



CITY OF SURPRISE
Regular City Council Meeting
16000 N. Civic Center Plaza
Surprise, AZ 85374

Tuesday, September 21, 2021 @ 6:00 PM
COUNCIL CHAMBERS

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

E. City Manager Report

F. City Clerk Report

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:

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|----|------------|--|--|
| 1. | Citywide | Consideration and action on the minutes of September 7, 2021 Regular City Council Work Session, Regular City Council Meeting and Executive Session. | None

Sherry Aguilar
City Clerk |
| 2. | District 1 | Consideration and action pertaining to the approval of the Final Plat entitled, "CCV North Surprise", and dated November 24, 2020, generally located on the northeast corner of Pinnacle Peak Road and 163rd Avenue. (Case FS20-557). | None

Robert Kuhfuss
Community Development |
| 3. | District 3 | Consideration and action pertaining to approval of the Condominium Plat entitled, "Toll at Prasada Cottages" and dated August 23, 2021, an approximately 1.4975 acre property generally located west of Cotton Lane, between Cactus Road and Pieria Avenue. (Case FS21-432) | None

Trevor Fleetham
Community Development |
| 4. | District 3 | Consideration and action pertaining to approval of the Final Plat entitled, "Re-Plat of Lot 2 of Rancho Trugold" and dated August 25, 2021, an approximately 40.77 acre property generally located south of Waddell Road and east of 175th Avenue. (Case FS20-060) | None

Lloyd Abrams
Community Development |
| 5. | Citywide | Consideration and action pertaining to approval of an amendment to the FY2022 budget by moving budget authority of \$38,800 from Contingency within the Grants Fund to Project G31244 FFY22 DEA Task Force to account for overtime reimbursement received from the FFY2022 U.S. Department of Justice Drug Enforcement Administration (DEA) Task Force Intergovernmental Agreement; Resolution # 2021-135. | None

Benny Pina
Police |
| 6. | District 3 | Consideration and action declaring the intention to enlarge an existing lighting improvement district entitled, "SU-Paradise Honors 195" pursuant to A.R.S. § 48-616 for the purpose of purchasing facilities and energy for lighting the public streets and parks; Resolution # 2021-41. | None

Mike Gent
Public Works |
| 7. | District 1 | Consideration and action pertaining to approval of the Final Plat entitled, "Tierra Rico – Parcel A" dated May 22, 2020, an approximately 46.6 acre property generally located at northwest corner of Dale Lane and west of 171st Avenue in the Tierra Rico PAD; Resolution # 2021-137; Case FS18-485. | None

Sergio Angulo
Community Development |
| 8. | District 1 | Consideration and action pertaining to approval of the Final Plat entitled, "Tierra Rico – Parcel B" dated May 22, 2020, an approximately 26.35 acre property generally located north of Dale Lane and west of 171st Avenue in the Tierra Rico PAD; Resolution #2021-138; Case FS18-683. | None

Sergio Angulo
Community Development |

9.	District 1	Consideration and action pertaining to acceptance of a Drainage Easement from Randy and Catherine Brazil for roadway improvements along Peakview, near 171st avenue.	None Lloyd Abrams Community Development
10.	District 1	Consideration and action pertaining to acceptance of a Warranty Deed from Randy and Catherine Brazil for Right of Way for roadway improvements at Peakview between 171st and 173rd Avenues.	None Lloyd Abrams Community Development
11.	District 1	Consideration and action pertaining to acceptance of a Drainage Easement from the Lim Family Revocable Living Trust for roadway improvements along 171st Avenue and Dynamite.	Lloyd Abrams Community Development
12.	District 1	Consideration and action pertaining to approval of the Map of Dedication entitled, "Tierra Rico"; Resolution # 2021-139.	None Sergio Angulo Community Development
13.	District 1	Consideration and action pertaining to acceptance of a Drainage Easement from the Steven Z Jones Living Trust, for roadway improvements along 171st Avenue and Olea Way.	None Lloyd Abrams Community Development
14.	District 1	Consideration and action pertaining to acceptance of a Warranty Deed from Surprise Land Holdings, LLC for Right of Way for roadway improvements on Peakview between 173rd and 175th Avenues.	None Lloyd Abrams Community Development
15.	District 1	Consideration and action pertaining to acceptance of a Drainage Easement from Surprise Land Holdings, LLC for roadway improvements along Peakview, near 171st Avenue.	None Lloyd Abrams Community Development
16.	District 1	Consideration and action pertaining to acceptance of a Drainage Easement from John and Angela Thomas for roadway improvements along 171st Avenue near Dale Lane.	None Lloyd Abrams Community Development
17.	Citywide	Consideration and action pertaining to approval of a Fiscal Year 2022 budget amendment moving budget authority in the amount of \$106,000 within the Highway User Capital Fund from Project A61070 to Projects A61712 and A61713 for the purchase of two street sweepers; Resolution # 2021-136.	None Gladys Nkeze Public Works

- | | | | |
|-----|------------|---|--|
| 18. | District 1 | Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Happy Valley Road Phase 5, generally located at W. Happy Valley Road between N. 149th Avenue and N. 155th Avenue; Resolution # 2021-141. | None

Mike Gent
Public Works |
| 19. | District 1 | Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Happy Valley Road Phase 6, generally located at W. Happy Valley Road between N. 147th Avenue and N. 149th Avenue; Resolution # 2021-142. | None

Mike Gent
Public Works |
| 20. | Citywide | Consideration and action to designate the City of Surprise Sports and Tourism Department as the designated official Destination Marketing Organization (DMO) for the purpose of coordinating tourism promotion with the Arizona Office of Tourism (AOT); Resolution #2021-143. | None

Kendra Pettis
Sports and
Tourism |
| 21. | Citywide | Consideration and action pertaining to the approval of a Fiscal Year 2022 budget amendment moving budget authority in the amount of \$137,800 from the Contingency Fund to the Arizona Office of Tourism Fund and increase the Arizona Office of Tourism Fund revenue budget in association with anticipated increased Prop.302 funding; Resolution #2021-144 | None

Kendra Pettis
Sports and
Tourism |

REGULAR AGENDA ITEM - PUBLIC HEARING:

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|-----|------------|---|--|
| 22. | Citywide | Consideration and action pertaining to approval of a proposed Text Amendment to Chapter 109 of the Surprise Land Development Ordinance regarding Class II Temporary Signs; Ordinance # 2021-16. | None

Robert Kuhfuss
Community
Development |
| 23. | District 1 | Consideration and action pertaining to approval of a rezone of approximately 187 acres generally located south of Dynamite Boulevard and east of 163rd Avenue from Rural Residential (RR) and Planned Area Development (PAD) to Residential Low Density with a Planned Unit Development Overlay (RL-5 PUD); Ordinance # 2021-19; Case FS20-225. | None

Sergio Angulo
Community
Development |

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

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|-----|----------|---|-------------------------------------|
| 24. | Internal | Consideration and action pertaining to approval of an amendment to the City of Surprise Budget Amendment Policies and Procedures; Resolution # 2021-98. | None

Andrea Davis
Finance |
|-----|----------|---|-------------------------------------|

- I. Other Business and Future Agenda Items
- J. City Council Reports
- K. Executive Session

25.	Internal	Consideration and action to recess into executive session to discuss and consider final candidates for appointment to the position of City Manager pursuant to A.R.S. 38-431.03(A)(1).	None Donna Meuse Human Resources
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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: Thursday, September 16, 2021 @ 12:14 p.m.

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: September 21, 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: September 21, 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 September 7, 2021 Regular City Council Work Session, Regular City Council Meeting and Executive Session.

Motion:

I move to approve the meeting minutes.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. Reg 972021
 2. Work Session 972021
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CITY OF SURPRISE
Regular City Council Meeting Minutes
16000 North Civic Center Plaza
Surprise, AZ 85374

Tuesday, September 7, 2021 @ 6:00PM

Call To Order

Invocation

Led by Art Herrera.

Roll Call

Mayor Hall called to order the Regular City Council Meeting of September 7, 2021 at 6:00 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: Cline, Judd, Hastings and Remley. (Excused - Council Member Winters)

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

Pledge of Allegiance

Proclamation and Community Acknowledgements

1. Proclamation for Childhood Cancer Awareness Month

City Manager Report

Emma Horton - Student Youth Council presenter

1. Reports

City Clerk Report

1. Reports

1. Consideration and action to approve appointment of Alan Meyer and Brenda Kiner to fill two vacancies on the City Audit Committee (Both with a Term Expiration of 06/30/2022) and Jared Holland to fill one vacancy on the Planning & Zoning Commission (Term Expiration 06/30/2024) - APPROVED

Council Member Judd made the motion to approve the appointments. Council Member Remley seconded the motion. Six yes votes, one excused (Winters), motion carried.

Call To The Public

Regular City Council Meeting Agenda

CONSENT AGENDA:

Council Member Hastings made the motion to approve the consent agenda. Vice Mayor Duffy seconded the motion. Six yes votes, one excused (Winters), motion carried.

2. Consideration and action on the minutes of August 17, 2021 Regular City Council Work Session, Regular City Council Meeting and Executive Session - APPROVED

3. Consideration and action pertaining to the conditional acceptance and maintenance of certain public utility improvements at W Ranch, generally located at W. Waddell Road and N. 143rd Lane; Resolution # 2021-105 - APPROVED

4. Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Rancho Mercado N. 147th Avenue and Happy Valley Road Phase 1, generally located at N. 147th Avenue and Happy Valley Road; Resolution # 2021-100 - APPROVED

5. Consideration and action declaring the city's intent to establish a lighting improvement district entitled, "City of Surprise, Arizona, SU-147AveNHapVal194" for the purpose of purchasing facilities and energy for lighting the public streets and parks pursuant to A.R.S. § 48-616; Resolution # 2021-120 - APPROVED

6. Consideration and action pertaining to approval of a Fiscal Year 2022 budget amendment moving budget authority in the amount of \$15,000 within the Municipal Art Fund from Contingency to project R12090 for

the Surprise Aquatic Center Mural Expansion Project; Resolution # 2021-121 - APPROVED

7. Consideration and action pertaining to approval of the First Amendment to the Intergovernmental Agreement with Maricopa County Community College District for water technology education at the Surprise-Gateway Training Center; Resolution #2021-133 - APPROVED

8. Consideration and action pertaining to approval of the Final Plat entitled, Asante Well Site No. 1 and dated October 1, 2020, an approximately 0.478 acre property generally located south of Jomax Road and east of the 171st Avenue alignment. (Case FS20-412) - APPROVED

9. Consideration and action pertaining to approval of the Final Plat entitled, Rancho Mercado Parcel A22 and dated June 3, 2021, an approximately 39.695 acre property generally located north of Happy Valley Road and west of 147th Avenue in the Rancho Mercado PAD. (Case FS20-644) - APPROVED

10. Consideration and action pertaining to approval of the Final Plat entitled, "Kenly Farms II" and dated August 11, 2021, an approximately 16 acre property generally located west of Litchfield Road between Peoria Avenue and Cactus Road. (Case FS20-074) - APPROVED

11. Consideration and action pertaining to approval of the Final Re-Plat entitled, Toll at Prasada, Unit Q - Phase 2 and dated July 7, 2021, an approximately 13.158 acre property generally located west of Cotton Lane, between Peoria Avenue and Cactus Road. (Case FS21-186) - APPROVED

12. Consideration and action pertaining to acceptance of a grant in the amount of \$1,522.00 from the Office of the Attorney General Victims' Rights Program to support and offset the costs associated with the Victim Assistance program mandated under victims' rights laws; Resolution # 2021-123 - APPROVED

13. Consideration and action pertaining to approval of an Intergovernmental Agreement (IGA) between the City of Surprise and the City of Phoenix for fire service trainings; Resolution # 2021-132 - APPROVED

14. Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Marley Park Square, generally located at N. Litchfield Road and W. Waddell Road; Resolution # 2021-134 - APPROVED

15. Consideration and action pertaining to approval of an amendment to the Employment Agreement with City Attorney - APPROVED

16. Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Asante 4.5 Parcel 2, generally located at W. Saguaro Park Lane and N. 165th Avenue; Resolution # 2021-128 - APPROVED

17. Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Asante 4.5 Parcel 1, generally located at N. 166th Drive and W. Audrey Lane; Resolution # 2021-127 - APPROVED

18. Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Rancho Mercado Parcel A16, generally located at W. Yearling Road and N. 142nd Avenue A16; Resolution # 2021-130 - APPROVED

19. Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Rancho Mercado Parcel A18W, generally located at W. Happy Valley Road and N. Rancho Mercado Parkway; Resolution # 2021-131 - APPROVED

20. Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Rancho Mercado Parcel A19, generally located at W. Happy Valley Road and N. 142nd Avenue; Resolution # 2021-129 APPROVED

21. Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Zanjero Trails Phase 2 Parcel 11A, generally located at N. 189th Avenue and W. Laurel Lane; Resolution # 2021-124 - APPROVED

22. Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Zanjero Trails Phase 2 Parcel 11B, generally located at W. Sierra Street and N. 189th Avenue; Resolution # 2021-125 - APPROVE

23. Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Zanjero Trails Phase 2 Parcel 11C, generally located at N. 189th Avenue and W. Cholla Street; Resolution # 2021-126 - APPROVED

REGULAR AGENDA ITEM - PUBLIC HEARING:

24. Presentation and discussion pertaining to the proposed annexation of Windstone Ranch North. (Case FS21-209) - NO ACTION

City Planner, Sergio Angulo presented this item.

No public comments made.

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

25. Consideration and action pertaining to approval of a Fiscal Year 2022 annual agreement between the City of Surprise and the Greater Phoenix Economic Council (GPEC) for participation and support of regional economic development programs in the amount of \$69,286. - APPROVED

ED Director, Jeanine Jerkovic gave the GPEC Overview, PowerPoint presentation.

Council Member Cline, great presentation, taking look at per capita supports what we want to accomplish here in Surprise, the department does a great job.

Council Member Judd made the motion to approve the FY22 Annual Agreement with GPEC. Council Member Cline seconded the motion. Six yes votes, one excused (Winters), motion carried.

26. Consideration and action pertaining to the approval of the Preliminary Plat entitled, Unit H Phase 3 Toll at Prasada, an approximately 13.587 acre property generally located west of Cotton Lane, between Cactus Road and Peoria Avenue. (Case FS21-080) - APPROVED

City Planner, Trever Fleetham gave the PowerPoint presentation Toll Prasada Unit H.

Vice Mayor Duffy made the motion to approve Case FS21-080. Council Member Cline seconded the motion. Six yes votes, one excused (Winters), motion carried.

27. Presentation and discussion pertaining to an update of the City's Drought Preparedness Plan - NO ACTION

Michael Boule gave the Water Resource Master Plan update PowerPoint presentation.

Municipal Response:

Council Member Judd, do we recycle water from splash pad? How much water do we lose from splash pads?

Mr. Boule - regarding Hollyhock; we do recycle, but not sure how much water lose.

Council Member Cline, turf reduction on Bell Rd, do we have a plan?

Mr. Boule - Yes, PW is hard at work on that.

Council Member Remley, go back to levels at lake, is 32% where we're at now, in tier one already and heading to tier two?

Mr. Boule - Potentially.

Council Member Remley - How does tier one/two relate to stage one/ two?

Mr. Boule - Tier one is stage one. Our water portfolio is sound.

Residential response: No questions

Non Residential: No questions

Vice Mayor Duffy, at what point do you start talking to Park Rec about changing the hills to artificial turf?

Mr. Boule - Focus on real grass where really needed.

Council Member Cline, water overspray can be an issue, is that something

that would be part of reduction request?

Mr. Boule - Yes, focused on water loss and overspray, bring awareness.

Council Member Cline - Can part of effort with EPCOR be flag for residents when water use abnormal?

Mr. Boule - Yes.

Council Member Judd, big water users future development, are we monitoring how much used?

Mr. Boule - Not directly.

Other Business and Future Agenda Items

City Council Reports:

Mayor/Council attended and/or reported on the following:

Council Member Cline - Meeting in Sun City Grand will be Monday the 23th from 6-8 PM and the 24th, meeting at AZ Traditions at 10 AM.

Council Member Judd - League of Cities and Towns it was very interesting, two Meet and Greet meetings coming up.

Vice Mayor Duffy - League of Cities and Towns it was great to see everyone and network and the Meet and Greet meetings have been going very well.

Council Member Judd made the motion to recess the Regular City Council Meeting and enter into executive session at 7:04 PM. Council Member Cline seconded the motion. Six yes votes, one no vote (Winters), motion carried.

Executive Session

28. Consideration and action to recess into executive session for discussion and consultation with the City's attorneys for legal advice, and to consider and instruct the City's attorneys regarding the City Council's position pertaining to opioid litigation pursuant to A.R.S. 38 431.03 (A)(3) and (4).

Adjournment

Council Member Hastings made the motion to adjourn the Regular City Council Meeting of September 7, 2021 at 7:14 PM. Council Member Judd seconded the motion. Six yes votes, one excused (Winters), 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, September 7, 2021**.

Sherry Ann Aguilar, City Clerk, MMC

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

Tuesday, September 7, 2021 @ 4:00PM

Call To Order

Roll Call

Mayor Hall called to order the Regular City Council Work Session of September 7, 2021 at 4:00 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 Cline, Judd, Hastings and Remley. (Council Member Winters - Excused)

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

Pledge of Allegiance

Call To The Public

Regular City Council Work Session Agenda

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

1. Presentation and discussion pertaining to an annual update on WESTMARC - NO ACTION

Jodi Tas, introduced Sintra Hoffman, President of WestMarc, West Valley Communities gave a PowerPoint presentation.

Vice Mayor Duffy commented about COVID and webinars, said he likes that they're in the West Valley

Council Member Remley complimented Ms. Hoffman.

2. Presentation and discussion pertaining to an update on Surprise Small Business and Entrepreneurship Education in the City of Surprise - NO ACTION

ED Director Jeanine Jerkovic gave a Small Business PowerPoint presentation.

Council Member Hastings - what is the struggle lease signing?

Ms. Jerkovic - marketing, council forums, council getting the word out there.

Council Member Hastings, what can we as council members do to help?

Ms. Jerkovic - room for you as a small business.

Council Member Remley - thanked Jeanine, he spoke of having a small booklet checklist at tech if they don't already; what one needs to do when starting a small business or a workshop series on how to run a business from scratch.

Council Member Cline - thanked Jeanine and group for list of local restaurants.

Mayor Hall - great job to the whole team. Stated that we could have lost more revenue without team; COVID open business banners, beat the year before taxes.

3. Presentation and discussion pertaining to the 2020-2021 Surprise Community Outreach Program awards and outcomes – NO ACTION

Jodi Tas a Community Outreach Program, PowerPoint presentation.

Council Member Judd - very impressed ran services during COVID, would like to see Council consider looking at one or two programs to give dedicated funding, looking for ways to increase the budget.

Mayor Hall - thanked Council Member Judd for sharing that committee, he thanked Ms. Tas.

Council Member Remley - partnership with Mustard Seed, want to make sure can continue program.

4. Presentation and discussion pertaining to a second Shared Active Transportation Vehicle (SATV) Pilot Program - NO ACTION

Stephen Chang gave a Second Shared Activation Program, PowerPoint presentation.

Council Member Judd - are they looking to deploy, are they comfortable with rules? He doesn't have a problem trying it again, will have to be held to standard for cleanliness.

Vice Mayor Duffy - doesn't like new boundaries,

answer - want to expand to more of commercial areas.

Vice Mayor Duffy - would rather leave boundaries as is. Lloyd, do we extend to surprise pointe and Sweetwater, make 1/2 mile.

Council Member Hastings - not opposed. Questions on fee comparison and relocation fee.

Mayor Hall, what is Goodyear's?

Community Development Director Chris Boyd - we will bring back data, this data only for pilot.

Council Member Remley - if it was profitable why didn't they come back to us before now, doesn't know if anyone has done a study, recommends using the same territory?

Mr. Abrams - suggested boundary came from company.

Mayor Hall - commented that a movie theater may be popular.

Council Member Judd - it's their business, should let them try within boundaries we set.

Council Member Cline - having opportunity to go as far as bowling is good idea, also some public awareness so we're on the look out for them.

Council Member Judd - make sure we have the option to cancel contract if need be.

Executive Session

Adjournment

Council Member Hastings made the motion to adjourn the Regular City Council Work Session of September 7, 2021 at 5:26 PM. Council Member Judd seconded the motion. Six yes votes, one excused (Winters), 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, September 7, 2021.**

Sherry Ann Aguilar, City Clerk, MMC



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: September 21, 2021 Contact Person: Robert Kuhfuss
Submitting Department: Community Development District: District 1
Staff Recommendations: None

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

Agenda Wording:

Consideration and action pertaining to the approval of the Final Plat entitled, "CCV North Surprise", and dated November 24, 2020, generally located on the northeast corner of Pinnacle Peak Road and 163rd Avenue. (Case FS20-557).

Motion:

I move to approve the Final Plat entitled, "CCV North Surprise" and dated November 24, 2020.

Background:

Paul Worden of Next Idea Architects, on behalf of Pinnacle Peak and 163rd Ave, LLC, seeks approval of a Final Plat covering a property located on the northeast corner of 163rd Avenue and Pinnacle Peak Road. The Final Plat is in support of a new worship center. The Site Plan for the new worship center was approved by the Planning and Zoning Commission on August 19, 2021.

Objective Analysis:

Approval of the proposed Final Plat allow the applicant the ability to subdivide the property as proposed.

Policy Compliant:

The requested Final Plat is consistent with the applicable City of Surprise regulations.

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 - FS20-557 CCV FP - CC Staff Report - 09-21-21
 2. 01 FS20-557 Vicinity Map
 3. 02 FS20-557 Case Map
 4. 03 FS20-557 CCV - Final Plat
 5. PP - FS20-557 CCV North Surprise FP - CC PowerPoint - 092121
-

Case: FS20-557

Project Name: CCV North Surprise Final Plat

Council District: 1

City Council Date: September 21, 2021

Planner: Robert H. Kuhfuss, AICP

Owner: Pinnacle Peak & 163rd Avenue, LLC

Applicant: Next Idea Architects

Request: Final Plat

Site Location: Generally located on the northeast corner of Pinnacle Peak Road and 163rd Avenue

Site Size: 15.49 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 applicable City of Surprise regulations.
- The reviewing agencies have indicated no objections to the request.

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:

43 Paul Worden of Next Idea Architects, on behalf of Pinnacle Peak and 163rd Ave, LLC, seeks approval
44 of a Final Plat covering a property located on the northeast corner of 163rd Avenue and Pinnacle Peak
45 Road. The Final Plat is in support of a new worship center. The Site Plan for the new worship center
46 was approved by the Planning and Zoning Commission on August 19, 2021.

47

48 **Attachments:**

49

50 01 Vicinity Map

51 02 Case Map

52 03 Final Plat

VICINITY MAP

FS20-557
CCV North Surprise



CASE MAP

FS20-557
CCV North Surprise



DEDICATION

STATE OF ARIZONA } SS
COUNTY OF MARICOPA }

KNOW ALL PERSONS BY THESE PRESENTS:

1. PINNACLE PEAK & 163RD AVENUE LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HAS SUBDIVIDED UNDER THE NAME OF "CCV NORTH SURPRISE", A PORTION OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MARICOPA COUNTY, ARIZONA, AND DOES HEREBY PUBLISH THIS PLAT AS AND FOR THE PLAT OF "CCV NORTH SURPRISE", AND FURTHER DECLARES THAT THIS PLAT IS FOR THE LOCATION AND LINES OF THE LOTS, TRACTS, STREETS AND EASEMENTS CONSTITUTING SAME, AND THAT EACH LOT, TRACT, AND STREET SHALL BE KNOWN BY THE NUMBER, LETTER OR NAME UPON EACH RESPECTIVELY ON SAID PLAT. PINNACLE PEAK & 163RD AVENUE LLC, AS OWNER, HEREBY DEDICATES TO THE PUBLIC, FOR USE AS SUCH, THE STREETS AND EASEMENTS AS SHOWN ON SAID PLAT AND INCLUDED IN THE ABOVE DESCRIBED PREMISES.
2. OWNER HEREBY GRANTS TO THE CITY OF SURPRISE AN EASEMENT OVER, UPON AND ACROSS THIS PLAT AND EVERY LOT AND PARCEL THEREOF, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT TO INVADE WITH GROUND, FENCES, SHELLS, AND PHYSICAL AIRBORNE PARTICULATES CAUSED BY THE OPERATION AND MAINTENANCE OF THE CITY'S WATER RECLAMATION FACILITIES.
3. ALL IMPROVEMENTS, FOR STREETS AND PUBLIC UTILITIES OWNED AND OPERATED BY THE CITY, INSTALLED OR CONSTRUCTED BY OWNER WITHIN THE PUBLIC RIGHT-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.
4. OWNER HEREBY GRANTS TO THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE ("USAF") AN AVIGATION 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 LIKE AIR FORCE BASE AND AUXILIARY FIELDS.
5. OWNER HEREBY GRANTS TO THE PUBLIC A PERPETUAL, NON-EXCLUSIVE EASEMENT AL, UPON, OVER, UNDER, THROUGH AND ACROSS THE AREAS DESIGNATED AS PUBLIC UTILITY EASEMENTS AS SHOWN ON THE PLAT FOR THE PURPOSE OF ACCESSING, INSTALLING, CONSTRUCTION, MAINTAINING, REPAIRING, REPLACING, AND UTILIZING PUBLIC UTILITIES.
6. OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL CROSS ACCESS EASEMENT ACROSS THE PLAT INCLUDING ROADS AND STREETS, OPEN SPACES, COMMUNITY FACILITIES, TRAILS, 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 SERVICES.

IN WITNESS WHEREOF, PINNACLE PEAK & 163RD AVENUE LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HAS HEREIN CAUSED ITS NAME TO BE SIGNED AND THE SAME TO BE ATTESTED BY THE SIGNATURE OF _____ (ITS _____)

OWNER/AUTHORIZED SIGNER

ACKNOWLEDGMENT

STATE OF ARIZONA } SS
COUNTY OF MARICOPA }

BEFORE ME THIS _____ DAY OF _____, 20____, _____ PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, WHO ACKNOWLEDGED HIMSELF TO BE _____ OF PINNACLE PEAK & 163RD AVENUE LLC, AN ARIZONA LIMITED LIABILITY COMPANY, THE LEGAL OWNER OF THE PROPERTY PLATTED HEREON AND ACKNOWLEDGED THAT HE, AS _____, EXECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

IN WITNESS WHEREOF, I HEREBY SET MY HAND AND OFFICIAL SEAL:

NOTARY PUBLIC _____ MY COMMISSION EXPIRES _____

CITY OF SURPRISE COUNCIL APPROVAL

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

ATTEST: _____ DATE _____

CITY CLERK _____ DATE _____

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

CITY ENGINEER _____ DATE _____

LEGEND

- BRASS CAP FLUSH
- SET 1/4" R/W WITHIN CAP 1/4" SLOPS OR AS OTHERWISE NOTED

PROPERTY BOUNDARY
ADJACENT LOT LINE
EASEMENT
CENTERLINE

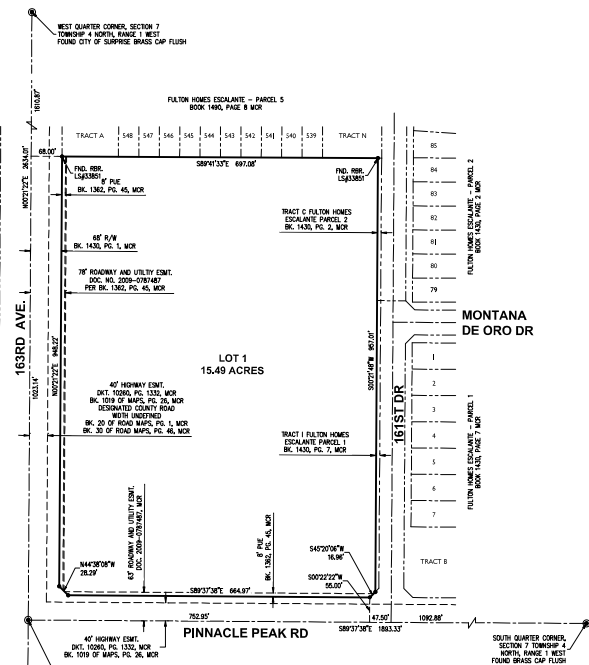
FOUND
R/W
N.E.S.
REGISTERED LAND SURVEYOR
MARICOPA COUNTY RECORDS
FILE
PUBLIC UTILITY EASEMENT
EASEMENT
R/W
PAGE
BOOK
DUST
REAR

100 YEAR ASSURED WATER SUPPLY

THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF DESERT CANYON PUBLIC WATER SYSTEM 14-07-023 WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT A.R.S. § 45-57E.

FINAL PLAT FOR "CCV NORTH SURPRISE"

A REPLAT OF PARCEL 6, "VERDUGO - MASTER PLAT" PER BOOK 1362 OF MAPS, PAGE 45, M.C.R., LOCATED IN A PORTION OF THE SOUTHWEST QUARTER OF SECTION 7, T4N, R1W, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA



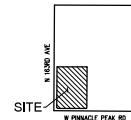
PUBLIC NOTICE

THE LOTS DEPICTED ON THIS PLAT ARE LOCATED WITHIN THE VICINITY OF LIKE AIR FORCE BASE AND MAY BE SUBJECT TO OVERSIGHTS BY 247 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

PINNACLE PEAK & 163RD AVENUE LLC, AN ARIZONA LIMITED LIABILITY COMPANY [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, OF 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 AIRCRAFT OVERFLIGHTS FROM AIRCRAFT UTILIZING LIKE AIR FORCE BASE, WHETHER SUCH DAMAGE 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 LIKE 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 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.



VICINITY MAP

NTS

OWNER

PINNACLE PEAK & 163RD AVENUE LLC
7007 N. HAPPY VALLEY ROAD
PEORIA, ARIZONA 85363
PHONE: (602) 376-2444
CONTACT: DAVID THOMPSON
EMAIL: davidthompson@ccs.church

LAND SURVEYOR

LANDCOR CONSULTING, P.C.
6809 E. BENDIRAMANT AVENUE #24
MESA, ARIZONA 85203
PHONE: (602) 287-8013
CONTACT: NICHOLAS W. JARRETT, R.L.S.
EMAIL: nish@landcorconsulting.com

BASIS OF BEARING

NORTH 00 DEGREES 21 MINUTES 22 SECONDS EAST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 1 WEST, BETWEEN THE SOUTHWEST CORNER AND WEST QUARTER CORNER OF SAID SECTION.

LEGAL DESCRIPTION (PARENT PARCEL)

PARCEL 6 AS DESCRIBED ON THE "VERDUGO - MASTER PLAT", AS RECORDED IN BOOK 1362 OF MAPS, PAGE 45 AND AFFIDAVIT OF CORRELATION RECORDED AS 2019-000009 OF OFFICIAL RECORDS, RECORDS OF MARICOPA COUNTY, A SUBDIVISION LOCATED IN THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

EXCEPTING THEREFROM ANY PORTION OF PARCEL 6 LING WITHIN THE FOLLOWING EASEMENTS:

THE INTEREST, EGRESS AND IMPROVEMENTS EASEMENT RECORDED IN INSTRUMENT NO. 2007-080203, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 2:

THAT BENEFICIAL APPROPRIATION EASEMENTS FOR (1) VEHICULAR AND PEDESTRIAN ACCESS, INGRESS AND EGRESS INSTALLATION, USE, OPERATION, REPAIR, MAINTENANCE, REMOVAL AND REPLACEMENT OF IMPROVEMENTS, (2) DIVERSION AND DISCHARGE OF STORM WATER RUNOFF, (3) GRANTING FURTHER EASEMENTS TO GOVERNMENTAL AUTHORITY, UTILITY PROVIDERS OR OTHER THIRD PARTIES, AND (4) USER REASONABLY RELATED TO ANY OF THE FOREGOING AS SET FORTH IN RECORDING NO. 2007080203.

PARCEL NO. 3:

NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS AS SET FORTH IN RECORDING EASEMENT AGREEMENT WITH COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED FEBRUARY 15, 2009 AS 2009-070818 OF OFFICIAL RECORDS.

NOTES

1. NO STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED OR PLACED WITHIN THE UTILITIES EASEMENTS EXCEPT UTILITIES, WIRE, PIPE OR PERMISSIBLE SECTION TYPE FENCE, SIDEWALK, PARKING AND/OR PAVING, NOR ANY PLANTING EXCEPT GRASS, OR OTHER PLANTING AS APPROVED BY THE CITY OF SURPRISE. IT SHALL BE FURTHER UNDERSTOOD THAT THE CITY OF SURPRISE, OR UTILITY COMPANIES ARE NOT RESPONSIBLE FOR REPLACING ANY OBSTRUCTION OR PLANTING THAT MUST BE REMOVED DURING THE COURSE OF MAINTENANCE, CONSTRUCTION OR RECONSTRUCTION, EXCEPT RESTORATION OF GRASS TO PRE-CONSTRUCTION CONDITION.
2. EASEMENTS ARE TO BE CONSTRUCTED AS REQUIRED BY THE ARIZONA CORPORATE COMMISSION CHAPTER ORDER 8-14-2-132.
3. ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND.
4. THE CITY OF SURPRISE IS NOT RESPONSIBLE FOR AND WILL NOT ACCEPT MAINTENANCE OF ANY PRIVATE UTILITIES, PRIVATE STREETS, PRIVATE FACILITIES AND LANDSCAPE AREAS WITHIN THE PROJECT.
5. THE PARCELS LIES WITHIN ZONE 17 AS SHOWN ON PANEL 44020303, EFFECTIVE 10/16/2016. ZONE 17 IS DEFINED AS HAVING AREAS OF 0.25 ANNUAL CHANCE FLOOD AREAS OF 1% ANNUAL CHANCE FLOOD WITH AREAS DEPTHS OF LESS THAN 1 FOOT OR WITH SHALLOW AREAS LESS THAN 1 SQUARE MILE, AND AREAS PROTECTED BY ELEVATIONS 15 ANNUAL CHANCE FLOOD.
6. ALL LOT CORNERS SHALL BE MONUMENTED WITH 5/8 INCH REBAR AND CAP BEARING THE REGISTRATION NUMBER OF THE SURVEYOR RESPONSIBLE FOR THEIR PLACEMENT.
7. THE PLANS SHALL COMPLY WITH THE AMERICAN WITH DISABILITIES ACTS ACCESSIBILITY GUIDELINES, AS PUBLISHED IN FEDERAL REGISTER ON JULY 16, 1993, AS PERTAINS TO CURB & RAMP, RAMP, CROSS WALK, SLOPE AND CROSS SLOPE OF SIDEWALK, AND PARKING REQUIREMENTS.
8. THE PROPERTY OWNERS, OR ANY SUCCESSOR OWNERS SHALL NOT PROCEED WITH ANY ON SITE GRADING OR ELEVATION WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE ENGINEERING DEPARTMENT.
9. IN ACCORDANCE WITH A.R.S. § 9-401.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
10. THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS, AND PAVES SHALL BE THE RESPONSIBILITY OF THE OWNER OR THE HOMEOWNERS ASSOCIATION FORMED BY THE OWNER.
11. THE MAINTENANCE OF LANDSCAPING WITHIN THE ADJACENT PUBLIC RIGHTS-OF-WAY, INCLUDING LANDSCAPED TRACTS, 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 OWNER.
12. LANDSCAPING MAINTENANCE OF THE REGIONS WITHIN THE PUBLIC RIGHT-OF-WAY WITHIN ANY ARTERIAL OR PARKWAY STREET CLASSIFICATION SHALL BE RESPONSIBILITY OF THE CITY OF SURPRISE AFTER ACCEPTANCE.

CERTIFICATION

THIS IS TO CERTIFY THAT THE SURVEY AND SUBDIVISION OF THE PREMISES DESCRIBED AND PLATTED HEREON WAS MADE UNDER MY DIRECTION DURING THE MONTH OF DECEMBER, 2019, THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN, THAT THE MONUMENTS SHOWN ACTUALLY EXIST, THAT THEIR POSITIONS ARE CORRECTLY SHOWN, AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

NICHOLAS W. JARRETT, R.L.S.

DATE _____

PROJ. #: 1608

SHEET 1 OF 1

LANDCOR CONSULTING
6809 E. BENDIRAMANT AVENUE #24
MESA, ARIZONA 85203
PHONE: (602) 287-8013
CONTACT: NICHOLAS W. JARRETT, R.L.S.
EMAIL: nish@landcorconsulting.com

FINAL PLAT
OF
CCV NORTH SURPRISE
CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA

FINAL PLAT

DATE: 11/24/2019

PROJ. #: 1608

SHEET 1 OF 1

CASE NUMBER: FS20-557



FS20-557

CCV North Surprise

Final Plat

City Council – September 21, 2021

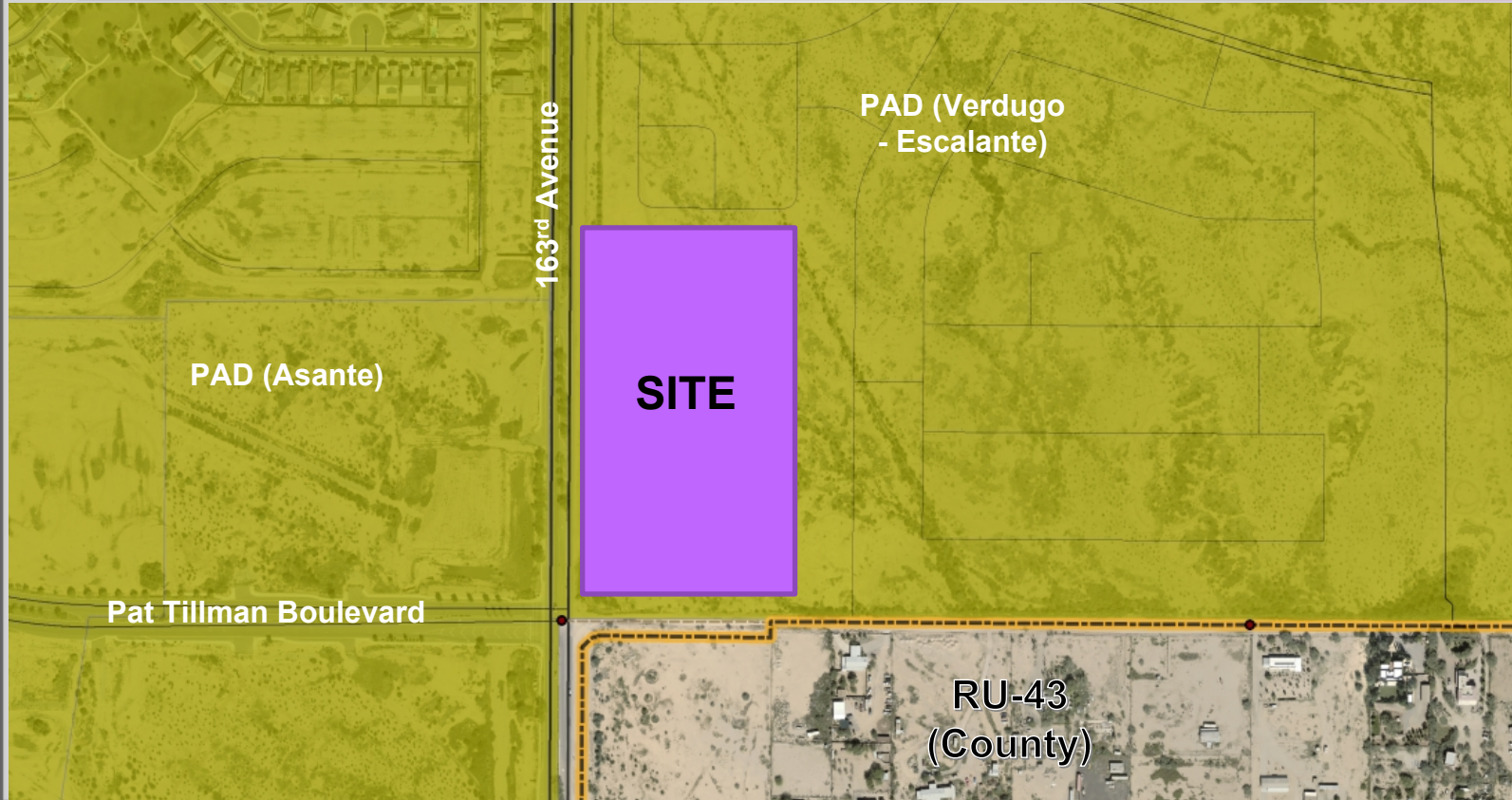
VICINITY MAP

FS20-557
CCV North Surprise



CASE MAP

FS20-557
CCV North Surprise



Page 30 of 602



QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: September 21, 2021 Contact Person: Trever Fleetham
Submitting Department: Community Development District: District 3
Staff Recommendations: None

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

Agenda Wording:

Consideration and action pertaining to approval of the Condominium Plat entitled, “Toll at Prasada Cottages” and dated August 23, 2021, an approximately 1.4975 acre property generally located west of Cotton Lane, between Cactus Road and Pieria Avenue. (Case FS21-432)

Motion:

I move to approve the Condominium Plat entitled, “Toll at Prasada Cottages” and dated August 23, 2021.

Background:

The subject request involves a Condominium Plat for the Stay & Play Cottages of the Toll at Prasada project. The proposed Condominium Plat includes eight (8) detached, single-story condo units that are each 1,019 square feet. The subject property was included in the Phase 2 Master Plat that was approved under case FS19-061. The respective site plan for the subject request was approved under case FS20-719.

Objective Analysis:

The subject Condominium Plat meets the requirements of the Prasada PAD, in addition to other requirements as set forth in the LDO. 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 5.34 DU/Ac, the project most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard. The site also lies with the 0-6 DU/Ac. ribbon of the Luke Air Force Base Graduated Density Concept; however, the site is integral to the larger Sterling Grove project, which is approved for 2,207 lots overall and meets the guidance offered by the GDC.

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 FS21-432 Toll at Prasada Stay & Play Cottages Condo Plat 09-21-21 CC Staff Report
 2. 01 FS21-432 Toll at Prasada Stay & Play Cottages Vicinity Map
 3. 02 FS21-432 Toll at Prasada Stay & Play Cottages Condo Plat
 4. FS21-432 Toll at Prasada Stay & Play Cottages 09-21-21 CC Condo Plat Presentation
-

CONDOMINIUM PLAT

REPORT TO THE CITY COUNCIL

1 **Case:** FS21-432
2
3 **Project Name:** Toll at Prasada Stay & Play Cottages
4
5 **Council District:** 3 - Mesquite
6
7 **Meeting Date:** September 21, 2021
8
9 **Planner:** Trever Fleetham, AICP
10
11
12 **Owner:** Toll Prasada, LLC
13
14 **Applicant:** Aaron Insco of Toll Bros, Inc.
15
16 **Request:** Condominium Plat for Toll at Prasada Stay & Play Cottages in the
17 Prasada PAD
18
19 **Site Location:** Generally located west of Cotton Lane, between Cactus Road and
20 Peoria Avenue
21
22 **Lot Yield:** N/A
23
24 **Area:** 1.4975 acres
25
26 **Density:** 5.34 DU/Ac.
27
28 **General Plan Conformance:** The proposal is consistent with the Surprise General Plan 2035
29
30 **Support/Opposition:** None known
31
32 **Findings:**
33
34 • The proposed Condominium Plat is consistent with the Prasada PAD.
35 • The proposed Condominium Plat is consistent with the Site Plan as approved under FS20-
36 719.
37 • The proposed Condominium Plat is consistent with the applicable City of Surprise
38 regulations.
39 • The reviewing agencies have indicated no objections to the request.
40

Alternative Actions:

Approval of the requested Condominium Plat will allow the developer to obtain civil permits and commence construction of the Stay & Play Cottages of the Toll at Prasada Project.

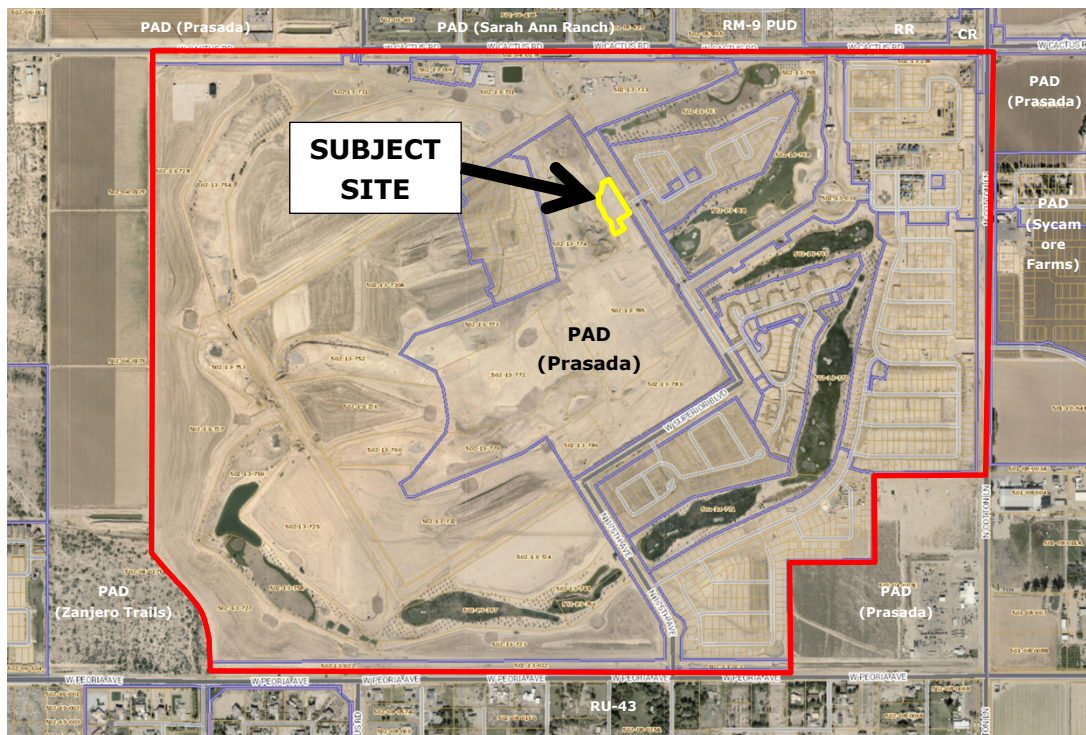
Denial of the requested Condominium Plat will deny the applicant the opportunity to develop the property as depicted on the proposed Condominium Plat.

PROJECT DESCRIPTION:

The subject request involves a Condominium Plat for the Stay & Play Cottages of the Toll at Prasada project. The proposed Condominium Plat includes eight (8), single-story, 1,019 square foot condo units. The subject property was included in the Phase 2 Master Plat that was approved under case FS19-061. The respective site plan for the subject request was approved under case FS20-719.

EXISTING ZONING:

The following map depicts the existing zoning of the subject site and its surroundings.



BACKGROUND:

June 22, 2006: The City Council approved the original Prasada PAD under case PAD05-465.

December 21, 2016: Staff approved a Minor Amendment to the Lake Village portion of the Prasada PAD under case FS16-400 for the purpose of revising the Lake Village land plan and development standards.

February 12, 2018: Staff approved a Minor Amendment to the Toll Brothers' portion of the Prasada Lake Village under case FS17-587 for the purpose of revising specific development standards related to the Toll Brothers development.

April 17, 2018: The City Council approved the original Preliminary Plat for Toll at Prasada under case FS17-394.

January 15, 2019: The City Council approved the Final Plat for Toll at Prasada Phase I Infrastructure under case FS18-290.

August 6, 2019: The City Council approved the Final Plat for Toll at Prasada Phase 2 Infrastructure under case FS19-061.

May 3, 2021: The Community Development Director and City Engineer approved the administrative site plan for the Stay & Play Cottages under case FS20-719.

May 27, 2021: The applicant filed case FS21-432, the subject case.

ANALYSIS AND DISCUSSION:

The proposed condominium development includes eight (8) detached, single-story condo units. Each unit is 1,019 square feet and has a rear patio that overlooks the golf course of the Sterling Grove development. Primary access to the development will be via Greenwich Boulevard, which runs along the northeasterly boundary of the site. The subject site will also have 1.17 acres of Common Element space that includes landscaping and a 19 space parking lot. The subject Condominium plat is consistent with the site plan approved under case FS20-719 and the Prasada PAD.

103 **CONFORMANCE WITH ADOPTED PLANS:**

104
105 **Surprise General Plan 2035:** The Surprise General Plan 2035 shows the subject property as lying
106 within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac
107 or more, provided appropriate transitions are made between the various Neighborhood types
108 included within the character area. At 5.34 DU/Ac, the project most closely aligns with the Suburban
109 Neighborhood type and is consistent with the General Plan in this regard. The site also lies with the
110 0-6 DU/Ac ribbon of the Luke Air Force Base Graduated Density Concept; however, the site is integral
111 to the larger Sterling Grove project, which is approved for 2,207 lots overall and meets the guidance
112 offered by the GDC.

113
114 **REVIEWING AGENCIES:**

115
116 The subject request was routed to the standard reviewing agencies, who offered the following
117 comments:

118
119 **Maricopa Water District (MWD):** In an email dated June 1, 2021, MWD stated the project is located
120 within an area included in the Toll at Prasada Development and Water Delivery Agreement between
121 MWD and the original developer/landowner.

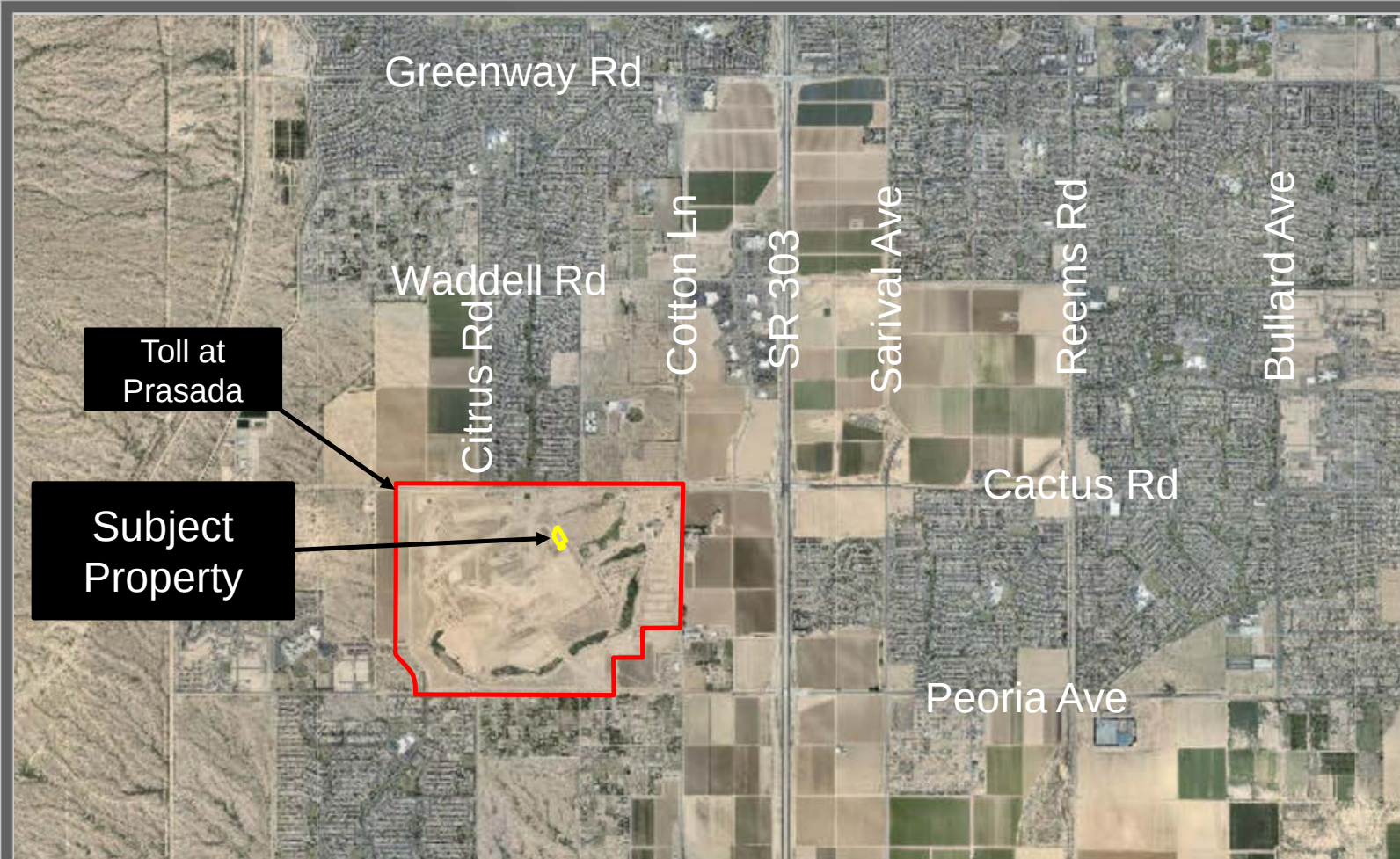
122
123 **Luke Air Force Base (LAFB):** In a memo dated June 3, 2021, LAFB stated the request will not
124 negatively impact flight operations, but recommends a strong notification program.

125
126 **Summary:**

127
128 The subject Condominium Plat meets the requirements of the Prasada PAD, in addition to other
129 applicable requirements as set forth in the LDO. All city reviewing departments have reviewed the
130 request and expressed no concerns.

131
132 **Attachments:**

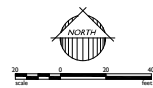
133
134 01 Toll at Prasada Stay & Play Cottages Vicinity Map
135 02 Toll at Prasada Stay & Play Cottages Condominium Plat
136 PowerPoint Presentation



FS21-432 Vicinity Map



- LEGEND**
- | | |
|--------|---|
| ■ | FOUND MONUMENT, AS NOTED |
| ○ | CORNER OF SUBDIVISION - FOUND 1/2" REBAR WITH CAP PLS 42937 |
| MOR | MARICOPA COUNTY RECORDER |
| PS | PRIVATE STREET |
| SVT | SHOT VISIBILITY TRIANGLE EASEMENT |
| L.C.E. | LIMITED COMMON ELEMENTS |
| C.E. | COMMON ELEMENTS |



SECTION 23, TOWNSHIP 3 NORTH, RANGE 2 WEST OF THE GLA AND SALT RIVER AND MEDORA, MARQUETTE COUNTY, ARIZONA, MORE PARTICULARLY AS FOLLOWS:

COMMENCING AT A 7' ALUMINUM CAP IN POTHOLE AT THE NORTHWEST CORNER OF SAID SECTION 23, FROM WHICH A 1" CROCK BRASS CAP BEARING AT THE NORTH END OF SAID SECTION 23 BEARS SOUTH 89 DEGREES 50' WEST 26.94 FEET EAST, 26.94 FEET EAST;

THENCE ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23 SOUTH 89 DEGREES 50 MINUTES 58 SECONDS EAST, 209.25 FEET TO A POLE ON SAID NORTH LINE;

THENCE, BEARING SAID NORTH LINE SOUTH 0 DEGREES 50 MINUTES 02 SECONDS WEST, 1092.29 FEET TO THE POINT OF BEGINNING;

THENCE SOUTH 31 DEGREES 34 MINUTES 54 SECONDS EAST, 365.29 FEET;

THENCE SOUTH 58 DEGREES 25 MINUTES 08 SECONDS WEST, 113.50 FEET;

THENCE SOUTH 31 DEGREES 34 MINUTES 54 SECONDS EAST, 36.27 FEET;

THENCE SOUTH 58 DEGREES 25 MINUTES 08 SECONDS WEST, 91.45 FEET;

THENCE NORTH 31 DEGREES 34 MINUTES 54 SECONDS WEST, 36.18 FEET;

THENCE NORTH 8 DEGREES 55 MINUTES 04 SECONDS WEST, 15.62 FEET;

THENCE NORTH 17 DEGREES 55 MINUTES 04 SECONDS WEST, 47.52 FEET;

THENCE NORTH 8 DEGREES 55 MINUTES 04 SECONDS WEST, 14.08 FEET;

THENCE NORTH 47 DEGREES 55 MINUTES 04 SECONDS WEST, 57.04 FEET;

THENCE NORTH 28 DEGREES 34 MINUTES 24 SECONDS WEST, 47.36 FEET;

THENCE NORTH 16 DEGREES 34 MINUTES 24 SECONDS WEST, 14.08 FEET;

THENCE NORTH 32 DEGREES 44 MINUTES 54 SECONDS WEST, 58.18 FEET;

THENCE NORTH 47 DEGREES 52 MINUTES 51 SECONDS EAST, 14.08 FEET;

THENCE NORTH 0 DEGREES 52 MINUTES 51 SECONDS EAST, 47.58 FEET;

THENCE NORTH 0 DEGREES 52 MINUTES 51 SECONDS EAST, 14.08 FEET;

THENCE NORTH 42 DEGREES 18 MINUTES 54 SECONDS EAST, 45.63 FEET;

THENCE NORTH 7 DEGREES 18 MINUTES 42 SECONDS EAST, 14.08 FEET;

THENCE NORTH 10 DEGREES 50 MINUTES 16 SECONDS EAST, 47.00 FEET;

THENCE NORTH 7 DEGREES 10 DEGREES 42 SECONDS EAST, 16.38 FEET;

THENCE NORTH 58 DEGREES 25 MINUTES 08 SECONDS EAST, 63.65 FEET TO THE POINT OF BEGINNING.

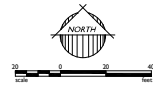
CONTAINS 1.4075 ACRES, MORE OR LESS.

NOTES

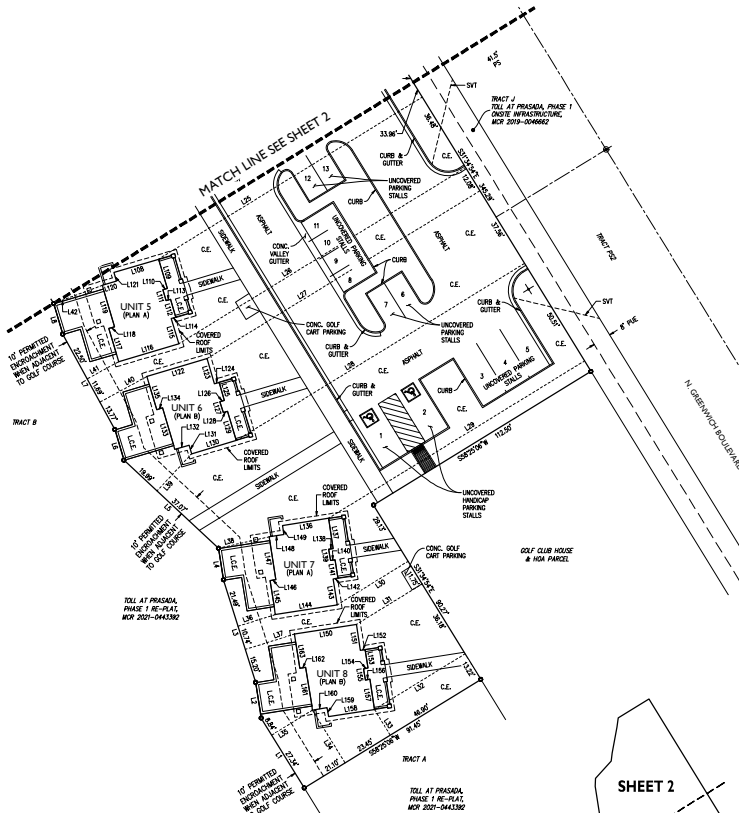
1. COMMON AREAS MAY INCLUDE OPEN SPACE, LANDSCAPING, PEDESTRIAN PATHS, AND/OR AMENITIES.

LEGEND

- FOUND MONUMENT, AS NOTED
- CORNER OF SUBDIVISION - FOUND 1/2" REBAR WITH CAP PLS 42937
- MARICOPA COUNTY RECORDER
- PRIVATE STREET
- SIGHT VISIBILITY TRIANGLE EXEMPT
- UNITED COMMON ELEMENTS
- COMMON ELEMENTS



KEY MAP
N.T.S.



UNIT AREA TABLE		
UNIT #	AREA (SF)	AREA (AC)
1	1,019	0.0234
2	1,019	0.0234
3	1,019	0.0234
4	1,019	0.0234
5	1,019	0.0234
6	1,019	0.0234
7	1,019	0.0234
8	1,019	0.0234

LINE TABLE		
LINE #	BEARING	LENGTH
1	N21°54'00"W	36.10'
2	N08°55'00"W	15.92'
3	N17°24'00"W	47.43'
4	N08°55'00"W	14.00'
5	N47°02'48"W	57.06'
6	N18°54'19"W	14.00'
7	N28°36'24"W	47.96'
8	N18°54'19"W	14.00'
9	N02°41'32"W	58.18'
10	N02°41'32"W	14.00'
11	N08°55'00"W	47.96'
12	N02°41'32"W	14.00'
13	N42°18'54"W	41.03'
14	N17°02'42"W	14.00'
15	N10°55'00"W	47.00'
16	N17°02'42"W	16.38'
17	N08°55'00"W	63.65'
18	N08°55'00"W	22.66'
19	N08°55'00"W	48.28'
20	N08°55'00"W	36.73'
21	N08°55'00"W	74.14'
22	N08°55'00"W	19.25'
23	N08°55'00"W	129.53'
24	N08°55'00"W	148.30'
25	N08°55'00"W	136.51'
26	N08°55'00"W	148.44'
27	N08°55'00"W	141.29'
28	N08°55'00"W	149.23'
29	N08°55'00"W	132.53'
30	N08°55'00"W	36.73'
31	N08°55'00"W	74.14'
32	N08°55'00"W	19.25'
33	N13°54'54"W	13.22'
34	N21°54'00"W	27.34'
35	N08°55'00"W	21.10'
36	N17°24'00"W	17.23'
37	N17°24'00"W	22.70'
38	N08°55'00"W	22.67'
39	N42°57'12"W	22.40'
40	N08°55'00"W	23.64'
41	N08°55'00"W	15.96'
42	N08°55'00"W	22.94'
43	N08°55'00"W	21.38'
44	N08°55'00"W	23.02'
45	N08°55'00"W	16.78'
46	N47°02'48"W	16.13'
47	N47°02'48"W	33.79'
48	N18°54'19"W	22.96'
49	N18°54'19"W	21.38'
50	N18°54'19"W	16.00'
51	N21°54'00"W	14.91'
52	N08°55'00"W	8.25'
53	N08°55'00"W	23.67'
54	N08°55'00"W	2.08'
55	N08°55'00"W	5.00'
56	N08°55'00"W	2.08'
57	N08°55'00"W	8.25'
58	N08°55'00"W	2.08'
59	N08°55'00"W	11.58'
60	N08°55'00"W	27.67'

LINE TABLE		
LINE #	BEARING	LENGTH
1	N08°55'00"W	15.92'
2	N08°55'00"W	2.67'
3	N08°55'00"W	19.08'
4	N08°55'00"W	6.54'
5	N08°55'00"W	4.00'
6	N08°55'00"W	27.67'
7	N08°55'00"W	4.00'
8	N08°55'00"W	2.08'
9	N08°55'00"W	8.25'
10	N08°55'00"W	2.08'
11	N08°55'00"W	2.08'
12	N08°55'00"W	2.08'
13	N08°55'00"W	2.08'
14	N08°55'00"W	2.08'
15	N08°55'00"W	2.08'
16	N08°55'00"W	2.08'
17	N08°55'00"W	2.08'
18	N08°55'00"W	2.08'
19	N08°55'00"W	2.08'
20	N08°55'00"W	2.08'
21	N08°55'00"W	2.08'
22	N08°55'00"W	2.08'
23	N08°55'00"W	2.08'
24	N08°55'00"W	2.08'
25	N08°55'00"W	2.08'
26	N08°55'00"W	2.08'
27	N08°55'00"W	2.08'
28	N08°55'00"W	2.08'
29	N08°55'00"W	2.08'
30	N08°55'00"W	2.08'
31	N08°55'00"W	2.08'
32	N08°55'00"W	2.08'
33	N08°55'00"W	2.08'
34	N08°55'00"W	2.08'
35	N08°55'00"W	2.08'
36	N08°55'00"W	2.08'
37	N08°55'00"W	2.08'
38	N08°55'00"W	2.08'
39	N08°55'00"W	2.08'
40	N08°55'00"W	2.08'
41	N08°55'00"W	2.08'
42	N08°55'00"W	2.08'
43	N08°55'00"W	2.08'
44	N08°55'00"W	2.08'
45	N08°55'00"W	2.08'
46	N08°55'00"W	2.08'
47	N08°55'00"W	2.08'
48	N08°55'00"W	2.08'
49	N08°55'00"W	2.08'
50	N08°55'00"W	2.08'
51	N08°55'00"W	2.08'
52	N08°55'00"W	2.08'
53	N08°55'00"W	2.08'
54	N08°55'00"W	2.08'
55	N08°55'00"W	2.08'
56	N08°55'00"W	2.08'
57	N08°55'00"W	2.08'
58	N08°55'00"W	2.08'
59	N08°55'00"W	2.08'
60	N08°55'00"W	2.08'

LINE TABLE		
LINE #	BEARING	LENGTH
1	N08°55'00"W	4.00'
2	N08°55'00"W	27.67'
3	N08°55'00"W	11.58'
4	N08°55'00"W	2.08'
5	N08°55'00"W	8.25'
6	N08°55'00"W	2.08'
7	N08°55'00"W	2.08'
8	N08°55'00"W	2.08'
9	N08°55'00"W	2.08'
10	N08°55'00"W	2.08'
11	N08°55'00"W	2.08'
12	N08°55'00"W	2.08'
13	N08°55'00"W	2.08'
14	N08°55'00"W	2.08'
15	N08°55'00"W	2.08'
16	N08°55'00"W	2.08'
17	N08°55'00"W	2.08'
18	N08°55'00"W	2.08'
19	N08°55'00"W	2.08'
20	N08°55'00"W	2.08'
21	N08°55'00"W	2.08'
22	N08°55'00"W	2.08'
23	N08°55'00"W	2.08'
24	N08°55'00"W	2.08'
25	N08°55'00"W	2.08'
26	N08°55'00"W	2.08'
27	N08°55'00"W	2.08'
28	N08°55'00"W	2.08'
29	N08°55'00"W	2.08'
30	N08°55'00"W	2.08'
31	N08°55'00"W	2.08'
32	N08°55'00"W	2.08'
33	N08°55'00"W	2.08'
34	N08°55'00"W	2.08'
35	N08°55'00"W	2.08'
36	N08°55'00"W	2.08'
37	N08°55'00"W	2.08'
38	N08°55'00"W	2.08'
39	N08°55'00"W	2.08'
40	N08°55'00"W	2.08'
41	N08°55'00"W	2.08'
42	N08°55'00"W	2.08'
43	N08°55'00"W	2.08'
44	N08°55'00"W	2.08'
45	N08°55'00"W	2.08'
46	N08°55'00"W	2.08'
47	N08°55'00"W	2.08'
48	N08°55'00"W	2.08'
49	N08°55'00"W	2.08'
50	N08°55'00"W	2.08'
51	N08°55'00"W	2.08'
52	N08°55'00"W	2.08'
53	N08°55'00"W	2.08'
54	N08°55'00"W	2.08'
55	N08°55'00"W	2.08'
56	N08°55'00"W	2.08'
57	N08°55'00"W	2.08'
58	N08°55'00"W	2.08'
59	N08°55'00"W	2.08'
60	N08°55'00"W	2.08'

Toll at Prasad Cotages
Condominium Plat

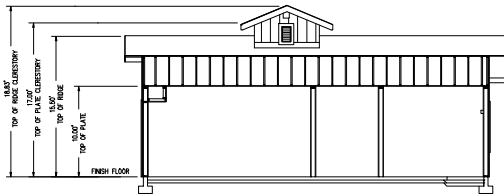
16-339

FP03

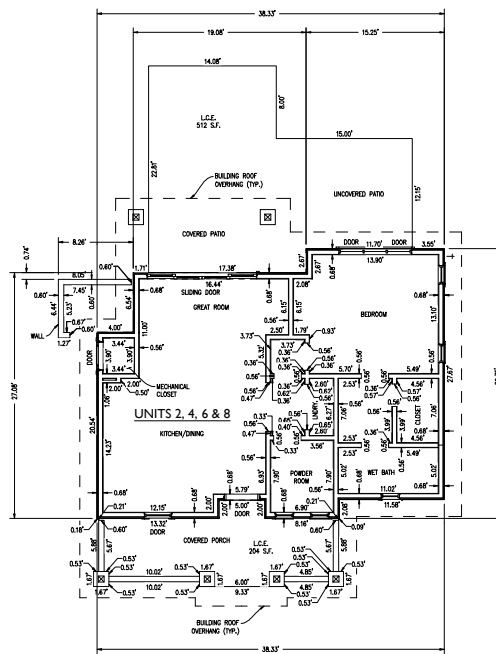
3 of 4

Sheet No. 3

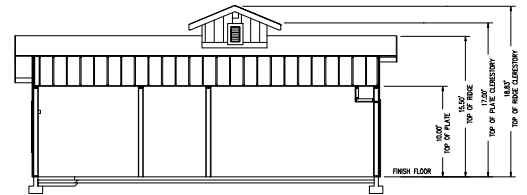
Case Number: FS21-432



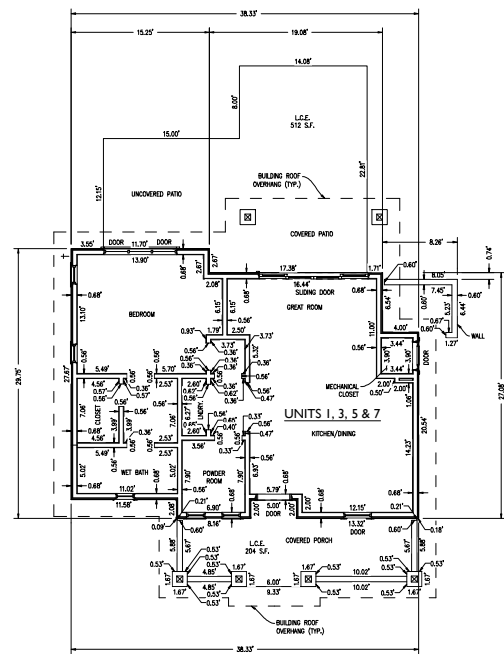
PLAN B
1' = 5' H
1' = 5' V



PLAN B
1°=5'



PLAN A



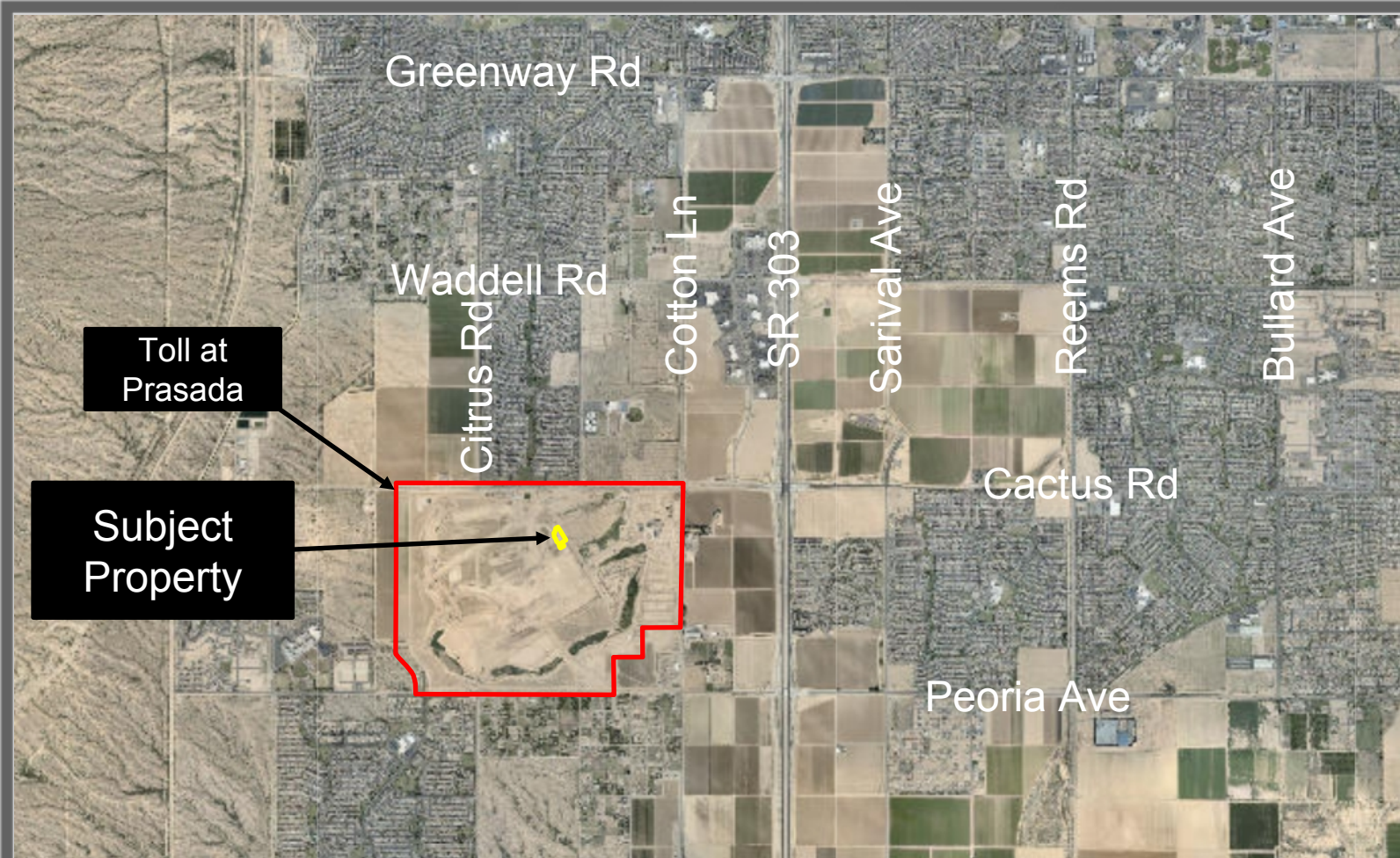
PLAN A
1"=5'



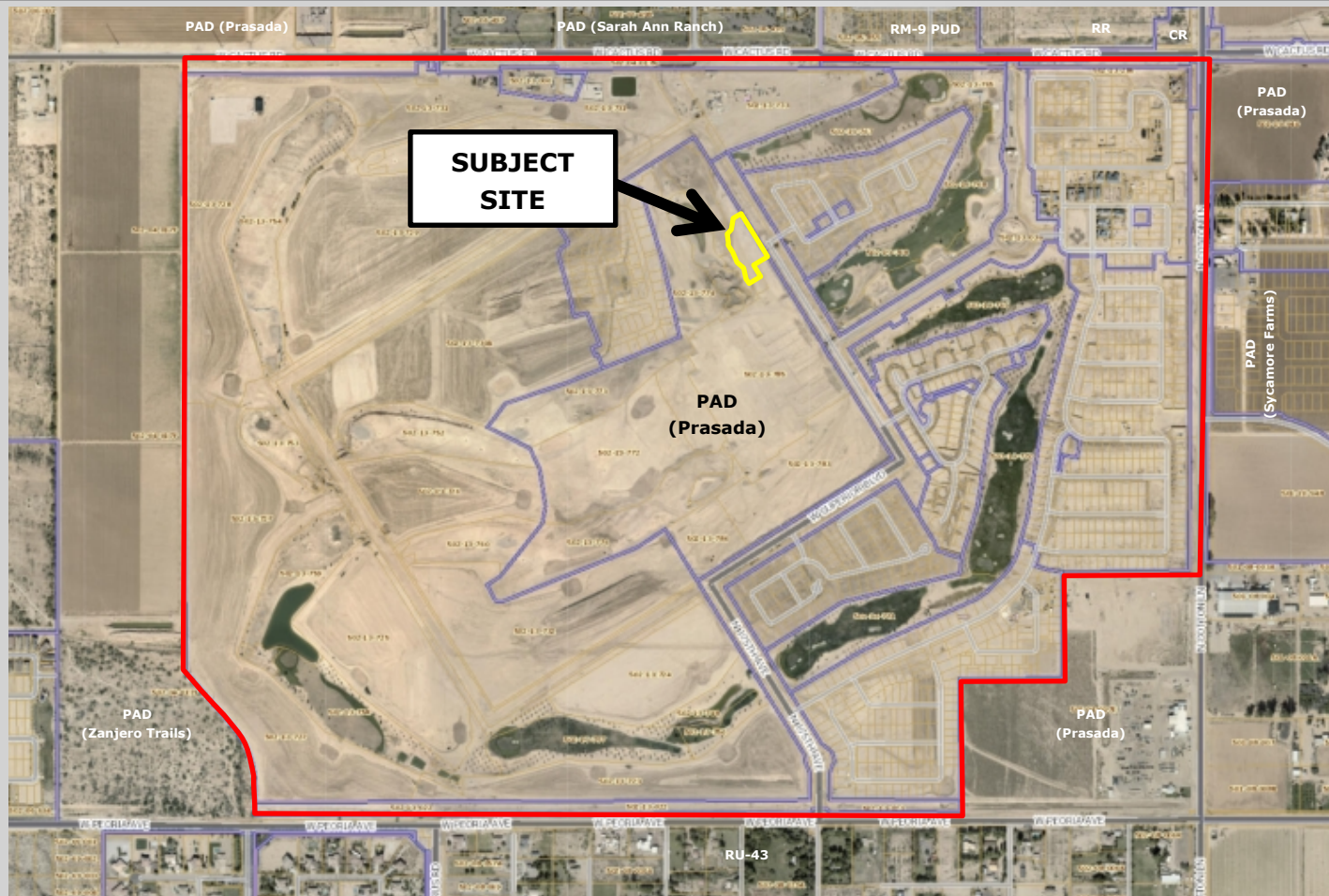
SURPRISE
ARIZONA

City Council
September 21, 2021

Toll at Prasada
Stay & Play Cottages – Condominium Plat
FS21-432



FS21-432 Vicinity Map



FS21-432 Case Map

Sterling Grove Master Plan





試驗結果表		
序號	試件編號	試驗結果
1	HT200-1	28.1%
2	HT200-2	30.2%
3	HT200-3	29.5%
4	HT200-4	31.8%
5	HT200-5	30.5%
6	HT200-6	32.1%
7	HT200-7	31.3%
8	HT200-8	30.8%
9	HT200-9	31.6%
10	HT200-10	30.4%

LIFE TABLE		
AGE	SEX	AGE-S
100	MALE	1.000
101	MALE	0.999
102	MALE	0.997
103	MALE	0.994
104	MALE	0.990
105	MALE	0.985
106	MALE	0.979
107	MALE	0.972
108	MALE	0.964
109	MALE	0.955
110	MALE	0.945

LINE TABLE		
LINE	WAVELENGTH	WAVELENGTH
128	6172.121 Å	4.607
129	6172.760 Å	15.627
130	6670.761 Å	1.120
131	6671.760 Å	1.007
132	6672.121 Å	8.537
133	7122.121 Å	2.007
134	6672.760 Å	5.007
135	6172.760 Å	2.007
136	6672.760 Å	6.179

18	W07/07/20	12.48
21	W07/07/20	16.05
23	W07/07/20	8.43
14	W07/07/20	9.58
24	W07/07/20	27.96
25	W07/07/20	16.28
27	W07/07/20	63.45
28	W07/07/20	33.96
30	W07/07/20	45.48
329	W07/07/20	56.79

171	10/20/2017	2.00
172	10/20/2017	1.00
173	10/20/2017	1.00
174	10/20/2017	1.00
175	10/20/2017	1.00
176	10/20/2017	1.00
177	10/20/2017	1.00
178	10/20/2017	1.00
179	10/20/2017	1.00
180	10/20/2017	1.00

118	8752257W	1.607
119	8752367W	9.507
120	8752557W	19.10
121	8752700W	28.7
122	8752857W	38.35
123	8852957E	22.95
124	8853100E	32.10
125	8853257E	41.7
126	8853400E	51.3
127	8853557E	60.9

1.70	VO2770C	3.05
1.75	VO2770B	3.027
1.79	VO2770A	3.011
1.75	VO2770C	3.051
1.75	VO2770B	3.047
1.77	VO2770A	3.038
1.78	VO2770C	3.037
1.79	VO2770B	3.023
1.79	VO2770A	3.017
1.8	VO2770C	3.008
1.79	VO2770B	3.001

80	0.00000000	0.00
81	0.00000000	0.00
82	0.00000000	0.00
83	0.00000000	0.00
84	0.00000000	0.00
85	0.00000000	0.00
86	0.00000000	0.00
87	0.00000000	0.00
88	0.00000000	0.00
89	0.00000000	0.00
90	0.00000000	0.00
91	0.00000000	0.00
92	0.00000000	0.00
93	0.00000000	0.00
94	0.00000000	0.00
95	0.00000000	0.00
96	0.00000000	0.00
97	0.00000000	0.00
98	0.00000000	0.00
99	0.00000000	0.00

140	50°48'54"N	120°57'
139	50°50'16"N	121°0'
138	50°51'37"N	121°03'
137	50°52'58"N	121°05'
136	50°54'19"N	121°07'
135	50°55'40"N	121°10'
134	50°57'01"N	121°13'
133	50°58'22"N	121°15'
132	50°59'43"N	121°18'
131	51°01'04"N	121°20'
130	51°02'25"N	121°23'

L2	18725478	27.52
L3	18725479	27.52
L3	18725480	27.52
L3	18725481	27.52
L3	18725482	27.52
L3	18725483	27.52
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L3	18725485	27.52
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L3	18725493	27.52
L3	18725494	27.52
L3	18725495	27.52
L3	18725496	27.52
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L3	18725498	27.52
L3	18725499	27.52
L3	18725500	27.52
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L3	18725509	27.52
L3	18725510	27.52
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L3	18725580	27.52
L3	18725581	27.52
L3	18725582	27.52

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490	1000000000	0.00
491	1000000000	0.00
492	1000000000	0.00
493	1000000000	0.00

1997	52.54%	2.60%
1998	52.54%	2.60%
1999	52.54%	2.60%
2000	52.54%	2.60%
2001	52.54%	2.60%
2002	52.54%	2.60%
2003	52.54%	2.60%
2004	52.54%	2.60%
2005	52.54%	2.60%
2006	52.54%	2.60%
2007	52.54%	2.60%
2008	52.54%	2.60%
2009	52.54%	2.60%
2010	52.54%	2.60%
2011	52.54%	2.60%
2012	52.54%	2.60%
2013	52.54%	2.60%
2014	52.54%	2.60%
2015	52.54%	2.60%
2016	52.54%	2.60%
2017	52.54%	2.60%
2018	52.54%	2.60%
2019	52.54%	2.60%
2020	52.54%	2.60%
2021	52.54%	2.60%
2022	52.54%	2.60%
2023	52.54%	2.60%
2024	52.54%	2.60%
2025	52.54%	2.60%
2026	52.54%	2.60%
2027	52.54%	2.60%
2028	52.54%	2.60%
2029	52.54%	2.60%
2030	52.54%	2.60%
2031	52.54%	2.60%
2032	52.54%	2.60%
2033	52.54%	2.60%
2034	52.54%	2.60%
2035	52.54%	2.60%
2036	52.54%	2.60%
2037	52.54%	2.60%
2038	52.54%	2.60%
2039	52.54%	2.60%
2040	52.54%	2.60%
2041	52.54%	2.60%
2042	52.54%	2.60%
2043	52.54%	2.60%
2044	52.54%	2.60%
2045	52.54%	2.60%
2046	52.54%	2.60%
2047	52.54%	2.60%
2048	52.54%	2.60%
2049	52.54%	2.60%
2050	52.54%	2.60%
2051	52.54%	2.60%
2052	52.54%	2.60%
2053	52.54%	2.60%
2054	52.54%	2.60%
2055	52.54%	2.60%
2056	52.54%	2.60%
2057	52.54%	2.60%
2058	52.54%	2.60%
2059	52.54%	2.60%
2060	52.54%	2.60%
2061	52.54%	2.60%
2062	52.54%	2.60%
2063	52.54%	2.60%
2064	52.54%	2.60%
2065	52.54%	2.60%
2066	52.54%	2.60%
2067	52.54%	2.60%
2068	52.54%	2.60%
2069	52.54%	2.60%
2070	52.54%	2.60%
2071	52.54%	2.60%
2072	52.54%	2.60%
2073	52.54%	2.60%
2074	52.54%	2.60%
2075	52.54%	2.60%
2076	52.54%	2.60%
2077	52.54%	2.60%
2078	52.54%	2.60%
2079	52.54%	2.60%
2080	52.54%	2.60%
2081	52.54%	2.60%
2082	52.54%	2.60%
2083	52.54%	2.60%
2084	52.54%	2.60%
2085	52.54%	2.60%
2086	52.54%	2.60%
2087	52.54%	2.60%
2088	52.54%	2.60%
2089	52.54%	2.60%
2090	52.54%	2.60%
2091	52.54%	2.60%
2092	52.54%	2.60%
2093	52.54%	2.60%
2094	52.54%	2.60%
2095	52.54%	2.60%
2096	52.54%	2.60%
2097	52.54%	2.60%
2098	52.54%	2.60%
2099	52.54%	2.60%
2100	52.54%	2.60%
2101	52.54%	2.60%
2102	52.54%	2.60%
2103	52.54%	2.60%
2104	52.54%	2.60%

100-0	
NAME	THOMAS WILSON, JR HOME
NO	100001 BT SUBDIVISION - THOMAS WILSON JR HOME 4200
NO	SHARONA COURT SECOND
NO	PRIVATE STREET
NO	2001 WILSON, JR THOMAS LARSEN
NO	SHARONA COURT SECOND
NO	SHARONA COURT SECOND



SHEET 3



Toll at Prasada Cottages
—SARIN, ANAND
Condominium Plat

County: 04
 Country: 00
 2000
 16-339
 FP03
 Sheet No.
 3
 of 4

CASE NUMBER: F521-412

FS21-432 Final Plat

Journal of Interpersonal Violence 28(1) 10-27
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EP04
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of 4

EPS
1110 W. Adams Blvd. Suite 120
Wichita, KS 67203
781-500-0754 / FAX: 781-500-0758
www.epsgroup.com

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QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: September 21, 2021 Contact Person: Lloyd Abrams
Submitting Department: Community Development District: District 3
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, “Re-Plat of Lot 2 of Rancho Trugold” and dated August 25, 2021, an approximately 40.77 acre property generally located south of Waddell Road and east of 175th Avenue. (Case FS20-060)

Motion:

I move to approve the Final Plat entitled, “Re-Plat of Lot 2 of Rancho Trugold” and dated August 25, 2021.

Background:

Ramzi Georges, on behalf of Mattamy Corporation, seeks approval of a re-plat of a Final Plat for a 139-lot single-family residential subdivision in Rancho Trugold.

Objective Analysis:

This proposed Final Plat will create 139 lots and 17 tracts with a gross density of 3.4 DU/Ac in a manner consistent with the Rancho Trugold residential development document.

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 - FS20-060- Rancho Trugold Mattamy Homes - Staff Report-Final Plat (1)
 2. 01- FS20-060- Rancho Trugold Mattamy- Vicinity Map
 3. 02- FS20-060- Rancho Trugold Mattamy- Final Plat
 4. FS20-060- Rancho Trugold FP - CC Powerpoint
-

Final Plat

REPORT TO THE CITY COUNCIL

Case: FS20-060

Project Name: Rancho Trugold Final Plat

Council District: 3 – Mesquite

Meeting Date: September 21, 2021

Planner: Shirley Phan

Owner: Chris Bramwell, Mattamy Corporation

Applicant: Ramzi Georges, Atwell LLC.

Request: Final Plat for Rancho Trugold

Site Location: Generally located at the south of Waddell Road and east of 175th Avenue

Site Size: 40.77 gross acres (approx.)

Density: 3.40 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 Preliminary Plat for Rancho Trugold.
- The proposed Final Plat is consistent with the applicable City of Surprise regulations and Rancho Trugold Residential Development Document.
- The reviewing agencies have indicated no objections.

Alternative Actions:

Approval of the requested Final Plat will allow the developer to proceed with the construction of the associated subdivision as proposed.

Denial of the requested Final Plat will prevent the developer from constructing the associated subdivision as proposed.

Project Description:

Ramzi Georges, Atwell, LLC. , on behalf of Chris Bramwell with Mattamy Corporation, seeks approval of a Final Plat for the approximately 40.77 gross-acre site in Rancho Trugold. The Final Plat proposes 139 lots and 17 tracts with a gross density of 3.40 DU/Ac. The proposed Final Plat is consistent with the Rancho Trugold Residential Development Document, in addition to other requirements as set forth in the SUDC.

Attachments:

- 01 Vicinity Map
- 02 Final Plat



FS20-060 Vicinity Map

S:\19002303 - RANCHO TRUGOLD--MATTAMY\DWG\SURVEY\FINAL PLAT\19002303 RANCHO TRUGOLD PP.DWG SAVEDATE:8/17/2021 1:10 PM PLOTDATE:8/25/2021 3:06 PM

DEDICATION

STATE OF ARIZONA: } SS
COUNTY OF MARICOPA: }

KNOW ALL PERSONS BY THESE PRESENTS:

- THAT MATTAMY ARIZONA, LLC AN ARIZONA LIMITED LIABILITY COMPANY HEREINAFTER "OWNER", HAS SUBDIVIDED UNDER THE NAME "RE-PLAT OF LOT 2 OF RANCHO TRUGOLD", A SUBDIVISION LOCATED IN A PORTION OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 3 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA AS SHOWN AND PLATTED HEREON AND DOES HEREBY PUBLISH THIS FINAL PLAT AS AND FOR THE FINAL PLAT OF "RE-PLAT OF LOT 2 OF RANCHO TRUGOLD" AND DECLARES THAT THIS PLAT SETS FORTH THE LOCATION AND GIVES 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 FINAL PLAT.
- "OWNER" HEREBY DEDICATES TO THE CITY OF SURPRISE FEE TITLE TO ALL PUBLIC RIGHTS-OF-WAY AS SHOWN ON THE FINAL PLAT.
- "OWNER" HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL NON-EXCLUSIVE EASEMENT OVER, UNDER, UPON, AND ACROSS ALL AREAS DESIGNATED ON THE FINAL PLAT AS SEWER LINES AND MANHOLES FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING, AND UTILIZING THE SEWER LINES AND MANHOLES.
- 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 GRANTS TO THE PUBLIC A PERPETUAL NON-EXCLUSIVE EASEMENT IN, UPON, OVER, UNDER, THROUGH, AND ACROSS THE AREAS DESIGNATED AS PUBLIC UTILITY EASEMENTS AS SHOWN ON THE FINAL PLAT FOR THE PURPOSE OF ACCESSING, INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING PUBLIC UTILITIES.
- "OWNER" HEREBY GRANTS TO THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE ("USAF") AN AVIGATION 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.
- "OWNER" HEREBY WARRANTS AND REPRESENTS TO THE CITY OF SURPRISE THAT IT IS THE SOLE OWNER OF THE PROPERTY COVERED BY THIS FINAL PLAT, AND THAT EVERY LENDER, EASEMENT HOLDER OR OTHER PERSON OR ENTITY HAVING ANY INTEREST THAT IS ADVERSE TO OR INCONSISTENT WITH THE FOREGOING DEDICATION, OR ANY OTHER REAL PROPERTY INTEREST CREATED OR TRANSFERRED BY THIS FINAL PLAT, HAS CONSENTED TO OR JOINED IN THIS FINAL PLAT AS EVIDENCED BY INSTRUMENTS WHICH ARE RECORDED WITH THE MARICOPA COUNTY RECORDERS OFFICE OR WHICH OWNER WILL RECORD NOT LATER THAN THE DATE ON WHICH THIS FINAL PLAT IS RECORDED.
- "OWNER" 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.
- THE VEHICULAR NON ACCESS EASEMENTS "VNAE" ARE HEREBY DEDICATED TO THE RANCHO TRUGOLD COMMUNITY ASSOCIATION, ITS SUCCESSORS AND ASSIGNS AND IS INTENDED TO PREVENT VEHICULAR TRAFFIC BETWEEN TRACTS AND LOTS WITH THE EXCEPTION OF PUBLIC UTILITY USES. SAID "VNAE" AS DEDICATED HEREON WILL CROSS PUBLIC UTILITY EASEMENTS "PUE" ALSO GRANTED HEREON, IN MULTIPLE LOCATIONS. THESE "VNAE" ARE NOT INTENDED TO PREVENT AUTHORIZED AGENTS OF THE PUBLIC UTILITY COMPANIES FROM CROSSING SAID "VNAE" DURING THE COURSE OF INSTALLATION, USE, MAINTENANCE AND REPAIR OF THE UTILITIES LOCATED IN SAID PUBLIC UTILITY EASEMENT "PUE".
- "OWNER" HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL CROSS ACCESS EASEMENT ACROSS THE FINAL 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 INGRESS AND EGRESS FOR EMERGENCY VEHICLES.

IN WITNESS WHEREOF, THE OWNER HAS HEREUNTO CAUSED THEIR NAME TO BE SIGNED AND TO BE AFFIXED BY THE UNDERSIGNED, DULY AUTHORIZED OFFICER THIS 26 DAY OF August, 2021.

BY: MATTAMY ARIZONA, LLC AN ARIZONA LIMITED LIABILITY COMPANY

BY: Kevin Rust
KEVIN RUST

ITS: VICE PRESIDENT

NOTARY ACKNOWLEDGEMENT

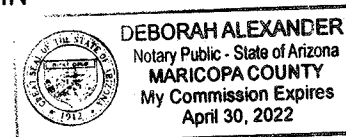
STATE OF ARIZONA: } SS
COUNTY OF MARICOPA: }

ON THIS 26th DAY OF August, 2021, BEFORE ME, THE UNDERSIGNED NOTARY

PUBLIC APPEARED KEVIN RUST OF WHO EXECUTED THIS INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

IN WITNESS WHEREOF, I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

BY: Deborah Alexander MY COMMISSION EXPIRES 4/30/22
NOTARY PUBLIC DATE



NOTICE OF INTERGOVERNMENTAL AGREEMENT

THE CITY OF SURPRISE ("CITY") AND MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE ("MWD") 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 MWD HAVE FACILITIES AND PROPERTY INTERESTS DESCRIBED AND Delineated WITHIN CERTAIN SUBDIVISION PLATS OR, FOR LANDS NOT INCLUDED IN A SUBDIVISION PLAT, DECLARATIONS OF TURF LANDS OR DECLARATIONS OF URBANIZED 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 MWD PROPERTY INTERESTS AND FOR MWD TO HAVE AN EASEMENT WITHIN CITY'S PUBLIC RIGHTS-OF-WAY. CITY AND MWD 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, MWD'S PRIOR AND SUPERIOR RIGHTS OF ACCESS TO AND USE OF EXISTING AND FUTURE MWD 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.

PUBLIC NOTICE

THE LOTS DEPICTED ON THIS PLAT ARE LOCATED WITHIN THE VICINITY OF LUKE AIR FORCE BASE AND MAY BE SUBJECT TO OVERFLIGHTS BY JET AIRCRAFT. ALL STRUCTURES WITHIN THIS PLAT SHALL BE CONSTRUCTED IN COMPLIANCE WITH THE SOUND ATTENUATION STANDARDS ADOPTED BY THE CITY OF SURPRISE. A MAP DEPICTING THE MOST CURRENT ADOPTED MAG NOISE 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.

LOTS

50' LOTS = 89
60' LOTS = 50

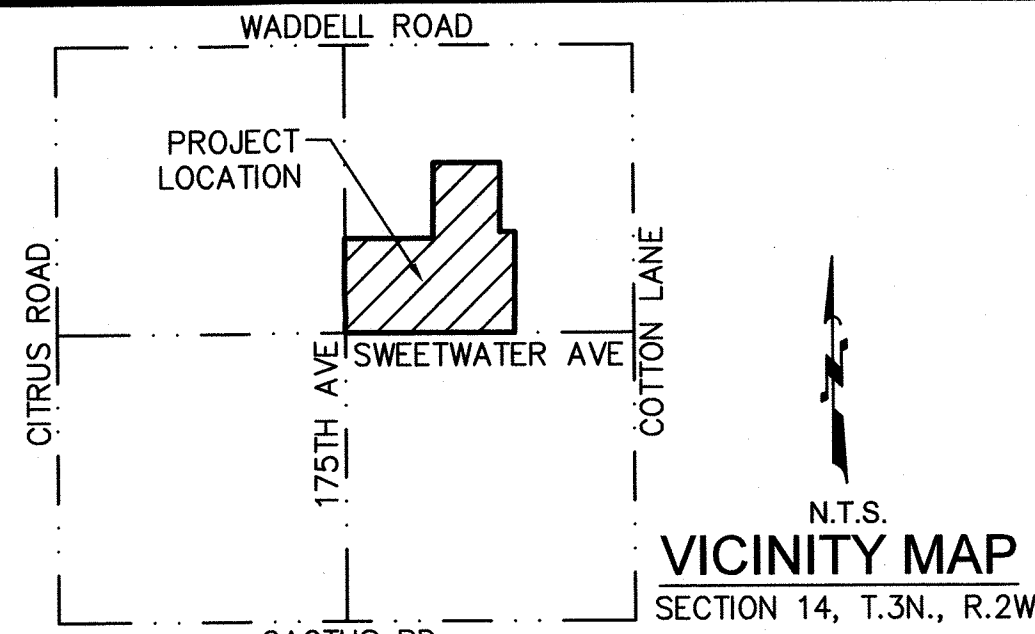
AREA CALCULATIONS

TRACTS	330,348 SQ.FT.	7.584 AC
LOTS = 139	931,075 SQ.FT.	21.375 AC
RIGHT OF WAY	514,497 SQ.FT.	11.811 AC
TOTAL	1,775,920 SQ.FT.	40.770 AC

SHEET INDEX

DESCRIPTION	SHEET NO
COVER SHEET	1
KEY MAP, LEGAL DESCRIPTION	2
PLAT SHEETS	3-6

RE-PLAT OF LOT 2 OF RANCHO TRUGOLD ORIGINALLY RECORDED IN BK 1453, PG 37, RECORDS OF MARICOPA COUNTY SITUATED IN A PORTION OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 3 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA



OWNER

MATTAMY ARIZONA, LLC AN ARIZONA LIMITED LIABILITY COMPANY
9200 E PIMA CENTER PKWY, SUITE 160
SCOTTSDALE, ARIZONA 85250
(602) 708-8585 CONTACT: KEVIN RUST

RELEASE OF LIABILITY

- MATTAMY ARIZONA, LLC AN ARIZONA LIMITED LIABILITY COMPANY "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, OF 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 AIRCRAFT OVERFLIGHTS FROM AIRCRAFT UTILIZING LUKE AIR FORCE BASE, WHETHER SUCH DAMAGE 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 LUKE 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.
- MATTAMY ARIZONA, LLC AN ARIZONA LIMITED LIABILITY COMPANY "OWNER" DOES HEREBY (1) RELEASE AND DISCHARGE THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE, OF 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 STANDARDS 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.
- MATTAMY ARIZONA, LLC AN ARIZONA LIMITED LIABILITY COMPANY "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 LOCATED WITHIN THE RIGHT OF WAY 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.
- THE CITY OF SURPRISE AGREES TO INDEMNIFY MATTAMY ARIZONA, LLC AN ARIZONA LIMITED LIABILITY COMPANY "OWNER", ITS OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS OR THOSE OF AND ITS SUCCESSORS AND ASSIGNS FOR ANY AND ALL DIRECT DAMAGES TO THE PERSONAL PROPERTY OR FOR PHYSICAL INJURY TO OR DEATH OF PERSONS OCCURRING ON THE AREA OF THIS EASEMENT CAUSED BY OR ARISING AS THE PROXIMATE RESULT OF THE ACTIVITIES OF THE CITY OF SURPRISE, EXCEPT FOR SUCH INJURY OR DAMAGES CAUSED BY OR ARISING SOLELY FROM THE NEGLIGENT, WILLFUL, MALICIOUS OR GROSSLY NEGLIGENT CONDUCT OF MATTAMY ARIZONA, LLC AN ARIZONA LIMITED LIABILITY COMPANY "OWNER", ITS OFFICERS, EMPLOYEES, AGENTS, CONTRACTORS OR THOSE OF AND ITS SUCCESSORS AND ASSIGNS THAT WAS THE DIRECT CAUSE OF THE INJURY TO THE USER.

100 YEAR ASSURED WATER SUPPLY

THE OWNER HAS OBTAINED A CERTIFICATE OF 100 YEAR ASSURED WATER SUPPLY FROM THE DEPARTMENT OF WATER RESOURCES.
CERTIFICATE NUMBER: 27-701148.0000 DATE: AUGUST 16, 2021

GENERAL NOTES

- IN ACCORDANCE WITH A.R.S. §9-461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE CITY OF SURPRISE GENERAL PLAN.
- 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 #14751 AND #14710, WHEN APPLICABLE.
- NO ON-SITE GRADING OR EXCAVATION SHALL OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
- SPRINKLERS ARE REQUIRED IN ALL ONE AND TWO FAMILY DWELLINGS BUILT IN AREAS WHICH DO NOT HAVE AN ADEQUATE WATER SUPPLY OF 2000 GPM @ 2 HOURS @ 20 PSI RESIDUAL.
- THIS FINAL PLAT IS IN SUBSTANTIAL CONFORMANCE WITH THE PRELIMINARY PLAT APPROVED BY THE CITY OF SURPRISE UNDER CASE FS18-434.
- A PORTION OF THE PROPERTY IS LOCATED WITHIN THE AREA HAVING FLOOD ZONES "X" OTHER FLOOD AREAS, BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04013C1660L WITH A DATE OF IDENTIFICATION OF OCTOBER 16, 2013, FOR COMMUNITY NO. 040053, PANEL NO.1660, SUFFIX L, IN CITY OF SURPRISE, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED, AS MAY BE AMENDED FROM TIME TO TIME.
- THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS AND PARKS SHALL BE THE RESPONSIBILITY OF THE OWNER OR THE HOMEOWNERS' ASSOCIATION FORMED BY THE OWNER.
- THE MAINTENANCE OF LANDSCAPING WITHIN THE ADJACENT PUBLIC RIGHTS-OF-WAY, INCLUDING LANDSCAPED MEDIANS 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.
- TEMPORARY GRADING, DRAINAGE AND ACCESS EASEMENT RECORDED AS BOOK 1453, PAGE 37, RECORDS OF MARICOPA COUNTY, TO BE ABANDONED BY THIS PLAT.

BASIS OF BEARING

THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 3 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN WHICH BEARS S89°48'53"W A DISTANCE OF 2643.93'. THIS POSITION WAS DERIVED FROM THE FINAL PLAT OF TRUGOLD BK 1453, PG 37, RECORDS OF MARICOPA COUNTY.

SURVEYOR'S CERTIFICATION

I, JAMES G. SPRING, PLS 22282, HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF ARIZONA; THAT THIS PLAT CONSISTING OF SIX SHEETS REPRESENTS A SURVEY PREPARED UNDER MY SUPERVISION DURING THE MONTH OF AUGUST, 2021; THAT THE SURVEY IS CORRECT AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT THE EXTERIOR BOUNDARY MONUMENTS ACTUALLY EXIST AS SHOWN AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

JAMES G. SPRING, PLS 22282
ATWELL, LLC
4700 EAST SOUTHERN AVENUE
MESA, ARIZONA 85206



NOTE:
A.R.S. 32-151 STATES THAT THE USE OF THE WORD "CERTIFY" OR "CERTIFICATION" BY A PERSON OR FIRM THAT IS REGISTERED OR CERTIFIED BY THE BOARD IS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING FACTS OR FINDINGS THAT ARE SUBJECT OF THE CERTIFICATION AND DOES NOT CONSTITUTE AN EXPRESS OR IMPLIED WARRANTY OR GUARANTEE.

FS20-060

COUNTY: MARICOPA

SECTION: 14

TOWNSHIP: 3 NORTH

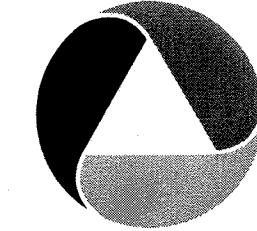
RANGE: 2 WEST

RE-PLAT

LOT 2 OF
RANCHO TRUGOLD
CITY OF SURPRISE, ARIZONA

AUGUST 2021

REVISIONS:



PM. J. SPRING
DR. R. GILES
JOB NO.
19002303

N.T.S.

19002303 RANCHO TRUGOLD PP.DWG

SHEET
NO.

1 OF 6

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PARCEL TABLE			
TRACT	AREA SQ FT	AREA ACRES	USAGE
TRACT A	69,859	1.604	OPEN SPACE, DRAINAGE, MWD ESMT, WATER ESMT, ELEC ESMT, COMMUNITY AMENITIES AND PUE
TRACT B	95,800	2.200	OPEN SPACE, DRAINAGE, ACCESS ESMT, SEWER ESMT, COMMUNITY AMENITIES AND PUE
TRACT C	25,684	0.590	OPEN SPACE, DRAINAGE, COMMUNITY AMENITIES AND PUE
TRACT D	45,624	1.047	OPEN SPACE, DRAINAGE, COMMUNITY AMENITIES AND PUE
TRACT E	27,101	0.622	OPEN SPACE, DRAINAGE, COMMUNITY AMENITIES AND PUE
TRACT F	8,947	0.206	OPEN SPACE, DRAINAGE, COMMUNITY AMENITIES AND PUE
TRACT G	34,985	0.803	OPEN SPACE, DRAINAGE, COMMUNITY AMENITIES AND PUE
TRACT H	2,371	0.054	OPEN SPACE, DRAINAGE AND PUE
TRACT I	1,216	0.028	OPEN SPACE, DRAINAGE AND PUE
TRACT J	2,100	0.048	OPEN SPACE, DRAINAGE AND PUE
TRACT K	1,336	0.031	OPEN SPACE, DRAINAGE AND PUE
TRACT L	2,100	0.048	OPEN SPACE, DRAINAGE AND PUE
TRACT M	2,100	0.048	OPEN SPACE, DRAINAGE AND PUE
TRACT N	3,145	0.072	OPEN SPACE, DRAINAGE AND PUE
TRACT O	3,218	0.074	OPEN SPACE, DRAINAGE AND PUE
TRACT P	2,174	0.050	OPEN SPACE, DRAINAGE AND PUE
TRACT Q	2,588	0.059	OPEN SPACE, DRAINAGE AND PUE
TOTAL	330,348	7.584	

LEGAL DESCRIPTION

LOCATED WITHIN A PORTION OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 3 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND BRASS CAP FLUSH ACCEPTED AS THE EAST QUARTER CORNER OF SECTION 14, TOWNSHIP 3 NORTH, RANGE 2 WEST, FROM WHICH A FOUND BRASS CAP FLUSH ACCEPTED AS THE CENTER OF SECTION 14, TOWNSHIP 3 NORTH, RANGE 2 WEST, THEREOF BEARS S89°48'53"W A DISTANCE OF 2643.35 FEET;

THENCE, ALONG THE EAST-WEST MID-SECTION LINE, S89°48'53"W A DISTANCE OF 1084.02 FEET TO THE SOUTHEAST CORNER OF LOT 2 AS SHOWN ON THE RECORDED FINAL PLAT FOR RANCHO TRUGOLD BK 1453, PG 37, RECORDS OF MARICOPA COUNTY ALSO BEING THE POINT OF BEGINNING;

THENCE, CONTINUING ALONG SAID EAST-WEST MID-SECTION LINE, S89°48'53"W A DISTANCE OF 1549.91 FEET TO A POINT ON THE WEST LINE OF THE ABOVE DESCRIBED FINAL PLAT;

THENCE, N00°12'45"E A DISTANCE OF 194.79 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE LEFT;

THENCE, NORTHERLY ALONG SAID CURVE AN ARC LENGTH OF 7.72 FEET, WITH A RADIUS OF 150.00 FEET AND A CENTRAL ANGLE OF 02°56'56";

THENCE, N02°44'11"W A DISTANCE OF 186.54 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE RIGHT;

THENCE, NORTHERLY ALONG SAID CURVE AN ARC LENGTH OF 7.72 FEET, WITH A RADIUS OF 146.29 FEET AND THE RADIAL BEARING OF N87°14'45"E AND A CENTRAL ANGLE OF 03°01'25" TO A POINT BEING AN INTERSECTING POINT TO THE WEST LINE OF SAID SECTION 14;

THENCE, ALONG THE WEST LINE OF SAID SECTION 14, N00°12'48"E A DISTANCE OF 468.83 FEET;

THENCE, LEAVING THE WEST LINE OF SAID SECTION 14, N89°50'33"E A DISTANCE OF 810.02 FEET;

THENCE, N00°12'48"E A DISTANCE OF 567.76 FEET;

THENCE, S72°20'28"E A DISTANCE OF 5.24 FEET;

THENCE, N11°30'34"E A DISTANCE OF 128.91 FEET;

THENCE, N89°50'33"E A DISTANCE OF 581.53 FEET;

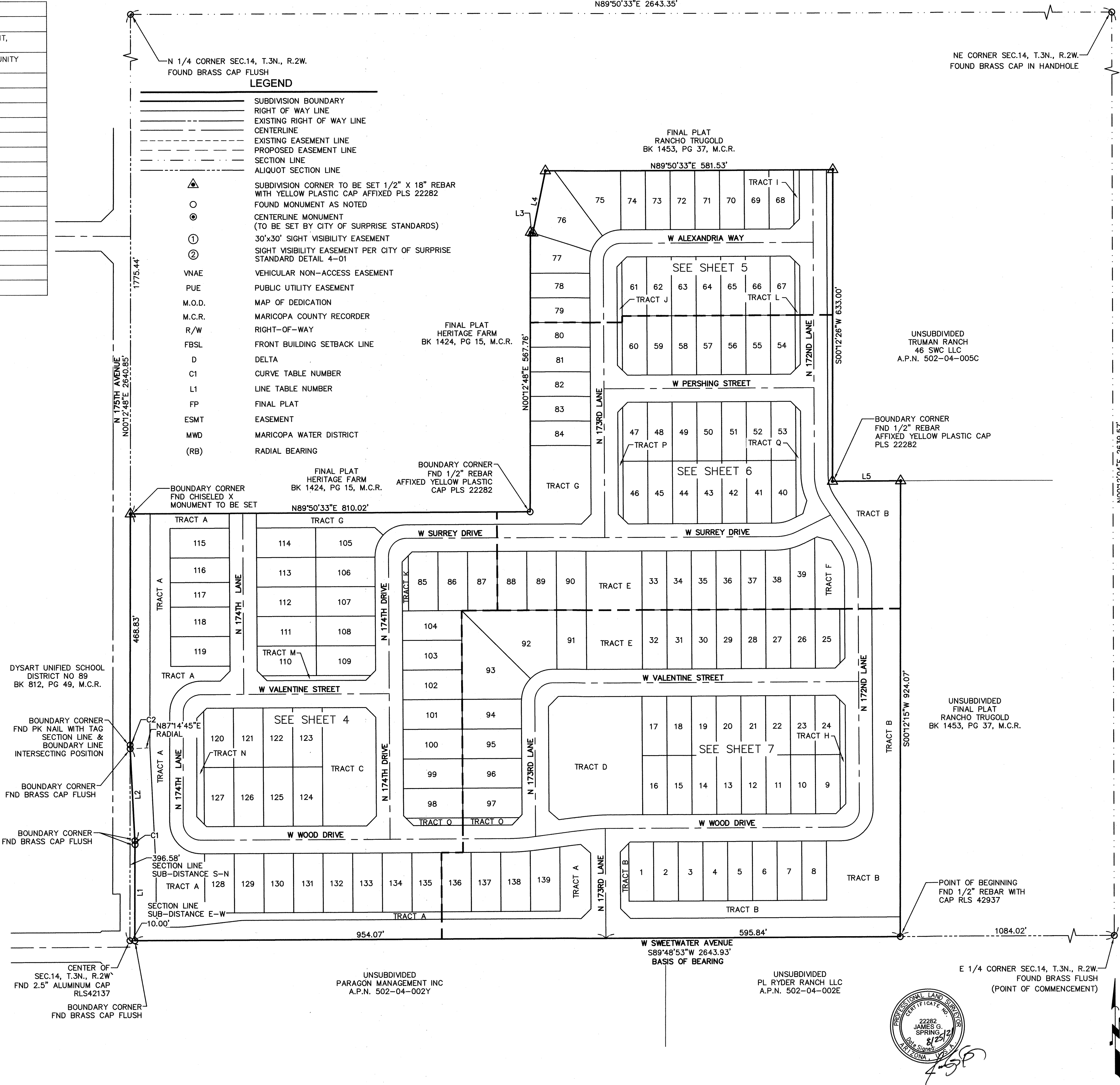
THENCE, S00°12'26"W A DISTANCE OF 633.00 FEET;

THENCE, N89°50'33"E A DISTANCE OF 137.89 FEET;

THENCE, S00°12'15"W A DISTANCE OF 924.07 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 14 ALSO BEING THE POINT OF BEGINNING.

LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	N00°12'45"E	194.79'
L2	N02°44'11"W	186.54'
L3	S72°20'28"E	5.24'
L4	N11°30'34"E	128.91'
L5	N89°50'33"E	137.89'

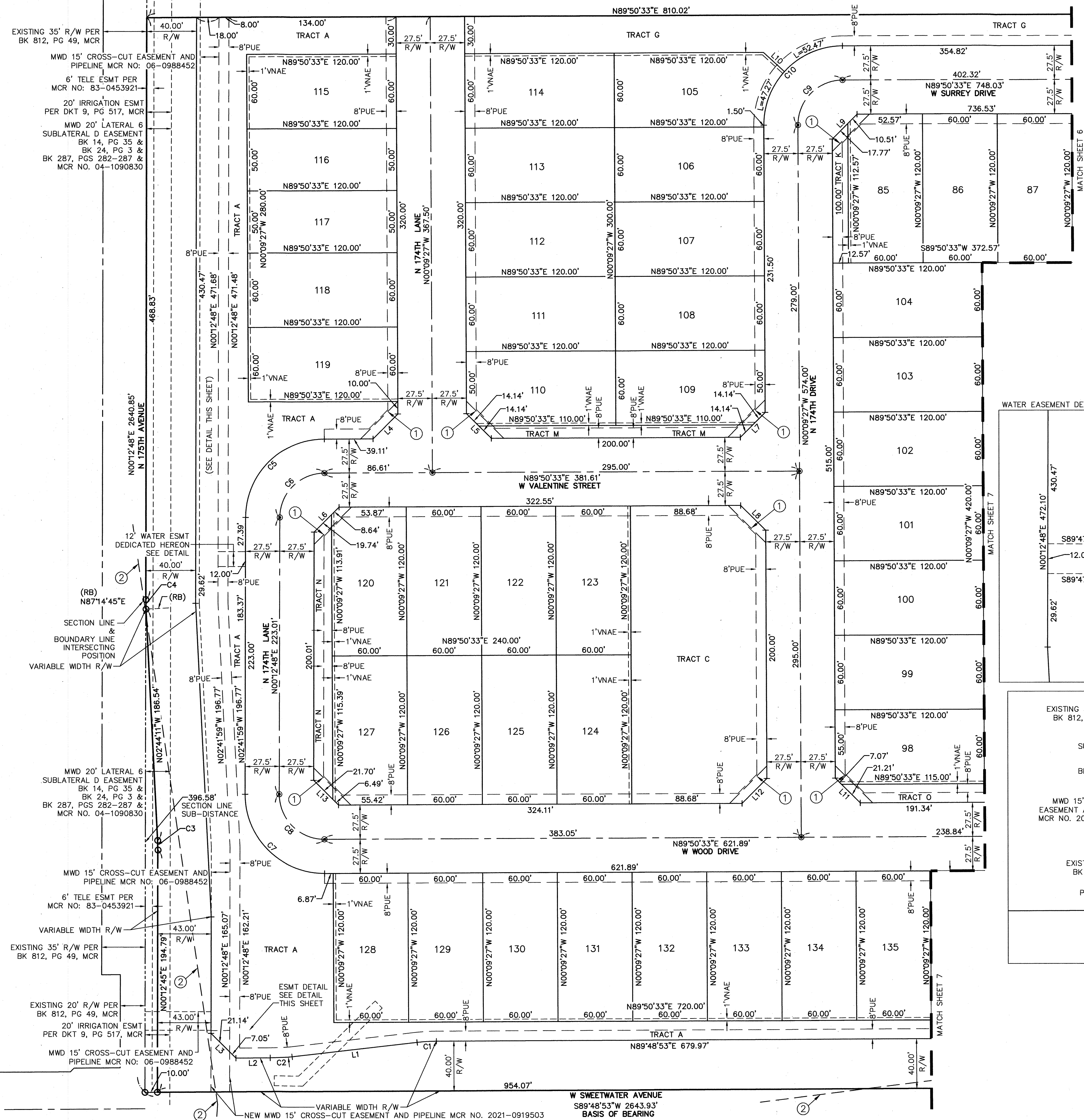
CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C1	7.72'	150.00'	002°56'56"
C2	7.72'	146.29'	003°01'25"



COUNTY: MARICOPA
SECTION: 14
TOWNSHIP: 3 NORTH
RANGE: 2 WEST

RE-PLAT
LOT 2 OF
RANCHO TRUGOLD
CITY OF SURPRISE, ARIZONA

AUGUST 2021
REVISIONS:
PM. J. SPRING
DR. R. GILES
JOB NO. 19002303
SCALE 0 50 100 1" = 100 FEET
19002303 RANCHO TRUGOLD.FPDWG
SHEET NO. 2 OF 6

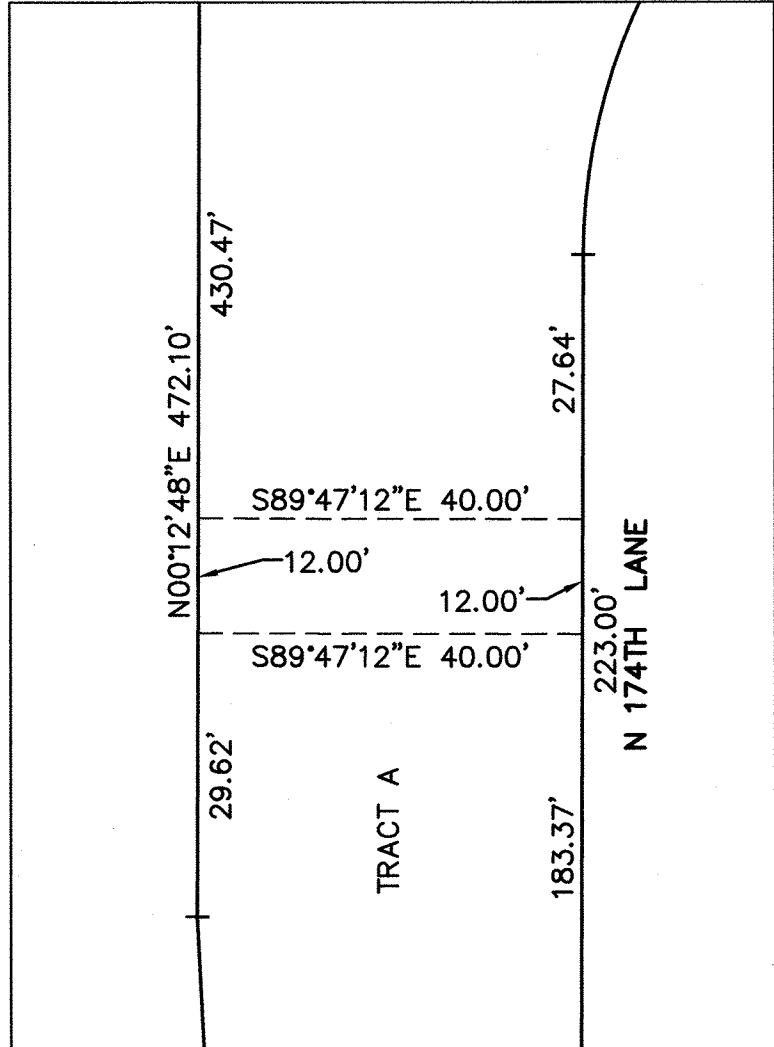


LOT TABLE\WIDTH BASED ON FBSL				LOT TABLE\WIDTH BASED ON FBSL			
LOT	AREA SQ FT	AREA ACRES	WIDTH	LOT	AREA SQ FT	AREA ACRES	WIDTH
85	7172	0.165	60'	116	6000	0.138	50'
86	7200	0.165	60'	117	6000	0.138	50'
87	7200	0.165	60'	118	7200	0.165	60'
98	7187	0.165	60'	119	7200	0.165	60'
99	7200	0.165	60'	120	7181	0.165	60'
100	7200	0.165	60'	121	7200	0.165	60'
101	7200	0.165	60'	122	7200	0.165	60'
102	7200	0.165	60'	123	7200	0.165	60'
103	7200	0.165	60'	124	7200	0.165	60'
104	7200	0.165	60'	125	7200	0.165	60'
105	7556	0.173	57.2'	126	7200	0.165	60'
106	7200	0.165	60'	127	7189	0.165	60'
107	7200	0.165	60'	128	7200	0.165	60'
108	7200	0.165	60'	129	7200	0.165	60'
109	7150	0.164	60'	130	7200	0.165	60'
110	7150	0.164	60'	131	7200	0.165	60'
111	7200	0.165	60'	132	7200	0.165	60'
112	7200	0.165	60'	133	7200	0.165	60'
113	7200	0.165	60'	134	7200	0.165	60'
114	7200	0.165	60'	135	7200	0.165	60'
115	7200	0.165	60'				

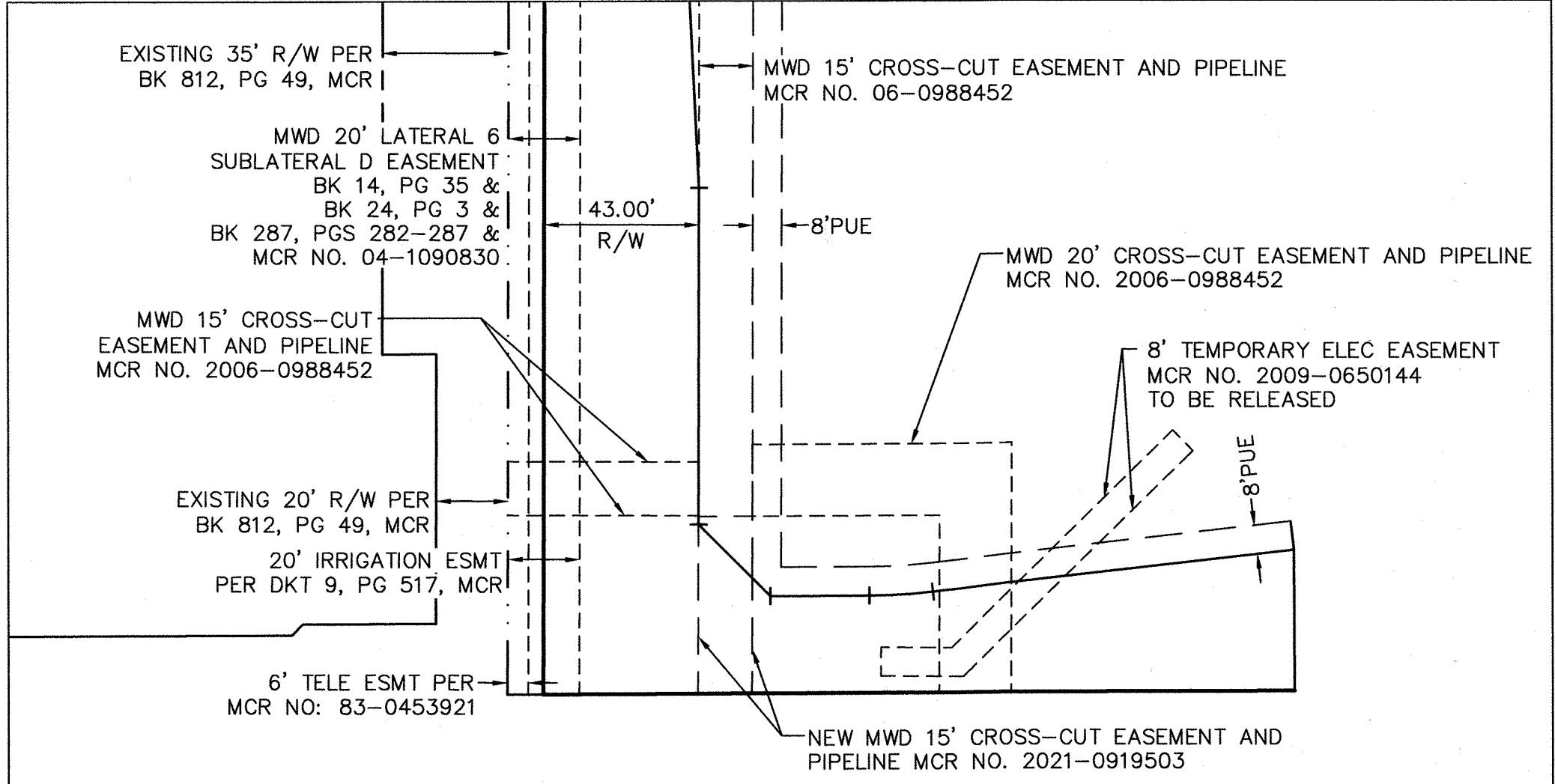
LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S83°29'17"W	100.94'
L2	S89°48'53"W	27.55'
L3	N44°59'09"W	28.19'
L4	S44°50'33"W	28.28'
L5	S45°09'27"E	28.28'
L6	N45°01'41"E	28.38'
L7	N44°50'33"E	28.28'
L8	S45°09'27"E	28.28'
L9	N44°50'33"E	28.28'
L10	S47°30'16"E	22.84'
L11	N45°09'27"W	28.28'
L12	S44°50'33"W	28.28'
L13	N44°58'19"W	28.19'

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C1	15.46'	140.00'	006°19'36"
C2	17.67'	160.00'	006°19'36"
C3	7.72'	150.00'	002°56'56"
C4	7.72'	150.00'	002°56'56"
C5	99.33'	63.50'	089°37'45"
C6	56.32'	36.00'	089°37'45"
C7	100.16'	63.50'	090°22'15"
C8	56.78'	36.00'	090°22'15"
C9	56.55'	36.00'	090°00'00"
C10	99.75'	63.50'	090°00'00"

WATER EASEMENT DETAIL 1" = 20 FEET



EASEMENT DETAIL

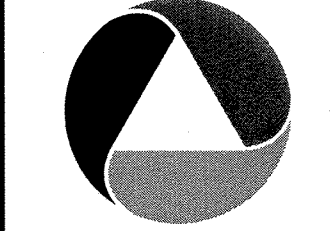


COUNTY: MARICOPA
SECTION: 14
TOWNSHIP: 3 NORTH
RANGE: 2 WEST

RE-PLAT
LOT 2 OF
RANCHO TRUGOLD
CITY OF SURPRISE, ARIZONA

AUGUST 2021

REVISIONS:



PM. J. SPRING
DR. R. GILES
JOB NO.
19002303

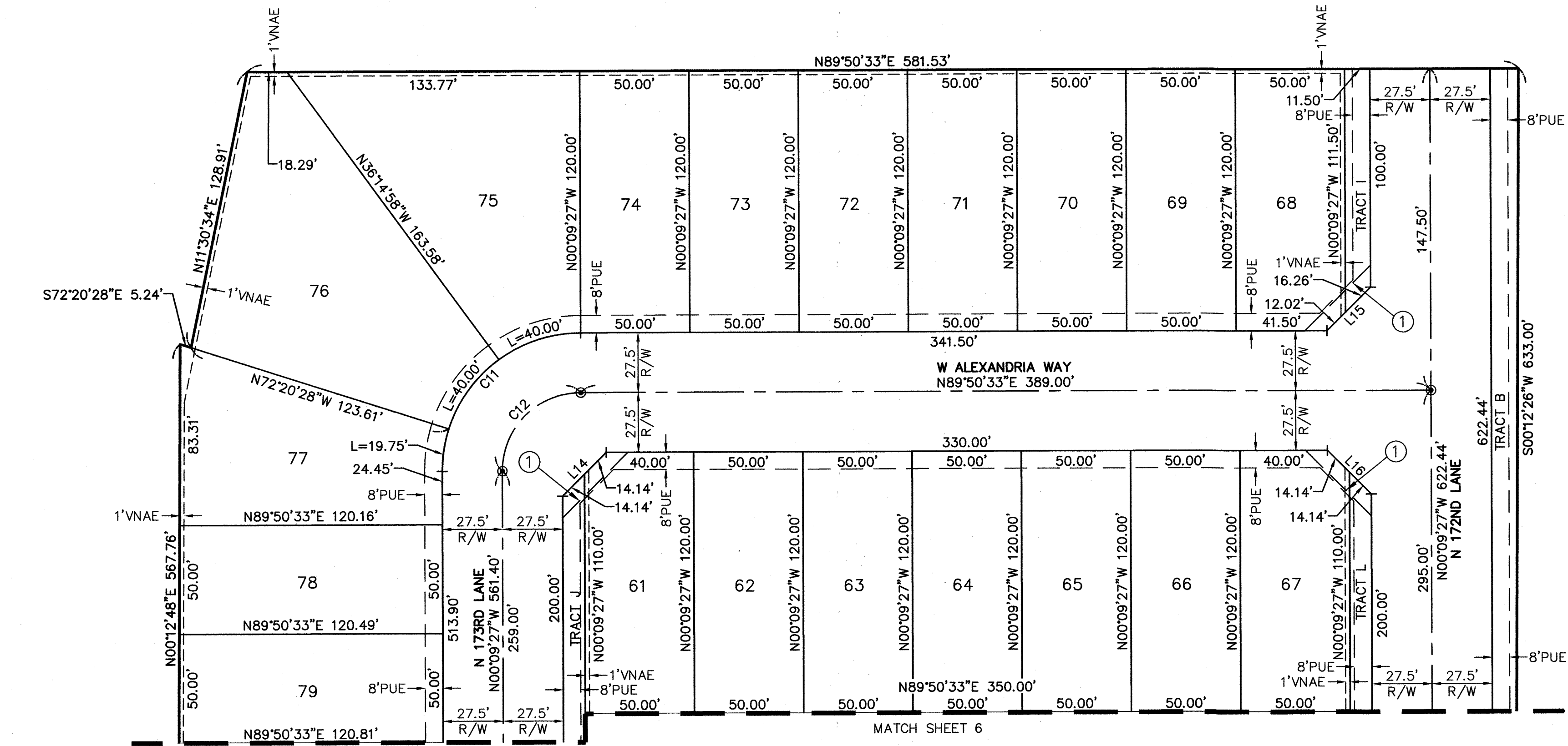
SCALE 0 20 40
1" = 40 FEET

19002303 RANCHO TRUGOLD PDWG

SHEET NO.

3 OF 6

F820-060



LOT TABLE\WIDTH BASED ON FBSL			
LOT	AREA SQ. FT.	AREA ACRES	WIDTH
61	5950	0.137	50'
62	6000	0.138	50'
63	6000	0.138	50'
64	6000	0.138	50'
65	6000	0.138	50'
66	6000	0.138	50'
67	5950	0.137	50'
68	5964	0.137	50'
69	6000	0.138	50'
70	6000	0.138	50'
71	6000	0.138	50'
72	6000	0.138	50'
73	6000	0.138	50'
74	6000	0.138	50'
75	11003	0.253	47.2'
76	12400	0.285	47.2'
77	7709	0.177	48.8'
78	6016	0.138	50'
79	6032	0.138	50'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L14	S44°50'33"W	28.28'
L15	N44°50'33"E	28.28'
L16	N45°09'27"W	28.28'

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C11	99.75'	63.50'	090°00'00"
C12	56.55'	36.00'	090°00'00"



F820-060

COUNTY: MARICOPA

SECTION: 14

TOWNSHIP: 3 NORTH

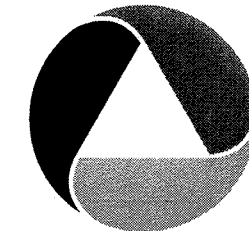
RANGE: 2 WEST

RE-PLAT

LOT 2 OF
RANCHO TRUGOLD
CITY OF SURPRISE, ARIZONA

AUGUST 2021

REVISIONS:



PM. J. SPRING

DR. R. GILES

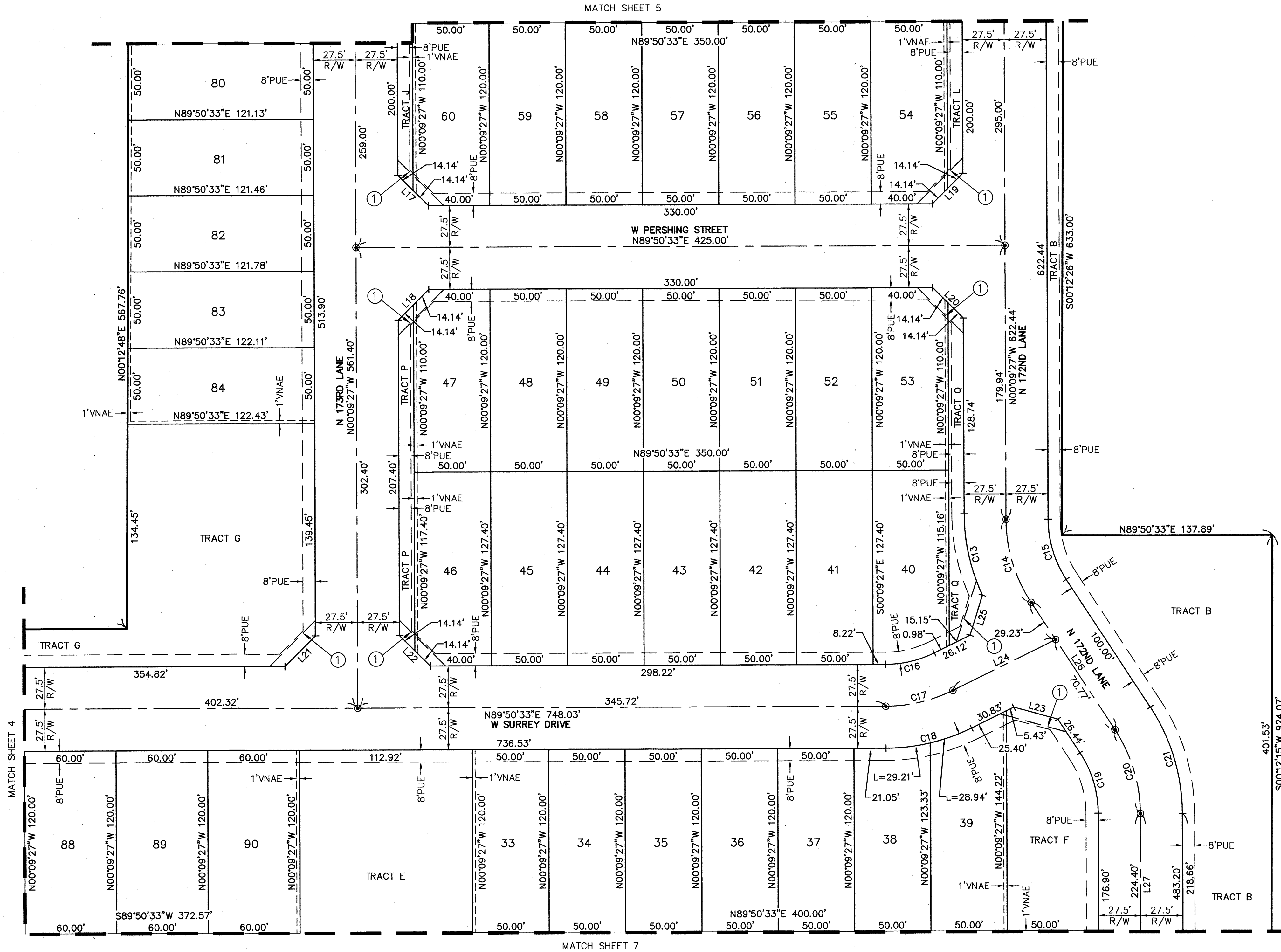
JOB NO.
19002303

SCALE 0 20 40
1" = 40 FEET

19002303 RANCHO TRUGOLD PP.DWG

SHEET
NO.

4 OF 6



LOT TABLE\WIDTH BASED ON FBSL				LOT TABLE\WIDTH BASED ON FBSL			
LOT	AREA SQ FT	AREA ACRES	WIDTH	LOT	AREA SQ FT	AREA ACRES	WIDTH
33	6000	0.138	50'	51	6000	0.138	50'
34	6000	0.138	50'	52	6000	0.138	50'
35	6000	0.138	50'	53	5950	0.137	50'
36	6000	0.138	50'	54	5950	0.137	50'
37	6000	0.138	50'	55	6000	0.138	50'
38	6032	0.138	50.1'	56	6000	0.138	50'
39	6631	0.152	53.8'	57	6000	0.138	50'
40	6196	0.142	51.5'	58	6000	0.138	50'
41	6370	0.146	50'	59	6000	0.138	50'
42	6370	0.146	50'	60	5950	0.137	50'
43	6370	0.146	50'	80	6049	0.139	50'
44	6370	0.146	50'	81	6065	0.139	50'
45	6370	0.146	50'	82	6081	0.140	50'
46	6320	0.145	50'	83	6097	0.140	50'
47	5950	0.137	50'	84	6113	0.140	50'
48	6000	0.138	50'	88	7200	0.165	60'
49	6000	0.138	50'	89	7200	0.165	60'
50	6000	0.138	50'	90	7200	0.165	60'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L17	S45°09'27"E	28.28'
L18	S44°50'33"W	28.28'
L19	N44°50'33"E	28.28'
L20	N45°09'27"W	28.28'
L21	N44°50'33"E	28.28'
L22	S45°09'27"E	28.28'
L23	S74°47'18"E	29.96'
L24	N63°42'42"E	75.16'
L25	N17°07'29"E	27.49'
L26	N33°17'18"W	100.00'
L27	N00°09'27"W	483.40'

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C13	55.20'	127.50'	024°48'23"
C14	57.82'	100.00'	033°07'51"
C15	41.92'	72.50'	033°07'51"
C16	33.06'	72.50'	026°07'51"
C17	45.61'	100.00'	026°07'51"
C18	58.15'	127.50'	026°07'51"
C19	41.92'	72.50'	033°07'51"
C20	57.82'	100.00'	033°07'51"
C21	73.73'	127.50'	033°07'51"

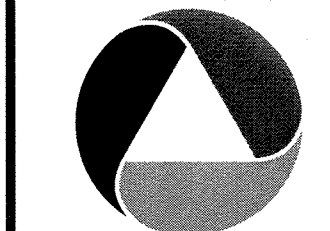


COUNTY: MARICOPA
SECTION: 14
TOWNSHIP: 3 NORTH
RANGE: 2 WEST

RE-PLAT
LOT 2 OF
RANCHO TRUGOLD
CITY OF SURPRISE, ARIZONA

AUGUST 2021

REVISIONS:



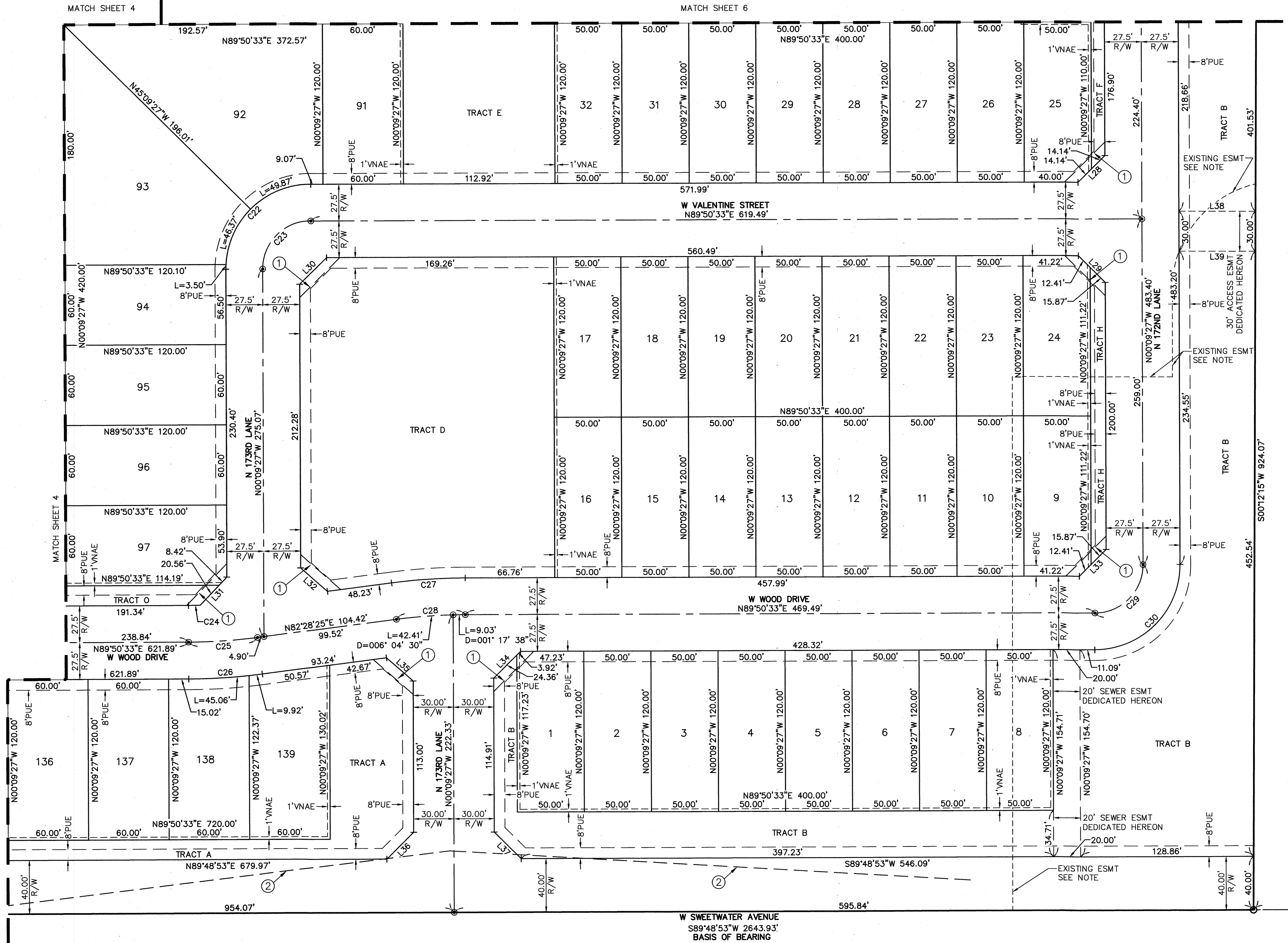
PM. J. SPRING
DR. R. GILES
JOB NO.
19002303

SCALE 0 20 40
1" = 40 FEET

19002303 RANCHO TRUGOLD PP.DWG

SHEET NO.
5 OF 6

F820-060

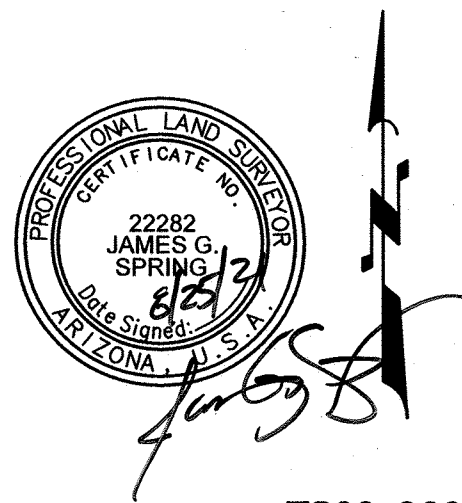


LOT TABLE\WIDTH BASED ON FBSL				LOT TABLE\WIDTH BASED ON FBSL			
LOT	AREA SQ FT	AREA ACRES	WIDTH	LOT	AREA SQ FT	AREA ACRES	WIDTH
1	5996	0.138	50'	23	6000	0.138	50'
2	6000	0.138	50'	24	5961	0.137	50'
3	6000	0.138	50'	25	5950	0.137	50'
4	6000	0.138	50'	26	6000	0.138	50'
5	6000	0.138	50'	27	6000	0.138	50'
6	6000	0.138	50'	28	6000	0.138	50'
7	6000	0.138	50'	29	6000	0.138	50'
8	6000	0.138	50'	30	6000	0.138	50'
9	5961	0.137	50'	31	6000	0.138	50'
10	6000	0.138	50'	32	6000	0.138	50'
11	6000	0.138	50'	91	7200	0.165	60'
12	6000	0.138	50'	92	16341	0.375	67.1'
13	6000	0.138	50'	93	14833	0.341	55.3'
14	6000	0.138	50'	94	7200	0.165	60'
15	6000	0.138	50'	95	7200	0.165	60'
16	6000	0.138	50'	96	7200	0.165	60'
17	6000	0.138	50'	97	7182	0.165	60'
18	6000	0.138	50'	136	7200	0.165	60'
19	6000	0.138	50'	137	7200	0.165	60.1'
20	6000	0.138	50'	138	7236	0.166	60.5'
21	6000	0.138	50'	139	7569	0.174	54.9'
22	6000	0.138	50'				

LINE TABLE		
LINE #	DIRECTION	LENGTH
L28	S44°50'33\"W	28.28'
L29	S45°09'27\"E	28.28'
L30	N44°50'33\"E	28.28'
L31	S43°24'18\"W	28.98'
L32	N48°50'31\"W	26.41'
L33	S44°50'33\"W	28.28'
L34	S44°50'33\"W	28.28'
L35	S48°50'31\"E	26.41'
L36	N44°49'43\"E	28.29'
L37	S45°10'17\"E	28.28'
L38	N89°47'45\"W	57.12'
L39	S89°47'45\"E	56.93'

CURVE TABLE			
CURVE #	LENGTH	RADIUS	DELTA
C22	99.75'	63.50'	090°00'00\"
C23	56.55'	36.00'	090°00'00\"
C24	8.69'	372.50'	001°20'12\"
C25	51.44'	400.00'	007°22'08\"
C26	54.98'	427.50'	007°22'08\"
C27	54.98'	427.50'	007°22'08\"
C28	51.44'	400.00'	007°22'08\"
C29	56.55'	36.00'	090°00'00\"
C30	100.06'	63.70'	090°00'00\"

NOTE: TEMPORARY GRADING, DRAINAGE AND ACCESS EASEMENT RECORDED AS BOOK 1453, PAGE 37, RECORDS OF MARICOPA COUNTY, TO BE ABANDONED BY THIS PLAT.

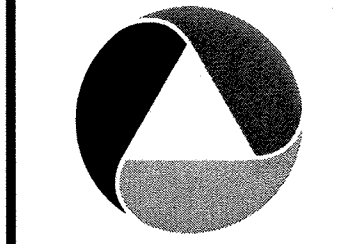


COUNTY: MARICOPA
SECTION: 14
TOWNSHIP: 3 NORTH
RANGE: 2 WEST

RE-PLAT
LOT 2 OF
RANCHO TRUGOLD
CITY OF SURPRISE, ARIZONA

AUGUST 2021

REVISIONS:



PM. J. SPRING
DR. R. GILES
JOB NO.
19002303

SCALE 0 20 40
1\" = 40 FEET

19002303 RANCHO TRUGOLD FP.DWG

SHEET NO.

6 OF 6

F820-060



Rancho Trugold Final Plat

City Council
September 21, 2021



FS20-060 Vicinity Map



FS20-060 Case Map

Page 66 of 602



FS20-060

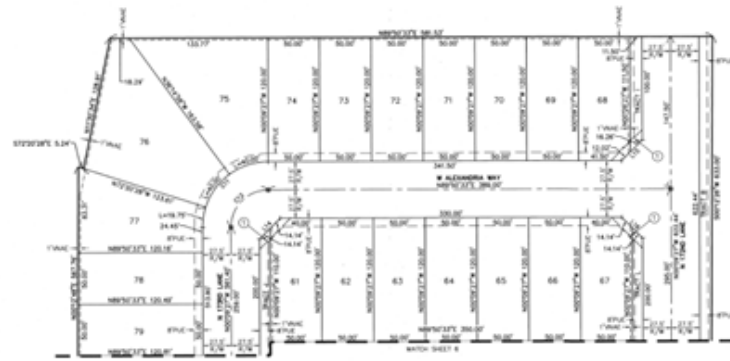


TABLE 10/10/10/10 BASED ON FUEL			
LOT	AREA SQ FT	AREA ACRES	WIDTH
01	58920	0.1337	507
02	61000	0.1386	507
03	61000	0.1386	507
04	61000	0.1386	507
05	61000	0.1386	507
06	61000	0.1386	507
07	58920	0.1337	507
08	58840	0.1337	507
09	61000	0.1386	507
10	61000	0.1386	507
11	61000	0.1386	507
12	61000	0.1386	507
13	61000	0.1386	507
14	61000	0.1386	507
15	110000	0.2513	472'
16	110000	0.2513	472'
17	77000	0.1773	468.8'
18	60180	0.1386	507
19	60180	0.1386	507

(Date) _____

[illegible]

NAME _____
ID# _____

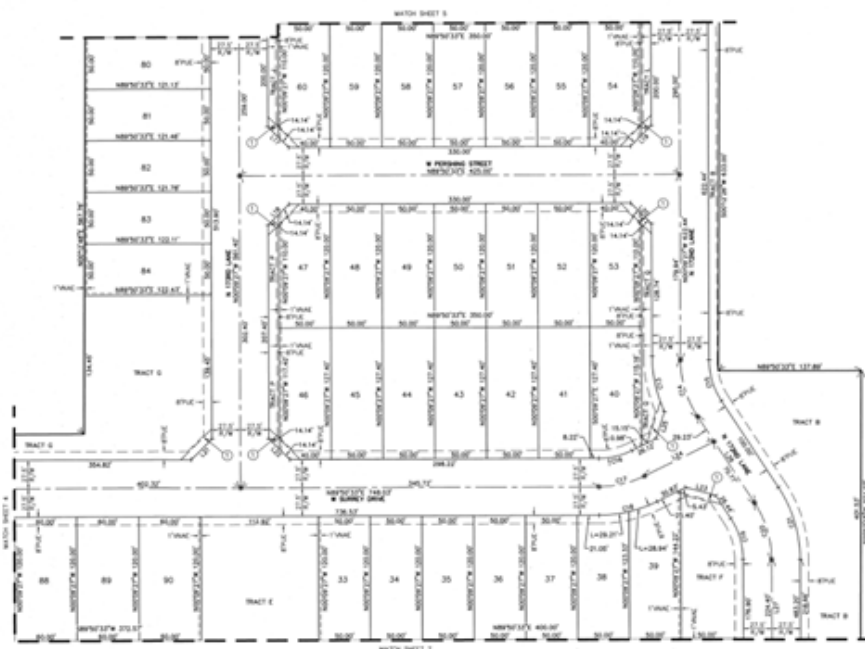
DATE _____

TIME _____

SCORE _____

TOTAL _____

FS20-060 Final Plat



LOT TABLES BASED ON PERMITS				LOT TABLES BASED ON PERMITS			
LOT	AREA SQ. FT.	AREA ACRES	WIDTH	LOT	AREA SQ. FT.	AREA ACRES	WIDTH
33	6000	0.138	50'	51	6000	0.138	50'
34	6000	0.138	50'	52	6000	0.138	50'
35	6000	0.138	50'	53	6000	0.138	50'
36	6000	0.138	50'	54	6000	0.138	50'
37	6000	0.138	50'	55	6000	0.138	50'
38	6000	0.138	50'	56	6000	0.138	50'
39	6000	0.138	50'	57	6000	0.138	50'
40	6000	0.138	50'	58	6000	0.138	50'
41	6000	0.138	50'	59	6000	0.138	50'
42	6000	0.138	50'	60	6000	0.138	50'
43	6000	0.138	50'	61	6000	0.138	50'
44	6000	0.138	50'	62	6000	0.138	50'
45	6000	0.138	50'	63	6000	0.138	50'
46	6000	0.138	50'	64	6000	0.138	50'
47	6000	0.138	50'	65	6000	0.138	50'
48	6000	0.138	50'	66	6000	0.138	50'
49	6000	0.138	50'	67	6000	0.138	50'
50	6000	0.138	50'	68	6000	0.138	50'
51	6000	0.138	50'	69	6000	0.138	50'
52	6000	0.138	50'	70	6000	0.138	50'
53	6000	0.138	50'	71	6000	0.138	50'
54	6000	0.138	50'	72	6000	0.138	50'
55	6000	0.138	50'	73	6000	0.138	50'
56	6000	0.138	50'	74	6000	0.138	50'
57	6000	0.138	50'	75	6000	0.138	50'
58	6000	0.138	50'	76	6000	0.138	50'
59	6000	0.138	50'	77	6000	0.138	50'
60	6000	0.138	50'	78	6000	0.138	50'
61	6000	0.138	50'	79	6000	0.138	50'
62	6000	0.138	50'	80	6000	0.138	50'
63	6000	0.138	50'	81	6000	0.138	50'
64	6000	0.138	50'	82	6000	0.138	50'
65	6000	0.138	50'	83	6000	0.138	50'
66	6000	0.138	50'	84	6000	0.138	50'
67	6000	0.138	50'	85	6000	0.138	50'
68	6000	0.138	50'	86	6000	0.138	50'
69	6000	0.138	50'	87	6000	0.138	50'
70	6000	0.138	50'	88	6000	0.138	50'
71	6000	0.138	50'	89	6000	0.138	50'
72	6000	0.138	50'	90	6000	0.138	50'
73	6000	0.138	50'	91	6000	0.138	50'
74	6000	0.138	50'	92	6000	0.138	50'
75	6000	0.138	50'	93	6000	0.138	50'
76	6000	0.138	50'	94	6000	0.138	50'
77	6000	0.138	50'	95	6000	0.138	50'

LINE TABLE		
LINE #	DIRECTION	LENGTH
L17	N45°00'00"E	28.00'
L18	N45°00'00"E	28.00'
L19	N45°00'00"E	28.00'
L20	N45°00'00"E	28.00'
L21	N45°00'00"E	28.00'
L22	N45°00'00"E	28.00'
L23	N45°00'00"E	28.00'
L24	N45°00'00"E	28.00'
L25	N45°00'00"E	28.00'
L26	N45°00'00"E	28.00'
L27	N45°00'00"E	28.00'

CURVE TABLE		
CURVE #	LENGTH	BEARING
C13	100.00'	N45°00'00"E
C14	100.00'	N45°00'00"E
C15	100.00'	N45°00'00"E
C16	100.00'	N45°00'00"E
C17	100.00'	N45°00'00"E
C18	100.00'	N45°00'00"E
C19	100.00'	N45°00'00"E
C20	100.00'	N45°00'00"E
C21	100.00'	N45°00'00"E



COUNTY: SAN DIEGO
SECTION: 14
TOWNSHIP: 3 NORTH
RANGE: 2 WEST

RE-PLAT
LOT 2 OF
RANCHO TRUGOLD
CITY OF SAN DIEGO, CALIFORNIA

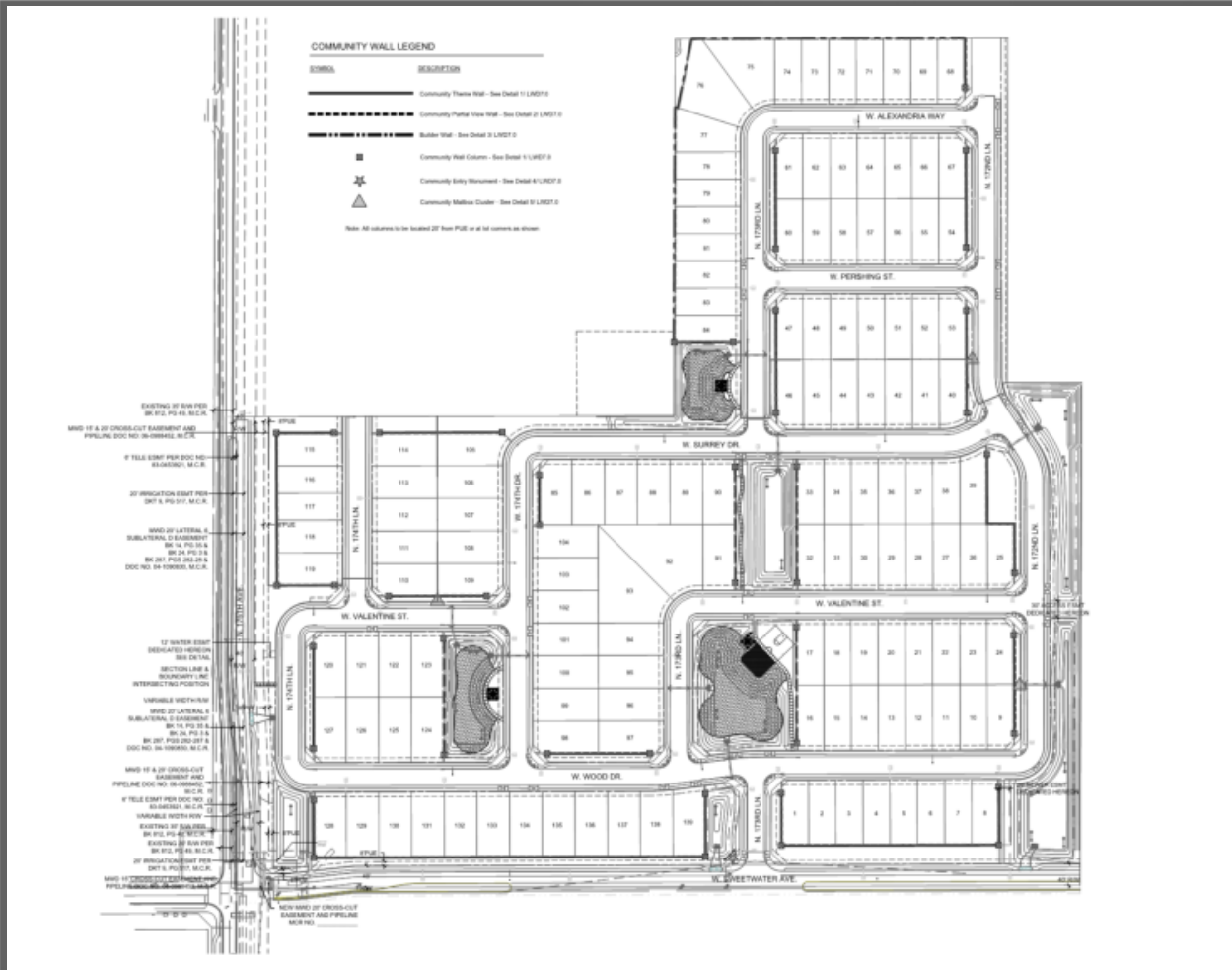
RECORDS

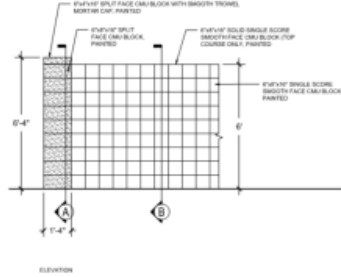


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SHEET 5 OF 6

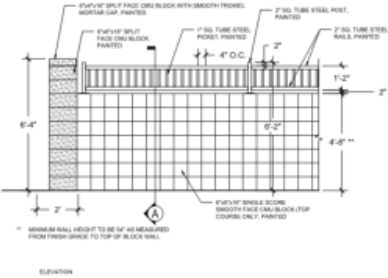


FS20-060 Final Wall Plan

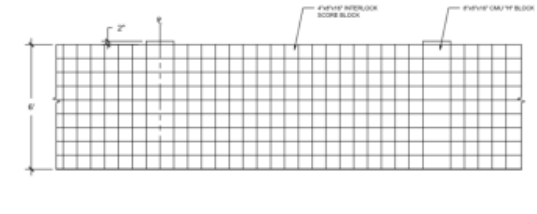




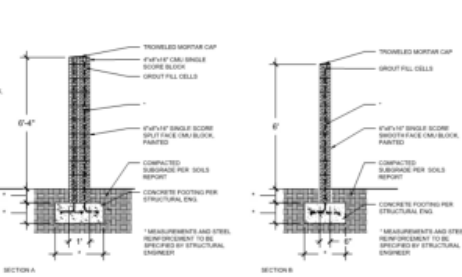
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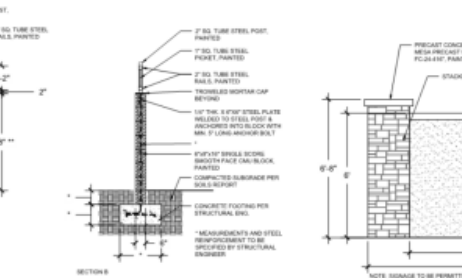
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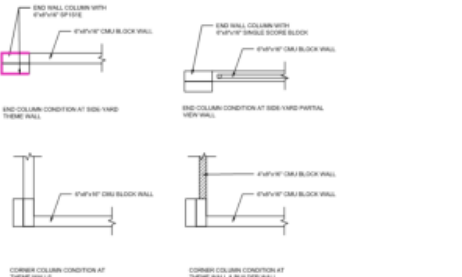
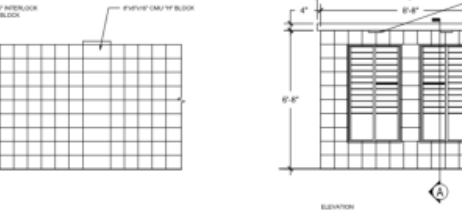
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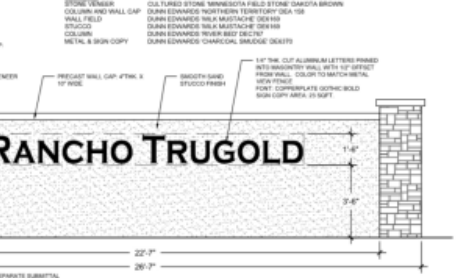
4. COMMUNITY ENTRY MONUMENT
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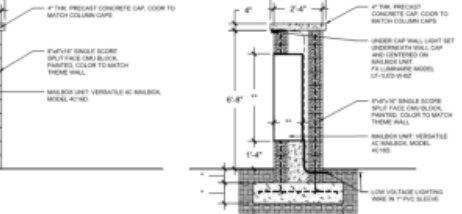
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QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: September 21, 2021
Submitting Department: Police
Staff Recommendations: None

Contact Person: Benny Pina, POLICE CHIEF
District: Citywide

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

Agenda Wording:

Consideration and action pertaining to approval of an amendment to the FY2022 budget by moving budget authority of \$38,800 from Contingency within the Grants Fund to Project G31244 FFY22 DEA Task Force to account for overtime reimbursement received from the FFY2022 U.S. Department of Justice Drug Enforcement Administration (DEA) Task Force Intergovernmental Agreement; Resolution # 2021-135.

Motion:

I move to approve Resolution # 2021-135.

Background:

This is an annual renewal of an agreement with the Department of Justice, which Surprise originally entered into in 2003. The Surprise Police Department (SPD) agrees to assign two (2) experienced officers to the DEA Phoenix Task Force for a period of not less than two (2) years. DEA agrees to reimburse the City of Surprise up to \$19,370 per officer (no more than \$38,740 total) for overtime expenses each year in addition to all investigative expenses, travel expenses, and per diem.

Objective Analysis:

The negative result from entering into this agreement is that two experienced officers are at the task force and not performing daily police functions within the City. However, the positives more than outweigh these negatives; the agreement will help disrupt a considerable amount of drug trafficking activities, especially focused upon the West Valley, and these officers will return to the City of Surprise after two years having obtained considerable skills that they will use in the daily performance of their job.

Policy Compliant:

This action is compliant with City and Council policy. The City regularly partners with other government entities when it is beneficial to do so, as is this partnership. Also, the City has consistently and strongly opposed drug trafficking and the harm that results.

Financial Impact:

This grant award is for \$19,370 per officer for overtime expenses for a one-time total of \$38,740. There is no City match requirement; however, the City is responsible for payment of salary, benefits, and

overtime to the officers assigned to the Task Force. The DEA will reimburse the SPD for overtime expenses. Additionally, the DEA will provide investigative equipment, supplies, training, and per diem to support the officer's activities in the Task Force.

Budget Impact:

The FY2022 adopted budget did not include appropriations for revenue and expenses related to the FFY2022 DEA Task Force IGA. Acceptance of this IGA will require an amendment to the Fiscal Year 2022 budget by moving budget authority of \$38,800 from Contingency within the Grants Fund to Project G31244 FFY22 DEA Task Force for overtime and authorizing acceptance of this IGA. Salary and benefits for the two officers to be assigned to the Task Force have been included as part of the Surprise Police Department's FY2022 General Fund operating budget. This action represents a transfer of spending authority and does not increase or decrease the total adopted citywide expenditure budget.

FTE Impact:

The number of full-time equivalents (FTE) is not impacted by this action.

ATTACHMENTS:

1. Signed Letter.Surprise
 2. FY2022 Program Surprise
 3. OJP Form 4061.surprise
 4. Resolution 2021-135 DEA Task Force IGA
-



U. S. Department of Justice
Drug Enforcement Administration
3439 East University Drive
Phoenix, Arizona 85034

www.dea.gov

August 9, 2021

Benny Pina
Chief of Police
Surprise Police Department
14250 W. Statler Plaza, Suite 103
Surprise, Arizona 85374

Dear Chief Pina:

The Drug Enforcement Administration's (DEA) collaboration with our state and local partners is essential to our efforts against major drug trafficking organizations. I invite you to continue your participation in DEA's Task Force Program and include for your review, the Fiscal Year (FY) 2022 Task Force Agreement(s).

According to our records, your office currently participates in the DEA's Phoenix Task Force with a total commitment of two (2) full-time investigators. As outlined in the Agreement, each funded position is now eligible for overtime reimbursement of up to "25% of a GS-12, Step 1, of the general pay scale for the Rest of the United States," equivalent to a dollar amount of \$19,370.00, per position, for the fiscal year.

To ensure a seamless transition as we begin a new fiscal year, a signature and return of the enclosed FY 2022 DEA Task Force Agreements and attached *Certifications Regarding Lobbying; Department Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements* is required by September 30, 2021. If your office anticipates a delay, please notify my office's new Task Force Program point of contact, Program Support Specialist Erica Curry, at (571) 362-0476 or via email at: Erica.C.Curry@dea.gov. (Note: Please update your agency's records as DEA's email addresses have changed, and the Phoenix Field Division has relocated to a new facility.)

I look forward to our continued success in drug law enforcement. If you have any questions, please contact me at (571) 387-3275.

Sincerely,

A handwritten signature in blue ink, appearing to read "Cheri Oz".

Cheri Oz
Special Agent in Charge

Enclosures

PROGRAM - FUNDED STATE AND LOCAL TASK FORCE AGREEMENT

This agreement is made this **1st** day of **October 2021**, between the United States Department of Justice, Drug Enforcement Administration (hereinafter "DEA"), and the **Surprise Police Department, ORI# AZ007200** (hereinafter "SPD"). The DEA is authorized to enter into this cooperative agreement concerning the use and abuse of controlled substances under the provisions of 21 U.S.C. § 873.

WHEREAS there is evidence that trafficking in narcotics and dangerous drugs exists in the state of Arizona area and that such illegal activity has a substantial and detrimental effect on the health and general welfare of the people of Arizona, the parties hereto agree to the following:

1. The **Phoenix Task Force** will perform the activities and duties described below:
 - a. disrupt the illicit drug traffic in the state of Arizona area by immobilizing targeted violators and trafficking organizations;
 - b. gather and report intelligence data relating to trafficking in narcotics and dangerous drugs; and
 - c. conduct undercover operations where appropriate and engage in other traditional methods of investigation in order that the task force's activities will result in effective prosecution before the courts of the United States and the state of Arizona.
2. To accomplish the objectives of the **Phoenix Task Force**, the **SPD** agrees to detail **two (2) experienced officer(s)** to the **Phoenix Task Force** for a period of not less than two years. During this period of assignment, the **SPD** officers will be under the direct supervision and control of DEA supervisory personnel assigned to the task force.
3. The **SPD** officers assigned to the task force shall adhere to DEA policies and procedures. Failure to adhere to DEA policies and procedures shall be grounds for dismissal from the task force.
4. The **SPD** officers assigned to the task force shall be deputized as Task Force Officers of DEA pursuant to 21 U.S.C. Section 878.
5. To accomplish the objectives of the **Phoenix Task Force**, DEA will assign up to **six (6)** special agents to the task force. The DEA will also, subject to the availability of annually appropriated funds or any continuing resolution thereof, provide necessary funds and equipment to support the activities of the DEA special agent and **SPD** officers assigned to the task force. This support will include: office space, office supplies, travel funds, funds for the purchase of evidence and information, investigative equipment, training, and other support items.

6. During the period of assignment to the task force, the **SPD** will remain responsible for establishing the salary and benefits, including overtime, of the officers assigned to the task force, and for making all payments due them. DEA will, subject to availability of funds, reimburse the **SPD** for overtime payment. Annual overtime for each state or local law enforcement officer is capped at the equivalent of 25% of a GS-12, Step 1, of the general pay scale for the Rest of United States. Reimbursement for all types of qualified expenses shall be contingent upon availability of funds and the submission of a proper request for reimbursement which shall be submitted **monthly or quarterly** on a fiscal year basis, and which provides the names of the investigators who incurred overtime for DEA during the invoiced period, the number of overtime hours incurred, the hourly regular and overtime rates in effect for each investigator, and the total cost for the invoiced period. Invoices must be submitted at least quarterly within 30 days of the end of the invoiced period. (**Note: Task Force Officer's overtime shall not include any costs for benefits, such as retirement, FICA, and other expenses.**)
7. In no event will the **SPD** charge any indirect cost rate to DEA for the administration or implementation of this agreement.
8. The **SPD** shall maintain on a current basis complete and accurate records and accounts of all obligations and expenditures of funds under this agreement in accordance with generally accepted accounting principles and instructions provided by DEA to facilitate on-site inspection and auditing of such records and accounts.
9. The **SPD** shall permit and have readily available for examination and auditing by DEA, the United States Department of Justice, the Comptroller General of the United States, and any of their duly authorized agents and representatives, any and all records, documents, accounts, invoices, receipts or expenditures relating to this agreement. The **SPD** shall maintain all such reports and records until all litigation, claim, audits and examinations are completed and resolved, or for a period of six (6) years after termination of this agreement, whichever is later.
10. The **SPD** shall comply with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, as amended, and all requirements imposed by or pursuant to the regulations of the United States Department of Justice implementing those laws, 28 C.F.R. Part 42, Subparts C, F, G, H and I.
11. The **SPD** agrees that an authorized officer or employee will execute and return to DEA the attached OJP Form 4061/6, *Certification Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements*. The **SPD** acknowledges that this agreement will not take effect and no federal funds will be awarded to the **SPD** by the DEA until the completed certification is received.

12. When issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with federal money, the **SPD** shall clearly state (1) the percentage of the total cost of the program or project which will be financed with federal money and (2) the dollar amount of federal funds for the project or program.
13. The term of this agreement shall be effective from the date in paragraph number one until **September 30, 2022**. This agreement may be terminated by either party on thirty days' advance written notice. Billing for all outstanding obligations must be received by DEA within 90 days of the date of termination of this agreement. DEA will be responsible only for obligations incurred by **SPD** during the term of this agreement.

For the Drug Enforcement Administration:

Cheri Oz, Special Agent in Charge
Phoenix Field Division

Date: _____

For the Surprise Police Department:

Benny Piña, Chief of Police
Surprise Police Department

Date: _____



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

**CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND
OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS**

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Department and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

**2. DEBARMENT, SUSPENSION, AND OTHER
RESPONSIBILITY MATTERS
(DIRECT RECIPIENT)**

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510-

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a

public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

**3. DRUG-FREE WORKPLACE
(GRANTEES OTHER THAN INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620-

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an on-going drug-free awareness program to inform employees about-

(1) The dangers of drugs abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will-

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted-

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site (s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, country, state, zip code)

DEA Offices

Check ☐ if there are workplace on file that are not identified here.

Section 67. 630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

Check ☐ if the State has elected to complete OJP Form 4061/7.

DRUG-FREE WORKPLACE (GRANTEES WHO ARE INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67, Sections 67.615 and 67.620-

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in connection any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

1. Grantee Name and Address:

Surprise Police Department
14250 W. Statler Plaza, Suite 103
Surprise, Arizona 85374

2. Application Number and/or Project Name

3. Grantee IRS/Vendor Number

4. Typed Name and Title of Authorized Representative

Benny Pina, Police Chief

5. Signature

6. Date

RESOLUTION # 2021-135

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA AUTHORIZING THE CITY TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE U.S. DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT ADMINISTRATION ACCEPTING FUNDING AND AMENDING THE FISCAL YEAR 2022 BUDGET BY MOVING BUDGET AUTHORITY OF \$38,800 FROM CONTINGENCY WITHIN THE GRANTS FUND TO PROJECT G31244 FFY22 DEA TASK FORCE FOR OVERTIME EXPENSES.

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, there is evidence that trafficking in narcotics and dangerous drugs exists throughout the state and in the Phoenix area;

WHEREAS, such illegal activity has a substantial and detrimental effect on the health and general welfare of the people of the State of Arizona and the City of Surprise;

WHEREAS, the parties desire to enter into an intergovernmental agreement in order to continue the partnership already in place to combat these issues;

WHEREAS, the Drug Enforcement Administration, as part of their commitment to this partnership desires to reimburse overtime incurred as a result of this partnership for two full-time investigators up to the amount of \$19,370 per position and the City of Surprise desires to accept such funding;

WHEREAS, this agreement provides overtime funding for two officers assigned to the DEA Task Force for the federal fiscal year 2021-2022 and such funding was not included in the budget as the IGA was not executed at that time;

WHEREAS, the FY2022 budget was adopted by Council Resolution #2021-87 on June 1, 2021;

WHEREAS, execution of this IGA 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, 2021 through June 30, 2022.

Section 2. The Intergovernmental Agreement between the City of Surprise and the U.S. Department of Justice, Drug Enforcement Administration, attached as Exhibit B, is approved.

Section 3. 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

RESOLUTION # 2021-135
Exhibit A

1. Appropriation - The allocation below represents a movement of budget authority in the amount of \$38,800 within the Grants Fund to cover overtime expenses incurred for two full-time investigators. 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
Grants	Police	#G31244 FFY22 DEA Task Force	E	-	38,800	38,800
Grants	Police	#G31244 FFY22 DEA Task Force	R	-	38,800	38,800
Grants/Contingency	General Operations	Contingency	E	3,313,600	(38,800)	3,274,800
Grants/Contingency	General Operations	Other	R	3,394,200	(38,800)	3,355,400
Expense Total				3,313,600	-	3,313,600
Revenue Total				3,394,200	-	3,394,200

RESOLUTION 2021-135
EXHIBIT B

INTERGOVERNMENTAL AGREEMENT BETWEEN
THE CITY OF SURPRISE AND U.S. DEPARTMENT OF JUSTICE,
DRUG ENFORCEMENT ADMINISTRATION

(BEGINS ON THE NEXT PAGE)



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: September 21, 2021
Submitting Department: Public Works
Staff Recommendations: None

Contact Person: Mike Gent, DIRECTOR - PW
District: District 3

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

Consideration and action declaring the intention to enlarge an existing lighting improvement district entitled, "SU-Paradise Honors 195" pursuant to A.R.S. § 48-616 for the purpose of purchasing facilities and energy for lighting the public streets and parks; Resolution # 2021-41.

Motion:

I move to approve Resolution # 2021-41.

Background:

SU-Paradise Honors 195 was formed in February 18, 2020 (Resolution 2020-09). Since the time of formation, new parcels have been formed in and around the original SLID boundary. We request enlarging the existing SLID to include the new parcels and extend existing boundaries to roadway centerlines. The city has verified that the Petition for the proposed street light improvement district enlargement contains the signatures of all of the real property owners in the enlargement area of the district, exclusive of mortgages and other lien holders. 55 (estimated) new lights are proposed within this enlargement which are local and collector roads and will be billed to the SU-Paradise Honors 195 SLID.

Objective Analysis:

A SLID is a neighborhood partnership and very common practice in which property owners in a defined area agree to pay the costs to operate and maintain their immediate area's streetlights through a property tax. All new developments in the City of Surprise require a SLID. This action will enlarge an existing SLID boundary to include the remainder of the parcels not within the SLID and extend existing boundaries to roadway centerlines. The District is paid for by the levy and collection of equal apportionment of taxes based on the number and classification of properties within the District. The enlargement of the SLID will only affect the parcels joining into the District, as the valuation of the property may be increased.

Policy Compliant:

Surprise Municipal Code requires that street lighting that serves a defined area be paid for through revenues obtained from the specific area being served by such street lighting. In these instances, a Street Light Improvement District (SLID) is formed. The city strives to ensure that residents are subject to only one SLID and that the boundaries of each SLID accurately reflect the service area. This item is consistent with these objectives.

Financial Impact:

Any financial impact on the City is anticipated to be minimal, as the ratio of the new lights to existing lights is very small.

Budget Impact:

This is an enlargement of an existing SLID, therefore no impact to the budget is anticipated. A separate fund for this District is currently in place to track the revenue and expenses.

FTE Impact:

This action does not change the full time equivalent count.

ATTACHMENTS:

1. 02 SLID Petition_approved
 2. 03 Streetlight Onsite Plans_Rancho Trugold_approved
 3. 03 Streetlights Offsites Plans_Rancho Trugold_approved
 4. 04 Council Map_Rancho Trugold_approved
 5. 01 Res 2021-41-SLID Enlargement 2021 Rancho Trugold-final (3)
-

STREET LIGHT IMPROVEMENT DISTRICT PETITION ENLARGEMENT

TO THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE:

We, the undersigned, are all or a majority of the real property owners, exclusive of mortgagees and other lienholders, adjoining the district named below. We petition the City Council of the City of Surprise, Arizona, to enlarge the District to include said property legally described in Exhibit A with such boundaries as shown in the map in Exhibit B attached hereto. This petition includes a charge for maintaining the lighting facilities.

It is hereby requested that, in compliance with the Arizona Revised Statutes, the City Council adopt a Resolution of Intention to enlarge the existing District, and that unless protests are received pursuant to A.R.S. §48-579 sufficient to bar further proceedings, the City Council proceed with the improvements petitioned for herein.

Public convenience, necessity and welfare will be promoted by the establishment of the District and the real property within the District will be benefited by the District. Additional street lighting facilities may be installed and included in the District, at no investment cost to the District, as directed by the City and as approved by Arizona Public Service and the City Engineer.

WHEREFORE, we respectfully ask that this Petition be properly filed and that the Mayor and Council of the City adopt the Resolution and take such other action as is proper, necessary and appropriate to enlarge the District and to fulfill the purposes for which the District is organized, as the Mayor and Council believe is proper and necessary.

The name of the existing street light improvements district to be enlarged:

SU-Paradise Honors 195

(Leave Blank - to be assigned by City staff)

PETITIONERS: Please print and sign your name

PRINT BUSINESS/ PETITIONER'S NAME	ADDRESS OF PROPERTY OWNED WITHIN DISTRICT	ASSESSOR PARCEL #	SIGNATURE
Mattamy Homes	NEC of 175th Ave and Sweetwater	502-04-975	Chris Bramwell Digitally signed by Chris Bramwell DN: c=US, e=Chris.Bramwell@mattamycorp.com, o=Mattamy, ou=Pro, ou=Chris Bramwell Date: 2020.09.18 15:20:30-0700



**RATE SCHEDULE E-58
CLASSIFIED SERVICE
STREET LIGHTING SERVICE**

AVAILABILITY

This rate schedule is applicable to those portions of cities, towns and unincorporated communities in which the Company does a general retail electric business and where the Company has installed a multiple or series street lighting system of adequate capacity for the service to be rendered.

DESCRIPTION

E-58 is a rate that is applicable for lighting public streets, alleys, thoroughfares, public parks and playgrounds from dusk to dawn by use of Company's facilities.

TIME PERIODS

Dusk: Time between sunset and full night when photocontrol senses the lack of sufficient sunlight and turns on the lights.
Dawn: The time between full night and sunrise when a photocontrol senses sufficient sunlight to turn off lights.

CHARGES

The monthly bill will consist of the following charges, plus adjustments.

I. FIXTURES (Includes Mounting Arm, if Applicable)

	Lumen	Watts	kWh	CHARGES	
				Investment by Company	Investment by Others
A. Acorn	3,835 LED	75	26	\$21.63	\$7.59
	4,796 LED	75	26	\$17.38	\$6.46
	5,003 LED	100	35	\$23.45	\$8.71
	5,904 LED	100	35	\$23.03	\$8.60
	6000 IND	85	29	\$19.24	\$5.14
B. Architectural	6,200 IND	85	29	\$10.13	\$3.93
	8,400 IND	100	34	\$10.69	\$4.36
	10,200 IND	120	41	\$11.75	\$4.99
	13,000 IND	150	52	\$12.98	\$5.93
	20,500 IND	200	69	\$14.78	\$7.37
	22,500 IND	265	91	\$17.63	\$9.28
	3,300 LED	43	15	\$10.24	\$3.79
	3,800 LED	32	12	\$7.73	\$2.92
	3,900 LED	32	12	\$9.96	\$3.51
	4,050 LED	63	22	\$18.63	\$6.52
	4,100 LED	45	16	\$10.34	\$3.89
	4,800 LED	41	15	\$8.27	\$3.27
	5,000 LED	41	15	\$9.61	\$3.62



**RATE SCHEDULE E-58
CLASSIFIED SERVICE
STREET LIGHTING SERVICE**

	CHARGES				
	Lumen	Watts	kWh	Investment by Company	Investment by Others
	5,100 LED	60	21	\$10.18	\$4.19
	5,300 LED	67	24	\$10.47	\$4.48
	5,800 LED	94	32	\$17.81	\$5.16
	5,890 LED	89	31	\$20.56	\$7.66
	6,000 LED	62	22	\$18.63	\$6.52
	6,000 LED	67	24	\$19.89	\$6.99
	6,400 LED	89	31	\$17.89	\$5.10
	6,810 LED	101	35	\$18.89	\$7.50
	7,100 LED	62	22	\$19.70	\$6.80
	7,400 LED	127	44	\$20.42	\$6.34
	7,500 LED	73	26	\$20.08	\$7.18
	7,700 LED	86	30	\$18.41	\$7.02
	8,200 LED	88	31	\$10.45	\$4.97
	8,200 LED	95	33	\$11.87	\$5.48
	8,300 LED	72	25	\$17.93	\$6.54
	8,300 LED	106	37	\$12.45	\$5.91
	8,500 LED	88	31	\$11.69	\$5.30
	9,020 LED	139	48	\$22.94	\$9.47
	9,200 LED	139	48	\$25.60	\$7.30
	9,900 LED	130	45	\$13.82	\$6.84
	10,000 LED	93	32	\$21.43	\$7.96
	10,000 LED	113	39	\$13.26	\$6.28
	10,600 LED	126	44	\$22.56	\$9.09
	11,100 LED	108	38	\$12.76	\$6.07
	11,500 LED	108	38	\$13.16	\$6.18
	12,300 LED	203	70	\$25.48	\$8.85
	12,900 LED	119	41	\$22.31	\$8.82
	13,260 LED	202	70	\$27.11	\$12.12
	13,620 LED	202	70	\$28.49	\$9.24
	14,000 LED	171	59	\$26.07	\$11.08
	15,000 LED	136	47	\$24.93	\$9.94
	15,400 LED	144	50	\$25.21	\$10.22
	18,300 LED	162	56	\$16.13	\$8.22
	19,200 LED	257	89	\$26.87	\$13.38
	20,000 LED	258	89	\$26.87	\$13.38
	20,300 LED	193	67	\$17.17	\$9.26
	21,000 LED	193	67	\$24.77	\$11.28
C. Cobra	6,200 IND	75	26	\$10.54	\$3.77
	6,400 IND	85	29	\$8.97	\$3.78
	8,000 IND	88	30	\$10.47	\$4.04
	8,400 IND	100	34	\$9.70	\$4.24
	10,200 IND	120	41	\$10.44	\$4.81



**RATE SCHEDULE E-58
CLASSIFIED SERVICE
STREET LIGHTING SERVICE**

				CHARGES				
				Investment by Company	Investment by Others			
				Lumen	Watts	kWh		
C. Cobra				13,000 IND	150	52	\$11.50	\$5.73
				15,250 IND	200	69	\$13.86	\$7.25
				22,500 IND	250	86	\$18.55	\$9.06
		Gray / Bronz		3,500 IND	55	19	\$10.50	\$3.27
				6,000 LED	95	33	\$17.05	\$5.13
				8,700 LED	142	49	\$19.17	\$6.53
				9,600 LED	157	54	\$20.40	\$7.04
				11,600 B-LED	181	62	\$19.03	\$7.44
		Gray / Bronz		3,300 LED	43	15	\$9.00	\$2.79
		Gray / Bronz		5,300 LED	67	23	\$10.45	\$3.54
		Gray / Bronz		8,300 LED	106	37	\$13.55	\$4.94
		Gray / Bronz		10,500 LED	130	45	\$15.08	\$5.69
	Gray / Bronz		20,000 LED	258	89	\$26.21	\$10.27	
D. Decorative Transit				5,300 LED	75	26	\$28.44	\$6.12
				8,300 LED	100	34	\$30.45	\$6.97
				8,147 LED	75	26	\$35.76	\$11.36
				9,522 LED	100	35	\$36.14	\$12.09
				10,500 LED	150	52	\$32.69	\$8.52
				14,896 LED	150	52	\$39.98	\$14.29
		Double		8,147 LED	75	26	\$64.74	\$18.96
		Double		9,522 LED	100	35	\$64.67	\$19.58
		Double		14,896 LED	100	52	\$70.67	\$22.32
		Copper		6,000 IND	85	29	\$18.87	\$5.09
		Gray / Black		8,000 IND	88	30	\$14.86	\$4.62
		Gray / Black		4,350 LED	86	30	\$13.48	\$4.44
E. Flood				14,470 LED	148	51	\$23.93	\$9.95
				16,000 LED	125	43	\$23.17	\$9.19
F. Pendant				8,678 LED	75	26	\$26.36	\$8.85
				13,964 LED	100	35	\$27.84	\$9.88
G. Post Top				4,350 LED	86	30	\$13.43	\$5.69
				6,400 LED	30	30	\$13.43	\$5.69
				6,600 LED	83	29	\$13.33	\$5.59
H. Roadway				3,300 LED	43	15	\$9.46	\$3.58
				3,800 LED	32	12	\$7.24	\$2.79
				3,900 LED	32	12	\$9.18	\$3.30
				4,100 LED	45	16	\$9.56	\$3.68
				4,800 LED	41	15	\$7.76	\$3.13
				5,000 LED	41	15	\$9.12	\$3.49
				5,100 LED	60	21	\$9.69	\$4.06
				5,300 LED	67	24	\$9.98	\$4.35
				8,200 LED	88	31	\$9.72	\$4.77



**RATE SCHEDULE E-58
CLASSIFIED SERVICE
STREET LIGHTING SERVICE**

	8,200 LED	95	33	\$11.36	\$5.34
	8,300 LED	106	37	\$11.74	\$5.72
	8,500 LED	88	31	\$11.18	\$5.16
	9,900 LED	130	45	\$13.31	\$6.70
	10,000 LED	113	39	\$12.75	\$6.14
	11,100 LED	108	38	\$12.03	\$5.88
	11,500 LED	108	38	\$12.65	\$6.04
	18,300 LED	162	56	\$15.23	\$7.98
	19,200 LED	257	89	\$19.11	\$11.32
	20,000 LED	258	89	\$19.11	\$11.32
	20,300 LED	193	67	\$16.27	\$9.02
	21,000 LED	193	67	\$17.01	\$9.22

FROZEN	4,000 INC	295	103	\$10.54	\$5.89
	7,000 MV	175	73	\$13.65	\$7.83
	11,000 MV	250	96	\$17.09	\$10.43
	20,000 MV	400	150	\$26.84	\$15.21
FROZEN ACORN	9,500 HPS	100	41	\$29.14	\$9.93
	16,000 HPS	150	69	\$32.35	\$12.55
FROZEN ARCHITECTURAL	9,500 HPS	100	41	\$16.56	\$7.90
	16,000 HPS	150	69	\$19.77	\$19.34
	30,000 HPS	250	99	\$22.95	\$13.57
	50,000 HPS	400	153	\$28.32	\$19.53
	14,000 MH	175	72	\$23.17	\$12.70
	21,000 MH	250	101	\$26.31	\$15.66
	36,000 MH	400	159	\$32.89	\$21.54
	8,000 LPS	55	30	\$24.08	\$10.58
	13,500 LPS	90	50	\$28.39	\$12.76
	22,500 LPS	135	72	\$32.43	\$15.56
FROZEN COBRA ROADWAY	33,000 LPS	180	90	\$39.01	\$18.33
	5,800 HPS	70	29	\$9.40	\$5.56
	9,500 HPS	100	41	\$11.07	\$6.81
	16,000 HPS	150	69	\$13.86	\$9.50
FROZEN COBRA ROADWAY	30,000 HPS	250	99	\$16.72	\$12.35
	50,000 HPS	400	153	\$22.69	\$17.63
	14,000 MH	175	72	\$16.12	\$10.99
	21,000 MH	250	101	\$18.84	\$13.67
	36,000 MH	400	159	\$24.81	\$18.99
FROZEN DECORATIVE TRANSIT	8,000 FL	100	38	\$18.53	\$5.43
	9,500 HPS	100	41	\$39.95	\$11.96
	16,000 HPS	150	69	\$39.72	\$13.36
FROZEN FLOOD	30,000 HPS	250	99	\$45.74	\$17.26
	30,000 HPS	250	99	\$22.20	\$13.79
	50,000 HPS	400	153	\$27.53	\$19.14
	21,000 MH	250	101	\$23.69	\$14.58
FROZEN Colonial Gray	36,000 MH	400	159	\$28.89	\$19.76
	8,000 FL	100	38	\$19.97	\$5.64



**RATE SCHEDULE E-58
CLASSIFIED SERVICE
STREET LIGHTING SERVICE**

POST TOP	Colonial Gray	9,500 HPS	100	41	\$11.42	\$7.16
	Colonial Black	9,500 HPS	100	41	\$13.15	\$7.41
	Decorative	9,500 HPS	100	41	\$34.97	\$11.03

NOTES:

1. Investment by Company. These rates are applicable where the Company provides the initial investment to purchase and install all facilities necessary for street lighting service. The Company will own, operate, and maintain the street lighting system.
2. Investment by Others. These rates are applicable in those instances where the requesting entity or individual purchases and installs the street lighting facilities at their own expense and in accordance with Company specifications. These rates will also apply in the instance where the Customer provides a non-refundable advance to the Company to cover the Company's cost of purchasing and installing the street lighting system. The Company retains ownership of the street lighting system and provides operation and maintenance for all facilities.
3. Listed kWhs reflect the assigned monthly energy usage for each type of fixture and are used to determine any applicable transmission, system benefit, distribution, energy, and adjustment charges.
4. HPS = High Pressure Sodium
5. MH = Metal Halide
6. LPS = Low Pressure Sodium
7. FL = Fluorescent
8. INC = Incandescent. Incandescent lighting charges are applicable and available only to those Customers being served and those installations in service on November 1, 1986.
9. MV = Mercury Vapor. Mercury Vapor lighting charges are applicable and available only to those Customers being served and those installation in service on November 1, 1986 in accordance with A.R.S. §49-1104(A).
10. LED = Light Emitting Diode
11. IND = Induction



**RATE SCHEDULE E-58
CLASSIFIED SERVICE
STREET LIGHTING SERVICE**

II. POLES

				CHARGES		
				Investment by Company	Investment by Others	
A. Anchor Base Mounted (Flush)	Round Steel	1 Simplex Adapter	Height			
			12 ft.	\$13.11	\$1.81	
			22 ft.	\$14.75	\$2.03	
			25 ft.	\$15.97	\$2.21	
			30 ft.	\$18.34	\$2.52	
		32 ft.	\$19.27	\$2.55		
		2 Simplex Adapters	12 ft.	\$13.98	\$1.93	
			22 ft.	\$16.06	\$2.22	
			25 ft.	\$16.75	\$2.31	
			30 ft.	\$19.47	\$2.68	
	32 ft.		\$20.77	\$2.87		
	Square Steel	5"	13 ft.	\$15.03	\$2.06	
			15 ft.	\$13.43	\$1.85	
			23 ft.	\$15.93	\$2.19	
			25 ft.	\$17.51	\$2.41	
			28 ft.	\$19.44	\$2.67	
			32 ft.	\$19.33	\$2.66	
	Concrete		12 ft.	\$44.79	\$6.17	
	Fiberglass		12 ft.	\$37.93	\$5.22	
	Decorative Transit		4"	16 ft.	\$36.98	\$5.10
	Decorative Transit		6"	30 ft.	\$71.39	\$9.83
	Hinged Poles		Square	15 ft.	\$14.21	\$1.16
Round			19 ft.	\$12.85	\$1.05	
B. Anchor Base Mounted (Pedestal)	Round Steel	1 Simplex Adapter	12 ft.	\$12.61	\$1.73	
			22 ft.	\$14.26	\$1.96	
			25 ft.	\$15.46	\$2.13	
			30 ft.	\$17.85	\$2.47	
			32 ft.	\$18.75	\$2.58	
		2 Simplex Adapters	12 ft.	\$13.47	\$1.85	
			22 ft.	\$15.05	\$2.06	
			25 ft.	\$16.24	\$2.23	
			30 ft.	\$18.97	\$2.60	
			32 ft.	\$20.26	\$2.79	
		3 Bolt	32 ft.	\$23.28	\$3.20	
		Square Steel	5"	13 ft.	\$14.54	\$2.01
				15 ft.	\$14.86	\$2.03
				23 ft.	\$15.43	\$2.13
	25 ft.			\$17.02	\$2.36	
	28 ft.			\$18.91	\$2.60	
	32 ft.			\$19.63	\$2.69	



**RATE SCHEDULE E-58
CLASSIFIED SERVICE
STREET LIGHTING SERVICE**

II POLES (cont)

		CHARGES		
		Height	Investment by Company	Investment by Others
C. Direct Bury	Round Steel	19 ft.	\$19.84	\$2.74
		30 ft.	\$15.49	\$2.87
		38 ft.	\$18.90	\$2.94
		Self 40 ft.	\$23.28	\$3.69
		Stepped 25 ft.	\$53.55	\$4.37
		32 ft.	\$56.40	\$4.60
		49 ft.	\$70.00	\$9.65
	Square Steel	4" 34 ft.	\$17.09	\$2.96
		5" 20 ft.	\$16.23	\$2.68
		30 ft.	\$16.92	\$2.79
		38 ft.	\$18.36	\$3.19
		8" 28 ft.	\$30.64	\$2.49
		32 ft.	\$32.03	\$2.62
		Decorative Transit 41 ft 6	\$22.05	\$3.24
	Decorative Transit	47 ft.	\$27.47	\$4.04
	Steel Distribution Pole (for lighting only)	35 ft.	\$25.36	\$3.34
D. Post Top	Decorative Transit Anchor Base	16 ft.	\$37.77	\$5.19
	Gray Steel/Fiberglass	23 ft.	\$13.10	\$2.15
	Black Steel	23 ft.	\$14.44	\$2.38
E. Existing distribution pole suitable for streetlight use			\$1.59	--
F. FROZEN	Wood Poles	30 ft.	\$9.64	\$1.67
		35 ft.	\$9.64	\$1.59

NOTE: The monthly rate for all new poles includes up to 300 feet of overhead secondary wire, or up to 300 feet of underground secondary wire if the Customer provides earthwork and conduit (excluding the underground to overhead transition).

III. ANCHOR BASE

		CHARGES		
		Height	Investment by Company	Investment by Others
A. Flush		4 ft.	\$10.67	\$1.47
		6 ft.	\$12.73	\$2.21
B. Pedestal		8 ft.	\$14.59	\$2.54
	For 32' Round Steel Pole only	4 ft. 6"	\$10.12	\$1.75



**RATE SCHEDULE E-58
CLASSIFIED SERVICE
STREET LIGHTING SERVICE**

IV. CHARGES FOR OPTIONAL OR ADDITIONAL EQUIPMENT

		CHARGE
		Company Owned
Underground Circuit Charges:		
a.	Per foot of cable, installed under paving	\$0.17000
b.	Per foot of cable, not installed under paving	\$0.06000

V. DETERMINATION OF CHARGES FOR NEW EQUIPMENT

Monthly charges for new lighting fixtures, poles and other equipment not included in Sections I, II, or III above will be determined by the Company using the following method:

Step 1 Determination of Charges for each Charge Type							Monthly Fixed Charge Rate
Charge Type	Monthly Charge		Cost Inputs Equipment Cost		PV Factor		
1	Carrying Cost (fixtures)	=	(installed)	x	NA	x	1.518%
			Equipment Cost				
2	Carrying Cost (poles)	=	(installed)	x	NA	x	1.296%
			Equipment Cost				
3	Fixture Replacement Cost	=	(installed)	x	0.257	x	1.518%
4	Pole, Anchor Replacement Cost	=	(installed)	x	0.110	x	1.296%
5	Lighting O&M	=	O&M Cost (lifecycle)	x	0.427	x	1.518%
Charge Type	Monthly Charge		kWh Input		\$/kWh		
6	Generation	=	kWh per month	x	0.06760		
7	T&D, RCS, SB	=	kWh per month	x	0.02738		



**RATE SCHEDULE E-58
CLASSIFIED SERVICE
STREET LIGHTING SERVICE**

Step 2 **Determination of Total Monthly Charge**
The total monthly charge will be the summation of the charges for each applicable charge type

<u>Equipment</u>	<u>Charge Type</u>
Fixture - IBC	1,5,6,7
Fixture - IBO	3,5,6,7
Pole, Anchor Base - IBC	2
Pole, Anchor Base - IBO	4

TRIP CHARGE

A \$100.00 trip charge per light will be charged when a Customer requests a disconnect or reconnect of service in order to accommodate the maintenance activities of the Customer or its designee(s) on their street lighting equipment.

ADJUSTMENTS

The bill will include the following adjustments:

1. The Renewable Energy Standard charge, Adjustment Schedule REAC-1.
2. The Power Supply Adjustment charges, Adjustment Schedule PSA-1.
3. The Transmission Cost Adjustment charge, Adjustment Schedule TCA-1.
4. The Environmental Improvement Surcharge, Adjustment Schedule EIS.
5. The Demand Side Management Adjustment charge, Adjustment Schedule DSMAC-1.
6. The Lost Fixed Cost Recovery Adjustment charge, Adjustment Schedule LFCR.
7. Direct Access Customers returning to Standard Offer service may be subject to a Returning Customer Direct Access Charge, Adjustment Schedule RCDAC-1.
8. Any applicable taxes and governmental fees that are assessed on APS's revenues, prices, sales volume, or generation volume.

SERVICE DETAILS

1. Street lighting facilities installed under this rate schedule are of the type currently being furnished by Company as standard at the time service is initially requested. Standard facilities are those listed in the Company's Transmission and Distribution Construction Standards book.



**RATE SCHEDULE E-58
CLASSIFIED SERVICE
STREET LIGHTING SERVICE**

2. The Customer will be responsible for notifying the Company when the streetlighting facilities are not operating as intended. The Company will use reasonable efforts to complete normal maintenance (replacement of lamps, photocontrols or fixtures) within ten (10) working days from notification by Customer. If the maintenance requires cable replacement or repairs, the Company will use reasonable efforts to complete said repairs within twenty (20) working days.
3. The Customer's bill will not be reduced due to lamp, photocontrol or cable repair or replacement outages.
4. Lighting equipment which is not specified in this rate schedule will be billed at the rates corresponding to the most similar equipment, as determined by the Company.
5. Non-standard facilities (non-standard being defined as any facility not listed in the Company's Transmission and Distribution Construction Standards book) do not qualify for this rate schedule. At the Company's discretion, such facilities may be served under another of the Company's rate schedules.
6. The Company will extend its standard street lighting system up to a distance of 300 feet for each additional lighting installation without cost at the request of the Customer. When the extension is underground the customer will provide earthwork as specified in the Company's Service Schedule 3, Conditions Governing Extensions of Electric Distribution Lines and Services; or, at the applicant's request, the Company will provide such earthwork and the applicant will be required to pay a non-refundable contribution in aid of construction equal to the cost of such earthwork. Any additional extension required (over and above the first 300 feet) will be provided by Company for a contribution in aid of construction equal to the cost of the additional extension.
 - a. Extensions to isolated areas requiring a substantial extension of the electric distribution system, as opposed to an extension of the street lighting system, will require a special study to determine the terms and conditions under which the Company will undertake such an extension.
7. APS provides electric service under the Company's Service Schedules. These schedules provide details about how the Company serves its Customers, and they have provisions and charges that may affect the Customer's bill. In addition, service may be subject to special terms and conditions as provided for in a Customer contract or service agreement.

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STREET LIGHTING REQUIREMENTS

5.00 GENERAL NOTES:
THE FOLLOWING INFORMATION IS PROVIDED TO EMPHASIZE CRITICAL WORK AND IS INTENDED TO SUPPLEMENT THE SPECIFICATIONS. SHOULD THERE BE A CONFLICT WITH THE SPECIFICATIONS, THIS DOCUMENT SHALL TAKE PRECEDENCE.
ALTERNATES SHALL BE PRE-APPROVED BY THE CITY ENGINEERING MANAGER. APPROVAL OF ALTERNATE PRODUCTS SHALL BE ON AN EQUAL BASIS WITH THE PRODUCT SPECIFIED AND SHALL BE SUBMITTED A MINIMUM OF TEN (10) DAYS PRIOR TO BID OPENING. STRUCTURAL CALCULATIONS SHALL BE FURNISHED FOR ALTERNATE PRODUCTS AND CERTIFIED BY A STRUCTURAL ENGINEER, REGISTERED IN THE STATE OF ARIZONA. LUMINAIRES AND LAMPS SHALL MEET OR EXCEED THE PHOTOMETRIC, ELECTRICAL, AND MECHANICAL REQUIREMENTS FOR THE SPECIFIED PRODUCTS.

THE CONTRACTOR SHALL COMPLY WITH STATE AND CITY STATUTES, AND MANUFACTURER'S RECOMMENDATIONS.
THE SUBMITTAL PACKAGE SHALL CONSIST OF THREE (3) COPIES OF EQUIPMENT/MATERIAL TO BE INSTALLED AND SHALL BE BOUND/STAPLED IN A FOLDER AND SUBMITTED AT THE TIME OF PERMIT APPLICATION.

PRIOR TO SUBMITTING A PROPOSAL, THE BIDDER SHALL EXAMINE ALL GENERAL CONSTRUCTION DRAWINGS AND VISIT THE CONSTRUCTION SITE TO BECOME FAMILIAR WITH EXISTING CONDITIONS UNDER WHICH HE WILL OPERATE AND WHICH WILL IN ANY WAY AFFECT THE WORK UNDER THE CONTRACT. NO SUBSEQUENT ALLOWANCE WILL BE MADE IN THIS CONNECTION IN THE BEHALF OF THE CONTRACTOR FOR ANY ERROR OR NEGLIGENCE ON HIS PART.

PRIOR TO ORDERING ANY MATERIALS OR DOING ANY WORK, THE CONTRACTOR SHOULD VERIFY DIMENSIONS AT THE SITE. IMMEDIATELY REPORT DIFFERENCES TO THE ENGINEERING MGR. AND SHOULD NOT PROCEED WITH WORK UNTIL THE ENGINEERING MGR. RENDERS A DECISION. NO EXTRA CHARGES OR COMPENSATION WILL BE ALLOWED FOR DIFFERENCES IN ACTUAL DIMENSIONS AND DIMENSIONS INDICATED ON THE DRAWINGS.

5.01 GENERAL:
THE ELECTRICAL CONTRACTOR SHALL COMPLY WITH ALL LICENSING REQUIREMENTS SET FORTH BY THE STATE REGISTRAR OF CONTRACTORS OFFICE TO PERFORM WORK RELATING TO STREET LIGHT INSTALLATION IN THE CITY RIGHT-OF-WAY.

ONE PROJECT UNDERGROUND UTILITIES (RIGHT OF WAY) PERMIT AND ONE STREETLIGHT PERMIT FOR EACH STREET LIGHT POLE SHALL BE OBTAINED BY THE CONTRACTOR PRIOR TO CONSTRUCTION.

5.02 WORKING / "AS BUILT" PLANS:
ACCEPTANCE OF THE COMPLETED IMPROVEMENTS WILL NOT BE GIVEN UNTIL 4 MIL PHOTO MYLAR REPRODUCIBLE "AS BUILT" PLANS HAVE BEEN SUBMITTED TO AND APPROVED BY THE CITY ENGINEER.

5.03 LIGHT POLES:
LIGHT POLES SHALL BE INSTALLED PLUMB, BE ADJUSTED TO PROVIDE PROPER ALIGNMENT TO THE ROADWAY BEING LIGHTED AND BE PROPERLY GROUNDED WHEN THE INSTALLATION IS COMPLETE.

5.04 EMBEDMENT:
DIRECT BURIED POLES SHALL BE SET IN A TWELVE (12) INCH AUGURED HOLE DEPTH AS SPECIFIED IN UNDISTURBED EARTH. POLE SHALL BE SET PLUMB IN TWO DIRECTIONS 90 DEGREES APART. HAND TAMPING OF ABC BACKFILL WITH PNEUMATIC OR VIBRATING EQUIPMENT IS THE ACCEPTABLE METHOD OF COMPACTION. BACKFILL SHALL BE COMPACTED TO 85% OF MAXIMUM DENSITY AS DEFINED BY ASTM D-2922 AND D-3017. A GROUND ROD SHALL BE INSTALLED ADJACENT TO PULL BOX IN UNDISTURBED SOIL AND A LEAD IN COPPER BOND WIRE (#6) SHALL BE INSTALLED IN 1" CARFLEX LIQUIDTIGHT FLEXIBLE NONMETALLIC CONDUIT (OR EQUAL) FOR POLE GROUNDING.

SURPLUS EXCAVATION SHALL BE DISPOSED OF BY THE CONTRACTOR.

5.05 LUMINAIRES:
LUMINAIRES SHALL BE INSTALLED LEVEL AND INCLUDE A LAMP AND PHOTOCELL. CONTRACTOR SHALL ASSURE THAT THE LUMINAIRES SHALL BE FREE OF DUST, DIRT OR ANYTHING THAT WOULD IMPAIR THE OUTPUT OF THE LIGHT BEFORE HE LEAVES THE SITE.

LUMINAIRES FURNISHED WITH MULTI-TAP BALLASTS SHALL BE REWIRED OR RECONNECTED TO MATCH THE VOLTAGE SUPPLIED BY THE ELECTRIC UTILITY COMPANY.

5.06 WIRING:
WIRING SHALL BE INSTALLED PER UTILITY STANDARDS.

5.07 GROUNDING:
EACH POLE SHALL HAVE A 8' X 5/8" COPPER CLAD GROUND ROD DRIVEN ADJACENT TO PULL BOX. A #6 BARE COPPER LEAD FROM THE GROUND ROD IN PULL BOX TO LANDING LUG IN STREET LIGHT POLE HAND HOLE.

5.08 PULL BOXES:
EXCAVATION FOR PULL BOXES AND MATERIAL SPECIFICATION SHALL BE PER THE ELECTRIC UTILITY COMPANY STANDARDS.

5.09 TRENCH
TRENCH SHALL BE INSTALLED PER THE UTILITY COMPANY STANDARDS.

THE USE OF A COMMON ELECTRIC UTILITY COMPANY TRENCH IS PERMITTED. IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONTACT THE UTILITY COMPANY FOR COORDINATION OF TRENCHING AND THE INSTALLATION OF CONDUIT.

CONDUIT SHALL BE INSTALLED AT THE DEPTH SPECIFIED ON THE PLANS. CONDUIT SHALL BE 1 INCH CARFLEX LIQUIDTIGHT FLEXIBLE NONMETALLIC CONDUIT OR EQUAL. CONDUIT MUST BE UL RATED AND SUITABLE FOR UNDERGROUND USE.

CONNECTIONS SHALL BE PER UTILITY STANDARDS.

5.12 LIGHT POLE IDENTIFICATION:
THE CONTRACTOR SHALL FURNISH AND INSTALL A NUMBER ON EACH LIGHT POLE. STREET LIGHT POLE IDENTIFICATION AND SPECIFICATIONS WILL BE PROVIDED BY THE CITY OF SURPRISE.

IT IS THE CONTRACTOR'S RESPONSIBILITY TO RESTORE ALL PROPERTY, LANDSCAPING, PAVING AND DRIVEWAYS THAT ARE DISTURBED DURING STREET LIGHT CONSTRUCTION TO THEIR ORIGINAL CONDITION IN CONFORMANCE WITH "MAG" SPECIFICATION SECTION 107.9.

THE DEVELOPER SHALL BE RESPONSIBLE FOR FURNISHING ALL PERSONNEL AND EQUIPMENT TO SUCCESSFULLY PERFORM THE FOLLOWING TEST.

PRIOR TO ACCEPTANCE, THE DEVELOPER SHALL ENERGIZE AND OPERATE THE ENTIRE ROADWAY LIGHTING SYSTEM, FROM SUNSET TO SUNRISE FOR TWO CONSECUTIVE DAYS WITHOUT INTERRUPTION OR FAILURE. IF A LAMP OR BALLAST SHOULD FAIL, IT SHALL BE IMMEDIATELY REPLACED.

THE CONTRACTOR SHALL GUARANTEE ALL WORK FOR A PERIOD OF ONE YEAR FROM THE DATE OF FINAL ACCEPTANCE BY THE ENGINEERING MANAGER, AGAINST IMPERFECT WORKMANSHIP, FAILURE, MALFUNCTION OF MATERIALS AND/OR EQUIPMENT DUE TO FAULTY OR IMPERFECT WORKMANSHIP. THIS GUARANTEE IS TO BE IN WRITING TO THE CITY AT THE TIME OF ISSUING FINAL ACCEPTANCE. WORK FOUND TO BE DEFECTIVE WITHIN THE WARRANTY PERIOD SHALL BE REPLACED WITHOUT COST TO THE CITY.

GENERAL ENGINEERING NOTES:

- ALL CONSTRUCTION MUST CONFORM TO MARICOPA ASSOCIATION OF GOVERNMENT (MAG) SPECIFICATIONS AND DETAILS AND LATEST REVISIONS UNLESS OTHERWISE STATED ON PLANS.
- THE ENGINEER WILL NOT BE RESPONSIBLE FOR CONSTRUCTION MEANS, 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.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR IDENTIFYING ALL OVERHEAD AND UNDERGROUND UTILITY LOCATIONS WHERE CONSTRUCTION OCCURS. SPECIAL CARE SHALL BE TAKEN TO ENSURE THAT ALL UTILITIES ARE AVOIDED. UTILITY 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 40-360.21-32). CALL ARIZONA 811 FOR FIELD LOCATION BY DIAL 811.
- THE CITY OF SURPRISE ENGINEERING SERVICES OF PUBLIC WORKS SHALL BE NOTIFIED FORTY-EIGHT (48) HOURS PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION WORK AT 623-222-6150.
- 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 RESUBMITTED FOR REVIEW AND APPROVAL.
- THE CONTRACTOR SHALL PROTECT AND MAINTAIN ALL EXISTING UTILITIES ON THE SITE. ANY DAMAGE TO EXISTING UTILITIES, 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.
- ANY INSPECTION BY THE CITY, COUNTY, OR THE ENGINEER, SHALL NOT IN ANY WAY RELIEVE THE CONTRACTOR FROM ANY OBLIGATION TO PERFORM THE WORK IN STRICT COMPLIANCE WITH THE APPLICABLE CODES AND AGENCY REQUIREMENTS.
- THE CONTRACTOR IS TO LOCATE ALL EXISTING LANDSCAPING, LANDSCAPING IRRIGATION LINES, PROPERTY MONUMENTS, FENCING OR SURFACE FEATURES PRIOR TO CONSTRUCTION. ANYTHING DISTURBED DURING CONSTRUCTION SHALL BE REPLACED IN KIND AT THE CONTRACTOR'S EXPENSE.
- NOTHING CONTAINED IN THE CONTRACT DOCUMENTS SHALL CREATE, NOR SHALL BE CONSTRUED TO CREATE, ANY CONTRACTUAL RELATIONSHIP BETWEEN THE ENGINEER AND THE CONTRACTOR OR ANY SUBCONTRACTOR.
- ALL CONSTRUCTION WATER USED WITHIN THE CITY OF SURPRISE WATER SERVICE AREA REQUIRES APPROVAL BY THE CITY OF SURPRISE PUBLIC WORKS DEPARTMENT AND MAY BE SUBJECT TO VOLUME AND TIME RESTRICTIONS. PLEASE SEE THE CITY OF SURPRISE CONSTRUCTION WATER GUIDELINES FOR ADDITIONAL INFORMATION. THE GUIDELINES CAN BE OBTAINED FROM THE PUBLIC WORKS DEPARTMENT AT 623-222-6000.
- TRAFFIC CONTROL SHALL BE MAINTAINED IN ACCORDANCE WITH MAG SPECIFICATION 401, THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, AND THE "TEMPORARY WORK ZONE TRAFFIC MANAGEMENT POLICY" (LATEST EDITION).
- 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.
- EMERGENCY VEHICLE ACCESS (E.V.A.) MUST BE PROVIDED BY THE DEVELOPER/CONTRACTOR THROUGHOUT THE PROJECT SITE. E.V.A. ROADS AND SIGNAGE SHALL BE MAINTAINED BY THE DEVELOPER/CONTRACTOR AT ALL TIMES. SIGNAGE SHALL BE POSTED AT THE POINT OF ENTRY TO THE SITE AND AT ALL LOCATIONS WHERE A CHANGE IN DIRECTION OCCURS.
- THE PLANS SHALL COMPLY WITH THE AMERICANS WITH DISABILITIES ACT'S ACCESSIBILITY GUIDELINES, AS PUBLISHED IN THE FEDERAL REGISTER ON SEPTEMBER 15, 2010.

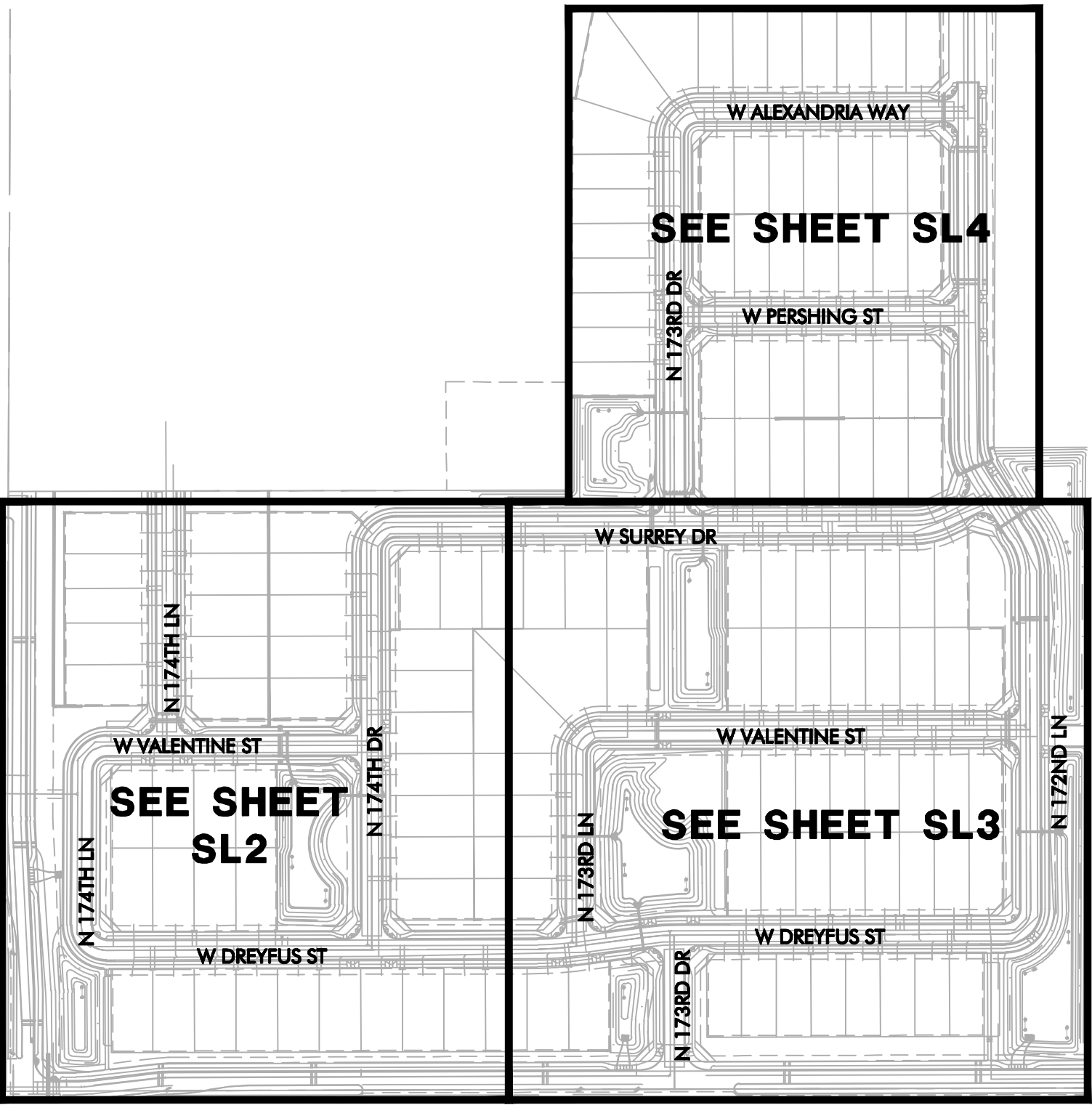
UTILITIES WITHIN OR AFFECTED BY THE PROJECT	
UTILITY CONTACT	DATE SUBMITTED
ARIZONA PUBLIC SERVICE	03/23/2020
CENTURY LINK	03/23/2020
COX COMMUNICATIONS	03/23/2020
SOUTHWEST GAS	03/23/2020

LED NOTE

- ENSURE THERE IS 1' CLEARANCE FROM EDGE OF SIDEWALK TO FACE OF POLE.
- THE ELECTRICAL/MAINTENANCE COSTS OF ALL STREET LIGHTS ON LOCAL AND COLLECTOR STREETS ARE TO BE PAID BY THE ADJACENT PROJECT OR THE ADJACENT DEVELOPMENT'S STREET LIGHT IMPROVEMENT DISTRICT (SLID). THE ELECTRICAL / MAINTENANCE COSTS OF ALL STREET LIGHTS ON ARTERIAL STREETS ARE TO BE BILLED TO THE CITY OF SURPRISE'S ENERGY BILL.

NOTE

LED TECHNOLOGY IS CHANGING RAPIDLY. THE FIXTURES SHOWN ON THESE PLANS MAY NOT BE APPLICABLE AT TIME OF CONSTRUCTION. CONTRACTOR TO COORDINATE WITH APS AND UTILIZE THEIR CURRENT SPECIFICATION AT THE TIME OF BIDDING AND CONSTRUCTION.



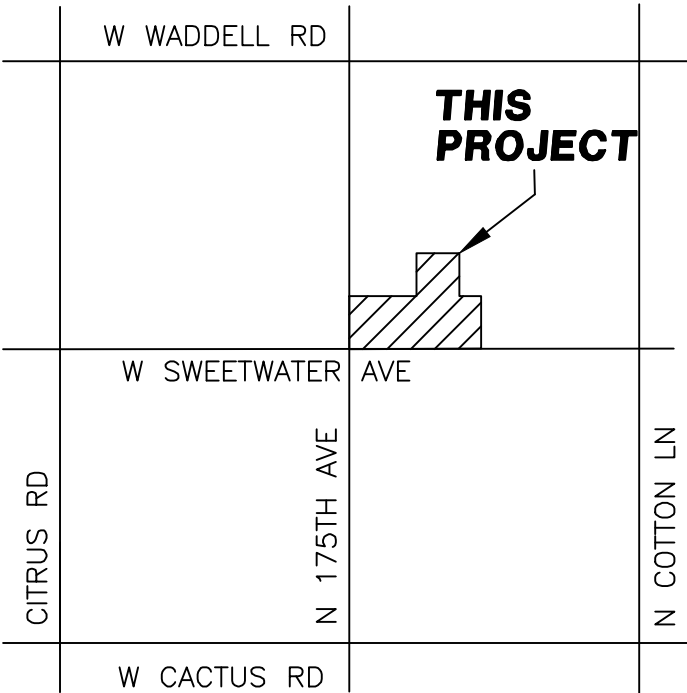
CITY OF SURPRISE APPROVAL

THIS SET OF PLANS HAS BEEN REVIEWED FOR COMPLIANCE WITH CITY REQUIREMENTS PRIOR TO ISSUANCE OF PERMITS. THE CITY NEITHER ACCEPTS NOR ASSUMES ANY LIABILITY FOR ERRORS OR OMISSIONS. THIS COMPLIANCE APPROVAL SHALL NOT PREVENT THE CITY ENGINEER FROM REQUIRING CORRECTIONS OF ERRORS OR OMISSIONS IN PLANS FOUND TO BE IN VIOLATION OF LAW OR ORDINANCES.

CITY OF SURPRISE ENGINEER DATE

STREET LIGHTING (APS AREA)															
KEY NO.	SYMBOL	STREET TYPE	OFFSET BEHIND B/C	QUANTITY	POLE		MAST ARM	LUMINAIRE						APS STANDARD CODE NO.	
					POLE HEIGHT	FOUNDATION	SIZE	MOUNTING HEIGHT	LUMENS	WATTAGE	I.E.S. DIST.	VOLTAGE	TYPE		STYLE
②		LOCAL	PER PLANS	45	34'-0"	DIRECT BURY	2'-0"	28'-0"	4900	39 W	TYPE I	*	LED	ARCHITECTURAL (SHOEBOX)	8030.S2

*PER UTILITY COMPANY REQUIREMENTS



VICINITY MAP N.T.S.

SHEET INDEX

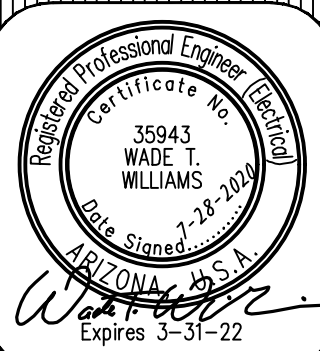
STREET LIGHT COVER SHEET	SL1
STREET LIGHT PLAN	SL2
STREET LIGHT PLAN	SL3
STREET LIGHT PLAN	SL4
STREET LIGHT DETAILS	SL5
INTERSECTION PHOTOMETRICS	PH1

WRIGHT ENGINEERING
PROJECT NO:
19507
DESIGN BY: JZH
DRAWN BY: JZH
CHECKED BY: WTW

WRIGHT engineering corporation
ELECTRICAL ENGINEERING AND DESIGN
165 EAST CHILTON DRIVE • CHANDLER, ARIZONA 85225
PHONE 480.497.5829 • FAX 480.497.5807
www.wrightengineering.us

SURPRISE, ARIZONA
PROJECT: RANCHO TRUGOLD
TITLE: N 175TH AVE & W SWEETWATER AVE
STREET LIGHT COVER SHEET

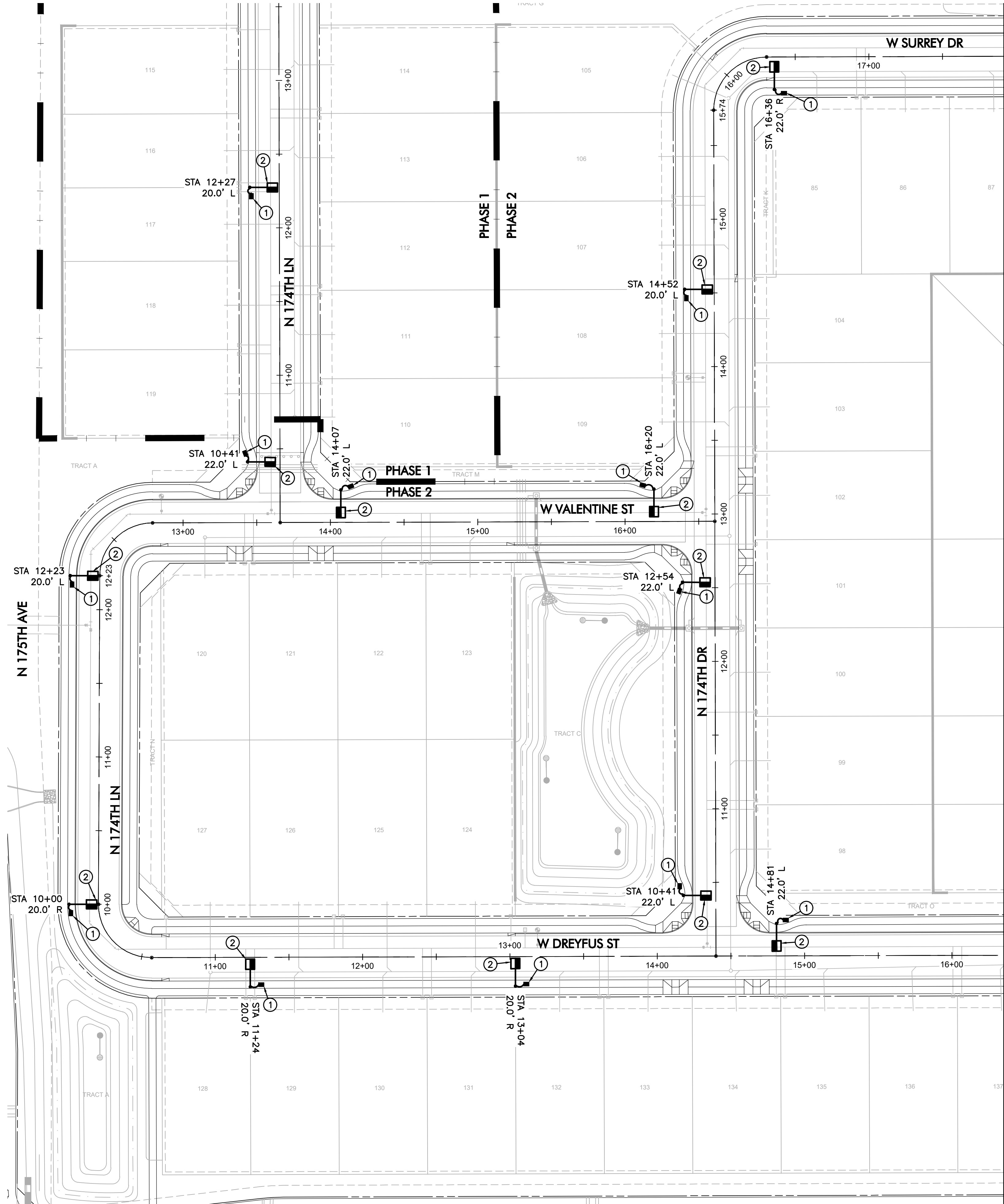
NO.	DATE	SUBMITTALS/REVISIONS (DESCRIPTIONS)
1	JAN 2020	1ST SUBMITTAL
2	JULY 2020	2ND SUBMITTAL



DRAWING NO:
SL1
OF 5



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MATCHLINE 'A'
SEE SHEET SL3

CONSTRUCTION NOTES

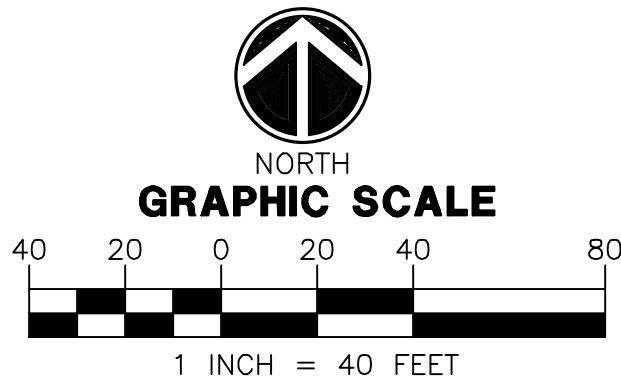
1. INSTALL APS PULL BOX NEXT TO POLE. INSTALL 1" CONDUIT WITH (2) #14 TYPE THHN/THWN AND (1) #14 BARE BOND FROM PULL BOX TO FUSE HOLDER IN STREET LIGHT PER APS DETAILS AND SPECIFICATIONS.
2. 39W LED (4,900 LUMEN) LUMINAIRE (SEE FIXTURE TABLE ON SHEET SL5) WITH PHOTOELECTRIC CONTROL ON A 34'-0" DIRECT BURIED POLE (1940.34) WITH A 2' MAST ARM (S2) PER APS DETAIL 8030 (SEE SHEET SL5). INSTALL (2) #14 THHN/THWN FROM LUMINAIRE TO FUSE HOLDER IN POLE. ALL WIRING, FUSING, AND GROUNDING PER APS DETAILS AND SPECIFICATIONS.

LEGEND

- 39W LED LUMINAIRE STREET LIGHT
- PULL BOX
- NEW CONDUIT RUN
- FIRE HYDRANT

STREET DIMENSIONS

SIDEWALK	5'-0"
P.U.E.	8'-0"
CENTERLINE TO:	
RIGHT OF WAY	27'-6"
BACK OF CURB	16'-0"
FACE OF CURB	15'-6"
WATER	6'-0" N & W
SEWER	10'-0" S & E

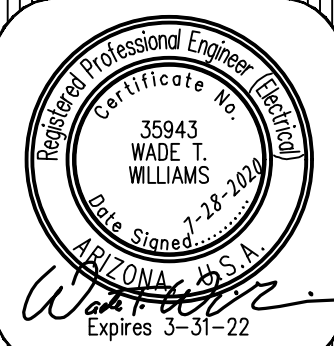


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PHONE 480.497.5829 • FAX 480.497.5807
www.wrightengineering.us

PROJECT: TITLE:
SURPRISE, ARIZONA
RANCHO TRUGOLD
N 175TH AVE & W SWEETWATER AVE
STREET LIGHT PLAN

NO.	DATE	SUBMITTALS/REVISIONS (DESCRIPTIONS)
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2	JULY 2020	2ND SUBMITTAL

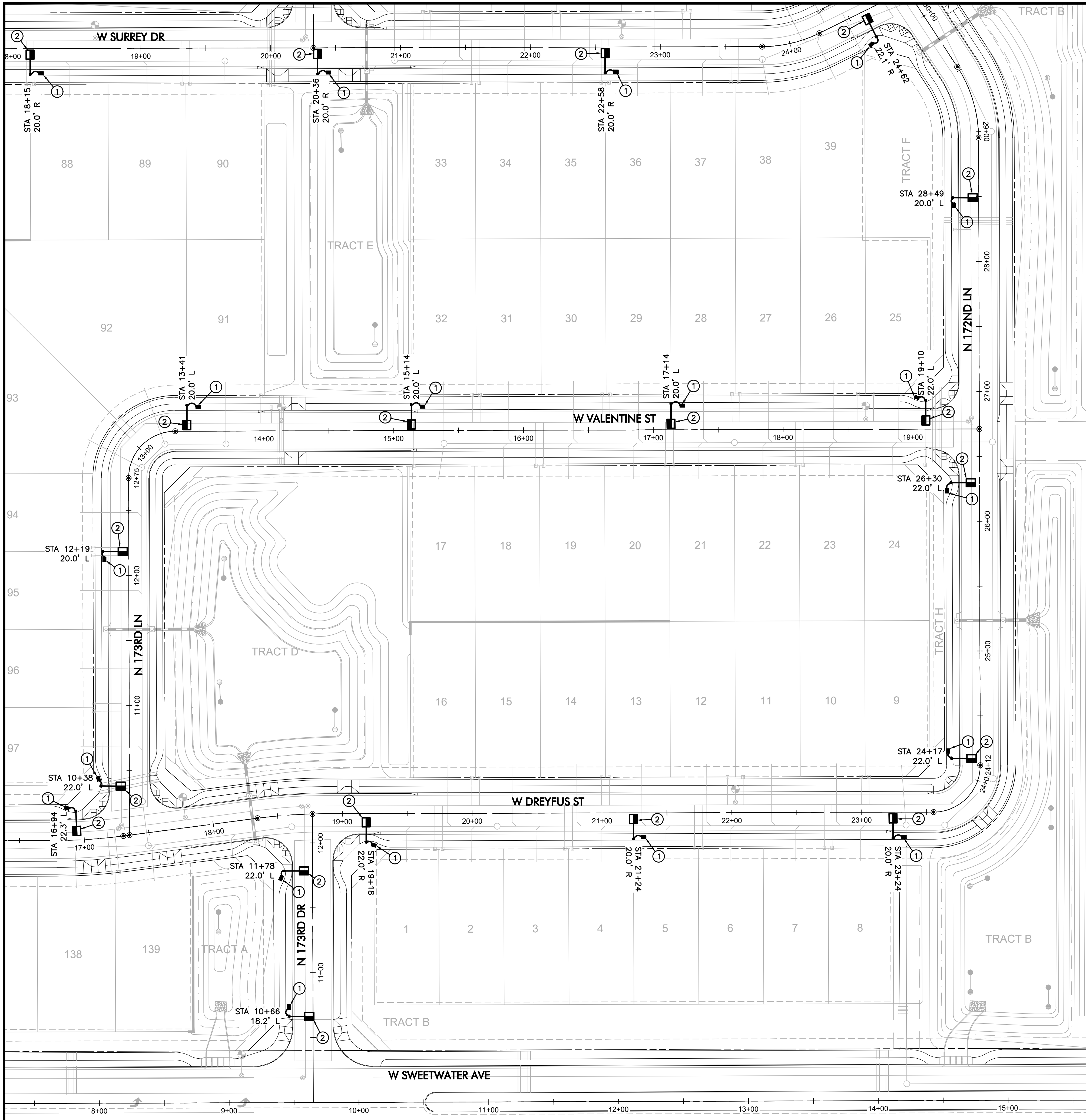


DRAWING NO:
SL2
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MATCHLINE 'A'
SEE SHEET SL2

MATCHLINE 'B'
SEE SHEET SL4



CONSTRUCTION NOTES

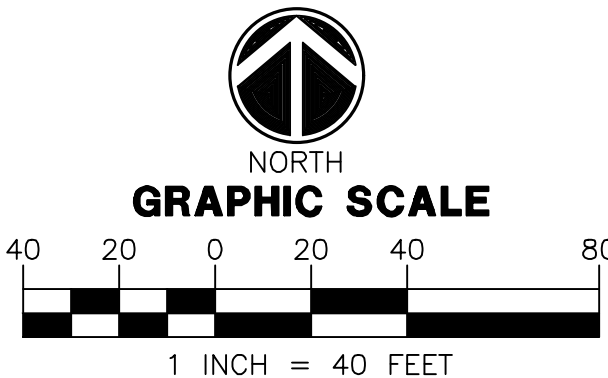
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LEGEND

- 39W LED LUMINAIRE STREET LIGHT
- PULL BOX
- NEW CONDUIT RUN
- FIRE HYDRANT

STREET DIMENSIONS

SIDEWALK	5'-0"
P.U.E.	8'-0"
CENTERLINE TO:	
RIGHT OF WAY	27'-6"
BACK OF CURB	16'-0"
FACE OF CURB	15'-6"
WATER	6'-0" N & W
SEWER	10'-0" S & E



Call at least two full working days
before you begin excavation.
ARIZONA 811
Arizona Blue State, Inc.
Dial 8-1-1 or 1-800-STAKE-IT (782-5348)
in Maricopa County: (602) 263-1100

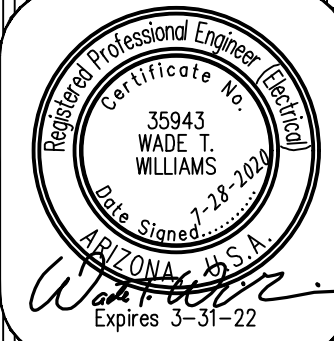
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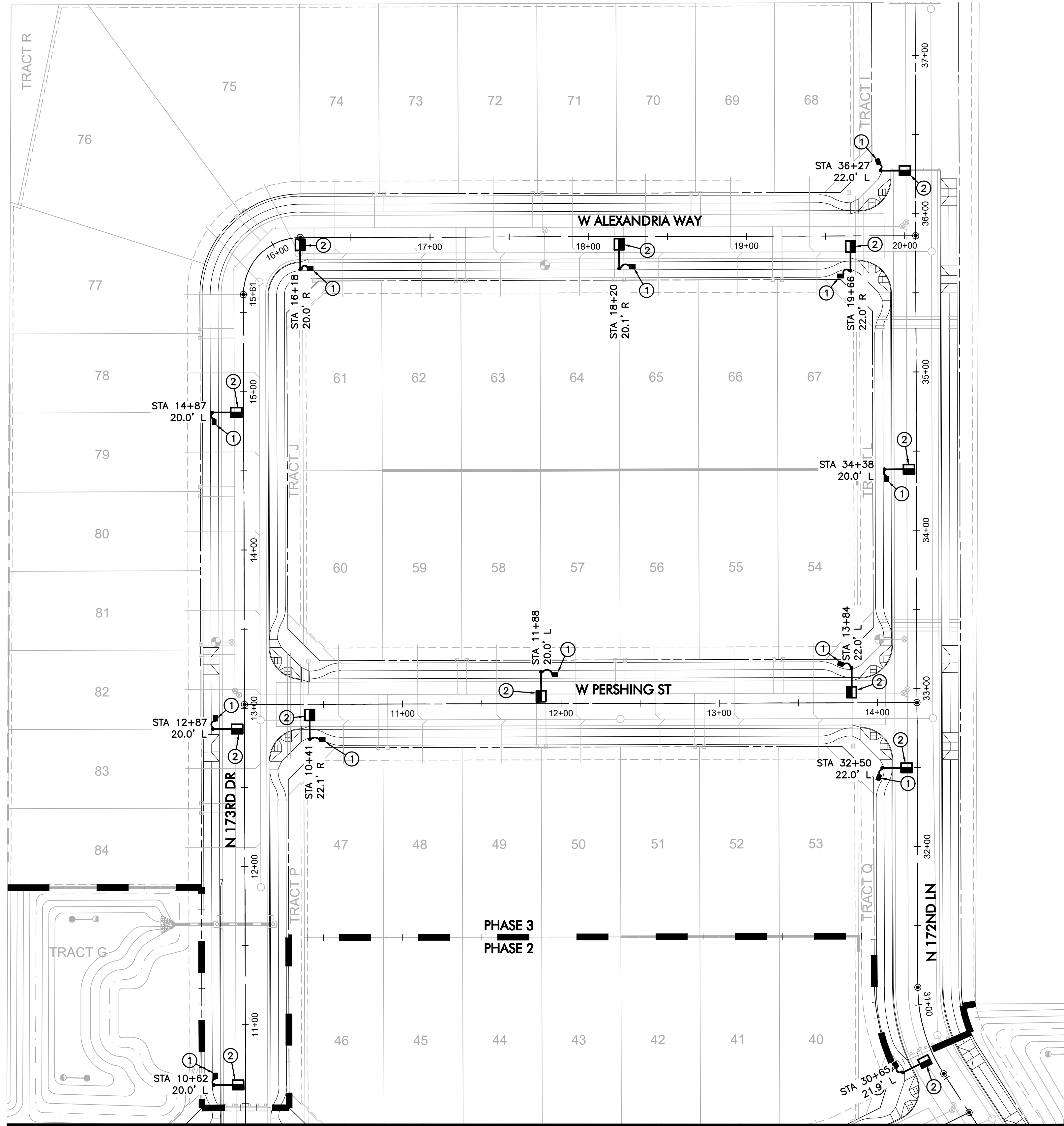
SURPRISE, ARIZONA
RANCHO TRUGOLD
N 175TH AVE & W SWEETWATER AVE
STREET LIGHT PLAN

NO.	DATE	SUBMITTALS/REVISIONS (DESCRIPTIONS)
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DRAWING NO:
SL3
OF 5

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MATCHLINE 'B'
SEE SHEET SL3

CONSTRUCTION NOTES

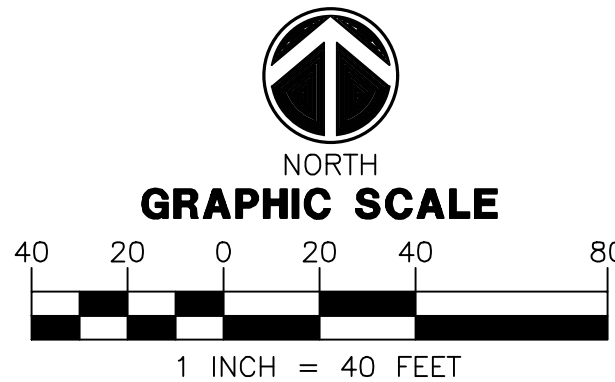
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LEGEND

- 39W LED LUMINAIRE STREET LIGHT
- PULL BOX
- NEW CONDUIT RUN
- FIRE HYDRANT

STREET DIMENSIONS

SIDEWALK	5'-0"
P.U.E.	8'-0"
CENTERLINE TO:	
RIGHT OF WAY	27'-6"
BACK OF CURB	16'-0"
FACE OF CURB	15'-6"
WATER	6'-0" N & W
SEWER	10'-0" S & E



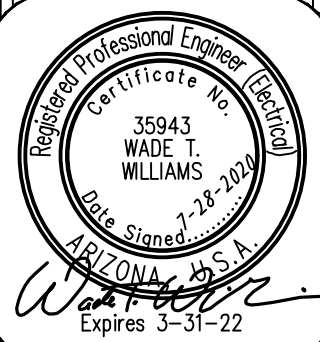
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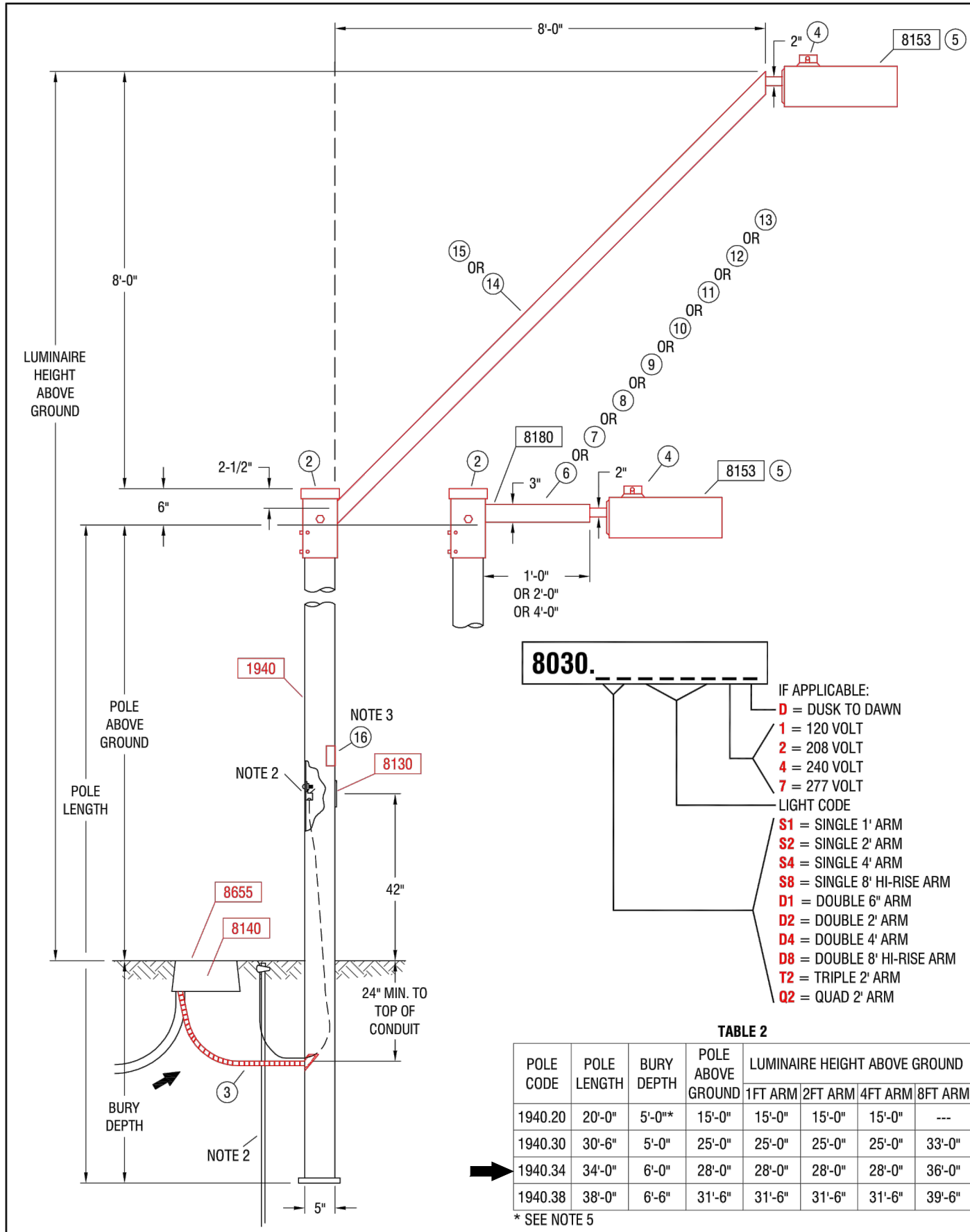
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DRAWING NO:
SL4
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LUMINAIRE TABLE						
DARK BRONZE ROADWAY SCALEABLE LED 3000K						
LIGHT CODE	COLOR	APN	WATTS	VOLTS	INITIAL LUMENS	CATALOG #
RL40	DKBZ	00141047	31	120/208/240/277	3,900	ERL1004B330ADKBZGLRX
RL41		00141048	39	120/208/240/277	4,900	ERL1005A330ADKBZGLRX
RL42		00141049	71	120/208/240/277	7,800	ERL1008C330ADKBZGLRX
RL43		00141050	97	120/208/240/277	9,600	ERL1010C330ADKBZGLRX
RL44		00141051	174	120/208/240/277	20,100	ERL2021C330ADKBZGLR

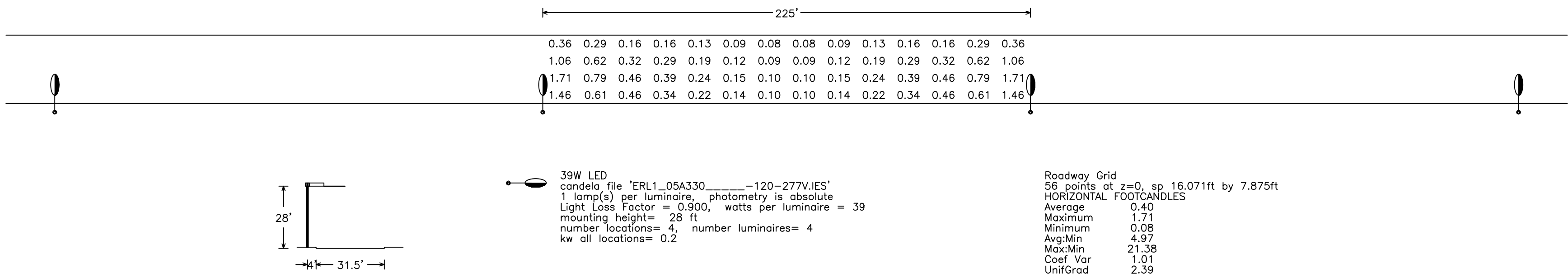


- NOTES:
1. ADJUST PHOTO EYE TO FACE NORTH.
 2. A GROUND ROD IS PROVIDED WITH EACH STREET LIGHT POLE. WHERE A GROUND ROD CANNOT BE DRIVEN, ALTERNATE GROUND SHALL BE USED. SEE 2449 THRU 2460 FOR APPROVED ALTERNATES.
 3. SIGN, "NOTICE THIS POLE IS OWNED AND MAINTAINED BY APS. DISCONNECT INSIDE" IS REQUIRED ON ALL DUSK-TO-DAWN AND AREA LIGHTING APPLICATIONS.
 4. POLES THAT HAVE MORE THAN ONE LUMINAIRE REQUIRE A SEPARATE CIRCUIT WITH FUSING FROM THE J-BOX TO EACH LUMINAIRE.
 5. USING THE 20'-0" POLE TO MATCH THE 18'-0" PEDESTRIAN LIGHT MOUNTING HEIGHT REDUCE POLE BURY DEPTH TO 4'-0".
 6. THE BROWN PHOTO CONTROL IS A FAIL OFF CONTROL AND SHALL BE USED WITH ALL INDUCTION AND LED LUMINAIRES.
 7. ON 277 VOLT STREET LIGHT CIRCUITS, INSTALL A 277 VOLT MICARTIA TAG ON CABLE IN J-BOX. TAG PROVIDED BY SPEC 8129.
 8. THE LUMINAIRE SHOWN IS RECOMMENDED FOR THIS MOUNTING HEIGHT. SEE 8153 FOR ADDITIONAL BROWN ARCHITECTURAL LUMINAIRES.
 9. THE TWO ARMED TENON BRACKET POSITIONS THE DOUBLE ARM 180 DEGREES APART.
 10. TO ACCOMMODATE LESS THAN THE SPECIFIED LUMINAIRE MOUNTING HEIGHT, A SHOP ORDER IS REQUIRED TO HAVE A PORTION FROM THE TOP OF THE POLE CUT OFF. THE TENON ARM BRACKET SLIDES OVER AND COVERS THE CUT PORTION OF THE POLE.
 11. IN-LINE FUSE FOR UNDERGROUND FEEDS, SEE 8130-8140.
 12. FOR PEDESTRIAN ONLY APPLICATIONS SEE 8030.

TABLE 1															
LIGHT CODE	APN	WATTS	K	TYPE	VOLTS	INITIAL LUMENS	MOUNTING HEIGHT								
AH16	00099450	100		HPS	120/208/240/277	9,500									
AH17	00099451	150			120/208/240/277	16,000									
AH18	00099452	250			120/208/240/277	30,000									
AH19	00099454	400			120/208/240/277	50,000									
RH40	00128250	55	2700		120/208/240/277	3,500									
RH41	00126667	100			120/208/240/277	8,400									
RH42	00132846	120			120/208/240/277	10,200									
RH43	00132850	150			120/208/240/277	13,000									
RH44	00121153	200			120/208/240/277	15,250									
RH45	00116527	250			120/208/240/277	22,500									
RL40	00141047	32			120/208/240/277	3,800									
RL41	00141048	41			120/208/240/277	4,800									
RL42	00141049	88			120/208/240/277	8,200									
RL43	00141050	108			120/208/240/277	11,000									
RL44	00141051	182			120/208/240/277	19,000									
RL50	00128251	45			120/208/240/277	4,300									
RL52	00126804	60			120/208/240/277	5,400									
RL53	00126805	95			120/208/240/277	8,600									
RL54	00126806	113			120/208/240/277	10,000									
RL56	00128365	257			120/208/240/277	19,200									
AL56	00113722	62			120/208/240/277	7,100									
AL58	00128911	72			120/208/240/277	6,300									
AL60	00113723	119			120/208/240/277	12,900									
AL61	00116525	118W*			120/208/240/277	12,900									
AL62	00116526	118W*			120/208/240/277	12,900									
AL65	00107482	144			120/208/240/277	15,400									
AS20	33806772	55			120/240	8,000									
AS21	33806774	90			120/240	13,500									
AS22	33806776	135			120/240	22,500									
AS23	33806778	180			120/240	33,000									

* CALL STANDARDS ENGINEERING FOR APPLICATION

ARIZONA PUBLIC SERVICE COMPANY T&D CONSTRUCTION STANDARDS					LIGHTS ARCHITECTURAL ON 5" SQUARE BROWN PAINTED STEEL POLE DIRECT BURY					ARIZONA PUBLIC SERVICE COMPANY T&D CONSTRUCTION STANDARDS					LIGHTS ARCHITECTURAL ON 5" SQUARE BROWN PAINTED STEEL POLE DIRECT BURY				
BY	LDR.	MGR.	DATE	REV.						BY	LDR.	MGR.	DATE	REV.					
KLS	B. BOOKER	R. CANDRA	02/2016	12						KLS	B. BOOKER	R. CANDRA	02/2016	12					



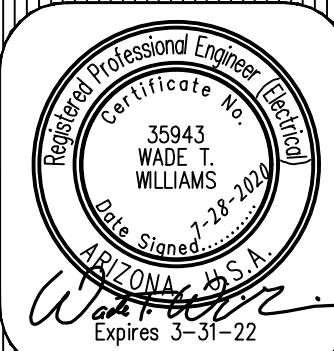
WRIGHT ENGINEERING
PROJECT NO:
19507
DESIGN BY: JZH
DRAWN BY: JZH
CHECKED BY: WTW

WRIGHT
engineering corporation
ELECTRICAL ENGINEERING AND DESIGN
165 EAST CHILTON DRIVE • CHANDLER, ARIZONA 85225
PHONE 480.497.5829 • FAX 480.497.5807
www.wrightengineering.us

PROJECT: TITLE:

SURPRISE, ARIZONA
RANCHO TRUGOLD
N 175TH AVE & W SWEETWATER AVE
STREET LIGHT DETAILS

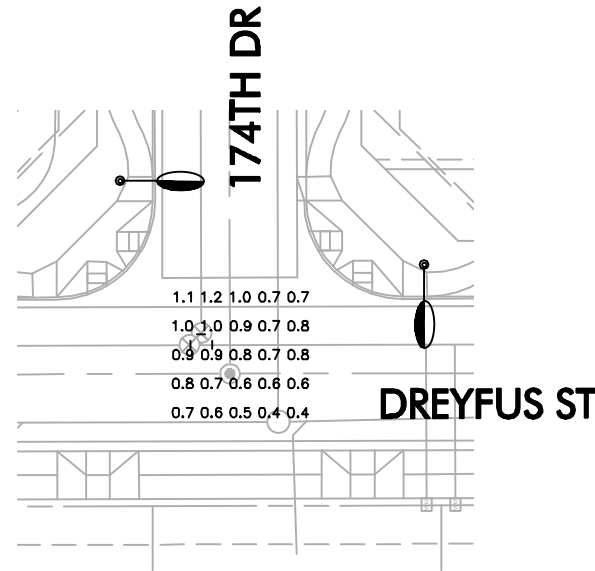
NO.	DATE	SUBMITTALS/REVISIONS (DESCRIPTIONS)
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2	JULY 2020	2ND SUBMITTAL



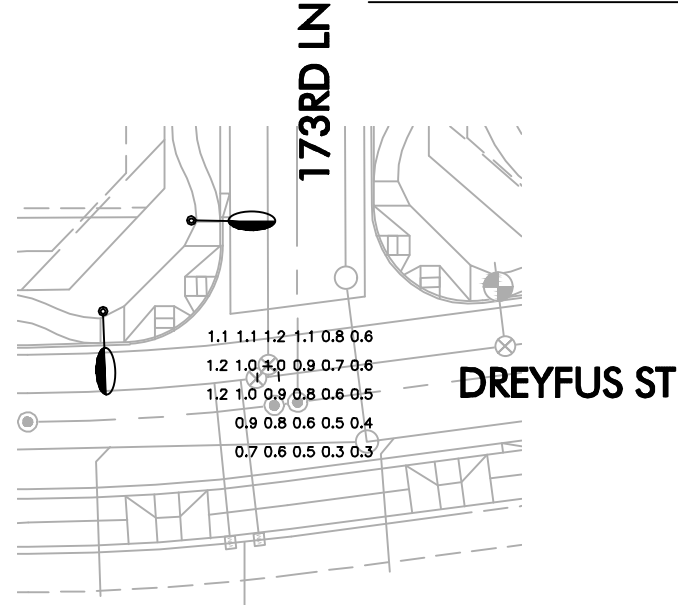
DRAWING NO:
SL5
OF 5

Call at least two full working days
before you begin excavation.
ARIZONA 811
Arizona Blue State, Inc.
Dial 8-1-1 or 1-800-STAKE-IT (782-5348)
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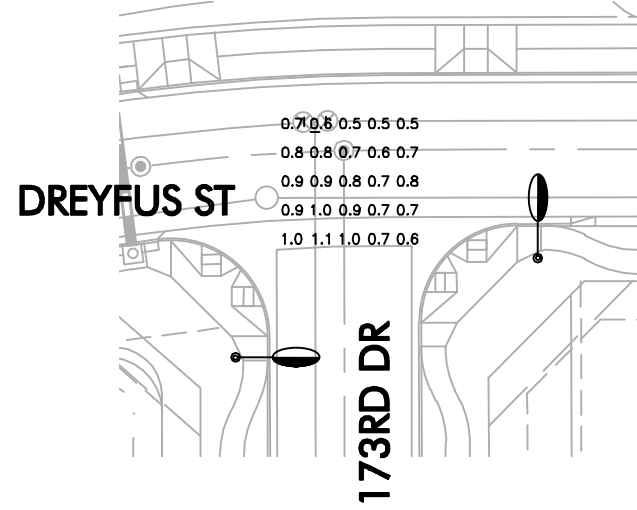
INTERSECTION CALCULATIONS



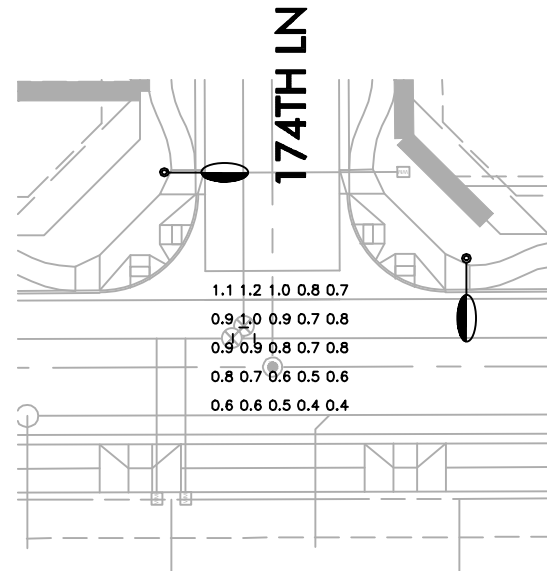
DREYFUS ST AND 174TH DR
25 points at z=0, sp 6ft by 6ft
HORIZONTAL FOOTCANDLES
Average 0.8
Maximum 1.2
Minimum 0.4
Avg:Min 1.91
Max:Min 3.00
Coef Var 0.26
UnifGrad 1.50



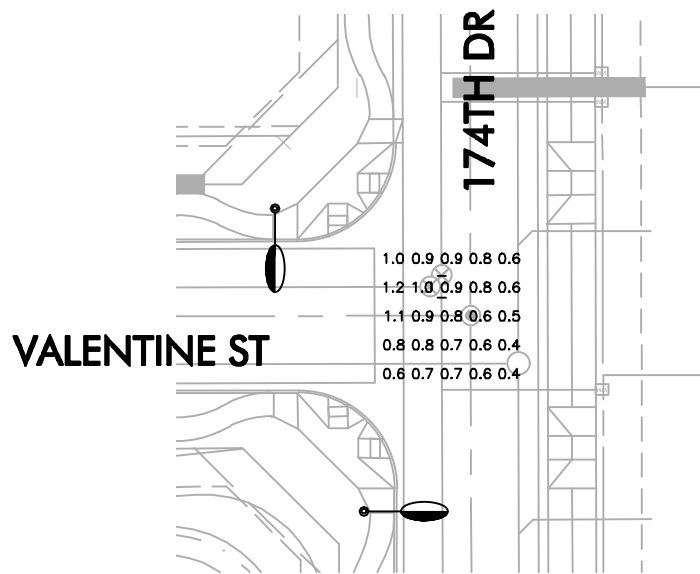
DREYFUS ST AND 173RD LN
28 points at z=0, sp 6ft by 6ft
HORIZONTAL FOOTCANDLES
Average 0.8
Maximum 1.2
Minimum 0.3
Avg:Min 2.61
Max:Min 4.00
Coef Var 0.35
UnifGrad 1.67



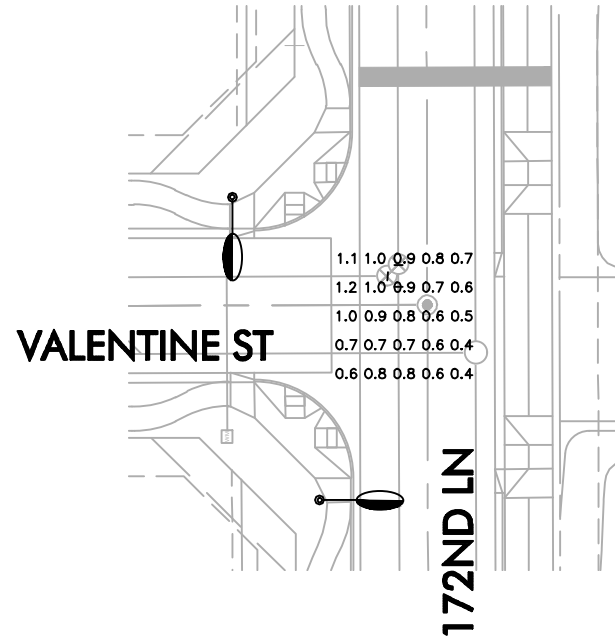
DREYFUS ST AND 173RD DR
25 points at z=0, sp 6ft by 6ft
HORIZONTAL FOOTCANDLES
Average 0.8
Maximum 1.1
Minimum 0.5
Avg:Min 1.53
Max:Min 2.20
Coef Var 0.22
UnifGrad 1.43



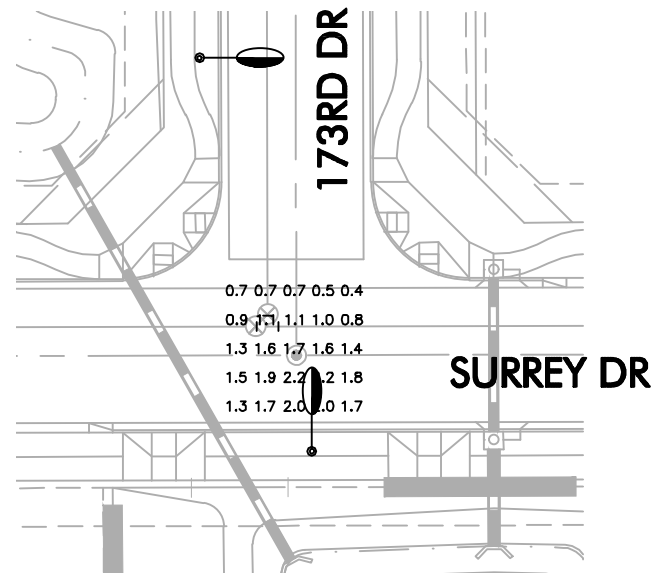
VALENTINE ST AND 174TH LN
25 points at z=0, sp 6ft by 6ft
HORIZONTAL FOOTCANDLES
Average 0.8
Maximum 1.2
Minimum 0.4
Avg:Min 1.89
Max:Min 3.00
Coef Var 0.27
UnifGrad 1.50



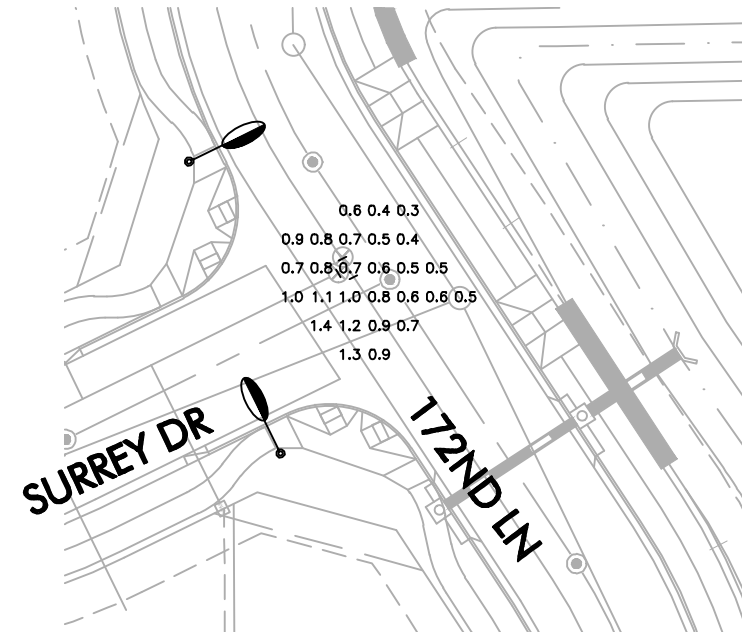
VALENTINE ST AND 174TH DR
25 points at z=0, sp 6ft by 6ft
HORIZONTAL FOOTCANDLES
Average 0.8
Maximum 1.2
Minimum 0.4
Avg:Min 1.89
Max:Min 3.00
Coef Var 0.26
UnifGrad 1.50



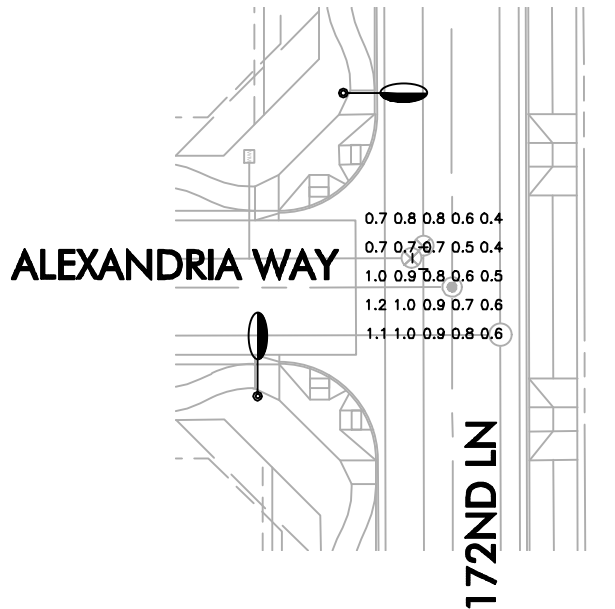
VALENTINE ST AND 172ND LN
25 points at z=0, sp 6ft by 6ft
HORIZONTAL FOOTCANDLES
Average 0.8
Maximum 1.2
Minimum 0.4
Avg:Min 1.90
Max:Min 3.00
Coef Var 0.27
UnifGrad 1.50



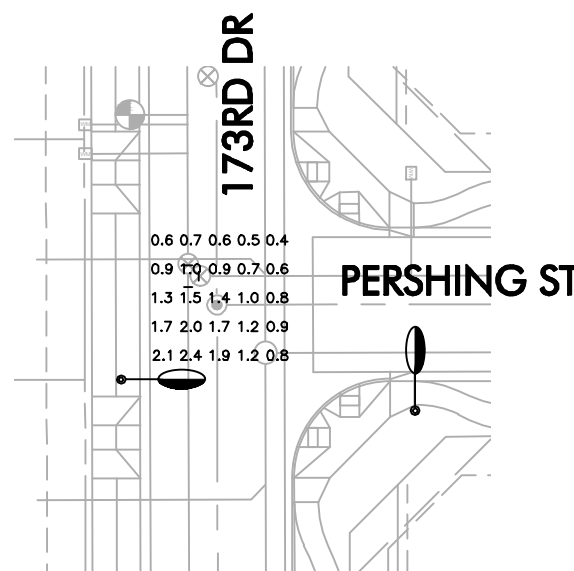
SURREY DR AND 173RD DR
25 points at z=0, sp 6ft by 6ft
HORIZONTAL FOOTCANDLES
Average 1.4
Maximum 2.2
Minimum 0.4
Avg:Min 3.38
Max:Min 5.50
Coef Var 0.39
UnifGrad 2.00



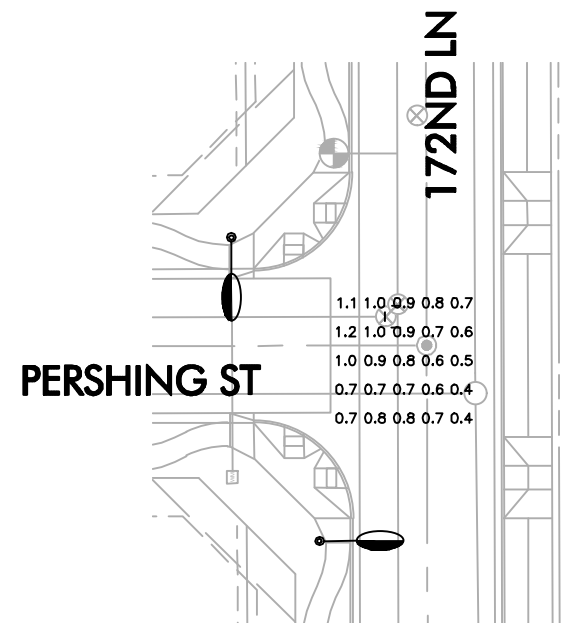
SURREY DR AND 172ND LN
27 points at z=0, sp 6ft by 6ft
HORIZONTAL FOOTCANDLES
Average 0.8
Maximum 1.4
Minimum 0.3
Avg:Min 2.52
Max:Min 4.67
Coef Var 0.36
UnifGrad 1.50



ALEXANDRIA WAY AND 172ND LN
25 points at z=0, sp 6ft by 6ft
HORIZONTAL FOOTCANDLES
Average 0.8
Maximum 1.2
Minimum 0.4
Avg:Min 1.89
Max:Min 3.00
Coef Var 0.27
UnifGrad 1.50



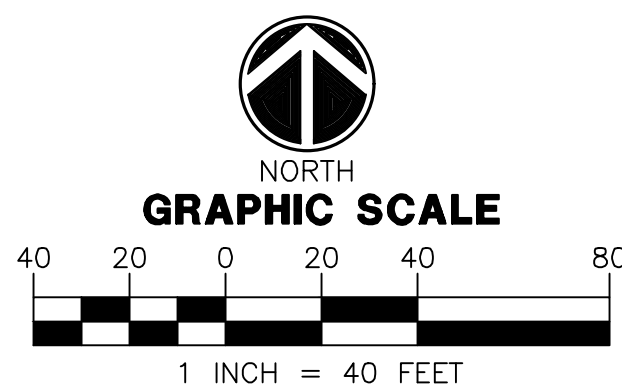
PERSHING ST AND 173RD DR
25 points at z=0, sp 6ft by 6ft
HORIZONTAL FOOTCANDLES
Average 1.2
Maximum 2.4
Minimum 0.4
Avg:Min 2.88
Max:Min 6.00
Coef Var 0.47
UnifGrad 1.58



PERSHING ST AND 172ND LN
25 points at z=0, sp 6ft by 6ft
HORIZONTAL FOOTCANDLES
Average 0.8
Maximum 1.2
Minimum 0.4
Avg:Min 1.92
Max:Min 3.00
Coef Var 0.26
UnifGrad 1.75

LEGEND

39W LED
candela file 'ERL1_05A330'-----120-277V.IES'
1 lamp(s) per luminaire, photometry is absolute
Light Loss Factor = 0.900, watts per luminaire = 39
mounting height= 28 ft
number locations= 25, number luminaires= 25
kw all locations= 1.0



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**PHOTOMETRIC CALCULATION
SHEET. FOR INFORMATION ONLY.**

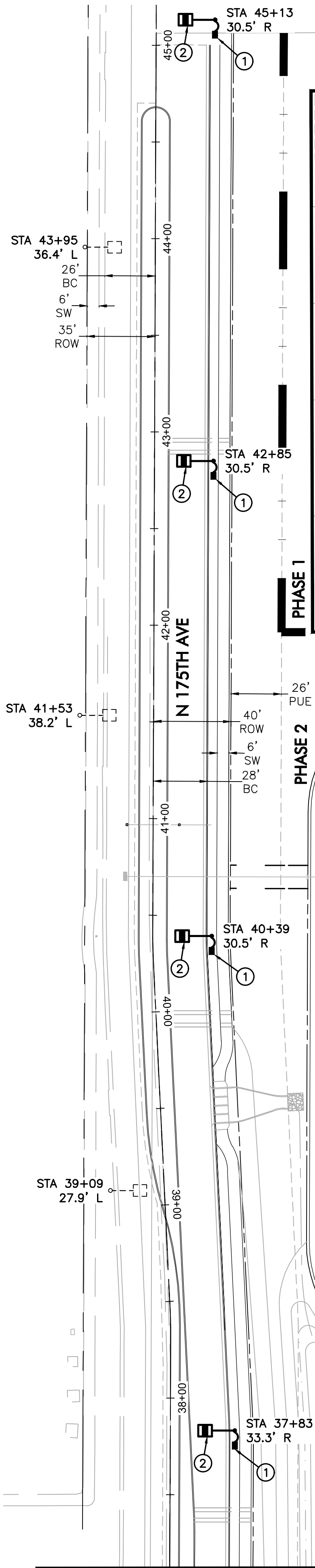
Professional Engineer
35843
WADE T.
WILLIAMS
Date signed 7-18-22
Expires 3-31-22

PROJECT NAME:
RANCHO TRUGOLD
175TH AVE & SWEETWATER AVE
PHOTOMETRICS
WRIGHT ENG.
PROJECT NO: **19507**
DESIGN BY: JZH **PH1**

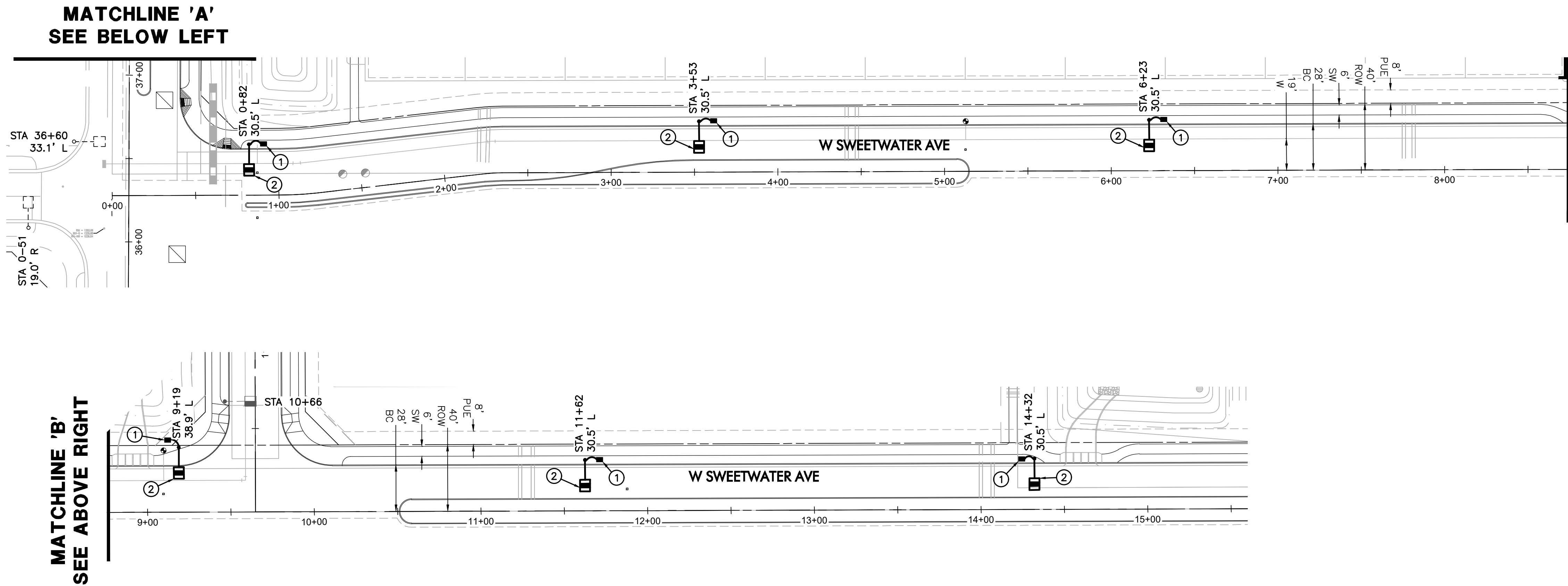
Page 105 of 602

CASE # FS20-060

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MATCHLINE 'A'
SEE ABOVE RIGHT



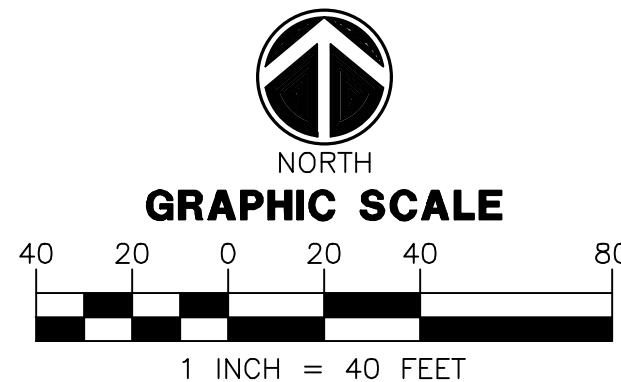
MATCHLINE 'B'
SEE BELOW LEFT

CONSTRUCTION NOTES

1. INSTALL APS PULL BOX NEXT TO POLE. INSTALL 1" CONDUIT WITH (2) #14 TYPE THHN/THWN AND (1) #14 BARE BOND FROM PULL BOX TO FUSE HOLDER IN STREET LIGHT PER APS DETAILS AND SPECIFICATIONS.
2. INSTALL 71W LED (7,800 LUMEN) LUMINAIRE (SEE FIXTURE TABLE ON SHEET SL3) WITH PHOTOELECTRIC CONTROL ON A 38'-0" DIRECT BURIED POLE (1940.38) WITH A 4' MAST ARM (S4) PER APS DETAIL 8030 (SEE SHEET SL3). INSTALL (2) #14 THHN/THWN FROM LUMINAIRE TO FUSE HOLDER IN POLE. ALL WIRING, FUSING, AND GROUNDING PER APS DETAILS AND SPECIFICATIONS.

LEGEND

- 71W LED LUMINAIRE STREET LIGHT
- EXISTING 150W HPS STREET LIGHT
- PROPOSED 39W LED STREET LIGHT
- PULL BOX
- NEW CONDUIT RUN
- FIRE HYDRANT



Call at least two full working days before you begin excavation.
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in Maricopa County: (602) 263-1100

WRIGHT ENGINEERING
PROJECT NO:
19507
DESIGN BY: JZH
DRAWN BY: TDP
CHECKED BY: WTW

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engineering corporation
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165 EAST CHILTON DRIVE • CHANDLER, ARIZONA 85225
PHONE 480.497.5829 • FAX 480.497.5807
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PROJECT: TITLE:

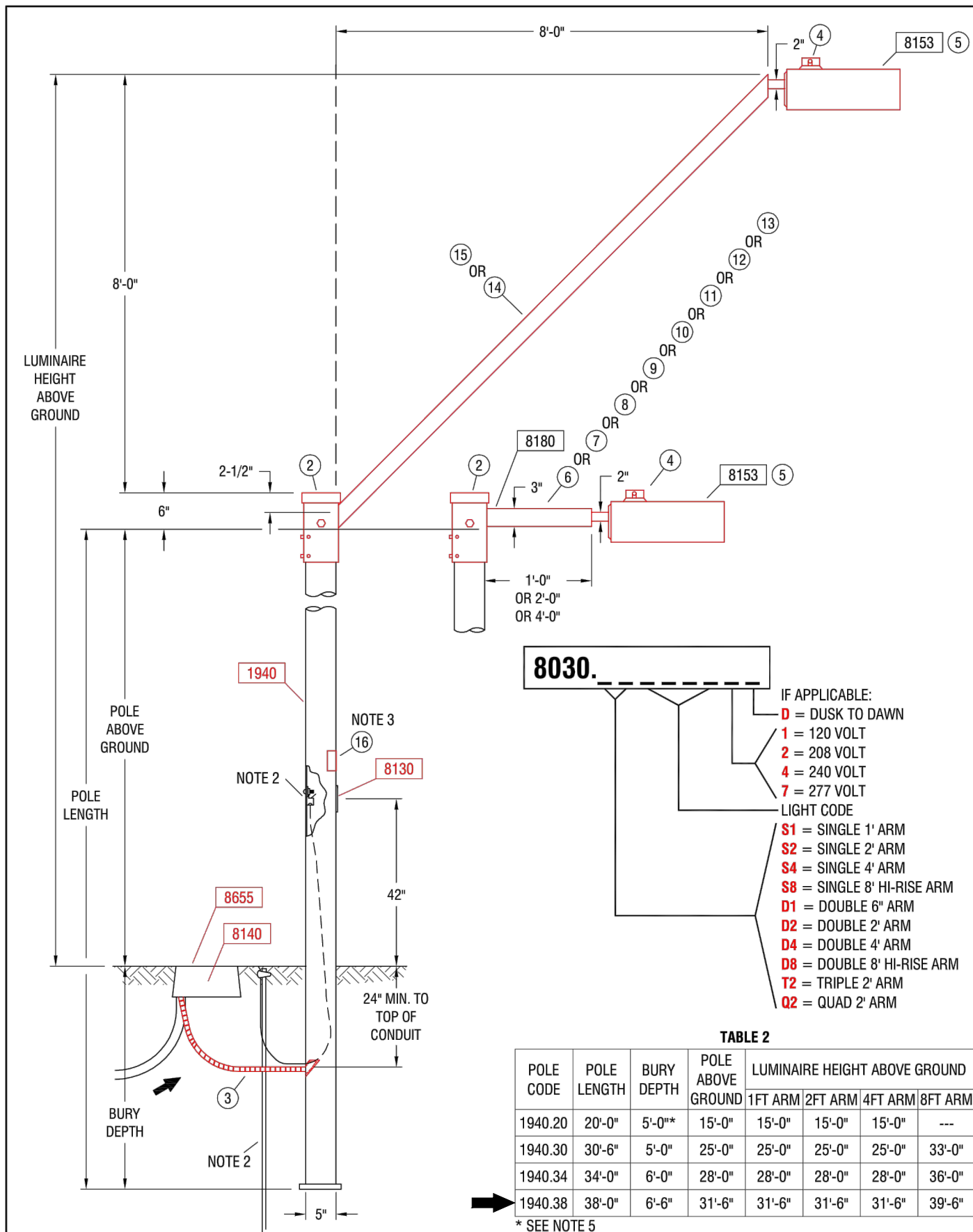
SURPRISE, ARIZONA
RANCHO TRUGOLD
N 175TH AVE & W SWEETWATER AVE
STREET LIGHT PLAN

NO.	DATE	SUBMITTALS/REVISIONS	DESCRIPTIONS
1	JAN 2020	1ST SUBMITTAL	
2	JUL 2020	2ND SUBMITTAL	
3	AUG 2020	3RD SUBMITTAL	

Professional Engineer
35943
WADE T. WILLIAMS
Date Signed: 7/20/20
Expires: 3-31-22

DRAWING NO:
SL2
OF 3

LUMINAIRE TABLE						
DARK BRONZE ROADWAY SCALEABLE LED 3000K						
LIGHT CODE	COLOR	APN	WATTS	VOLTS	INITIAL LUMENS	CATALOG #
RL40		00141047	31	120/208/240/277	3,900	ERL1004B330ADKBZGLRX
RL41		00141048	39	120/208/240/277	4,900	ERL1005A330ADKBZGLRX
RL42	DKBZ	00141049	71	120/208/240/277	7,800	ERL1008C330ADKBZGLRX
RL43		00141050	97	120/208/240/277	9,600	ERL1010C330ADKBZGLRX
RL44		00141051	174	120/208/240/277	20,100	ERL2021C330ADKBZGLR



- NOTES:
1. ADJUST PHOTO EYE TO FACE NORTH.
 2. A GROUND ROD IS PROVIDED WITH EACH STREET LIGHT POLE. WHERE A GROUND ROD CANNOT BE DRIVEN, ALTERNATE GROUND SHALL BE USED. SEE 2449 THRU 2460 FOR APPROVED ALTERNATES.
 3. SIGN, "NOTICE THIS POLE IS OWNED AND MAINTAINED BY APS. DISCONNECT INSIDE", IS REQUIRED ON ALL DUSK-TO-DAWN AND AREA LIGHTING APPLICATIONS.
 4. POLES THAT HAVE MORE THAN ONE LUMINAIRE REQUIRE A SEPARATE CIRCUIT WITH FUSING FROM THE J-BOX TO EACH LUMINAIRE.
 5. USING THE 20'-0" POLE TO MATCH THE 18'-0" PEDESTRIAN LIGHT MOUNTING HEIGHT REDUCE POLE BURY DEPTH TO 4'-0".
 6. THE BROWN PHOTO CONTROL IS A FAIL OFF CONTROL AND SHALL BE USED WITH ALL INDUCTION AND LED LUMINAIRES.
 7. ON 277 VOLT STREET LIGHT CIRCUITS, INSTALL A "277 VOLT" MICARTIA TAG ON CABLE IN J-BOX. TAG PROVIDED BY SPEC 8129.
 8. THE LUMINAIRE SHOWN IS RECOMMENDED FOR THIS MOUNTING HEIGHT. SEE 8153 FOR ADDITIONAL BROWN ARCHITECTURAL LUMINAIRES.
 9. THE TWO ARMED TENON BRACKET POSITIONS THE DOUBLE ARM 180 DEGREES APART.
 10. TO ACCOMMODATE LESS THAN THE SPECIFIED LUMINAIRE MOUNTING HEIGHT, A SHOP ORDER IS REQUIRED TO HAVE A PORTION FROM THE TOP OF THE POLE CUT OFF. THE TENON ARM BRACKET SLIDES OVER AND COVERS THE CUT PORTION OF THE POLE.
 11. IN-LINE FUSE FOR UNDERGROUND FEEDS, SEE 8130-8140.
 12. FOR PEDESTRIAN ONLY APPLICATIONS SEE 8030.

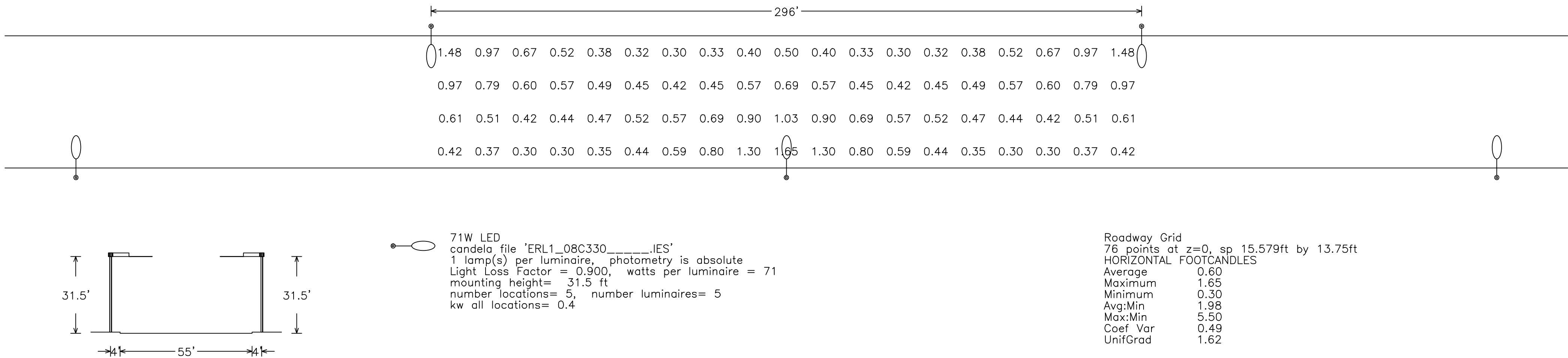
TABLE 1									
LIGHT CODE	APN	WATTS	K	TYPE	VOLTS	INITIAL LUMENS	MOUNTING HEIGHT		
RL40	00099450	100		HPS	120/208/240/277	9,500			
RL41	00099451	150			120/208/240/277	16,000			
RL42	00099452	250			120/208/240/277	30,000			
RL43	00099454	400			120/208/240/277	50,000			
RL44	00128250	55	2700		120/208/240/277	3,500			
RL45	00128667	100			120/208/240/277	8,400			
RL46	00132846	120			120/208/240/277	10,200			
RL47	00132850	150			120/208/240/277	13,000			
RL48	00121153	200			120/208/240/277	15,250			
RL49	00116527	250			120/208/240/277	22,500			
RL50	00141047	32			120/208/240/277	3,800			
RL51	00141048	41			120/208/240/277	4,800			
RL52	00141049	88			120/208/240/277	8,200			
RL53	00141050	108			120/208/240/277	11,000			
RL54	00141051	182			120/208/240/277	19,000			
RL55	00128251	45			120/208/240/277	4,300			
RL56	00126804	60			120/208/240/277	5,400			
RL57	00126805	95			120/208/240/277	8,600			
RL58	00126806	113			120/208/240/277	10,000			
RL59	00128365	257			120/208/240/277	19,200			
RL60	00113722	62			120/208/240/277	7,100			
RL61	00128911	72			120/208/240/277	6,300			
RL62	00113723	119			120/208/240/277	12,900			
RL63	00116525	118W			120/208/240/277	12,900			
RL64	00116526	118W			120/208/240/277	12,900			
RL65	00107482	144			120/208/240/277	15,400			
RL66	33806772	55			120/240	8,000			
RL67	33806774	90			120/240	13,500			
RL68	33806776	135			120/240	22,500			
RL69	33806778	180			120/240	33,000			

* CALL STANDARDS ENGINEERING FOR APPLICATION

MATERIAL LIST													
CODE	QTY	QTY	QTY	QTY	QTY	QTY	QTY	QTY	QTY	QTY	QTY	QTY	QTY
1	-	-	-	-	-	-	-	-	-	-	-	-	-
2	1	1	1	1	1	1	1	1	1	1	1	1	1
3	10	10	10	10	10	10	10	10	10	10	10	10	10
4	1	1	1	1	2	2	2	2	3	4	4	4	4
5	1	1	1	1	2	2	2	2	3	4	4	4	4
6	-	-	-	-	-	-	-	-	-	-	-	-	-
7	1	-	-	-	-	-	-	-	-	-	-	-	-
8	-	-	-	-	-	-	-	-	-	-	-	-	-
9	-	-	-	-	-	-	-	-	-	-	-	-	-
10	-	-	-	-	-	-	-	-	-	-	-	-	-
11	-	-	-	-	-	-	-	-	-	-	-	-	-
12	-	-	-	-	-	-	-	-	-	-	-	-	-
13	-	-	-	-	-	-	-	-	-	-	-	-	-
14	-	-	-	-	-	-	-	-	-	-	-	-	-
15	-	-	-	-	-	-	-	-	-	-	-	-	-
16	1	1	1	1	1	1	1	1	1	1	1	1	1

ARIZONA PUBLIC SERVICE COMPANY T&D CONSTRUCTION STANDARDS					LIGHTS ARCHITECTURAL ON 5" SQUARE BROWN PAINTED STEEL POLE DIRECT BURY					SH 1 OF 2
BY	LDR.	MGR.	DATE	REV.						8030
KLS	B. BOOKER	R. CANDRA	02/2016	12						

ARIZONA PUBLIC SERVICE COMPANY T&D CONSTRUCTION STANDARDS					LIGHTS ARCHITECTURAL ON 5" SQUARE BROWN PAINTED STEEL POLE DIRECT BURY					SH 2 OF 2
BY	LDR.	MGR.	DATE	REV.						8030
KLS	B. BOOKER	R. CANDRA	02/2016	12						



71W LED
candela file 'ERL1_08C330_...IES'
1 lamp(s) per luminaire, photometry is absolute
Light Loss Factor = 0.900, watts per luminaire = 71
mounting height= 31.5 ft
number locations= 5, number luminaires= 5
kw all locations= 0.4

Roadway Grid
76 points at z=0, sp 15.579ft by 13.75ft
HORIZONTAL FOOTCANDLES
Average 0.60
Maximum 1.65
Minimum 0.30
Avg-Min 1.98
Max-Min 5.50
Coef Var 0.49
UniGrad 1.62

WRIGHT ENGINEERING
PROJECT NO:
19507
DESIGN BY: JZH
DRAWN BY: TDP
CHECKED BY: WTW

WRIGHT
engineering corporation
ELECTRICAL ENGINEERING AND DESIGN
165 EAST CHILTON DRIVE • CHANDLER, ARIZONA 85225
PHONE 480.497.5829 • FAX 480.497.5807
www.wrightengineering.us

PROJECT: TITLE:

SURPRISE, ARIZONA
RANCHO TRUGOLD
N 175TH AVE & W SWEETWATER AVE
STREET LIGHT DETAILS

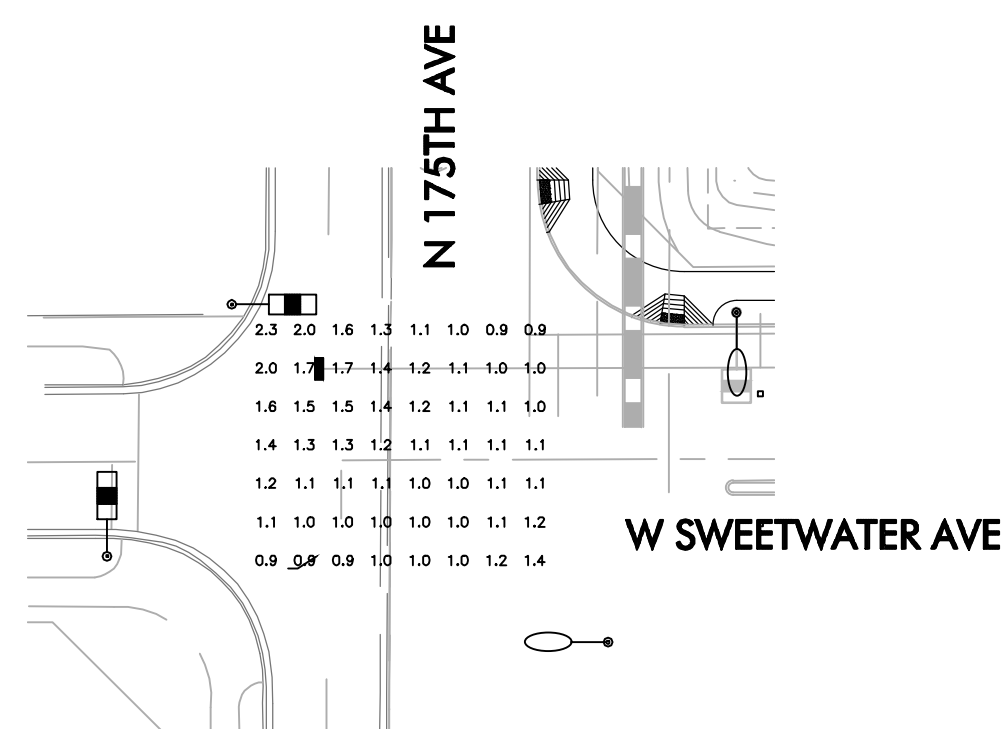
NO.	DATE	SUBMITTALS/REVISIONS	DESCRIPTIONS
1	JAN 2020	1ST SUBMITTAL	
2	JUL 2020	2ND SUBMITTAL	
3	AUG 2020	3RD SUBMITTAL	

Professional Engineer
35943
MADE T.
WILLIAMS
Expire 3-31-22

DRAWING NO:
SL3
OF 3

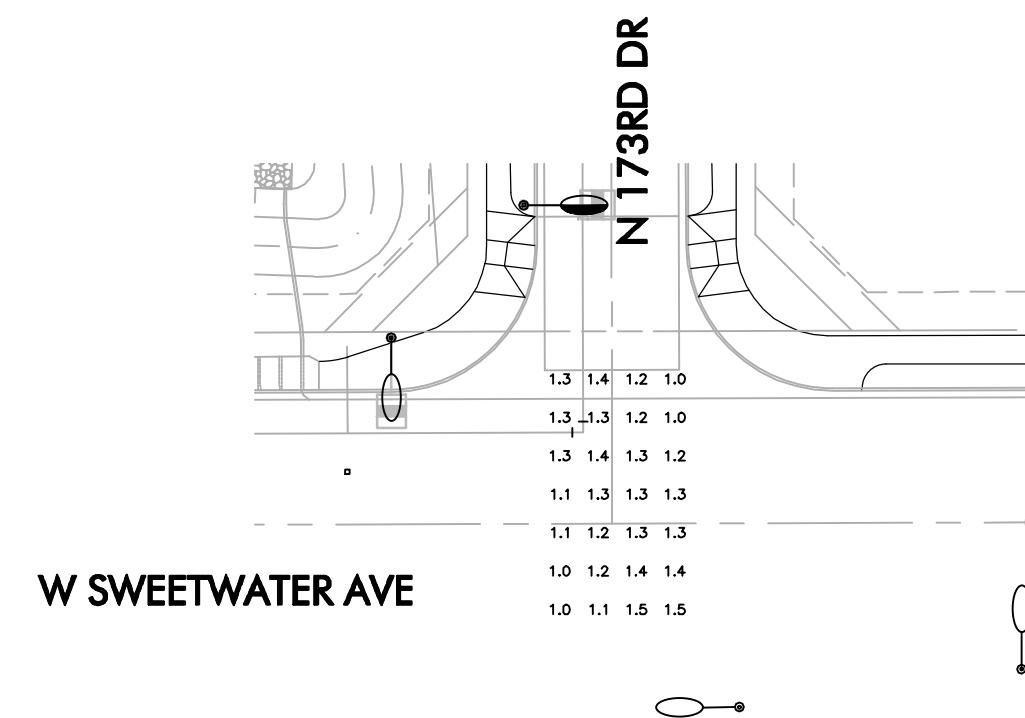
Call at least two full working days
before you begin excavation.
ARIZONA 811
Dial 8-1-1 or 1-800-STAKE-IT (782-5348)
in Maricopa County: (602) 263-1100

INTERSECTION CALCULATIONS



175TH AVE AND SWEETWATER AVE
56 points at z=0, sp 8ft by 8ft
HORIZONTAL FOOTCANDLES

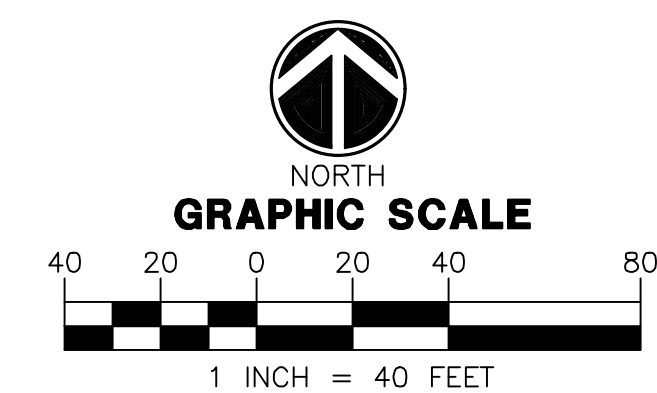
Average	1.2
Maximum	2.3
Minimum	0.9
Avg:Min	1.34
Max:Min	2.56
Coef Var	0.24
UnifGrad	1.25



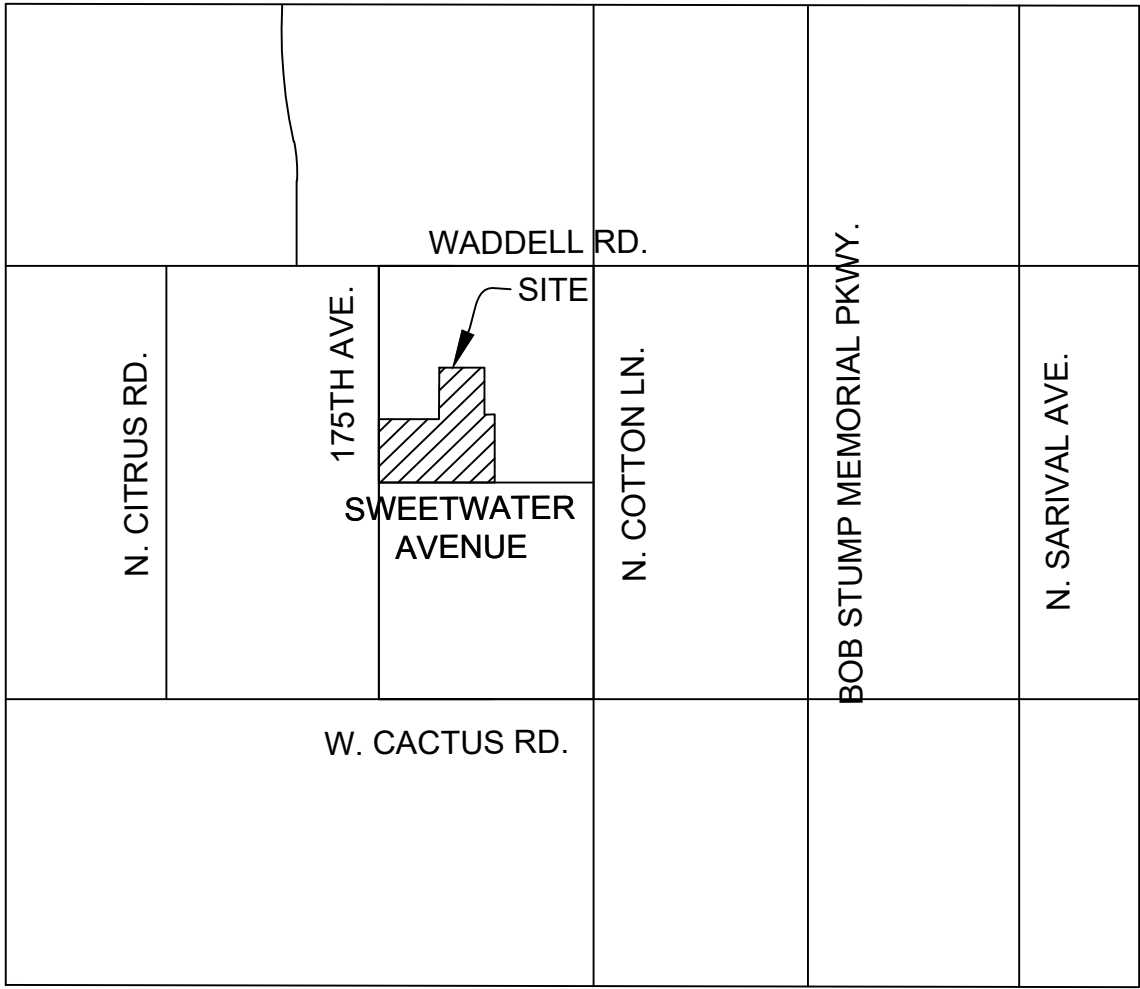
173RD DR AND SWEETWATER AVE	
28 points at z=0, sp 8ft by 8ft	
HORIZONTAL FOOTCANDLES	
Average	1.2
Maximum	1.5
Minimum	1.0
Avg:Min	1.25
Max:Min	1.50
Coef Var	0.11
UnifGrad	1.36

LEGEND

- 
71W LED
 candelabra file "ERL1_08C330_-----IES"
 1 lamp(s) per luminaire, photometry is absolute
 Light Loss Factor = 0.900, watts per luminaire = 71
 mounting height = 31.5 ft
 number locations = 23, number luminaires = 23
 kw all locations = 1.6
- 
150W HPS Shoebox
 Type II Distribution, 4' Mast arm (10,000 lumen)
 candelabra file "IES56-6-10000-IES"
 1 lamp(s) per luminaire, 10000 initial lumens per lamp
 Light Loss Factor = 0.710, watts per luminaire = 1
 mounting height = 25 ft
 number locations = 6, number luminaires = 6
 kw all locations = 0.0
- 
39W LED
 candelabra file "ERL1_05A330_-----120-277V.IES"
 1 lamp(s) per luminaire, photometry is absolute
 Light Loss Factor = 0.900, watts per luminaire = 39
 mounting height = 31.5 ft
 number locations = 1, number luminaires = 1
 kw all locations = 0.0



 WRIGHT engineering corporation ELECTRICAL ENGINEERING AND DESIGN 165 EAST CHILTON DRIVE • CHANDLER, ARIZONA 85225 PHONE 480.497.5829 • FAX 480.497.5807	
PHOTOMETRIC CALCULATION SHEET. FOR INFORMATION ONLY.	
	PROJECT NAME: RANCHO TRUGOLD 175TH AVE & SWEETWATER AVE PHOTOMETRICS WRIGHT ENG. PROJECT NO: 19507
Expires 3-31-22 	DESIGN BY: JZH PH1

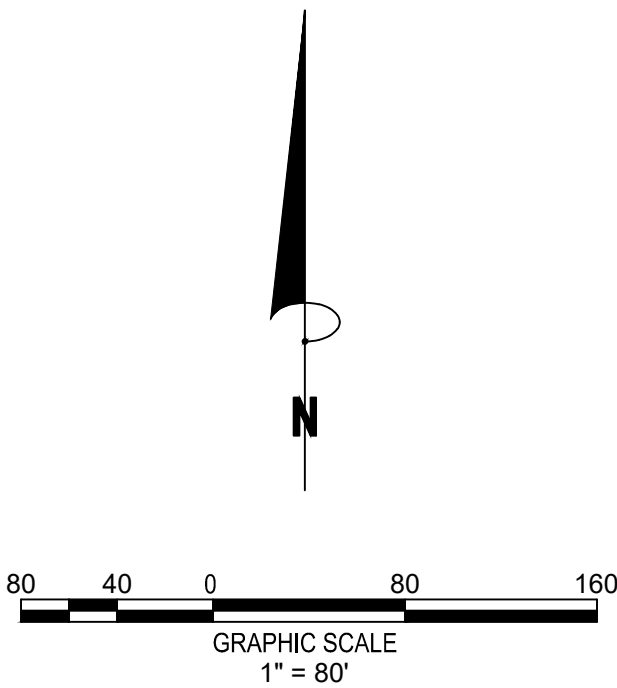


VICINITY MAP
N.T.S.



STREET LIGHTS

- STREET LIGHT POLE
56 (TOTAL)
- SLID BOUNDARY



THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

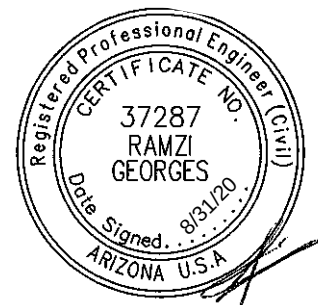
NOTICE: CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR. NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

ATWELL
866.850.4200 www.atwell-group.com
4700 E. SOUTHERN AVENUE
SUITE 200
SURPRISE, AZ 85078

STREET LIGHT PLAN
RANCHO TRUGOLD - MATTAMAY HOMES
SURPRISE, ARIZONA

811
Know what's below.
Call before you dig.

REVISIONS:	



PM.	RG
DR.	KE
JOB NO. 19002303	
FILE NO. 19002303-SLID	

SHEET NO.
1 OF 1

RESOLUTION #2021-41

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA DECLARING ITS INTENT TO ENLARGE THE CITY OF SURPRISE, ARIZONA *SU-PARADISE HONORS 195* AND ORDERING SUCH ENLARGEMENT.

WHEREAS, on *February 18, 2020* the Mayor and City Council of the City of Surprise adopted Resolution No. 2020-09, ordering the formation of the City of Surprise, Arizona *SU-Paradise Honors 195* (the “District”) for the purpose of purchasing electricity for the lighting of the public streets and parks within the District;

WHEREAS, Ariz. Rev. Stat. § 48-616(M) permits the City to add new territory to an existing district, thereby enlarging the boundaries of an existing street lighting improvement district (“SLID”) when proper notice has been given to the owners of property that will be added to the SLID;

WHEREAS, Ariz. Rev. Stat. § 48-617(A) gives the City immediate jurisdiction to order the creation or enlargement of a SLID without the necessity of publication and posting of the resolution of intention when all owners of the real property being added to the SLID have petitioned the City to form or enlarge the SLID;

WHEREAS, the owners, exclusive of mortgagees and other lienholders, of parcels of property which adjoin the District (hereinafter referred to as “Petitioners”) acting pursuant to the provisions of Ariz. Rev. Stat. §§ 48-616(M) and 48-617(A), have petitioned the City to enlarge the District to include said property legally described in Exhibit A to this resolution, with such boundaries as shown in the map in Exhibit B to this resolution; and

WHEREAS, the City has verified and finds that Petitioners are the owners, exclusive of mortgagees and other lienholders, of all of the real property being added to the boundary of the District.

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

Section 1. *District Enlargement.* The City of Surprise, Arizona *SU-Paradise Honors 195* shall be enlarged by the addition of the property described in Exhibit A and Exhibit B, which are incorporated by reference hereto into this Resolution. The annual tax levied upon the District will remain in full force and effect, and, commencing in fiscal year 2021/2022 will apply to the District as enlarged by this Resolution.

Section 2. *Recording and Filing of this Resolution.* A certified copy of this Resolution shall be recorded in the office of the Maricopa County Recorder. Certified

copies of this Resolution shall also be filed with the Arizona Department of Revenue and the Maricopa County Assessor's office pursuant to Ariz. Rev. Stat. § 42-17257.

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

Legal Description



ONE COMPANY.
INFINITE SOLUTIONS.

**LEGAL DESCRIPTION
STREET LIGHT IMPROVEMENT DISTRICT
SU-RANCHO TRUGOLD**

**LOCATED WITHIN A PORTION OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 3 NORTH,
RANGE 2 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.**

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND BRASS CAP FLUSH ACCEPTED AS THE EAST QUARTER CORNER OF SECTION 14, TOWNSHIP 3 NORTH, RANGE 2 WEST, FROM WHICH A FOUND BRASS CAP FLUSH ACCEPTED AS THE CENTER OF SECTION 14, TOWNSHIP 3 NORTH, RANGE 2 WEST, THEREOF BEARS S89°48'53"W A DISTANCE OF 2643.93 FEET;

THENCE, ALONG THE EAST-WEST MID-SECTION LINE, S89°48'53"W A DISTANCE OF 1084.02 FEET TO THE SOUTHEAST CORNER OF LOT 2 AS SHOWN ON THE RECORDED FINAL PLAT FOR RANCHO TRUGOLD BK 1453, PG 37, RECORDS OF MARICOPA COUNTY ALSO BEING THE **POINT OF BEGINNING**;

THENCE, CONTINUING ALONG SAID EAST-WEST MID-SECTION LINE, S89°48'53"W A DISTANCE OF 1559.91 FEET TO A FOUND BRASS CAP FLUSH BEING THE CENTER OF SECTION;

THENCE ALONG THE SOUTH-NORTH MID-SECTION LINE OF SAID SECTION 14, N00°12'48"E A DISTANCE OF 865.41 FEET;

THENCE, LEAVING THE SOUTH-NORTH MID-SECTION LINE OF SAID SECTION 14, N89°50'33"E A DISTANCE OF 810.02 FEET;

THENCE, N00°12'48"E A DISTANCE OF 567.76 FEET;

THENCE, S72°20'28"E A DISTANCE OF 5.24 FEET;

THENCE, N11°30'34"E A DISTANCE OF 128.91 FEET;

THENCE, N89°50'33"E A DISTANCE OF 581.53 FEET;

THENCE, S00°12'26"W A DISTANCE OF 633.00 FEET;

THENCE, N89°50'33"E A DISTANCE OF 137.89 FEET;

THENCE, S00°12'15"W A DISTANCE OF 924.07 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 14 ALSO BEING THE **POINT OF BEGINNING**.



ONE COMPANY.
INFINITE SOLUTIONS.

THE ABOVE DESCRIBED PARCEL CONTAINS A COMPUTED AREA OF 1,778,875 SQUARE FEET OR 40.837 ACRES, MORE OR LESS AND IS SUBJECT TO ANY EASEMENTS, RESTRICTIONS, OR RIGHTS OF WAY OF RECORD OR OTHERWISE.

THE DESCRIPTION SHOWN HEREON IS NOT TO BE USED TO VIOLATE ANY SUBDIVISION REGULATIONS OF THE STATE, COUNTY AND/OR MUNICIPALITY OR ANY OTHER LAND DIVISION RESTRICTIONS.

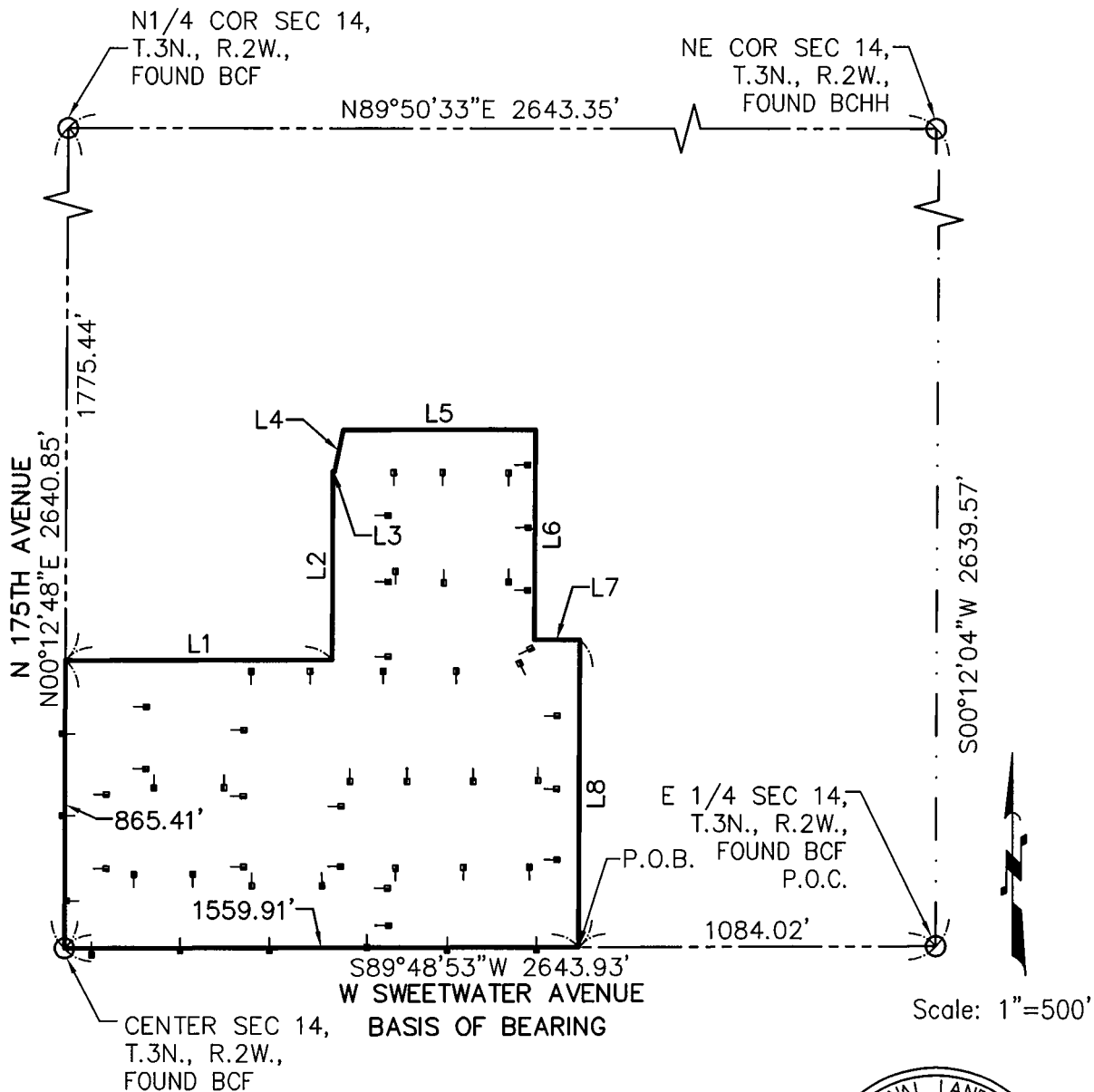
PREPARED BY:
ATWELL, LLC
4700 E. SOUTHERN AVENUE
MESA, ARIZONA 85206
PROJECT NO.19002303
AUGUST 31ST, 2020



A handwritten signature in black ink, appearing to read "James G. Spring", written over the bottom portion of the professional seal.

EXHIBIT B

Map



LINE TABLE			LINE TABLE		
LINE #	DIRECTION	LENGTH	LINE #	DIRECTION	LENGTH
L1	N89°50'33"E	810.02'	L5	N89°50'33"E	581.53'
L2	N00°12'48"E	567.76'	L6	S00°12'26"W	633.00'
L3	S72°20'28"E	5.24'	L7	N89°50'33"E	137.89'
L4	N11°30'34"E	128.91'	L8	S00°12'15"W	924.07'



JOB #19002303-SHEET 3 OF 3

8-31-2020

STREET LIGHT IMPROVEMENT DISTRICT
SU-RANCHO TRUGOLD
CITY OF SURPRISE, AZ



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: September 21, 2021 Contact Person: Sergio Angulo
Submitting Department: Community Development District: District 1
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, "Tierra Rico – Parcel A" dated May 22, 2020, an approximately 46.6 acre property generally located at northwest corner of Dale Lane and west of 171st Avenue in the Tierra Rico PAD; Resolution # 2021-137; Case FS18-485.

Motion:

I move to approve Resolution # 2021-137.

Background:

Hilgart Wilson, on behalf of Tierra Rico, LLC, seeks approval of a Final Plat for a 99-lot single-family residential subdivision in Parcel A of the Tierra Rico PAD. If approved, the City will not record this final plat until the applicant/property owner has provided documentation showing that all of the following have occurred:

1. The Conditional Letter of Map Revision ("CLOMR") for Tierra Rico, case FS18-702, has been approved by the Flood Control District for Maricopa County, Arizona ("FCDMC").
2. The 10' right-of-way on the north side of the Peak View Road centerline has been dedicated to the City.
3. The drainage easement along the north side of Peak View Road has been dedicated to the City.
4. An In-Lieu Payment agreement and cost estimate package for Dale Lane pavement and drainage improvements has been executed and recorded.
5. The applicant/property owner shall fill-in the blank Book and Page numbers where necessary on the Final Plat.
6. The applicant/property shall also fill-in Book and Page numbers where necessary on the Final Plat.

This final plat is being approved by Resolution because these preconditions that must be satisfied prior to recording.

Objective Analysis:

Approval of the proposed Final Plat will allow the applicant the ability to subdivide the property as proposed.

Policy Compliant:

The requested Final Plat is consistent with the Tierra Rico 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 - FS18-485 Tierra Rico Parcel A Onsite - Staff Report
 2. 01 - FS18-485 Tierra Rico Parcel A Onsite - Vicinity Map
 3. 02 - FS18-485 Tierra Rico Parcel A Onsite - Final Plat
 4. 21.08.31 EVR Res 2021-137 Tierra Rico Parcel A Onsite
 5. FS18-485 Tierra Rico Parcel A Onsite - PPT
-

FINAL PLAT

REPORT TO THE CITY COUNCIL

Case: FS18-485

Project Name: Tierra Rico Parcel A – Final Plat

Council District: 1

City Council Date: September 21, 2021

Planner: Sergio Angulo, Planner II

Owner: Tierra Rico, LLC

Applicant: Ty Wilson with Hilgart Wilson, LLC

Request: Final Plat for a 99-lot, single-family subdivision in the Tierra Rico PAD.

Site Location: Northwest corner of Dale Lane and 171st Avenue.

Site Size: 46.6 acres (approx.)

Density: 2.1 DU/Ac

Findings:

- The proposed Final Plat is consistent with the Surprise General Plan 2035.
- The proposed Final Plat is consistent with the most recent amendment to the Tierra Rico PAD as approved under case FS17-504.
- The Final Plat is consistent with the Preliminary Plat approved under case FS17-504.

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:

Hilgart Wilson, on behalf of Tierra Rico, LLC, requests approval of the Final Plat of Tierra Rico Parcel A. The subject property is approximately 46.6 acres and is located on the northwest corner of Dale Lane and 171st Avenue. Access to this site will be from Tierra Rico Lane on the east and Dale Lane on the south. Tierra Rico Lane will have direct access to Peak View Road to the north and connects to 171st Avenue to the south.

The subject property is zoned PAD and has a land use designation of Low Density Residential. Onsite the applicant proposes a total of 99 single-family lots for a total density of 2.1 dwelling units per acre. The typical lot proposed is 53' x 120'. This plat includes a total of 24.98 acres of open space that includes a tot-lot (Tract G), playground equipment, a ramada, BBQ area, and an open turf area for recreation. There are additional shaded seating areas dispersed throughout the subdivision. This development also provides a public trail with connectivity to the future development to the east and to the overall regional trail system. The proposed final plat is in compliance with the most recent amendment to the Tierra Rico PAD (case FS17-504) and the preliminary plat approved under case FS17-504.

If approved, the City will not record this final plat until the applicant/property owner has provided documentation showing that all of the following have occurred:

1. The Conditional Letter of Map Revision ("CLOMR") for Tierra Rico, case FS18-702, has been approved by the Flood Control District for Maricopa County, Arizona ("FCDMC").
2. The 10' right-of-way on the north side of the Peak View Road centerline has been dedicated to the City.
3. The drainage easement along the north side of Peak View Road has been dedicated to the City.
4. An In-Lieu Payment agreement and cost estimate package for Dale Lane pavement and drainage improvements has been executed and recorded.
5. The applicant/property owner shall fill-in the blank Book and Page numbers where necessary on the Final Plat.
6. The applicant/property shall also fill-in Book and Page numbers where necessary on the Final Plat.

This final plat is being approved by Resolution because these preconditions that must be satisfied prior to recording.

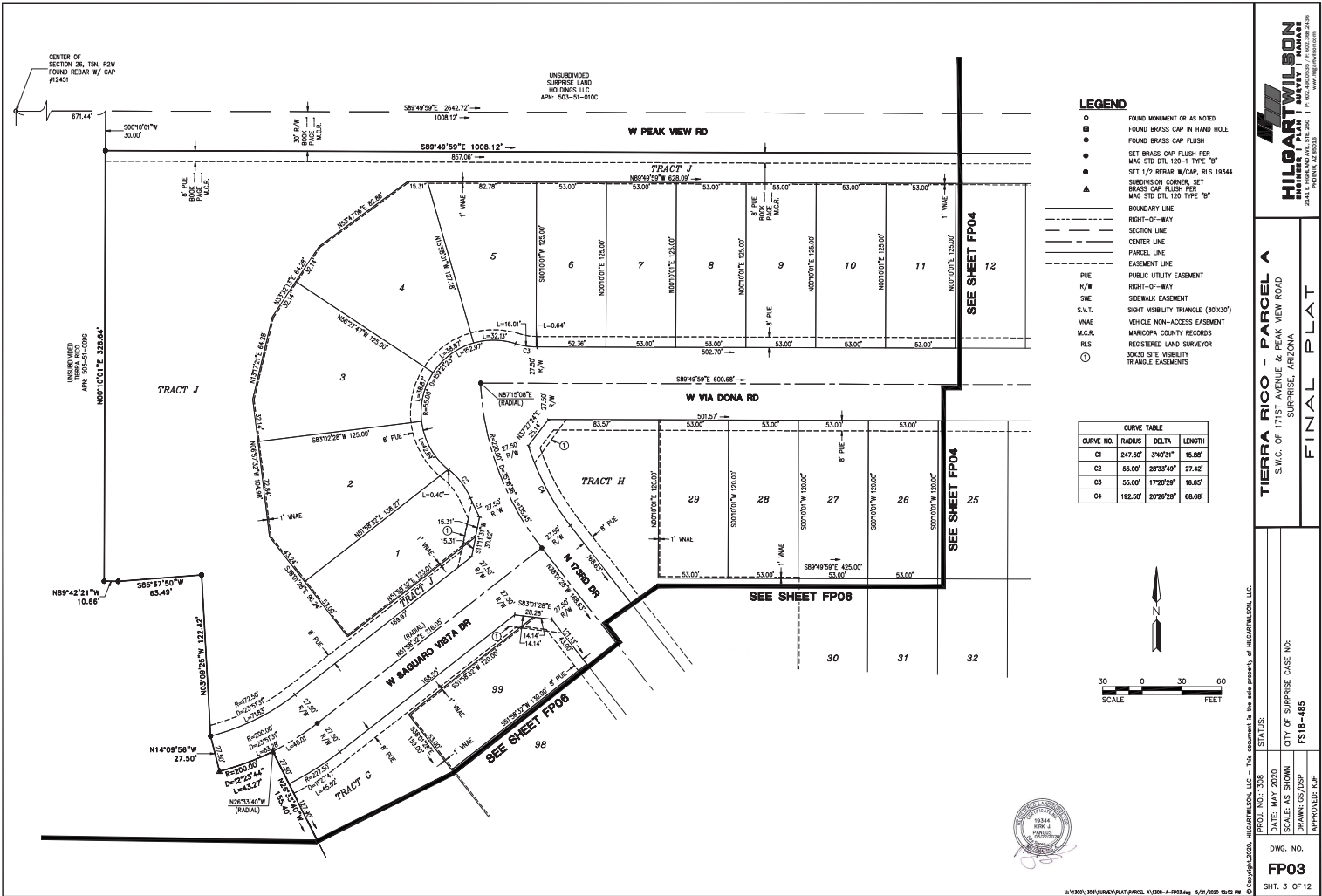
Attachments:

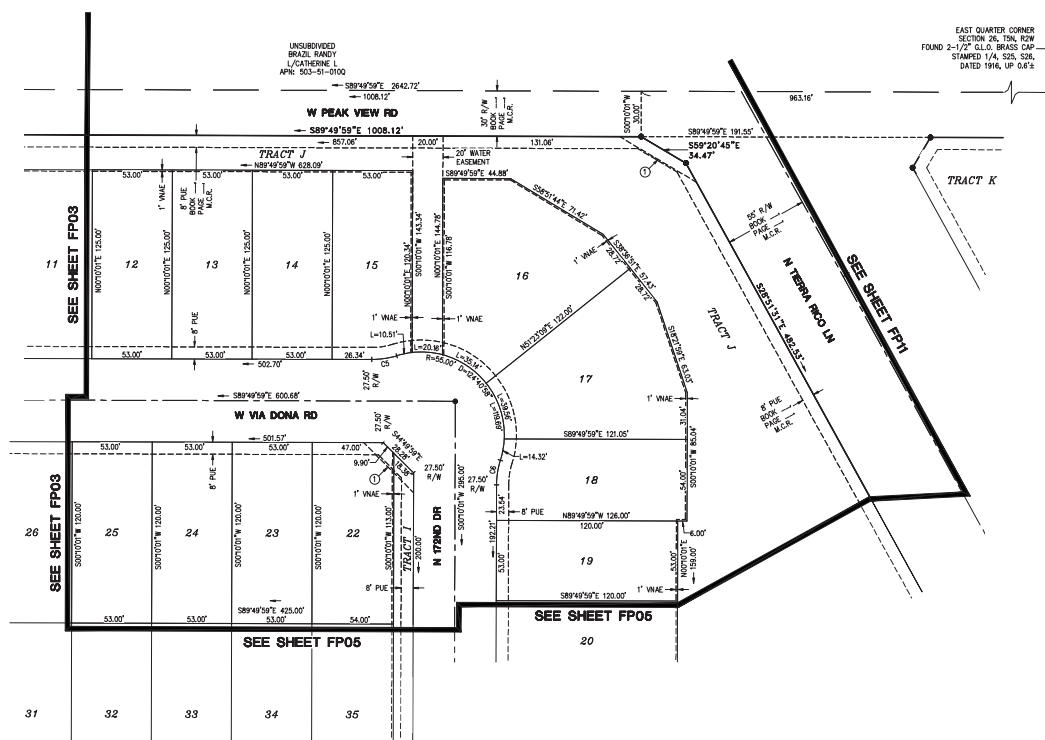
- 01 Vicinity Map
- 02 Final Plat
- 03 Resolution # 2021-137



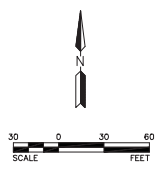
FS18-485 VICINITY MAP

02





- LEGEND**
- FOUND MONUMENT OR AS NOTED
 - FOUND BRASS CAP IN HAND HOLE
 - SET BRASS CAP FLUSH PER MAG STD DTL 120-1 TYPE "B"
 - SET 1/2 REBAR W/CAP, RLS 19344
 - SUBDIVISION CORNER, SET BRASS CAP FLUSH PER MAG STD DTL 120 TYPE "B"
 - BOUNDARY LINE
 - RIGHT-OF-WAY
 - SECTION LINE
 - CENTER LINE
 - PARCEL LINE
 - EASEMENT LINE
 - PUE PUBLIC UTILITY EASEMENT
 - R/W RIGHT-OF-WAY
 - SWE SIDEWALK EASEMENT
 - S.V.T. SIGHT VISIBILITY TRIANGLE (30'X30')
 - VNAE VEHICLE NON-ACCESS EASEMENT
 - M.C.R. MARICOPA COUNTY RECORDS
 - RLS REGISTERED LAND SURVEYOR
 - ① 30'X30' SITE VISIBILITY TRIANGLE EASEMENTS



CURVE TABLE			
CURVE NO.	RADIUS	DELTA	LENGTH
C5	55.00'	17°20'28"	16.65'
C6	55.00'	17°20'28"	16.65'



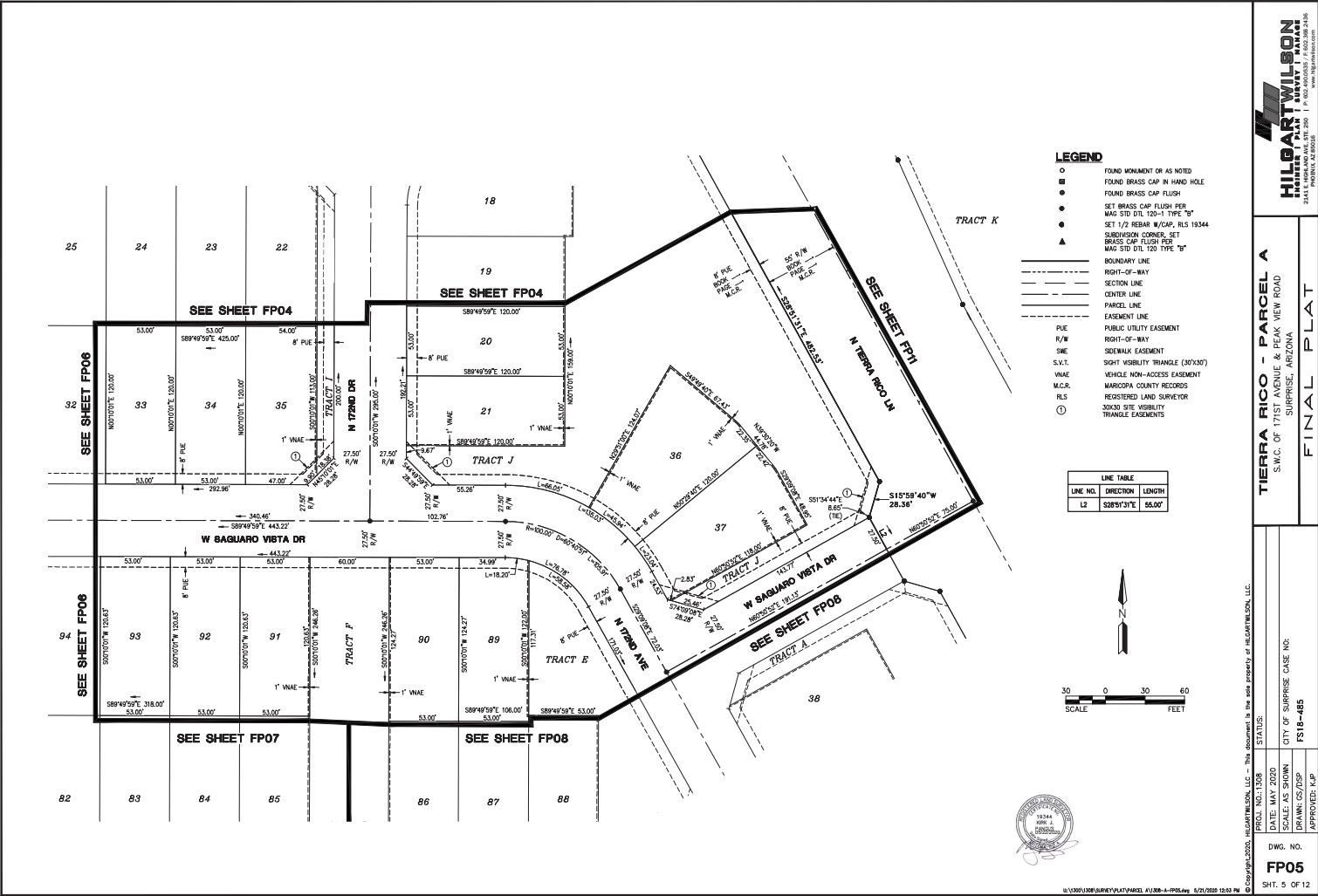
HILGART WILSON
REGISTERED LAND SURVEYOR
STATE OF ARIZONA, LICENSE NO. 12008

TERRA RICO - PARCEL A
S.W.C. OF 1/4 SEC 16 & 17, T1N, R10E, S12E, MARICOPA COUNTY, ARIZONA

FINAL PLAT

PROJECT: 2020, HILGART WILSON, LLC - This document is the sole property of Hilgart Wilson, LLC.
 STATUS: PROJECT NO. 12008
 DATE: MAY 2020
 SCALE: AS SHOWN
 CITY OF SURPRISE CASE NO: FS18-485
 DRAWN: GS/JSP
 APPROVED: KJP

DWG. NO.
FP04
SHT. 4 OF 12



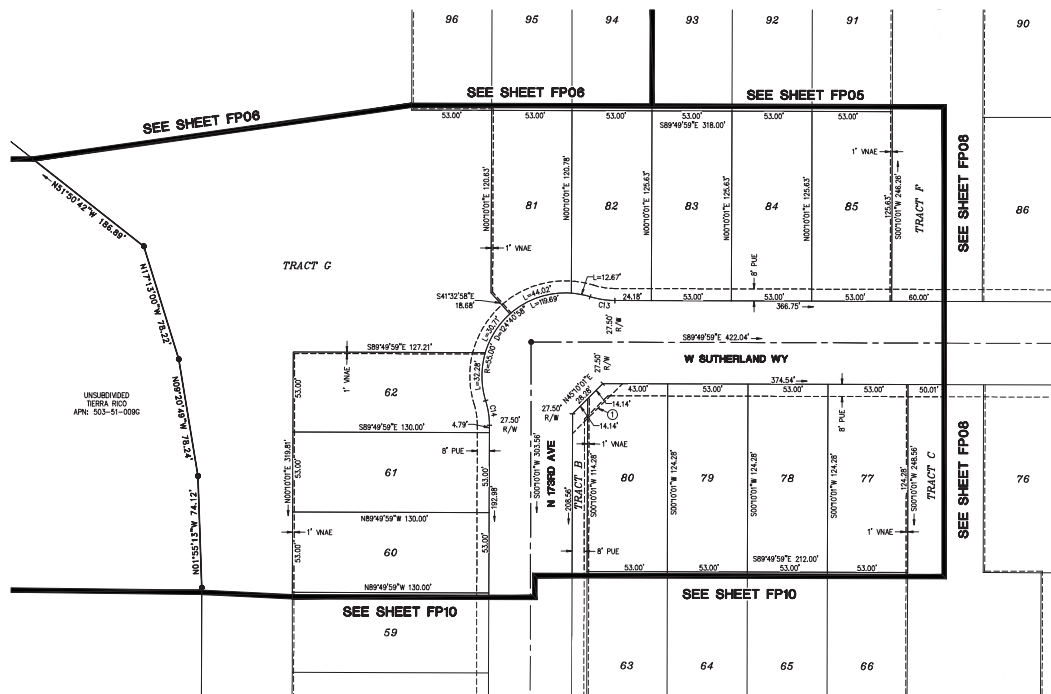
HILGART WILSON
ENGINEERS & PLANNERS
2245 W. WILLOW AVE. SUITE 200
PHOENIX, ARIZONA 85028
P: 602.998.2445
F: 602.998.2446
www.hilgartwilson.com

TERRA RICO - PARCEL A
S.W. 1/4 OF 1/4 SECTION 8, T.10N, R.10E, S.10E, MARICOPA COUNTY, ARIZONA
FINAL PLAT

PROJECT: TERRA RICO - PARCEL A
DATE: MAY 2020
SCALE: AS SHOWN
DRAWN: GS/JSP
APPROVED: KLP

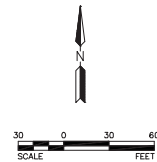
STATUS: CITY OF SURPRISE CASE NO: FS18-485

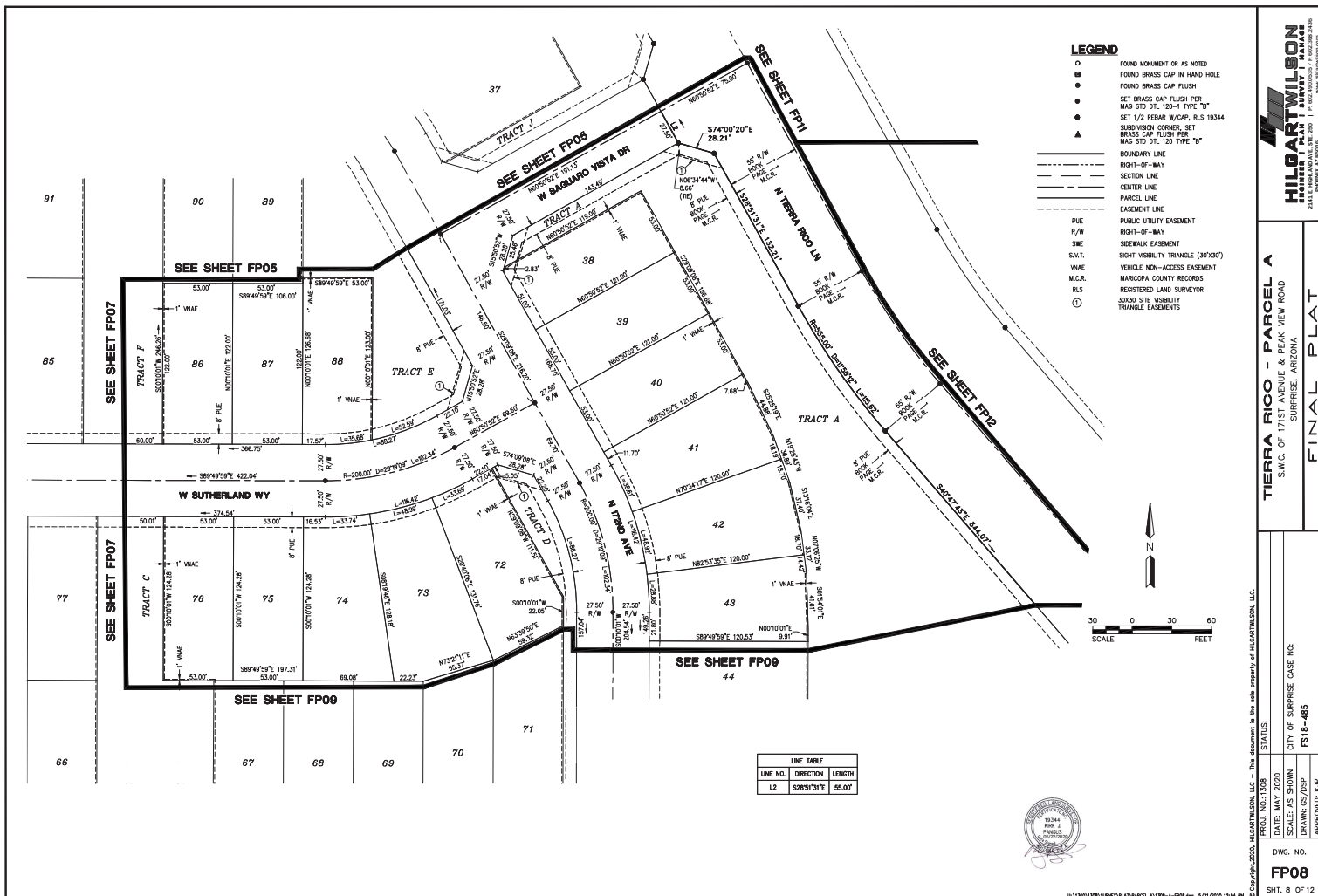
DWG. NO. FP05
SHT. 5 OF 12

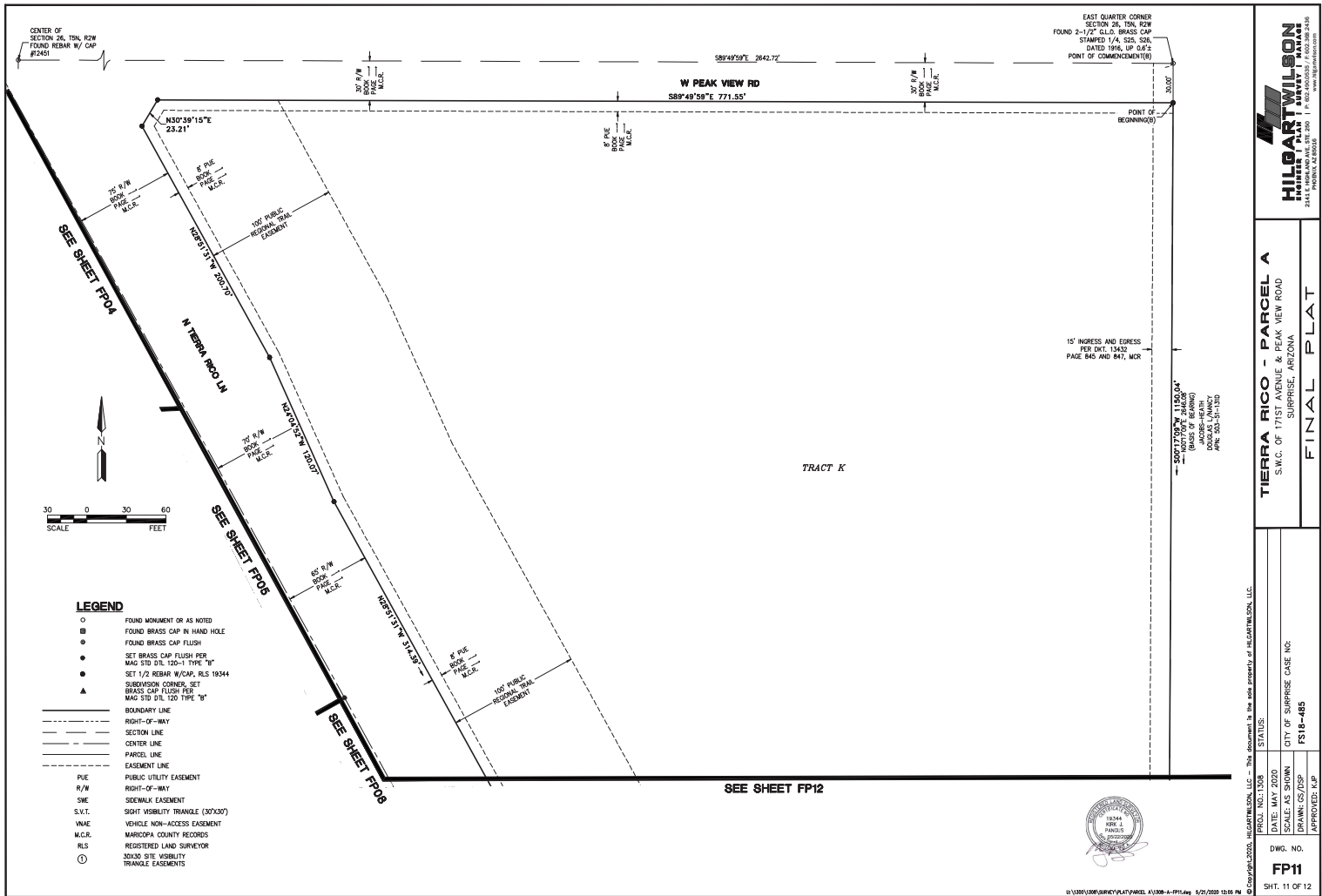


LEGEND

- FOUND MONUMENT OR AS NOTED
- FOUND BRASS CAP IN HAND HOLE
- FOUND BRASS CAP FLUSH
- SET BRASS CAP FLUSH PER MAG STD DTL 120-T TYPE "B"
- SET 1/2 REBAR W/CAP, RLS 19344
- SUBDIVISION CORNER, SET BRASS CAP FLUSH PER MAG STD DTL 120 TYPE "B"
- BOUNDARY LINE
- - - RIGHT-OF-WAY
- - - SECTION LINE
- - - CENTER LINE
- - - PARCEL LINE
- - - EASEMENT LINE
- PUE PUBLIC UTILITY EASEMENT
- R/W RIGHT-OF-WAY
- SME SIDEWALK EASEMENT
- S.V.T. SIGHT VISIBILITY TRIANGLE (30'X30')
- VNAE VEHICLE NON-ACCESS EASEMENT
- M.C.R. MARICOPA COUNTY RECORDS
- RLS REGISTERED LAND SURVEYOR
- 3000 SITE VISIBILITY TRIANGLE EASEMENTS







RESOLUTION NO. 2021-137

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING A FINAL PLAT ENTITLED “FINAL PLAT OF TIERRA RICO – PARCEL A,” GENERALLY LOCATED NORTH OF DALE LANE AND WEST OF 171ST AVENUE.

WHEREAS, on November 22, 2005, the Mayor and City Council approved the Tierra Rico Planned Area Development;

WHEREAS, on August 7, 2018, the Mayor and City Council approved the Preliminary Plat for Tierra Rico – Parcel A dated May 2018;

WHEREAS, the proposed Final Plat conforms with the Preliminary Plat for Tierra Rico – Parcel A approved by the Mayor and City Council, on August 7, 2018;

WHEREAS, the proposed final plat does not create any substandard or nonconforming lots; and

WHEREAS, the proposed final plat complies with the Surprise General Plan and Municipal Code.

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

Section 1. The Final Plat entitled “Final Plat of Tierra Rico – Parcel A,” dated May 2020 is approved subject to the following conditions.

- a. The City shall not record the Final Plat entitled “Final Plat of Tierra Rico – Parcel A,” dated May 2020, until the applicant/property owner has provided documentation showing that all of the following have occurred:
 1. The Conditional Letter of Map Revision (“CLOMR”) for Tierra Rico, case FS18-702, has been approved by the Flood Control District for Maricopa County, Arizona (“FCDMC”).
 2. The 10’ right-of-way on the north side of the Peak View Road centerline has been dedicated to the City.
 3. The drainage easement along the north side of Peak View Road has been dedicated to the City.
 4. An In-Lieu Payment agreement and cost estimate package for Dale Lane pavement and drainage improvements has been executed and recorded.

- b. The applicant/property owner shall fill-in the blank Book and Page numbers where necessary on the Final Plat.
- c. The applicant/property shall also fill-in Book and Page numbers where necessary on the Final Plat.

Section 2. If the Final Plat has not been recorded within sixty (60) days of the approval of this Resolution because the items required by Section 1 have not been addressed by the applicant/property owner, the City may, in lieu of recording, schedule this Final Plat for a public hearing for consideration and possible action by the City Council to revoke, repeal, and nullify the approval of the Final Plat.

APPROVED AND ADOPTED this _____ day of _____ 2021.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

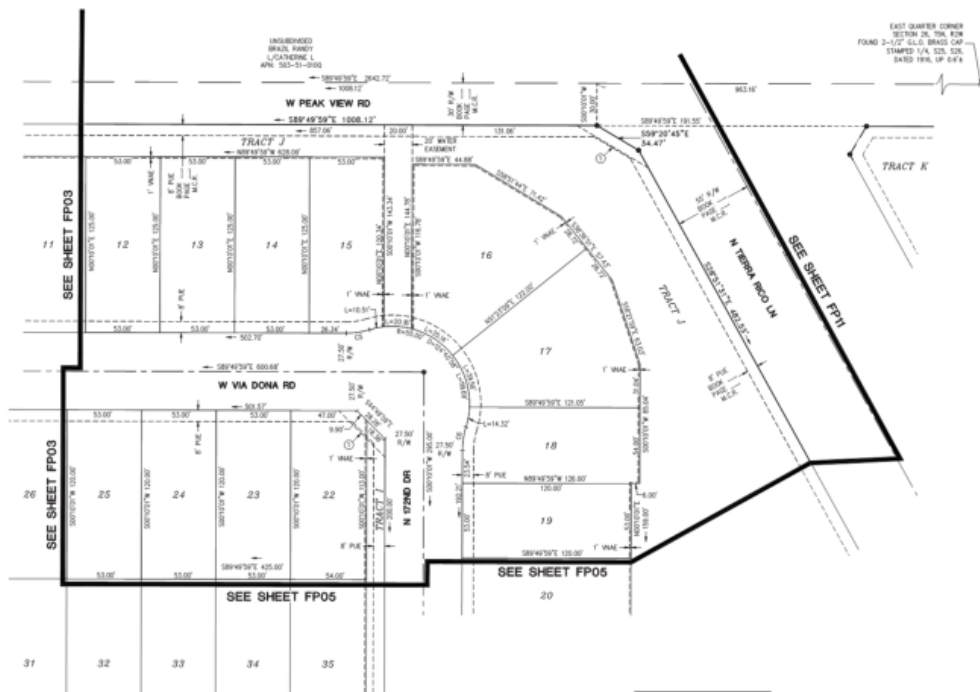


FS18-485
Tierra Rico Parcel A
Final Plat

City Council
September 21, 2021



FS18-485 VICINITY MAP



CURVE TABLE			
CURVE NO.	PIRADIUS	DELTA	LENGTH
C5	55.00'	173°29'	16.85'
C6	55.00'	173°29'	16.85'



LEGEND

- FOUND MONUMENT OR AS NOTED
- FOUND BRASS CAP IN HOLE
- FOUND BRASS CAP FLUSH
- SET BRASS CAP FLUSH PER WAS STD. 120-1 TYPE "B"
- ▲ SET 1/2" NEAR N/CAP, RLS 10344
- △ UNDERPIN CORNER, SET BRASS CAP FLUSH PER WAS STD. 120 TYPE "B"
- BOUNDARY LINE
- RIGHT-OF-WAY
- SECTION LINE
- CENTER LINE
- PARCEL LINE
- EASEMENT LINE
- PUE PUBLIC UTILITY EASEMENT
- R/W RIGHT-OF-WAY
- SME SIDEWALK EASEMENT
- S.V.T. SIGHT VISION TRIANGLE (30'X30')
- V/AE VEHICLE NON-ACCESS EASEMENT
- M.C.R. MARICOPA COUNTY RECORDS
- RLS REGISTERED LAND SURVEYOR
- ① 30'X30' SITE VISION TRIANGLE EASEMENTS

PROJECT: NO. 1208
 DATE: MAY 2020
 SCALE: AS SHOWN
 DRAWN: GLOP
 APPROVED: A.P.

HILGART WILSON
 REAL ESTATE & SURVEYING
 1000 N. 10TH AVENUE, SUITE 100
 PHOENIX, AZ 85006

TERRA RICO - PARCEL A
 S.W.C. OF 171ST AVENUE & PEAK VIEW ROAD
 SURPRISE, ARIZONA

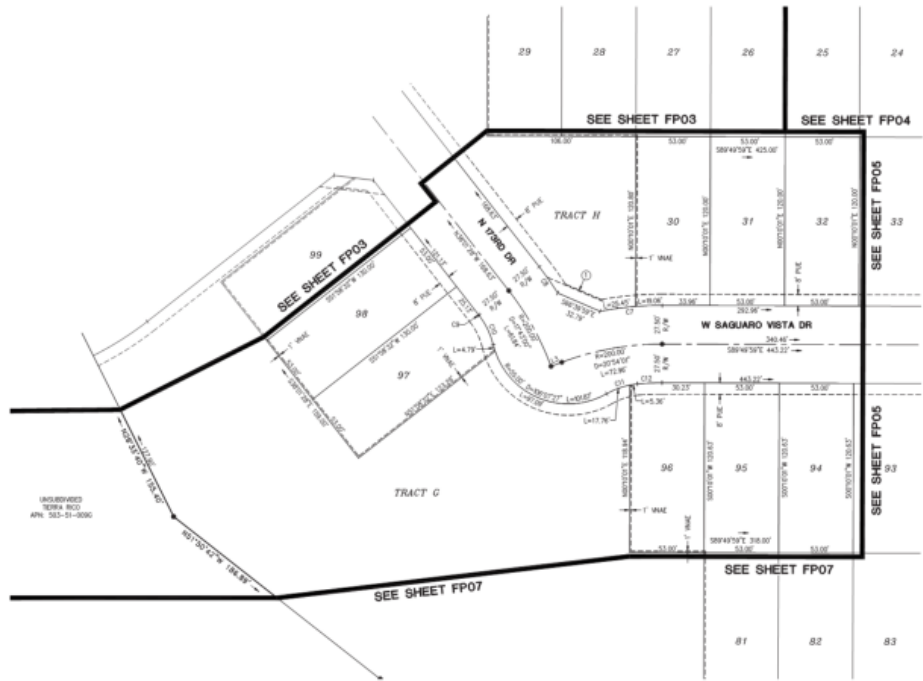
FINAL PLAT

PROJECT: NO. 1208
 DATE: MAY 2020
 SCALE: AS SHOWN
 DRAWN: GLOP
 APPROVED: A.P.

FW04

SHT. 4 OF 12

FINAL PLAT

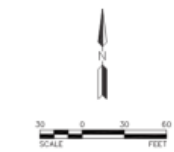


LEGEND

- FOUND MONUMENT OR AS MARKED
- FOUND BRASS CAP IN HAND HOLE
- FOUND BRASS CAP FLUSH
- SET BRASS CAP FLUSH PER WAG 575.05, 125+1 TYPE "B"
- SET 1/2 REBAR W/CAP, RLS 15244
- ▲ SUBDIVISION CORNER, SET BRASS CAP FLUSH PER WAG 575.05, 125 TYPE "B"
- BOUNDARY LINE
- RIGHT-OF-WAY
- SECTION LINE
- CENTER LINE
- PARTIAL LINE
- EASEMENT LINE
- PUE PUBLIC UTILITY EASEMENT
- R/W RIGHT-OF-WAY
- SME SECTIONAL EASEMENT
- S.V.L. SHANT VENDOR TRIMMABLE (30'X10')
- VANE VEHICLE NON-ACCESS EASEMENT
- W.C.R. MARICOPA COUNTY RECORDS
- RLS REGISTERED LAND SURVEYOR
- 12000 THE VENDOR TRIMMABLE EASEMENTS

CURVE TABLE			
CURVE NO.	RADIUS	DELTA	LENGTH
C07	227.56'	171°33'	44.91'
C08	227.56'	54°30'	23.77'
C09	172.50'	92°01'	1.62'
C10	55.00'	24°34'33"	23.12'
C11	55.00'	24°34'33"	23.12'
C12	172.50'	54°30'	17.36'

LINE TABLE		
LINE NO.	DIRECTION	LENGTH
L3	HEMPHREY	8.81'



HILGART WILSON
SURVEY & MAPPING
1100 N. GILBERT AVE., SUITE 100
TAMPA, FL 33604
TEL: 813.241.1100
WWW.HILGARTWILSON.COM

TIERRA RICO - PARCEL A
S.W.C. OF 1733 AVENUE & PEARL VIEW ROAD
SURPRISE, ARIZONA

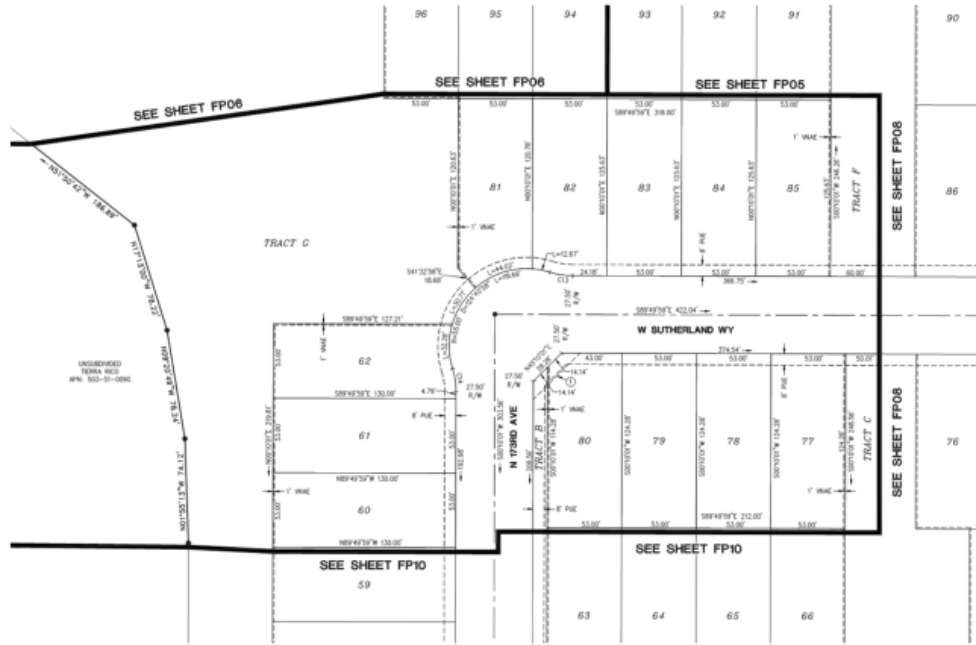
FINAL PLAT

PROJECT NO. 1508
DATE: MAY 2020
SCALE AS SHOWN
DRAWN BY: JOP
APPROVED: JWP

DWG. NO.
FP06

SHT. 6 OF 12

FINAL PLAT



HILGART WILSON
REGISTERED PROFESSIONAL LAND SURVEYOR
2545 E. ARIZONA AVENUE, SUITE 200 | P.O. BOX 100000 | PHOENIX, ARIZONA 85010

TERRA RICO - PARCEL A
S.W.C. OF 17TH AVENUE & PEAK VIEW ROAD
SURPRISE, ARIZONA

FINAL PLAT

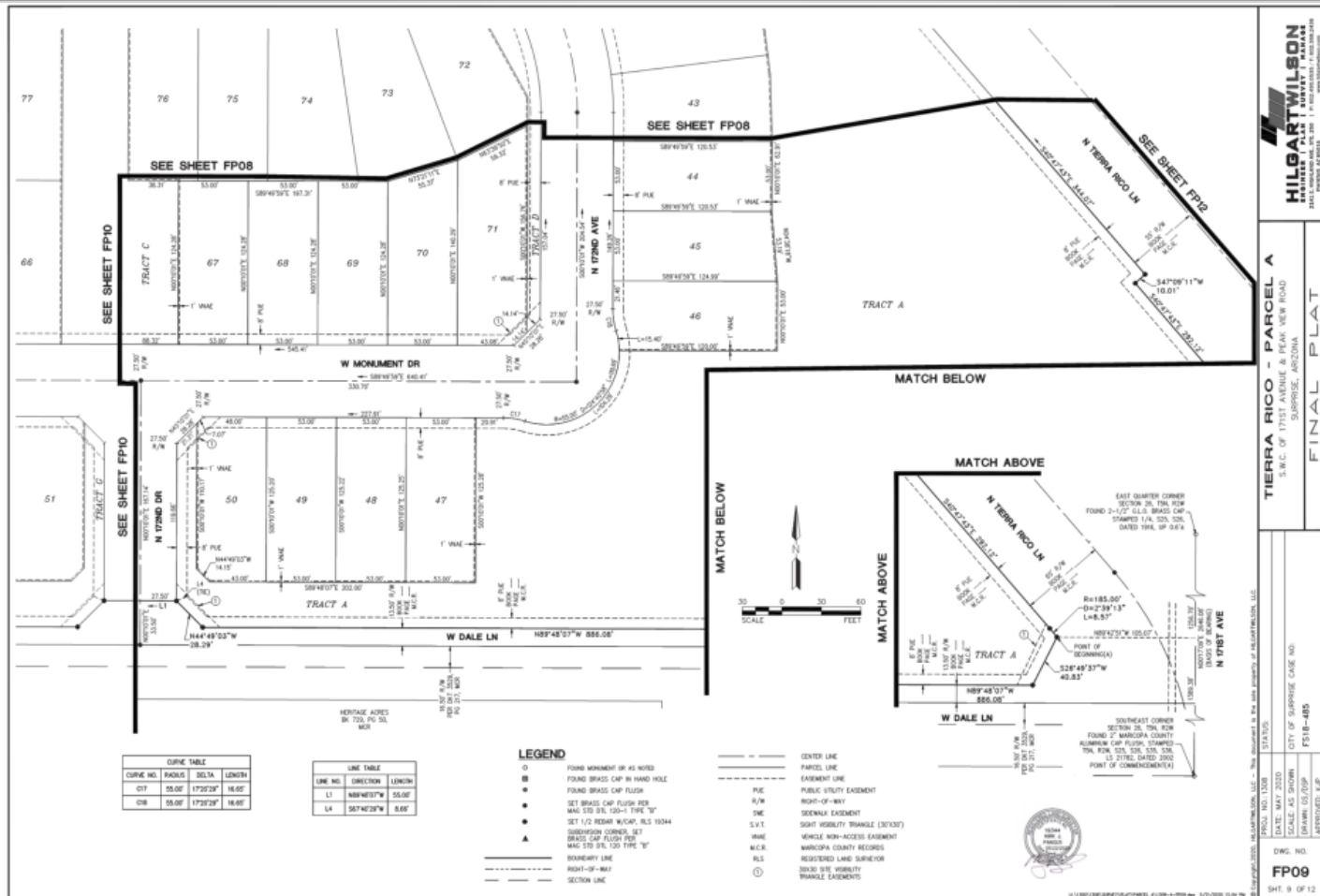
PROJECT NO. 12000
DATE: MAY 13, 2020
SCALE: AS SHOWN
DRAWN: GLO/SP
APPROVED: L.P.

CITY OF SURPRISE CASE NO.
F518-405

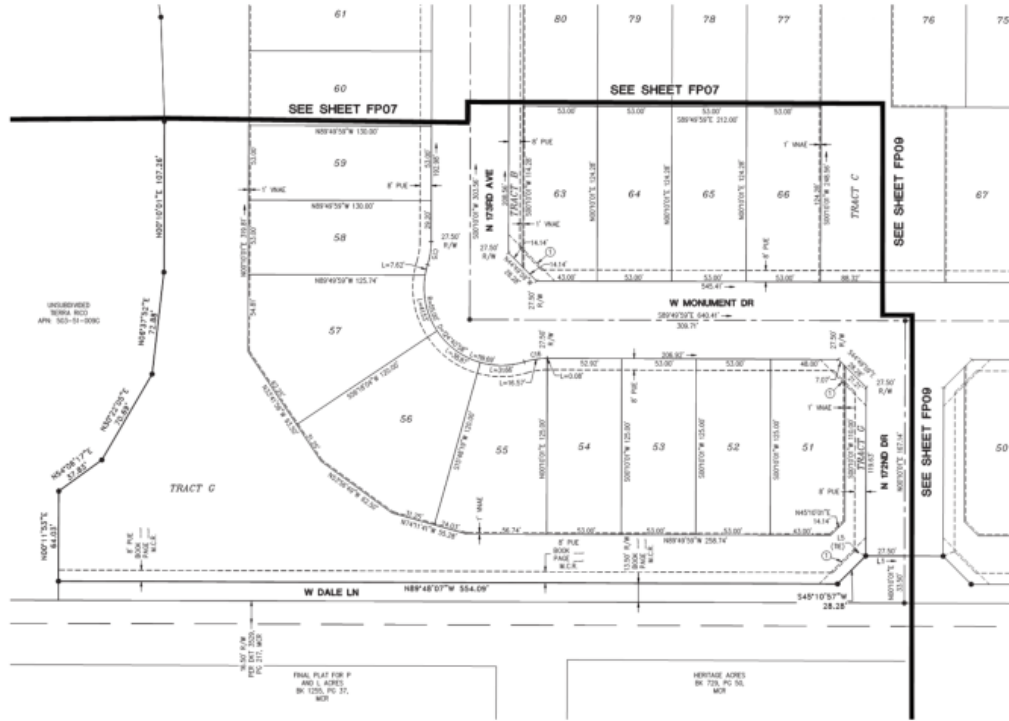
DWG. NO.
FP07

SHT. 7 OF 12

FINAL PLAT



FINAL PLAT



LEGEND

- FOUND MONUMENT OR AS NOTED
- FOUND BRASS CAP IN HAND HOLE
- FOUND BRASS CAP FLUSH
- SET BRASS CAP FLUSH PIPE
- AND 1/2 IN. 1/2 IN. TYPE "1"
- SET 1/2 REBAR W/CAP, RLS 18244
- SUBDIVISION CORNER, SET
- BRASS CAP FLUSH RLS
- AND 1/2 IN. 1/2 IN. TYPE "1"
- BOUNDARY LINE
- - - RIGHT-OF-WAY
- - - SECTION LINE
- - - CENTER LINE
- - - PARCEL LINE
- - - EASEMENT LINE
- PUE PUBLIC UTILITY EASEMENT
- R/W RIGHT-OF-WAY
- ONE SIDEWALK EASEMENT
- S.V.T. SHIRT VESTIBILITY (SHIRT)
- W/AE VEHICLE W/O-ACCESS EASEMENT
- N.C.R. NARROWCOURT RECORDS
- RLS REGISTERED LAND SURVEYOR
- RLS 2016 SITE VISIBILITY TRIANGLE EASEMENTS

CURVE TABLE			
CURVE NO.	RADIUS	DELTA	LENGTH
CR1	55.00'	173°22'29"	18.60'
CR2	55.00'	173°22'29"	18.60'

LINE TABLE		
LINE NO.	DIRECTION	LENGTH
L1	N89°48'57"W	554.09'
L2	S89°48'57"E	554.09'



12/12/2023 10:00 AM 12/12/2023 10:00 AM 12/12/2023 10:00 AM 12/12/2023 10:00 AM



TERRA RICO - PARCEL A
S.W.C. OF 17TH AVENUE & PEAK, NEW ROAD
SURPRISE, ARIZONA

FINAL PLAT

PRICE: \$10,000	STATUS: 12/12/2023
DATE: MAY 2020	CITY OF SURPRISE CASE NO.
SCALE: AS SHOWN	FS18-485
DRAWN: GLOP	APPROVED: R.P.
DATE: 12/12/2023	

DWG. NO.
FP10
SHT. 10 OF 12

FINAL PLAT





QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: September 21, 2021 Contact Person: Sergio Angulo
Submitting Department: Community Development District: District 1
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, “Tierra Rico – Parcel B” dated May 22, 2020, an approximately 26.35 acre property generally located north of Dale Lane and west of 171st Avenue in the Tierra Rico PAD; Resolution #2021-138; Case FS18-683.

Motion:

I move to approve Resolution # 2021-138.

Background:

Hilgart Wilson, on behalf of Tierra Rico, LLC, seeks approval of a Final Plat for a 79-lot single-family residential subdivision in Parcel B of the Tierra Rico PAD. If approved, the City will not record this final plat until the applicant/property owner has provided documentation showing that all of the following have occurred:

1. The Conditional Letter of Map Revision (“CLOMR”) for Tierra Rico, case FS18-702, has been approved by the Flood Control District for Maricopa County, Arizona (“FCDMC”).
2. The 10’ right-of-way on the north side of the Peak View Road centerline has been dedicated to the City.
3. The drainage easement along the north side of Peak View Road has been dedicated to the City.
4. An In-Lieu Payment agreement and cost estimate package for Dale Lane pavement and drainage improvements has been executed and recorded.
5. The applicant/property owner shall revise the Final Plat by removing the Book and Page numbers for Peak View Rd and for the Public Utility Easement (“PUE”) on page 3 of the Final Plat.
6. The applicant/property shall revise the Final Plat by removing the Book and Page lines for Dale Lane, 13.50’ R/W and 8’ PUE from outside eastern boundary of development on page 6 of the Final Plat.

This map of dedication is being approved by Resolution because these preconditions that must be satisfied prior to recording.

Objective Analysis:

Approval of the proposed Final Plat will allow the applicant the ability to subdivide the property as proposed.

Policy Compliant:

The requested Final Plat is consistent with the Tierra Rico 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 - FS18-683 Tierra Rico Parcel B - Staff Report
 2. 01 - FS18-683 Tierra Rico Parcel B - Vicinity Map
 3. 02 - FS18-683 Tierra Rico Parcel B - Final Plat
 4. 21.08.31 EVR Res 2021-138 Tierra Rico Parcel B
 5. FS18-683 Tierra Rico Parcel B - PPT
-

Case: FS18-683

Project Name: Tierra Rico Parcel B – Final Plat

Council District: 1

City Council Date: September 21, 2021

Planner: Sergio Angulo, Planner II

Owner: Tierra Rico, LLC

Applicant: Ty Wilson with Hilgart Wilson, LLC

Request: Final Plat for a 79-lot, single-family subdivision in the Tierra Rico PAD.

Site Location: Generally north of Dale Lane and west 171st Avenue.

Site Size: 26.35 acres (approx.)

Density: 3 DU/Ac

Findings:

- The proposed Final Plat is consistent with the Surprise General Plan 2035.
- The proposed Final Plat is consistent with the most recent amendment to the Tierra Rico PAD as approved under case FS17-504.
- The Final Plat is consistent with the Preliminary Plat approved under case FS17-504.

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:

Hilgart Wilson, on behalf of Tierra Rico, LLC, requests approval of the Final Plat of Tierra Rico Parcel B. The subject property is approximately 26.35 acres and it is generally located north of Dale Lane and west 171st Avenue. Access to this site will be from Peak View Road on the north and Dale Lane on the south. Saguaro Vista Drive will provide internal access to Tierra Rico Parcel A to east and will connect to Tierra Rico Lane.

The subject property is zoned PAD and has a land use designation of Low Density Residential. Onsite the applicant proposes a total of 79 single-family lots for a total density of 3 dwelling units per acre. The typical lot proposed is 63' x 120'. This plat includes a total of 5.78 acres of open space that includes a shaded seated area in I. This parcel will share amenities with Tierra Rico Parcel A which includes a tot-lot in Parcel A Tract G, which includes playground equipment, a ramada, BBQ area, and an open turf area for recreation, and additional shaded seating areas dispersed throughout the subdivision. This development also provides a public trail with connectivity to the future development to the west and to the overall regional trail system. The proposed final plat is in compliance with the most recent amendment to the Tierra Rico PAD (case FS17-504) and the preliminary plat approved under case FS17-504.

If approved, the City will not record this final plat until the applicant/property owner has provided documentation showing that all of the following have occurred:

1. The Conditional Letter of Map Revision ("CLOMR") for Tierra Rico, case FS18-702, has been approved by the Flood Control District for Maricopa County, Arizona ("FCDMC").
2. The 10' right-of-way on the north side of the Peak View Road centerline has been dedicated to the City.
3. The drainage easement along the north side of Peak View Road has been dedicated to the City.
4. An In-Lieu Payment agreement and cost estimate package for Dale Lane pavement and drainage improvements has been executed and recorded.
5. The applicant/property owner shall revise the Final Plat by removing the Book and Page numbers for Peak View Rd and for the Public Utility Easement ("PUE") on page 3 of the Final Plat.
6. The applicant/property shall revise the Final Plat by removing the Book and Page lines for Dale Lane, 13.50' R/W and 8' PUE from outside eastern boundary of development on page 6 of the Final Plat.

This final plat is being approved by Resolution because these preconditions that must be satisfied prior to recording.

Attachments:

- 01 Vicinity Map
- 02 Final Plat
- 03 Resolution # 2021-138

September 21, 2021 City Council
Case: FS18-683
Resolution #2021-138
Page 2 of 2



FS18-683 VICINITY MAP

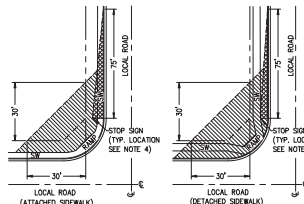
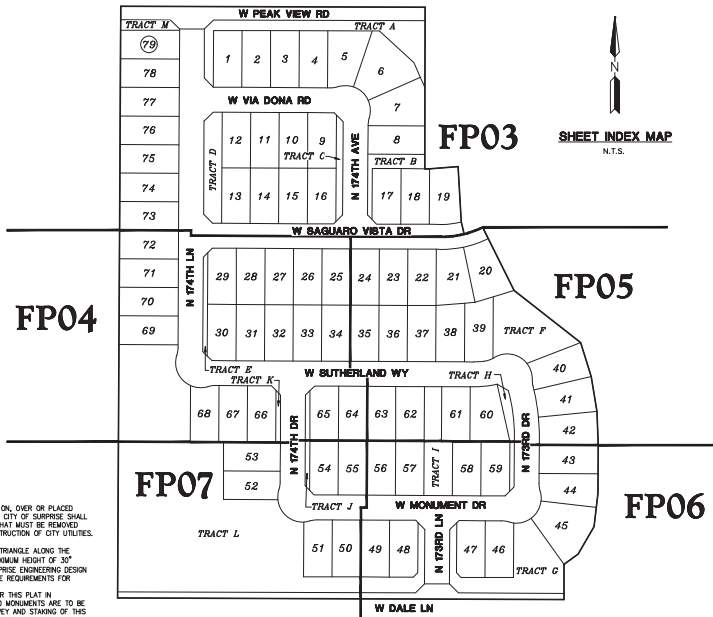
RIGHT-OF-WAY TABLE		
ROW	AREA (SQ.FT.)	AREA (ACRES)
ROW	218,881	5.0248
W DALE LN	14,790	0.3395
W PEAK VIEW RD	21,644	0.4969

TRACT TABLE		
TRACT	AREA (ACRES)	USE
TRACT A	0.4202	COMMON AREA & DRAINAGE
TRACT B	0.1159	COMMON AREA
TRACT C	0.0708	COMMON AREA
TRACT D	0.3152	COMMON AREA & DRAINAGE
TRACT E	0.0500	COMMON AREA
TRACT F	0.4236	COMMON AREA & DRAINAGE
TRACT G	0.4775	COMMON AREA & DRAINAGE
TRACT H	0.0708	COMMON AREA
TRACT I	0.2794	COMMON AREA & DRAINAGE
TRACT J	0.0482	COMMON AREA
TRACT K	0.0253	COMMON AREA
TRACT L	3.5165	COMMON AREA & DRAINAGE
TRACT M	0.0640	COMMON AREA

- NOTES:
1. COMMON AREAS MAY INCLUDE OPEN SPACE, LANDSCAPING, PEDESTRIAN PATHS AND/OR AMENITIES.
 2. SPECIFIC EASEMENTS THAT ARE BEING DEDICATED AS PART OF THIS PLAT ARE FULLY DELINEATED ON THE FOLLOWING SHEETS.
 3. THE USES SHOWN IN THE TRACT TABLE ABOVE DO NOT INTEND TO GRANT EASEMENTS THAT ARE BLANKET IN NATURE OVER THE ENTIRE TRACT.

NOTES

1. NO PERMANENT STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED ON, OVER OR PLACED WITHIN EASEMENTS. IT SHALL BE FURTHER UNDERSTOOD THAT THE CITY OF SURPRISE SHALL NOT BE REQUIRED TO REPLACE ANY OBSTRUCTIONS OR PLANTING THAT MUST BE REMOVED DURING THE COURSE OF MAINTENANCE, CONSTRUCTION, OR RECONSTRUCTION OF CITY UTILITIES.
2. ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND.
3. ALL STRUCTURES AND LANDSCAPING WITHIN THE 35'-0" VISION TRIANGLE ALONG THE PROPERTY LINES AT LOT CORNERS SHALL BE MAINTAINED AT A MAXIMUM HEIGHT OF 30' ABOVE GROUND LEVEL. (SEE DETAIL THIS SHEET) SEE CITY OF SURPRISE ENGINEERING DESIGN STANDARDS, STANDARD DETAIL 4-22 FOR SIGHT VISIBILITY TRIANGLE REQUIREMENTS FOR ARTERIAL AND COLLECTOR STREETS.
4. ALL EXTERIOR SUBDIVISION BOUNDARY CORNERS ARE AS SHOWN PER THIS PLAT IN CONFORMANCE WITH ARIZONA STATUTE. ALL INTERIOR CORNERS AND MONUMENTS ARE TO BE SET BY THE SURVEYOR RESPONSIBLE FOR THE CONSTRUCTION SURVEY AND STAKING OF THIS PROJECT AND MUST BE IN CONFORMANCE WITH SAID ARIZONA STATUTORY REQUIREMENTS.
5. LANDSCAPING WITHIN ALL TRACTS WILL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
6. PROVISIONS SHALL BE MADE FOR DEVELOPMENT AND MAINTENANCE OF A STREET LIGHT IMPROVEMENT DISTRICT (SLID).
7. NO ON-SITE GRADING OR EXCAVATION SHALL OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
8. THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "X" (SHADED), AND ZONE "AP" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 040130790L AND 040130710L, WITH A DATE OF IDENTIFICATION OF OCTOBER 16, 2013, FOR COMMUNITY NO. 040033, IN MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.
9. IN ACCORDANCE WITH ARS § 9-461.02, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
10. PURSUANT TO A.R.S. § 42-1102, 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 # 14751 AND 14710, WHEN APPLICABLE.
11. THIS FINAL PLAT IS IN SUBSTANTIAL CONFORMANCE WITH THE PRELIMINARY PLAT APPROVED BY THE CITY OF SURPRISE UNDER CASE FS17-004.
12. DEVELOPMENT STANDARDS ARE PER THE APPROVED TERRA RICO PAD AMENDMENT CASE FS17-004 OR AS SUBSEQUENTLY AMENDED.



LOCAL STREET
SIGHT VISIBILITY TRIANGLES

NOTES:

1. SIGNS, FENCES, WALLS, UTILITY BOXES, STRUCTURES, SHRUBS, HEDGES OR OTHER PLANTS, BUT EXCLUDING TREES OVER 30 INCHES IN HEIGHT SHALL NOT BE PERMITTED WITHIN THE RESTRICTED AREAS.
2. PLANTING WITHIN THE R/W IN NEW EASEMENTS SHALL BE PER THE APPROVED TYPES AND DIMENSIONS AND SHALL NOT EXCEED WITHIN THE SIGHT TRIANGLE PER AASHTO GUIDELINES.
3. TREES ARE PERMITTED WITHIN THE RESTRICTED AREAS PROVIDED:
 - A. NO LIMBS, LEAVES, NEEDLES OR OTHER FOLIAGE ABOVE 30 INCHES OR BELOW 84 INCHES ARE PERMITTED.
 - B. TREES SHALL NOT OBSTRUCT MORE THAN 20% OF THE VISIBILITY WHEN COMBINED WITH OBSTRUCTIONS PRESENT.
4. STOP SIGN SHALL BE INSTALLED AT 2' MINIMUM BEHIND BACK OF CURVE.
 - UNOBSTRUCTED VIEW EASEMENT AREA (SEE NOTE #3)
 - NO VEGETATION OVER 30 INCHES IN HEIGHT

LOT TABLE		
LOT NO.	AREA (SQ.FT.)	AREA (ACRES)
LOT : 1	7886	0.1810
LOT : 2	7895	0.1812
LOT : 3	7804	0.1814
LOT : 4	7913	0.1816
LOT : 5	9554	0.2193
LOT : 6	12631	0.2900
LOT : 7	10144	0.2329
LOT : 8	7887	0.1811
LOT : 9	7705	0.1769
LOT : 10	7716	0.1772
LOT : 11	7716	0.1772
LOT : 12	7716	0.1772
LOT : 13	7716	0.1772
LOT : 14	7717	0.1772
LOT : 15	7717	0.1772
LOT : 16	7705	0.1769
LOT : 17	7668	0.1760
LOT : 18	7718	0.1772
LOT : 19	8327	0.1912
LOT : 20	9194	0.2111

LOT TABLE		
LOT NO.	AREA (SQ.FT.)	AREA (ACRES)
LOT : 21	8938	0.2052
LOT : 22	7812	0.1793
LOT : 23	7812	0.1793
LOT : 24	7812	0.1793
LOT : 25	7812	0.1793
LOT : 26	7812	0.1793
LOT : 27	7812	0.1793
LOT : 28	7812	0.1793
LOT : 29	7764	0.1762
LOT : 30	7764	0.1762
LOT : 31	7812	0.1793
LOT : 32	7812	0.1793
LOT : 33	7812	0.1793
LOT : 34	7812	0.1793
LOT : 35	7812	0.1793
LOT : 36	7812	0.1793
LOT : 37	7812	0.1793
LOT : 38	7989	0.1834
LOT : 39	8408	0.1934
LOT : 40	8768	0.2013

LOT TABLE		
LOT NO.	AREA (SQ.FT.)	AREA (ACRES)
LOT : 41	8939	0.2053
LOT : 42	8761	0.2011
LOT : 43	8197	0.1882
LOT : 44	8658	0.1988
LOT : 45	12285	0.2820
LOT : 46	7821	0.1796
LOT : 47	7822	0.1796
LOT : 48	7837	0.1799
LOT : 49	7907	0.1815
LOT : 50	7915	0.1817
LOT : 51	7852	0.1803
LOT : 52	7764	0.1762
LOT : 53	7875	0.1808
LOT : 54	7510	0.1724
LOT : 55	7560	0.1736
LOT : 56	7560	0.1736
LOT : 57	7560	0.1736
LOT : 58	7560	0.1736
LOT : 59	7510	0.1724
LOT : 60	8998	0.2066

LOT TABLE		
LOT NO.	AREA (SQ.FT.)	AREA (ACRES)
LOT : 61	7560	0.1736
LOT : 62	7560	0.1736
LOT : 63	7560	0.1736
LOT : 64	7560	0.1736
LOT : 65	7510	0.1724
LOT : 66	7825	0.1796
LOT : 67	7875	0.1808
LOT : 68	7716	0.1771
LOT : 69	8190	0.1880
LOT : 70	8190	0.1880
LOT : 71	8190	0.1880
LOT : 72	8190	0.1880
LOT : 73	8190	0.1880
LOT : 74	8190	0.1880
LOT : 75	8190	0.1880
LOT : 76	8190	0.1880
LOT : 77	8190	0.1880
LOT : 78	8190	0.1880
LOT : 79	8202	0.1863

AREAS:

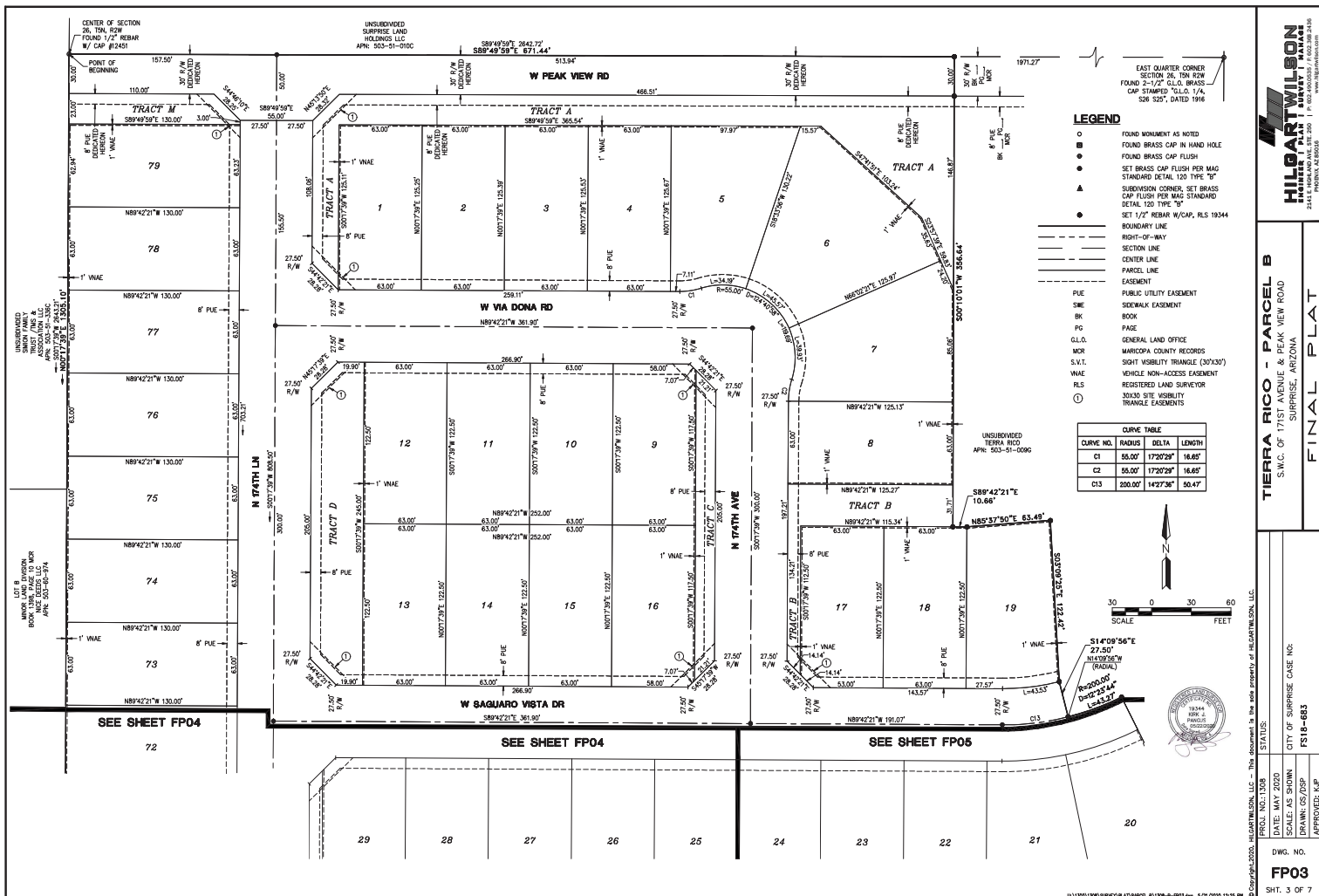
TRACT AREA =	252,116 SQ. FT. 5.7878 ACRES
LOT AREA =	640,609 SQ. FT. 14.7084 ACRES
RIGHT-OF-WAY =	255,315 SQ. FT. 5.8612 ACRES
GROSS AREA =	1,146,040 SQ. FT. 26.3554 ACRES
NET AREA =	892,725 SQ. FT. 20.4941 ACRES (NET = GROSS MINUS RIGHT-OF-WAY)
DENSITY (GROSS) =	3.0 D.U. / ACRE
DENSITY (NET) =	3.9 D.U. / ACRE

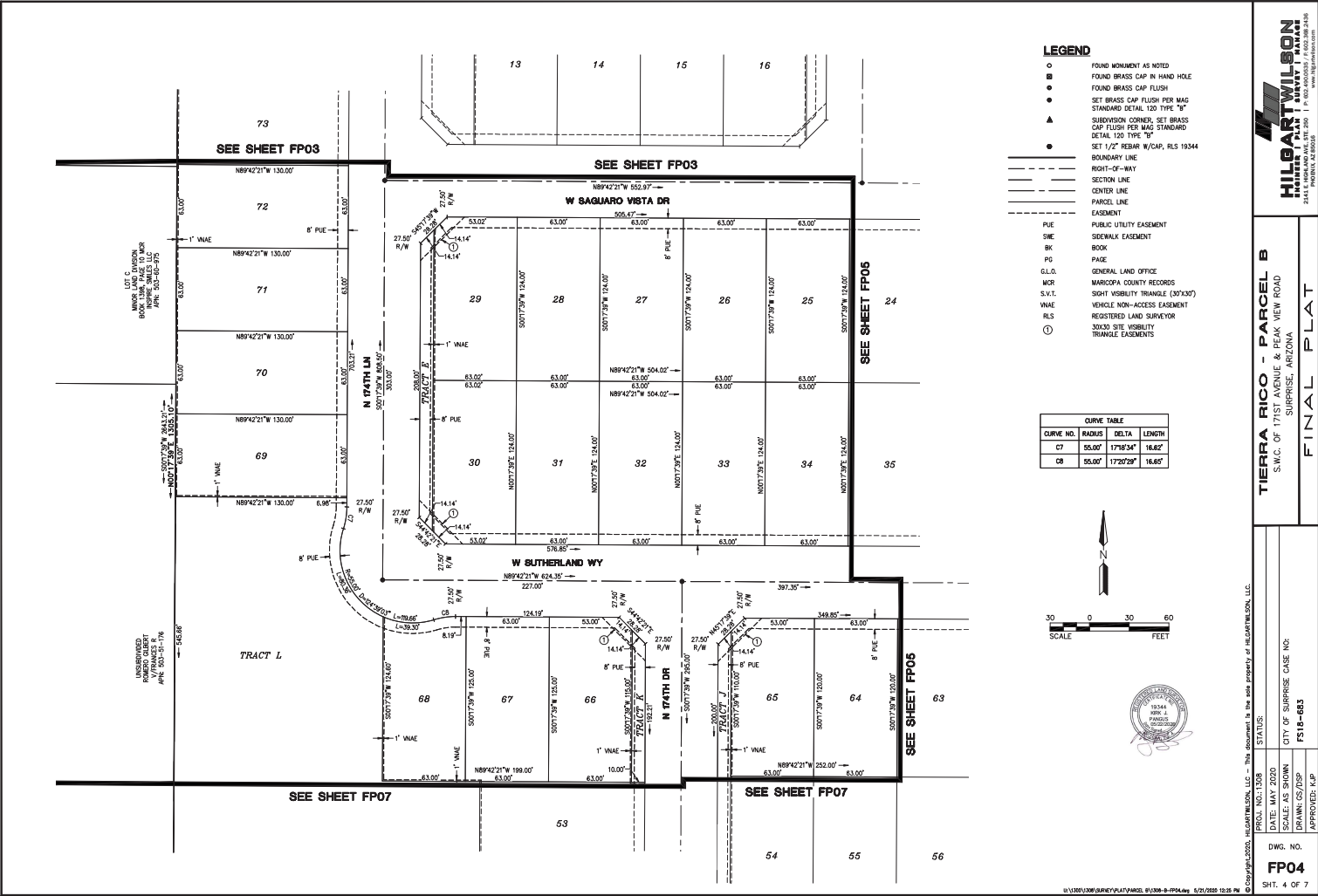


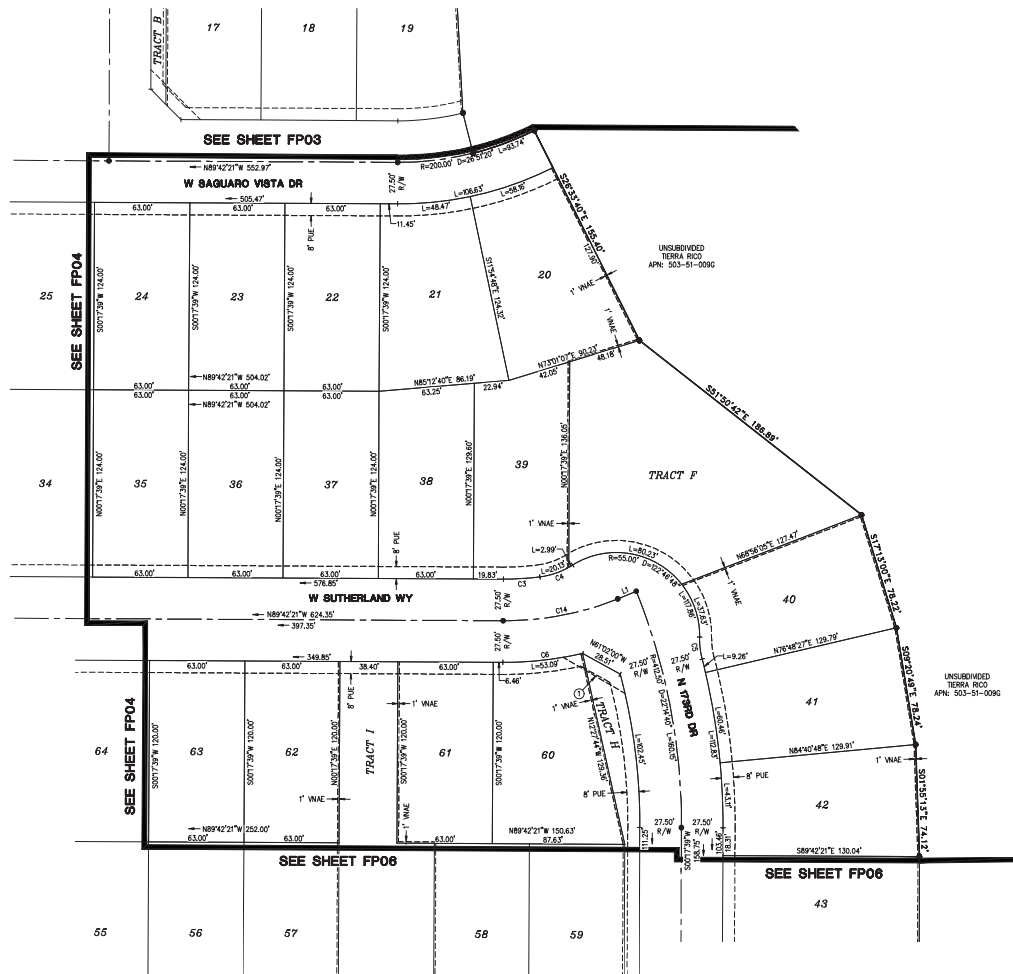
HILGARTWILSON
ENGINEERS & PLANNERS
1100 N. CENTRAL AVENUE, SUITE 200
PHOENIX, ARIZONA 85004
TEL: 602.998.1200 | FAX: 602.998.1201
WWW.HILGARTWILSON.COM

TERRA RICO - PARCEL B
S.W.C. OF 1/4 SEC. 16 & PEAK VIEW ROAD
SURPRISE, ARIZONA
FINAL PLAT

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PROJECT: TERRA RICO - PARCEL B
DATE: MAY 2020
SCALE: AS SHOWN
DRAWN: GS/JSP
APPROVED: KLP
DWG. NO.
FP02
SHT. 2 OF 7



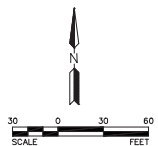




- LEGEND**
- FOUND MONUMENT AS NOTED
 - FOUND BRASS CAP IN HAND HOLE
 - FOUND BRASS CAP FLUSH
 - SET BRASS CAP FLUSH PER MAG STANDARD DETAIL 120 TYPE "B"
 - ▲ SUBDIVISION CORNER, SET BRASS CAP FLUSH PER MAG STANDARD DETAIL 120 TYPE "B"
 - SET 1/2" REBAR W/CAP, RLS 19344
 - BOUNDARY LINE
 - RIGHT-OF-WAY
 - SECTION LINE
 - CENTER LINE
 - PARCEL LINE
 - EASEMENT
 - PUBLIC UTILITY EASEMENT
 - SIDEWALK EASEMENT
 - BOOK
 - PAGE
 - G.L.O. GENERAL LAND OFFICE
 - M.C.R. MARICOPA COUNTY RECORDS
 - S.V.T. SIGHT VISIBILITY TRIANGLE (30'X30')
 - V.N.A.E. VEHICLE NON-ACCESS EASEMENT
 - R.L.S. REGISTERED LAND SURVEYOR
 - ① 30'X30' SITE VISIBILITY TRIANGLE EASEMENTS

CURVE TABLE			
CURVE NO.	RADIUS	DELTA	LENGTH
C3	172.50'	87°33'38"	24.27'
C4	55.00'	24°04'57"	23.12'
C5	55.00'	15°19'50"	14.72'
C6	227.50'	13°22'18"	53.09'
C14	200.00'	22°14'40"	77.65'

LINE TABLE		
LINE NO.	DIRECTION	LENGTH
L1	N89°02'30"E	13.25'



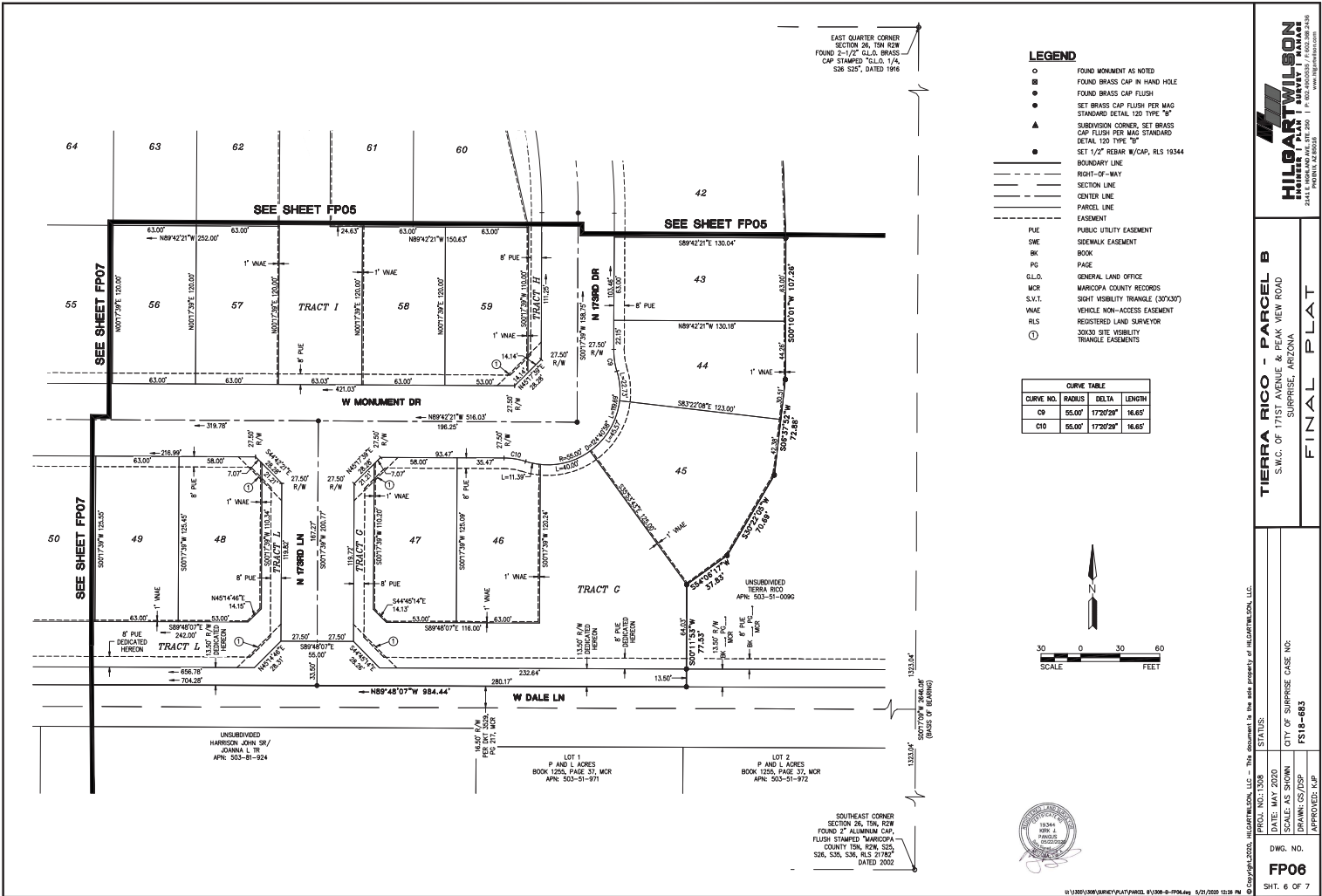
HILGART WILSON
SURVEYOR
15344
STATE OF ARIZONA
LICENSE NO. 15344
EXPIRATION DATE 12/31/2025

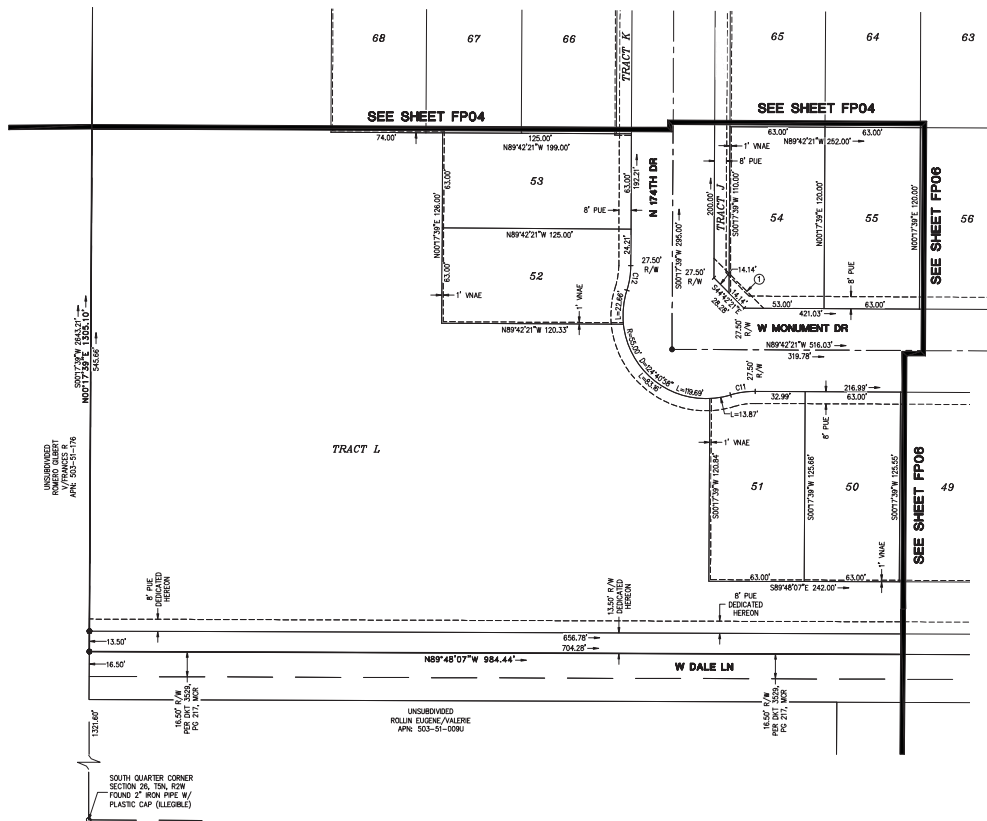
TIERA RICO - PARCEL B
S.W.C. OF TIERA RICO & PEAK VIEW ROAD
SURPRISE, ARIZONA

FINAL PLAT

PROJECT: TIERA RICO, LLC - This document is the sole property of Hilgart Wilson, LLC.
STATUS: FINAL
PROJ. NO.: 1508
DATE: MAY 2020
SCALE: AS SHOWN
DRAWN: GS/OSP
APPROVED: KJP

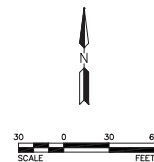
DWG. NO. **FP05**
SHT. 5 OF 7





- LEGEND**
- FOUND MONUMENT AS NOTED
 - FOUND BRASS CAP IN HAND HOLE
 - FOUND BRASS CAP FLUSH
 - SET BRASS CAP FLUSH PER MAG STANDARD DETAIL 120 TYPE "B"
 - ▲ SUBDIVISION CORNER, SET BRASS CAP FLUSH PER MAG STANDARD DETAIL 120 TYPE "B"
 - SET 1/2" REBAR W/CAP, RLS 18344
 - BOUNDARY LINE
 - RIGHT-OF-WAY
 - SECTION LINE
 - CENTER LINE
 - PARCEL LINE
 - EASEMENT
 - PUBLIC UTILITY EASEMENT
 - SIDEWALK EASEMENT
 - BK BOOK
 - PG PAGE
 - G.L.O. GENERAL LAND OFFICE
 - MOR MARICOPA COUNTY RECORDS
 - S.V.T. SOUTH VISIBILITY TRIANGLE (30X30')
 - VME VEHICLE NON-ACCESS EASEMENT
 - RLS REGISTERED LAND SURVEYOR
 - 30X30 SITE VISIBILITY TRIANGLE EASEMENTS

CURVE TABLE			
CURVE NO.	RADIUS	DELTA	LENGTH
C11	35.00'	17°27'29"	16.65'
C12	35.00'	17°27'29"	16.65'



RESOLUTION NO. 2021-138

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING A FINAL PLAT ENTITLED “FINAL PLAT OF TIERRA RICO – PARCEL B,” GENERALLY LOCATED NORTH OF DALE LANE AND WEST OF 171ST AVENUE.

WHEREAS, on November 22, 2005, the Mayor and City Council approved the Tiera Rico Planned Area Development;

WHEREAS, on August 7, 2018, the Mayor and City Council approved the Preliminary Plat for Tierra Rico – Parcel B dated May 2018;

WHEREAS, the proposed Final Plat conforms with the Preliminary Plat for Tierra Rico – Parcel B approved by the Mayor and City Council, on August 7, 2018;

WHEREAS, the proposed final plat does not create any substandard or nonconforming lots; and

WHEREAS, the proposed final plat complies with the Surprise General Plan and Municipal Code.

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

Section 1. The Final Plat entitled “Final Plat of Tierra Rico – Parcel B,” dated May 2020 is approved subject to the following conditions:

- a. The City shall not record the Final Plat entitled “Final Plat of Tierra Rico – Parcel B,” dated May 2020, until the applicant/property owner has provided documentation showing that all of the following have occurred:
 1. The Conditional Letter of Map Revision (“CLOMR”) for Tierra Rico, case FS18-702, has been approved by the Flood Control District for Maricopa County, Arizona (“FCDMC”).
 2. The 10’ right-of-way on the north side of the Peak View Road centerline has been dedicated to the City.
 3. The drainage easement along the north side of Peak View Road has been dedicated to the City.
 4. An In-Lieu Payment agreement and cost estimate package for Dale Lane pavement and drainage improvements has been executed and recorded.

- b. The applicant/property owner shall revise the Final Plat by removing the Book and Page numbers for Peak View Rd and for the Public Utility Easement ("PUE") on page 3 of the Final Plat.
- c. The applicant/property shall revise the Final Plat by removing the Book and Page lines for Dale Lane, 13.50' R/W and 8' PUE from outside eastern boundary of development on page 6 of the Final Plat.

Section 2. If the Final Plat has not been recorded within sixty (60) days of the approval of this Resolution because the items required by Section 1 have not been addressed by the applicant/property owner, the City may, in lieu of recording, schedule this Final Plat for a public hearing for consideration and possible action by the City Council to revoke, repeal, and nullify the approval of the Final Plat.

APPROVED AND ADOPTED this _____ day of _____ 2021.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney



FS18-683
Tierra Rico Parcel B
Final Plat

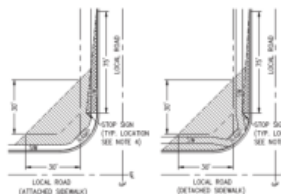
City Council
September 21, 2021



FS18-683 VICINITY MAP

TRACT TABLE		
TRACT	AREA (ACRES)	USE
TRACT A	0.4202	COMMON AREA & DRAINAGE
TRACT B	0.1159	COMMON AREA
TRACT C	0.0768	COMMON AREA
TRACT D	0.2152	COMMON AREA & DRAINAGE
TRACT E	0.0500	COMMON AREA
TRACT F	0.4238	COMMON AREA & DRAINAGE
TRACT G	0.4775	COMMON AREA & DRAINAGE
TRACT H	0.0768	COMMON AREA
TRACT I	0.2794	COMMON AREA & DRAINAGE
TRACT J	0.0482	COMMON AREA
TRACT K	0.0253	COMMON AREA
TRACT L	3.5815	COMMON AREA & DRAINAGE
TRACT M	0.0640	COMMON AREA

1. COMMON AREAS MAY INCLUDE OPEN SPACE, LANDSCAPING, PEDESTRIAN PATHS AND/OR AMENITIES.
2. SPECIFIC EASEMENTS THAT ARE BEING DEDICATED AS PART OF THIS PLAT ARE FULLY DELINEATED ON THE FOLLOWING SHEETS.
3. THE USES SHOWN IN THE TRACT TABLE ABOVE DO NOT INTEND TO GRANT EASEMENTS THAT ARE BLANKET IN NATURE OVER THE ENTIRE TRACT.

[illegible]

LOCAL STREET SIGHT VISIBILITY TRIANGLES

1. STAKES, FENCES, WALLS, UTILITY BODIES, STRUCTURES, SHRUBS, BUSHES OR OTHER PLANTS, BUT EXCLUDING TREES OVER 30 INCHES IN HEIGHT SHALL NOT BE PERMITTED WITHIN THE RESTRICTED AREAS.
2. PLANTING WITHIN THE R/W IN NEW EASEMENTS SHALL BE PER THE APPROVED TYPES AND DIMENSIONS AND SHALL NOT ENCRUMB WITHIN THE RIGHT TRIANGLE PER ASHTO GUIDELINES.
3. TREES ARE PERMITTED WITHIN THE RESTRICTED AREAS PROVIDED:
 - a. NO LIMBS, LEAVES, NEEDLES OR OTHER FOLIAGE ABOVE 30 INCHES OR BELOW 34 INCHES ARE PERMITTED.
 - b. TREES SHALL NOT OBSTRUCT MORE THAN 20% OF THE VISIBILITY WHEN COMBINED WITH OTHER OBSTRUCTIONS PRESENT.
4. STOP SIGN SHALL BE INSTALLED AT 2' MINIMUM BEHIND BACK OF CURB.
(UNRESTRICTED VIEW EASEMENT AREA)
(SEE NOTE #2)
5. NO VEGETATION OVER 30 INCHES IN HEIGHT

LOT TABLE		
LOT NO.	AREA (SQ/FT)	AREA (ACRES)
LOT - 41	8639	0.2052
LOT - 42	8761	0.2021
LOT - 43	8197	0.1882
LOT - 44	8658	0.1988
LOT - 45	12285	0.2820
LOT - 46	7821	0.1796
LOT - 47	7622	0.1746
LOT - 48	7637	0.1749
LOT - 49	7937	0.1815
LOT - 50	7913	0.1817
LOT - 51	7852	0.1803
LOT - 52	7764	0.1782
LOT - 53	7675	0.1800
LOT - 54	7518	0.1724
LOT - 55	7560	0.1738
LOT - 56	7560	0.1738
LOT - 57	7560	0.1738
LOT - 58	7560	0.1738
LOT - 59	7518	0.1724
LOT - 60	8898	0.2066

LOT TABLE		
LOT NO.	AREA (SQFT)	AREA (ACRES)
LOT : 81	7560	0.1736
LOT : 82	7560	0.1736
LOT : 83	7560	0.1736
LOT : 84	7560	0.1736
LOT : 85	7530	0.1724
LOT : 86	7825	0.1796
LOT : 87	7875	0.1808
LOT : 88	7736	0.1771
LOT : 89	8090	0.1860
LOT : 90	8090	0.1860
LOT : 91	8090	0.1860
LOT : 92	8090	0.1860
LOT : 93	8090	0.1860
LOT : 94	8090	0.1860
LOT : 95	8090	0.1860
LOT : 96	8090	0.1860
LOT : 97	8090	0.1860
LOT : 98	8090	0.1860
LOT : 99	8202	0.1883

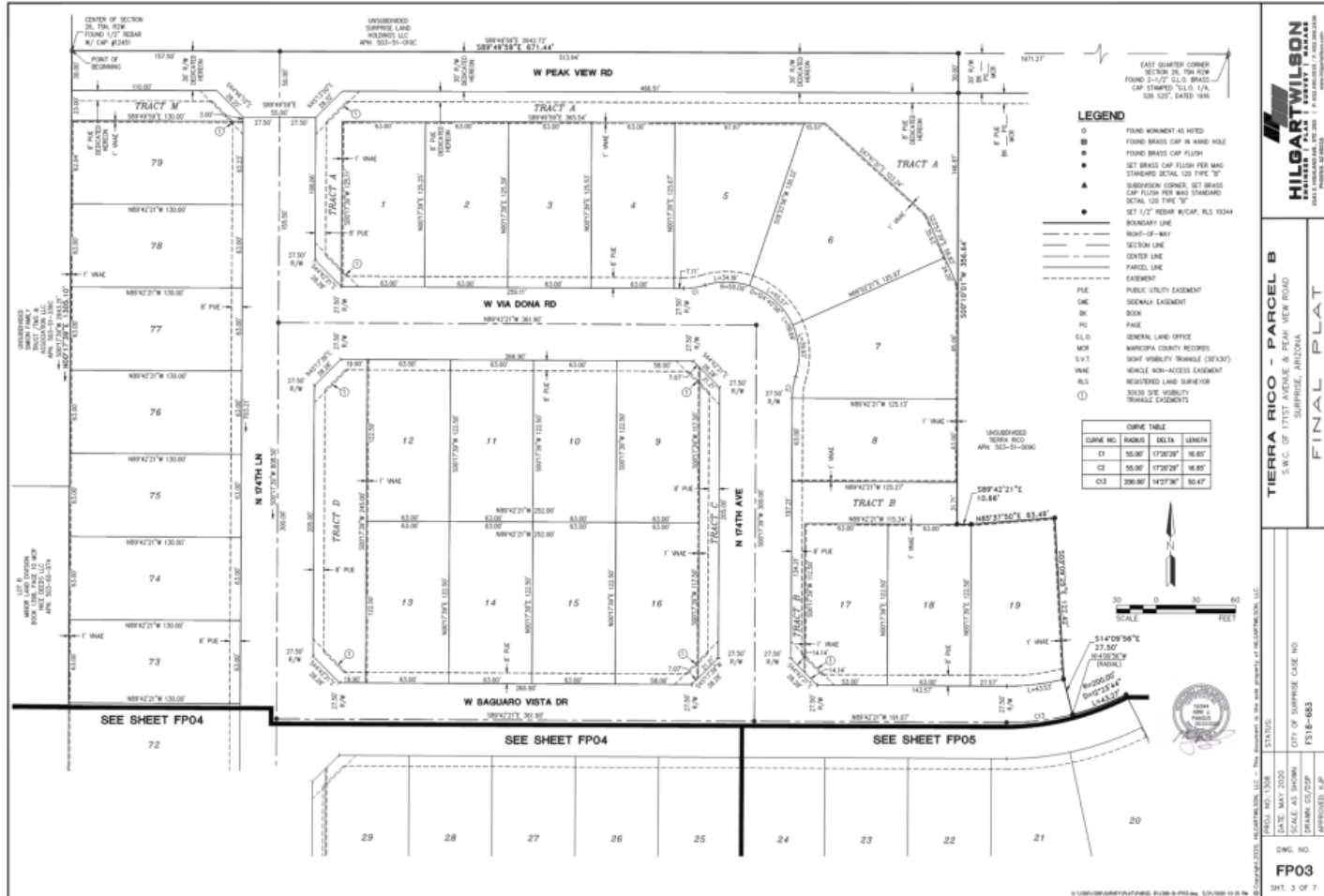
TRACT AREA =	252,116 SQ. FT.	5.7878 ACRES
LOT AREA =	640,600 SQ. FT.	14.7084 ACRES
RIGHT-OF-WAY =	255,315 SQ. FT.	5.8812 ACRES
GROSS AREA =	1,148,040 SQ. FT.	26.3554 ACRES
NET AREA =	892,725 SQ. FT.	20.4840 ACRES
	(NET = GROSS MINUS RIGHT-OF-WAY)	
DENSITY (GROSS) =		3.0 U.I. / ACRE
DENSITY (NET) =		3.0 U.I. / ACRE



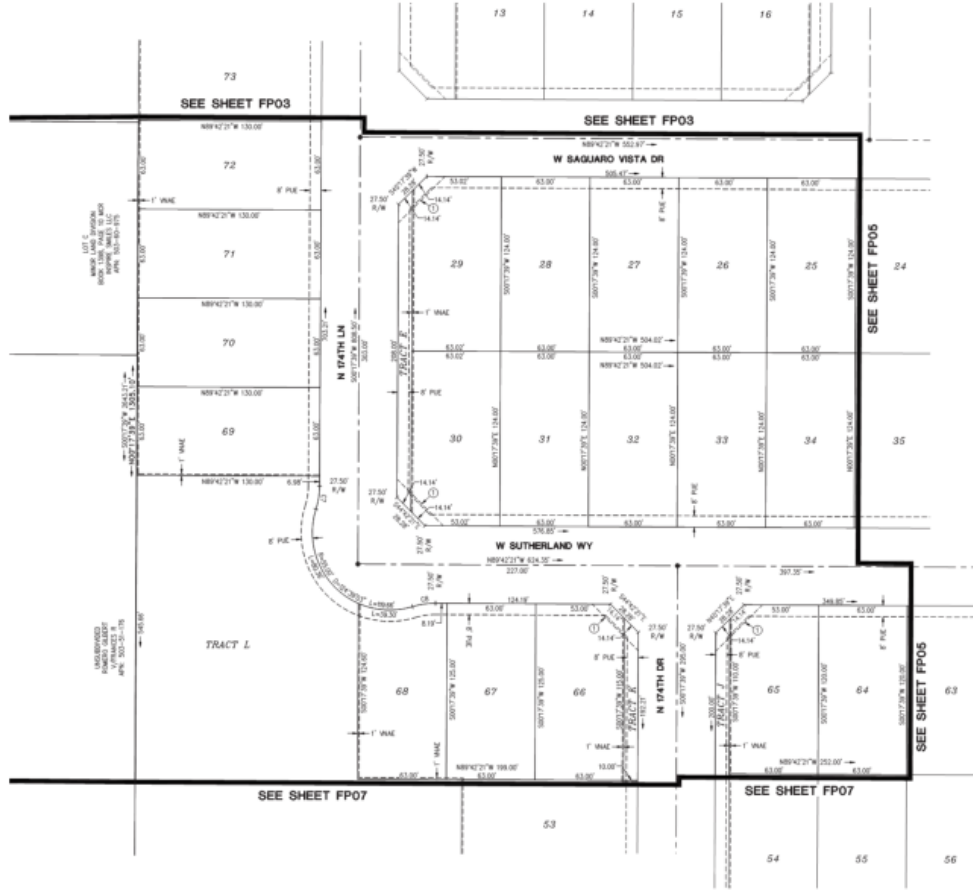
DWG. NO.
EP02

HILGARTWILSON
ENGINEER | PLANNING | SURVEY | MANAGEMENT
1411 HIGHLAND AVE., STE. 200 | P.O. BOX 400,035 / F. 402.338.1416

FINAL PLAT



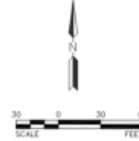
FINAL PLAT



LEGEND

- FOUND MONUMENT AS NOTED
- FOUND BRASS CAP IN HAND HOLE
- FOUND BRASS CAP FLUSH
- SET BRASS CAP FLUSH PER MAG STANDARDS DETAIL 125 TYPE "B"
- ▲ SUBDIVISION CORNER, SET BRASS CAP FLUSH PER MAG STANDARDS DETAIL 125 TYPE "B"
- SET 1/2" IRON N/CAP, RLS 10304
- BOUNDARY LINE
- RIGHT-OF-WAY
- SECTION LINE
- CENTER LINE
- PARCEL LINE
- EASEMENT
- PVE PUBLIC UTILITY EASEMENT
- S/E SIDEWALK EASEMENT
- B/E BOOK
- P/E PAGE
- G.L.O. GENERAL LAND OFFICE
- M/C MARICOPA COUNTY RECORDS
- S.V.I. SHORT VISIBILITY TRIANGLE (DEFUNCT)
- V.N.E. VEHICLE NON-ACCESS EASEMENT
- RLS REGISTERED LAND SURVEYOR
- ① 2018 CRE VISIBILITY TRIANGLE EASEMENTS

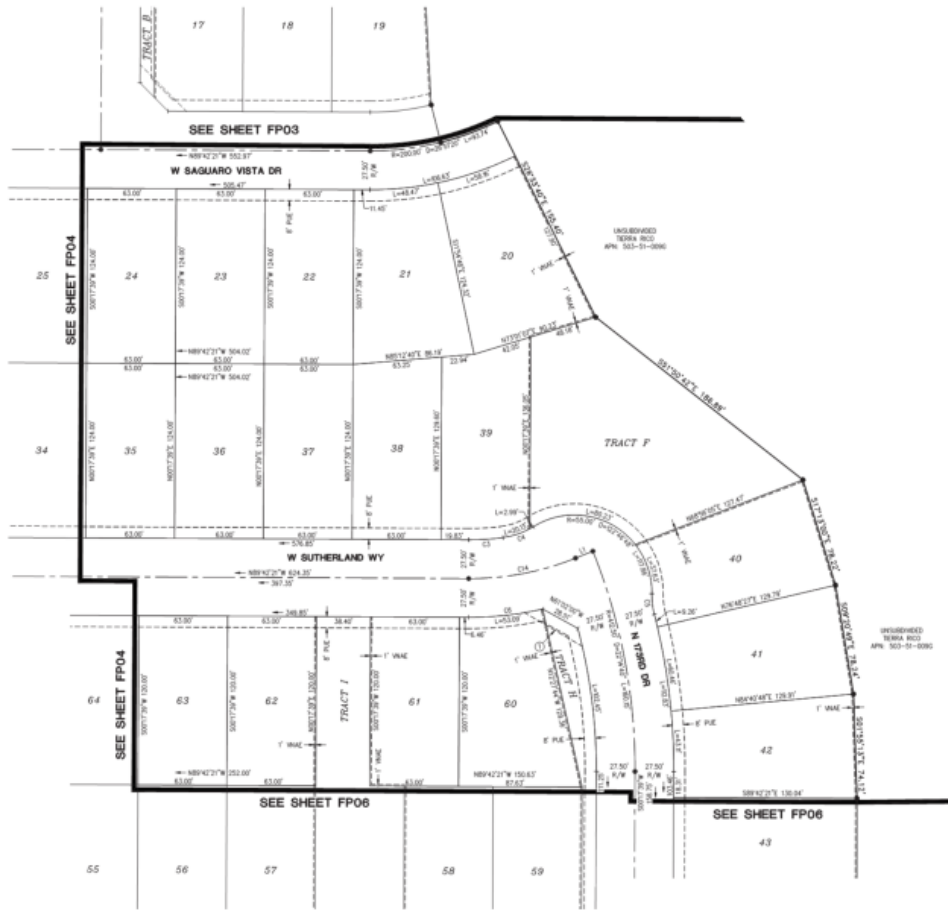
CURVE TABLE			
CURVE NO.	RADIUS	DELTA	LENGTH
CT	55.00'	17°19'34"	18.62'
CB	55.00'	17°29'29"	18.60'



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TERRA RICO - PARCEL B S.W.C. OF 17TH & 94TH AVENUE, NEW ROAD SUPERIOR, ARIZONA		FINAL PLAT
PREPARED BY: DATE: MAY 2020 SCALE: AS SHOWN DRAWN: JLD/SP	CITY OF SUPERIOR CASE NO: FS18-483 APPROVED: A.P.	
DWG. NO.: FP04		

FINAL PLAT

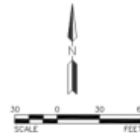


LEGEND

- FOUND MONUMENT AS NOTED
- FOUND BRASS CAP IN WARE HOLE
- FOUND BRASS CAP FLUSH
- SET BRASS CAP FLUSH PER MAG STANDARD DETAIL 125 TYPE "B"
- ▲ SUBDIVISION CORNER, SET BRASS CAP FLUSH PER MAG STANDARD DETAIL 125 TYPE "B"
- SET 1/2" REBAR W/ CAP, RLS 19304
- BOUNDARY LINE
- RIGHT-OF-WAY
- SECTION LINE
- CENTER LINE
- PARCEL LINE
- EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- SME SEWERAGE EASEMENT
- BO BOOK
- PA PAGE
- SLO GENERAL LAND OFFICE
- MCR MARICOPA COUNTY RECORDS
- S.V.T. SOUTHERN VENTURE TRAIL (S.V.T.)
- WAE WAREHOUSE ACCESS EASEMENT
- RLS REGISTERED LAND SURVEYOR
- 3000 LBS. LIABILITY
- TRAILHEAD EASEMENTS

CURVE TABLE			
CURVE NO.	RADIUS	DELTA	LENGTH
C3	172.50'	87°02'36"	24.27'
C4	55.00'	24°04'53"	23.52'
C5	55.00'	19°19'50"	14.72'
C6	227.00'	1°32'28"	53.00'
C14	200.00'	22°14'47"	77.85'

LINE TABLE		
LINE NO.	DIRECTION	LENGTH
L1	W 89°52'34"E	13.22'



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HILGART WILSON
 LAND SURVEYORS
 1000 N. 10TH AVENUE, SUITE 200
 PHOENIX, ARIZONA 85004

TERRA RICO - PARCEL B
 S.W.C. OF 171ST AVENUE & PEAK VIEW ROAD
 SURPRISE, ARIZONA

PROJECT NO. 1508
 DATE: MAY 2020
 SCALE: AS SHOWN
 CITY OF SURPRISE CASE NO.
 FS18-483
 APPROVED: L.P.

DWG. NO.
FP05
 SHT. 5 OF 7

FINAL PLAT



CURVE TABLE			
CURVE NO.	RADIUS	DELTA	LENGTH
C11	55.00'	17°20'29"	16.85
C12	55.00'	17°20'29"	16.85



- ### LEGEND
- FOUND ANCHORAGE AS NOTED
 - FOUND BRASS CAP IN HAND HOLE
 - FOUND BRASS CAP FLUSH
 - SET BRASS CAP FLUSH FOR SET STANDARD CEMENT, 120 TYPE "B"
 - REINFORCING CORNER, SET BRASS CAP FLUSH FOR MAX. STANDARD CEMENT, 120 TYPE "B"
 - SET 1/2" REBAR W/CS, RCP, RS 19344
- BOUNDARY LINE
 --- RIGHT-OF-WAY
 --- SECTION LINE
 --- CENTER LINE
 --- PARCELS LINE
 --- EASEMENT
 --- PUBLIC UTILITY EASEMENT
 --- SIDEWALK EASEMENT
 --- BOOK
 --- PAGE
 --- VERTICAL LAND RECORD
 --- HARRIS COUNTY RECORDS
 --- SET SURVEY TRIANGLE (X)XXXX
 --- VEHICLE NON-ACCESS EASEMENT
 --- REGISTERED LAND SURVEYOR
 --- 2000 SITE VISIBILITY

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DWG. NO.
FP07
SHT. 7 OF 7

TIERRA RICO - PARCEL B
S.W.C. OF 171ST AVENUE & PEAK VIEW ROAD
Subdiv of A-677613

FINAL PLAT





QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: September 21, 2021 Contact Person: Lloyd Abrams
Submitting Department: Community Development District: District 1
Staff Recommendations: None

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

Agenda Wording:

Consideration and action pertaining to acceptance of a Drainage Easement from Randy and Catherine Brazil for roadway improvements along Peakview, near 171st avenue.

Motion:

I move to accept the Drainage Easement from Randy/Catherine Brazil.

Background:

The easement being dedicated is in association with the road improvements being done by the developer to improve Peakview to access the Tierra Rico Development

Objective Analysis:

The planned improved roadway will need the additional drainage area on the north side of Peakview road for the completion of the roadway improvement leading into the Tierra Rico Development.

Policy Compliant:

Approval of this item is policy compliant. The proposed dedication will advance the goals and policies of the Surprise General Plan and the City Council's Strategic 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 currently no budgetary impact related to approval of this item. The City will plan for future O&M when the road is in place and is accepted by the City.

FTE Impact:

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

ATTACHMENTS:

1. Brazil DE
2. Brazil Drainage Easement Map

When recorded return
to: City Clerk
City of Surprise
16000 N. Civic Center Plaza
Surprise, AZ 85374

Exempt from filing an
Affidavit of legal value
A.R.S. §11-1134 (A)(3)

DRAINAGE EASEMENT

FOR AND IN CONSIDERATION of One Dollar (\$1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged

Randy/Catherine Brazil, as owner, ("**Grantor**")

Do hereby grant and convey to the **City of Surprise** ("**Grantee**"), an Arizona municipal corporation, a **Drainage Easement** upon, over, across and through, to and in that certain parcel of real property as legally described in Exhibit A.

It is the intention of the parties to cause the real property described on said Exhibit "A" to be granted as a Drainage Easement for installation, maintenance, and repair of any drainage purpose including without limitation, retention, detention, and conveyance. No use by the Grantor of the area subject to the Drainage Easement shall prohibit or interfere with the drainage use by the public.

All provisions herein shall be binding upon the successors and assigns of the Grantor.

GRANTOR

GRANTEE: City of Surprise, an
Arizona Municipal Corporation

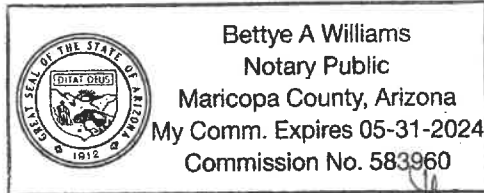
By: Catherine Brazil
Randy/Catherine Brazil,
Its: Owner

By: _____
Skip Hall
Its: Mayor

ATTEST:

Sherry Aguilar, City Clerk

STATE OF ARIZONA)
) SS.
County of Maricopa)



The foregoing instrument was acknowledged before me this 8th day of

July, 2021 by Catherine Brazil

My commission expires:

05-31-2024

Notary Public:

Bettye A Williams

STATE OF ARIZONA)
) SS.
County of Maricopa)

The foregoing instrument was acknowledged before me this ____ day of

_____, 2021, by _____, known by me as the Mayor of the
City of Surprise, an Arizona Municipal Corporation.

My commission expires:

Notary Public:

Exhibit A

Legal Description

See Attached

**TIERRA RICO
DRAINAGE EASEMENT #3
LEGAL DESCRIPTION**

A portion of land situated within the Special Warranty Deed recorded in Document No. 2011-0741633, Maricopa County Records, being situated within the Northeast Quarter of Section 26, Township 5 North, Range 2 West of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a found 2-1/2 inch G.L.O. brass cap accepted as the East Quarter corner of said Section 26 from which a found rebar w/ cap #12451 accepted as the center of said Section 26 thereof bears North 89°49'59" West, 2642.72 feet;

Thence North 89°49'59" West, 771.80 feet along the south line of the Northeast Quarter of said Section 26;

Thence leaving said south line, North 00°10'01" East, 10.00 feet to a line which is 10.00 feet north of and parallel with the south line of the Northeast Quarter of said Section 26, being the **POINT OF BEGINNING**;

Thence North 89°49'59" West, 549.54 feet along said parallel line

Thence leaving said parallel line, North 00°19'07" East, 25.13 feet along the west line of said Special Warranty Deed;

Thence leaving said west line, South 89°09'26" East, 276.64 feet;

Thence North 59°57'19" East, 32.06 feet;

Thence South 89°49'59" East, 32.00 feet;

Thence South 00°10'01" West, 4.11 feet;

Thence South 76°12'34" East, 30.61 feet;

Thence North 90°00'00" East, 183.31 feet;

Thence South 00°00'00" East, 27.22 feet to the **POINT OF BEGINNING**.

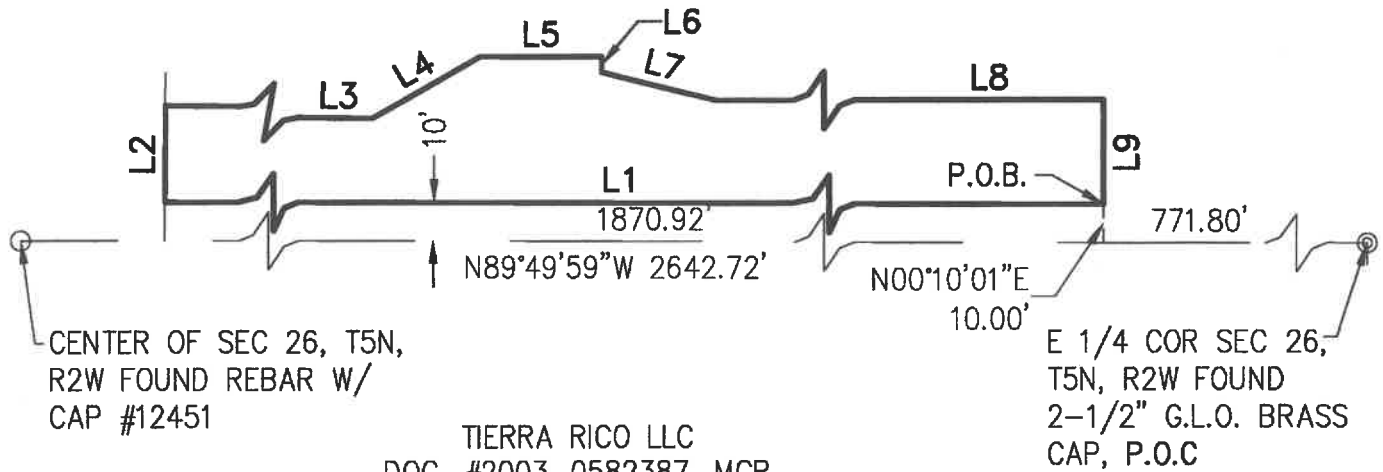
The above described parcel contains a computed area of 14,389 sq. ft. (0.3303 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

Prepared by: HILGARTWILSON, LLC
2141 E. Highland Avenue, Suite 250
Phoenix, AZ 85016
Project No.: 1308
Date: September 2020



BRAZIL RANDY
L/CATHERINE L
DOC. #2011-0741633, MCR

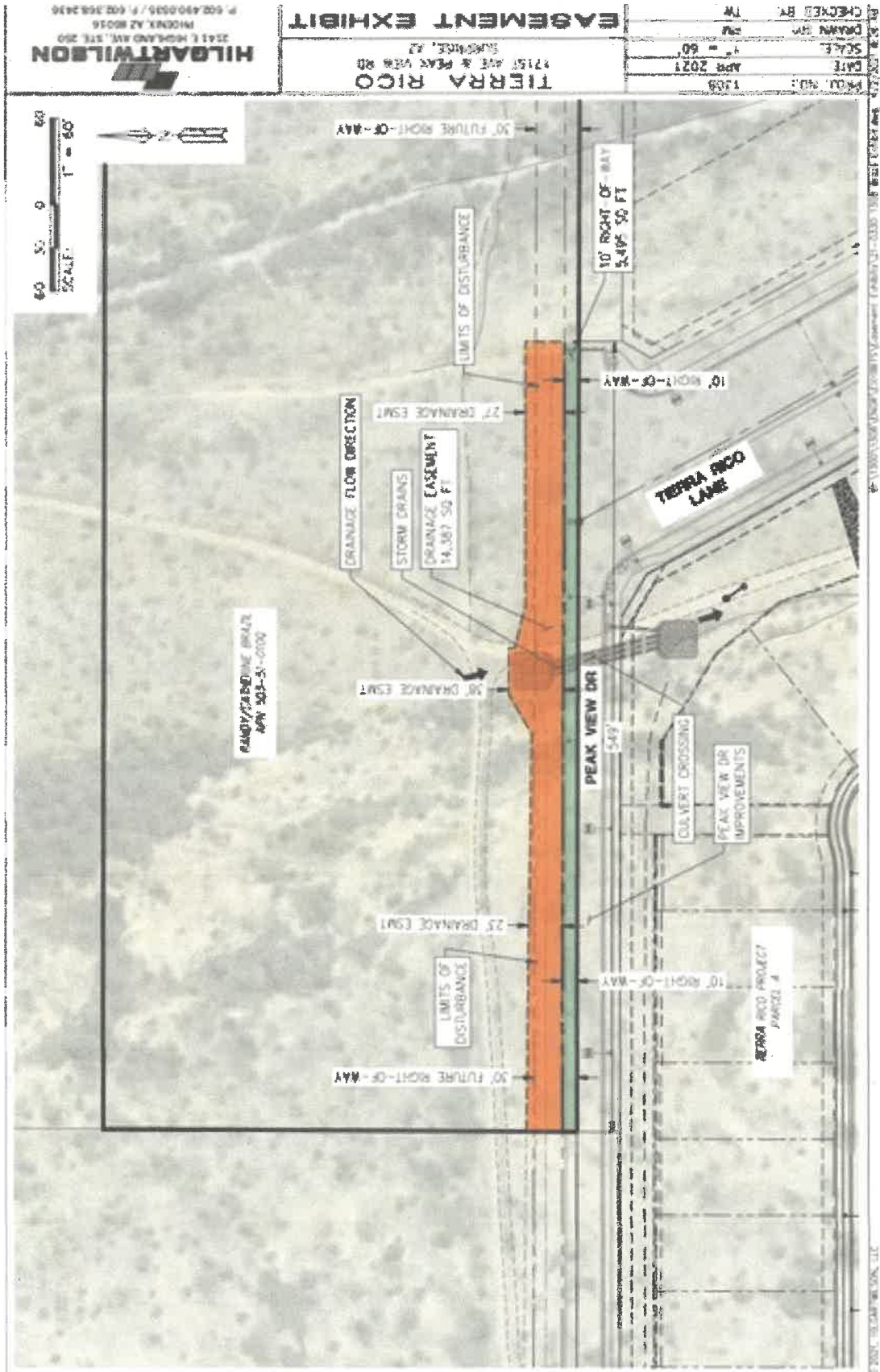


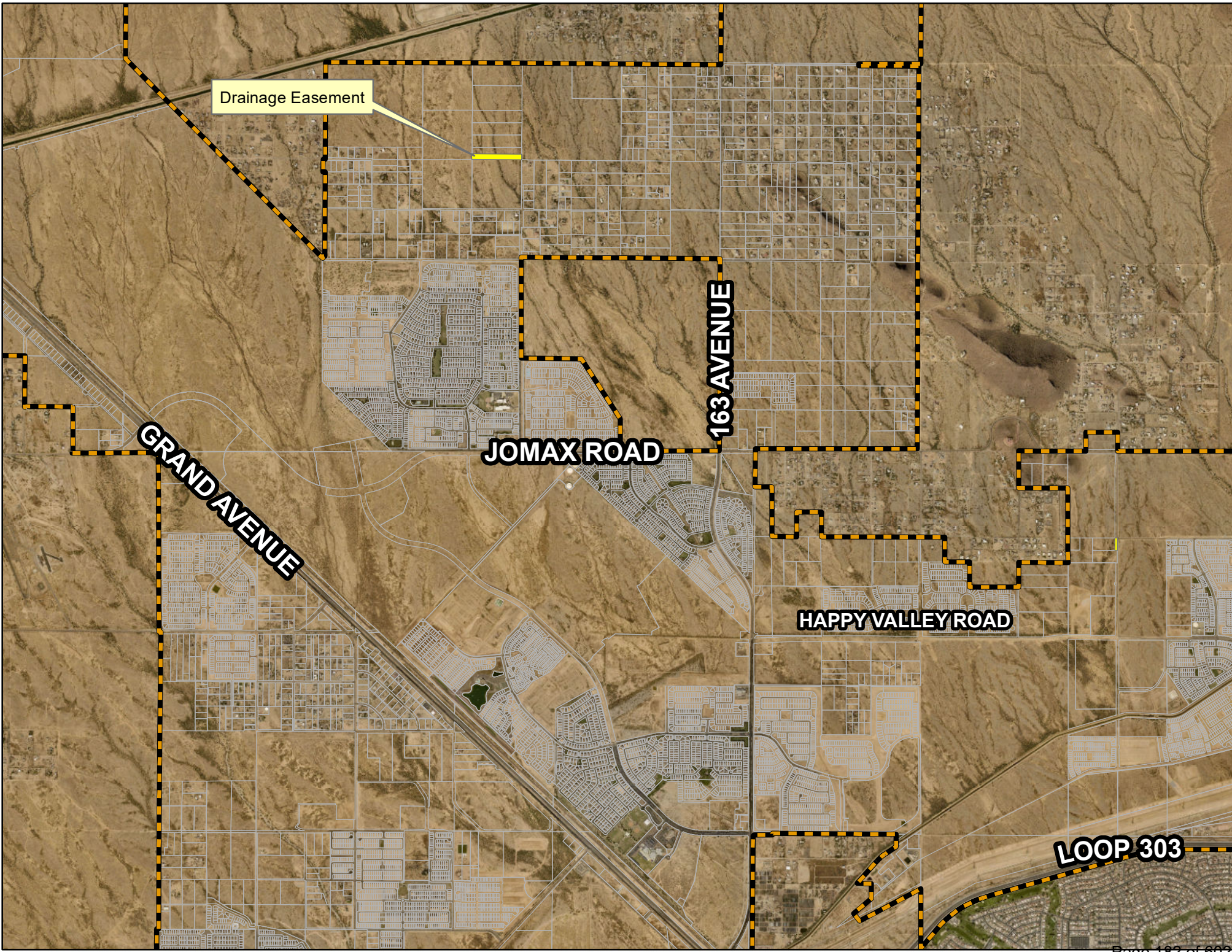
LINE TABLE			LINE TABLE		
LINE NO.	DIRECTION	LENGTH	LINE NO.	DIRECTION	LENGTH
L1	N89°49'59"W	549.54'	L6	S00°10'01"W	4.11'
L2	N00°19'07"E	25.13'	L7	S76°12'34"E	30.61'
L3	S89°09'26"E	276.64'	L8	N90°00'00"E	183.31'
L4	N59°57'19"E	32.06'	L9	S00°00'00"E	27.22'
L5	S89°49'59"E	32.00'			



P.O.B. – POINT OF BEGINNING
P.O.C. – POINT OF COMMENCING

PROJ.NO.: 1308	TIERRA RICO DRAINAGE EASEMENT #3 SURPRISE, ARIZONA	 HILGARTWILSON 2141 E. HIGHLAND AVE., STE. 250 PHOENIX, AZ 85016 P: 602.490.0535 / F: 602.368.2436
DATE: SEPT 2020		
SCALE: N.T.S.		
DRAWN BY: KM/GS		
CHECKED BY: KJP	EXHIBIT	





Drainage Easement

GRAND AVENUE

JOMAX ROAD

163 AVENUE

HAPPY VALLEY ROAD

LOOP 303



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: September 21, 2021 Contact Person: Lloyd Abrams
Submitting Department: Community Development District: District 1
Staff Recommendations: None

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

Agenda Wording:

Consideration and action pertaining to acceptance of a Warranty Deed from Randy and Catherine Brazil for Right of Way for roadway improvements at Peakview between 171st and 173rd Avenues.

Motion:

I move to accept the Warranty Deed from Randy/Catherine Brazil.

Background:

The Right of Way being dedicated is along Peakview to address access to the Tierra Rico development.

Objective Analysis:

The Development needs the additional access into their development to address access concerns and fire safety.

Policy Compliant:

Approval of this item is policy compliant. The proposed dedication will advance the goals and policies of the Surprise General Plan and the City Council's Strategic 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 currently no budgetary impact related to approval of this item. The City will plan for future O&M when the road is in place and is accepted by the City.

FTE Impact:

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

ATTACHMENTS:

1. Brazil WD

2. Brazil RW Map

When recorded return
to: City Clerk
City of Surprise
16000 N. Civic Center Plaza
Surprise, AZ 85374

Exempt from filing an
Affidavit of legal value
A.R.S. §11-1134 (A)(3)

WARRANTY DEED

For the consideration of Ten Dollar (\$10.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged

Randy/Catherine Brazil, ("Grantor")

Do hereby grant and convey to the City of Surprise, an Arizona municipal corporation, all right, title and interest to and in that certain parcel of real property as legally described in Exhibit A and depicted in Exhibit B.

It is the intention of the parties to cause the real property described on said Exhibit "A" to be dedicated as **public right of way for roadway and utility purposes**, and to vest title in fee simple in the City of Surprise in Trust, for all uses contemplated in public street dedication.

This deed supersedes and renders void any previous grant of a right in real property described in Exhibit "A", including, but not limited to, any easements conveyed by Grantor to the City of Surprise concerning the real property described in Exhibit "A."

And I or We do warrant the title against any and all persons, subject only to those encumbrances or liens of record, or as above set forth, if any.

GRANTOR

GRANTEE: City of Surprise, an
Arizona Municipal Corporation

By: Catherine Brazil
Randy/Catherine Brazil,
Its: Owner

By: _____
Skip Hall
Its: Mayor

ATTEST:

Sherry Aguilar, City Clerk

STATE OF ARIZONA)
) SS.
County of Maricopa)

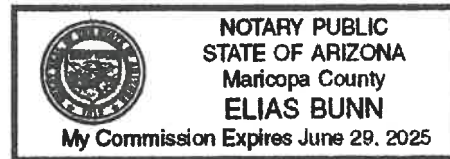
The foregoing instrument was acknowledged before me this 26 day of
August, 2021 by Catherine Brazil

My commission expires:

06/29/2025

Notary Public:

Elias Benn



STATE OF ARIZONA)
) SS.
County of Maricopa)

The foregoing instrument was acknowledged before me this ____ day of
_____, 2021, by _____, known by me as the Mayor of the
City of Surprise, an Arizona Municipal Corporation.

My commission expires:

Notary Public:

Exhibit A

Legal Description

See Attached

**TIERRA RICO
BRAZIL RIGHT OF WAY
LEGAL DESCRIPTION**

The West 549.59 feet of the South 10.00 feet of the Special Warranty Deed, as recorded in Document No. 2011-0741633, Maricopa County Records, Arizona being situated within the Northeast Quarter of Section 26, Township 5 North, Range 2 West of the Gila and Salt River Meridian, Maricopa County, Arizona.

The above described parcel contains a computed area of 5496 sq. ft. (0.1262 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

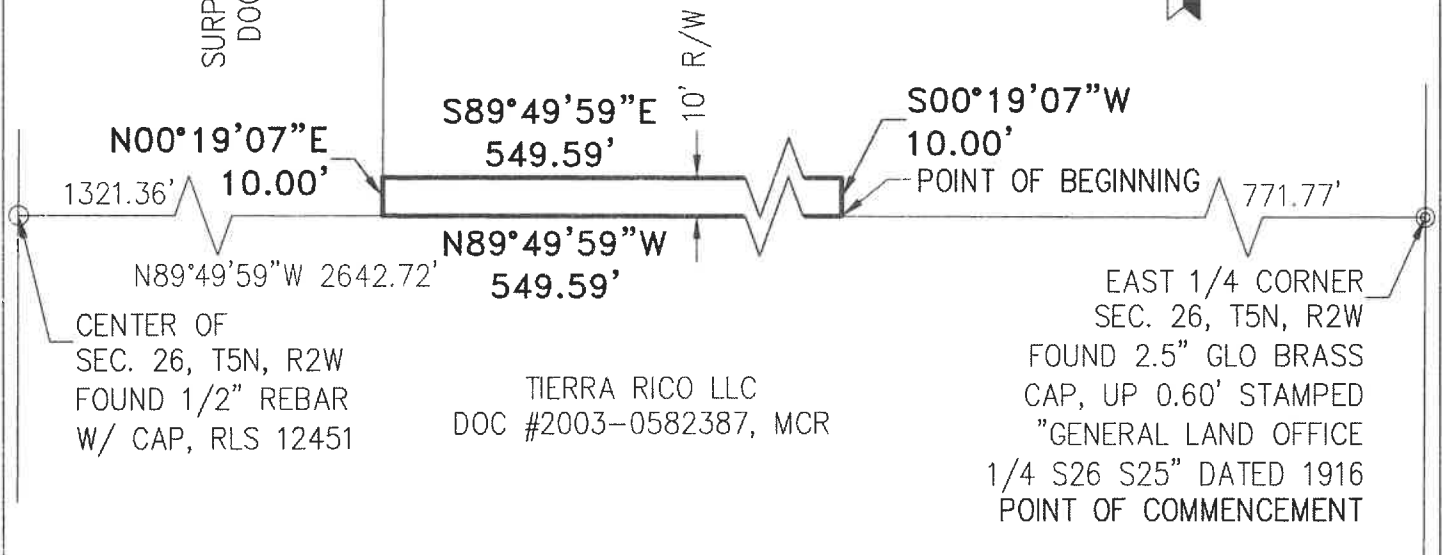
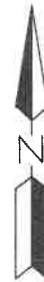
The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

Prepared by: HILGARTWILSON, LLC
2141 E. Highland Avenue, Suite 250
Phoenix, AZ 85016
Project No. 1308
Date: April 2021

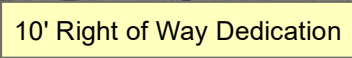


SURPRISE LAND HOLDINGS LLC
DOC #2006-1043952, MCR

BRAZIL RANDY L/CATHERINE L
DOC #2011-0741633, MCR



PROJ.NO.: 1308	BRAZIL RIGHT-OF-WAY SURPRISE, ARIZONA	 HILGARTWILSON 2141 E. HIGHLAND AVE., STE. 250 PHOENIX, AZ 85016 P: 602.490.0535 / F: 602.368.2436	
DATE: APRIL 2021			
SCALE: N.T.S.	EXHIBIT		
DRAWN BY: GS/JHVD			
CHECKED BY: KJP			





CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: September 21, 2021 Contact Person: Lloyd Abrams
Submitting Department: Community Development District: District 1
Staff Recommendations:

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

Agenda Wording:

Consideration and action pertaining to acceptance of a Drainage Easement from the Lim Family Revocable Living Trust for roadway improvements along 171st Avenue and Dynamite.

Motion:

I move to accept the Drainage Easement from the Lim Family Revocable Living Trust.

Background:

The easement being dedicated is in association with the road improvements being done by the developer to improve 171st Avenue to access the Tierra Rico Development.

Objective Analysis:

The planned improved roadway will need the additional drainage area on the west side of 171st Avenue for the completion of the roadway improvement leading into the Tierra Rico Development.

Policy Compliant:

Approval of this item is policy compliant. The proposed dedication will advance the goals and policies of the Surprise General Plan and the City Council's Strategic 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 currently no budgetary impact related to approval of this item. The City will plan for future O&M when the road is in place and is accepted by the City.

FTE Impact:

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

ATTACHMENTS:

1. Lim Family Revocable Living Trust DE
2. Lim Family Drainage Easement Map

When recorded return
to: City Clerk
City of Surprise
16000 N. Civic Center Plaza
Surprise, AZ 85374

Exempt from filing an
Affidavit of legal value
A.R.S. §11-1134 (A)(3)

DRAINAGE EASEMENT

FOR AND IN CONSIDERATION of One Dollar (\$1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged

Lim Family Revocable Living Trust, as owner, (“**Grantor**”)

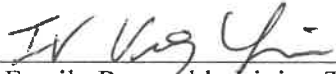
Do hereby grant and convey to the **City of Surprise** (“**Grantee**”), an Arizona municipal corporation, a **Drainage Easement** upon, over, across and through, to and in that certain parcel of real property as legally described in Exhibit A.

It is the intention of the parties to cause the real property described on said Exhibit “A” to be granted as a Drainage Easement for installation, maintenance, and repair of any drainage purpose including without limitation, retention, detention, and conveyance. No use by the Grantor of the area subject to the Drainage Easement shall prohibit or interfere with the drainage use by the public.

All provisions herein shall be binding upon the successors and assigns of the Grantor.

GRANTOR

GRANTEE: City of Surprise, an
Arizona Municipal Corporation

By: 
Lim Family Revocable Living Trust,
Its: Owner Iv Keng Lim

By: _____
Skip Hall
Its: Mayor

ATTEST:

Sherry Aguilar, City Clerk

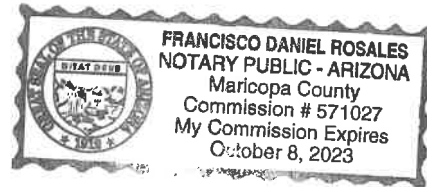
STATE OF ARIZONA)
) SS.
County of Maricopa)

The foregoing instrument was acknowledged before me this 27th day of
April, 2021 by Iu Veng Lim

My commission expires:

10-8-23

Notary Public:



STATE OF ARIZONA)
) SS.
County of Maricopa)

The foregoing instrument was acknowledged before me this ____ day of
_____, 2021, by _____, known by me as the Mayor of the
City of Surprise, an Arizona Municipal Corporation.

My commission expires:

Notary Public:



PROJ. NO.:	1308
DATE:	APR 2021
SCALE:	1" = 60'
DRAWN BY:	RM
CHECKED BY:	TW

TIERRA RICO
171ST AVE & PEAK VIEW RD
SURPRISE, AZ

EASEMENT EXHIBIT

HILGARTWILSON
2141 E. HIGHLAND AVE., STE. 250
PHOENIX, AZ 85016
P: 602.490.0535 / F: 602.368.2436

Exhibit A

Legal Description

See Attached

**TIERRA RICO
DRAINAGE EASEMENT #6
LEGAL DESCRIPTION**

A portion of land situated within the Southeast Quarter of Section 26, Township 5 North, Range 2 West of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a found 2 inch Maricopa County Aluminum cap flush accepted as the Southeast corner of said Section 26 from which a found brass cap accepted as the East Quarter corner of said Section 26 thereof bears North 00°17'09" East, 2646.08 feet;

Thence North 89°46'15" West, 55.00 feet along the south line of the Southeast Quarter of said Section 26 to the **POINT OF BEGINNING**;

Thence North 89°46'15" West, 18.00 feet continuing along said north line to the west line of the east 73.00 feet of said Southeast Quarter;

Thence along said west line, North 00°17'09" East, 21.71 feet;

Thence South 89°42'51" East, 18.00 feet;

Thence South 00°17'09" West, 21.70 along a line that is 55.00 feet west of and parallel with the east line of the Southeast Quarter of said Section 26 to the **POINT OF BEGINNING**.

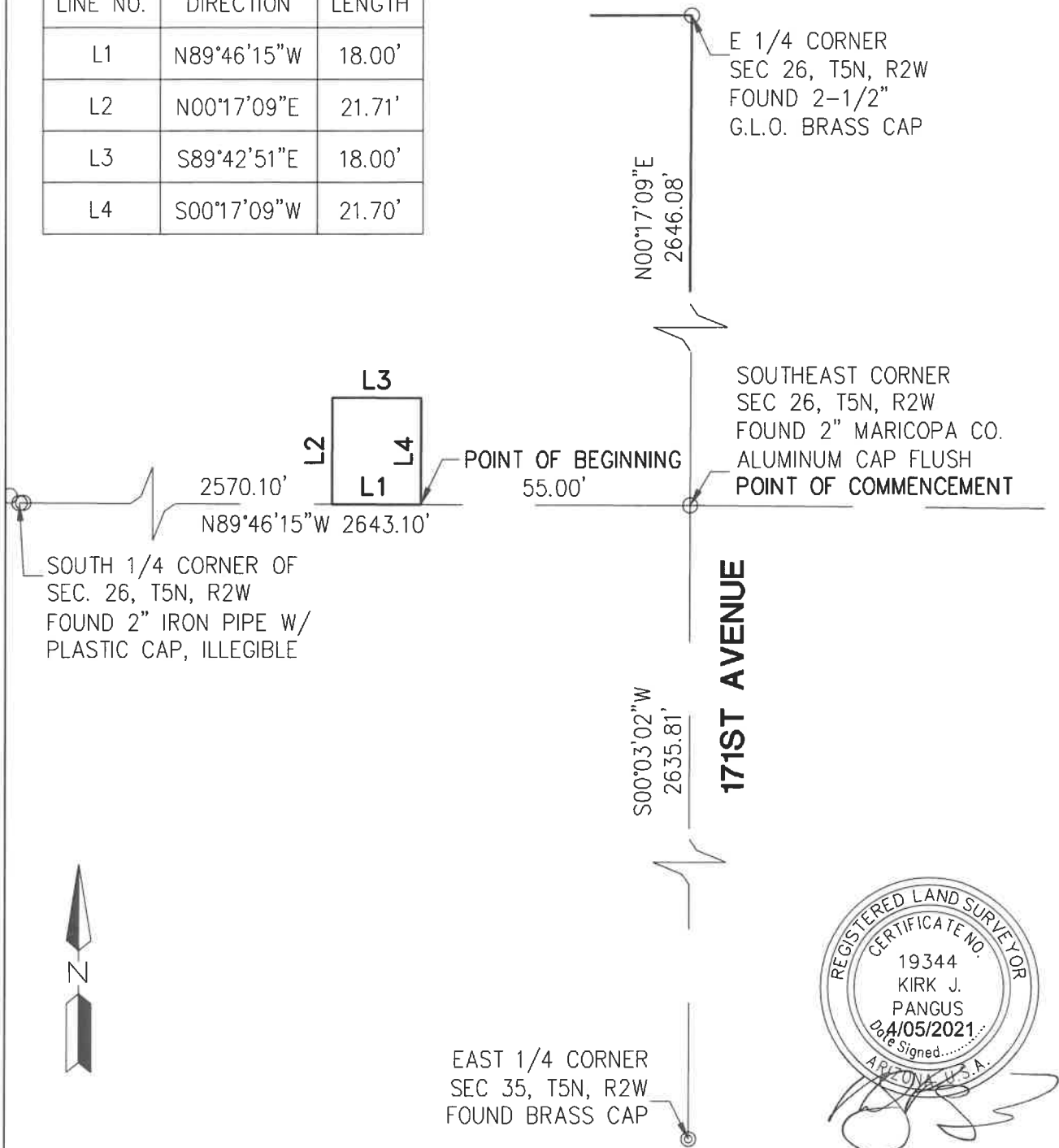
The above described parcel contains a computed area of 391 sq. ft. (0.0090 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

Prepared by: HILGARTWILSON, LLC
2141 E. Highland Avenue, Suite 250
Phoenix, AZ 85016
Project No. 1308
Date: April 2021



LINE TABLE		
LINE NO.	DIRECTION	LENGTH
L1	N89°46'15"W	18.00'
L2	N00°17'09"E	21.71'
L3	S89°42'51"E	18.00'
L4	S00°17'09"W	21.70'



PAGE 2 OF 2

PROJ.NO.: 1308
 DATE: APRIL 2021
 SCALE: N.T.S.
 DRAWN BY: DSP/JHVD
 CHECKED BY: KJP

TIERRA RICO
 DRAINAGE EASEMENT #6
 SURPRISE, ARIZONA
EXHIBIT

HILGARTWILSON
 2141 E. HIGHLAND AVE., STE. 250
 PHOENIX, AZ 85016
 P: 602.490.0535 / F: 602.368.2436





CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: September 21, 2021 Contact Person: Sergio Angulo
Submitting Department: Community Development District: District 1
Staff Recommendations: None

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

Agenda Wording:

Consideration and action pertaining to approval of the Map of Dedication entitled, "Tierra Rico"; Resolution # 2021-139.

Motion:

I move to approve Resolution # 2021-139.

Background:

Hilgart Wilson, on behalf of Tierra Rico, LLC, seeks approval of a Map of Dedication that dedicates 6.269 acres (approx.) of right-of-way for a portion of Peak View Road, Dale Lane, and Tierra Rico Lane in the Tierra Rico PAD. If approved, the City will not record this map of dedication until the applicant/property owner has provided documentation showing that all of the following have occurred:

1. The Conditional Letter of Map Revision ("CLOMR") for Tierra Rico, case FS18-702, has been approved by the Flood Control District for Maricopa County, Arizona ("FCDMC").
2. The 10' right-of-way on the north side of the Peak View Road centerline has been dedicated and the City.
3. The drainage easement along the north side of Peak View Road has been dedicated to the City.
4. An In-Lieu Payment agreement and cost estimate package for Dale Lane pavement and drainage improvements has been executed and recorded.

This map of dedication is being approved by Resolution because these preconditions that must be satisfied prior to recording.

Objective Analysis:

Approval of the proposed Map of Dedication will provide adequate access and facilitate the development of Tierra Rico.

Policy Compliant:

The requested Map of Dedication is consistent with the Tierra Rico 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 - FS18-610 Tierra Rico Parcel A Offsite - Staff Report
 2. 01 - FS18-610 Tierra Rico Parcel A Offsite - Vicinity Map
 3. 02 - FS18-610 Tierra Rico Parcel A Offsite - MOD
 4. 21.08.31 EVR Res 2021-139 MOD Tierra Rico Parcel A Offsite
 5. FS18-610 Tierra Rico Parcel A Offsite - PPT
-

Map of Dedication

REPORT TO THE CITY COUNCIL

Case: FS18-610

Project Name: Tierra Rico Parcel A Offsite – Map of Dedication

Council District: 1

City Council Date: September 21, 2021

Planner: Sergio Angulo, Planner II

Owner: Tierra Rico, LLC

Applicant: Ty Wilson with Hilgart Wilson, LLC

Request: Map of Dedication to dedicate 6.269 acres (approx.) of right-of-way in the Tierra Rico PAD.

Site Location: Portion of Peak View Road, Dale Lane, and Tierra Rico Lane in Tierra Rico.

Site Size: 6.269 acres (approx.)

Density: N/A

Findings:

- The proposed Map of Dedication is consistent with the Surprise General Plan 2035.
- The proposed Map of Dedication is consistent with the Tierra Rico PAD as amended under case FS17-504.
- The proposed Map of Dedication is substantial conformance with the Preliminary Plat approved under case FS17-504.

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

Deny – Denial of the requested Map of Dedication will prevent the applicant from subdividing the property as proposed.

Additional Information:

Hilgart Wilson, on behalf of Tierra Rico, LLC, seeks approval of a Map of Dedication that dedicates 6.269 acres (approx.) of right-of-way for a portion of Peak View Road, Dale Lane, and Tierra Rico Lane in the Tierra Rico Planned Area Development. Peak View Road is located along the northern boundaries of the Tierra Rico PAD, Dale Lane along the south, and Tierra Rico Lane runs northeast/southwest from Dale Lane to Peak View Road. Approval of this Map of Dedication will provide adequate access and facilitate the development of Tierra Rico.

If approved, the City will not record this map of dedication until the applicant/property owner has provided documentation showing that all of the following have occurred:

1. The Conditional Letter of Map Revision ("CLOMR") for Tierra Rico, case FS18-702, has been approved by the Flood Control District for Maricopa County, Arizona ("FCDMC").
2. The 10' right-of-way on the north side of the Peak View Road centerline has been dedicated and the City.
3. The drainage easement along the north side of Peak View Road has been dedicated to the City.
4. An In-Lieu Payment agreement and cost estimate package for Dale Lane pavement and drainage improvements has been executed and recorded.

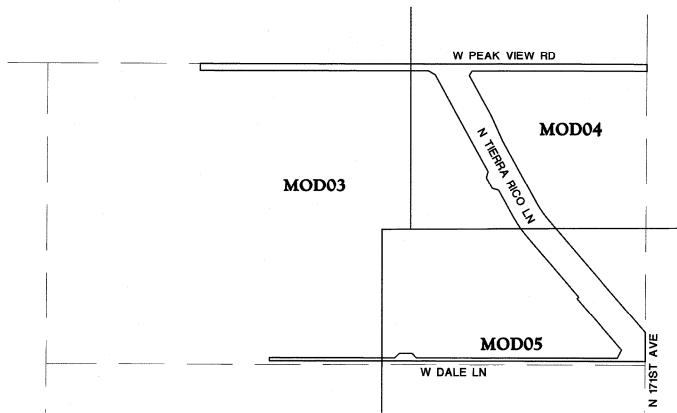
This map of dedication is being approved by Resolution because these preconditions that must be satisfied prior to recording.

Attachments:

- 01 Vicinity Map
- 02 Map of Dedication
- 03 Resolution # 2021-139



FS18-610 VICINITY MAP



AREAS
GROSS AREA = 273,084 SQ. FT. 6.2691 ACRES

RIGHT-OF-WAY TABLE		
R/W	AREA (SQ.FT)	AREA (ACRES)
ROW	273,084	6.269

NOTES

- NO PERMANENT STRUCTURE OF ANY KIND SHALL BE CONSTRUCTED ON, OVER OR PLACED WITHIN EXISTING OR PROPOSED RIGHT-OF-WAY. IT SHALL BE FURTHER UNDERSTOOD THAT THE CITY OF SURPRISE SHALL NOT BE REQUIRED TO REPLACE ANY OBSTRUCTIONS OR PLANTING THAT MUST BE REMOVED DURING THE COURSE OF MAINTENANCE, CONSTRUCTION, OR RECONSTRUCTION OF CITY UTILITIES.
- ALL NEW OR RELOCATED UTILITIES WILL BE PLACED UNDERGROUND.
- PROVISIONS SHALL BE MADE FOR DEVELOPMENT AND MAINTENANCE OF STREET LIGHTS THROUGH EITHER THE ASSOCIATION OR THROUGH THE CREATION OF A STREET LIGHT IMPROVEMENT DISTRICT (S.L.I.D.).
- THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "X" AND "AE" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAPS NO. 04032202L & NO. 04032202L, WITH A DATE OF IDENTIFICATION OF OCTOBER 16, 2013, FOR COMMUNITY NO. 040322, IN MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.
- IN ACCORDANCE WITH ARS § 9-461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS MAP OF DEDICATION ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
- 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 #4751 AND 14710, WHEN APPLICABLE.
- GROSS AREA EQUALS ALL RIGHTS OF WAYS AND EASEMENTS AS SHOWN TO BE DEDICATED HEREON.
- ALL EXTERIOR SUBDIVISION BOUNDARY CORNERS ARE AS SHOWN PER THIS MAP OF DEDICATION IN CONFORMANCE WITH ARIZONA STATUTE. ALL INTERIOR CORNERS AND MONUMENTS ARE TO BE SET BY THE SURVEYOR RESPONSIBLE FOR THE CONSTRUCTION SURVEY AND STAKING OF THIS PROJECT AND MUST BE IN CONFORMANCE WITH SAID ARIZONA STATUTORY REQUIREMENTS.
- NO ON-SITE GRADING OR EXCAVATION SHALL OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
- THIS MAP OF DEDICATION IS IN SUBSTANTIAL CONFORMANCE WITH THE PRELIMINARY PLAT APPROVED BY THE CITY OF SURPRISE UNDER CASE FS17-504.

LEGEND

- FOUND MONUMENT OR AS NOTED
- ⊗ FOUND BRASS CAP IN HAND HOLE
- ⊙ FOUND BRASS CAP FLUSH
- ⊛ SET BRASS CAP FLUSH FOR MAP STD DTL 120-1 TYPE "B"
- ⊙ SET REBAR 1/2" R/CAP, RLS 19344
- BOUNDARY LINE
- SECTION LINE
- CENTER LINE
- RIGHT OF WAY
- PARCEL LINE
- EASEMENT LINE
- PUE PUBLIC UTILITY EASEMENT
- R/W RIGHT-OF-WAY
- MCR MARICOPA COUNTY RECORDS
- RLS REGISTERED LAND SURVEYOR
- APN ASSESSOR'S PARCEL NUMBER
- G.L.O. GENERAL LAND OFFICE

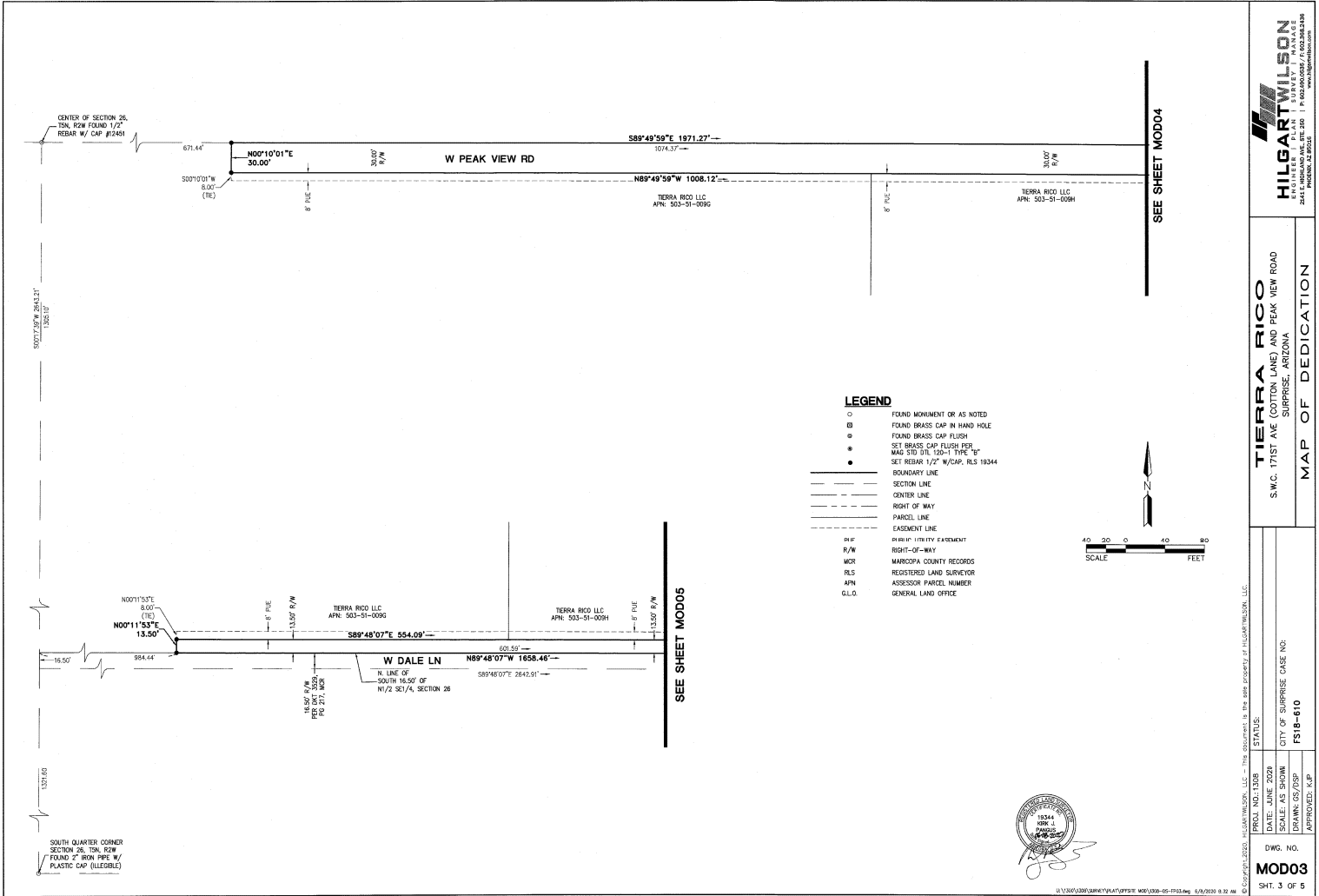


HILGART WILSON
REGISTERED PROFESSIONAL ENGINEER
SURVEYING
2001 N. 171ST AVE., SUITE 100
SURPRISE, AZ 85084
PH: 623.892.8808
WWW.HILGARTWILSON.COM

TERRA RICO
S.W.C. 171ST AVE (COTTON LAND) AND PEAK VIEW ROAD
SURPRISE, ARIZONA
MAP OF DEDICATION

STATUS: **PROJ. NO. 1208**
DATE: JUNE 2020
SCALE: AS SHOWN
DRAWN: GS/OSP
APPROVED: K/P

DWG. NO. **MOD02**
SHT. 2 OF 5



TIERRA RICO
S.W.G. 171ST AVE (COTTON LAND) AND PEAK VIEW ROAD
SURPRISE, ARIZONA

HILGARTWILSON
ENGINEER & PLANNING
SURVEY & MAPPING
3001 N. 171ST AVE, SUITE 100
PHOENIX, AZ 85024
www.hilgartwilson.com

MAP OF DEDICATION

MOD03

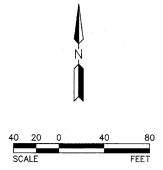
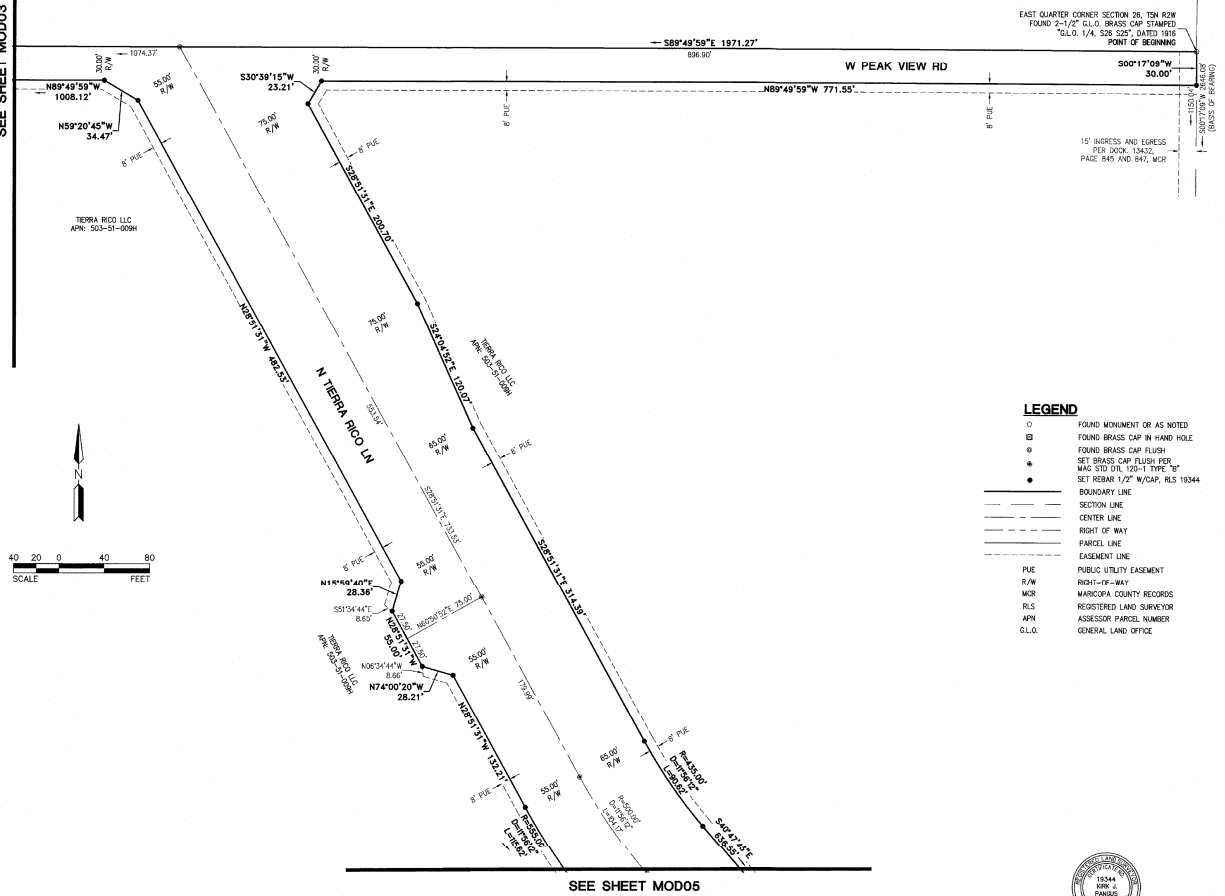
DATE: JUNE 2020
SCALE: AS SHOWN
DRAWN: OS/DSP
APPROVED: K/P

LEGEND

- FOUND MONUMENT OR AS NOTED
- FOUND BRASS CAP IN HAND HOLE
- FOUND BRASS CAP FLUSH
- SET BRASS CAP FLUSH PER
- MAG STD DIT 120-1 TYPE "B"
- SET REBAR 1/2" W/CAP, RLS 18244
- BOUNDARY LINE
- SECTION LINE
- CENTER LINE
- RIGHT-OF-WAY
- PARCEL LINE
- EASEMENT LINE
- RIGHT-OF-WAY EASEMENT
- RIGHT-OF-WAY
- MCR
- RLS
- APN
- G.L.O.

40 30 0 30 40
SCALE FEET

SEE SHEET MOD03

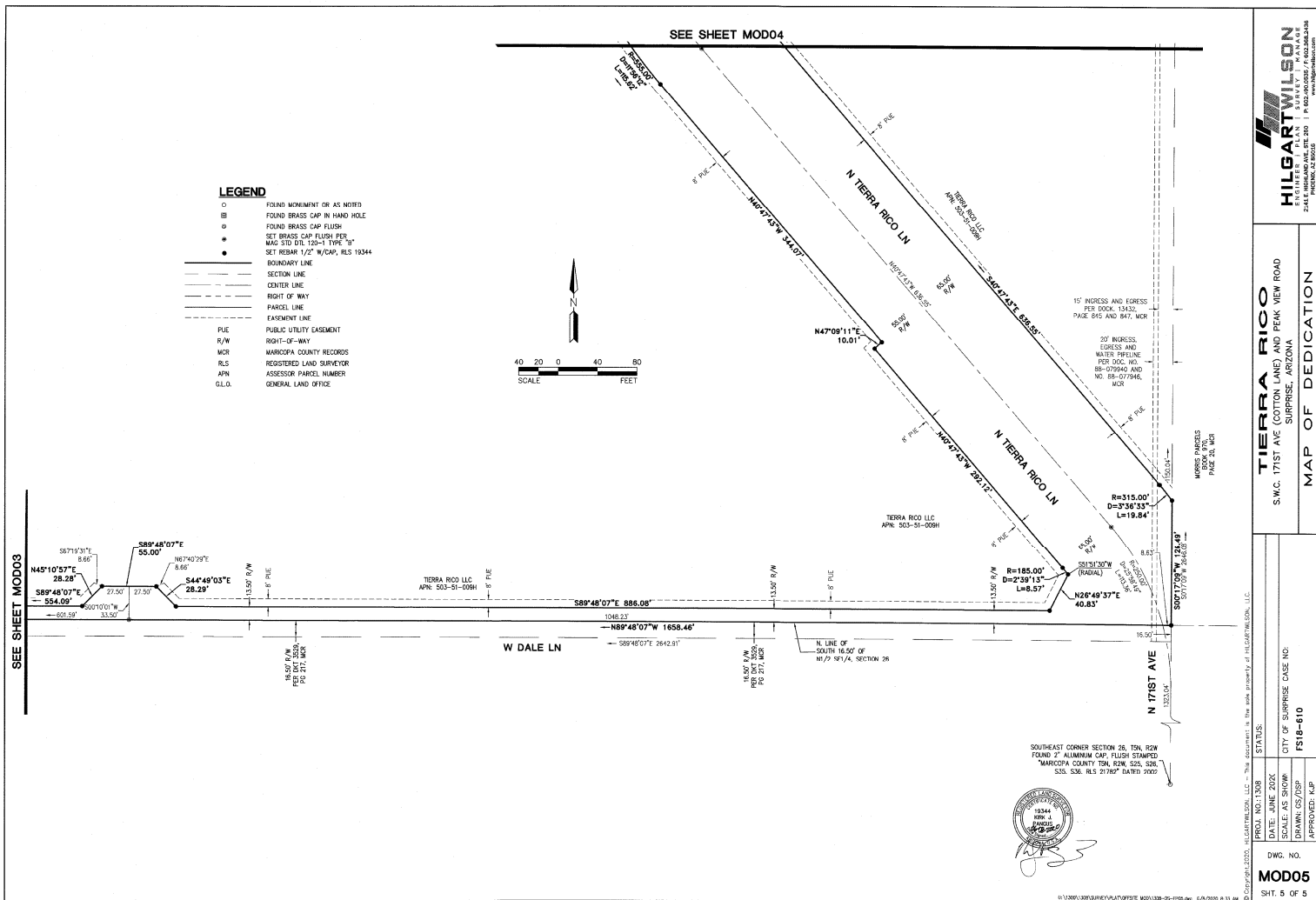


- LEGEND**
- FOUND MONUMENT OR AS NOTED
 - FOUND BRASS CAP IN HAND HOLE
 - FOUND BRASS CAP FLUSH
 - SET BRASS CAP FLUSH PER
 - MAC STD DIT. 120-1 TYPE "B"
 - SET REBAR 1/2" W/CAP, RLS 19344
 - BOUNDARY LINE
 - SECTION LINE
 - CENTER LINE
 - RIGHT OF WAY
 - PARCEL LINE
 - EASEMENT LINE
 - PUE PUBLIC UTILITY EASEMENT
 - R/W RIGHT-OF-WAY
 - MCR MARICOPA COUNTY RECORDS
 - RLS REGISTERED LAND SURVEYOR
 - APN ASSESSOR PARCEL NUMBER
 - G.L.O. GENERAL LAND OFFICE



SEE SHEET MOD05

HILGART WILSON REGISTERED LAND SURVEYOR 2040 PHOENIX, AZ 85016 www.hilgartwilson.com	
TERRA RICO S.W.C. 171ST AVE (COTTON LAND) AND PEAK VIEW ROAD SURPRISE, ARIZONA	
MAP OF DEDICATION	
PROJECT NO. 1208	STATUS
DATE: JUNE 2020	CITY OF SURPRISE CASE NO.
SCALE: AS SHOWN	FS18-610
DRAWN: GS/OSP	APPROVED: KJP
DWG. NO.	MOD04
SHT. 4 OF 5	



RESOLUTION # 2021-139

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING A MAP OF DEDICATION ENTITLED "MAP OF DEDICATION OF TIERRA RICO," GENERALLY LOCATED NORTH OF DALE LANE AND WEST OF 171ST AVENUE.

WHEREAS, on November 22, 2005, the Mayor and City Council approved the Tierra Rico Planned Area Development;

WHEREAS, on August 7, 2018, the Mayor and City Council approved the Preliminary Plat for Tierra Rico dated May 2018;

WHEREAS, the proposed Map of Dedication of Tierra Rico conforms with the Preliminary Plat for Tierra Rico approved by the Mayor and City Council, on August 7, 2018;

WHEREAS, the proposed Map of Dedication of Tierra Rico does not create any substandard or nonconforming lots; and

WHEREAS, the proposed Map of Dedication of Tierra Rico complies with the Surprise General Plan and Municipal Code.

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

Section 1. The Map of Dedication entitled "Map of Dedication of Tierra Rico," dated June 2020, is approved subject to the following conditions.

- a. The City shall not record the Map of Dedication entitled "Map of Dedication of Tierra Rico," dated June 2020, until the applicant/property owner has provided documentation showing that all of the following have occurred:
 1. The Conditional Letter of Map Revision ("CLOMR") for Tierra Rico, case FS18-702, has been approved by the Flood Control District for Maricopa County, Arizona ("FCDMC").
 2. The 10' right-of-way on the north side of the Peak View Road centerline has been dedicated and the City.
 3. The drainage easement along the north side of Peak View Road has been dedicated to the City.
 4. An In-Lieu Payment agreement and cost estimate package for Dale Lane pavement and drainage improvements has been executed and recorded.

Section 2. If the Map of Dedication has not been recorded within sixty (60) days of the approval of this Resolution because the items required by Section 1 have not been addressed by the applicant/property owner, the City may, in lieu of recording, schedule this Map of Dedication for a public hearing for consideration and possible action by the City Council to revoke, repeal, and nullify the approval of the Map of Dedication.

APPROVED AND ADOPTED this _____ day of _____ 2021.

Skip Hall, Mayor

Attest:

Approved as to form:

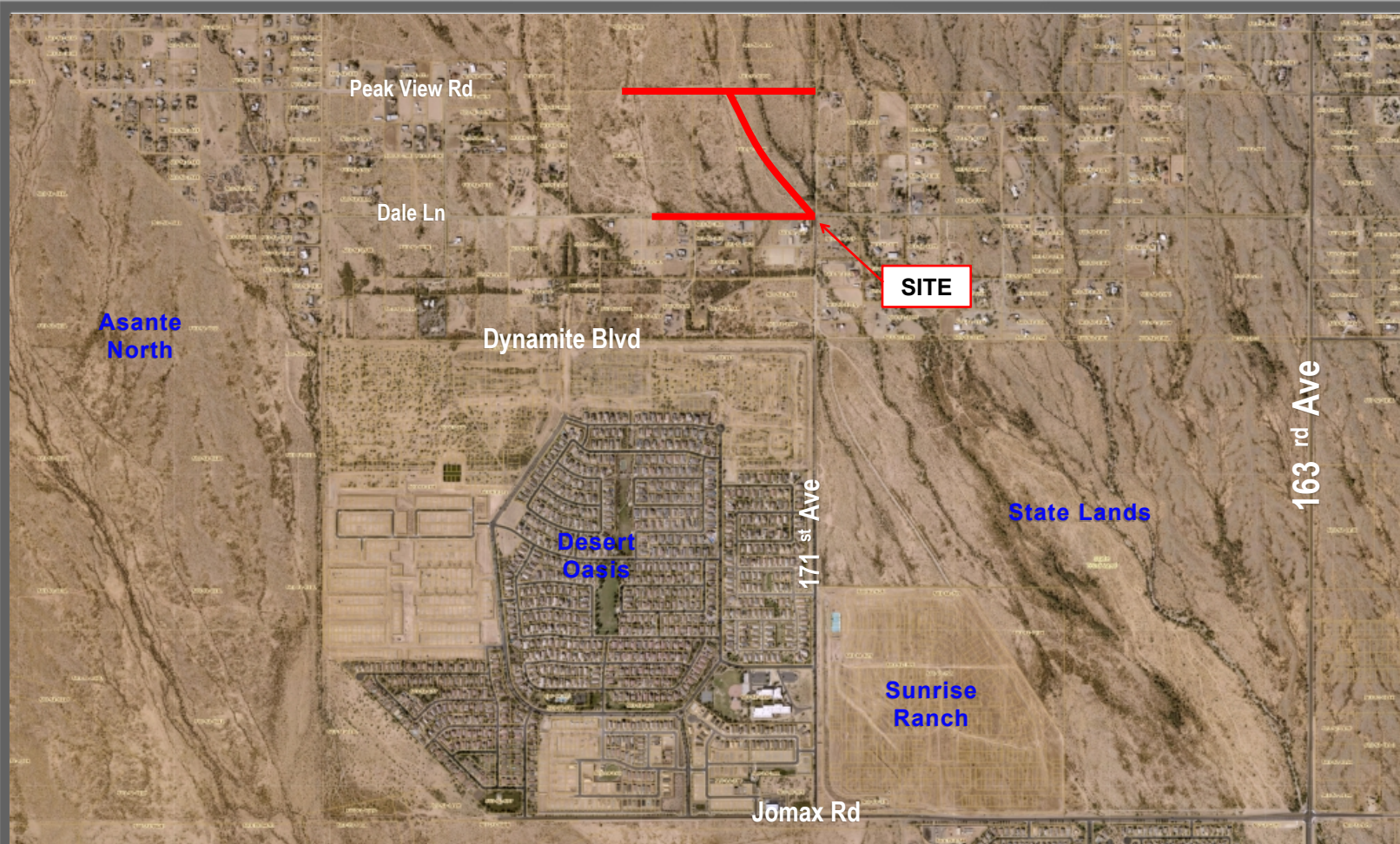
Sherry Aguilar, City Clerk

Robert Wingo, City Attorney



FS18-610
Tierra Rico Parcel A Offsite
Map of Dedication

City Council
September 21, 2021



FS18-610 VICINITY MAP



5	N	PROJ. NO.: 1308	START DATE:
---	---	-----------------	-------------

HILGARTWILSON
ENGINEERS | PLAIN | SURVEY | MANAGE
2143 E. HIGHLAND AVE., STE. 250 | P. 602.486.0038 / F. 602.368.2438
www.hilgartwilson.com
PROCESO, AZ BRIDGE







QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: September 21, 2021 Contact Person: Lloyd Abrams
Submitting Department: Community Development District: District 1
Staff Recommendations: None

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

Agenda Wording:

Consideration and action pertaining to acceptance of a Drainage Easement from the Steven Z Jones Living Trust, for roadway improvements along 171st Avenue and Olea Way.

Motion:

I move to accept the Drainage Easement from the Steven Z Jones Living Trust.

Background:

The easement being dedicated is in association with the road improvements being done by the developer to improve 171st Avenue to access the Tierra Rico Development.

Objective Analysis:

The planned improved roadway will need the additional drainage area on the west side of 171st Avenue for the completion of the roadway improvement leading into the Tierra Rico Development.

Policy Compliant:

Approval of this item is policy compliant. The proposed dedication will advance the goals and policies of the Surprise General Plan and the City Council's Strategic 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 currently no budgetary impact related to approval of this item. The City will plan for future O&M when the road is in place and is accepted by the City.

FTE Impact:

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

ATTACHMENTS:

1. Steven Z Jones Living Trust DE
2. Jones Drainage Easement Map

When recorded return
to: City Clerk
City of Surprise
16000 N. Civic Center Plaza
Surprise, AZ 85374

Exempt from filing an
Affidavit of legal value
A.R.S. §11-1134 (A)(3)

DRAINAGE EASEMENT

FOR AND IN CONSIDERATION of One Dollar (\$1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged

Steven Z Jones, Trustee of the Steven Z Jones Living Trust, ("Grantor")

Do hereby grant and convey to the **City of Surprise ("Grantee")**, an Arizona municipal corporation, a **Drainage Easement** upon, over, across and through, to and in that certain parcel of real property as legally described in Exhibit A.

It is the intention of the parties to cause the real property described on said Exhibit "A" to be granted as a Drainage Easement for installation, maintenance, and repair of any drainage purpose including without limitation, retention, detention, and conveyance. No use by the Grantor of the area subject to the Drainage Easement shall prohibit or unreasonably interfere with the drainage use by the public.

All provisions herein shall be binding upon the successors and assigns of the Grantor.

GRANTOR: Steven Z. Jones Living Trust

GRANTEE: City of Surprise, an
Arizona Municipal Corporation

By: 
Steven Z Jones
Its: Trustee

By: _____
Skip Hall
Its: Mayor

ATTEST:

Sherry Aguilar, City Clerk

STATE OF)
) SS.
County of)

The foregoing instrument was acknowledged before me this ____ day of
_____, 2021 by _____

My commission expires:

Notary Public:

STATE OF ARIZONA)
) SS.
County of Maricopa)

The foregoing instrument was acknowledged before me this ____ day of
_____, 2021, by _____, known by me as the Mayor of the
City of Surprise, an Arizona Municipal Corporation.

My commission expires:

Notary Public:

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of MendocinoOn 8/4/21

Date

before me, Gretchen Anderson

Here Insert Name and Title of the Officer

personally appeared Steven Lane B

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer – Title(s): _____☐ Partner – ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer is Representing: _____

Signer's Name: _____

☐ Corporate Officer – Title(s): _____☐ Partner – ☐ Limited ☐ General☐ Individual ☐ Attorney in Fact☐ Trustee ☐ Guardian or Conservator☐ Other: _____

Signer is Representing: _____

Exhibit A

Legal Description

See Attached

**TIERRA RICO
DRAINAGE EASEMENT #7
LEGAL DESCRIPTION**

A portion of land situated within Lot 4 of the Final Plat of O & P Estates Rural Subdivision Book 968, Page 10, Maricopa County Records, being situated within the Southeast Quarter of Section 26, Township 5 North, Range 2 West of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a found 2 inch Maricopa County Aluminum cap accepted as the Southeast corner of said Section 26 from which a found 2-1/2 inch G.L.O. brass cap accepted as the East Quarter corner thereof bears North 00°17'09" East, 2646.08 feet;

Thence North 00°17'09" East, 783.45 feet along the east line of the Southeast Quarter of said Section 26;

Thence leaving said east line, North 89°42'51" West, 55.00 feet to the westerly Right of Way line of Cotton Lane and the east line of Lot 4 of said Final Plat, and to the **POINT OF BEGINNING**;

Thence along said westerly Right-of-Way line, South 00°17'09" West, 122.00 feet to the southeast corner of said Lot 4;

Thence North 89°47'11" West, 67.00 feet along the south line of said Lot 4;

Thence leaving said south line, North 00°17'09" East, 122.00 feet along a line parallel with and 67.00 feet west of the east line of said Lot 4;

Thence leaving last said parallel line, South 89°47'11" East 67.00 feet along a line parallel with and 122.00 feet north of the south line of said Lot 4 to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 8,174 sq. ft. (0.1876 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

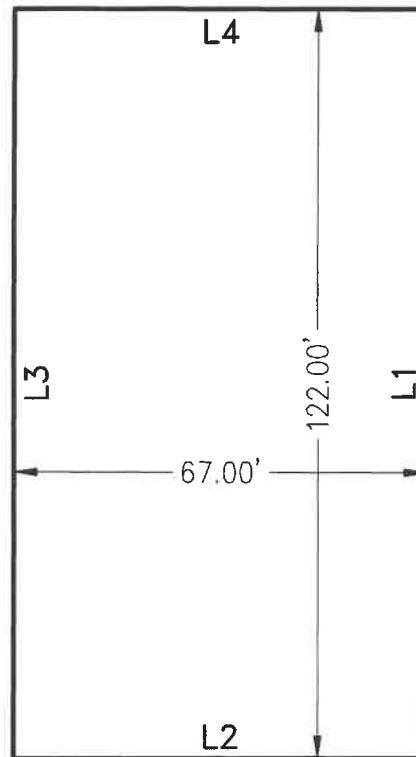
Prepared by: HILGARTWILSON, LLC
2141 E. Highland Avenue, Suite 250
Phoenix, AZ 85016
Project No.: 1308
Date: May 2021



P.O.B. - POINT OF BEGINNING
P.O.C. - POINT OF COMMENCEMENT

E 1/4 COR SEC 26,
T5N, R2W FOUND
2-1/2" G.L.O.
BRASS CAP

LOT 4
FINAL PLAT OF O & P
ESTATES RURAL SUBDIVISION
BOOK 968, PAGE 10, MCR



P.O.B.

N89°42'51"W
55.00'

55' R/W
PER BOOK 968,
PAGE 10, MCR

N00°17'09"E 2646.08'

COTTON LANE

LINE TABLE

LINE NO.	DIRECTION	LENGTH
L1	S00°17'09"W	122.00'
L2	N89°47'11"W	67.00'
L3	N00°17'09"E	122.00'
L4	S89°47'11"E	67.00'

SE COR SEC 26,
T5N, R2W FOUND 2"
MC ALUMINUM CAP
FLUSH, P.O.C.

PROJ.NO.: 1308

DATE: MAY 2021

SCALE: N.T.S.

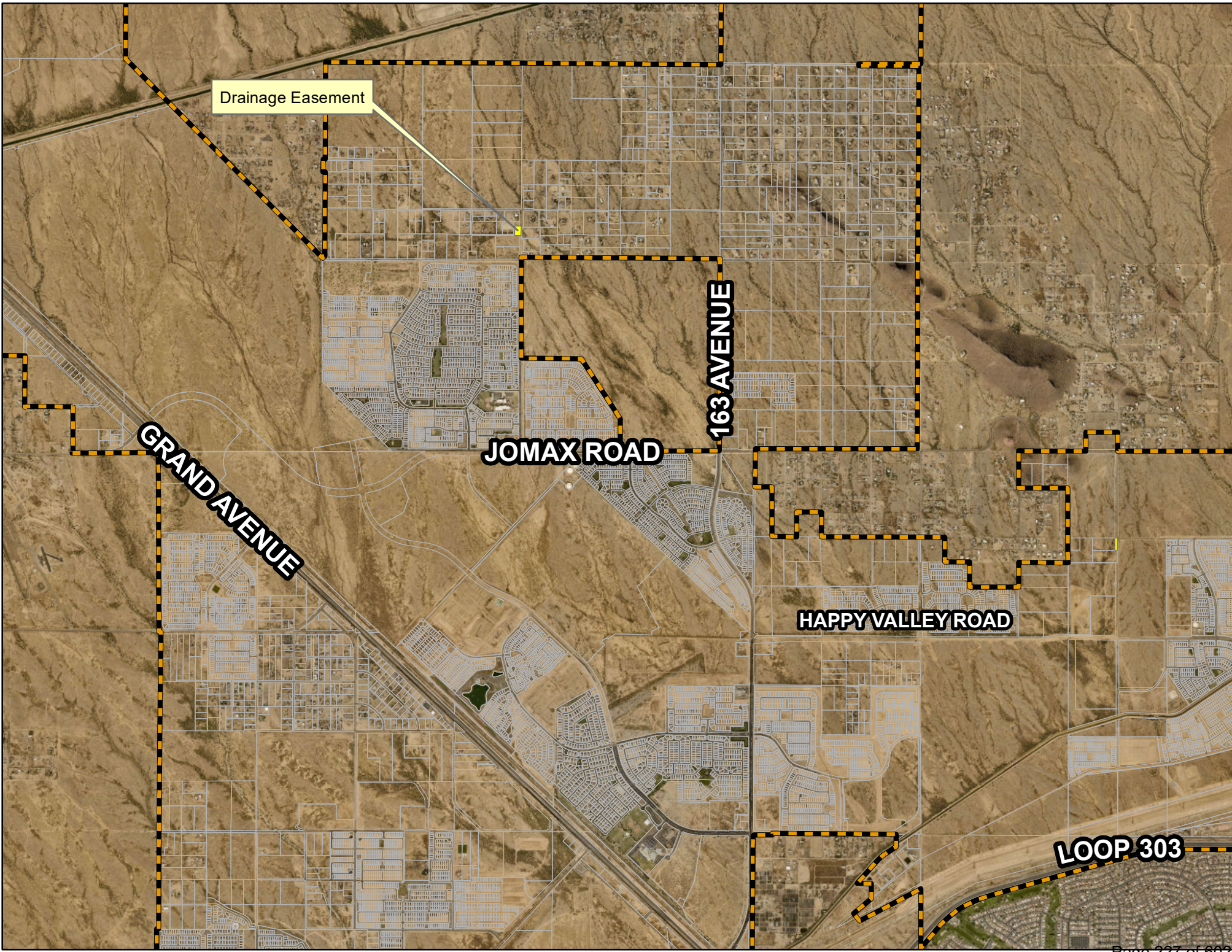
DRAWN BY: GS/KM

CHECKED BY: KJP

TIERRA RICO
DRAINAGE EASEMENT #7
SURPRISE, ARIZONA

EXHIBIT

HILGARTWILSON
2141 E. HIGHLAND AVE., STE. 250
PHOENIX, AZ 85016
P: 602.490.0535 / F: 602.368.2436



Drainage Easement

GRAND AVENUE

JOMAX ROAD

163 AVENUE

HAPPY VALLEY ROAD

LOOP 303



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: September 21, 2021 Contact Person: Lloyd Abrams
Submitting Department: Community Development District: District 1
Staff Recommendations: None

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

Agenda Wording:

Consideration and action pertaining to acceptance of a Warranty Deed from Surprise Land Holdings, LLC for Right of Way for roadway improvements on Peakview between 173rd and 175th Avenues.

Motion:

I move to accept the Warranty Deed from Surprise Land Holdings, LLC.

Background:

The Right of Way being dedicated is along Peakview to address access to the Tierra Rico development.

Objective Analysis:

The Development needs the additional access into their development to address access concerns and fire safety.

Policy Compliant:

Approval of this item is policy compliant. The proposed dedication will advance the goals and policies of the Surprise General Plan and the City Council's Strategic 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 currently no budgetary impact related to approval of this item. The City will plan for future O&M when the road is in place and is accepted by the City.

FTE Impact:

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

ATTACHMENTS:

1. Surprise Land Holding WD
 2. Surprise Land Holding RW Map
-

When recorded return
to: City Clerk
City of Surprise
16000 N. Civic Center Plaza
Surprise, AZ 85374

Exempt from filing an
Affidavit of legal value
A.R.S. §11-1134 (A)(3)

WARRANTY DEED

For the consideration of Ten Dollar (\$10.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged

Surprise Land Holdings LLC, ("Grantor")

Do hereby grant and convey to the City of Surprise, an Arizona municipal corporation, all right, title and interest to and in that certain parcel of real property as legally described in Exhibit A and depicted in Exhibit B.

It is the intention of the parties to cause the real property described on said Exhibit "A" to be dedicated as **public right of way for roadway and utility purposes**, and to vest title in fee simple in the City of Surprise in Trust, for all uses contemplated in public street dedication.

This deed supersedes and renders void any previous grant of a right in real property described in Exhibit "A", including, but not limited to, any easements conveyed by Grantor to the City of Surprise concerning the real property described in Exhibit "A."

And I or We do warrant the title against any and all persons, subject only to those encumbrances or liens of record, or as above set forth, if any.

GRANTOR

GRANTEE: City of Surprise, an
Arizona Municipal Corporation

By: 
Surprise Land Holdings LLC,
Its: Owner

By: _____
Skip Hall
Its: Mayor

ATTEST:

Sherry Aguilar, City Clerk

STATE OF ARIZONA)
)
County of ~~Maricopa~~ ^{Pima}) SS.
)

The foregoing instrument was acknowledged before me this 23rd day of August, 2021 by Omar Mireles

My commission expires:

March 30, 2023

Notary Public:

C Sachs



STATE OF ARIZONA)
)
County of Maricopa) SS.
)

The foregoing instrument was acknowledged before me this ____ day of _____, 2021, by _____, known by me as the Mayor of the City of Surprise, an Arizona Municipal Corporation.

My commission expires:

Notary Public:

Exhibit A

Legal Description

See Attached

**SURPRISE LAND HOLDINGS
PROPERTY TRANSFERS
LEGAL DESCRIPTION**

All portions as described below are located within the Southwest quarter of the Northeast quarter of Section 26, Township 5 North, Range 2 West of the Gila and Salt River Meridian, Maricopa County, Arizona.

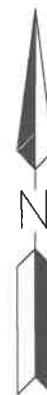
RIGHT OF WAY:

The south 10.00 feet of the property as described in the Warranty Deed, as recorded in Document No. 2006-1043952, Maricopa County Records, Arizona.

Said portion of land containing 13,214 sq.ft., or 0.3034 acres, more or less being subject to any easements, restrictions, rights-of-way of record or otherwise.

Prepared by: HILGARTWILSON, LLC
2141 E. Highland Avenue, Suite 250
Phoenix, AZ 85016
Project No. 1308
Date: February 2020





SURPRISE LAND HOLDINGS LLC
DOC #2006-1043952, MCR

BRAZIL RANDY L/CATHERINE L
DOC #2011-0741633, MCR

10' R/W

TIERRA RICO LLC
DOC #2003-0640871, MCR



PROJ.NO.: 1308	SURPRISE LAND HOLDINGS RIGHT-OF-WAY SURPRISE, ARIZONA EXHIBIT	 HILGARTWILSON 2141 E. HIGHLAND AVE., STE. 250 PHOENIX, AZ 85016 P: 602.490.0535 / F: 602.368.2436
DATE: FEB 2020		
SCALE: N.T.S.		
DRAWN BY: GS		
CHECKED BY: KJP		



10' Right of Way Dedication

GRAND AVENUE

JOMAX ROAD

163 AVENUE

HAPPY VALLEY ROAD

LOOP 303



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: September 21, 2021 Contact Person: Lloyd Abrams
Submitting Department: Community Development District: District 1
Staff Recommendations: None

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

Agenda Wording:

Consideration and action pertaining to acceptance of a Drainage Easement from Surprise Land Holdings, LLC for roadway improvements along Peakview, near 171st Avenue.

Motion:

I move to accept the Drainage Easement from Surprise Land Holdings, LLC.

Background:

The easement being dedicated is in association with the road improvements being done by the developer to improve Peakview to access the Tierra Rico Development.

Objective Analysis:

The planned improved roadway will need the additional drainage area on the north side of Peakview Road for the completion of the roadway improvement leading into the Tierra Rico Development.

Policy Compliant:

Approval of this item is policy compliant. The proposed dedication will advance the goals and policies of the Surprise General Plan and the City Council's Strategic 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 currently no budgetary impact related to approval of this item. The City will plan for future O&M when the road is in place and is accepted by the City.

FTE Impact:

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

ATTACHMENTS:

1. Surprise Land Holding DE
2. Surprise Land Holding Drainage Easement Map

When recorded return
to: City Clerk
City of Surprise
16000 N. Civic Center Plaza
Surprise, AZ 85374

Exempt from filing an
Affidavit of legal value
A.R.S. §11-1134 (A)(3)

DRAINAGE EASEMENT

FOR AND IN CONSIDERATION of One Dollar (\$1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged

Surprise Land Holdings LLC, as owner, (“Grantor”)

Do hereby grant and convey to the **City of Surprise** (“Grantee”), an Arizona municipal corporation, a **Drainage Easement** upon, over, across and through, to and in that certain parcel of real property as legally described in Exhibit A.

It is the intention of the parties to cause the real property described on said Exhibit “A” to be granted as a Drainage Easement for installation, maintenance, and repair of any drainage purpose including without limitation, retention, detention, and conveyance. No use by the Grantor of the area subject to the Drainage Easement shall prohibit or interfere with the drainage use by the public.

All provisions herein shall be binding upon the successors and assigns of the Grantor.

GRANTOR

GRANTEE: City of Surprise, an
Arizona Municipal Corporation

By: 
Surprise Land Holdings LLC,
Its: Owner

By: _____
Skip Hall
Its: Mayor

ATTEST:

Sherry Aguilar, City Clerk

STATE OF ARIZONA)
 Pima) SS.
County of ~~Maricopa~~)

The foregoing instrument was acknowledged before me this 7th day of
June, 2021 by Omar Mireles

My commission expires:

March 30, 2023

Notary Public:

C. Sachs



STATE OF ARIZONA)
) SS.
County of Maricopa)

The foregoing instrument was acknowledged before me this ____ day of
_____, 2021, by _____, known by me as the Mayor of the
City of Surprise, an Arizona Municipal Corporation.

My commission expires:

Notary Public:

Exhibit A

Legal Description

See Attached

**TIERRA RICO
DRAINAGE EASEMENT #2
LEGAL DESCRIPTION**

A portion of land situated within the Warranty Deed recorded in Document No. 2006-1043952, Maricopa County Records, being situated within the Northeast Quarter of Section 26, Township 5 North, Range 2 West of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a found rebar w/ cap #12451 accepted as the center of said Section 26 from which a found 2-1/2 inch G.L.O. brass cap accepted as the East Quarter corner thereof bears South 89°49'59" East, 2642.72 feet;

Thence North 00°17'44" East, 10.00 feet along the north-south mid-section line of said Section 26 to the **POINT OF BEGINNING**;

Thence continuing along said north-south mid-section line, North 00°17'44" East, 25.33 feet;

Thence leaving said north-south mid-section line, North 89°45'14" East, 544.25 feet;

Thence North 84°44'47" East, 127.58 feet;

Thence North 90°00'00" East, 63.25 feet;

Thence South 88°02'18" East, 122.35 feet;

Thence South 86°28'02" East, 150.04 feet;

Thence South 89°09'26" East, 314.84 feet;

Thence South 00°19'07" West, 25.13 feet along the east line of said Warranty Deed;

Thence leaving said east line, North 89°49'59" West, 1321.36 feet along the north line of the south 10.00 feet of said Northeast Quarter to the **POINT OF BEGINNING**.

The above described parcel contains a computed area of 40,264 sq. ft. (0.9243 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

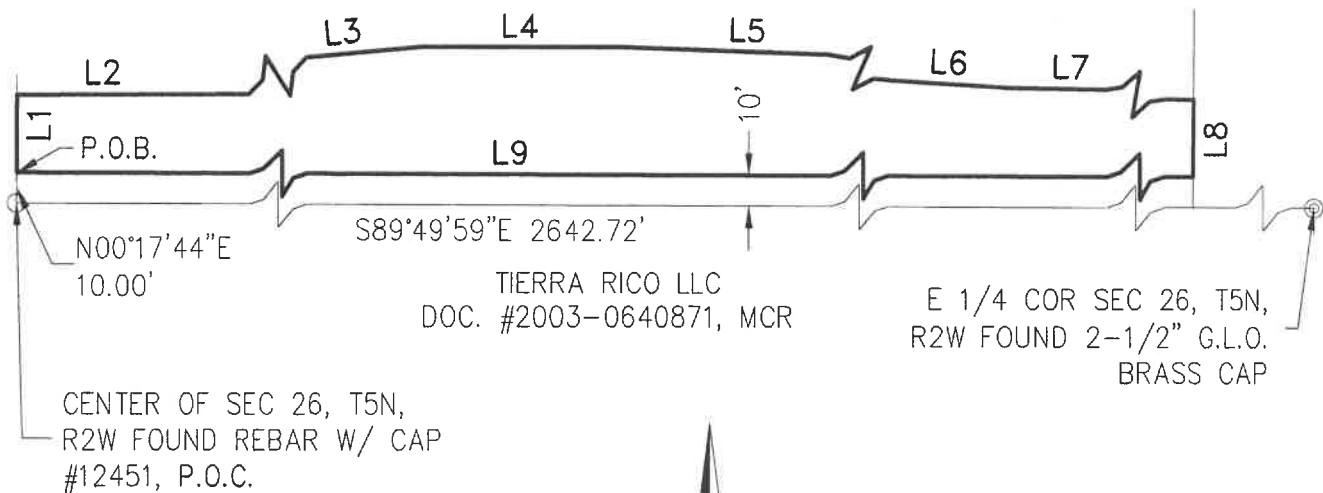
Prepared by: HILGARTWILSON, LLC
2141 E. Highland Avenue, Suite 250
Phoenix, AZ 85016
Project No.: 1308
Date: September 2020



LINE TABLE		
LINE NO.	DIRECTION	LENGTH
L1	N00°17'44"E	25.33'
L2	N89°45'14"E	544.25'
L3	N84°44'47"E	127.58'
L4	N90°00'00"E	63.25'
L5	S88°02'18"E	122.35'

LINE TABLE		
LINE NO.	DIRECTION	LENGTH
L6	S86°28'02"E	150.04'
L7	S89°09'26"E	314.84'
L8	S00°19'07"W	25.13'
L9	N89°49'59"W	1321.36'

SURPRISE LAND
HOLDINGS LLC
DOC. #2006-1043952, MCR



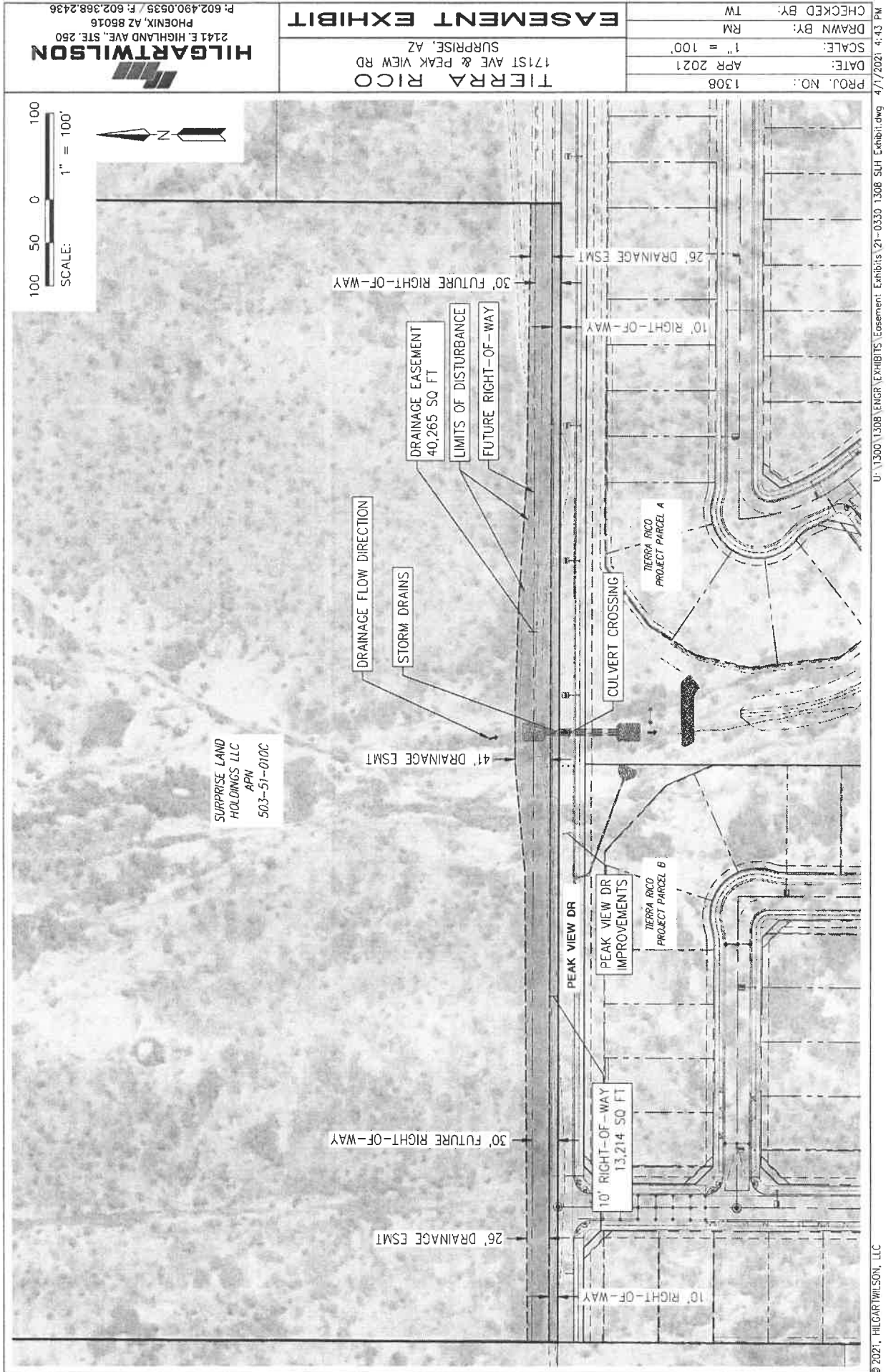
P.O.B. - POINT OF BEGINNING
P.O.C. - POINT OF COMMENCING

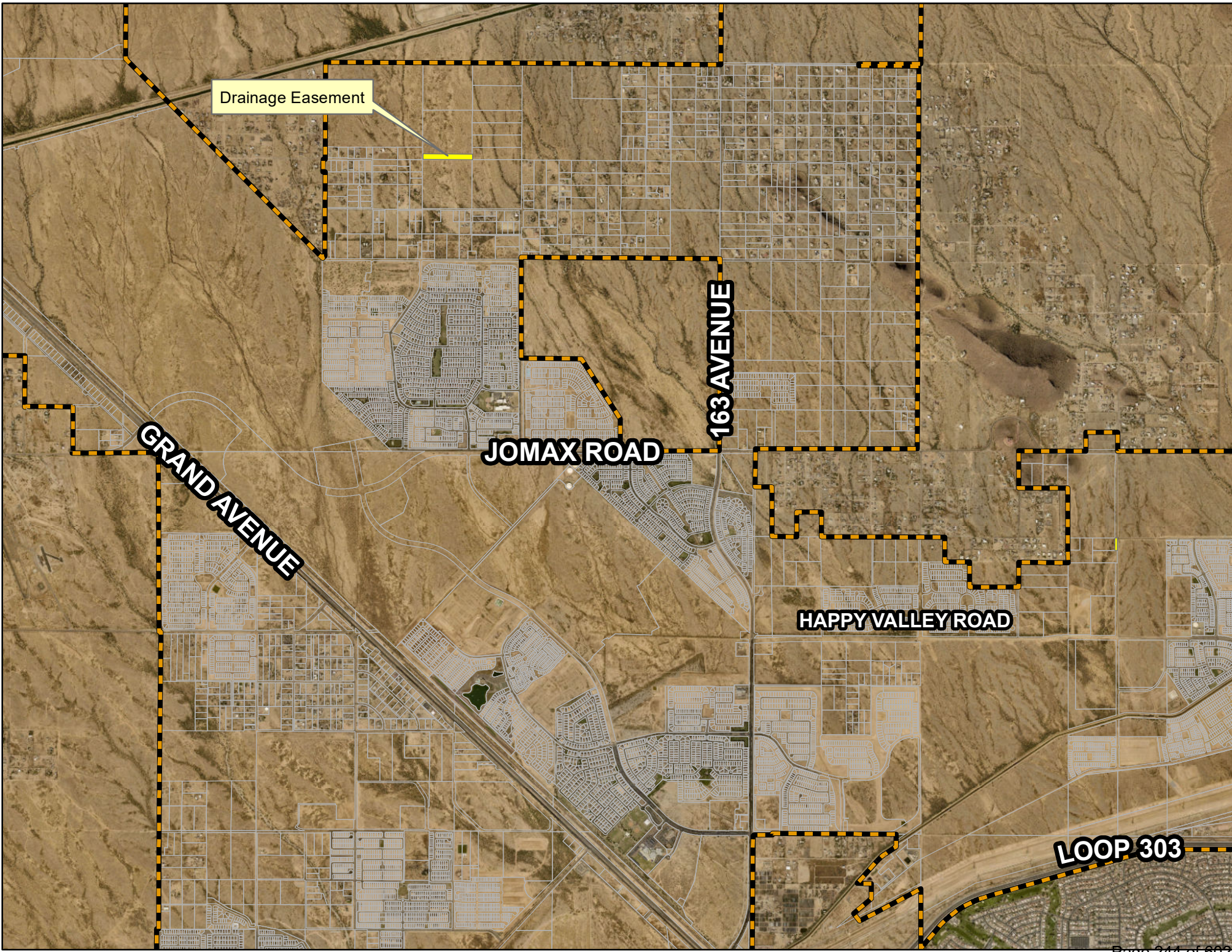
PROJ.NO.: 1308
DATE: SEPT 2020
SCALE: N.T.S.
DRAWN BY: KM/GS
CHECKED BY: KJP

TIERRA RICO
DRAINAGE EASEMENT #2
SURPRISE, ARIZONA

EXHIBIT

HILGARTWILSON
2141 E. HIGHLAND AVE., STE. 250
PHOENIX, AZ 85016
P: 602.490.0535 / F: 602.368.2436





Drainage Easement

GRAND AVENUE

JOMAX ROAD

163 AVENUE

HAPPY VALLEY ROAD

LOOP 303



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: September 21, 2021 Contact Person: Lloyd Abrams
Submitting Department: Community Development District: District 1
Staff Recommendations: None

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

Agenda Wording:

Consideration and action pertaining to acceptance of a Drainage Easement from John and Angela Thomas for roadway improvements along 171st Avenue near Dale Lane.

Motion:

I move to accept the Drainage Easement from John and Angela Thomas.

Background:

The easement being dedicated is in association with the road improvements being done by the developer to improve 171st Avenue to access the Tierra Rico Development.

Objective Analysis:

The planned improved roadway will need the additional drainage area on the east side of 171st Avenue for the completion of the roadway improvement leading into the Tierra Rico Development.

Policy Compliant:

Approval of this item is policy compliant. The proposed dedication will advance the goals and policies of the Surprise General Plan and the City Council's Strategic 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 currently no budgetary impact related to approval of this item. The City will plan for future O&M when the road is in place and is accepted by the City.

FTE Impact:

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

ATTACHMENTS:

1. Thomas DE

2. Thomas Drainage Easement Map

When recorded return
to: City Clerk
City of Surprise
16000 N. Civic Center Plaza
Surprise, AZ 85374

Exempt from filing an
Affidavit of legal value
A.R.S. §11-1134 (A)(3)

DRAINAGE EASEMENT

FOR AND IN CONSIDERATION of One Dollar (\$1.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged

Thomas, John/Angela M., as owner, (“**Grantor**”)

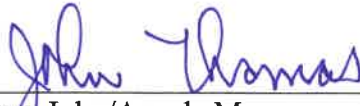
Do hereby grant and convey to the **City of Surprise** (“**Grantee**”), an Arizona municipal corporation, a **Drainage Easement** upon, over, across and through, to and in that certain parcel of real property as legally described in Exhibit A.

It is the intention of the parties to cause the real property described on said Exhibit “A” to be granted as a Drainage Easement for installation, maintenance, and repair of any drainage purpose including without limitation, retention, detention, and conveyance. No use by the Grantor of the area subject to the Drainage Easement shall prohibit or interfere with the drainage use by the public.

All provisions herein shall be binding upon the successors and assigns of the Grantor.

GRANTOR

GRANTEE: City of Surprise, an
Arizona Municipal Corporation

By: 
Thomas, John/Angela M.,
Its: Owner

By: _____
Skip Hall
Its: Mayor

ATTEST:

Sherry Aguilar, City Clerk

STATE OF ARIZONA)
) SS.
County of Maricopa)

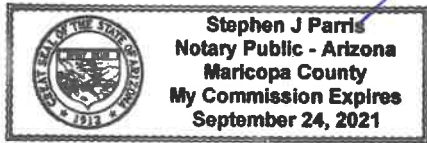
The foregoing instrument was acknowledged before me this 7th day of
MAY, 2021 by Stephen J. PARRIS

My commission expires:

9/24/2021

Notary Public:

[Signature]



STATE OF ARIZONA)
) SS.
County of Maricopa)

The foregoing instrument was acknowledged before me this ____ day of
_____, 2021, by _____, known by me as the Mayor of the
City of Surprise, an Arizona Municipal Corporation.

My commission expires:

Notary Public:

Exhibit A

Legal Description

See Attached

**TIERRA RICO
DRAINAGE EASEMENT # 1B
LEGAL DESCRIPTION**

A portion of land being situated within the Southwest Quarter of Section 25, Township 5 North, Range 2 West of the Gila and Salt River Meridian, Maricopa County, Arizona, being more particularly described as follows:

COMMENCING at a found 2 inch Maricopa County Aluminum cap accepted as the Southwest corner of said Section 25 from which a found 2-1/2 inch G.L.O. brass cap accepted as the West Quarter corner thereof bears North 00°17'09" East, 2646.08 feet;

Thence North 00°17'09" East, 651.83 feet along the west line of the Southwest Quarter of said Section 25 to the **POINT OF BEGINNING**;

Thence continuing along said west line, North 00°17'09" East, 110.00 feet;

Thence leaving said west line, South 89°42'51" East, 42.00 feet;

Thence South 00°17'09" West, 110.00 feet along a line which is 42.00 feet east of and parallel with the west line of the Southwest Quarter of said Section 25;

Thence leaving said parallel line, North 89°42'51" West, 42.00 feet to the **POINT OF BEGINNING**.

The above described parcel contains a combined computed area of 4620 sq. ft. (0.1061 acres) more or less and being subject to any easements, restrictions, rights-of-way of record or otherwise.

The description shown hereon is not to be used to violate any subdivision regulation of the state, county and/or municipality or any land division restrictions.

Prepared by: HILGARTWILSON, LLC
2141 E. Highland Avenue, Suite 250
Phoenix, AZ 85016
Project No.: 1308
Date: April 2021



WEST QUARTER CORNER
SECTION 25, T5N, R2W
FOUND 2-1/2" G.L.O. BRASS CAP
STAMPED 1/4, S25, S26,
DATED 1916, UP 0.6'±

55' R/W
BOOK 968,
PAGE 10, MCR

STEVEN Z. JONES LIVING TRUST
APN #503-51-946
LOT 4, BOOK 968,
PAGE 10, M.C.R.

171ST AVENUE

THE MICHAEL LIVING TRUST
APN #503-51-122P
SPECIAL WARRANTY DEED
04-0048309, M.C.R.

55' R/W
DOC. 2017-
0279819, MCR

55'
FUTURE
R/W

THOMAS, JOHN/ANGELA M.
APN #503-51-122L
WARRANTY DEED
04-1283213, M.C.R.

LEAV, LENG/KHENG
APN #503-51-196E
WARRANTY DEED
00-0342808, M.C.R.

25' R/W
DOC. 2017-
0456344, MCR

55' R/W
DOC. 2017-
0456344, MCR



30' R/W
DOC. 2000-
0342808, MCR

55' R/W

SOUTHWEST CORNER
SECTION 25, T5N, R2W
FOUND 2" MARICOPA COUNTY
ALUMINUM CAP, STAMPED T5N, R2W,
S25, S26, S35, S36, LS 21782,
DATED 2002, DOWN 0.5'±, P.O.C.

LINE TABLE		
LINE NO.	DIRECTION	LENGTH
L5	N00°17'09"E	110.00'
L6	S89°42'51"E	42.00'
L7	S00°17'09"W	110.00'
L8	N89°42'51"W	42.00'

PROJ.NO.: 1308
DATE: APRIL 2021
SCALE: N.T.S.
DRAWN BY: JDL/GS
CHECKED BY: KJP

TIERRA RICO
DRAINAGE EASEMENT#1B
SURPRISE, ARIZONA

EXHIBIT

HILGARTWILSON
2141 E. HIGHLAND AVE., STE. 250
PHOENIX, AZ 85016
P: 602.490.0535 / F: 602.368.2436





CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: September 21, 2021

Contact Person: Gladys Nkeze, Assistant Director -
Operations

Submitting Department: Public Works

District: Citywide

Staff Recommendations: None

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

Consideration and action pertaining to approval of a Fiscal Year 2022 budget amendment moving budget authority in the amount of \$106,000 within the Highway User Capital Fund from Project A61070 to Projects A61712 and A61713 for the purchase of two street sweepers; Resolution # 2021-136.

Motion:

I move to approve Resolution # 2021-136.

Background:

The department is currently responsible for sweeping approximately 620 miles of roadways. Last fiscal year, the department swept over 26,000 miles and collected over 2,700 tons of debris from the roadways. As the City continues to experience growth, it is crucial to have modern, certified, equipment to meet local, state, and federal air quality standards. This equipment will also ensure that current operational efficiencies are maintained, as well as the expectations of our residents.

Objective Analysis:

Approval of this item supports the mission of the Streets - Street Sweeping Division; ensuring that the streets of the City are swept clean of debris on a regular basis.

Policy Compliant:

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

Financial Impact:

The actual costs of the purchase of the two street sweepers are one-time in nature and will be based on quotes received from the vendor. Project A61712 will be increased by \$53,000 with anticipated expenditures of \$263,000 and Project A61713 will be increased by \$53,000 with anticipated expenditures of \$263,000 with this action.

Budget Impact:

If approved, this item will amend the FY2022 adopted budget by moving budget authority within the

Highway User Capital Fund from Project A61070: Asset Replacement Vehicles and Equipment to Project A61712: Asset Replacement Asset 4608 in the amount of \$53,000 and to Project A61713: Asset Replacement Asset 4609 in the amount of \$53,000. 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. A61712 A61713 - Street Sweeper Res # 2021-136
-

RESOLUTION # 2021-136

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING THE FISCAL YEAR 2022 BUDGET BY MOVING BUDGET AUTHORITY IN THE AMOUNT OF \$106,000 WITHIN THE HIGHWAY USER CAPITAL FUND FROM PROJECT A61070 TO PROJECTS A61712 AND A61713 FOR THE PURCHASE OF TWO STREET SWEEPERS AND AMENDING THE CONTRACT AWARDING AUTHORITY LIST.

WHEREAS, the FY2022 budget was adopted including funding for Highway User Capital Fund Project A61712: Asset Replacement Asset 4608 in the amount of \$210,000 and Highway User Capital Fund Project A61713: Asset Replacement Asset 4609 in the amount of \$210,000;

WHEREAS, the increase in the price of commodities have caused the price of street sweepers to increase within a short period of time;

WHEREAS, additional funding is needed for the purchase of street sweepers in Highway User Capital Fund Project A61712: Asset Replacement Asset 4608 and Highway User Capital Fund Project A61713: Asset Replacement Asset 4609;

WHEREAS, moving budget authority within the Highway User Capital Fund in the amount of \$106,000 from Project A61070: Asset Replacement Vehicles and Equipment to Project A61712: Asset Replacement Asset 4608 in the amount of \$53,000 and to Project A61713: Asset Replacement Asset 4609 in the amount of \$53,000 is necessary;

WHEREAS, the FY2022 budget, including the FY2022 Contract Awarding Authority List, was adopted by Council Resolution #2021-87 on June 1, 2021;

WHEREAS, the City of Surprise Procurement Code §2-338 (d) requires the authority of the Mayor and Council when the cost to the city is greater than \$50,000;

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, 2021 through June 30, 2022.

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

RESOLUTION # 2021-136**Exhibit A**

1. Appropriation- The exhibit below represents a movement of budget authority in the amount of \$106,000 within the Highway User Revenue Capital Fund from Project A61070 to Project A61712 and Project A61713 to establish a budget for the acquisition of two street sweepers. 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
Highway User Revenue Capital	Public Works	A61712 Asset Repl - Asset 4608	E	210,000	53,000	263,000
Highway User Revenue Capital	Public Works	A61713 Asset Repl - Asset 4609	E	210,000	53,000	263,000
Highway User Revenue Capital	Public Works	A61070 Asset Repl – Vehicle and Equipment	E	967,400	(106,000)	861,400
Expense Total				1,387,400	-	1,387,400

RESOLUTION # 2021-136**Exhibit B**

2. Contract Awarding Authority List – Project A61712 and A61713 are for the purchase of two replacement street sweepers. When Council approved the Fiscal Year 2022 Contract Awarding Authority List, these projects were included with \$247,800 in each project respectively. This resolution provides authorization to add \$17,200 to each project to align with the increased budget authority.

Reference #	Description	Current Amount	Increase/ (Decrease)	Amended Amount
22186	Asset Repl – Asset 4608	247,800	17,200	265,000
22187	Asset Repl – Asset 4609	247,800	17,200	265,000



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: September 21, 2021
Submitting Department: Public Works
Staff Recommendations: None

Contact Person: Mike Gent, DIRECTOR - PW
District: District 1

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

Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Happy Valley Road Phase 5, generally located at W. Happy Valley Road between N. 149th Avenue and N. 155th Avenue; Resolution # 2021-141.

Motion:

I move to approve Resolution # 2021-141.

Background:

The Public Works Department conducted the final inspection of the public improvements for Happy Valley Road Phase 5, generally located at W. Happy Valley Road between N. 149th Avenue and N. 155th Avenue, on or about July 23, 2021 totaling 10,667 SY (approximately 4,000 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 drainage beneath the roadway and water lines to convey domestic water to adjacent properties. 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 \$2,899,272.93.

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 2021-141.final.Ph5.9.1.21 (CORRECTED)
-

August 04, 2021

Taylor Morrison/Arizona Inc.
9000 E Pima Pkwy, Suite 350
Scottsdale AZ 85258

**RE: NOTICE OF COMPLETION AND COUNCIL ACTION REQUIREMENT FOR RANCHO
MERCADO HAPPY VALLEY RD PHASE 5 – FS17-642**

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:

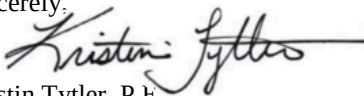
- A copy of all lien releases or a title report
- Actual construction cost for related civil permits issued
- Warranty assurance in a format acceptable by the City

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, P.E.
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
Amanda Correia, Finance
Michael Boule, Water Resource Management
William Valdez, PW Civil Inspector



PROJECT SIGN OFF FORM

PUBLIC WORKS - ENGINEERING SERVICES, INSPECTIONS

Date Submitted: July 23, 2021 Commercial Commercial w/Offsite XX Residential

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

June 22, 2021 Date of Punch-List Walk July 22, 2021 Date Punch-List Completed

FS Number: FS17-642 Permit Number(s): E19P-0697,E19P-0698,E19P-0700,E19P-0701,E19P-0702,E19P-0703

Project Name: Rancho Mercado Happy Valley Rd Phase 5

Project Developer/Builder: (Name, Address, and Phone #)

Taylor Morrison / Arizona Inc, 9000 East Pima Suite 350, Scottsdale, Arizona 85258 480-344-7000

Sheet 1 of 1

MAG TIP Reporting:

Street Name	Classification	Begin Limits	End Limits	# Lanes	Length to nearest ¼ mi.	Features
Happy Valley Rd	Arterial	Sta 54+00.00	Sta 94+21.12	2	3/4	

MATERIALS:

Asphalt: MR Tanner Supplier 1.5 Total Lane Miles 10,514 Total Square Yards

Water: 12" DIP Size/Type 32 Total Linear Feet 6" DIP Size/Type 60 Total Linear Feet

16" DIP Size/Type 4,481 Total Linear Feet Size/Type Size/Type Total Linear Feet

Sewer: N/A Size/Type Size/Type Total Linear Feet Size/Type Size/Type Total Linear Feet

Size/Type Size/Type Total Linear Feet Size/Type Size/Type Total Linear Feet

Storm: N/A Size/Type Size/Type Total Linear Feet Size/Type Size/Type Total Linear Feet

Size/Type Size/Type Total Linear Feet Size/Type Size/Type Total Linear Feet

Fire Ln: N/A Size/Type Size/Type Total Linear Feet Size/Type Size/Type Total Linear Feet

Additional Comments:

SUPPORTING DOCUMENTATION REQUIRED:

XX Copy of Punch List N/A AOC

N/A Final Certification Letter from Engineer of Record XX Asphalt Concrete Ticket w/ Name of Contractor

XX Complete Geotechnical Testing Packet N/A Streetlight Energize Letter

N/A Sewer Pressure Testing Results XX As built Documents (PDF copy on CD)

N/A Sewer Manhole Vacuum Testing Certification XX As Built Documents in PDF format (copy on CD)

N/A Sewer Manhole Insecticide Certification N/A Updated asbuilt CAD base files (copy on CD)

N/A Sewer Videos with Operators Notes (inc. re-videos) _____ (Specify)

Other _____

APPROVAL:

Civil Inspector: William Valdez

Date: July 23, 2021

Civil Engineering Supervisor: Kristin Jylles

Date: 07/23/2021

	Private/Public ▼	Classification ▼	Roadway ▼	Length (ft) ▼	Length (mile) ▼	Length (Nearest 1/4 mile) ▼	Lane Miles ▼	Width (pavement) (ft)
Happy Valley Road Phase 5	Public	Arterial	Happy Valley Road	4000.0	0.76	0.75	1.52	24.0
			Total	4000.0				

RESOLUTION # 2021-141

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 TWO YEAR WARRANTY AT HAPPY VALLEY ROAD PHASE 5, GENERALLY LOCATED AT W. HAPPY VALLEY ROAD BETWEEN N. 149TH AVENUE AND N. 155TH AVENUE.

WHEREAS, the State of Arizona, Pensco Trust Company, LLC, and Forestar (USA) Real Estate Group Inc., dedicated to the City public rights of way along W. Happy Valley Road for public use, generally located between N. 149th Avenue and N. 155th Avenue;

WHEREAS, as a condition of approval to construct the Rancho Mercado development, Rancho Mercado installed public utility improvements within the dedicated Happy Valley Road right-of-way, including asphalt, water lines, and storm drain (“public improvements”);

WHEREAS, on or about July 23, 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 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

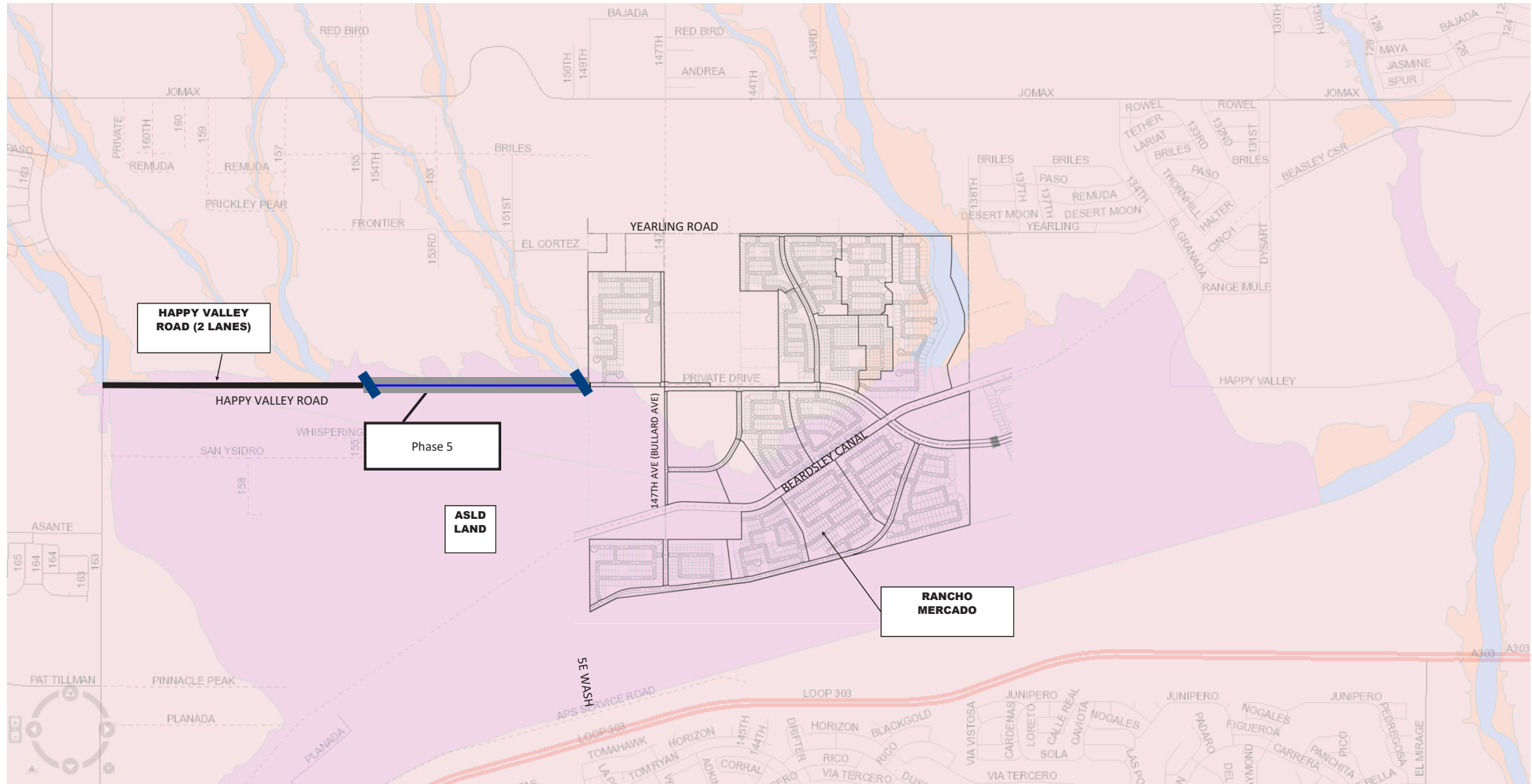
Robert Wingo, City Attorney

Exhibit A

Map of Infrastructure

EXHIBIT A

Rancho Mercado - Happy Valley Road Phase 5



INFRASTRUCTURE TO BE ACCEPTED:

ROADWAY	
WATER	
DRAINAGE	

Accepted infrastructure per Case
FS17-642 Civil Improvement Plans

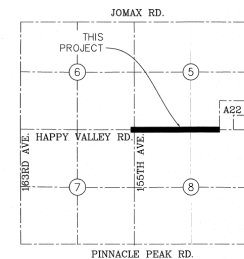


EXHIBIT B

List and Cost of Improvements



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: 08/27/2021
Re: Happy Valley Road Phase 5

The public improvements for the above project have been completed and are tentatively scheduled for the September 21, 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	\$496,324.96
City Water	\$485,074.31
City Drainage	\$1,917,873.66
Total	\$2,899,272.93



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: September 21, 2021
Submitting Department: Public Works
Staff Recommendations: None

Contact Person: Mike Gent, DIRECTOR - PW
District: District 1

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

Consideration and action pertaining to the conditional acceptance and maintenance of certain streets and public utility improvements at Happy Valley Road Phase 6, generally located at W. Happy Valley Road between N. 147th Avenue and N. 149th Avenue; Resolution # 2021-142.

Motion:

I move to approve Resolution # 2021-142.

Background:

The Public Works Department conducted the final inspection of the public improvements for Happy Valley Road Phase 6, generally located at W. Happy Valley Road between N. 147th Avenue and N. 149th Avenue on or about July 23, 2021 totaling 3,467 SY (approximately 1,300 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 access and conveyance to the property, storm drains to convey drainage under roadways, 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 \$1,092,683.54.

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 2021-142.final.Ph6.9.1.21 (CORRECTED)
-

August 04, 2021

Taylor Morrison/Arizona Inc.
9000 E Pima Pkwy, Suite 350
Scottsdale AZ 85258

**RE: NOTICE OF COMPLETION AND COUNCIL ACTION REQUIREMENT FOR RANCHO
MERCADO HAPPY VALLEY RD PHASE 6 – FS17-634**

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:

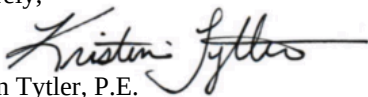
- A copy of all lien releases or a title report
- Actual construction cost for related civil permits issued
- Warranty assurance in a format acceptable by the City

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, P.E.
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
Amanda Correia, Finance
Michael Boule, Water Resource Management
William Valdez, PW Civil Inspector



PROJECT SIGN OFF FORM

PUBLIC WORKS - ENGINEERING SERVICES, INSPECTIONS

Date Submitted: July 23, 2021 Commercial Commercial w/Offsite XX Residential

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

June 22, 2021 Date of Punch-List Walk July 22, 2021 Date Punch-List Completed

FS Number: FS17-634 Permit Number(s): E19P-0705,E19P-0706,E19P-0707,E19P-0708,E19P-0709,E19P-0711

Project Name: Rancho Mercado Happy Valley Rd Phase 6

Project Developer/Builder: (Name, Address, and Phone #)

Taylor Morrison / Arizona Inc., 9000 East Pima Suite 350, Scottsdale, Arizona 85258 480-344-7000

Sheet 1 of 1

MAG TIP Reporting:

Street Name	Classification	Begin Limits	End Limits	# Lanes	Length to nearest 1/4 mi.	Features
Happy Valley Rd	Arterial	Sta 10+00.00	Sta 22+80.17	2	1/4	Sta Limits per Profile

MATERIALS:

Asphalt: MR Tanner Supplier .5 Total Lane Miles 3,692 Total Square Yards

Water: 8" C-900 Size/Type 100 Total Linear Feet 6" DIP Size/Type 20 Total Linear Feet

16" DIP Size/Type 2,570 Total Linear Feet Size/Type Total Linear Feet

Sewer: 8" PVC Size/Type 42 Total Linear Feet Size/Type Total Linear Feet

12" PVC Size/Type 1,283 Total Linear Feet Size/Type Total Linear Feet

Storm: 36" RGRCP Size/Type 160 Total Linear Feet Size/Type Total Linear Feet

Size/Type Total Linear Feet Size/Type Total Linear Feet

Fire Ln: N/A Size/Type Total Linear Feet Size/Type Total Linear Feet

Additional Comments:

SUPPORTING DOCUMENTATION REQUIRED:

XX Copy of Punch List N/A AOC

N/A Final Certification Letter from Engineer of Record XX Asphalt Concrete Ticket w/ Name of Contractor

XX Complete Geotechnical Testing Packet N/A Streetlight Energize Letter

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

XX Sewer Manhole Vacuum Testing Certification XX As Built Documents in PDF format (copy on CD)

XX Sewer Manhole Insecticide Certification N/A Updated asbuilt CAD base files (copy on CD)

XX Sewer Videos with Operators Notes (inc. re-videos) _____ (Specify)

Other _____

APPROVAL:

Civil Inspector: William Valdez

Date: July 23, 2021

Civil Engineering Supervisor: Kristen Jylles

Date: 07/23/2021

	Private/Public ▼	Classification ▼	Roadway ▼	Length (ft) ▼	Length (mile) ▼	Length (Nearest 1/4 mile) ▼	Lane Miles ▼	Width (pavement) (ft)
Happy Valley Road Phase 6	Public	Arterial	Happy Valley Road	1300.0	0.25	0.25	0.49	24.0
			Total	1300.0				

RESOLUTION # 2021-142

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 TWO YEAR WARRANTY AT HAPPY VALLEY ROAD PHASE 6, GENERALLY LOCATED AT W. HAPPY VALLEY ROAD BETWEEN N. 147TH AVENUE AND N. 149TH AVENUE.

WHEREAS, the Brookfield Holdings (Mercado) LLC, Estrella Freeway/Lake Pleasant Limited Partnership, and George J. & Arlene G. Kamarata Trust dedicated to the City public rights of way along W. Happy Valley Road for public use, generally located between N. 147th Avenue and N. 149th Avenue;

WHEREAS, as a condition of approval to construct the Rancho Mercado development, Rancho Mercado installed public utility improvements within the dedicated Happy Valley Road right-of-way, including asphalt, concrete, sewer lines, water lines, and storm drain ("public improvements");

WHEREAS, on or about July 23, 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 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

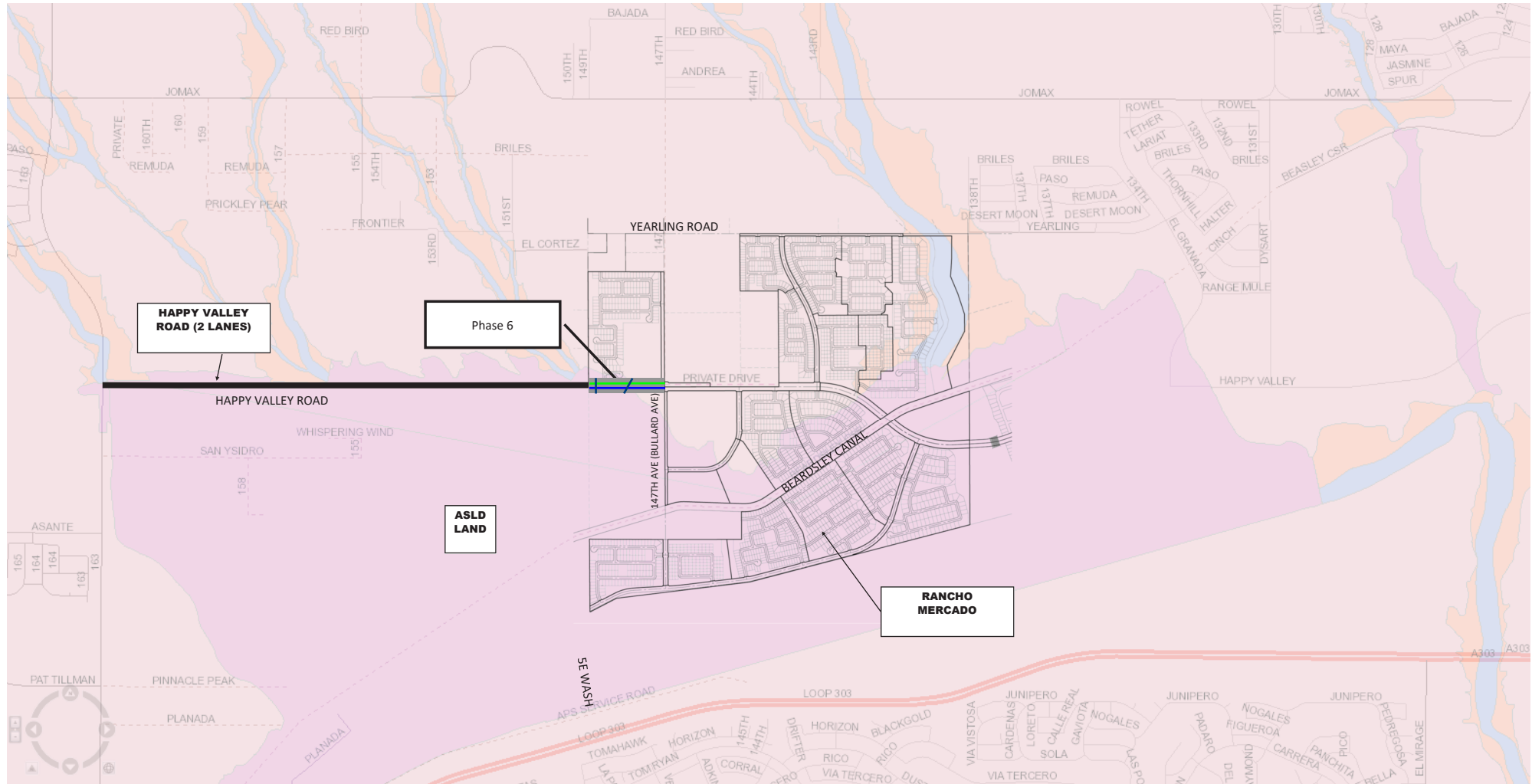
Robert Wingo, City Attorney

Exhibit A

Map of Infrastructure

EXHIBIT A

Rancho Mercado - Happy Valley Road Phase 6



INFRASTRUCTURE TO BE ACCEPTED:

ROADWAY	
WATER	
SEWER	
DRAINAGE	

Accepted infrastructure per Case
FS17-634 Civil Improvement Plans

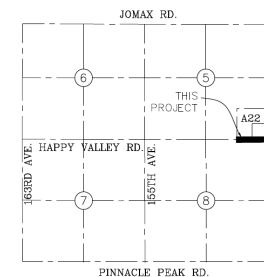


EXHIBIT B

List and Cost of Improvements



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: 08/27/2021
Re: Happy Valley Road Phase 6

The public improvements for the above project have been completed and are tentatively scheduled for the September 21, 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	\$197,572.31
City Concrete	\$45,385.42
City Sewer	\$141,002.92
City Water	\$327,385.03
City Drainage	\$381,337.86
Total	\$1,092,683.54



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: September 21, 2021

Contact Person: Kendra Pettis, DIR -
SPORTS/TOURISM

Submitting Department: Sports and Tourism

District: Citywide

Staff Recommendations: None

Consent: Yes

Regular: No

Public Hearing: No

Report/Discussion: No

Agenda Wording:

Consideration and action to designate the City of Surprise Sports and Tourism Department as the designated official Destination Marketing Organization (DMO) for the purpose of coordinating tourism promotion with the Arizona Office of Tourism (AOT); Resolution #2021-143.

Motion:

I move to approve Resolution # 2021-143.

Background:

The City of Surprise Sports and Tourism Department has worked with the Arizona Office of Tourism (AOT) since FY 2017/2018 to promote and market Surprise as a tourism destination. The Department receives funding for tourism marketing through the Maricopa County Proposition 302 grant, facilitated by AOT since FY 2001-2002.

In August 2021, the AOT notified DMO's that they will be required to submit a notarized DMO Affidavit to participate in the AOT programs, including but not limited to Proposition 302 funding, cooperative marketing, trade shows and FAM trips. The Affidavit is required to participate in FY2021-2022 activities and will now be required on an annual basis.

Objective Analysis:

The objective of this resolution is to designate the City of Surprise Sports and Tourism department as the DMO for FY21 through an official Council action to be in compliance with the Arizona Office of Tourism to receive the Proposition 302 funding.

Policy Compliant:

This item is compliant with City policy.

Financial Impact:

This item does not have a financial impact, however the designation allows the City to receive Proposition 302 funding for tourism promotion.

Budget Impact:

This item does not have a budget impact.

FTE Impact:

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

ATTACHMENTS:

1. 21.09.07 Res 2021-143 Designating Official DMO
-

RESOLUTION # 2021-143

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING THE CITY OF SURPRISE SPORTS AND TOURISM DEPARTMENT AS THE DESIGNATED OFFICIAL DESTINATION MARKETING ORGANIZATION (DMO) FOR THE PURPOSE OF COORDINATING TOURISM PROMOTION WITH THE ARIZONA OFFICE OF TOURISM (AOT).

WHEREAS, the City of Surprise Sports and Tourism Department currently serves as the City of Surprise DMO and has worked with the AOT since 2017/2018 to promote and market the City of Surprise as a tourism destination;

WHEREAS, AOT requests the City of Surprise to designate a DMO and representative who is authorized to undertake official action related to Surprise tourism for FY2022;

WHEREAS, AOT defines a DMO as a “non-profit organization or governmental unit that is responsible for the tourism promotion and marketing of destination on a year-round basis;

WHEREAS, local DMO’s must be designated by a municipality, county or tribal entity;

WHEREAS, DMO’s must have a dedicated tourism marketing budget and a website or social media presence;

WHEREAS, July of 2021, AOT requires the designated DMO to submit the AOT Designation of Destination Marketing Organization Affidavit, and an official action by the Entity leadership that authorizes the designation of the DMO;

WHEREAS, the official action by the Entity must be effective until July 2022; and

WHEREAS, becoming the a designated DMO within the State of Arizona would provide the City of Surprise the benefit of exclusive partnership and grant opportunities with AOT that would serve to promote local tourism, businesses and generate local tax revenue

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

Section 1. The City of Surprise Sports and Tourism Department is hereby designated as the City’s official Destination Marketing Organization until the first day of July 2022.

Section 2. The Surprise Sports and Tourism Department Director or their designee is authorized to execute any documents and instruments, including the Affidavit and Cover Sheet attached as *Exhibit A* and *Exhibit B*, respectively, to effect the purpose of this Resolution.

APPROVED AND ADOPTED this ____ day of _____, 2021.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

RESOLUTION # 2021-143

Exhibit A

**Arizona Office of Tourism Designation of Destination Marketing Organization
Affidavit**



Destination Marketing Organization Affidavit Cover Sheet

The _____ has been designated by the _____ as the official Destination Marketing Organization (DMO) for the purpose of coordinating tourism promotion with the Arizona Office of Tourism (AOT). AOT **does not** designate local DMOs across the state. The local designation decision lies with a **municipality, county, or tribal entity (the "Entity")**, and must conform to the following requirements:

1. AOT recognizes only one DMO per established community and requires that a DMO must be recognized by the Entity (municipal, county or tribal) leadership through official action, which also designates a representative who is authorized by the official action to execute the DMO Affidavit on behalf of the Entity.
2. The official action may be a resolution, ordinance, contract, or other official action by the Entity (municipality, county, or tribe), and the action must be effective until July 2022 (End of State Fiscal Year).
3. Renewal of DMO Affidavits will be required on an annual basis.
4. A DMO is defined as a not-for-profit organization or governmental unit that is responsible for the tourism promotion and marketing of a destination on a year-round basis.
5. DMOs must have 1) a dedicated tourism marketing budget and 2) a website/microsite and/or social media presence.

Exhibit B
Arizona Office of Tourism Designation of Destination Marketing Organization
Affidavit Cover Sheet

ARIZONA

OFFICE OF TOURISM

DESIGNATION OF DESTINATION MARKETING ORGANIZATION AFFIDAVIT

STATE OF ARIZONA

)

)

ss.

COUNTY OF _____

)

I, _____, being first duly sworn, state as follows:

1. I am a duly authorized representative of _____ (the "Entity"), located at the physical address of _____, and I may be reached at the following telephone number: _____.

2. This affidavit attests that the following organization meets the Arizona Office of Tourism requirements and is designated as the DMO for the Entity: _____.

3. The above-listed organization has been designated as the Entity's DMO, by official action, to wit:

_____, on _____ day of _____, 20____.

(List official action, such as Resolution, Ordinance, Tribal Action, and/or Contract) and date of execution)

4. I am attesting that, per the listed official action, the Entity agrees that such DMO designation will be effective until July 2022.

I certify that, under the penalty of perjury of the law of the state of Arizona, that the above written statements herein are true and accurate to the best of my knowledge, and that I have authority granted by the Entity to sign this affidavit.

(Signature)

(Printed or typed name)

(Title)

SUBSCRIBED AND SWORN to before me, the undersigned notary, this _____ day of _____, 20____, by a person demonstrated to me to be _____ based on _____.

Notary Public



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: September 21, 2021
Submitting Department: Sports and Tourism
Staff Recommendations: None

Contact Person: Kendra Pettis, DIR -
SPORTS/TOURISM
District: Citywide

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

Consideration and action pertaining to the approval of a Fiscal Year 2022 budget amendment moving budget authority in the amount of \$137,800 from the Contingency Fund to the Arizona Office of Tourism Fund and increase the Arizona Office of Tourism Fund revenue budget in association with anticipated increased Prop.302 funding; Resolution #2021-144

Motion:

I move to approve Resolution # 2021-144.

Background:

The City of Surprise Sports and Tourism department has worked with the Arizona Office of Tourism (AOT) since FY2017/2018 to promote and market Surprise as a tourism destination. The Department receives annual funding through the Maricopa County Proposition 302 grant, facilitated by AOT since FY2001-2002. This year, the projected revenues are anticipated to come in higher than the original expected revenues.

Objective Analysis:

Approval of this item will allow the Sports and Tourism Department the authority to spend the money awarded to the City by the Arizona Office of Tourism and promote the City of Surprise as a premier tourism destination.

Policy Compliant:

This item is compliant with City policy.

Financial Impact:

This action will allow for a one-time increase of \$137,800 in expenses associated with promoting tourism in the city of Surprise and increase Arizona Office of Tourism Prop.302 revenues, \$137,800 to offset these expenses.

Budget Impact:

This action will move budget authority in the amount of \$137,800 from the Contingency Fund to

services within the Arizona Office of Tourism Fund and move \$137,800 in revenues from the Contingency Fund to intergovernmental revenues within the Arizona Office of Tourism Fund in association with anticipated increased Arizona Office of Tourism Prop.302 revenues. This action represents a transfer of spending authority and does not increase or decrease the total adopted citywide expenditure budget.

FTE Impact:

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

ATTACHMENTS:

1. Res 2021-144 Budget Amendment AOT
-

RESOLUTION # 2021-144

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING THE FISCAL YEAR 2022 BUDGET BY MOVING BUDGET AUTHORITY OF \$137,800 FROM THE CONTINGENCY FUND TO SERVICES WITHIN THE ARIZONA OFFICE OF TOURISM FUND AND \$137,800 IN REVENUES WITHIN THE CONTINGENCY FUND TO INTERGOVERNMENTAL REVENUES WITHIN THE ARIZONA OFFICE OF TOURISM FUND DUE TO ANTICIPATED INCREASED REVENUES FROM ARIZONA OFFICE OF TOURISM PROP.302 FUNDING.

WHEREAS, the FY2022 budget was adopted including funding for the Arizona Office of Tourism Prop.302 fund;

WHEREAS, the City of Surprise Sports and Tourism Department receives annual funding from the Arizona Office of Tourism (AOT) to promote and market the City of Surprise as a tourism destination since 2017/2018;

WHEREAS, the revenue received from AOT for FY2022 is anticipated to come in higher than the original projected revenue amount;

WHEREAS, an increase in appropriation is required to expend the additional funding received from AOT;

WHEREAS, the FY2022 budget was adopted by Council Resolution #2021-87 on June 1, 2021;

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, 2021 through June 30, 2022.

[SIGNATURES TO FOLLOW ON NEXT PAGE]

APPROVED AND ADOPTED this ____ day of _____, 2021.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

RESOLUTION # 2021-144**Exhibit A**

1. Appropriation - The allocation below represents a movement of budget authority in the amount of \$137,800 from the Contingency Fund to services within the Arizona Office of Tourism Fund and \$137,800 in revenues within the Contingency Fund to intergovernmental revenues within the Arizona Office of Tourism Fund to allow for anticipated increased revenues from the Arizona Office of Tourism Prop.302 Funding. 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
Contingency	General Operations	Contingency	E	25,697,500	(137,800)	25,559,700
Arizona Office of Tourism	Sports and Tourism	Services	E	92,200	137,800	230,000
Contingency	General Operations	Other	R	24,963,900	(137,800)	24,826,100
Arizona Office of Tourism	Sports and Tourism	Intergovernmental	R	44,000	137,800	181,800
Expense Total				25,789,700	-	25,789,700
Revenue Total				25,007,900	-	25,007,900



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: September 21, 2021 Contact Person: Robert Kuhfuss
Submitting Department: Community Development District: Citywide
Staff Recommendations: None

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

Agenda Wording:

Consideration and action pertaining to approval of a proposed Text Amendment to Chapter 109 of the Surprise Land Development Ordinance regarding Class II Temporary Signs; Ordinance # 2021-16.

Motion:

I move to approve Ordinance # 2021-16.

Background:

At the direction of City Council, the Surprise Community Development Department seeks an amendment to Chapter 109 of the Surprise Municipal Code regarding Large A-Frame Signs, otherwise referred to as "Class II Temporary Signs". The proposed Text Amendment, if approved, would amend the manner in which such signs are regulated within the City of Surprise.

During the Planning and Zoning Commission hearing of July 15, 2021, the Commission expressed concerns over the proposed language but did not offer a formal recommendation. Staff revised the language based on Commission input and the matter was re-heard at the August 5, 2021 Planning and Zoning Commission hearing. The Commission recommended approval of the revised language.

Staff presented the Commission recommendation to the City Council during the Council Work Session on August 17, 2021, during which time the Council give staff additional direction. Staff has revised the language based on Council direction.

Objective Analysis:

Exhibits A, B, and C are as previously presented and reflect the Commission's recommendation. Exhibit D2 also expresses the Commission's recommendation; however, staff has included a new exhibit, Exhibit D3, which is based on the Council direction received during the Work Session on August 17, 2021.

Policy Compliant:

The City's goal is to balance business needs with aesthetics, while meeting the requirements of law.

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 - FS121-372 A-Frame Signs 09-21-21 CC Staff Report
 2. 01 - FS21-372 Exhibit A SMC Section 109-1.6 Definitions Leg-Edit
 3. 02 - FS21-372 Exhibit B SMC Section 109-1.7 Permitted and Prohibited Signs Leg-Edit
 4. 03 - FS21-372 Exhibit C SMC Section 109-1.8 General Provisions Leg-Edit
 5. 04b - FS21-372 Exhibit D2 SMC Section 109-1.9 Sign Classifications and Types Leg-Edit
REVISED per Commission Direction
 6. 04c - FS21-372 Exhibit D3 SMC Section 109-1.9 Sign Classifications and Types Leg-Edit
REVISED per Council Direction
 7. 05 - FS21-372 A-Frame Sign Text Amendment Outreach Summary w Attachments
 8. 06 - FS21-372 A Frame Sign Amendment Citizen Comments_Redacted
 9. 07 - FS21-372 Additional Opposition and Support as of 070621_Redacted
 10. 21.09.14 EVR RK Ord 2021-16 Type II A Frame
 11. FS21-372 Temporary Signs 09-21-21 CC
-

TEXT AMENDMENT

REPORT TO THE CITY COUNCIL

Case: FS21-372

Project Name: A-Frame Signs

Council District: All

Meeting Date: September 21, 2021

Planner: Robert H. Kuhfuss, AICP

Applicant: City of Surprise

Request: Text Amendment to Chapter 109 of the Surprise Land Development Ordinance regarding Class II Temporary Signs

Location: Citywide

Support/Opposition: Staff has received several items of input

Commission

Recommendation: Approve as presented on August 5, 2021

Alternative Actions: Approve as recommended by the Planning and Zoning Commission

Approve as presented by staff

Approve with alternative language

Remand to staff for further revisions

Deny

43 **PROJECT DESCRIPTION:**

44
45 At the direction of City Council, the Surprise Community Development Department seeks an
46 amendment to Chapter 109 of the Surprise Municipal Code regarding Large A-Frame Signs
47 otherwise referred to as “Class II Temporary Signs”.
48

49 **BACKGROUND:**

50
51 **April 16, 2015:** Staff began the overhaul of the Sign Code as previously written in Chapter 113
52 of the Surprise Municipal Code (SMC).
53

54 **March 6, 2018:** The City Council approved the amended Chapter 113 Sign Code.
55

56 **April 5, 2018:** The new Sign Code per Chapter 113 went into effect.
57

58 **March 26, 2020:** The City Council adopted a temporary sign policy in response to the COVID-19
59 pandemic.
60

61 **December 15, 2020:** The City Council approved the Land Development Ordinance (LDO), at which
62 time Chapter 113 of the SMC became Chapter 109 of the LDO.
63

64 **January 14, 2021:** The LDO became effective.
65

66 **March 2, 2021:** The City Council requested staff re-evaluate the provisions of the current Sign Code
67 as they pertain to Large A-Frame Signs (Class II Temporary Signs).
68

69 **April 6, 2021:** Staff presented the matter to the City Council during a regular Work Session.
70

71 **May 11, 2021:** Staff initiated case FS21-372 as it relates to Large A-Frame Signs (Class II Temporary
72 Signs).
73

74 **June 9, 2021:** Staff held an outreach meeting to discuss the proposed changes to the Sign Code as
75 they pertain to Large A-Frame Signs (Class II Temporary Signs).
76

77 **July 15, 2021:** The Commission reviewed the originally proposed language at their regularly
78 scheduled public hearing and expressed a preference for alternative language but did not offer a
79 recommendation.
80

81 **August 5, 2021:** The Commission heard the matter and recommended the City Council approve
82 with amended language.
83

84 **August 17, 2021:** The City Council directed staff to create alternative language that would allow
85 additional A-Frame signs.

86 **OUTREACH:**

87
88 Staff held an outreach meeting on Wednesday, June 9, 2021 in both in-person and virtual format.
89 Six (6) members of the public were present in person while two (2) members of the public attended
90 virtually. Those in attendance in person were generally divided on the issue. Those in favor cited
91 better business exposure, while those opposed cited the potential for sign clutter coupled with the
92 potential for enforcement issues related to after-hours enforcement. Two members who attended
93 virtually, stated they had difficulty hearing the conversation that was taking place; however, in
94 subsequent communications, one individual indicated support, while the other individual
95 supported the idea as long as it does not lead to sign clutter. The outreach meeting, as well as the
96 Planning and Zoning Commission hearings, were advertised in accordance with state and local
97 regulations.

98
99 **DISCUSSION:**

100
101 During the Planning Commission hearing held on July 15, 2021, staff presented a version of the
102 proposed Text Amendment that, if adopted, would have significantly changed the manner in
103 which large A-Frame signs are regulated in the city. Upon consideration and much discussion,
104 the Commission expressed concerns over certain aspects of the originally proposed text, while
105 expressing support for other aspects. In essence, the Commission was comfortable with making
106 minor changes, but was not comfortable with changing the overall manner in which large A-
107 Frame signs are regulated.

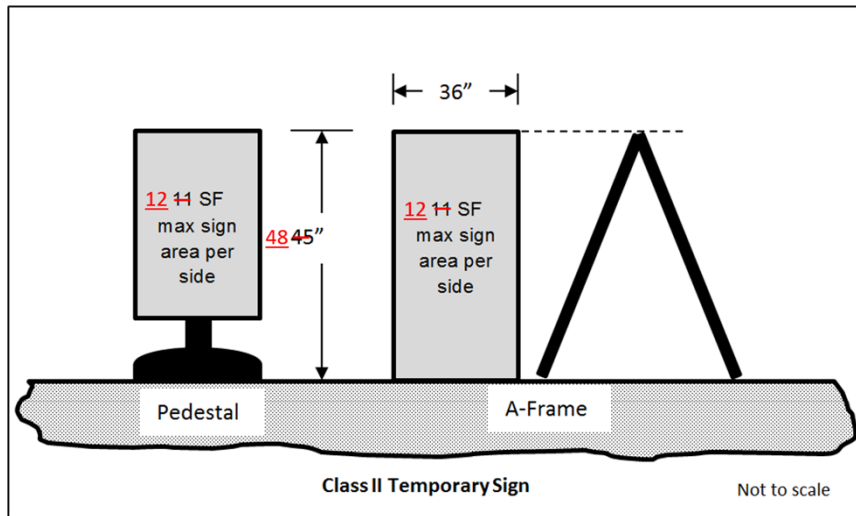
108
109 The Commission did not offer a formal recommendation during the aforementioned hearing;
110 however, based on input from the Commission, staff revised the proposed and presented said
111 language to the Commission on August 5, 2021. The Commission recommended the revised
112 language to the City Council for adoption. The Commission recommendation includes attached
113 Exhibits A, C, and D2.

114
115 Staff presented the Commission recommendation to the Council during their Work Session of
116 August 17, 2021. At that time, the Council gave staff direction to further revise the language
117 such to allow additional A-Frame signs in the right-of-way. That language is now included in
118 attached Exhibit D3.

119
120 The entirety of the proposed changes are outlined below.

➤ Amend the definition of Class II Temporary Sign in subsection 109-1.6(A) – [no changes since July 15, 2021]

Sign, temporary, class II (A-frame sign and pedestal sign). A temporary, portable sign in which the overall height of the sign structure does not exceed 45~~48~~ inches, the overall width of the sign structure does not exceed 36 inches and which does not exceed 22~~24~~ square feet of aggregate sign area.



➤ Amend Table 109-1a to allow Class II Temporary Signs in Rights-of-Way:

109-1.7 Permitted and prohibited signs.

- A Permitted signs by zoning district. Only those sign types and classes that are specifically listed in table 109-1a for each zoning district may be allowed, subject to the provisions outlined elsewhere in this chapter.

TABLE 109-1a PERMITTED SIGNS (P = permitted, shaded cell = not permitted, C = conditional use permit)											
Code Reference	Sign Type	Location									
		Public Rights-of-Way	Private Rights-of-Way	Single-Family	Multi-Family	Mixed-Use	Commercial and Industrial	SHD-RO	SHD-CO	Open Space	P
TEMPORARY SIGNS											
109-1.9(a)(2)	Class I Temporary Signs (Small A-Frame Signs)	P	P	P				P			
109-1.9(a)(3)	Class II Temporary Signs (Large A-Frame Signs)	<u>P</u>	<u>P</u>			P	P	P	P		

➤ Amend subsection 109-1.8(B) to add clarity regarding materials and legibility – [no changes since July 15, 2021]

(B) Sign quality, construction, and aesthetics.

1. Signs shall be designed in compliance with the applicable construction codes adopted by the city and in effect at the time of construction.
2. Where raceway cabinets are utilized, said raceway cabinets shall be painted to match the color of the surface onto which it is mounted.
3. Whenever a permanent sign is removed, the surface onto which the sign was mounted shall be repaired as closely as practicable to a new-like condition.
4. Unless specifically approved by the City Council through a comprehensive sign program or conditional use permit for other than freeway monument sign, as applicable, supporting elements for all signs shall appear to be free of any angle iron, bracing, guy wires or similar features.
5. When electrical service is provided to any sign, all components of said service are to be entirely concealed or, when necessary, painted to match the surface of the structure upon which they are mounted.
6. All ~~permanent~~ signs permitted by this chapter shall be constructed of durable material capable of withstanding continuous exposure to the elements and conditions of the urban environment. Class II Temporary Signs shall be fabricated of wood, hard plastic, or metal that is at least one-half inch thick with no unfinished, sharp or rough edges.
7. All sign copy must be clearly legible.

➤ Amend Section 109-1.9.A.3 regarding Class II Temporary Signs as follows:

3. ~~Class II temporary signs~~ Temporary Signs (large A-frame signs and pedestal signs). ~~Class II temporary signs~~ Class II Temporary Signs, as defined herein, are allowed subject to the ~~general requirements~~ General Requirements as ~~stated~~ outlined in subsection 109-1.9.A.1 above ~~plus~~ and the following:
 - a. ~~Class II temporary signs~~ Class II Temporary Signs are only allowed in conjunction with a lawful commercial use including ~~cottage industries~~ cottage industries, but not ~~home occupations~~ home occupations.

- 185 b. One (1) such sign may be located within 15 feet of the doorway of
186 the customer entrance to the building in which the lawful
187 commercial use is located. One (1) additional Class II Temporary
188 Sign may be located within or adjacent to the public right-of-way
189 subject to the provisions of subsection 109-1.9.A.3 herein.
190
191 c. When allowed, ~~Class-II temporary signs~~ Class II Temporary Signs
192 may be located within the street right-of-way, but not within any
193 median, vehicle or bicycle travel lane, or sidewalk, nor within any
194 sight visibility triangle as outlined in standard details 4-01 and 4-
195 02 of the Surprise ~~engineering—development—standards~~
196 Engineering Development Standards, nor within fifty (50) feet of
197 the curb return of any commercial driveway, nor within twenty
198 (20) feet of another Class II Temporary Sign.
199
200 d. There is no limit to the number of ~~sign-panels-sign panels~~ per ~~sign~~
201 ~~structure—sign structure~~ provided the ~~defined—specified~~ height,
202 width and ~~sign-area-sign area~~ limitations are not exceeded.
203
204 e. The ~~sign-sign~~ may be weighted or ballasted; however, no such ~~sign~~
205 ~~sign~~ may be affixed to the ground or to any permanent ~~structure~~
206 ~~structure~~.
207
208 f. ~~Class-II temporary signs~~ Class II Temporary Signs utilized in
209 conjunction with a lawful commercial use may be displayed
210 during the business hours of the business served by the ~~Class-II~~
211 ~~temporary signs~~ Class II Temporary Signs.

212 **FINDINGS:**

- 213
- 214 • The proposed changes are consistent with state statute.
 - 215 • The proposed changes are compliant with applicable case law regarding signs and the 1st
 - 216 Amendment.
 - 217 • The proposed changes are consistent with Commission direction.
- 218

219 **COMMISSION RECOMMENDATION:** **Approve** per attached Exhibits A, C, and D2

220

221 **ALTERNATIVE ACTIONS:**

- 222 ➤ **Approve** as recommended by the Planning and Zoning Commission
- 223 ➤ **Approve** as presented by staff
- 224 ➤ **Approve** with alternative language
- 225 ➤ **Remand** to staff for further revisions
- 226 ➤ **Deny**

227 **ATTACHMENTS:**

228

229 01 – Exhibit A, SMC Section 109-1.6 Definitions, leg-edit format

230 02 – Exhibit B, SMC Section 109-1.7 Permitted and Prohibited Signs, leg-edit format

231 03 – Exhibit C, SMC Section 109-1.8 General Provisions, leg-edit format

232 (04a – Exhibit D1 omitted for brevity)

233 04b – Exhibit D2, SMC Section 109-1.9 Sign Classifications and Types, leg-edit format, revised per Commission
234 recommendation

235 04c – Exhibit D3, SMC Section 109-1.9 Sign Classifications and Types, leg-edit format, revised per Council direction

236 05 – Citizen Outreach Summary

237 06 – Opposition and Support

238 07 – Additional Opposition and Support as of 07/06/21

Exhibit A

Section 109-1.6 Definitions

As presented to the Planning and Zoning Commission

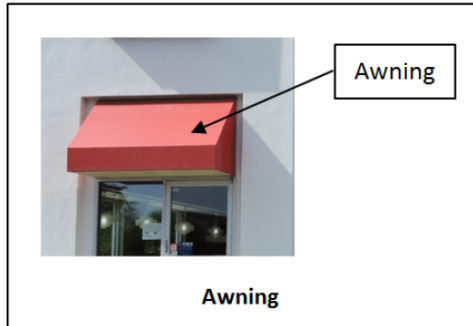
109-1.6 Glossary of Terms.

A. For purposes of administering Chapter 109, the following definitions apply:

A

Active single-family residential subdivision. A subdivision consisting of single-family lots that are for sale to the public by a homebuilder.

Awning. An architectural projection, typically made of cloth or metal, which projects from and is supported by the walls of a building and is intended to provide shade or shelter above a window or door.



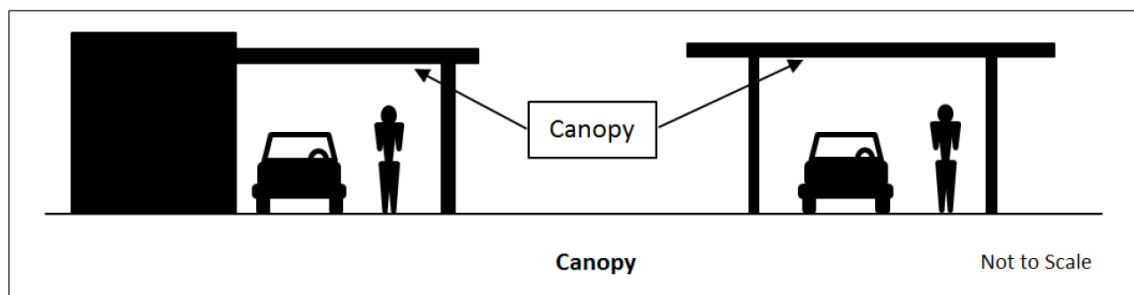
B

Blight. Unsightly conditions including but not limited to damage, tattered, faded, cracking, peeling, rusting or any other condition of disrepair, deterioration, or lack of maintenance.

Building. Any structure having a roof supported by walls or columns used for the shelter of persons, animals, or personal property.

C

Canopy. A building or portion thereof, which is open on not less than two sides and is entirely or partially supported by the ground.



Copy, changeable. Sign copy that is changed or capable of being changed at intervals of more than once per day.

Cottage industry. A cottage industry is a small business, owned and operated by the residential occupant, in a residential area, conducted within the dwelling or in an accessory building. The business may have employees and customers but must be clearly incidental and secondary to the use of the property for single-family residential purposes as well as adhere to the Use Specific Standards in **Section 106-10.14** of the Surprise Municipal Code.

D

Daylight hours. That portion of the day beginning when the sun breaks the morning horizon and ending when the sun falls below the evening horizon.

Drive-in business. A retail business establishment where on-site transactions may be conducted from the confines of a parked vehicle. See also "drive-through business".

Drive-through business. A retail business establishment where on-site transactions may be conducted from the confines of a vehicle which is staged in a drive-through lane. See also "drive-in business".

E

Electronic messaging center (EMC). A sign that utilizes computer-generated messages or some other electronic means of changeable copy. These signs include displays using incandescent lamps, LEDs, LCDs or a flipper matrix.

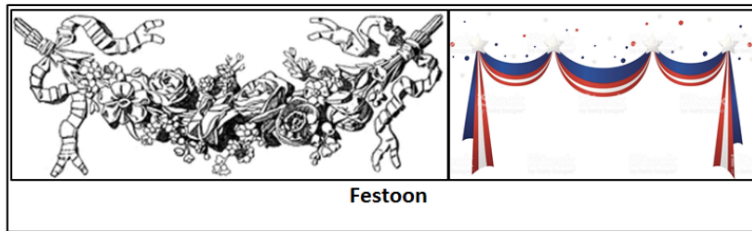
Electronic messaging centers, level 1. An EMC that contains monochromatic static messages which may only be changed manually and which do not employ "scroll", "fade" or "dissolve" transitions, animation or video, or similar subtle transitions or frame effects which create the appearance of moving text or images.

Electronic messaging centers, level 2. An EMC that contains monochromatic or full-color static messages which may be changed automatically at a rate not exceeding once every eight seconds, and which do not employ "scroll", "fade" or "dissolve" transitions, animation, or similar subtle transitions or frame effects which create the appearance of moving text or images.

F

Flag. Any fabric or flexible material attached to or designed to be flown from a flagpole or similar device, but not including banners.

Festoon. A swath of fabric, ribbon, garland, or flowers which is suspended, draped, and bound at intervals to form graceful loops or scalloped folds. Festoons do not include pennant strings or string lighting.



G; H

Home occupation. A use of land that is in accordance with **Section 106-10.23** of the Surprise Municipal Code.

I

Illuminance. The amount of light falling upon a real or imaginary surface, measured in either foot-candles or lux. See also "luminance".

Illumination, bare-bulb. A type of external illumination consisting of light bulbs or a string of light bulbs, or takes on the appearance of such including LEDs.

Illumination, bent-tube. A source of light for externally illuminated graphics supplied by a glass tube that is bent to form letters, symbols, or other shapes and filled with a gas that when electrically charged emits light, or any other method or technology, such as but not limited to LED rope lighting, utilized to achieve the same effect.

Illumination, external. A light source that is separate and apart from the sign.

Illumination, internal. A light source that is concealed or contained within the sign and becomes visible in darkness through a translucent surface.

J; K; L

Lawful temporary event. A use of land that is permitted by and in accordance with **Section 106-10.42** of the Surprise Municipal Code. For purposes of this chapter, the following uses are also considered lawful temporary events: real estate open houses occurring within lands zoned for residential uses; and, religious institutions where religious services or religious events are held on lands zoned for residential uses, but where the primary use established for said land is that of a public school, private school, or charter school, or other community facility, or public meeting hall.

Logo. A graphic symbol representing a business, activity or use.

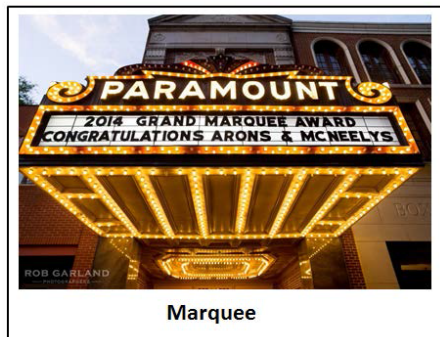
Logo, Primary City of Surprise. The official logo of the city.

Luminance. The light that is emitted by a light source or reflected from a surface, measured in foot-lamberts or nits. See also "illuminance".

M

Maintenance. The replacing or repairing of a part or portion of a sign necessitated by ordinary wear, tear or damage beyond the control of the owner, or the reprinting of existing sign copy without changing the wording, composition, design, original color or size of the sign copy.

Marquee. A type of building projection typically attached to and projecting from the front entrance of a hotel or theater, and intended to provide an opportunity for signage.



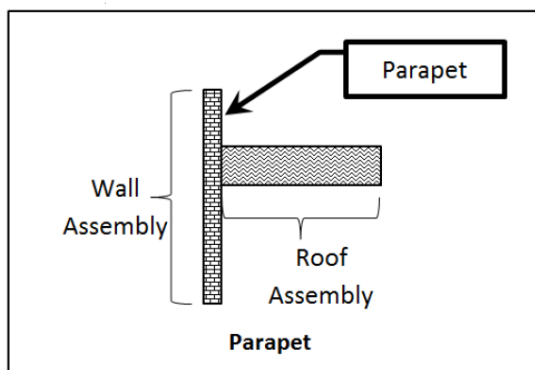
Message, commercial. Speech that identifies, advertises, or directs attention to a business or is intended to induce a purchase of a good, property, or service, including, without limitation, any speech naming a brand of good or service and any speech that is not a non-commercial message.

Message, non-commercial. Speech that in no way identifies, advertises, or directs attention to a business or is intended to induce a purchase of a good, property, or service, including, but not limited to, religious, political, and ideological speech.

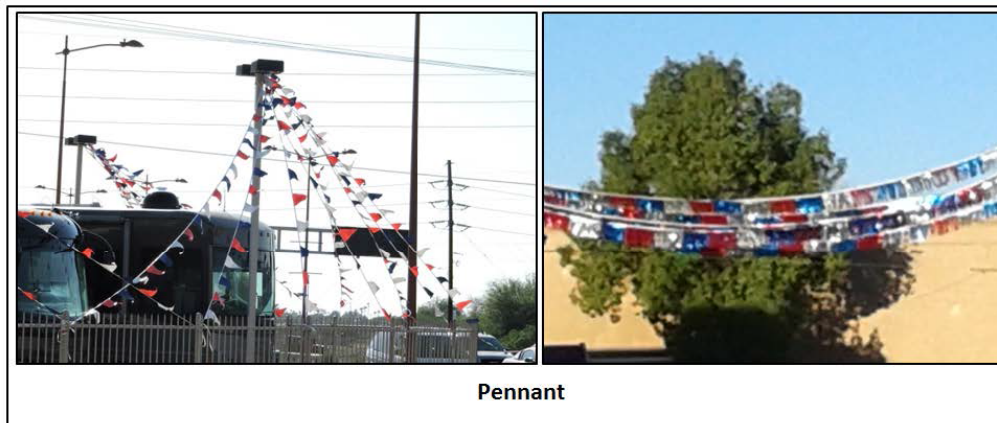
Model home complex. A use of land that is in accordance with **Section 106-10.29** of the Surprise Municipal Code.

N; O; P

Parapet. That portion of a building's exterior wall which projects above the roof of the building.

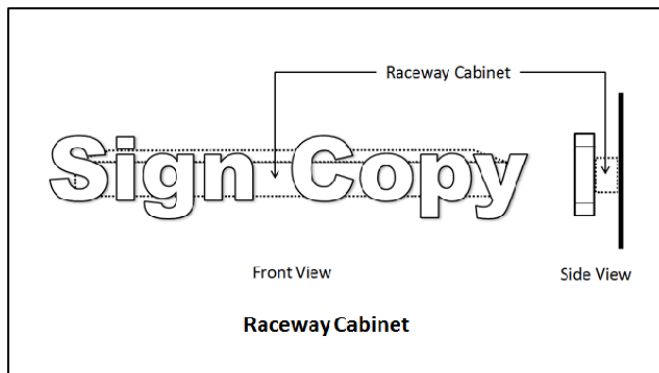


Pennant. A type of flag, generally in the shape of a triangle and typically flown from a string.



Q; R

Raceway cabinet. An aluminum channel box not more than eight inches in depth used to mount signage to a wall or other structure.



Roof. That portion of a building's exterior intended to provide overhead protection from the elements.

Roof, exposed pitch. Any roof where the pitch of the roof is visible from the ground.

Roofline. The highest point of the main roof or the highest point on a parapet, but not including cupolas, pylons, projections or minor raised portions of the roof.

S

Sign. Any device depicting written letters, words, numerals, figures, emblems, logos, trademarks, pictures, or any part or combination thereof used for visual communication that attracts the attention of the public and is visible from public or private rights-of-way or other properties, but not including athletic scoreboards when associated with a sanctioned athletic field.

Sign, abandoned. Any sign located on a vacant property or premises, which is vacant for a period of 90 calendar days, or a sign which is damaged, in disrepair, or vandalized and not repaired within 90 calendar days of the date of the damaging event.

Sign, address. A sign intended for the display of a property's address.

Sign, A-frame. A portable sign designed in the shape of the letter "A" consisting of two rigid surfaces joined along an adjacent edge.

Sign, animated. A sign which incorporates movement or the optical illusion of movement of any part of the sign or sign structure, including the flashing or varying of light intensity; or the automatic changing of all or any part of the sign; or any movement or rotation of the sign or any part of the sign structure.

Sign, area. The smallest rectangular area or areas of a two-dimensional sign which can enclose all of the sign copy, or in the case of a three-dimensional sign, 50 percent of the volume of the smallest cuboid which can enclose the sign.

Sign, awning. Any information or graphics painted on or integrated into an awning.



Sign, backlit. A sign typically utilizing opaque graphics, in which the light source is concealed or contained within the graphic thereby causing the graphic to become visible against the illuminated surface onto which the graphic is mounted.

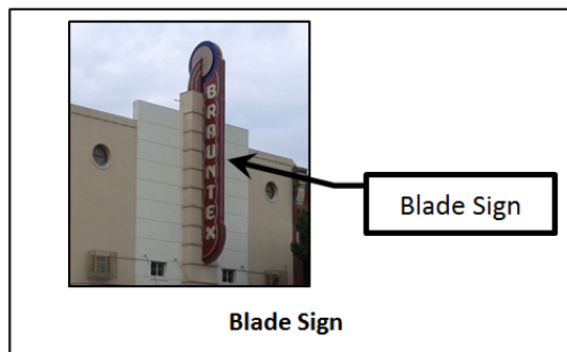
Sign, banner. A sign consisting of fabric, paper, or other lightweight pliable material, either enclosed or not enclosed in a rigid frame, and secured or mounted to minimize movement in the wind, but not including inflatable signs.



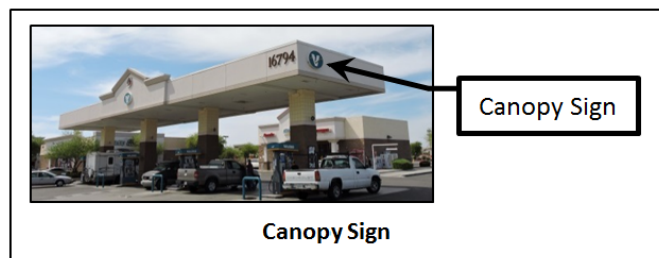
Sign, billboard. A sign that advertises a business, commodity, service, entertainment, product or attraction which is sold, offered or existing elsewhere than on the property where the sign is located or which takes on the physical characteristics historically associated with such signs.



Sign, blade. A sign which stands off from the facade of the building and is designed to be read in a vertical manner.



Sign, canopy. A type of building wall sign that is mounted to the face of a canopy.



Sign copy. The letters, words or graphics used to convey information on a sign.

Sign, freestanding ground. A sign that is erected on its own self-supporting structure, detached from any supporting elements of a building, but not a billboard sign or off-premises sign.

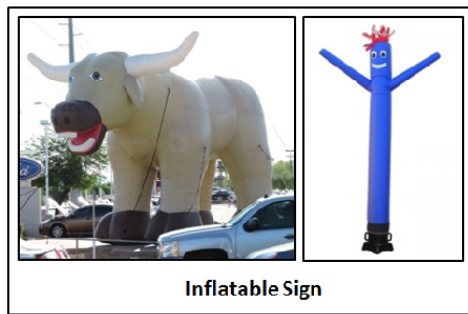
Sign, freeway monument. A pylon sign which is located along a freeway right-of-way and intended to display a commercial message relating to the commercial center on which the sign is located. Freeway monument signs are not considered billboard signs.

Sign, governmental. A sign erected by or on behalf of a governmental body, including but not limited to a sign to post legal notices, identify public property, convey public information, or direct or regulate pedestrian or vehicular traffic.

Sign, hanging. See "shingle sign".

Sign, illuminated. A sign of which the surface is artificially lighted either internally or externally. (See also "illumination" et seq.)

Sign, inflatable. Any on-premises flexible fabric device which is filled with a gas or pressurized air that is tethered or anchored to the ground or other stationary object, or any device taking on such an appearance.



Sign, legal non-conforming. A sign lawfully erected and maintained prior to the adoption of the ordinance from which this chapter or amendments thereto is derived that does not conform to the requirements of this chapter.

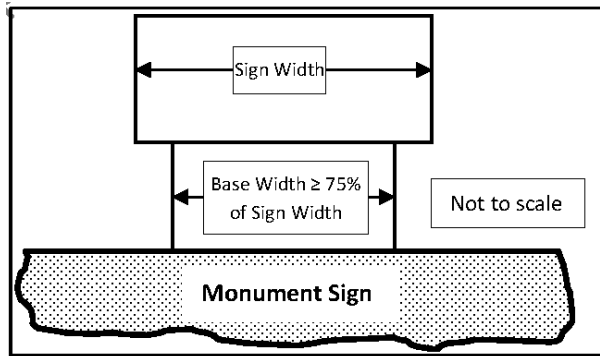
Sign, light pole banner. A fabric sign suspended between two horizontal supports, which are attached to a light pole for the purpose of supporting the sign.



Sign, median. Any sign other than a public sign that is located within the median of any street, regardless of whether the median is painted or raised.

Sign, model home complex. Any sign or flag that is approved for use in a model home complex.

Sign, monument. A freestanding ground sign with a base that is at least 75 percent of the width of the sign intended to display a message relating to the property on which the sign is located. Monument signs are not considered billboard signs.



Sign, monument, class I. Commonly referred to as a "menu sign", a class I monument sign is a monument sign associated with the drive-through lanes of a drive-through business, and which is equipped with a loudspeaker and microphone for the purpose of placing and confirming an order.



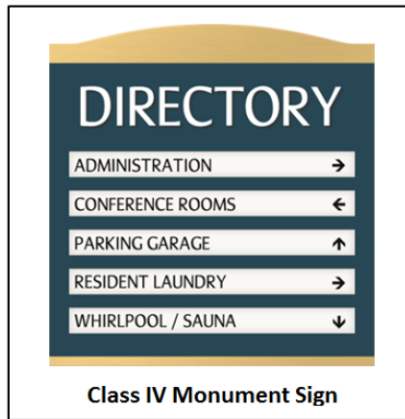
Sign, monument, class II. Commonly referred to as a "preview sign", a class II monument sign is a monument sign associated with the drive-through lanes of a drive-through business, and which is not equipped with a loudspeaker or microphone.



Sign, monument, class III. Commonly referred to as a "directional sign", a class III monument sign is a monument sign typically associated with a multi-family, commercial or industrial driveway or drive aisle.



Sign, monument, class IV. Commonly referred to as a "directory sign", a class IV monument sign is a monument sign typically associated with a pedestrian promenade or parking lot drive aisle.



Sign, monument, class V. A monument sign associated with a high volume collector street, residential collector street, or commercial collector street, as defined by the Surprise engineering design standards, and provides the primary source of signage for the property served by the sign.

Sign, monument, class VI. A monument sign associated with a parkway, major arterial, or minor arterial as defined by the Surprise engineering design standards, or Grand Avenue, and provides the primary source of signage for the property served by the sign.

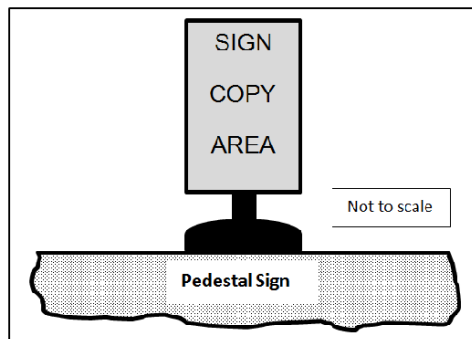
Sign, non-conforming. A sign that does not conform to the requirements of this chapter.

Sign, off-premises. A class I temporary sign or class II temporary sign that directs attention to an activity, business, commodity, service, entertainment, product, or attraction sold, offered, or existing elsewhere than upon the property where the sign is located.

Sign, on-premises. Any sign, other than a billboard sign, that directs attention to an activity, business, commodity, service, entertainment, product, or attraction sold, offered, or existing on the property where the sign is located.

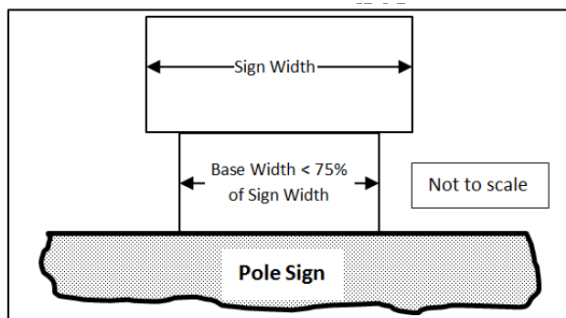
Sign panel. The surface on which sign copy is depicted.

Sign, pedestal. A portable sign in which the sign panel is affixed to and supported by a weighted base.



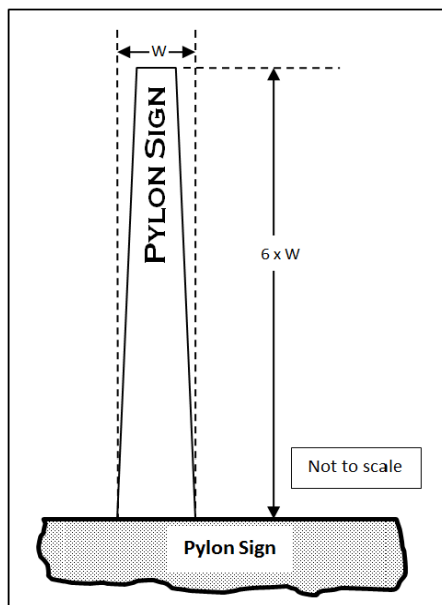
Sign, permanent. An on-premises sign that due to its physical characteristics and method of attachment is intended for permanent display.

Sign, pole. An on-premises freestanding ground sign where the width of the supporting poles, uprights or braces are collectively less than 75 percent of the width of the sign. For purposes of this chapter, a light pole banner is not considered a pole sign. (See also "sign, monument" and "sign, pylon".)

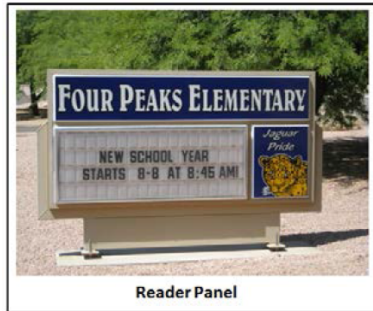


Sign, portable. A temporary sign that may be readily moved from location to location without the need of any specialized knowledge or equipment, and that is not affixed to the ground or any structure.

Sign, pylon. An on-premises monument sign in which the height of the sign structure is at least six times the width of the base of the sign structure.

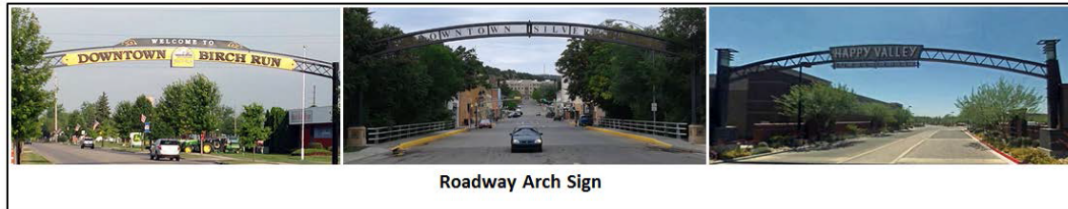


Sign, reader panel. An on-premises sign in which the individual characters of the sign copy may be changed manually and immediately, but not including electronic messaging.



Sign, residential subdivision. Any sign that is approved for use in association with an active single-family residential subdivision.

Sign, roadway arch. A sign mounted to a structure that spans a roadway or commercial driveway in which the structure is intended for that sole purpose. A roadway arch sign is not considered a billboard sign.



Sign, roof. An on-premises building-mounted sign that is attached to or extends above the roof of a building.



Sign, sandwich. A type of A-frame sign designed to be worn by a person.

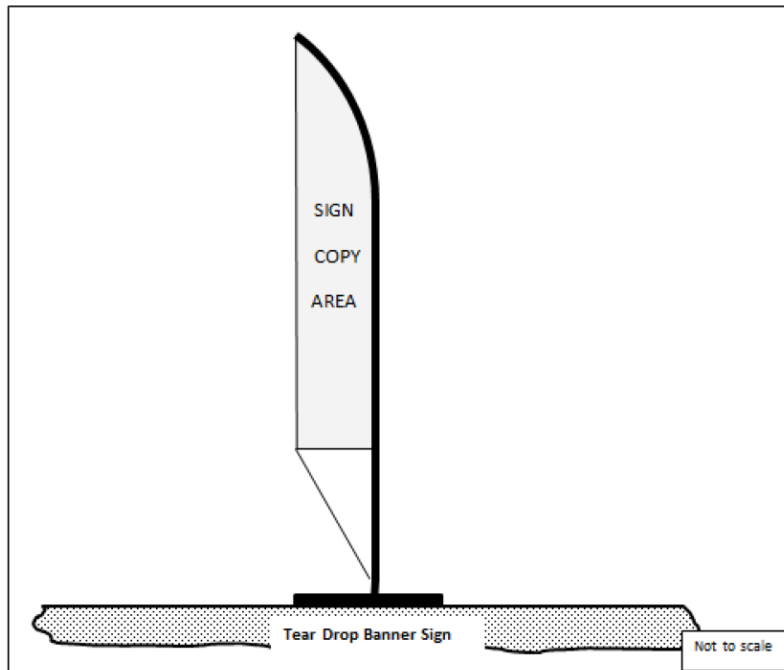
Sign, shingle. An on-premises sign suspended from, and located entirely under a covered porch, walkway, canopy or awning.



Sign, snipe. Any sign, other than a public sign, that is posted on a tree, landscaping, utility pole or structure, streetlight, fence, fire hydrant, bridge, curb, or park bench.

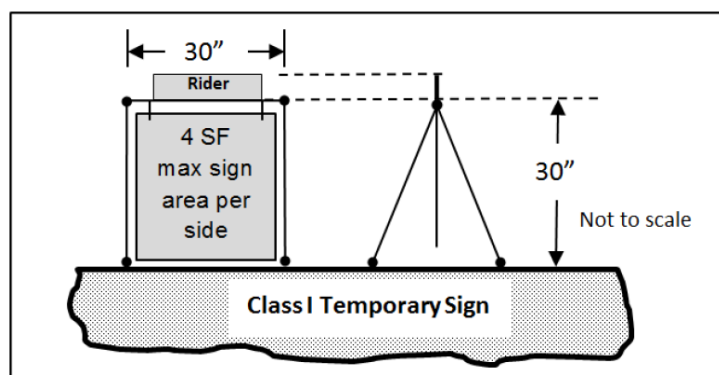
Sign structure. The supports and framework of a sign.

Sign, teardrop banner. An on-premises sign consisting of a narrow strip of fabric material which is attached to a flexible or partially flexible pole in a vertical manner.

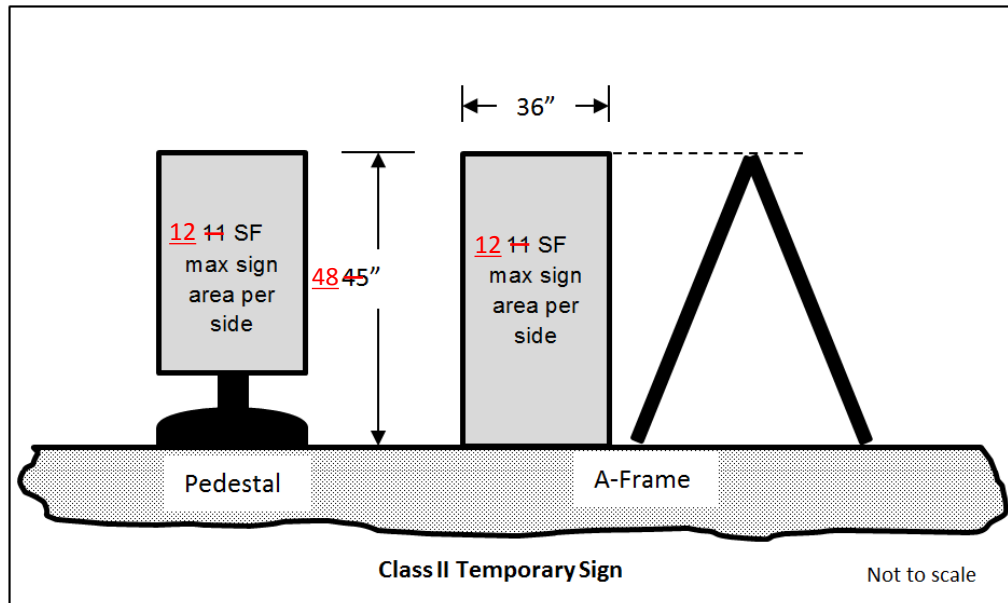


Sign, temporary. A sign that due to its physical characteristics and method of attachment is not intended for permanent display. See also "sign, permanent".

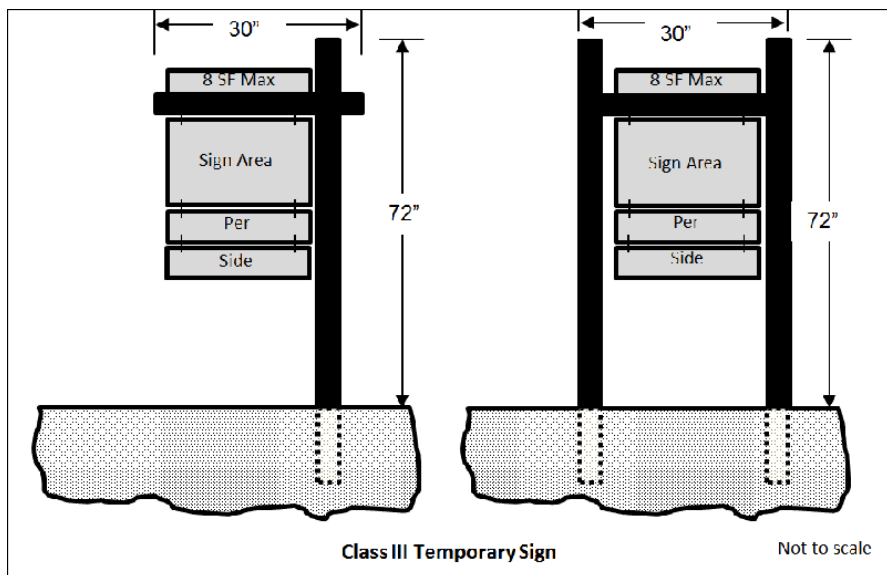
Sign, temporary, class I (small A-frame sign). A temporary, portable sign generally in the shape of the letter "A" in which the overall height of the sign structure does not exceed 30 inches, the overall width of the sign structure does not exceed 30 inches and which does not exceed eight square feet of aggregate sign area. Riders not exceeding six inches in height and 24 inches in length which are attached to the top of the A-frame shall not be included in the overall height measurement or sign area measurement.



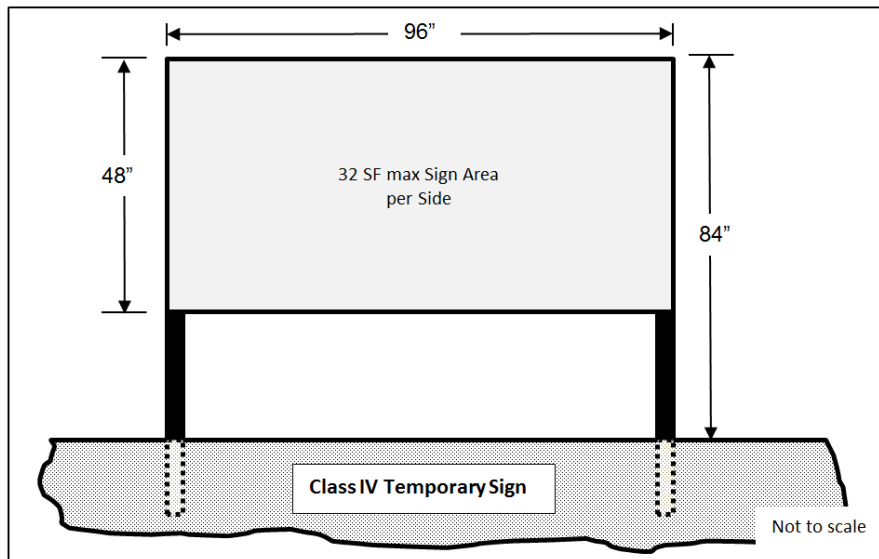
Sign, temporary, class II (A-frame sign and pedestal sign). A temporary, portable sign in which the overall height of the sign structure does not exceed ~~45~~⁴⁸ inches, the overall width of the sign structure does not exceed 36 inches and which does not exceed ~~22~~²⁴ square feet of aggregate sign area.



Sign, temporary, class III (small post sign). An on-premises temporary sign supported by one or more rigid posts in which the overall height of the sign structure does not exceed 72 inches, the overall width of the sign structure does not exceed 30 inches, and the aggregate sign area does not exceed 16 square feet.



Sign, temporary, class IV. An on-premises temporary sign supported by two rigid posts in which the overall height of the sign structure does not exceed 84 inches, the overall width of the sign structure does not exceed 96 inches, and the aggregate sign area does not exceed 64 square feet.



Sign, three-dimensional. A sign in which is meant to be viewed from all angles.



Sign, vehicle. Any sign mounted, painted, or otherwise erected on a vehicle.

Sign walker. A person carrying a portable sign intended to convey a message to motorists and passersby.



Sign Walker

Sign, wall, building. A sign mounted flat against a building wall with the exposed face of the sign in a plane generally parallel to the face of the wall, but not including window signs.



Sign, wall, subdivision perimeter. A sign mounted or painted onto a subdivision perimeter wall.



Sign, window. Any combination of decals, posters, murals or other media which are affixed to a window pane or otherwise intended to be viewed through the window pane from the exterior of the building, but not including merchandise normally displayed within a show window of a retail merchant shop.



Speech, commercial. (see "message, commercial").

Speech, non-commercial. (see "message, non-commercial").

Structure. Anything constructed or erected that requires attachment to the ground, or is structurally connected to something having attachment to the ground.

T; U; V

Vehicle. Any car, truck, motorcycle, all-terrain vehicle, recreational vehicle, boat, trailer, tractor, crane, mobile machinery, or similar.

W

Wall, building. A wall that is integral to a building.

Wall, subdivision perimeter. A freestanding wall that is located around a subdivision.

X; Y; Z

Section 109-1.7 Permitted and Prohibited Signs

As presented to and rejected by the Planning and Zoning Commission

109-1.7 Permitted and prohibited signs.

- A** Permitted signs by zoning district. Only those sign types and classes that are specifically listed in table 109-1a for each zoning district may be allowed, subject to the provisions outlined elsewhere in this chapter.

TABLE 109-1a PERMITTED SIGNS (P = permitted, shaded cell = not permitted, C = conditional use permit)											
Code Reference	Sign Type	Location									
		Public Rights-of-Way	Private Rights-of-Way	Single-Family	Multi-Family	Mixed-Use	Commercial and Industrial	SHD-RO	SHD-CO	Open Space	PF
TEMPORARY SIGNS											
109-1.9(a)(2)	Class I Temporary Signs (Small A-Frame Signs)	P	P	P				P			
109-1.9(a)(3)	Class II Temporary Signs (Large A-Frame Signs)	<u>P</u>	<u>P</u>			P	P	P	P		
109-1.9(a)(4)	Class III Temporary Signs (Small Post Signs)			P	P	P	P	P	P		P
109-1.9(a)(5)	Class IV Temporary Signs (Large Post Signs)			P	P	P	P	P	P		P
109-1.9(a)(6)	Banner Signs and Festoons			P	P	P	P	P	P		P
109-1.9(a)(7)	Light Pole Banner Signs	P	P		P	P	P	P	P		P
109-1.9(a)(8)	Teardrop Banner Signs			P	P	P	P	P	P	P	P
109-1.9(a)(9)	Sign Walkers	P	P	P	P	P	P	P	P	P	P
109-	Model Home			P				P			

TABLE 109-1a PERMITTED SIGNS (P = permitted, shaded cell = not permitted, C = conditional use permit)											
Code Reference	Sign Type	Location									
		Public Rights-of-Way	Private Rights-of-Way	Single-Family	Multi-Family	Mixed-Use	Commercial and Industrial	SHD-RO	SHD-CO	Open Space	PF
1.9(a)(10)	Complex Signs										
109-1.9(a)(11)	Residential Subdivision Signs			P				P			
BUILDING MOUNTED SIGNS											
109-1.9(b)(1)	Building Wall Signs			P	P	P	P		P		P
109-1.9(b)(2)	Blade Signs			P	P	P	P		P		P
109-1.9(b)(3)	Canopy Signs				P	P	P		P		P
109-1.9(b)(4)	Marquee Signs						P				P
109-1.9(b)(5)	Awning Signs						P		P		P
109-1.9(b)(6)	Hanging Signs					P	P	P	P		P
109-1.9(b)(7)	Window Signs and Sunscreens			P	P	P	P	P	P		P
FREESTANDING GROUND SIGNS											
109-1.9(c)(1)	Class I Monument Signs (Menu Signs)						P		P		
109-1.9(c)(1)	Class II Monument Signs (Preview Signs)						P		P		
109-1.9(c)(2)	Class III Monument Signs (Directional Signs)	P	P	P	P	P	P	P	P	P	P

TABLE 109-1a PERMITTED SIGNS (P = permitted, shaded cell = not permitted, C = conditional use permit)											
Code Reference	Sign Type	Location									
		Public Rights-of-Way	Private Rights-of-Way	Single-Family	Multi-Family	Mixed-Use	Commercial and Industrial	SHD-RO	SHD-CO	Open Space	PF
109-1.9(c)(3)	Class IV Monument Signs (Directory Signs)				P	P	P		P		
109-1.9(c)(4)	Class V Monument Signs (Minor Monument Signs)			P	P	P	P		P		P
109-1.9(c)(5)	Class VI Monument Signs (Major Monument Signs)				P	P	P		P		P
109-1.9(c)(6)	Roadway Arch Signs	P	P				P		P		
109-1.9(c)(7)	Subdivision Perimeter Wall Signs			P	P	P	P				P
109-1.9(c)(8)	Freeway Monument Signs						C				
OTHER SIGNAGE											
109-1.11	Level 1 Electronic Messaging			P	P	P	P	P	P		P
109-1.11	Level 2 Electronic Messaging				P	P	P		P		P
109-1.12	Reader Panels			P	P	P	P	P	P		P
109-1.13	Address Identification			P	P	P	P	P	P	P	P

TABLE 109-1a PERMITTED SIGNS (P = permitted, shaded cell = not permitted, C = conditional use permit)											
Code Reference	Sign Type	Location									
		Public Rights-of-Way	Private Rights-of-Way	Single-Family	Multi-Family	Mixed-Use	Commercial and Industrial	SHD-RO	SHD-CO	Open Space	PF
109-1.14	Flags and Flagpoles			P	P	P	P	P	P		P

- B** Signs in the public street right-of-way. Signs are not permitted within the public street right-of-way, except for those signs erected by, or on behalf of the city, or as otherwise expressly permitted in this chapter.
- C** Signs in the private street right-of-way. Signs are not permitted within private street rights-of-way, except when associated with an approved planned area development (PAD) or comprehensive sign program (CSP), as required by the city, or as otherwise permitted in this chapter.
- D** Encroachments. No portion of any sign erected on any property may encroach into the public right-of-way, except as otherwise permitted in this chapter or where expressed written permission is granted by the city to allow said encroachment.
- E** Signs as an accessory use. All signs must be an accessory use to a primary use. In no case shall a sign be established as a primary use of the property; except that temporary signs as otherwise allowed within a given zoning district are exempt from this provision.
- F** Prohibited signs. The following sign types are specifically prohibited:
1. *Abandoned signs*, pole signs of a permanent nature, snipe signs, and median signs;
 2. Animated signs, flashing, blinking, or rotating signs, festoons, inflatable signs including latex or mylar balloons, permanent banner signs, pennants, searchlights, streamers, signs other than class 1 monument signs that emit audible sound, and any clearly similar features;
 3. Vehicle signs when the vehicle is placed in a location not approved for vehicular parking or storage;
 4. Signs containing any words or symbols that would cause confusion because of their resemblance to highway traffic control or direction signals;
 5. Merchandise, equipment, products or other items which are not available for purchase, but are intended to attract attention, or for identification or advertising purposes;

6. Signs located on trees, utility poles, public benches, or any other form of public property, or within any public right-of-way, unless explicitly permitted by these regulations;
7. Signs containing vulgar or profane messages, hate speech, or language intended to incite violence;
8. Signs greater than 30 inches in height and which are located within any sight visibility triangle of any street or driveway intersection as required by the Surprise engineering design standards;
9. Signs not expressly permitted as being allowed by right under this chapter, or by specific requirements in another portion of this chapter, or otherwise expressly allowed by the city board of adjustment;
10. Signs placed in locations that are deemed by the city to present a hazard to public safety, obstruct clear vision in the area, or interferes with the requirements of the Americans with Disabilities Act (42 United States Code sections 12101 through 12213 and 47 United States Code sections 225 and 611);
11. Billboard signs.

G Signs exempt from these regulations. The following signs are exempt from regulation under this chapter:

1. Governmental signs.
2. Any sign that is not visible from another property to the naked eye, provided said sign otherwise meets applicable Building Code requirements and the requirements of sections 109-1.10, 109-1.11 and 109-1.12 herein.

H Violation. Any sign that is not in compliance with this section is in violation of this chapter.

Section 109-6.8 General Provisions

As presented to and accepted by the Planning and Zoning Commission

109-1.8 General provisions.

A Permitting requirements.

1. *Permits required.* With the exception of those sign types listed in subsection 8(a)(3) below, a construction permit is required for all signs regulated by this chapter and erected within the city.
2. *Property owner authorization required.* No sign regulated by this chapter shall be erected on a property not owned by the person or entity erecting the sign without the expressed written permission from the property owner of the property onto which the sign is erected. Said written permission shall be made available to the city upon request.
3. *Exceptions from the permitting requirement.* The following sign types are exempt from the permitting requirement:
 - a. Temporary signs;
 - b. Sign walkers;
 - c. Window signs, provided the sign is not electrically connected to the building;
 - d. Sun screens;
 - e. Shingle signs, provided the sign is not electrically connected to the building;
 - f. Address signs, provided the sign is not electrically connected to the building;
 - g. Flags except that in the event the flagpole is greater than six feet in length, then a permit is required for the flagpole.

B Sign quality, construction, and aesthetics.

1. Signs shall be designed in compliance with the applicable construction codes adopted by the city and in effect at the time of construction.
2. Where raceway cabinets are utilized, said raceway cabinets shall be painted to match the color of the surface onto which it is mounted.
3. Whenever a permanent sign is removed, the surface onto which the sign was mounted shall be repaired as closely as practicable to a new-like condition.
4. Unless specifically approved by the City Council through a comprehensive sign program or conditional use permit for other than freeway monument sign, as applicable, supporting elements for all signs shall appear to be free of any angle iron, bracing, guy wires or similar features.

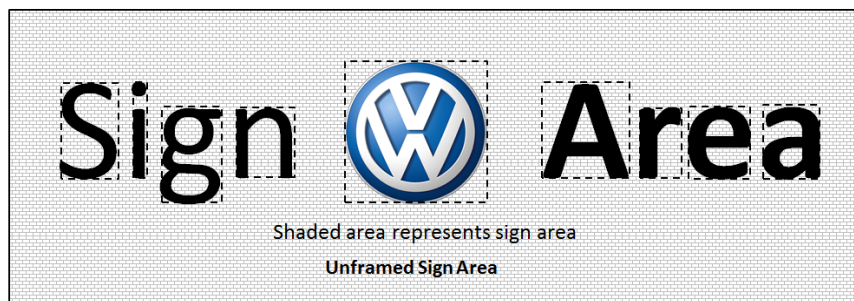
5. When electrical service is provided to any sign, all components of said service are to be entirely concealed or, when necessary, painted to match the surface of the structure upon which they are mounted.
6. All ~~permanent~~ signs permitted by this chapter shall be constructed of durable material capable of withstanding continuous exposure to the elements and conditions of the urban environment. Class II Temporary Signs shall be fabricated of wood, hard plastic, or metal that is at least one-half inch thick with no unfinished, sharp or rough edges.
7. All sign copy must be clearly legible.

C Sign maintenance.

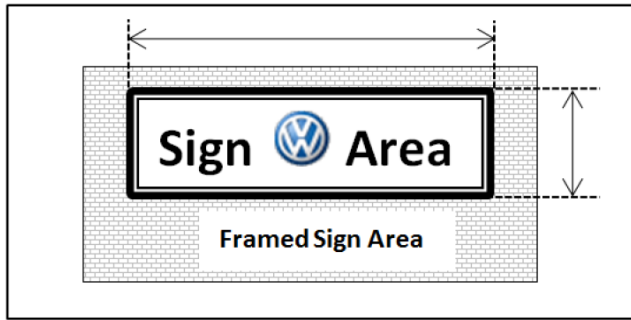
1. All signs shall be maintained in a state of good repair, operational, and free of blight and/or hazards. Weathered, sun damaged, tattered or faded signs or related components shall be repaired or replaced.
2. Whenever any sign, either legally conforming or legally nonconforming, is required to be removed for the purpose of repair, lettering or repainting, the same may be done provided:
 - a. There is no alteration or remodeling to the structure or to the mounting of the sign itself;
 - b. There is no enlargement or increase in any of the dimensions of the sign, sign copy, or sign structure;
 - c. The sign is an accessory to a legally conforming use, conditional use, or legally nonconforming use.

D Methods of measurements.

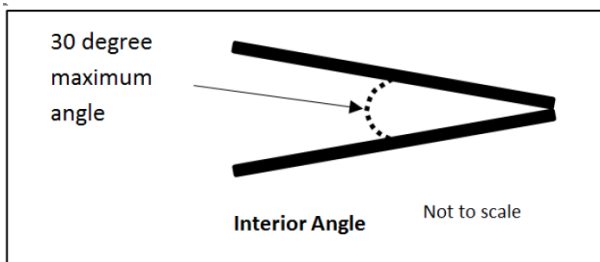
1. *Sign area.*
 - a. *Unframed signs.* Where the individual letters, logos and graphics of a sign are mounted directly to a wall or sign structure, the sign area is determined by calculating the smallest rectangle or combination of rectangles containing sign copy.



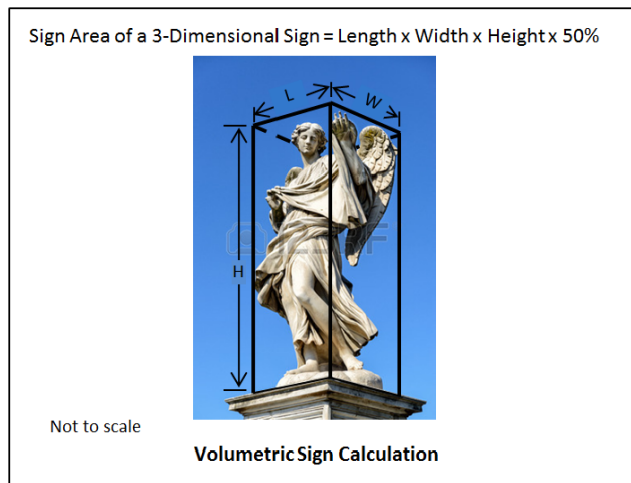
- b. *Framed signs.* Where the individual letters, logos and graphics are integral to a sign panel, or are framed in by an architectural element or contrasting color apart from the color of the wall or sign structure, the sign area shall be the area of the panel or frame.



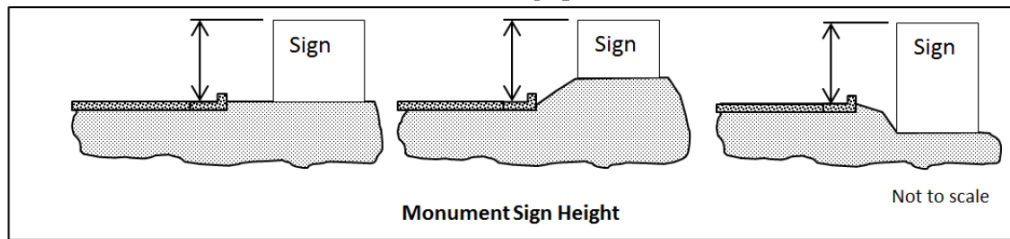
- c. *Double-sided signs.* Only one side of a double-sided freestanding ground sign shall be used to calculate the sign area, provided the interior angle between sign faces is not greater than 30 degrees. This provision does not apply to A-frame signs.



- d. *Three-dimensional signs.* Where a sign consists of a three-dimensional, free-form, sculptural or other non-planar design, the sign area shall be calculated as 50 percent of the total volume of space contained within the smallest cuboid, which will enclose the sign structure.



2. *Monument sign height.* Unless otherwise noted, notwithstanding adjacent topography, the height of any class of monument sign shall be measured from the closest adjacent curb, or if no curb is present, the closest adjacent pavement.



3. *Fractional calculations.* All linear measurements and calculations shall be accurate to the closest inch. All area measurements and calculations shall be accurate to the closest square inch. All volumetric measurements and calculations shall be accurate to the closest cubic inch.

Section 109-6.9 Sign Classifications and Types

As revised per the Planning and Zoning Commission Discussion

109-1.9 Sign classifications and types. The following sign classifications and types as defined in **section 109-1.6** are permitted in the city as outlined in table 109-1a subject to the following "time, place and manner" restrictions.

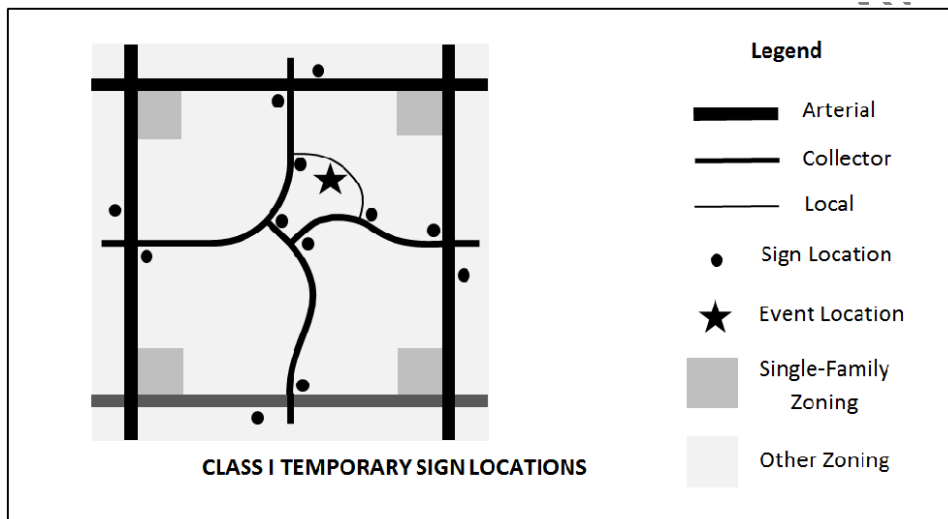
A. Temporary signs. When allowed, temporary signs shall conform to the following requirements:

1. *General requirements.*

- a. Temporary signs shall not be illuminated in any manner except by ambient lighting present on the property.
- b. Temporary signs shall include the name and phone number of the contact person responsible for placing the sign.
- c. No temporary sign may interfere with the free movement of pedestrian or vehicular traffic.
- d. The supporting elements for class III temporary signs and class IV temporary signs may be directly buried or inserted into the soil; however, in no case shall concrete, or other permanent attachments to the ground, or attachment to other permanent structure(s) be utilized.

2. *Class I temporary signs (small A-frame signs).* Class I temporary signs, as defined herein, are allowed subject to the general requirements as stated above plus the following:

- a. Class I temporary signs are only allowed in conjunction with a lawful temporary event being held on land zoned for single-family residential uses.
- b. Class I temporary signs may be placed in the following locations when in association with a lawful temporary event occurring on land zoned for single-family residential uses:
 - (1) One class I temporary sign at the site of the lawful temporary event,
 - (2) One class I temporary sign at each local or collector street intersection leading from the site of the lawful temporary event to the adjacent arterial street grid,
 - (3) Two class I temporary signs at the point where the local or collector street intersects with the arterial street. One sign may be located at the corner of the intersection on the side of the arterial street closest to the lawful temporary event. A second sign may be located on the opposite side of the arterial street, provided said sign is no further than 500 feet from the intersection.



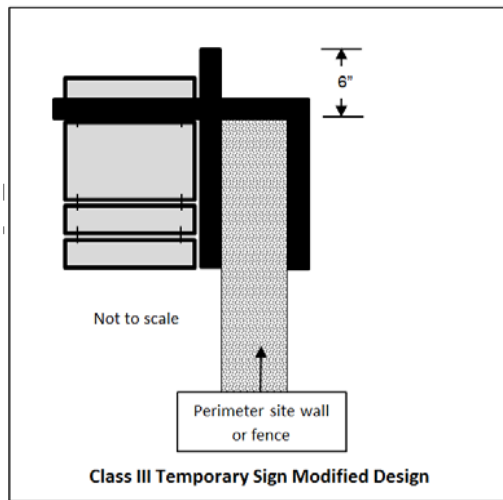
- c. When allowed, class I temporary signs may be located within the street right-of-way, but not within any median, vehicle or bicycle travel lane, or sidewalk, nor within any sight visibility triangle as outlined in standard details 4-01 and 4-02 of the Surprise engineering development standards.
 - d. There is no limit to the number of sign panels per sign structure provided the defined height, width and sign area limitations are not exceeded.
 - e. The sign may be weighted or ballasted; however, no such sign may be affixed to the ground or to any permanent structure.
 - f. Class I temporary signs may be placed one hour before the start of a lawful temporary event and shall be removed not more than one hour after the end of a lawful temporary event that occurs between the hours of 9:00 a.m. and 6:00 p.m. on Mondays, Tuesdays, Wednesdays, and Thursdays. In addition, class I temporary signs may be placed for any length of time between the hours of 4:00 p.m. Friday and 11:00 p.m. Sunday.
 - g. If the lawful temporary event being served by the class I temporary sign requires a temporary use permit, the locations of the class I temporary signs shall be included with the application materials.
3. *Class II ~~temporary signs~~ Temporary Signs* (large A-frame signs and pedestal signs). ~~Class II temporary signs~~ *Class II Temporary Signs*, as defined herein, are allowed subject to the ~~general requirements~~ *General Requirements* as ~~stated outlined in subsection 109-1.9.A.1~~ above ~~plus and~~ the following:
 - a. ~~Class II temporary signs~~ *Class II Temporary Signs* are only allowed in conjunction with a lawful commercial use including ~~cottage industries~~ *cottage industries*, but not ~~home occupations~~ *home occupations*.
 - b. One (1) such sign may be located within 15 feet of the doorway of the customer entrance to the building in which the lawful commercial use is located.
 - c. When allowed, ~~Class II temporary signs~~ *Class II Temporary Signs* may be located within the street right-of-way, but not within any

median, vehicle or bicycle travel lane, or sidewalk, nor within any sight visibility triangle as outlined in standard details 4-01 and 4-02 of the Surprise ~~engineering development standards~~ Engineering Development Standards.

- d. There is no limit to the number of ~~sign panels~~ sign panels per ~~sign structure~~ sign structure provided the ~~defined~~ specified height, width and ~~sign area~~ sign area limitations are not exceeded.
- e. The ~~sign~~ sign may be weighted or ballasted; however, no such ~~sign~~ sign may be affixed to the ground or to any permanent ~~structure~~ structure.
- f. ~~Class II temporary signs~~ Class II Temporary Signs utilized in conjunction with a lawful commercial use may be displayed during the business hours of the business served by the ~~Class II temporary signs~~ Class II Temporary Signs.

4. *Class III temporary signs (small post-signs).*

- a. Not more than one class III temporary sign meeting the specific requirements outlined in this section is permitted per lot of record except that if said lot abuts more than one street, one additional class III temporary sign meeting said requirements may be erected along each additional street frontage.
- b. In the event a property is vacant, additional class III temporary signs may be erected on said property provided the spacing between such signs is not less than 600 feet.
- c. Class II temporary signs shall not be located within the street right-of-way, median, vehicle or bicycle travel lane, or sidewalk, nor within any sight visibility triangle as outlined in standard details 4-01 and 4-02 of the Surprise engineering development standards.
- d. There is no limit to the number of sign panels per sign structure provided the defined height, width and sign area limitations are not exceeded.
- e. In the event that a lot's perimeter site wall or fence is adjacent to or within 20 feet of a street, the class III temporary sign may be modified to allow the sign to be hung from but not attached to the perimeter site wall or fence provided the sign does not exceed the height of the wall or fence by more than six inches and does not interfere with pedestrian movement.



5. *Class IV temporary signs (large post-signs).*

- a. Not more than one class IV temporary sign meeting the specific requirements outlined in this section is permitted per lot of record except that if said lot abuts more than one street, one additional class IV temporary sign meeting said requirements may be erected along each additional street frontage, except that class IV temporary signs associated with a public hearing shall not be counted towards this total.
- b. Class IV temporary signs shall not be located within the street right-of-way, median, vehicle or bicycle travel lane, or sidewalk, nor within any sight visibility triangle as outlined in standard details 4-01 and 4-02 of the Surprise engineering development standards.
- c. The maximum number of sign panels per sign structure shall not exceed two.

6. *Banner signs and festoons.*

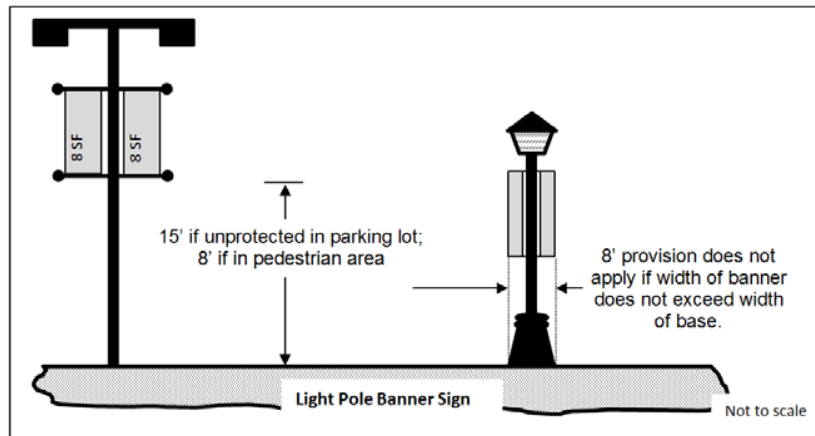
- a. *General.* The following provisions apply to all banner signs and festoons:
 - (1) Banner signs shall be equipped with ventilation flaps.
 - (2) Banner signs and festoons shall be securely attached to the building or fence, but in no case shall be attached to freestanding poles or vegetation.
- b. *Residential.* Any number of banner signs, festoons or combination thereof are permitted per dwelling unit, provided the aggregate length does not exceed 20 lineal feet and the aggregate area does not exceed 100 square feet.
- c. *Non-residential.* Banner signs and festoons are permitted on properties zoned for non-residential use subject to the following:
 - (1) One banner sign may be placed on a building, provided the maximum area of the banner sign shall not exceed one square foot per linear foot of building elevation, not to exceed 500 square feet.

- (2) For a single-tenant building, the width of the banner sign shall not exceed 80 percent of the width of the building elevation onto which the banner sign is attached. For multi-tenant building, the width of the banner sign shall not exceed 80 percent of the leased tenant frontage.
 - (3) Any number of festoons may be placed on a building provided the festoon contains no advertising copy, the aggregate length does not exceed 20 lineal feet, and the aggregate area does not exceed 100 square feet.
- d. *Construction sites and temporary construction yards.* Banner signs are allowed in conjunction with active construction sites and temporary construction yards regardless of zoning, subject to the following:
 - (1) One or more banner signs may be affixed to the perimeter fence surrounding a construction site or temporary construction yard, provided said banner signs do not extend above the height of the perimeter fence.
 - (2) Individual banner signs shall not exceed ten feet in length. Where multiple banner signs are utilized in lieu of screening material on a fence surrounding a construction site or temporary construction yard, said signs shall be spaced not less than one foot apart unless the banner sign is fabricated of material with not less than 50 percent visual transparency, in which case this provision shall not apply.

7. *Light pole banner signs.*

- a. Light pole banner signs may be attached to light poles when the pole is so equipped to receive such banner, except that in no case shall a light pole banner sign be affixed to a light pole in a public right-of-way without the expressed written permission from the city.
- b. The surface area of a single light pole banner sign shall not exceed eight square feet as measured on a single side.
- c. When two light pole banner signs are affixed to a single light pole, both light pole banner signs shall be consistent with each other with respect to size and shape so as to create uniformity.
- d. When the light pole onto which a light pole banner sign is placed is located within the paved portion of a parking lot, and the light pole base is unprotected from vehicular traffic, the bottom of the light pole banner sign shall be a minimum of 15 feet above the parking surface over which the banner is placed. If the base of the light pole is protected from vehicular traffic, this provision shall not apply.
- e. When the light pole is located within a pedestrian area, the bottom of the light pole banner sign shall be a minimum of eight feet above the surface over which the light pole banner sign is placed, unless the light pole banner sign is sufficiently narrow so as to not extend beyond the base of the light pole.

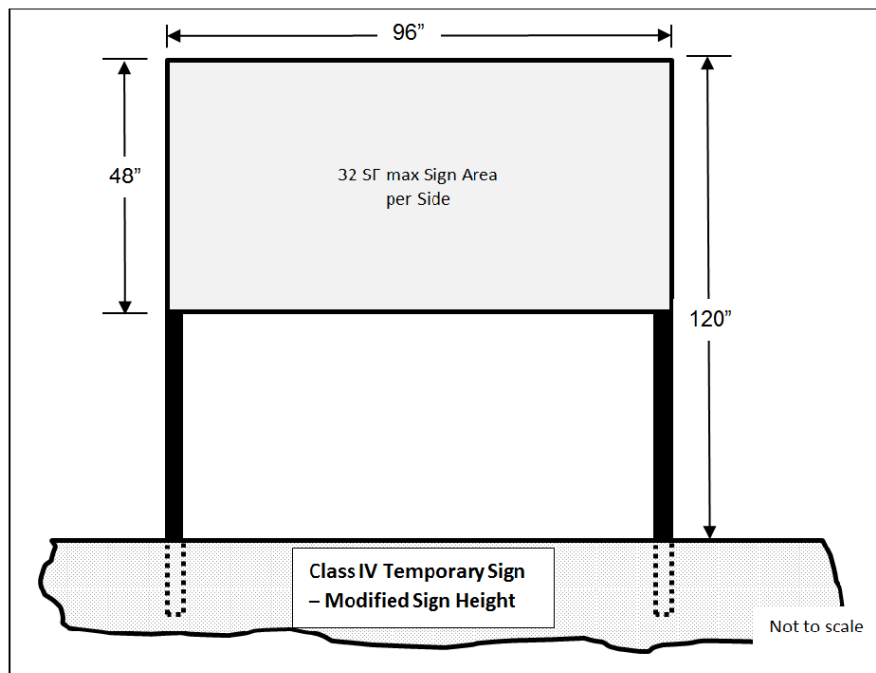
- f. Any horizontal supporting members shall either be removed when not in use or shall be of a hinged design and folded into a vertical position when not in use.
- g. Light pole banner signs shall not be illuminated in any manner except as incidental to the lighting fixture supported by the light pole.
- h. Light pole banner signs shall be equipped with ventilation flaps.



8. *Teardrop banner signs.*

- a. Not more than two teardrop banner signs are permitted in conjunction with a lawful temporary event subject to the specific requirements as outlined herein except that in no case shall a teardrop banner sign be allowed on a vacant property.
 - b. Teardrop banner signs may only be erected on the property on which the lawful temporary event is occurring. In no case shall a teardrop banner sign be located within a public or private right-of-way.
 - c. No teardrop banner sign shall be located within 15 feet of a pedestrian path, sidewalk, or trail, whether public or private.
 - d. No teardrop banner sign shall be located within 15 feet of any vehicular parking surface or driveway.
 - e. No teardrop banner sign shall be located within 50 feet of any public or private right-of-way.
 - f. The maximum height of the sign structure as measured from the nearest adjacent grade shall not exceed 12 feet with the flag portion of the sign not exceeding 16 square feet.
 - g. The teardrop banner sign shall be supported by a pedestal, which may be weighted or ballasted to prevent being overturned, but in no case shall the supporting sign structure be inserted into the ground.
9. *Sign walkers.* Sign walkers are permitted to operate within the city subject to the following restrictions:
- a. Sign walkers may only operate during daylight hours.

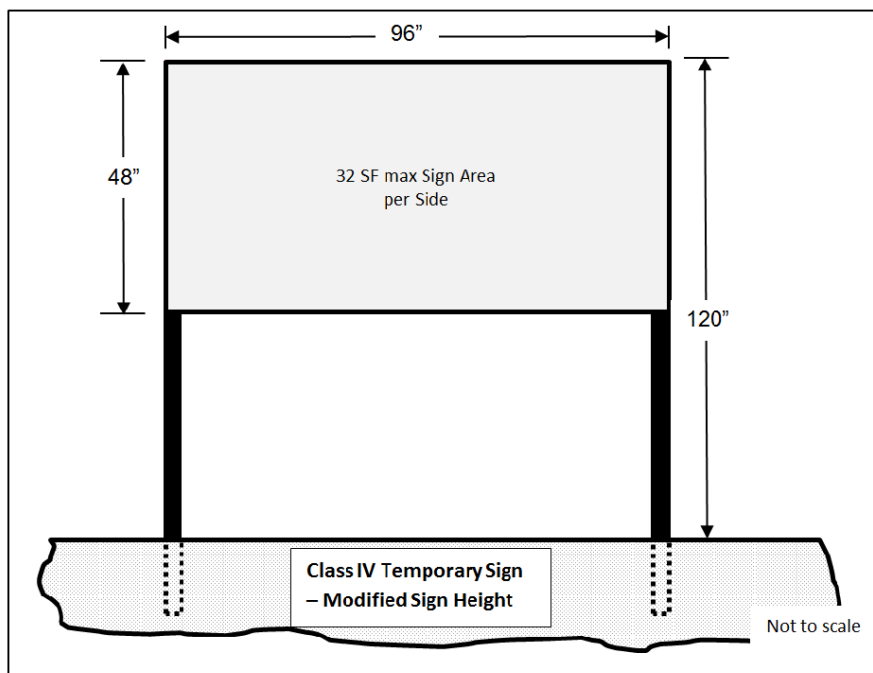
- b. Sign walkers may only operate on a sidewalk intended for pedestrian travel, but shall at no time block the free and unobstructed movement of pedestrians or vehicles.
 - c. Sign walkers may carry a maximum of two single-sided signs not exceeding three square feet of sign copy each or one double-sided sign not exceeding 12 square feet of aggregate sign copy; however, in no case shall a sign walker carry any form of electronic messaging.
 - d. Sign walkers shall not display a sign in any manner other than by personally holding or wearing said sign.
10. *Model home complex signs.* In addition to other signs that are permitted in association with a single-family residence, a model home complex may employ the following:
- a. One class III temporary sign meeting the requirements of subsection 9(a)(4) herein for each lot located within the boundaries of an approved model home complex. Such signs shall not be illuminated except by ambient lighting.
 - b. One class IV temporary sign meeting the requirements of subsection 9(a)(5) herein may be located within the boundaries of the approved model home complex; however, if the model home complex is located adjacent to a collector or arterial street, the overall height of the class IV temporary sign allowed under this paragraph may be increased to 120 inches, provided the sign is designed to withstand windloads as required by the building codes in effect at the time the sign is erected. A class IV temporary sign permitted under this paragraph may be externally illuminated as outlined in section 10.



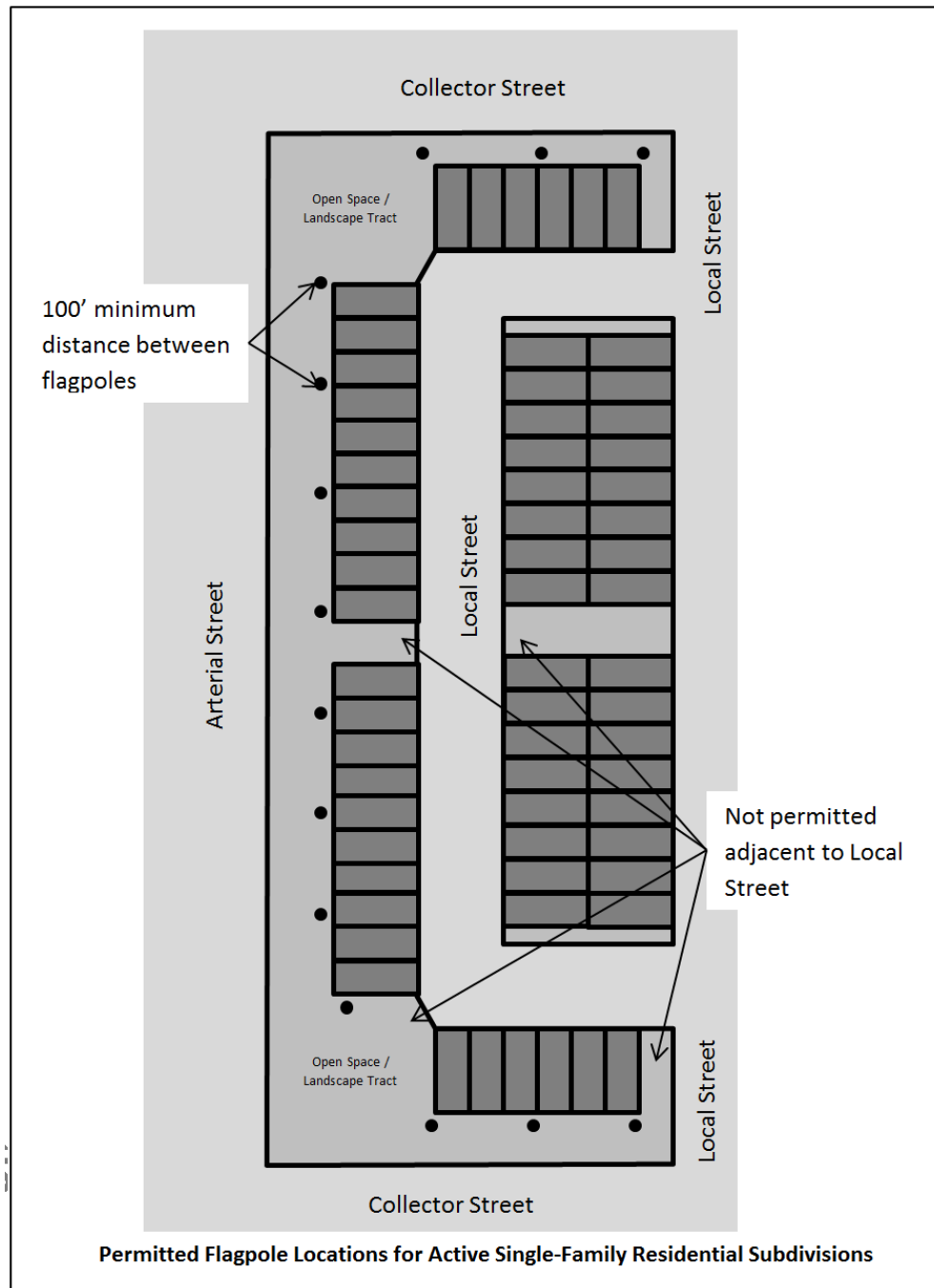
- c. One flagpole not exceeding a height of 45 feet may be erected within the boundaries of the model home complex provided said flagpole is located within the building envelope or within the required front yard of the lot in which it is placed, but not located within any required side or required rear yard. A maximum of two flags may be displayed from said flagpole. The flag and flagpole permitted under this paragraph may be externally illuminated in accordance with **Chapter 107-Article 3** of the Surprise Municipal Code.
- d. Two flagpoles not exceeding a height of 20 feet may be erected for each lot located within the boundaries of the approved model home complex. A maximum of one flag may be displayed from each flagpole. Flagpoles permitted under this section may be erected along the perimeter of the model home complex. Flagpoles permitted under this paragraph shall not be illuminated except by ambient lighting.
- e. Four additional teardrop banner signs meeting the requirements of subsection 9(a)(8) herein for each lot located within the boundaries of an approved model home complex. Except that subsections 9(a)(8)c., 9(a)(8)d. and 9(a)(8)e. shall not apply. Teardrop banner signs permitted under this section shall not be illuminated except by ambient lighting.
- f. One banner sign not exceeding three feet in height and five feet in length may be attached to the trap fence. Said banner sign shall be equipped with ventilation flaps. Banner signs permitted under this paragraph shall not be illuminated except by ambient lighting.
- g. One awning sign or canopy sign provided the awning or canopy is limited to the customer entrance to the sales office associated with the approved model home complex. Awning signs or canopy signs permitted under this paragraph shall not be illuminated except by ambient lighting.
- h. One building wall sign not exceeding four square feet may be affixed to the front elevation of the model home sales office facing the street from which the model home complex takes access. Said sign may be externally illuminated or back-lit in accordance with section 10.
- i. Information regarding model home signs shall be included with the model home complex application packet to be reviewed and approved with the model home complex. In circumstances where model home complexes in existence as of the effective date of this chapter are to be retrofitted for purposes of implementing signage permitted under this section, an amendment to the approved model home complex is required.
- j. All model home signs permitted under this section shall be removed upon the conversion of the model homes to a residential use in accordance with subsection 106-10.29 of the Surprise Municipal Code.

11. *Active single-family residential subdivision signs.* In addition to other signs that may be permitted in association with a model home complex, the following signs are permitted within the boundaries of an active single-family residential subdivision:

- a. One class IV temporary sign meeting the requirements of subsection 9(a)(5) herein may be located within the boundaries of an active single-family residential subdivision, provided such sign is located adjacent to a collector street or arterial street. The overall height of the class IV temporary sign allowed under this paragraph may be increased to 120 inches, provided the sign is designed to withstand windloads as required by the building codes in effect at the time the sign is erected. A class IV temporary sign permitted under this paragraph may be externally illuminated as outlined in section 10.

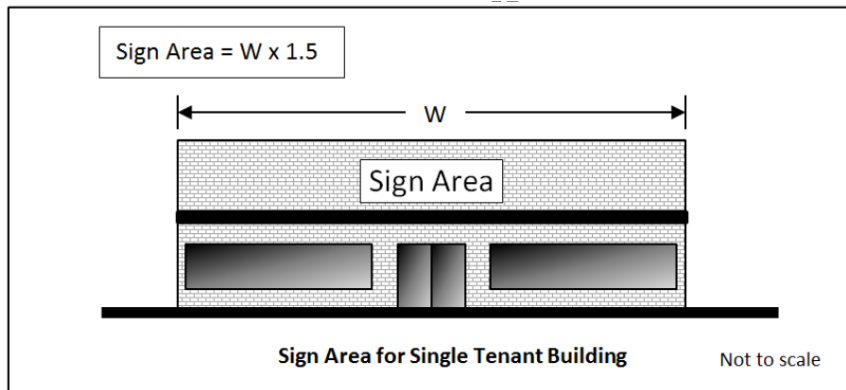


- b. Where an active single-family residential subdivision includes an open space tract or landscape tract located adjacent to a collector street or arterial street, a series of flagpoles not exceeding 20 feet in height may be erected within said tract provided said flagpoles are spaced no closer than 100 feet apart; however, flagpoles permitted under this paragraph may not be located adjacent to any local street regardless of the location of the tract relative to the local street. Further, flagpoles permitted under this paragraph may not be illuminated except by ambient lighting.

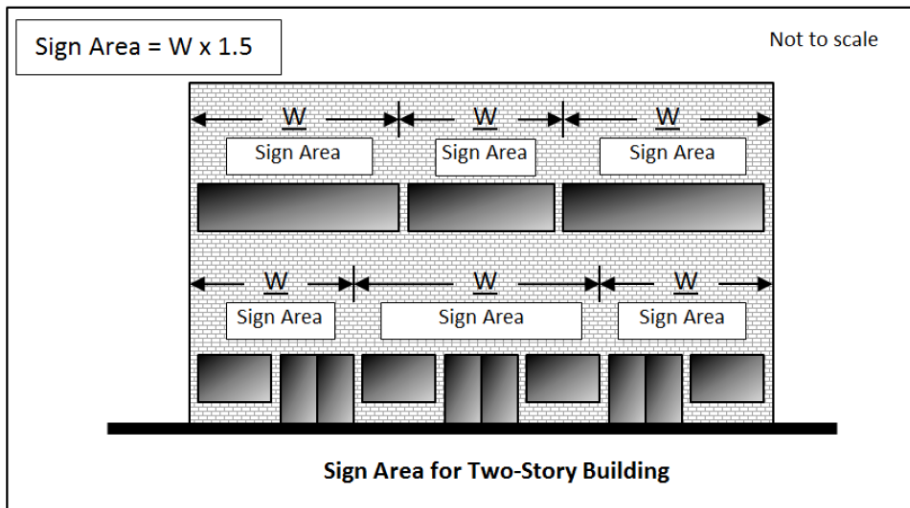


- c. All active single-family residential subdivision signs shall be removed upon the close of escrow of the last lot in the subdivision or upon cessation of use, whichever comes first.
- B. Building-mounted signs.** Building-mounted signs may only be placed on building elevations which face a street or primary parking lot. For purposes of this section, parking areas adjacent to service bays, access drives located behind a building, or alley ways are not considered primary parking areas.
1. **Building wall signs.** In other than residential zoning, building wall signs are permitted on any building elevation of any primary use building, subject to the following:

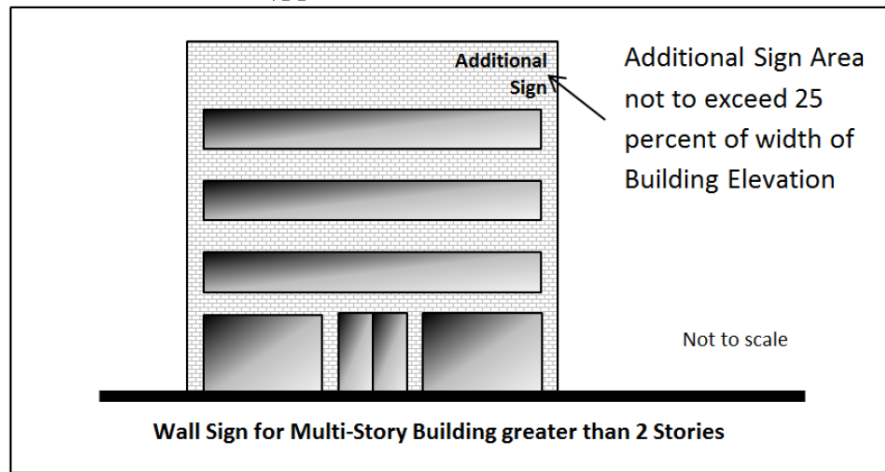
- a. For single story, single-tenant buildings, any number of building wall signs may be affixed to any building elevation, provided the aggregate sign area does not exceed one and one-half square foot per one linear foot of building elevation on which the sign is mounted.



- b. For two-story office buildings or two-story mixed-use buildings, each tenant who possesses leased tenant frontage on the exterior wall of the building may affix any combination of building wall signs provided the aggregate sign area does not exceed one and one-half square foot per one linear foot of that tenant's leased frontage. In the event a tenant does not possess leased tenant frontage located along the exterior of the building, this provision does not apply.



- c. For multi-story buildings greater than two stories one building wall sign, the area of which not exceeding 25 percent of the width of the elevation may be affixed to each building elevation at a location that is nearest the top of the building provided said sign does not extend above the parapet, or in the case of an exposed pitch roof, the drip line of the roof. In no case shall such signs be affixed to an elevator shaft or equipment screening.

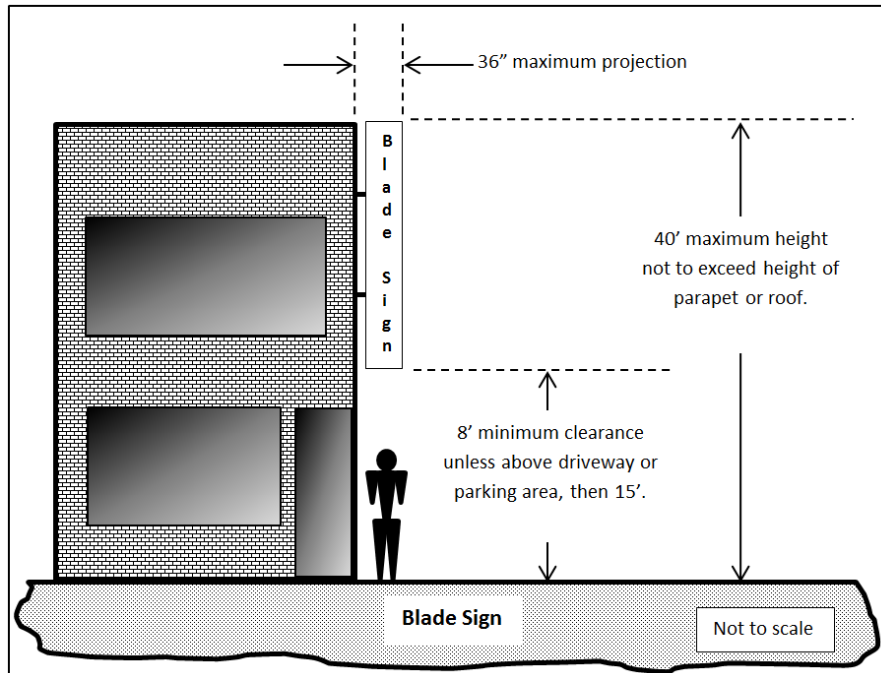


- d. The sign area of any building wall sign serving an arterial street may be increased by 25 percent when the building is setback at least 600 feet from the public right-of-way and may be further increased an additional 25 percent for each additional 200 feet of setback, up to a maximum of 100 percent, provided the increase in sign area does not cause the sign to be in violation with the other provisions of this section.
- e. The maximum width of a building wall sign shall not exceed 80 percent of the leased tenant frontage for a multi-tenant building, or building elevation for a single-tenant building.
- f. Building wall signs shall be installed in a manner that does not obscure architectural features such as, but not limited to, pilasters, arches, windows, cornices, pop-outs, decorative trims, moldings, and frieze.
- g. Building wall signs may be internally illuminated, externally illuminated, or back-lit, but may not include electronic messaging (EMCs). Further, illumination shall be in accordance with the requirements set forth in section 10.

2. *Blade signs.*

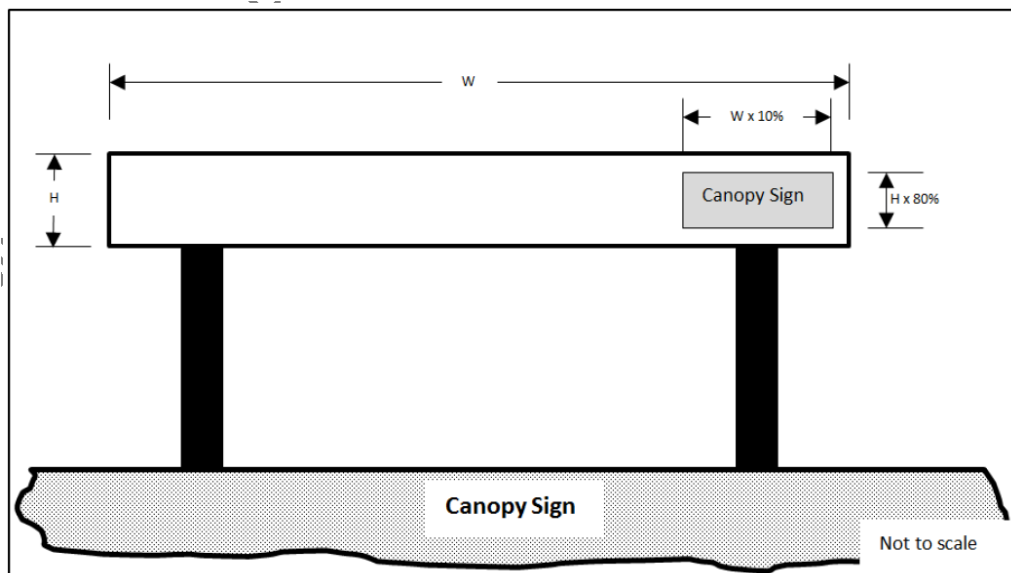
- a. One blade sign is permitted per primary use multi-story building located in multi-family, commercial, mixed-use or industrial zoning subject to the specific requirements outlined below.
- b. When a blade sign extends over a pedestrian area a distance of six inches or more, the bottom of the sign shall not be any closer than eight feet above the walking surface over which the sign is placed. When a blade sign extends any distance over a parking lot or vehicular area, the bottom of the sign shall not be any closer than 15 feet above the paving surface over which the sign is placed.
- c. The blade sign shall be mounted such that the top of the sign is not higher than 40 feet above the ground, sidewalk, or pavement surface above which the sign is mounted, except that in no case shall the blade sign extend above the roof of the building onto which the sign is mounted, or if mounted adjacent to a parapet, the sign shall not extend above the parapet.

- d. The blade sign shall not project more than 36 inches from the wall onto which the blade sign is mounted.
- e. The blade sign shall not be externally illuminated in any manner except by ambient lighting as may be present on the property; however, blade signs may be internally illuminated in accordance with the requirements set forth in section 10.



3. *Canopy signs.*

- a. Canopy signs shall not exceed 80 percent of the height of the face of the canopy onto which the canopy sign is mounted.
- b. Canopy signs shall not exceed ten percent of the width of the face of the canopy onto which the canopy sign is mounted.



- c. Canopy signs may be internally illuminated or back-lit in accordance with the requirements set forth in section 9. Level 1

electronic messaging is permitted on a canopy sign, subject to the provisions outlined in section 11.

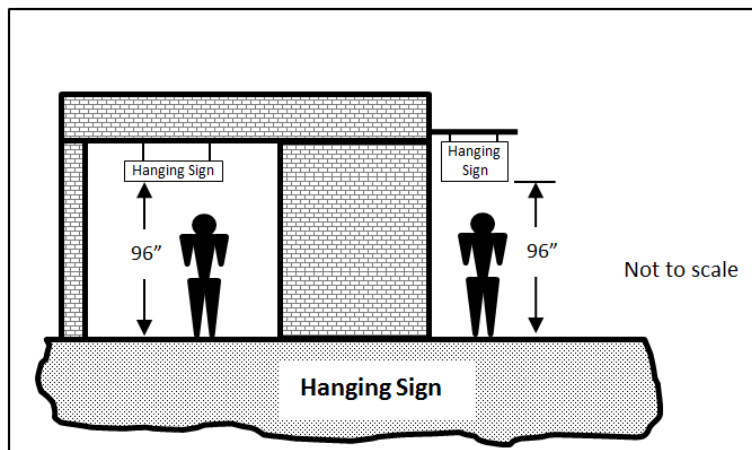
4. *Marquee signs.*

- a. The marquee sign shall be affixed to the face plane of the marquee and shall not extend above the uppermost or lowermost limits of the marquee.
- b. The marquee sign shall not exceed 80 percent of the width of the face of the marquee onto which the sign is mounted.
- c. Marquee signs may be internally illuminated or back-lit in accordance with the requirements set forth in section 9. Level 1 electronic messaging is permitted subject to the provisions outlined in section 11.

5. *Awning signs.* In mixed-use, commercial and industrial zoning districts, awnings may be integrated with sign copy, but shall not contribute towards the overall building wall sign area of a particular building.

6. *Hanging signs.* In mixed-use, commercial and industrial zoning districts, hanging signs are permitted subject to the following time, place, and manner restrictions:

- a. Not more than one hanging sign is permitted per customer entrance and shall be mounted above the customer entrance or as close as reasonably practicable.
- b. The maximum sign area of the hanging sign shall not exceed six square feet.
- c. Where a hanging sign is erected above a pedestrian pathway, the bottom of the sign shall be not less than 96 inches from the walkable surface above which the hanging sign is placed.
- d. The hanging sign shall not be externally illuminated in any manner except by ambient lighting present on the property; however, such signs may be internally illuminated in accordance with the requirements set forth in section 10.



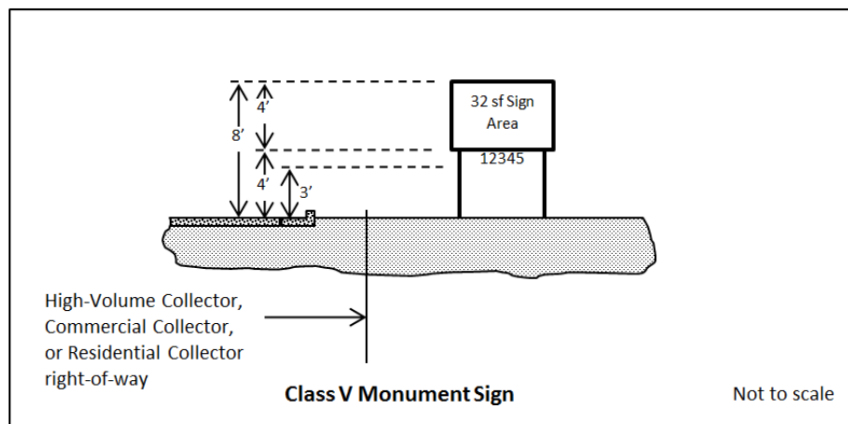
7. *Window signs and sunscreens.*

- a. Window signs are allowed provided the combined sign area for all window signs affixed to a particular window does not exceed 40 percent of the individual window pane. Etched or stained glass, when integral to the window, shall not be included in the sign area calculation.
- b. Sunscreen material may cover 100 percent of the window pane, provided not more than 40 percent of the window pane is covered by any mural or other graphics.
- c. Window signs shall not contribute towards the aggregate building wall sign area of a building.

C *Freestanding ground signs.*

1. *Class I monument signs (menu signs) and class II monument signs (preview signs) for drive-through businesses.* Drive-through businesses may utilize one class I monument sign and one class II monument sign per drive-through lane subject to the following:
 - a. The bottom of the sign copy of a class I monument sign or class II monument sign shall not be less than two feet above the adjacent drive-through lane's paved surface.
 - b. The overall height of the sign structure of a class I monument sign or class II monument sign shall not be more than eight feet above the adjacent drive-through lane's paved surface.
 - c. The sign area for an individual class I monument sign or class II monument sign shall not exceed 50 square feet.
 - d. A class I monument sign shall not be audible from any residential zoning district or residential use, hotel or motel room, or patient room of an overnight medical facility.
 - e. No class I monument sign or class II monument sign may be located within 100 feet of a residential zoning district or use.
 - f. Class I monument signs and class II monument signs may be internally illuminated in accordance with the requirements set forth in section 10.
 - g. Level 2 electronic messaging is permitted, subject to the provisions outlined in section 11.
2. *Class III monument signs (directional signs).* Class III monument signs are permitted along the street frontage in conjunction with a driveway serving any multi-family residential, commercial or industrial development, subject to the following:
 - a. The class III monument sign shall not exceed 30 inches in height as measured from the adjacent pavement surface of the roadway served by the sign;
 - b. The sign area of a class III monument sign shall not exceed six square feet;
 - c. The class III monument sign may be internally illuminated, back-lit, or externally illuminated as outlined in section 10 provided the source of external illumination is not visible.

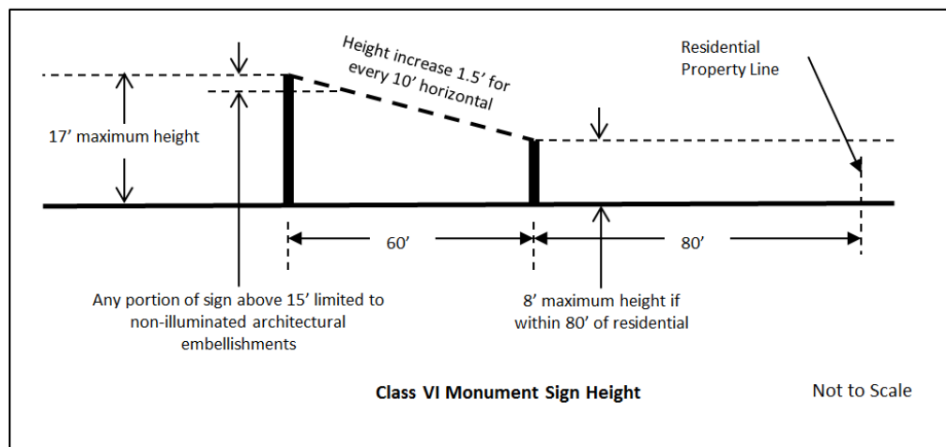
3. *Class IV monument signs (directory signs).* Class IV monument signs are permitted within the interior of any multi-family residential, commercial or industrial development, subject to the following:
 - a. The class IV monument sign shall not exceed six feet in height as measured from the adjacent pavement surface of the roadway or sidewalk served by the sign;
 - b. The sign area of a class IV monument sign shall not exceed 12 square feet;
 - c. The class IV monument sign may be internally illuminated, back-lit, or externally illuminated in accordance with the requirements set forth in section 10 provided the source of external illumination is not visible.
4. *Class V monument signs (minor monument signs).*
 - a. Class V monument signs are permitted in conjunction with non-residential uses in a residential zone, not including cottage industries or home occupations; or in multi-family uses in multi-family zoning; or in non-residential uses in a non-residential zone.
 - b. One class V monument sign meeting the requirements outlined below is permitted for every 150 feet of collector or arterial street frontage or portion thereof, regardless of the presence or location of driveway, provided sight distance requirements are met. The minimum spacing between individual class V monument signs, or between a class V monument sign and a class VI monument signs, located on the same property shall be not less than 150 feet measured radially.
 - c. When allowed, the height of the class V monument sign shall not exceed eight feet as measured from the edge of pavement of the street being served by the sign, nor shall the maximum sign area exceed 32 square feet. The bottom edge of the sign copy shall be no lower than four feet above the adjacent edge of pavement of the street being served by the sign. The height of the sign structure may extend an additional two feet above the face if the sign provided said extension is limited to non-illuminated architectural embellishments and contains no sign copy.



- d. The base of a class V monument sign shall be fitted with the address of the property or properties in a manner that is consistent with section 13.
- e. A class V monument sign shall be located within a landscape area not less than 80 square feet.
- f. Class V monument signs shall be setback not less than two feet from the right-of-way line except that in the event a public utility easement is present, in which case the sign shall be setback not less than two feet from the easement.
- g. Class V monument signs may be internally illuminated, back-lit or externally illuminated in accordance with the requirements set forth in section 10.
- h. Level 1 electronic messaging and level 2 electronic messaging are permitted on a monument sign, subject to the provisions outlined in section 11.

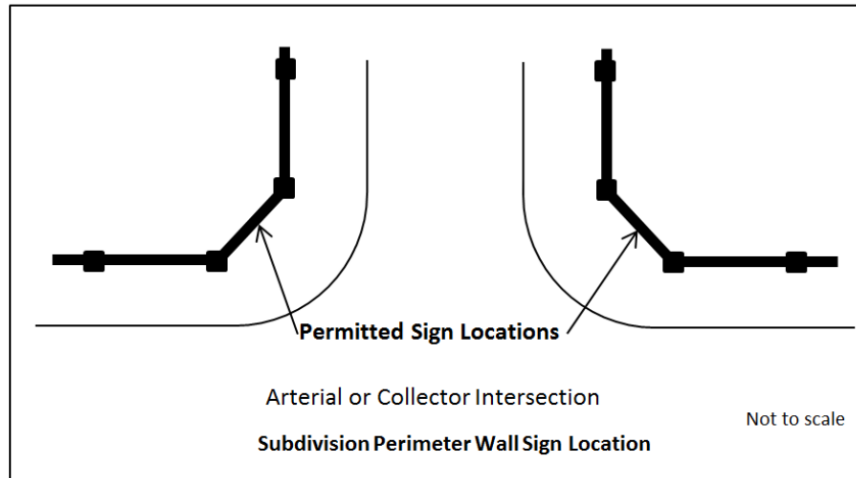
5. *Class VI monument signs (major monument signs).*

- a. Class VI monument signs are permitted in conjunction with non-residential uses in a non-residential zone or that portion of a planned area development where the land use plan of the PAD specifically calls out non-residential uses.
- b. Class VI monument signs shall only be located adjacent to a parkway, major arterial street, minor arterial street, or along grand avenue. When allowed, one class VI monument sign meeting the requirements outlined below is permitted for every 150 feet of said roadway or portion thereof, regardless of the presence or location of driveway, provided sight distance requirements are met. The minimum spacing between individual class VI monument signs located on the same property shall be not less than 150 feet measured radially. The minimum spacing between class V monument signs and class VI monument signs located on the same property shall not be less than 150 feet measured radially. Properties with less than 150 feet of parkway, major arterial street, minor arterial street, or grand avenue frontage shall not be permitted any class VI monument sign.
- c. No class VI monument sign may be located within 80 feet of a property having single-family residential zoning. The height of a class VI monument sign located 80 feet or more from a property having single-family zoning shall not exceed eight feet at 80 feet distant; however, the height of a class VI monument sign may increase one and one-half foot for every additional ten feet of horizontal distance the sign is located away from a property having single-family residential zoning up to a maximum height of 17 feet, provided however that any height in excess of 15 feet shall be limited to architectural embellishments.

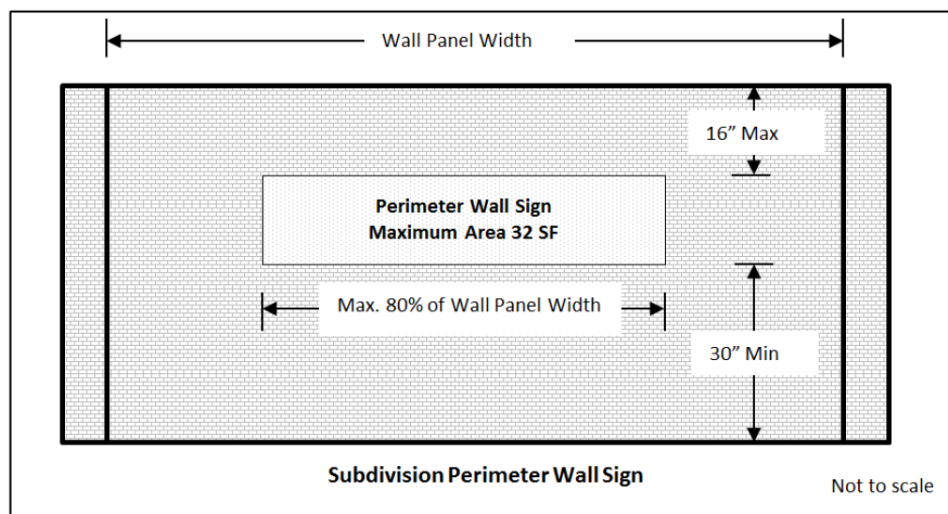


- d. The sign area of a class VI monument sign shall be limited to 36 square feet, but may increase 12 square feet for every one foot increase in the overall height of the sign up to a maximum sign area of 120 square feet.
 - e. The base of a class VI monument sign shall be fitted with the address of the property or properties in a manner that is consistent with section 13.
 - f. A class VI monument sign shall be located within a landscape area not less than the maximum sign area allowed for that sign.
 - g. Class VI monument signs shall be setback not less than two feet from the right-of-way line. Further, in the event a public utility easement is present, the sign shall be setback not less than two feet from the easement, unless the property owner signs a waiver acknowledging the prior rights of the utility companies to occupy said easement.
 - h. Class VI monument signs may be internally illuminated, back-lit or externally illuminated in accordance with the requirements set forth in section 10.
 - i. Level 1 electronic messaging and level 2 electronic messaging are permitted on a class VI monument sign, subject to the provisions outlined in section 11.
6. *Roadway arch signs.* Roadway arch signs may be erected within any commercial or industrial development subject to the following:
- a. Roadway arch signs shall maintain a vehicular clearance of not less than 18 feet;
 - b. Roadway arch signs shall not interfere with pedestrian or vehicular movement;
 - c. Roadway arch signs may be internally illuminated, or back-lit in accordance with the requirements set forth in section 10 except that if the roadway arch sign is located within 100 feet of any residential zoning district or use, the roadway arch sign shall not be illuminated.
7. *Subdivision perimeter wall signs.*

- a. Where a subdivision perimeter wall is located adjacent to a street corner that intersects a collector or arterial street, one subdivision perimeter wall sign may be affixed to the wall panel of the subdivision perimeter wall most closely oriented to the intersection, subject to the specific requirements outlined below.



- b. The maximum sign area shall not exceed 32 square feet.
- c. The width of the sign shall not exceed 80 percent of the width of the perimeter wall panel into which the sign is mounted.
- d. The bottom of the sign shall be no lower than 30 inches from the adjacent grade.
- e. The top of the sign shall be no higher than 16 inches from the top of the wall panel onto which the sign is mounted.
- f. The sign may be back-lit or externally illuminated provided the source of illumination is not visible from the street or from the adjacent residential property and is otherwise in accordance with the requirements set forth in section 10.



8. *Freeway monument signs.* Freeway monument signs may be permitted as outlined in this section:
 - a. *State Route 303 Corridor.* Freeway monument signs may be located within the following portions of the State Route 303 Corridor,

subject to prior approval of a conditional use permit to be processed as a Type 3 application in accordance with Chapter 102 of this Ordinance:

- (1) *State Route 303 and U.S. 60.* An area of land generally located at the intersection of State Route 303 and U.S. 60, being situated in the south half of Section 18 and the north half of Section 19, Township 4 North, Range 2 West and the south half of Section 36, Township 4 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at a point located at longitude 112°24'13" west by latitude 33°40'49" north, thence southwesterly along a line bearing N43°00'58"E a distance of 1,320 feet to the beginning of a non-tangent curve the center of which is said longitude and latitude; thence clockwise along the arc of said curve a distance of approximately 2,070 feet, thence departing said arc southeasterly along a line bearing N46°13'20"W a distance of 1,320 feet to the POINT OF BEGINNING

- (2) *State Route 303 and Bell Road.* An area of land generally located at the intersection of State Route 303 and Bell Road, being situated in the north half of Section 1, Township 3 North, Range 2 West and the south half of Section 36, Township 4 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at the north quarter corner of said Section 1, thence easterly along the north line of the northeast quarter of said Section 01 a distance of 850 feet to the beginning of a non-tangent curve the center of which is said north quarter corner; thence clockwise along the arc of said curve a distance of approximately 4,000 feet to a point on the east line of the southwest quarter of said Section 36, thence departing said curve, southerly along said east line a distance of 850 feet to the POINT OF BEGINNING

- (3) *State Route 303 and Greenway Road.* An area of land generally located at the intersection of State Route 303 and Greenway Road, being situated in the southeast quarter of Section 1, Township 3 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at the south quarter corner of said Section 01, thence northerly along the west line of said southeast quarter a distance of 450 feet to the beginning of a non-tangent curve the center of which is said south quarter

corner; thence clockwise along the arc of said curve a distance of approximately 700 feet to a point on the south line of said southeast quarter; thence departing said curve, westerly along said south line a distance of 450 feet to the POINT OF BEGINNING

- (4) *State Route 303 and Cactus Road.* An area of land generally located at the intersection of State Route 303 and Cactus Road, being situated in the northeast quarter of Section 24, Township 3 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona described as follows:

BEGINNING at the north quarter corner of said Section 24; thence easterly along the north line of said northeast quarter a distance of 850 feet to the beginning of a non-tangent curve the center of which is said north quarter corner; thence clockwise along the arc of said curve approximately 1,340 feet to a point on the west line of said northeast quarter; thence departing said curve, northerly along said west line a distance of 850 feet to the POINT OF BEGINNING

- (5) All freeway monument signs located within the aforementioned locations are subject to the provisions in subsections 9(c)(9)b.—e.

- b. *Additional locational requirements.* The following additional locational requirements apply for all freeway monument signs regardless of where in the corridor it is located:

- (1) Freeway monument signs may only be approved on lands zoned for commercial or industrial uses.
- (2) No freeway monument sign shall be located within 300 feet of a property zoned for residential uses, or any open space tract that is associated with a residential development.
- (3) Freeway monument signs shall not be located closer than 20 feet from the adjacent right-of-way.
- (4) Spacing between freeway monument signs shall be not less than 750 feet, unless separated by a freeway or arterial right-of-way.
- (5) Freeway monument signs shall not be allowed within a natural or manmade watercourse.

- c. *Dimensional requirements.* The following dimensional requirements apply for all freeway monument signs regardless of the corridor in which it is located:

- (1) The overall height of a freeway monument sign shall not exceed 65 feet as measured from the finished grade of the

site where the freeway monument sign is located to the highest point of the sign structure.

- (2) Freeway monument signs shall be allowed an extra three feet in height for architectural embellishments.
- (3) The sign area of a freeway monument sign shall not exceed 650 square feet.

d. *Design requirements.* The following design requirements apply for all freeway monument signs regardless of the corridor in which it is located:

- (1) Freeway monument signs may incorporate level 2 electronic messaging centers as outlined section 11 herein, except that electronic messaging centers used in freeway monument sign applications may occupy up to 50 percent of the allowable sign area of the sign, exclusive of architectural embellishments as required herein, and provided such electronic messaging centers are turned off between 11:00 p.m. and dawn.
- (2) Freeway monument signs shall incorporate architectural features of the commercial development on which the sign is located; however, such embellishments shall not include any sign copy.
- (3) Freeway monument signs shall require a landscaped area equal to four square feet of landscaping for each square foot of sign area and shall be located around the base of the sign; freeway monument signs may be illuminated by externally-illuminated indirect or internal lighting.

e. Any conditional use permit approval is hereby conditioned upon the applicant obtaining a valid construction permit for the freeway monument sign approved under said conditional use permit. The applicant shall obtain certificate of completion from the city within six months of approval of the conditional use permit by the City Council. Failure to obtain a certificate of completion within the designated time allotment shall render the conditional use permit null and void; however, the city manager or designee may grant a one-time extension for a period not to exceed six months when in the opinion of the city manager or designee the circumstances warrant such.

Section 109-6.9 Sign Classifications and Types

As revised per Council Direction

109-1.9 Sign classifications and types. The following sign classifications and types as defined in **section 109-1.6** are permitted in the city as outlined in table 109-1a subject to the following "time, place and manner" restrictions.

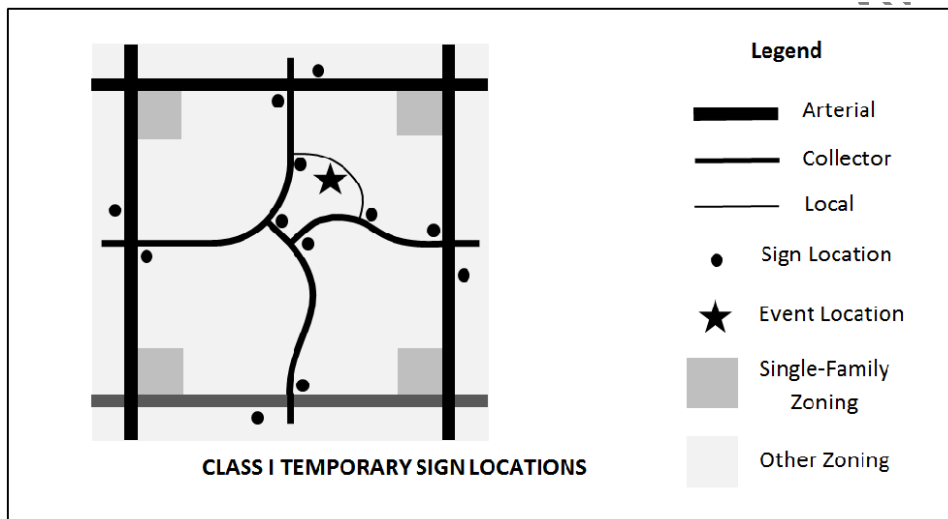
A. Temporary signs. When allowed, temporary signs shall conform to the following requirements:

1. *General requirements.*

- a. Temporary signs shall not be illuminated in any manner except by ambient lighting present on the property.
- b. Temporary signs shall include the name and phone number of the contact person responsible for placing the sign.
- c. No temporary sign may interfere with the free movement of pedestrian or vehicular traffic.
- d. The supporting elements for class III temporary signs and class IV temporary signs may be directly buried or inserted into the soil; however, in no case shall concrete, or other permanent attachments to the ground, or attachment to other permanent structure(s) be utilized.

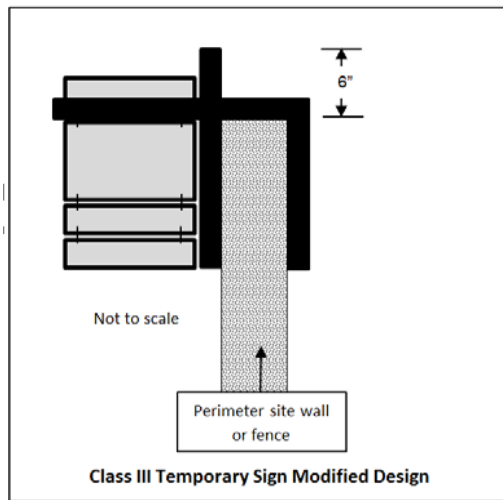
2. *Class I temporary signs (small A-frame signs).* Class I temporary signs, as defined herein, are allowed subject to the general requirements as stated above plus the following:

- a. Class I temporary signs are only allowed in conjunction with a lawful temporary event being held on land zoned for single-family residential uses.
- b. Class I temporary signs may be placed in the following locations when in association with a lawful temporary event occurring on land zoned for single-family residential uses:
 - (1) One class I temporary sign at the site of the lawful temporary event,
 - (2) One class I temporary sign at each local or collector street intersection leading from the site of the lawful temporary event to the adjacent arterial street grid,
 - (3) Two class I temporary signs at the point where the local or collector street intersects with the arterial street. One sign may be located at the corner of the intersection on the side of the arterial street closest to the lawful temporary event. A second sign may be located on the opposite side of the arterial street, provided said sign is no further than 500 feet from the intersection.



- c. When allowed, class I temporary signs may be located within the street right-of-way, but not within any median, vehicle or bicycle travel lane, or sidewalk, nor within any sight visibility triangle as outlined in standard details 4-01 and 4-02 of the Surprise engineering development standards.
 - d. There is no limit to the number of sign panels per sign structure provided the defined height, width and sign area limitations are not exceeded.
 - e. The sign may be weighted or ballasted; however, no such sign may be affixed to the ground or to any permanent structure.
 - f. Class I temporary signs may be placed one hour before the start of a lawful temporary event and shall be removed not more than one hour after the end of a lawful temporary event that occurs between the hours of 9:00 a.m. and 6:00 p.m. on Mondays, Tuesdays, Wednesdays, and Thursdays. In addition, class I temporary signs may be placed for any length of time between the hours of 4:00 p.m. Friday and 11:00 p.m. Sunday.
 - g. If the lawful temporary event being served by the class I temporary sign requires a temporary use permit, the locations of the class I temporary signs shall be included with the application materials.
3. *Class II ~~temporary signs~~ Temporary Signs* (large A-frame signs and pedestal signs). ~~Class II temporary signs~~ *Class II Temporary Signs*, as defined herein, are allowed subject to the ~~general requirements~~ *General Requirements* as ~~stated outlined in subsection 109-1.9.A.1~~ above ~~plus and~~ the following:
 - a. ~~Class II temporary signs~~ *Class II Temporary Signs* are only allowed in conjunction with a lawful commercial use including ~~cottage industries~~ *cottage industries*, but not ~~home occupations~~ *home occupations*.
 - b. One (1) such sign may be located within 15 feet of the doorway of the customer entrance to the building in which the lawful commercial use is located. One (1) additional Class II Temporary Sign may be located within or adjacent to the public right-of-way subject to the provisions of subsection 109-1.9.A.3 herein.

- c. When allowed, ~~Class II temporary signs~~ Class II Temporary Signs may be located within the street right-of-way, but not within any median, vehicle or bicycle travel lane, or sidewalk, nor within any sight visibility triangle as outlined in standard details 4-01 and 4-02 of the Surprise ~~engineering development standards~~ Engineering Development Standards, nor within fifty (50) feet of the curb return of any commercial driveway, nor within twenty (20) feet of another Class II Temporary Sign.
 - d. There is no limit to the number of ~~sign panels~~ sign panels per ~~sign structure~~ sign structure provided the ~~defined~~ specified height, width and ~~sign area~~ sign area limitations are not exceeded.
 - e. The ~~sign~~ sign may be weighted or ballasted; however, no such ~~sign~~ sign may be affixed to the ground or to any permanent ~~structure~~ structure.
 - f. ~~Class II temporary signs~~ Class II Temporary Signs utilized in conjunction with a lawful commercial use may be displayed during the business hours of the business served by the ~~Class II temporary signs~~ Class II Temporary Signs.
4. *Class III temporary signs (small post-signs).*
- a. Not more than one class III temporary sign meeting the specific requirements outlined in this section is permitted per lot of record except that if said lot abuts more than one street, one additional class III temporary sign meeting said requirements may be erected along each additional street frontage.
 - b. In the event a property is vacant, additional class III temporary signs may be erected on said property provided the spacing between such signs is not less than 600 feet.
 - c. Class II temporary signs shall not be located within the street right-of-way, median, vehicle or bicycle travel lane, or sidewalk, nor within any sight visibility triangle as outlined in standard details 4-01 and 4-02 of the Surprise engineering development standards.
 - d. There is no limit to the number of sign panels per sign structure provided the defined height, width and sign area limitations are not exceeded.
 - e. In the event that a lot's perimeter site wall or fence is adjacent to or within 20 feet of a street, the class III temporary sign may be modified to allow the sign to be hung from but not attached to the perimeter site wall or fence provided the sign does not exceed the height of the wall or fence by more than six inches and does not interfere with pedestrian movement.



5. *Class IV temporary signs (large post-signs).*

- a. Not more than one class IV temporary sign meeting the specific requirements outlined in this section is permitted per lot of record except that if said lot abuts more than one street, one additional class IV temporary sign meeting said requirements may be erected along each additional street frontage, except that class IV temporary signs associated with a public hearing shall not be counted towards this total.
- b. Class IV temporary signs shall not be located within the street right-of-way, median, vehicle or bicycle travel lane, or sidewalk, nor within any sight visibility triangle as outlined in standard details 4-01 and 4-02 of the Surprise engineering development standards.
- c. The maximum number of sign panels per sign structure shall not exceed two.

6. *Banner signs and festoons.*

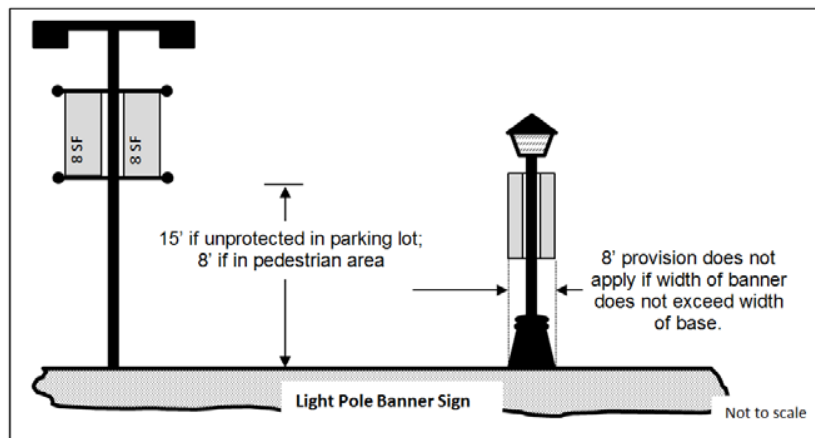
- a. *General.* The following provisions apply to all banner signs and festoons:
 - (1) Banner signs shall be equipped with ventilation flaps.
 - (2) Banner signs and festoons shall be securely attached to the building or fence, but in no case shall be attached to freestanding poles or vegetation.
- b. *Residential.* Any number of banner signs, festoons or combination thereof are permitted per dwelling unit, provided the aggregate length does not exceed 20 lineal feet and the aggregate area does not exceed 100 square feet.
- c. *Non-residential.* Banner signs and festoons are permitted on properties zoned for non-residential use subject to the following:
 - (1) One banner sign may be placed on a building, provided the maximum area of the banner sign shall not exceed one square foot per linear foot of building elevation, not to exceed 500 square feet.

- (2) For a single-tenant building, the width of the banner sign shall not exceed 80 percent of the width of the building elevation onto which the banner sign is attached. For multi-tenant building, the width of the banner sign shall not exceed 80 percent of the leased tenant frontage.
 - (3) Any number of festoons may be placed on a building provided the festoon contains no advertising copy, the aggregate length does not exceed 20 lineal feet, and the aggregate area does not exceed 100 square feet.
- d. *Construction sites and temporary construction yards.* Banner signs are allowed in conjunction with active construction sites and temporary construction yards regardless of zoning, subject to the following:
 - (1) One or more banner signs may be affixed to the perimeter fence surrounding a construction site or temporary construction yard, provided said banner signs do not extend above the height of the perimeter fence.
 - (2) Individual banner signs shall not exceed ten feet in length. Where multiple banner signs are utilized in lieu of screening material on a fence surrounding a construction site or temporary construction yard, said signs shall be spaced not less than one foot apart unless the banner sign is fabricated of material with not less than 50 percent visual transparency, in which case this provision shall not apply.

7. *Light pole banner signs.*

- a. Light pole banner signs may be attached to light poles when the pole is so equipped to receive such banner, except that in no case shall a light pole banner sign be affixed to a light pole in a public right-of-way without the expressed written permission from the city.
- b. The surface area of a single light pole banner sign shall not exceed eight square feet as measured on a single side.
- c. When two light pole banner signs are affixed to a single light pole, both light pole banner signs shall be consistent with each other with respect to size and shape so as to create uniformity.
- d. When the light pole onto which a light pole banner sign is placed is located within the paved portion of a parking lot, and the light pole base is unprotected from vehicular traffic, the bottom of the light pole banner sign shall be a minimum of 15 feet above the parking surface over which the banner is placed. If the base of the light pole is protected from vehicular traffic, this provision shall not apply.
- e. When the light pole is located within a pedestrian area, the bottom of the light pole banner sign shall be a minimum of eight feet above the surface over which the light pole banner sign is placed, unless the light pole banner sign is sufficiently narrow so as to not extend beyond the base of the light pole.

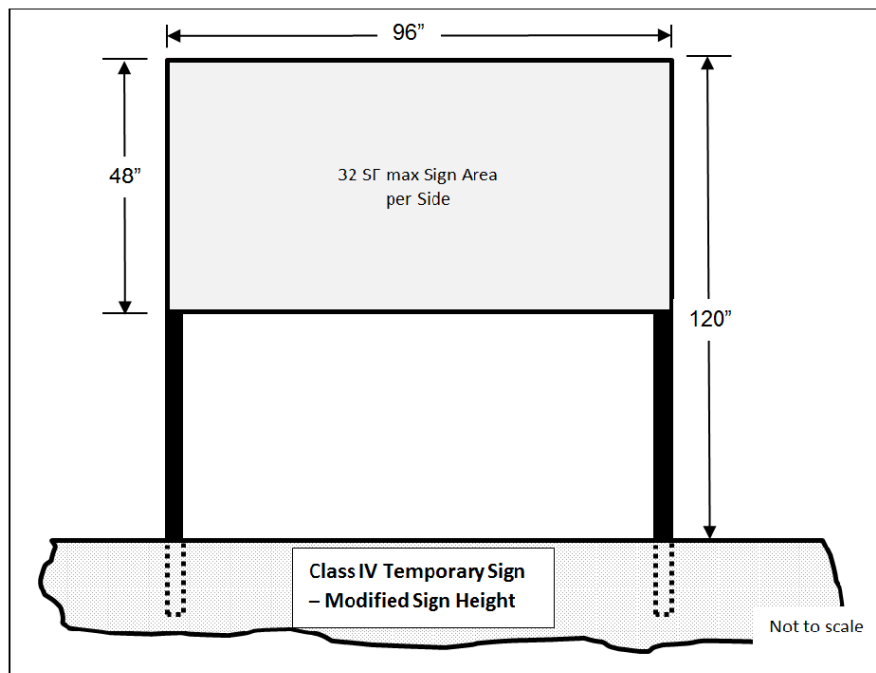
- f. Any horizontal supporting members shall either be removed when not in use or shall be of a hinged design and folded into a vertical position when not in use.
- g. Light pole banner signs shall not be illuminated in any manner except as incidental to the lighting fixture supported by the light pole.
- h. Light pole banner signs shall be equipped with ventilation flaps.



8. *Teardrop banner signs.*

- a. Not more than two teardrop banner signs are permitted in conjunction with a lawful temporary event subject to the specific requirements as outlined herein except that in no case shall a teardrop banner sign be allowed on a vacant property.
 - b. Teardrop banner signs may only be erected on the property on which the lawful temporary event is occurring. In no case shall a teardrop banner sign be located within a public or private right-of-way.
 - c. No teardrop banner sign shall be located within 15 feet of a pedestrian path, sidewalk, or trail, whether public or private.
 - d. No teardrop banner sign shall be located within 15 feet of any vehicular parking surface or driveway.
 - e. No teardrop banner sign shall be located within 50 feet of any public or private right-of-way.
 - f. The maximum height of the sign structure as measured from the nearest adjacent grade shall not exceed 12 feet with the flag portion of the sign not exceeding 16 square feet.
 - g. The teardrop banner sign shall be supported by a pedestal, which may be weighted or ballasted to prevent being overturned, but in no case shall the supporting sign structure be inserted into the ground.
9. *Sign walkers.* Sign walkers are permitted to operate within the city subject to the following restrictions:
- a. Sign walkers may only operate during daylight hours.

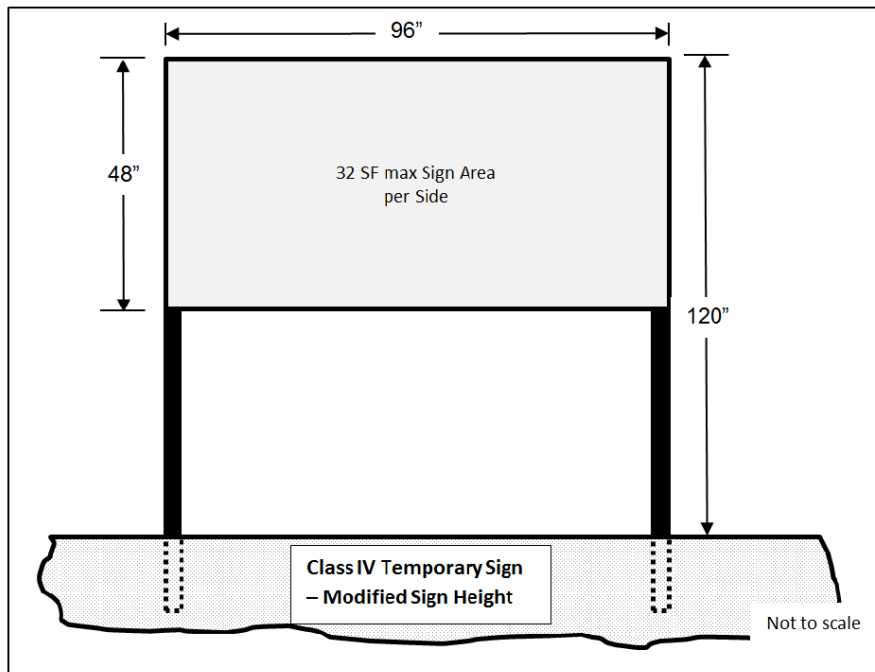
- b. Sign walkers may only operate on a sidewalk intended for pedestrian travel, but shall at no time block the free and unobstructed movement of pedestrians or vehicles.
 - c. Sign walkers may carry a maximum of two single-sided signs not exceeding three square feet of sign copy each or one double-sided sign not exceeding 12 square feet of aggregate sign copy; however, in no case shall a sign walker carry any form of electronic messaging.
 - d. Sign walkers shall not display a sign in any manner other than by personally holding or wearing said sign.
10. *Model home complex signs.* In addition to other signs that are permitted in association with a single-family residence, a model home complex may employ the following:
- a. One class III temporary sign meeting the requirements of subsection 9(a)(4) herein for each lot located within the boundaries of an approved model home complex. Such signs shall not be illuminated except by ambient lighting.
 - b. One class IV temporary sign meeting the requirements of subsection 9(a)(5) herein may be located within the boundaries of the approved model home complex; however, if the model home complex is located adjacent to a collector or arterial street, the overall height of the class IV temporary sign allowed under this paragraph may be increased to 120 inches, provided the sign is designed to withstand windloads as required by the building codes in effect at the time the sign is erected. A class IV temporary sign permitted under this paragraph may be externally illuminated as outlined in section 10.



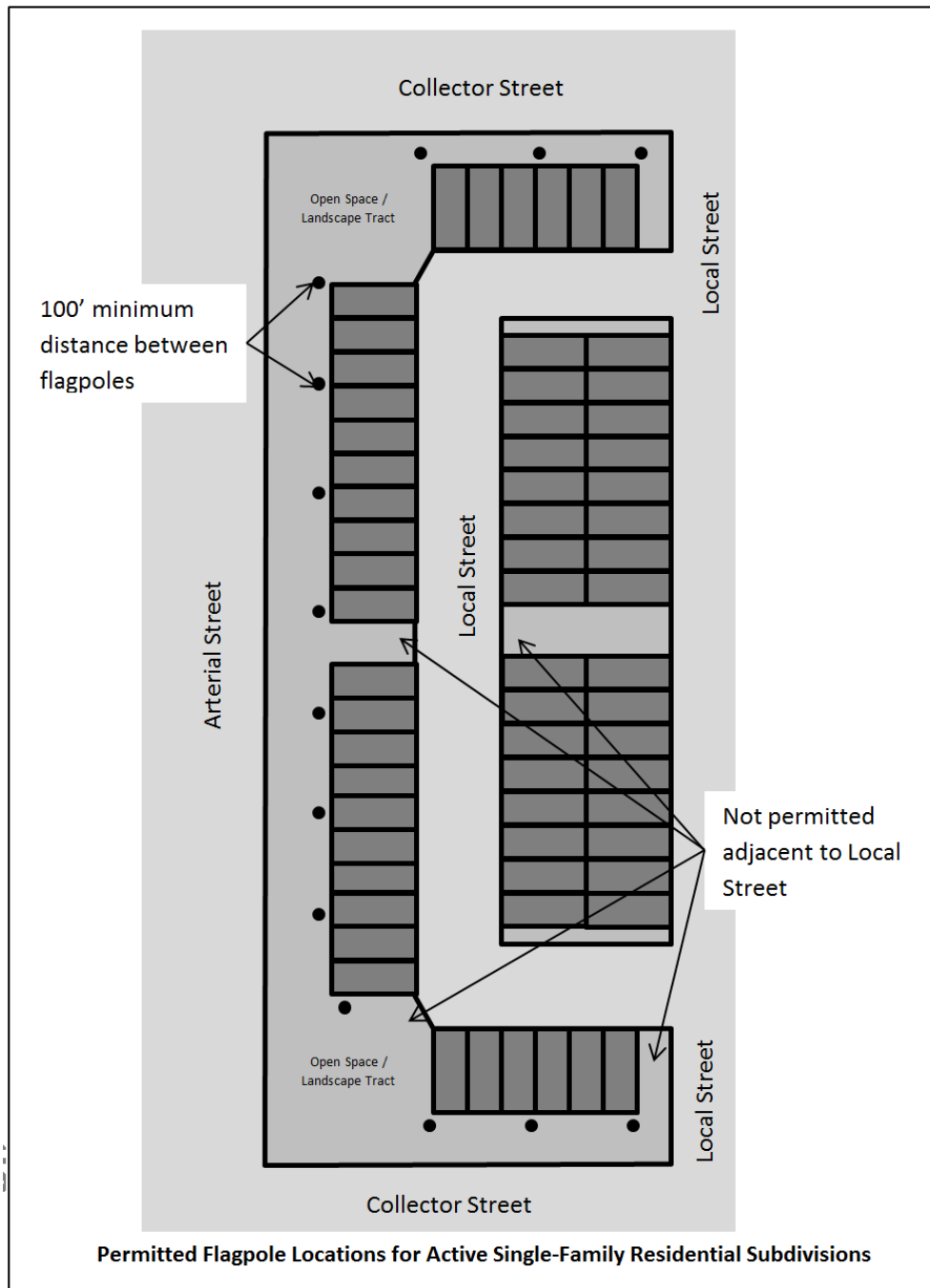
- c. One flagpole not exceeding a height of 45 feet may be erected within the boundaries of the model home complex provided said flagpole is located within the building envelope or within the required front yard of the lot in which it is placed, but not located within any required side or required rear yard. A maximum of two flags may be displayed from said flagpole. The flag and flagpole permitted under this paragraph may be externally illuminated in accordance with **Chapter 107-Article 3** of the Surprise Municipal Code.
- d. Two flagpoles not exceeding a height of 20 feet may be erected for each lot located within the boundaries of the approved model home complex. A maximum of one flag may be displayed from each flagpole. Flagpoles permitted under this section may be erected along the perimeter of the model home complex. Flagpoles permitted under this paragraph shall not be illuminated except by ambient lighting.
- e. Four additional teardrop banner signs meeting the requirements of subsection 9(a)(8) herein for each lot located within the boundaries of an approved model home complex. Except that subsections 9(a)(8)c., 9(a)(8)d. and 9(a)(8)e. shall not apply. Teardrop banner signs permitted under this section shall not be illuminated except by ambient lighting.
- f. One banner sign not exceeding three feet in height and five feet in length may be attached to the trap fence. Said banner sign shall be equipped with ventilation flaps. Banner signs permitted under this paragraph shall not be illuminated except by ambient lighting.
- g. One awning sign or canopy sign provided the awning or canopy is limited to the customer entrance to the sales office associated with the approved model home complex. Awning signs or canopy signs permitted under this paragraph shall not be illuminated except by ambient lighting.
- h. One building wall sign not exceeding four square feet may be affixed to the front elevation of the model home sales office facing the street from which the model home complex takes access. Said sign may be externally illuminated or back-lit in accordance with section 10.
- i. Information regarding model home signs shall be included with the model home complex application packet to be reviewed and approved with the model home complex. In circumstances where model home complexes in existence as of the effective date of this chapter are to be retrofitted for purposes of implementing signage permitted under this section, an amendment to the approved model home complex is required.
- j. All model home signs permitted under this section shall be removed upon the conversion of the model homes to a residential use in accordance with subsection 106-10.29 of the Surprise Municipal Code.

11. *Active single-family residential subdivision signs.* In addition to other signs that may be permitted in association with a model home complex, the following signs are permitted within the boundaries of an active single-family residential subdivision:

- a. One class IV temporary sign meeting the requirements of subsection 9(a)(5) herein may be located within the boundaries of an active single-family residential subdivision, provided such sign is located adjacent to a collector street or arterial street. The overall height of the class IV temporary sign allowed under this paragraph may be increased to 120 inches, provided the sign is designed to withstand windloads as required by the building codes in effect at the time the sign is erected. A class IV temporary sign permitted under this paragraph may be externally illuminated as outlined in section 10.

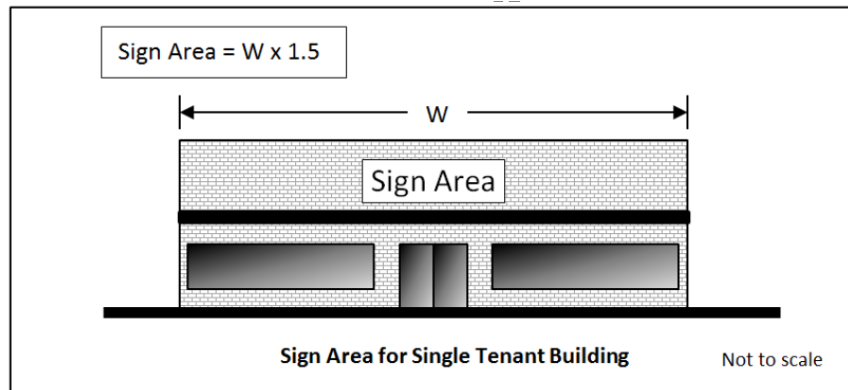


- b. Where an active single-family residential subdivision includes an open space tract or landscape tract located adjacent to a collector street or arterial street, a series of flagpoles not exceeding 20 feet in height may be erected within said tract provided said flagpoles are spaced no closer than 100 feet apart; however, flagpoles permitted under this paragraph may not be located adjacent to any local street regardless of the location of the tract relative to the local street. Further, flagpoles permitted under this paragraph may not be illuminated except by ambient lighting.

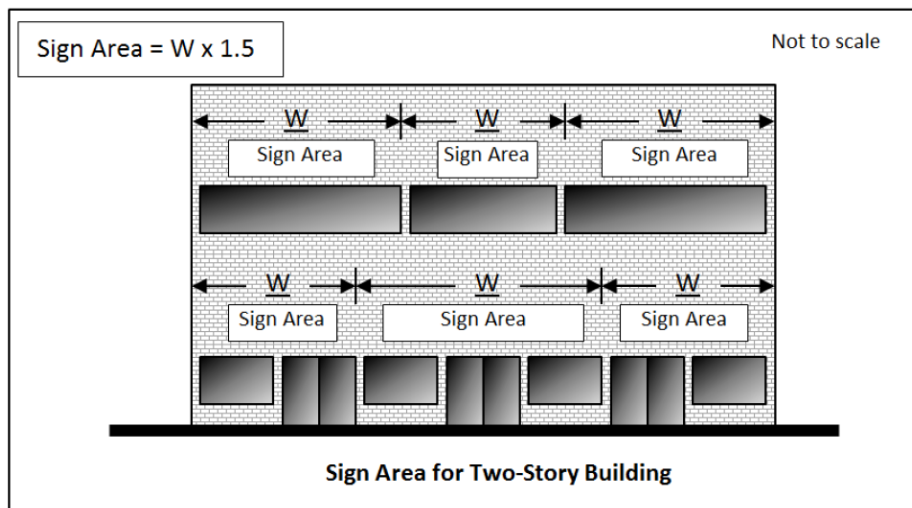


- c. All active single-family residential subdivision signs shall be removed upon the close of escrow of the last lot in the subdivision or upon cessation of use, whichever comes first.
- B. Building-mounted signs.** Building-mounted signs may only be placed on building elevations which face a street or primary parking lot. For purposes of this section, parking areas adjacent to service bays, access drives located behind a building, or alley ways are not considered primary parking areas.
1. **Building wall signs.** In other than residential zoning, building wall signs are permitted on any building elevation of any primary use building, subject to the following:

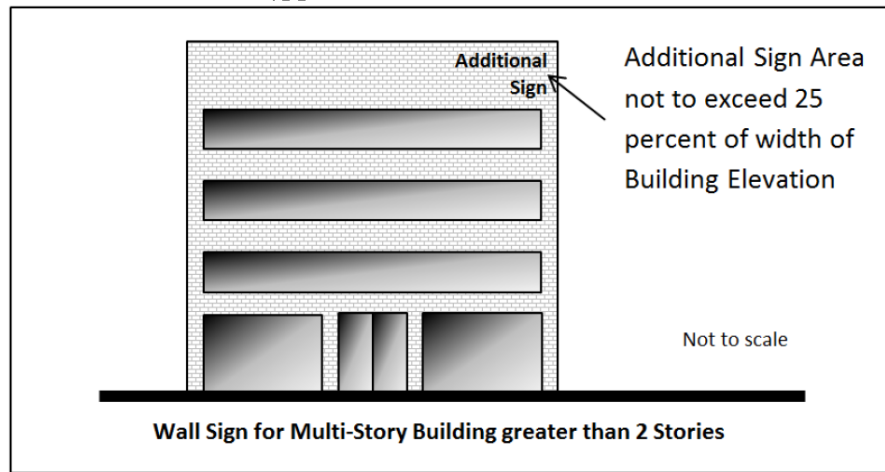
- a. For single story, single-tenant buildings, any number of building wall signs may be affixed to any building elevation, provided the aggregate sign area does not exceed one and one-half square foot per one linear foot of building elevation on which the sign is mounted.



- b. For two-story office buildings or two-story mixed-use buildings, each tenant who possesses leased tenant frontage on the exterior wall of the building may affix any combination of building wall signs provided the aggregate sign area does not exceed one and one-half square foot per one linear foot of that tenant's leased frontage. In the event a tenant does not possess leased tenant frontage located along the exterior of the building, this provision does not apply.



- c. For multi-story buildings greater than two stories one building wall sign, the area of which not exceeding 25 percent of the width of the elevation may be affixed to each building elevation at a location that is nearest the top of the building provided said sign does not extend above the parapet, or in the case of an exposed pitch roof, the drip line of the roof. In no case shall such signs be affixed to an elevator shaft or equipment screening.

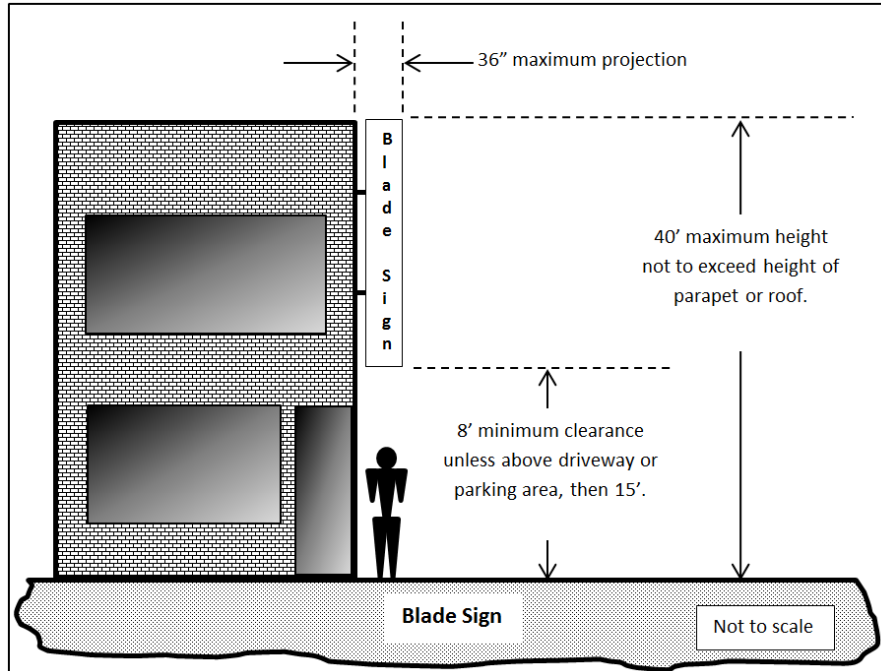


- d. The sign area of any building wall sign serving an arterial street may be increased by 25 percent when the building is setback at least 600 feet from the public right-of-way and may be further increased an additional 25 percent for each additional 200 feet of setback, up to a maximum of 100 percent, provided the increase in sign area does not cause the sign to be in violation with the other provisions of this section.
- e. The maximum width of a building wall sign shall not exceed 80 percent of the leased tenant frontage for a multi-tenant building, or building elevation for a single-tenant building.
- f. Building wall signs shall be installed in a manner that does not obscure architectural features such as, but not limited to, pilasters, arches, windows, cornices, pop-outs, decorative trims, moldings, and frieze.
- g. Building wall signs may be internally illuminated, externally illuminated, or back-lit, but may not include electronic messaging (EMCs). Further, illumination shall be in accordance with the requirements set forth in section 10.

2. *Blade signs.*

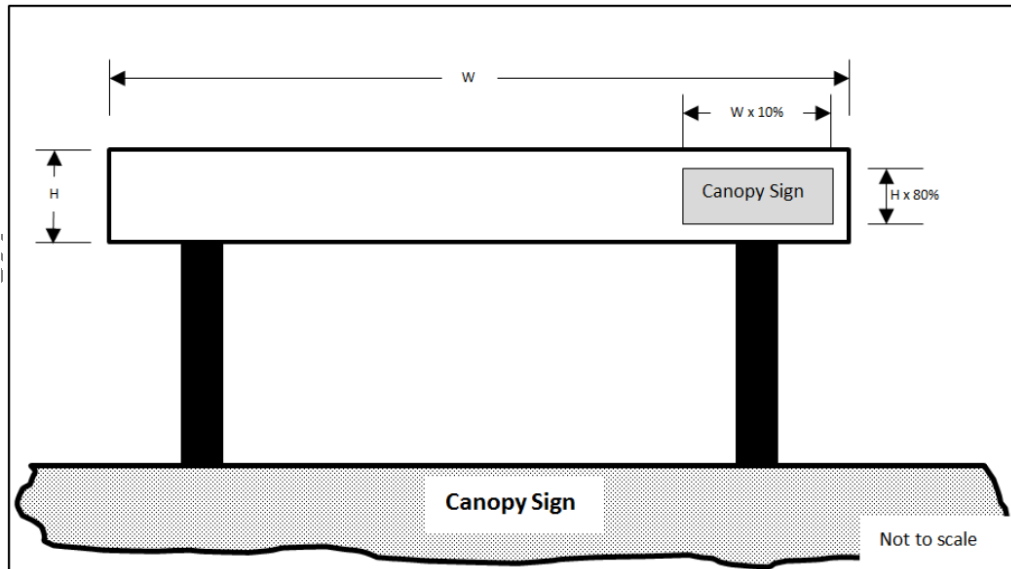
- a. One blade sign is permitted per primary use multi-story building located in multi-family, commercial, mixed-use or industrial zoning subject to the specific requirements outlined below.
- b. When a blade sign extends over a pedestrian area a distance of six inches or more, the bottom of the sign shall not be any closer than eight feet above the walking surface over which the sign is placed. When a blade sign extends any distance over a parking lot or vehicular area, the bottom of the sign shall not be any closer than 15 feet above the paving surface over which the sign is placed.
- c. The blade sign shall be mounted such that the top of the sign is not higher than 40 feet above the ground, sidewalk, or pavement surface above which the sign is mounted, except that in no case shall the blade sign extend above the roof of the building onto which the sign is mounted, or if mounted adjacent to a parapet, the sign shall not extend above the parapet.

- d. The blade sign shall not project more than 36 inches from the wall onto which the blade sign is mounted.
- e. The blade sign shall not be externally illuminated in any manner except by ambient lighting as may be present on the property; however, blade signs may be internally illuminated in accordance with the requirements set forth in section 10.



3. *Canopy signs.*

- a. Canopy signs shall not exceed 80 percent of the height of the face of the canopy onto which the canopy sign is mounted.
- b. Canopy signs shall not exceed ten percent of the width of the face of the canopy onto which the canopy sign is mounted.



- c. Canopy signs may be internally illuminated or back-lit in accordance with the requirements set forth in section 9. Level 1

electronic messaging is permitted on a canopy sign, subject to the provisions outlined in section 11.

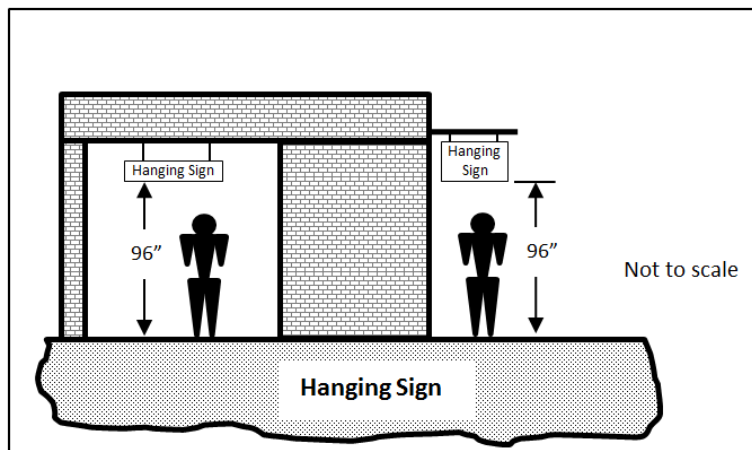
4. *Marquee signs.*

- a. The marquee sign shall be affixed to the face plane of the marquee and shall not extend above the uppermost or lowermost limits of the marquee.
- b. The marquee sign shall not exceed 80 percent of the width of the face of the marquee onto which the sign is mounted.
- c. Marquee signs may be internally illuminated or back-lit in accordance with the requirements set forth in section 9. Level 1 electronic messaging is permitted subject to the provisions outlined in section 11.

5. *Awning signs.* In mixed-use, commercial and industrial zoning districts, awnings may be integrated with sign copy, but shall not contribute towards the overall building wall sign area of a particular building.

6. *Hanging signs.* In mixed-use, commercial and industrial zoning districts, hanging signs are permitted subject to the following time, place, and manner restrictions:

- a. Not more than one hanging sign is permitted per customer entrance and shall be mounted above the customer entrance or as close as reasonably practicable.
- b. The maximum sign area of the hanging sign shall not exceed six square feet.
- c. Where a hanging sign is erected above a pedestrian pathway, the bottom of the sign shall be not less than 96 inches from the walkable surface above which the hanging sign is placed.
- d. The hanging sign shall not be externally illuminated in any manner except by ambient lighting present on the property; however, such signs may be internally illuminated in accordance with the requirements set forth in section 10.



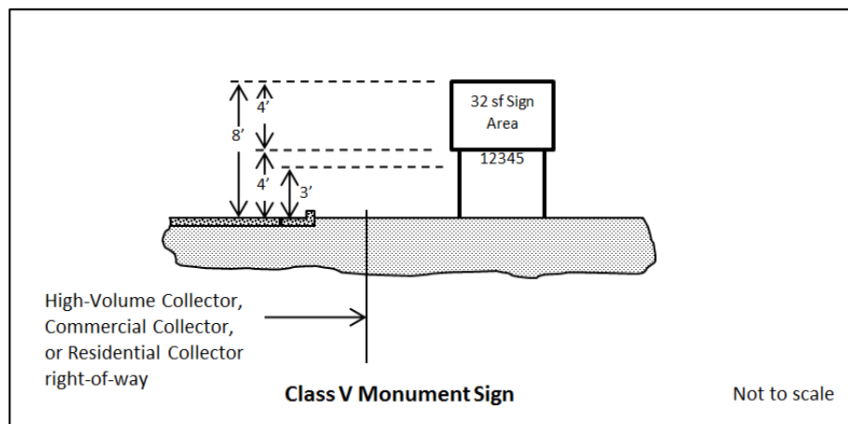
7. *Window signs and sunscreens.*

- a. Window signs are allowed provided the combined sign area for all window signs affixed to a particular window does not exceed 40 percent of the individual window pane. Etched or stained glass, when integral to the window, shall not be included in the sign area calculation.
- b. Sunscreen material may cover 100 percent of the window pane, provided not more than 40 percent of the window pane is covered by any mural or other graphics.
- c. Window signs shall not contribute towards the aggregate building wall sign area of a building.

C *Freestanding ground signs.*

1. *Class I monument signs (menu signs) and class II monument signs (preview signs) for drive-through businesses.* Drive-through businesses may utilize one class I monument sign and one class II monument sign per drive-through lane subject to the following:
 - a. The bottom of the sign copy of a class I monument sign or class II monument sign shall not be less than two feet above the adjacent drive-through lane's paved surface.
 - b. The overall height of the sign structure of a class I monument sign or class II monument sign shall not be more than eight feet above the adjacent drive-through lane's paved surface.
 - c. The sign area for an individual class I monument sign or class II monument sign shall not exceed 50 square feet.
 - d. A class I monument sign shall not be audible from any residential zoning district or residential use, hotel or motel room, or patient room of an overnight medical facility.
 - e. No class I monument sign or class II monument sign may be located within 100 feet of a residential zoning district or use.
 - f. Class I monument signs and class II monument signs may be internally illuminated in accordance with the requirements set forth in section 10.
 - g. Level 2 electronic messaging is permitted, subject to the provisions outlined in section 11.
2. *Class III monument signs (directional signs).* Class III monument signs are permitted along the street frontage in conjunction with a driveway serving any multi-family residential, commercial or industrial development, subject to the following:
 - a. The class III monument sign shall not exceed 30 inches in height as measured from the adjacent pavement surface of the roadway served by the sign;
 - b. The sign area of a class III monument sign shall not exceed six square feet;
 - c. The class III monument sign may be internally illuminated, back-lit, or externally illuminated as outlined in section 10 provided the source of external illumination is not visible.

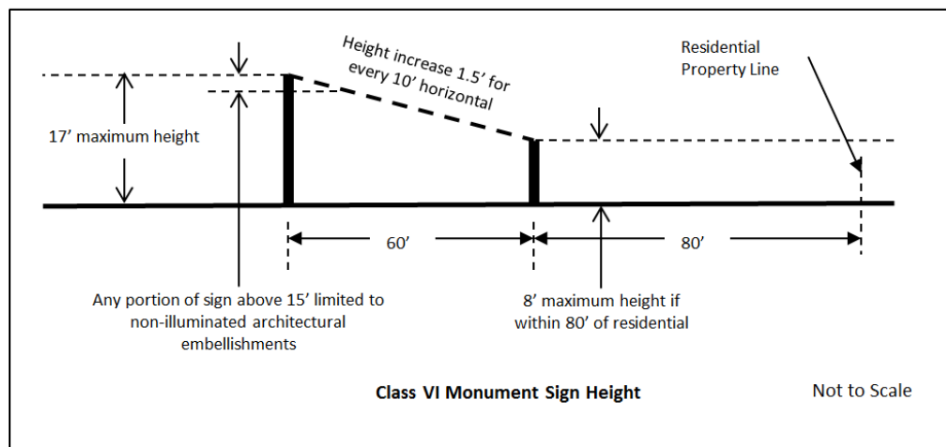
3. *Class IV monument signs (directory signs).* Class IV monument signs are permitted within the interior of any multi-family residential, commercial or industrial development, subject to the following:
 - a. The class IV monument sign shall not exceed six feet in height as measured from the adjacent pavement surface of the roadway or sidewalk served by the sign;
 - b. The sign area of a class IV monument sign shall not exceed 12 square feet;
 - c. The class IV monument sign may be internally illuminated, back-lit, or externally illuminated in accordance with the requirements set forth in section 10 provided the source of external illumination is not visible.
4. *Class V monument signs (minor monument signs).*
 - a. Class V monument signs are permitted in conjunction with non-residential uses in a residential zone, not including cottage industries or home occupations; or in multi-family uses in multi-family zoning; or in non-residential uses in a non-residential zone.
 - b. One class V monument sign meeting the requirements outlined below is permitted for every 150 feet of collector or arterial street frontage or portion thereof, regardless of the presence or location of driveway, provided sight distance requirements are met. The minimum spacing between individual class V monument signs, or between a class V monument sign and a class VI monument signs, located on the same property shall be not less than 150 feet measured radially.
 - c. When allowed, the height of the class V monument sign shall not exceed eight feet as measured from the edge of pavement of the street being served by the sign, nor shall the maximum sign area exceed 32 square feet. The bottom edge of the sign copy shall be no lower than four feet above the adjacent edge of pavement of the street being served by the sign. The height of the sign structure may extend an additional two feet above the face if the sign provided said extension is limited to non-illuminated architectural embellishments and contains no sign copy.



- d. The base of a class V monument sign shall be fitted with the address of the property or properties in a manner that is consistent with section 13.
- e. A class V monument sign shall be located within a landscape area not less than 80 square feet.
- f. Class V monument signs shall be setback not less than two feet from the right-of-way line except that in the event a public utility easement is present, in which case the sign shall be setback not less than two feet from the easement.
- g. Class V monument signs may be internally illuminated, back-lit or externally illuminated in accordance with the requirements set forth in section 10.
- h. Level 1 electronic messaging and level 2 electronic messaging are permitted on a monument sign, subject to the provisions outlined in section 11.

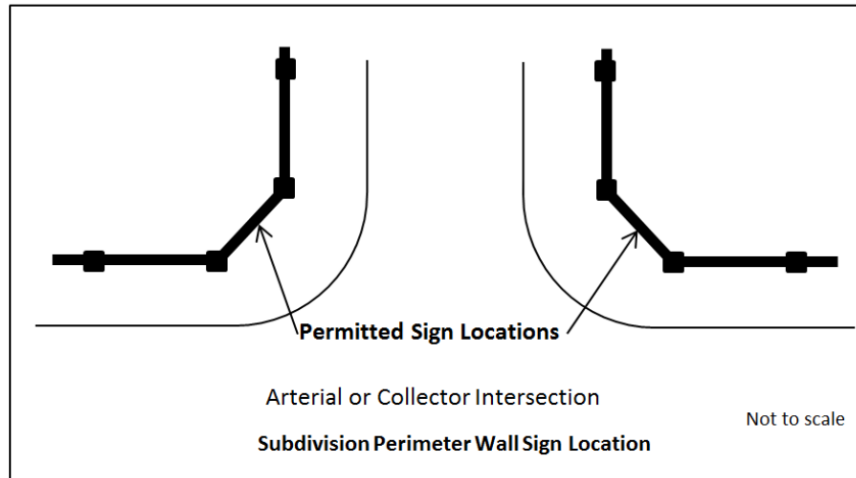
5. *Class VI monument signs (major monument signs).*

- a. Class VI monument signs are permitted in conjunction with non-residential uses in a non-residential zone or that portion of a planned area development where the land use plan of the PAD specifically calls out non-residential uses.
- b. Class VI monument signs shall only be located adjacent to a parkway, major arterial street, minor arterial street, or along grand avenue. When allowed, one class VI monument sign meeting the requirements outlined below is permitted for every 150 feet of said roadway or portion thereof, regardless of the presence or location of driveway, provided sight distance requirements are met. The minimum spacing between individual class VI monument signs located on the same property shall be not less than 150 feet measured radially. The minimum spacing between class V monument signs and class VI monument signs located on the same property shall not be less than 150 feet measured radially. Properties with less than 150 feet of parkway, major arterial street, minor arterial street, or grand avenue frontage shall not be permitted any class VI monument sign.
- c. No class VI monument sign may be located within 80 feet of a property having single-family residential zoning. The height of a class VI monument sign located 80 feet or more from a property having single-family zoning shall not exceed eight feet at 80 feet distant; however, the height of a class VI monument sign may increase one and one-half foot for every additional ten feet of horizontal distance the sign is located away from a property having single-family residential zoning up to a maximum height of 17 feet, provided however that any height in excess of 15 feet shall be limited to architectural embellishments.

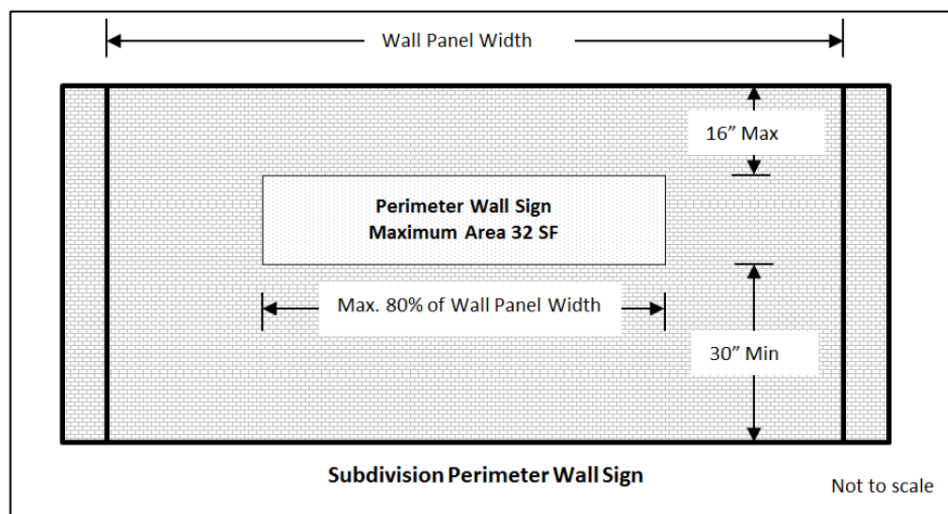


- d. The sign area of a class VI monument sign shall be limited to 36 square feet, but may increase 12 square feet for every one foot increase in the overall height of the sign up to a maximum sign area of 120 square feet.
 - e. The base of a class VI monument sign shall be fitted with the address of the property or properties in a manner that is consistent with section 13.
 - f. A class VI monument sign shall be located within a landscape area not less than the maximum sign area allowed for that sign.
 - g. Class VI monument signs shall be setback not less than two feet from the right-of-way line. Further, in the event a public utility easement is present, the sign shall be setback not less than two feet from the easement, unless the property owner signs a waiver acknowledging the prior rights of the utility companies to occupy said easement.
 - h. Class VI monument signs may be internally illuminated, back-lit or externally illuminated in accordance with the requirements set forth in section 10.
 - i. Level 1 electronic messaging and level 2 electronic messaging are permitted on a class VI monument sign, subject to the provisions outlined in section 11.
6. *Roadway arch signs.* Roadway arch signs may be erected within any commercial or industrial development subject to the following:
- a. Roadway arch signs shall maintain a vehicular clearance of not less than 18 feet;
 - b. Roadway arch signs shall not interfere with pedestrian or vehicular movement;
 - c. Roadway arch signs may be internally illuminated, or back-lit in accordance with the requirements set forth in section 10 except that if the roadway arch sign is located within 100 feet of any residential zoning district or use, the roadway arch sign shall not be illuminated.
7. *Subdivision perimeter wall signs.*

- a. Where a subdivision perimeter wall is located adjacent to a street corner that intersects a collector or arterial street, one subdivision perimeter wall sign may be affixed to the wall panel of the subdivision perimeter wall most closely oriented to the intersection, subject to the specific requirements outlined below.



- b. The maximum sign area shall not exceed 32 square feet.
c. The width of the sign shall not exceed 80 percent of the width of the perimeter wall panel into which the sign is mounted.
d. The bottom of the sign shall be no lower than 30 inches from the adjacent grade.
e. The top of the sign shall be no higher than 16 inches from the top of the wall panel onto which the sign is mounted.
f. The sign may be back-lit or externally illuminated provided the source of illumination is not visible from the street or from the adjacent residential property and is otherwise in accordance with the requirements set forth in section 10.



8. *Freeway monument signs.* Freeway monument signs may be permitted as outlined in this section:
- a. *State Route 303 Corridor.* Freeway monument signs may be located within the following portions of the State Route 303 Corridor,

subject to prior approval of a conditional use permit to be processed as a Type 3 application in accordance with Chapter 102 of this Ordinance:

- (1) *State Route 303 and U.S. 60.* An area of land generally located at the intersection of State Route 303 and U.S. 60, being situated in the south half of Section 18 and the north half of Section 19, Township 4 North, Range 2 West and the south half of Section 36, Township 4 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at a point located at longitude 112°24'13" west by latitude 33°40'49" north, thence southwesterly along a line bearing N43°00'58"E a distance of 1,320 feet to the beginning of a non-tangent curve the center of which is said longitude and latitude; thence clockwise along the arc of said curve a distance of approximately 2,070 feet, thence departing said arc southeasterly along a line bearing N46°13'20"W a distance of 1,320 feet to the POINT OF BEGINNING

- (2) *State Route 303 and Bell Road.* An area of land generally located at the intersection of State Route 303 and Bell Road, being situated in the north half of Section 1, Township 3 North, Range 2 West and the south half of Section 36, Township 4 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at the north quarter corner of said Section 1, thence easterly along the north line of the northeast quarter of said Section 01 a distance of 850 feet to the beginning of a non-tangent curve the center of which is said north quarter corner; thence clockwise along the arc of said curve a distance of approximately 4,000 feet to a point on the east line of the southwest quarter of said Section 36, thence departing said curve, southerly along said east line a distance of 850 feet to the POINT OF BEGINNING

- (3) *State Route 303 and Greenway Road.* An area of land generally located at the intersection of State Route 303 and Greenway Road, being situated in the southeast quarter of Section 1, Township 3 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at the south quarter corner of said Section 01, thence northerly along the west line of said southeast quarter a distance of 450 feet to the beginning of a non-tangent curve the center of which is said south quarter

corner; thence clockwise along the arc of said curve a distance of approximately 700 feet to a point on the south line of said southeast quarter; thence departing said curve, westerly along said south line a distance of 450 feet to the POINT OF BEGINNING

- (4) *State Route 303 and Cactus Road.* An area of land generally located at the intersection of State Route 303 and Cactus Road, being situated in the northeast quarter of Section 24, Township 3 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona described as follows:

BEGINNING at the north quarter corner of said Section 24; thence easterly along the north line of said northeast quarter a distance of 850 feet to the beginning of a non-tangent curve the center of which is said north quarter corner; thence clockwise along the arc of said curve approximately 1,340 feet to a point on the west line of said northeast quarter; thence departing said curve, northerly along said west line a distance of 850 feet to the POINT OF BEGINNING

- (5) All freeway monument signs located within the aforementioned locations are subject to the provisions in subsections 9(c)(9)b.—e.

- b. *Additional locational requirements.* The following additional locational requirements apply for all freeway monument signs regardless of where in the corridor it is located:

- (1) Freeway monument signs may only be approved on lands zoned for commercial or industrial uses.
- (2) No freeway monument sign shall be located within 300 feet of a property zoned for residential uses, or any open space tract that is associated with a residential development.
- (3) Freeway monument signs shall not be located closer than 20 feet from the adjacent right-of-way.
- (4) Spacing between freeway monument signs shall be not less than 750 feet, unless separated by a freeway or arterial right-of-way.
- (5) Freeway monument signs shall not be allowed within a natural or manmade watercourse.

- c. *Dimensional requirements.* The following dimensional requirements apply for all freeway monument signs regardless of the corridor in which it is located:

- (1) The overall height of a freeway monument sign shall not exceed 65 feet as measured from the finished grade of the

site where the freeway monument sign is located to the highest point of the sign structure.

- (2) Freeway monument signs shall be allowed an extra three feet in height for architectural embellishments.
- (3) The sign area of a freeway monument sign shall not exceed 650 square feet.

d. *Design requirements.* The following design requirements apply for all freeway monument signs regardless of the corridor in which it is located:

- (1) Freeway monument signs may incorporate level 2 electronic messaging centers as outlined section 11 herein, except that electronic messaging centers used in freeway monument sign applications may occupy up to 50 percent of the allowable sign area of the sign, exclusive of architectural embellishments as required herein, and provided such electronic messaging centers are turned off between 11:00 p.m. and dawn.
- (2) Freeway monument signs shall incorporate architectural features of the commercial development on which the sign is located; however, such embellishments shall not include any sign copy.
- (3) Freeway monument signs shall require a landscaped area equal to four square feet of landscaping for each square foot of sign area and shall be located around the base of the sign; freeway monument signs may be illuminated by externally-illuminated indirect or internal lighting.

e. Any conditional use permit approval is hereby conditioned upon the applicant obtaining a valid construction permit for the freeway monument sign approved under said conditional use permit. The applicant shall obtain certificate of completion from the city within six months of approval of the conditional use permit by the City Council. Failure to obtain a certificate of completion within the designated time allotment shall render the conditional use permit null and void; however, the city manager or designee may grant a one-time extension for a period not to exceed six months when in the opinion of the city manager or designee the circumstances warrant such.

CITIZEN OUTREACH SUMMARY

Regarding

**Text Amendment to Section 109 of the Land
Development Ordinance pertaining to Class II
Temporary Signs (Large A-Frames)**

**Prepared by
Robert H. Kuhfuss, AICP
Current Planning Supervisor
City of Surprise**

Date: June 21, 2021

PURPOSE:

The purpose of this document is to outline the steps taken towards citizen outreach as it pertains to the aforementioned Text Amendment.

Summary of Outreach Efforts:

Staff held an outreach meeting on Wednesday, June 9, 2021 in both in-person and virtual format. Six (6) members of the public were present in person while two (2) members of the public attended virtually. Those in attendance in person were generally divided on the issue. Those in favor cited better business exposure, while those opposed cited the potential for sign clutter coupled with the potential for enforcement issues related to after-hours enforcement. Two members who attended virtually, stated they had difficulty hearing the conversation that was taking place; however, in subsequent communications, one individual indicated support, while the other individual supported the idea as long as it does not lead to sign clutter.

In preparation for the Outreach Meeting, staff ran a legal ad in two (2) separate publications in accordance with city standards. Staff also sent notification of the Outreach Meeting to a list of potentially interested parties and advertise the meeting on the City's website. The outreach meeting, as well as the Planning and Zoning Commission hearing, were advertised in accordance with state and local regulations.

Attachments:

Legal Ad
Mailing List
Sign In Sheet
Opposition and Support Emails (via separate instrument)

SIGN CODE TEXT AMENDMENT **NEIGHBORHOOD MEETING**

Please be advised that the City of Surprise will host a Neighborhood Meeting to discuss the Sign Code Text Amendment referenced below. This meeting will be conducted virtually and in-person. Any member of the public may participate in the conversation as it pertains to this project, via phone or computer, by utilizing the access information provided under meeting details or attending in person. According to Surprise Municipal Code, we are required to host a Neighborhood Meeting to present the proposal to the public while soliciting feedback and providing answers to questions.

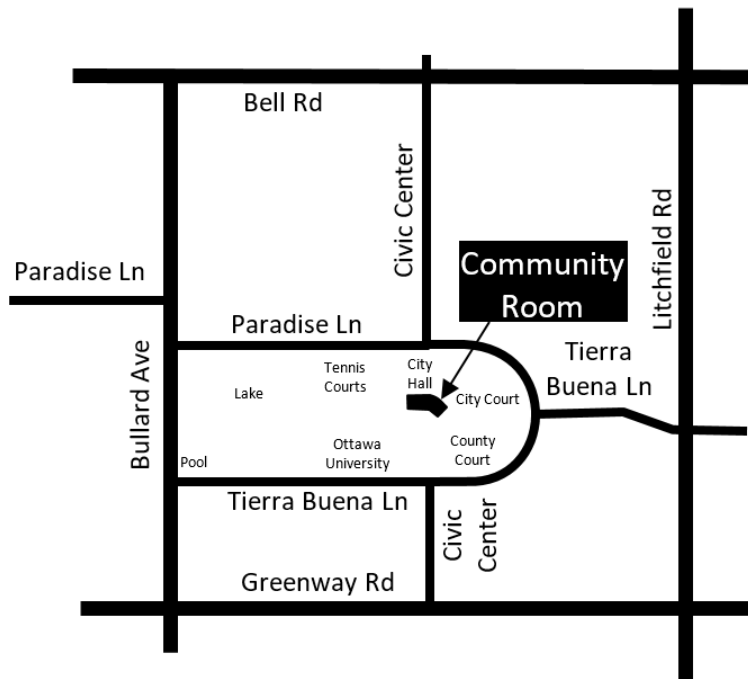
Applicant: City of Surprise

City of Surprise Planner: Robert H. Kuhfuss, AICP 623-222-3137, robert.kuhfuss@surpriseaz.gov

NEIGHBORHOOD MEETING DETAILS

DATE: Wednesday, June 9, 2021
TIME: 6:00 PM
PHYSICAL LOCATION: City of Surprise
Community Room
16000 N. Civic Center Plaza
Surprise, AZ 85374

MEETING LOCATION



Join from the meeting link

<https://surpriseaz.webex.com/surpriseaz/j.php?MTID=mb4d1c0221e27b5dce666339d40b50f54>

Join by meeting number

Meeting number (access code): 187 820 2427
Meeting password: DFkw8gaas36

Join by phone

1-408-418-9388 United States Toll
1-602-666-0783 United States Toll (Phoenix)

PROJECT DESCRIPTION:

A Text Amendment to Chapter 109 of the Surprise Land Development Ordinance as it pertains to A-Frame Signs, Case # FS21-372.

Organization	Address	City	State	Zip
3 Minute Express Car Wash		Goodyear	AZ	85338
3-Minute Carwash		Goodyear	AZ	85338
ALB Industries		Tempe	AZ	85281
Allen Industries		Phoenix	AZ	85022
Ann's Asian Bistro & Bar		Surprise	AZ	85340
Arizona Commercial Signs		Phoenix	AZ	85040
Arizona Commercial Signs		Phoenix	AZ	85040
Arizona Sign Company		Phoenix	AZ	85050
Arrow Graphics		Scottsdale	AZ	85260
Bergin, Frakes, Smalley & Oberholtzer		Phoenix	AZ	85018
Beus Gilbert		Phoenix	AZ	85008
Bootz & Duke Signs		Phoenix	AZ	85019
Capitol Consulting, LLC		Phoenix	AZ	85002
Carefree Partners		Phoenix	AZ	85028
CBRE		Phoenix	AZ	85016
CIRE Equity		San Diego	CA	92101
City of Buckeye		Buckeye	AZ	85326
City of Chandler		Chandler	AZ	85225
City of El Mirage		El Mirage	AZ	85335
City of Glendale		Glendale	AZ	85301
City of Peoria		Peoria	AZ	85345
City of Phoenix		Phoenix	AZ	85003
Coldwell Banker Residential Brokerage		Sun City West	AZ	85375
Comfort Inn		Surprise	AZ	85374
Courtland Homes		Chandler	AZ	85226
Cross Church		Surprise	AZ	85374
Design With Cents		Surprise	AZ	85374
Earl, Curley And Lagarde		Phoenix	AZ	85012
Farmers Insurance		Surprise	AZ	85374
Fast Signs		Glendale	AZ	85374
Goldwater Institute		Phoenix	AZ	85004
Homebuilders Association of Central Arizona		Phoenix	AZ	85020
Homes by Towne		Phoenix	AZ	85022
Identity Sign Group / K Squared Consulting		Phoenix	AZ	85020
Impact Sign & Graphics		Phoenix	AZ	85040
James M. Day & Associates Architecture		Peoria	AZ	85382
KS Signs		Surprise	AZ	85378
Logo Design Group		Phoenix	AZ	85037
Long Realty Surprise		Surprise	AZ	85374
Long Realty West Valley		Sun City West	AZ	85375
Long Realty West Valley		Surprise	AZ	85374
Long Realty West Valley		Surprise	AZ	85374
Long Realty West Valley		Sun City West	AZ	85375
Long Realty West Valley		Glendale	AZ	85308
Long Realty West Valley		Sun City West	AZ	85375
Maricopa County Planning and Development Department		PHOENIX	AZ	85003
Meritage Homes		Scottsdale	AZ	85262
N. Glantz & Sons Sign Supplies		Phoenix	AZ	85017
ORAZ Quality Resale		Surprise	AZ	85374
O'Reilly Auto Parts		Peoria	AZ	85382

Pottery Place	Surprise	AZ	85387
Realty City	Glendale	AZ	85305
ReMax	Glendale	AZ	85308
Resident	Surprise	AZ	85260
Resident	Surprise	AZ	85379
Resident	Surprise	AZ	85374
Resident	Surprise	AZ	85378
Resident	Surprise	AZ	85379
Resident	Surprise	AZ	85378
Resident	Surprise	AZ	85378
Resident	Phoenix	AZ	85013
Richmond American Homes	Scottsdale	AZ	85254
Signline USA	Mesa	AZ	85210
Southwest Center for Policy & Law	Phoenix	AZ	85032
SpeedPro Imaging	Scottsdale	AZ	85260
Summit West Signs	Gilbert	AZ	85233
Surprise Honda	Surprise	AZ	85388
Surprise Regional Chamber of Commerce	Surprise	AZ	85374
The Laughton Team	Peoria	AZ	85382
The Mad Platter	Surprise	AZ	85379
The SK8Haus	Surprise	AZ	85374
Tiffany & Bosco	Phoenix	AZ	85016
Tintas Granite	Surprise	AZ	85378
Town of Wickenburg	Wickenburg	AZ	85390
Trademark Visual	Phoenix	AZ	85034
U-Haul	Phoenix	AZ	85004
Van's RV	Surprise	AZ	85378
WeMAR	Peoria	AZ	85382
West USA Realty	Surprise	AZ	85374
Word of Life Lutheran Church	Surprise	AZ	85374
Young Electric Sign Company	Chandler	AZ	85226

From: [Bastien Andruet](#)
To: [Robert Kuhfuss](#)
Subject: A Frame Sign Amendment
Date: Wednesday, June 9, 2021 7:03:17 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 evening Rob,

Thank you for offering to send over the text amendment language for review, as well as offering to include me on any future distribution lists for updates and hearing notifications on this sign text amendment.

As I stated, the Arizona Multihousing Association would support added flexibility and increased allowances for A-Frame signs, and as such would see no reason to oppose such a text amendment.

Best regards,

Bastien Y. Andruet
Capitol Consulting, LLC



www.azcapitolconsulting.com

From: [Robert Kuhfuss](#)
To: [Leo Mankiewicz](#)
Cc: [Michael Frazier](#); [Lloyd Abrams](#); [Ken Chapman](#)
Subject: RE: Text Amendment to Chapter 109 re A-Frame signs - Case # FS21-372
Date: Wednesday, June 9, 2021 1:33:00 PM

Leo – thank you again for your input. We will include this in our packet.

Will you be attending tonight's outreach?

Robert H. Kuhfuss, AICP, MPA
Current Planning Supervisor
City of Surprise Community Development Department
16000 North Civic Center Plaza
Surprise, AZ 85374-7470

[REDACTED]
[REDACTED]

From: Leo Mankiewicz [REDACTED] >
Sent: Tuesday, June 8, 2021 1:11 PM
To: Robert Kuhfuss [REDACTED] >
Cc: Michael Frazier [REDACTED] >; Lloyd Abrams
[REDACTED] >; Ken Chapman [REDACTED]
Subject: Re: Text Amendment to Chapter 109 re A-Frame signs - Case # FS21-372

*****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.*****

Thank you, Robert, for the clarification. We are still not in favor of these signs. With today's technology, Google maps and other navigational systems, this is unnecessary and may become a blight in certain areas.

Who will police the sign ordinance when they leave it out after normal business hours? That may be problematic for Code Enforcement. They may have to hire an after-hours person, more cost to City government. They have trouble enforcing the no soliciting ordinance and we still pick up advertisements in front of our house from time to time. I'd be interested in knowing if the businesses really benefit from these signs, and how they can tell. They have direct mailing. The established businesses already have their customers who know where they are. The people pushing this would be the sign companies, convincing a business that this will help.

For me, it comes down to the design of our commercial areas. The need for these signs shows that the commercial centers are using obsolete planning designs which discourage foot traffic but only encourage car traffic. Let's hope we do better with the City Center. That's our last opportunity to get it right.

All the best,
Leo

On Tue, Jun 8, 2021 at 12:49 PM Robert Kuhfuss [REDACTED] wrote:

Leo,

Thank you for the email. Please see attached.

The proposed language does not limit the number of signs at any specific location but does limit the number of signs per business and limits the location of said signs to 1,000 feet of the business. The signs may only be displayed during business hours. This Text Amendment deals strictly with Class II Temporary Signs (large a-frame signs). Realtors typically use Class I Temporary Signs (small a-frame signs), which are not affected by this amendment.

Please let me know if you have any questions, concerns, or comments. We welcome the input.

Robert H. Kuhfuss, AICP, MPA
Current Planning Supervisor
City of Surprise Community Development Department
16000 North Civic Center Plaza
Surprise, AZ 85374-7470
[REDACTED]
[REDACTED]

From: Leo Mankiewicz [REDACTED] >
Sent: Monday, June 7, 2021 11:40 AM
To: Robert Kuhfuss [REDACTED] >
Subject: Text Amendment to Chapter 109 re A-Frame signs - Case # FS21-372

*****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.*****

Dear Mr. Kuhfuss,

I wanted to see the actual text of the amendment online, and when you click on the link, it only goes to the notice for the meeting.

Our concerns are:

(1) how many can be on one corner at one time,

(2) that they are collected and not left out overnight,

(3) and that this amendment specifically deals with realtors' signs.

Not having the proposed language in front of me, we are not sure what we are dealing with. Stationary businesses should be able to use other forms of advertising than A-frame signs, in order to preserve the City's landscape.

Thank you for your attention and reaching out to us.

Leo and JoAnna Mankiewicz
Surprise, AZ



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08 Jun 2021 19:49:11 -0000

From: [Leo Mankiewicz](#)
To: [Robert Kuhfuss](#)
Cc: [Michael Frazier](#); [Lloyd Abrams](#); [Ken Chapman](#)
Subject: Re: Text Amendment to Chapter 109 re A-Frame signs - Case # FS21-372
Date: Tuesday, June 8, 2021 1:11:36 PM

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Thank you, Robert, for the clarification. We are still not in favor of these signs. With today's technology, Google maps and other navigational systems, this is unnecessary and may become a blight in certain areas.

Who will police the sign ordinance when they leave it out after normal business hours? That may be problematic for Code Enforcement. They may have to hire an after-hours person, more cost to City government. They have trouble enforcing the no soliciting ordinance and we still pick up advertisements in front of our house from time to time. I'd be interested in knowing if the businesses really benefit from these signs, and how they can tell. They have direct mailing. The established businesses already have their customers who know where they are. The people pushing this would be the sign companies, convincing a business that this will help.

For me, it comes down to the design of our commercial areas. The need for these signs shows that the commercial centers are using obsolete planning designs which discourage foot traffic but only encourage car traffic. Let's hope we do better with the City Center. That's our last opportunity to get it right.

All the best,
Leo

On Tue, Jun 8, 2021 at 12:49 PM Robert Kuhfuss [REDACTED] > wrote:

Leo,

Thank you for the email. Please see attached.

The proposed language does not limit the number of signs at any specific location but does limit the number of signs per business and limits the location of said signs to 1,000 feet of the business. The signs may only be displayed during business hours. This Text Amendment deals strictly with Class II Temporary Signs (large a-frame signs). Realtors typically use Class I Temporary Signs (small a-frame signs), which are not affected by this amendment.

Please let me know if you have any questions, concerns, or comments. We welcome the input.

Robert H. Kuhfuss, AICP, MPA

Current Planning Supervisor

City of Surprise Community Development Department

16000 North Civic Center Plaza

Surprise, AZ 85374-7470

[REDACTED]

[REDACTED]

From: Leo Mankiewicz [REDACTED]

Sent: Monday, June 7, 2021 11:40 AM

To: Robert Kuhfuss [REDACTED]

Subject: Text Amendment to Chapter 109 re A-Frame signs - Case # FS21-372

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Thank you for your attention and reaching out to us.

Leo and JoAnna Mankiewicz

Surprise, AZ

[REDACTED]

This e-mail and any accompanying files transmitted are intended solely for the use of the individual or entity to whom they are addressed; if you have received this e-mail in error please delete it and notify the sender. In addition, under Arizona law, e-mail communications and e-mail addresses may be public records.

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08 Jun 2021 19:49:11 -0000

From: [Robert Kuhfuss](#)
To: [Leo Mankiewicz](#)
Subject: RE: Text Amendment to Chapter 109 re A-Frame signs - Case # FS21-372
Date: Tuesday, June 8, 2021 12:48:00 PM
Attachments: [Class II Temporary Signs Text Amendment Narrative Version 1.pdf](#)

Leo,

Thank you for the email. Please see attached.

The proposed language does not limit the number of signs at any specific location but does limit the number of signs per business and limits the location of said signs to 1,000 feet of the business. The signs may only be displayed during business hours. This Text Amendment deals strictly with Class II Temporary Signs (large a-frame signs). Realtors typically use Class I Temporary Signs (small a-frame signs), which are not affected by this amendment.

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Robert H. Kuhfuss, AICP, MPA
Current Planning Supervisor
City of Surprise Community Development Department
16000 North Civic Center Plaza
Surprise, AZ 85374-7470

[REDACTED]
[REDACTED]

From: Leo Mankiewicz [REDACTED] >
Sent: Monday, June 7, 2021 11:40 AM
To: Robert Kuhfuss [REDACTED]
Subject: Text Amendment to Chapter 109 re A-Frame signs - Case # FS21-372

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Leo and JoAnna Mankiewicz
Surprise, AZ



From: [Robert Kuhfuss](#)
To: [Leo Mankiewicz](#)
Cc: [Michael Frazier](#); [Lloyd Abrams](#); [Ken Chapman](#)
Subject: RE: Text Amendment to Chapter 109 re A-Frame signs - Case # FS21-372
Date: Friday, June 11, 2021 3:59:00 PM

Leo, thanks again for your email. There were a hand full of attendees and as I expected the issue was divided between those in support and those not.

We are targeting the 7/15 Planning Commission and 8/15 City Council. I will send you notice when the time comes.

Robert H. Kuhfuss, AICP, MPA
Current Planning Supervisor
City of Surprise Community Development Department
16000 North Civic Center Plaza
Surprise, AZ 85374-7470

[REDACTED]
[REDACTED]

From: Leo Mankiewicz [REDACTED]
Sent: Thursday, June 10, 2021 3:22 PM
To: Robert Kuhfuss [REDACTED] >
Cc: Michael Frazier [REDACTED]; Lloyd Abrams
<[REDACTED]>; Ken Chapman [REDACTED]
Subject: Re: Text Amendment to Chapter 109 re A-Frame signs - Case # FS21-372

*****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.*****

Dear Robert,

I'm sorry I could not make the meeting yesterday. My brother-in-law is in town, visiting his Dad, who is 93 and not doing so well. I'd be interested in knowing the results of your meeting.

Thank you,
Leo

On Wed, Jun 9, 2021 at 1:33 PM Robert Kuhfuss <[REDACTED]> wrote:

Leo – thank you again for your input. We will include this in our packet.

Will you be attending tonight's outreach?

Robert H. Kuhfuss, AICP, MPA
Current Planning Supervisor
City of Surprise Community Development Department
16000 North Civic Center Plaza
Surprise, AZ 85374-7470

[REDACTED]
[REDACTED]

From: Leo Mankiewicz [REDACTED]
Sent: Tuesday, June 8, 2021 1:11 PM
To: Robert Kuhfuss [REDACTED] >
Cc: Michael Frazier [REDACTED] >; Lloyd Abrams
<[REDACTED]>; Ken Chapman [REDACTED] >
Subject: Re: Text Amendment to Chapter 109 re A-Frame signs - Case # FS21-372

*****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.*****

Thank you, Robert, for the clarification. We are still not in favor of these signs. With today's technology, Google maps and other navigational systems, this is unnecessary and may become a blight in certain areas.

Who will police the sign ordinance when they leave it out after normal business hours? That may be problematic for Code Enforcement. They may have to hire an after-hours person, more cost to City government. They have trouble enforcing the no soliciting ordinance and we still pick up advertisements in front of our house from time to time. I'd be interested in knowing if the businesses really benefit from these signs, and how they can tell. They have direct mailing. The established businesses already have their customers who know where they are. The people pushing this would be the sign companies, convincing a business that this will help.

For me, it comes down to the design of our commercial areas. The need for these signs shows that the commercial centers are using obsolete planning designs which discourage foot traffic but only encourage car traffic. Let's hope we do better with the City Center. That's our last opportunity to get it right.

All the best,
Leo

On Tue, Jun 8, 2021 at 12:49 PM Robert Kuhfuss <[REDACTED]>
wrote:

Leo,

Thank you for the email. Please see attached.

The proposed language does not limit the number of signs at any specific location but does limit the number of signs per business and limits the location of said signs to 1,000 feet of the business. The signs may only be displayed during business hours. This Text Amendment deals strictly with Class II Temporary Signs (large a-frame signs). Realtors typically use Class I Temporary Signs (small a-frame signs), which are not affected by this amendment.

Please let me know if you have any questions, concerns, or comments. We welcome the input.

Robert H. Kuhfuss, AICP, MPA
Current Planning Supervisor
City of Surprise Community Development Department
16000 North Civic Center Plaza
Surprise, AZ 85374-7470

robert.kuhfuss@surpriseaz.gov

From: Leo Mankiewicz [REDACTED]
Sent: Monday, June 7, 2021 11:40 AM
To: Robert Kuhfuss [REDACTED] >
Subject: Text Amendment to Chapter 109 re A-Frame signs - Case # FS21-372

*****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.*****

Dear Mr. Kuhfuss,

I wanted to see the actual text of the amendment online, and when you click on the link, it only goes to the notice for the meeting.

Our concerns are:

- (1) how many can be on one corner at one time,
- (2) that they are collected and not left out overnight,
- (3) and that this amendment specifically deals with realtors' signs.

Not having the proposed language in front of me, we are not sure what we are dealing with. Stationary businesses should be able to use other forms of advertising than A-frame signs, in order to preserve the City's landscape.

Thank you for your attention and reaching out to us.

Leo and JoAnna Mankiewicz
Surprise, AZ



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08 Jun 2021 19:49:11 -0000

From: [Liz Recchia](#)
To: [Robert Kuhfuss](#)
Subject: Sign Ordinance
Date: Thursday, June 10, 2021 8:57:03 AM

*****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.*****

Good Morning Robert,

It was good to see you last night. Thank you for the meeting.

We will be submitting comments to you later this month. Can you please send me the pdf of the redline proposed changes? I could not find that on the website.

Thank you again for the opportunity to participate,

Liz Recchia

Government Affairs Director

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LinkedIn: [Liz Recchia](#)

www.weserv.realtor

Follow WeSERV on [Facebook](#) and [Twitter](#)!

Also, check out our REALTOR Store and our [School of Real Estate](#)!

From: [Leo Mankiewicz](#)
To: [Robert Kuhfuss](#)
Subject: Text Amendment to Chapter 109 re A-Frame signs - Case # FS21-372
Date: Monday, June 7, 2021 11:40:41 AM

*****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.*****

Dear Mr. Kuhfuss,

I wanted to see the actual text of the amendment online, and when you click on the link, it only goes to the notice for the meeting.

Our concerns are:

- (1) how many can be on one corner at one time,
- (2) that they are collected and not left out overnight,
- (3) and that this amendment specifically deals with realtors' signs.

Not having the proposed language in front of me, we are not sure what we are dealing with. Stationary businesses should be able to use other forms of advertising than A-frame signs, in order to preserve the City's landscape.

Thank you for your attention and reaching out to us.

Leo and JoAnna Mankiewicz
Surprise, AZ



From: [Susan](#)
To: [Robert Kuhfuss](#)
Cc: [Patrick Duffy](#)
Subject: Thanks for the sign meeting
Date: Wednesday, June 9, 2021 10:04:36 PM

*****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.*****

I appreciate the city updating us on the potential plans for changes to the sign program. I think we should support our small businesses where we can so I would support allowing another sign, but I would not support the proposed 1000 ft distance from the building. 1000 ft is 3 1/3 football fields. That seems too far from the business to be effective.

The other concern I have (like others at the meeting) is how these new rules will be enforced. No one wants "sign pollution" so enforcement would be the key to success here. Does the city plan to have sufficient enforcement personnel policing these new sign rules? I'm guessing that would take more people than currently do this job. Is this the best way for the city to spend its money?

For businesses that cannot afford to have signage on the monument signs (or areas where they are no monument signs), perhaps utilizing a sign like the ones that advertise builders projects would be helpful to inform consumers where our small businesses are located. Other avenues would be highlighting small and new businesses on social media on an ongoing basis not just when there is a ribbon cutting event.

Just my 2 cents. Thanks for your patience and listening to all our concerns even when we strayed off topic.

Susan Draper

From: [Nancy Collins](#)
To: [Robert Kuhfuss](#)
Subject: Tonight's WebEx Meeting
Date: Wednesday, June 9, 2021 7:08:43 PM

*****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.*****

Attachments available until Jul 9, 2021

Hi, Robert,

I hope it was OK that I spoke about how bad the sound was from your meeting, but I have complained to the City before to no avail. This has gone on for so long, I stopped watching meetings, and, as you may know, I have long attended City Council Meetings, before and after Covid!

I first met you when I was on the Chamber of Commerce Committee that met with the Police Department when they were talking about charging Citizens for false house alarms.

Having served as a City Council Person myself, I am always interested in City Government. These microphone-poor meetings will prevent many constituents from even tuning in to the City's Webex meetings. My recordings are typical of the meetings I log into.

As I mentioned, I teach, host, and take part in many, many Zoom or WebEx meetings. I have served on the Sun City Grand Computer Club as an Officer and as a tech support specialist on all kinds and ages of computers, with local residents and those and living far away (Canada) attending, face to face or on Zoom-type meetings, and I rarely have someone who sounds like the microphones your attendees were speaking through.

Here are two attachments - quick recordings of the meeting so you could hear how bad it is. I believe only you are speaking in the first one, and the people at the table to your right have equally poor quality when speaking. As you know, I was on the meeting for a while, and only when you came close to the front microphone did I discern you were asking those (two of us) in the audience if we 'gained something from the meeting' (?) So I spoke.

[Click to Download](#)

Screen Recording 2021-06-09 at 6.28.02 PM A.mov

15 MB

[Click to Download](#)

Screen Recording 2021-06-09 at 6.15.12 PM.mov
23 MB

Thank you so much for allowing me to speak to you about this. I hope it can all be corrected, since I feel these types of meetings are here to stay and make it so easy for many of us to attend who otherwise would not be able to!

Sincerely,
Nancy

Nancy Collins



From: [Donna LaPorte](#)
To: [Robert Kuhfuss](#)
Subject: Oppose Sign Amendment
Date: Monday, June 21, 2021 12:56:51 PM

The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.

Mr. Kuhfuss,

After attending the June 9th Outreach presentation & meeting regarding the Sign Amendment, I stand by and further solidifies that I am against such amendment.

As I stated in the meeting, besides the sign clutter that can result, it poses safety concerns of improper placement, resulting in signs in walkways and streets, as well as, illegal time frame of posting such signs. All of this additional sign placement will be further problematic during Monsoon time, with the potential of accidents from signs in the streets, damage to vehicles etc. AND added clean up and emergency services from various City Departments. I am aware that small businesses may attract additional customers with additional signage YYY the downside of such signage for the entire City of Surprise outweighs any potential plus. Rather I would like the City to consider alternative means to assist small businesses: such as (1) complimentary website development; (2) "bingo" game for residents to visit/purchase from a small business and receive stamp to qualify for prizes; (3) one-time grants to offset the expense of signage on the main property board (which I was informed is expensive & often prohibits small business from such advertising).

In closing, please consider the above facts & options in the Sign Amendment.

Appreciate this email be forwarded to all Departments and individuals who will be voting on the matter.

Thank you,

Donna LaPorte

Surprise AZ

From: [Leo Mankiewicz](#)
To: [Robert Kuhfuss](#)
Subject: Re: FS21-372 A-Frame Signs ZTA Public Hearing Notice 07152021 PZ.docx
Date: Tuesday, June 29, 2021 12:07:17 PM

The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.

Thank you, Robert, for the notice. I will be in a hearing that evening by Zoom and won't be able to attend personally. I am a court reporter by profession and I take hearings for the California Attorney General. Please ensure that our previous remarks are noted for the record. I can only say that with the present technology, signs should be kept at a minimum in a city that wants to have a quality look about it.

Very truly yours,
Leo Mankiewicz

On Tue, Jun 29, 2021 at 9:51 AM Robert Kuhfuss <[REDACTED]> wrote:

All,

Please see attached legal ad pertaining to the proposed Text Amendment regarding Large A-Frame Signs. I am sending you this email as you have indicated an interest in this matter. Please don't hesitate to contact me with any questions you might have.

Thank you

Robert H. Kuhfuss, AICP, MPA
Current Planning Supervisor
City of Surprise Community Development Department
16000 North Civic Center Plaza
Surprise, AZ 85374-7470

[REDACTED]

[REDACTED]

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29 Jun 2021 16:51:55 -0000

From: [Liz Recchia](#)
To: [Robert Kuhfuss](#)
Subject: WeSERV REALTORS - Comments on Class II Temporary Signs
Date: Thursday, July 1, 2021 11:54:22 AM
Attachments: [WeSERV letter to City of Surprise re Sign Ord June 30 2021.pdf](#)

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 Robert,

Attached are the comments form WeSERV regarding the proposed changes to the Class II Temporary Sign ordinance.

If you have questions or would like more information, please let me know.

Thank you for the opportunity to participate in this discussion,

Liz Recchia

Government Affairs Director

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June 30, 2021

Dear Robert,

Thank you for the public meeting on June 9, 2021. WeSERV would like to address the proposed changes to the Class II Temporary Sign code.

WeSERV appreciates the proposed change in dimensions. We believe this change will increase the effectiveness of signage for business and customers.

Page 2, Section 109-1.9.A3 – 3a regarding Class II Temporary Signs:

WeSERV would like to point out that by state law, some businesses may not be required to have a city business license. An example is ARS 9-491.01 which forbids cities and towns from requiring a real estate broker or salesperson to acquire a business license if they are already licensed in the city or town in which their primary place of business is located.

WeSERV is concerned real estate brokerages may not have Class II Temporary signage available to them under this change.

Page 3, Section 109-1.9.A3 – 3a,ii

WeSERV appreciates the city realizing businesses may not have access to adequate signage within a retail, medical, office or other commercial location.

WeSERV suggests business be allowed to place (1) additional Class II Temporary sign near the street entrance to the location.

For businesses in locations such as the Brookside Bel Professional Plaza, 1,000 feet from the business entrance may not be adequate for signage to be seen from the street. The center is an example of commercial centers with their back to the road (Bell Rd), so there is little chance of adequate or visible signage.

Another example are businesses located off Grand Ave, behind other businesses. Most likely a sign placed 1,000 feet from the entrance will not provide visibility.



WeSERV appreciates the City of Surprise being attuned to the challenges some businesses have in gaining visibility.

We look forward to further discussion and seeing the updated proposed draft of the Class II Temporary Sign Code.

Thank you for the opportunity to provide input,

A handwritten signature in blue ink, appearing to read "Liz Recchia", is positioned above the printed name.

Liz Recchia
Government Affairs Director

ORDINANCE # 2021-16

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING A TEXT AMENDMENT TO THE SURPRISE LAND DEVELOPMENT ORDINANCE RELATING TO CLASS II TEMPORARY SIGNS.

WHEREAS, this Ordinance was properly noticed for public hearing and the necessary hearings and opportunity for public input were completed;

WHEREAS, on August 5, 2021, the Planning and Zoning Commission recommended approval of the proposed Text Amendment with minor revisions and corrections and limiting the number and use of Class II Temporary Signs to one (1) such sign within fifteen (15) feet of the business entrance;

WHEREAS, however, the City Council believes that allowing additional Class II Temporary Signs will provide increased business exposure without increased sign clutter;

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

Section 1. *Section 109-1.6 Glossary of Terms*, of the Surprise Land Development Ordinance is hereby amended as described on attached **Exhibit A**, and incorporated by this reference.

Section 2. *Section 109-1.7 Permitted and Prohibited Signs*, of the Surprise Land Development Ordinance is hereby amended as described on attached **Exhibit B**, and incorporated by this reference.

Section 3. *Section 109-1.8 General Provisions*, of the Surprise Land Development Ordinance is hereby amended as described on attached **Exhibit C**, and incorporated by this reference.

Section 4. *Section 109-1.9 Sign Classifications and Types*, of the Surprise Land Development Ordinance is hereby amended as described on attached **Exhibit D3**, and incorporated by this reference.

Section 5. All ordinances, resolutions, or codes in conflict with the provisions of this Ordinance or Code adopted by this Ordinance are repealed upon the effective date of this Ordinance.

Section 6. Any person found to have violated any provision of this article may be guilty of a civil penalty with a fine of up to twenty-five hundred dollars or a class 1

misdemeanor. Each day that a violation continues shall be a separate offense punishable as herein above described.

Section 7. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by decision of any court of competent jurisdiction, such decision will not be read to affect the validity of the remaining portions thereof.

Section 8. This Ordinance will become effective at the time and in the manner prescribed by law and shall be added to the Surprise Code of Ordinances at that time.

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
Section 109-1.6 Glossary of Terms

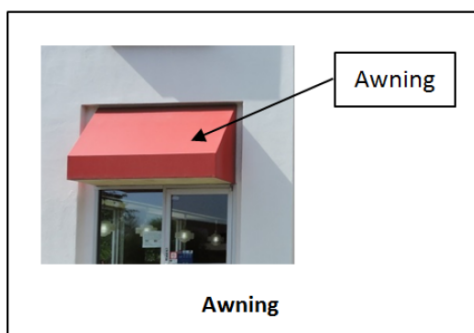
109-1.6 Glossary of Terms.

A. For purposes of administering Chapter 109, the following definitions apply:

A

Active single-family residential subdivision. A subdivision consisting of single-family lots that are for sale to the public by a homebuilder.

Awning. An architectural projection, typically made of cloth or metal, which projects from and is supported by the walls of a building and is intended to provide shade or shelter above a window or door.



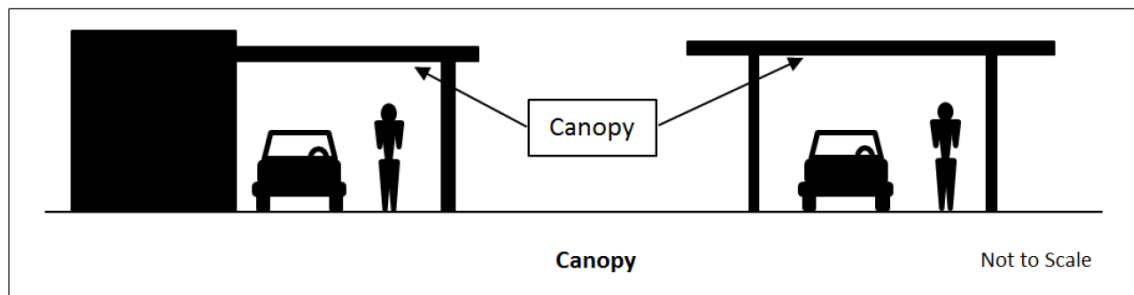
B

Blight. Unsightly conditions including but not limited to damage, tattered, faded, cracking, peeling, rusting or any other condition of disrepair, deterioration, or lack of maintenance.

Building. Any structure having a roof supported by walls or columns used for the shelter of persons, animals, or personal property.

C

Canopy. A building or portion thereof, which is open on not less than two sides and is entirely or partially supported by the ground.



Copy, changeable. Sign copy that is changed or capable of being changed at intervals of more than once per day.

Cottage industry. A cottage industry is a small business, owned and operated by the residential occupant, in a residential area, conducted within the dwelling or in an accessory building. The business may have employees and customers but must be clearly incidental and secondary to the use of the property for single-family residential purposes as well as adhere to the Use Specific Standards in **Section 106-10.14** of the Surprise Municipal Code.

D

Daylight hours. That portion of the day beginning when the sun breaks the morning horizon and ending when the sun falls below the evening horizon.

Drive-in business. A retail business establishment where on-site transactions may be conducted from the confines of a parked vehicle. See also "drive-through business".

Drive-through business. A retail business establishment where on-site transactions may be conducted from the confines of a vehicle which is staged in a drive-through lane. See also "drive-in business".

E

Electronic messaging center (EMC). A sign that utilizes computer-generated messages or some other electronic means of changeable copy. These signs include displays using incandescent lamps, LEDs, LCDs or a flipper matrix.

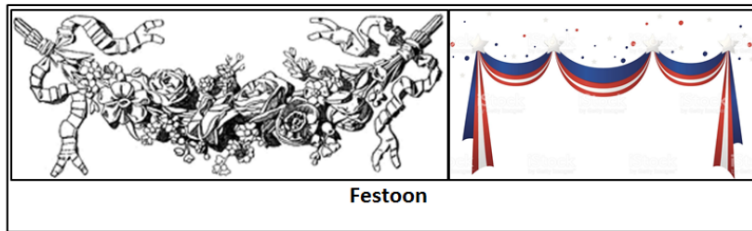
Electronic messaging centers, level 1. An EMC that contains monochromatic static messages which may only be changed manually and which do not employ "scroll", "fade" or "dissolve" transitions, animation or video, or similar subtle transitions or frame effects which create the appearance of moving text or images.

Electronic messaging centers, level 2. An EMC that contains monochromatic or full-color static messages which may be changed automatically at a rate not exceeding once every eight seconds, and which do not employ "scroll", "fade" or "dissolve" transitions, animation, or similar subtle transitions or frame effects which create the appearance of moving text or images.

F

Flag. Any fabric or flexible material attached to or designed to be flown from a flagpole or similar device, but not including banners.

Festoon. A swath of fabric, ribbon, garland, or flowers which is suspended, draped, and bound at intervals to form graceful loops or scalloped folds. Festoons do not include pennant strings or string lighting.



G; H

Home occupation. A use of land that is in accordance with **Section 106-10.23** of the Surprise Municipal Code.

I

Illuminance. The amount of light falling upon a real or imaginary surface, measured in either foot-candles or lux. See also "luminance".

Illumination, bare-bulb. A type of external illumination consisting of light bulbs or a string of light bulbs, or takes on the appearance of such including LEDs.

Illumination, bent-tube. A source of light for externally illuminated graphics supplied by a glass tube that is bent to form letters, symbols, or other shapes and filled with a gas that when electrically charged emits light, or any other method or technology, such as but not limited to LED rope lighting, utilized to achieve the same effect.

Illumination, external. A light source that is separate and apart from the sign.

Illumination, internal. A light source that is concealed or contained within the sign and becomes visible in darkness through a translucent surface.

J; K; L

Lawful temporary event. A use of land that is permitted by and in accordance with **Section 106-10.42** of the Surprise Municipal Code. For purposes of this chapter, the following uses are also considered lawful temporary events: real estate open houses occurring within lands zoned for residential uses; and, religious institutions where religious services or religious events are held on lands zoned for residential uses, but where the primary use established for said land is that of a public school, private school, or charter school, or other community facility, or public meeting hall.

Logo. A graphic symbol representing a business, activity or use.

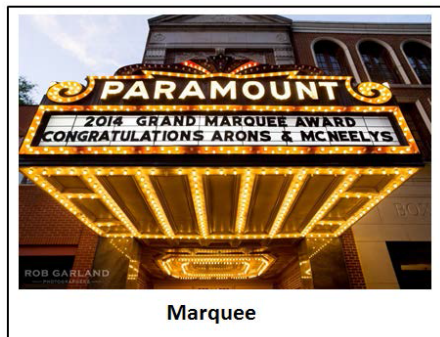
Logo, Primary City of Surprise. The official logo of the city.

Luminance. The light that is emitted by a light source or reflected from a surface, measured in foot-lamberts or nits. See also "illuminance".

M

Maintenance. The replacing or repairing of a part or portion of a sign necessitated by ordinary wear, tear or damage beyond the control of the owner, or the reprinting of existing sign copy without changing the wording, composition, design, original color or size of the sign copy.

Marquee. A type of building projection typically attached to and projecting from the front entrance of a hotel or theater, and intended to provide an opportunity for signage.



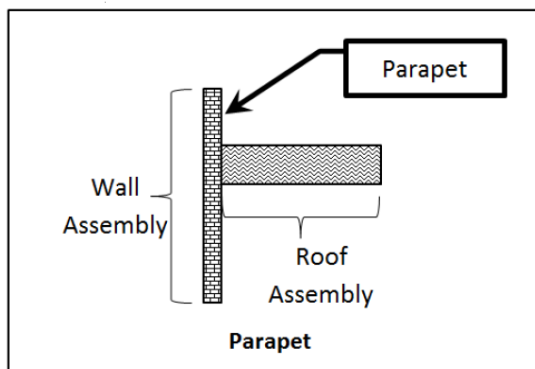
Message, commercial. Speech that identifies, advertises, or directs attention to a business or is intended to induce a purchase of a good, property, or service, including, without limitation, any speech naming a brand of good or service and any speech that is not a non-commercial message.

Message, non-commercial. Speech that in no way identifies, advertises, or directs attention to a business or is intended to induce a purchase of a good, property, or service, including, but not limited to, religious, political, and ideological speech.

Model home complex. A use of land that is in accordance with **Section 106-10.29** of the Surprise Municipal Code.

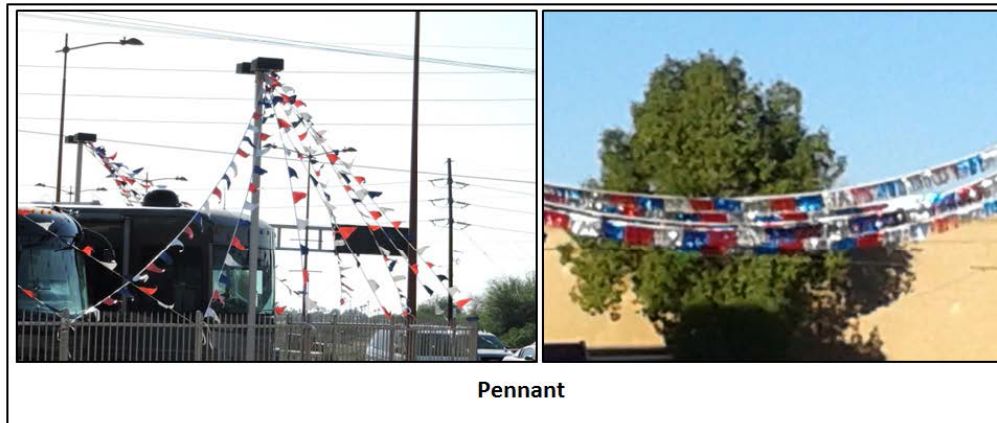
N; O; P

Parapet. That portion of a building's exterior wall which projects above the roof of the building.



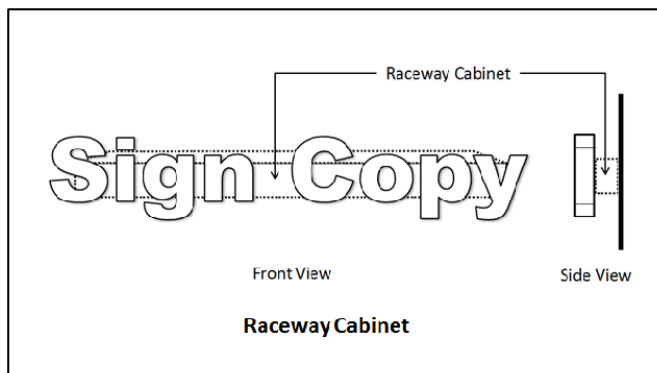
Pennant. A type of flag, generally in the shape of a triangle and typically flown from a string.

Ordinance No. 2021-16
RFLS #7845
Rev 01/21



Q; R

Raceway cabinet. An aluminum channel box not more than eight inches in depth used to mount signage to a wall or other structure.



Roof. That portion of a building's exterior intended to provide overhead protection from the elements.

Roof, exposed pitch. Any roof where the pitch of the roof is visible from the ground.

Roofline. The highest point of the main roof or the highest point on a parapet, but not including cupolas, pylons, projections or minor raised portions of the roof.

S

Sign. Any device depicting written letters, words, numerals, figures, emblems, logos, trademarks, pictures, or any part or combination thereof used for visual communication that attracts the attention of the public and is visible from public or private rights-of-way or other properties, but not including athletic scoreboards when associated with a sanctioned athletic field.

Sign, abandoned. Any sign located on a vacant property or premises, which is vacant for a period of 90 calendar days, or a sign which is damaged, in disrepair, or vandalized and not repaired within 90 calendar days of the date of the damaging event.

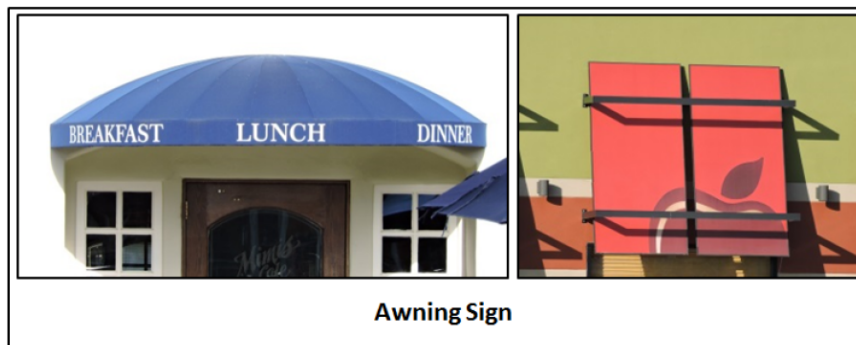
Sign, address. A sign intended for the display of a property's address.

Sign, A-frame. A portable sign designed in the shape of the letter "A" consisting of two rigid surfaces joined along an adjacent edge.

Sign, animated. A sign which incorporates movement or the optical illusion of movement of any part of the sign or sign structure, including the flashing or varying of light intensity; or the automatic changing of all or any part of the sign; or any movement or rotation of the sign or any part of the sign structure.

Sign, area. The smallest rectangular area or areas of a two-dimensional sign which can enclose all of the sign copy, or in the case of a three-dimensional sign, 50 percent of the volume of the smallest cuboid which can enclose the sign.

Sign, awning. Any information or graphics painted on or integrated into an awning.



Sign, backlit. A sign typically utilizing opaque graphics, in which the light source is concealed or contained within the graphic thereby causing the graphic to become visible against the illuminated surface onto which the graphic is mounted.

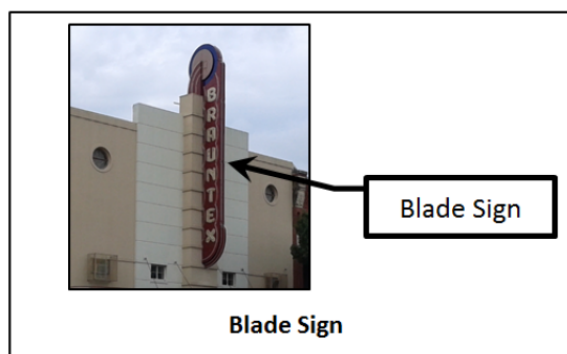
Sign, banner. A sign consisting of fabric, paper, or other lightweight pliable material, either enclosed or not enclosed in a rigid frame, and secured or mounted to minimize movement in the wind, but not including inflatable signs.



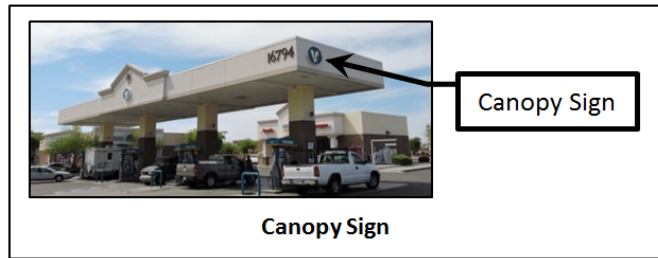
Sign, billboard. A sign that advertises a business, commodity, service, entertainment, product or attraction which is sold, offered or existing elsewhere than on the property where the sign is located or which takes on the physical characteristics historically associated with such signs.



Sign, blade. A sign which stands off from the facade of the building and is designed to be read in a vertical manner.



Sign, canopy. A type of building wall sign that is mounted to the face of a canopy.



Sign copy. The letters, words or graphics used to convey information on a sign.

Sign, freestanding ground. A sign that is erected on its own self-supporting structure, detached from any supporting elements of a building, but not a billboard sign or off-premises sign.

Sign, freeway monument. A pylon sign which is located along a freeway right-of-way and intended to display a commercial message relating to the commercial center on which the sign is located. Freeway monument signs are not considered billboard signs.

Sign, governmental. A sign erected by or on behalf of a governmental body, including but not limited to a sign to post legal notices, identify public property, convey public information, or direct or regulate pedestrian or vehicular traffic.

Sign, hanging. See "shingle sign".

Sign, illuminated. A sign of which the surface is artificially lighted either internally or externally. (See also "illumination" et seq.)

Sign, inflatable. Any on-premises flexible fabric device which is filled with a gas or pressurized air that is tethered or anchored to the ground or other stationary object, or any device taking on such an appearance.



Sign, legal non-conforming. A sign lawfully erected and maintained prior to the adoption of the ordinance from which this chapter or amendments thereto is derived that does not conform to the requirements of this chapter.

Sign, light pole banner. A fabric sign suspended between two horizontal supports, which are attached to a light pole for the purpose of supporting the sign.

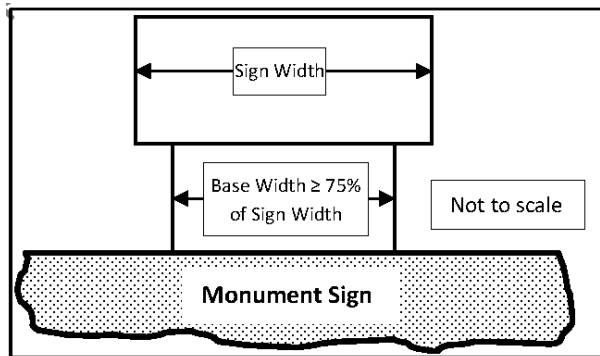
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Sign, median. Any sign other than a public sign that is located within the median of any street, regardless of whether the median is painted or raised.

Sign, model home complex. Any sign or flag that is approved for use in a model home complex.

Sign, monument. A freestanding ground sign with a base that is at least 75 percent of the width of the sign intended to display a message relating to the property on which the sign is located. Monument signs are not considered billboard signs.



Sign, monument, class I. Commonly referred to as a "menu sign", a class I monument sign is a monument sign associated with the drive-through lanes of a drive-through business, and which is equipped with a loudspeaker and microphone for the purpose of placing and confirming an order.



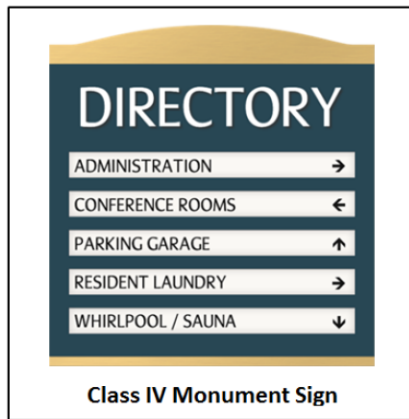
Sign, monument, class II. Commonly referred to as a "preview sign", a class II monument sign is a monument sign associated with the drive-through lanes of a drive-through business, and which is not equipped with a loudspeaker or microphone.



Sign, monument, class III. Commonly referred to as a "directional sign", a class III monument sign is a monument sign typically associated with a multi-family, commercial or industrial driveway or drive aisle.



Sign, monument, class IV. Commonly referred to as a "directory sign", a class IV monument sign is a monument sign typically associated with a pedestrian promenade or parking lot drive aisle.



Sign, monument, class V. A monument sign associated with a high volume collector street, residential collector street, or commercial collector street, as defined by the Surprise engineering design standards, and provides the primary source of signage for the property served by the sign.

Sign, monument, class VI. A monument sign associated with a parkway, major arterial, or minor arterial as defined by the Surprise engineering design standards, or Grand Avenue, and provides the primary source of signage for the property served by the sign.

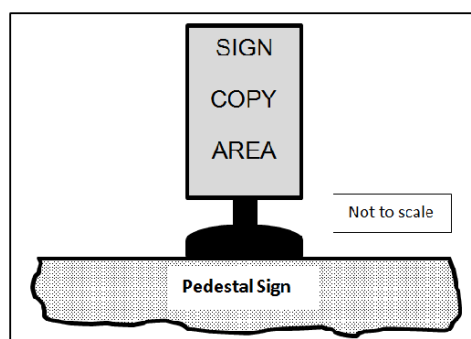
Sign, non-conforming. A sign that does not conform to the requirements of this chapter.

Sign, off-premises. A class I temporary sign or class II temporary sign that directs attention to an activity, business, commodity, service, entertainment, product, or attraction sold, offered, or existing elsewhere than upon the property where the sign is located.

Sign, on-premises. Any sign, other than a billboard sign, that directs attention to an activity, business, commodity, service, entertainment, product, or attraction sold, offered, or existing on the property where the sign is located.

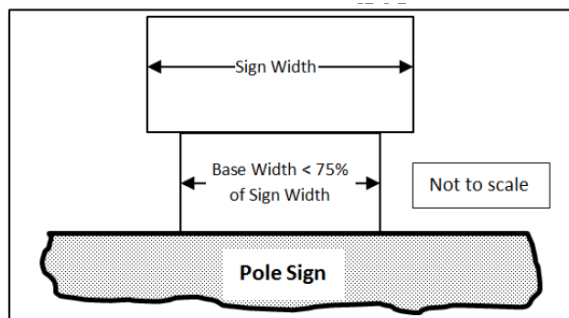
Sign panel. The surface on which sign copy is depicted.

Sign, pedestal. A portable sign in which the sign panel is affixed to and supported by a weighted base.



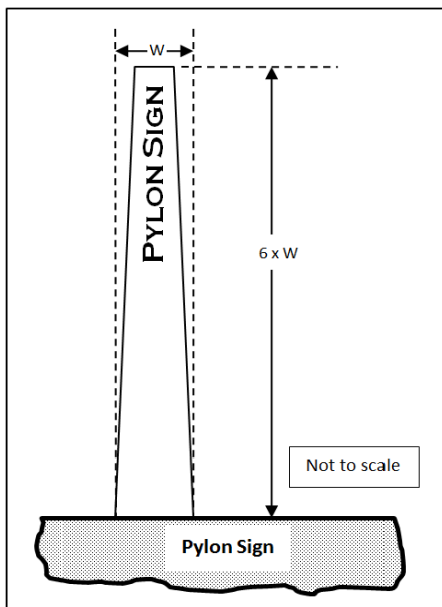
Sign, permanent. An on-premises sign that due to its physical characteristics and method of attachment is intended for permanent display.

Sign, pole. An on-premises freestanding ground sign where the width of the supporting poles, uprights or braces are collectively less than 75 percent of the width of the sign. For purposes of this chapter, a light pole banner is not considered a pole sign. (See also "sign, monument" and "sign, pylon".)

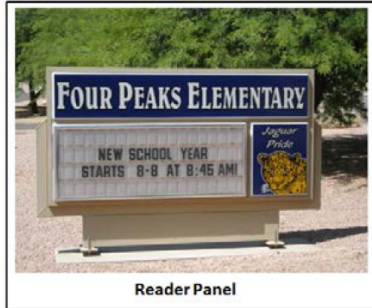


Sign, portable. A temporary sign that may be readily moved from location to location without the need of any specialized knowledge or equipment, and that is not affixed to the ground or any structure.

Sign, pylon. An on-premises monument sign in which the height of the sign structure is at least six times the width of the base of the sign structure.



Sign, reader panel. An on-premises sign in which the individual characters of the sign copy may be changed manually and immediately, but not including electronic messaging.



Reader Panel

Sign, residential subdivision. Any sign that is approved for use in association with an active single-family residential subdivision.

Sign, roadway arch. A sign mounted to a structure that spans a roadway or commercial driveway in which the structure is intended for that sole purpose. A roadway arch sign is not considered a billboard sign.



Roadway Arch Sign

Sign, roof. An on-premises building-mounted sign that is attached to or extends above the roof of a building.



Roof Sign

Sign, sandwich. A type of A-frame sign designed to be worn by a person.

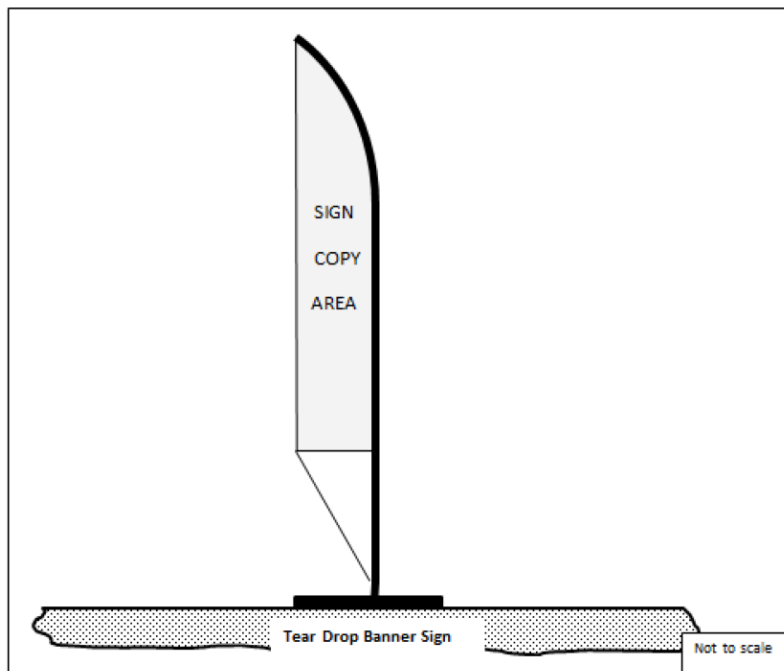
Sign, shingle. An on-premises sign suspended from, and located entirely under a covered porch, walkway, canopy or awning.



Sign, snipe. Any sign, other than a public sign, that is posted on a tree, landscaping, utility pole or structure, streetlight, fence, fire hydrant, bridge, curb, or park bench.

Sign structure. The supports and framework of a sign.

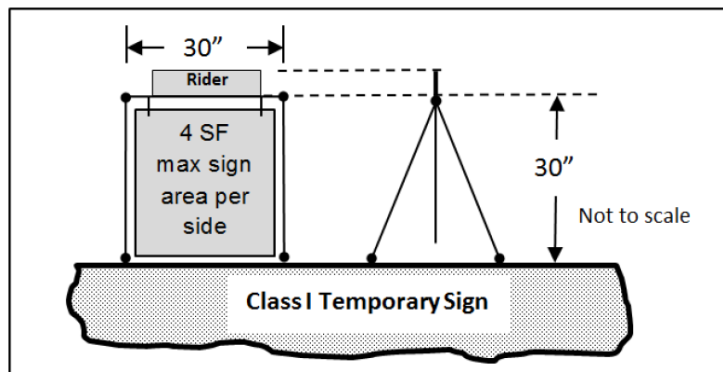
Sign, teardrop banner. An on-premises sign consisting of a narrow strip of fabric material which is attached to a flexible or partially flexible pole in a vertical manner.



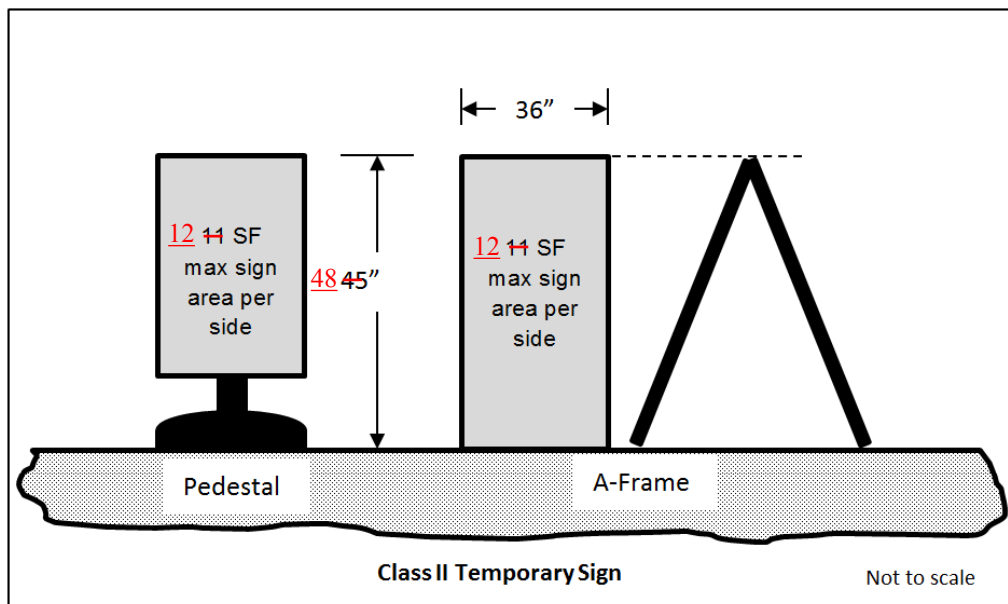
Sign, temporary. A sign that due to its physical characteristics and method of attachment is not intended for permanent display. See also "sign, permanent".

Sign, temporary, class I (small A-frame sign). A temporary, portable sign generally in the shape of the letter "A" in which the overall height of the sign structure does not exceed 30 inches, the overall width of the sign structure does not exceed 30 inches and which does not exceed eight square feet of aggregate sign area. Riders not exceeding six inches in height and 24 inches in

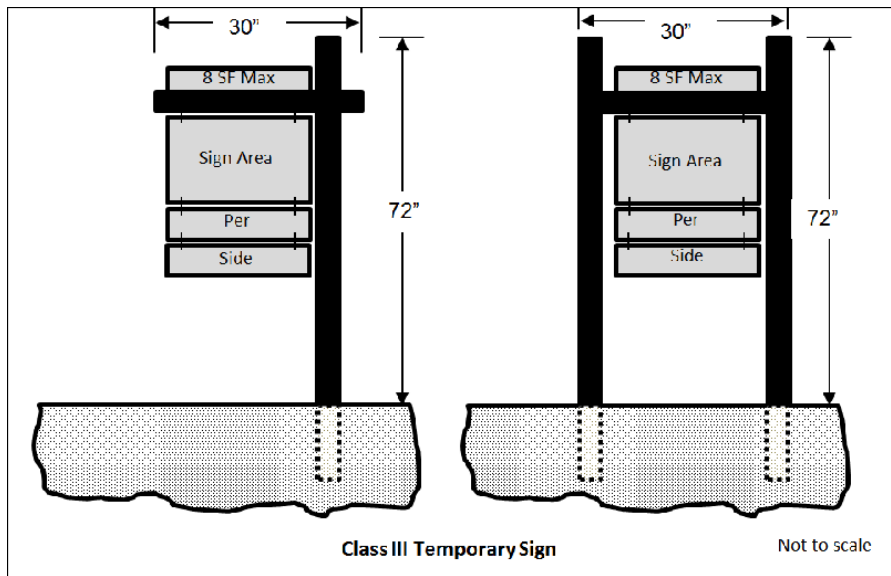
length which are attached to the top of the A-frame shall not be included in the overall height measurement or sign area measurement.



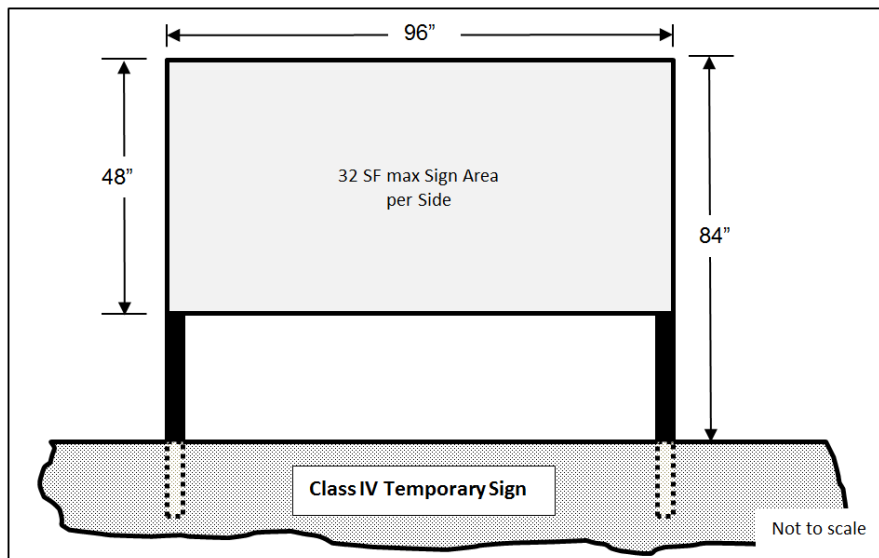
Sign, temporary, class II (A-frame sign and pedestal sign). A temporary, portable sign in which the overall height of the sign structure does not exceed 45 inches, the overall width of the sign structure does not exceed 36 inches and which does not exceed 224 square feet of aggregate sign area.



Sign, temporary, class III (small post sign). An on-premises temporary sign supported by one or more rigid posts in which the overall height of the sign structure does not exceed 72 inches, the overall width of the sign structure does not exceed 30 inches, and the aggregate sign area does not exceed 16 square feet.



Sign, temporary, class IV. An on-premises temporary sign supported by two rigid posts in which the overall height of the sign structure does not exceed 84 inches, the overall width of the sign structure does not exceed 96 inches, and the aggregate sign area does not exceed 64 square feet.



Sign, three-dimensional. A sign in which is meant to be viewed from all angles.



Sign, vehicle. Any sign mounted, painted, or otherwise erected on a vehicle.

Sign walker. A person carrying a portable sign intended to convey a message to motorists and passersby.



Sign Walker

Sign, wall, building. A sign mounted flat against a building wall with the exposed face of the sign in a plane generally parallel to the face of the wall, but not including window signs.



Sign, wall, subdivision perimeter. A sign mounted or painted onto a subdivision perimeter wall.

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Sign, window. Any combination of decals, posters, murals or other media which are affixed to a window pane or otherwise intended to be viewed through the window pane from the exterior of the building, but not including merchandise normally displayed within a show window of a retail merchant shop.



Speech, commercial. (see "message, commercial").

Speech, non-commercial. (see "message, non-commercial").

Structure. Anything constructed or erected that requires attachment to the ground, or is structurally connected to something having attachment to the ground.

T; U; V

Vehicle. Any car, truck, motorcycle, all-terrain vehicle, recreational vehicle, boat, trailer, tractor, crane, mobile machinery, or similar.

W

Wall, building. A wall that is integral to a building.

Wall, subdivision perimeter. A freestanding wall that is located around a subdivision.

X; Y; Z

Exhibit B
Section 109-1.7 Permitted and Prohibited Signs

109-1.7 Permitted and prohibited signs.

- A.** Permitted signs by zoning district. Only those sign types and classes that are specifically listed in table 109-1a for each zoning district may be allowed, subject to the provisions outlined elsewhere in this chapter.

TABLE 109-1a PERMITTED SIGNS (P = permitted, shaded cell = not permitted, C = conditional use permit)											
Code Reference	Sign Type	Location									
		Public Rights-of-Way	Private Rights-of-Way	Single-Family	Multi-Family	Mixed-Use	Commercial and Industrial	SHD-RO	SHD-CO	Open Space	PF
TEMPORARY SIGNS											
109-1.9(a)(2)	Class I Temporary Signs (Small A-Frame Signs)	P	P	P				P			
109-1.9(a)(3)	Class II Temporary Signs (Large A-Frame Signs)	<u>P</u>	<u>P</u>			P	P	P	P		
109-1.9(a)(4)	Class III Temporary Signs (Small Post Signs)			P	P	P	P	P	P		P
109-1.9(a)(5)	Class IV Temporary Signs (Large Post Signs)			P	P	P	P	P	P		P
109-1.9(a)(6)	Banner Signs and Festoons			P	P	P	P	P	P		P
109-1.9(a)(7)	Light Pole Banner Signs	P	P		P	P	P	P	P		P
109-1.9(a)(8)	Teardrop Banner Signs			P	P	P	P	P	P	P	P
109-	Sign Walkers	P	P	P	P	P	P	P	P	P	P

TABLE 109-1a PERMITTED SIGNS (P = permitted, shaded cell = not permitted, C = conditional use permit)											
Code Reference	Sign Type	Location									
		Public Rights-of-Way	Private Rights-of-Way	Single-Family	Multi-Family	Mixed-Use	Commercial and Industrial	SHD-RO	SHD-CO	Open Space	PF
1.9(a)(9)											
109-1.9(a)(10)	Model Home Complex Signs			P				P			
109-1.9(a)(11)	Residential Subdivision Signs			P				P			
BUILDING MOUNTED SIGNS											
109-1.9(b)(1)	Building Wall Signs			P	P	P	P		P		P
109-1.9(b)(2)	Blade Signs			P	P	P	P		P		P
109-1.9(b)(3)	Canopy Signs				P	P	P		P		P
109-1.9(b)(4)	Marquee Signs						P				P
109-1.9(b)(5)	Awning Signs						P		P		P
109-1.9(b)(6)	Hanging Signs					P	P	P	P		P
109-1.9(b)(7)	Window Signs and Sunscreens			P	P	P	P	P	P		P
FREESTANDING GROUND SIGNS											
109-1.9(c)(1)	Class I Monument Signs (Menu Signs)						P		P		
109-1.9(c)(1)	Class II Monument Signs (Preview						P		P		

TABLE 109-1a PERMITTED SIGNS (P = permitted, shaded cell = not permitted, C = conditional use permit)											
Code Reference	Sign Type	Location									
		Public Rights-of-Way	Private Rights-of-Way	Single-Family	Multi-Family	Mixed-Use	Commercial and Industrial	SHD-RO	SHD-CO	Open Space	PF
	Signs)										
109-1.9(c)(2)	Class III Monument Signs (Directional Signs)	P	P	P	P	P	P	P	P	P	P
109-1.9(c)(3)	Class IV Monument Signs (Directory Signs)				P	P	P		P		
109-1.9(c)(4)	Class V Monument Signs (Minor Monument Signs)			P	P	P	P		P		P
109-1.9(c)(5)	Class VI Monument Signs (Major Monument Signs)				P	P	P		P		P
109-1.9(c)(6)	Roadway Arch Signs	P	P				P		P		
109-1.9(c)(7)	Subdivision Perimeter Wall Signs			P	P	P	P				P
109-1.9(c)(8)	Freeway Monument Signs						C				
OTHER SIGNAGE											
109-1.11	Level 1			P	P	P	P	P	P		P

TABLE 109-1a PERMITTED SIGNS (P = permitted, shaded cell = not permitted, C = conditional use permit)											
Code Reference	Sign Type	Location									
		Public Rights-of-Way	Private Rights-of-Way	Single-Family	Multi-Family	Mixed-Use	Commercial and Industrial	SHD-RO	SHD-CO	Open Space	PF
	Electronic Messaging										
109-1.11	Level 2 Electronic Messaging				P	P	P		P		P
109-1.12	Reader Panels			P	P	P	P	P	P		P
109-1.13	Address Identification			P	P	P	P	P	P	P	P
109-1.14	Flags and Flagpoles			P	P	P	P	P	P		P

- B.** Signs in the public street right-of-way. Signs are not permitted within the public street right-of-way, except for those signs erected by, or on behalf of the city, or as otherwise expressly permitted in this chapter.
- C.** Signs in the private street right-of-way. Signs are not permitted within private street rights-of-way, except when associated with an approved planned area development (PAD) or comprehensive sign program (CSP), as required by the city, or as otherwise permitted in this chapter.
- D.** Encroachments. No portion of any sign erected on any property may encroach into the public right-of-way, except as otherwise permitted in this chapter or where expressed written permission is granted by the city to allow said encroachment.
- E.** Signs as an accessory use. All signs must be an accessory use to a primary use. In no case shall a sign be established as a primary use of the property; except that temporary signs as otherwise allowed within a given zoning district are exempt from this provision.
- F.** Prohibited signs. The following sign types are specifically prohibited:
 - 1. *Abandoned signs*, pole signs of a permanent nature, snipe signs, and median signs;

2. Animated signs, flashing, blinking, or rotating signs, festoons, inflatable signs including latex or mylar balloons, permanent banner signs, pennants, searchlights, streamers, signs other than class 1 monument signs that emit audible sound, and any clearly similar features;
3. Vehicle signs when the vehicle is placed in a location not approved for vehicular parking or storage;
4. Signs containing any words or symbols that would cause confusion because of their resemblance to highway traffic control or direction signals;
5. Merchandise, equipment, products or other items which are not available for purchase, but are intended to attract attention, or for identification or advertising purposes;
6. Signs located on trees, utility poles, public benches, or any other form of public property, or within any public right-of-way, unless explicitly permitted by these regulations;
7. Signs containing vulgar or profane messages, hate speech, or language intended to incite violence;
8. Signs greater than 30 inches in height and which are located within any sight visibility triangle of any street or driveway intersection as required by the Surprise engineering design standards;
9. Signs not expressly permitted as being allowed by right under this chapter, or by specific requirements in another portion of this chapter, or otherwise expressly allowed by the city board of adjustment;
10. Signs placed in locations that are deemed by the city to present a hazard to public safety, obstruct clear vision in the area, or interferes with the requirements of the Americans with Disabilities Act (42 United States Code sections 12101 through 12213 and 47 United States Code sections 225 and 611);
11. Billboard signs.

G. Signs exempt from these regulations. The following signs are exempt from regulation under this chapter:

1. Governmental signs.

2. Any sign that is not visible from another property to the naked eye, provided said sign otherwise meets applicable Building Code requirements and the requirements of sections 109-1.10, 109-1.11 and 109-1.12 herein.
- H.** Violation. Any sign that is not in compliance with this section is in violation of this chapter.

Exhibit C
Section 109-1.8 General Provisions

109-1.8 General provisions.

A. Permitting requirements.

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1. *Permits required.* With the exception of those sign types listed in subsection 8(a)(3) below, a construction permit is required for all signs regulated by this chapter and erected within the city.
2. *Property owner authorization required.* No sign regulated by this chapter shall be erected on a property not owned by the person or entity erecting the sign without the expressed written permission from the property owner of the property onto which the sign is erected. Said written permission shall be made available to the city upon request.
3. *Exceptions from the permitting requirement.* The following sign types are exempt from the permitting requirement:
 - a. Temporary signs;
 - b. Sign walkers;
 - c. Window signs, provided the sign is not electrically connected to the building;
 - d. Sun screens;
 - e. Shingle signs, provided the sign is not electrically connected to the building;
 - f. Address signs, provided the sign is not electrically connected to the building;
 - g. Flags except that in the event the flagpole is greater than six feet in length, then a permit is required for the flagpole.

B. Sign quality, construction, and aesthetics.

1. Signs shall be designed in compliance with the applicable construction codes adopted by the city and in effect at the time of construction.
2. Where raceway cabinets are utilized, said raceway cabinets shall be painted to match the color of the surface onto which it is mounted.
3. Whenever a permanent sign is removed, the surface onto which the sign was mounted shall be repaired as closely as practicable to a new-like condition.
4. Unless specifically approved by the City Council through a comprehensive sign program or conditional use permit for other than freeway monument

sign, as applicable, supporting elements for all signs shall appear to be free of any angle iron, bracing, guy wires or similar features.

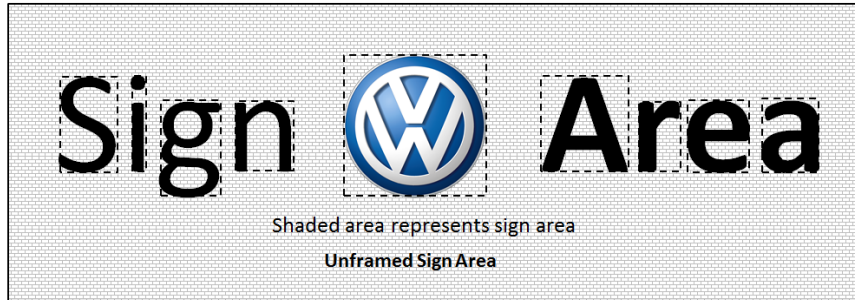
5. When electrical service is provided to any sign, all components of said service are to be entirely concealed or, when necessary, painted to match the surface of the structure upon which they are mounted.
6. All ~~permanent~~ signs permitted by this chapter shall be constructed of durable material capable of withstanding continuous exposure to the elements and conditions of the urban environment. Class II Temporary Signs shall be fabricated of wood, hard plastic, or metal that is at least one-half inch thick with nor unfinished, sharp or rough edges.
7. All sign copy must be clearly legible.

C. Sign maintenance.

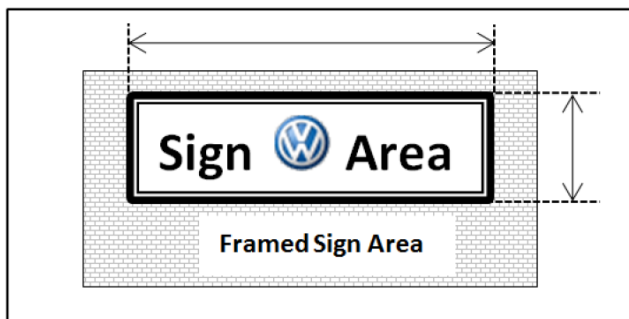
1. All signs shall be maintained in a state of good repair, operational, and free of blight and/or hazards. Weathered, sun damaged, tattered or faded signs or related components shall be repaired or replaced.
2. Whenever any sign, either legally conforming or legally nonconforming, is required to be removed for the purpose of repair, lettering or repainting, the same may be done provided:
 - a. There is no alteration or remodeling to the structure or to the mounting of the sign itself;
 - b. There is no enlargement or increase in any of the dimensions of the sign, sign copy, or sign structure;
 - c. The sign is an accessory to a legally conforming use, conditional use, or legally nonconforming use.

D. Methods of measurements.

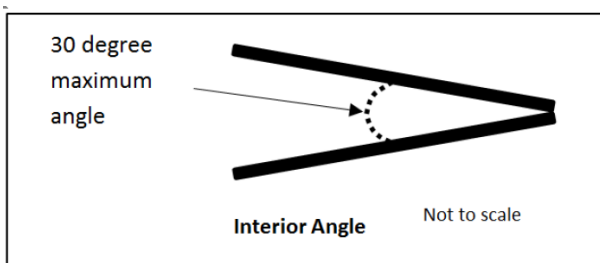
1. *Sign area.*
 - a. *Unframed signs.* Where the individual letters, logos and graphics of a sign are mounted directly to a wall or sign structure, the sign area is determined by calculating the smallest rectangle or combination of rectangles containing sign copy.



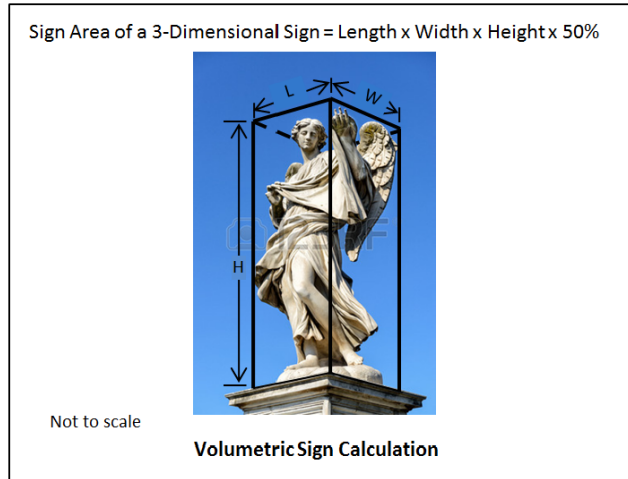
- b. *Framed signs.* Where the individual letters, logos and graphics are integral to a sign panel, or are framed in by an architectural element or contrasting color apart from the color of the wall or sign structure, the sign area shall be the area of the panel or frame.



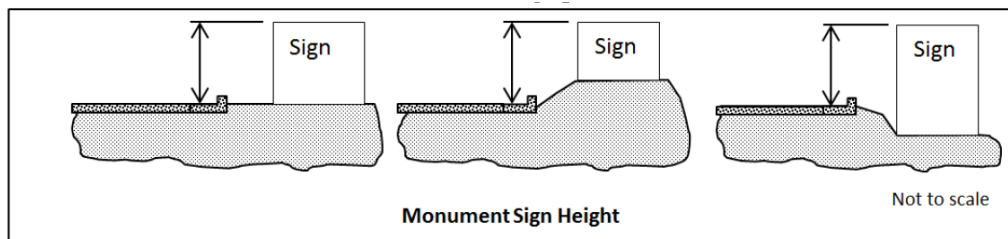
- c. *Double-sided signs.* Only one side of a double-sided freestanding ground sign shall be used to calculate the sign area, provided the interior angle between sign faces is not greater than 30 degrees. This provision does not apply to A-frame signs.



- d. *Three-dimensional signs.* Where a sign consists of a three-dimensional, free-form, sculptural or other non-planar design, the sign area shall be calculated as 50 percent of the total volume of space contained within the smallest cuboid, which will enclose the sign structure.



2. *Monument sign height.* Unless otherwise noted, notwithstanding adjacent topography, the height of any class of monument sign shall be measured from the closest adjacent curb, or if no curb is present, the closest adjacent pavement.



3. *Fractional calculations.* All linear measurements and calculations shall be accurate to the closest inch. All area measurements and calculations shall be accurate to the closest square inch. All volumetric measurements and calculations shall be accurate to the closest cubic inch.

Exhibit D3
Section 109-1.9 Sign Classifications and Types

109-1.9 Sign classifications and types. The following sign classifications and types as defined in **section 109-1.6** are permitted in the city as outlined in table 109-1a subject to the following "time, place and manner" restrictions.

A. Temporary signs. When allowed, temporary signs shall conform to the following requirements:

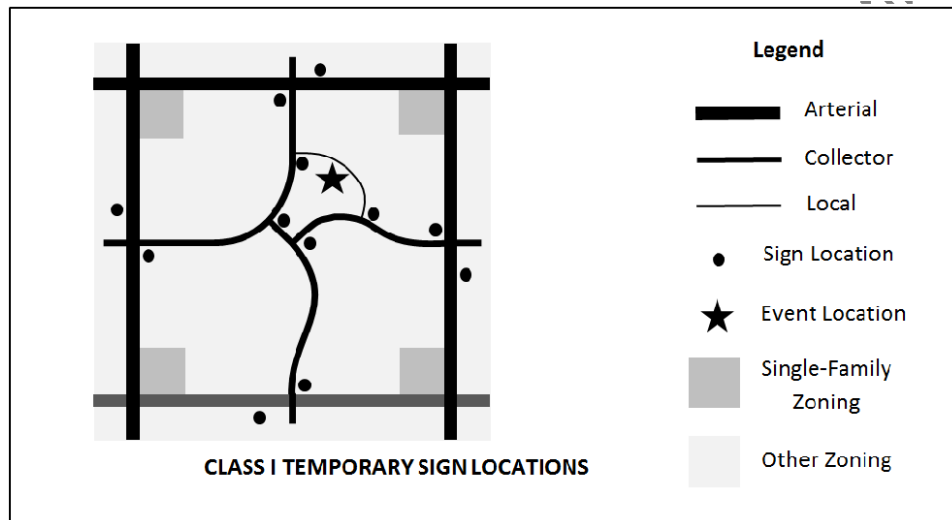
1. *General requirements.*

- a. Temporary signs shall not be illuminated in any manner except by ambient lighting present on the property.
- b. Temporary signs shall include the name and phone number of the contact person responsible for placing the sign.
- c. No temporary sign may interfere with the free movement of pedestrian or vehicular traffic.
- d. The supporting elements for class III temporary signs and class IV temporary signs may be directly buried or inserted into the soil; however, in no case shall concrete, or other permanent attachments to the ground, or attachment to other permanent structure(s) be utilized.

2. *Class I temporary signs (small A-frame signs).* Class I temporary signs, as defined herein, are allowed subject to the general requirements as stated above plus the following:

- a. Class I temporary signs are only allowed in conjunction with a lawful temporary event being held on land zoned for single-family residential uses.
- b. Class I temporary signs may be placed in the following locations when in association with a lawful temporary event occurring on land zoned for single-family residential uses:
 - (1) One class I temporary sign at the site of the lawful temporary event,
 - (2) One class I temporary sign at each local or collector street intersection leading from the site of the lawful temporary event to the adjacent arterial street grid,
 - (3) Two class I temporary signs at the point where the local or collector street intersects with the arterial street. One sign may be located at the corner of the intersection on the side of the arterial street closest to the lawful temporary event. A second sign may be located on the opposite side of the

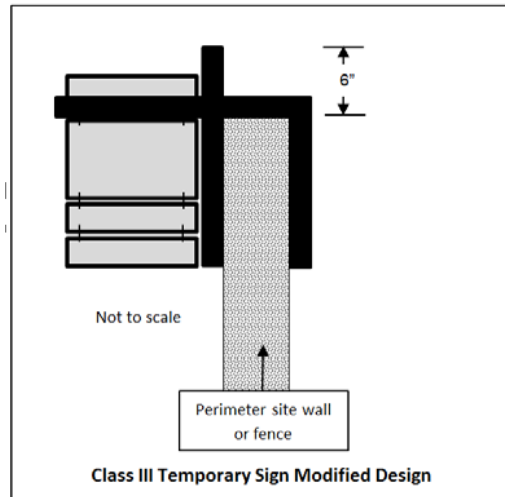
arterial street, provided said sign is no further than 500 feet from the intersection.



- c. When allowed, class I temporary signs may be located within the street right-of-way, but not within any median, vehicle or bicycle travel lane, or sidewalk, nor within any sight visibility triangle as outlined in standard details 4-01 and 4-02 of the Surprise engineering development standards.
 - d. There is no limit to the number of sign panels per sign structure provided the defined height, width and sign area limitations are not exceeded.
 - e. The sign may be weighted or ballasted; however, no such sign may be affixed to the ground or to any permanent structure.
 - f. Class I temporary signs may be placed one hour before the start of a lawful temporary event and shall be removed not more than one hour after the end of a lawful temporary event that occurs between the hours of 9:00 a.m. and 6:00 p.m. on Mondays, Tuesdays, Wednesdays, and Thursdays. In addition, class I temporary signs may be placed for any length of time between the hours of 4:00 p.m. Friday and 11:00 p.m. Sunday.
 - g. If the lawful temporary event being served by the class I temporary sign requires a temporary use permit, the locations of the class I temporary signs shall be included with the application materials.
3. *Class II ~~temporary signs~~ Temporary Signs* (large A-frame signs and pedestal signs). *Class II temporary signs* *Class II Temporary Signs*, as defined herein, are allowed subject to the ~~general requirements~~ *General Requirements* as ~~stated~~ *outlined in subsection 109-1.9.A.1* above ~~plus and~~ the following:

- a. ~~Class II temporary signs~~ Class II Temporary Signs are only allowed in conjunction with a lawful commercial use including ~~cottage industries~~ cottage industries, but not ~~home occupations~~ home occupations.
 - b. One (1) such sign may be located within 15 feet of the doorway of the customer entrance to the building in which the lawful commercial use is located. One (1) additional Class II Temporary Sign may be located within or adjacent to the public right-of-way subject to the provisions of subsection 109-1.9.A.3 herein.
 - c. When allowed, ~~Class II temporary signs~~ Class II Temporary Signs may be located within the street right-of-way, but not within any median, vehicle or bicycle travel lane, or sidewalk, nor within any sight visibility triangle as outlined in standard details 4-01 and 4-02 of the Surprise ~~engineering development standards~~ Engineering Development Standards, nor within fifty (50) feet of the curb return of any commercial driveway, nor within twenty (20) feet of another Class II Temporary Sign.
 - d. There is no limit to the number of ~~sign panels~~ sign panels per ~~sign structure~~ sign structure provided the ~~defined~~ specified height, width and ~~sign area~~ sign area limitations are not exceeded.
 - e. The ~~sign~~ sign may be weighted or ballasted; however, no such ~~sign~~ sign may be affixed to the ground or to any permanent ~~structure~~ structure.
 - f. ~~Class II temporary signs~~ Class II Temporary Signs utilized in conjunction with a lawful commercial use may be displayed during the business hours of the business served by the ~~Class II temporary signs~~ Class II Temporary Signs.
4. *Class III temporary signs (small post-signs).*
- a. Not more than one class III temporary sign meeting the specific requirements outlined in this section is permitted per lot of record except that if said lot abuts more than one street, one additional class III temporary sign meeting said requirements may be erected along each additional street frontage.
 - b. In the event a property is vacant, additional class III temporary signs may be erected on said property provided the spacing between such signs is not less than 600 feet.
 - c. Class II temporary signs shall not be located within the street right-of-way, median, vehicle or bicycle travel lane, or sidewalk, nor within any sight visibility triangle as outlined in standard details 4-01 and 4-02 of the Surprise engineering development standards.

- d. There is no limit to the number of sign panels per sign structure provided the defined height, width and sign area limitations are not exceeded.
- e. In the event that a lot's perimeter site wall or fence is adjacent to or within 20 feet of a street, the class III temporary sign may be modified to allow the sign to be hung from but not attached to the perimeter site wall or fence provided the sign does not exceed the height of the wall or fence by more than six inches and does not interfere with pedestrian movement.



- 5. *Class IV temporary signs (large post-signs).*
 - a. Not more than one class IV temporary sign meeting the specific requirements outlined in this section is permitted per lot of record except that if said lot abuts more than one street, one additional class IV temporary sign meeting said requirements may be erected along each additional street frontage, except that class IV temporary signs associated with a public hearing shall not be counted towards this total.
 - b. Class IV temporary signs shall not be located within the street right-of-way, median, vehicle or bicycle travel lane, or sidewalk, nor within any sight visibility triangle as outlined in standard details 4-01 and 4-02 of the Surprise engineering development standards.
 - c. The maximum number of sign panels per sign structure shall not exceed two.

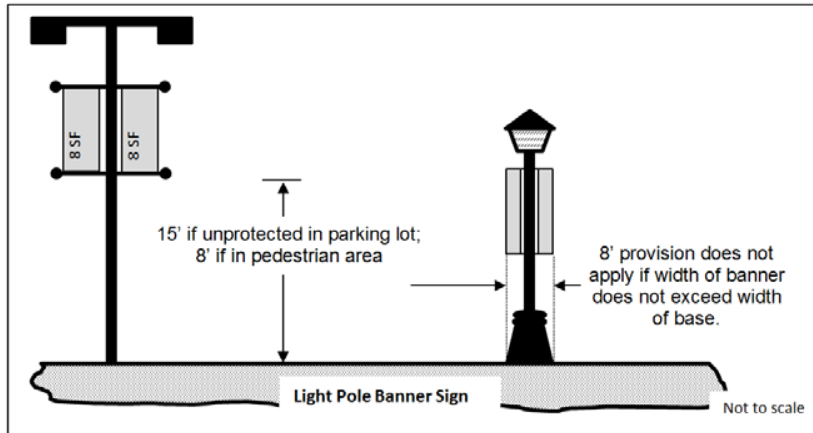
6. *Banner signs and festoons.*

- a. *General.* The following provisions apply to all banner signs and festoons:
 - (1) Banner signs shall be equipped with ventilation flaps.
 - (2) Banner signs and festoons shall be securely attached to the building or fence, but in no case shall be attached to freestanding poles or vegetation.
- b. *Residential.* Any number of banner signs, festoons or combination thereof are permitted per dwelling unit, provided the aggregate length does not exceed 20 lineal feet and the aggregate area does not exceed 100 square feet.
- c. *Non-residential.* Banner signs and festoons are permitted on properties zoned for non-residential use subject to the following:
 - (1) One banner sign may be placed on a building, provided the maximum area of the banner sign shall not exceed one square foot per linear foot of building elevation, not to exceed 500 square feet.
 - (2) For a single-tenant building, the width of the banner sign shall not exceed 80 percent of the width of the building elevation onto which the banner sign is attached. For multi-tenant building, the width of the banner sign shall not exceed 80 percent of the leased tenant frontage.
 - (3) Any number of festoons may be placed on a building provided the festoon contains no advertising copy, the aggregate length does not exceed 20 lineal feet, and the aggregate area does not exceed 100 square feet.
- d. *Construction sites and temporary construction yards.* Banner signs are allowed in conjunction with active construction sites and temporary construction yards regardless of zoning, subject to the following:
 - (1) One or more banner signs may be affixed to the perimeter fence surrounding a construction site or temporary construction yard, provided said banner signs do not extend above the height of the perimeter fence.
 - (2) Individual banner signs shall not exceed ten feet in length. Where multiple banner signs are utilized in lieu of screening material on a fence surrounding a construction site or temporary construction yard, said signs shall be spaced not

less than one foot apart unless the banner sign is fabricated of material with not less than 50 percent visual transparency, in which case this provision shall not apply.

7. *Light pole banner signs.*

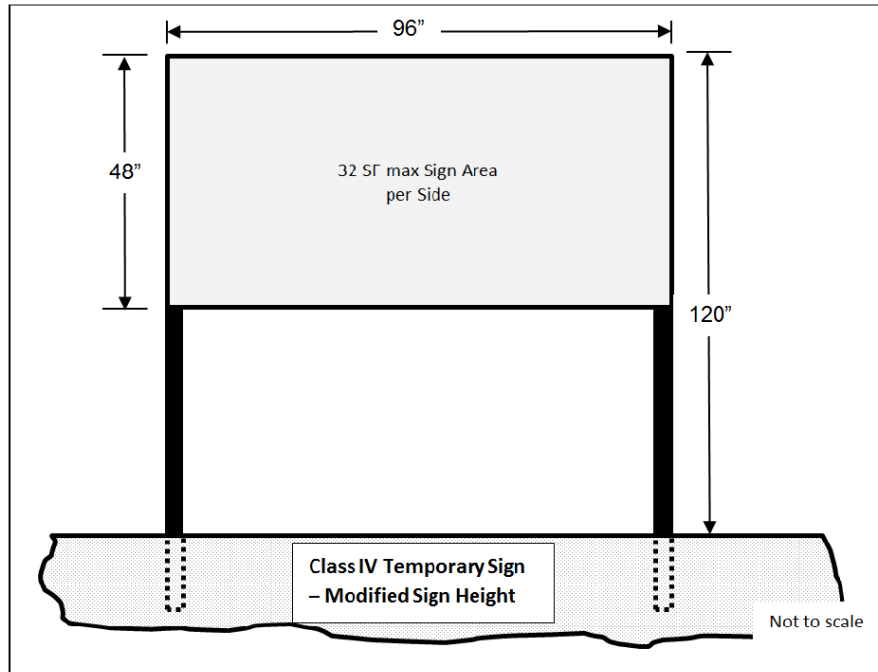
- a. Light pole banner signs may be attached to light poles when the pole is so equipped to receive such banner, except that in no case shall a light pole banner sign be affixed to a light pole in a public right-of-way without the expressed written permission from the city.
- b. The surface area of a single light pole banner sign shall not exceed eight square feet as measured on a single side.
- c. When two light pole banner signs are affixed to a single light pole, both light pole banner signs shall be consistent with each other with respect to size and shape so as to create uniformity.
- d. When the light pole onto which a light pole banner sign is placed is located within the paved portion of a parking lot, and the light pole base is unprotected from vehicular traffic, the bottom of the light pole banner sign shall be a minimum of 15 feet above the parking surface over which the banner is placed. If the base of the light pole is protected from vehicular traffic, this provision shall not apply.
- e. When the light pole is located within a pedestrian area, the bottom of the light pole banner sign shall be a minimum of eight feet above the surface over which the light pole banner sign is placed, unless the light pole banner sign is sufficiently narrow so as to not extend beyond the base of the light pole.
- f. Any horizontal supporting members shall either be removed when not in use or shall be of a hinged design and folded into a vertical position when not in use.
- g. Light pole banner signs shall not be illuminated in any manner except as incidental to the lighting fixture supported by the light pole.
- h. Light pole banner signs shall be equipped with ventilation flaps.



8. *Teardrop banner signs.*

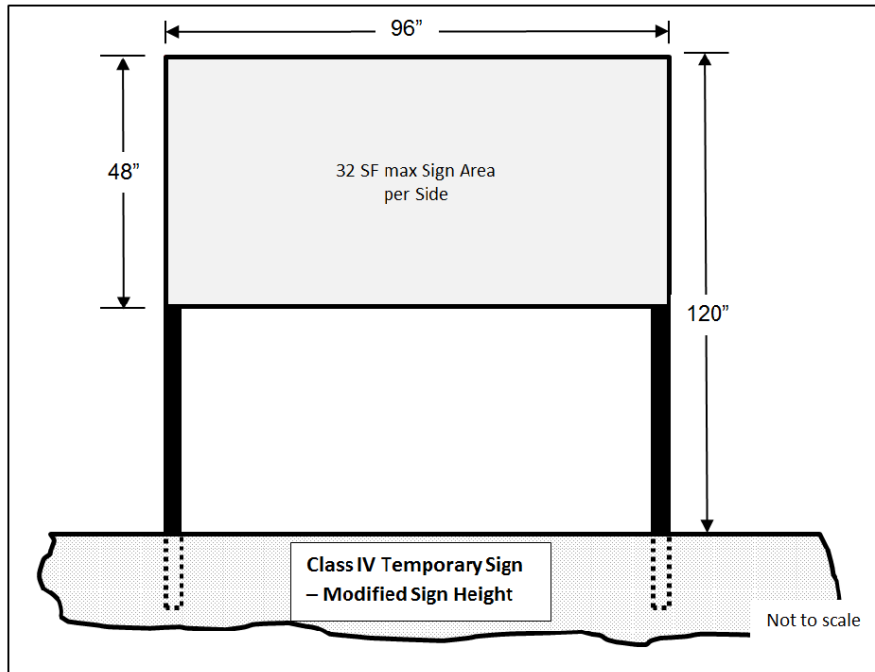
- a. Not more than two teardrop banner signs are permitted in conjunction with a lawful temporary event subject to the specific requirements as outlined herein except that in no case shall a teardrop banner sign be allowed on a vacant property.
 - b. Teardrop banner signs may only be erected on the property on which the lawful temporary event is occurring. In no case shall a teardrop banner sign be located within a public or private right-of-way.
 - c. No teardrop banner sign shall be located within 15 feet of a pedestrian path, sidewalk, or trail, whether public or private.
 - d. No teardrop banner sign shall be located within 15 feet of any vehicular parking surface or driveway.
 - e. No teardrop banner sign shall be located within 50 feet of any public or private right-of-way.
 - f. The maximum height of the sign structure as measured from the nearest adjacent grade shall not exceed 12 feet with the flag portion of the sign not exceeding 16 square feet.
 - g. The teardrop banner sign shall be supported by a pedestal, which may be weighted or ballasted to prevent being overturned, but in no case shall the supporting sign structure be inserted into the ground.
9. *Sign walkers.* Sign walkers are permitted to operate within the city subject to the following restrictions:
- a. Sign walkers may only operate during daylight hours.
 - b. Sign walkers may only operate on a sidewalk intended for pedestrian travel, but shall at no time block the free and unobstructed movement of pedestrians or vehicles.

- c. Sign walkers may carry a maximum of two single-sided signs not exceeding three square feet of sign copy each or one double-sided sign not exceeding 12 square feet of aggregate sign copy; however, in no case shall a sign walker carry any form of electronic messaging.
 - d. Sign walkers shall not display a sign in any manner other than by personally holding or wearing said sign.
- 10. *Model home complex signs.* In addition to other signs that are permitted in association with a single-family residence, a model home complex may employ the following:
 - a. One class III temporary sign meeting the requirements of subsection 9(a)(4) herein for each lot located within the boundaries of an approved model home complex. Such signs shall not be illuminated except by ambient lighting.
 - b. One class IV temporary sign meeting the requirements of subsection 9(a)(5) herein may be located within the boundaries of the approved model home complex; however, if the model home complex is located adjacent to a collector or arterial street, the overall height of the class IV temporary sign allowed under this paragraph may be increased to 120 inches, provided the sign is designed to withstand windloads as required by the building codes in effect at the time the sign is erected. A class IV temporary sign permitted under this paragraph may be externally illuminated as outlined in section 10.

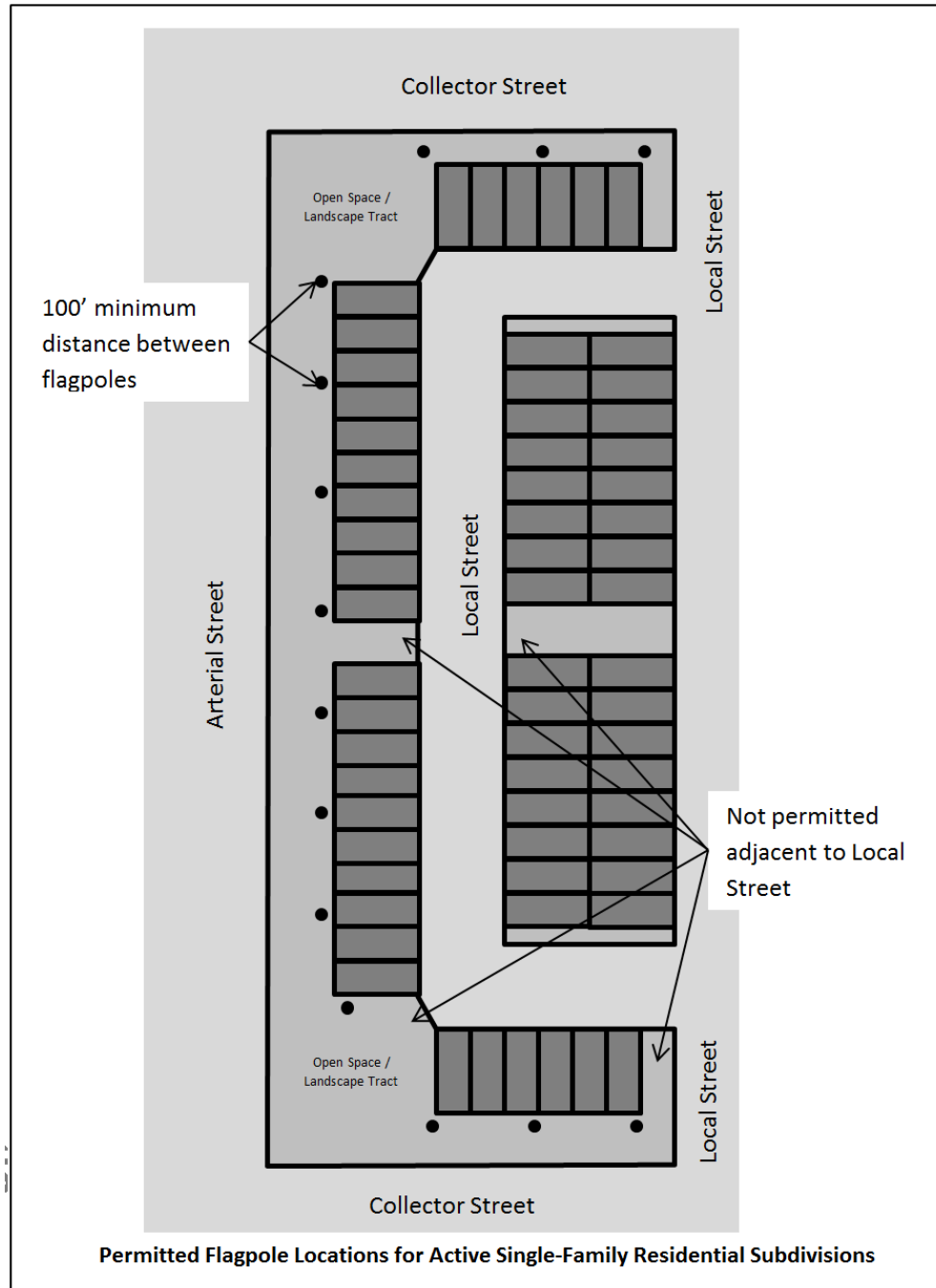


- c. One flagpole not exceeding a height of 45 feet may be erected within the boundaries of the model home complex provided said flagpole is located within the building envelope or within the required front yard of the lot in which it is placed, but not located within any required side or required rear yard. A maximum of two flags may be displayed from said flagpole. The flag and flagpole permitted under this paragraph may be externally illuminated in accordance with **Chapter 107-Article 3** of the Surprise Municipal Code.
- d. Two flagpoles not exceeding a height of 20 feet may be erected for each lot located within the boundaries of the approved model home complex. A maximum of one flag may be displayed from each flagpole. Flagpoles permitted under this section may be erected along the perimeter of the model home complex. Flagpoles permitted under this paragraph shall not be illuminated except by ambient lighting.
- e. Four additional teardrop banner signs meeting the requirements of subsection 9(a)(8) herein for each lot located within the boundaries of an approved model home complex. Except that subsections 9(a)(8)c., 9(a)(8)d. and 9(a)(8)e. shall not apply. Teardrop banner signs permitted under this section shall not be illuminated except by ambient lighting.
- f. One banner sign not exceeding three feet in height and five feet in length may be attached to the trap fence. Said banner sign shall be

- equipped with ventilation flaps. Banner signs permitted under this paragraph shall not be illuminated except by ambient lighting.
- g. One awning sign or canopy sign provided the awning or canopy is limited to the customer entrance to the sales office associated with the approved model home complex. Awning signs or canopy signs permitted under this paragraph shall not be illuminated except by ambient lighting.
 - h. One building wall sign not exceeding four square feet may be affixed to the front elevation of the model home sales office facing the street from which the model home complex takes access. Said sign may be externally illuminated or back-lit in accordance with section 10.
 - i. Information regarding model home signs shall be included with the model home complex application packet to be reviewed and approved with the model home complex. In circumstances where model home complexes in existence as of the effective date of this chapter are to be retrofitted for purposes of implementing signage permitted under this section, an amendment to the approved model home complex is required.
 - j. All model home signs permitted under this section shall be removed upon the conversion of the model homes to a residential use in accordance with subsection 106-10.29 of the Surprise Municipal Code.
11. *Active single-family residential subdivision signs.* In addition to other signs that may be permitted in association with a model home complex, the following signs are permitted within the boundaries of an active single-family residential subdivision:
- a. One class IV temporary sign meeting the requirements of subsection 9(a)(5) herein may be located within the boundaries of an active single-family residential subdivision, provided such sign is located adjacent to a collector street or arterial street. The overall height of the class IV temporary sign allowed under this paragraph may be increased to 120 inches, provided the sign is designed to withstand windloads as required by the building codes in effect at the time the sign is erected. A class IV temporary sign permitted under this paragraph may be externally illuminated as outlined in section 10.



- b. Where an active single-family residential subdivision includes an open space tract or landscape tract located adjacent to a collector street or arterial street, a series of flagpoles not exceeding 20 feet in height may be erected within said tract provided said flagpoles are spaced no closer than 100 feet apart; however, flagpoles permitted under this paragraph may not be located adjacent to any local street regardless of the location of the tract relative to the local street. Further, flagpoles permitted under this paragraph may not be illuminated except by ambient lighting.

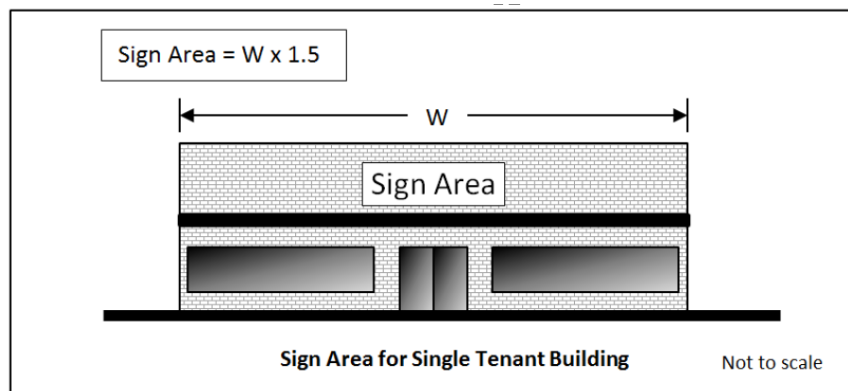


- c. All active single-family residential subdivision signs shall be removed upon the close of escrow of the last lot in the subdivision or upon cessation of use, whichever comes first.

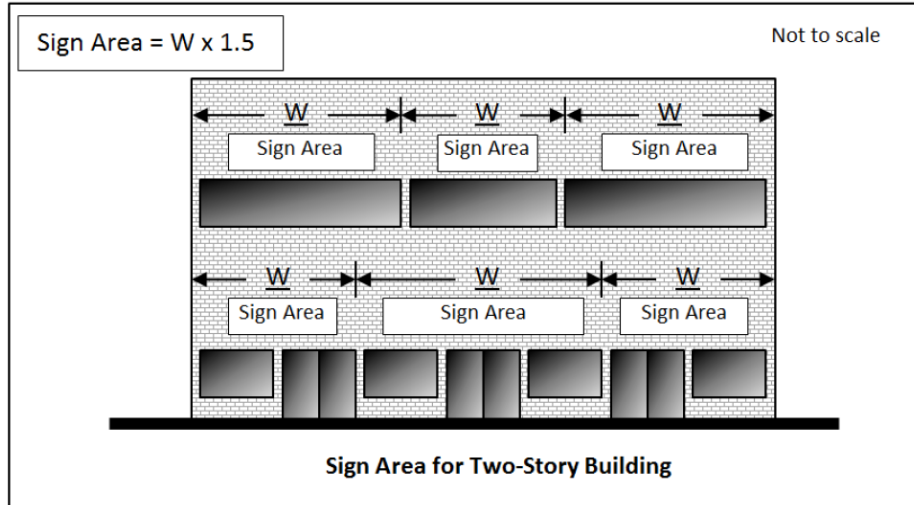
B. *Building-mounted signs.* Building-mounted signs may only be placed on building elevations which face a street or primary parking lot. For purposes of this section,

parking areas adjacent to service bays, access drives located behind a building, or alley ways are not considered primary parking areas.

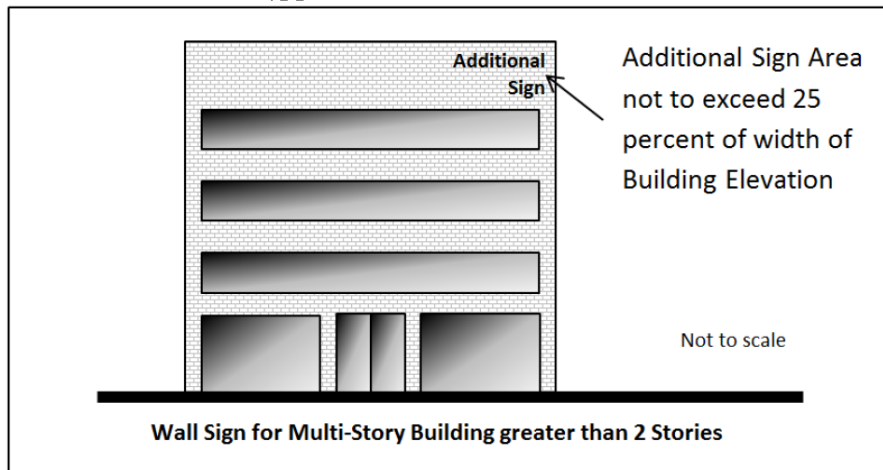
1. ***Building wall signs.*** In other than residential zoning, building wall signs are permitted on any building elevation of any primary use building, subject to the following:
 - a. For single story, single-tenant buildings, any number of building wall signs may be affixed to any building elevation, provided the aggregate sign area does not exceed one and one-half square foot per one linear foot of building elevation on which the sign is mounted.



- b. For two-story office buildings or two-story mixed-use buildings, each tenant who possesses leased tenant frontage on the exterior wall of the building may affix any combination of building wall signs provided the aggregate sign area does not exceed one and one-half square foot per one linear foot of that tenant's leased frontage. In the event a tenant does not possess leased tenant frontage located along the exterior of the building, this provision does not apply.



- c. For multi-story buildings greater than two stories one building wall sign, the area of which not exceeding 25 percent of the width of the elevation may be affixed to each building elevation at a location that is nearest the top of the building provided said sign does not extend above the parapet, or in the case of an exposed pitch roof, the drip line of the roof. In no case shall such signs be affixed to an elevator shaft or equipment screening.

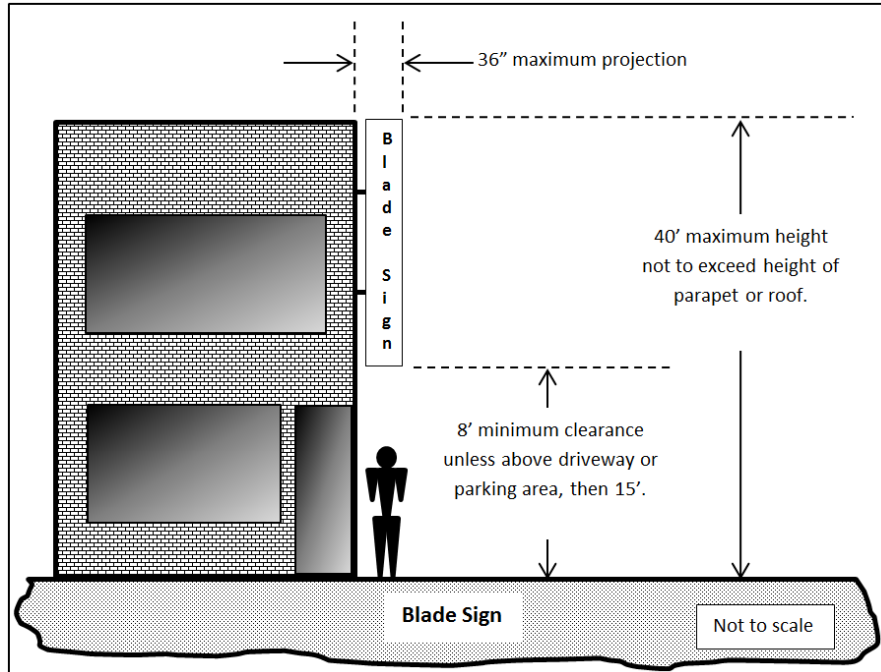


- d. The sign area of any building wall sign serving an arterial street may be increased by 25 percent when the building is setback at least 600 feet from the public right-of-way and may be further increased an additional 25 percent for each additional 200 feet of setback, up to a maximum of 100 percent, provided the increase in sign area does not cause the sign to be in violation with the other provisions of this section.

- e. The maximum width of a building wall sign shall not exceed 80 percent of the leased tenant frontage for a multi-tenant building, or building elevation for a single-tenant building.
- f. Building wall signs shall be installed in a manner that does not obscure architectural features such as, but not limited to, pilasters, arches, windows, cornices, pop-outs, decorative trims, moldings, and frieze.
- g. Building wall signs may be internally illuminated, externally illuminated, or back-lit, but may not include electronic messaging (EMCs). Further, illumination shall be in accordance with the requirements set forth in section 10.

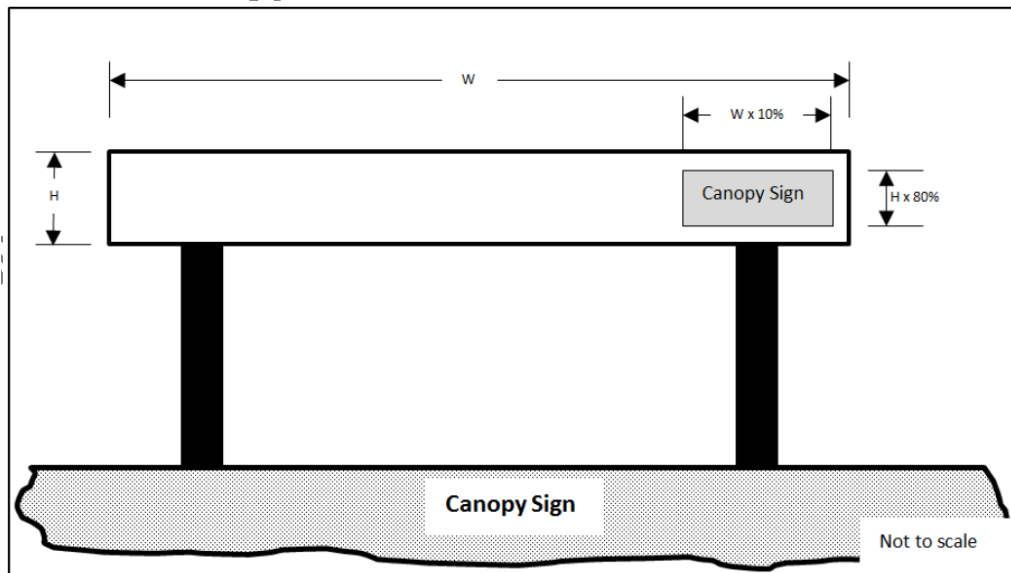
2. *Blade signs.*

- a. One blade sign is permitted per primary use multi-story building located in multi-family, commercial, mixed-use or industrial zoning subject to the specific requirements outlined below.
- b. When a blade sign extends over a pedestrian area a distance of six inches or more, the bottom of the sign shall not be any closer than eight feet above the walking surface over which the sign is placed. When a blade sign extends any distance over a parking lot or vehicular area, the bottom of the sign shall not be any closer than 15 feet above the paving surface over which the sign is placed.
- c. The blade sign shall be mounted such that the top of the sign is not higher than 40 feet above the ground, sidewalk, or pavement surface above which the sign is mounted, except that in no case shall the blade sign extend above the roof of the building onto which the sign is mounted, or if mounted adjacent to a parapet, the sign shall not extend above the parapet.
- d. The blade sign shall not project more than 36 inches from the wall onto which the blade sign is mounted.
- e. The blade sign shall not be externally illuminated in any manner except by ambient lighting as may be present on the property; however, blade signs may be internally illuminated in accordance with the requirements set forth in section 10.



3. *Canopy signs.*

- a. Canopy signs shall not exceed 80 percent of the height of the face of the canopy onto which the canopy sign is mounted.
- b. Canopy signs shall not exceed ten percent of the width of the face of the canopy onto which the canopy sign is mounted.



- c. Canopy signs may be internally illuminated or back-lit in accordance with the requirements set forth in section 9. Level 1

electronic messaging is permitted on a canopy sign, subject to the provisions outlined in section 11.

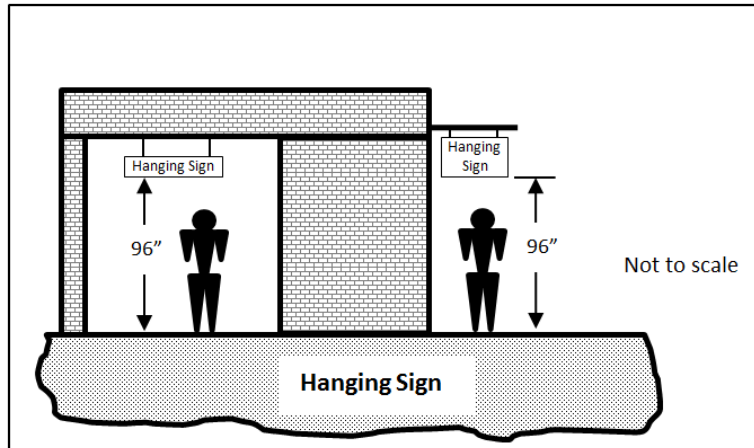
4. *Marquee signs.*

- a. The marquee sign shall be affixed to the face plane of the marquee and shall not extend above the uppermost or lowermost limits of the marquee.
- b. The marquee sign shall not exceed 80 percent of the width of the face of the marquee onto which the sign is mounted.
- c. Marquee signs may be internally illuminated or back-lit in accordance with the requirements set forth in section 9. Level 1 electronic messaging is permitted subject to the provisions outlined in section 11.

5. *Awning signs.* In mixed-use, commercial and industrial zoning districts, awnings may be integrated with sign copy, but shall not contribute towards the overall building wall sign area of a particular building.

6. *Hanging signs.* In mixed-use, commercial and industrial zoning districts, hanging signs are permitted subject to the following time, place, and manner restrictions:

- a. Not more than one hanging sign is permitted per customer entrance and shall be mounted above the customer entrance or as close as reasonably practicable.
- b. The maximum sign area of the hanging sign shall not exceed six square feet.
- c. Where a hanging sign is erected above a pedestrian pathway, the bottom of the sign shall be not less than 96 inches from the walkable surface above which the hanging sign is placed.
- d. The hanging sign shall not be externally illuminated in any manner except by ambient lighting present on the property; however, such signs may be internally illuminated in accordance with the requirements set forth in section 10.



7. *Window signs and sunscreens.*

- a. Window signs are allowed provided the combined sign area for all window signs affixed to a particular window does not exceed 40 percent of the individual window pane. Etched or stained glass, when integral to the window, shall not be included in the sign area calculation.
- b. Sunscreen material may cover 100 percent of the window pane, provided not more than 40 percent of the window pane is covered by any mural or other graphics.
- c. Window signs shall not contribute towards the aggregate building wall sign area of a building.

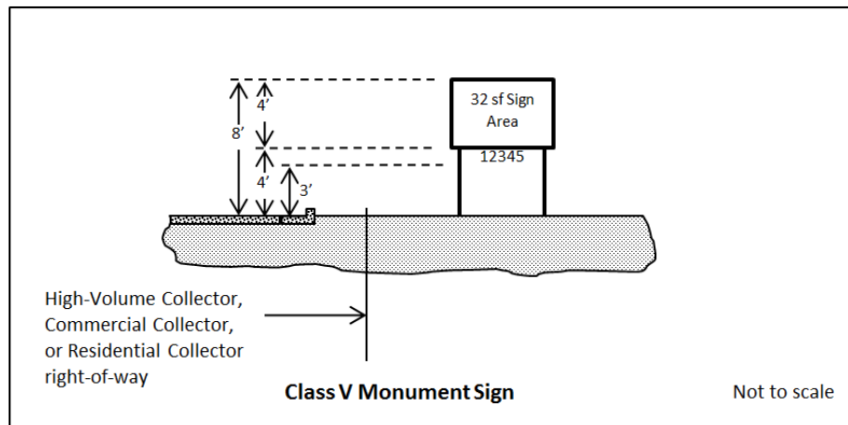
C. *Freestanding ground signs.*

1. *Class I monument signs (menu signs) and class II monument signs (preview signs) for drive-through businesses.* Drive-through businesses may utilize one class I monument sign and one class II monument sign per drive-through lane subject to the following:
 - a. The bottom of the sign copy of a class I monument sign or class II monument sign shall not be less than two feet above the adjacent drive-through lane's paved surface.
 - b. The overall height of the sign structure of a class I monument sign or class II monument sign shall not be more than eight feet above the adjacent drive-through lane's paved surface.
 - c. The sign area for an individual class I monument sign or class II monument sign shall not exceed 50 square feet.
 - d. A class I monument sign shall not be audible from any residential zoning district or residential use, hotel or motel room, or patient room of an overnight medical facility.

- e. No class I monument sign or class II monument sign may be located within 100 feet of a residential zoning district or use.
 - f. Class I monument signs and class II monument signs may be internally illuminated in accordance with the requirements set forth in section 10.
 - g. Level 2 electronic messaging is permitted, subject to the provisions outlined in section 11.
2. *Class III monument signs (directional signs).* Class III monument signs are permitted along the street frontage in conjunction with a driveway serving any multi-family residential, commercial or industrial development, subject to the following:
- a. The class III monument sign shall not exceed 30 inches in height as measured from the adjacent pavement surface of the roadway served by the sign;
 - b. The sign area of a class III monument sign shall not exceed six square feet;
 - c. The class III monument sign may be internally illuminated, back-lit, or externally illuminated as outlined in section 10 provided the source of external illumination is not visible.
3. *Class IV monument signs (directory signs).* Class IV monument signs are permitted within the interior of any multi-family residential, commercial or industrial development, subject to the following:
- a. The class IV monument sign shall not exceed six feet in height as measured from the adjacent pavement surface of the roadway or sidewalk served by the sign;
 - b. The sign area of a class IV monument sign shall not exceed 12 square feet;
 - c. The class IV monument sign may be internally illuminated, back-lit, or externally illuminated in accordance with the requirements set forth in section 10 provided the source of external illumination is not visible.
4. *Class V monument signs (minor monument signs).*
- a. Class V monument signs are permitted in conjunction with non-residential uses in a residential zone, not including cottage industries or home occupations; or in multi-family uses in multi-family zoning; or in non-residential uses in a non-residential zone.
 - b. One class V monument sign meeting the requirements outlined below is permitted for every 150 feet of collector or arterial street

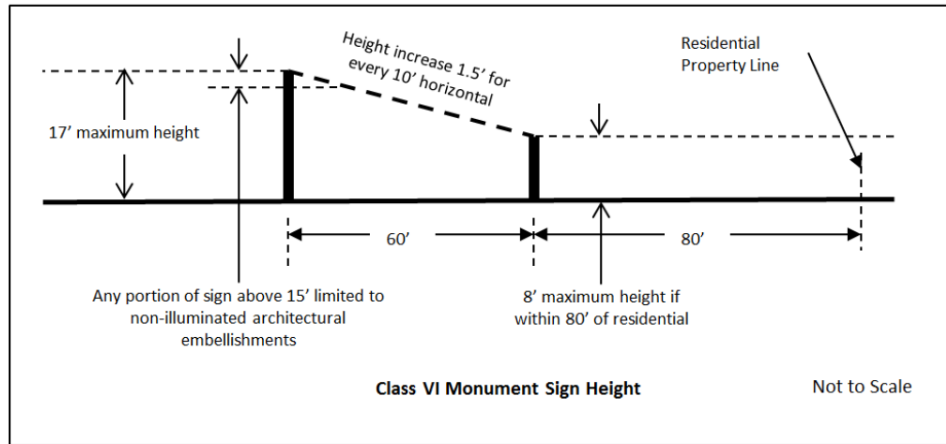
frontage or portion thereof, regardless of the presence or location of driveway, provided sight distance requirements are met. The minimum spacing between individual class V monument signs, or between a class V monument sign and a class VI monument signs, located on the same property shall be not less than 150 feet measured radially.

- c. When allowed, the height of the class V monument sign shall not exceed eight feet as measured from the edge of pavement of the street being served by the sign, nor shall the maximum sign area exceed 32 square feet. The bottom edge of the sign copy shall be no lower than four feet above the adjacent edge of pavement of the street being served by the sign. The height of the sign structure may extend an additional two feet above the face if the sign provided said extension is limited to non-illuminated architectural embellishments and contains no sign copy.



- d. The base of a class V monument sign shall be fitted with the address of the property or properties in a manner that is consistent with section 13.
- e. A class V monument sign shall be located within a landscape area not less than 80 square feet.
- f. Class V monument signs shall be setback not less than two feet from the right-of-way line except that in the event a public utility easement is present, in which case the sign shall be setback not less than two feet from the easement.
- g. Class V monument signs may be internally illuminated, back-lit or externally illuminated in accordance with the requirements set forth in section 10.

- h. Level 1 electronic messaging and level 2 electronic messaging are permitted on a monument sign, subject to the provisions outlined in section 11.
- 5. *Class VI monument signs (major monument signs).*
 - a. Class VI monument signs are permitted in conjunction with non-residential uses in a non-residential zone or that portion of a planned area development where the land use plan of the PAD specifically calls out non-residential uses.
 - b. Class VI monument signs shall only be located adjacent to a parkway, major arterial street, minor arterial street, or along grand avenue. When allowed, one class VI monument sign meeting the requirements outlined below is permitted for every 150 feet of said roadway or portion thereof, regardless of the presence or location of driveway, provided sight distance requirements are met. The minimum spacing between individual class VI monument signs located on the same property shall be not less than 150 feet measured radially. The minimum spacing between class V monument signs and class VI monument signs located on the same property shall not be less than 150 feet measured radially. Properties with less than 150 feet of parkway, major arterial street, minor arterial street, or grand avenue frontage shall not be permitted any class VI monument sign.
 - c. No class VI monument sign may be located within 80 feet of a property having single-family residential zoning. The height of a class VI monument sign located 80 feet or more from a property having single-family zoning shall not exceed eight feet at 80 feet distant; however, the height of a class VI monument sign may increase one and one-half foot for every additional ten feet of horizontal distance the sign is located away from a property having single-family residential zoning up to a maximum height of 17 feet, provided however that any height in excess of 15 feet shall be limited to architectural embellishments.

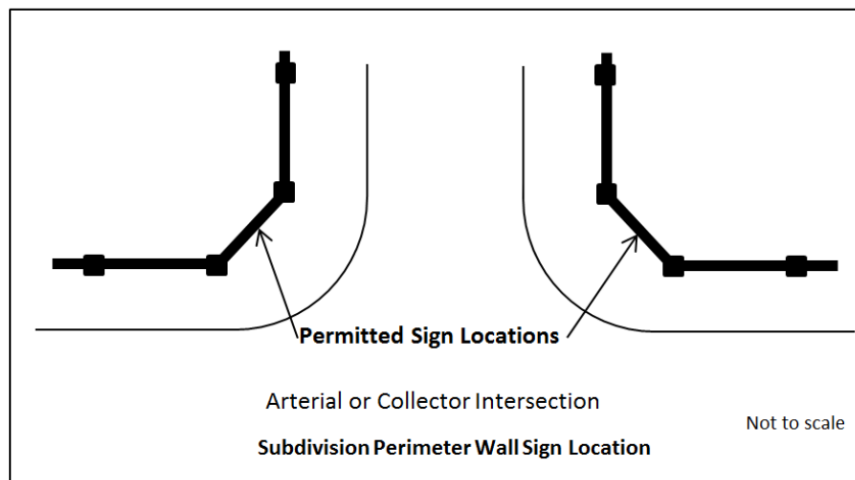


- d. The sign area of a class VI monument sign shall be limited to 36 square feet, but may increase 12 square feet for every one foot increase in the overall height of the sign up to a maximum sign area of 120 square feet.
 - e. The base of a class VI monument sign shall be fitted with the address of the property or properties in a manner that is consistent with section 13.
 - f. A class VI monument sign shall be located within a landscape area not less than the maximum sign area allowed for that sign.
 - g. Class VI monument signs shall be setback not less than two feet from the right-of-way line. Further, in the event a public utility easement is present, the sign shall be setback not less than two feet from the easement, unless the property owner signs a waiver acknowledging the prior rights of the utility companies to occupy said easement.
 - h. Class VI monument signs may be internally illuminated, back-lit or externally illuminated in accordance with the requirements set forth in section 10.
 - i. Level 1 electronic messaging and level 2 electronic messaging are permitted on a class VI monument sign, subject to the provisions outlined in section 11.
6. *Roadway arch signs.* Roadway arch signs may be erected within any commercial or industrial development subject to the following:
- a. Roadway arch signs shall maintain a vehicular clearance of not less than 18 feet;
 - b. Roadway arch signs shall not interfere with pedestrian or vehicular movement;

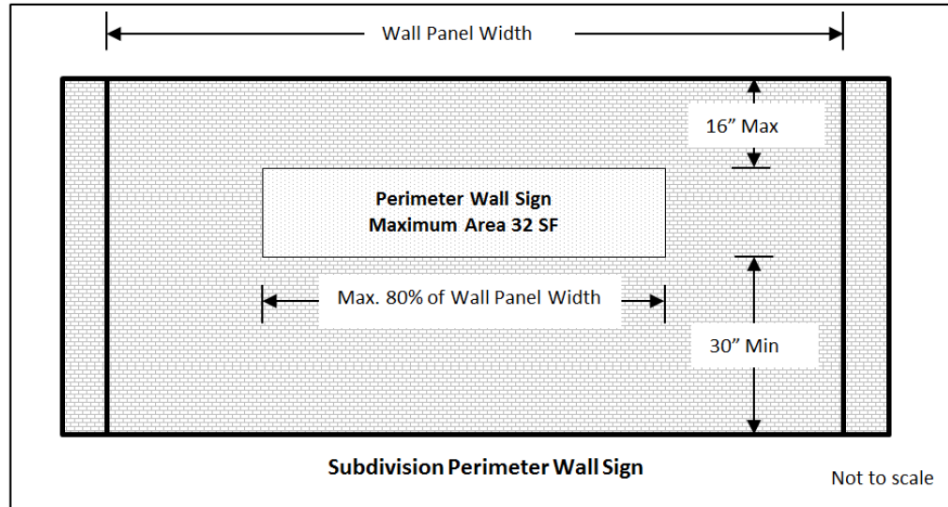
- c. Roadway arch signs may be internally illuminated, or back-lit in accordance with the requirements set forth in section 10 except that if the roadway arch sign is located within 100 feet of any residential zoning district or use, the roadway arch sign shall not be illuminated.

7. *Subdivision perimeter wall signs.*

- a. Where a subdivision perimeter wall is located adjacent to a street corner that intersects a collector or arterial street, one subdivision perimeter wall sign may be affixed to the wall panel of the subdivision perimeter wall most closely oriented to the intersection, subject to the specific requirements outlined below.



- b. The maximum sign area shall not exceed 32 square feet.
- c. The width of the sign shall not exceed 80 percent of the width of the perimeter wall panel into which the sign is mounted.
- d. The bottom of the sign shall be no lower than 30 inches from the adjacent grade.
- e. The top of the sign shall be no higher than 16 inches from the top of the wall panel onto which the sign is mounted.
- f. The sign may be back-lit or externally illuminated provided the source of illumination is not visible from the street or from the adjacent residential property and is otherwise in accordance with the requirements set forth in section 10.



8. *Freeway monument signs.* Freeway monument signs may be permitted as outlined in this section:

a. *State Route 303 Corridor.* Freeway monument signs may be located within the following portions of the State Route 303 Corridor, subject to prior approval of a conditional use permit to be processed as a Type 3 application in accordance with Chapter 102 of this Ordinance:

(1) *State Route 303 and U.S. 60.* An area of land generally located at the intersection of State Route 303 and U.S. 60, being situated in the south half of Section 18 and the north half of Section 19, Township 4 North, Range 2 West and the south half of Section 36, Township 4 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at a point located at longitude 112°24'13" west by latitude 33°40'49" north, thence southwesterly along a line bearing N43°00'58"E a distance of 1,320 feet to the beginning of a non-tangent curve the center of which is said longitude and latitude; thence clockwise along the arc of said curve a distance of approximately 2,070 feet, thence departing said arc southeasterly along a line bearing N46°13'20"W a distance of 1,320 feet to the POINT OF BEGINNING

(2) *State Route 303 and Bell Road.* An area of land generally located at the intersection of State Route 303 and Bell Road,

being situated in the north half of Section 1, Township 3 North, Range 2 West and the south half of Section 36, Township 4 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at the north quarter corner of said Section 1, thence easterly along the north line of the northeast quarter of said Section 01 a distance of 850 feet to the beginning of a non-tangent curve the center of which is said north quarter corner; thence clockwise along the arc of said curve a distance of approximately 4,000 feet to a point on the east line of the southwest quarter of said Section 36, thence departing said curve, southerly along said east line a distance of 850 feet to the POINT OF BEGINNING

- (3) *State Route 303 and Greenway Road.* An area of land generally located at the intersection of State Route 303 and Greenway Road, being situated in the southeast quarter of Section 1, Township 3 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, described as follows:

BEGINNING at the south quarter corner of said Section 01, thence northerly along the west line of said southeast quarter a distance of 450 feet to the beginning of a non-tangent curve the center of which is said south quarter corner; thence clockwise along the arc of said curve a distance of approximately 700 feet to a point on the south line of said southeast quarter; thence departing said curve, westerly along said south line a distance of 450 feet to the POINT OF BEGINNING

- (4) *State Route 303 and Cactus Road.* An area of land generally located at the intersection of State Route 303 and Cactus Road, being situated in the northeast quarter of Section 24, Township 3 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona described as follows:

BEGINNING at the north quarter corner of said Section 24; thence easterly along the north line of said northeast quarter a distance of 850 feet to the beginning of a non-

tangent curve the center of which is said north quarter corner; thence clockwise along the arc of said curve approximately 1,340 feet to a point on the west line of said northeast quarter; thence departing said curve, northerly along said west line a distance of 850 feet to the POINT OF BEGINNING

- (5) All freeway monument signs located within the aforementioned locations are subject to the provisions in subsections 9(c)(9)b.—e.

b. *Additional locational requirements.* The following additional locational requirements apply for all freeway monument signs regardless of where in the corridor it is located:

- (1) Freeway monument signs may only be approved on lands zoned for commercial or industrial uses.
- (2) No freeway monument sign shall be located within 300 feet of a property zoned for residential uses, or any open space tract that is associated with a residential development.
- (3) Freeway monument signs shall not be located closer than 20 feet from the adjacent right-of-way.
- (4) Spacing between freeway monument signs shall be not less than 750 feet, unless separated by a freeway or arterial right-of-way.
- (5) Freeway monument signs shall not be allowed within a natural or manmade watercourse.

c. *Dimensional requirements.* The following dimensional requirements apply for all freeway monument signs regardless of the corridor in which it is located:

- (1) The overall height of a freeway monument sign shall not exceed 65 feet as measured from the finished grade of the site where the freeway monument sign is located to the highest point of the sign structure.
- (2) Freeway monument signs shall be allowed an extra three feet in height for architectural embellishments.
- (3) The sign area of a freeway monument sign shall not exceed 650 square feet.

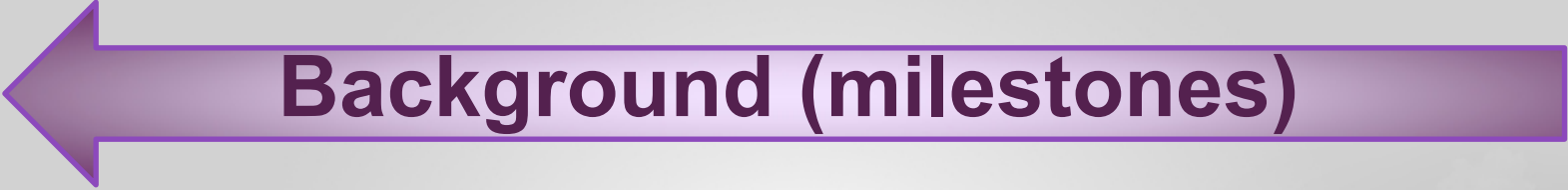
d. *Design requirements.* The following design requirements apply for all freeway monument signs regardless of the corridor in which it is located:

- (1) Freeway monument signs may incorporate level 2 electronic messaging centers as outlined section 11 herein, except that electronic messaging centers used in freeway monument sign applications may occupy up to 50 percent of the allowable sign area of the sign, exclusive of architectural embellishments as required herein, and provided such electronic messaging centers are turned off between 11:00 p.m. and dawn.
 - (2) Freeway monument signs shall incorporate architectural features of the commercial development on which the sign is located; however, such embellishments shall not include any sign copy.
 - (3) Freeway monument signs shall require a landscaped area equal to four square feet of landscaping for each square foot of sign area and shall be located around the base of the sign; freeway monument signs may be illuminated by externally-illuminated indirect or internal lighting.
- e. Any conditional use permit approval is hereby conditioned upon the applicant obtaining a valid construction permit for the freeway monument sign approved under said conditional use permit. The applicant shall obtain certificate of completion from the city within six months of approval of the conditional use permit by the City Council. Failure to obtain a certificate of completion within the designated time allotment shall render the conditional use permit null and void; however, the city manager or designee may grant a one-time extension for a period not to exceed six months when in the opinion of the city manager or designee the circumstances warrant such.



Temporary Signs (Large A-Frame)

City Council
September 21, 2021



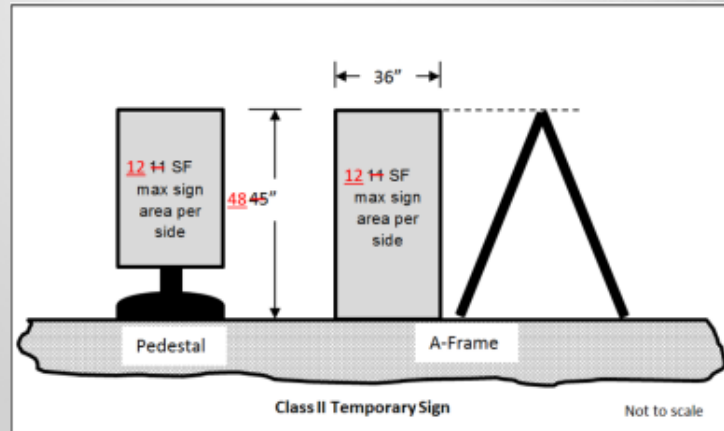
Background (milestones)

- March 2, 2021: Request to re-evaluate Large A-Frame Signs
- May 11, 2021 – Staff initiated case FS21-372 as it relates to Chapter 109 of the LDO
- April 6, 2021 – City Council Discussion
- June 9, 2021 – Outreach meeting
- July 15, 2021 – Planning and Zoning Commission hearing
- August 5, 2021 – Planning and Zoning Commission hearing
- August 17, 2021 – City Council Work Session

Proposed Text

- Amend Subsection 109-1.6 regarding definition:
 - Increased sign area from 11 SF to 12 SF per side
 - Increased the height from 45" to 48 "

No change since
July 15th P&Z



Proposed Text

- Amend Table 109-1a to allow Class II Temporary Signs in public and private rights-of-way

TABLE 109-1a PERMITTED SIGNS (P = permitted, shaded cell = not permitted, C = conditional use permit)											
Code Reference	Sign Type	Location									
		Public Rights-of-Way	Private Rights-of-Way	Single-Family	Multi-Family	Mixed-Use	Commercial and Industrial	SHD-RO	SHD-CO	Open Space	PF
TEMPORARY SIGNS											
109-1.9(a)(2)	Class I Temporary Signs (Small A-Frame Signs)	P	P	P				P			
109-1.9(a)(3)	Class II Temporary Signs (Large A-Frame Signs)	<u>P</u>	<u>P</u>			P	P	P	P		

COMMISSION RECOMMENDATION DOES NOT INCLUDE THIS LANGUAGE

Proposed Text

➤ Amend Subsection 109-1.8(B) regarding materials and legibility:

- Deleted the word “permanent”
- Clarified that Class II Temporary Signs must be fabricated of durable certain materials e.g. wood, hard plastic, or metal with no sharp edges
- Sign copy must be legible

No change since
July 15th P&Z

Proposed Text

➤ Amend Subsection 109-1.9.A.3:

- Correcting scrivener errors
- ~~▪ Tied Class II Temporary Signs to Business License~~
- ~~▪ Added provision that would allow one additional sign within 1,000 feet of business~~
- ~~▪ Added provision that prohibits locating in landscaping strip between sidewalk and curb~~
- Other clarifying language

COMMISSION
RECOMMENDATION
DELETED THIS
LANGUAGE

Proposed Text

➤ Amend Subsection 109-1.9.A.3:

- Correcting scrivener errors
- ~~▪ Tied Class II Temporary Signs to Business License~~
- ~~▪ Added provision that would allow one additional sign within 1,000 feet of business~~
- Added provision that prohibits locating in landscaping strip between sidewalk and curb
- Other clarifying language

LANGUAGE
DELETED

LANGUAGE
RETAINED

Proposed Text

➤ Amend Subsection 109-1.9.A.3:

NEW
LANGUAGE
ADDED

- Added provision that allows one additional sign within or adjacent to the right-of-way
- Added provision that limits location to not within 50' of curb of driveway
- Added provision that requires 20' separation between signs

Outreach

- **June 9, 2021**
- **Mixed opinions** (Based on original proposal)
 - **Support**
 - **Increased visibility**
 - **Concerns over Business License requirement**
 - **Concerns over 1,000' limitation**
 - **Opposition**
 - **Sign clutter**
 - **Enforceability**

Bellmar Plaza Scenarios

- 5 Parcel Owners
- 31 Suites
19 Occupied
12 Vacant
- 700' of Bell Road Frontage
- Max Number of Signs: 30



Kohl's Center Scenarios

- 4 Parcel Owners
- 21 Suites
17 Occupied
4 Vacant
- 975' of Bell Road Frontage
- Max Number of Signs: 40



Commission Recommendation

Approve as presented to Commission on August 17, 2021

Timeline

- **Target**
 - **City Council on September 21, 2021**
 - **Effective date of October 21, 2021**



QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: September 21, 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 rezone of approximately 187 acres generally located south of Dynamite Boulevard and east of 163rd Avenue from Rural Residential (RR) and Planned Area Development (PAD) to Residential Low Density with a Planned Unit Development Overlay (RL-5 PUD); Ordinance # 2021-19; Case FS20-225.

Motion:

I move to approve Ordinance # 2021-19.

Background:

Kimley Horn, on behalf of the property owner, requests a Zone Change of 187 acres from Rural Residential (RR) and Planned Area Development (PAD) to Residential Low Density with a Planned Unit Development Overlay (RL-5 PUD) for a gated single-family residential development. The developer proposes 700 dwelling units for a total density of 3.72 DU/Acre. On August 19, 2021, the Planning and Zoning Commission made a motion to recommend approval to the Mayor and City Council. However, the motion was unsuccessful with a 3-3 vote.

Objective Analysis:

This rezone would allow the applicant to develop a 700-unit gated single-family residential development known as Rio Caballo.

Policy Compliant:

The requested Rezone is consistent with 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 staffing levels.

ATTACHMENTS:

1. 00 - FS20-225 - Staff Report - CC
 2. 01 - FS20-225 - Vicinity Map - CC
 3. 02 - FS20-225 - Zoning Document - CC
 4. 03 - FS20-225 - Citizen Participation Report - CC
 5. 04 - FS20-225 - Affidavit of Posting - CC
 6. 21.09.01 EVR Rio Caballo Ordinance 2021-19
 7. FS20-225 - PowerPoint - CC
-

ZONE CHANGE

REPORT TO THE CITY COUNCIL

1 **Case:** **FS20-225**
2
3 **Project Name:** Rio Caballo
4
5 **Council District:** 1 – Acacia
6
7 **Planning and Zoning**
8 **Commission Date:** August 19, 2021
9
10 **City Council Date:** **September 21, 2021**
11
12 **Planner:** Sergio Angulo, Planner II
13
14
15 **Owner:** Leavitt CAP Rio Caballo LLC
16 Schneerer Gerald L/Linda M TR
17
18 **Applicant:** Keith Nichter of Kimley Horn
19
20 **Request:** Zone Change from Residential Ranch (RR) and Planned Area
21 Development Low Density Residential (PAD – LDR) to Residential Low
22 Density with a Planned Unit Development (RL-5 PUD) Overlay to allow
23 deviations from the base development standards.
24
25 **Site Location:** Generally south of Dynamite Boulevard and east of 163rd Avenue in a
26 portion of Section 31, Township 5 North, Range 1 West, of the Gila
27 and Salt River Base and Meridian, Maricopa County, Arizona.
28
29 **Dwelling Units:** 700 Units
30
31 **Site Size:** 187 acres (approx.)
32
33 **Density:** 3.72 DU/Ac
34
35 **General Plan Conformance:** The proposal is consistent with the Surprise General Plan.
36
37 **Support/Opposition:** The applicant held a virtual neighborhood meeting on September 24,
38 2020 where residents of the vicinity asked questions and expressed
39 their concerns on this project. Some residents expressed their
40 opposition to this project at the meeting.

41
42 **Commission**

43 **Recommendation:** The Planning and Zoning Commission made a motion to recommend
44 approval to the Mayor and City Council. Motion was unsuccessful with
45 a 3-3 vote.
46

47 **Project Description:**
48

49 Keith Nichter with Kimley Horn, on behalf of Leavitt CAP Rio Caballo LLC and Schneerer Gerald L/Linda
50 M TR, requests a Zone Change of 152 acres (approx.) of Residential Ranch (RR) and 35 acres (approx.)
51 Planned Area Development (PAD – LDR) to Residential Low Density (RL-5) with a Planned Unit
52 Development (PUD) Overlay. The proposed Zone Change request anticipates the eventual
53 development of the property into a gated single-family residential subdivision, generally located
54 south of Dynamite Road and east of 163rd Avenue.
55

56 **Background:**
57

58 **November 3, 1988:** The City Council approved the annexation (Ordinance 88-24) of the subject
59 property.
60

61 **February 7, 2019:** Staff met with the applicant to discuss the project during a regularly scheduled
62 Concept Review meeting under CR19-076.
63

64 **March 27, 2020:** The applicant filed a related request for a Zone Change of approximately 187 acres
65 from RR to RL-5 PUD under case FS20-225, the subject case.
66

67 **September 24, 2020:** The applicant held a virtual neighborhood outreach meeting to discuss the
68 project.
69

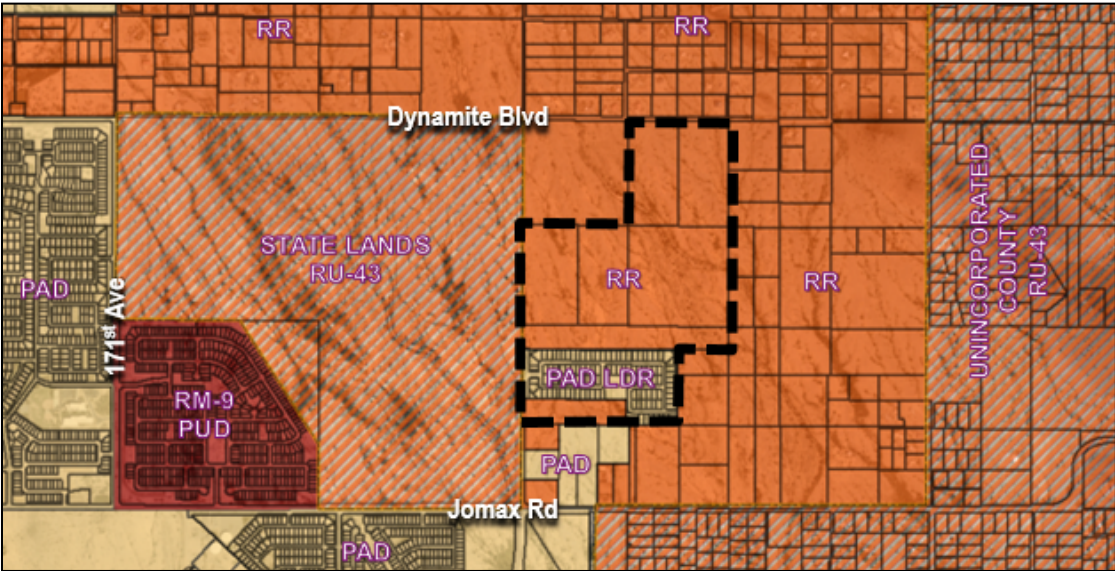
70 **August 19, 2021:** The Planning and Zoning Commission made a motion to recommend approval to
71 the Mayor and City Council. Motion was unsuccessful with a 3-3 vote.
72
73
74
75
76
77

78 **Neighborhood Meeting Summary:**
79

80 As noted above, the applicant held a virtual neighborhood outreach meeting on September 24, 2020,
 81 which was advertised per state law and requirements of the SUDC. Residents from the vicinity
 82 attended the virtual meeting to learn about the project and to express their concerns. Some residents
 83 expressed frustration and opposition to this project due to the increase in traffic and the already
 84 existing traffic issues in this area of the City. Other concerns were regarding increased demand for
 85 water and utilities and buffering to the adjacent rural lots. See the attached Citizen Participation
 86 Report for a full meeting summary.

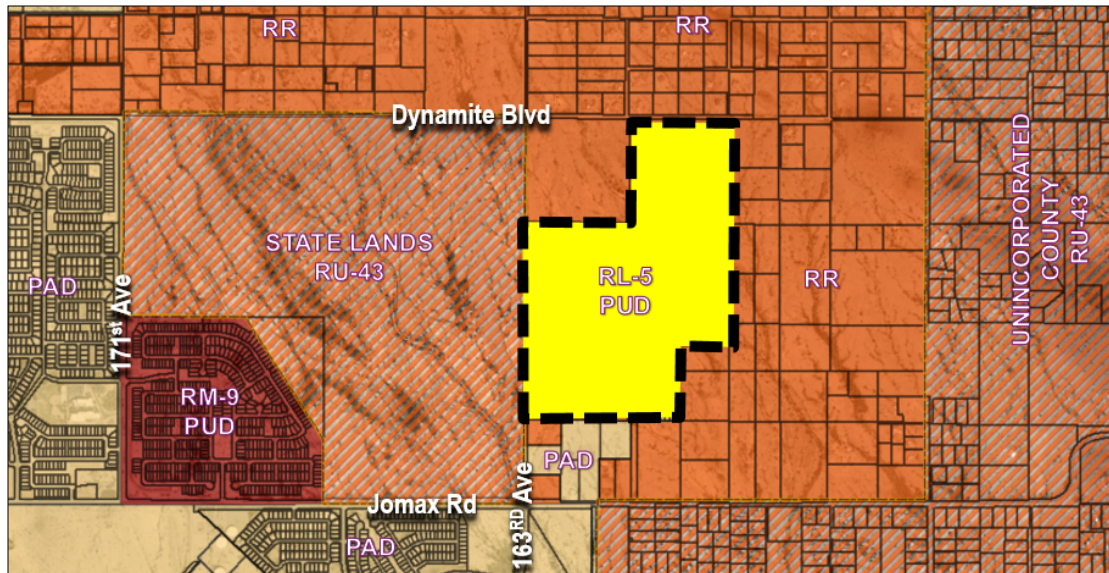
87

88 **Existing Land Zoning:**



RR	RR	RR
State Lands – RU-43	RR/PAD-LDR	RR
State Lands – RU-43	RR/PAD	RR

Proposed Land Zoning:



RR	RR	RR
State Lands – RU-43	RL-5 PUD	RR
State Lands – RU-43	RR/PAD	RR

Analysis and Discussion:

The applicant requests to rezone the subject property from Residential Ranch (RR) and Planned Area Development (PAD-LDR) to Residential Low Density (RL-5) with a PUD Overlay. This zoning application was submitted and reviewed under the requirements of the SUDC, the City’s previous development ordinance. In RL-5 zoned properties, the SUDC allows for a maximum density of five (5) dwelling units per acre; however, this PUD Overlay will cap the density at 3.72 dwelling units to the acre. The proposed density and unit count also allows for an increase in open space from 20% to 27%. The proposed PUD Overlay also proposes certain deviations from development requirements set in the SUDC.

This Zone Change and PUD Overlay will allow the property to develop as a gated single-family community where the applicant proposes a maximum of 700 dwelling units. The project proposes 40’, 45’, and 50’ wide lots and will be developed in four (4) phases. This development proposes to take access from 163rd Avenue to the west and from 159th Avenue to the east. Both of these entrances will be gated. An additional emergency access is proposed on Dynamite Boulevard on the north side of the project. This project proposes a 2.5-acre neighborhood park centrally located, and a natural wash that the applicant will leave as a natural open space amenity.

PUD Overlay

As part of the proposed Zone Change and PUD Overlay the applicant requests to deviate from certain development requirements as follows:

1. Proposed modification to the development standards set in the SUDC for RL-5. The table below shows the deviations in green font.

Development Standard	RL-5 City Base Standards	Proposed RL- 5 PUD Standards
Maximum Density	5.0	3.72 (decrease in density)
Minimum Lot Area (sf)	7,200 s.f.	4,400 s.f.
Minimum Lot Width (ft)	60'	40'
Minimum Lot Depth (ft)	100'	110' (increase)
Minimum Front Yard Setback (ft)	15' (12' for side loaded garage product)	12'
Minimum Side Yard Setback (ft)	5 (15' aggregate)	5' (10' aggregate)
Minimum Front Facing Garage Setback (ft)	N/A	20' (from back of sidewalk)
Minimum Rear Yard Setback (ft)	20'	20'
Maximum Building Height (ft)	30'	30'
Lot Coverage	N/A	N/A

2. Proposed modifications to roadway landscape buffers. SUDC Section 122-137(e) requires at least a 60' landscape buffer along arterials and parkways and Section 122-137(f) requires at least a 10' landscape buffer along collector roads. This PUD Overlay proposes a decrease in the landscape buffer along 163rd Avenue (parkway) to a minimum 40' landscape buffer, decreases the minimum landscape buffer along Dynamite Boulevard (arterial) to 20', and increases the minimum landscape buffer along 159th Avenue (collector) to 20'.
3. Proposed modifications to open space and amenities requirements. SUDC Section 122-137(o) requires a tot lot recreation area for every 500 units. This PUD Overlay modifies this section to require a community gathering amenity area for every 400 units and provides a list of amenities that constitute as community gathering area. SUDC Section 122-137 (p) requires a 3.5-acre turf recreation field for every 700 units and Section 122-137(q) requires one (1) recreational sport court for every 300 units. This PUD Overlay proposes one turf recreational field for every 700 units and one (1) recreational opportunity for every 250 units. Recreational opportunities include sport courts, corn hole sets, disc golf, outdoor fitness area, and nature trails.

4. Proposed modifications to gated community requirements. SUDC Section 122-27(a) requires that gated communities provide at least 30% of improved open space and this PUD Overlay modifies this section to require a minimum 25% of improved open space, still more than the 20% minimum open space requirement for non-gated communities. SUDC Section 122-27(c) requires that at least 70% of walls or fencing used around the perimeter of the development be view fencing. This PUD Overlay modifies this section to require 70% of walls or fencing adjacent to large natural washes and park to be view fencing. This will allow the developer to build solid theme fences along the perimeter of the development, which will backup to roadways on the north, east, and west, and will require view fencing along 70% of the lots that back up to the park and washes within this development.
5. Proposed modifications to residential driveway area. SUDC Section 122-121 (h)(3)c. – d. limits driveways and other parking in single-family lots to 30% of the front yard area and 30% of the lot width. Given the proposed minimum lot width for this development, these provisions take away the possibility to have a driveway wide enough to accommodate a two (2)-car garage or two (2) vehicles parked on the driveway. To allow for adequate on-site parking, this PUD Overlay proposes to increase the driveway allowance from 30% to 50% of the total front yard area and 50% the width of the lot.

Utility and Services Table:

Electric:	APS
Water:	City of Surprise
Wastewater:	City of Surprise
Schools:	Unidentified. Not within any School District's Boundary

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 in a suburban neighborhood supports residential development between two and eight dwelling units per acre (2-8 DU/Ac). The proposed Zone Change and PUD Overlay will allow for a development with a maximum density of 3.72 DU/Ac, which demonstrates consistency with this land use category.

Reviewing Agencies:

In addition to the standard city reviewing agencies, 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.

168 **Summary:**

169
170 This proposed Zone Change and PUD Overlay will reduce the maximum allowed density and amend
171 certain development standards to allow for the development of Rio Caballo.

172
173 **Findings:**

- 174
175
 - The proposed Zone Change and density are consistent with the Surprise General Plan 2035.
 - The proposed Zone Change is consistent with the Surprise Unified Development Code (SUDC),
176 except as amended through the PUD Overlay.
 - The SUDC allows for the modification of development requirements through the PUD Overlay
177 process.

178
179
180

181 **Recommendation:**

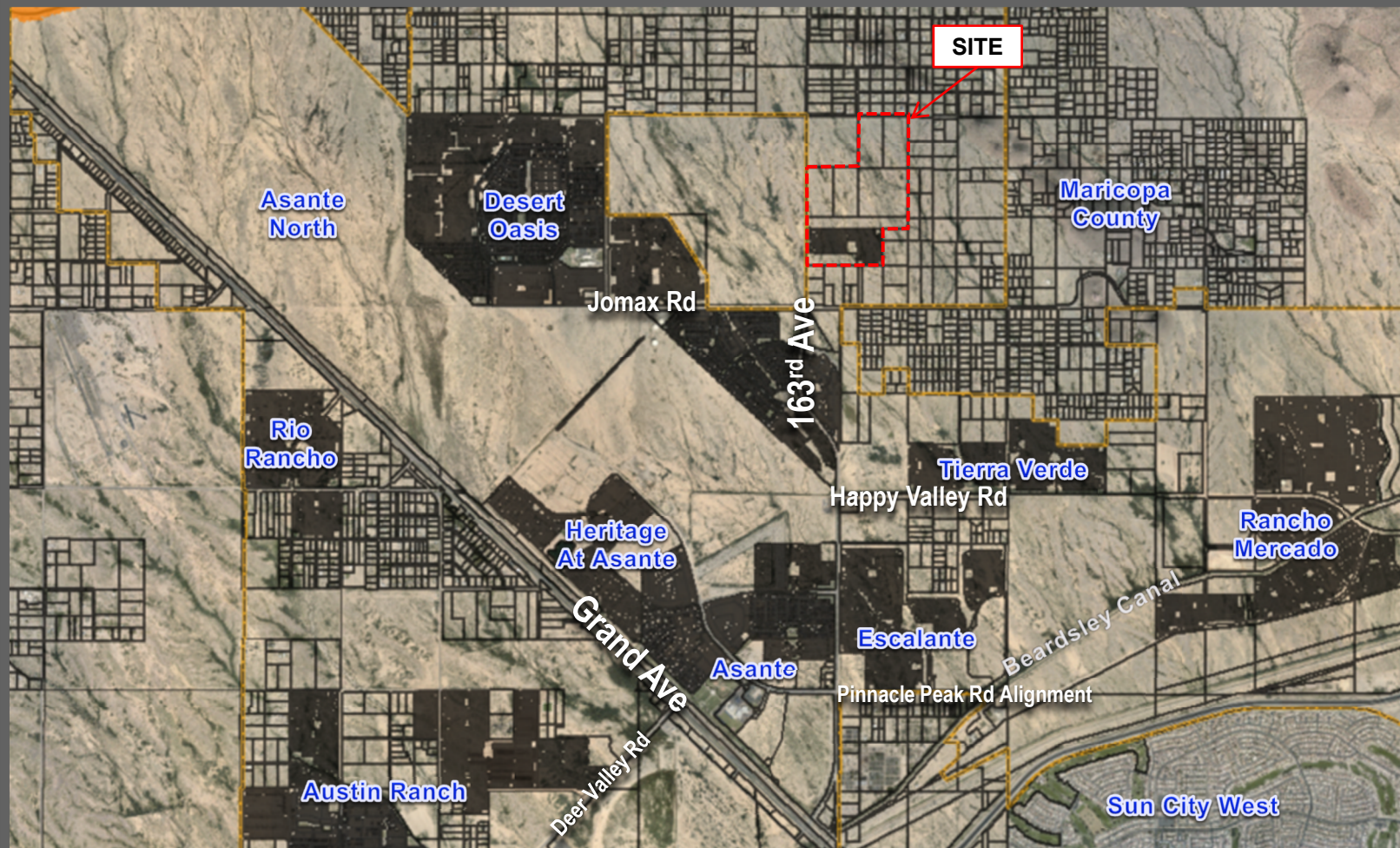
182
183 On August 19, 2021, the Planning and Zoning Commission made a motion to recommend approval
184 to the Mayor and City Council. Motion was unsuccessful with a 3-3 vote.

185
186 Should the City Council choose to move to **approve** case **FS20-225**, approval of FS20-225 is subject
187 to stipulations 'a' and 'b' as follows:

- 188
189 a. Development and use of the site shall be in substantial conformance with the Zone Change
190 document entitled "Rio Caballo", prepared by Kimley Horn, dated revised July 2021 and date
191 received July 22, 2021.
- 192
193 b. Non-compliance with the stipulations of approval of this case will be treated as a violation in
194 accordance with the provisions of Article XIV of the Surprise Unified Development Code.
- 195

196 **Attachments:**

- 197
198 01 Vicinity Map
199 02 Zone Change Document
200 03 Citizen Participation Report
201 04 Affidavit of Posting
202 05 Ordinance #2021-19



FS20-225 VICINITY MAP

RIO CABALLO

REZONING APPLICATION

SURPRISE, ARIZONA

1ST SUBMITTAL - MARCH 2020

2ND SUBMITTAL - MARCH 2021

3RD SUBMITTAL - JUNE 2021

4TH SUBMITTAL - JUNE 2021

5TH SUBMITTAL - JULY 2021

CASE NUMBER FS20-225



REZONING NARRATIVE

RIO CABALLO SURPRISE, ARIZONA

1ST SUBMITTAL – MARCH 2020

2ND SUBMITTAL – MARCH 2021

3RD SUBMITTAL – JUNE 2021

4TH SUBMITTAL – JUNE 2021

5TH SUBMITTAL – JULY 2021

CASE NUMBER FS20-225

Prepared For:
Leavitt CAP Rio Caballo LLC

Project Team:

Developer:



Planning/
Engineering
Consultant:



Representation:



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SECTION 1 – DESCRIPTION OF REQUEST

A. Introduction

On behalf of Leavitt Cap Rio Caballo, LLC, our project team is requesting a zone change from Residential Ranch (RR) and Planned Area Development (PAD) to Residential Low Density (RL-5) PUD for +/-187-acres of land, referred to as Rio Caballo, located South and East of the southeast corner of 163rd Avenue and Dynamite Boulevard. See Figure 1, *Vicinity Map* for the property boundary and general location.

The purpose of this narrative is to illustrate the overall desired community character and quality, through a variety of community design elements, to be implemented within Rio Caballo. Components related to land use, open space, trails, and the character of the landscaping and walls will be carefully planned and designed to complement the area's natural Sonoran Desert setting and feel. The surrounding character and environmental features which help define Rio Caballo, and its vast open spaces will be an integral part of the community's character.

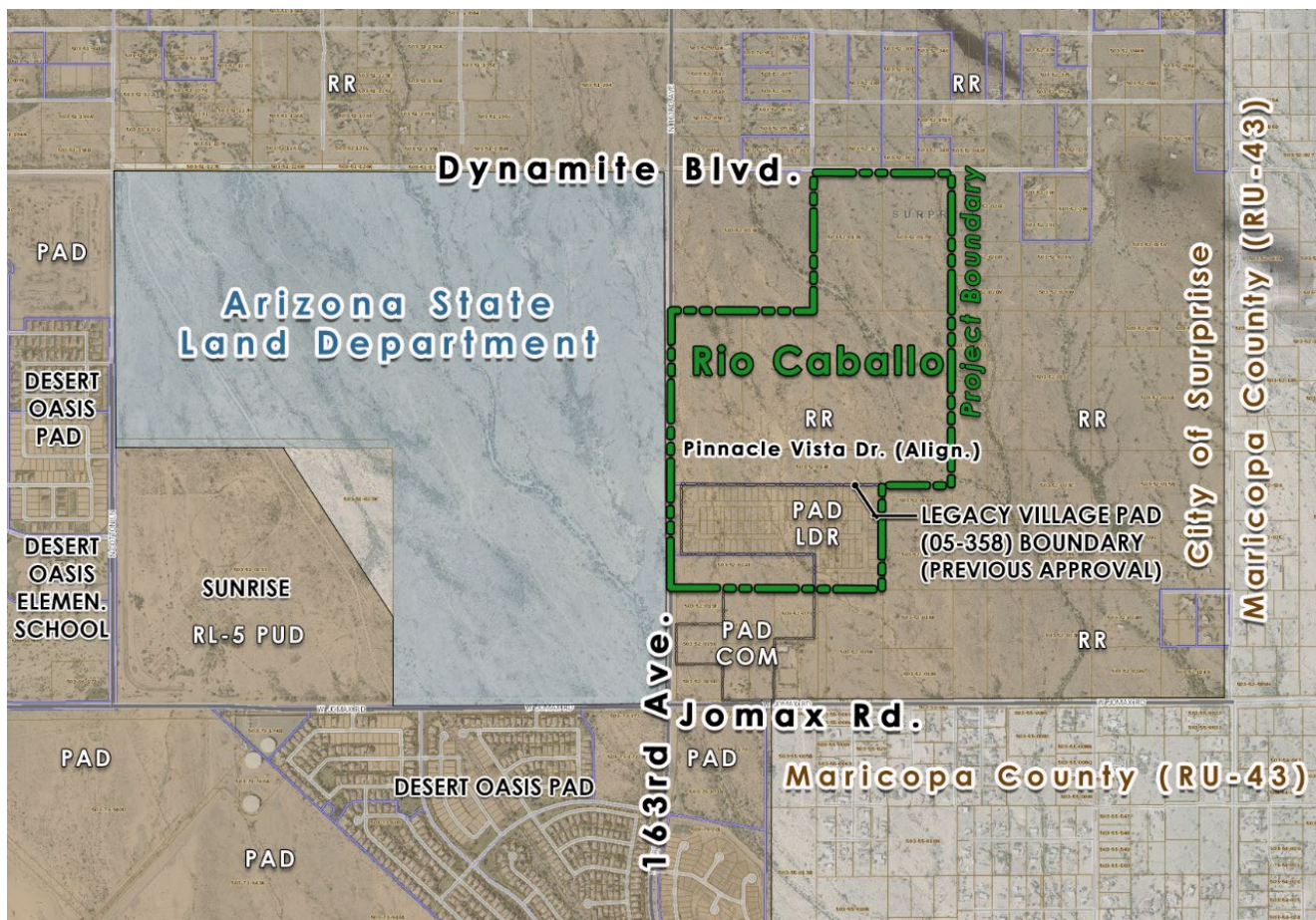


Figure 1, *Vicinity Map*

B. Project Overview and Zoning Request

Rio Caballo is a private gated subdivision, which will be developed as a holistic single-family detached residential master plan, envisioned as a connected and cohesive community that celebrates the natural beauty of the Sonoran Desert and provides a framework for community health and well-being. Our project team believes that this is a unique opportunity to develop a phased development plan that embraces the City's desire for growth and the addition of a full range of housing opportunities within the identified 163rd Avenue growth area as planned by the Surprise General Plan 2035. With convenient access, the availability of existing services, and adjacency to desired open space linkages this area is already experiencing new residential growth. Rio Caballo will look to build off this growth while providing a low-density development that broadens the choice of type, size, and affordability of housing in Surprise while providing natural and planned open space throughout the site.

The residential zoning proposed for the property is RL-5 with a PUD overlay to create development standards that fit the development proposed on the subject site, see Table 2. This proposal will allow for the development of this private gated community and will allow up to 700 residential units, which equates to a gross density of 3.72 dwelling units per acre. The density proposed is much lower than the maximum allowed 8 dwelling units per acre (du/ac) that is permitted within the Suburban Development Type of the Neighborhood General Plan Land Use designation. The referenced concept plan provides for a range of product sizes with a mix of 40' x 110', 45' x 115', and 50' x 120' lots. The proposed product type mix accommodates the needs and preferences of most homebuyers. While the overall layout of the community has been meticulously designed to provide residents with an immersive experience surrounded by natural open space. This combination of lot sizes and open space inclusion will provide for a diverse multi-layered community, setting the foundation for another excellent community within the City of Surprise. Additionally, to create a diverse street character, lots less than 48' will incorporate a combination of design methods for site layout such as but not limited to those below.

1. Stagger the building frontage depths between adjacent lots or provide undulation of the front elevations to create a natural stagger effect from the adjacent lots.
2. One third of the homes shall have a five foot (5') or greater recess for the face of the garage door from the front plane of the home; including livable space, porches, courtyards, etc.
3. Pavers or other driveway treatments shall be available options.
4. Garage doors specific to each elevation style with windows, raised or recessed panels, and architectural trim shall be available options.
5. Mirrored driveways shall be offered.
6. One third of the two-story homes shall have the second story brought toward the front elevation.
7. Three unique home elevation styles shall be offered.
8. Standard covered patios are provided as integration of the architectural designs.

SECTION 2 – EXISTING CONDITIONS

A. Property Location and Description

Rio Caballo is a polygonal-shaped site located 3.5 miles north of the Loop 303 freeway & US Highway 60 interchange and is bounded by Dynamite Boulevard to the north, the 159th Avenue alignment to the east, and by 163rd Avenue to the west. See Appendix A, *Legal Description and ALTA Survey* for the legal boundaries of the property.

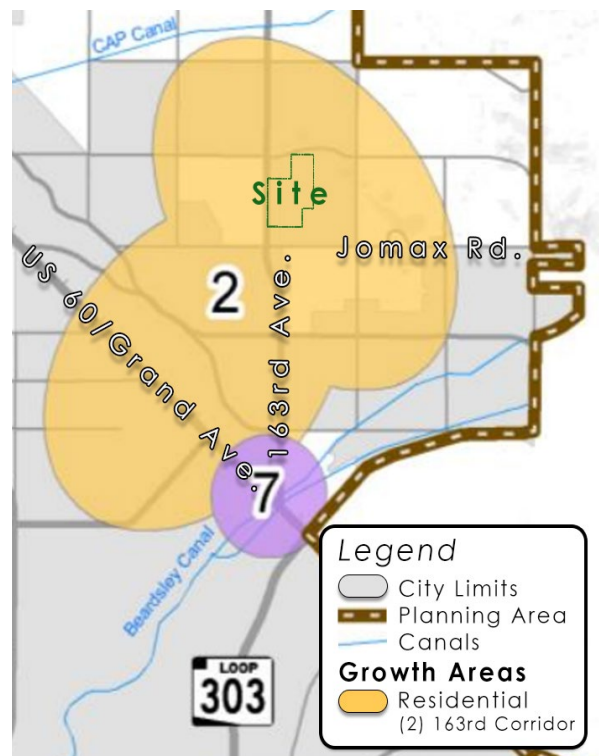
The following Assessor Parcel Numbers are included with this zoning application:

1. 503-52-017A, Leavitt Cap Rio Caballo LLC
2. 503-52-017B, Leavitt Cap Rio Caballo LLC
3. 503-52-013C, Leavitt Cap Rio Caballo LLC
4. 503-52-013E, Leavitt Cap Rio Caballo LLC
5. 503-52-013F, Leavitt Cap Rio Caballo LLC
6. 503-52-014E, Leavitt Cap Rio Caballo LLC
7. Legacy Village Subdivision – Multiple Parcels, Leavitt Cap Rio Caballo LLC
8. 503-52-014F, Gerald L & Linda M Schneerer Trust

B. Historical and Existing Land Use, Zoning and General Plan Designation

The Rio Caballo site is currently vacant land. Properties surrounding the project include vacant and rural single-family residential property to the north, vacant land to the east, vacant property to the south, and vacant state trust land to the west. See Table 1 below the existing land uses on the site and surrounding area.

Currently, the majority of the property is zoned Residential Ranch (RR) in the City of Surprise, permitting 1 dwelling unit per acre. The remainder of the site (+/-35-acre) is zoned Planned Area Development (PAD) as part of the mixed-use Legacy Village PAD that was approved in 2006 and permits 110 single-family lots (3.10 du/ac). The balance of that PAD was approved for commercial uses, specifically restaurant and retail, at the northeast corner of Jomax Road and 163rd Avenue. The commercial portion of the PAD is not part of the Project. See Figure 2, *Existing Zoning Map* for the existing zoning on the site and surrounding area.



Anticipated Growth Areas

The project site is within the Neighborhood Character Area of the City of Surprise 2035

General Plan's Land Use element. The *Suburban Development Type* provides for densities of 2-8 du/ac and supports a wide variety of residential development opportunities. Additionally, the General Plan's Growth element recognizes the Rio Caballo site as an appropriate area for new residential development within the designated 163rd Ave. Corridor growth area, which encourages a full range of housing opportunities. See Figure 3, *Existing General Plan Land Use Map* for the general plan land use designation on the site and surrounding area.

The development team understands the importance of the 2035 General Plan as a guiding document. The Rio Caballo development plan has been designed with the General Plan's elements, goals and policies in mind and seeks to provide a unique new residential development that takes advantage of the proximity to Loop 303, availability of existing services, and adjacency to desired open space linkages as identified in the 163rd Ave. Corridor. Additional discussion of conformance with specific General Plan goals and policies is provided below in Section I.

Table 1: Existing Land Use, General Plan Designation and Zoning

	LAND USE	GENERAL PLAN DESIGNATION	ZONING DESIGNATION
SITE	Vacant	Neighborhood Character Area	Residential Ranch (RR) & Planned Area Development (PAD- LDR)
NORTH	Vacant & Single- family Residential	Neighborhood Character Area	Residential Ranch (RR)
EAST	Vacant	Neighborhood Character Area	Residential Ranch (RR)
SOUTH	Vacant	Neighborhood Character Area	Planned Area Development (PAD- COM) & Residential Ranch (RR)
WEST	Vacant	Neighborhood Character Area	Residential Ranch (RR)

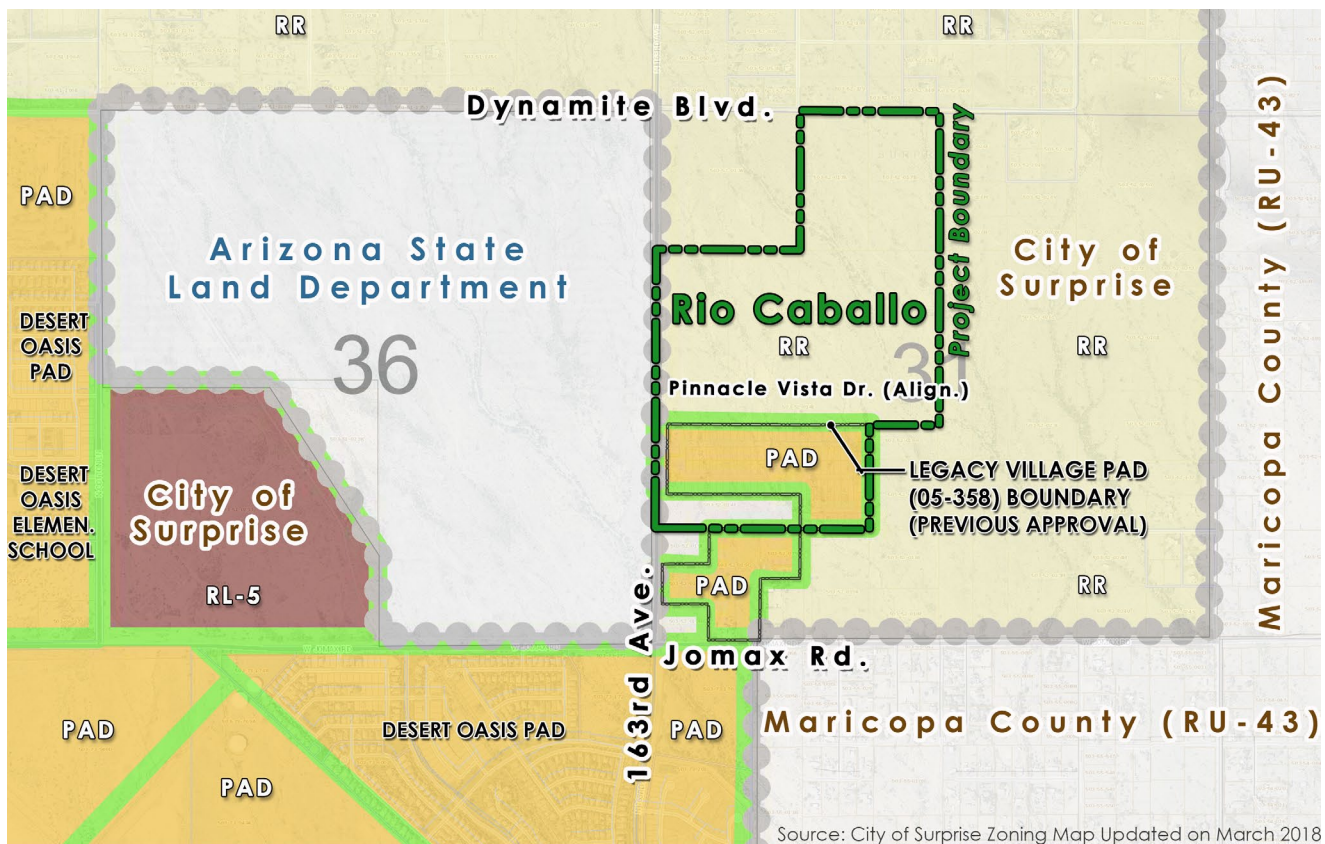


Figure 2, Existing Zoning Map

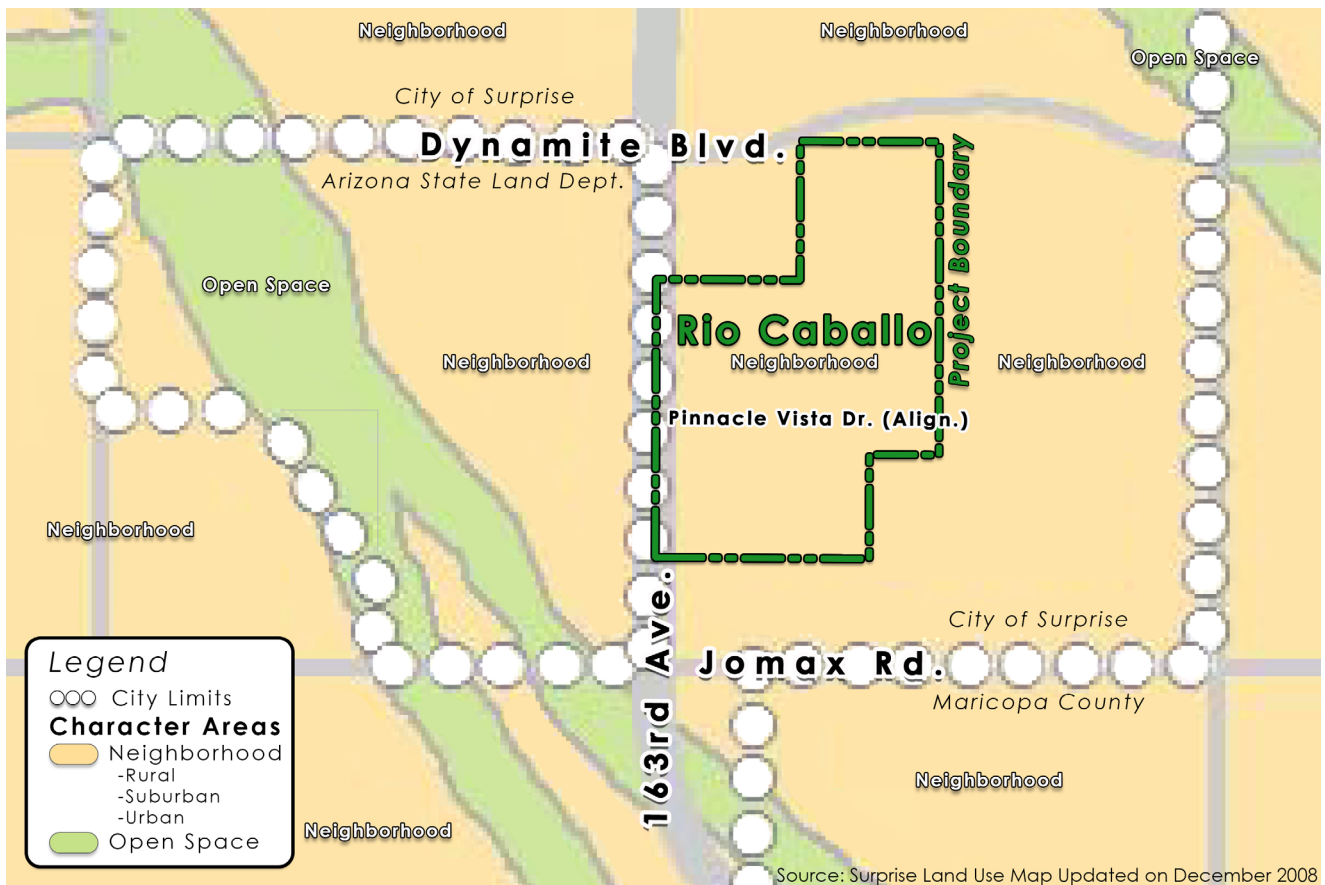


Figure 3, Existing General Plan Land Use Map

C. Regional Facilities and Services

The Rio Caballo property is within the City of Surprise Municipal Planning Boundary. Figure 1, *Vicinity Map* shows the jurisdictional limits of the City of Surprise in relation to lands within unincorporated Maricopa County.

The subject property is approximately 3½ miles northwest of the Loop 303 Freeway and Highway 60 interchange, with direct access through the 163rd Avenue interchange to link the project to the regional freeway system. Rio Caballo is bounded by Dynamite Boulevard to the north, 163rd Avenue to the west and 159th Avenue to the east.

The subject property is located within an unorganized school district boundary, which allows residents to choose from the nearby districts. Currently, the site is adjacent to the Dysart Unified School District (20 K-8 schools and 4 high schools) to the south, the Nadaburg Unified School District (2 K-8 schools and a planned high school) to the west, and the Peoria Unified School District (34 K-8 schools and 10 high schools) to the east. Being located within the City of Surprise, fire & emergency services, law enforcement services, and refuse collection will all be provided by the City. The nearest fire station is Surprise Fire-Medical Station #304, which has a new permanent state of the art facility under construction, located 1.5 miles south of the project site near 163rd Avenue and San Ysidro Road. The nearest Police Station is located in Surprise City Hall, approximately 9 miles southeast of the site.

SECTION 3 – RIO CABALLO PROPOSAL

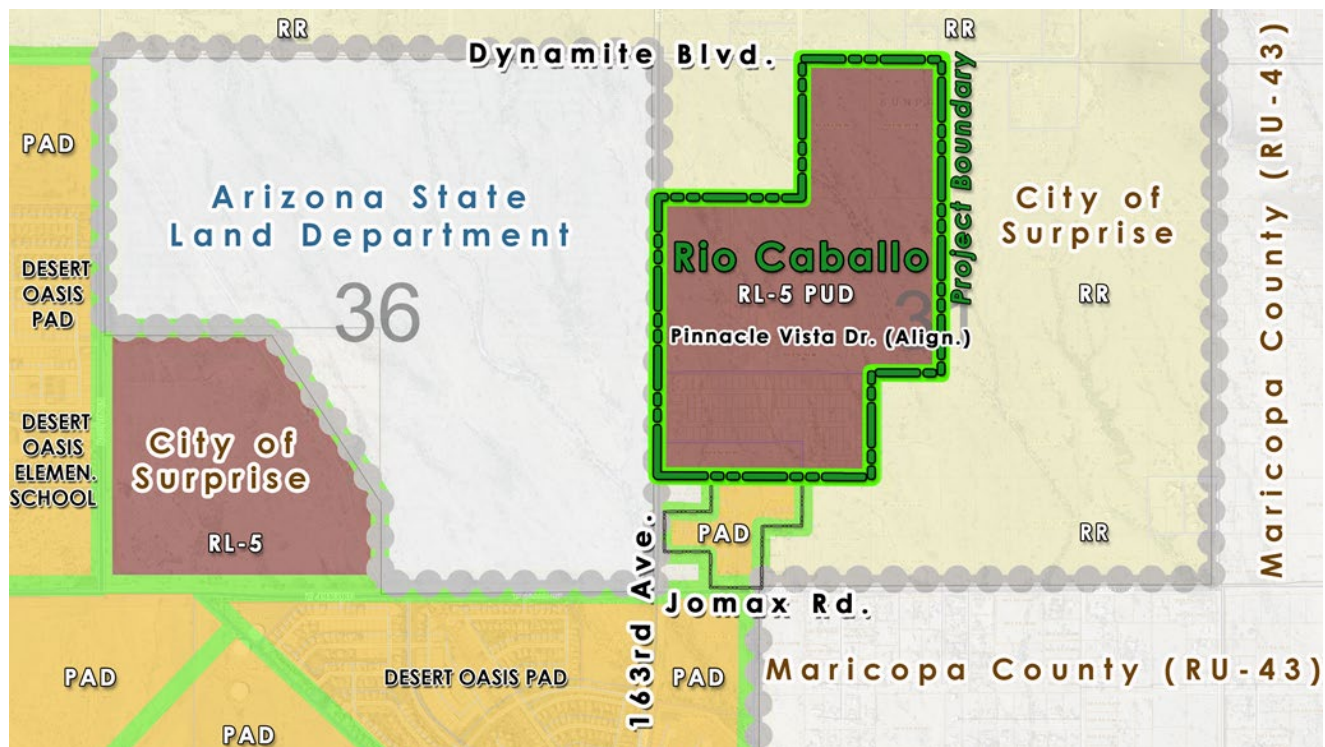


Figure 4, Proposed Zoning Map

A. Residential Zoning Designations and Development Standards

All +/-187 acres of the Rio Caballo property will be zoned RL-5 PUD. See Figure 4, *Proposed Zoning Map*, for the location of the zoning district boundaries. The purpose of the PUD overlay is to modify the development standards, defined below, to permit a low-density community with a mix of residential lot types clustered within the site's most appropriate areas in order to preserve large areas of natural open space, including a wash that runs throughout the site, and provide for high-quality planned amenities to attract homebuyers to this growing area. To help create diverse residential product options for homebuyers, Rio Caballo will include at least three lot sizes throughout the community. The project as a whole will remain consistent with the percentage requirements in *Table 2, Lot Breakdown*, although each phase will be not be independently subject to the lot breakdown. The proposed lot dimensions are designed to appeal to an underserved market segment for this area, and the lot breakdown will ensure a mix of lot widths while preserving flexibility to increase the proportion of lots with a minimum 50' width. Extended lot depths on all lots are provided to increase usable backyard space while limiting side yard area that is not a focal point for prospective buyers.

Table 2: Lot Breakdown

Category	Lot Width	Percentage of Total Project Lot Count
1.	Less than 45'	Maximum of 25%
2.	Less than 50'	Maximum of 50%*
3.	50' or More	Minimum of 50%

* The 50% maximum for lots with widths less than 50' in Category 2 is cumulative of the Category 1 lots with widths less than 45'.

The guiding objectives of the PUD are to encourage development that enriches the whole community through creating a unique sense of place and promoting compatible development. This can be seen in the reduction of the maximum allowable density for the project, within the proposed zoning category (RL-5 PUD), from 5.0 to 3.72 dwelling unit per acre for Rio Caballo. In addition, Rio Caballo will provide for an increase in the required open space from 20% net residential area to 27% net residential area, which represents a 35% increase in overall open space required. This includes a substantial centralized primary park, trail corridors and a significant amount of natural desert open space throughout the development, and smaller localized open spaces serving different areas of the development.

These proposed development standards are defined within Table 3, *RL-5 PUD Standards* below. Note that only "green" text items shown on Table 3 are modified standards which also include some more restrictive standards as justification to achieve a unique and compatible design.

Table 3: RL-5 PUD Development Standards

Development Standard	RL-5 City Base Standards	Proposed RL- 5 PUD Standards
Maximum Density	5.0	3.72 (decrease in density)
Minimum Lot Area (sf)	7,200 s.f.	4,400 s.f.
Minimum Lot Width (ft)	60'	40'
Minimum Lot Depth (ft)	100'	110' (increase)
Minimum Front Yard Setback (ft)	15' (12' for side loaded garage product)	12'
Minimum Side Yard Setback (ft)	5 (15' aggregate)	5' (10' aggregate)
Minimum Front Facing Garage Setback (ft)	N/A	20' (from back of sidewalk)
Minimum Rear Yard Setback (ft)	20'	20'
Maximum Building Height (ft)	30'	30'
Lot Coverage	N/A	N/A

The PUD overlay designation shall be applied to the property to allow modification of certain development standards within the current Surprise Zoning Code at the time of this submittal. Development standards and design guidelines not modified by this PUD shall comply with the regulations in the City of Surprise Unified Development Code in place at the time this original application was made.

1. Roadway Buffer: The first is a modification to the roadway buffer standards within Section 122-137(e)(1).a and (e)(1).a.1 of the SUDC which states:

“(e) Roadway Landscape Buffers: (1) Arterials Road Buffers:

a. All arterial roads and parkways shall have an adjoining landscape tract, having a minimum width of 60 feet, measured from the back of curb.

1. Residential units shall be situated to face the required 60-foot landscape tract upon a single-loaded local street. The minimum distance between the fronting residential lots and the arterial road right-of-way shall be 110 feet.”

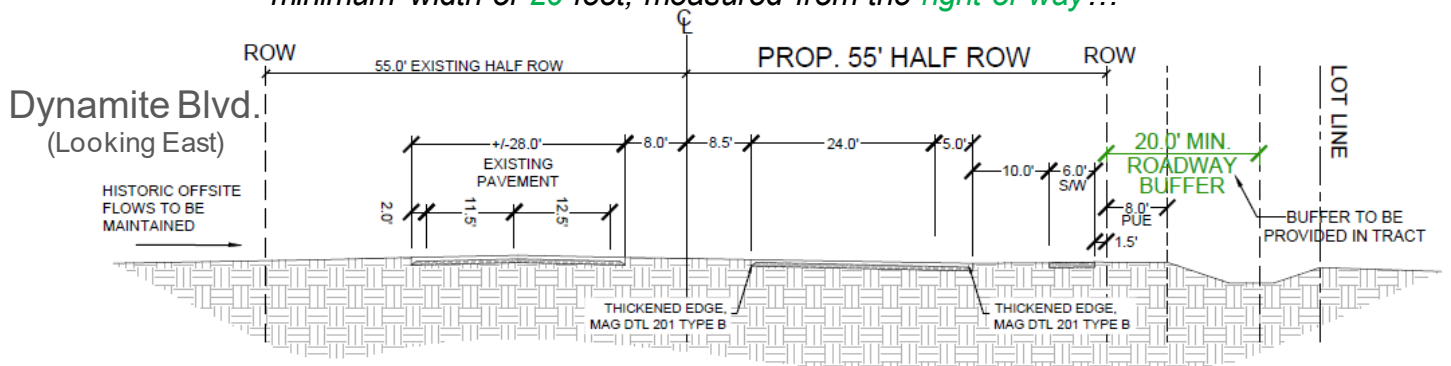
The roadway landscape buffer areas within Rio Caballo will include additional buffer area located within the dedicated 55' (Dynamite Blvd.) and 100' (163rd Ave.) half rights-of-way as measured to the back of curb. Given the potential variation in curb location, for ease of measuring the dedicated open space tract, these measurements will be revised to occur from the dedicated right-of-way.

As mentioned above, Dynamite Boulevard will have a right-of-way dedication and ultimate build-out consistent with the classified minor arterial. In the interim condition, the 29' pavement section with a thickened edge will be built south of the section line in its ultimate location. Collector road buffers, per Section 122-137, have an adjoining

landscape tract on both sides of the right-of-way. The average width of these landscape tracts is not less than 15-feet with the narrowest part of the tract being 10-feet in width. Rio Caballo looks to provide a buffer consistent with this roadway character while increasing the setback to 20-feet to allow for additional landscape area and drainage. To promote consistency, this minimum 20' buffer will be provided along the 159th Avenue collector frontage as well. The modified standard for subsection (e)(1)a shall read as follows:

“(e) Roadway Landscape Buffers: (1) Arterials Road Buffers:

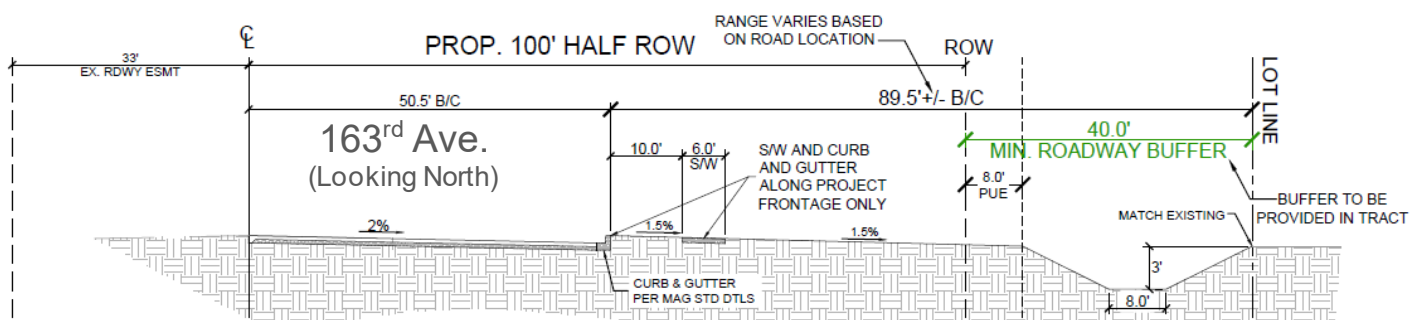
*a. **Dynamite Boulevard** shall have an adjoining landscape tract, having a minimum width of 20 feet, measured from the **right-of-way**...”*



163rd Avenue is identified as a parkway per City plans and will also have a modified standard for subsection (e)(1), as seen below. As proposed, this modified standard will significantly increase the roadway buffer as currently measured from back of curb. The proposed minimum 40-foot tract, measured from the right-of-way, will allow for necessary drainage and a meaningful landscape setback. Depending on the roadway location this tract will be combined with up to an additional +/-49.5-feet of buffer area located within the right-of-way, creating a generous buffer for the homes along 163rd Avenue.

“(e) Roadway Landscape Buffers: (1) Arterials Road Buffers:

*b. **163rd Avenue** shall have an adjoining landscape tract, having a minimum width of 40 feet, measured from the **right-of-way**...”*



Additionally, subsection (e)(1) a.1 shall be removed in its entirety. Similar to other neighborhoods found in this area, the Rio Caballo plan was designed to feature generous landscape tracts with native vegetation to act as a transition to adjacent properties and the passerby. Also, 163rd Avenue, which is a parkway, has the potential to carry significant future traffic. Requiring homes to face a busy street in this context, does not

create an inclusive or safe neighborhood design and is generally a detrimental standard to the quality of life for residents in a suburban neighborhood setting.

2. Tot Lots: The second modification is to the tot lots standard within Section 122-137(o) of the SUDC which states:

“o. Tot Lots: (1) All tot lot play equipment and amenities located within a retention basin must be located above the high-water line of the 50-year, two-hour storm event.

(2) There shall be a minimum of one tot lot area provided by the developer in low density or medium density residential developments. In no case shall there be less than one tot lot recreational area per 500 units within a development.

(3) A tot lot area shall, at a minimum, be comprised of the following amenities:

- a. One shade covered play structure consistent with ADA requirements;*
- b. One swing set;*
- c. Three benches;*
- d. Two trash receptacles;*
- e. One drinking fountain;*
- f. Two ramadas;*
- g. Two picnic tables; and*
- h. Two barbeque grills.*

(4) Ramadas. Ramadas for the tot lot area shall be constructed having the following characteristics:

- a. Twelve-foot by 12-foot under roof area;*
- b. Standing seam or concrete tile roof;*
- c. Twenty-four-inch by 24-inch masonry columns:*
 - (a) Column material requirements:*
 - i. Architectural block, such as split face or fluted block, or brick that is architecturally compatible with the project theme walls; and*
 - ii. Stone veneer.”*

Rio Caballo’s open space plans and amenity programming will focus on providing community gathering places and leisure opportunities within the proposed primary park, where residents can come together and have meaningful and enriching experiences. Instead of limiting the community gathering space to a tot lot, the requested modifications below will allow increased flexibility to provide gathering spaces for future residents and visitors to come together and experience their community. The modified standard for Section 122-137(o) shall be revised to read as follows:

*“o. **Community Gathering Spaces**: (1) All amenities located within a retention basin must be located above the high-water line of the 50-year, two-hour storm event.*

(2) The developer in low density or medium density residential developments shall provide community gathering spaces from the list below at a ratio of at least one per 400 units within a development:

- a. A dog park;
- b. An outdoor community center;
- c. A community pool (equivalent to two items);
- d. A tot lot;
 - (a) A tot lot area shall, at a minimum, be comprised of the following amenities:
 - i. One shade covered play structure consistent with ADA requirements;
 - ii. One swing set;
- e. An outdoor living area;
- f. A splash pad; and
- g. Ramadas.
 - (a) Ramadas shall be constructed having the following characteristics:
 - i. Two ramadas with a twelve-foot by 12-foot under roof area; or
 - ii. One ramada with a twenty-four-foot by 24-foot under roof area;
 - iii. Standing seam or concrete tile roof;
 - iv. Twenty-four-inch by 24-inch masonry columns:
 - (i) Column material requirements:
 - Architectural block, such as split face or fluted block, or brick that is architecturally compatible with the project theme walls; and
 - Stone veneer.
 - (b) A ramada area shall, at a minimum, be comprised of the following amenities:
 - i. Three benches;
 - ii. Two trash receptacles;
 - iii. One drinking fountain;
 - iv. Two picnic tables; and
 - v. A barbeque grill.

3. Recreational Field: The third modification is to the recreational fields standard within Section 122-137(p)(1) of the SUDC which states:

“p. Recreational Field: (1) There shall be a minimum of one turf recreational field provided by the developer for organized sporting activity in a low density or medium density residential project. In no case shall there be less than one turf recreational field per 700 units within a development. Any required recreational field shall have a minimum turf area of 3.5 acres.”

The planned 2.5-acre primary park will provide a centralized space for residents to congregate and enjoy a host of amenities. In addition, this community will be centered around its natural desert setting, wash corridors, and nearly 1.5 miles of proposed community trails. A 3.5-acre turf field, which is larger than three soccer fields, is not in proportion to this community's natural desert character as it relates to the site's proposed +/-48 acres (27% of the site) of natural and improved open spaces. The provided

community trails, open spaces and their accompanying amenities will be thoughtfully designed to encourage connectivity, community, and outdoor activity. The recreational field provided will consider these additional open spaces, which exceed the minimum requirements, and will be designed and scaled thoughtfully for the character of this development, as shown on Figure 6, *Landscape, Monumentation and Amenities Plan*. The modified standard for Section 122-137(p)(1) shall include removal of the last sentence, as seen below.

“p. Recreational Field: (1) There shall be a minimum of one turf recreational field provided by the developer for organized sporting activity in a low density or medium density residential project. In no case shall there be less than one turf recreational field per 700 units within a development.”

4. Recreational Sport Courts: The fourth modification is to the recreational sport courts standard within Section 122-137(q)(1) of the SUDC which states:

“q. Recreational Sport Courts: (1) There shall be a minimum of one sport court provided by the developer in low density or medium density residential developments. In no case shall there be less than one sport court per 300 units within a development.

For the purposes of this section, a sport court is defined as:

- a. A tennis court;*
- b. A full court basketball court;*
- c. A sand volleyball court; and*
- d. A pickleball court.”*

In addition to the typical recreational courts listed above, which can serve a limited group of residents, Rio Caballo looks to promote alternative recreational opportunities that can encourage more residents to engage in public activities throughout the community. These uses will enhance the centralized 2.5-acre primary park and the proposed trail system, while ensuring that there are opportunities for all ages to enjoy the community’s amenities. The modified standard for Section 122-137(q)(1) shall be revised to read as follows:

“q. Recreational Opportunities: (1) In order to promote recreation within the community, the developer in low density or medium density residential developments shall provide recreational opportunities from the list below at a ratio of at least one per 250 units within a development:

- a. A tennis court;*
- b. A half-court basketball court;*
- c. A sand volleyball court;*
- d. A pickleball court;*
- e. A fixed cornhole set (min. four boards);*
- f. A disc golf basket (min. two);*
- g. An outdoor fitness area with exercise equipment (min. three pieces)*
- h. A nature trail with educational plant species i.d. markers.*

5. Gated communities: The fifth modification is to Section 122-27 (a).
Gated single- and multi-family residential communities may be permitted provided:

“a. The size of the gated community, or multiple adjacent gated communities, shall not exceed 40 acres, unless submitted within a PUD and designed to properly connect with adjacent communities by both vehicular and pedestrian connections, with a minimum of 30 percent of the gross land area set aside as improved open space;”

Given the significant area of right-of-way along the project's frontages, the gross acreage is not proportionate to the required open space calculations typically based on net acreage. Rio Caballo's +/-48 acres of open space provides residents with ample opportunities for outdoor activity and view corridors in natural and programmed settings, and represents an additional +/-13 acres (a 35% increase) over the standard 20% net requirement. The modified standard for Section 122-27 (a) shall revise the last sentence to read as follows:

“a. The size of the gated community, or multiple adjacent gated communities, shall not exceed 40 acres, unless submitted within a PUD and designed to properly connect with adjacent communities by both vehicular and pedestrian connections, with a minimum of 25 percent of the gross land area set aside as improved open space;”

6. Gated communities: The sixth modification is to Section 122-27 (c).
Gated single- and multi-family residential communities may be permitted provided:

“c. That a minimum of 70 percent of the walls and/or fencing used around the perimeter of the gated community shall be open with view fencing and that said view fencing is located to provide continuous visual connections with open space areas of adjoining properties;”

Rio Caballo is a unique property that celebrates the combination of its natural desert setting with its proximity to the City's growing circulation system. With a site bound by a parkway to the west, an arterial to the north, a collector to the east and planned commercial to the south, Rio Caballo looks to provide a balance that promotes a high quality of living for its future residents related to sound mitigation and privacy in addition to proper transitioning from surrounding developments and future adjacent improvements. The proposed landscape buffer that surrounds the community will allow the adjoining properties to enjoy a natural desert foreground while setting development back to preserve existing visual connections. While solid fencing is proposed adjacent to the project's perimeter, Rio Caballo will promote visual and physical connectivity throughout the community with view walls or fencing adjacent to the site's significant open space areas, including the existing washes. This approach will balance natural openness and connectivity with the character of a gated community. The modified standard for Section 122-27 (c) shall be revised to read as follows:

“c. That a minimum of 70 percent of the walls and/or fencing used adjacent to large natural washes and parks shall be open with view fencing and that said view fencing is located to provide continuous visual connections with open space areas of adjoining properties;”

7. Driveway Width: The final modification is for driveway width standards within Section 122-121(h)(3) c and d of the SUDC which states:

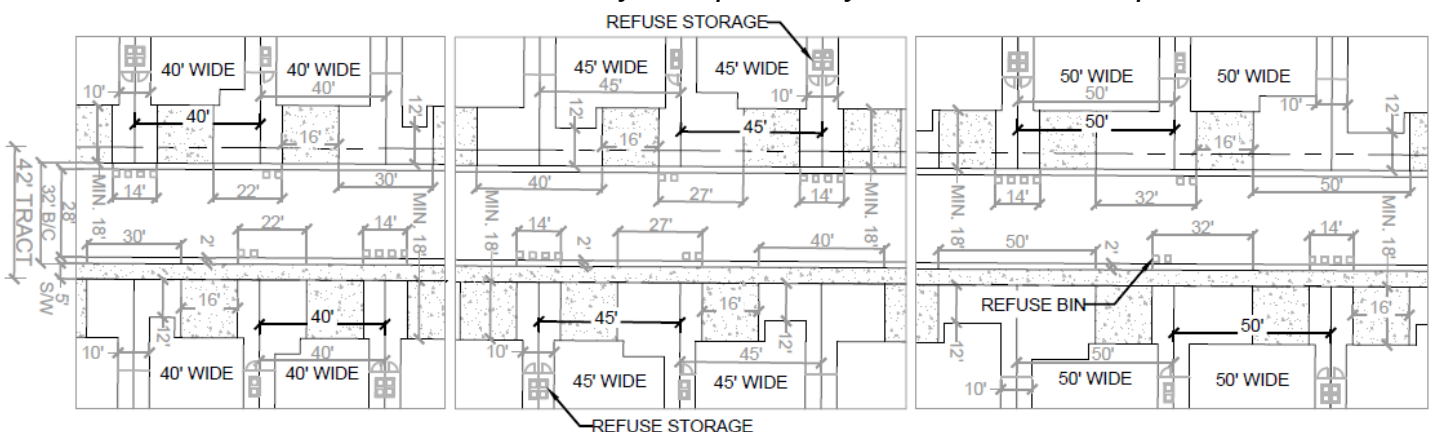
“c. Driveways and other parking shall not comprise more than 30 percent of the front yard lot area of a detached single-family home; nor 50 percent of the front yard lot area of a two or more-family residential unit. Circular driveways and similar circulation shall be permitted within the front yard so long as no long-term resident parking occupies such circular drive, and the square footage for driveway, parking and other impervious surfaces combined does not exceed the allowable percentages shown herein.

d. Driveway entrances shall not comprise more than 30 percent of the front lot line of a single family, detached residential parcel, nor more than 50 percent of the front lot line of any multiple-family or non-residential parcel.”

The proposed development will include a minimum range of 40'-50' wide lots, which allows for a mix of home choices for the future buyer and represents the product demand in this area. This modification will allow for these variety of lot sizes where all the homes can accommodate a two-car garage and an appropriate width driveway. In addition to these changes, Rio Caballo will encourage strategies to mitigate garage dominance such as alternating floorplans, potential staggered setbacks and side loaded garages where possible. This standard will be revised to read as follows:

“c. Driveways and other parking shall not comprise more than 50 percent of the front yard lot area of a detached single-family home; nor 50 percent of the front yard lot area of a two or more-family residential unit. Circular driveways and similar circulation shall be permitted within the front yard so long as no long-term resident parking occupies such circular drive, and the square footage for driveway, parking and other impervious surfaces combined does not exceed the allowable percentages shown herein.”

d. Driveway entrances shall not comprise more than 50 percent of the front lot line of a single family, detached residential parcel, nor more than 50 percent of the front lot line of any multiple-family or non-residential parcel.”



Driveway Detail Note: Depicted buildings are not representative of actual product, product placement or floorplan variations.

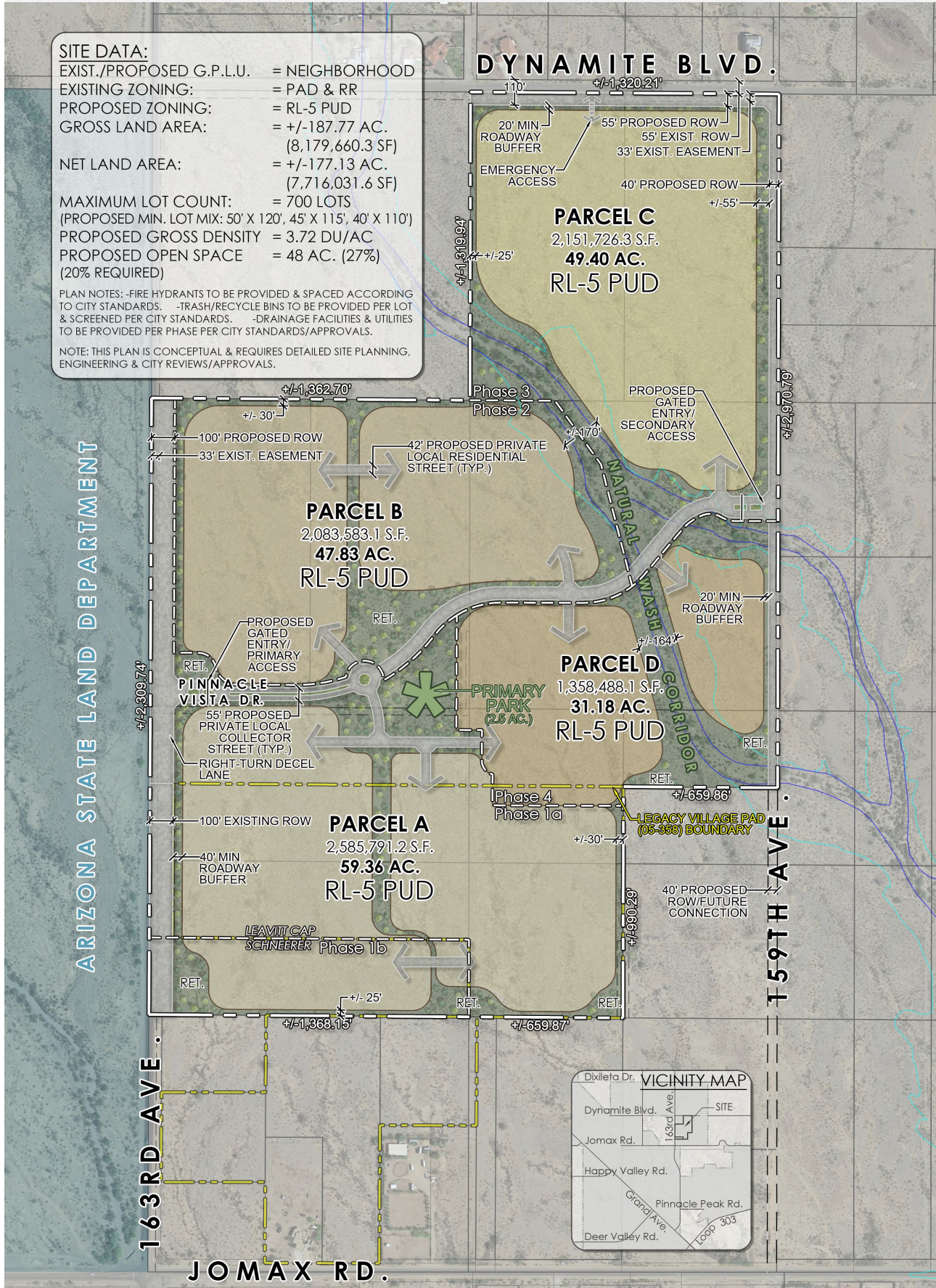
B. Development Plan and Phasing

The proposed Rio Caballo community looks to thoughtfully integrate low density single-family residential living within the surrounding native desert setting. This sensitive development approach will allow future residents the ability to take advantage of a new residential opportunity that promotes an appreciation and stewardship of one of Arizona's most valued assets. The development plan concept represented in Figure 5, *Development Plan Concept*, has been provided to graphically illustrate how the property may be developed, including roadway access and connectivity, gate locations, proposed relationship between surrounding properties, general lot configuration, and general location and size of open spaces but is non-regulatory and subject to change without triggering an amendment to the zoning. The development plan concept identifies three potential minimum lot sizes, including 50' x 120', 45' x 115', and 40' x 110' with the potential to provide larger lot sizes based on market conditions. A large primary, common open space/ amenity is provided within the central area of the development. In addition to these areas, the plan will incorporate many trail corridors, providing both pedestrian connectivity and visual corridors throughout the development.

Rio Caballo will be proposed to be developed in four phases, as seen in Appendix F, Phasing Plan. However, the actual construction will be dictated by market conditions, so the final phasing is considered to be non-linear in nature. Two points of access will be provided into the private gated development. The primary access point will be provided off 163rd Avenue via Pinnacle Vista Drive along with a secondary access provided off 159th Avenue and connecting to Dynamite Boulevard to the north and Jomax Road to the south. Interim secondary access points will be provided on 163rd Avenue in the project's southwest and northwest corners, prior to the development of the secondary access in a later phase. The central entry transitions through the project providing scenic views and convenient access to both common areas and additional passive open spaces, providing for a charming entry experience as drivers and pedestrians enter the community. The internal roadway system provides a looped circulation pattern with vehicular and pedestrian connectivity between the parcels and the central open space amenity.

Overall, this development is consistent with the growth area and land use identified within the General Plan and implements planning concepts related to its variety of housing options and open spaces that promote a high quality of life in addition to furthering the City's transportation system and existing resources. The Rio Caballo development plan integrates elements consistent with the Surprise 2035 General Plan to promote a new community that furthers the values of the community's vision to provide growth that is consistent with the City's high standard of living while providing a diverse development that aims to preserve the uniqueness of the site and the surrounding area.

Figure 5, Development Plan



C. Circulation Plan

Rio Caballo is bounded by portions of 163rd Avenue to the west, Dynamite Boulevard to the north and 159th Avenue to the east. There is no immediate frontage along Jomax Road. The General Plan 2035 Roadway Functional Classification Map classifies 163rd Avenue as a parkway (100' half street right-of-way) and Dynamite Boulevard as a minor arterial (55' half street right-of-way).

In support of the Rio Caballo project, 163rd Avenue will be constructed in phases that will provide the ultimate half-street improvements along the project frontage and will provide interim improvements outside of the property frontage to transition and match the existing roadway and maintain historic drainage conditions. The 163rd Avenue half-street improvements are based on a modified major arterial section to provide a 100' half street right of way, 48.5' of pavement, curb and gutter, street lighting, detached sidewalk, and an adjacent 40' roadway buffer providing for landscape and drainage channel improvements. The interim 163rd Avenue offsite improvements will provide roadway tapers and will transition drainage conveyance from the half-street improvements to match the existing pavement and maintain historic drainage and conveyance swales located within the right of way. The interim 163rd Avenue offsite improvements will also exclude curb and gutter, sidewalk, on-street drainage facilities, street lighting, and landscape improvements.

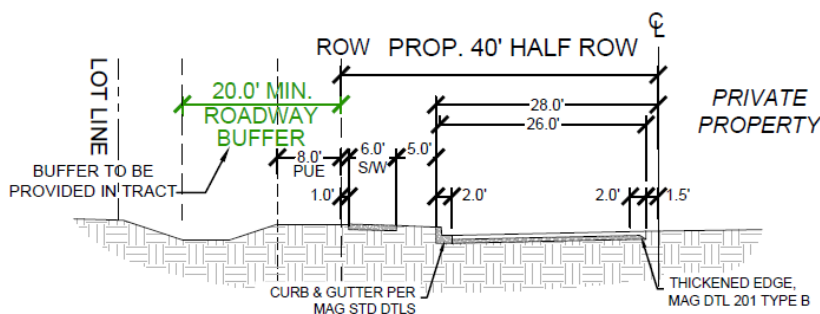
The required Dynamite Boulevard half-street improvements are based on a modified minor arterial section and are located along the northern property frontage. The half-street improvements are required to provide a 55' half street right of way with the ultimate 29' half-street pavement section with a thickened edge. Additionally, an eastbound right-turn deceleration lane will be provided at 159th Ave. The half-street improvements shall also include streetlights and an adjacent 20' roadway buffer to accommodate drainage channel and landscaping. The interim improvements will provide roadway tapers and striping, along the project frontage, to match to existing pavement and transition drainage to maintain historic drainage characteristics. Due to the off-site drainage conditions from the north, all Dynamite Boulevard improvements shall exclude curb and gutter, sidewalks, and on-street drainage facilities to allow drainage to continue its historic path and sheet flow across the roadway. The offsite drainage will be captured on the south side of the road and routed around the proposed lots to be discharged at its historic location. Lastly, the Rio Caballo developer will pay in-lieu fees for half of the landscaped median, along the property frontage, consistent with the timing agreed upon within the approved development agreement.

The 159th Avenue roadway improvements will be constructed in phases that will provide the ultimate half-street improvements widened to accommodate interim fire access (26') along the project frontage and will provide interim improvements outside of the property frontage. The completion of both half-street and interim improvements will provide connectivity from Dynamite Boulevard to Jomax Road and will be required to support the final phase of development of Rio Caballo. The 159th Avenue half street improvements shall consist of a modified residential collector street section providing a 40' half street right-of-way, a pavement section allowing for 1 northbound and 1 southbound traffic

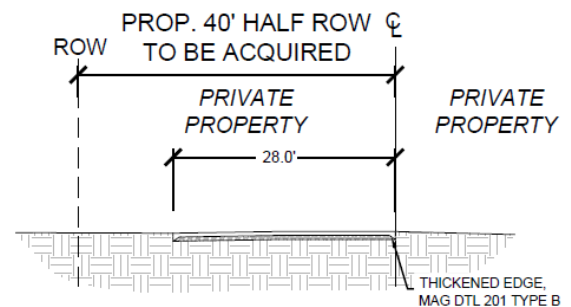
lane, curb and gutter (thickened edge on the east), street lights, detached sidewalk, and 20' roadway buffer containing landscape and drainage improvements along the project frontage. The Rio Caballo developer will pay in-lieu fees for half of the landscaped median, along the property frontage, consistent with the timing agreed upon within the approved development agreement.

159th Avenue interim improvements shall consist of extending 1 northbound and 1 southbound lane via an interim rural local road section southerly to Jomax Road. The interim section shall consist of pavement section for 1 northbound and 1 southbound lane of traffic, and shall exclude curb and gutter, on-street drainage facilities, streetlights, sidewalk, and landscaping. In coordination with the City of Surprise, southbound 159th Avenue at Jomax Road will provide a dedicated southbound right turn lane and a southbound left turn lane as allowed by the existing conditions. Due to the location of the existing off-site electrical transmission lines, which shall not be relocated or undergrounded as part of the Rio Caballo development, the city shall accept a southbound left and southbound right turn without the need for a thru lane to match up/align with the existing southbound lane of 159th on the south side of Jomax. This alignment is set by the houses and is in the County. The properly offset intersections do not create conflicting left turns, so we can leave the south side alone and build the new roadway, north of Jomax, and not require any additional r/w beyond the 40' that the City currently asked for.

This extension of 159th Avenue will improve regional circulation and provide an alternative connection between Dynamite Boulevard and Jomax Road and alleviate reliance and congestion on 163rd Avenue.



159th Avenue
(project frontage)
(Looking North)



159th Avenue
(south of project boundary)
(Looking North)

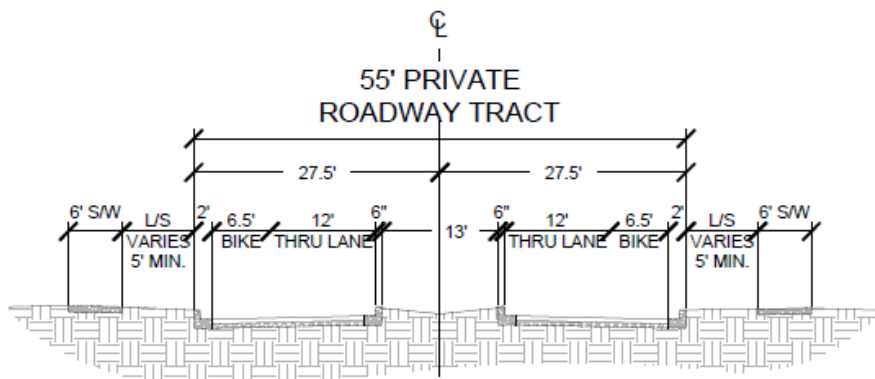
Off-site improvements to 163rd Avenue and 159th Avenue require coordination with property owners and other reviewing agencies along with the dedication of right-of-way and easements that are not under the Developer's control. Consequently, City support is required to coordinate such improvements and acquire such right-of-way through means available to it, such as eminent domain. Further, the City's support to extinguish existing easements and encumbrances associated with this scope of work may be necessary to complete these improvements. Given this, the Developer and City anticipate that a separate development agreement will be entered into to set forth the responsibilities associated with such off-site improvements and ensure project schedule

and sequencing are not conditioned upon off-site circulation improvements that are outside of the Developer's control.

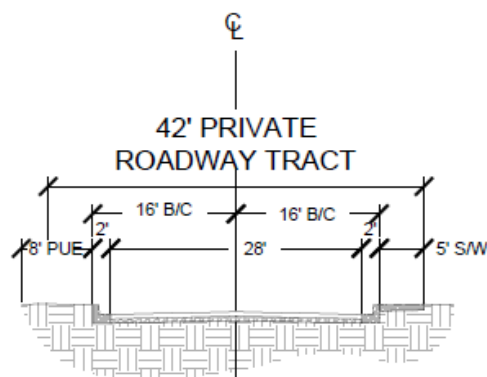
The project's improvements to 163rd Avenue, Dynamite Boulevard, and 159th Avenue will maintain the historic offsite drainage conditions to allow for the offsite drainage flows to continue to sheet flow across the street and be conveyed in a historic manner until upstream properties are developed and future roadway improvements are completed by others.

Serving the private community, the Pinnacle Vista onsite collector roadway will provide the primary gated entry into Rio Caballo, from 163rd Avenue and 159th Avenue, and will be built as a modified private minor collector through much of the site. Pinnacle Vista Drive shall provide enhanced landscaping through a center median and adjacent landscape strips separating the detached sidewalk. The proposed gate locations will provide adequate queueing and will not impede connectivity of any public streets or other public improvements and will not hinder the City's roadway systems plans or goals.

Modified private local residential streets will provide internal access throughout the community and will be built to allow both emergency access and refuse pickup. This cross-section has been modified to promote a more enjoyable walkable street profile by providing additional space for landscaping and shade trees along the streetscape. Specifically, tree plantings will be located 5' behind the proposed sidewalk to create enhanced shading opportunities throughout the community. With an attached sidewalk on one side, the other side will be utilized for enhanced ground coverings and PUE to provide dry utilities to serve the project. By limiting the constraints of additional hardscape and small planter strips, landscaping will have more room to thrive. The Rio Caballo community will ensure that these larger landscape areas are being properly planted by enforcing and maintaining street tree compliance through its CC&R's. Specific plant sizing, quantities and plant type requirements will be enforced for each homeowner within ninety-days of the date of closing.



Private Local Collector



Private Local Residential

A Traffic Statement supporting all street cross sections serving the property has been prepared and is included with this rezoning application as an Appendix under separate cover.

D. Open Space, Trails and Amenities Plan

Open space will be a significant element in the Rio Caballo community. Forty-eight (48)-acres of natural and improved open space, including almost 1.5 miles of trails, will serve as areas for community gatherings, landmarks, and as organizing elements for the neighborhood. A central primary park will be a focal point of the community, which could include active and passive recreational amenities such as a shade ramada, outdoor living areas, informal play field, retention areas, sidewalks, parking and landscaping to serve the residents within the development. Additional open space areas will be provided throughout the community and along the natural wash corridor, including a 50-foot minimum setback from the dominant flow channel (sandy bottom) of a FEMA delineated floodplain, transitioning the development that will serve as retention basins and passive recreation for residents. Overall, the property will provide approximately 27% of the net site acreage as open space, a 35% increase in the open space requirements per Section 122-137(d)(2), Conventional Character Pattern of the City's Zoning Code. See Figure 6, *Landscape, Monumentation and Amenities Plan* for the conceptual character and location of all open spaces.

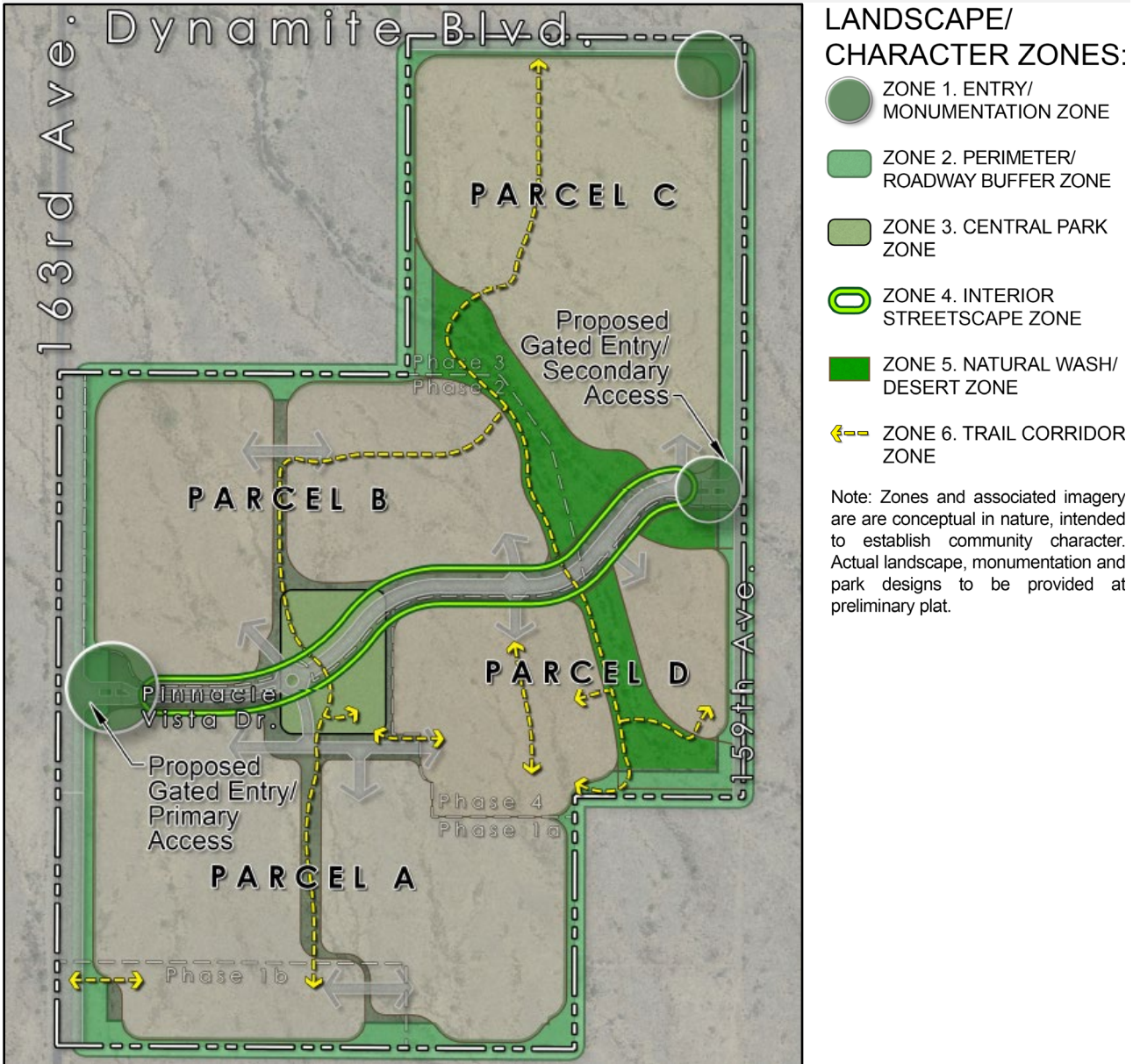


Natural Open Space Character

In addition to its large open spaces, Rio Caballo will focus on perimeter and internal landscape buffers, creating an attractive setting for visual buffering and setback sidewalks that will encourage walking and pedestrian connectivity within the development and adjacent surrounding community. A perimeter setback will be provided along both 163rd Avenue and Dynamite Boulevard. The setbacks will include landscaping and subdivision signage to identify the neighborhood. The 20' landscape setback along Dynamite Boulevard and 159th Avenue adjacent to the site as well as additional open space area given along the corners of the northern parcel frame the development and create an ample landscape transition from adjacent properties. Additionally, a minimum

40' wide landscape setback will be provided on 163rd Avenue, providing an attractive natural desert buffer between the lots and the street while providing large landscape areas for pedestrian connectivity along both perimeter roads.

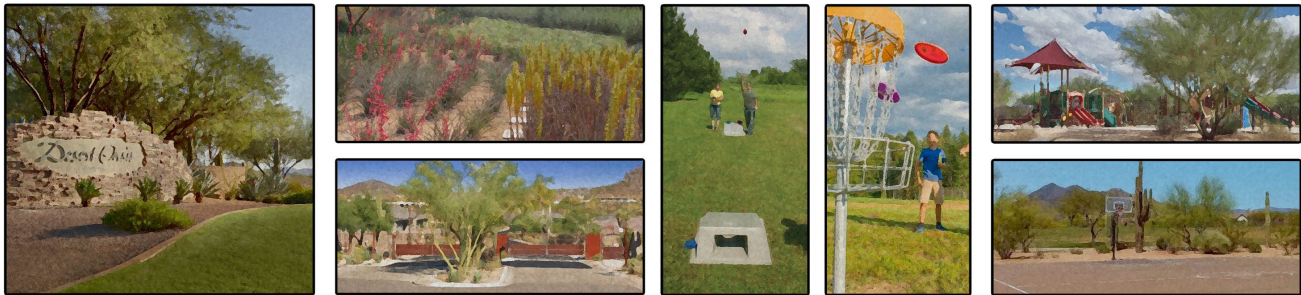
Figure 6, Landscape, Monumentation and Amenities Plan



E. Landscape Theme and Community Character

Rio Caballo's landscape designs will consider the context of the site and the existing landscape materials in the surrounding area, providing compatibility and appropriate transitioning throughout the site and with adjoining properties. The overall landscape theme will use native and ornate desert accent trees and shrubs that are found on the low-water use plant list. A complete list of plant materials will be provided with the preliminary plat and shall conform to Chapter 122 of the Surprise Municipal Code as may be subsequently amended.

The property's character and hardscape elements will include natural earth tones and elegant simplicity that are characteristic of the project's desert setting. Theme walls and signage may use simple forms of stucco, wood, weathered steel, block and stacked stone veneer. To provide a pleasing contrast with the many shades of color present in the plant materials, the hardscape color scheme will be designed to complement the landscape palette and will be accented with bright bursts of color at focal points and in site furniture. Specific design concepts within the development will be proposed and approved through the preliminary plat process.



1. Monumentation, gated entry & organized plantings. 3. Amenity options to be chosen per PUD menu.



2. Buffers to match existing desert character. 3. Ramada & Retention Basins (improved or desert character).



3. Recreational field. 5. Existing on-site natural wash and desert character.



4. Shaded walkways & secondary entries/theming. 6. Paved and unpaved trail corridors.

Landscape, Monumentation and Amenities Character Imagery

F. Drainage Master Plan

Rio Caballo will be developed according to the approved Preliminary Master Drainage Report (May 2021). The Site is currently undeveloped desert located within the Wittmann Area Drainage Master Plan Update (Wittmann ADMPU) that was completed in July 2005. Wash 9 East (Zone AE with floodway) is a large wash that bisects the property with the topography generally sloping from the northwest to the southeast. Wash 9 East has a split (Wash 9 East Split) that rejoins Wash 9 East downstream of the property. The proposed culverts will route the offsite flow through the project and discharge to the historical outfall location. Onsite flows will be retained/detained to not adversely impact the downstream properties. All other historical discharge locations will be maintained with no adverse impacts to adjacent properties.

The post development flows are less than the pre-development condition. A CLOMR and LOMR application will be submitted to FEMA to revise the floodplain in future phasing. No development or grading will occur in the floodway beside the two proposed culvert crossings of Pinnacle Vista Dr.

All finished floors will be located a minimum of 1 foot above adjacent high-water elevations or ultimate outfall of the site.

G. Infrastructure

All onsite utilities shall be undergrounded as required by the Surprise Municipal Code.

Water

The City of Surprise operates and maintains the existing Desert Oasis water system that the project will connect to. Per as-built information obtained from the City, an existing 16-inch waterline is located within Jomax Road, south of the project that will be used as the connection point. The Rio Caballo waterline will be looped diagonally through the project site and will connect to the 16-inch waterline in Dynamite Boulevard. Rio Caballo will be developed according to the approved Rio Caballo Water Report (May 2021).

Sewer

The wastewater provider for this area is also the City of Surprise. Based on the results of the Wastewater Master Report, the existing sewer system has capacity to convey the proposed wastewater flows from Rio Caballo to the SPA2 WWTP. A proposed 15-inch sewer will connect to the existing 24-inch sewer in 163rd Avenue, south of Jomax Road. The proposed 15-inch sewer will extend to the southwest corner of the project and decrease in size to 12-inch diameter to serve any future wastewater flows upstream of the project. A 10-inch diameter sewer main will branch off from the 15-inch main and extend onsite to serve the project. Rio Caballo will be developed according to the approved Rio Caballo/Legacy Village Wastewater Master Report (May 25, 2021).

H. Future Home Owners Association Responsibility for Operational Aspect of Use

The community will include a home owners association (HOA) that will own and maintain all common community amenities, including signage, parks, trails, open space tracts, streets and other common areas within the development. The HOA will enforce rules for the properties and their residents through a formal governance structure to be established by the HOA bylaws and community Covenants, Conditions and Restrictions (CC&R's). In the early phases of the project, the HOA will be managed by the homebuilder until such a time where there are enough homeowners to assume management responsibilities. The future residents of the community will automatically become members of the HOA and will be required to pay annual fees for the ongoing operation and maintenance of the facilities owned by the HOA.

I. Conformance with the City of Surprise General Plan

The Property is located within the General Plan's Neighborhoods Character Area, which is primarily for residential use. The project is proposed for the Suburban Neighborhoods Development Type. The Property is also located within the General Plan's 163rd Corridor Growth Area. The project would further the implementation of many of the General Plan's Elements as discussed below.

Growth Element

The Rio Caballo project supports the growth element by promoting more efficient coordination of land use, transportation, and infrastructure development through the master planning process. The policies and plans outlined within this Element are designed to sustain high quality of life within Surprise, protect natural resources, and drive economic vitality by ensuring that necessary public facilities are completed in harmony with both existing and new development. Specific goals and policies are discussed below.

Goal 1: Sustainable Growth. Support sustainable growth that ensures effective, efficient, and equitable provision of public services, land, and infrastructure.

Policy 2. Give priority to infrastructure upgrades and improvements in the identified growth areas.

Policy 3. Focus infrastructure improvements in designated growth areas and contiguous to existing development.

Response: The Rio Caballo community supports future sustainable growth through the accommodation of future infrastructure improvements on the subject +/-187 acres and along 163rd Avenue, Dynamite Boulevard and 159th Avenue. These focused infrastructure improvements serve as a benefit to the area and contribute to connectivity and future development within the City of Surprise and the 163rd Avenue corridor growth area.

Goal 3: Natural Resources. *Conserve significant natural resources and open space in the Growth Areas.*

Policy 2. *Strengthen connections between open space areas within, and outside of growth areas by identifying open space corridors between these areas.*

Policy 3. *Safeguard and maintain significant historic, archaeological, and natural resources in the growth areas.*

Response: Rio Caballo is unique in its open space characteristics, providing Forty-eight (48) acres of improved and natural desert open space to be carefully integrated into the community. The development plan was created to put a design emphasis on the site's natural features to provide seamless connectivity and trail corridors, allowing future residents the ability to enjoy these natural resources as a focal point of Rio Caballo. These corridors will put a design emphasis on the natural features of the site, allow for enhanced views and allow for maintained natural flow of the significant washes. All these characteristics combine to create a community that allows these natural resources to be celebrated.

Land Use Element

The purpose of the Land Use Element is to shape the desired future physical composition of Surprise while also supporting and enhancing the City's existing quality of life. Consistent with the identified Neighborhood Character Area, Rio Caballo embraces this quality of life and the vision for future land use within Surprise through the identified goals and policies.

Goal 1: Unique Community. *The City of Surprise will provide a unique living experience by offering a sense of place and an intimate community atmosphere with all the conveniences of an active urban area.*

Policy 1. *The City will guide the pattern and scale of development that provides visual diversity, choice of lifestyle, opportunities for social interaction, and that respects desirable community character and context.*

Policy 4. *City of Surprise will promote future development plans that provide opportunities for residents to engage in public activities locally through neighborhood-scale retail and housing developments; enhanced greenspace and recreation opportunities; enhanced transportation options for the community, including improved pedestrian and bicycle infrastructure; and the connection of the city through streetscape corridors.*

Response: Rio Caballo's development approach is guided by the underlying philosophy of building a unique community that showcases the natural features of the Sonoran Desert environment. This character will be enhanced through the addition of improved open spaces, including a central 2.5-acre park and multitude of trail corridors, that will encourage gathering and community

interaction. With quick access to the Loop 303 freeway & US Highway 60 interchange, via 163rd Avenue, these on-site amenities will be paired with convenient access to a host of public activities available throughout the City of Surprise.

Goal 6: Variety of Housing. *Provide high-quality housing in a range of residential densities and types.*

Policy 1. *The City shall encourage development of neighborhoods that broaden the choice of type, size, and affordability of housing in Surprise.*

Policy 2. *The City shall promote various residential options that provide amenities and conveniences within the residence and surrounding community that is above the median housing mix.*

Response: The Rio Caballo PUD focuses on the benefits of coordinated master-planning. As planned, the three different lot sizes provide for a mix of housing choices for the future buyer, which represent the product demand in this area. This variety will contribute to the City's goal of broadening the available housing options available to future homebuyers. The development also provides various amenities that will appeal to many different homebuyers. From the abundant planned and natural open spaces to the varied product types, Rio Caballo provides a unique living choice for future residents of the City of Surprise.

Goal 8: Sustainable Construction. *Promote energy efficient development and construction practices.*

Policy 1. *Sustainable building practices should be promoted for all new construction.*

Response: As new construction, the project will comply with the most recent applicable code requirements and construction standards. Specifically, Rio Caballo will look to incorporate many energy efficient practices and green products throughout the community. Greater energy efficiency translates into lasting savings, a comfortable home environment, and smart use of natural resources. Enhanced energy-efficient building features may include improved insulation, advanced heating & cooling systems, LED lighting, higher efficiency electric heat pump water heaters, Wi-Fi thermostats with remote sensors, low E windows with vinyl frames, low flow plumbing fixtures, and water efficient drip irrigation systems. In addition, common plans result in more efficient use of wood & other building materials and minimizes waste at the job site.

Housing Element

The Housing Element of the General Plan provides a key component upon which to guide future residential development within the City. Whether through strategies to locate proper densities along transit corridors, such as 163rd Avenue, or to provide a mix of housing options, Rio Caballo looks to comply to the Housing Element as seen through the following goals and policies.

Goal 2: Housing Variety. Seek a variety of housing options that meet the socioeconomic needs of people who live and work in the City.

Policy 2. Establish appropriate incentives for the development of quality housing that accommodates a variety of income levels.

Policy 3. Promote various residential options that provide amenities and conveniences within the residence and surrounding community that is above the median housing mix.

Policy 4. Consider incentives for the development of diverse housing types, including smaller, more affordable units.

Policy 5. Maintain a communitywide housing mix to serve the evolving demographic and economic needs of its residents.

Response: The Rio Caballo community is fortunate to be developed by a well-respected home builder that is known for their high-quality housing. In addition to providing a variety of architectural designs, colors and materials, which will complement its natural desert surroundings, much thought was put into choosing a mix of product types that would accommodate a variety of future homebuyers and the areas demand. Located within an identified growth area, Rio Caballo will provide a new housing option in an amenity rich location with the availability and need for new residential growth. With three different product types and a phased development approach, the Rio Caballo PUD looks to help balance the demand for housing for years to come.

Appendix A: Legal Description and ALTA Survey

PARCEL NO. 1

THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPTING AND RESERVING TO THE UNITED STATES OF AMERICA ALL THE COAL AND OTHER MINERALS AS RESERVED IN THE PATENT RECORDED IN BOOK 257 OF DEEDS, PAGE 126, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 2:

THE WEST HALF OF LOT 2, (SOMETIMES DESCRIBED AS THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER) OF SECTION 31, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPTING AND RESERVING TO THE UNITED STATES OF AMERICA ALL THE COAL AND OTHER MINERALS AS RESERVED IN THE PATENT RECORDED IN BOOK 257 OF DEEDS, PAGE 126, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 3:

THE NORTH HALF OF THE NORTH HALF OF G.L.O. LOT 3, (ALSO BEING DESCRIBED AS THE NORTH HALF OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER); AND THE NORTH HALF OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 31, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPTING AND RESERVING TO THE UNITED STATES OF AMERICA ALL THE COAL AND OTHER MINERALS AS RESERVED IN THE PATENT RECORDED IN BOOK 257 OF DEEDS, PAGE 126, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 4:

THE EAST HALF OF LOT 2, (SOMETIMES DESCRIBED AS THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER) OF SECTION 31, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPTING AND RESERVING TO THE UNITED STATES OF AMERICA ALL THE COAL AND OTHER MINERALS AS RESERVED IN THE PATENT RECORDED IN BOOK 257 OF DEEDS, PAGE 126, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 5:

THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPTING AND RESERVING TO THE UNITED STATES OF AMERICA ALL THE COAL AND OTHER MINERALS AS RESERVED IN THE PATENT RECORDED IN BOOK 257 OF DEEDS, PAGE 126, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 6:

THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 5 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPTING AND RESERVING TO THE UNITED STATES OF AMERICA ALL THE COAL AND OTHER MINERALS AS RESERVED IN THE PATENT RECORDED IN BOOK 257 OF DEEDS, PAGE 126, RECORDS OF MARICOPA COUNTY, ARIZONA.

PARCEL NO. 7:

LOTS 1 THROUGH 108, INCLUSIVE, AND TRACTS A THROUGH P, INCLUSIVE, OF LEGACY VILLAGE, ACCORDING TO BOOK 1038 OF MAPS, PAGE 50, RECORDS OF MARICOPA COUNTY, ARIZONA;

EXCEPTING AND RESERVING TO THE UNITED STATES OF AMERICA ALL THE COAL AND OTHER MINERALS AS RESERVED IN THE PATENT RECORDED IN BOOK 257 OF DEEDS, PAGE 126, RECORDS OF MARICOPA COUNTY, ARIZONA.

APN: 503-52-013C, 503-52-013E, 503-52-013F, 503-52-014E, 503-52-017 A, 503-52-0178 AND 503-76-824 THROUGH 503-76-947 INCLUSIVE

(ALTA SURVEY IS SEPARATE ATTACHMENT)

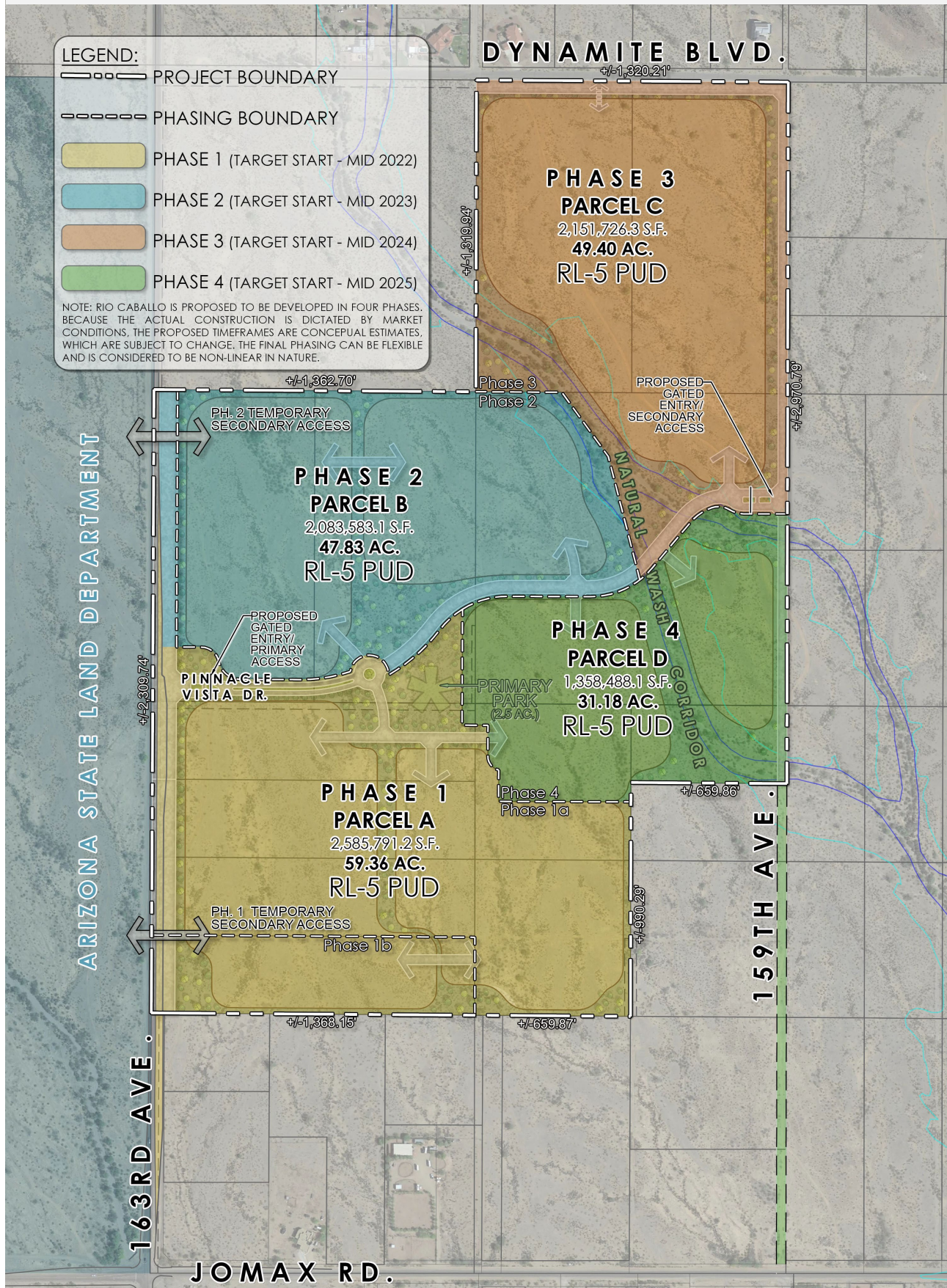
Appendix B: Traffic Impact Analysis

(Under separate cover.)

TRAFFIC IMPACT ANALYSIS
163rd Avenue and Jomax Road
Surprise, Arizona

May 2021

Appendix C: Phasing Plan



Rio Caballo

Citizen Participation Report

FS20-225

This report outlines the results of the citizen participation process implemented in conjunction with an application for a rezoning regarding Rio Caballo, a 187-acre planned development located south and east of the southeast corner of 163rd Avenue and Dynamite Boulevard in Surprise ("Project"). The citizen participation process ensured that the applicant pursued early and effective citizen participation in conjunction with the application pursuant to Surprise Unified Development Code Section 122-160.

On September 7th, 2020, the City of Surprise published legal notification in the Surprise Independent and sent a postcard with notification of the neighborhood meeting being held on September 24, 2020, to 20 property owners within a 300' buffer of the Project. A copy of the mailer, property owner mailing list, and a map showing the notification area are attached as [Appendix A](#), [Appendix B](#), and [Appendix C](#), respectively.

On September 24, 2020, the development team held a virtual neighborhood meeting via the Zoom web app. The complete summary of the meeting, including an attendee list and all public comments, is included as [Appendix D](#).

Two notification signs were posted on the property on September 3, 2020, one on the Jomax Road frontage and the other on Dynamite Boulevard frontage. Information on the signs included a general description of the Project and the date, time, and location of the neighborhood meeting. Pictures of the signs posted on the property are included as [Appendix E](#).

The applicant did not receive any phone calls or emails following the posting of the site or mailing of the notifications. At this time, all comments from members of the public were provided at the neighborhood meeting, which is summarized in full in [Appendix D](#). The primary issues noted were traffic and water supply. To address traffic concerns, Pulte has agreed to provide certain off-site roadway improvements as part of the Project, subject to right-of-way acquisition. In particular, these improvements include the extension of 159th Avenue from Dynamite Boulevard to Jomax Road, which will provide an alternative to 163rd Avenue for north-south traffic and benefit regional circulation. To address water supply concerns, Pulte is developing a well-site on property it owns within Desert Oasis to provide additional supply for the Project and is in the process of testing that well in accordance with applicable requirements.

Appendix A

Mailer Postcard

CITY OF SURPRISE
CITIZEN REVIEW MEETING

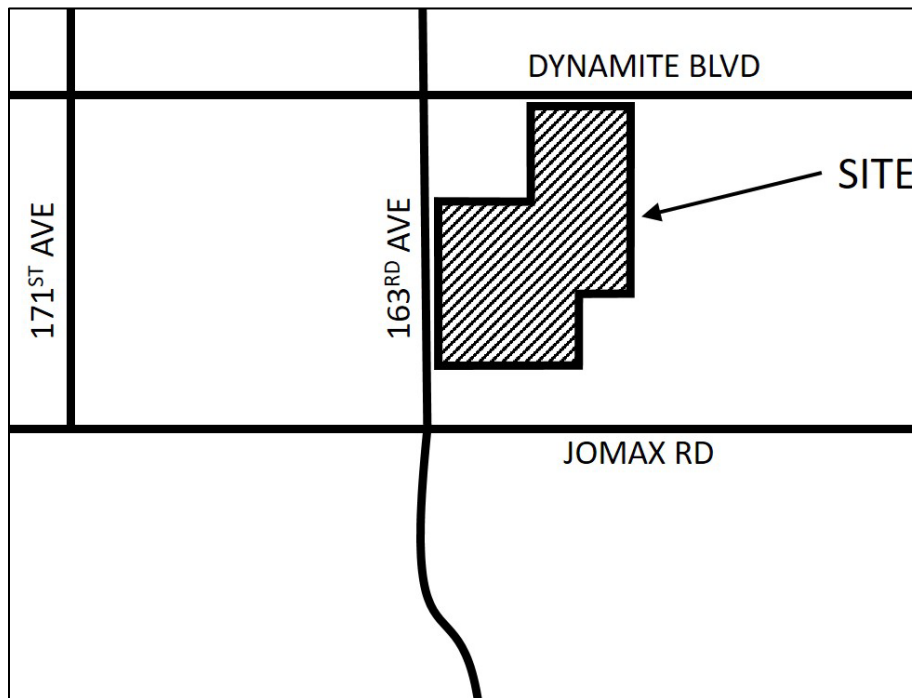
Take notice that at the date, time, and place listed below, there will be a Citizen Review meeting to discuss the below-referenced project. Due to the current COVID-19 public health emergency, the meeting will be conducted electronically. By using a computer and the access information provided below, any member of the public may participate and be heard relative to this project. The City of Surprise Community Development Department may be contacted prior to the scheduled meeting for additional information.

City of Surprise Planner: Sergio Angulo, 623-222-3155, sergio.angulo@surpriseaz.gov

CITIZEN REVIEW MEETING DETAILS

DATE: Thursday, September 24, 2020
TIME: 6:00 PM
ONLINE ACCESS: Online Zoom Meeting: <https://us02web.zoom.us/j/88285682619>
Meeting ID (access Code): 882 8568 2619
Phone Access: 1-669-900-6833

Project Location



PROJECT DESCRIPTION: Approval of a Zone Change (case FS20-225) of approximately 35 acres of Planned Area Development – Low Density Residential (PAD-LDR) and approximately 152 acres of Residential Ranch (RR), to Residential Low Density (RL-5) with a Planned Unit Development Overlay to allow for the development of a new residential subdivision of approximately 700 dwelling units. The property is located generally north of Jomax Road and east of 163rd Avenue (A portion of the west half of Section 31, Township 5 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona).

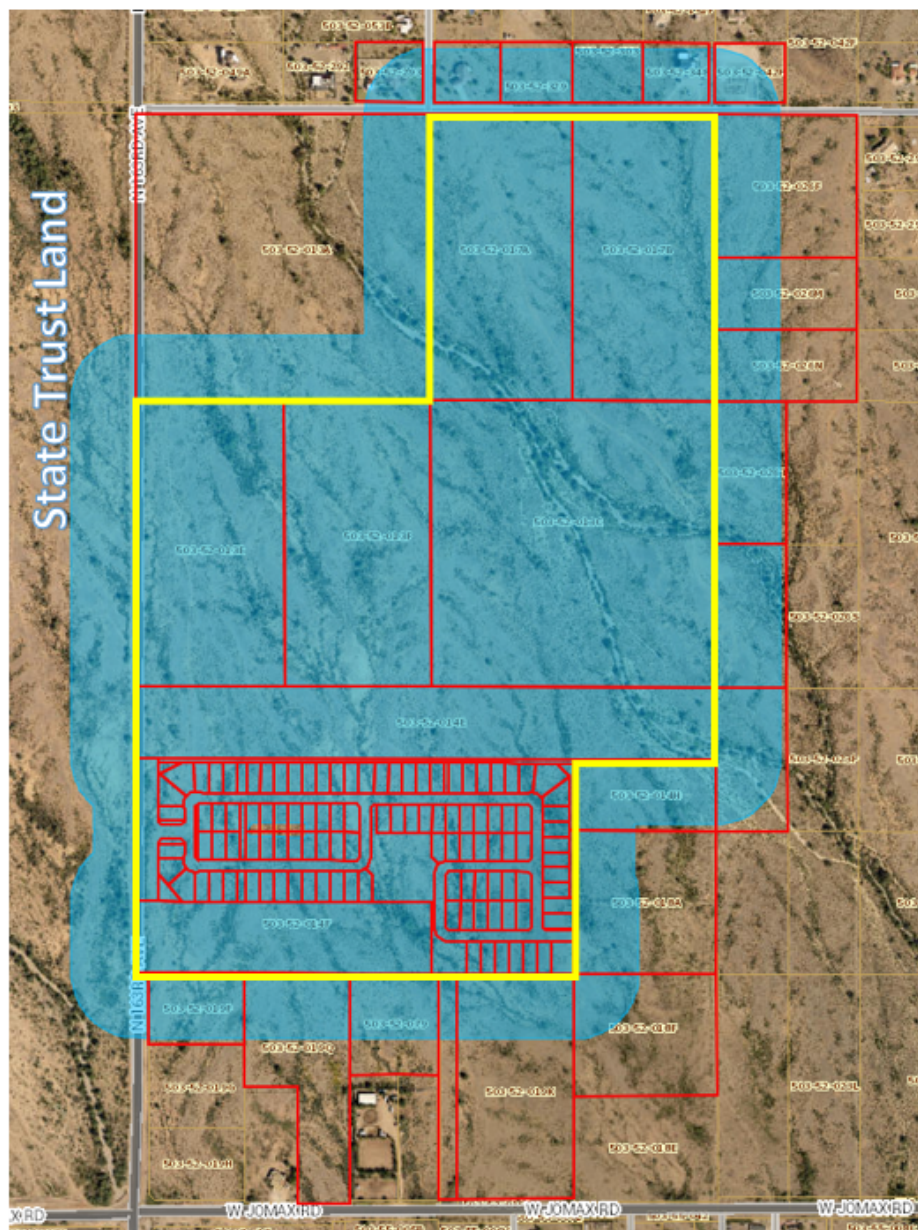
Appendix B

300' Notification List

Owner	MAIL_ADDR1	MAIL_CITY	MAIL_STATE	MAIL_ZIP
ANDERSON JEANETTE		SURPRISE	AZ	85387
BALIAN ANNIE		GLENDALE	AZ	85308
BERMAN FAMILY LIVING TRUST		SURPRISE	AZ	85387
BOBBY L WONG AND SHERRY LIN WONG REVOCABLE TRUST/DI		TUCSON	AZ	85749
SILVIO LIVING TRUST/ETAL				
DYNAMITE GROUP LTD		MESA	AZ	85201
FLEURIDAS JACK		PAGOSA SPRINGS	CO	81147
ANDRE/LILLIAN W				
HAWKS AZ LAND LLC		OMAHA	NE	68154
JOMAX SWA INVESTMENTS LLC		PLEASANT HILL	CA	94523
LEAVITT CAP RIO CABALLO LLC		SEATTLE	WA	98122
LIM SUOR		PEORIA	AZ	85345
V/LONG/CHORINA				
M T SURPRISE ARIZONA PROPERTY LLC		ST LOUIS	MO	63131
MAITLEN ROBERT E/VONDA L TR		SURPRISE	AZ	85387
MCHUGH CHARLES/LORI J		SURPRISE	AZ	85379
MOORE FRED ELLIS JR/JOSEPHINE MARIE		PHOENIX	AZ	85022
PLATH ROBERT V		POMPANO BEACH	FL	33062
SAUNDERS DALE		BOWDEN	AB	TOMOKO
SCHNEERER GERALD L/LINDA M TR		SCOTTSDALE	AZ	85254
SHEPARD ALVIN L/REGINA G		SURPRISE	AZ	85387
STRATTARD CAROLYN NICOLE		GOODYEAR	AZ	85395
SZETO FRANK/SUE TR		PHOENIX	AZ	85029

Appendix C

300' Notification Map



Appendix D

Summary of Neighborhood Meeting

Rio Caballo

Summary of Neighborhood Meeting

September 24th, 2020

FS20-225



September 24, 2020, Neighborhood Meeting

Summary for Rio Caballo

FS20-225

The neighborhood meeting for Rio Caballo was held virtually via the Zoom web application at 6:00 p.m. on September 24, 2020. The development team was present at 5:50 p.m. and the first attendees arrived at 6:00 p.m. A list of attendees is attached as Exhibit A.

Members of the development team present included:

Carolyn Oberholtzer- Bergin, Frakes, Smalley & Oberholtzer

Lyle Begiebing - Bergin, Frakes, Smalley & Oberholtzer

Richard Lopez – Pulte Group

Myron Spencer – Pulte Group

Laura Meyers – Pulte Group

Keith Nichter – Kimley Horn

Curtis Brown – Kimley Horn

The virtual Zoom meeting opened to the public at 5:55pm with the members of the development team in attendance.

6:00 PM: Ms. Oberholtzer welcomed members of the public and explained the unique aspects of the online Zoom meeting setting such as how to ask questions in the chat or ask in person after the presentation is over. She told attendees she would give 5 more minutes for people to figure out how to log in if there were any difficulties.

6:05pm: Ms. Oberholtzer began the presentation with a general overview of the area. She pointed out the property and its location in the City of Surprise (“City”). She explained the surrounding area with State Trust Land adjacent to the west, unincorporated Maricopa County land to the south and east, and Pulte’s Desert Oasis development to the south and west. Ms. Oberholtzer explained how Pulte has been active in the area and that Rio Caballo will provide an opportunity to continue success of the nearby Desert Oasis development which will be built out in the next 18 months.

Ms. Oberholtzer then showed the City maps and explained the property’s General Plan designation of Neighborhood 2-8 du/ac and existing zoning of RR and PAD. She explained the proposal to rezone the property to RL-5 with a PUD overlay and how the Legacy Village PAD commercial portion is not part of this application.

She then showed the land use plan and explained that Rio Caballo will be a gated community centered around open space with a main amenity area and major access point on 163rd Ave. She explained that the Project will have 27% open space – 20% required by the City, and that the max dwelling units are in line with suburban scale development like Desert Oasis in the surrounding area.

Ms. Oberholtzer showed the Landscape Plan and explained that interior and perimeter landscape elements. She pointed out that 163rd Ave. is designated as a Parkway in the City, meaning it will have a right-of-way measuring 200' and that Pulte will develop half street improvements and landscape buffers adjacent to Rio Caballo. She continued, showing that Pulte will dedicate a 55' half right-of-way for Dynamite Rd. adjacent to the Project to the north, which has an ultimate width of 110'.

Ms. Oberholtzer highlighted the natural wash corridor in the center of the Project, with trails breaking off from it throughout the neighborhood, connecting residents to the amenity areas. She explained how there will be a mixture of lot sizes within the Project and that 5 du/ac is normal for a similar PUD in the area and the proposed PUD will cap the entire Project to 3.72 du/ac, lower than average density. She noted that there are pockets of homes with reduced lot width to add diversity but that the overall density will stay low due to the open space and other larger lots. She noted that building heights will be the same 30' building height in RR zoning with a max of 2 stories.

Ms. Oberholtzer then showed the early renderings of the housing products and architecture. She showed multiple renderings of the smaller lot products and highlighted the facade elements and reduced garage appearance then continued to show the 3500, 4000, and 5000 levels of housing products as well. She explained the phasing of the Project would begin at 163rd Ave. & Jomax Rd. and continue north over time with planned construction by end of next year and full development over the following 4-5 years. She pointed out that hearings had not been scheduled yet but that everyone will receive notice of future hearings if they received the notice for this meeting.

Ms. Oberholtzer opened the floor for questions and gave her email address for anyone to contact her directly.

Citizen Questions:

A Citizen pointed out their property on the vicinity map at 163rd and Jomax and asked if the development would be more than 700 homes.

Ms. Oberholtzer explained that it will be an absolute maximum of 700 homes once final buildout is reached in 4+ years.

Multiple citizens asked how will the traffic be addresses with many new residents using already congested roads?

Ms. Oberholtzer explained that 163rd Ave. has a "parkway" designation which is the highest class of roadway above even arterial road designation and that that the Parkway will be able to handle all future traffic. She also noted that as development comes into the surrounding area, more traffic improvements will continue to be constructed.

Multiple residents asked if Cox coming to the area.

Ms. Oberholtzer and the team said they did not know and to ask City Staff for details on this question.

A citizen asked how the abutting 1-acre and 2-acre parcels will be affected by the development.

Ms. Oberholtzer explained there will be many lot sizes and transitions provided to abutting property and showed a regional map for context. She said properties north of Dynamite Rd. are separated by an arterial and the southern portion will be separated by a landscape buffer. She explained there will be 40', 45', and 50' lots like in nearby developments and the gated community theme will keep smaller lots separated.

Multiple citizens asked what is projected timeline for the development?

The development team answered that it is possible to start construction by end of 2021 and then will take 4-5 years until full buildout achieved.

A citizen asked when will 163rd Ave. be expanded to the full Parkway designation?

The development team informed them that this would happen with first phase of the Project. Lloyd Abrams from City staff confirmed and explained development in the area and the City's plan regarding road improvements

A citizen asked if there will be trails in the wash and open space area?

Ms. Oberholtzer said yes there are and showed the Landscape Plan and pointed out the planned trail systems in and around the open space.

A citizen asked if there will be any wildlife trails running through the property?

The development team explained that the natural wash serves as a wildlife corridor and pointed out that the property will be maintained as is where the wash enters and exits property.

A citizen asked if the adjacent State Trust Land was planned to be developed or if there have been any auction announcements?

The development team answered that State Land Department is evaluating the real estate currently. Ms. Oberholtzer explained State Trust Land and the legality of ownership. She added that when State Land considers that property for development they will give plenty of notice and pointed out that the State Trust Land portion is included in the City's long-term plans for future development.

A citizen asked if there will be improvements or fixes on existing roads to the north?

Ms. Oberholtzer answered that no, the Project would be limited to improving just the land adjacent to the site, not offsite to the north.

A citizen asked if the corner of 163rd Ave. is being developed?

The development team answered that no, the corner is not part of the Project and is under separate ownership.

A citizen asked how far east does the development go and is it on City or County land?

The development team pulled up the vicinity map and showed how the development extends a half mile east of 163rd Ave. to the 159th Ave. alignment and pointed out the major 155th Ave. alignment another half mile east. The Project will be fully within the City.

A citizen explained her frustration with the City and 10+ other developments in the area that neighbors have not approved of. She explained that they are very concerned about the water issue and said the City is draining the wells and it is not sustainable.

Ms. Oberholtzer explained that this Project is a fair amount lower than maximum density and will be on City sewer and water, so wells are not affected.

A citizen expressed concern that the City is drilling extra-large wells that will impact existing wells and they call it City water.

The development team responded that they understand the concerns. Ms. Oberholtzer explained that the Project is consolidating an already existing PAD and will be sensitive to natural features to create little development pockets with large open space to be middle ground between larger development and rural development.

A citizen asked how many homes Pulte has built in the entire area and planned to build?

Richard Lopez explained Pulte is not the sole builder for the nearby Desert Oasis project, so he did not have an exact number. Rio Caballo is proposed for 700 units.

A citizen asked if there are ground owls living on this land?

The development team responded that they do not know if any are and have not seen a record of that.

Citizens asked what will be done about Dynamite Rd. traffic?

The development team showed the vicinity map and pointed out where existing ROW is. They explained that Pulte will complete the 55' half street improvements that will eventually be 110' wide minor arterial.

A citizen asked what type of street lighting is planned?

The development team explained that all light features will follow City Code requirements.

A citizen asked if Pulte owns the property currently.

Ms. Oberholtzer explained that Pulte is in escrow to purchase the property.

Citizens asked if the Project would stub utilities across Dynamite?

The development team explained that Pulte will have to put utilities on street frontage so there will be future access.

Citizens asked if there will be traffic control plans during construction at 163rd Ave?

The development team said yes, they will have plans when they are closer to construction.

A citizen asked about the current zoning.

The development team explained that it is currently zoned PAD and RR and explained the density for RR zoning and the General Plan designation of Neighborhood.

A citizen asked if all amenities are part of the Project or are communities facilities district allowed?

The development team said that it will be privately owned and maintained by the HOA and pointed out that it will be a gated community and residents will be paying HOA fees.

A citizen asked if Pulte is financing the amenities?

The development team answered yes.

A citizen was concerned about school overcrowding.

Ms. Oberholtzer explained that the property will be annexed into one of two current school districts and currently is not part of any school district.

A citizen asked if there will be horse trails?

The development team responded that no horse trails are planned at this time.

The development team kept the video meeting open until 7:00 p.m. to answer all citizen questions and the meeting adjourned at 7:01 p.m.

Exhibit A

Virtual Neighborhood Meeting Attendee List

Members of the Public in Attendance

Name (Original Name)	User Email	Join Time	Leave Time	Duration (Minutes)
Carolyn Oberholtzer	[REDACTED]	9/24/2020 17:29	9/24/2020 18:59	91
DIANA JOHNSON		9/24/2020 17:29	9/24/2020 17:59	30
John		9/24/2020 17:30	9/24/2020 17:59	30
Lisa Londene		9/24/2020 17:30	9/24/2020 17:59	30
Shemers		9/24/2020 17:30	9/24/2020 17:59	29
Skip Hall		9/24/2020 17:31	9/24/2020 17:59	29
rlopez		9/24/2020 17:34	9/24/2020 17:35	1
rlopez		9/24/2020 17:35	9/24/2020 18:59	85
iPhone		9/24/2020 17:44	9/24/2020 17:59	16
scott		9/24/2020 17:45	9/24/2020 17:59	14
Lyle Begiebing	[REDACTED]	9/24/2020 17:47	9/24/2020 17:47	1
Lyle Begiebing	[REDACTED]	9/24/2020 17:47	9/24/2020 18:59	73
Grant Helgeson	[REDACTED]	9/24/2020 17:47	9/24/2020 17:59	12
Imeyers		9/24/2020 17:55	9/24/2020 17:55	1
Imeyers		9/24/2020 17:55	9/24/2020 18:59	65
Carol Szeto	[REDACTED]	9/24/2020 17:56	9/24/2020 17:59	3
Lori Christiansen	[REDACTED]	9/24/2020 17:57	9/24/2020 17:59	3
Irene Milhorn	[REDACTED]	9/24/2020 17:57	9/24/2020 17:59	3
Keith Nichter		9/24/2020 17:57	9/24/2020 17:58	1
kweaver		9/24/2020 17:58	9/24/2020 17:59	2
Keith Nichter		9/24/2020 17:58	9/24/2020 18:59	62
myron		9/24/2020 17:58	9/24/2020 17:59	1
iPhone		9/24/2020 17:59	9/24/2020 18:59	61
DIANA JOHNSON		9/24/2020 17:59	9/24/2020 18:59	61
Shemers		9/24/2020 17:59	9/24/2020 18:59	61
Carol Szeto	[REDACTED]	9/24/2020 17:59	9/24/2020 18:51	52
Lori Christiansen	[REDACTED]	9/24/2020 17:59	9/24/2020 18:27	29
Skip Hall		9/24/2020 17:59	9/24/2020 18:59	61
Grant Helgeson	[REDACTED]	9/24/2020 17:59	9/24/2020 18:49	50
myron		9/24/2020 17:59	9/24/2020 18:59	61
scott		9/24/2020 17:59	9/24/2020 18:59	61
Irene Milhorn	[REDACTED]	9/24/2020 17:59	9/24/2020 18:36	37
kweaver		9/24/2020 17:59	9/24/2020 19:00	61

Barry Shemer	██████████ t	9/24/2020 17:59	9/24/2020 18:33	35
Dustin Fielden		9/24/2020 17:59	9/24/2020 18:59	61
Lisa Londene		9/24/2020 17:59	9/24/2020 18:59	61
Coffee		9/24/2020 17:59	9/24/2020 18:59	61
John		9/24/2020 17:59	9/24/2020 19:09	71
Curtis.Brown		9/24/2020 18:00	9/24/2020 18:59	60
Ron Judge		9/24/2020 18:00	9/24/2020 18:05	6
John		9/24/2020 18:01	9/24/2020 18:59	59
14802052363		9/24/2020 18:01	9/24/2020 18:59	59
Paul		9/24/2020 18:01	9/24/2020 18:59	59
autumn		9/24/2020 18:02	9/24/2020 18:21	19
Greg Newman		9/24/2020 18:02	9/24/2020 18:29	28
sergio.angulo		9/24/2020 18:02	9/24/2020 18:59	58
manzoortariq		9/24/2020 18:04	9/24/2020 18:59	56
John		9/24/2020 18:04	9/24/2020 18:59	56
Jacqueline Rea		9/24/2020 18:05	9/24/2020 18:59	55
iPhone		9/24/2020 18:06	9/24/2020 18:36	31
Kelly		9/24/2020 18:14	9/24/2020 18:59	46
Barbara Knipp	██████████	9/24/2020 18:20	9/24/2020 18:59	39
Cathy		9/24/2020 18:28	9/24/2020 18:59	32
Irene Milhorn	██████████ ██████████	9/24/2020 18:37	9/24/2020 18:38	1
JackWesleyHarper		9/24/2020 18:39	9/24/2020 18:59	21
OFFICE		9/24/2020 18:39	9/24/2020 18:59	21
Steph Martin		9/24/2020 18:44	9/24/2020 18:59	16

Appendix E

Affidavit of Site Posting

AFFIDAVIT OF POSTING

Case Number SF20-225
Project Name: Rio Caballo
Project Location: South and East of corner of 163rd Ave and Dynamite Blvd
Date Site Posted: 09/03/2020

In order to assist in providing adequate notice to interested parties, the applicant for any type of public hearing shall erect two (2) signs providing notice of the date, time, and place of the scheduled hearing(s). These signs must be erected not less than fifteen (15) calendar days prior to the date of the first hearing. The signs shall also include the description of the request as contained on the formal development application. The size and format of this sign shall meet requirements established by the city (see example).

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, as well as the information on the sign, until final disposition of the case.

I confirm that the site has been posted as required, for the case noted above. Photographs of the site posting, and any subsequent changes/updates made to the sign, have also been submitted.

[Signature]
Owner/Applicant Signature

9/4/20
Date

This instrument was acknowledged before me this 4th day of September
20 20 by Lauren Trobaugh

[Signature]
Notary Public

My Commission Expires: June 1st 2022



Notice of Public Hearing

City of Surprise

Neighborhood Meeting

Date: September 24, 2020

Time: 6:00pm

Location: Virtual

Planning and Zoning

Date: TBD

Time: TBD

Location: TBD

City Council

Date: TBD

Time: TBD

Location: TBD

Link: <https://us02web.zoom.us/j/88285682619>

Meeting ID: 882 8568 2619

Call-In: 1-669-900-6833

Case No. FS20-225

Request: Approval of a Zone Change (case FS20-225) of approximately 35 acres of Planned Area Development — Low Density Residential (PAD-LDR) and 152 acres of Residential Ranch (RR) to Residential Low Density (RL-5) with a Planned Unit Development Overlay to allow for the development of a new residential subdivision of approximately 700 dwelling units. The property is located generally north of Jomax Road and east of 163rd Avenue (A portion of the west half of Section 31, Township 5 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona).

For more information, call:
623-222-3011
Surpriseaz.gov



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09/03/2020

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09/03/2020
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Surpriseaz.gov



09/03/2020

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Rio Caballo

Citizen Participation Report

FS20-225

This report outlines the results of the citizen participation process implemented in conjunction with an application for a rezoning regarding Rio Caballo, a 187-acre planned development located south and east of the southeast corner of 163rd Avenue and Dynamite Boulevard in Surprise ("Project"). The citizen participation process ensured that the applicant pursued early and effective citizen participation in conjunction with the application pursuant to Surprise Unified Development Code Section 122-160.

On September 7th, 2020, the City of Surprise published legal notification in the Surprise Independent and sent a postcard with notification of the neighborhood meeting being held on September 24, 2020, to 20 property owners within a 300' buffer of the Project. A copy of the mailer, property owner mailing list, and a map showing the notification area are attached as [Appendix A](#), [Appendix B](#), and [Appendix C](#), respectively.

On September 24, 2020, the development team held a virtual neighborhood meeting via the Zoom web app. The complete summary of the meeting, including an attendee list and all public comments, is included as [Appendix D](#).

Two notification signs were posted on the property on September 3, 2020, one on the Jomax Road frontage and the other on Dynamite Boulevard frontage. Information on the signs included a general description of the Project and the date, time, and location of the neighborhood meeting. Pictures of the signs posted on the property are included as [Appendix E](#).

The applicant did not receive any phone calls or emails following the posting of the site or mailing of the notifications. At this time, all comments from members of the public were provided at the neighborhood meeting, which is summarized in full in [Appendix D](#). The primary issues noted were traffic and water supply. To address traffic concerns, Pulte has agreed to provide certain off-site roadway improvements as part of the Project, subject to right-of-way acquisition. In particular, these improvements include the extension of 159th Avenue from Dynamite Boulevard to Jomax Road, which will provide an alternative to 163rd Avenue for north-south traffic and benefit regional circulation. To address water supply concerns, Pulte is developing a well-site on property it owns within Desert Oasis to provide additional supply for the Project and is in the process of testing that well in accordance with applicable requirements.

Appendix A

Mailer Postcard

**CITY OF SURPRISE
CITIZEN REVIEW MEETING**

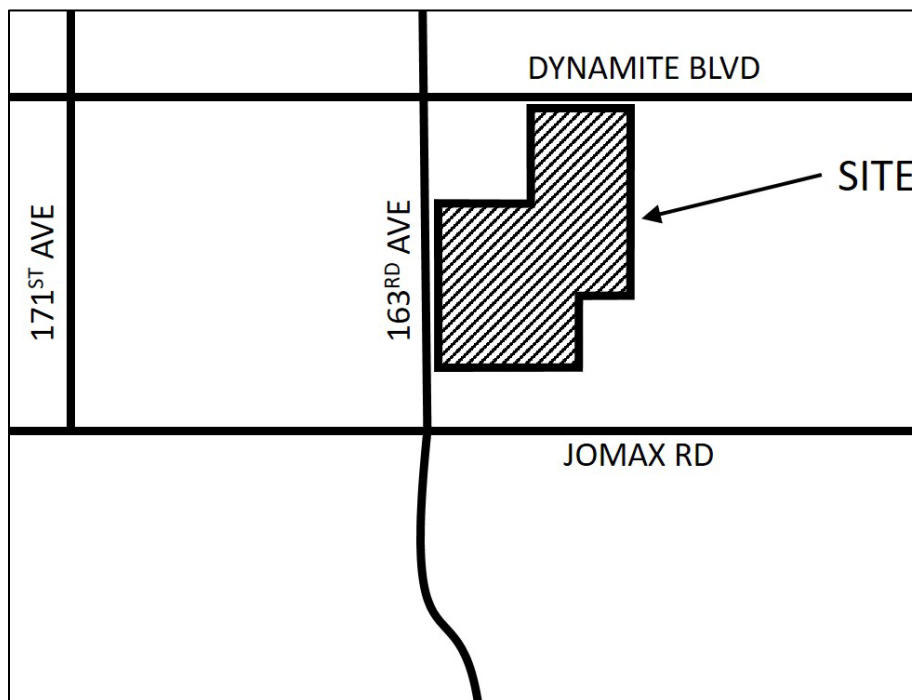
Take notice that at the date, time, and place listed below, there will be a Citizen Review meeting to discuss the below-referenced project. Due to the current COVID-19 public health emergency, the meeting will be conducted electronically. By using a computer and the access information provided below, any member of the public may participate and be heard relative to this project. The City of Surprise Community Development Department may be contacted prior to the scheduled meeting for additional information.

City of Surprise Planner: Sergio Angulo, 623-222-3155, sergio.angulo@surpriseaz.gov

CITIZEN REVIEW MEETING DETAILS

DATE: Thursday, September 24, 2020
TIME: 6:00 PM
ONLINE ACCESS: Online Zoom Meeting: <https://us02web.zoom.us/j/88285682619>
Meeting ID (access Code): 882 8568 2619
Phone Access: 1-669-900-6833

Project Location



PROJECT DESCRIPTION: Approval of a Zone Change (case FS20-225) of approximately 35 acres of Planned Area Development – Low Density Residential (PAD-LDR) and approximately 152 acres of Residential Ranch (RR), to Residential Low Density (RL-5) with a Planned Unit Development Overlay to allow for the development of a new residential subdivision of approximately 700 dwelling units. The property is located generally north of Jomax Road and east of 163rd Avenue (A portion of the west half of Section 31, Township 5 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona).

Appendix B

300' Notification List

Owner	MAIL_ADDR1	MAIL_CITY	MAIL_STATE	MAIL_ZIP
ANDERSON JEANETTE		SURPRISE	AZ	85387
BALIAN ANNIE		GLENDALE	AZ	85308
BERMAN FAMILY LIVING TRUST		SURPRISE	AZ	85387
BOBBY L WONG AND SHERRY LIN WONG REVOCABLE TRUST/DI		TUCSON	AZ	85749
SILVIO LIVING TRUST/ETAL				
DYNAMITE GROUP LTD		MESA	AZ	85201
FLEURIDAS JACK		PAGOSA SPRINGS	CO	81147
ANDRE/LILLIAN W				
HAWKS AZ LAND LLC		OMAHA	NE	68154
JOMAX SWA INVESTMENTS LLC		PLEASANT HILL	CA	94523
LEAVITT CAP RIO CABALLO LLC		SEATTLE	WA	98122
LIM SUOR		PEORIA	AZ	85345
V/LONG/CHORINA				
M T SURPRISE ARIZONA PROPERTY LLC		ST LOUIS	MO	63131
MAITLEN ROBERT E/VONDA L TR		SURPRISE	AZ	85387
MCHUGH CHARLES/LORI J		SURPRISE	AZ	85379
MOORE FRED ELLIS JR/JOSEPHINE MARIE		PHOENIX	AZ	85022
PLATH ROBERT V		POMPANO BEACH	FL	33062
SAUNDERS DALE		BOWDEN	AB	TOMOKO
SCHNEERER GERALD L/LINDA M TR		SCOTTSDALE	AZ	85254
SHEPARD ALVIN L/REGINA G		SURPRISE	AZ	85387
STRATTARD CAROLYN NICOLE		GOODYEAR	AZ	85395
SZETO FRANK/SUE TR		PHOENIX	AZ	85029

Appendix C

300' Notification Map

Appendix D

Summary of Neighborhood Meeting

Rio Caballo

Summary of Neighborhood Meeting

September 24th, 2020

FS20-225



September 24, 2020, Neighborhood Meeting

Summary for Rio Caballo

FS20-225

The neighborhood meeting for Rio Caballo was held virtually via the Zoom web application at 6:00 p.m. on September 24, 2020. The development team was present at 5:50 p.m. and the first attendees arrived at 6:00 p.m. A list of attendees is attached as Exhibit A.

Members of the development team present included:

Carolyn Oberholtzer- Bergin, Frakes, Smalley & Oberholtzer

Lyle Begiebing - Bergin, Frakes, Smalley & Oberholtzer

Richard Lopez – Pulte Group

Myron Spencer – Pulte Group

Laura Meyers – Pulte Group

Keith Nichter – Kimley Horn

Curtis Brown – Kimley Horn

The virtual Zoom meeting opened to the public at 5:55pm with the members of the development team in attendance.

6:00 PM: Ms. Oberholtzer welcomed members of the public and explained the unique aspects of the online Zoom meeting setting such as how to ask questions in the chat or ask in person after the presentation is over. She told attendees she would give 5 more minutes for people to figure out how to log in if there were any difficulties.

6:05pm: Ms. Oberholtzer began the presentation with a general overview of the area. She pointed out the property and its location in the City of Surprise (“City”). She explained the surrounding area with State Trust Land adjacent to the west, unincorporated Maricopa County land to the south and east, and Pulte’s Desert Oasis development to the south and west. Ms. Oberholtzer explained how Pulte has been active in the area and that Rio Caballo will provide an opportunity to continue success of the nearby Desert Oasis development which will be built out in the next 18 months.

Ms. Oberholtzer then showed the City maps and explained the property’s General Plan designation of Neighborhood 2-8 du/ac and existing zoning of RR and PAD. She explained the proposal to rezone the property to RL-5 with a PUD overlay and how the Legacy Village PAD commercial portion is not part of this application.

She then showed the land use plan and explained that Rio Caballo will be a gated community centered around open space with a main amenity area and major access point on 163rd Ave. She explained that the Project will have 27% open space – 20% required by the City, and that the max dwelling units are in line with suburban scale development like Desert Oasis in the surrounding area.

Ms. Oberholtzer showed the Landscape Plan and explained that interior and perimeter landscape elements. She pointed out that 163rd Ave. is designated as a Parkway in the City, meaning it will have a right-of-way measuring 200' and that Pulte will develop half street improvements and landscape buffers adjacent to Rio Caballo. She continued, showing that Pulte will dedicate a 55' half right-of-way for Dynamite Rd. adjacent to the Project to the north, which has an ultimate width of 110'.

Ms. Oberholtzer highlighted the natural wash corridor in the center of the Project, with trails breaking off from it throughout the neighborhood, connecting residents to the amenity areas. She explained how there will be a mixture of lot sizes within the Project and that 5 du/ac is normal for a similar PUD in the area and the proposed PUD will cap the entire Project to 3.72 du/ac, lower than average density. She noted that there are pockets of homes with reduced lot width to add diversity but that the overall density will stay low due to the open space and other larger lots. She noted that building heights will be the same 30' building height in RR zoning with a max of 2 stories.

Ms. Oberholtzer then showed the early renderings of the housing products and architecture. She showed multiple renderings of the smaller lot products and highlighted the facade elements and reduced garage appearance then continued to show the 3500, 4000, and 5000 levels of housing products as well. She explained the phasing of the Project would begin at 163rd Ave. & Jomax Rd. and continue north over time with planned construction by end of next year and full development over the following 4-5 years. She pointed out that hearings had not been scheduled yet but that everyone will receive notice of future hearings if they received the notice for this meeting.

Ms. Oberholtzer opened the floor for questions and gave her email address for anyone to contact her directly.

Citizen Questions:

A Citizen pointed out their property on the vicinity map at 163rd and Jomax and asked if the development would be more than 700 homes.

Ms. Oberholtzer explained that it will be an absolute maximum of 700 homes once final buildout is reached in 4+ years.

Multiple citizens asked how will the traffic be addresses with many new residents using already congested roads?

Ms. Oberholtzer explained that 163rd Ave. has a "parkway" designation which is the highest class of roadway above even arterial road designation and that that the Parkway will be able to handle all future traffic. She also noted that as development comes into the surrounding area, more traffic improvements will continue to be constructed.

Multiple residents asked if Cox coming to the area.

Ms. Oberholtzer and the team said they did not know and to ask City Staff for details on this question.

A citizen asked how the abutting 1-acre and 2-acre parcels will be affected by the development.

Ms. Oberholtzer explained there will be many lot sizes and transitions provided to abutting property and showed a regional map for context. She said properties north of Dynamite Rd. are separated by an arterial and the southern portion will be separated by a landscape buffer. She explained there will be 40', 45', and 50' lots like in nearby developments and the gated community theme will keep smaller lots separated.

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The development team showed the vicinity map and pointed out where existing ROW is. They explained that Pulte will complete the 55' half street improvements that will eventually be 110' wide minor arterial.

A citizen asked what type of street lighting is planned?

The development team explained that all light features will follow City Code requirements.

A citizen asked if Pulte owns the property currently.

Ms. Oberholtzer explained that Pulte is in escrow to purchase the property.

Citizens asked if the Project would stub utilities across Dynamite?

The development team explained that Pulte will have to put utilities on street frontage so there will be future access.

Citizens asked if there will be traffic control plans during construction at 163rd Ave?

The development team said yes, they will have plans when they are closer to construction.

A citizen asked about the current zoning.

The development team explained that it is currently zoned PAD and RR and explained the density for RR zoning and the General Plan designation of Neighborhood.

A citizen asked if all amenities are part of the Project or are communities facilities district allowed?

The development team said that it will be privately owned and maintained by the HOA and pointed out that it will be a gated community and residents will be paying HOA fees.

A citizen asked if Pulte is financing the amenities?

The development team answered yes.

A citizen was concerned about school overcrowding.

Ms. Oberholtzer explained that the property will be annexed into one of two current school districts and currently is not part of any school district.

A citizen asked if there will be horse trails?

The development team responded that no horse trails are planned at this time.

The development team kept the video meeting open until 7:00 p.m. to answer all citizen questions and the meeting adjourned at 7:01 p.m.

Exhibit A

Virtual Neighborhood Meeting Attendee List

Members of the Public in Attendance

Name (Original Name)	User Email	Join Time	Leave Time	Duration (Minutes)
Carolyn Oberholtzer	[REDACTED]	9/24/2020 17:29	9/24/2020 18:59	91
DIANA JOHNSON		9/24/2020 17:29	9/24/2020 17:59	30
John		9/24/2020 17:30	9/24/2020 17:59	30
Lisa Londene		9/24/2020 17:30	9/24/2020 17:59	30
Shemers		9/24/2020 17:30	9/24/2020 17:59	29
Skip Hall		9/24/2020 17:31	9/24/2020 17:59	29
rlopez		9/24/2020 17:34	9/24/2020 17:35	1
rlopez		9/24/2020 17:35	9/24/2020 18:59	85
iPhone		9/24/2020 17:44	9/24/2020 17:59	16
scott		9/24/2020 17:45	9/24/2020 17:59	14
Lyle Begiebing	[REDACTED]	9/24/2020 17:47	9/24/2020 17:47	1
Lyle Begiebing	[REDACTED]	9/24/2020 17:47	9/24/2020 18:59	73
Grant Helgeson	[REDACTED]	9/24/2020 17:47	9/24/2020 17:59	12
Imeyers		9/24/2020 17:55	9/24/2020 17:55	1
Imeyers		9/24/2020 17:55	9/24/2020 18:59	65
Carol Szeto	[REDACTED]	9/24/2020 17:56	9/24/2020 17:59	3
Lori Christiansen	[REDACTED]	9/24/2020 17:57	9/24/2020 17:59	3
Irene Milhorn	[REDACTED]	9/24/2020 17:57	9/24/2020 17:59	3
Keith Nichter		9/24/2020 17:57	9/24/2020 17:58	1
kweaver		9/24/2020 17:58	9/24/2020 17:59	2
Keith Nichter		9/24/2020 17:58	9/24/2020 18:59	62
myron		9/24/2020 17:58	9/24/2020 17:59	1
iPhone		9/24/2020 17:59	9/24/2020 18:59	61
DIANA JOHNSON		9/24/2020 17:59	9/24/2020 18:59	61
Shemers		9/24/2020 17:59	9/24/2020 18:59	61
Carol Szeto	[REDACTED]	9/24/2020 17:59	9/24/2020 18:51	52
Lori Christiansen	[REDACTED]	9/24/2020 17:59	9/24/2020 18:27	29
Skip Hall		9/24/2020 17:59	9/24/2020 18:59	61
Grant Helgeson	[REDACTED]	9/24/2020 17:59	9/24/2020 18:49	50
myron		9/24/2020 17:59	9/24/2020 18:59	61
scott		9/24/2020 17:59	9/24/2020 18:59	61
Irene Milhorn	[REDACTED]	9/24/2020 17:59	9/24/2020 18:36	37
kweaver		9/24/2020 17:59	9/24/2020 19:00	61

Barry Shemer	██████████ t	9/24/2020 17:59	9/24/2020 18:33	35
Dustin Fielden		9/24/2020 17:59	9/24/2020 18:59	61
Lisa Londene		9/24/2020 17:59	9/24/2020 18:59	61
Coffee		9/24/2020 17:59	9/24/2020 18:59	61
John		9/24/2020 17:59	9/24/2020 19:09	71
Curtis.Brown		9/24/2020 18:00	9/24/2020 18:59	60
Ron Judge		9/24/2020 18:00	9/24/2020 18:05	6
John		9/24/2020 18:01	9/24/2020 18:59	59
14802052363		9/24/2020 18:01	9/24/2020 18:59	59
Paul		9/24/2020 18:01	9/24/2020 18:59	59
autumn		9/24/2020 18:02	9/24/2020 18:21	19
Greg Newman		9/24/2020 18:02	9/24/2020 18:29	28
sergio.angulo		9/24/2020 18:02	9/24/2020 18:59	58
manzoortariq		9/24/2020 18:04	9/24/2020 18:59	56
John		9/24/2020 18:04	9/24/2020 18:59	56
Jacqueline Rea		9/24/2020 18:05	9/24/2020 18:59	55
iPhone		9/24/2020 18:06	9/24/2020 18:36	31
Kelly		9/24/2020 18:14	9/24/2020 18:59	46
Barbara Knipp	██████████	9/24/2020 18:20	9/24/2020 18:59	39
Cathy		9/24/2020 18:28	9/24/2020 18:59	32
Irene Milhorn	██████████ ██████████	9/24/2020 18:37	9/24/2020 18:38	1
JackWesleyHarper		9/24/2020 18:39	9/24/2020 18:59	21
OFFICE		9/24/2020 18:39	9/24/2020 18:59	21
Steph Martin		9/24/2020 18:44	9/24/2020 18:59	16

Appendix E

Affidavit of Site Posting

AFFIDAVIT OF POSTING

Case Number SF20-225
Project Name: Rio Caballo
Project Location: South and East of corner of 163rd Ave and Dynamite Blvd
Date Site Posted: 09/03/2020

In order to assist in providing adequate notice to interested parties, the applicant for any type of public hearing shall erect two (2) signs providing notice of the date, time, and place of the scheduled hearing(s). These signs must be erected not less than fifteen (15) calendar days prior to the date of the first hearing. The signs shall also include the description of the request as contained on the formal development application. The size and format of this sign shall meet requirements established by the city (see example).

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, as well as the information on the sign, until final disposition of the case.

I confirm that the site has been posted as required, for the case noted above. Photographs of the site posting, and any subsequent changes/updates made to the sign, have also been submitted.

[Signature]
Owner/Applicant Signature

9/4/20
Date

This instrument was acknowledged before me this 4th day of September
20 20 by Lauren Trobaugh

[Signature]
Notary Public

My Commission Expires: June 1st 2022



Notice of Public Hearing

City of Surprise

Neighborhood Meeting

Date: September 24, 2020

Time: 6:00pm

Location: Virtual

Planning and Zoning

Date: TBD

Time: TBD

Location: TBD

City Council

Date: TBD

Time: TBD

Location: TBD

Link: <https://us02web.zoom.us/j/88285682619>

Meeting ID: 882 8568 2619

Call-In: 1-669-900-6833

Case No. FS20-225

Request: Approval of a Zone Change (case FS20-225) of approximately 35 acres of Planned Area Development — Low Density Residential (PAD-LDR) and 152 acres of Residential Ranch (RR) to Residential Low Density (RL-5) with a Planned Unit Development Overlay to allow for the development of a new residential subdivision of approximately 700 dwelling units. The property is located generally north of Jomax Road and east of 163rd Avenue (A portion of the west half of Section 31, Township 5 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona).

For more information, call:
623-222-3011
Surpriseaz.gov



09/03/2020
Page 569 of 602

Notice of Public Hearing

City of Surprise

Neighborhood Meeting

Date: September 24, 2020

Time: 6:00pm

Location: Virtual

Planning and Zoning

Date: TBD

Time: TBD

Location: TBD

City Council

Date: TBD

Time: TBD

Location: TBD

Link: <https://us02web.zoom.us/j/88285682619>

Meeting ID: 882 8568 2619

Case No. FS20-225

Call-in: 1-869-900-6833

Request: Approval of a Zone Change (case FS20-225) of approximately 35 acres of Planned Area Development — Low Density Residential (PAD-LDR) and 152 acres of Residential Ranch (RR) to Residential Low Density (RL-5) with a Planned Unit Development Overlay to allow for the development of a new residential subdivision of approximately 700 dwelling units. The property is located generally north of Jomax Road and east of 163rd Avenue (A portion of the west half of Section 31, Township 5 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona).

For more information, call:
623-222-3011
Surpriseaz.gov



09/03/2020
Page 570 of 602

Notice of Public Hearing

City of Surprise

Neighborhood Meeting

Date: September 24, 2020

Time: 6:00pm

Location: Virtual

Planning and Zoning

Date: TBD

Time: TBD

Location: TBD

City Council

Date: TBD

Time: TBD

Location: TBD

Link: <https://us02web.zoom.us/j/88285682619>

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Call-In: 1-669-900-6833

Request: Approval of a Zone Change (case FS20-225) of approximately 35 acres of Planned Area Development — Low Density Residential (PAD-LDR) and 152 acres of Residential Ranch (RR) to Residential Low Density (RL-5) with a Planned Unit Development Overlay to allow for the development of a new residential subdivision of approximately 700 dwelling units. The property is located generally north of Jomax Road and east of 163rd Avenue (A portion of the west half of Section 31, Township 5 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona).

For more information, call:
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Surpriseaz.gov



09/03/2020

Notice of Public Hearing

City of Surprise

Neighborhood Meeting

Date: September 24, 2020

Time: 6:00pm

Location: Virtual

Planning and Zoning

Date: TBD

Time: TBD

Location: TBD

City Council

Date: TBD

Time: TBD

Location: TBD

Link: <https://us02web.zoom.us/j/88285682619>

Meeting ID: 882 8568 2619

Case No. FS20-225

Call-In: 1-669-900-6833

Request: Approval of a Zone Change (case FS20-225) of approximately 35 acres of Planned Area Development — Low Density Residential (PAD-LDR) and 152 acres of Residential Ranch (RR) to Residential Low Density (RL-5) with a Planned Unit Development Overlay to allow for the development of a new residential subdivision of approximately 700 dwelling units. The property is located generally north of Jomax Road and east of 163rd Avenue (A portion of the west half of Section 31, Township 5 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona).

For more information, call:
623-222-3011
Surpriseaz.gov



09/03/2020

AFFIDAVIT OF POSTING

Case Number SF20-225
Project Name: Rio Caballo
Project Location: South and east of corner of 16rd Ave. and Dynamite Blvd.
Date Site Posted: 7-22-21

In order to assist in providing adequate notice to interested parties, the applicant for any type of public hearing shall erect two (2) signs providing notice of the date, time, and place of the scheduled hearing(s). These signs must be erected not less than fifteen (15) calendar days prior to the date of the first hearing. The signs shall also include the description of the request as contained on the formal development application. The size and format of this sign shall meet requirements established by the city (see example).

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, as well as the information on the sign, until final disposition of the case.

I confirm that the site has been posted as required, for the case noted above. Photographs of the site posting, and any subsequent changes/updates made to the sign, have also been submitted.

[Signature]
Owner/Applicant Signature

7/29/21
Date

This instrument was acknowledged before me this 29th day of July,
2021 by CAROLYN OBERHOLTZER

[Signature]
Notary Public

My Commission Expires:
June 1st, 2022



Notice of Public Hearing

City of Surprise

Neighborhood Meeting

Date: September 24, 2020

Time: 6:00pm

Location: Virtual

Planning and Zoning

Date: August 19, 2021

Time: 6:00 PM

Location: 16000 N. Civic Center Plaza
Surprise, AZ 85374

City Council

Date: September 21, 2021

Time: 6:00 PM

Location: 16000 N. Civic Center Plaza
Surprise, AZ 85374

Link: <https://us02web.zoom.us/j/802815682619>

Meeting ID: 802 8028 2619

Call-In: 1-800-900-4813

Case No. FS20-225

Request: Approval of a Zone Change (case FS20-225) of approximately 35 acres of Planned Area Development — Low Density Residential (PAD-LDR) and 152 acres of Residential Ranch (RR) to Residential Low Density (RL-5) with a Planned Unit Development Overlay to allow for the development of a new residential subdivision of approximately 700 dwelling units. The property is located generally north of Jomax Road and east of 163rd Avenue (A portion of the west half of Section 31, Township 5 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona).

For more information, call:
623-222-3011
Surpriseaz.gov



of Public Hearing

City of Surprise

Planning and Zoning

Date: August 19, 2021

Time: 6:00 PM

Location: 16000 N. Civic Center Plaza
Surprise, AZ 85374

City Council

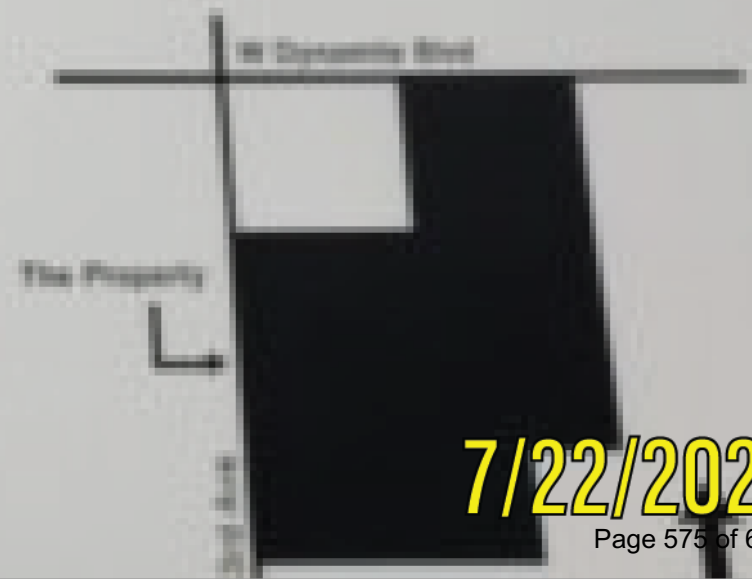
Date: September 21, 2021

Time: 6:00 PM

Location: 16000 N. Civic Center Plaza
Surprise, AZ 85374

Case No. PS20-225

225) of approximately 35 acres of Planned
(D-LDR) and 152 acres of Residential
a Planned Unit Development Overlay to
division of approximately 700 dwelling
Max Road and east of 163rd Avenue (A
orth, Range 1 West of the Gila and Salt



7/22/2021

ORDINANCE No. 2021-19

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING A ZONING AMENDMENT WITH A PLANNED UNIT DEVELOPMENT (PUD) OVERLAY FOR RIO CABALLO, LOCATED NORTH OF JOMAX ROAD AND EAST OF 163RD AVENUE.

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 north of Jomax Road and east of 163rd Avenue;

WHEREAS, the subject site is currently zoned as Rural Residential (RR) and Planned Area Development – Low Density Residential (PAD-LDR);

WHEREAS, the proposed zoning amendment with PUD overlay district is authorized by and satisfies the requirements of Surprise Municipal Code §122-68;

WHEREAS, the proposed use of the subject site requires modification of the applicable zoning regulations;

WHEREAS, this zoning amendment with PUD overlay is in harmony with the purposes and intent of the Surprise Unified Development Code and the Surprise General Plan; and

WHEREAS, on August 19, 2021, the Planning and Zoning Commission made a motion to recommend approval to the Mayor and City Council, but the motion was unsuccessful with a 3-3 vote for the Rio Caballo zoning amendment with PUD overlay.

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

Section 1. Zoning Amendment with PUD overlay. The parcel legally described on ***Exhibit A*** and depicted on ***Exhibit B***, known as Rio Caballo, is rezoned from Rural Residential (RR) and Planned Area Development – Low Density Residential (PAD-LDR) to Residential Low Density (RL-5) with a PUD Overlay subject to the following stipulations:

- a. Development and use of the site shall be in substantial conformance with the Zone Change document entitled “Rio Caballo”, prepared by Kimley Horn, dated revised July 2021 and date received July 22, 2021.

- b. 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 will 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

RIO CABALLO REZONE FROM RESIDENTIAL RANCH (RR) TO RESIDENTIAL LOW DENSITY (RL-5 PUD)

PARCEL NO. 1:

The Southeast Quarter of the Northwest Quarter of Section 31, Township 5 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Excepting and reserving to the United States of America all the coal and other minerals as reserved in the Patent recorded in Book 257 of Deeds, Page 126, records of Maricopa County, Arizona.

PARCEL NO. 2:

The West Half of Lot 2, (sometimes described as the Southwest Quarter of the Northwest Quarter) of Section 31, Township 5 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Excepting and reserving to the United States of America all the coal and other minerals as reserved in the Patent recorded in Book 257 of Deeds, Page 126, records of Maricopa County, Arizona.

PARCEL NO. 3

The North Half of the North Half of G.L.O. Lot 3, (also being described as the North Half of the North half of the Northwest Quarter of the Southwest Quarter); and the North Half of the North Half of the Northeast Quarter of the Southwest Quarter of Section 31, Township 5 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Excepting and reserving to the United States of America all the coal and other minerals as reserved in the Patent recorded in Book 257 of Deeds, Page 126, records of Maricopa County, Arizona.

PARCEL NO. 4:

The East Half of Lot 2, (sometimes described as the Southwest Quarter of the Northwest Quarter) of Section 31, Township 5 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Excepting and reserving to the United States of America all the coal and other minerals as reserved in the Patent recorded in Book 257 of Deeds, Page 126, records of Maricopa County, Arizona.

DESCRIPTION continued on page 2 of 2

Page 1 of 2

DESCRIPTION continued from page 1 of 2

PARCEL NO. 5:

The West Half of the Northwest Quarter of the Northwest Quarter of Section 31,
Township 5 North, Range 1 West of the Gila and Salt River Base and Meridian,
Maricopa County, Arizona;

Excepting and reserving to the United States of America all the coal and other minerals
as reserved in the Patent recorded in Book 257 of Deeds, Page 126, records of
Maricopa County, Arizona.

PARCEL NO. 6

The East Half of the Northeast Quarter of the Northwest Quarter of Section 31,
Township 5 North, Range 1 West of the Gila and Salt River Base and Meridian,
Maricopa County, Arizona;

Excepting and reserving to the United States of America all the coal and other minerals
as reserved in the Patent recorded in Book 257 of Deeds, Page 126, records of
Maricopa County, Arizona.

PARCEL NO. 7

Lots 1 through 108, inclusive, and Tracts A through P, inclusive, of Legacy Village,
according to Book 1038 of Maps, Page 50, records of Maricopa County, Arizona;

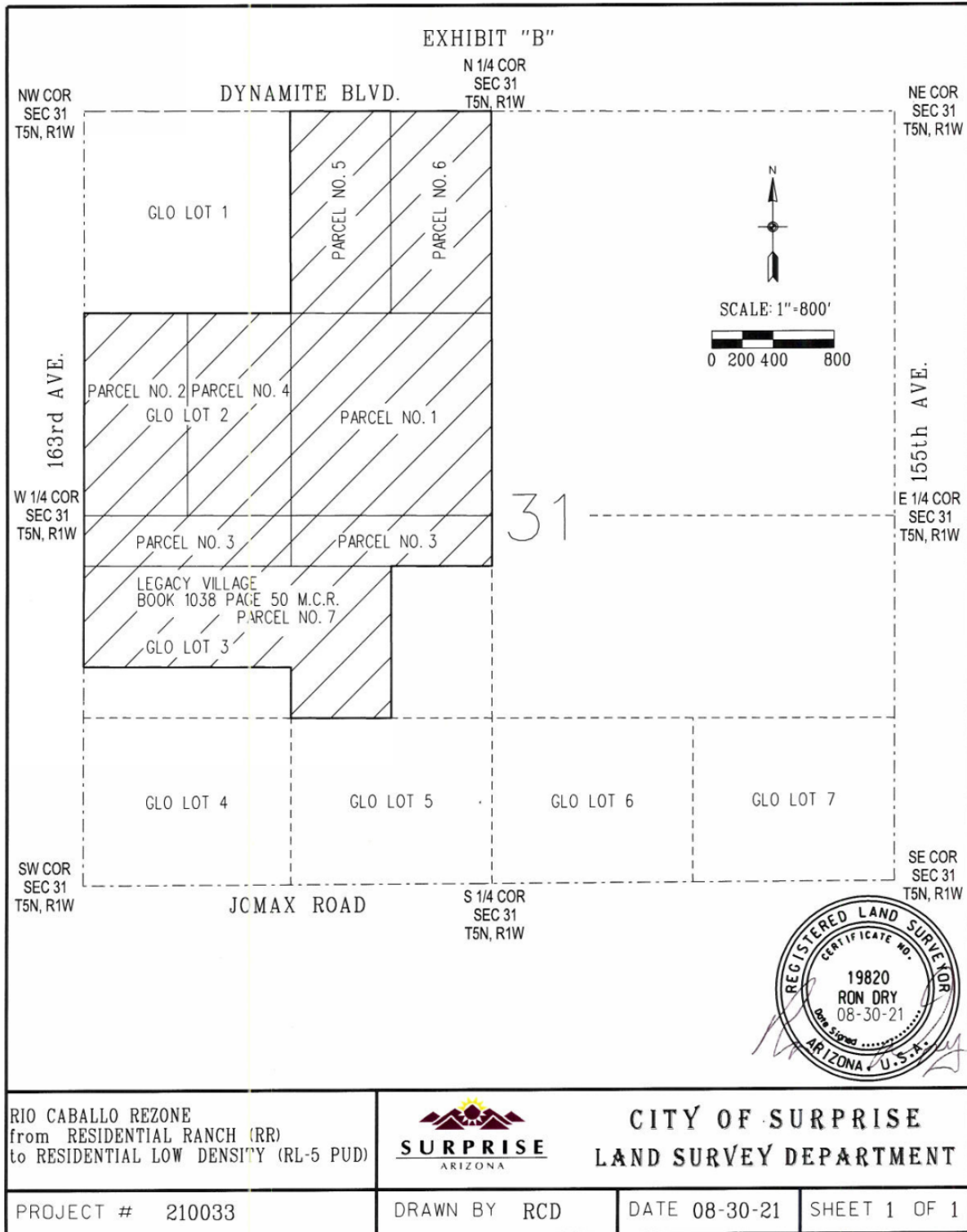
Excepting and reserving to the United States of America all the coal and other minerals
as reserved in the Patent recorded in Book 257 of Deeds, Page 126, records of
Maricopa County, Arizona.

Attached is Exhibit "B" and by this reference is made a part hereof.

End of description



EXHIBIT B

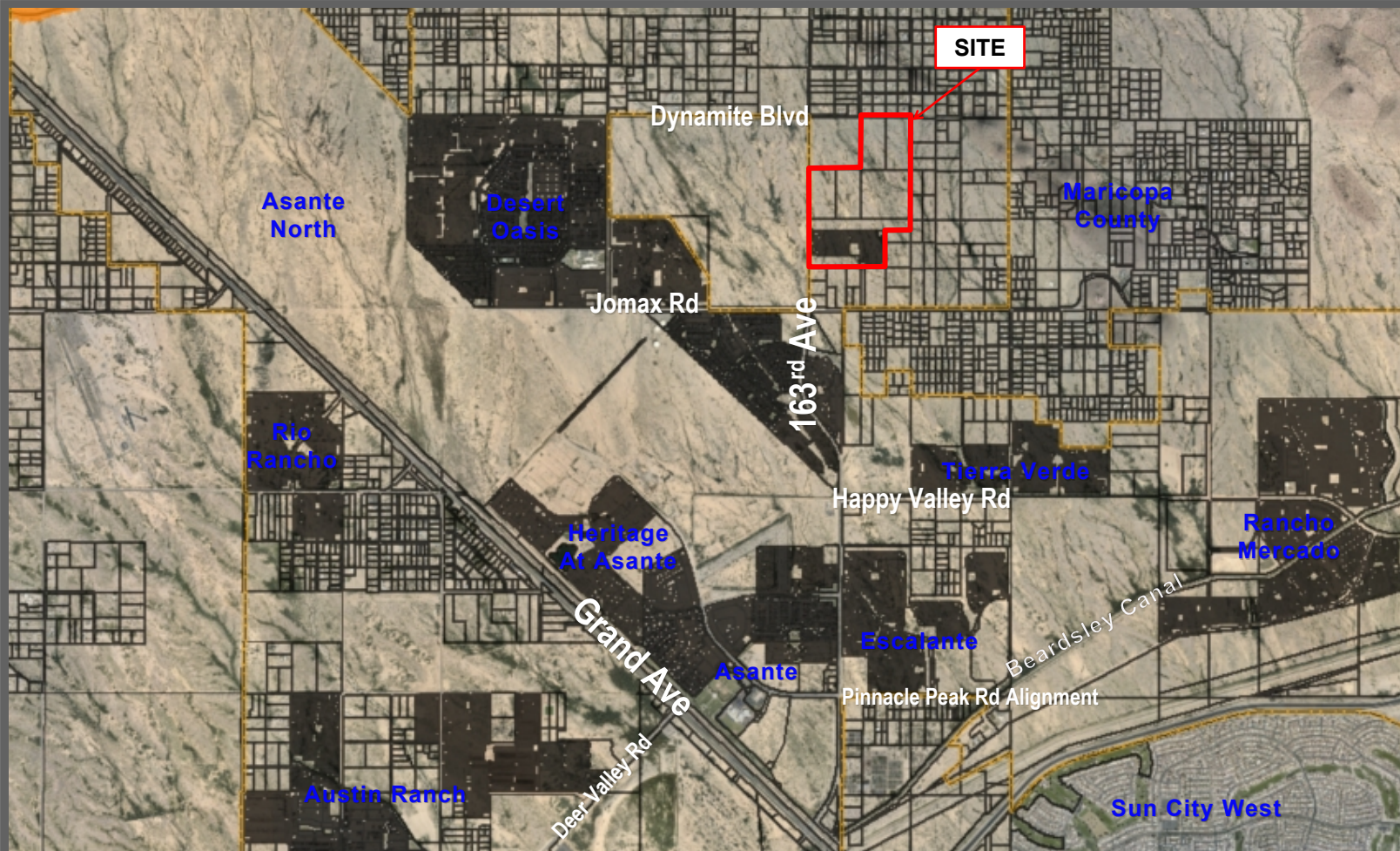


Ordinance No. 2021-19
RFLS # 7927
Rev 01/21

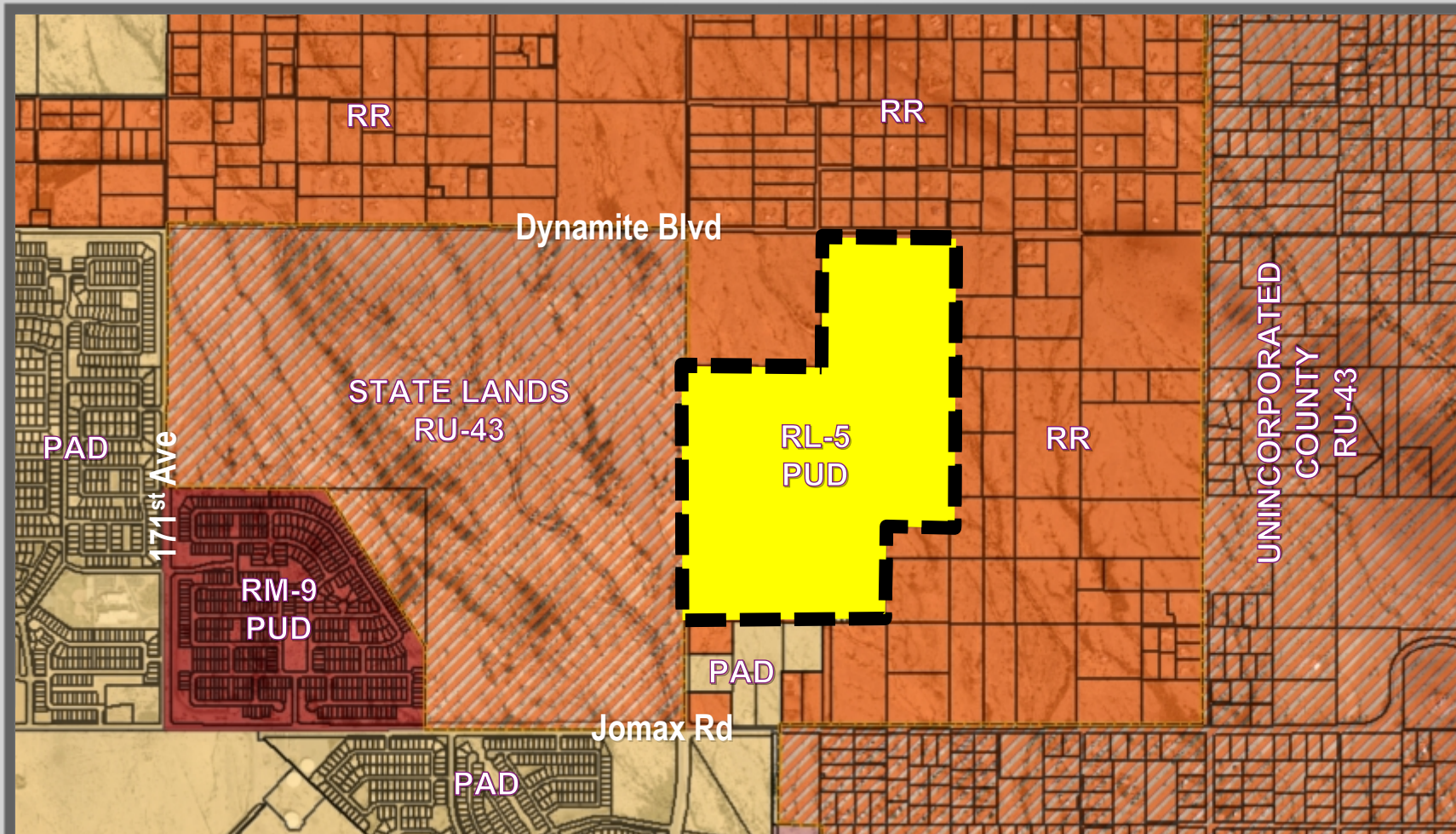


FS20-225
Rio Caballo
Zone Change

City Council
September 21, 2021



FS20-225 VICINITY MAP



ZONING

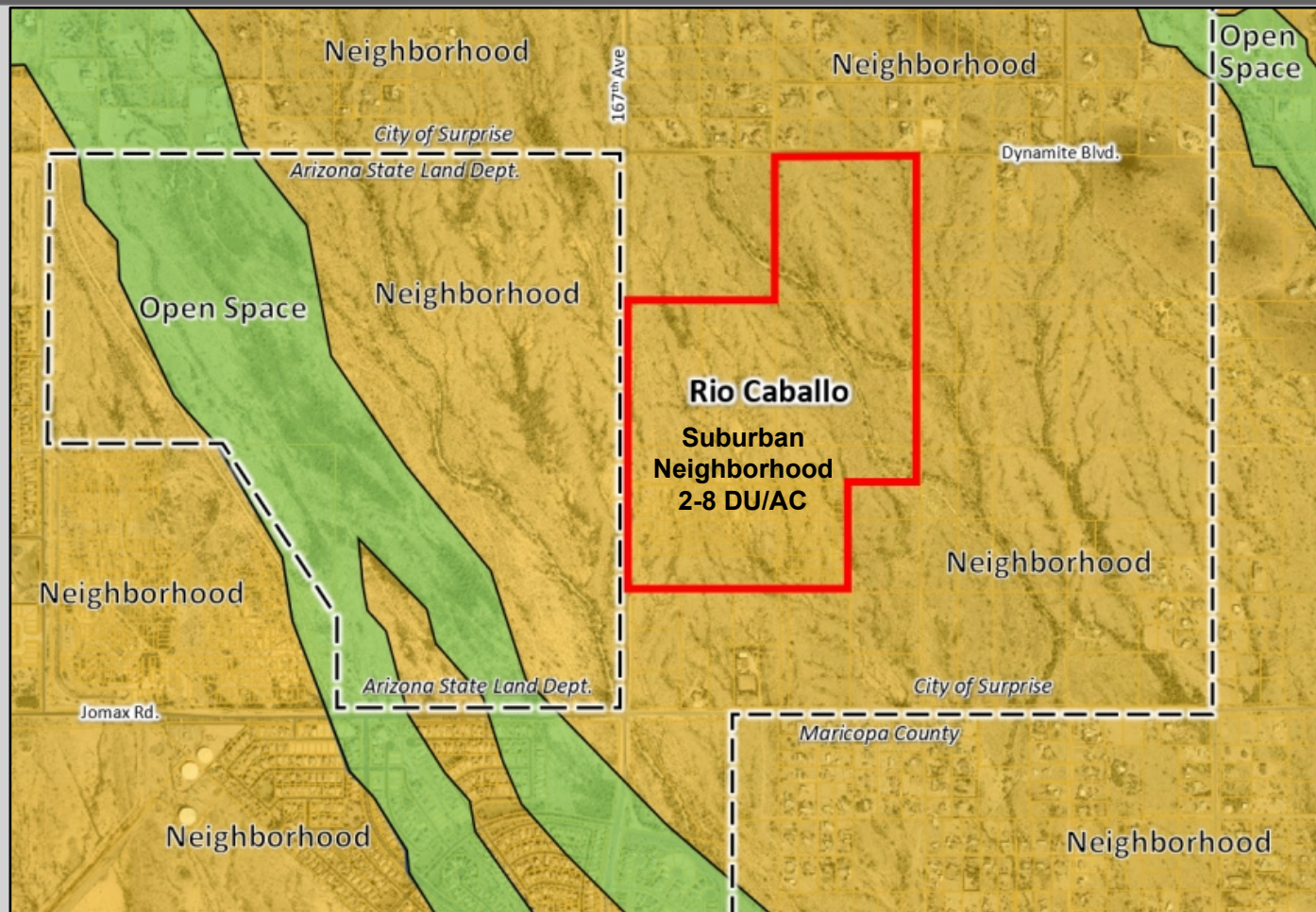


Table 3: RL-5 PUD Development Standards

Development Standard	RL-5 City Base Standards	Proposed RL- 5 PUD Standards
Maximum Density	5.0	3.72 (decrease in density)
Minimum Lot Area (sf)	7,200 s.f.	4,400 s.f.
Minimum Lot Width (ft)	60'	40'
Minimum Lot Depth (ft)	100'	110' (increase)
Minimum Front Yard Setback (ft)	15' (12' for side loaded garage product)	12'
Minimum Side Yard Setback (ft)	5 (15' aggregate)	5' (10' aggregate)
Minimum Front Facing Garage Setback (ft)	N/A	20' (from back of sidewalk)
Minimum Rear Yard Setback (ft)	20'	20'
Maximum Building Height (ft)	30'	30'
Lot Coverage	N/A	N/A



Decreasing

Increasing

Decreasing

Creating

Remaining

SUDC

Parkway Landscape Buffer
60' minimum



Arterial Landscape Buffer
60' minimum



Collector Landscape Buffer
10' minimum

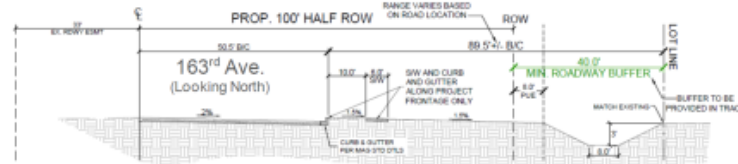


Driveway Max
30% of Lot Width
30% of Front Yard Area

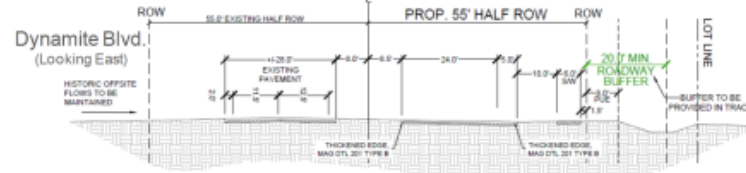


PROPOSED

"(e) Roadway Landscape Buffers: (1) Arterials Road Buffers:
b. 163rd Avenue shall have an adjoining landscape tract, having a minimum width of 40 feet, measured from the right-of-way..."



"(e) Roadway Landscape Buffers: (1) Arterials Road Buffers:
a. Dynamite Boulevard shall have an adjoining landscape tract, having a minimum width of 20 feet, measured from the right-of-way..."



159th Ave Landscape
Buffer

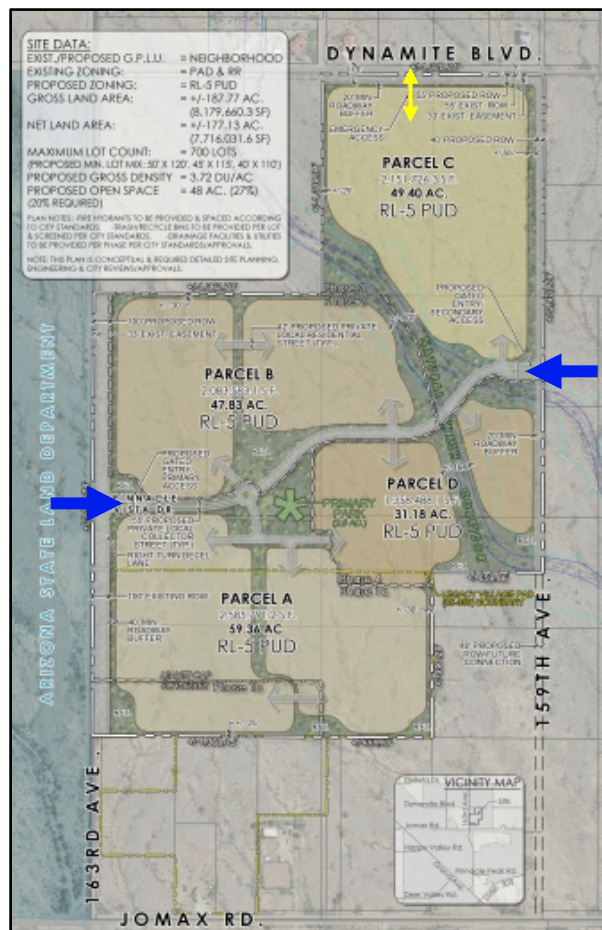
20' minimum
Driveway Max

50% of Lot Width

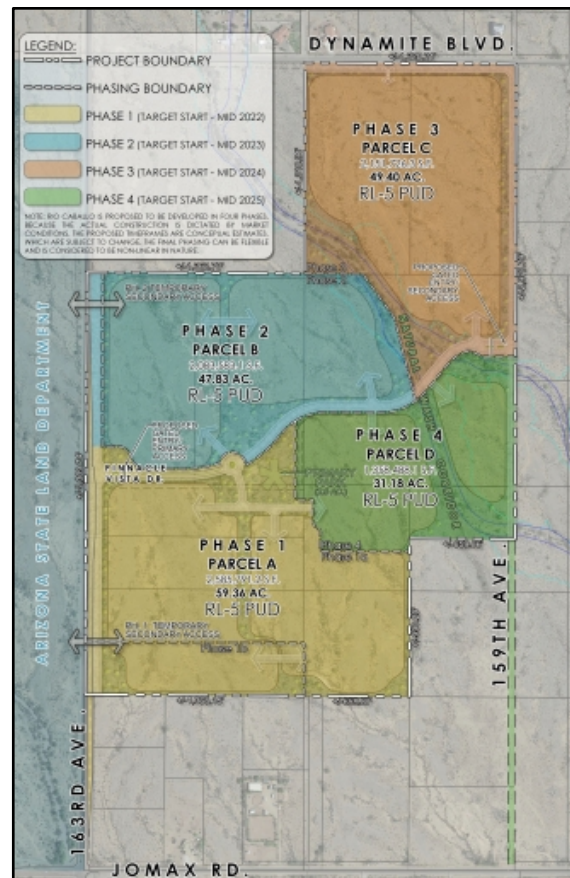
50% of Front Yard Area

SUDC	PROPOSED
30% Min. Open Space for Gated Communities	25% Min. Open Space *Providing 27% (48 acres)
70% Perimeter View Fencing	70% View Fencing Along Washes/Park
1 Tot-Lot / 500 units	1 Gathering Amenity / 400 units
A 3.5-acre Turf Field / 700 units	A Turf Field / 700 units *Providing a 2.5-acre Park
1 Sport Court / 300 units	1 Recreational Amenity / 250 units *Includes Sport Courts & Other Amenities
A 3.5-acre Turf Field / 700 units	A Turf Field / 700 units

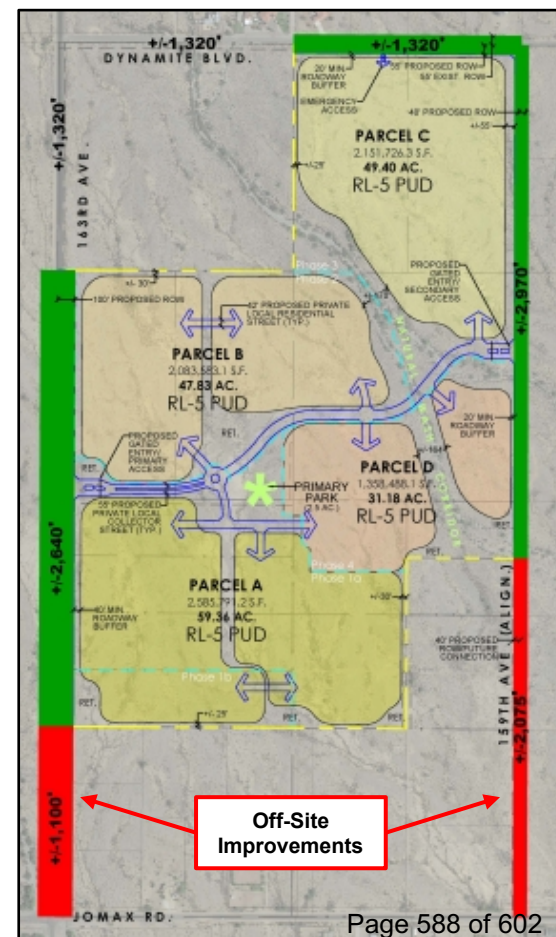
DEVELOPMENT PLAN



PHASING PLAN



IMPROVEMENTS





OUTREACH

Neighborhood Meeting
September 24, 2020

Concerns:

- Traffic in the region
- Buffering between this development and adjacent rural lots.



RECOMMENDATION

PZ Hearing: August 19th

The P&Z Commission made a motion to recommend approval to the Mayor and City Council. Motion was unsuccessful with 3-3 vote.



QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: September 21, 2021

Contact Person: Andrea Davis, DIRECTOR -
FINANCE

Submitting Department: Finance

District: Internal

Staff Recommendations: None

Consent: No

Regular: No

Public Hearing: No

Report/Discussion: No

Agenda Wording:

Consideration and action pertaining to approval of an amendment to the City of Surprise Budget Amendment Policies and Procedures; Resolution # 2021-98.

Motion:

I move to approve Resolution # 2021-98.

Background:

The Health Benefits Trust Fund (HBTF) was established by Ordinance # 2010-11 in order to support self-funded insurance programs for the benefit of City employees. A.R.S. § 11-981 allows the City to establish such programs in order to provide for the direct payment, or to use a combination of insurance and direct payment, to provide health, accident, life, and disability benefits to employees. The City Manager, or his/her designee, is responsible for establishing policies and procedures to implement and effectively manage this program. As part of the annual budget process, the Finance Department works closely with expert consultants to evaluate historical data and future actuarial projections in order to provide City Council with a recommended appropriation level to meet required reserves and provide financial stability of the Trust.

Actual revenue and expenditures may begin to deviate from projections as new full-time equivalents (FTEs) are added mid-year and employees change their benefit elections after a qualifying life event. In order to align budget authority with revised projections and facilitate timely payment, staff recommends revising the Budget Amendment Policies and Procedures by expanding the Finance Director's authority to approve budget amendments related to contractual healthcare services followed by a summary report to City Council and a request for official action by resolution.

Objective Analysis:

The City's financial policies provide the road map for financial operations and demonstrate the City's commitment to sound financial management practices.

Policy Compliant:

This item is compliant with City and Council policies.

Financial Impact:

None at this time; however, topics covered in this presentation could lead to future actions which may have a fiscal impact.

Budget Impact:

None at this time; however, topics covered in this presentation could lead to future actions which may have a budgetary impact.

FTE Impact:

This item does not impact the overall full-time equivalent count.

ATTACHMENTS:

1. FY2022 Budget Amendment Policy redline
 2. FY2022 Budget Amendment Policy final
 3. Resolution 2021-98 BA Policy
-

BUDGET AMENDMENT POLICIES AND PROCEDURES

A. Purpose

The following policy and procedures are established to implement a consistent and efficient process by which the adopted city budget may be amended.

B. Policy

Throughout the course of the fiscal year, amendments to the budget are necessary to address new issues, increased prices, and changes in scope of existing projects. This policy applies to all budget amendments initiated by the Mayor and City Council, the City Manager's Office, and/or departments. The Finance Department shall finalize budget amendments following appropriate authorization per the schedule in Section D of this document and in accordance with the City's Comprehensive Financial Management Policies.

Adopted Level of Budgetary Control

The budget is appropriated by department within each fund. The Capital Improvement Plan (CIP) is appropriated by project.

C. Procedure

1. The requesting department shall prepare and submit to the Finance Department:
 - a. The draft Budget Amendment Resolution (if Council approval is required), and
 - b. A budget amendment journal with attached Budget Amendment Request form within the financial management system that has been approved by the Department Director or his/her designee.

The Finance Department budget point of contact shall review the request for availability of budget to be amended, appropriate authorization level, accuracy, and general reasonableness. The budget point of contact shall communicate any questions or comments to the department and recommend revisions as necessary. The budget point of contact shall then advance the budget amendment journal within the financial management system to the Assistant Finance Director if approved. If applicable, the draft Budget Amendment Resolution will be updated by the budget point of contact and returned to the department to initiate a Request for Legal Services and City Council agenda item.

2. The Assistant Finance Director or his/her designee shall review and approve the budget amendment journal. The journal shall then be advanced for the next approval as appropriate.
 - a. Amendments requiring Finance Director approval shall be reviewed and approved within the financial management system.
 - b. Amendments requiring City Manager approval shall be reviewed and approved within the financial management system.
 - c. Amendments requiring City Council approval shall be held within the financial management system by the Finance Department until City Council action is complete, if approved by City Council, then the Assistant Finance Director or his/her designee will approve.
3. The Assistant Finance Director or his/her designee will post budget amendments in the financial management system, following appropriate authorization per the schedule in Section D of this document.

APPENDIX

Budget Amendment Policies and Procedures



D. Authorization Levels:

Type of Amendment	Category	Sub-Category	Authorization
Between Funds	All	All	City Council Resolution
Between Departments	All	All	City Council Resolution
Grants	Revenue Expense	Establishment/revision of a grant budget	City Council Resolution
Personnel	Full-time, part-time, overtime personnel	Between divisions	Department Director
	Part-time or overtime personnel	To/from any other category	City Manager
	Full-time Personnel	To/from part-time	City Manager
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Commodities/Supplies/ Contractual Services/Non-CIP Capital	Within a Department	Between divisions or within a division	Department Director
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Contingency	All	All	City Council Resolution
Targeted Savings	All	All	Finance Director*
Carryforward	All	All	Finance Director*
Development Agreements and Debt Service Obligations	All	All	Finance Director*
<u>Healthcare, Workers' Compensation, & Insurance Claim Obligations</u>	<u>All</u>	<u>All</u>	<u>Finance Director*</u>
Emergency Reserve	All	All	City Manager*

*The level of authorization for these types of amendments is based on the need to immediately restrict or allow expenses or reimbursements. The authorized approver shall provide a summary report to the City Council on the movement of these funds who will then take action on the necessary budget amendments by Resolution.

E. Relationship to Previously Established Policy

No qualifying statement, previously established rules or procedures shall be used to negate the spirit or intent of this statement of policy.

BUDGET AMENDMENT POLICIES AND PROCEDURES

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RESOLUTION # 2021-98

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY
OF SURPRISE, ARIZONA ADOPTING THE BUDGET
AMENDMENT POLICIES AND PROCEDURES.**

WHEREAS, the City's required budget amendment authorization levels were adopted by Resolution #2020-52 on May 19, 2020; and

WHEREAS, the Finance Department wishes to amend the budget amendment authorization levels to facilitate the payment of contractual healthcare services.

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

Section 1. The Budget Amendment Policies and Procedures for the City of Surprise, Arizona is hereby amended as set forth in *Exhibit A* attached hereto and incorporated by reference herein is adopted.

Section 2. The Finance Director is hereby authorized and directed to take the appropriate steps to disseminate the Budget Amendment Policies and Procedures as necessary.

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

BUDGET AMENDMENT POLICIES AND PROCEDURES

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CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: September 21, 2021

Contact Person: Donna Meuse, Human Resources
Director

Submitting Department: Human Resources

District: Internal

Staff Recommendations: None

Consent: No

Regular: No

Public Hearing: No

Report/Discussion: No

Agenda Wording:

Consideration and action to recess into executive session to discuss and consider final candidates for appointment to the position of City Manager pursuant to A.R.S. 38-431.03(A)(1).

Motion:

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS: