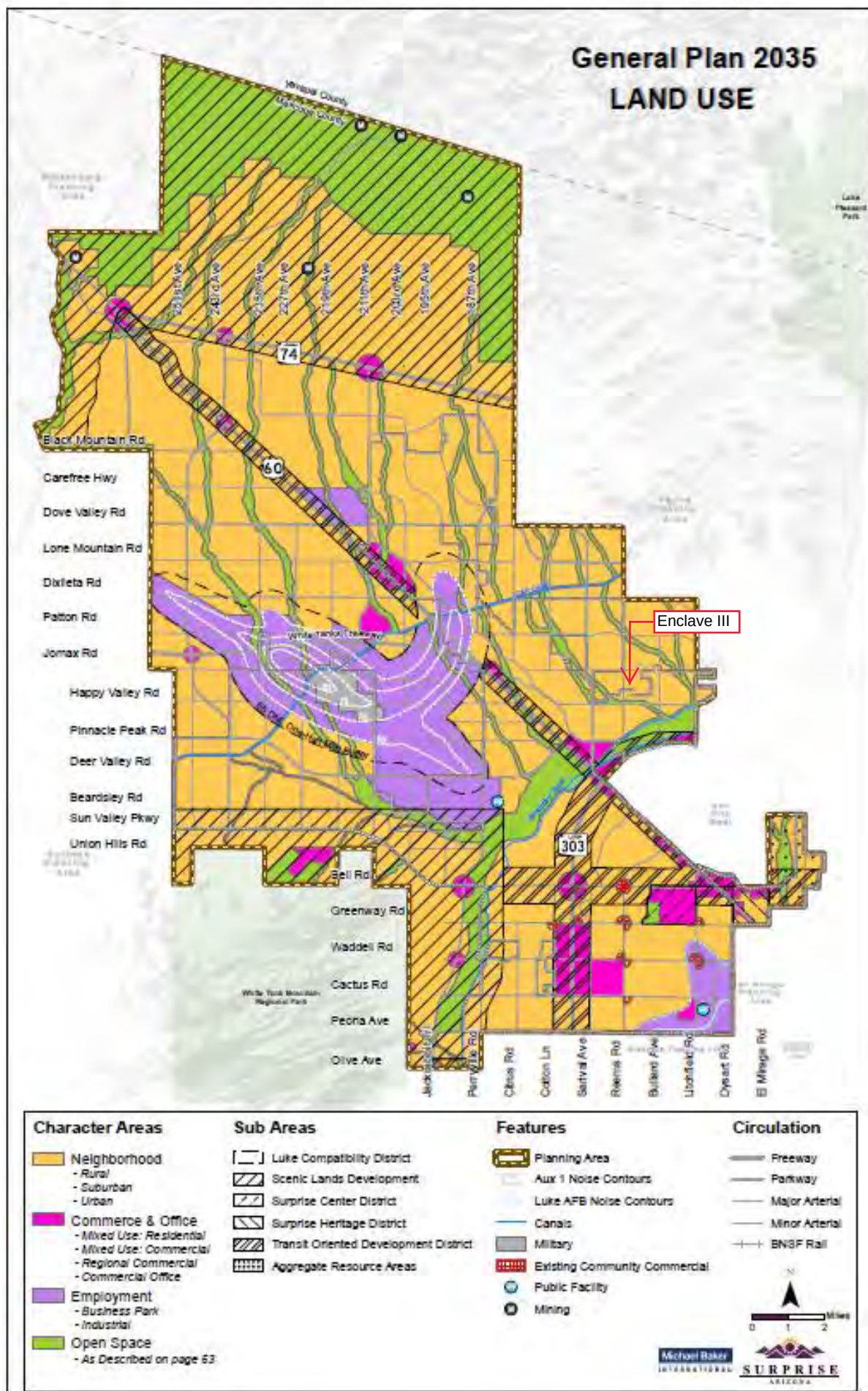
FRONTIER ROAD

155th Avenue

Paloma Creek
Zoning: RM-9
PUD

Trail Connection
to TVE Parcel 4

Tierra Verde East
PAD (MDR)





Enclave III Rezone

Citizen Participation Plan

February 13, 2021

Background

The City of Surprise (City) requires a citizen participation process and report for applications such as this PAD amendment. The purpose of the citizen review process is to:

Ensure that applicants pursue early and effective citizen participation in conjunction with their applications, giving them the opportunity to understand and try to mitigate any real or perceived impacts their application may have on the community;

Ensure that the citizens and property owners of the city have an adequate opportunity to learn about applications that may affect them and to work with applicants to resolve concerns at an early stage of the process; and

Facilitate ongoing communication between the applicant, interested citizens and property owners, city staff, and elected officials throughout the application review process.

The citizen review process is not intended to produce complete consensus on all applications, but to encourage applicants to be good neighbors and to allow for informed decision-making.

Enclave III Citizen Participation Plan & Report

Enclave III at Paloma Creek PUD is a 5.3808-acre proposed residential subdivision adjacent to the east of the approved Paloma Creek PUD Case # FS18-150 zoned for a density of 4 units per acre. The subject property is adjacent to unincorporated vacant land and homes to the north and east zoned RU-43, to the south is Tierra Verde East PAD (MDR). As part of the rezone process, adjacent property owners and stakeholders in the area were notified by the City staff to our proposed application and open house to inform the public of this rezoning request. The case also includes an Annexation from Maricopa County into the City of Surprise.

We met the City's notification requirements, which are:

- Notice of the citizen review meeting shall be provided by the planning and zoning division in the form of a public notice to the following, when applicable:
 - The notice shall be published at least once in a newspaper of general circulation published or circulated in the municipality at least 15 days prior to the meeting date.
City initiated.



- For applications involving rezoning of land which abuts other municipalities or unincorporated areas of the county or a combination thereof, copies of the notice shall be transmitted to the planning agency of such governmental unit butting such land. **City initiated.**
- For applications involving rezoning, subdividing, planned unit developments, site plans with uses permitted on a conditional basis, and legislative matters, all real property owners within a 200-foot or 300-foot radius, the city shall send copies of the notice by first class mail, no less than seven days prior to the hearing. We noticed at 300 feet. **City initiated.**
- Any village committee or special community group which is located in the area of the proposed public hearing request or has considerable interest in the nature of the application; **See City initiated list.**
- The head of any homeowners association or registered neighborhood within the public notice area established in item (3) indicated above. **See City initiated list.**

Site Posting

The site was posted on January 27, 2021 to alert interested citizens and stakeholders of our upcoming virtual open house on February 11, 2021. The photographs of the signs and affidavit are attached at **Tab 1**. The signs do not have the anticipated Planning & Zoning Commission and City Council hearings dates and will be updated as we learn these dates.

Participation Report.

After the notices were sent by staff and the site was posted, we did not field any telephone calls or emails of concern regarding the rezoning case. We held the virtual open house on Go-to-Meetings on February 11, 2021 at 6:00 pm. During the virtual open house, there was one (1) neighbor who participated in virtual open house and discussed the project with the applicant and the applicant's representative. City staff was present in the meeting and during this discussion. The discussion with the one (1) neighbor participant included questions about Frontier Road impacts, construction activity and contact information and drainage. After our discussion, we felt the participant was satisfied with our responses and had no major issues with our rezoning proposal. City Councilwoman Aly Cline also participated in the virtual open house and we answered her questions regarding the proposed case. There were no other members of the public in attendance during the virtual open house.

There is no known opposition to this rezoning case.

We have been working cooperatively with City staff on the rezone request and are ready for public hearings on the proposed rezoning request. If we are contacted by any neighbors or stakeholders after we have submitted this citizen participation report to the City, we will provide updates to the City staff with an amended report.

TAB 1



AFFIDAVIT OF POSTING
(Sign modification)

Application No: FS20-732 & FS20-731

Applicant Name: _____

Location: Southeast corner of 154th Avenue and Frontier Dr

Date Site Posted: January 27th 2021 sign modified: January 28th, 2021

In order to assist in providing adequate notice to interested parties, the applicant for any *type of public hearing* in the City of Surprise shall erect two (2) signs giving notice of the *date, time and place* of the scheduled hearings. These signs must be erected not less than **fifteen (15) days prior** to the date of the first hearing. The signs shall also include the nature of the request as contained on the formal zoning application. The size and format of this sign shall meet requirements established by the Planning and Zoning Department (see page 2).

Such notice shall be clearly legible and placed at a prominent location on the site – Generally adjacent and perpendicular to the public right-of-way. It shall be the *responsibility of the applicant* to erect and to maintain the sign on the subject property and to maintain the hearing information on the sign until final disposition of the case.

It shall also be the *responsibility of the applicant* to remove the signs within one week after the final disposition of the case.

I confirm that the site has been posted as required above, for the case noted above. A picture of the site posting, and photos of any subsequent changes/updates made to the sign, have also been submitted.

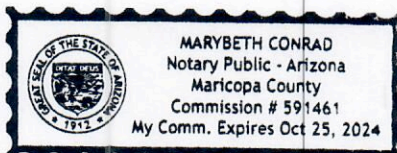
Maria Hitt 1-28-2021
Applicant/Representative Signature Date

This instrument was acknowledged before me on this 28th day of January, 2021, and by Maria Hitt. I witness whereof I hereunto set my hand and official seal.

Marybeth Conrad
Notary Public
10.28.2024

My commission expires

*Return completed and notarized **affidavit** and all relevant **photos** to the Planning and Zoning Department at least fifteen (15) days **prior to** the scheduled meeting(s).*



From: [Jane Peiffer](#)
To: [Kent Xander](#); [Kurt A. Jones](#); [Lloyd Abrams](#); [Robert Kuhfuss](#); [Joshua Mike](#)
Subject: Enclaves II, III & IV at Paloma Creek
Date: Thursday, April 22, 2021 12:01:17 PM

*****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.*****

Good Afternoon Mr. Xander and project development team/group,

I am hopeful that after letting tensions settle a bit from the City Council Meeting on Tuesday, April 20th, that perhaps I can suggest an idea that, I think, would benefit everyone. As you, Mr. Xander, stated at the meeting on Tuesday, (paraphrasing here) having to do the Neighborhood Meeting by Zoom/online was not the best way of presenting information, but the COVID mitigation measure made it the only feasible method. Maybe that is where things started to go awry. So here is my idea: what if we have a new Neighborhood Meeting? I'm not asking to reset time tables or place burden of new notices and such on you, I am happy to reach out to the neighborhood residents to try to get people who have concerns to show up. I have already run this idea past several of the neighbors and they are open to meeting with you and think that more information would be helpful. Mark Graham and I will even provide the beverages for the meeting (Soda, ice tea, water, etc.), if you can secure a location? Let me know what you think is a fair division of effort/resources.

We are also open to ideas from you and the project team if a Neighborhood Meeting isn't feasible.

Also, bear with me here, I think I know where some of the disconnect is between the position you have and the position the neighborhood has. Our starting points are different. It is my understanding that the Enclave II, III & IV are part of the "bigger" Paloma Creek project. So, likely, from your perspective of the "bigger" picture these Enclave pieces fit into that macro view. From our perspective all we have is the micro view of the 3 parcels and the changes being sought. Because the larger area sits more remotely from us, we were not aware of what was happening and didn't have an opportunity to see the plans. I also believe that some in the neighborhood thought that the Tierra Verde East & West projects were another name for the Paloma Creek projects based on their proximity, and that there was confusion as to it being wholly separate developments or sub developments of each other. Not sure if that makes sense or not, I think I could better explain in person with a map. Or maybe they are connected and it is me who doesn't understand. But that sort of highlights the problem. We, the neighborhood, don't have the macro "big picture" view.

Maybe if we could get together to try to start from the same viewing point, maybe then we could resolve some of the questions and concerns we the community have with the Enclave pieces.

Thank you for your time and consideration of my suggestion. I hope to hear from you soon.

Respectfully,

Jane Peiffer

From: [Ashley Labhart](#)
To: [Joshua Mike](#)
Cc: [Robert Kuhfuss](#)
Subject: FW: Enclave at Paloma 4
Date: Thursday, March 18, 2021 5:01:47 PM

-----Original Message-----

From: Ashley Labhart <Ashley.Labhart@surpriseaz.gov>
Sent: Thursday, March 18, 2021 4:51 PM
To: Michelle Brown [REDACTED]
Subject: RE: Enclave at Paloma 4

Good afternoon Michelle,

Thank you for your email, and please accept my apologies that your intent was to have comments read at the City Council meeting rather than the Planning and Zoning meeting. Instructions for how to offer Virtual Public Comment during City Council meetings can be found on our website:

<https://www.surpriseaz.gov/Archive.aspx?ADID=10339>

You do have the correct email for offering comments as it pertains to items on the Planning and Zoning Commission agendas which is PandZComments@surpriseaz.gov .

You may also keep up on the status of meetings occurring, by visiting our website and reviewing the online calendar which provides helpful details with regard to upcoming activities (it is located towards the lower right hand corner of the home page):

<https://www.surpriseaz.gov/>

The Planning and Zoning meeting is occurring this evening and will start at 6:00 pm. You may watch the live meeting via Surprise TV, as well as view the agenda for this evening by following the link below:

<https://surprisetv.surpriseaz.gov/meetings/planning-zoning-commission-meetings>

To answer your question, neither Enclave at Paloma 3 or 4 is on the agenda for this evening.

We had an item on as you will see by viewing the agenda, for Enclave at Paloma 2, however, that item is going to be continued indefinitely so it may be adequately noticed.

I will forward your email on to the planner in our department who is handling Enclave 3 & 4 so they may add your comments to the file.

Should you wish to offer comment during the meeting this evening, please let me know as soon as possible and provide the best phone number to reach you at, so I can place you on the phone comment list during our Call to the Public portion of the meeting.

Best Regards,

Ashley Labhart
Senior Administrative Specialist

City of Surprise | Community Development
16000 N. Civic Center Plaza | Surprise, AZ 85374
Office: (623) 222-3099 | Fax: (623) 222-3001

-----Original Message-----

From: Michelle Brown [REDACTED]
Sent: Thursday, March 18, 2021 4:01 PM
To: Ashley Labhart <Ashley.Labhart@surpriseaz.gov>
Subject: Enclave at Paloma 4

The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.

Hi Ashley I was actually trying to get that last comment read at the city council meeting 3-16. I think you can ignore it. I was just writing to you about maybe getting on the phone comment list for tonight. Someone is calling people saying it's cancelled though. If Enclave at Paloma 3 or 4 is on the agenda I would like to call in. If it is not on the agenda please just read this to yourself so you know what is going on. I am going to email the others personally too.

To say the residents are a little concerned is an understatement. Many had no idea this was in the works. The owner of the 5 lots is trying to sneak it in. As owners of horse property, many have said they were promised to have a native green belt around our area so we did not have to look at the ugly new construction. Some have been riding horses on this land for 30 years. I have been walking the exact land Paloma 4 is going on, for over a decade daily. I have maintained the 4x4 roads and helped the plants and wildlife. I had to rescue a hawk just two months ago on that land who got chewed up in the close construction machinery. How will they get these monster size construction machines in? That part of 159th isn't maintained by the county. It is maintained by private citizens. Are they going to bring them in from Happy Valley somehow? Frontier Rd doesn't go through to that land either. It is owned by private citizens and there is no road there. I do not want our neighborhood to be connected to Happy Valley. I do not need Frontier to come any closer. I do not want paved roads and sidewalks. I do not want lights and poisonous landscaping in place of our desert. Chemicals can kill me, I can't even have them in my food. I am not the only one chemically sensitive in this neighborhood.

The man who bought this land and his representative just spent 30 minutes lying to city council on Tuesday 3/16 to push this through. One lie after another. Only one person found out in time to make the meeting and speak live. This never should have gone through. The residents are ticked now and ready to fight.

As to the idea of moving, there is nowhere for me to go. My back is so messed up I can't wear heavy clothing, going north is out of the question. I can't even wear a light necklace without triggering migraine and seizures. With my seizures I stop breathing at times. I have to be close to a fire station or hospital but not have neighbors right on top of me (because of the chemicals). I can find nowhere like my current home. The firemen at our station have saved my life twice in the last three years. I would have died with a slower response time. The increase in population is going to start effecting me there as well. Please just leave our neighborhood alone. Those five lots are zoned for one home on each acre. That is reasonable as this neighborhood has animals. Those who moved here did so for the space and the ability to do what we want with the county land. we do not want high density or traffic anywhere near us.

Some in the neighborhood are talking of offering to buy it back. We just want to be left alone. Is there any way we can keep it at a lower density or perhaps get them to leave everything on our side of what would be Frontier alone? Those washes are also extremely important to wildlife. If you take out washes how will the mountain lions, bobcats and coyotes get around without freaking people out? If you take out the tall trees you will really mess with our hawks and Great Horned Owls. I also have a mated pair of Cardinals who come back ever year. If you move chemicals in birds usually don't live past the first mating. The chemicals will quickly kill them. We have beekeepers here too. I am sure I don't have to tell you what herbicides and pesticides do to honeybees.

Michelle Brown
[REDACTED]

Never Blame the Rainbows for the Rain

From: Michelle Brown <[REDACTED]>
Sent: Thursday, April 8, 2021 2:05 PM
To: Ashley Labhart <[REDACTED]>
Subject: Enclave at Paloma projects

*****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.*****

I would like to address all the committee members about this but I am not sure how to go about it. Perhaps you can forward it to them for me.

Most in this neighborhood had no idea what was going in for Enclave 2. We started finding out about 2 and 3 when we found the hidden signs for Enclave 4. (Those who live close to Enclave 2 were still waiting for the first City Council meeting date to be posted. They had no idea it had already occurred as public signs aren't updated at all, still.)

Enclave 4 CANNOT be put in as proposed. The developer lied about the roads out here. He said these were county roads and that taking out the corner of 159th and Prickly Pear was his right because he owned that land now. These roads are privately maintained by the residents. Most of the people on Prickly Pear have horses and animals and need to be able to have access to 159th to move horse trailers. They cannot leave their homes by way of 157th as the developer proposes. There is a wash that goes through close to 157th. Those on Prickly Pear from 159th to the wash need to have a way to leave their homes.

If you want to talk legally, we should have had at the very least a Citizen's Outreach Packet for IV before the Citizen's Outreach Meeting (and City Council and Planning and Zoning Meeting). There is still to this day no information packet for the citizens. The initial meeting date was placed on signs but many were told it had been canceled. We asked to be notified of future meetings. The sign wasn't updated, we weren't notified, by the developer or city. We didn't find out about the city council meeting until 2 hours prior. At the Citizens Outreach Meeting we were told we probably wouldn't have to worry about anything moving forward for a year. Lie, lie, lie. Everything this developer does is motivated by greed not morals. If Surprise was under my supervision I wouldn't even want someone like this operating in my city.

There are hours of issues I could go into but it would be best if you came and saw the area for yourselves. Perhaps come talk to some people. We are already meeting with a reporter on Friday 4/9 to help get our side heard. What is happening is one man's wishes and greed put before the lives, and wishes of hundreds of citizens not to mention the animals who will be killed for this greed. (Enclave 2 has already ground up the Burrowing Owls, what a way to be taken out.)

We may not technically be Surprise residents yet but we are in the growth area, we will be someday. Perhaps someone can help us find some justice and liberty here because I am ashamed to say it appears to be a thing of the past from what I am seeing. No one seems to care about what the right thing to do is, only what will make the most money. Even the rest of the world talks about how America is no longer known as the good, moral country it once was. Money, money, money.

Enclave IV needs to be changed at the very least. Best case scenario we do not want this area touched at all. If the developer wants to sell Enclave IV back to the neighborhood, we can talk.

P.S. Please take more time to study the Bald Eagles that come through as they fly between Lake Pleasant and White Tanks Park. They really appreciate this little stopping area. Check a map. We are dead center between the areas and even have wildlife released out here. Please leave it as it is.

Michelle Brown

[REDACTED]

Surprise, AZ 85387

[REDACTED]

Sent from [Mail](#) for Windows 10

Petition To Stop Annexation and Rezoning

We, the undersigned community members, do hereby formally request the City of Surprise to DENY the Annexation and Rezoning Application relating to the project known as Enclave IV¹¹¹⁺ at Paloma Creek.

We do hereby assert that this proposed development will cause injury in fact to each of us individually and all of us collectively specifically, but not limited to:

1. Destruction of continuity of property zoning type and density which defines the area
 2. Destruction of natural environment and water ways
 3. Destruction of peace and habitation of the area
 4. Increased traffic hazards
 5. Increased crime potential
 6. Exposure to toxic chemicals and destruction of air quality
 7. Animal habitat disruption resulting in control problems transferred to existing residents (snakes, burrowing animals, termites, fire ants, etc.)
- AS OF 4/15/21
ZM [Signature]

Printed Name

Address

Phone Number

Signature

Sue Tingle	[Redacted]	[Redacted]	Sue Tingle
Penny Doughty	[Redacted]	[Redacted]	Penny Doughty
Paul E. Eby	[Redacted]	[Redacted]	Paul E. Eby
Tammy Rendon	[Redacted]	[Redacted]	Tammy Rendon
Jennifer Rendon	[Redacted]	[Redacted]	Jennifer Rendon
Henry Rendon	[Redacted]	[Redacted]	Henry Rendon
Karen Cote	[Redacted]	[Redacted]	Karen Cote
Remi Cote	[Redacted]	[Redacted]	Remi Cote
JAMES E GRIFFIS	[Redacted]	[Redacted]	James E. Griffis
Douglas Anger	[Redacted]	[Redacted]	Douglas Anger
Turnison Anger	[Redacted]	[Redacted]	Turnison Anger
David L Truog	[Redacted]	[Redacted]	David L. Truog
Fawn Blakesley	[Redacted]	[Redacted]	Fawn Blakesley
Jacob Blakesley	[Redacted]	[Redacted]	Jacob Blakesley

Printed Name

Address

Phone Number

Signature

~~Timothy Hance~~
Ron Andersen

Timothy Conway

DeEtta Conway

Kristen Sabin

Mark Strout

Junior Esquivel-Minijares

Andres Esquivel

Cindy Esquivel

Aliyah Esquivel

Leonard Hartel

Kimberly Toder

Jean Richey

Erin Redpath

~~Donald Cunningham~~

Finch, Mary

Paul W. THIGPEN

Margie Gress

Diane Crider

Michelle Mosbrucker

Joel Mosbrucker

Hailen Patana

Joshua Patana

~~Timothy Hance~~
Ron Andersen

DeEtta Conway

Kristen Sabin

Mark Strout

Junior Esquivel-Minijares

Andres Esquivel

Cindy Esquivel

Aliyah Esquivel

Leonard Hartel

Kimberly Toder

Jean Richey

Erin Redpath

Donald Cunningham

Finch, Mary

Paul W. Thigpen

Margie Gress

Diane E. Crider

Michelle Mosbrucker

Joel Mosbrucker

Hailen Patana
Joshua Patana

602-425-2673

Printed Name

Address

Phone Number

Signature

Julie Magallon

Stephanie McDon

Annette Still

Christina Beck

Daniel Beck

James Gerodimos

Brittany Wright

JAMES BLACK

Jana Everett

Roxanne Everett
Roxanne G

Michael Borgeson

Shawn Callaway

Beth Cooke

Kelsey Callaway

Andrea Borgeson

Tom Scalf

Kent Taylor

Bradly Bennett

Teridene Pitts

GARY & WONG

Kevin Hye

Rick Basulto

Harry M Allister

820

ABK

DR

me

Sh

B Cooke

Ita

ABm

2

Printed Name	Address	Phone Number	Signature
T-MARK GRAHAM	[REDACTED]	[REDACTED]	T-Mark Graham
Jane Peiffer	[REDACTED]	[REDACTED]	Jane Peiffer
Sheldon P. Carter	[REDACTED]	[REDACTED]	Sheldon P. Carter
Maxine Carter	[REDACTED]	[REDACTED]	Maxine Carter
Vannica Ott	[REDACTED]	[REDACTED]	Vannica Ott
Jason McCoy	[REDACTED]	[REDACTED]	Jason McCoy
SHARON WILSON	[REDACTED]	[REDACTED]	Sharon Wilson
Hussain	[REDACTED]	[REDACTED]	Hussain
FOREN WILSON	[REDACTED]	[REDACTED]	Foren Wilson
Mayla Werth	[REDACTED]	[REDACTED]	Mayla Werth
TYLER WERTH	[REDACTED]	[REDACTED]	Tyler Werth
Jessica Bland	[REDACTED]	[REDACTED]	Jessica Bland
Dawn Kewin	[REDACTED]	[REDACTED]	Dawn Kewin
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Linda Leyba	[REDACTED]	[REDACTED]	Linda Leyba
JOSEPH LEYBA	[REDACTED]	[REDACTED]	Joseph Leyba
Kern Judge	[REDACTED]	[REDACTED]	Kern Judge
Serafin Ruiz	[REDACTED]	[REDACTED]	Serafin Ruiz
Materesa Fernandez	[REDACTED]	[REDACTED]	Materesa Fernandez
Narlyn Cross	[REDACTED]	[REDACTED]	Narlyn Cross
Tricia Heatherington	[REDACTED]	[REDACTED]	Tricia Heatherington
Klaus Warden	[REDACTED]	[REDACTED]	Klaus Warden

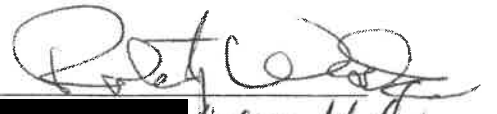
Printed Name

Address

Phone Number

Signature

Robert Waslen



Irene Milhorn



Gary Milhorn

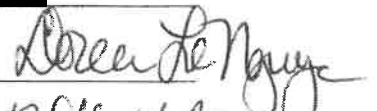
Gary Milhorn

Stavroula Kousoulaki

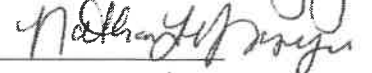


Truong Duy Le Nguyen

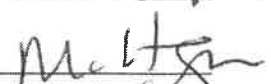
Doreen Le Nguyen



Nathan Le Nguyen



Melissa Hagen



Cony Hagen



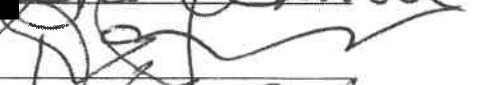
Jordan Johnson



Shelley Chinn



David Chinn



Carey Odom



CHAD EBER

Quid Cohiras



Anselma T. Quaglia



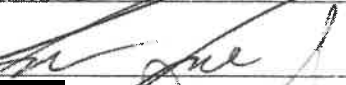
Monica Vanderwood



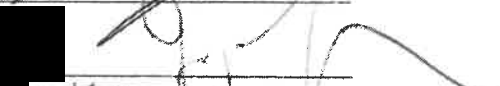
KEVIN VANDERWOOD



Joshua King



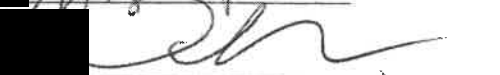
Jary Leone



Lynsey King



GEORGE MACALLON



Printed Name

Address

Phone Number Signature

KATY PARKER

Katy Parker

Shelly Weyer

Shelly Weyer

David Trujillo

Natasha Trujillo

Maricela Olvera

Ricardo Garza

Sally Hitchcock

Holly Hitchcock

Oscar Hitchcock

Greg Hitchcock

Christopher Spikes

PERLA G QUEVEDO

Michelle Brown

Impletion Kim

Mary C. Santellan

Tommy Bell

Deborah Kramer

Patricia Bentley

JAY RASBERRY

CHARLOTTE RASBERRY

Joseph Stenberg

Lorrie Keeney

Michelle Thompson

Maricela Olvera

Ricardo Garza

Sally Hitchcock

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Oscar Ramos

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Patricia Bentley

JAY RASBERRY

CHARLOTTE RASBERRY

Joseph Stenberg

Lorrie Keeney

Michelle Thompson

Printed Name

Address

Phone Number

Signature

DAVID & Christina Bustos

Paul Proff

M. DODGE MARSHALL

Floyd and Carolyn Bennett

Jesse Goss

SEAN MILLEY

Jeddy L. Whipkey

Mytally

GUNIC ENISA

ILHAN GUNIC

JASMINA GUNIC

MEDINA GUNIC

José Ortega

Daniel Auerhahn

ERIC Hansen

Mark Iwan

Kaylene Inman

Sigmund Risa

CHARLIE HACE

Nadine Griffiths

Janeen Hale

Anna Wright

Heather L. Wright

Printed Name

Address

Phone Number

Signature

Robert J FINNEY

Robert J Finney

Ricardo Garkias

Ricardo Garkias

Paul E. Bird

Paul E Bird

Fernando Fernandez

Fernando Fernandez

Jerry Hawkins II

Sarah Rust

Sarah Rust

Ashley Lopez

William Alegria

William H. Alegria

Lana Peterson

Randy Peterson

Andrew Enghring

Steve Pershall

Evadulpe

Petia Jimenes

Cody Morris

Chadwick Landenback

Bob Landenback

Laree L. Johnson

Laree L Johnson

Don STEEB

Charles STEEB

Glenn E. Tignor

Faith Tignor

Glenn E. Tignor
Faith Tignor

Printed Name

Address

Phone Number

Signature

Jedene Storck

Kurt Storck

Corey Storck

Corey Bolton

Chase Bolton

Raymond Spoonmore

Breanne Szilagyi

Kevin Scott

Don Scott

Aaron Siegel

Makenna Siegel

Jeff Wood

Bob Schirmer

Cynthia Juarez

Ronald L Mesman

Linda Mesman

Kevin Bullinger

Julianne Whitmore

JEANNE MARTINEZ

Margaret Withrow

Joyce Warner

Lizbeth Guerrero

Deborah Hucke

Jedene Storck

Corey Bolton

Breanne Szilagyi

Kevin Scott

Margaret Withrow
Joyce Warner
Lizbeth Guerrero
Deborah Hucke

Printed Name

Address

Phone Number

Signature

Leticia Sanchez

Henry Strand

Joe Soria

Vanessa Holquin

Steve Linton

MENDEZ PERSON

Jim Pettis

Arturo Diaz

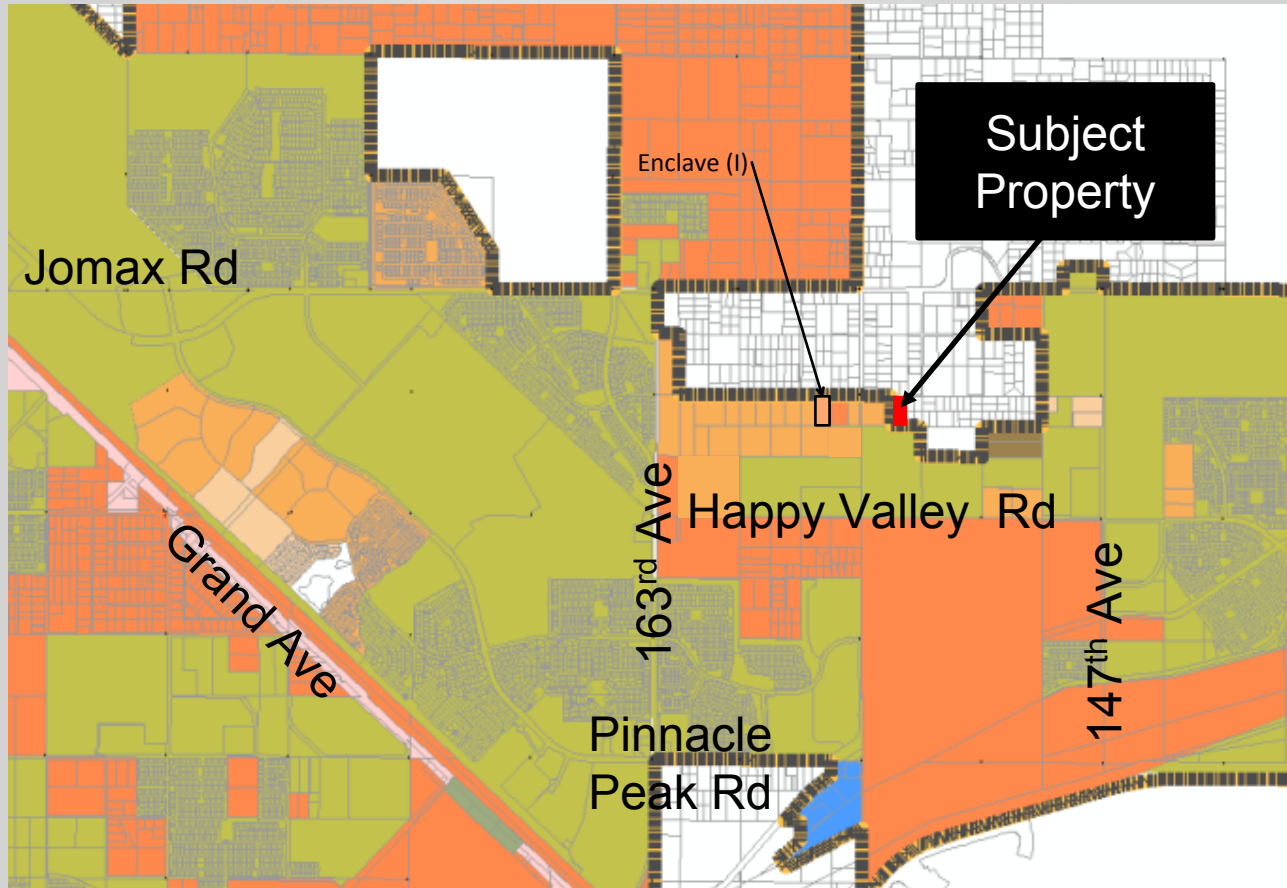


City Council

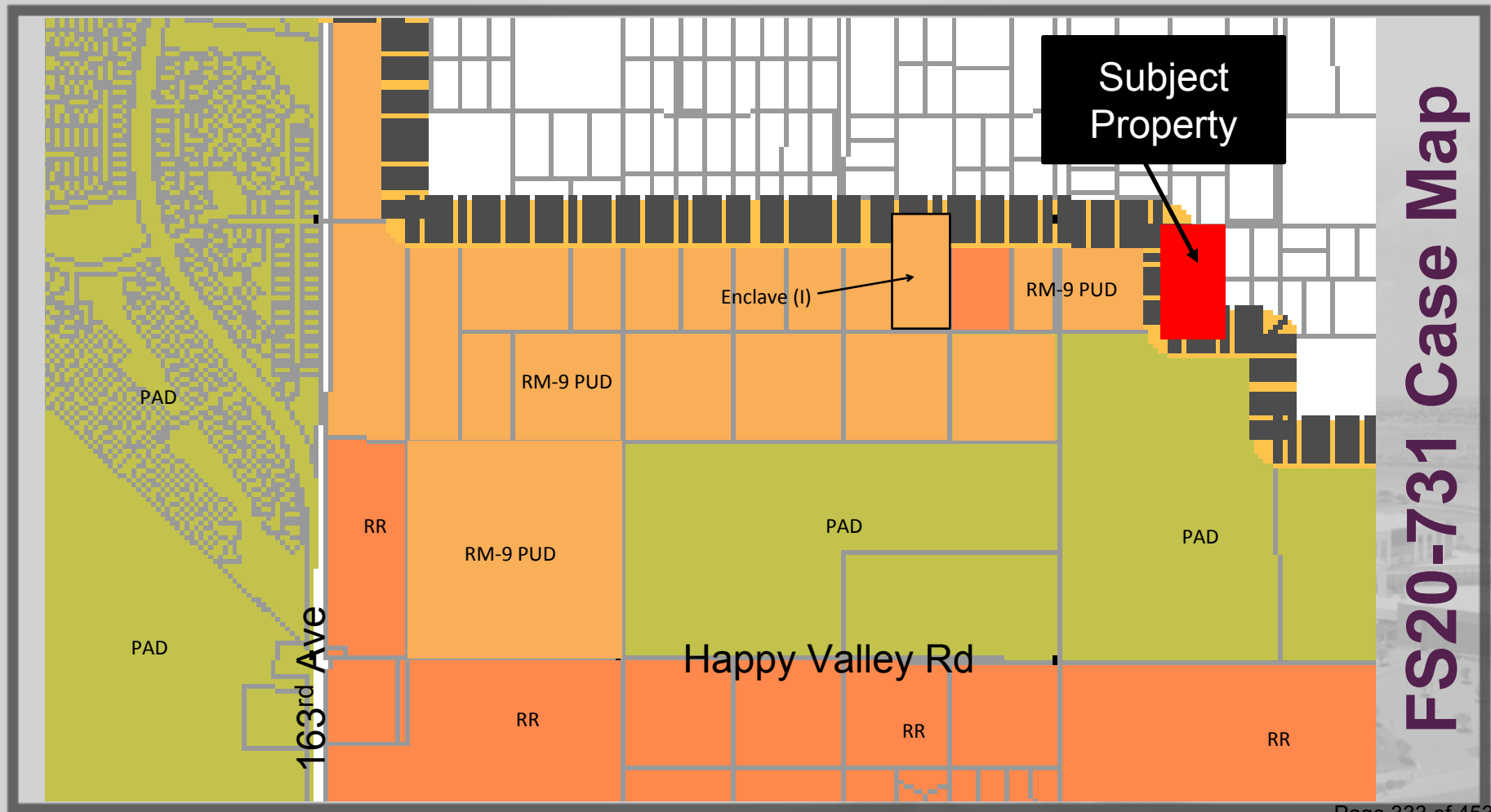
May 18, 2021

Enclave III at Paloma Creek Rezone

FS20-731



FS20-731 Vicinity Map



FS20-731 Case Map

Table A

Residential Medium Density RM-9 PUD Overlay Development Standards

Development Standard	City Base RM-9 Development Standards	Proposed RM-9 PUD Development Standards
Net Residential Acreage Open Space	20%	26.06%
Maximum Density	9.0	3.90
Minimum Lot Area	4,500 Sq. Ft.	4,500 Sq. Ft.
Minimum Lot Width	40'	45'
Minimum Lot Depth	100'	100'
Front Setback (Livable	12'	12'
Front Setback (Garage)	20'	20' (1) (2)
Minimum Side Yard Setback	- (3)	5'
Minimum Rear Yard Setback	20'	20' (5)
Maximum Building Height	35'	35' (6)
Driveway Width Percentage	30%	40%
Driveway Area Percentage	30%	40%
Street Side/Corner Lot	- (4)	5'

Increase

Decrease

Increase

Added

Increase

Increase

Added

**FS20-731
Development
Standards**

Exhibit D

Paloma Creek PUD
Zoning: RM-9 (MDR)

Subject Property -
Proposed Enclave 3
at Paloma Creek
PUD



FRONTIER ROAD



Trail Connection
to TVE Parcel 4

Tierra Verde East
PAD (MDR)

+ Limited to single story

Open Space:

- 20% Required
- 26% Proposed
 - Passive (TBD at Pre-plat)
 - Active (TBD at Pre-plat)

FS20-731 Open Space

Neighborhood Outreach

February 11, 2021

Minimal concerns addressed during meeting

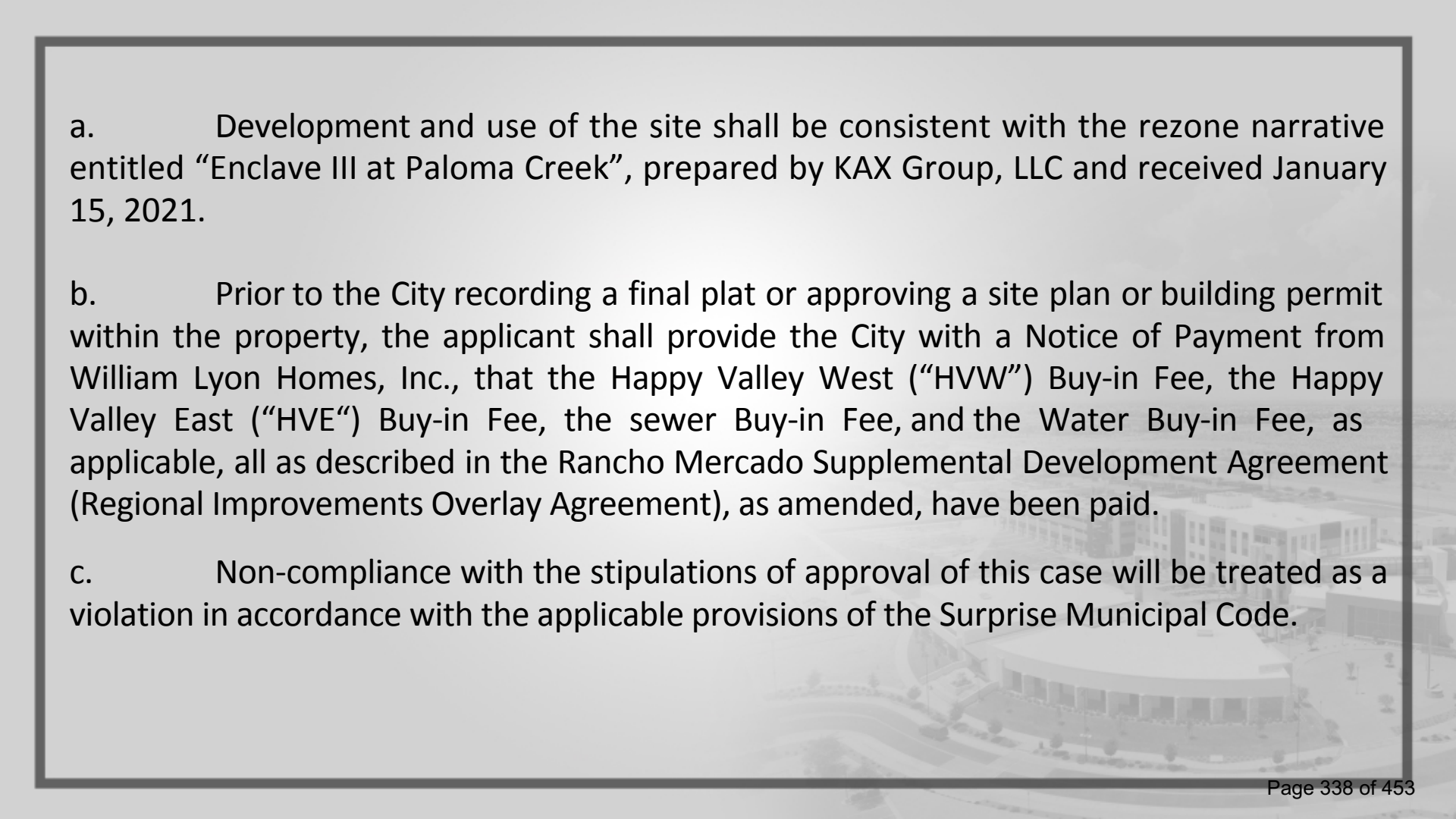
Some cross-over from Enclave IV

Expanded notification for public hearings

Commission Recommendation:

(April 15, 2021)

Approve subject to stipulations 'a' through 'c'

- 
- a. Development and use of the site shall be consistent with the rezone narrative entitled “Enclave III at Paloma Creek”, prepared by KAX Group, LLC and received January 15, 2021.
- b. Prior to the City recording a final plat or approving a site plan or building permit within the property, the applicant shall provide the City with a Notice of Payment from William Lyon Homes, Inc., that the Happy Valley West (“HVW”) Buy-in Fee, the Happy Valley East (“HVE”) Buy-in Fee, the sewer Buy-in Fee, and the Water Buy-in Fee, as applicable, all as described in the Rancho Mercado Supplemental Development Agreement (Regional Improvements Overlay Agreement), as amended, have been paid.
- c. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the applicable provisions of the Surprise Municipal Code.



QUESTIONS OR COMMENTS?

Thank You

ORDINANCE # 2021-07

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING A REZONE FROM RESIDENTIAL RANCH (RR) TO RESIDENTIAL MEDIUM DENSITY WITH A PLANNED UNIT DEVELOPMENT OVERLAY (RM-9 PUD) AMENDING DEVELOPMENT STANDARDS AND LIMITING RESIDENTIAL DENSITY TO 3.90 DWELLING UNITS PER ACRE FOR ENCLAVE III AT PALOMA CREEK, A PROPERTY GENERALLY LOCATED SOUTH OF THE FRONTIER ROAD ALIGNMENT AND EAST OF THE 155th AVENUE ALIGNMENT.

WHEREAS, this Ordinance was properly noticed for public hearing and the necessary hearings and opportunity for public input were completed;

WHEREAS, the subject site is located generally south of the Frontier Road alignment and east of the 155th Avenue alignment;

WHEREAS, the subject site is zoned Residential Ranch (RR);

WHEREAS, the proposed use of the subject site requires modification of the applicable zoning regulations;

WHEREAS, the City Council adopted the Land Development Ordinance on December 15, 2020;

WHEREAS, the effective date of the Land Development Ordinance was January 14, 2021;

WHEREAS, the applicant filed the subject rezoning request for Enclave III on November 10, 2020 under case FS20-731;

WHEREAS, accordingly, the Surprise Unified Development Code, not the Land Development Ordinance, is the code applicable to the application to rezone Enclave III;

WHEREAS, the proposed rezone to Residential Medium Density with a Planned Unit Development Overlay (RM-9 PUD), amending development standards, and limiting residential density to 3.90 dwelling units per acre, satisfies the requirements set forth in Chapter 122 of the Surprise Unified Development Code;

WHEREAS, the subject property is located within the "Benefited Area" as described in the Rancho Mercado Supplemental Development Agreement, between the City of Surprise and William Lyon Homes, Inc., as recorded with the Maricopa County Recorder's Office on July 19, 2017, as MCR 20170526362, and as amended by the First Amendment to the Rancho Mercado Supplemental Development Agreement, as

recorded with the Maricopa County Recorder's Office on September 17, 2020, as MCR 20200875257;

WHEREAS, this Rezone is in harmony with the purposes and intent of the zoning ordinance and the Surprise General Plan; and

WHEREAS, on April 15, 2021, the Planning and Zoning Commission recommended approval of the Enclave III at Paloma Creek Rezone.

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

Section 1. *Rezoning.* The parcel legally described on ***Exhibit A*** and depicted on ***Exhibit B***, known as "Enclave III at Paloma Creek" is rezoned from Residential Ranch (RR) to Residential Medium Density with a Planned Unit Development Overlay (RM-9 PUD), amending development standards and limiting residential density to 3.90 dwelling units per acre, subject to the following stipulations:

- a. Development and use of the site shall be consistent with the rezone narrative entitled "Enclave III at Paloma Creek", prepared by Kent A. Xander and received December 22, 2020.
- b. Prior to the City recording a final plat or approving a site plan or building permit within the property, the applicant shall provide the City with a Notice of Payment from William Lyon Homes, Inc., that the Happy Valley West ("HVW") Buy-in Fee, the Happy Valley East ("HVE") Buy-in Fee, the Sewer Buy-in Fee, and the Water Buy-in Fee, as applicable, all as described in the Rancho Mercado Supplemental Development Agreement (Regional Improvements Overlay Agreement), as amended, have been paid.
- c. 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.

Section 2. *Amendment of Zoning Map.* The City of Surprise zoning map is herewith amended to reflect the change in districts referred to in Section 1 above.

Section 3. *Codification.* This Ordinance is not of a general nature and shall not be codified.

Section 4. *Repeal of Conflicting Ordinances.* All ordinances or parts of ordinances in conflict with the provisions of this ordinance or any part of the code adopted herein by reference are hereby repealed, upon the effective date of this Ordinance.

Section 5. *Severability.* If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the

decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 6. *Effective Date.* This ordinance shall become effective at the time and in the manner prescribed by law.

PASSED AND ADOPTED this _____ day of _____ 2021.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

EXHIBIT "A"

DESCRIPTION

REZONE OF 5.38 ACRES FROM RESIDENTIAL RANCH (RR) to RESIDENTIAL MEDIUM DENSITY with a PLANNED UNIT DEVELOPMENT OVERLAY (RM-9 PUD) AMENDING DEVELOPMENT STANDARDS AND LIMITING RESIDENTIAL DENSITY TO 3.90 DWELLINGS PER ACRES

The West 355.08 feet of the East 655.08 feet of the North Half of the Northwest quarter of the Southwest quarter of Section 5, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described by metes and bounds as follows:

COMMENCING at the West quarter corner of said Section 5;
Thence South 89°41'02" East along the East-West mid-section line of said Section 5 a distance of 654.57 feet to the POINT OF BEGINNING;
Thence continuing South 89°41'02" East along said line 355.08 feet;
Thence South 00°05'23" West 660.15 feet;
Thence North 89°39'59" West 355.08 feet;
Thence North 00°05'23" East 660.04 feet to the POINT OF BEGINNING.

Containing 5.3808 acres, more or less.

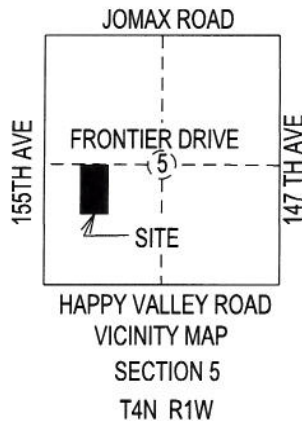
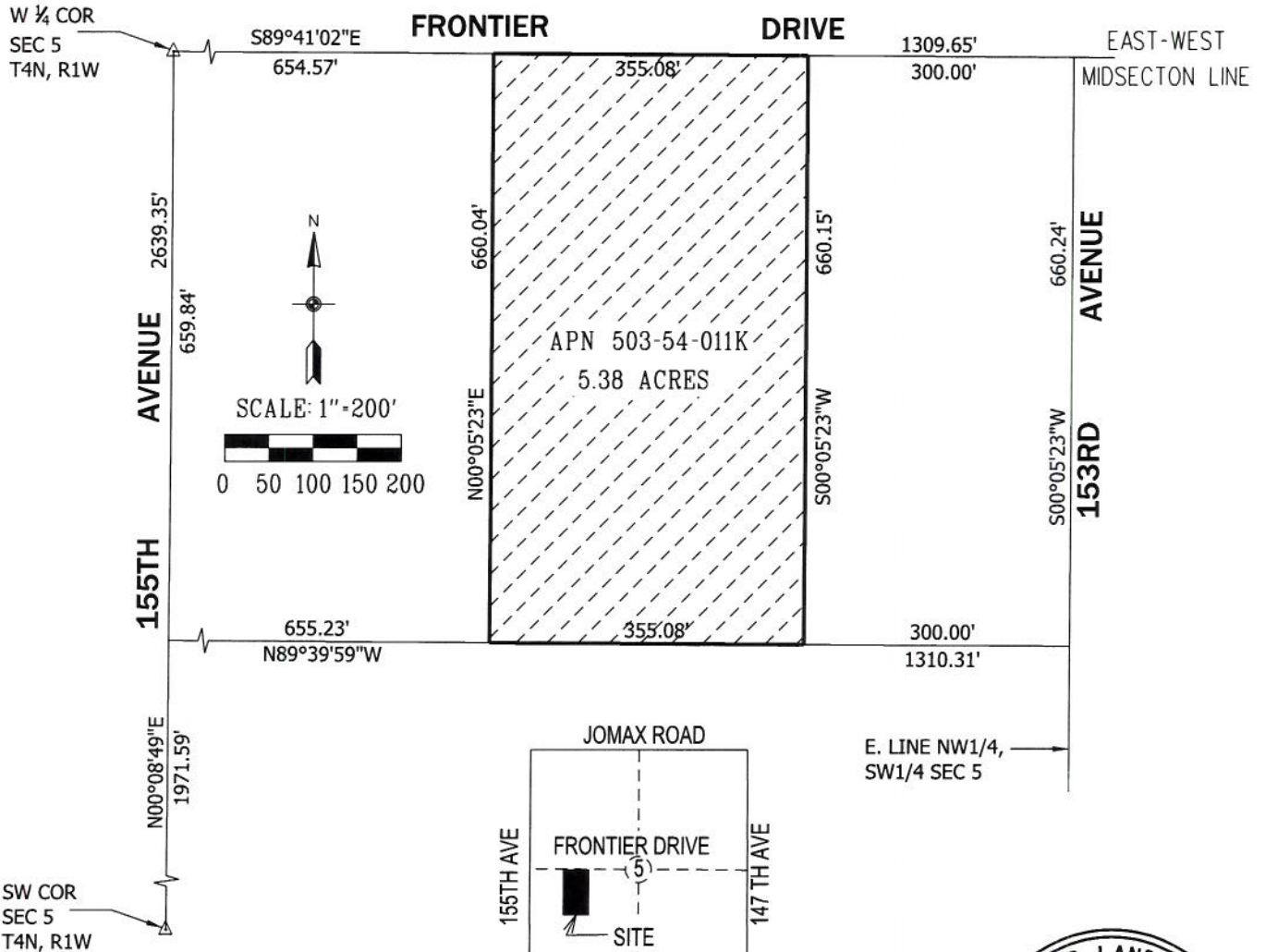
Attached is EXHIBIT "B" and by this reference is made a part hereof.

End of description



EXHIBIT "B"

Rezone of 5.38 acres from Residential Ranch (RR) to Residential Medium Density with a Planned Unit Development overlay (RM-9 PUD) amending development standards and limiting residential density to 3.90 dwelling units per acres



LEGEND

- APN ASSESSORS PARCEL NUMBER
-  REZONE AREA



REZONE from RESIDENTIAL RANCH (RR) to RESIDENTIAL MEDIUM DENSITY with a PLANNED UNIT DEVELOPMENT OVERLAY (RM-9 PUD)



CITY OF SURPRISE
LAND SURVEY DEPARTMENT

PROJECT # 21010

DRAWN BY RCD

DATE 04-26-21

SHEET 1 OF 1



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: May 18, 2021 Contact Person: Sergio Angulo
Submitting Department: Community Development District: District 1
Staff Recommendations: None

Consent: No Regular: No Public Hearing: Yes Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to approval of a Preliminary Plat entitled, "Asante Unit 2.1 & 2.13" and dated February 5, 2021, an approximately 49.94 acre property generally located north of Asante Boulevard and west of 163rd Avenue in the Asante PAD; Case FS20-504.

Motion:

I move to approve the Preliminary Plat entitled "Asante Unit 2.1 & 2.13" subject to stipulations "a" through "c" as memorialized in the staff report.

Background:

The subject property is part of the "Asante" PAD, is designated for Low Density Residential Development (LDR), and is generally located west of 163rd Avenue and north of Asante Boulevard. The developer is proposing a total of 155 single-family residential units, at a gross density of 3.1 DU/Ac. The Asante PAD establishes a maximum allowed density of 4.1 DU/Ac for LDR parcels. The Planning and Zoning Commission recommended approval of this preliminary plat to the Mayor and City Council on April 15, 2021.

Objective Analysis:

The developer is proposing a total of 155 single-family residential units, at a gross density of 3.1 DU/Ac. The project provides a mixture of 48' and 70' wide lots and 12.3 acres of open space. The subject Preliminary Plat meets the requirements of the Asante PAD, in addition to other requirements as set forth in the municipal code. All city reviewing departments have reviewed the request and offered no concerns.

Policy Compliant:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac in a suburban neighborhood. At 3.1 DU/Ac, the project is consistent with the General Plan in this regard.

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide City Services.

Budget Impact:

There is no anticipated budget impact associated with this item.

FTE Impact:

This item does not have an impact on current staffing levels.

ATTACHMENTS:

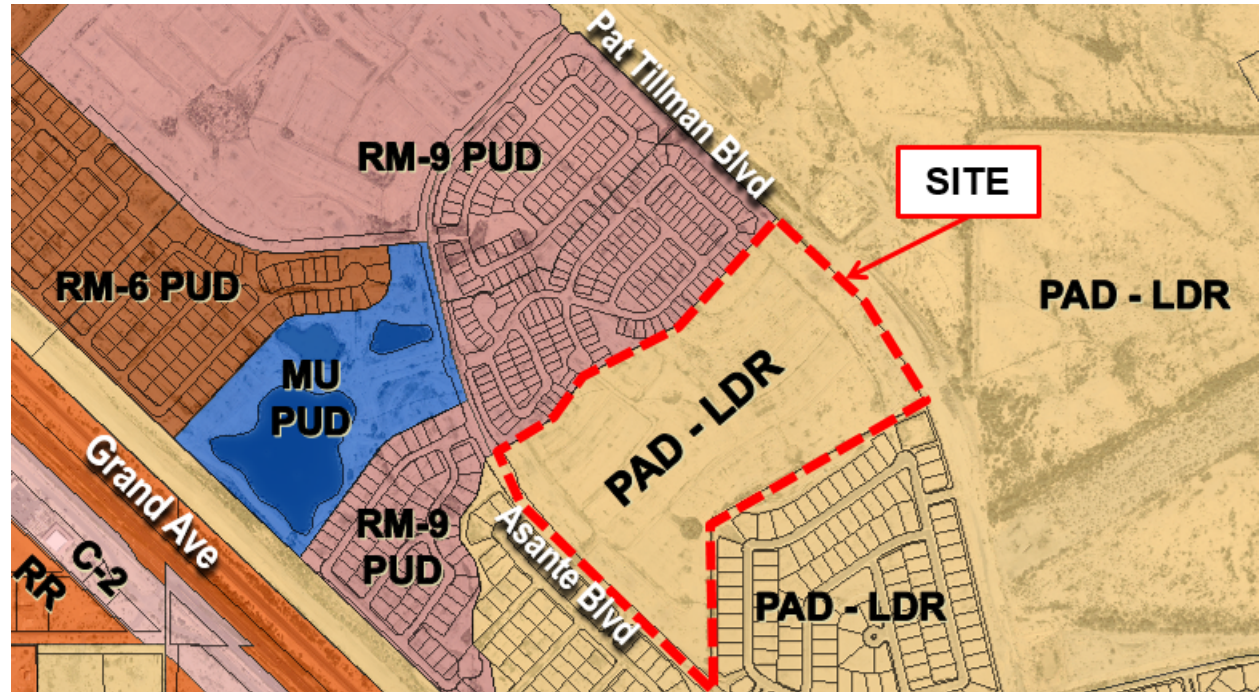
1. 00 - FS20-504 - Staff Report - CC
 2. 01 - FS20-504 - Vicinity Map - CC
 3. 02 - FS20-504 - Preliminary Plat - CC
 4. 03 - FS20-504 - Preliminary Landscape Plans - CC
 5. FS20-504 - PowerPoint - CC
-

PRELIMINARY PLAT

REPORT TO THE CITY COUNCIL

1 **Case:** **FS20-504**
2
3 **Project Name:** Asante 2.1 & 2.13
4
5 **Council District:** 1
6
7 **Planning Commission Date:** April 15, 2021
8
9 **City Council Date:** **May 18, 2021**
10
11 **Planner:** Sergio Angulo
12
13
14 **Owner:** LCD Asante, LLC
15
16 **Applicant:** Diego Ortiz with Hilgart Wilson, LLC
17
18 **Request:** Preliminary Plat for 155 Lots
19
20 **Site Location:** Generally west of 163rd Avenue and north of Asante Boulevard in a
21 portion of Section 11 and a portion of Section 12, Township 4 North,
22 Range 2 West of the Gila and Salt River Meridian, Maricopa County,
23 Arizona.
24
25 **Dwelling Units:** 155 Units
26
27 **Site Size:** 49.94 acres (approx.)
28
29 **Density:** 3.1 DU/Ac
30
31 **General Plan Conformance:** The proposal is consistent with the Surprise General Plan 2035
32
33 **Support/Opposition:** None known
34
35 **Commission**
36 **Recommendation:** **Approve** subject to staff recommended stipulations 'a' through 'c'.

37 **Project Description:**



RM-9 PUD	PAD - LDR	PAD - LDR
RM-9 PUD	PAD - LDR	PAD - LDR
RM-9 PUD	PAD - LDR	PAD - LDR

Background:

November 3, 1988: The subject property was annexed into the City of Surprise by the Mayor and City Council.

November 24, 2004: The Mayor and City Council approved the Asante Planned Area Development.

October 31, 2019: A Concept Review meeting was held for the current proposal under case CR19-722.

August 11, 2020: The applicant filed a related request for a Preliminary Plat under case FS18-646, the subject case.

April 15, 2021: The Planning and Zoning Commission passed a motion to recommend approval of this preliminary plat to the Mayor and City Council subject to staff recommended stipulations 'A' to 'C'.

Citizen Outreach: N/A

Analysis and Discussion:

The subject property is zoned Planned Area Development (PAD) with a Low Density Residential land use designation. This development proposes a total of 155 single-family residential lots in Units 2.1 and 2.13 of the Asante PAD. The subject property is 49.94 acres (approx.) and the proposed density is 3.1 dwelling units per acre, which is consistent with the approved PAD. The typical lot sizes proposed in this subdivision are 48' x 120' and 70' x 120'. This development dedicates approximately 12.3 acres (26.34%) for open space, which includes a 2.2-acre tract (Tract H) with playground equipment, a multi-use sport court, and an open turf area for recreation. Additional landscape and retention basins also contribute to the total open space.

The proposed subdivision shows two access points into the site, one on the south side from Asante Boulevard and one located on the north side from Pat Tillman Boulevard. This development provides a good pedestrian trail system connecting the residential lots to the open space tracts, to the sidewalks along Asante Boulevard and Pat Tillman Boulevard, and to the adjacent residential parcel to the east.

Development Standards Table:

Development Standard:		Asante PAD Zoning:	
Minimum Lot Area:	5,280 sq. ft.		7,480 sq. ft.
Minimum Lot Width:	48'		68'
Minimum Lot Depth:	110'		110'
Minimum Front Setback (livable):	12'		12'
Minimum Front Setback (garage):	18'		20'
Minimum Side Yard Setback:	5'/8'		5'/8'
Minimum Street Side Yard Setback:	13'		13'
Minimum Rear Yard Setback:	15'		15'
Maximum Building Height:	30'		30'
Maximum Lot Coverage:	N/A		N/A

Utility and Services Table:

Water:	City of Surprise
Wastewater:	City of Surprise
School District:	Dysart Unified School District

Conformance with Adopted Plans:

Surprise General Plan 2035: The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac in a suburban neighborhood. At 3.1 DU/Ac, the project is consistent with the General Plan in this regard.

Reviewing Agencies:

In addition to the standard city reviewing agencies, who indicate no objections to the requests, Luke Air Force Base, Maricopa Water District, and ADOT were included in the routing of this case. These agencies also indicate no objections.

Summary:

The proposed Preliminary Plat meets the requirements of the Asante PAD, the Surprise Municipal Code, and the General Plan.

Findings:

- The proposed Preliminary Plat is consistent with the Surprise General Plan 2035.
- The proposed Preliminary Plat is consistent with Asante PAD.
- The reviewing agencies have indicated no objections to the request.

Commission Recommendation:

Based on the findings noted above, the Commission voted to recommend **approval** of case **FS20-504** to the City Council subject to stipulations 'a' through 'c' as follows:

- a. Development and use of the site shall be consistent with the Preliminary Plat entitled "Preliminary Plat for Asante Unit 2.1 & 2.13" prepared by Hilgart Wilson and dated January 2021.
- b. Landscaping, walls, and amenities associated with the site shall be consistent with the Preliminary Landscape Plan entitled "Asante Units 2.1 & 2.13" prepared by Norris Design and dated March 27, 2020.
- c. 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 City Council wish to recommend **denial** of the request, Council should make its own findings and base its decision on those alternative findings.

Attachments:

- 121 01 Vicinity Map
- 122 02 Preliminary Plat
- 123 03 Preliminary Landscape Plans



FS20-504 VICINITY MAP

A PORTION OF LAND BEING SITUATED WITHIN A PORTION OF THE EAST HALF OF SECTION 11 & THE WEST HALF OF SECTION 12, TOWNSHIP 4 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THENCE SOUTH 0°43'44" WEST, 162.67 FEET ALONG THE EAST LINE OF THE
SOUTHEAST QUARTER OF SAID SECTION 11;

THENCE THE FOLLOWING TWO (2) COURSES ALONG SAID NORTH RIGHT-OF-WAY LINE;

THENCE NORTHWESTERLY ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 180°3'26", AN ARC LENGTH OF 650.80 FEET TO A NON-TANGENT LINE SAID LINE BEING THE SOUTHEAST CORNER OF THE FINAL PLAT OF HERITAGE ASANTE PHASE 1 FILED AS BOOK 1463 OF MAPS, PAGE 20 RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE NORTH 60°51'30" EAST, 194.76 FEET;

THENCE NORTH 39°06'51" EAST, 62.76 FEET;

THENCE NORTH 43°31'21" EAST, 745.02 FEET TO THE SOUTH RIGHT-OF-WAY
LINE OF W. PAT TILLMAN BOULEVARD AS SHOWN ON THE MAP OF DEDICATION
FOR ASANTE PHASE TWO FILED AS BOOK 885, PAGE 46 RECORDS OF

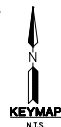
LINE:
THENCE SOUTH 48°28'39" EAST, 347.81 FEET TO THE BEGINNING OF A TANGENT

2500.21, AN ARC LENGTH OF 886.26 FEET TO A NON-TANGENT LINE SAID
LINE BEING THE NORTHERNMOST CORNER OF THE AFORESAID FINAL PLAT OF
ASANTE PHASE ONE FILED AS BOOK 888, PAGE 20 RECORDS OF MARICOPA
COUNTY, ARIZONA:

THENCE SOUTH 66°31'54" WEST, 198.48 FEET;

CORNER OF SAID PAT AND NORTH RIGHT-OF-WAY LINE OF WEST ASANTE BOULEVARD AS SHOWN ON THE MAP OF DEDICATION FOR ASANTE PHASE ONE FILED AS BOOK 857, PAGE 17 RECORDS OF MARICOPA COUNTY, ARIZONA BEING THE POINT OF BEGINNING.

A PORTION OF THE NORTHEAST QUARTER OF SECTION 11, AND
A PORTION OF THE NORTHWEST QUARTER OF SECTION 12
OF TOWNSHIP 4 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA



HILGARTWILSON
2141 E. HIGHLAND AVENUE, SUITE 250
PHOENIX, ARIZONA 85016
PHONE: (602) 490-0535
FAX: (602) 568-2436
CONTACT: DIEGO ORTIZ, PE
EMAIL: DORTIZ@HILGARTWILSON.COM

LCD ASANTE LLC
1665 W. ALAMEDA DRIVE, SUITE 130
TEMPE, ARIZONA 85282
PHONE: (480) 332-6674
CONTACT: JOAN SCARBROUGH

BASIS OF BEARING IS SOUTH 00°43'44" WEST ALONG THE EAST LINE OF THE
SOUTHEAST QUARTER OF SECTION 11, TOWNSHIP 4 NORTH, RANGE 2 WEST OF THE
GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN ON THE
RECORD OF SURVEY, RECORDED IN BOOK 1390, PAGE 02, MARICOPA COUNTY
RECORDERS.

FOUND 2" BRASS DISK IN THE NORTHEAST CURB
RETURN ON PAT TILMAN BOULEVARD, 500± WEST
OF 163RD AVENUE STAMPED "CITY OF SURPRISE
PT40 9-11 BENCHMARK"
DATUM: NAVD88
ELEVATION: 1361.76

CV01	COVER SHEET
CV02	NOTES & DETAILS
PP01-PP04	PRELIMINARY PLANS

WATER	CITY OF SURPRISE
SEWER	CITY OF SURPRISE
ELEC.	APS
GAS	SOUTHWEST GAS
TELEPHONE	CENTURY LINK
CABLE TV	COX
POLICE	CITY OF SURPRISE
FIRE	CITY OF SURPRISE
ELEMENTARY SCHOOL DISTRICT	DYARSAT UNITED SCHOOL DISTRICT
HIGH SCHOOL DISTRICT	DYARSAT UNITED SCHOOL DISTRICT

THE SUBJECT PROPERTY LIES WITHIN SHADED ZONE "X" WITH A DEFINITION OF: AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD. DESIGNATION DETERMINED BY FEMA FLOOD ZONE MAP 04013C1210L, PANEL NUMBER 1210 OF 4425, EFFECTIVE DATE OCTOBER 16, 2013.

THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF THE CITY OF SURPRISE WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT A.R.S. § 45-576.



Contact Arizona 811 at least two full working days before you begin excavation.
CALL 811 or click Arizona811.COM

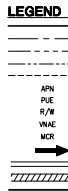


COVER SHEET

	DWG. NO.		PROJ NO.: 1909
	CV01		DATE: JAN 2021
			SCALE: N.T.S.
			DRAWN: HW
			DESIGNED: HW
SHT. 1 OF 6		APPROVED: ZH	

DEVELOPMENT STANDARDS TABLE - PER APPROVED ORDINANCE 2004-41 AND AMENDMENTS			
ZONING DISTRICT	(R1-5 PAD)	(R1-5 PAD)	
MIN. AREA	5,280 SF	7,480 SF	
MIN. WIDTH	48'	70' TYPICAL, 65' MIN	
MAX. HOUSE WIDTH	30'	57'	
MIN. DEPTH	110'	110'	
BUILDING SETBACKS (2)			
FRONT	12' FOR LIVING AREA OR SIDE ENTRY GARAGE 16' FOR GARAGE	12' FOR LIVING AREA OR SIDE ENTRY GARAGE 16' FOR GARAGE	
SIDE (5)	15'	12'	
STREET SIDE (3)	17' SINGLE-STORY	15' SINGLE-STORY	
REAR YARD	20' SINGLE-STORY	20' SINGLE-STORY	
REAR YARD ADJACENT TO ARTERIAL (6)	20' SINGLE-STORY	20' SINGLE-STORY	
MIN. DISTANCE BETWEEN HOUSES	10'	10'	
BLDG. HEIGHT	30'	30'	

- (1) INTENTIONALLY OMITTED
- (2) NON-STRUCTURAL ELEMENTS SUCH AS PERGOLAS, BAY WINDOWS, POP-OUTS, PERGOLAS OR PATIO COVERS MAY ENCLOSED NO MORE THAN 3' INTO FRONT AND SIDE SETBACKS AND NOT INTO REAR SETBACKS PROVIDED THAT A PATIO COVER MAY NOT EXTEND TO A POINT CLOSER THAN 10' FROM THE REAR PROPERTY LINE EXCEPT FOR CLUSTER TYPE 2 & 2 LOT HOMES.
- (3) DOES NOT APPLY IF LANDSCAPE TRACT IS USED (R/W).
- (4) INTENTIONALLY OMITTED
- (5) TWO ADJACENT MULTI-STORY HOUSES MUST BE SEPARATED BY NOT LESS THAN 13 FEET, AND A MULTI-STORY HOUSE AND AN ADJACENT SINGLE-STORY HOUSE MUST BE SEPARATED BY NOT LESS THAN 10 FEET.
- (6) IF ANY PORTION OF A MULTI-STORY HOUSE OR STRUCTURE ADJUTS AN ARTERIAL STREET IN THE REAR, THE SINGLE STORY SETBACKS WILL APPLY.
- (7) IF THE PORTION OF A MULTI-STORY HOUSE OR STRUCTURE WHICH ADJUTS AN ARTERIAL STREET IN THE REAR IS SINGLE-STORY, THEN THE REAR SETBACK SETBACK SHALL NOT BE LESS THAN 20 FEET AS MEASURED FROM THE PROPERTY LINE.
- (8) IF THE PORTION OF A MULTI-STORY HOUSE OR STRUCTURE ADJUTS AN ARTERIAL STREET IN THE REAR, THEN THE REAR SETBACK SHALL BE STAGGERED AS FOLLOWS:
- (a) IF THE ADJUTS HOUSES OR STRUCTURES ARE BOTH SINGLE-STORY, THEN THE REAR YARD SETBACKS SHALL BE 20 FEET (20') FOR ONE AND 20 FEET (20') FOR THE OTHER; OR
- (b) IF THE ADJUTS HOUSES OR STRUCTURES ARE BOTH MULTI-STORY, THEN THE REAR YARD SETBACKS SHALL BE 25 FEET (25') FOR ONE AND 30 FEET (30') FOR THE OTHER; OR
- (c) IF A MULTI-STORY HOUSE IS ADJUTS TO A SINGLE-STORY HOUSE, THEN THE SETBACKS ESTABLISHED IN SECTIONS 1 AND 2 SHALL APPLY; AND
- (d) IF THREE OR MORE ADJUTS HOUSES OR STRUCTURES ADJUTS AN ARTERIAL STREET IN THE REAR, THEN THE REAR SETBACKS SHALL BE STAGGERED AS PROVIDED ABOVE SO THAT NOT MORE THAN TWO ADJUTS HOUSES OR STRUCTURES MAY HAVE THE SAME REAR SETBACK.
- (9) IF A LANDSCAPE TRACT WITH THE FOLLOWING DIMENSIONS IS CONSTRUCTED BETWEEN THE REAR PROPERTY LINES OF ADJUTS LOTS WHICH ADJUTS AN ARTERIAL STREET IN THE REAR, AND THE RIGHT-OF-WAY OF THE ARTERIAL STREET, THEN THE REAR SETBACKS ESTABLISHED IN SUBSECTION D OF THIS SECTION SHALL APPLY. THE AVERAGE WIDTH OF SUCH LANDSCAPE TRACT SHALL NOT BE LESS THAN 15 FEET (15'). THE NARROWEST PART OF THE TRACT MUST BE 10 FEET (10') OR GREATER WIDTH, NOT LESS THAN 50 PERCENT (50%) OF THE LANDSCAPE TRACT, AS MEASURED ALONG THE LINEAL BOUNDARY BETWEEN THE TRACT AND THE ADJUTS LOTS. MUST BE GREATER THAN 15 FEET (15') IN WIDTH OR GREATER.
- (10) IF A HOUSE OR OTHER STRUCTURE ADJUTS AN ARTERIAL STREET ON THE SIDE, THEN THE WIDTH OF THE TWO SIDE SETBACKS APPLICABLE TO THE HOUSE OR STRUCTURE SHALL BE ON THE SIDE WHICH ADJUTS THE ARTERIAL STREET AND SHALL BE INCREASED BY 5 ADDITIONAL FEET (5'). FOR EXAMPLE, IF THE SIDE SETBACKS OF A HOUSE OR STRUCTURE WHICH ADJUTS AN ARTERIAL STREET ON THE SIDE WOULD ORDINARILY BE 8 FEET (8') AND 5 FEET (5'), THEN THE 8 FEET (8') SETBACK MUST BE INCREASED TO 13 FEET (13') AND SHALL APPLY TO THE SIDE OF THE HOUSE OR STRUCTURE WHICH ADJUTS THE ARTERIAL STREET, AND THE OTHER SIDE SETBACK SHALL REMAIN 5 FEET (5').



PARCEL 2.1 TRACT TABLE		
TRACT	AREA (ACRES)	USE
TRACT A	7.7880	COMMON AREA, DRAINAGE
TRACT B	0.0353	COMMON AREA
TRACT C	0.0736	COMMON AREA
TRACT K	0.0772	COMMON AREA
TRACT M	0.0600	COMMON AREA
TRACT N	0.1505	COMMON AREA, DRAINAGE

*COMMON AREAS MAY INCLUDE OPEN SPACE, LANDSCAPE, PEDESTRIAN PATHS, AND/OR AMENITIES.
*SPECIFIC EASEMENTS THAT ARE EXISTING AND/OR BEING DEDICATED ARE IDENTIFIED ON THE FOLLOWING SHEETS.

PARCEL 2.13 TRACT TABLE		
TRACT	AREA (ACRES)	USE
TRACT B	0.8799	COMMON AREA, DRAINAGE
TRACT D	0.0688	COMMON AREA
TRACT E	0.0322	COMMON AREA
TRACT F	0.0241	COMMON AREA
TRACT G	0.1653	COMMON AREA, DRAINAGE
TRACT H	2.2789	COMMON AREA
TRACT I	0.0404	COMMON AREA
TRACT J	0.0241	COMMON AREA
TRACT L	0.0688	COMMON AREA
TRACT M	0.5381	COMMON AREA, DRAINAGE

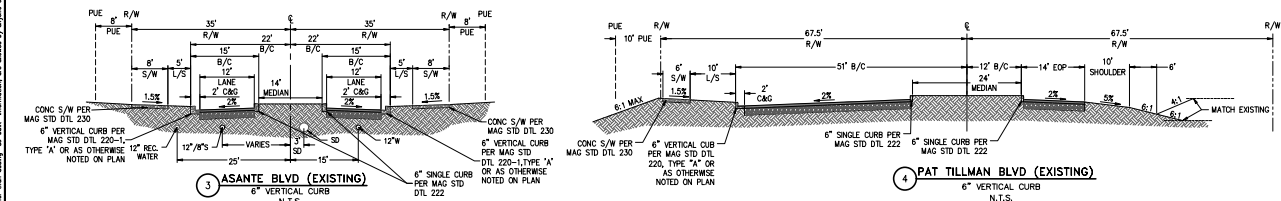
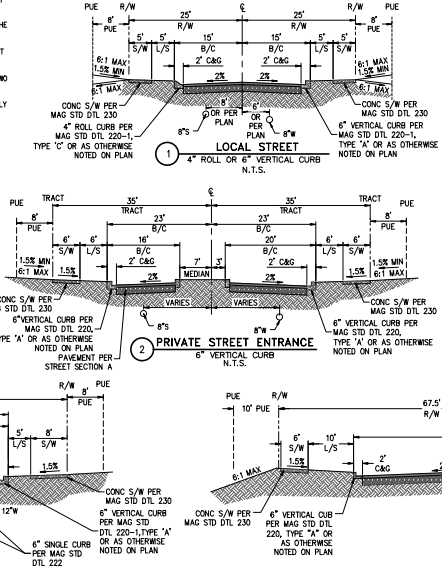
*COMMON AREAS MAY INCLUDE OPEN SPACE, LANDSCAPE, PEDESTRIAN PATHS, AND/OR AMENITIES.
*SPECIFIC EASEMENTS THAT ARE EXISTING AND/OR BEING DEDICATED ARE IDENTIFIED ON THE FOLLOWING SHEETS.

PARCEL 2.1 LOT TABLE					
LOT TABLE			LOT TABLE		
LOT NO.	AREA (SQ.FT)	AREA (ACRES)	LOT NO.	AREA (SQ.FT)	AREA (ACRES)
1	8675	0.20	28	8646	0.20
2	8601	0.20	29	5778	0.13
3	8611	0.20	30	5528	0.13
4	8611	0.20	31	5520	0.13
5	8980	0.21	32	5520	0.13
6	9422	0.22	33	5520	0.13
7	9801	0.22	34	5520	0.13
8	9635	0.22	35	5520	0.13
9	9419	0.22	36	5713	0.13
10	9204	0.21	37	5713	0.13
11	8988	0.21	38	5713	0.13
12	8772	0.20	39	5838	0.13
13	8556	0.20	40	6292	0.14
14	8778	0.20	41	6139	0.14
15	9359	0.21	42	5885	0.14
16	9018	0.21	43	5885	0.14
17	9233	0.21	44	6134	0.14
18	9292	0.21	45	7650	0.18
19	9523	0.22	46	6792	0.16
20	8400	0.19	47	6670	0.15
21	8400	0.19	48	5520	0.13
22	8400	0.19	49	5520	0.13
23	8400	0.19	50	5520	0.13
24	8421	0.19	51	5520	0.13
25	8810	0.20	52	5520	0.13
26	8790	0.22	53	5520	0.13

PARCEL 2.13 LOT TABLE					
LOT TABLE		LOT TABLE		LOT TABLE	
LOT NO.	AREA (SQ.FT)	AREA (ACRES)	LOT NO.	AREA (SQ.FT)	AREA (ACRES)
54	6889	0.16	105	8400	0.19
55	5849	0.13	106	8400	0.19
56	5761	0.13	107	8391	0.22
57	6310	0.14	108	10170	0.23
58	9631	0.13	109	8757	0.20
59	5760	0.13	110	8428	0.19
60	5760	0.13	111	8449	0.19
61	5760	0.13	112	10763	0.25
62	5760	0.13	113	8825	0.20
63	5760	0.13	114	9469	0.22
64	5760	0.13	115	8988	0.21
65	5760	0.13	116	8618	0.20
66	5760	0.13	117	8618	0.20
67	5760	0.13	118	8988	0.21
68	5760	0.13	119	9062	0.21
69	5760	0.13	120	9858	0.23
70	5857	0.13	121	9672	0.22
71	5520	0.13	122	9484	0.22
72	5520	0.13	123	9296	0.21
73	5520	0.13	124	9107	0.21
74	5520	0.13	125	8919	0.20
75	5520	0.13	126	9662	0.20
76	5520	0.13	127	10311	0.24
77	5520	0.13	128	9665	0.23
78	5520	0.13	129	9618	0.22
79	5520	0.13	130	9275	0.21
80	6130	0.14	131	9542	0.22
81	5889	0.14	132	9195	0.21
82	5885	0.14	133	9634	0.22
83	5885	0.14	134	8811	0.20
84	5840	0.13	135	9306	0.21
85	5520	0.13	136	10167	0.23
86	5520	0.13	137	11925	0.27
87	5709	0.13	138	9542	0.22
88	8605	0.20	139	8488	0.22
89	9119	0.21	140	8620	0.20
90	7810	0.18	141	8425	0.19
91	5758	0.13	142	9620	0.22
92	5760	0.13	143	6279	0.14
93	5760	0.13	144	5732	0.13
94	5760	0.13	145	5531	0.13
95	5760	0.13	146	5520	0.13
96	5760	0.13	147	5520	0.13
97	5760	0.13	148	5520	0.13
98	5760	0.13	149	5520	0.13
99	5760	0.13	150	5520	0.13
100	5809	0.13	151	5520	0.13
101	7109	0.16	152	5520	0.13
102	5916	0.14	153	5520	0.13
103	8640	0.20	154	5520	0.13
104	8640	0.20	155	5617	0.13

SITE SUMMARY TABLE			
	PARCEL 2.1	PARCEL 2.13	OVERALL SITE
OVERALL GROSS AREA (ACRES)	31.12	18.82	49.94
OVERALL NET (±) AREA (ACRES)	21.09	25.61	46.70
TOTAL NUMBER OF LOTS SINGLE FAMILY	53	102	155
TOTAL OPEN SPACE (ACRES)	8.18	4.72	12.90
TOTAL NET PERCENTAGE OF OPEN SPACE (%)	38.79	16.09	26.34
MINIMUM LOT SIZE (SF)	5520	5520	5520
MINIMUM LOT WIDTH (FT)	48'	48'	48'
MINIMUM LOT DEPTH (FT)	115'	115'	115'
DENSITY (DU/AC): PER GROSS AREA	1.70	5.42	3.10
TAX ASSESSORS PARCEL NUMBER	503-73-700A	503-73-770A	503-73-770A

NET EXCLUDES W. ASANITE BOULEVARD & PAT TILLMAN BOULEVARD



ASANTE UNIT 2.1 & 2.13
ASANTE BOULEVARD & PAT TILLMAN BOULEVARD
SURPRISE, ARIZONA

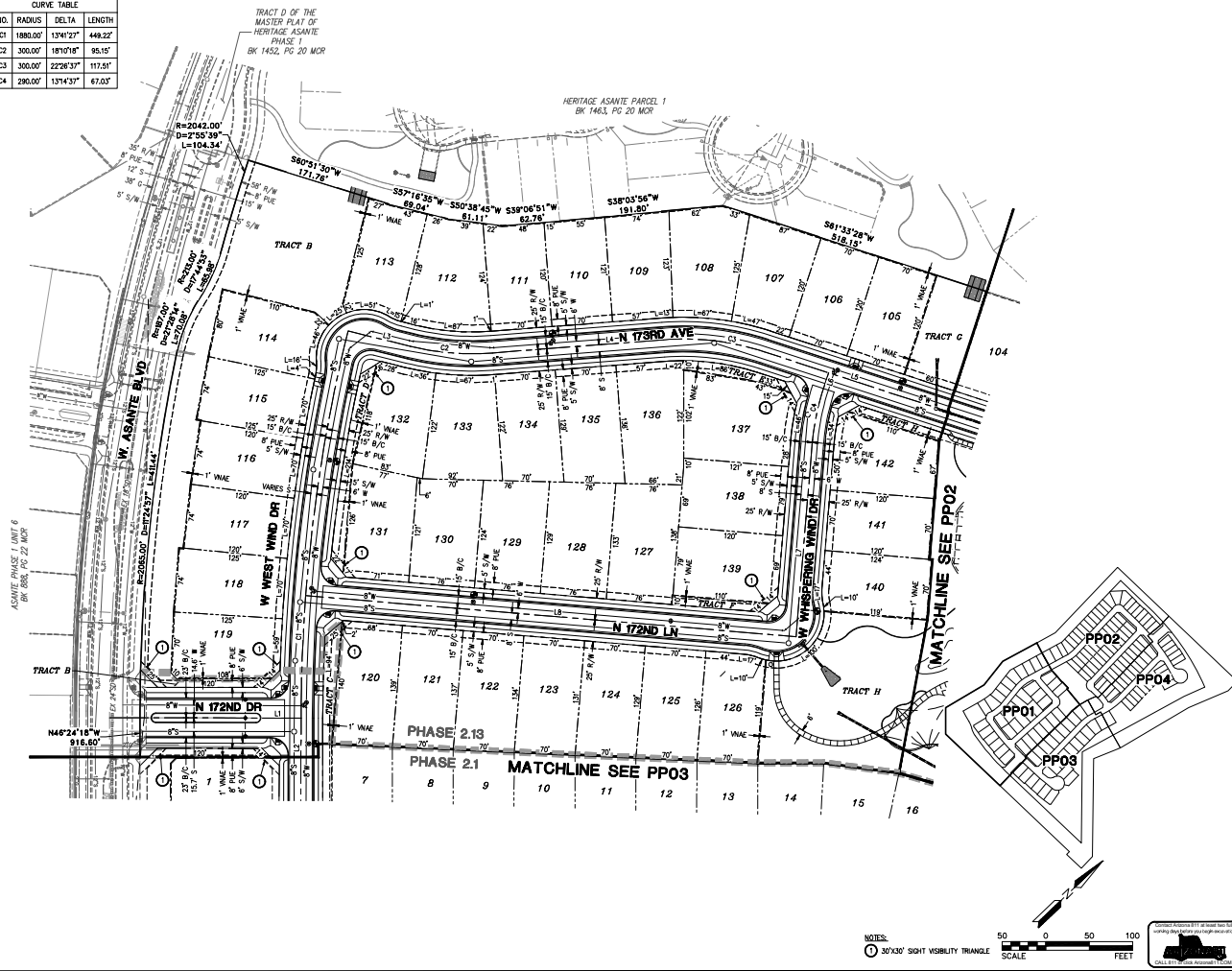
PROJ. NO.: 1909
DATE: JAN 2021
DRAWN BY: JLS
DESIGNED: HW
APPROVED: ZH

CS202
SHT. 2 OF 6
FSD-504

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LINE TABLE		
NO.	DIRECTION	LENGTH
L1	S43°35'42"W	230.00'
L2	N44°24'18"W	169.00'
L3	S57°17'09"W	73.53'
L4	S39°06'51"W	197.25'
L5	S81°33'28"W	396.04'
L6	N28°26'32"E	18.00'
L7	S41°41'09"E	221.57'
L8	S48°18'51"W	565.40'

CURVE TABLE			
NO.	RADIUS	DELTA	LENGTH
C1	1880.00'	13°41'23"	449.22'
C2	300.00'	18°01'08"	95.15'
C3	300.00'	22°26'37"	117.91'
C4	290.00'	13°41'37"	67.03'



ASANTE UNIT 2.1 & 2.13
ASANTE BOULEVARD & PAT TILMAN BOULEVARD
SURPRISE, ARIZONA

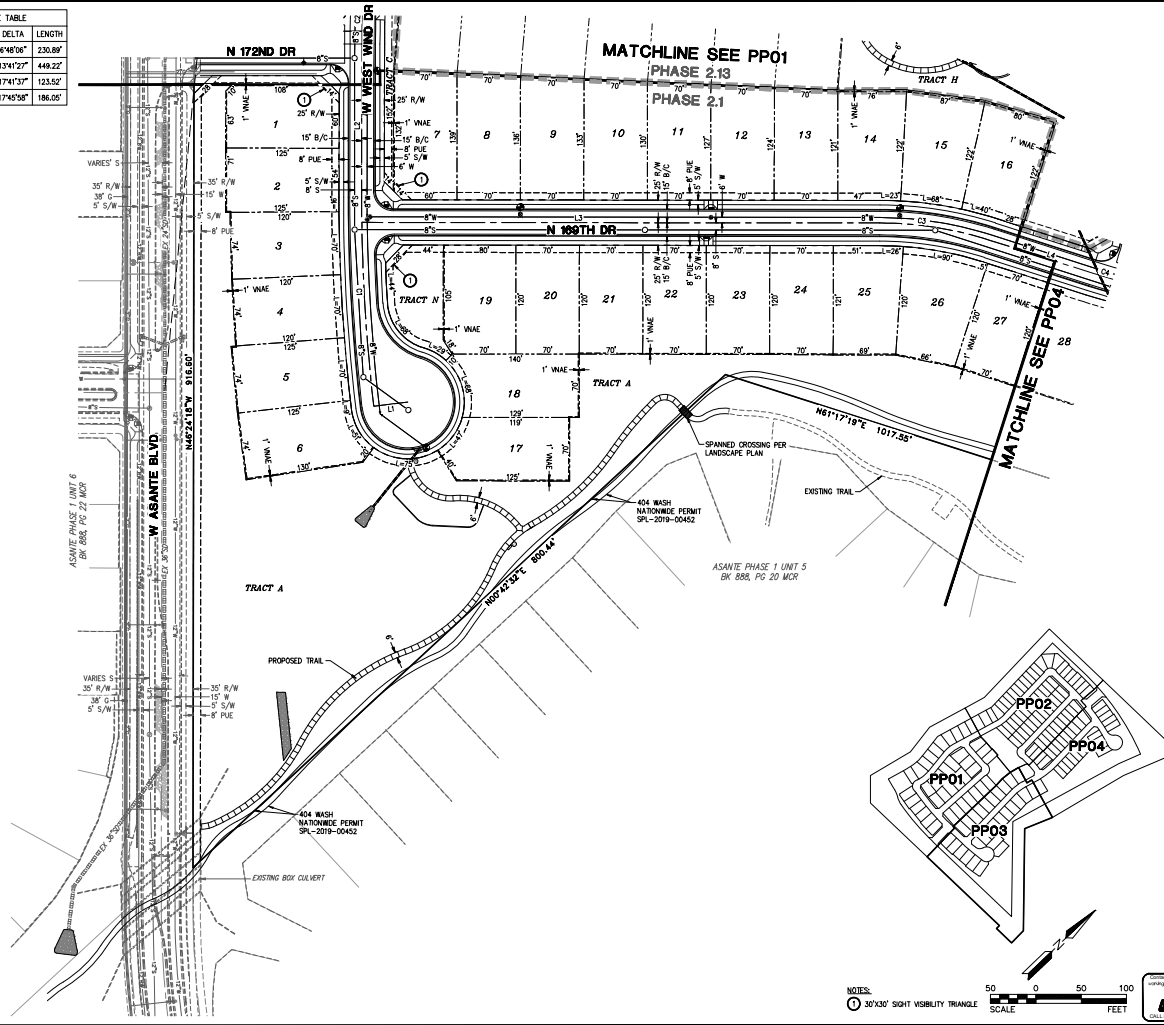
PRELIMINARY PLAT

PROJ. NO.: 1909
DATE: JAN 2021
DESIGNED BY: [Signature]
DRAWN BY: [Signature]
CHECKED BY: [Signature]
APPROVED BY: [Signature]

OWG. NO.:
PP01
SHEET 3 OF 6
FSD-504

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LINE TABLE			CURVE TABLE			
NO.	DIRECTION	LENGTH	NO.	RADIUS	DELTA	LENGTH
L1	S31°47'30"W	37.50'	C1	1945.00'	6°48'04"	230.89'
L2	N46°24'18"W	189.00'	C2	1880.00'	13°41'23"	449.22'
L3	S43°35'42"W	571.36'	C3	400.00'	17°41'33"	123.50'
L4	N61°17'19"E	116.71'	C4	600.00'	17°45'58"	186.05'



REV.

HILGART WILSON
2344 E. LUGA AND AVE. STE. 200
PHOENIX, AZ 85032
P: 602.960.0267 F: 602.960.2434
www.hilgartwilson.com

68244
DESD
01/22
2/5/21
Hilgart Wilson

ASANTE UNIT 2.1 & 2.13
ASANTE BOULEVARD & PAT TILMAN BOULEVARD
SURPRISE, ARIZONA

PRELIMINARY PLAT

HILGART WILSON
PROJ. NO.: 1909
DATE: JAN. 2021
DESIGNED BY: JAW
DRAWN BY: JAW
CHECKED BY: JAW
APPROVED BY: JAW

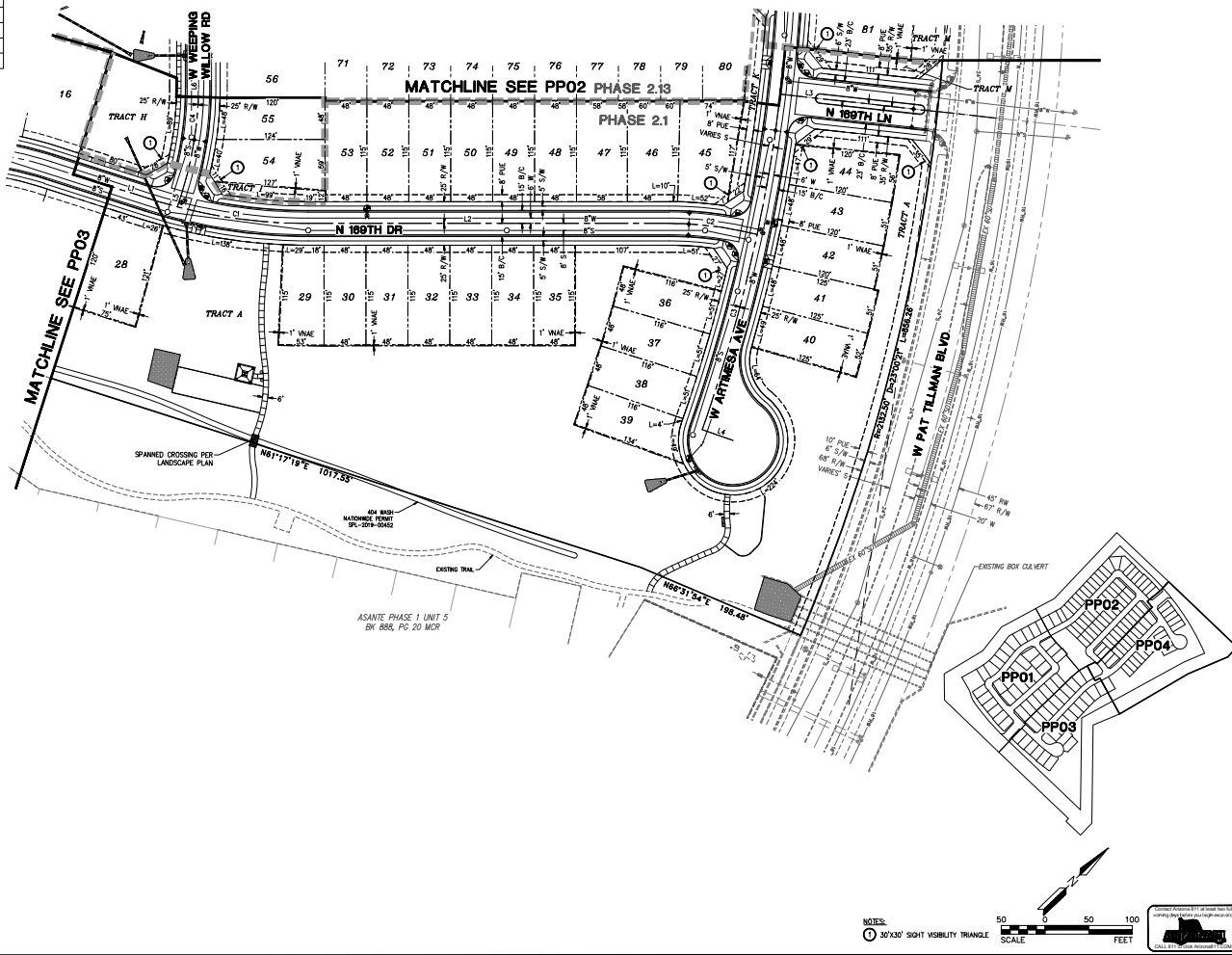
PP03

SHEET 6 OF 6
FSD-504

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CURVE TABLE		
NO.	RADIUS	DELTA
C1	600.00'	17.4575°
C2	400.00'	12.9075°
C3	1800.00'	18.2415°
C4	400.00'	17.4575°

LINE TABLE		
NO.	DIRECTION	LENGTH
L1	N61°17'19"E	167.03'
L2	S43°31'21"W	413.16'
L3	N49°49'37"E	248.50'
L4	S62°55'36"W	37.50'
L5	S28°42'41"E	16.89'
L6	N48°28'38"W	122.82'



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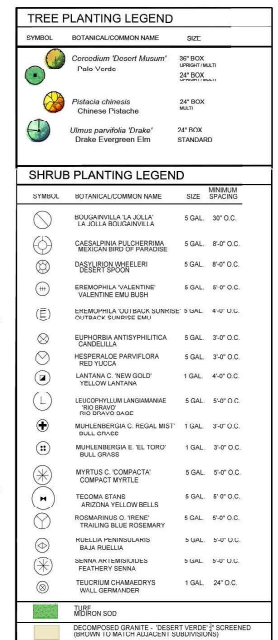
ASANTE UNIT 2.1 & 2.13
ASANTE BOULEVARD & PAT TILMAN BOULEVARD
SURPRISE, ARIZONA

PRELIMINARY PLAN

HILGART WILSON
PROJ. NO.: 1909
DATE: JAN. 2021
DESIGNED BY: HW
DRAWN BY: HW
CHECKED BY: HW
APPROVED BY: HW

PP04

SHEET 6 OF 6
FSD-504





ASANTE - Unit 2.1 & 2.13

Lennar Homes | Surprise, AZ | February 05, 2021

Preliminary Wall Plan

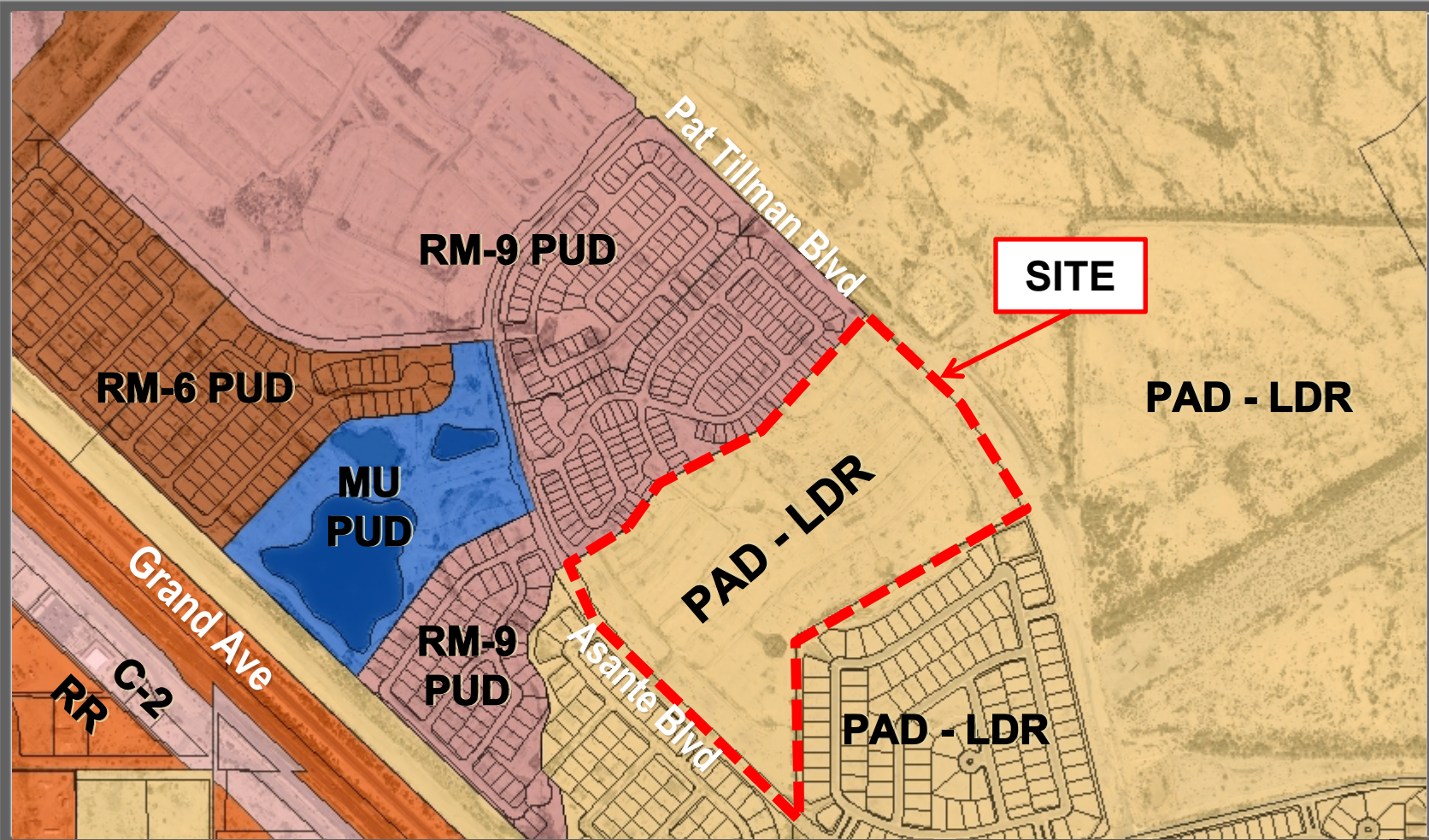


Asante 2.1 & 2.13 Preliminary Plat

City Council
May 18, 2021



FS20-504 VICINITY MAP



- Parcel 2.1 & 2.13
- 49.94 Acres
- 155 Lots
- 3.1 DU/Acre
- 48' & 70' Wide Lots



FS20-504 PRELIMINARY PLAT



NOTE:
SIGHT DISTANCE REQUIREMENTS ON ARTERIALS AND COLLECTORS WILL
ADHERE TO SURPRISE DETAIL 4.01. SIGHT VISIBILITY WITHIN THE
UNOBSTRUCTED VIEW EASEMENT AREA AND IN FRONT OF STOP SIGNS
MUST MEET OR EXCEED REQUIREMENTS IN SURPRISE DETAILS 4.01 AND
4.02

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TREE PLANTING LEGEND		
SYMBOL	SCIENTIFIC COMMON NAME	SIZE
	Quercus (Oak) - Small	10" DBH
	Quercus (Oak) - Medium	12" DBH
	Quercus (Oak) - Large	14" DBH
	Quercus (Oak) - Extra Large	16" DBH
	Quercus (Oak) - Very Large	18" DBH
	Quercus (Oak) - Extra Extra Large	20" DBH

SHRUB PLANTING LEGEND		
SYMBOL	SCIENTIFIC COMMON NAME	SIZE
	Quercus (Oak) - Small	10" DBH
	Quercus (Oak) - Medium	12" DBH
	Quercus (Oak) - Large	14" DBH
	Quercus (Oak) - Extra Large	16" DBH
	Quercus (Oak) - Very Large	18" DBH
	Quercus (Oak) - Extra Extra Large	20" DBH

TOTAL PROJECT AREA: 270,411 SQ. FT. (6.8 ACRES)
TOTAL PLANTING AREA: 547,487 SQ. FT. (26.8% OF PROJECT AREA)
TOTAL NON-TURF PLANTING AREA: 517,358 SQ. FT.
TOTAL TURF AREA: 30,059 SQ. FT. (5.5% OF PLANTING AREAS)

ACTIVE OPEN SPACE - 36%
PASSIVE OPEN SPACE - 34%

FS20-504
NORTH
SCALE: 1"=60'-0"

FS20-504 OPEN SPACE



WALL LEGEND

- PROJECT THEME WALL
- PARTIAL VIEW WALL
- NOT SHOWN BUILDER WALL
- THEME PILASTER
- RETAINING WALL (6' CHIL)
- 6' VIEW FENCE

NOTE:
NO WALLS TO BE GREATER THAN 6'
INCLUDING THE HEIGHT OF THE RETAINING
WALLS.

NOTE:
SIGHT DISTANCE REQUIREMENTS ON ANTENNAS AND COLLECTORS WILL
ADHERE TO SURPRISE DETAIL 401. SIGHT VISIBILITY WITHIN THE
UNCONSTRUCTED VIEW SHADOWS AREAS AND IN FRONT OF STOP SIGNS
MUST MEET OR EXCEED REQUIREMENTS IN SURPRISE DETAILS 401 AND
402

ASANTE - Unit 2.1 & 2.13

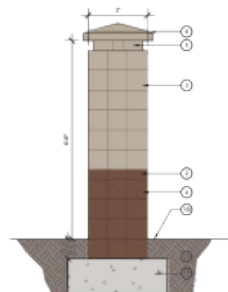
Lennar Homes | Surprise, AZ | February 05, 2021

Preliminary Wall Plan



FS20-504

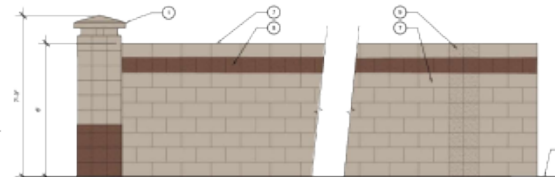
FS20-504 WALL PLAN



SOUND WALL COLUMN
SCALE: 1" = 1'-0"

LEGEND

1. SOUND WALL COLUMN - REFER TO DETAIL, THIS SHEET
2. 8"X16" SINGLE-SCORE SPLIT-FACE CMU BLOCK PAINTED "TITTERLY BEIGE" (SANDWICH)
3. 8"X16" SINGLE-SCORE SMOOTH-FACE CMU BLOCK PAINTED "TITTERLY BEIGE" (SANDWICH)
4. 8"X16" SINGLE-SCORE SPLIT-FACE CMU BLOCK PAINTED "TITTERLY BEIGE" (SANDWICH)
5. 8"X16" SINGLE-SCORE SMOOTH-FACE CMU BLOCK PAINTED "TITTERLY BEIGE" (SANDWICH)
6. PRECAST CONCRETE CAP BY C.D. (HPC) 21-1850, COLOR "SADDLE" (G91)
7. 8"X16" CMU INTERLOCK BLOCK PAINTED "TITTERLY BEIGE" (SANDWICH)
8. 8"X16" SINGLE-SCORE SPLIT-FACE BLOCK PAINTED "TITTERLY BEIGE" (SANDWICH)
9. 8"X16" SINGLE-SCORE SMOOTH-FACE 14" BLOCK PAINTED "TITTERLY BEIGE" (SANDWICH)
10. FINISH GRADE
11. CORNERED SUBGRADE
12. CONCRETE FOOTING AND STEEL REINFORCEMENT PER STRUCTURAL ENGINEER'S DETAILS AND CALLS



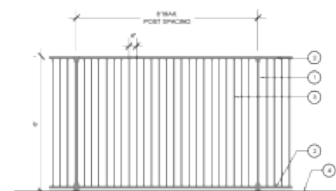
SOUND WALL
SCALE: 1" = 1'-0"

LEGEND

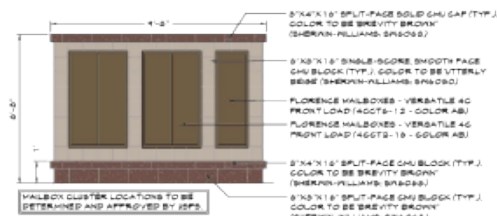
1. 2" SQ. TUBE STEEL POST - WELD POST TO WELD PLATE
2. 1/4" SQ. TUBE STEEL RAIL - PROVIDED WELDED FLANGE FOR ATTACHMENT TO POST
3. 2" SQ. TUBE STEEL PICKET
4. FINISH GRADE

NOTES

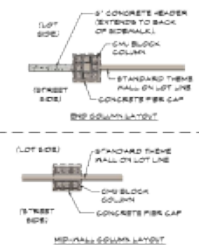
- 1. REFER TO STRUCTURAL ENGINEER'S DETAILS
- 2. CALCULATIONS FOR ALL CONNECTIONS, FOOTINGS AND REINFORCING INFORMATION
- 3. ALL STEEL FINISH TO BE CARBONAL INDUSTRIES COLOR "TEXTURED RUST" BR-47



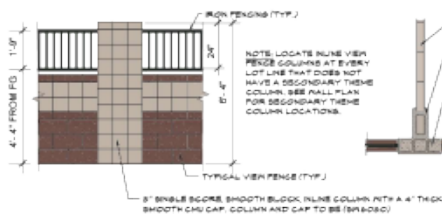
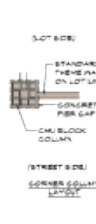
VIEW FENCE
SCALE: 1/8" = 1'-0"



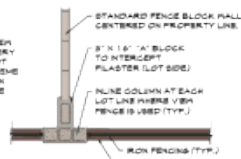
MAILBOX CLUSTER
SCALE: 1/8" = 1'-0"



COLUMN LAYOUT
SCALE: 1/8" = 1'-0"



IN LINE FENCING
SCALE: 1/8" = 1'-0"





RECOMMENDATION

P&Z Meeting: April 14, 2021

P&Z Recommendation:

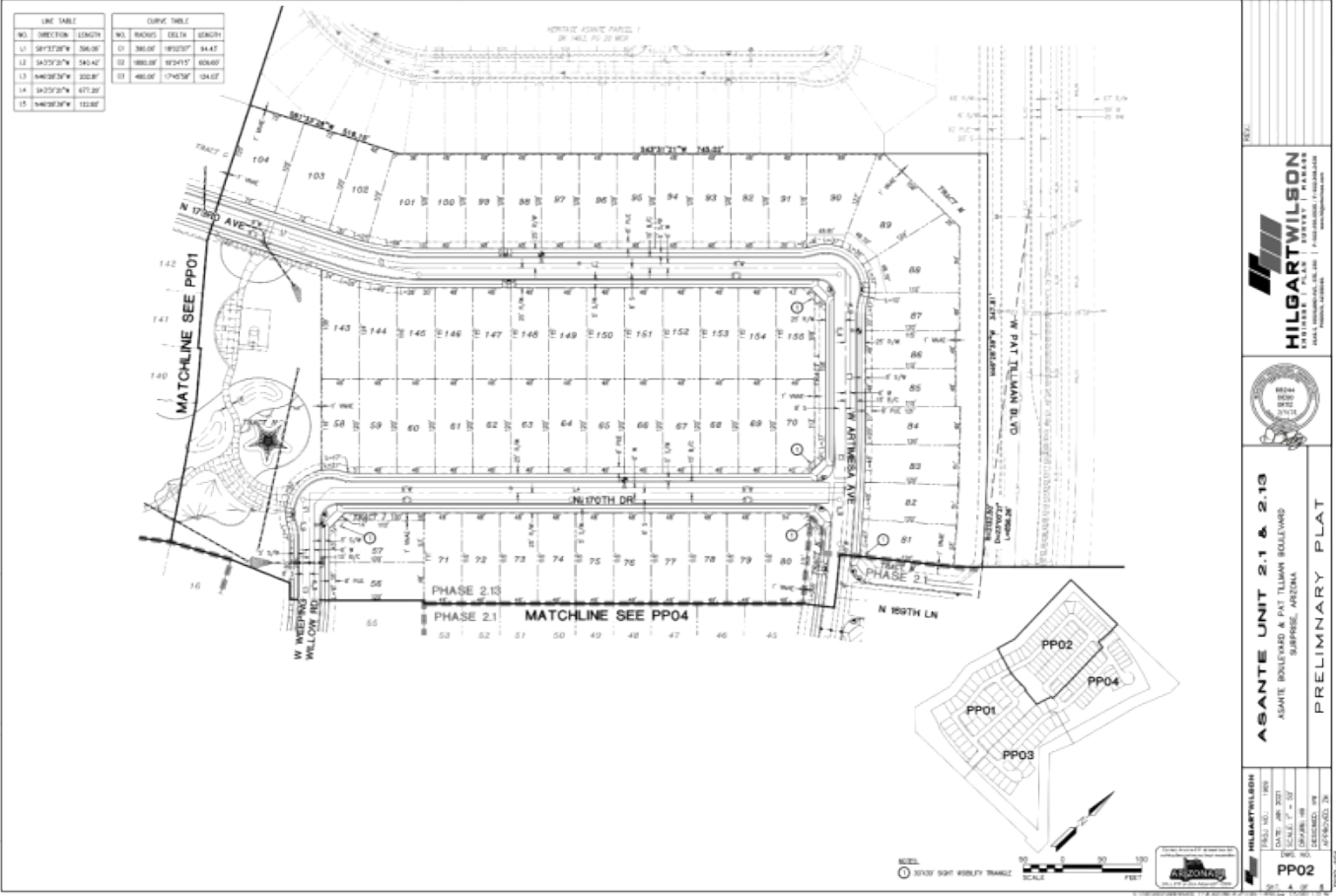
- Approval of case FS20-504 subject to stipulations ‘a’ – ‘c’.



QUESTIONS OR COMMENTS?

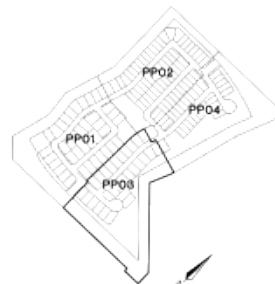
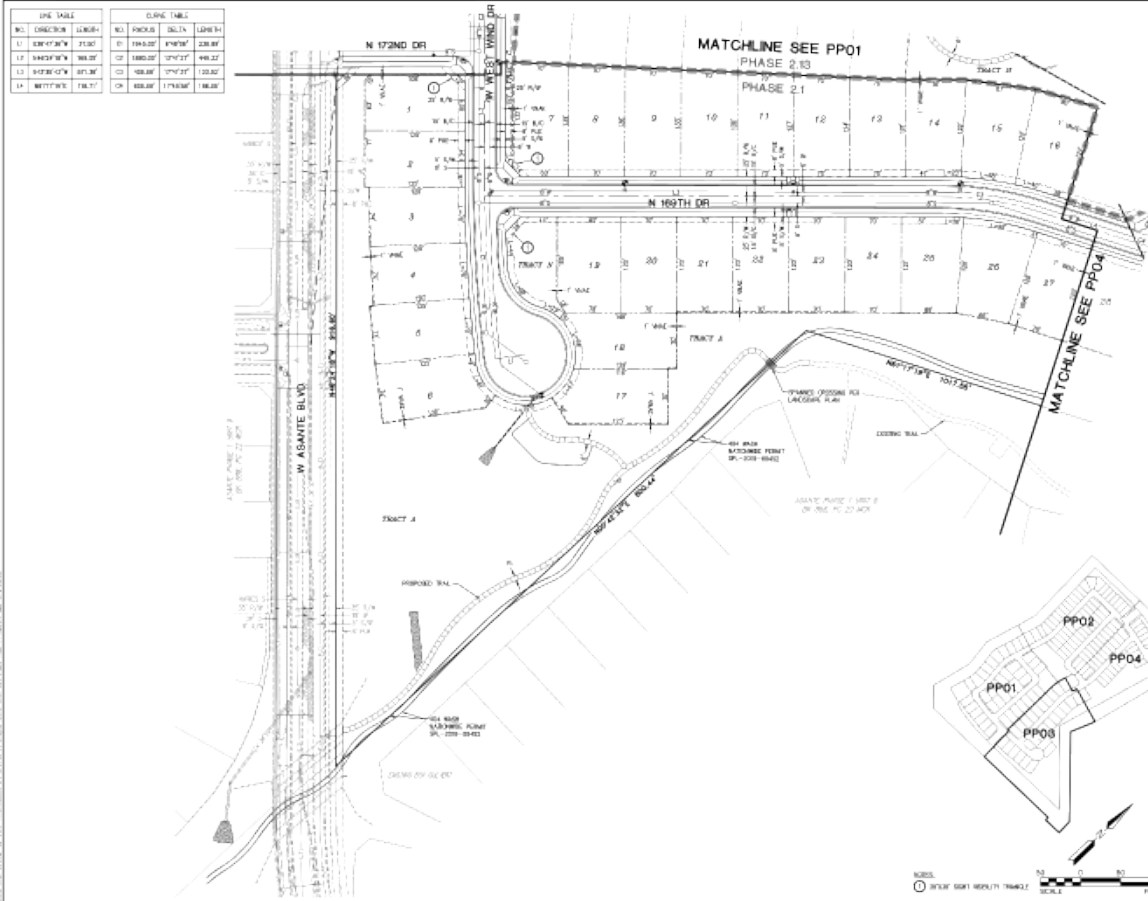
Thank You

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FS20-504 PRELIMINARY PLAT

LINE TABLE				CLINE TABLE			
NO.	CONDICION	LIBRO		NO.	CONDICION	LIBRO	
1.	200470000	21.00		1.	10047000	21.00	
1.1	200470000	21.00		1.1	10047000	21.00	
1.2	200470000	21.00		1.2	10047000	21.00	
1.3	200470000	21.00		1.3	10047000	21.00	
1.4	200470000	21.00		1.4	10047000	21.00	



HILBERT WILSON

ACR	7000
ACR	7000

PP	$\text{C}_{10}\text{H}_8\text{O}$	$\text{C}_{10}\text{H}_8\text{O}$	$\text{C}_{10}\text{H}_8\text{O}$
PE	$\text{C}_{10}\text{H}_{16}\text{O}$	$\text{C}_{10}\text{H}_{16}\text{O}$	$\text{C}_{10}\text{H}_{16}\text{O}$

POS

1	10/10/2010	10/10/2010
2	10/10/2010	10/10/2010
3	10/10/2010	10/10/2010
4	10/10/2010	10/10/2010
5	10/10/2010	10/10/2010
6	10/10/2010	10/10/2010
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86	10/10/2010	10/10/2010
87	10/10/2010	10/10/2010
88		

ASANTE UNIT 2.1 & 2.13
ASANTE BOULEVARD & PAT TILMAN BOULEVARD
SURPRISE, ARIZONA

PRELIMINARY PLAT



HILGARTWILSON

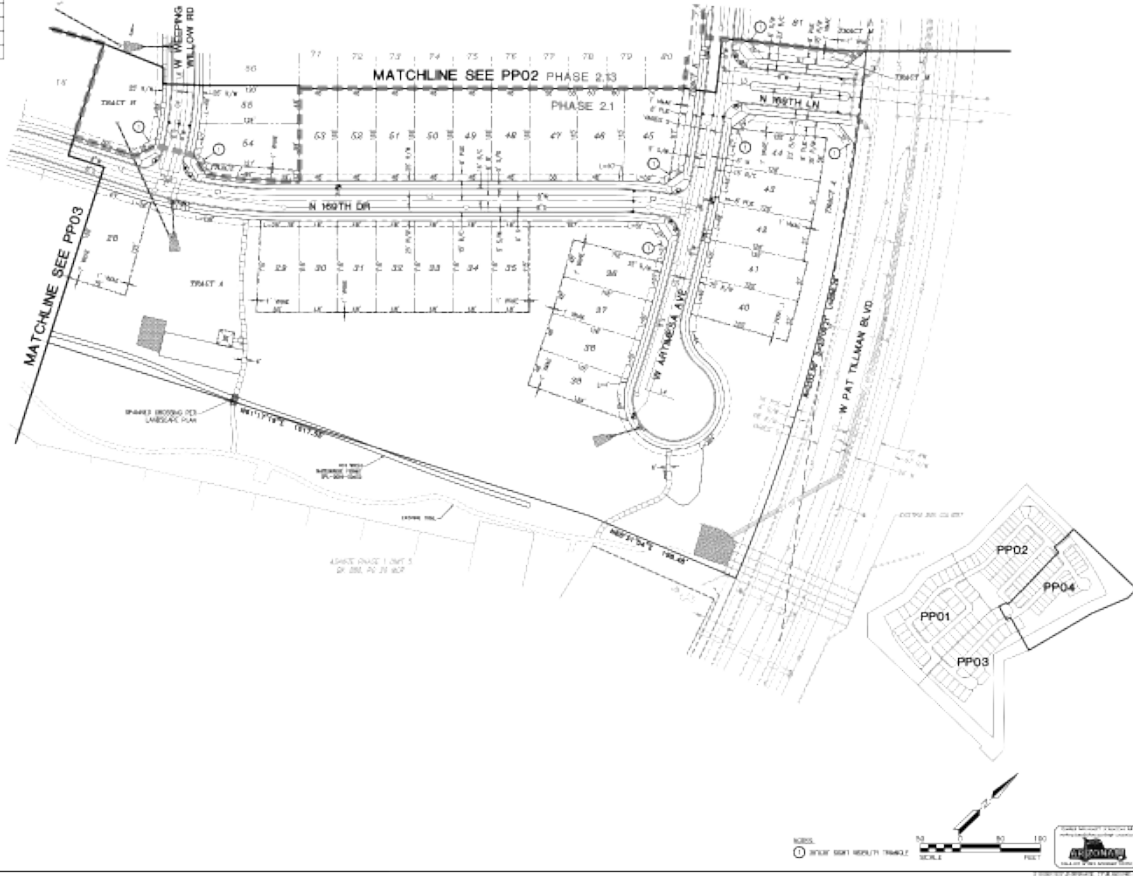
EDITORIAL BOARD | PLAN | SUBMIT | MANAGE
 0000 J. NEUMANN WIL. STE. 0000 | P. 000 000 0000 | PUBLISHED 0000
 0000 0000, 00 0000 00

FS20-504 PRELIMINARY PLAT

ASANTE UNIT 2.1 & 2.13, 10000 N. 150TH AVE., SUITE 100, DOWNEY, CA 90241
 PREPARED BY: HILGARTWILSON, INC. 10000 N. 150TH AVE., SUITE 100, DOWNEY, CA 90241
 DATE: 01/15/2011
 SCALE: 1" = 40'

CURVE TABLE		
NO.	BACKSIGHT	FORESIGHT
01	480.00'	120.00'
02	480.00'	120.00'
03	480.00'	120.00'
04	480.00'	120.00'
05	480.00'	120.00'
06	480.00'	120.00'
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13	480.00'	120.00'
14	480.00'	120.00'
15	480.00'	120.00'
16	480.00'	120.00'
17	480.00'	120.00'
18	480.00'	120.00'

LINE TABLE	
NO.	LENGTH
01	100.00'
02	100.00'
03	100.00'
04	100.00'
05	100.00'
06	100.00'
07	100.00'
08	100.00'
09	100.00'
10	100.00'
11	100.00'
12	100.00'
13	100.00'
14	100.00'
15	100.00'
16	100.00'
17	100.00'
18	100.00'



HILGARTWILSON
 ENGINEERS, PLANNERS, ARCHITECTS
 10000 N. 150TH AVE., SUITE 100, DOWNEY, CA 90241
 (714) 941-1111
 www.hilgartwilson.com

ASANTE UNIT 2.1 & 2.13
 ASANTE BOULEVARD & PAT TALMAN BOULEVARD
 SUPPHEE, ARIZONA
 PRELIMINARY PLAT

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 (714) 941-1111
 www.hilgartwilson.com

PP04
 10000 N. 150TH AVE., SUITE 100, DOWNEY, CA 90241
 (714) 941-1111
 www.hilgartwilson.com



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: May 18, 2021 Contact Person: Robert Kuhfuss
Submitting Department: Community Development District: District 1
Staff Recommendations: None

Consent: No Regular: No Public Hearing: Yes Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to approval of the Preliminary Plat entitled, "Hometown Surprise at Austin Ranch II, Parcel E" and dated February 4, 2021, an approximately 60.47 acre property generally located on the southeast corner of Deer Valley Road and Citrus Road; Case FS20-488.

Motion:

I move to approve the Preliminary Plat entitled "Hometown Surprise at Austin Ranch II, Parcel E" subject to stipulations "a" through "d" as memorialized in the Staff Report.

Background:

Matt Goodwin of Goodwin and Marshall Inc., is requesting Preliminary Plat approval for a 195 lot detached single-family residential subdivision on 60.47 acres, generally located on the southeast corner of Deer Valley and Citrus Roads.

Objective Analysis:

The subject request involves a Preliminary Plat for the Hometown Surprise at Austin Ranch II, Parcel E. The applicant seeks to subdivide the 60.47-acre parcel into 195 lots and 14 tracts.

Policy Compliant:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more.

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city services.

Budget Impact:

There is no anticipated budget impact related to this item.

FTE Impact:

This item does not have an impact on current staffing levels.

ATTACHMENTS:

1. 00 - FS20-488 - Hometown Surprise PP - 05-18-20 CC Staff Report
 2. 01 - FS20-488 - Hometown Surprise PP - Vicinity Map
 3. 02 - FS20-488 - Hometown Surprise PP - Case Map
 4. 03 - FS20-488 - Hometown Surprise PP - Preliminary Plat
 5. 04 - FS20-488 - Hometown Surprise PP - Landscape and Wall Plans
 6. 05 - FS20-488 - Hometown Surprise PP - Luke Letter
 7. PP - FS20-488 - Hometown Surprise PP - CC PowerPoint - 05-18-21
-

PRELIMINARY PLAT

REPORT TO THE CITY COUNCIL

Case: FS20-488

Project Name: Hometown Surprise at Austin Ranch II Preliminary Plat

Council District: 1 - Acacia

Meeting Date: May 18, 2021

Planner: Robert Kuhfuss

Owner: MMK Deer Valley Citrus Investors, LLC

Applicant: Matt Goodwin of Goodwin and Marshall, Inc.

Request: Preliminary Plat for a 195-lot single-family residential subdivision

Site Location: Generally located on the southeast corner of Deer Valley Road and Citrus Road

Dwelling Units: 195 total units

Site Size: 60.47 acres (approx.)

Density: 3.22 DU/Ac

General Plan Conformance: The proposal is consistent with the Surprise General Plan 2035

Support/Opposition: None received

Commission

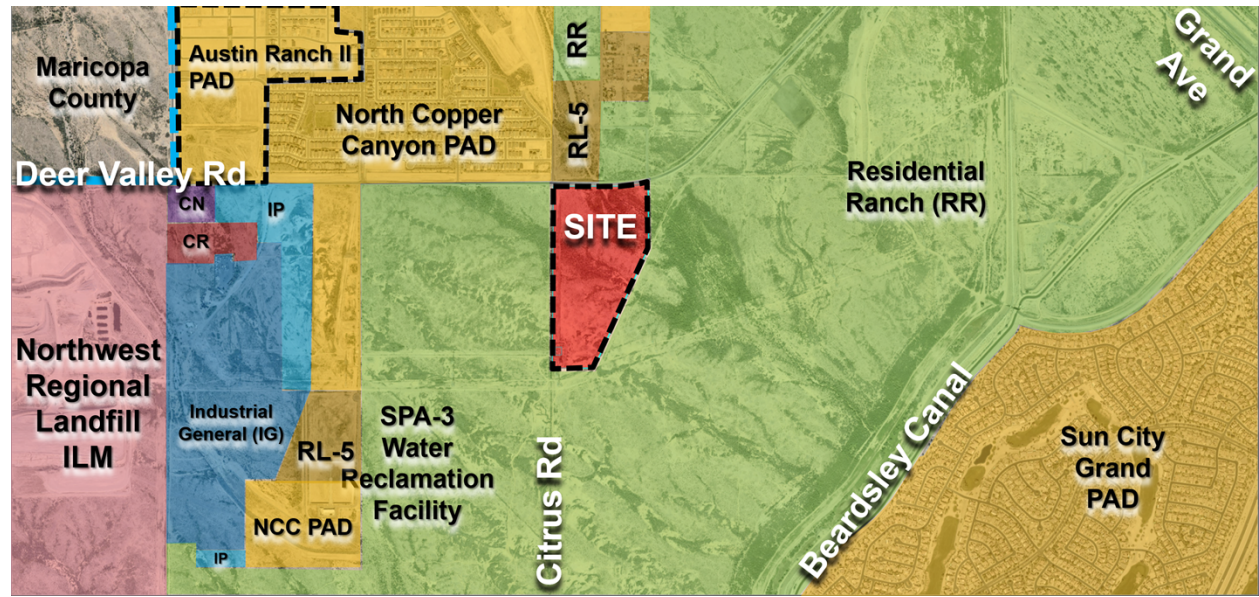
Recommendation: The Commission voted to recommend approval of case FS20-488 to the City Council, subject to stipulations 'a' through 'd'

Project Description:

The subject request involves a Preliminary Plat for Hometown Surprise at Austin Ranch II. The applicant seeks to subdivide the subject parcel into 195 lots and 14 tracts.

Surrounding Land Zoning:

The following map and chart depicts the existing zoning of the subject site and its surroundings:



North Copper Canyon PAD	Residential Ranch (RR) Low Density Residential (RL-5)	Residential Ranch (RR)
Residential Ranch (RR)	Austin Ranch II PAD	Residential Ranch (RR)
Residential Ranch (RR)	Residential Ranch (RR)	Residential Ranch (RR)

Background:

May 23, 1987: The subject project area was annexed into the City of Surprise under Ordinance 87-03.

September 29, 2005: The Mayor and City Council approved a Planned Area Development (PAD) for the Austin Ranch II PAD under Case PAD05-075.

March 26, 2020: Staff met with the applicant to discuss the project during a regularly scheduled Concept Review meeting under CR20-179.

July 31, 2020: The applicant filed a request for a Preliminary Plat, approximately 48.51 acres, under case FS20-488, the subject case.

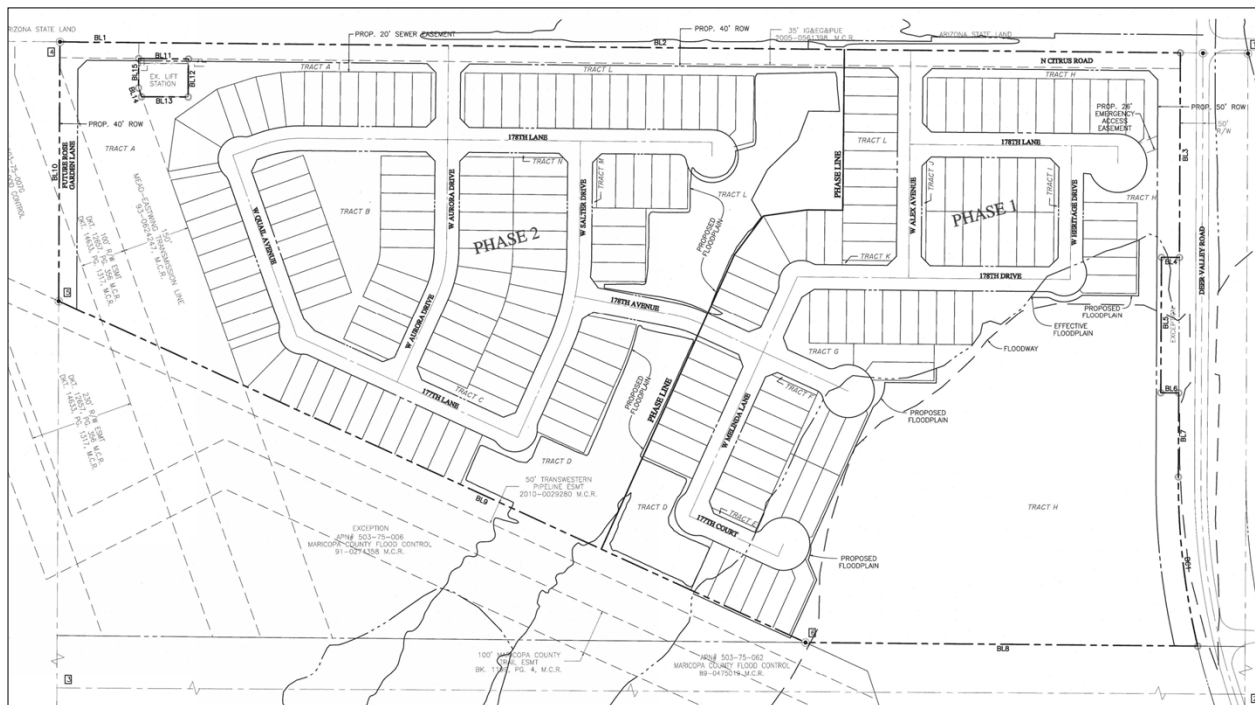
March 8, 2021: The applicant submitted a revised Preliminary Plat that included a large natural area (Tract H) and increased the overall size of the project to 60.473 acres.

April 15, 2021: The Planning and Zoning Commission voted to approve the requested Preliminary Plat subject to staff-recommended stipulations ‘a’ through ‘d’.

Analysis and Discussion:

Matt Goodwin of Goodwin and Marshall Inc., is requesting Preliminary Plat approval for a 195 lot detached single-family residential subdivision on 60.47 acres, generally located on the southeast corner of Deer Valley and Citrus Roads. The project provides for a density of 3.22 DU/Ac.

The proposed Preliminary Plat project area is shown below:



The subject Preliminary Plat provides 195 Medium Density Residential (MDR) lots. The lots are 40 feet in width. The open space comprises approximately 41% the project area. Additionally, a public access easement is provided along the wash that borders the eastern edge of the site that will contribute to the City of Surprise trail system. Open Space is broken down as shown below:

Active	2.20 acres	8.86 percent
Passive	4.81 acres	19.38 percent

Natural	17.81 acres	71.76 percent
Total	24.82 acres	41.04 percent of site

Utility and Services Table:

Water:	Beardsley Water Company
Wastewater:	City of Surprise
School District:	Dysart Unified

Conformance with Adopted Plans:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more.

Reviewing Agencies:

In addition to the standard city reviewing agencies, Maricopa County, Arizona Department of Transportation, Maricopa Water District, and Luke AFB were included in the routing of this request. None of the reviewing agencies indicated any concerns over the request.

Summary:

The applicant seeks a Preliminary Plat across the subject property. The proposed development is compatible with the neighboring land uses and the amenities included will provide recreational opportunities for the neighborhood residents.

Findings:

- The proposed Preliminary Plat is consistent with the Surprise General Plan.
- The proposed Preliminary Plat is consistent with the Austin Ranch II PAD under Case PAD05-075.
- The reviewing agencies have indicated no objections that are not addressed by the recommended stipulations of approval.

Recommendation:

Based on the findings noted above, the Commission voted to recommend approval of the subject Preliminary Plat request to the City Council, subject to stipulations 'a' through 'd' as outlined below:

- Development and use of the site shall be consistent with the Preliminary Plat entitled "Preliminary Plat for Hometown Surprise at Austin Ranch II, Parcel E" consisting of ten (10) sheets prepared by Goodwin and Marshall and received March 8, 2021.

b. Landscaping of the site shall be consistent with the Landscape and Wall Plans entitled “Hometown Surprise,” consisting of seven (7) sheets prepared by Langvardt Design Group and received February 16, 2021.

c. The applicant is responsible for constructing parkway half-street improvements along the frontage of Deer Valley Road including the excepted open space tract to the east. City staff and the applicant will provide an executed in-lieu agreement for payment of the proportionate cost of the expanded bridge prior to Final Plat approval.

d. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the applicable provisions of the Surprise Municipal Code.

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

Attachments:

01 Vicinity Map

02 Case Map

03 Preliminary Plat

04 Preliminary Landscape Plans

05 Luke AFB Letter

VICINITY MAP

FS20-488

Hometown Surprise PP

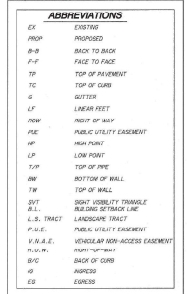


CASE MAP

FS20-488

Hometown Surprise PP



[illegible]

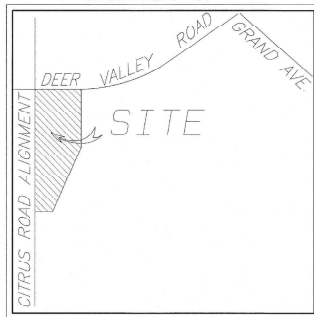
A PORTION OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 4 NORTH
RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN,
CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA

CASE # PS20-488

589°40'37"E ALONG THE MONUMENT LINE OF NORTH LINE NORTHWEST QUARTER AS MEASURED BETWEEN MONUMENTS NUMBERED 1 AND 2 SHOWN HEREON AND DESCRIBED UNDER MONUMENT NOTCS.

BENCHMARK
MAJOR COUNTY HIGHWAY DEPARTMENT DISK.
STATION IS LOCATED ON HEADWALL APPROX. 1.75 M. SOUTHWEST OF US 60 OFF THE SOUTH SIDE OF DEER VALLEY RD. STAMPED "DVS".
ELEVATION = (375.45' (NAVD 88 DATUM))

SEWER	CITY OF SURPRISE
WATER	BEARDSLEY WATER COMPANY
ELECTRICITY	A.P.S.
COMMUNICATIONS	CENTURY LINK
COMMUNICATIONS	COX
GAS	SOUTHWEST GAS
POLICE	CITY OF SURPRISE
FIRE	CITY OF SURPRISE
SOLID WASTE	CITY OF SURPRISE



SHEET 1	COVER SHEET
SHEET 2	OVERALL DISPLAY
SHEET 3	PRELIMINARY PLAT DETAILS
SHEETS 4-8	PRELIMINARY PLAT SHEETS
SHEET 9	LOT, TRACT AND USE SUMMARY
SHEET 10	INTERSECTION TRANSITION EXHIBIT

<u>SITE ACREAGE</u>	
TOTAL	60.473

VICINITY MAP

THE SUBJECT TRACT LIES WITHIN THE ZONE X AND ZONE AE ON FEMA MAP #04013C/215L DATED NOVEMBER 16, 2013. ZONE X IS DEFINED AS AREAS OF 0.2% ANNUAL CHANCE FLOOD, AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED LEVEES FROM 1% ANNUAL CHANCE FLOOD. ZONE AE IS DEFINED AS AREAS OF 1% ANNUAL CHANCE FLOOD.

GOODWIN
MARSHALL

CIVIL ENGINEERS ~ PLANNERS ~ SURVEYORS

 **FORESTAR**
20410 North 19th Avenue, Suite 100
Phoenix, Arizona 85027
(480) 368-2357
Contact: Brian Konderik

2705 O. Alma School Road, #
Chandler, Arizona 85286
(602) 218-7285
Contact: Warren Russell, P.E.

GOODWIN & MARSHALL
CIVIL ENGINEERS - PLANNERS - SURVEYORS



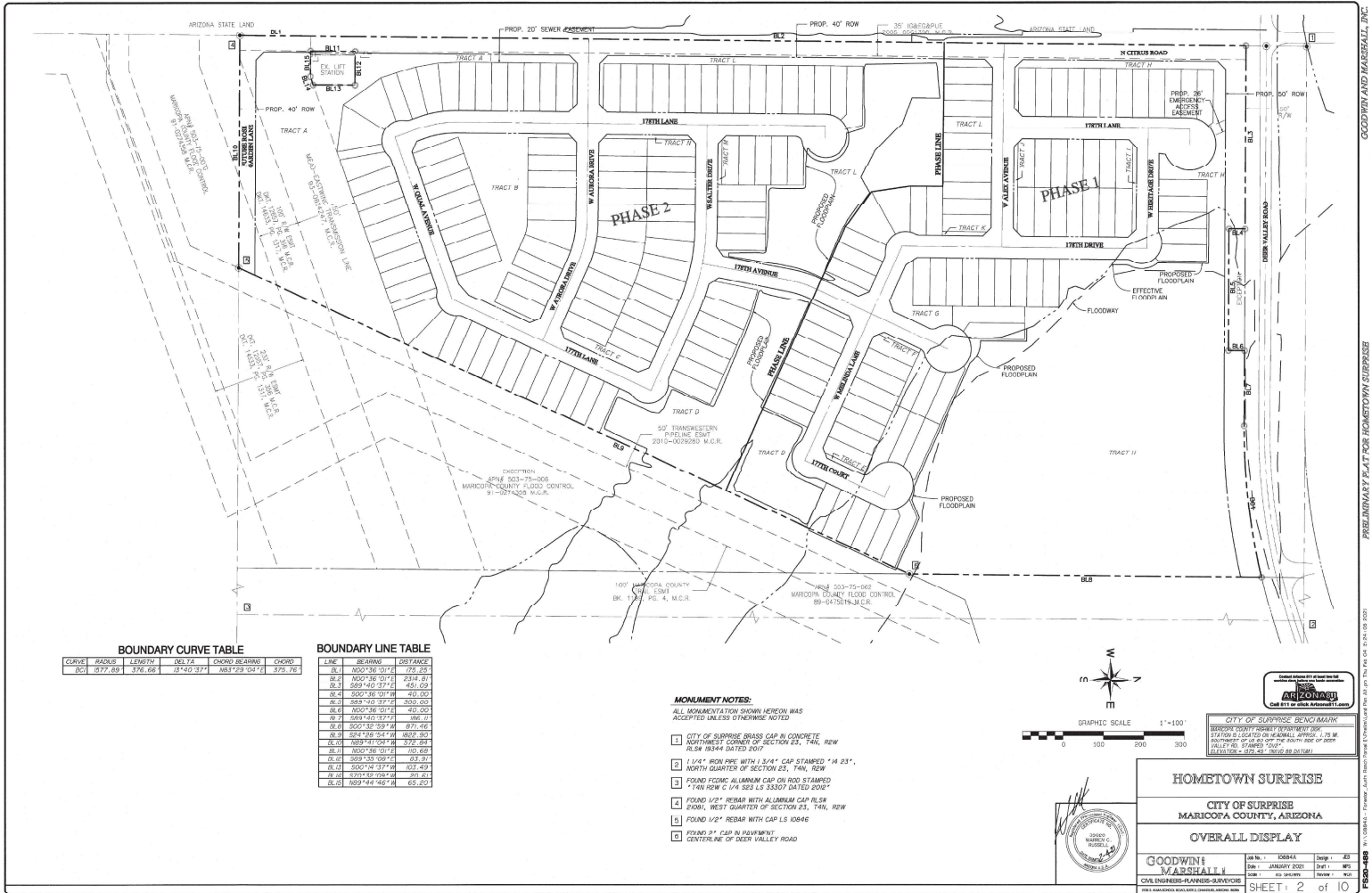
**PRELIMINARY PLAT FOR
HOMETOWN SURPRISE
AUSTIN RANCH II, PARCEL E**

JOB NO.:	(0084A)	DESIGN :	22B	SCALE :	AS SHOWN
DATE:	JANUARY 2021	DRAWN :	MP	SHEET :	1 OF 10

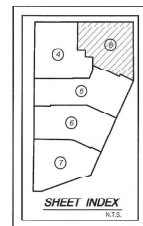
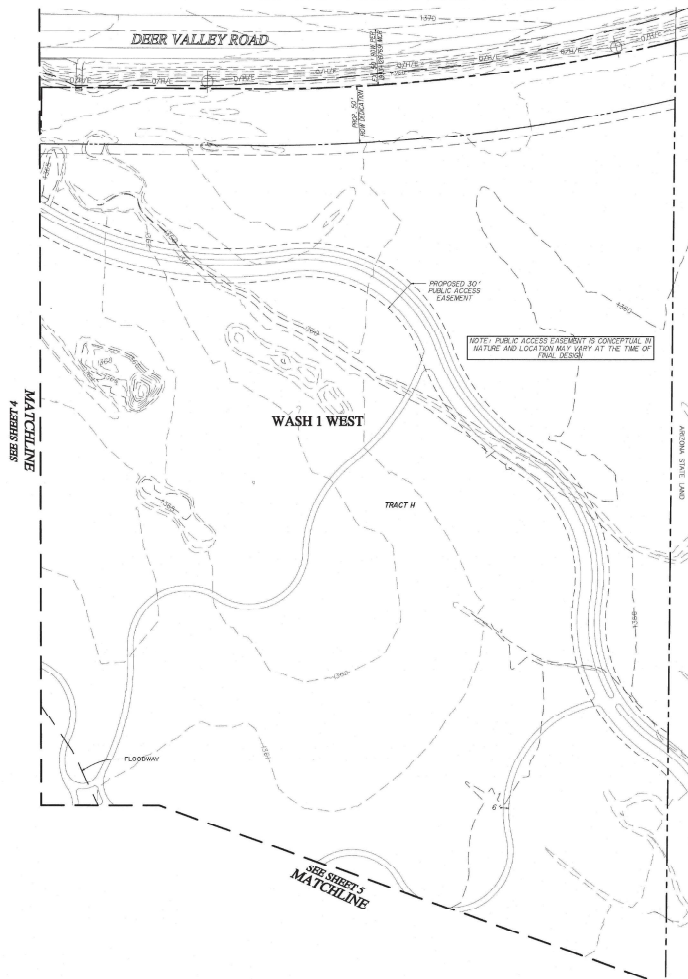
OWNER/DEVELOPER:
FORESTAR
20410 North 19th Avenue, Suite 100

Phoenix, Arizona 85027
(480) 368-2357
Contact: Brian Konderik

SE # FS20-438







NOTE: DIMENSIONS SHOWN ARE PRELIMINARY IN NATURE AND ARE SUBJECT TO FINAL PLAT MODIFICATIONS.

NOTE: SEE SHEET 3 FOR LOT 8 TRACT SIZES.

NOTE: THE COMBINATION WALL AND RETAIN WALL HEIGHT WILL BE NO HIGHER THAN SIX FEET MEASURED FROM THE SIDE THAT HAS THE HIGHEST GRADE. IN NO CASE SHALL THE HEIGHT OF EITHER SIDE OF THE WALL EXCEED EIGHT FEET.



CITY OF SURPRISE BENCHMARK
MARICOPA COUNTY DEPARTMENT FOR
STATION IS LOCATED ON MARICOPA AVENUE 1.75 MI.
NORTHWEST OF JUNCTION OF THE NORTH SIDE OF DEER
VALLEY RD. STATIONED 100+00.
ELEVATION 1025.44 (1988 AS BUILT).

HOMETOWN SURPRISE

CITY OF SURPRISE
MARICOPA COUNTY, ARIZONA

PRELIMINARY PLAT

GOODWIN & MARSHALL CIVIL ENGINEERS-PLANNERS-SURVEYORS 2022 ARIZONA BOARD NO. 00000000000000000000	DATE	DESIGNER	DRAWN	BY
	JANUARY 2022	25 SHEWEN	25 SHEWEN	WES

SHEET 8 of 10

GOODWIN AND MARSHALL, INC. PRELIMINARY PLAT FOR HOMETOWN SURPRISE

LOT AREA TABLES

HOMETOWN SURPRISE			HOMETOWN SURPRISE		
LOT NUMBER	SQUARE FEET	TYPICAL LOT	LOT NUMBER	SQUARE FEET	TYPICAL LOT
1	4,990	40.0	101	4,800	40.0
2	4,800	40.0	102	4,800	40.0
3	4,800	40.0	103	4,800	40.0
4	4,800	40.0	104	4,800	40.0
5	4,800	40.0	105	4,800	40.0
6	4,800	40.0	106	4,800	40.0
7	4,800	40.0	107	4,800	40.0
8	4,800	40.0	108	4,800	40.0
9	4,800	40.0	109	4,800	40.0
10	4,800	40.0	110	4,800	40.0
11	4,800	40.0	111	4,800	40.0
12	4,800	40.0	112	4,800	40.0
13	4,800	40.0	113	4,800	40.0
14	4,800	40.0	114	4,800	40.0
15	4,800	40.0	115	4,800	40.0
16	4,800	40.0	116	4,800	40.0
17	4,800	40.0	117	4,800	40.0
18	4,800	40.0	118	4,800	40.0
19	4,800	40.0	119	4,800	40.0
20	4,800	40.0	120	4,800	40.0
21	4,800	40.0	121	4,800	40.0
22	4,800	40.0	122	4,800	40.0
23	4,800	40.0	123	4,800	40.0
24	4,800	40.0	124	4,800	40.0
25	4,800	40.0	125	4,800	40.0
26	4,800	40.0	126	4,800	40.0
27	4,800	40.0	127	4,800	40.0
28	4,800	40.0	128	4,800	40.0
29	4,800	40.0	129	4,800	40.0
30	4,800	40.0	130	4,800	40.0
31	4,800	40.0	131	4,800	40.0
32	4,800	40.0	132	4,800	40.0
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37	4,800	40.0	137	4,800	40.0
38	4,800	40.0	138	4,800	40.0
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40	4,800	40.0	140	4,800	40.0
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42	4,800	40.0	142	4,800	40.0
43	4,800	40.0	143	4,800	40.0
44	4,800	40.0	144	4,800	40.0
45	4,800	40.0	145	4,800	40.0
46	4,800	40.0	146	4,800	40.0
47	4,800	40.0	147	4,800	40.0
48	4,800	40.0	148	4,800	40.0
49	4,800	40.0	149	4,800	40.0
50	4,800	40.0	150	4,800	40.0
51	4,800	40.0	151	4,800	40.0
52	4,800	40.0	152	4,800	40.0
53	4,800	40.0	153	4,800	40.0
54	4,800	40.0	154	4,800	40.0
55	4,800	40.0	155	4,800	40.0
56	4,800	40.0	156	4,800	40.0
57	4,800	40.0	157	4,800	40.0
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60	4,800	40.0	160	4,800	40.0
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62	4,800	40.0	162	4,800	40.0
63	4,800	40.0	163	4,800	40.0
64	4,800	40.0	164	4,800	40.0
65	4,800	40.0	165	4,800	40.0
66	4,800	40.0	166	4,800	40.0
67	4,800	40.0	167	4,800	40.0
68	4,800	40.0	168	4,800	40.0
69	4,800	40.0	169	4,800	40.0
70	4,800	40.0	170	4,800	40.0
71	4,800	40.0	171	4,800	40.0
72	4,800	40.0	172	4,800	40.0
73	4,800	40.0	173	4,800	40.0
74	4,800	40.0	174	4,800	40.0
75	4,800	40.0	175	4,800	40.0
76	4,800	40.0	176	4,800	40.0
77	4,800	40.0	177	4,800	40.0
78	4,800	40.0	178	4,800	40.0
79	4,800	40.0	179	4,800	40.0
80	4,800	40.0	180	4,800	40.0
81	4,800	40.0	181	4,800	40.0
82	4,800	40.0	182	4,800	40.0
83	4,800	40.0	183	4,800	40.0
84	4,800	40.0	184	4,800	40.0
85	4,800	40.0	185	4,800	40.0
86	4,800	40.0	186	4,800	40.0
87	4,800	40.0	187	4,800	40.0
88	4,800	40.0	188	4,800	40.0
89	4,800	40.0	189	4,800	40.0
90	4,800	40.0	190	4,800	40.0
91	4,800	40.0	191	4,800	40.0
92	4,800	40.0	192	4,800	40.0
93	4,800	40.0	193	4,800	40.0
94	4,800	40.0	194	4,800	40.0
95	4,800	40.0	195	4,800	40.0
96	4,800	40.0	196	4,800	40.0
97	4,800	40.0	197	4,800	40.0
98	4,800	40.0	198	4,800	40.0
99	4,800	40.0	199	4,800	40.0
100	4,800	40.0	200	4,800	40.0

TRACT USE TABLES

HOMETOWN SURPRISE		
TRACT NAME	AREA (AC.)	USE
TRACT A	4.00	DRAINAGE, UTILITY EASEMENT, LANDSCAPE
TRACT B	1.19	TURF AREA, LANDSCAPE, PAVILION, PLAY HILL
TRACT C	0.15	LANDSCAPE
TRACT D	3.13	DRAINAGE, LANDSCAPE, PLAY LAWN, PLAYGROUND, PAVILION
TRACT E	0.02	LANDSCAPE
TRACT F	0.02	LANDSCAPE
TRACT G	0.79	LANDSCAPE
TRACT H	12.56	DRAINAGE, LANDSCAPE, TRAIL, PAVILION, PICKLEBALL COURT, PUBLIC ACCESS EASEMENT
TRACT I	0.05	LANDSCAPE
TRACT J	0.05	LANDSCAPE
TRACT K	0.02	LANDSCAPE
TRACT L	3.35	DRAINAGE, LANDSCAPE, TRAIL, PAVILION, PICKLEBALL COURT
TRACT M	0.02	LANDSCAPE
TRACT N	0.06	LANDSCAPE
TOTAL	24.82	

LAND USE SUMMARIES

HOMETOWN SURPRISE	
LAND USE SUMMARY	
40'x120' LOTS	195
TOTAL LOTS	195
GROSS DENSITY	3.22
NET DENSITY	8.65
LOT ACREAGE	22.537
PUBLIC STREETS	13.116
OPEN SPACE	24.820
TOTAL ACREAGE	60.473

ZONING	# LOTS
MDR-PAD	195

Open Space Calculations		
	Acres	%
Total Acreage	60.473	100.00%
Open Space Provided	24.820	41.04%
Active Open Space	2.198	3.64%
Passive Open Space	4.811	7.96%
Natural Open Space	17.811	29.44%



CITY OF SURPRISE BENCHMARK
 WAGON COUNTY HERITAGE DEPARTMENT
 1210 N. 101ST ST. (N. OF SURPRISE AVENUE) 175 W.
 SURPRISE, AZ 85084
 VALLEY RD. STATION 1000
 ELEVATION - 5100.00' - NORTH AS SHOWN

HOMETOWN SURPRISE

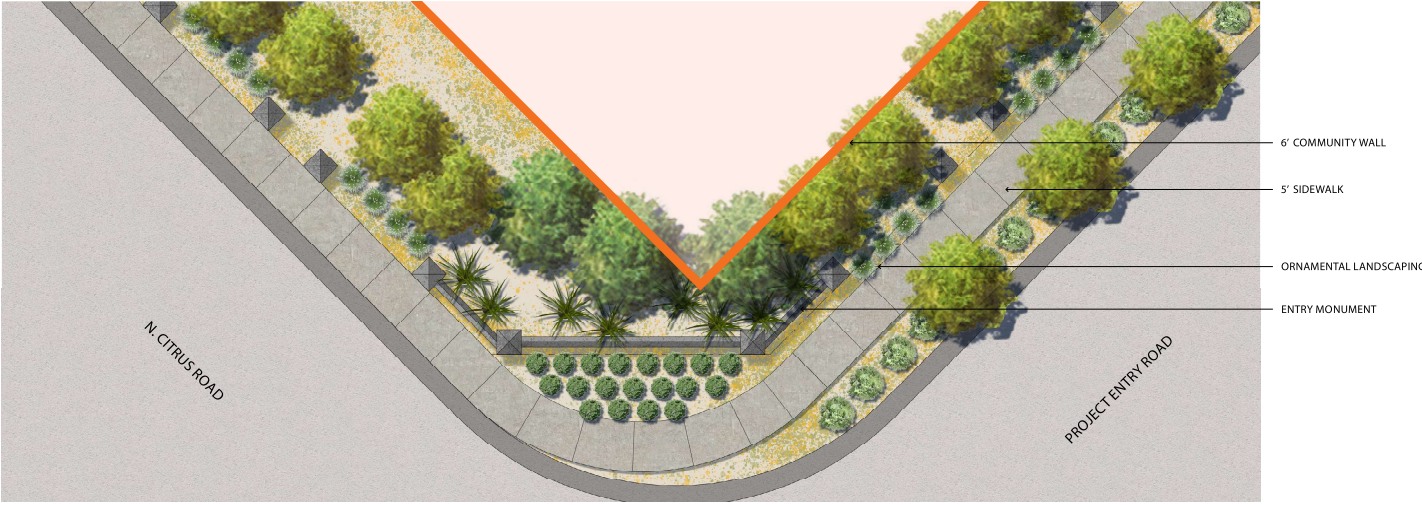
CITY OF SURPRISE
 MARICOPA COUNTY, ARIZONA
 LOT, TRACT & LAND
 USE SUMMARIES

GOODWIN & MARSHALL, INC.
 CIVIL ENGINEER-PLANNED-SURVEYOR
 No. 00000000 - License - Arizona State Board of Engineers and Surveyors, No. 00000000

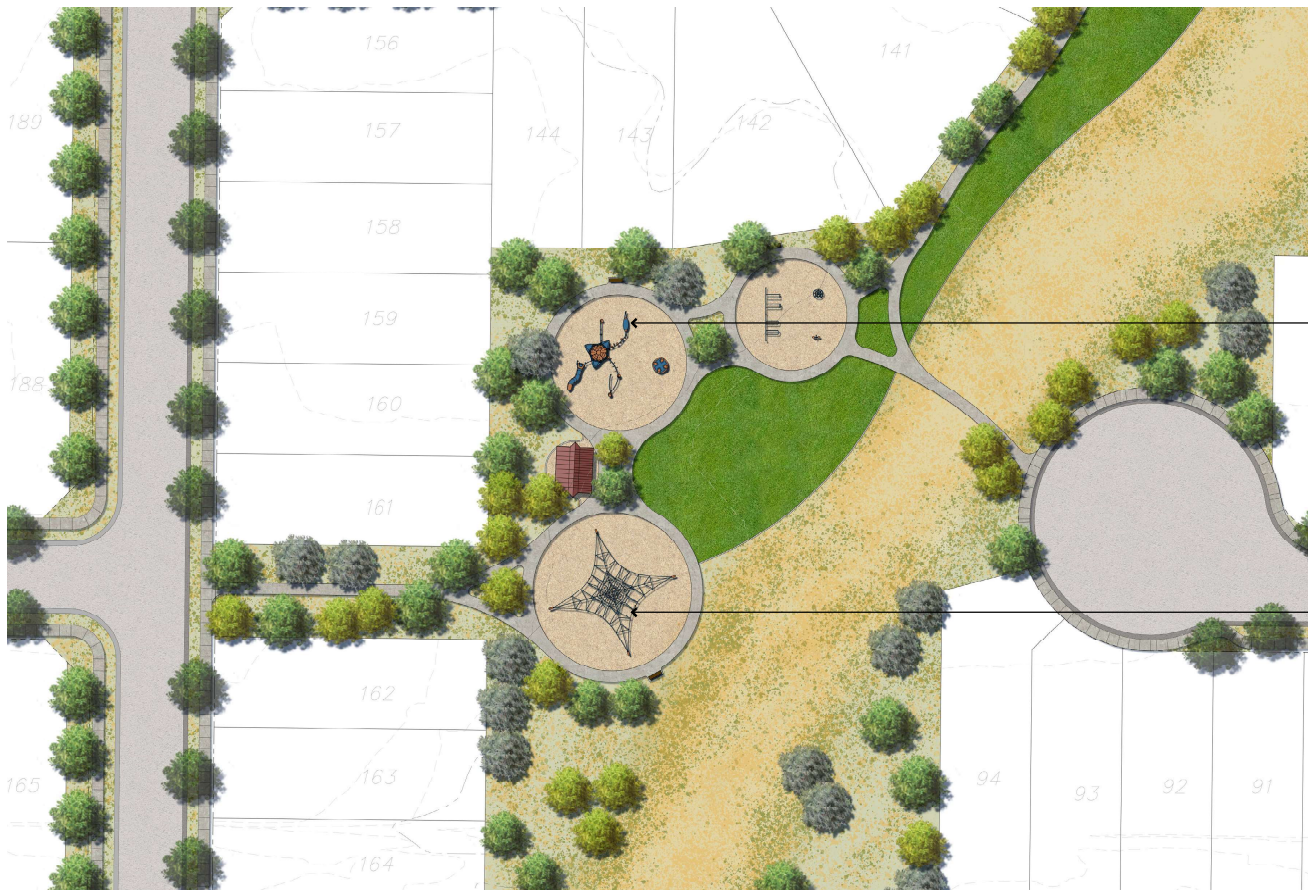


DATE: 1 JANUARY 2021
 SHEET: 9 OF 10





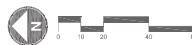
COMMUNITY ENTRY MONUMENTATION



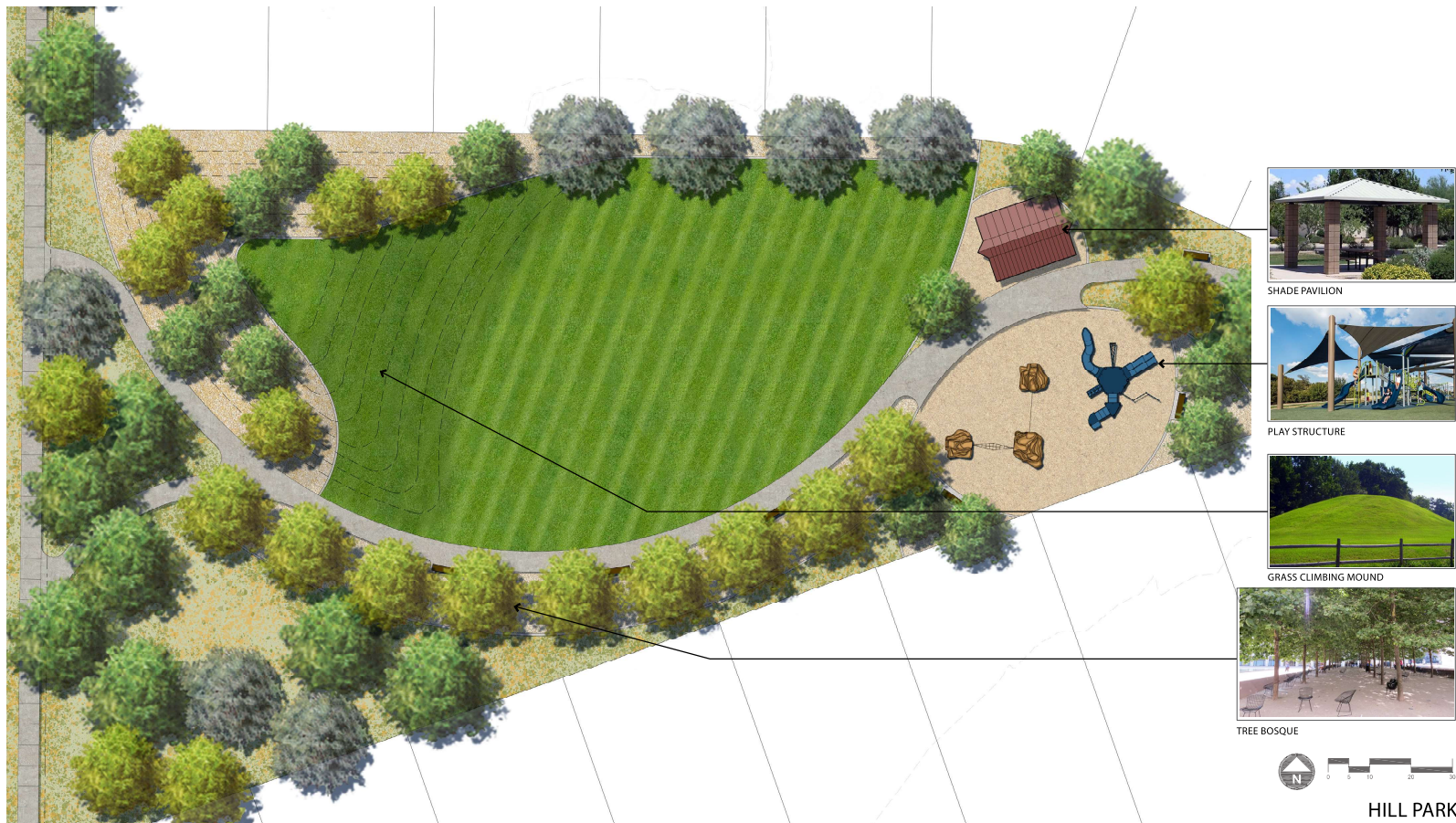
PLAY STRUCTURE

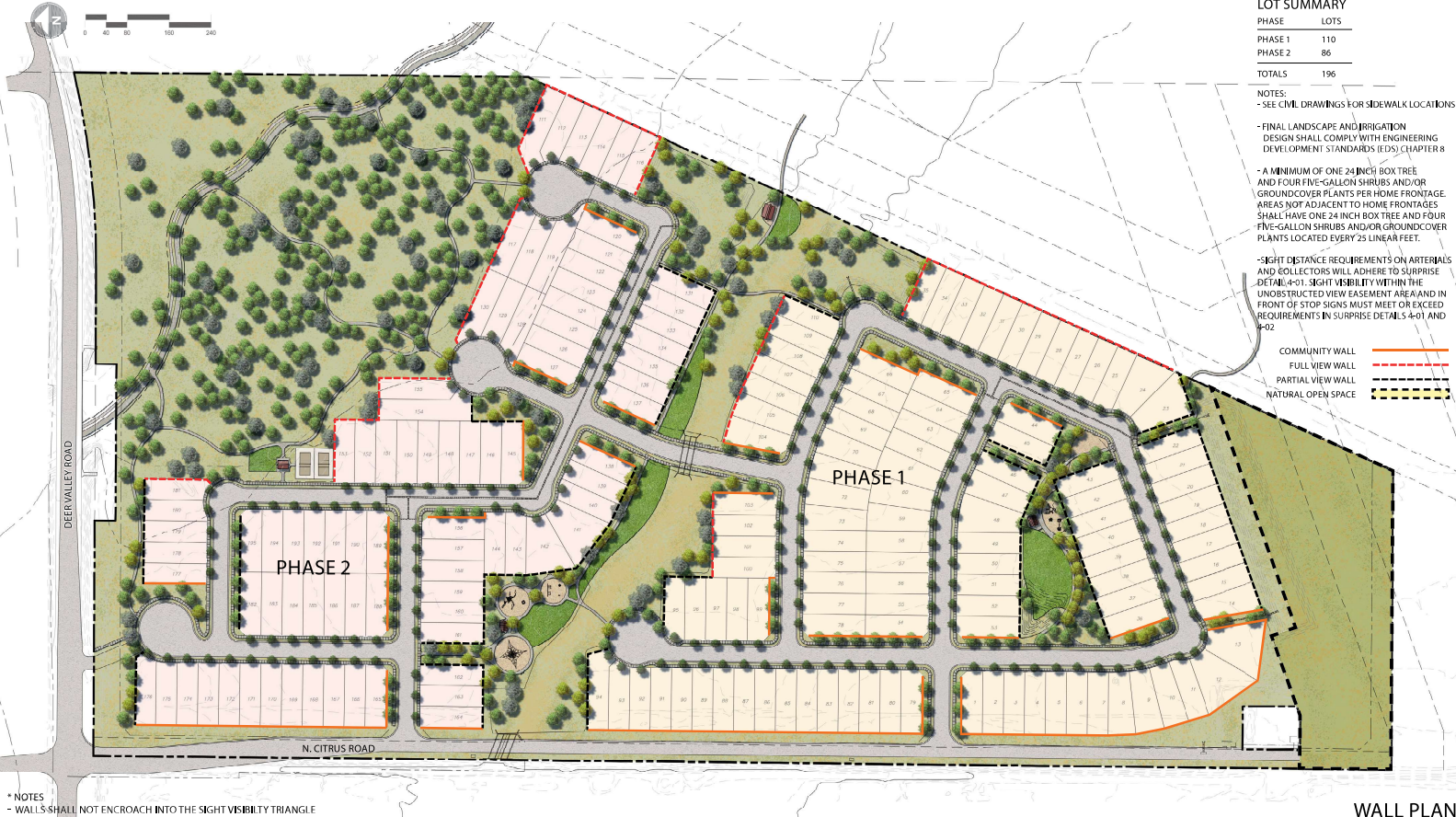


NET CLIMBER



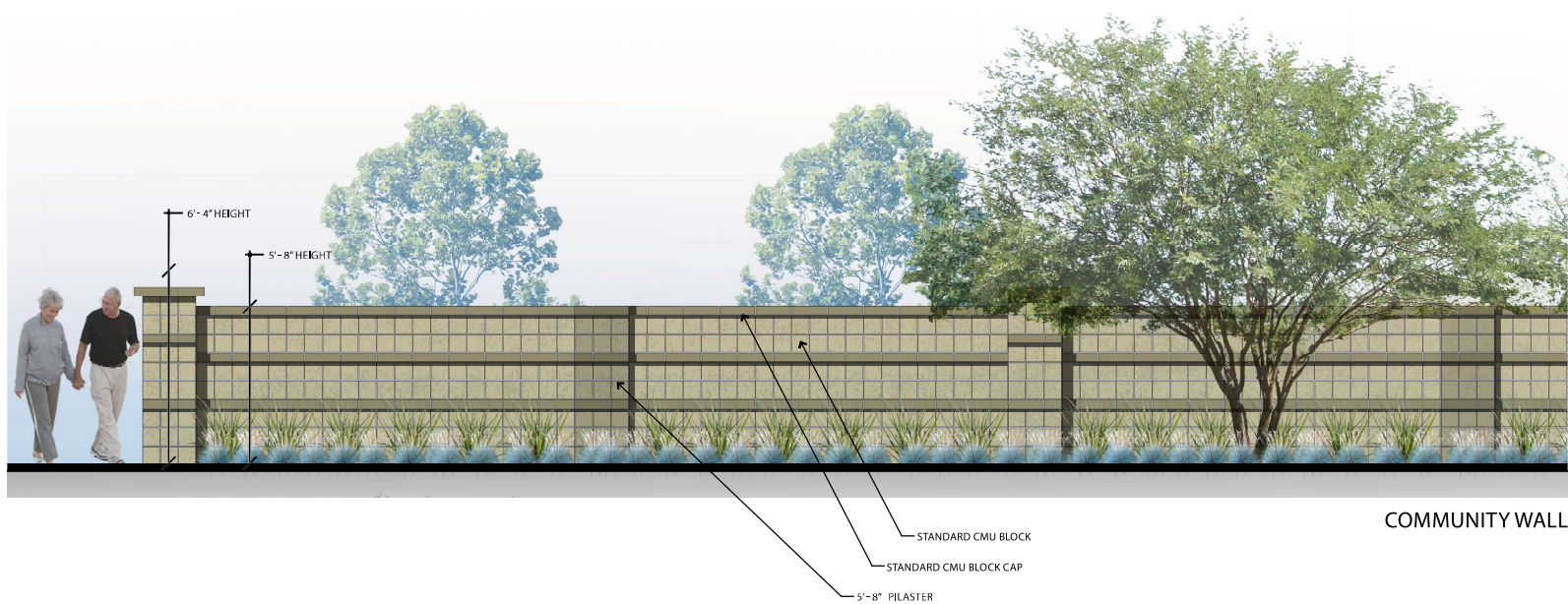
PLAYGROUND PARK





* NOTES
 - WALLS SHALL NOT ENCR OACH INTO THE SIGHT VISIBILITY TRIANGLE
 - ALL TRAILS TO BE 6' WIDE

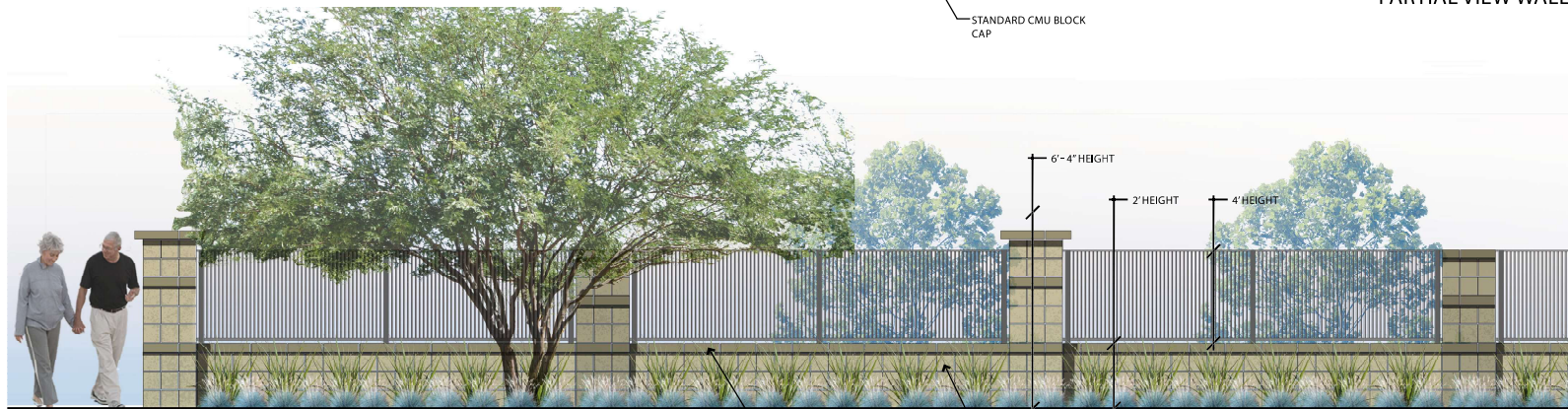
WALL PLAN



* NOTE: WALLS SHALL NOT ENCRROACH INTO THE SIGHT VISIBLTY TRIANGLE



PARTIAL VIEW WALL



FULL VIEW WALL



**DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND**

5 August 2020

Mr. Christopher P. Toale
Director, Community Initiatives Team
56th Fighter Wing
14185 West Falcon Street
Luke AFB AZ 85309-1629

Ms. Lorraine Nevarez
Planning Project Coordinator
Community Development
16000 N. Civic Center Plaza
Surprise AZ 85374

Re: FS20-488, Hometown Surprise (APN: 503-75-005F)

Dear Ms. Nevarez

Thank you for the opportunity to provide comments on the Hometown Surprise Preliminary Plat Application. The site sits on approximately 60 acres of vacant land located East of North Citrus Rd. and South of West Deer Valley Rd. in Surprise AZ. The site is located 1.5 miles outside the Aux-1 2004 JLUS 65 Ldn, "high noise or accident potential zone" as defined by A.R.S. § 28-8461 and is inside the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461.

In an effort to promote a more compatible co-existence, Luke AFB follows the guidelines in the Graduated Density Concept (GDC). The GDC proposes, in the absence of a more restrictive state, county or municipal general or comprehensive plan, graduating densities away from the 65 Ldn as follows: a maximum of 2 du/acre from the 65 Ldn to 1/2 mile, a maximum of 4 du/acre from 1/2 to 1 mile, and a maximum of 6 du/acre from 1 to 3 miles. Hometown Surprise is planned for 196 lots with a density of 3.3 du/ac therefore it falls within these guidelines.

As stated in the narrative, this request will not have a negative impact on Luke AFB flight operations as long as the above GDC guidance is followed. Since the site will be located within the "territory in the vicinity of a military airport," it will be subjected to approximately 165 over flights a day, with some as low as 1,500 feet above ground level. If this development is approved, we recommend you review the sound attenuation requirements found in A.R.S. § 28-8482. In addition, a strong notification program on the part of the applicant would be essential to inform potential residents about Luke AFB operations.

If there are any questions, please contact my Community Planner, Mr. Mark James at (623) 856-9981.

Sincerely

A handwritten signature in black ink, appearing to read "Ch. P. Toale". The signature is fluid and cursive, with the first name "Ch." and last name "Toale" clearly distinguishable.

CHRISTOPHER P. TOALE

cc:

Colonel Luke B. Casper, Vice Commander, 56th Fighter Wing

Ms. Cindy L. Allen, GS-13, General and Environmental Law Attorney, 56th Fighter Wing



FS20-488

Hometown Surprise

Preliminary Plat

City Council – May 18, 2021

VICINITY MAP

FS20-488

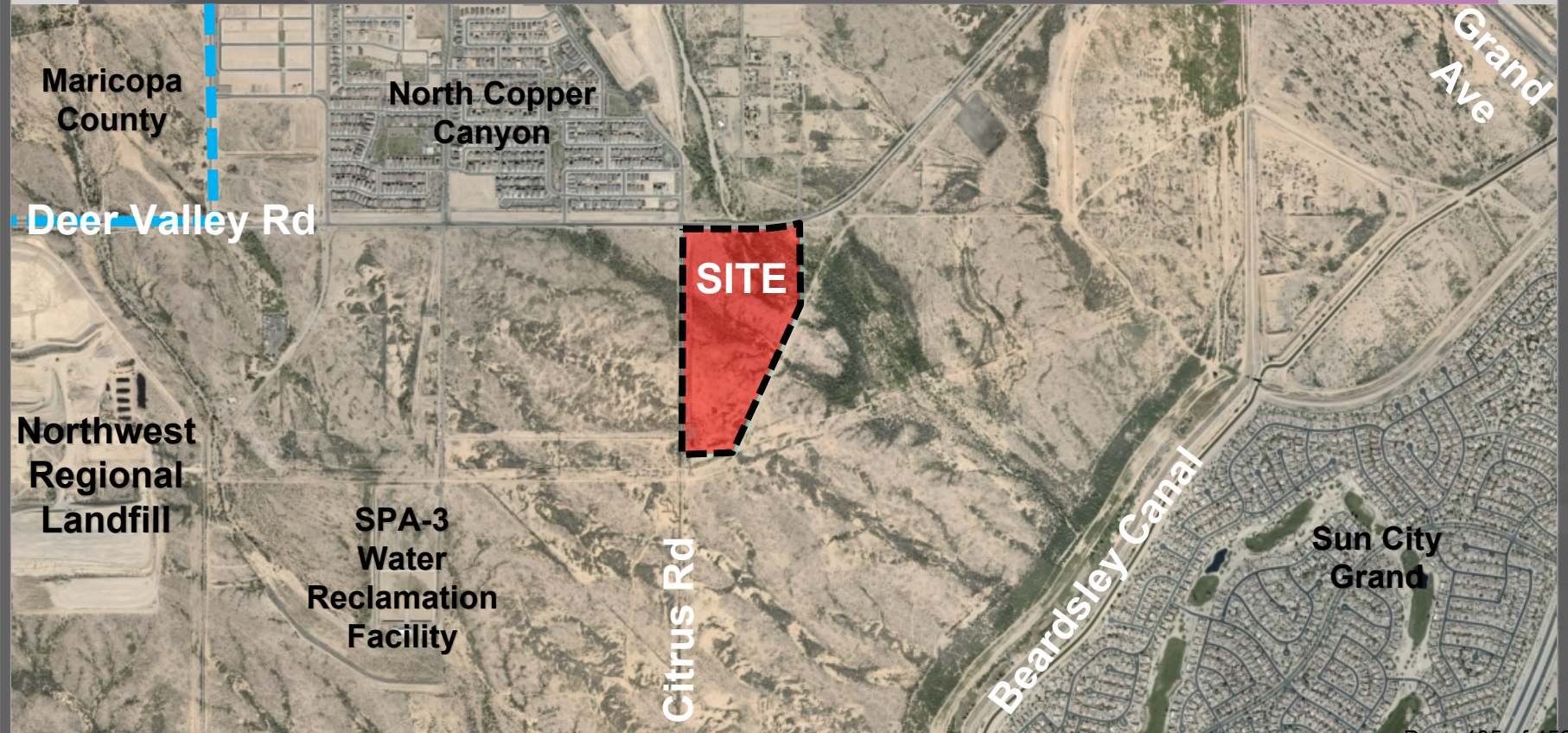
Hometown Surprise PP



CASE MAP

FS20-488

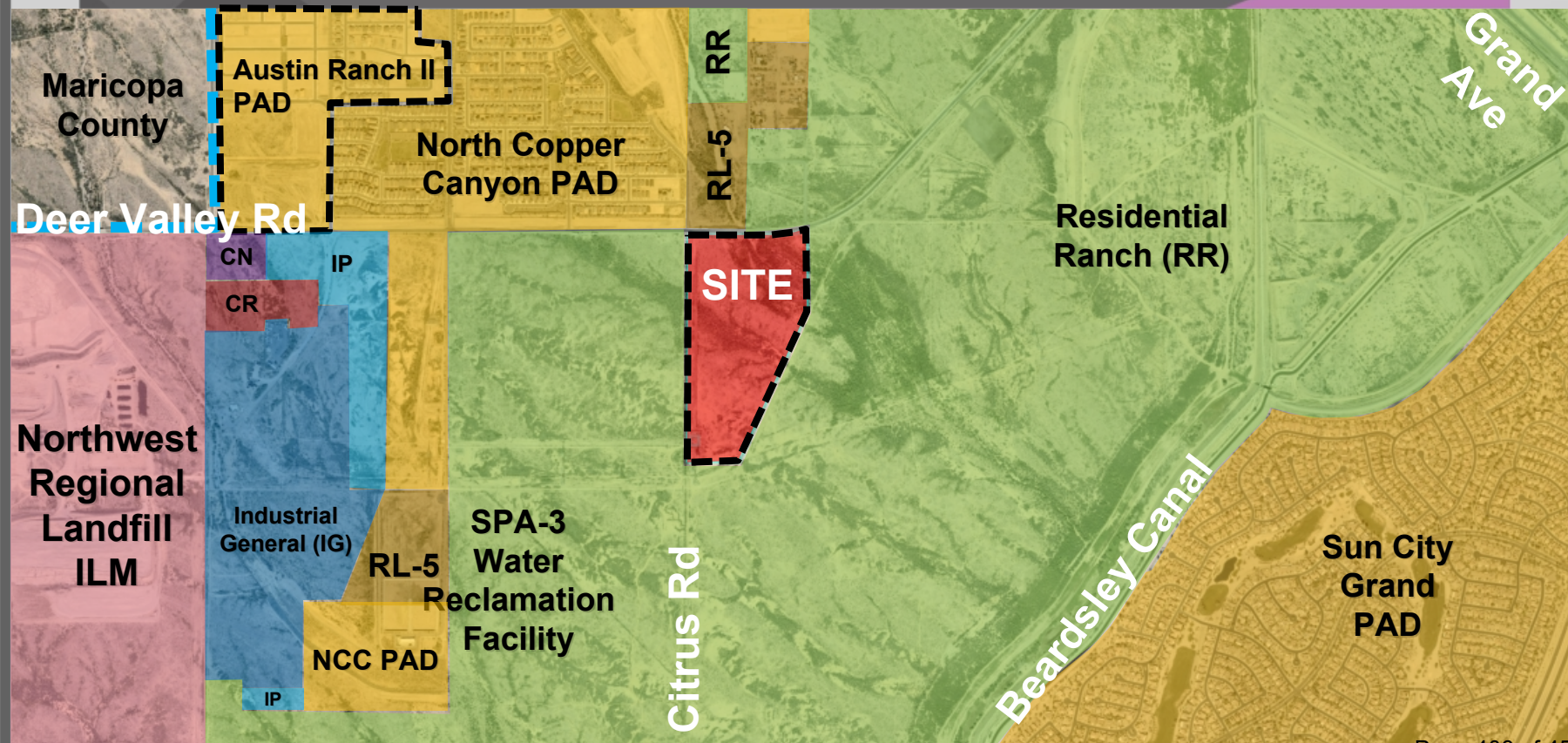
Hometown Surprise PP



ZONING MAP

FS20-488

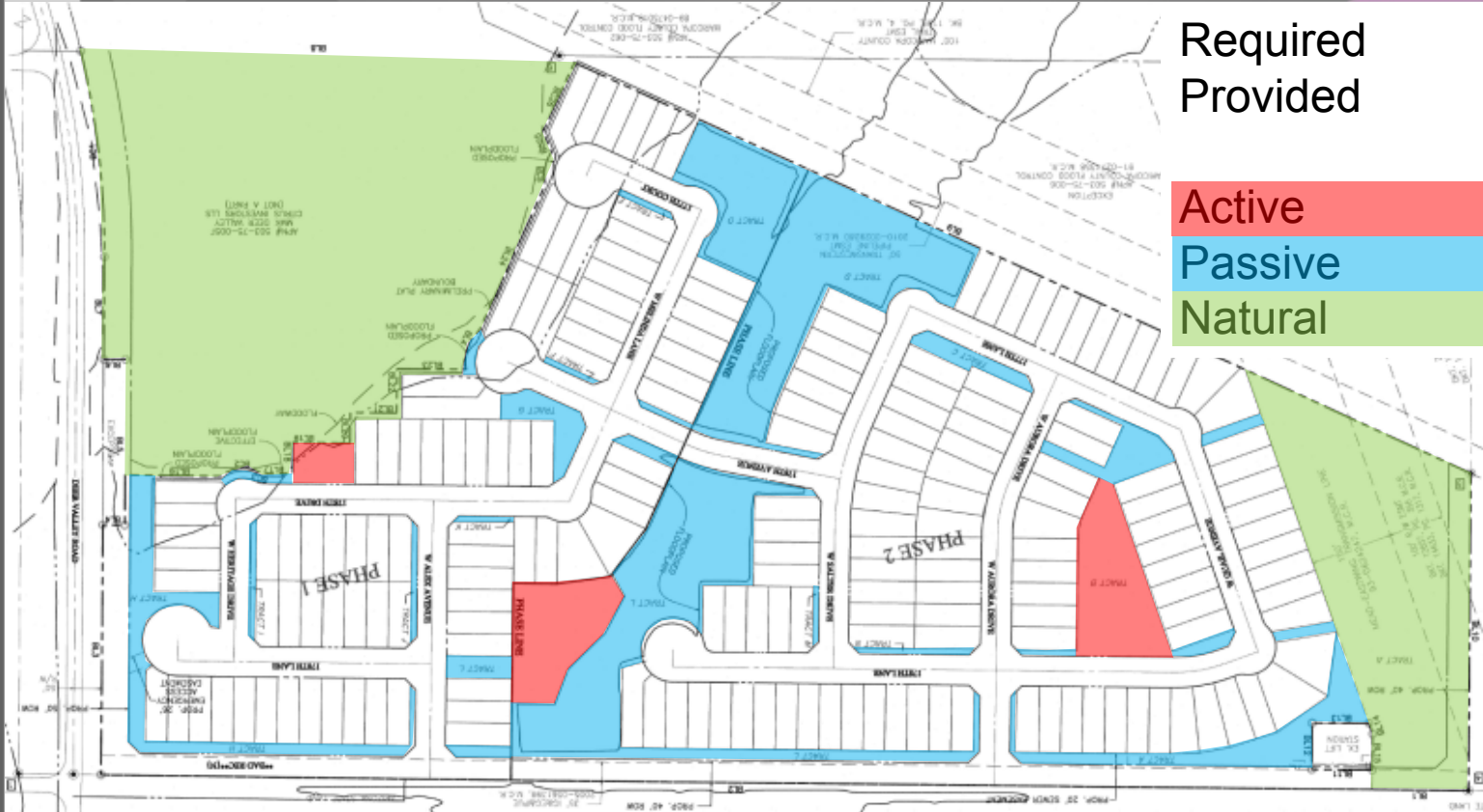
Hometown Surprise PP



PRELIMINARY PLAT



OPEN SPACE



LANDSCAPE



LANDSCAPE



PLAY STRUCTURE



NET CLIMBER



PLAYGROUND PARK

LANDSCAPE



HILL PARK

WALL PLAN



WALL PLAN



VIEW FENCE/WALL ELEVATION
A00.001 TO 004.004



VIEW FENCE/WALL ELEVATION
A00.001 TO 004.004



80% CHARDONNAY SOUTHERN (CSV-3034)
20% CHARDONNAY PRESSURE FILLED STONE (CSV-3042)

THEME WALL ELEVATION

Date: 1-27-2005
Revised: 4-4-2005

PAD 2 Prepared By:
Sage Engineering Corp.
3414 S. 48th Street, Suite 8
Phoenix, AZ 85040
Phone: 480-968-9971
Fax: 480-921-4956
Contact: J Patrick Murphy

PAD 2 Prepared For:
Courtland Homes
5333 N. 7th Street, Suite B300
Phoenix, Arizona 85014
Phone: 602-265-3713
Contact: Mr. Joe Walsh

Austin Ranch
PAD 2
Theme & View Wall Details

Commission Recommendation:

(April 15, 2021)

Approve, subject to stipulations 'a' through "d"



**QUESTIONS OR
COMMENTS?**

Thank You

- a. Development and use of the site shall be consistent with the Preliminary Plat entitled “Preliminary Plat for Hometown Surprise at Austin Ranch II, Parcel E” consisting of ten (10) sheets prepared by Goodwin and Marshall and received March 8, 2021.
- b. Landscaping of the site shall be consistent with the Landscape and Wall Plans entitled “Hometown Surprise,” consisting of seven (7) sheets prepared by Langvardt Design Group and received February 16, 2021.
- c. The applicant is responsible for constructing parkway half-street improvements along the frontage of Deer Valley Road including the excepted open space tract to the east. City staff and the applicant will provide an executed in-lieu agreement for payment of the proportionate cost of the expanded bridge prior to Final Plat approval.
- d. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the applicable provisions of the Surprise Municipal Code.



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: May 18, 2021 Contact Person: Robert Kuhfuss
Submitting Department: Community Development District: District 1
Staff Recommendations: None

Consent: No Regular: No Public Hearing: Yes Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to approval a Preliminary Plat entitled “North Copper Canyon Parcels 2, 3, and 4” and dated February 8, 2021, an approximately 139.67 acre property generally located west of Citrus Road, between Pinnacle Peak Road and Norwich Drive; Case FS20-333.

Motion:

I move to approve the Preliminary Plat entitled, “North Copper Canyon Parcels 2, 3, and 4” subject to stipulations “a” through “c” as memorialized in the staff report.

Background:

Duane Hunn of Courtland Homes, Inc. seeks to subdivide the subject parcel into 630 lots and 20 tracts for a total of 139.67 gross acres exclusive of the adjacent 20-acre school site.

Objective Analysis:

The subject request involves a Preliminary Plat for Parcels 2, 3, and 4 of the North Copper Canyon Community. The applicant seeks to subdivide the subject parcel into 630 lots and 20 tracts for a total of 139.67 gross acres, exclusive of the 20-acre school site.

Policy Compliant:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more.

Financial Impact:

While this item does not have an immediate or direct financial impact, ongoing development activity in the City will inevitably have a future financial impact as additional resources are needed to provide city services.

Budget Impact:

There is no anticipated budget impact related to this item.

FTE Impact:

This item does not have an impact on current staffing levels.

ATTACHMENTS:

1. 00 - FS20-333 NCC 2, 3 and 4 Preliminary Plat 05-18-21 CC Staff Report
 2. 01 - FS20-333 - Austin Ranch NCC Parcels 2, 3, 4 PP - Vicinity Map - 041521.pdf
 3. 02 - FS20-333 - Austin Ranch NCC Parcels 2, 3, 4 PP - Case Map - 041521.pdf
 4. 03 - FS20-333 - Austin Ranch NCC Parcels 2, 3, 4 PP - Preliminary Plat - 041521
 5. 04 - FS20-333 - Austin Ranch NCC Parcels 2, 3, 4 PP - Landscape Plans - 04521
 6. 05 - FS20-333 LAFB Comments
 7. PP - FS20-333 Austin Ranch NCC Parcels 2, 3, and 4 Preliminary Plat 05-18-21 CC PPT
-

PRELIMINARY PLAT

REPORT TO THE CITY COUNCIL

Case: FS20-333

Project Name: North Copper Canyon Parcels 2, 3, and 4 Preliminary Plat

Council District: 1 - Acacia

Meeting Date: May 18, 2021

Planner: Robert H. Kuhfuss

Owner: Austin Ranch LLC

Applicant: Duane Hunn of Courtland Homes, Inc.

Request: Preliminary Plat approval for a 630 unit single-family residential subdivision in the Austin Ranch North Copper Canyon PAD.

Site Location: Generally located west of Citrus Road, between Pinnacle Peak Road and Norwich Drive

Dwelling Units: 630 total units

Site Size: 139.67 acres (approx.)

Density: 3.95 DU/Ac

General Plan Conformance: The proposal is consistent with the Surprise General Plan 2035

Support/Opposition: None received

Commission

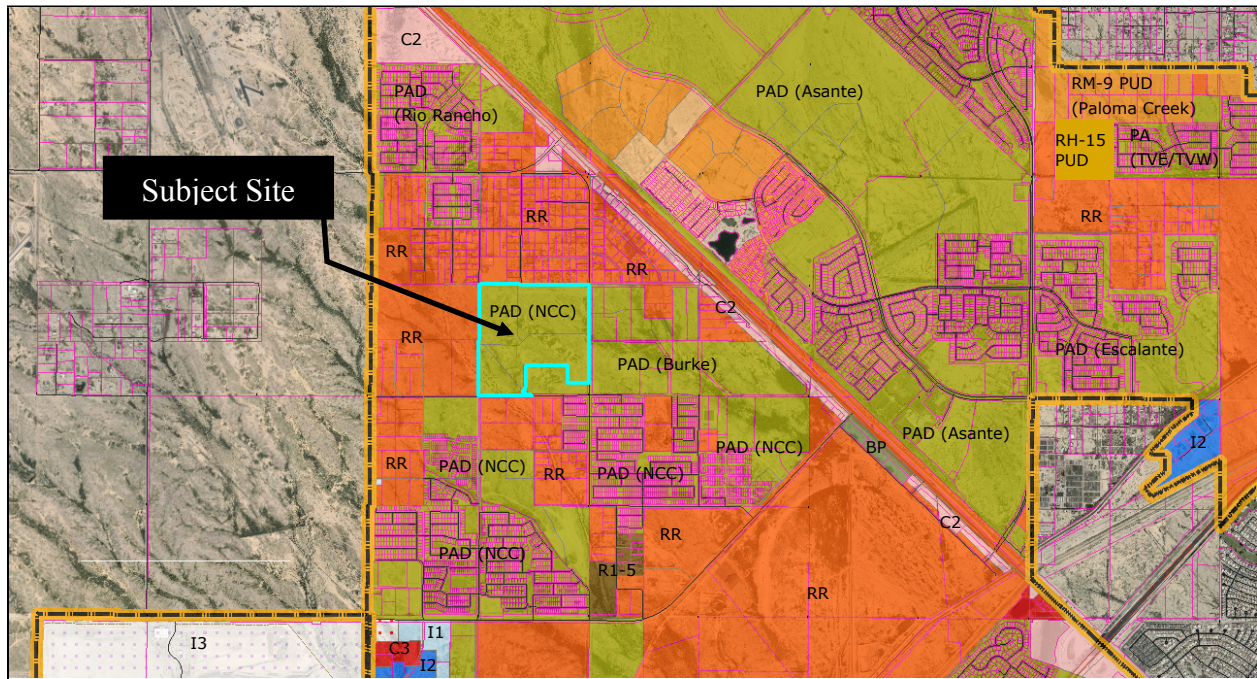
Recommendation: The Commission voted to recommend approval of case FS20-333 to the City Council, subject to stipulations 'a' through 'c.'

Project Description:

The subject request involves a Preliminary Plat for Parcels 2, 3, and 4 of the North Copper Canyon Community. The applicant seeks to subdivide the subject parcel into 630 lots and 20 tracts for a total of 139.67 gross acres exclusive of the adjacent 20-acre school site.

Surrounding Zoning:

The following map and chart depicts the existing zoning of the subject site and its surroundings:



Residential Ranch (RR)	Residential Ranch (RR)	Residential Ranch (RR)
Residential Ranch (RR)	North Copper Canyon (PAD)	North Copper Canyon (PAD) Burke PAD
North Copper Canyon (PAD)	North Copper Canyon (PAD) Residential Ranch (RR)	North Copper Canyon (PAD)

Background:

June 8, 1989: The subject project area was annexed into the City of Surprise under Ordinance 89-05.

May 27, 2004: The Mayor and City Council approved the Austin Ranch PAD.

September 29, 2005: The Mayor and City Council approved the Austin Ranch II PAD.

January 26, 2006: The Mayor and City Council approved a Preliminary Plat for Austin Ranch West.

February 18, 2020: The Mayor and City Council approved a Major PADA for North Copper Canyon under case FS19-431.

March 19, 2020: Staff met with the applicant to discuss the project during a regularly scheduled Concept Review meeting under CR20-162.

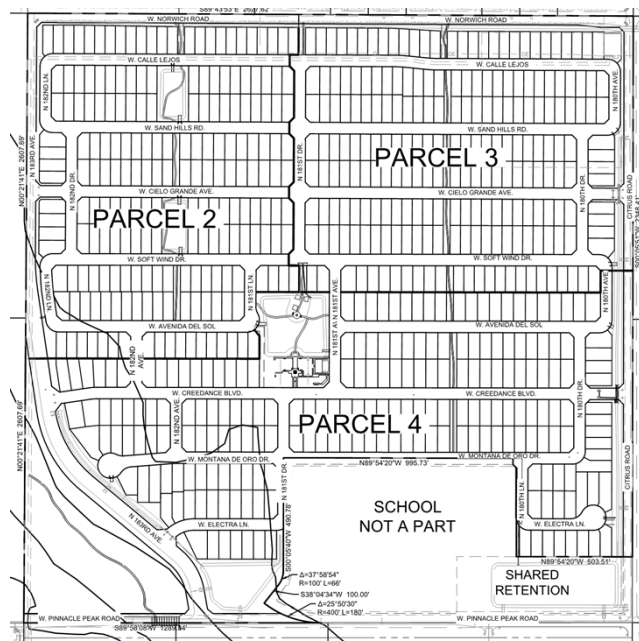
May 14, 2020: The applicant filed a request for a Preliminary Plat under case FS20-333, the subject case.

April 15, 2021: The Planning and Zoning Commission voted to approve the requested Preliminary Plat subject to staff-recommended stipulations 'a' through 'c'.

Analysis and Discussion:

Duane Hunn of Courtland Homes, Inc. is requesting Preliminary Plat approval for a 630-lot detached single-family residential subdivision on 139.67 acres generally west of Citrus Road, between Pinnacle Peak Road and Norwich Drive. The subject Preliminary Plat provides 630 Low Density Residential (LDR) lots in both 45 and 50 foot widths. This aforementioned acreage figure is exclusive of the 20-acre School Site, which per the PAD, is allowed to be calculated in the overall open space and density calculations. As such, the project provides for a density of 3.95 DU/Ac.

The proposed Preliminary Plat project area is shown below:



The open space comprises 25.7% open space inclusive of the School Site. This figure also includes the Well Site located in the extreme northeast corner of the site. While the well site should not be included in the open space calculation, its effect is negligible and represents less than 0.2% of the project area. Additionally, a public access easement is provided along the wash that crosses the site that will contribute to the City of Surprise trail system.

Utility and Services Table:

Water:	Beardsley Water
Wastewater:	City of Surprise
School District:	Dysart Unified

Conformance with Adopted Plans:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more.

Reviewing Agencies:

In addition to the standard city reviewing agencies, Maricopa County, Arizona Department of Transportation, Maricopa Water District, and Luke AFB were included in the routing of this request. None of the reviewing agencies indicated any concerns over the request.

Summary:

The applicant seeks a Preliminary Plat across the subject property. The proposed development is compatible with the neighboring land uses and the amenities included will provide recreational opportunities for the neighborhood residents.

Findings:

- The proposed Preliminary Plat is consistent with the Surprise General Plan.
- The proposed Preliminary Plat is consistent with the Rezone proposed under Case FS19-431.
- The reviewing agencies have indicated no objections.

Recommendation:

Based on the findings noted above, the Commission voted to recommend approval of the subject Preliminary Plat request to the City Council, subject to stipulations ‘a’ through ‘c’ as outlined below:

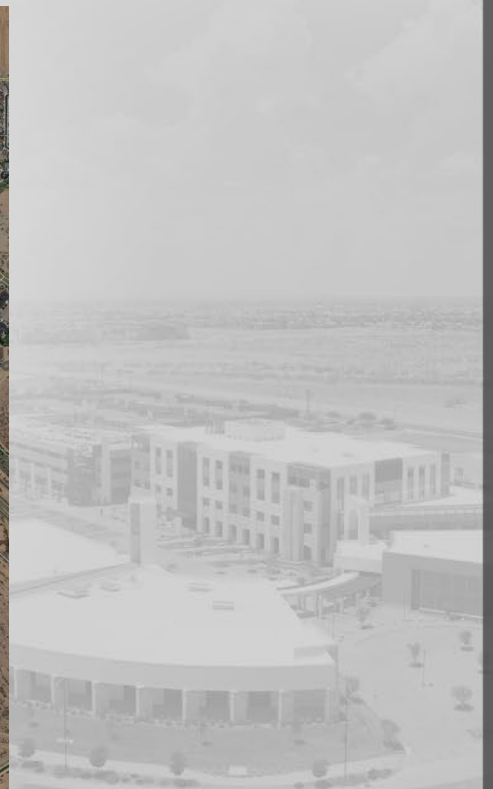
- 123 a. Development and use of the site shall be consistent with the Preliminary Plat entitled
124 "Preliminary Plat for North Copper Canyon Parcels 2, 3, and 4" consisting of seven (7) sheets
125 prepared by CVL Consultants and received March 30, 2021.
126
- 127 b. Landscaping of the site shall be consistent with the Landscape and Wall Plans entitled North
128 Copper Canyon – Parcels 2, 3 & 4 Preliminary Planting Plan" consisting of five (5) sheets
129 prepared by McCough Adamson and received February 9, 2021.
130
- 131 c. Non-compliance with the stipulations of approval of this case will be treated as a violation in
132 accordance with the provisions of Article XIV of the Surprise Unified Development Code.
133

134 However, should the City Council wish to recommend **denial** of the request, Council should make its
135 own findings and base its decision on those alternative findings.
136

137 **Attachments:**
138

- 139 01 Vicinity Map
140 02 Case Map
141 03 Preliminary Plat
142 04 Landscape Plans
143 05 Luke AFB comments

FS20-333
Austin Ranch NCC Parcels 2,3,4

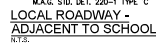


CASE MAP

FS20-333

Austin Ranch NCC Parcels 2, 3, 4





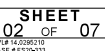
A PORTION OF LAND LOCATED IN THE SOUTHEAST QUARTER OF
SECTION 10, TOWNSHIP 4 NORTH, RANGE 2 WEST, OF THE
GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA

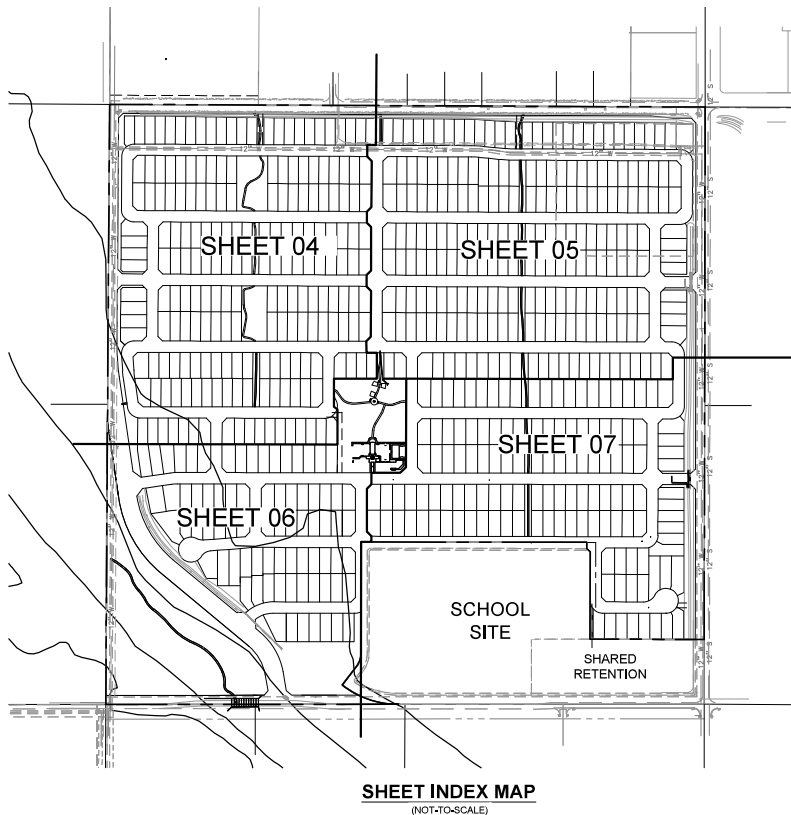
OWNER / DEVELOPER	CVL DESIGN TEAM
COURTLAND HOME CO HUNN DEVELOPMENT 2390 E CAMELBACK ROAD, SUITE 130 PHOENIX, ARIZONA 85016 CONTACT: DUANE HUNN PHONE: 623-640-8960	COE & VAN LOO, LLC 4550 NORTH 12TH STREET PHOENIX, AZ 85014 CONTACT: MATT OLSEN PHONE: 602-285-6831



SHEET INDEX

SHEET 01 - VICINITY MAP / PARCEL MAP/ SITE DATA TABLE / DEVELOPMENT STANDARDS TABLE / TYPICAL LOT DETAIL / LEGAL DESCRIPTION
SHEET 02 - ROADWAY SECTION DETAILS
SHEET 03 - INDEX MAP
SHEET 04-07 - PRELIMINARY PLAT



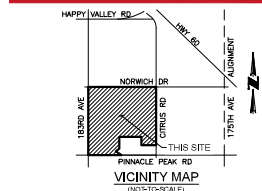


SHEET INDEX MAP
(NOT-TO-SCALE)

PRELIMINARY PLAT FOR NORTH COPPER CANYON PARCELS 2, 3 AND 4 A PORTION OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 4 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

OWNER / DEVELOPER
COURTLAND HOME LLC
HUNN DEVELOPMENT
2290 E CAMELBACK ROAD, SUITE 130
PHOENIX, ARIZONA 85016
CONTACT: SUANE HUNN
PHONE: 623-440-8590

CVL DESIGN TEAM
COE & VAN LOO LLC
4500 NORTH 12TH STREET
PHOENIX, AZ 85014
CONTACT: MATT OLSEN
PHONE: 602-286-6031



- LEGEND**
- PROPOSED LOTS
 - PROPOSED ROW
 - PROPOSED CENTER LINE
 - (S.V.T.) SIGHT VISIBILITY TRIANGLE
 - (V.N.A.E.) INDICATES VEHICULAR NON-ACCESS EASEMENT
 - (P.U.E.) INDICATES PUBLIC UTILITY EASEMENT

SHEET INDEX

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SHEET 03 - INDEX MAP
SHEET 04-07 - PRELIMINARY PLAT

CVL
CONCRETE VALLEY
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info@cvl.com, 4500 N. 12th Street, Phoenix, AZ 85014, phone 602.286.6031 fax 602.286.6032 www.cvl.com



SHEET
03 OF 07

CVLP 14.0206210
CASE # 7520703
DATE 2/6/2021

**PRELIMINARY PLAT
FOR
NORTH COPPER CANYON
PARCELS 2, 3 AND 4**

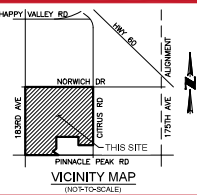
A PORTION OF LAND LOCATED IN THE SOUTHEAST QUARTER OF
SECTION 10, TOWNSHIP 4 NORTH, RANGE 2 WEST, OF THE
GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA

OWNER / DEVELOPER

COURTLAND HOME
HUNN DEVELOPMENT
2290 E CAMELBACK ROAD, SUITE 130
PHOENIX, ARIZONA 85016
CONTACT: SUANE HUNN
PHONE: 623-440-8500

CVL DESIGN TEAM

COE & VAN LOO LLC
4500 NORTH 12TH STREET
PHOENIX, AZ 85014
CONTACT: MATT OLSEN
PHONE: 602-268-6831



LEGEND

- PROPOSED LOTS
- PROPOSED ROW
- PROPOSED CENTER LINE
- (S.V.T.) RIGHT VERBILITY TRIANGLE
- (V.N.A.E.) INDICATES VEHICULAR NON-ACCESS EASEMENT
- (P.U.E.) INDICATES PUBLIC UTILITY EASEMENT

SHEET INDEX

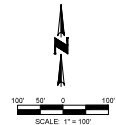
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SHEET 02 - ROADWAY SECTION DETAILS
SHEET 03 - INDEX MAP
SHEET 04 - PRELIMINARY PLAT

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CONSULTANTS
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SHEET
04 OF 07
DATE: 08/20/2011

SHEET 06

**SHEET 05
SHEET 07**

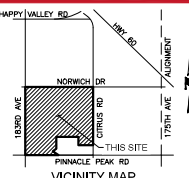


PRELIMINARY PLAT FOR NORTH COPPER CANYON PARCELS 2, 3 AND 4

A PORTION OF LAND LOCATED IN THE SOUTHEAST QUARTER OF
SECTION 10, TOWNSHIP 4 NORTH, RANGE 2 WEST, OF THE
GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA

OWNER / DEVELOPER
COURTLAND HOME LLC
HUNN DEVELOPMENT
2290 E CAMELBACK ROAD, SUITE 130
PHOENIX, ARIZONA 85016
CONTACT: SUANE HUNN
PHONE: 602-364-8500

CVL DESIGN TEAM
COE & VAN LOO LLC
4500 NORTH 12TH STREET
PHOENIX, AZ 85014
CONTACT: MATT OLSEN
PHONE: 602-364-8501



LEGEND	
	PROPOSED LOTS
	PROPOSED ROW
	PROPOSED CENTER LINE
	(S.V.T.) RIGHT VERBIAGE
	(V.N.A.E.) INDICATES VEHICULAR NON-ACCESS EASEMENT
	(P.U.E.) INDICATES PUBLIC UTILITY EASEMENT

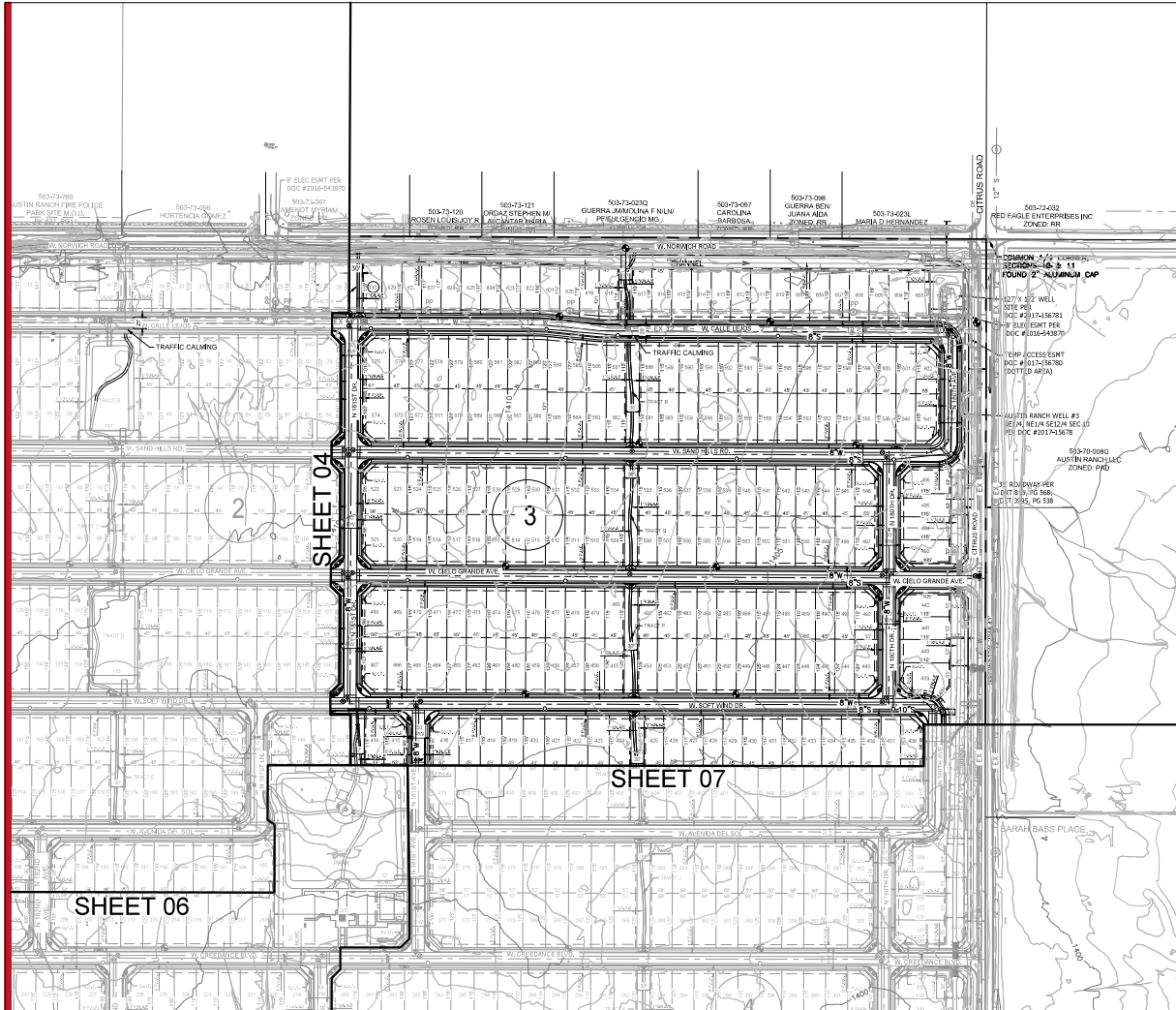
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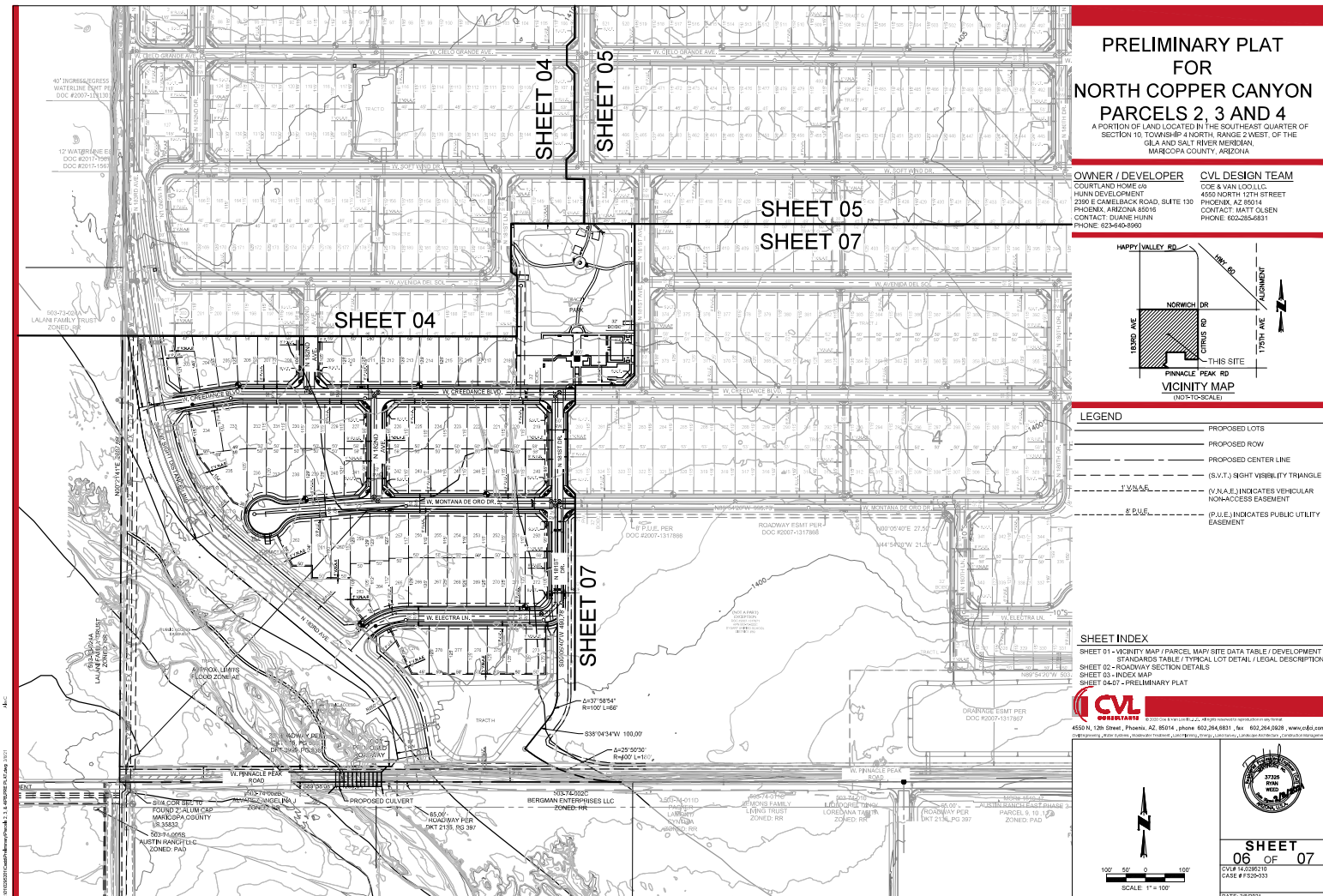
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CONSULTANTS
2201 North Central Ave., Suite 100
4500 N. 12th Street, Phoenix, AZ 85014, phone 602-364-8501 fax 602-364-8500 www.cvl.com
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100' 50' 0' 100'

SCALE: 1" = 100'

SHEET
05 OF 07
CVL 14.02.06.10
CASE # 152001
DATE: 06/02/2011

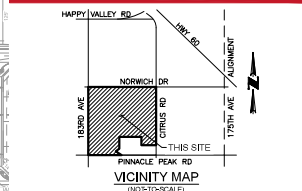




**PRELIMINARY PLAT
FOR
NORTH COPPER CANYON
PARCELS 2, 3 AND 4**
A PORTION OF LAND LOCATED IN THE SOUTHEAST QUARTER OF
SECTION 10, TOWNSHIP 4 NORTH, RANGE 2 WEST, OF THE
GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA

OWNER / DEVELOPER
COURTLAND HOME
HUNN DEVELOPMENT
2290 E CAMELBACK ROAD, SUITE 130
PHOENIX, ARIZONA 85016
CONTACT: SUANE HUNN
PHONE: 623-440-8500

CVL DESIGN TEAM
COE & VAN LOO LLC
4500 NORTH 12TH STREET
PHOENIX, AZ 85014
CONTACT: MATT OLSEN
PHONE: 602-266-6831



- LEGEND**
- PROPOSED LOTS
 - PROPOSED ROW
 - PROPOSED CENTER LINE
 - (S.V.T.) SIGHT VISIBILITY TRIANGLE
 - (V.N.A.E.) INDICATES VEHICULAR NON-ACCESS EASEMENT
 - (P.U.E.) INDICATES PUBLIC UTILITY EASEMENT

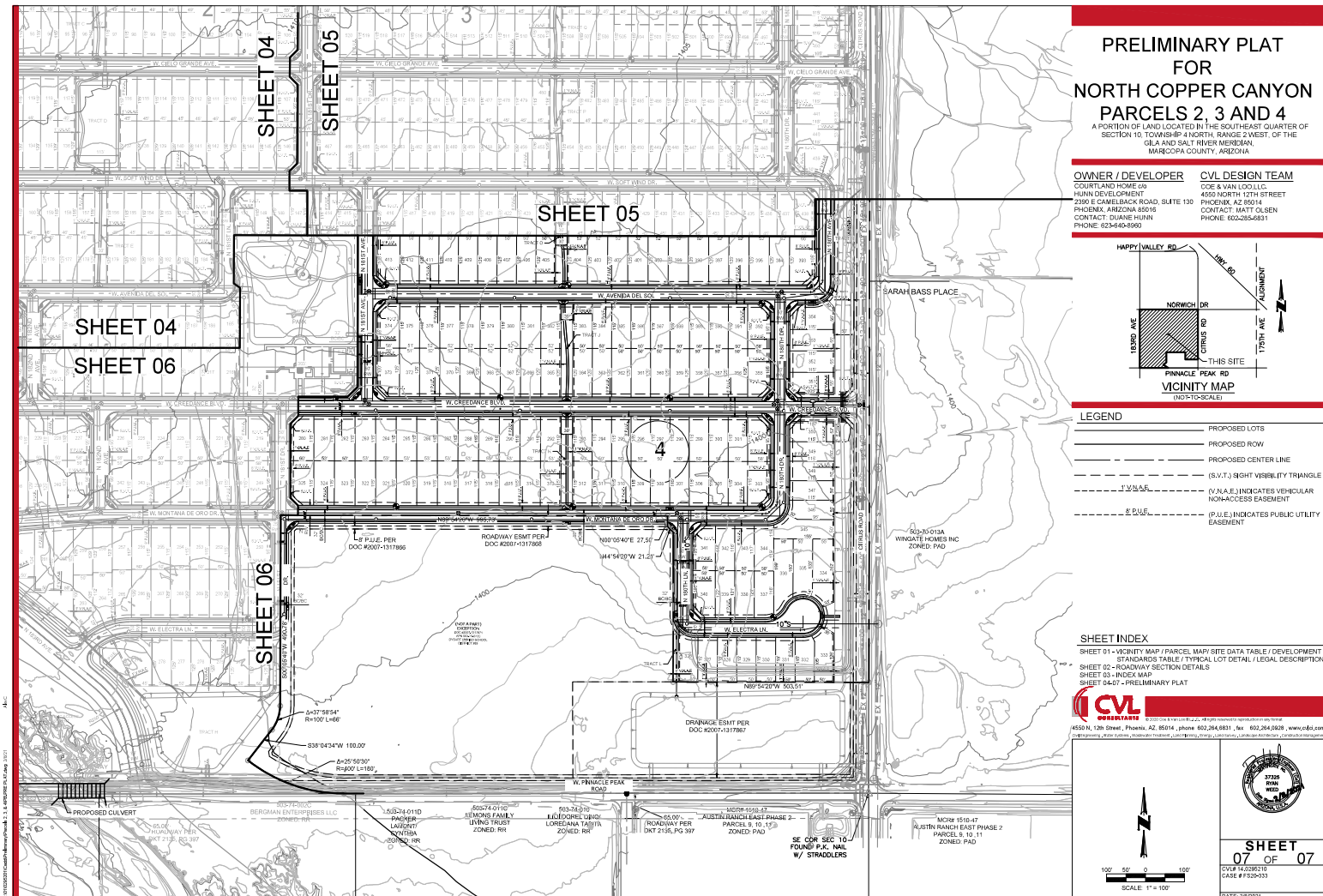
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SHEET 04-7 - PRELIMINARY PLAT

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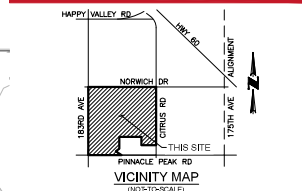
SHEET 06 OF 07
CVLP 14.02.06.10
CASE # F202-101
DATE: 2/26/2021



**PRELIMINARY PLAT
FOR
NORTH COPPER CANYON
PARCELS 2, 3 AND 4**
A PORTION OF LAND LOCATED IN THE SOUTHEAST QUARTER OF
SECTION 10, TOWNSHIP 4 NORTH, RANGE 2 WEST, OF THE
GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA

OWNER / DEVELOPER
COURTLAND HOME
HUNN DEVELOPMENT
7200 E CAMELBACK ROAD, SUITE 130
PHOENIX, ARIZONA 85016
CONTACT: SUANNE HUNN
PHONE: 623-440-8500

CVL DESIGN TEAM
COE & VAN LOO LLC
4500 NORTH 12TH STREET
PHOENIX, AZ 85014
CONTACT: MATT OLSEN
PHONE: 602-285-6531



- LEGEND**
- PROPOSED LOTS
 - PROPOSED ROW
 - PROPOSED CENTER LINE
 - (S.V.T.) RIGHT VERBILITY TRIANGLE
 - (V.N.A.E.) INDICATES VEHICULAR NON-ACCESS EASEMENT
 - (P.U.E.) INDICATES PUBLIC UTILITY EASEMENT

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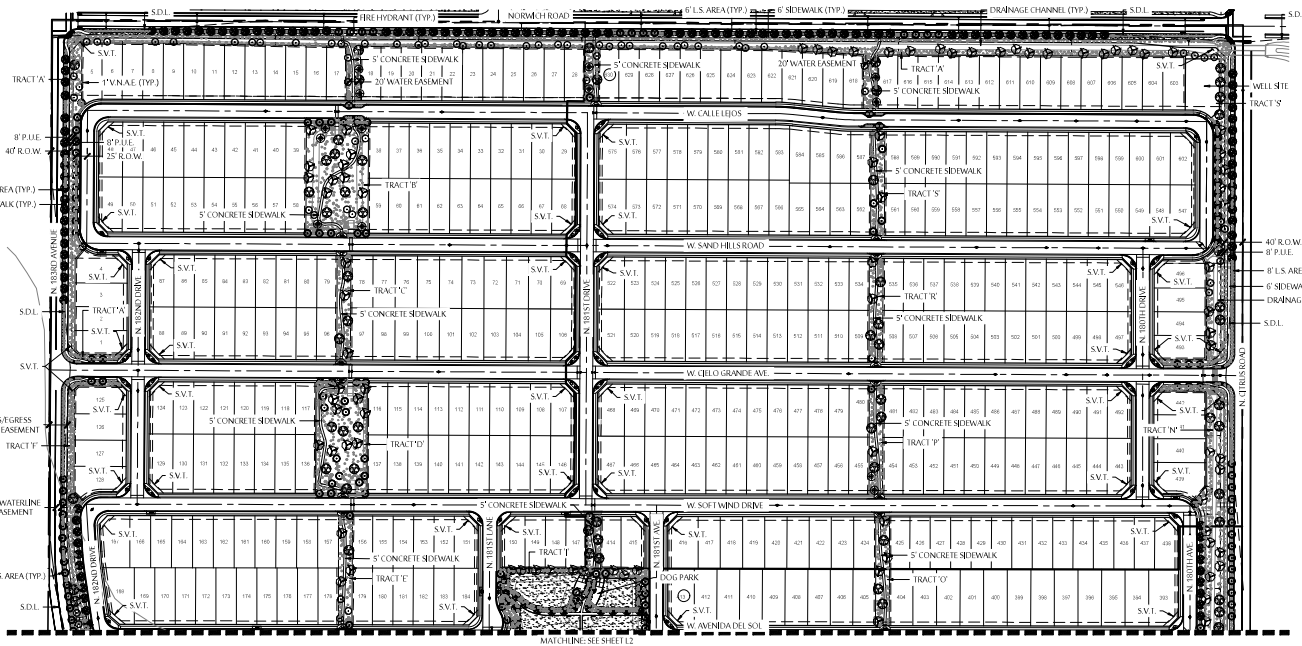
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info@cvl.com, www.cvl.com, www.cvl.com, www.cvl.com, www.cvl.com, www.cvl.com, www.cvl.com, www.cvl.com, www.cvl.com, www.cvl.com

SHEET
07 OF 07

CVL 14.02.2019
CASE # 14.02.2019
DATE: 08/20/2019

SCALE: 1" = 100'

3725
RVA
RVA



- SPECIAL NOTES:**
1. ROW PLANTING ALONG HOME FRONTAGES TO BE PLANTED AT A RATE OF ONE 24-INCH BOX TREE AND FOUR 5-GAL ON SHUBS AND/OR GROUND COVER PLANTS PER HOME FRONTAGE.
 2. NEW YARD ROW PLANTING WILL BE INSTALLED AT A RATE OF ONE 24-INCH BOX TREE AND FOUR 5-GAL ON SHUBS AND/OR GROUND COVER PLANTS LOCATED EVERY 25 LINEAR FEET.
 3. SIGHT DISTANCE REQUIREMENTS ON ARTERIALS AND COLLECTORS WILL ADHERE TO SURPRISE DETAILS 4-01. SIGHT VISIBILITY WITHIN THE UNOBSTRUCTED MAJOR EASEMENT AREA AND IN FRONT OF STOP SIGNS MUST MEET OR EXCEED REQUIREMENTS IN SURPRISE DETAILS 4-01 AND 4-02. TREES, SHRUBS, AND OTHER LANDSCAPING ARE PERMITTED WITHIN THE SIGHT VISIBILITY TRIANGLE PROVIDED THAT LEAVES, NEEDLES OR OTHER FOLIAGE ARE KEPT BELOW 20 INCHES OR ABOVE 64 INCHES, PER SURPRISE DETAILS 4-01.

PLANT LEGEND

TREES - ALL 24" BOX SHRUBS - ALL 5 GAL GROUND COVERS - ALL 5 GAL	ACACIA ANEURA / MULEGA ACACIA SALICINA / MALLOW ACACIA *CHILIPIS SP. / RIO SALADO / DESERT MALLOW OLNEYA TESOTA / BROWNWOOD PARSONSONIA HYBRID / DESERT MUSEUM PALO VERDE PARSONSONIA LORIDA / BLUE PALO VERDE PROSOPIA HYBRID / AZT / AZT THORNLESS MESQUITE *INDICATES A CITY APPROVE STREET ROW TREE THAT IS TO BE INSTALLED WITH DEEP ROOT BARRIERS	CALLIANDRA ERIOPHYLLA / NATIVE PARRY DUSTER ENCLETHA FARINOSA / BRITTLEBUSH HYPTIS EMORBI / DESERT LAVENDER JUSTITIA CALIFORNICA / CHUPAROSA LARREA TRIDENTATA / CREOSOTE BUSH LEUCOPHYLLUM LAEVIGATUM / CHIHUAHUA RUN SAGE SHIMONDISA CHIHUENSIS / JOJOBA SPHAERALCEA AMBIGUA / GLOBE MALLOW	AGAVE AMERICANA / AMERICAN AGAVE AGAVE PARROTI / PARRY'S AGAVE ASCLEPIUS SUBULATA / DESERT MILKWEED BOULETOLUA GRACILIS / BLONDE AMBITION GRASS DASYSPHON WILLIAMSII / DESERT SPOON FOURCROZIA SPLENDENS / OCCOTELLO HESPEROLYCE PARMILORA PERPA / BRONZE BOUTS RED YUCCA MILKWEEDS / BOUTS / DESERT GRASS OPUNTIA ELIZABETH / NATIVE PRICKLY PEARL	AMBROSIA DELTOIDEA / TRIANGLE LEAF BUR-SAGE RAILYAMA LUTRARIATA / DESERT MARIGOLD EREMOPHILA GLABRA / YVE / OUTBACK SUNBEE ACACIA REDOLENS / TRAILING ACACIA TURF - MEXICAN BERMUDA SOLO DECOMPOSED GRANITE - TO BE DETERMINED BY OWNER
--	---	---	---	---

- NOTES:**
1. DUE TO PLANT MATERIAL AVAILABILITY, SUBSTITUTIONS FOR PLANT MATERIAL LISTED ABOVE MAY BE USED. ANY ALTERNATES OR SUBSTITUTIONS MUST BE ON THE ADJACENT WATER USE PLANT LIST.
 2. SUBSPECS OR HYBRIDS OF PLANT MATERIAL LISTED ABOVE MAY BE USED AS ALTERNATES/SUBSTITUTIONS.
 3. ADDITIONAL PLANT MATERIAL MAY BE ADDED TO THE LIST ABOVE DUE TO UTILITY COMPANY OR HOA REQUESTS AND/OR PLANTING RESTRICTIONS WITHIN UTILITY EASEMENTS.
 4. NO TREES TO BE LOCATED WITHIN THE P.U.E. OR ANY OTHER NOTED EASEMENTS. FINAL PLANT MATERIAL SIZE AND LOCATION SHALL COMPLY WITH LIDS STANDARD DETAILS 4-01 AND 4-02.

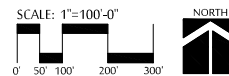


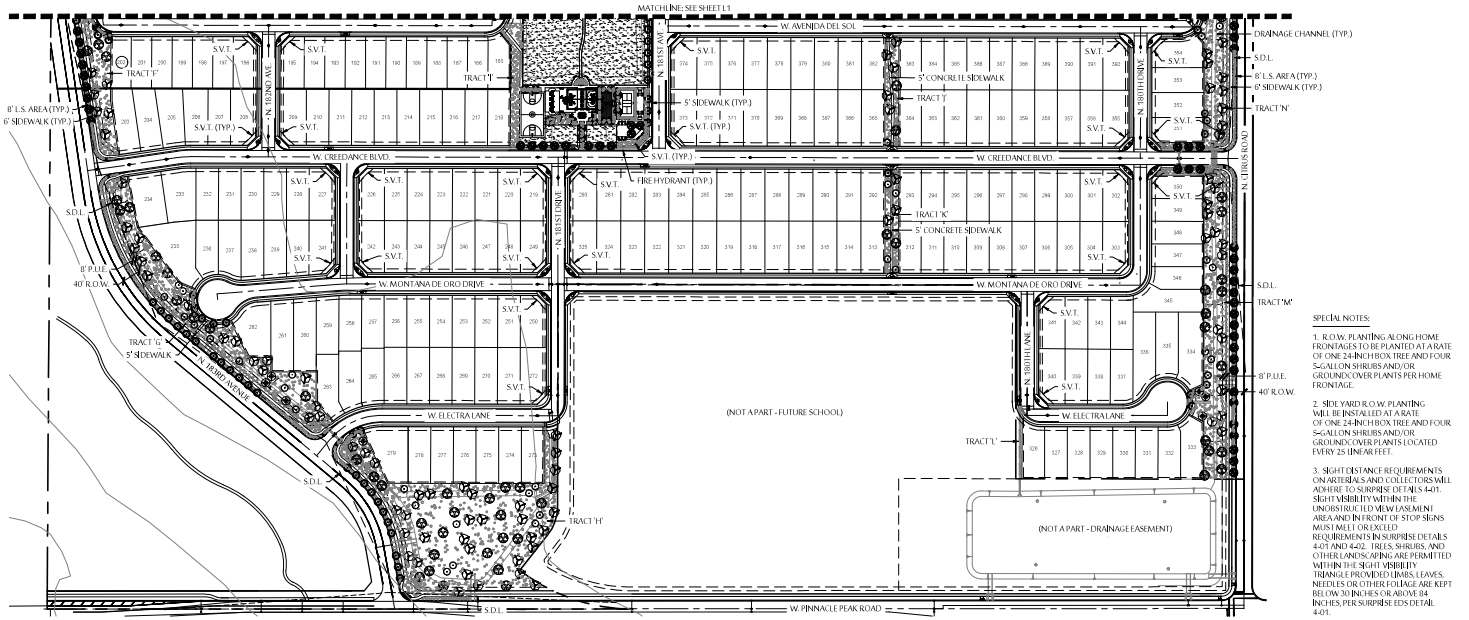
NORTH COPPER CANYON - PARCELS 2, 3 & 4 PRELIMINARY PLANTING PLAN

SWC OF NORWICH ROAD AND CITRUS ROAD - SURPRISE, ARIZONA
FEBRUARY 9, 2021

SHEET 1.1

CASE # FS20-333





SPECIAL NOTES:

1. ROW PLANTING ALONG HOME FRONTS TO BE PLANTED AT A RATE OF ONE 24-INCH BOX TREE AND FOUR SCALLON SHRUBS AND/OR GROUND COVER PLANTS PER HOME FRONTAGE.
2. SETBACK ROW PLANTING WILL BE INSTALLED AT A RATE OF ONE 24-INCH BOX TREE AND FOUR SCALLON SHRUBS AND/OR GROUND COVER PLANTS LOCATED EVERY 25 LINEAL FEET.
3. SIGHT TRIANGLE REQUIREMENTS ON INTERSECTIONS AND COLLECTORS WILL ADHERE TO SURPRISE DETAILS 4-01. SIGHT VISIBILITY WITHIN THE UNOBSERVED VIEW EASEMENT AREA AND IN FRONT OF STOP SIGNS MUST BE MAINTAINED. REQUIREMENTS IN SURPRISE DETAILS 4-01 AND 4-02. TREES, SHRUBS, AND OTHER LANDSCAPING ARE PERMITTED WITHIN THE SIGHT VISIBILITY TRIANGLE PROVIDED BRANCHES, NEEDLES OR OTHER FOLIAGE ARE KEPT BELOW 30 INCHES OR ABOVE 104 INCHES, PER SURPRISE DETAILS 4-01.

PLANT LEGEND

TREES - ALL 24" BOX SHRUBS - ALL 12" BOX GROUND COVERS - ALL 12" BOX	ACACIA ANEURA / MULEGA ACACIA SALIGNA / MALLOW ACACIA CHILOPSIS SP. / RIO SALADO / RIO SALADO DESERT MALLOW QUERCUS / BROWNWOOD PARSONSIA / DESERT MUSEUM PALO VERDE PROSOPIS / BILBOE / BLUE PALO VERDE PROSOPIS / AZT / AZT THORNLESS MESQUITE *INDICATES A CITY APPROVE STREET ROW TREE THAT IS TO BE INSTALLED WITHIN STOP SIGN EASEMENTS	CALLIANDRA ERIOPHYLLA / NATIVE PARRY DUSTER ENCELIA FARINOSA / BRITTLEBUSH YUCCA EMORPH / DESERT LAVENDER JUSTICIA CALIFORNICA / CHUPAROSA LARREA TRIDENTATA / CREOSOTE BUSH LEUCOPHYLLUM LAEVIGATUM / CHIHUAHUA SAGE SHUMARDISIA CHINENSIS / JOJOBA SPHAERALCEA AMBIGUA / GLOBE MALLOW	AGAVE AMERICANA / AMERICAN AGAVE AGAVE PARROTT / PARRY'S AGAVE ASCLEPIAS SUBULATA / DESERT MILKWEED BOUTELOUA GRACILIS / BLONDE AMBITION GRASS DASYODON WHEELERII / DESERT SPOON FOQUIERIA SPENDENS / OCOTILLO HESPERALOE PARVIFLORA / PEROWE BROUSSAIEA RED YUCCA AMARANTHUS BICOLOR / RED GRASS OPUNTIA ENGELMANNII / NATIVE PRICKLY PEAR	GROUND COVERS - ALL 12" BOX AMBROSIA DELTOIDEA / TRIANGLE LEAF BUR-SAGE RUELLIA MULTICOLORATA / DESERT MARIGOLD ERIOGONUM GLABRUM / BUTTERFLY SUNBURST ACACIA REDOLENS / TRAILING ACACIA TURF - MONTICORN BERMUDA SOLO DECOMPOSED GRANITE - TO BE DETERMINED BY OWNER
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- NOTES:
1. DUE TO PLANT MATERIAL AVAILABILITY, SUBSTITUTIONS FOR PLANT MATERIAL LISTED ABOVE MAY BE USED. ANY ALTERNATES OR SUBSTITUTIONS MUST BE ON THE APPROVED WATER USE PLANT LIST.
 2. SUBSPECS OR HYBRIDS OF PLANT MATERIAL LISTED ABOVE MAY BE USED AS ALTERNATES/SUBSTITUTIONS.
 3. ADDITIONAL PLANT MATERIAL MAY BE ADDED TO THE LIST ABOVE DUE TO UTILITY COMPANY OR HOA REQUESTS AND/OR PLANTING RESTRICTIONS WITHIN UTILITY EASEMENTS.
 4. NO TREES TO BE LOCATED WITHIN THE P.U.E. OR ANY OTHER NOTED EASEMENTS. FINAL PLANT MATERIAL SIZE AND LOCATION SHALL COMPLY WITH LIDS STANDARD DETAILS 4-01 AND 4-02.

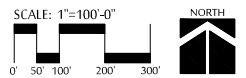


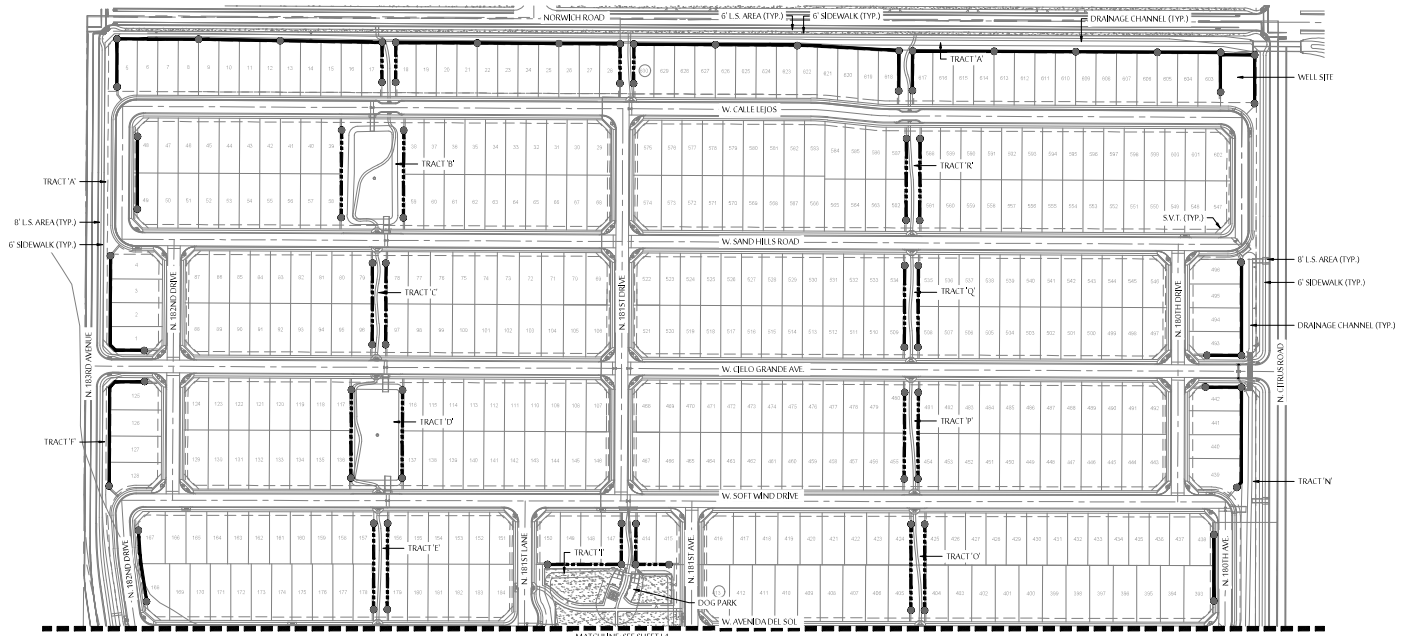
NORTH COPPER CANYON - PARCELS 2, 3 & 4 PRELIMINARY PLANTING PLAN

SWC OF NORWICH ROAD AND CITRUS ROAD - SURPRISE, ARIZONA
FEBRUARY 9, 2021

SHEET L2

CASE # FS20-333





WALL PLAN LEGEND

	THEME WALL (6'-7.552' IN FT.) - SEE DETAIL 'A' ON SHEET L5.
	PARTIAL VENTURE (6'-4.712' IN FT.) - SEE DETAIL 'B' ON SHEET L5.
	PROJECT THEME COLUMNS (1119) TOTAL - SEE DETAIL 'A' ON SHEET L5.

AVERAGE THEME COLUMN SPACING APPROX. 175' APART.

NOTES:

1. ANY QUANTITIES SHOWN ON THIS SHEET ARE FOR CONVENIENCE ONLY. CONTRACTOR TO UTILIZE THE FINAL SITE PLAN TO VERIFY ALL QUANTITIES NECESSARY TO BEYOND INSTALL WALLS, COLUMNS AND FENCING.
2. ALL FOOTINGS, WALLS, FENCES AND THEME COLUMNS ARE TO BE LOCATED OUTSIDE OF THE P.U.E., R.O.W., SITE VISIBILITY TRIANGLES AND FRONT YARD SETBACKS.
3. THEME COLUMNS AND/OR ENDS OF WALLS ARE TO BE 25'-4" OFF THE BACK OF THE R.O.W. SOME THEME COLUMNS MAY HAVE TO BE LOCATED 30' OFF THE BACK OF THE R.O.W. WHERE SITE VISIBILITY TRIANGLE EASEMENTS ARE PRESENT. CONTRACTOR TO INSTALL 6"x6" CONCRETE HEADER FROM THE FRONT OF THE COLUMN (OR END OF WALL) TO THE BACK OF THE SIDEWALK OR STREET FRONTAGE CURB.
4. ANY SIGNAGE REQUIRES A SEPARATE PERMIT.
5. SEE CIVIL PLANS FOR RETAINING WALL LOCATIONS.

SPECIAL NOTE:

THE CITY OF SURPRISE COMMUNITY DEVELOPMENT DEPARTMENT MUST ALSO APPROVE ANY ALTERNATES OR SUBSTITUTIONS.

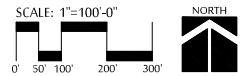


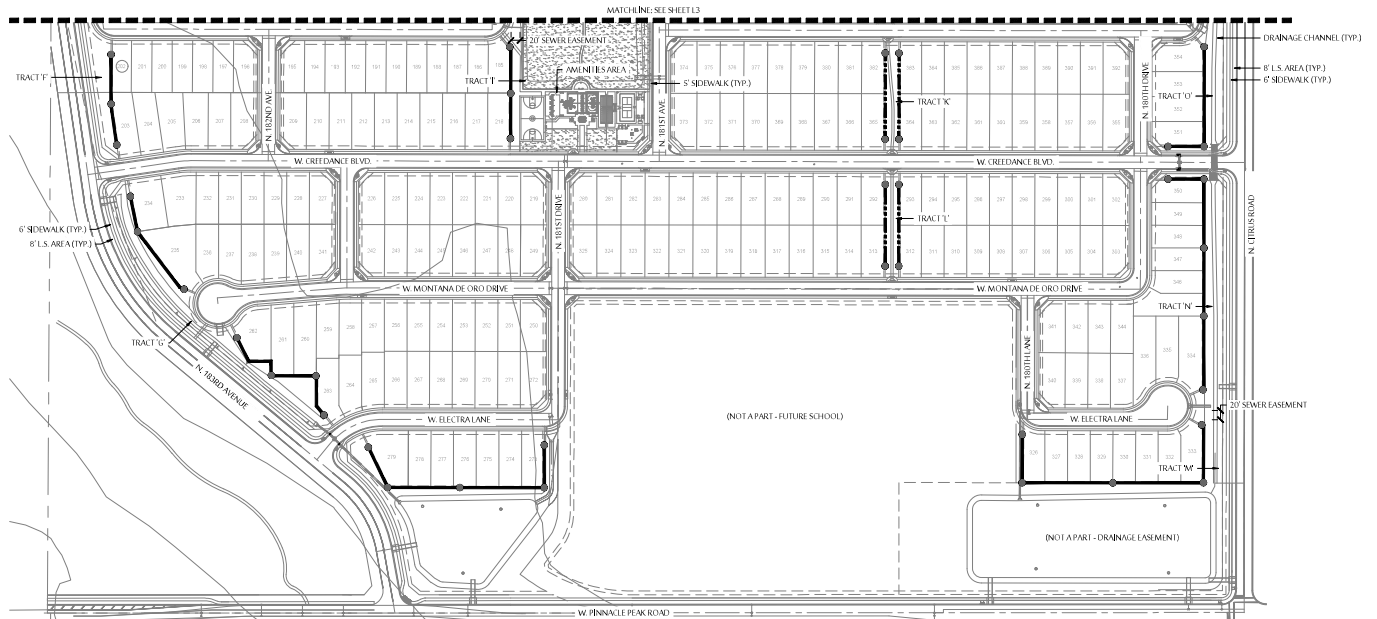
NORTH COPPER CANYON - PARCELS 2, 3 & 4 PRELIMINARY WALL PLAN

SWC OF NORWICH ROAD AND CITRUS ROAD - SURPRISE, ARIZONA
FEBRUARY 9, 2021

SHEET L3

CASE # FS20-333





WALL PLAN LEGEND

	THEME WALL (= 7.552 LNF.T.) -SEE DETAIL 'A' ON SHEET L5.
	PARTIAL VIEW FENCE (= 4.712 LNF.T.) -SEE DETAIL 'B' ON SHEET L5.
	PROJECT THEME COLUMNS (= 119) TOTAL -SEE DETAIL 'A' ON SHEET L5.

AVERAGE THEME COLUMN SPACING: APPROX. 175' APART.

NOTES:

1. ANY QUANTITIES SHOWN ON THIS SHEET ARE FOR CONVENIENCE ONLY. CONTRACTOR TO UTILIZE THE FINAL SITE PLAN TO VERIFY ALL QUANTITIES NECESSARY TO BID AND INSTALL WALLS, COLUMNS AND FENCING.
2. ALL FOOTINGS, WALLS, FENCES AND THEME COLUMNS ARE TO BE LOCATED OUTSIDE OF THE P.U.E., R.O.W., SITE VISIBILITY TRIANGLES AND FRONT YARD SETBACKS.
3. THEME COLUMNS AND/OR ENDS OF WALLS ARE TO BE 25'-0" OFF THE BACK OF THE R.O.W. SOME THEME COLUMNS MAY HAVE TO BE LOCATED 30' OFF THE BACK OF THE R.O.W. WHERE SITE VISIBILITY TRIANGLE EASEMENTS ARE PRESENT. CONTRACTOR TO INSTALL 10" CONCRETE HEADER FROM THE FRONT OF THE COLUMN (OR END OF WALL) TO THE BACK OF THE SIDEWALK OR STREET FRONTAGE CURB.
4. ANY SIGNAGE REQUIRES A SEPARATE PERMIT.
5. SEE CIVIL PLANS FOR RETAINING WALL LOCATIONS.

SPECIAL NOTE:

THE CITY OF SURPRISE COMMUNITY DEVELOPMENT DEPARTMENT MUST ALSO APPROVE ANY ALTERNATES OR SUBSTITUTIONS.



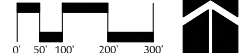
NORTH COPPER CANYON - PARCELS 2, 3 & 4 PRELIMINARY WALL PLAN

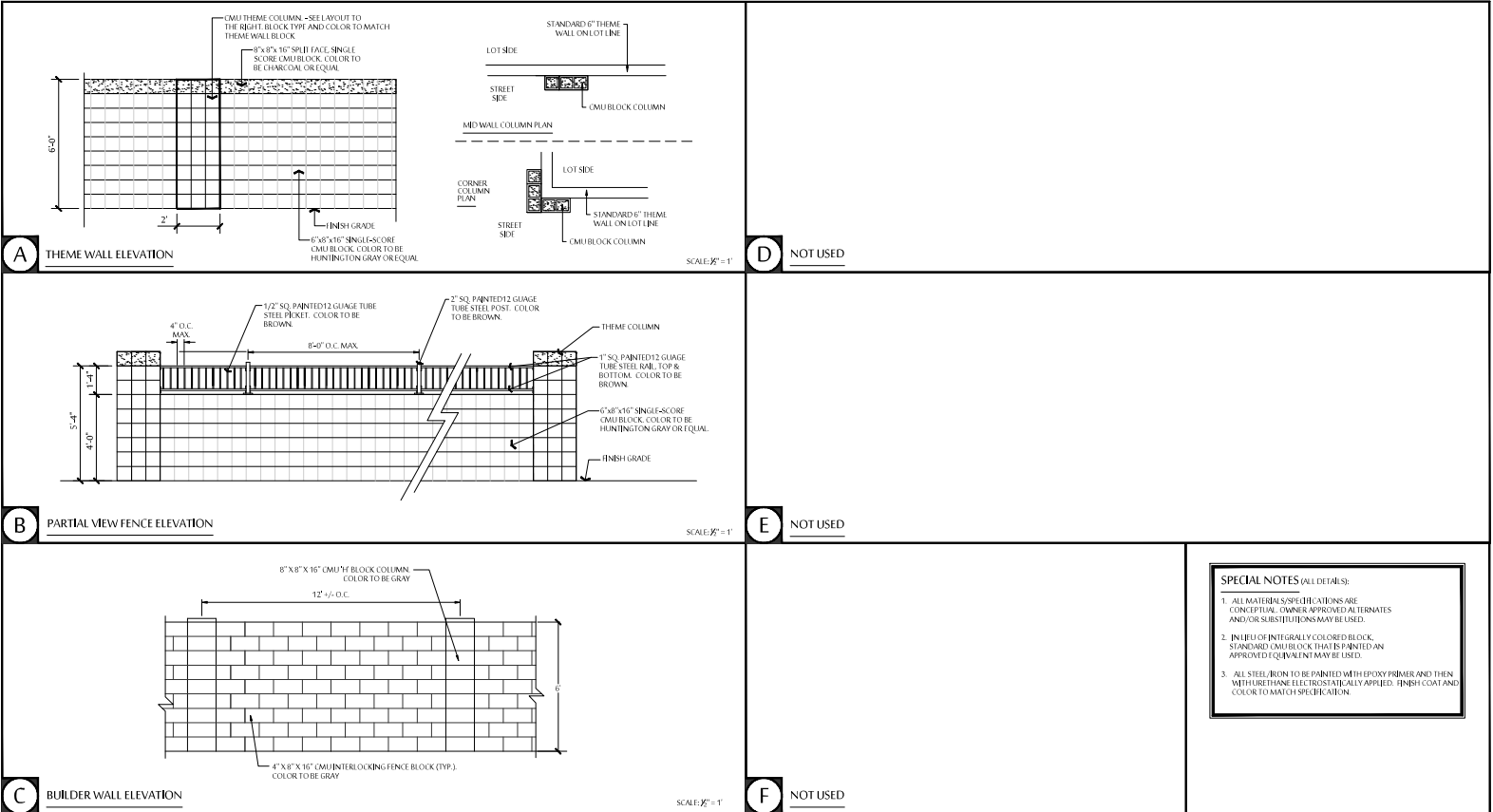
SWC OF NORWICH ROAD AND CITRUS ROAD - SURPRISE, ARIZONA
FEBRUARY 9, 2021

SHEET L4

CASE # FS20-333

SCALE: 1"=100'-0"





NORTH COPPER CANYON - PARCELS 2, 3 & 4

PRELIMINARY WALL DETAILS

SWC OF NORWICH ROAD AND CITRUS ROAD - SURPRISE, ARIZONA
FEBRUARY 9, 2021

SHEET L5
CASE # FS20-333



**DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND**

29 May 2020

Mr. Christopher P. Toale
Director, Community Initiatives Team
56th Fighter Wing
14185 West Falcon Street
Luke AFB AZ 85309-1629

Ms. Lorraine Nevarez
Planning Project Coordinator
Community Development
16000 N. Civic Center Plaza
Surprise AZ 85374

Re: FS20-333; Austin Ranch North Parcels 2, 3, & 4 (APNs: 503-73-022A)

Dear Ms. Nevarez

Thank you for the opportunity to provide comments on the Preliminary Plat for Austin Ranch North Parcels 2, 3, & 4. The site sits on 139.67 acres of vacant land located at southwest corner of W Norwich Dr and N Citrus Rd in Surprise AZ. This request is for 654 lots for a density of 4.7 du/ac. The site is approximately 1.2 miles outside the Aux-1 2004 JLUS 65 Ldn, "high noise or accident potential zone" as defined by A.R.S. § 28-8461 and is outside the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461.

In an effort to promote a more compatible co-existence, Luke AFB follows the guidelines in the Graduated Density Concept (GDC). The GDC proposes, in the absence of a more restrictive state, county or municipal general or comprehensive plan, graduating densities away from the 65 Ldn as follows: a maximum of 2 du/acre from the 65 Ldn to 1/2 mile, a maximum of 4 du/acre from 1/2 to 1 mile, and a maximum of 6 du/acre from 1 to 3 miles. Austin Ranch North Parcels 2, 3, & 4 with a density of 4.7 du/ac falls within these guidelines.

As stated in the narrative, this request will not have a negative impact on Luke AFB Flight Operations. Since the site will be located within the "territory in the vicinity of a military airport," it will be subjected to approximately 165 over flights a day, with some as low as 1,500 feet above ground level. If this development is approved, we recommend you review the sound attenuation requirements found in A.R.S. § 28-8482. In addition, a strong notification program on the part of the applicant would be essential to inform potential residents about Luke AFB operations.

If there are any questions, please contact my Community Planner, Mr. Reggie Christianson at (623) 856-9981.

Sincerely

A handwritten signature in black ink, appearing to read "C. P. Toale". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

CHRISTOPHER P. TOALE

cc:

Colonel Scott W. Walker, Vice Commander, 56th Fighter Wing

Mr. James R. Mitchell, GS-14, 56th Fighter Wing

Ms. Cindy L. Allen, GS-13, General and Environmental Law Attorney, 56th Fighter Wing



FS20-333

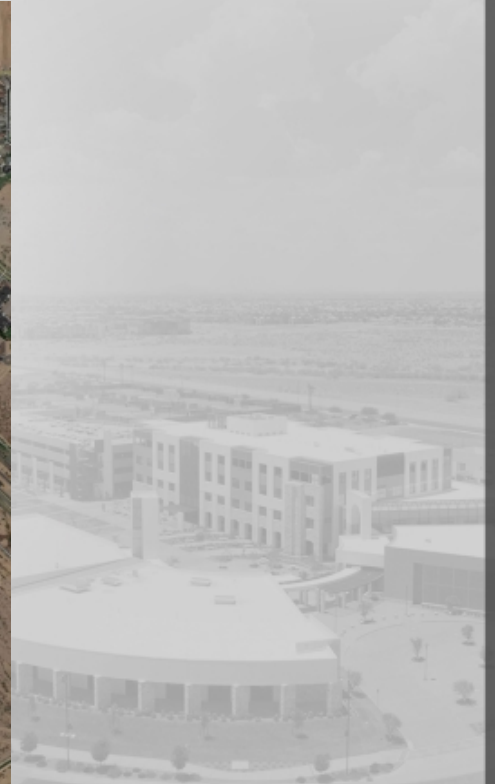
Austin Ranch NCC Parcels 2, 3, and 4

Preliminary Plat

City Council – May 18, 2021

FS20-333

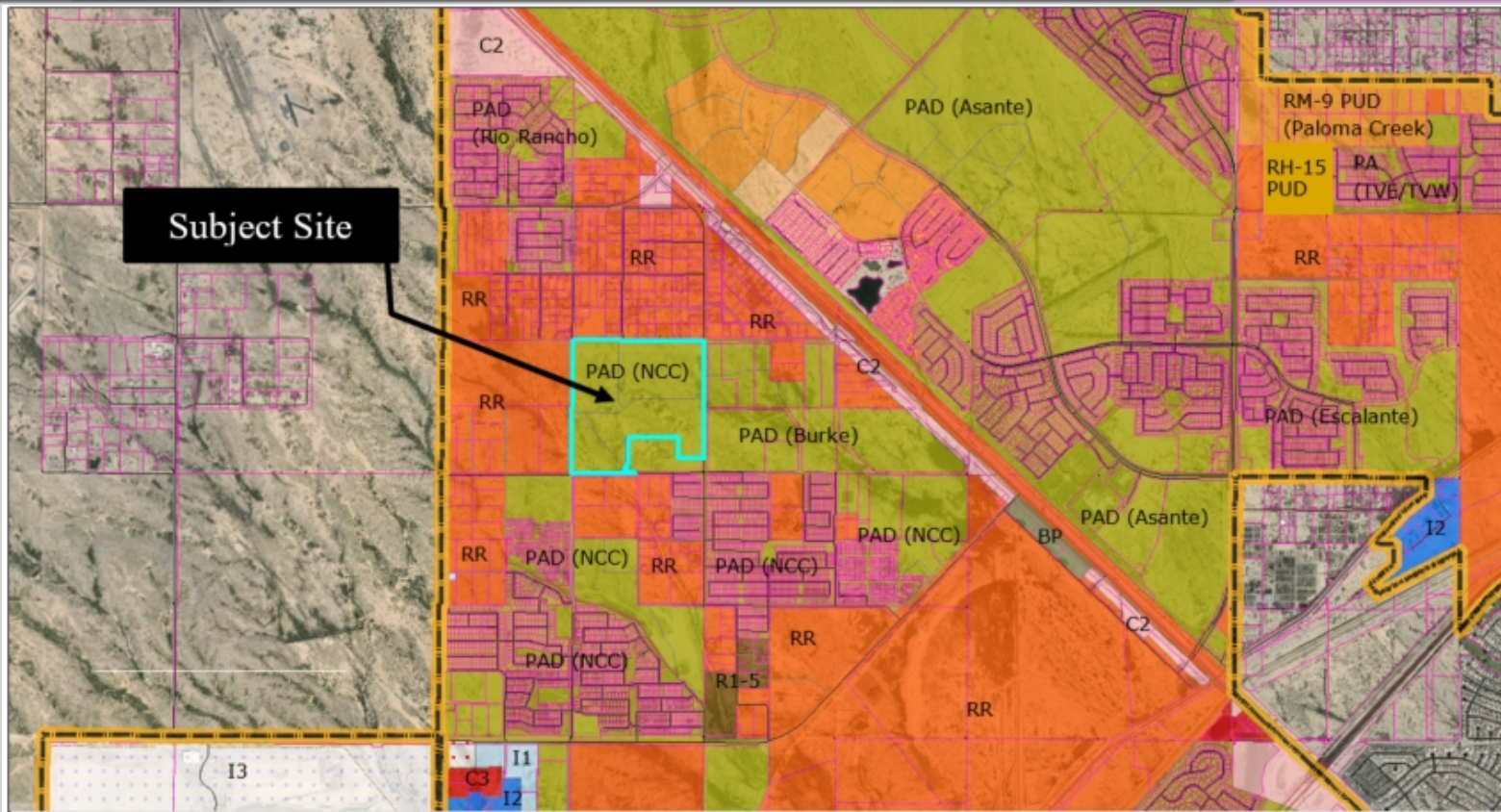
Austin Ranch NCC Parcels 2,3,4



ZONING

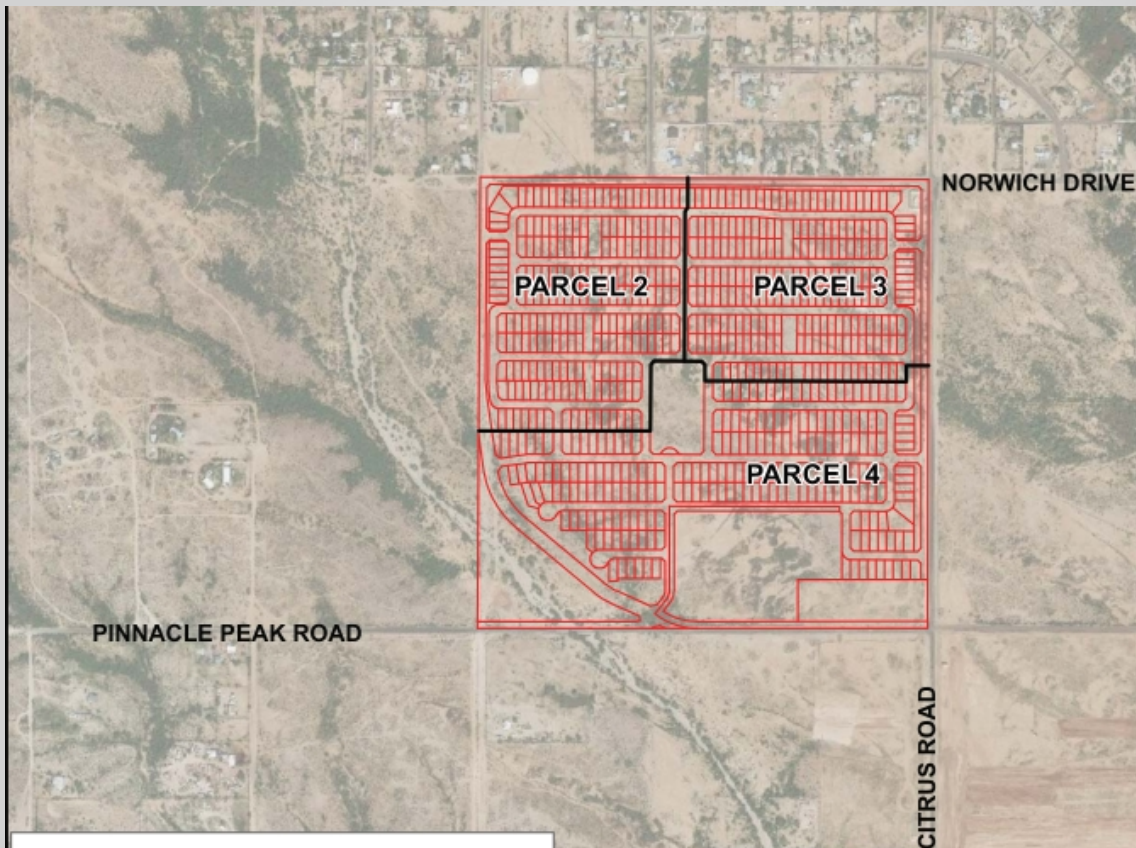
FS20-333

Austin Ranch NCC Parcels 2,3,4



Austin Ranch NCC Parcels 2, 3, 4





LAYOUT



Active 7.7 Ac

Passive 5.3 Ac

Natural 7.7

School 20.0

Well 0.2

TOTAL 40.9
AC

Trails

LANDSCAPE PLAN

PRELIMINARY PLAT

PRELIMINARY PLAT
FOR
NORTH COPPER CANYON
PARCELS 2, 3 AND 4

A PORTION OF LAND LOCATED IN THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 4 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

OWNER / DEVELOPER

COURTLAND HOME CO.

2008 E. CAMDEN BACK ROAD, SUITE 100

PHOENIX, ARIZONA 85018

CONTACT: DUANE HUMM
PH: 408/253-2200

PHONE: 823-840-8963

CVL DESIGN TEAM

CVE DESIGN TEAM
CDS & VAN LOG LLC

4550 NORTH 12TH STREET
Greenville, SC 29615

CONTACT: MATT OLSEN

PHONE: 602-263-6931



LEGEND

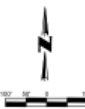
- | | |
|-------|--|
| ----- | PROPOSED LOTS |
| ----- | PROPOSED ROW |
| ----- | PROPOSED CENTER LINE |
| ----- | (S.V.T.) SIGHT VISIBILITY TRIANGLE |
| ----- | (V.N.A.E.) INDICATES VEHICULAR NON-ACCESS EASEMENT |
| ----- | (P.U.E.) INDICATES PUBLIC UTILITY EASEMENT |

SHEET INDEX

SHEET 01 - VICINITY MAP / PARCEL MAP / SITE DATA TABLE / DEVELOPMENT
STANDARDS TABLE / TYPICAL LOT DETAIL / LEGAL DESCRIPTION
SHEET 02 - ROADWAY SECTION DETAILS
SHEET 03 - INDEX MAP
SHEET 04-07 - PRELIMINARY PLAT



4850 N. 42nd Street, Phoenix, AZ 85018, phone 602-264-0831, fax 602-264-0028, www.rvbi.com



SHEET
04 OF 07

CVS 14-000218

PRELIMINARY PLAT FOR NORTH COPPER CANYON PARCELS 2, 3 AND 4

A PORTION OF LAND LOCATED IN THE SOUTHEAST QUARTER OF
SECTION 10, TOWNSHIP 4 NORTH, RANGE 2 WEST, OF THE
GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA.

OWNER / DEVELOPER

COURTLAND HOME CO.
HUMAN DEVELOPMENT
2006 E CAMELBACK ROAD, SUITE 100
PHOENIX, ARIZONA 85016
CONTACT: DEANNE HURN
PHONE: 602-640-6960

CVL DESIGN TEAM

COE & VAN LOO LLC
4550 NORTH 12TH STREET
PHOENIX, AZ 85014
CONTACT: MATT OLSEN
PHONE: 602-285-8531



VICINITY MAP
(NOT TO SCALE)

LEGEND

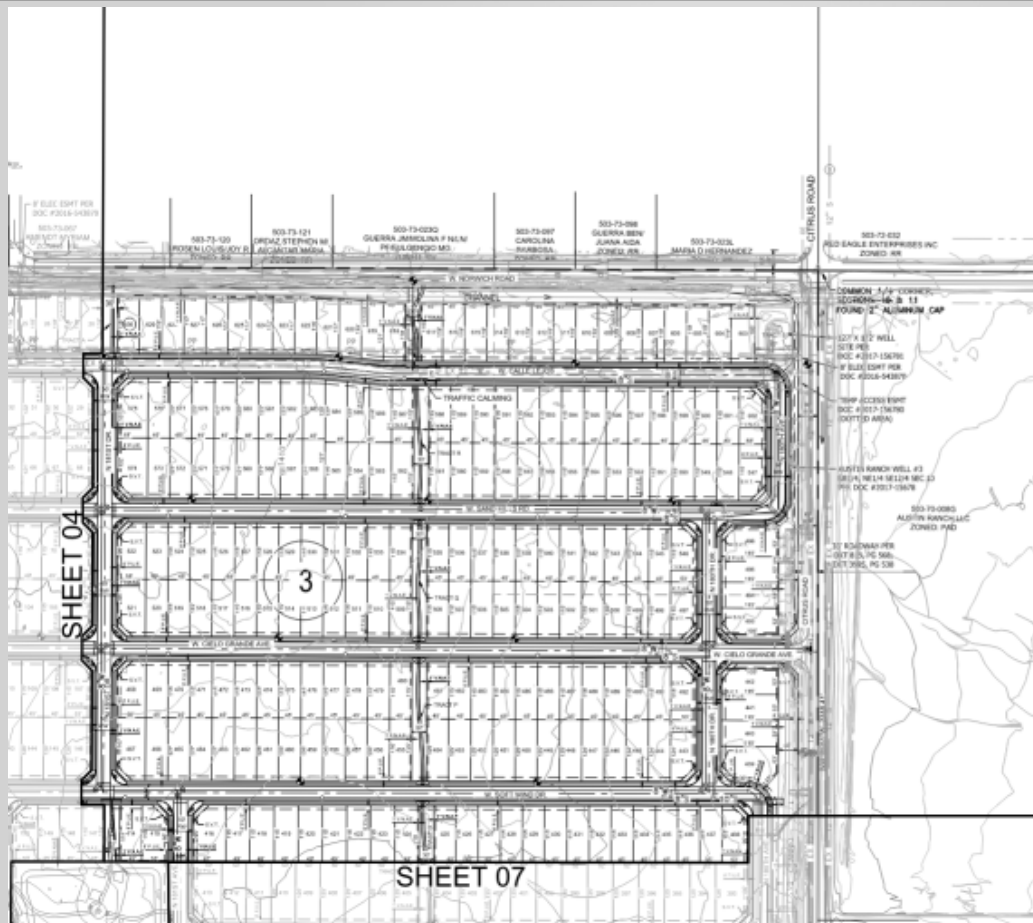
—	PROPOSED LOTS
—	PROPOSED ROW
—	PROPOSED CENTERLINE
—	(S.V.T.) SIGHT VISIBILITY TRIANGLE
—	(V.N.A.E.) INDICATES VEHICULAR NON-ACCESS EASEMENT
—	(P.U.E.) INDICATES PUBLIC UTILITY EASEMENT

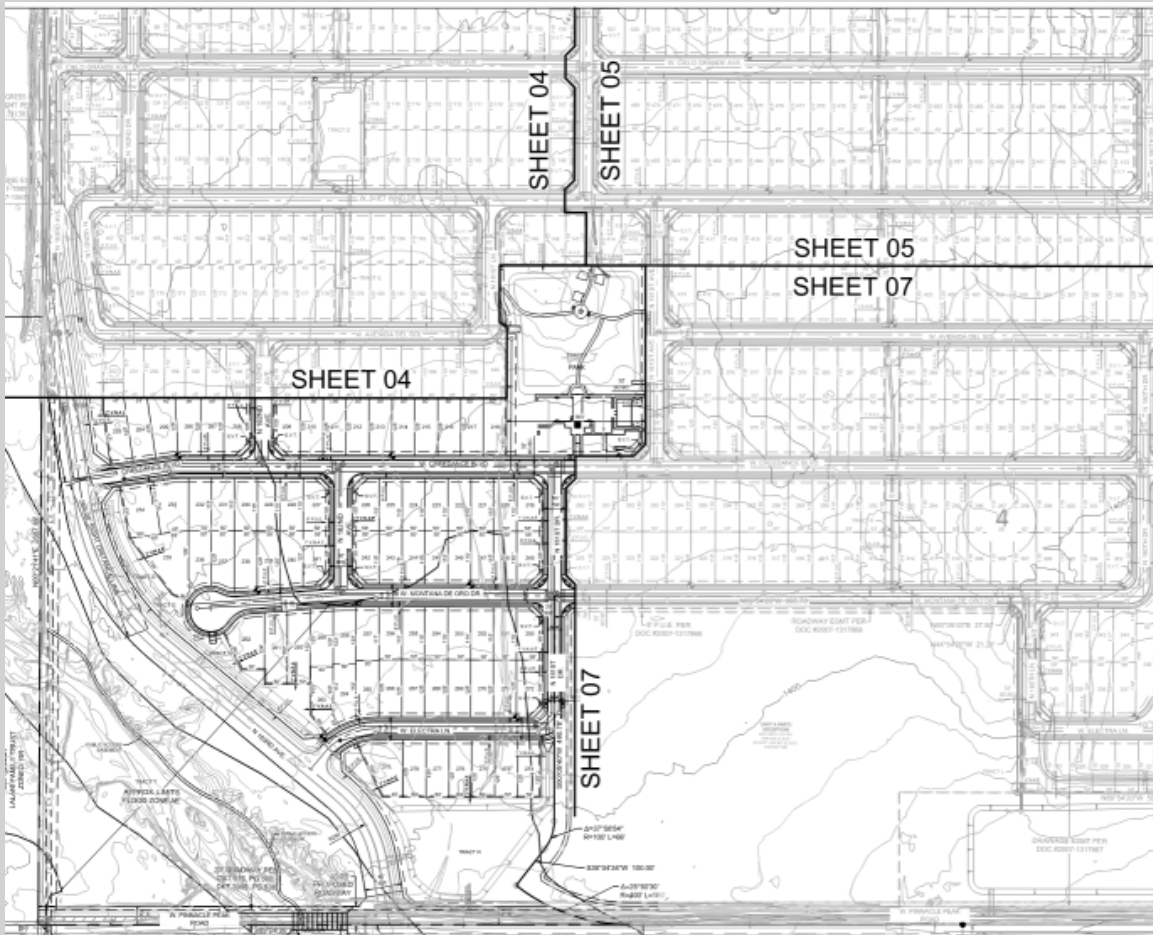
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4050 N. 12th Street, Phoenix, AZ 85016 phone: 602-284-0811 fax: 602-284-0028 www.cvl.com





PRELIMINARY PLAT FOR NORTH COPPER CANYON PARCELS 2, 3 AND 4

A PORTION OF LAND LOCATED IN THE SOUTHEAST QUARTER OF
SECTION 18, TOWNSHIP 4 NORTH, RANGE 2 WEST, OF THE
GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA

OWNER / DEVELOPER
COURTLAND HOMES VIA
HUNN DEVELOPMENT
2901 E CAMDENBURG ROAD, SUITE 100
PHOENIX, ARIZONA 85016
CONTACT: DUSTIN HUNN
PHONE: 602-643-6960

CVL DESIGN TEAM
COE & VAN LOOLIC
4600 NORTH 12TH STREET
PHOENIX, AZ 85014
CONTACT: MATT OLSEN
PHONE: 602-385-4531

VICINITY MAP
(NOT TO SCALE)

LEGEND

	PROPOSED LOTS
	PROPOSED ROW
	PROPOSED CENTER LINE
	(S.V.T.) SIGHT VISIBILITY TRIANGLE
	(V/A) S.V. INDICATES VEHICULAR WALL-ACCESS EASEMENT
	(P/U) S.V. INDICATES PUBLIC UTILITY EASEMENT

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PRELIMINARY PLAT

Commission Recommendation:

(April 15, 2021)

Approve, subject to stipulations 'a' through "c"



QUESTIONS OR COMMENTS?

Thank You

a. Development and use of the site shall be consistent with the Preliminary Plat entitled “Preliminary Plat for North Copper Canyon Parcels 2, 3, and 4” consisting of seven (7) sheets prepared by CVL Consultants and received March 30, 2021.

b. Landscaping of the site shall be consistent with the Landscape and Wall Plans entitled North Copper Canyon – Parcels 2, 3 & 4 Preliminary Planting Plan” consisting of five (5) sheets prepared by McCough Adamson and received February 9, 2021.

c. 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.