



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

Tuesday, February 15, 2022 @ 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:

- | | | | |
|----|----------|--|----------------------------|
| 1. | Citywide | Consideration and action on the minutes of the Regular City Council Work Session and Regular City Council Meeting of February 1, 2022. | None

Sherry Aguilar |
|----|----------|--|----------------------------|

City Clerk

- | | | | |
|-----|------------|--|--|
| 2. | District 4 | Consideration and action to approve a Class "B" Bingo license for Surprise Eagles #4534, located at 12425 W. Bell Road, #100, Surprise, AZ 85378. | None
Sherry Aguilar
City Clerk |
| 3. | District 3 | Consideration and action pertaining to approval of the Final Re-Plat entitled, "Toll at Prasada, Phase I Unit A Lots 332-340, 362-364, 390-395 & Tract A" and dated December 15, 2021, a property generally located west of Cotton Lane, between Cactus Road and Peoria Avenue; Case FS21-831. | None
Trevor Fleetham
Community Development |
| 4. | Internal | Consideration and action pertaining to an amendment to Fiscal Year 2022 budget by moving budget authority of \$38,000 from Contingency within the Grants Fund to project G51391 FY22 Tohono O'odham Nation to facilitate the grant funding agreement with the Tohono O'odham Nation; Resolution # 2022-09. | Seth Dyson
Human Svcs and
Comm Vitality |
| 5. | District 5 | Consideration and action pertaining to approval of the Final Plat entitled, "Ridgehouse at Surprise Center" and dated received November 8, 2021, a property located on the northeast corner of Greenway Road and Bullard Avenue; Case FS21-498. | None
Sergio Angulo
Community Development |
| 6. | District 1 | Consideration and action pertaining to approval of the Final Plat entitled "Dek Way Ranch", dated January 14, 2022, a property generally located on the west side of 166 th Avenue and north of Dale Lane. Case FS21-745. | None
Chris Sexton
Community Development |
| 7. | District 4 | Consideration and action pertaining to acceptance of a Quit Claim Deed from Canabus LLC for Right-of- Way for roadway at Hollyhock and Paradise Lane. | Lloyd Abrams
Community Development |
| 8. | District 5 | Consideration and action pertaining to approval of the Final Plat entitled, "Wood Partners at Surprise Center" and dated January 10, 2022, a property generally located north of Greenway Road and west of Litchfield Road; Case FS21-607. | None
Trevor Fleetham
Community Development |
| 9. | District 4 | Consideration and action pertaining to approval of the Final Plat entitled "Villas At Vesta Views", dated April 22, 2020, a property generally located north of Greenway Road and west of El Mirage Road. Case FS21-104 | None
Chris Sexton
Community Development |
| 10. | District 3 | Consideration and action pertaining to approval of the Final Plat entitled, "The Retreat at Prasada" and dated September 3, 2021, a property general located south of Waddell Road between Sarival Avenue and Reems Road. Case FS21-113 | None
Trevor Fleetham
Community Development |

REGULAR AGENDA ITEM - PUBLIC HEARING:

- | | | | |
|-----|----------|---|---------------------------------------|
| 11. | Citywide | Consideration and action pertaining to approval of the City of Surprise Property Maintenance Ordinance # 2022-05. | Tiffany Copp
Community Development |
|-----|----------|---|---------------------------------------|

- | | | | |
|---|------------|---|---|
| 12. | District 1 | Consideration and action pertaining to approval of the annexation of approximately 93.97 acres of county land, generally located south of Pinnacle Peak Road and east of 163 rd Avenue; Ordinance # 2022-04. | None

Sergio Angulo
Community
Development |
| 13. | District 1 | Consideration and action pertaining to approval of a Zone Change of approximately 24.53 acres from Rural Residential (RR) to Residential High Density (R-3) and approximately 69.44 acres from Rural Residential (RR) to Residential Low Density (R-1), located south of Pinnacle Peak Road and east of 163 rd Avenue; Ordinance #2022-03. | None

Sergio Angulo
Community
Development |
| REGULAR AGENDA ITEM - NON-PUBLIC HEARING: | | | |
| 14. | Internal | Consideration and action pertaining to approval of an amendment to the Surprise Municipal Code establishing the Internal Auditor position as an appointed official; Ordinance # 2022-07. | Human Resources |
| 15. | Citywide | Presentation and discussion pertaining to the Temporary Use Permit (TUP) process. | None

Chris Boyd
Community
Development |
| 16. | Citywide | Presentation and discussion regarding identifying opportunities to increase the speed of bringing project development to market. | Chris Boyd
Community
Development |
| I. Other Business and Future Agenda Items | | | |
| J. City Council Reports | | | |
| K. Executive Session | | | |

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

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

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

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

L. Adjournment

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: February 10, 2022 at 1:45 PM

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: February 15, 2022
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: February 15, 2022
Submitting Department: City Clerk
Staff Recommendations: None

Contact Person: Sherry Aguilar, City Clerk
District: Citywide

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

Agenda Wording:

Consideration and action on the minutes of the Regular City Council Work Session and Regular City Council Meeting of February 1, 2022.

Motion:

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

1. 2.1.22 WKS
 2. 2.1.22 REG
-

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

Tuesday, February 1, 2022 @ 4:00PM

Call To Order

Roll Call

Mayor Hall called to order the Regular City Council Work Session of February 1, 2022 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 Cline and Council Members: Duffy, Hastings and Judd. (Council Member Remley participate telephonically) and (Council Member Winters was excused).

Staff Present: City Manager, Bob Wingenroth; 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 the proposed City of Surprise Property Maintenance Ordinance - NO ACTION

Assistant Community Development Director, Tiffany Copp gave a powerpoint presentation on this item.

Mayor Hall commented that this is a tall task and appreciates the work on this.

Council Member Duffy - How can you tell the difference about weeds in the rural areas?

Council Member Hastings - Transparency and public input. How are the HOA's going to handle this?

Public Comments:

Robert Virostek lives out in the rural area and commented on the rural lifestyle for this area pertaining to landscape, fencing, etc., he expressed some concerns regarding the ordinance being presented tonight.

2. Presentation and discussion pertaining to the Surprise Community Outreach Program funding - NO ACTION

Human Services and Community Vitality Director, Seth Dyson and Senior Financial Analyst, Deb Perry gave a powerpoint presentation on this item.

Vice Mayor Cline commented that more people apply than we have funding for, it speaks well for the number of different organizations this applies too.

Council Member Judd - Committee meeting to discuss the requests, leveraged funds, criteria set with the funding.

Council Member Remley commented on the participation for this committee, it doesn't matter how much each city is adding to the budget, it benefits our city. I want the council to realize there is so much more need than we can provide.

3. Presentation and discussion pertaining to Ambulance Service - NO ACTION

Chief Abbott gave a powerpoint presentation on this item.

Assistant Finance Director, Eric Boyles continued the presentation to discuss the financial component pertaining to Ambulance Service.

Mayor Hall - Fire Impact Fees, does it include ambulance?

Vice Mayor Cline - managed to reduce our average response time, how much response time are we looking at?

Mayor Hall - So much of a few districts are made up of seniors and nothing but good comments for fire/ambulance service.

Executive Session

Adjournment

Vice Mayor Cline made the motion to adjourn the Regular City Council Work Session of February 1, 2022 at 5:04 PM. Council Member Hastings seconded the motion. Six yes votes, one excused (Council Member Winters).

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, February 1, 2022.**

Sherry Ann Aguilar, City Clerk, MMC

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

Tuesday, February 1, 2022 @ 6:00PM

Call To Order

Roll Call

Mayor Hall called to order the Regular City Council Meeting of February 1, 2022 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 Cline and Council Members: Duffy, Hastings and Judd. (Council Member Remley participate telephonically) and (Council Member Winters was excused).

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

Pledge of Allegiance

Proclamation and Community Acknowledgements

City Manager Report

- City Manager Wingenroth - Youth Services Coordinator, Frank Deandras introduced the youth council members Alyssa Blandford and Sole Robinson.
- report on the Tot Time Program. Working on kindness, differences, holidays and seasons.

City Clerk Report

Call To The Public

Quintus Schulzke - Handed out an article relating to Surprise Council on the affordable apartment complex.

Ekemini Anako - City Clerk read the statement for the record.

CONSENT AGENDA:

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

1. Consideration and action on the minutes of the Regular City Council Meeting of January 18, 2022 - APPROVED

2. Consideration and action pertaining to approval of the Final Plat entitled, Re-Plat Toll at Prasada, Unit M Phase 3 and dated December 21, 2021, a property generally located west of Cotton Lane, between Cactus Road and Peoria Avenue; Case FS21-701 - APPROVED

3. Consideration and action pertaining to approval of the Final Plat entitled, Re-Plat Toll at Prasada, Unit J Phase 3 and dated December 21, 2021, a property generally located west of Cotton Lane, between Cactus Road and Peoria Avenue; Case FS21-757 - APPROVED

4. Consideration and action pertaining to approval of the Final Plat entitled, Re-Plat Toll at Prasada, Unit I Phase 3 and dated December 21, 2021, a property generally located west of Cotton Lane, between Cactus Road and Peoria Avenue; Case FS21-791 - APPROVED

5. Consideration and action pertaining to approval of the Final Plat entitled, Rancho Vista and dated January 4, 2022, a property generally located north and west of the northwest corner of Beardsley Road and 227th Avenue; Resolution #2022-11. (Case FS21-304) - APPROVED

6. Consideration and action pertaining to approval of the Final Plat entitled, Fulton Homes Escalante Parcel 9 and dated November 8, 2021, a property located on the southeast corner of Asante Boulevard and 158th Lane; Case FS21-396 - APPROVED

7. Consideration and action authorizing the City to accept grant funding from Area Agency on Aging for Senior Center improvements and amending the Fiscal Year 2022 budget by moving budget authority of \$10,000 from Contingency within the Grants Fund to project G51515 FY22 AAA ARPA; Resolution #2022-10 - APPROVED

8. Consideration and action pertaining to approval of an amendment to the Fiscal Year 2022 budget by moving budget authority of \$127,400 from contingency to the General Fund for the purpose of covering the expenses of adding six full-time equivalent positions for the hiring of three Fire Captains and three Firefighters in an effort to increase efficiencies and reduce staff overtime within the Fire-Medical Department; Resolution # 2022-14 - APPROVED

9. Consideration and action declaring the City's intention to create the lighting improvement district known as, "City of Surprise, Arizona, SU-BellandCitrus200" Lighting Improvement District pursuant to A.R.S. Â§ 48-616 for the purpose of purchasing facilities and energy for lighting; Resolution # 2022-07 - APPROVED

REGULAR AGENDA ITEM - PUBLIC HEARING:

10. Consideration and action pertaining to approval of a Zoning Text Amendment (ZTA) to the Surprise Land Development Ordinance (LDO) to improve clarity and remove conflicts (Case FS21-413); Ordinance No. 2021-17 - APPROVED ALTERNATIVE 2

City Planner, Trever Fleetham gave a powerpoint presentation on this item.

Council Member Judd - CUP, who are the aggrieved parties? If P&Z Commission denies, then they can appeal to the City Council.

Deferred to Attorney VanRiper for clarification.

Public Comment:

Greg Garcia asked for clarification on I-1 & I-2, are you combining both zones?

Council Member Hastings asked to go back to the self storage facilities slide. Commented on the differences between alternative 1 and 2 and setting the buffer.

Council Member Duffy - the 2 acre maximum only applies if it's in a PAD?

Correct!

Council Member Hastings made the motion to approve alternative #2. Council Member Duffy seconded the motion. Five yes votes, one no vote (Cline) and one excused (Winters), motion carried.

Other Business and Future Agenda Items

City Council Reports

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

Council Member Judd - No report

Vice Mayor Cline -

Council Member Hastings - No report

Council Member Duffy - This Saturday monthly Meet and Greet- moved to Paradise Honors Cafeteria, expecting a larger group.

Mayor Hall - Council conversation with City Manager Wingenroth; Sunday in the Park Coronado Park.

Council Member Remley - Kudos to Vice Mayor Cline for district meetings.

Adjournment

Vice Mayor Cline made the motion to adjourn the Regular City Council Meeting at 6:36 PM. Council Member Duffy 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, February 1, 2022.**



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: February 15, 2022
Submitting Department: City Clerk
Staff Recommendations: None

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

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

Agenda Wording:

Consideration and action to approve a Class "B" Bingo license for Surprise Eagles #4534, located at 12425 W. Bell Road, #100, Surprise, AZ 85378.

Motion:

I move to approve a Class "B" Bingo license for Surprise Eagles #4534, located at 12425 W. Bell Road, #100, Surprise, AZ. 85378.

Background:

The Surprise Eagles Aerie No. 4534, F.O.E, have been in operation since April 2007 and located in the AZ. Techcelerator complex. There are no concerns noted for this request. This establishment has also held a Series 14 Liquor License (Club) since November 2012 and are in good standing.

Objective Analysis:

Policy Compliant:

This request follows guidelines from the Arizona Department of Revenue.

Financial Impact:

N/A

Budget Impact:

N/A

FTE Impact:

N/A

ATTACHMENTS:

1. surprise eagles bingo appl_Redacted
 2. Surprise Eagles #4534 Bar Bingo Licensing Feb 2022
-

Mayor Skip Hall
Surprise City Hall
16000 N. Civic Center Plaza
Surprise AZ 85374

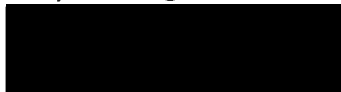
Surprise Eagles #4534
12425 W. Bell Road #100
Surprise AZ 85378

Dear Sir,

Attached please find our submission of the State of Arizona Application for Bar Bingo Licensing. As you are aware the Surprise Eagles is a Nonprofit Fraternal Organization, with a long history of community service and support, all our proceeds go to local charities as a part of our mission statement "PEOPLE HELPING PEOPLE". We are proud of the city which we call home and even prouder to be a part of the movement to help our neighbors. As an ongoing push to ramp up our membership and give all our members and their guests an enjoyable environment where they can gather, make new friends, and support our local community we are applying to start providing Bar Bingo to our members and guests as an activity to propagate community and build our abilities to contribute to our charities.

We will be donating all the proceeds from this endeavor to our charitable designations, which include the Valley View Food Bank, the Surprise Youth Foundation, Arizona Charter Academy, WHAM, and many more too numerous to list. We are asking for your support of this endeavor and ask that the enclosed application be processed and approved as soon as you can do so. If you need any additional documentation or require any additional information not provided, please feel free to contact me, Cynthia Gordon, at the below. We look forward to providing our membership and community this enjoyable and community building activity and thank you for your time and consideration of this matter.

Sincerely
Cynthia Gordon
Surprise Eagles Worthy Chaplain



FOR OFFICIAL USE ONLY PURSUANT TO A.R.S. § 5-404.A

- **License Applicants:** Complete lines 2, 3, and 4. Submit with entire license package to local governing body.
- **Local Governing Body:** Complete and return with license package to the Department of Revenue Bingo Section.
A.R.S. §§ 5-409 and 5-410

☒ New Application ☐ Change of Location	Date 	License Number 	
From (Name of local governing body) Fraternal Order of Eagles #4534 Surprise		REVENUE USE ONLY. DO NOT MARK IN THIS AREA. 88	
Address (number and street, PO Box) 12425 Bell Road #100			
City Surprise	State AZ		ZIP Code 85379
Phone No. (with area code) 			
		 81 PM 80 RCVD	

- 1 This is to certify that on _____ a hearing was conducted pursuant to Arizona Revised Statute, Title 5, Chapter 4, in the matter of:
- ☐ Application for a bingo license by the following applicant.
- ☐ Application for a bingo license location transfer.

- 2 Applicant's Name
Fraternal Order of Eagles #4534
- 3 Location/Address where live bingo will be conducted:
- | | | |
|-------------------------|--------------------|--------------------------|
| City
Surprise | State
AZ | ZIP Code
85379 |
|-------------------------|--------------------|--------------------------|

- 4 Fill in the time on the days live bingo will be played:

SUN	MON	TUE	WED	THUR	FRI	SAT
☐ a.m.	☐ a.m.	☐ a.m.	☐ a.m.	☐ a.m.	☐ a.m.	☐ a.m.
☐ p.m.	☐ p.m.	☐ p.m.	☐ p.m.	☐ p.m.	6:00 ☒ p.m.	☐ p.m.

- 5 Who is your live bingo supplier?
Cactus Bingo Supply

- 6 Recommendation for the application: ☐ Approved ☐ Disapproved

- 7 Specific reasons for disapproval are hereby listed pursuant to A.R.S. § 5-404.1:

This endorsement must be signed by a delegated authority of the local governing body.

PRINTED NAME _____

SIGNATURE _____

DATE _____

TITLE _____

Please mail to:
 Arizona Department of Revenue
 1600 W Monroe Street, Division Code 22
 Phoenix, AZ 85007

☎ (602) 716-7801

Arizona Form 833

Application for Bingo License

- Type or print in black ink and complete all information requested on this form. If you do not, your application will be returned. All information is subject to verification. If you need more space, attach additional sheets.
- **All bingo licenses expire one year from the date of issue.** To continue conducting live bingo games, you must renew your license prior to the expiration date pursuant to A.R.S. §§ 5-403(C) and 5-410.

1 Applicant's Name Fraternal Order of Eagles #4534 Surprise	
2a Mailing Address 12425 Bell Road # 101	
2b City Surprise	State ZIP Code Az 85378
3a Administrative Office Location 12525 Bell Road #101	
3b City Asurprise	State ZIP Code AZ 85379
4a Name of Contact Person Cynthia Gordon	4b Telephone No. [REDACTED]
4c E-mail Address [REDACTED]	4c Fax No. [REDACTED]

Falsification of information contained in this application constitutes a Class 6 felony.

REVENUE USE ONLY. DO NOT MARK IN THIS AREA.

88

81 PM

80 RCVD

5 Class B and Class C license applicants only: If applying as a qualified organization, *check one box* to indicate the type of organization:

- | | | | |
|---|--|---|--|
| ☐ Charitable | ☐ Social | ☐ Religious | ☐ Veterans |
| ☒ Fraternal | ☐ Volunteer Fire Department | ☐ Homeowners Association | ☐ Nonprofit Ambulance Service |

6 Class B and Class C license applicants only applying as a qualified organization, ***provide parent or auxiliary information:***

6a Parent Name Fraternal Order of Eagles GRAND		6b Auxiliary Name	
Address – Number and Street, Rural Rt., Apt. No. 1623 Gateway Circle		Address – Number and Street, Rural Rt., Apt. No.	
City Grove City	State OH	ZIP Code 43123	City State ZIP Code

7 Class B and Class C license applicants only applying as a qualified organization, ***list the current officers or Board of Directors of the organization:***

7a Name Kato Inukai	7b Name Ray G. Wilkens
Title President	Title Vice President
Address – Number and Street, Rural Rt., Apt. No. [REDACTED]	Address – Number and Street, Rural Rt., Apt. No. [REDACTED]
7c Name Albertine A. Demonaco	7d Name Donald J. Leadroot
Title Secretary	Title Treasurer
[REDACTED]	[REDACTED]

8 Class B and Class C license applicants only: Bingo checking account information:

Checking Account Number [REDACTED]	Bank Name BMO Harris Bank	Bank Branch Sun City West
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Continued on page 2 →

Applicant's Name (as shown on page 1)
Fraternal Order of Eagles #4534 Surprise

APPLICATION FOR BINGO LICENSE

9 Class B and Class C license applicants only: Bingo interest-bearing account information:

Account Number	Bank Name	Bank Branch
	BMO Harris Bank	Sun City West

10 Class B and Class C license applicants only: List all officers and/or supervisors authorized to sign checks from the accounts listed above. If applying as a qualified organization, all supervisors must be members of the applicant:

10a Name	10b Name
Kato Inukai	Donald J. Leadroot
Title	Title
President	Treasurer

11 List the name(s) of the one or two persons who will serve as managers. If applying as a qualified organization, these persons must be members of the applicant. Each person must submit an affidavit.

11a Name	11b Name
Alan Mitchell	Frances A. Merner
Title	Title
Trustee	Trustee

12 List the name of the one person designated as proceeds coordinator. If applying as a qualified organization, this person must be an officer or director and a member of the applicant. Each person must submit an affidavit.

Name	Title
John McFarland	Trustee

13 List the name(s) of the person(s) who will serve as supervisor. If applying as a qualified organization, each person must be a member of the applicant. Each person must submit an affidavit. If additional names are required, please attach affidavits.

13a Name	13b Name
Thomas Smith	Dennis Gordon
Title	Title
Trustee	Trustee

14 List the name(s) of the person(s) who will serve as assistants. If applying as a qualified organization, each person must be a member or new member of the applicant. Except for "Class A" licensees, each person must submit an affidavit.

14a Name	14b Name
Cynthia Gordon	Kerry Inuaki
14c Name	14d Name
Kim Flores	Duane Wiles

15 Street address of the PHYSICAL location where live bingo will be played:
12425 Bell Road Surprise AZ 85378 Suite 100-101

16 Games of Bingo must not exceed 5 days a week. Indicate the time on each respective day that live bingo will be played:

SUN	MON	TUE	WED	THUR	FRI	SAT
☐ a.m.	☐ a.m.	☐ a.m.	☐ a.m.	☐ a.m.	☐ a.m.	☐ a.m.
☐ p.m.	☐ p.m.	☐ p.m.	☐ p.m.	☐ p.m.	6:00 ☒ p.m.	☐ p.m.

Continued on page 3 →

17 Indicate the type of premises where bingo will be played. *Check one box:*

a ☐ Neither rent nor mortgage will be paid from bingo funds.

b ☒ Rented or leased. *Attach rental affidavit and copy of rental agreement.*

Landlord's Name	Address – Number and Street, Rural Rt., Apt. No.		
City of Surprise	16000 N. Civic Center Plaza		
Telephone Number (with area code)	City	State	ZIP Code
(623) 222-1833	Surprise	AZ	85374

c ☐ Owned solely by the organization. *Attach copy of mortgage, deed of trust, purchase agreement, escrow agreement, or other related document:*

Holder of Mortgage	Address – Number and Street, Rural Rt., Apt. No.		
Telephone Number (with area code)	City	State	ZIP Code

d ☐ Owned jointly with other organization. *Attach copy of mortgage, deed of trust, purchase agreement, escrow agreement, or other related document:*

1) Holder of Mortgage	Address – Number and Street, Rural Rt., Apt. No.		
Telephone Number (with area code)	City	State	ZIP Code
2) Co-Owner Holder:	Address – Number and Street, Rural Rt., Apt. No.		
Telephone Number (with area code)	City	State	ZIP Code
3) Co-Owner Holder:	Address – Number and Street, Rural Rt., Apt. No.		
Telephone Number (with area code)	City	State	ZIP Code

18 List bingo licensees who are or will be conducting bingo in the same premises as you and those licensees located within 1,000 feet of your premises:

18a Name	18b Name
NONE	
Address – Number and Street, Rural Rt., Apt. No.	Address – Number and Street, Rural Rt., Apt. No.
City State ZIP Code	City State ZIP Code

Continued on page 4 →

Applicant's Name (as shown on page 1)
Fraternal Order of Eagles #4534 Surprise

APPLICATION FOR BINGO LICENSE

19 Expected bingo expenses:

a Mortgage: \$ _____ per month

Payable to	Address – Number and Street, Rural Rt., Apt. No.		
Telephone number (with area code)	City	State	ZIP Code

b Rent: \$ 1,132.50 per ☐ month ☐ hour ☐ occasion

Payable to	Address – Number and Street, Rural Rt., Apt. No.		
City of Surprise	16000 N. Civic Center Plaza		
Telephone number (with area code)	City	State	ZIP Code
(623) 222-1833	Surprise	AZ	85374

c Janitorial Services: \$ _____ per ☐ month ☐ hour ☐ occasion

Payable to	Address – Number and Street, Rural Rt., Apt. No.		
Telephone number (with area code)	City	State	ZIP Code

d Accounting Services: \$ 350.00 per ☐ month ☐ hour ☐ occasion

Payable to	Address – Number and Street, Rural Rt., Apt. No.		
Carol Weber	[REDACTED]		
Telephone number (with area code)	City	State	ZIP Code
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

e Security Services: \$ 29.99 per ☐ month ☐ hour ☐ occasion

Payable to	Address – Number and Street, Rural Rt., Apt. No.		
Alarm Me Now	719 S. 368th Ave		
Telephone number (with area code)	City	State	ZIP Code
(602) 525-7663	Tonapah	AZ	85354

f Bingo Supplies: \$ _____ per _____

Payable to	Address – Number and Street, Rural Rt., Apt. No.		
Cactus Bingo Supply	3210 E Road Suite 15		
Telephone number (with area code)	City	State	ZIP Code
(602) 268-8248	Pheonix	AZ	85040

20 Who is your live bingo supplier? (For all bingo supplies). Do you foresee purchasing/renting machines as "technological aids for your live bingo games?"
Cactus Bingo Supply (if we need them)

Continued on page 5 →

Applicant's Name (as shown on page 1)
Fraternal Order of Eagles #4534 Surprise

APPLICATION FOR BINGO LICENSE

I, Cynthia Gordon, under penalty of perjury and upon oath, declare that I am duly authorized to sign and file this application. I hereby swear or confirm that I have read the foregoing application and know the contents thereof and that all information provided has been fully, accurately, and truthfully completed to the best of my knowledge.

Cynthia Gordon
APPLICANT'S SIGNATURE

1/21/22
DATE

Worship Chaplain
TITLE

Please mail to:
Arizona Department of Revenue
1600 W Monroe Street, Division Code 22
Phoenix, AZ 85007
☎ (602) 716-7801

REVENUE USE ONLY. DO NOT MARK IN THIS AREA.

☐ Approved ☐ Disapproved ☐ Class A License ☐ Class B License ☐ Class C License

Reviewer's Name (please print)

Date

License Number

Effective Date

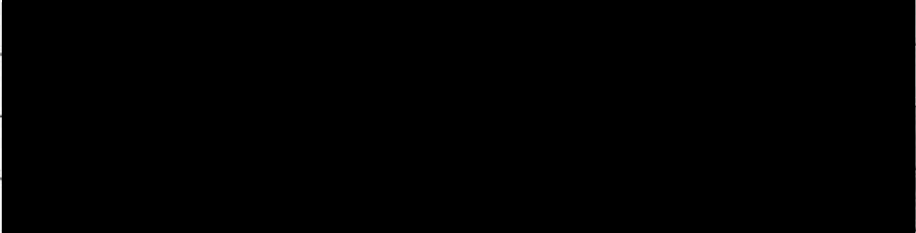
Expiration Date

Arizona Form
830

Affidavit

Bingo

This affidavit must be completed by each person who wishes to assist in the conduct of any game of bingo. If any information is blank or incorrect, the affidavit will be returned to you. All information is subject to verification. Disclosure of your Social Security Number (SSN) is voluntary. This information may be used to establish positive identification for purposes of criminal background checks pursuant to A.R.S. § 5-404.

Licensee's Name	License Number
Position (check the appropriate boxes): ☐ Manager ☐ Supervisor ☒ Proceed Coordinator ☐ Assistant	REVENUE USE ONLY. DO NOT MARK IN THIS AREA. 88
Affiant's Name <u>THOMAS SMITH</u> Date of Birth 	81 PM 80 RCVD

If licensee is a qualified organization, complete the following section:

Member? ☒ Yes ☐ No	Date Joined Organization <u>6/22/2021</u>
Officers? ☒ Yes ☐ No	Officer Title <u>Trustee</u>
Do you have an affidavit on file for any other licensee? ☐ Yes ☒ No If "Yes", list license number(s):	

I, THOMAS SMITH, the above-named affiant, under penalty of perjury, upon oath, depose and say that I will conduct or assist in conducting all bingo games in compliance with the terms of the license, Arizona Revised Statutes, Title 5, Chapter 4, and the rules of the licensing authority. I am of good moral character and have never been convicted of any misdemeanor involving moral turpitude or felony. I have not and shall not receive any reward, compensation or recompense for my participation in the conduct of bingo games except as provided for by law. I hereby swear or confirm that I have read and understand the foregoing and verify that the information and statements made herein are true and correct to the best of my knowledge.

Tom Smith
Signature of Affiant

1-11-22
Date

Please mail to:
Arizona Department of Revenue
1600 W Monroe Street, Division Code 22
Phoenix, AZ 85007

☎ (602) 716-7801

Print Form

Arizona Form
830

Affidavit

Bingo

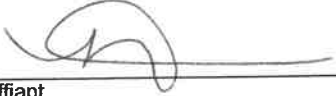
This affidavit must be completed by each person who wishes to assist in the conduct of any game of bingo. If any information is blank or incorrect, the affidavit will be returned to you. All information is subject to verification. Disclosure of your Social Security Number (SSN) is voluntary. This information may be used to establish positive identification for purposes of criminal background checks pursuant to A.R.S. § 5-404.

Licensee's Name	License Number
Position (check the appropriate boxes): ☐ Manager ☒ Supervisor ☐ Proceed Coordinator ☐ Assistant	REVENUE USE ONLY. DO NOT MARK IN THIS AREA. 88
Affiant's Name NANCY E SMITH	
	81 PM 80 RCVD

If licensee is a qualified organization, complete the following section:

Member? ☒ Yes ☐ No	Date Joined Organization
Officers? ☒ Yes ☐ No	Officer Title Auditor
Do you have an affidavit on file for any other licensee? ☐ Yes ☒ No If "Yes", list license number(s):	

I, NANCY E SMITH, the above-named affiant, under penalty of perjury, upon oath, depose and say that I will conduct or assist in conducting all bingo games in compliance with the terms of the license, Arizona Revised Statutes, Title 5, Chapter 4, and the rules of the licensing authority. I am of good moral character and have never been convicted of any misdemeanor involving moral turpitude or felony. I have not and shall not receive any reward, compensation or recompense for my participation in the conduct of bingo games except as provided for by law. I hereby swear or confirm that I have read and understand the foregoing and verify that the information and statements made herein are true and correct to the best of my knowledge.


Signature of Affiant

1-11-22
Date

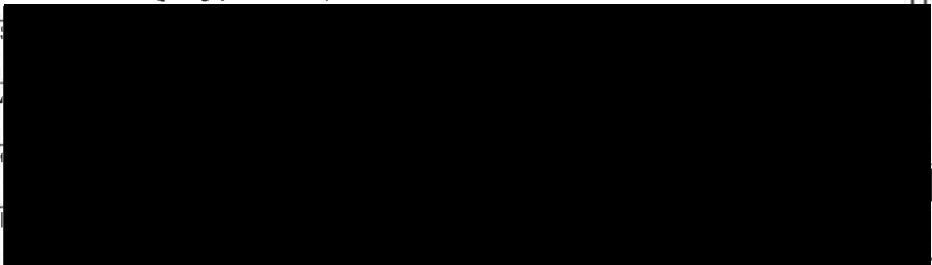
Please mail to:
Arizona Department of Revenue
1600 W Monroe Street, Division Code 22
Phoenix, AZ 85007

☎ (602) 716-7801

Print Form

**Arizona Form
830****Affidavit****Bingo**

This affidavit must be completed by each person who wishes to assist in the conduct of any game of bingo. If any information is blank or incorrect, the affidavit will be returned to you. All information is subject to verification. Disclosure of your Social Security Number (SSN) is voluntary. This information may be used to establish positive identification for purposes of criminal background checks pursuant to A.R.S. § 5-404.

Licensee's Name	License Number
Position (check the appropriate boxes): ☐ Manager ☐ Supervisor ☒ Proceed Coordinator ☐ Assistant	REVENUE USE ONLY. DO NOT MARK IN THIS AREA. 88
Affiant's Name <u>DONALD LEADROOT</u>	
	81 PM 80 RCVD

If licensee is a qualified organization, complete the following section:

Member? ☒ Yes ☐ No	Date Joined Organization <u>12-11-18</u>
Officers? ☒ Yes ☐ No	Officer Title <u>Treasurer</u>
Do you have an affidavit on file for any other licensee? ☐ Yes ☐ No If "Yes", list license number(s):	

I, DONALD LEADROOT, the above-named affiant, under penalty of perjury, upon oath, depose and say that I will conduct or assist in conducting all bingo games in compliance with the terms of the license, Arizona Revised Statutes, Title 5, Chapter 4, and the rules of the licensing authority. I am of good moral character and have never been convicted of any misdemeanor involving moral turpitude or felony. I have not and shall not receive any reward, compensation or recompense for my participation in the conduct of bingo games except as provided for by law. I hereby swear or confirm that I have read and understand the foregoing and verify that the information and statements made herein are true and correct to the best of my knowledge.

Donald Leadroot
Signature of Affiant

1/11/2022
Date

Please mail to:
Arizona Department of Revenue
1600 W Monroe Street, Division Code 22
Phoenix, AZ 85007

☎ (602) 716-7801

Print Form



Arizona Department of Revenue • Bingo Section

1600 West Monroe, Phoenix, AZ 85007 • (602) 716-7801

AFFIDAVIT

This affidavit must be completed by each person who wishes to assist in the conduct of any game of bingo. If any information is blank or incorrect, the affidavit will be returned to you. All information is subject to verification. Disclosure of your Social Security Number is voluntary. This information may be used to establish positive identification for purposes of criminal background checks pursuant to Arizona Revised Statutes, §5-404.

Please type or print in black ink.

LICENSEE'S NAME <u>Fraternal Order of Eagles #4534 Surprise</u>	LICENSE NUMBER
POSITION Check the appropriate boxes: ☐ Manager ☒ Supervisor ☐ Proceed Coordinator ☐ Assistant	

AFFIANT'S NAME <u>GEORGE KATO INUKAI</u>	SOCIAL SECURITY NO.
---	---------------------

If licensee is a qualified organization, complete the following section:

MEMBER? ☒ Yes ☐ No	DATE JOINED ORGANIZATION <u>12/1/2018</u>
OFFICERS? ☒ Yes ☐ No	OFFICER TITLE <u>President</u>
DO YOU HAVE AN AFFIDAVIT ON FILE FOR ANY OTHER LICENSEE? ☐ Yes ☒ No If "Yes", list license number(s):	

I, GEORGE KATO INUKAI, the above named affiant, under penalty of perjury, upon oath, depose and say that I will conduct or assist in conducting all bingo games in compliance with the terms of the license, Arizona Revised Statutes, Title 5, Chapter 4, and the rules of the licensing authority. I am of good moral character and have never been convicted of any misdemeanor involving moral turpitude or felony. I have not and shall not receive any reward, compensation or recompense for my participation in the conduct of bingo games except as provided for by law. I hereby swear or confirm that I have read and understand the foregoing and verify that the information and statements made herein are true and correct to the best of my knowledge.

Kato Inukai
SIGNATURE OF AFFIANT

8/31/2021
DATE

This affidavit must be completed by each person who wishes to assist in the conduct of any game of bingo. If any information is blank or incorrect, the affidavit will be returned to you. All information is subject to verification. Disclosure of your Social Security Number (SSN) is voluntary. This information may be used to establish positive identification for purposes of criminal background checks pursuant to A.R.S. § 5-404.

Licensee's Name <i>Fraternal Order of Eagles #4534 Surprise</i>	License Number
Position (check the appropriate boxes): ☒ Manager ☐ Supervisor ☒ Proceed Coordinator ☐ Assistant	REVENUE USE ONLY. DO NOT MARK IN THIS AREA. 88 81 PM 80 RCVD
Affiant's Name <i>Frances Anne Merner</i> 	

If licensee is a qualified organization, complete the following section:

Member? ☒ Yes ☐ No	Date Joined Organization <i>2/26/19</i>
Officers? ☒ Yes ☐ No	Officer Title <i>Trustee</i>
Do you have an affidavit on file for any other licensee? ☐ Yes ☒ No If "Yes", list license number(s):	

I, *Frances Merner* AFFIANT'S NAME, the above-named affiant, under penalty of perjury, upon oath, depose and say that I will conduct or assist in conducting all bingo games in compliance with the terms of the license, Arizona Revised Statutes, Title 5, Chapter 4, and the rules of the licensing authority. I am of good moral character and have never been convicted of any misdemeanor involving moral turpitude or felony. I have not and shall not receive any reward, compensation or recompense for my participation in the conduct of bingo games except as provided for by law. I hereby swear or confirm that I have read and understand the foregoing and verify that the information and statements made herein are true and correct to the best of my knowledge.

Frances Merner
 Signature of Affiant

8/13/21
 Date

Please mail to:
 Arizona Department of Revenue
 1600 W Monroe Street, Division Code 22
 Phoenix, AZ 85007

☎ (602) 716-7801

Print Form

Arizona Form
830

Affidavit

Bingo

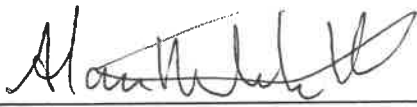
This affidavit must be completed by each person who wishes to assist in the conduct of any game of bingo. If any information is blank or incorrect, the affidavit will be returned to you. All information is subject to verification. Disclosure of your Social Security Number (SSN) is voluntary. This information may be used to establish positive identification for purposes of criminal background checks pursuant to A.R.S. § 5-404.

Licensee's Name	License Number
Position (check the appropriate boxes): ☒ Manager ☐ Supervisor ☒ Proceed Coordinator ☐ Assistant	REVENUE USE ONLY. DO NOT MARK IN THIS AREA.
Affiant's Name ALAN MITCHELL	

If licensee is a qualified organization, complete the following section:

Member? ☒ Yes ☐ No	Date Joined Organization 5-21-11
Officers? ☒ Yes ☐ No	Officer Title TRUSTEE
Do you have an affidavit on file for any other licensee? ☒ Yes ☒ No If "Yes", list license number(s):	

I, ALAN MITCHELL, the above-named affiant, under penalty of perjury, upon oath, depose and say that I will conduct or assist in conducting all bingo games in compliance with the terms of the license, Arizona Revised Statutes, Title 5, Chapter 4, and the rules of the licensing authority. I am of good moral character and have never been convicted of any misdemeanor involving moral turpitude or felony. I have not and shall not receive any reward, compensation or recompense for my participation in the conduct of bingo games except as provided for by law. I hereby swear or confirm that I have read and understand the foregoing and verify that the information and statements made herein are true and correct to the best of my knowledge.


 Signature of Affiant

8-10-2021
 Date

Please mail to:
 Arizona Department of Revenue
 1600 W Monroe Street, Division Code 22
 Phoenix, AZ 85007

(602) 716-7801

Print Form

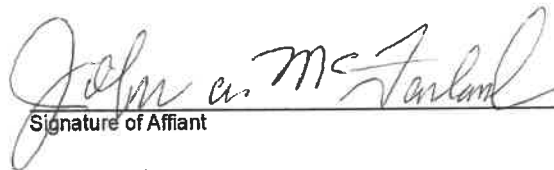
This affidavit must be completed by each person who wishes to assist in the conduct of any game of bingo. If any information is blank or incorrect, the affidavit will be returned to you. All information is subject to verification. Disclosure of your Social Security Number (SSN) is voluntary. This information may be used to establish positive identification for purposes of criminal background checks pursuant to A.R.S. § 5-404.

Licensee's Name 	License Number
Position (check the appropriate boxes): ☐ Manager ☐ Supervisor ☒ Proceed Coordinator ☐ Assistant	
Affiant's Name <u>John A. McFarland</u>	REVENUE USE ONLY. DO NOT MARK IN THIS AREA.
	81 PM 80 RCVD

If licensee is a qualified organization, complete the following section:

Member? ☒ Yes ☐ No	Date Joined Organization <u>2-25-20</u>
Officers? ☒ Yes ☐ No	Officer Title <u>TRUSTEE</u>
Do you have an affidavit on file for any other licensee? ☒ Yes ☒ No If "Yes", list license number(s): [REDACTED]	

I, John A. McFarland, the above-named affiant, under penalty of perjury, upon oath, depose and say that I will conduct or assist in conducting all bingo games in compliance with the terms of the license, Arizona Revised Statutes, Title 5, Chapter 4, and the rules of the licensing authority. I am of good moral character and have never been convicted of any misdemeanor involving moral turpitude or felony. I have not and shall not receive any reward, compensation or recompense for my participation in the conduct of bingo games except as provided for by law. I hereby swear or confirm that I have read and understand the foregoing and verify that the information and statements made herein are true and correct to the best of my knowledge.


 Signature of Affiant

Aug 10, 2021
 Date

Please mail to:
 Arizona Department of Revenue
 1600 W Monroe Street, Division Code 22
 Phoenix, AZ 85007

☎ (602) 716-7801

Print Form



Arizona Department of Revenue • Bingo Section

1600 West Monroe, Phoenix, AZ 85007 • (602) 716-7801

AFFIDAVIT

This affidavit must be completed by each person who wishes to assist in the conduct of any game of bingo. If any information is blank or incorrect, the affidavit will be returned to you. All information is subject to verification. Disclosure of your Social Security Number is voluntary. This information may be used to establish positive identification for purposes of criminal background checks pursuant to Arizona Revised Statutes, §5-404.

Please type or print in black ink.

LICENSEE'S NAME <u>Fraternal Order of Eagles #4534</u>	LICENSE NUMBER
POSITION Check the appropriate boxes: ☐ Manager ☐ Supervisor ☐ Proceed Coordinator ☒ Assistant	

AFFIANT'S NAME <u>RAY G. WILKINS JR</u>	[REDACTED]
[REDACTED]	

If licensee is a qualified organization, complete the following section:

MEMBER? ☒ Yes ☐ No	DATE JOINED ORGANIZATION <u>02.26.2013</u>
OFFICERS? ☒ Yes ☐ No	OFFICER TITLE <u>VICE PRESIDENT</u>
DO YOU HAVE AN AFFIDAVIT ON FILE FOR ANY OTHER LICENSEE? ☐ Yes ☒ No If "Yes", list license number(s):	

I, RAY G. WILKINS JR, the above named affiant, under penalty of perjury, upon oath, depose and say that I will conduct or assist in conducting all bingo games in compliance with the terms of the license, Arizona Revised Statutes, Title 5, Chapter 4, and the rules of the licensing authority. I am of good moral character and have never been convicted of any misdemeanor involving moral turpitude or felony. I have not and shall not receive any reward, compensation or recompense for my participation in the conduct of bingo games except as provided for by law. I hereby swear or confirm that I have read and understand the foregoing and verify that the information and statements made herein are true and correct to the best of my knowledge.

[Signature]
SIGNATURE OF AFFIANT
8/31/2021
DATE



Arizona Department of Revenue • Bingo Section

1600 West Monroe, Phoenix, AZ 85007 • (602) 716-7801

AFFIDAVIT

This affidavit must be completed by each person who wishes to assist in the conduct of any game of bingo. If any information is blank or incorrect, the affidavit will be returned to you. All information is subject to verification. Disclosure of your Social Security Number is voluntary. This information may be used to establish positive identification for purposes of criminal background checks pursuant to Arizona Revised Statutes, §5-404.

Please type or print in black ink.

LICENSEE'S NAME <u>Fraternal Order of Eagles #4534 Surprise</u>	LICENSE NUMBER
POSITION Check the appropriate boxes: ☐ Manager ☐ Supervisor ☐ Proceed Coordinator ☒ Assistant	

AFFIANT'S NAME <u>ALBERTINE A. DEMONACO</u>	SOCIAL SECURITY NO.
--	---------------------

If licensee is a qualified organization, complete the following section:

MEMBER? ☐ Yes ☐ No	DATE JOINED ORGANIZATION <u>08/21/2011</u>
OFFICERS? ☒ Yes ☐ No	OFFICER TITLE <u>SECRETARY</u>
DO YOU HAVE AN AFFIDAVIT ON FILE FOR ANY OTHER LICENSEE? ☐ Yes ☒ No If "Yes", list license number(s):	

I, ALBERTINE A. DEMONACO, the above named affiant, under penalty of perjury, upon oath, depose and say that I will conduct or assist in conducting all bingo games in compliance with the terms of the license, Arizona Revised Statutes, Title 5, Chapter 4, and the rules of the licensing authority. I am of good moral character and have never been convicted of any misdemeanor involving moral turpitude or felony. I have not and shall not receive any reward, compensation or recompense for my participation in the conduct of bingo games except as provided for by law. I hereby swear or confirm that I have read and understand the foregoing and verify that the information and statements made herein are true and correct to the best of my knowledge.

Albertine A. Monaco
SIGNATURE OF AFFIANT

09/01/2021
DATE

Arizona Form 830

Affidavit

Bingo

This affidavit must be completed by each person who wishes to assist in the conduct of any game of bingo. If any information is blank or incorrect, the affidavit will be returned to you. All information is subject to verification. Disclosure of your Social Security Number (SSN) is voluntary. This information may be used to establish positive identification for purposes of criminal background checks pursuant to A.R.S. § 5-404.

Licensee's Name <u>KERRY LAUKAI</u>	License Number
Position (check the appropriate boxes): ☒ Manager ☐ Supervisor ☐ Proceed Coordinator ☐ Assistant	REVENUE USE ONLY. DO NOT MARK IN THIS AREA. [88]
Affiant's Name <u>KERRY LAUKAI</u>	
[REDACTED]	[81] PM [80] RCVD

If licensee is a qualified organization, complete the following section:

Member? ☒ Yes ☐ No	Date Joined Organization <u>1/23/19</u>
Officers? ☒ Yes ☐ No	Officer Title <u>SECRETARY</u>
Do you have an affidavit on file for any other licensee? ☐ Yes ☒ No If "Yes", list license number(s):	

I, KERRY LAUKAI, the above-named affiant, under penalty of perjury, upon oath, depose and say that I will conduct or assist in conducting all bingo games in compliance with the terms of the license, Arizona Revised Statutes, Title 5, Chapter 4, and the rules of the licensing authority. I am of good moral character and have never been convicted of any misdemeanor involving moral turpitude or felony. I have not and shall not receive any reward, compensation or recompense for my participation in the conduct of bingo games except as provided for by law. I hereby swear or confirm that I have read and understand the foregoing and verify that the information and statements made herein are true and correct to the best of my knowledge.

Signature of Affiant
Kerry Laukai
Date
8/25/21

Please mail to:
Arizona Department of Revenue
1600 W Monroe Street, Division Code 22
Phoenix, AZ 85007

(602) 716-7801

Print Form

**Arizona Department of Revenue • Bingo Section**

1600 West Monroe, Phoenix, AZ 85007 • (602) 716-7801

AFFIDAVIT

This affidavit must be completed by each person who wishes to assist in the conduct of any game of bingo. If any information is blank or incorrect, the affidavit will be returned to you. All information is subject to verification. Disclosure of your Social Security Number is voluntary. This information may be used to establish positive identification for purposes of criminal background checks pursuant to Arizona Revised Statutes, §5-404.

Please type or print in black ink.

LICENSEE'S NAME <u>Fraternal Order of Eagles #4534</u>	LICENSE NUMBER
POSITION Check the appropriate boxes: ☐ Manager ☐ Supervisor ☐ Proceed Coordinator ☒ Assistant	

AFFIANT'S NAME <u>KIMBERLY FLORES</u>	SOCIAL SECURITY NO. _____
--	------------------------------

If licensee is a qualified organization, complete the following section:

MEMBER? ☒ Yes ☐ No	DATE JOINED ORGANIZATION <u>05/01/2018</u>
OFFICERS? ☐ Yes ☒ No	OFFICER TITLE _____
DO YOU HAVE AN AFFIDAVIT ON FILE FOR ANY OTHER LICENSEE? ☐ Yes ☒ No If "Yes", list license number(s): _____	

I, KIMBERLY FLORES, the above named affiant, under penalty of perjury, upon oath, depose and say that I will conduct or assist in conducting all bingo games in compliance with the terms of the license, Arizona Revised Statutes, Title 5, Chapter 4, and the rules of the licensing authority. I am of good moral character and have never been convicted of any misdemeanor involving moral turpitude or felony. I have not and shall not receive any reward, compensation or recompense for my participation in the conduct of bingo games except as provided for by law. I hereby swear or confirm that I have read and understand the foregoing and verify that the information and statements made herein are true and correct to the best of my knowledge.

Kimberly Flores
SIGNATURE OF AFFIANT
08-31-2021
DATE



Arizona Department of Revenue • Bingo Section

1600 West Monroe, Phoenix, AZ 85007 • (602) 716-7801

AFFIDAVIT

This affidavit must be completed by each person who wishes to assist in the conduct of any game of bingo. If any information is blank or incorrect, the affidavit will be returned to you. All information is subject to verification. Disclosure of your Social Security Number is voluntary. This information may be used to establish positive identification for purposes of criminal background checks pursuant to Arizona Revised Statutes, §5-404.

Please type or print in black ink.

LICENSEE'S NAME <i>Fraternal Order of Eagles # 4534</i>	LICENSE NUMBER
POSITION Check the appropriate boxes: ☐ Manager ☐ Supervisor ☐ Proceed Coordinator ☒ Assistant	

AFFIANT'S NAME <i>ELIAS FLORES</i>	SOCIAL SECURITY NO.
---------------------------------------	---------------------

If licensee is a qualified organization, complete the following section:

MEMBER? ☒ Yes ☐ No	DATE JOINED ORGANIZATION <i>05/01/2018</i>
OFFICERS? ☐ Yes ☒ No	OFFICER TITLE
DO YOU HAVE AN AFFIDAVIT ON FILE FOR ANY OTHER LICENSEE? ☐ Yes ☒ No If "Yes", list license number(s):	

I, *ELIAS FLORES*, the above named affiant, under penalty of perjury, upon oath, depose and say that I will conduct or assist in conducting all bingo games in compliance with the terms of the license, Arizona Revised Statutes, Title 5, Chapter 4, and the rules of the licensing authority. I am of good moral character and have never been convicted of any misdemeanor involving moral turpitude or felony. I have not and shall not receive any reward, compensation or recompense for my participation in the conduct of bingo games except as provided for by law. I hereby swear or confirm that I have read and understand the foregoing and verify that the information and statements made herein are true and correct to the best of my knowledge.

[Signature]
SIGNATURE OF AFFIANT

8-31-21
DATE

**Arizona Form
830**

Affidavit

Bingo

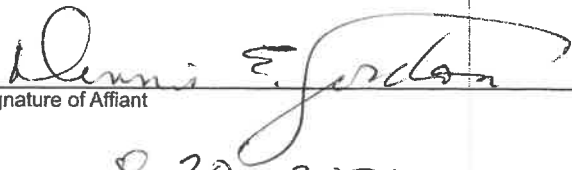
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Licensee's Name <i>Fraternal Order of Eagles #4534</i>		License Number
Position (check the appropriate boxes): ☐ Manager ☐ Supervisor ☒ Proceed Coordinator ☐ Assistant		REVENUE USE ONLY. DO NOT MARK IN THIS AREA.

If licensee is a qualified organization, complete the following section:

Member? ☒ Yes ☐ No	Date Joined Organization <i>6/27/17</i>
Officers? ☒ Yes ☐ No	Officer Title <i>Trustee</i>
Do you have an affidavit on file for any other licensee? ☐ Yes ☒ No If "Yes", list license number(s):	

I, *Dennis Gordon*, the above-named affiant, under penalty of perjury, upon oath, depose and say that I will conduct or assist in conducting all bingo games in compliance with the terms of the license, Arizona Revised Statutes, Title 5, Chapter 4, and the rules of the licensing authority. I am of good moral character and have never been convicted of any misdemeanor involving moral turpitude or felony. I have not and shall not receive any reward, compensation or recompense for my participation in the conduct of bingo games except as provided for by law. I hereby swear or confirm that I have read and understand the foregoing and verify that the information and statements made herein are true and correct to the best of my knowledge.


 Signature of Affiant
 Date *8-30-2021*

Please mail to:
 Arizona Department of Revenue
 1600 W Monroe Street, Division Code 22
 Phoenix, AZ 85007

☎ (602) 716-7801

Print Form



Arizona Department of Revenue • Bingo Section

1600 West Monroe, Phoenix, AZ 85007 • (602) 716-7801

AFFIDAVIT

This affidavit must be completed by each person who wishes to assist in the conduct of any game of bingo. If any information is blank or incorrect, the affidavit will be returned to you. All information is subject to verification. Disclosure of your Social Security Number is voluntary. This information may be used to establish positive identification for purposes of criminal background checks pursuant to Arizona Revised Statutes, §5-404.

Please type or print in black ink.

LICENSEE'S NAME <i>Fraternal Order of Eagles # 4534</i>	LICENSE NUMBER
POSITION Check the appropriate boxes: ☒ Manager ☒ Supervisor ☐ Proceed Coordinator ☐ Assistant	

AFFIANT'S NAME <i>Duane E. Wiles</i>	[REDACTED]
[REDACTED]	

If licensee is a qualified organization, complete the following section:

MEMBER? ☒ Yes ☐ No	DATE JOINED ORGANIZATION <i>06052012</i>
OFFICERS? ☒ Yes ☐ No	OFFICER TITLE <i>BAL MANAGER</i>
DO YOU HAVE AN AFFIDAVIT ON FILE FOR ANY OTHER LICENSEE? ☐ Yes ☒ No If "Yes", list license number(s):	

I, *Duane E. Wiles*, the above named affiant, under penalty of perjury, upon oath, depose and say that I will conduct or assist in conducting all bingo games in compliance with the terms of the license, Arizona Revised Statutes, Title 5, Chapter 4, and the rules of the licensing authority. I am of good moral character and have never been convicted of any misdemeanor involving moral turpitude or felony. I have not and shall not receive any reward, compensation or recompense for my participation in the conduct of bingo games except as provided for by law. I hereby swear or confirm that I have read and understand the foregoing and verify that the information and statements made herein are true and correct to the best of my knowledge.

Duane E. Wiles
SIGNATURE OF AFFIANT
8/31/21
DATE



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AFFIDAVIT

This affidavit must be completed by each person who wishes to assist in the conduct of any game of bingo. If any information is blank or incorrect, the affidavit will be returned to you. All information is subject to verification. Disclosure of your Social Security Number is voluntary. This information may be used to establish positive identification for purposes of criminal background checks pursuant to Arizona Revised Statutes, §5-404.

Please type or print in black ink.

LICENSEE'S NAME <i>Fraternal Order of Eagles #4534</i>	LICENSE NUMBER
POSITION Check the appropriate boxes: ☒ Manager ☐ Supervisor ☐ Proceed Coordinator ☐ Assistant	

AFFIANT'S NAME <i>Cynthia Gordon</i>	[REDACTED]
---	------------

If licensee is a qualified organization, complete the following section:

MEMBER? ☒ Yes ☐ No	DATE JOINED ORGANIZATION <i>03.28.2017</i>
OFFICERS? ☒ Yes ☐ No	OFFICER TITLE <i>Worthy Chaplain</i>
DO YOU HAVE AN AFFIDAVIT ON FILE FOR ANY OTHER LICENSEE? ☐ Yes ☒ No If "Yes", list license number(s):	

I, *Cynthia Gordon*, the above named affiant, under penalty of perjury, upon oath, depose and say that I will conduct or assist in conducting all bingo games in compliance with the terms of the license, Arizona Revised Statutes, Title 5, Chapter 4, and the rules of the licensing authority. I am of good moral character and have never been convicted of any misdemeanor involving moral turpitude or felony. I have not and shall not receive any reward, compensation or recompense for my participation in the conduct of bingo games except as provided for by law. I hereby swear or confirm that I have read and understand the foregoing and verify that the information and statements made herein are true and correct to the best of my knowledge.

SIGNATURE OF AFFIANT

DATE

Order Date	10/20/2021 15:57
Salesman	200 Lloyd Eason
Contact	Cynthia Gordon
Contact Phone	440-334-3892
Need by	

3210 E. Roeser Rd. Ste 15, Phoenix, AZ 85040

Customer #: E4534		Ship To:			
Sold To: Eagles Aire #4534		Eagles Aire #4534			
12425 W. Bell Rd.		12425 W. Bell Rd.			
Surprise, AZ. 85378		Surprise, AZ. 85378			
Delivered By:		Ship by (FrghT Co):			
Date:	Time:	Date:	Prepaid	Prepaid & Add	COD
Code	Description / Rotation	Qty Ordered	Price	Extended Price	Box Count
	Used Presidential Console for Bar Bingo	1.00	\$1.00	\$1.00	
				\$0.00	
				\$0.00	
				\$0.00	
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				\$0.00	
				\$0.00	
				\$0.00	
				\$0.00	
				\$0.00	
EQUIPMENT IN HALL:			Subtotal	\$1.00	
			Tax	\$0.08	
NOTES:			Delivery	\$50.00	TOTAL CASES
Date Delivered:	Signature:	TOTAL		\$51.08	0



January 7, 2022

Tina Demonaco, Secretary
Aerie No. 4534, F.O.E.
12425 W. Bell road, Ste. 100
Surprise, AZ 85378-9003
USA

Dear Brother Secretary:

We are enclosing a certificate as to the affiliation of Surprise Eagles Aerie No. 4534, F.O.E. Surprise, Arizona. Also enclosed is a copy of the revised letter of exemption issue to the Fraternal Order of Eagles by the United States Treasury Department under the date of April, 2007.

The group identification number of the Internal Revenue Service is [REDACTED]

We hope these documents will be of assistance to the Aerie.

With best wishes, I am

Respectfully yours,

A handwritten signature in cursive script that reads "Charles K. Cunningham".

Charles K. Cunningham, Grand Secretary

CKC: rgb



FOR THE INFORMATION OF THOSE WHO MAY BE CONCERNED:

Surprise Eagles Aerie No. 4534, Fraternal Order of Eagles, located at Surprise, Arizona, was organized and instituted by authority of the Grand Aerie, Fraternal Order of Eagles, a non-profit, fraternal society and is in good standing with the Fraternal Order of Eagles.

The date of institution was May 21st, 2011 at which time the Grand Aerie shows the required number of charter members were taken into the Order.

Since the date of institution, up to and including this date Surprise Eagles Aerie No. 4534, Surprise, Arizona is in good standing along with those other units of the Fraternal Order Eagles, who qualify under the revised letter of exemption sent us by the United States Treasury Department under the date of April, 2007.

Signed this 7th day of January, 2022 in the office of Grand Secretary, Grand Aerie, Fraternal Order of Eagles. 1623 Gateway Circle South, Grove City, Ohio 43123

CHARLES K. CUNNINGHAM, GRAND SECRETARY
GRAND AERIE, FRATERNAL ORDER OF EAGLES



INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: APR 3 2007

GRAND AERIE OF THE FRATERNAL ORDER
OF EAGLES
C/O JAY ROTZ
WEBSTER CHAMBERLAIN & BEAN
1747 PENNSYLVANIA AVE NW STE 1000
WASHINGTON, DC 20006-0000

Addendum Applies:
Yes

Dear Applicant:

We have considered your application for a group exemption letter recognizing your subordinates as exempt from federal income tax under section 501(a) of the Internal Revenue Code as organizations of the type described in section 501(c)(8).

Our records show that you were recognized as exempt from federal income tax under section 501(c)(8) of the Code. Your exemption letter remains in effect.

Based on information you supplied, we recognize your subordinates whose names appear on the list you submitted as exempt from federal income tax under section 501(c)(8) of the Code.

Donors may deduct contributions to your subordinates as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to your subordinates or for their use are deductible for federal estate and gift tax purposes if they meet the applicable provisions of section 2055, 2106, and 2522 of the Code.

Your subordinates whose gross receipts each year are normally more than \$25,000 are each required to file Form 990, Return of Organization Exempt From Income Tax, by the 15th day of the fifth month after the end of their annual accounting period. If you prefer, you may file a group return for those subordinates that authorize you in writing to include them in that return. If you are required to file Form 990 for your own activities, you must file a separate return and may not be included on any group return that you file for your subordinates. The law imposes a penalty of \$20 a day when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty imposed cannot exceed \$10,000 or 5 percent of your gross receipts for the year, whichever is less. For organizations with gross receipts exceeding \$1,000,000 in any year, the penalty is \$100 per day per return, unless there is reasonable cause for the delay. The maximum penalty for an organization with gross receipts exceeding \$1,000,000 shall not exceed \$50,000. This penalty may also be charged if a return is not complete, so your subordinates should make sure their returns are complete before filing them. Please advise your subordinates

Letter 2419 (DO/CG)

GRAND AERIE OF THE FRATERNAL ORDER

that, if they receive a Form 990 package in the mail, they should file the return even if their gross receipts do not exceed the \$25,000 minimum. If not required to file, a subordinate should simply attach the label provided, check the box in the heading to indicate that its annual gross receipts are normally \$25,000 or less and sign the return. This will allow us to update our records to show that the subordinate is not required to file and to delete that subordinate from the list of organizations that will receive Form 990 packages in future years.

Your subordinates are required to make their annual information return, Form 990 or Form 990-EZ, available for public inspection for three years after the later of the due date of the return or the date the return is filed. You and your subordinates are also required to make available for public inspection your group exemption application, any supporting documents and this exemption letter. Copies of these documents are also required to be provided to any individual upon written or in person request without charge other than reasonable fees for copying and postage. You may fulfill this requirement by placing these documents on the Internet. Penalties may be imposed for failure to comply with these requirements. Additional information is available in Publication 557, Tax-Exempt Status for Your Organization, or you may call our toll free number shown above.

Your subordinates are not required to file federal income tax returns unless subject to the tax on unrelated business income under section 511 of the Code. Each organization subject to this tax must file Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your subordinates' present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

Unless specifically excepted, each of your subordinates is liable for social security (FICA) taxes for each employee to whom the subordinate paid \$100 or more during a calendar year and unemployment (FUTA) taxes for each employee to whom the subordinate paid \$50 or more in a calendar quarter. FUTA tax is due for each of these employees only if the subordinate paid total wages of \$1,500 or more during any calendar quarter, or if the subordinate had any employees in any 20 calendar weeks during the year.

Each year, at least 90 days before the end of your annual accounting period, please send the items listed below to the Internal Revenue Service Center at the address shown below.

1. A statement describing any changes during the year in the purposes, character, or method of operation of your subordinates;

2. A list showing the names, mailing addresses (including Postal ZIP codes), actual addresses if different, and employer identification numbers of subordinates that, since your previous report:

- a. Changed names or address;
- b. Were deleted from your roster; or
- c. Were added to your roster.

Letter 2419 (DO/CG)

GRAND AERIE OF THE FRATERNAL ORDER

3. For subordinates to be added, attach:
 - a. A statement that the information on which your present group exemption letter is based applies to the new subordinates;
 - b. A statement that each has given you written authorization to add its name to the roster;
 - c. A list of those to which the Service previously issued exemption rulings or determination letters;
 - d. A statement that none of the subordinates is a private foundation as defined in section 509(a) of the Code if the group exemption letter covers organizations described in section 501(c)(3);
 - e. The street address of each subordinate whose mailing address is a P.O. Box; and
 - f. The information required by Revenue Procedure 75-50, 1975-2 C.B. 587, for each subordinate that is a school claiming exemption under section 501(c)(3). Also include any other information necessary to establish that the school is complying with the requirements of Revenue Ruling 71-447, 1971-2 C.B. 230. This is the same information required by Schedule B, Form 1023, Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code.

4. If applicable, a statement that your group exemption roster did not change since your previous report.

Please mail the information requested in this letter to the following address:

Internal Revenue Service
Ogden UT 84201

Your Group Exemption Number is 0102. Your subordinates are required to include this number on each Form 990, Return of Organization Exempt From Income Tax, and Form 990-T, Exempt Organization Business Income Tax Return, that they file. Please advise your subordinates of this requirement and provide them with the Group Exemption Number.

If the heading of this letter indicates that an addendum applies, the enclosed addendum is an integral part of this letter.

Because this letter could help resolve any questions about the exempt status and foundation status of your subordinates, you should keep it for your records.

Letter 2419 (DO/CG)

GRAND AERIE OF THE FRATERNAL ORDER

We have sent a copy of this letter to your representative as indicated in your power of attorney.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,

Lois G. Lerner
Director, Exempt Organizations
Rulings and Agreements

Enclosure(s):
Addendum

GRAND AERIE OF THE FRATERNAL ORDER

PREVIOUS EXEMPTION

This letter modifies our previous letter dated August 23, 1991 in which a group ruling exemption was issued for your subordinates under section 501(c)(10) of the Code. Your group ruling exemption under section 501(c)(8) is effective as of June 1, 2001, the first day of the tax year following the adoption of universal death benefits for your members.

Letter 2419 (DO/CG)

S U R P R I S E P O L I C E D E P A R T M E N T
B I N G O L I C E N S E A P P L I C A T I O N R E V I E W

REFERENCE:

DATE: January 31, 2022

Bar Bingo License Request

APPLICANT:

Surprise Eagles #4534
12425 W. Bell Road #D100
Surprise, Arizona 85374

FINDINGS:

- 1) ***Evidence concerning the nature of the proposed business, its potential market and its likely customers.***
Surprise Eagles is a nonprofit Fraternal Organization, with a long history of community service and support. All proceeds go to local charities as a part of their mission statement, "PEOPLE HELPING PEOPLE". Their customers are members of their organization and their friends/family members.
- 2) ***Effect of vehicular traffic in close proximity.***
There are multiple points of ingress/egress for this location. The addition of this Bar Bingo License should not have an effect on traffic.
- 3) ***The history for the past five years of liquor violations and reported criminal activity at the proposed premises provided that the applicant has received a detailed report of such activity at least 20 days before the hearing.***
In the last five years, there has only been one identified call for service for a suspicious person in the area and an incident of two visitors being disorderly, however they left before officer arrival. This area has a higher transient population and there have been calls where some transients have been asked to leave the premises and there have been some minor drug possession calls as well.
- 4) ***Comparison of hours of operation of the proposed premises to the existing businesses in close proximity.***
The Surprise Eagles #4535 aerie is private and it located on the northeast corner of the City of Surprise's Techcelerator business plaza. Their hours listed are Thursday thru Saturday, 4 PM – 10 PM and Sundays, 10 AM – 4 PM. Sometimes, hours will vary depending on special events. There are several other private businesses that occupy the plaza, which have mostly regular business hours. In addition, the City has their Human Services and Community Vitality resource center, which has numerous visitors throughout the business day.
- 5) ***Appropriateness of series license requested.***
Currently, Surprise Eagles Aerie #4535 has a series 14 license, which is appropriate for their organization per state guidelines for private clubs.

Submitted by Officer Chris Tovar #2059



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: February 15, 2022 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 Final Re-Plat entitled, "Toll at Prasada, Phase I Unit A Lots 332-340, 362-364, 390-395 & Tract A" and dated December 15, 2021, a property generally located west of Cotton Lane, between Cactus Road and Peoria Avenue; Case FS21-831.

Motion:

I move to approve the Final Re-Plat entitled, "Toll at Prasada, Phase I Unit A Lots 332-340, 362-364, 390-395 & Tract A" and dated December 15, 2021.

Background:

The subject request involves a Re-Plat for Unit A of the Toll at Prasada project. Unit A was previously platted under case FS18-2620, MCR 1444-03. The subject request will replat lots 332-340, 362-364, 390-395 and Tract A.

Objective Analysis:

The subject Final 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. The subject request will not increase the density of the development and Unit A will remain consistent with the General Plan. The site also lies within 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 - FS21-831 Toll at Prasada Unit A Re-Plat - Staff Report 021522 CC
 2. 01 - FS21-831 Toll at Prasada Unit A Re-Plat - Vicinity Map
 3. 02 - FS21-831 Toll at Prasada Unit A Re-Plat - Case Map
 4. 03 - FS21-831 Toll at Prasada Unit A Re-Plat - Final Plat
 5. FS21-831 Toll at Prasada Unit A Re-Plat Presentation 021522 CC
-

FINAL PLAT

REPORT TO THE CITY COUNCIL

Case: FS21-831

Project Name: Toll at Prasada Unit A Re-Plat

Council District: 3 - Mesquite

Meeting Date: February 15, 2022

Planner: Trever Fleetham, AICP

Owner: Toll Prasada, LLC

Applicant: Aaron Insco of Toll Bros, Inc.

Request: A Re-Plat of Toll at Prasada Phase I Unit A Lots 332-340, 362-364, 390-395 & Tract A in the Prasada PAD

Site Location: Generally located west of Cotton Lane, between Cactus Road and Peoria Avenue

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

Support/Opposition: None known

Findings:

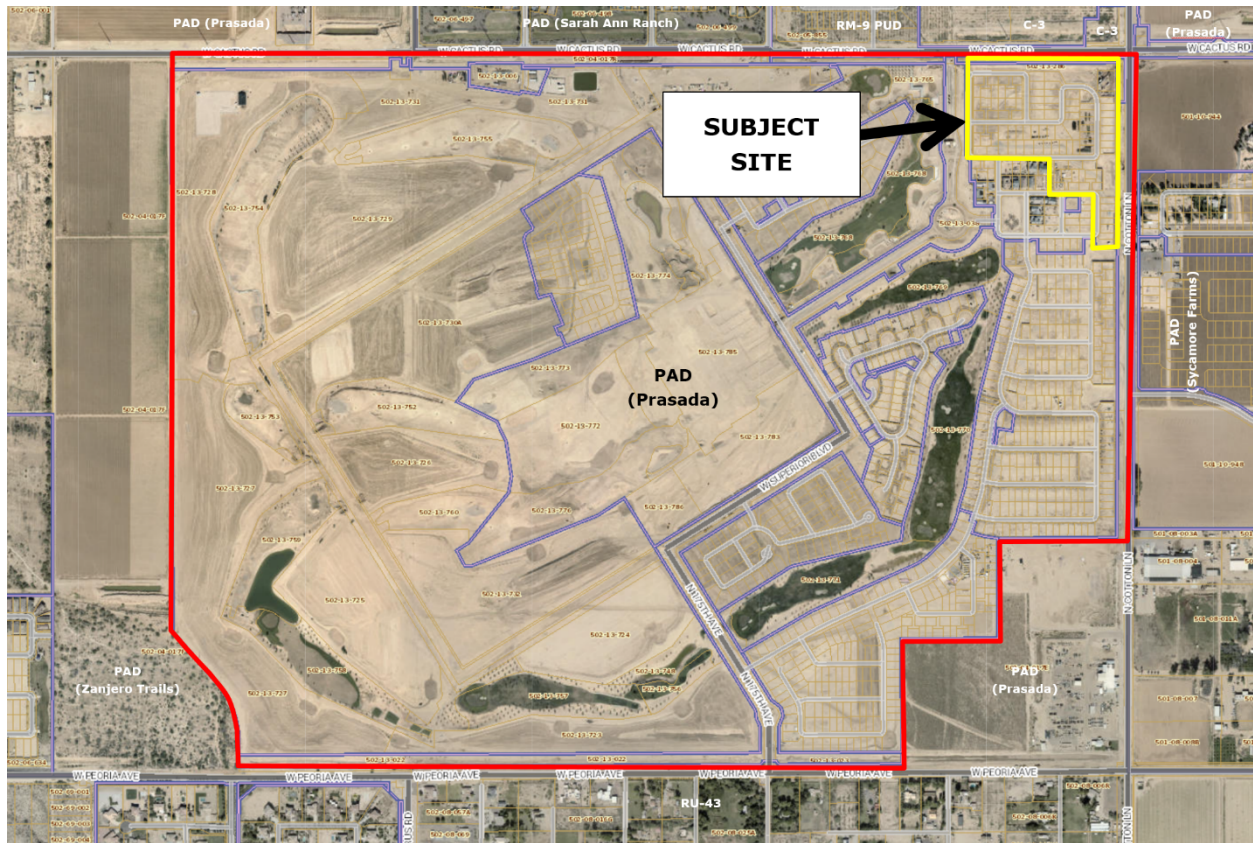
- The proposed Final Plat is consistent with the Prasada PAD.
- The proposed Final Plat is consistent with the applicable City of Surprise regulations.
- The reviewing agencies have indicated no objections to the request.

PROJECT DESCRIPTION:

The subject request involves a Re-Plat for Unit A of the Toll at Prasada project. Unit A was previously platted under case FS18-2620, MCR 1444-03. The subject request will replat lots 332-340, 362-364, 390-395 and Tract A.

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.

March 5, 2019: The City Council approved the Final Plat for Unit A under case FS18-260.

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

83 **CONFORMANCE WITH ADOPTED PLANS:**

84
85 **Surprise General Plan 2035:** The Surprise General Plan 2035 shows the subject property as lying
86 within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac
87 or more, provided appropriate transitions are made between the various Neighborhood types
88 included within the character area. The subject request will not increase the density of the
89 development and Unit A will remain consistent with the General Plan. The site also lies with the 0-6
90 DU/Ac ribbon of the Luke Air Force Base Graduated Density Concept; however, the site is integral to
91 the larger Sterling Grove project, which is approved for 2,207 lots overall and meets the guidance
92 offered by the GDC.

93
94 **REVIEWING AGENCIES:**

95
96 In addition to the standard city reviewing agencies, who indicate no objections to the requests, Luke
97 Air Force Base, Maricopa Water District, and Maricopa County Flood Control District were included
98 in the routing of this case. These agencies also indicate no objections.
99

100 **Summary:**

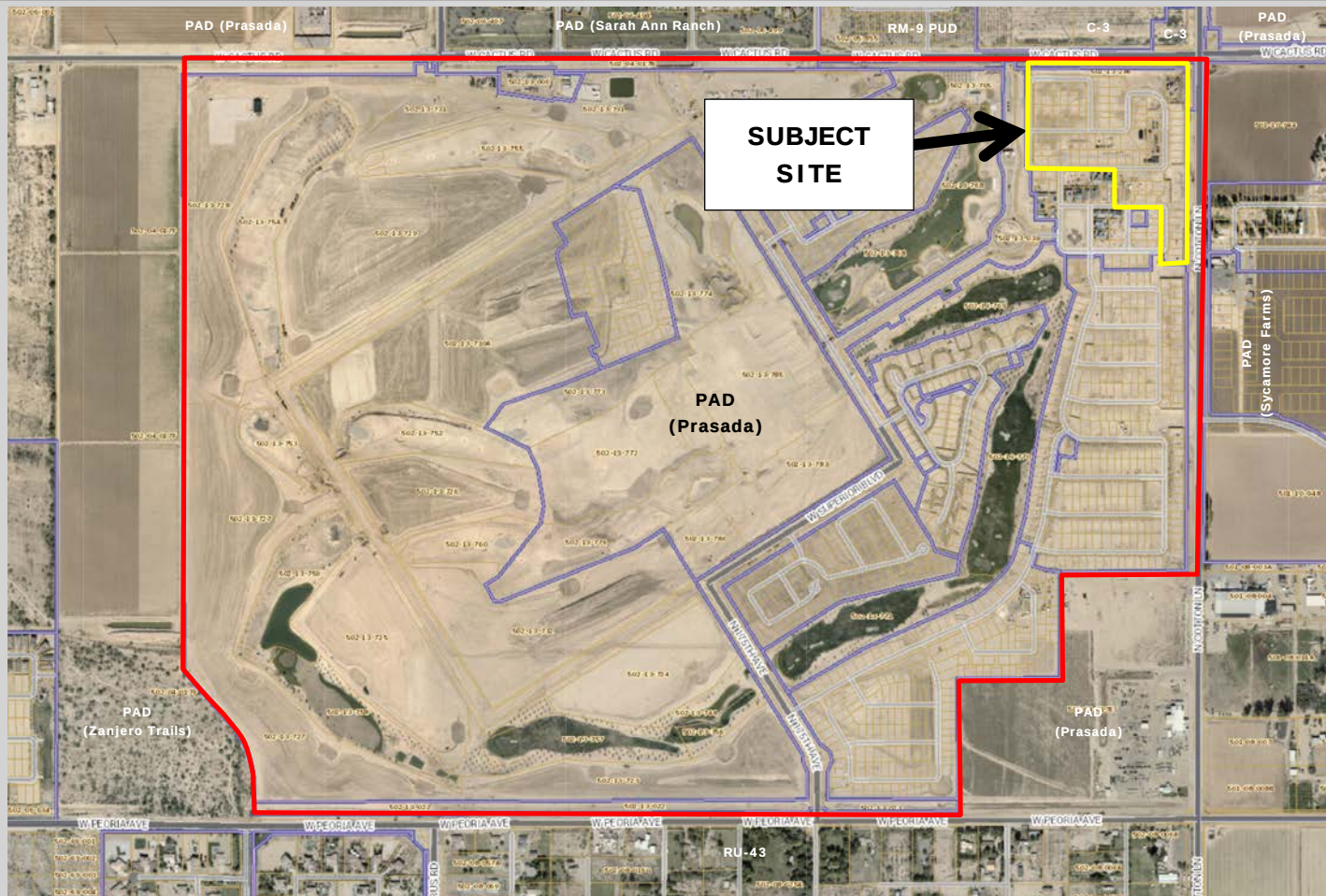
101
102 The subject Final Plat meets the requirements of the Prasada PAD, in addition to other applicable
103 requirements as set forth in the LDO. All city reviewing departments have reviewed the request and
104 expressed no concerns.
105

106 **Attachments:**

107
108 01 Toll at Prasada Unit A Vicinity Map
109 02 Toll at Prasada Unit A Case Map
110 03 Toll at Prasada Unit A Re-Plat Final Plat
111 PPT



FS21-831 Vicinity Map



FS21-831 Case Map

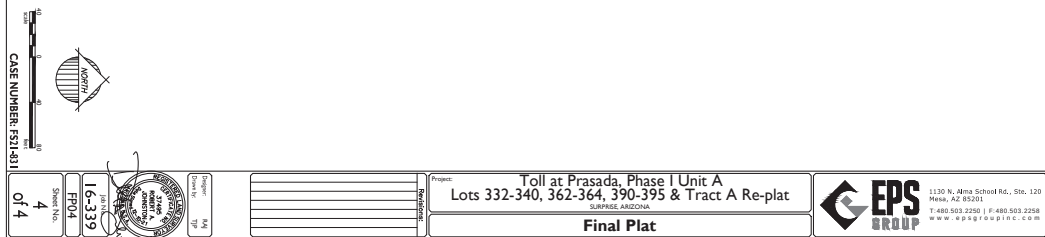
INTE. TABLE		INTE. TABLE	
NAME	DEGREE	NAME	DEGREE
L1	59°55'45" N	L7	55°55'15" N
L2	59°55'45" N	L8	55°55'15" N
L3	59°55'45" N	L9	55°55'15" N
L4	59°55'45" N	L10	55°55'15" N
L5	59°55'45" N	L11	55°55'15" N
L6	59°55'45" N	L12	55°55'15" N
L7	55°55'15" N	L13	55°55'15" N
L8	55°55'15" N	L14	55°55'15" N
L9	55°55'15" N	L15	55°55'15" N
L10	55°55'15" N	L16	55°55'15" N
L11	55°55'15" N	L17	55°55'15" N
L12	55°55'15" N	L18	55°55'15" N
L13	55°55'15" N	L19	55°55'15" N
L14	59°55'45" N	L20	55°55'15" N
L15	55°55'15" N	L21	55°55'15" N
L16	59°55'45" N	L22	55°55'15" N
L17	55°55'15" N	L23	55°55'15" N
L18	59°55'45" N	L24	55°55'15" N
L19	55°55'15" N	L25	55°55'15" N
L20	55°55'15" N	L26	55°55'15" N
L21	55°55'15" N	L27	55°55'15" N
L22	55°55'15" N	L28	55°55'15" N
L23	55°55'15" N	L29	55°55'15" N
L24	55°55'15" N	L30	55°55'15" N
L25	55°55'15" N	L31	55°55'15" N
L26	55°55'15" N	L32	55°55'15" N
L27	55°55'15" N	L33	55°55'15" N
L28	55°55'15" N	L34	55°55'15" N
L29	55°55'15" N	L35	55°55'15" N
L30	55°55'15" N	L36	55°55'15" N
L31	55°55'15" N	L37	55°55'15" N
L32	55°55'15" N	L38	55°55'15" N
L33	55°55'15" N	L39	55°55'15" N
L34	55°55'15" N	L40	55°55'15" N
L35	55°55'15" N	L41	55°55'15" N
L36	55°55'15" N	L42	55°55'15" N
L37	55°55'15" N	L43	55°55'15" N
L38	55°55'15" N	L44	55°55'15" N
L39	55°55'15" N	L45	55°55'15" N
L40	55°55'15" N	L46	55°55'15" N
L41	55°55'15" N	L47	55°55'15" N
L42	55°55'15" N	L48	55°55'15" N
L43	55°55'15" N	L49	55°55'15" N
L44	55°55'15" N	L50	55°55'15" N
L45	55°55'15" N	L51	55°55'15" N
L46	55°55'15" N	L52	55°55'15" N
L47	55°55'15" N	L53	55°55'15" N
L48	55°55'15" N	L54	55°55'15" N
L49	55°55'15" N	L55	55°55'15" N
L50	55°55'15" N	L56	55°55'15" N
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L52	55°55'15" N	L58	55°55'15" N
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L54	55°55'15" N	L60	55°55'15" N
L55	55°55'15" N	L61	55°55'15" N
L56	55°55'15" N	L62	55°55'15" N
L57	55°55'15" N	L63	55°55'15" N
L58	55°55'15" N	L64	55°55'15" N
L59	55°55'15" N	L65	55°55'15" N
L60	55°55'15" N	L66	55°55'15" N
L61	55°55'15" N	L67	55°55'15" N
L62	55°55'15" N	L68	55°55'15" N
L63	55°55'15" N	L69	55°55'15" N
L64	55°55'15" N	L70	55°55'15" N
L65	55°55'15" N	L71	55°55'15" N
L66	55°55'15" N	L72	55°55'15" N
L67	55°55'15" N	L73	55°55'15" N
L68	55°55'15" N	L74	55°55'15" N
L69	55°55'15" N	L75	55°55'15" N
L70	55°55'15" N	L76	55°55'15" N
L71	55°55'15" N	L77	55°55'15" N
L72	55°55'15" N	L78	55°55'15" N
L73	55°55'15" N	L79	55°55'15" N
L74	55°55'15" N	L80	55°55'15" N
L75	55°55'15" N	L81	55°55'15" N
L76	55°55'15" N	L82	55°55'15" N
L77	55°55'15" N	L83	55°55'15" N
L78	55°55'15" N	L84	55°55'15" N
L79	55°55'15" N	L85	55°55'15" N
L80	55°55'15" N	L86	55°55'15" N
L81	55°55'15" N	L87	55°55'15" N
L82	55°55'15" N	L88	55°55'15" N
L83	55°55'15" N	L89	55°55'15" N
L84	55°55'15" N	L90	55°55'15" N
L85	55°55'15" N	L91	55°55'15" N
L86	55°55'15" N	L92	55°55'15" N
L87	55°55'15" N	L93	55°55'15" N
L88	55°55'15" N	L94	55°55'15" N
L89	55°55'15" N	L95	55°55'15" N
L90	55°55'15" N	L96	55°55'15" N
L91	55°55'15" N	L97	55°55'15" N
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L93	55°55'15" N	L99	55°55'15" N
L94	55°55'15" N	L100	55°55'15" N

TRACT USE TABLE		
TRACT	USE	
A	LANDSCAPE, OPEN SPACE, RETENTION, FIRE ACCESS, ESSENTIAL, WATER ESSENTIAL, SCENERY ESSENTIAL, LATERAL, 7 ESSENTIAL, AND PRELIM. & ** PUBLIC UTILITY ESSENTIAL	166,618 3,8067

1. COMMON AREAS MAY INCLUDE OPEN SPACE, LANDSCAPING, FESTIVAL PATHS, AND/OR AMENITIES.
2. SPECIFIC ELEMENTS THAT ARE BEING DEDICATED AS PART OF THIS PLAN ARE FULLY DEDICATED ON THE FOLLOWING SHEETS.
3. ** THE ELEMENTS LISTED ABOVE (SHOWN WITH AN ASTERISK **) ONLY AFFECT A PORTION OF THE TRACT WITH WHICH THEY ARE LISTED, AND ARE FULLY DEDICATED WITHIN THE PLAT. OTHER "USED" LISTED ABOVE ARE COMMON AREA.

KEY MAP (NTS)

[illegible][illegible]

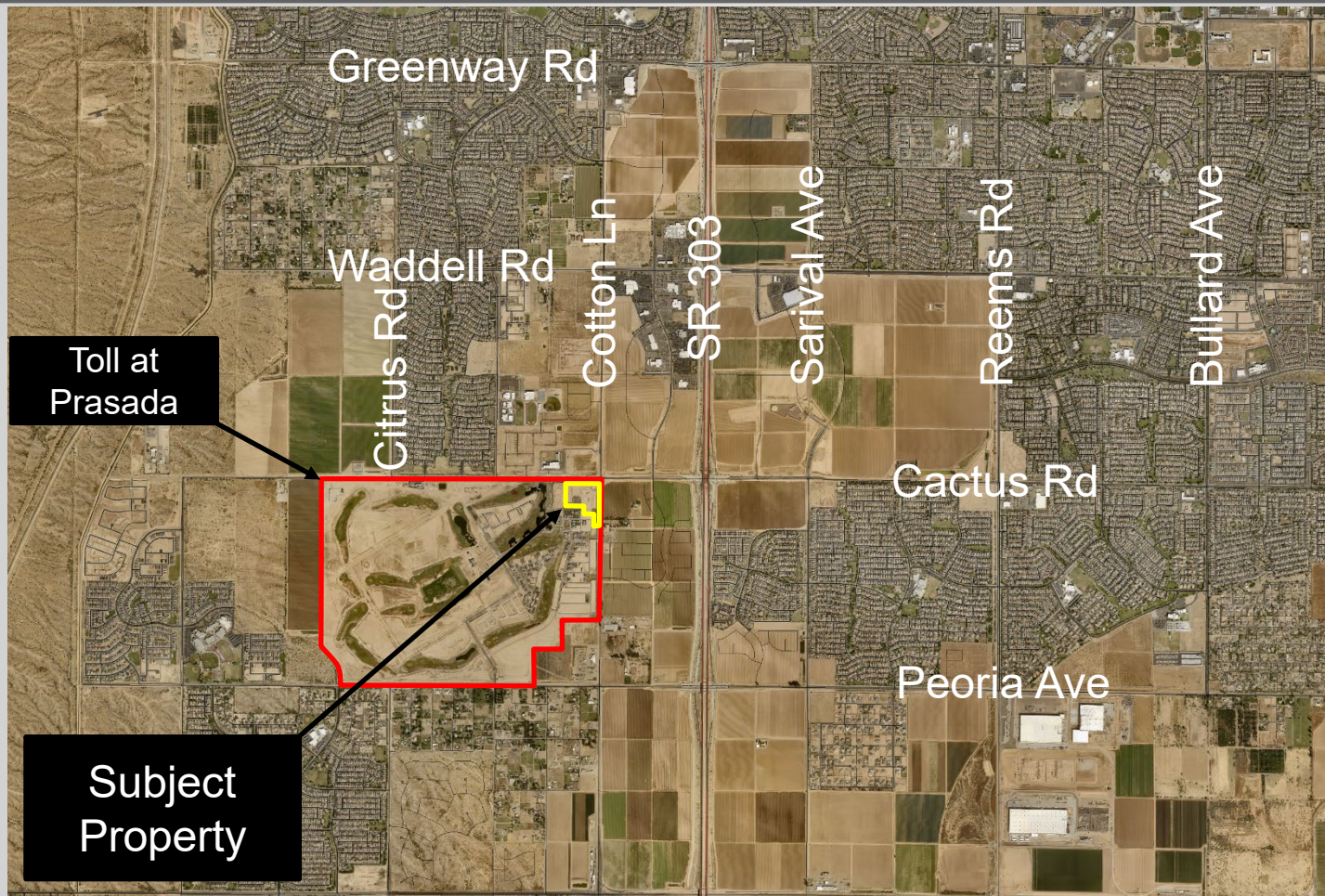




S U R P R I S E
A R I Z O N A

City Council
February 15, 2022

Toll at Prasada
Unit A Re-Plat
FS21-831



FS21-831 Vicinity Map



Sterling Grove Master Plan



W. CACTUS ROAD
VACANT LOT 10
EAST

TRACT A

TRACT B

TRACT C

TRACT D

TRACT E

TRACT F

TRACT G

TRACT H

TRACT I

TRACT J

TRACT K

TRACT L

TRACT M

TRACT N

TRACT O

TRACT P

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TRACT R

TRACT S

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TRACT CI

TRACT CJ

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TRACT CL

TRACT CM

TRACT CN

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TRACT CP

TRACT CQ

TRACT CR

TRACT CS

TRACT CT

TRACT CU

TRACT CV

TRACT CW

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TRACT ID

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TRACT NB



Toll at Prasada, Phase I Unit A
Lots 332-340, 362-364, 390-395 & Tract A Re-plot
SURPOSE: AMZ/CHA

Drawn by: R4
 Drawn by: TJP
 37495
 ROBERT A.
 JOHNSON
 Job No.
 16-339
 FP03
 Sheet No.
 3
 of 4

FS21-831 Final Plat





SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: February 15, 2022
Submitting Department: Human Svcs and Comm
Vitality
Staff Recommendations:

Contact Person: Seth Dyson, DIRECTOR - HSCV
District: Internal

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

Consideration and action pertaining to an amendment to Fiscal Year 2022 budget by moving budget authority of \$38,000 from Contingency within the Grants Fund to project G51391 FY22 Tohono O'odham Nation to facilitate the grant funding agreement with the Tohono O'odham Nation; Resolution # 2022-09.

Motion:

I move to approve Resolution # 2022-09.

Background:

The Human Service and Community Vitality Department supported three non-profit applications for pass-through grant funding totaling \$38,000 from the Tohono O'odham Nation, project G51391. The project includes \$20,000 for the Volunteer Income Tax Assistance (VITA) Program with A New Leaf, LLC, \$10,000 in support of a Connectivity Initiative Community Engagement Workshop Series that is presented by the White Tank Mountains Conservancy, and \$8,000 for the Art: A Path to Healing program with WHAM Art Association.

Objective Analysis:

Acceptance of this item will allow HSCV to receive pass-through funding from the Tohono O'odham Nation in the amount of \$38,000. Funding will be passed to A New Leaf for \$20,000, White Tank Mountains Conservancy for \$10,000 and WHAM Art Association for \$8,000. All funds are received from The Tohono O'odham Nation and provided to the grantees up front. No reimbursements are needed.

Policy Compliant:

This action is compliant with City and Council policies.

Financial Impact:

HSCV will be receiving this one-time \$38,000 grant award up front and then pass through those funds to the three non-profits, not to exceed \$38,000. There is no city match requirement.

Budget Impact:

This action represents the moving of budget authority in the amount of \$38,000 from Contingency within the Grants Fund to Project G51391. This action represents a transfer of spending authority and does not increase or decrease the total adopted citywide expenditure budget.

FTE Impact:

N/A

ATTACHMENTS:

1. RES 2022-09 Tohono O'odham Nation Grant
 2. FINAL Grant-in-Aid Agreement SURPRISE 2021
-

RESOLUTION # 2022-09

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH TOHONO O'ODHAM NATION TO ACCEPT GRANT FUNDING AND AMENDING THE FISCAL YEAR 2022 BUDGET BY MOVING BUDGET AUTHORITY OF \$38,000 FROM CONTINGENCY WITHIN THE GRANTS FUND TO PROJECT G51391 FY22 TOHONO O'ODHAM.

WHEREAS, the Human Service and Community Vitality Department supported three non-profit applications for pass-through grant funding totaling \$38,000 from the Tohono O'odham Nation, project G51391;

WHEREAS, the project includes \$20,000 for the Volunteer Income Tax Assistance (VITA) Program with A New Leaf, LLC, \$10,000 in support of a Connectivity Initiative Community Engagement Workshop Series that is presented by the White Tank Mountains Conservancy, and \$8,000 for the Art: A Path to Healing program with WHAM Art Association

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 City of Surprise is authorized to enter into this agreement with the Tohono O'odham Nation to accept grant funding in the amount of \$38,000 for the Tohono O'odham pass through grants.

Section 2. 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 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 _____, 2022.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

EXHIBIT A

1. Appropriation - The allocation below represents the moving of budget authority in the amount of \$38,000 from Contingency within the Grants Fund to project G51391 to accept funding from the the Tohono O'odham Nation for pass through grants to three area non-profit agencies. 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	Human Svcs and Comm Vitality	#G51391 FY22 Tohono O'odham	E	-	38,000	38,000
Grants	Human Svcs and Comm Vitality	#G51391 FY22 Tohono O'odham	R	-	38,000	38,000
Grants/Contingency	General Operations	Contingency	E	1,867,400	(38,000)	1,829,400
Grants/Contingency	General Operations	Other	R	1,948,000	(38,000)	1,910,000
Expense Total				1,867,400	-	1,867,400
Revenue Total				1,948,000	-	1,948,000

**GRANT-IN-AID AGREEMENT
BETWEEN
THE TOHONO O’ODHAM NATION
AND
CITY OF SURPRISE**

THIS GRANT-IN-AID AGREEMENT (“Agreement”) is between the Tohono O’odham Nation, a federally recognized Indian tribe (the “Nation”), and the City of Surprise, a political subdivision of the State of Arizona (“City”).

RECITALS

The Nation desires to convey to City a portion of its annual 12% local revenue-sharing contribution (“Contribution”) to be used by City and non-City recipients for services that benefit the general public.

The Constitution of the Tohono O’odham Nation, Article VI, Section 1(f) provides that the Tohono O’odham Legislative Council is authorized to negotiate and conclude agreements on behalf of the Nation with Federal, State, and local governments.

The Constitution of the Tohono O’odham Nation Article VII, Section 2(f) provides that the Chairman of the Nation is the official representative of the Nation; and as such, upon passage of a Resolution by the Legislative Council approving of any agreement with Federal, State, and local governments, the Chairman is authorized to sign such agreements on behalf of the Nation.

Under A.R.S. § 5-601.02(H)(4), City may receive monies from the Nation for services identified by the Nation that benefit the general public, including public safety, mitigation of gaming impacts, and promotion of commerce and economic development.

City is authorized by A.R.S. § 11-951 through § 11-954 to enter into agreements for joint or cooperative actions with public agencies.

Now, therefore, in consideration of the mutual promises contained herein, the parties hereby agree as follows:

AGREEMENT

- 1. Purpose.** The purpose of this Agreement is to set forth the rights and responsibilities of the parties with respect to the payment and distribution of the Contribution, as hereinafter defined.
- 2. Contribution.** On execution of this Agreement, the Nation will issue payment to the City in the amount described in Schedule A (the “Contribution”) for the purpose(s) detailed in Schedule A. City will distribute funds directly to the City recipients (“City Recipients”) and non-City recipients (“Non-City Recipients”) listed in Schedule A.

3. Disbursement of Contribution.

- a. Disbursing Contribution and Recordkeeping.** City is responsible for disbursing the Contribution consistent with this Agreement. Within a reasonable time following receipt of the Contribution from the Nation, City shall distribute the Contribution per City policies and procedures governing the disbursement of these funds. City shall keep and maintain records relating to the disbursements and this Agreement.
- b. Post-Disbursement Responsibilities.** When applicable, the parties agree that City will be acting as a conduit for distribution of the Contribution to the Non-City Recipients. Upon distribution of the Contribution to the Non-City Recipients as identified in Section 2 of this Agreement, the City shall have no further responsibility to the Nation with respect to such funds or the use thereof by the Non-City Recipients. Therefore, upon the City's disbursement of the Contribution to a Non-City Recipient as provided in Section 2, the Nation shall release the City from any and all claims, demands, debts, liabilities, or obligations that may arise in the event that a Non-City Recipient fails to expend the Contribution in accord with Section 2. The Nation further agrees that the City shall have no obligation to reimburse the Nation the amount of the Contribution after the City disburses the Contribution to a Non-City Recipient and that the Nation shall look solely to the Non-City Recipient for repayment of the Contribution if the Contribution is not used for the intended purposes.

4. Term and Termination.

- a. Effective Date.** This Agreement shall become effective when all parties have signed. The date this Agreement is signed by the last party, as indicated by the date associated with the party's signature, shall be deemed the Effective Date.
- b. Term.** This Agreement shall commence upon the Effective Date and will continue for twelve (12) months unless terminated earlier ("End Date"). The Nation, in its discretion, may approve in writing any request by the City for a no-cost extension, including amending the End Date and adjusting any affected reporting requirements.
- c. Termination by Nation.** The Nation may terminate this Agreement with or without cause at any time by providing City fifteen (15) days advance notice in writing. If the Nation terminates this Agreement after City receives the Contribution but before City disbursed the Contribution in accord with Section 2, the Nation shall include in the notice of termination specific instructions regarding disposition of the Contribution.
- d. Termination by City.** All parties acknowledge that this Agreement may be subject to cancellation by City per A.R.S. § 38-511.

- 5. Money Unclaimed.** If City fails to accept the Contribution on or before March 31, 2022, this Agreement will be deemed to have been terminated by City and the Nation will award the Agreement Contribution to another local government entity.

6. **Monitoring, Review, and Audit.** The Nation may monitor and review the City Recipients' use of their portions of the Contribution as well as the City Recipients' performance of the projects funded thereunder, and their compliance with this Agreement, which may include onsite visits to assess the City Recipients' governance, management and operations, to discuss the City Recipients' programming and finances, and review relevant financial and other records and materials related to the City Recipients' use of their portion of the Contribution. In addition, the Nation may conduct audits, including onsite audits, at any time during the term of this Agreement, and within three years after the Contribution has been fully spent by the City Recipients. Any onsite visit or audit shall be conducted at the Nation's expense, following prior written notice, during normal business hours, and no more than once during any twelve (12) month period.
7. **Dispute Resolution.** The parties mutually agree that any disputes arising pursuant to this Agreement shall be resolved through informal dispute resolution. For all disputes arising under this Agreement the Nation and City shall first attempt to negotiate a resolution. All disputes that cannot be resolved through informal dispute resolution shall be resolved in the Courts of the Nation, subject to the laws of the Nation.
8. **Reports:** If applicable, City will submit a final report to the Nation within 30 days of the End Date of this Agreement explaining how and when the funds provided under this Agreement to the City Recipients were used. This report may be in the form of an affidavit signed by an officer of City and may be accompanied by supporting documentation. The report must address: (i) changes in the scope of the project or purchase funded under this Agreement, (ii) the total expenses under the project or purchase funded by the Agreement, (iii) a brief description of who has benefited from this Agreement, and (iv) City's next steps with regard to the project or purchase made under this Agreement. City is not required to provide reports about the Non-City Recipients.
9. **Notices.** Any notice, consent or other communication required or permitted under this Agreement shall be in writing and shall be deemed received at the time it is personally delivered, on the day it is sent by facsimile transmission, on the second day after its deposit with any commercial air courier or express service or if mailed, three (3) days after the notice is deposited in the United States mail addressed as follows:

If to the Nation:

Ned Norris, Jr., Chairman
Tohono O'odham Nation
P.O. Box 837
Sells, Arizona 85634
Phone: (520) 383-2028
Fax: (520) 383-3379

and

Executive Counsel
Tohono O'odham Nation
P.O. Box 837
Sells, Arizona 85634
Phone: (520) 383-2028
Fax: 520-383-3379

If to the City:

Seth Dyson, HSCV Director
16000 N. Civic Center Plaza
Surprise, AZ 85374
Phone: 623-222-1620
Email: seth.dyson@surpriseaz.gov

Deb Perry, Financial Analyst, Sr.
16000 N. Civic Center Plaza
Surprise, AZ 85374
Phone: 623-222-1623
Email: deborah@surpriseaz.gov

Any time period stated in a notice shall be computed from the time the notice is deemed received. Either party may change its mailing address or the person to receive notice by notifying the other party as provided in this paragraph.

- 10. Entire Agreement, and Amendments.** This Agreement constitutes the entire understanding and agreement of the parties. This Agreement integrates all of the terms and conditions mentioned herein or incident hereto, and supersedes all negotiations or previous agreements between the parties with respect to all or any part of the subject matter hereof.
- 11. Relationship.** The relationship of the parties to this Agreement is determined solely by the provisions of this Agreement. The parties do not intend to create any agency, partnership, joint venture, trust, fiduciary or other relationship which would impose liability upon one party for the act or failure to act of the other party.
- 12. No Waiver.** Except as otherwise expressly provided in this Agreement, any failure or delay by any party in asserting any of its rights or remedies as to any default, shall not operate as a waiver of any default, or of any such rights or remedies, or deprive any such party of its right to institute and maintain any actions or proceedings which it may deem necessary to protect, assert or enforce any such rights or remedies.
- 13. Severability.** If any provision of this Agreement shall be found invalid or unenforceable, the remaining provisions of this Agreement shall not be affected thereby and shall be valid and enforceable to the fullest extent permitted by law.

14. Counterparts and Electronic Signatures. This Agreement is executed in duplicate originals. Except as may be prohibited by applicable law or regulation, this Agreement and any amendment may be signed in counterparts, by facsimile, PDF, or other electronic means, each of which will be deemed an original and all of which when taken together will constitute one agreement. Facsimile and electronic signatures will be binding for all purposes.

15. Sovereign Immunity. Nothing in this Agreement shall be deemed a waiver of either party's sovereign immunity in any forum or jurisdiction.

This Agreement is signed on behalf of the parties:

TOHONO O'ODHAM NATION

Ned Norris, Jr., Chairman

Date

CITY OF SURPRISE

Bob Wingenroth, City Manager

Date

ATTEST:

Sherry Aguilar, City Clerk

Date

APPROVED AS TO FORM:

Robert Wingo, City Attorney

Date

Schedule A

Program	Project	Contribution
1. A New Leaf	West Valley Volunteer Income Tax Assistance Program	\$20,000.00
2. WHAM Art Association	Art: A Path to Healing	\$8,000.00
3. White Tank Mountains Conservancy	Connectivity Initiative Community Engagement Workshop Series	\$10,000.00
	Total	\$38,000.00



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: February 15, 2022 Contact Person: Sergio Angulo
Submitting Department: Community Development District: District 5
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, "Ridgehouse at Surprise Center" and dated received November 8, 2021, a property located on the northeast corner of Greenway Road and Bullard Avenue; Case FS21-498.

Motion:

I move to approve the Final Plat entitled, "Ridgehouse at Surprise Center" and date received November 8, 2021.

Background:

Beck Consulting Engineers, on behalf of Surprise Center Development Company, LLC, seeks approval of a Final Plat to re-plat Lot 7 of the Final Plat for Rangers Housing at Surprise Center into three (3) new lots.

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 Surprise Center 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 - FS21-498 Ridgehouse at Surprise Center - Final Plat - Staff Report
 2. 01 - FS21-498 Ridgehouse at Surprise Center - Final Plat - Vicinity Map
 3. 02 - FS21-498 Ridgehouse at Surprise Center - Final Plat - Zoning Map
 4. 03 - FS21-498 Ridgehouse at Surprise Center - Final Plat
 5. 04 - FS21-498 Ridgehouse at Surprise Center - Final Plat - Luke AFB Comments
 6. FS21-498 Ridgehouse at Surprise Center - Final Plat - PowerPoint
-

Case: FS21-498

Project Name: Ridgehouse at Surprise Center

Council District: 5 - Palm

City Council Date: February 15, 2022

Planner: Sergio Angulo, Planner II

Owner: Surprise Center Development Company, LLC

Applicant: Mark Beck of Beck Consulting Engineers

Request: Final Plat to re-plat Lot 7 of the Final Plat for Rangers Housing at Surprise Center into three (3) new lots.

Site Location: Northeast corner of Greenway Road and Bullard Avenue

Site Size: 33.29 acres (approx.)

Density: N/A

Findings:

- The proposed Final Plat is consistent with the Surprise General Plan 2035.
- The proposed Final Plat is consistent with the Surprise Center PAD.
- The proposed Final Plat is consistent with the Surprise Land Development Ordinance (LDO).

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.

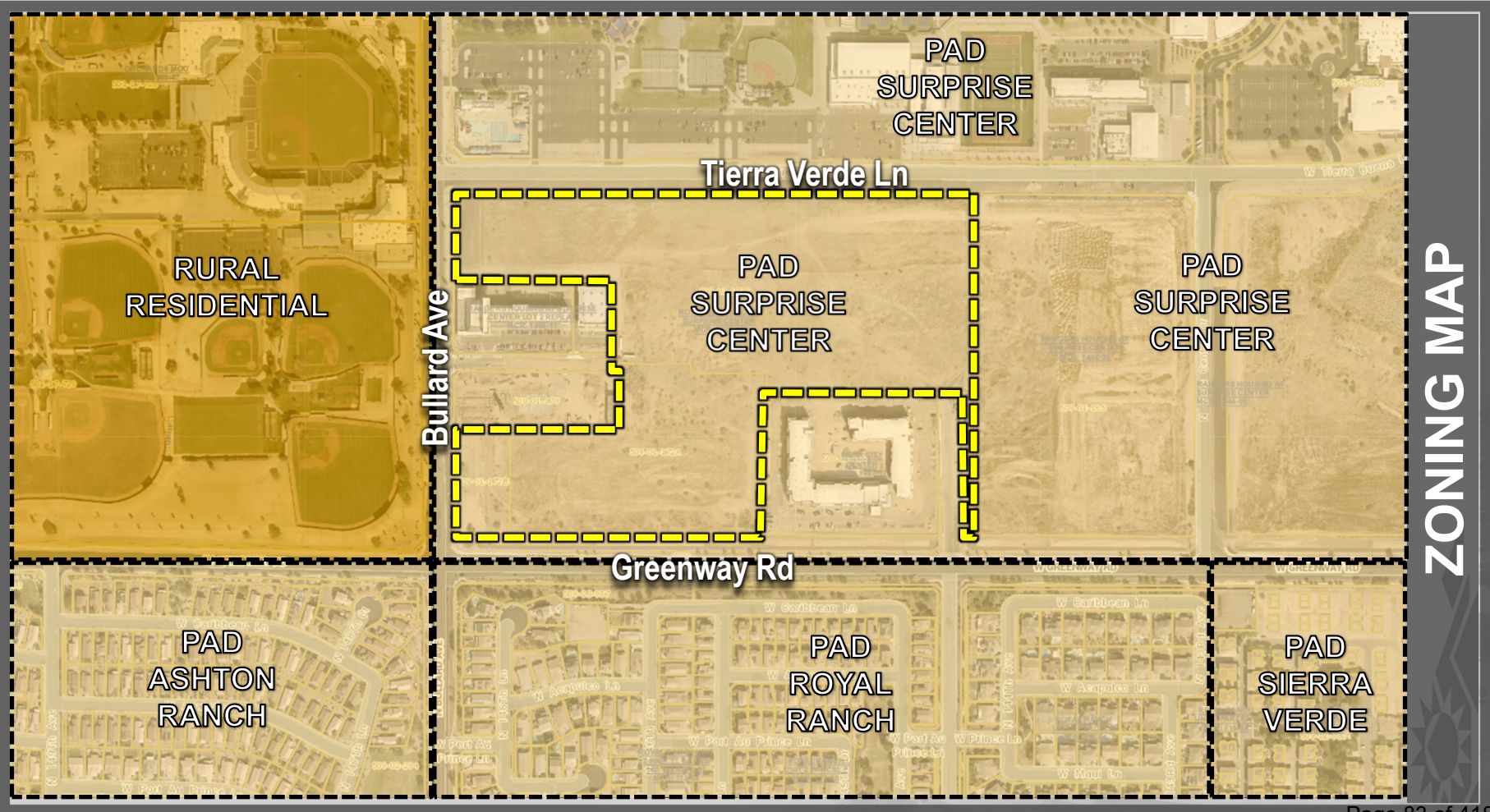
Additional Information:

Beck Consulting Engineers, on behalf of Surprise Center Development Company, LLC, seeks approval of a Final Plat to re-plat Lot 7 of the Final Plat for Rangers Housing at Surprise Center into three (3) new lots. The subject property is approximately 33.29 acres and it is located on the northeast corner of Greenway Road and Bullard Avenue in the Surprise Center Planned Area Development (PAD).

This Final Plat subdivides Lot 7 of the Final Plat for Rangers Housing at Surprise Center into three (3) new lots; Lots 9, 10, and 11. Lot 9 has a proposed size of 1.48 acres, Lot 10 9.23 acres, and Lot 11 21.87 acres. The applicant proposes a new 240 unit multi-family development in Lot 10. Lots 9 and 11 will remain vacant and be developed at a future date. This final plat will dedicate right-of-way for a portion of Saguaro Lane along the north side of Lot 10. The Site Plan application for the proposed multi-family project was reviewed in conjunction with this Final Plat application and was approved by the Community Development Director and the City Engineer on January 11, 2022.

Attachments:

- 01 Vicinity Map
- 02 Zoning Map
- 03 Final Plat
- 04 Luke AFB Comments



ZONING MAP

DEDICATIONS

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

KNOW ALL PERSONS BY THESE PRESENTS: THAT SURPRISE CENTER DEVELOPMENT COMPANY, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AND LR GREENWAY INVESTORS, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY, AS OWNERS, HAVE SUBDIVIDED UNDER THE NAME OF A "RIDGEHOUSE AT SURPRISE CENTER", SAID PLAT BEING A PART OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY ARIZONA, AS SHOWN AND PLATTED HEREON, AND DOES HEREBY PUBLISH THIS PLAT 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 PLAT.

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

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

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

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 PLAT FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING PUBLIC UTILITIES.

OWNER HEREBY GRANT TO THE CITY OF SURPRISE A 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.

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.

GRANTOR HEREBY GRANTS AND CONVEYS TO THE CITY OF SURPRISE A PERPETUAL, EXCLUSIVE EASEMENT OVER THE EASEMENT AREAS FOR INSTALLATION AND MAINTENANCE OF WATER METERS.

THE EASEMENTS GRANTED WITHIN THIS DEDICATION ARE PERMANENT AND PERPETUAL AND 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.

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.

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

DATED THIS _____ DAY OF _____, 2021.

BY: SURPRISE CENTER DEVELOPMENT COMPANY, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY
ITS: SOLE MEMBER AND MANAGER
ITS: AIRFIELD CAPITAL PARTNERS, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY
ITS: MANAGING MEMBER
BY: AIRFIELD MANAGEMENT ASSOCIATES, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY
ITS: MANAGING MEMBER
BY: TRW PARTNERS LLC., AN ARIZONA LIMITED LIABILITY COMPANY
ITS: MEMBER
BY: WEST MANAGEMENT LIMITED PARTNERSHIP, AN ARIZONA LIMITED PARTNERSHIP
ITS: MANAGING MEMBER
BY: RICHARD WEST CO., AN ARIZONA CORPORATION
ITS: GENERAL MANAGER

BY: _____
RICHARD B. WEST, III,
ITS: _____

BY: LR GREENWAY INVESTORS, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY
ITS: MANAGER
BY: _____
MICHAEL J. SANSONE
ITS: _____
MANAGER

ACKNOWLEDGEMENT

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

THIS DOCUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2022, SURPRISE CENTER DEVELOPMENT COMPANY, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, IN WITNESS WHEREOF, I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

ACKNOWLEDGEMENT

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

THIS DOCUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2022, LR GREENWAY INVESTORS, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY, IN WITNESS WHEREOF, I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

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.

FINAL PLAT
FOR
"RIDGEHOUSE AT SURPRISE CENTER"

A REPLAT OF LOT 7 OF "RANGERS HOUSING AT SURPRISE CENTER" AS RECORDED IN BOOK 1516, PAGE 17, M.C.R.
A PART OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 1 WEST,
OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

RELEASE OF LIABILITY

SURPRISE CENTER DEVELOPMENT COMPANY, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AND LR GREENWAY INVESTORS, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY, AS OWNERS, DOES HEREBY (1) RELEASE AND DISCHARGE THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIRFORCE, 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 AIRCRAFT OVERFLIGHTS OF THE PROPERTY 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. THIS RELEASE SHALL RUN WITH THE LAND AND BE BINDING UPON GRANTOR AND ITS HEIRS, ASSIGNS, AND SUCCESSORS IN INTEREST TO THIS PLAT OR ANY PARCEL OR LOT THEREOF. THIS INSTRUMENT DOES NOT RELEASE THE UNITED STATES DEPARTMENT OF THE AIR FORCE 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 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.

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 AND PROPERTY THAT MAY ARISE IN CONNECTION WITH THE USE OF SIDEWALKS LOCATED WITHIN THE RIGHT--OF--WAY.

BY: SURPRISE CENTER DEVELOPMENT COMPANY, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY
ITS: SOLE MEMBER AND MANAGER
ITS: AIRFIELD CAPITAL PARTNERS, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY
ITS: MANAGING MEMBER
BY: AIRFIELD MANAGEMENT ASSOCIATES, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY
ITS: MANAGING MEMBER
BY: TRW PARTNERS LLC., AN ARIZONA LIMITED LIABILITY COMPANY
ITS: MEMBER
BY: WEST MANAGEMENT LIMITED PARTNERSHIP, AN ARIZONA LIMITED PARTNERSHIP
ITS: MANAGING MEMBER
BY: RICHARD WEST CO., AN ARIZONA CORPORATION
ITS: GENERAL MANAGER

BY: _____
RICHARD B. WEST, III,
ITS: _____

BY: LR GREENWAY INVESTORS, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY
ITS: MANAGER
BY: _____
MICHAEL J. SANSONE
ITS: _____
MANAGER

ACKNOWLEDGEMENT

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

THIS DOCUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2022, SURPRISE CENTER DEVELOPMENT COMPANY, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, IN WITNESS WHEREOF, I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

ACKNOWLEDGEMENT

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

THIS DOCUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2022, LR GREENWAY INVESTORS, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY, IN WITNESS WHEREOF, I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

LAND SURVEYOR'S CERTIFICATION:

THE IS TO CERTIFY THAT THE SURVEY AND PLAT OF THE PREMISES DESCRIBED HEREON WERE MADE UNDER MY DIRECTION AND THIS PLAT IS CORRECT AND ACCURATE AND THE FOUND MONUMENTS SHOWN HEREON HAVE BEEN LOCATED AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

BY: _____
BRETT NOWACKI
REGISTERED LAND SURVEYOR # 41896

RECORDER

SURVEYOR

INFINITY ENGINEERING SERVICES, LTD.
11402 NORTH CAVE CREEK ROAD
PHOENIX, AZ 88020
CONTACT: BRETT NOWACKI, R.L.S.
PH: (602) 670--8635

OWNER

SURPRISE CENTER DEVELOPMENT COMPANY, L.L.C.
11811 N. TATUM BLVD., STE. 4052
PHOENIX, AZ 85028
CONTACT: SCOTT PHILLIPS
PH: (602) 953--8708

AVIGATION EASEMENT

SURPRISE CENTER DEVELOPMENT COMPANY, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, LR GREENWAY INVESTORS, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY ("OWNERS") DO HEREBY GRANT, BARGAIN, AND CONVEY UNTO THE UNITED STATES AIR FORCE ("USAF"), ITS SUCCESSORS AND ASSIGNS, A NON--EXCLUSIVE, PERPETUAL, AND PERMANENT AVIGATION EASEMENT OVER AND ACROSS THE PLAT OR SUBJECT PARCEL, AS APPLICABLE, WHICH EASEMENT WILL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT TO FLY AIRCRAFT OVER THE PLAT OR SUBJECT PARCEL, AS APPLICABLE, 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 LUKE AIR FORCE BASE AND ITS AUXILIARY FIELDS. OWNERS WILL NOT ALLOW ANYTHING OCCURRING ON THE PLAT OR THE SUBJECT PARCEL, AS APPLICABLE, TO IMPEDE THE USAF'S USE OF THIS AVIGATION EASEMENT.

THE EASEMENTS GRANTED WITHIN THIS DEDICATION ARE PERMANENT AND PERPETUAL AND 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.

BY: SURPRISE CENTER DEVELOPMENT COMPANY, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY
ITS: SOLE MEMBER AND MANAGER
ITS: AIRFIELD CAPITAL PARTNERS, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY
ITS: MANAGING MEMBER
BY: AIRFIELD MANAGEMENT ASSOCIATES, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY
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BY: _____
RICHARD B. WEST, III,
ITS: _____

BY: LR GREENWAY INVESTORS, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY
ITS: MANAGER
BY: _____
MICHAEL J. SANSONE
ITS: _____
MANAGER

ACKNOWLEDGEMENT

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

THIS DOCUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2022, SURPRISE CENTER DEVELOPMENT COMPANY, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, IN WITNESS WHEREOF, I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

ACKNOWLEDGEMENT

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

THIS DOCUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2022, LR GREENWAY INVESTORS, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY, IN WITNESS WHEREOF, I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

CITY OF SURPRISE ENGINEER APPROVAL

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

CITY OF SURPRISE COUNCIL APPROVAL

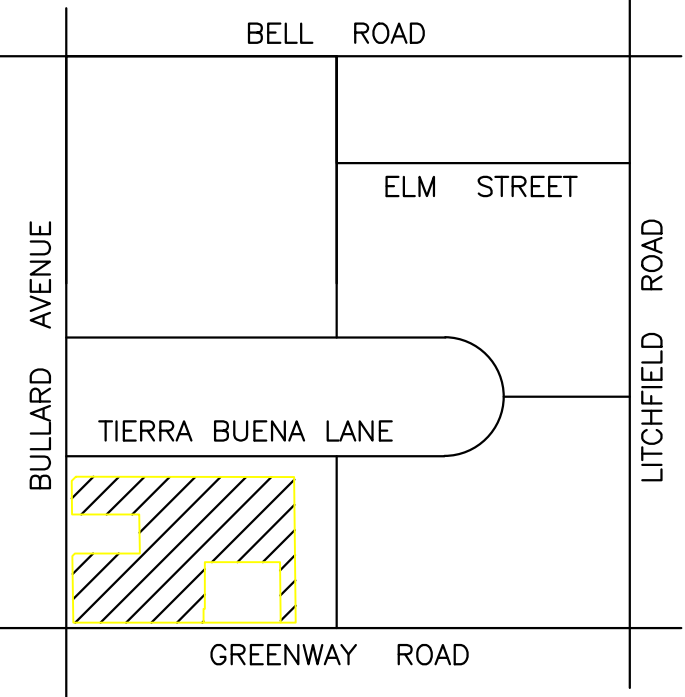
APPROVED BY THE CITY COUNCIL OF THE CITY OF SURPRISE, ARIZONA. THIS _____ DAY OF _____, 2021,
ATTEST:

MAYOR

CITY CLERK

DATE

DATE



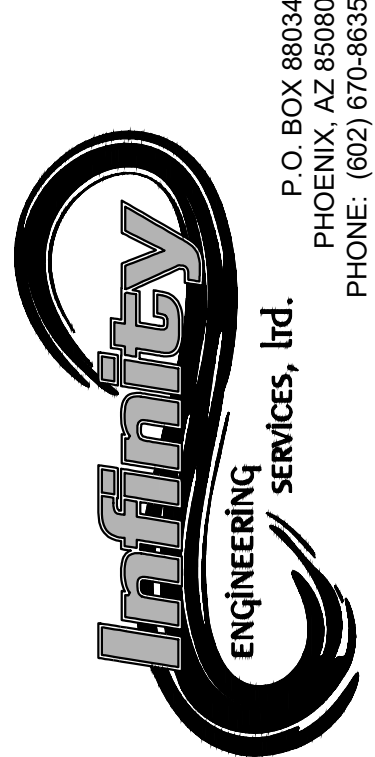
VICINITY MAP
SCALE: N.T.S. SEC. 4 T.3N, R.1W.



OWNERS
SURPRISE CENTER DEVELOPMENT, LLC
PREPARED FOR
BECK CONSULTING ENGINEERS 2942 N. 24TH STREET #114 PHOENIX, AZ 85016 (602) 943--6200
PROPERTY INFO
A PART OF THE SW 1/4 OF SECTION 4, T--3N, R--1W, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA

FINAL PLAT
"RIDGEHOUSE AT SURPRISE CENTER"
COVER SHEET
A PART OF THE SOUTHWEST 1/4 OF SECTION 4, T-3N, R-1W
MARICOPA COUNTY, ARIZONA

DRAWN BY:	BLN
CHECKED BY:	AJW
DATE:	12/05/19
SCALE:	AS SHOWN
PROJECT #:	16042
LAST MODIFIED:	12/05/19
LAST MODIFIED BY:	BLN



41896
BRETT L.
NOWACKI
01/24/22
Signed
Professional Engineer
State of New York

Brett Nowacki

SHEET	OF
1	2

PL1

GENERAL NOTES

1. FIRE SPRINKLERS ARE REQUIRED IN ALL ONE AND TWO FAMILY DWELLINGS BUILT IN AREAS WHICH DO NOT HAVE AN ADEQUATE WATER SUPPLY.
2. NO ON-SITE GRADING OR EXCAVATION SHALL OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
3. THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF THE CITY OF SURPRISE WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT A.R.S. § 45-576.
4. THE ROADS DESIGNATED AS "PRIVATE" AND ANY APPURTENANCES INCLUDING BUT NOT LIMITED TO ROAD SIGNS, STRIPING, CURB AND GUTTER, AND SIDEWALKS ARE PRIVATE; SUCH ROADS AND APPURTENANCES ARE OWNED, MAINTAINED AND REPAIRED BY OWNER OR THE HOMEOWNER'S ASSOCIATION FORMED BY OWNER. THE CITY OF SURPRISE SHALL NOT MAINTAIN OR REPAIR ANY ROAD DESIGNATED AS "PRIVATE".
5. IN ACCORDANCE WITH ARS § 9-461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
6. PURSUANT TO A.R.S. § 42-11102, THE CITY OF SURPRISE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA, IS EXEMPT FROM ALL TAXES AND ASSESSMENTS BASED ON ASSESSED VALUE EXCEPT FOR SPECIAL DISTRICTS #14751 AND 14710, WHEN APPLICABLE.
7. 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.
8. 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.
9. 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.

FLOOD ZONE

THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "X," BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04013C1220I AND 04013C1240L, WITH EFFECTIVE DATES OF OCTOBER 16, 2013, FOR COMMUNITY NO. 040053, IN MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.

BASIS OF BEARING

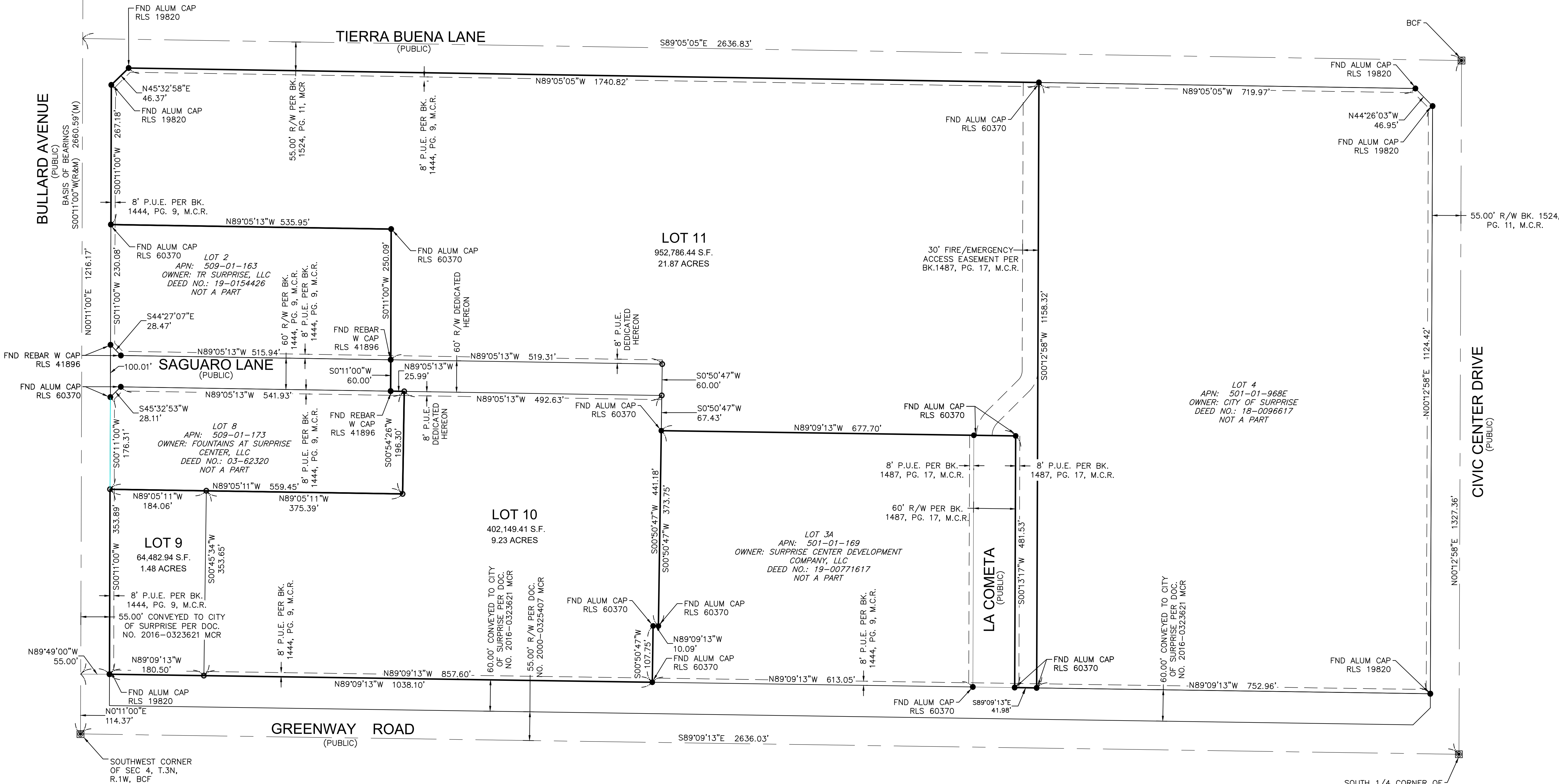
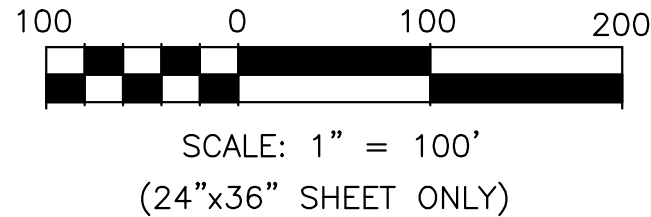
SOUTH 00 DEGREES 11 MINUTES 00 SECONDS WEST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN ON INSTRUMENT NO.: 2000-0325404, RECORDS OF MARICOPA COUNTY, AZ.

LOT AREA SUMMARY TABLE

LOT 9:	64,482.94 S.F. OR 1.48 ACRES
LOT 10:	402,149.41 S.F. OR 9.23 ACRES
LOT 11:	952,786.44 S.F. OR 21.87 ACRES
SAGUARO R/W:	31,137.70 S.F, OR 0.71 ACRES
TOTAL:	1,450,556.49 S.F. OR 33.29 ACRES

LEGEND

APN	ASSESSORS PARCEL NUMBER
FND	FOUND
(C)	CALCULATED
(R)	RECORDED
(M)	MEASURED
R/W	RIGHT OF WAY
R.L.S.	REGISTERED LAND SURVEYOR
M.C.R.	MARICOPA COUNTY RECORDER
P.U.E.	PUBLIC UTILITY EASEMENT
BK. PG.	BOOK AND PAGE
	FND SURVEY MONUMENT
	FND ALUM CAP
	SET REBAR W/CAP RLS41896
	SUBDIVISION PROPERTY LINE
	LOT LINE
	EASEMENT LINE
	EXISTING PROPERTY LINE
	CENTER LINE



OWNER

SURPRISE CENTER DEVELOPMENT, LLC

PREPARED FOR

BECK CONSULTING ENGINEERS
2942 N. 24TH STREET #114
PHOENIX, AZ 85016
(602) 943-6200

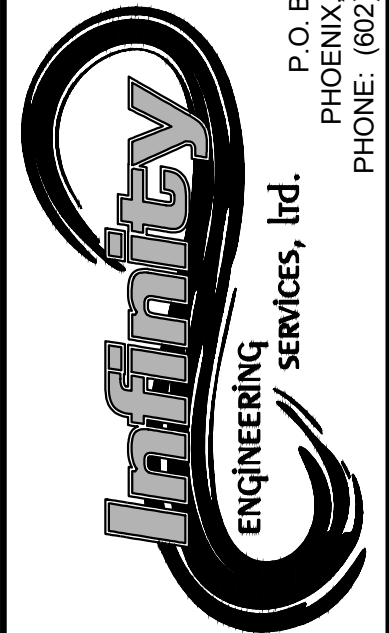
PROPERTY INFO

A PART OF THE SW 1/4 OF SECTION 4, T-3N, R1W, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA

FINAL PLAT
"RIDGEHOUSE AT SURPRISE CENTER"

A PART OF THE SOUTHWEST 1/4 OF SECTION 4, T-3N, R-1W
MARICOPA COUNTY, ARIZONA

DRAWN BY:	BLN
CHECKED BY:	AJW
DATE:	12/05/19
SCALE:	AS SHOWN
PROJECT #:	777000
LAST MODIFIED:	12/05/19
LAST MODIFIED BY:	BLN



P.O. BOX 88034
PHOENIX, AZ 85080
PHONE: (602) 676-8635





SHEET 2 OF 2

PL2



**DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND**

15 July 2021

Mr. Christopher P. Toale
Director, Community Initiatives Team
56th Fighter Wing
14185 West Falcon St.
Luke AFB AZ 85309-1629

Ms. Lorraine Nevarez
City of Surprise Planning Department
16000 North Civic Center Plaza
Surprise AZ 85374

Re: FS21-498; Ridgehouse at Surprise Center (a portion of APN: 509-01-172)

Dear Ms. Nevarez

Thank you for the opportunity to provide comments on the Ridgehouse at Surprise Center application. The site is located on 9.2 gross acres at the northeast corner of Greenway and Bullard Ave in Surprise, AZ. The request is to build a 240 unit multi-family development with an overall density of 26 du/ac. This project is part of the larger 640 acres known as Surprise Center PAD (attached), finalized 25 January 2001, prior to effectiveness of A.R.S. § 28-8481. The development is located approximately 0.7 miles outside the Luke AFB 1988 JLUS 65 Ldn "high noise or accident potential zone" as identified by A.R.S. § 28-8461 and is within the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461.

Luke AFB follows the guidelines of the Graduated Density Concept (GDC). The GDC proposes, in the absence of a more restrictive state, county or municipal general or comprehensive plan, and a maximum of 2 du/acre from the 65 Ldn to 1/2 mile, a maximum of 4 du/acre from 1/2 mile to 1 mile and a maximum of 6 du/acre from 1 to 3 miles. The above density of 26 du/ac falls outside these guidelines. While less density would be beneficial to Luke AFB flight operations and overall community safety, Luke AFB recognizes the 25 January 2001 grandfather designation of the Surprise Center PAD.

Since the property is located within the "territory in the vicinity of a military airport," it will be subjected to approximately 13,000 flight operations per year as low as 1,500 feet above the ground. We recommend you review the sound attenuation requirements found in A.R.S. § 28-8482. In addition, a strong notification program on the part of the applicant is essential to inform potential residents about Luke AFB operations.

If you have any questions, please contact my Community Planner, Mr. Mark James at (623) 856-6175.

Sincerely

TOALE.CHRISTOPHER.P.10396
HER.P.1039696165

Digitally signed by
TOALE CHRISTOPHER P. 10396
96165
Date: 2021.07.15 16:43:10 -0700

CHRISTOPHER P. TOALE

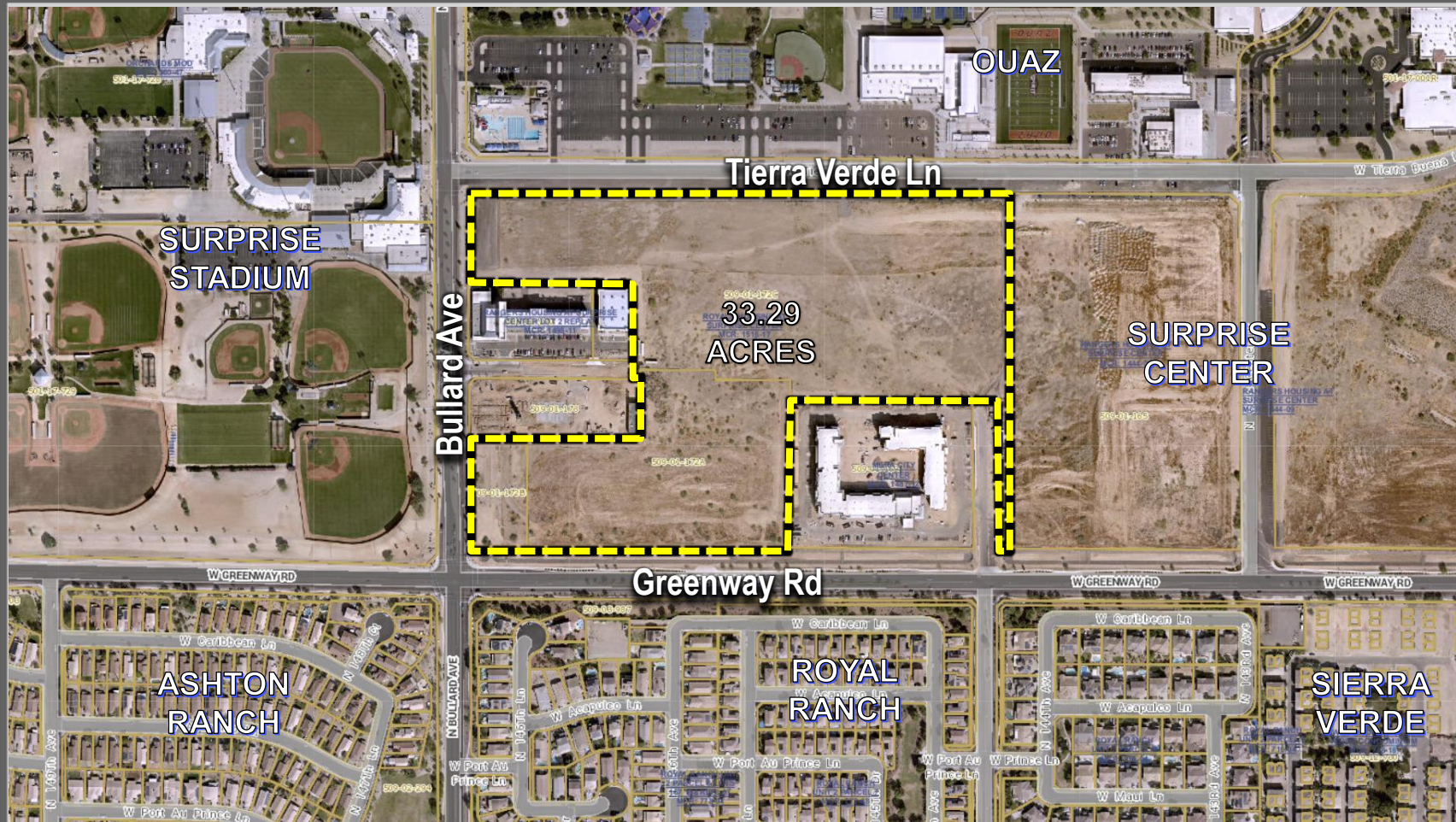
Attachment:
Surprise Center PAD, dated 25 January 2001

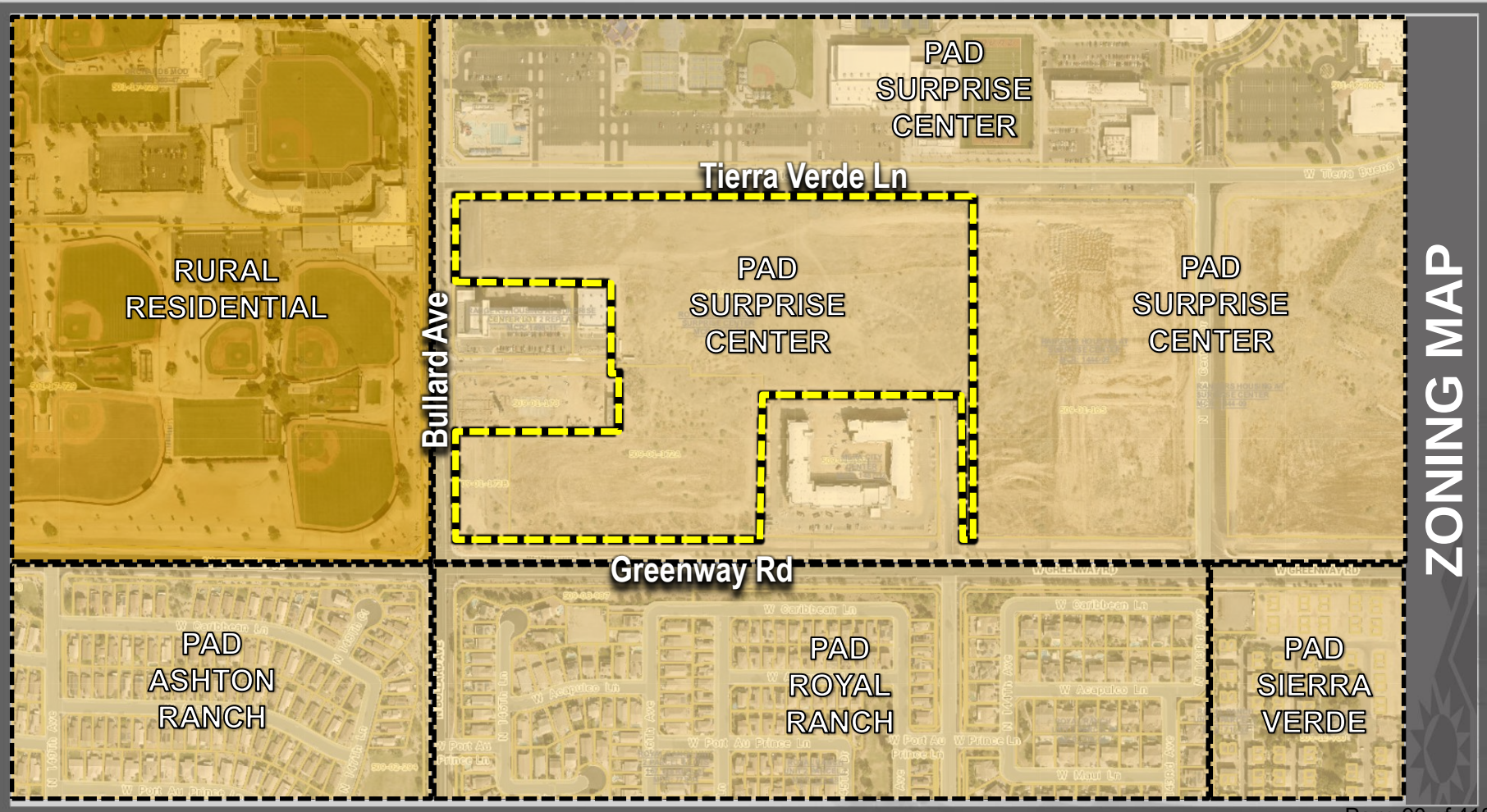
cc:
Colonel Luke B. Casper, Vice Commander, 56th Fighter Wing
Ms. Cindy Allen, GS-13, General and Environmental Law Attorney, 56th Fighter Wing



FS21-498
Ridgehouse at Surprise
Final Plat

City Council
February 15, 2022





ZONING MAP

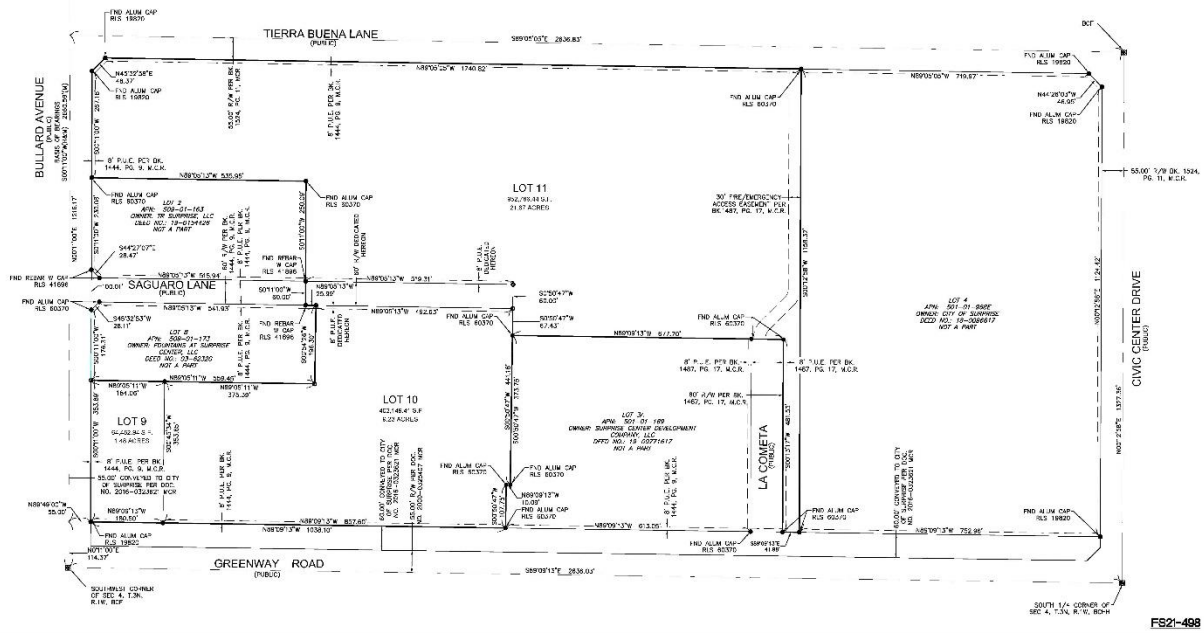
[illegible]

THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "X" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. ON FLOOD INSURANCE RATE MAP NO. 0412-31222B AND 041013C1241L, WITH EFFECTIVE DATES OF OCTOBER 18, 2013, FOR COMMUNITY NO. 040053, IN MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.

SOUTH 30 DEGREES 11 MINUTES 00 SECONDS WEST ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASIN AND MESA, MARICOPA COUNTY, ARIZONA, AS SHOWN ON INSTRUMENT NO. 2000-0325404, RECORDS OF MARICOPA COUNTY, AZ.

LOT 9:	64,482.94 S.F. OR 1.48 ACRES
LOT 10:	402,149.4' S.F. OR 9.23 ACRES
LOT 11:	952,768.44 S.F. OR 21.87 ACRES
SQUARE R/W	31,137.70 S.F. OR 0.71 ACRES
TOTAL:	1,450,558.18 S.F. OR 33.29 ACRES

APN	ADJUSTER'S PARCEL NUMBER
FNO	FOUNDED
(C)	CALCULATED
(R)	RECORDED
(M)	MEASURED
R/W	RIGHT OF WAY
R.L.S.	REGISTERED LAND SURVEYOR
M.C.D.	MARICOPA COUNTY RECORDER
P.L.E.	PUBLIC UTILITY EASEMENT
BK. PG.	BOOK AND PAGE
	☐ 1 INO SURVEY INSTRUMENT ☐ FNO ALLOW CAP ☐ SFT REPAIR W/CAP RE-SUBS SUBDIVISION PROPERTY LINE LOT LINE PARCEMENT / INF EXISTING PROPERTY LINE CENTER LINE



OWNER	
SUNCOAST COMMERCIAL INC.	
7500 CHESAPEAKE BLVD. #100 FORT LAUDERDALE, FL 33304	
PROPERTY INFO	
A PART OF THE SW 1/4 OF SEC. 33, T. 34 N., R. 16 W. SECTION - 33, T. 34 N., R. 16 W. LOT OF 30 ACRES MARICOPA COUNTY, ARIZONA	
FINAL PLAT "RIDGEHOUSE AT SURPRISE CENTER" A PART OF THE SOUTHWEST 1/4 OF SECTION 4, T. 33 N. R. 14 W. MARICOPA COUNTY, ARIZONA	
DRAWN BY DATE SCALE SOUTH EAST WEST NORTH	ELM 12/05/18 AS SHOWN 1" = 5000' 1" = 5000' 1" = 5000' 1" = 5000'
	
	
SHEET	OF
2	2
PL2	



SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: February 15, 2022 Contact Person: Chris Sexton
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 “Dek Way Ranch”, dated January 14, 2022, a property generally located on the west side of 166th Avenue and north of Dale Lane. Case FS21-745.

Motion:

I move to approve the Plat entitled “Final Plat of “DEK Way Ranch”, dated January 14, 2022.

Background:

Chad Dixon, on behalf of David and Elizabeth Kinsley, seeks approval of a Final Plat of the subject property.

Objective Analysis:

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

Policy Compliant:

This proposed Final Plat is consistent with the Surprise General Plan 2035 and the Land Development Ordinance.

Financial Impact:

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

Budget Impact:

There is no anticipated budget impact related to this item.

FTE Impact:

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

ATTACHMENTS:

1. 00- FS21-745- Dek Way Ranch- Final Plat- Staff Report 2.15.22
 2. 01 FS21-745 Dek Way Ranch - Vicinity Map
 3. 02 FS21-745 Dek Way Ranch - Final Plat
 4. FS21-745 Dek Way Ranch - Powerpoint
-

FINAL PLAT

REPORT TO THE CITY COUNCIL

Case: FS21-745

Project Name: DEK Way Ranch - Final Plat

Council District: 1 - Acacia

City Council Date: February 15, 2022

Planner: Chris Sexton, Planner II

Owner: David and Elizabeth Kinsley

Applicant: Chad Dixon, Tangent Point Architect LLC

Request: Final Plat to subdivide one (1) 5.01-acre (approx.) parcel into four (4) parcels.

Site Location: Generally located on the west side of 166th Avenue and north of Dale Lane.

Site Size: 5.01 acres (approx.)

Findings:

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

Alternative Actions: **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.

35 **Additional Information:**

36
37 Chad Dixon, on behalf of Tangent Point Architecture LLC, requests approval of a Final Plat
38 entitled "Final Plat of Dek Way Ranch dated January 14, 2022". This proposed Final Plat
39 will split one (1) 5.01 acres lot into four (4) lots, a property generally located on the west
40 side of 166th Avenue and north of Dale Lane.

41
42 The square footage for each parcel and dedication is below:

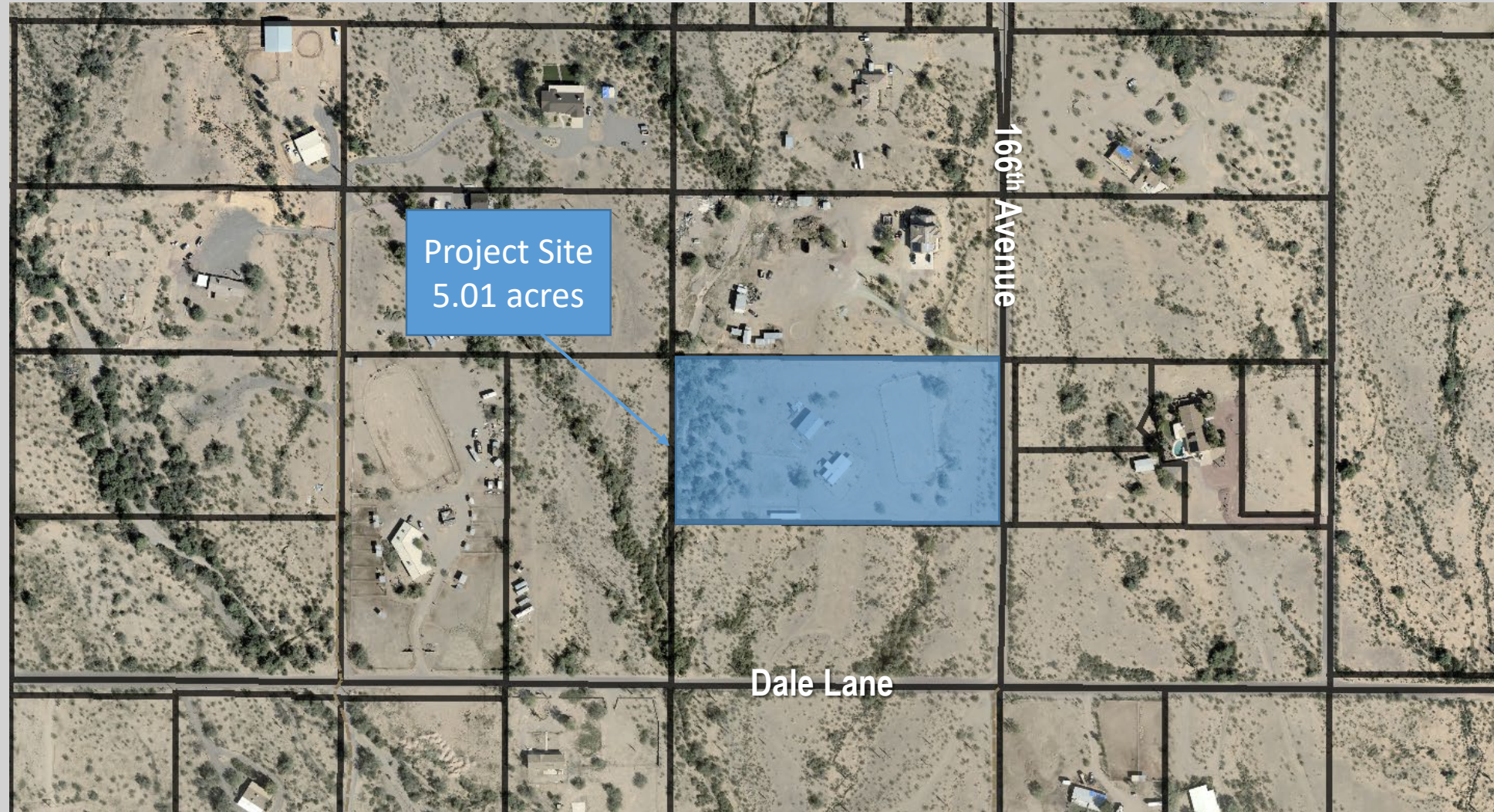
- 43
44 • Lot 1 – 1.144 acres – 54,388 square feet
45 • Lot 2 – 1.147 acres – 54,507 square feet
46 • Lot 3 - 1.286 acres – 55,998 square feet
47 • Lot 4 – 1.229 acres – 53,532 square feet
48

49 A 27.5-foot public ingress/egress easement will be recorded along 166th Avenue on Lots
50 1 and 2. Additionally, Lots 1 and 2 will dedicate a 50-foot access and utility easement to
51 create W Sutherland Way as a means of access for Lots 3 and 4.
52
53

54 **Attachments:**

55
56 01 Vicinity Map
57 02 Final Plat
58 PPT
59

VICINITY MAP



FINAL PLAT OF
"DEK WAY RANCH"

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 25,
TOWNSHIP 5 NORTH, RANGE 2 WEST OF THE GILA AND SALT
RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

DEDICATION

STATE OF ARIZONA

COUNTY OF MARICOPA

KNOW ALL PERSONS BY THESE PRESENTS: THAT DAVID KINSLEY & ELIZABETH KINSLEY, OWNER, HAS SUBDIVIDED UNDER THE NAME FINAL PLAT FOR "DEK WAY RANCH", A SUBDIVISION LOCATED IN A PORTION OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 5 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN AND PLATTED HEREON AND DOES HEREBY PUBLISH THIS PLAT AS AND FOR THE PLAT OF "DEK WAY RANCH" AND DECLARES THAT THIS PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT, STREET, AND EASEMENT CONSTITUTING SAME, AND THAT EACH LOT, STREET, AND EASEMENT SHALL BE KNOWN BY THE NUMBER, LETTER, AND/OR NAME GIVEN TO EACH RESPECTIVELY AS SHOWN ON THIS PLAT.

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

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

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

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 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.

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

DAVID KINSLEY

ELIZABETH KINSLEY

ACKNOWLEDGEMENT:
STATE OF ARIZONA)
COUNTY OF MARICOPA) SS

ON THIS ____ DAY OF _____, 20____, BEFORE ME PERSONALLY APPEARED DAVID KINSLEY & ELIZABETH KINSLEY, WHOSE IDENTITIES WERE PROVEN TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSONS WHO HE OR SHE CLAIM TO BE, AND ACKNOWLEDGED THAT THEY SIGNED THE ABOVE DOCUMENT

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

RELEASE OF LIABILITY

DAVID KINSLEY & ELIZABETH KINSLEY, "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.

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.

PLAT NOTES

- 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.
- THE PROPERTY OWNER AT THE TIME WHEN CITY OF SURPRISE AND/OR SEWER INFRASTRUCTURE IS AVAILABLE AT THE PROPERTY, SHALL BE REQUIRED TO CONNECT IN ACCORDANCE WITH SURPRISE MUNICIPAL CODE AND PAY ALL APPLICABLE FEES. ANY OWNER OF THE PROPERTY SHALL NOTIFY PROSPECTIVE BUYERS AND THE PUBLIC OF THIS NOTE, AND ANY SALES CONTRACTS OR SALES REPORTS SHALL INCLUDE SUCH NOTE.
- NO ON-SITE GRADING OR EXCAVATION SHALL OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
- THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "FLOOD X" & "FLOOD AE" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04013C1210L, WITH A DATE OF IDENTIFICATION OF 10/16/2013, FOR COMMUNITY NO. 040053, IN MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED. A FLOODWAY/FLOODPLAIN AFFECTS LOTS 3 AND 4. ANY CONSTRUCTION ON THESE LOTS WILL REQUIRE THE OWNER TO OBTAIN A FLOODPLAIN USE PERMIT FROM THE MARICOPA COUNTY FLOOD CONTROL DISTRICT.
- MARICOPA COUNTY FLOOD CONTROL DISTRICT FLOODPLAIN USE PERMITS ARE REQUIRED FOR ALL LOTS WITHIN A SPECIAL FLOOD HAZARD AREA (SFHA) PRIOR TO THE ISSUANCE OF ANY CITY OF SURPRISE PERMITS.
- IN ACCORDANCE WITH ARS § 9-461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
- 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.
- AT THE TIME OF BUILDING PERMIT, THE PROPERTY OWNERS WILL BE RESPONSIBLE FOR IMPROVING AND MAINTAINING THE ADJACENT SEGMENTS OF THE ROAD TO MCDOT RURAL ROAD STANDARDS AND MEET FIRE DEPARTMENT REQUIREMENTS.
- THE OWNERS AGREES TO DEDICATE THE AREA OF PUBLIC INGRESS/EGRESS EASEMENT TO THE CITY OF SURPRISE FOR PUBLIC ROADWAY PURPOSES, IF AND WHEN, THE CITY REQUESTS THE DEDICATION FOR THIS PURPOSE.

OWNER/DEVELOPER

OWNER: DAVID & ELIZABETH KINSLEY
ADDRESS: 19610 N 68th Ave, Glendale AZ 85308

PREPARED BY

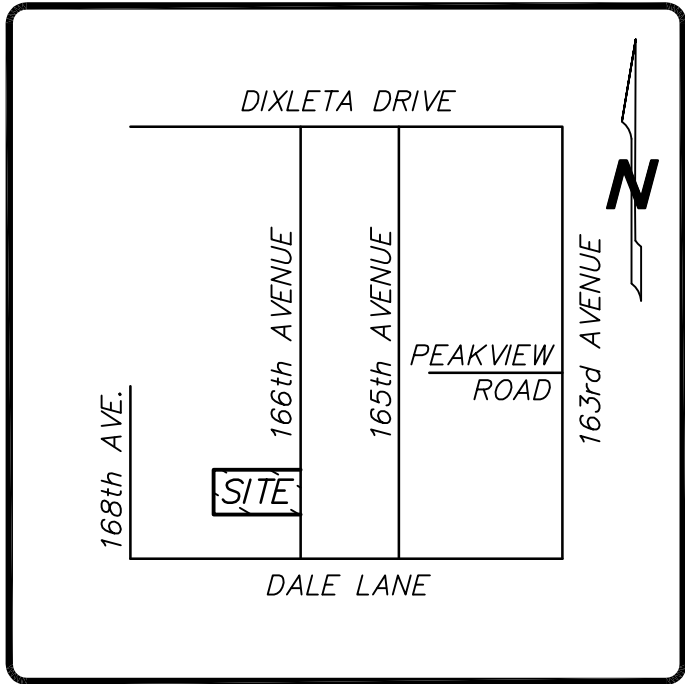
ALLIANCE LAND SURVEYING, LLC
7900 N. 70TH AVENUE
SUITE 104
GLENDALE, AZ 85303
(623) 972-2200
G. BRYAN GOETZENBERGER
R.L.S. 31020

SURVEY NOTES

- THIS SURVEY AND THE DESCRIPTION USED ARE BASED ON A 1ST AMENDED COMMITMENT FOR TITLE INSURANCE ISSUED BY GREAT AMERICAN TITLE AGENCY, INC., ISSUING AGENT FOR FIRST AMERICAN TITLE INSURANCE COMPANY, FILE NO.: 2032100039-KL, DATED JANUARY 7, 2021, AMENDMENT NO. 1 DATED JANUARY 25, 2021.
- THE BEARINGS AND DISTANCES DEPICTED INDICATE ACTUAL FIELD OR COMPUTED MEASUREMENTS PERFORMED DURING THE COURSE OF THIS SURVEY. THIS INFORMATION MAY VARY FROM DOCUMENTS OF RECORD USED FOR THIS SURVEY.

BASIS OF BEARING

THE MONUMENT LINE OF DYNAMITE ROAD, ALSO BEING THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 25, USING A BEARING OF NORTH 89 DEGREES 47 MINUTES 11 SECONDS WEST, PER THE PLAT MINOR LAND DIVISION FINAL PLAT, RECORDED IN BOOK 1398 OF MAPS, PAGE 27, M.C.R.



VICINITY MAP
NOT TO SCALE

INDEX

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

PARENT PARCEL DESCRIPTION

DEED 2021-0632420, M.C.R.:
THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 5 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

REFERENCE DOCUMENTS

(R) DEED 2021-0116958, M.C.R.
(R1) M.L.D. PER BOOK 778, PAGE 48, M.C.R.
(R2) R.O.S. PER BOOK 1188, PAGE 6, M.C.R.
(R3) PLAT. PER BOOK 1398, PAGE 27, M.C.R.
(R4) DEED 2021-0632420, M.C.R.

ZONING

RURAL RESIDENTIAL (RR)

APPROVALS

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

APPROVED _____
CITY ENGINEER DATE

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

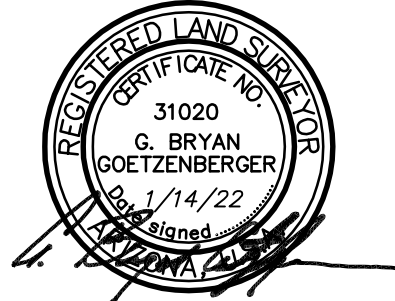
ATTEST: _____
MAYOR DATE

CITY CLERK DATE

SURVEYOR'S STATEMENT

I, G. Bryan Goetzenberger, hereby state that I am a registered land surveyor in the State of Arizona and that the survey shown hereon was completed under my direct supervision during the month of January, 2022 and is correct to the best of my knowledge and the monuments shown actually exist.

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



FINAL PLAT OF
"DEK WAY RANCH"

ALLIANCE
LAND SURVEYING, LLC

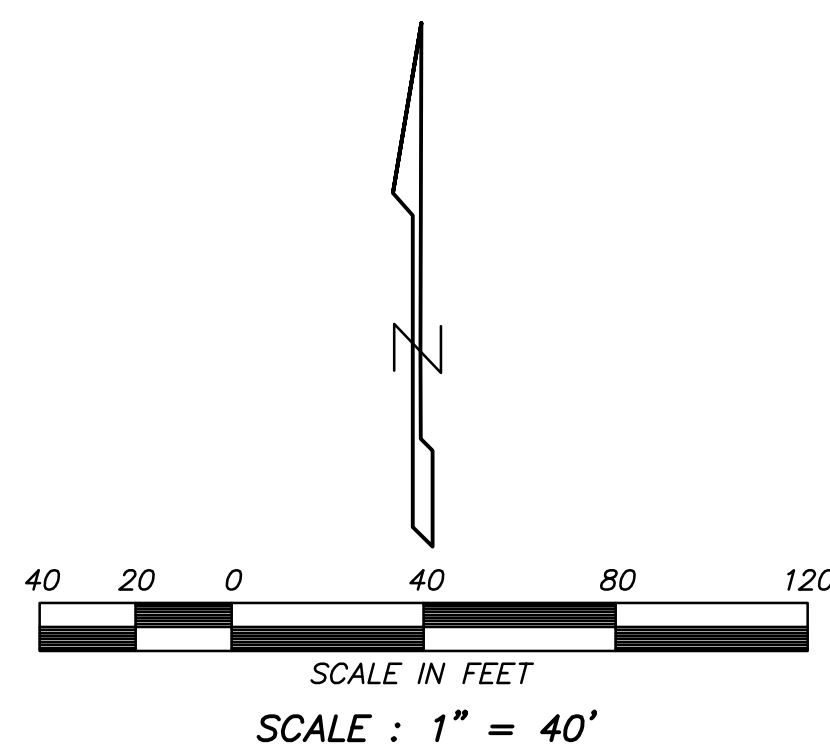
7900 N. 70TH AVENUE, SUITE 104
GLENDALE, AZ 85303

Phone: (623) 972-2200
contactus@allianceaz.com
www.alliancelandsurveying.com

FS21-745

SHEET: 1 of 2 DATE: 1/14/22 JOB NO: 210379P

FINAL PLAT OF
"DEK WAY RANCH"



LEGEND

- Set 1/2" Rebar W/ Cap L.S. 31020 (See Monument Table)
- Subdivision Line
- Fnd Survey Monument (See Monument Table)
- (See Monument Table)
- A.P.N. Assessor's Parcel Number
- M.L.D. Minor Land Division
- R.O.S. Record of Survey
- M.C.R. Maricopa County Recorder
- BK. Book
- P.G. Page
- R/W Right of Way

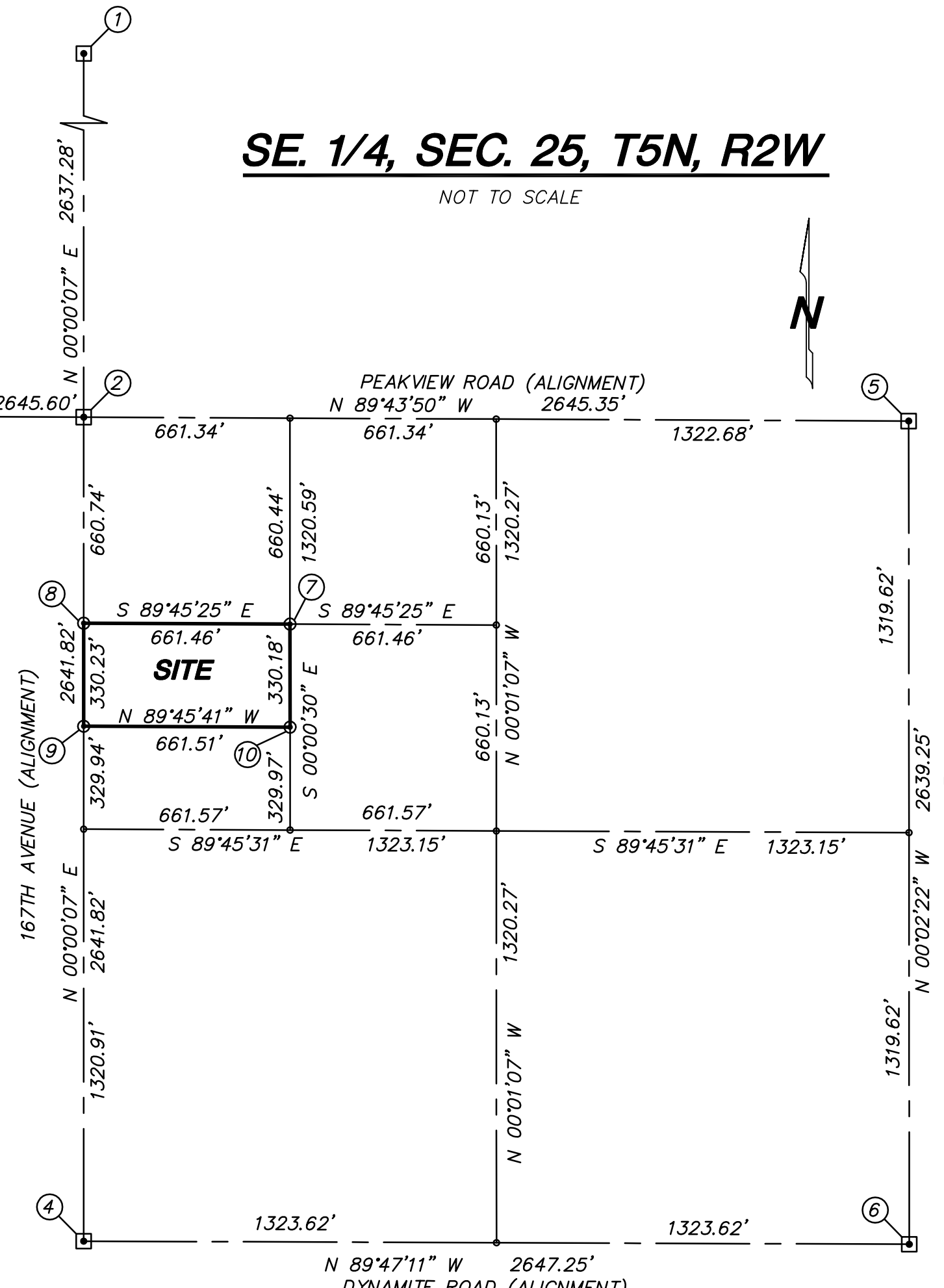
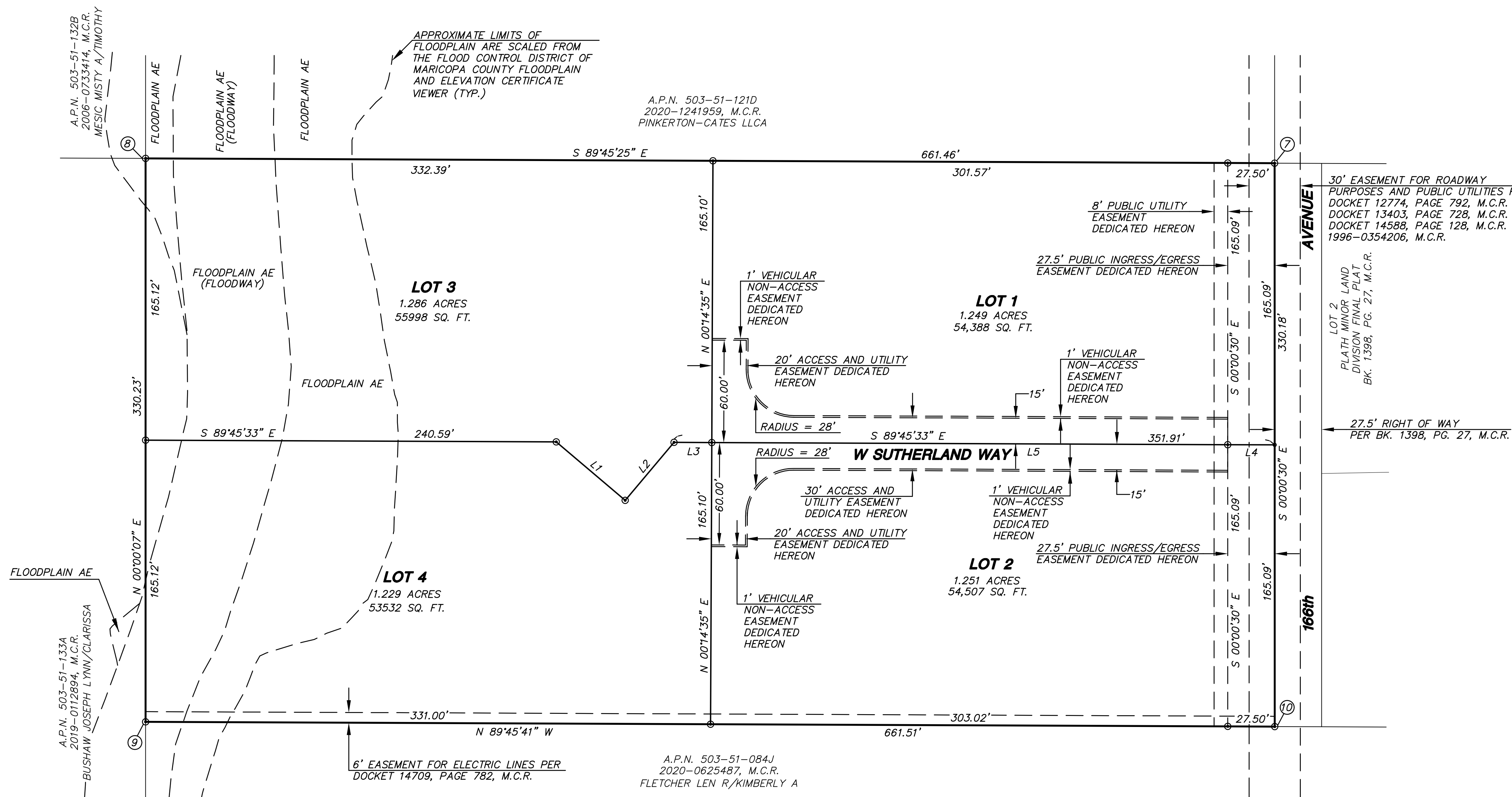
LINE	BEARING	DISTANCE
L1	S 49°40'21" E	52.94'
L2	N 40°07'14" E	44.42'
L3	S 89°45'33" E	22.11'
L4	S 89°45'33" E	27.50'
L5	S 89°45'33" E	302.29'

SITE INFORMATION

SUBDIVISION AREA = 5.014 ACRES - 218,425 SQ. FT.

LOT 1 AREA = 1.249 ACRES - 54,388 SQ. FT.
LOT 2 AREA = 1.251 ACRES - 54,507 SQ. FT.
LOT 3 AREA = 1.286 ACRES - 55,998 SQ. FT.
LOT 4 AREA = 1.229 ACRES - 53,532 SQ. FT.

SE. 1/4, SEC. 25, T5N, R2W
NOT TO SCALE



MONUMENT TABLE	
①	N. 1/4 COR. SEC. 25 - M.C.D.O.T. BRASS CAP IN HANDHOLE
②	CEN. OF SEC. 25 - CALCULATED POSITION USING OPPOSING QUARTER CORNERS
③	W. 1/4 COR. SEC. 25 - FND G.L.O. BRASS CAP
④	S. 1/4 COR. SEC. 25 - FND G.L.O. BRASS CAP
⑤	E. 1/4 COR. SEC. 25 - M.C.D.O.T. BRASS CAP IN HANDHOLE
⑥	SW. COR. SEC. 25 - FND MARICOPA COUNTY ALUMINUM CAP
⑦	NE. COR., N. 1/2, SW. 1/4, NW. 1/4, SE. 1/4, SEC. 25 - SET 1/2" REBAR W/CAP L.S. 31020
⑧	NW. COR., N. 1/2, SW. 1/4, NW. 1/4, SE. 1/4, SEC. 25 - FND 1/2" REBAR W/CAP L.S. 29868 - THIS MONUMENT WAS NOT ACCEPTED ON R.O.S. BK. 1188, PG. 6, M.C.R.
⑨	SW. COR., N. 1/2, SW. 1/4, NW. 1/4, SE. 1/4, SEC. 25 - FND 1/2" IRON PIPE W/TAG L.S. 34559
⑩	SE. COR., N. 1/2, SW. 1/4, NW. 1/4, SE. 1/4, SEC. 25 - FND 1/2" REBAR WITH NO I.D. - SET CAP L.S. 31020 - ALSO FND 1/2" REBAR W/CAP L.S. 34599 15' EAST



FINAL PLAT OF
"DEK WAY RANCH"

ALLIANCE
LAND SURVEYING, LLC

7800 N. 70th AVENUE, SUITE 104
GLENDALE, AZ 85303

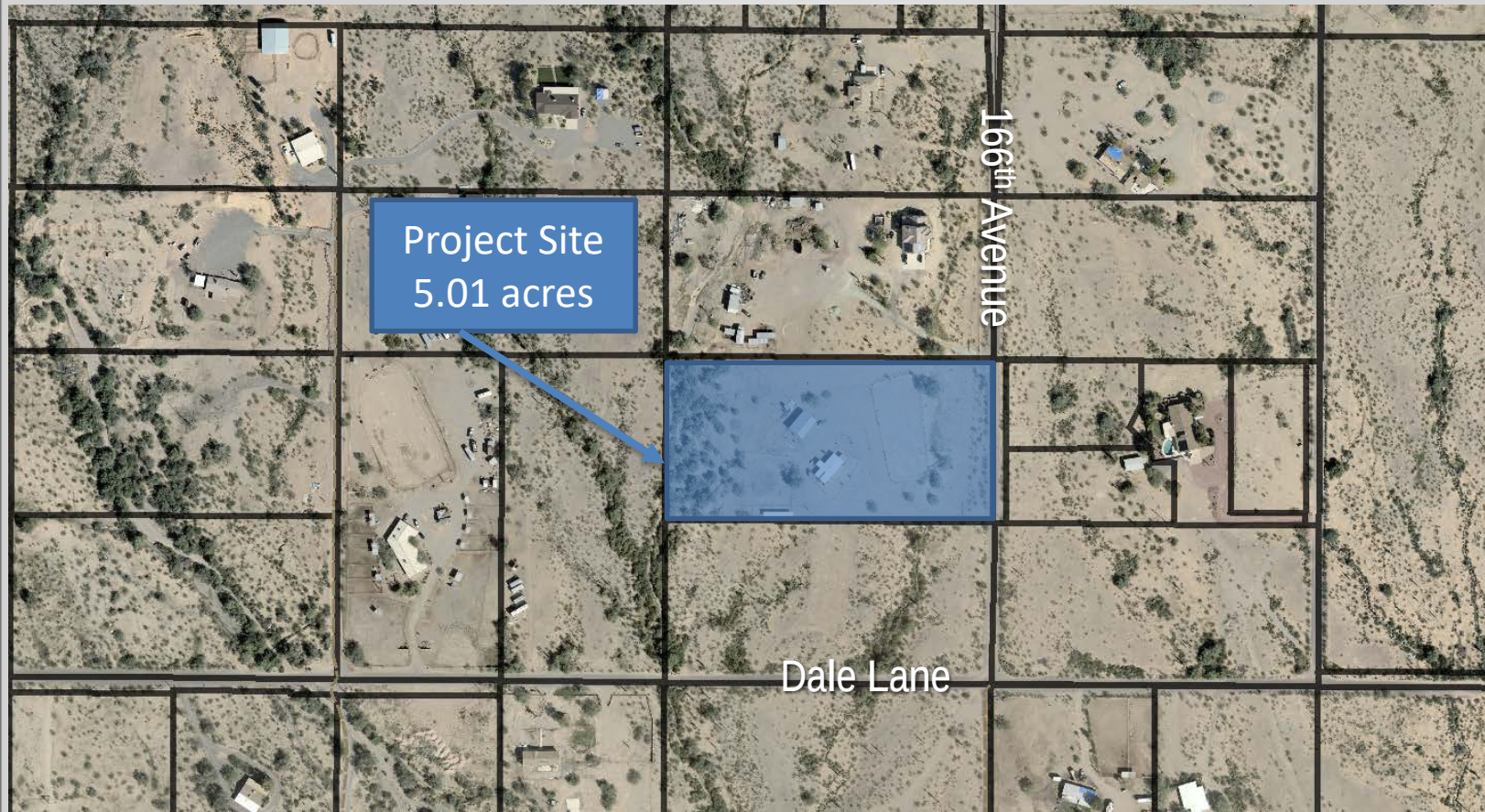
Phone: (623) 972-2200
contactus@allianceaz.com
www.alliancelandsurveying.com



FS21-745

Dek Way Ranch-Final Plat

City Council
February 15, 2022



Project Site
5.01 acres

166th Avenue

Dale Lane

Dek Way Ranch

FS21-745 Vicinity Map





SURPRISE
ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: February 15, 2022 Contact Person: Lloyd Abrams
Submitting Department: Community Development District: District 4
Staff Recommendations:

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

Agenda Wording:

Consideration and action pertaining to acceptance of a Quit Claim Deed from Canabus LLC for Right-of-Way for roadway at Hollyhock and Paradise Lane.

Motion:

I move to accept the Quit Claim Deed from Canabus LLC.

Background:

The current owner purchased the 20-foot parcel in a resale of a treasurer's deed sale for nonpayment of property tax. The 20 feet was set aside in 1974 as what was intended for right of way, but was never dedicated to the City. The 20 feet was sold in 2020 for back taxes owed. In 2021, Canabus LLC purchased the 20-foot parcel for \$720.00. The current owner contacted the City to see if there was anything he could do with the property. The City offered to purchase the 20 feet from the current owner for what he paid for it to add to Hollyhock for right of way.

Objective Analysis:

The additional right of way will help with the widening of Hollyhock in association with the Townhomes going in to the north of this parcel.

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:

All activity related to ongoing development of the City of Surprise has an economic and fiscal impact on the city and the region. If approved, the purchase price will be \$720.00. There are no closing costs associated with this purchase.

Budget Impact:

The cost associated with this item will be covered by the existing operating budget.

FTE Impact:

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

ATTACHMENTS:

1. signed qcd with legal
 2. Quit Claim Deed FRom Canabus LLC for Right of Way
-

When Recorded Mail 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)

QUIT CLAIM DEED

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

Canabus LLC ("Grantors")

Does hereby quitclaim to the City of Surprise, an Arizona municipal corporation, all of Grantor's right, title, and interest in the real property as legally described in Exhibit A and depicted in Exhibit B.

Dated this 12 day of December, 2021

GRANTOR:

By: [Signature]

STATE OF TX)
)ss.
County of Harris)

This instrument was acknowledged and executed before me this 9th day of December, 2021, by Richard Lee Almeida.

My Commission Expires: September 13th 2023.

[Signature]
NOTARY PUBLIC

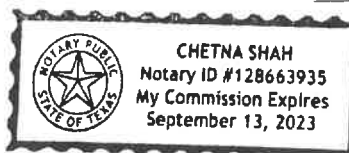


EXHIBIT "A"

DESCRIPTION

The west 20.00 feet of Lot 1 of Cottonwood Subdivision as recorded in Book 135, Page 34, records of Maricopa County, Arizona, being located in the Northeast Quarter of Section 2, Township 3 North, Range 1 West of the Gila and Salt River Base and Meridian, City of Surprise, Maricopa County, Arizona

Attached is EXHIBIT "B" and by this reference is made a part hereof.

End of description

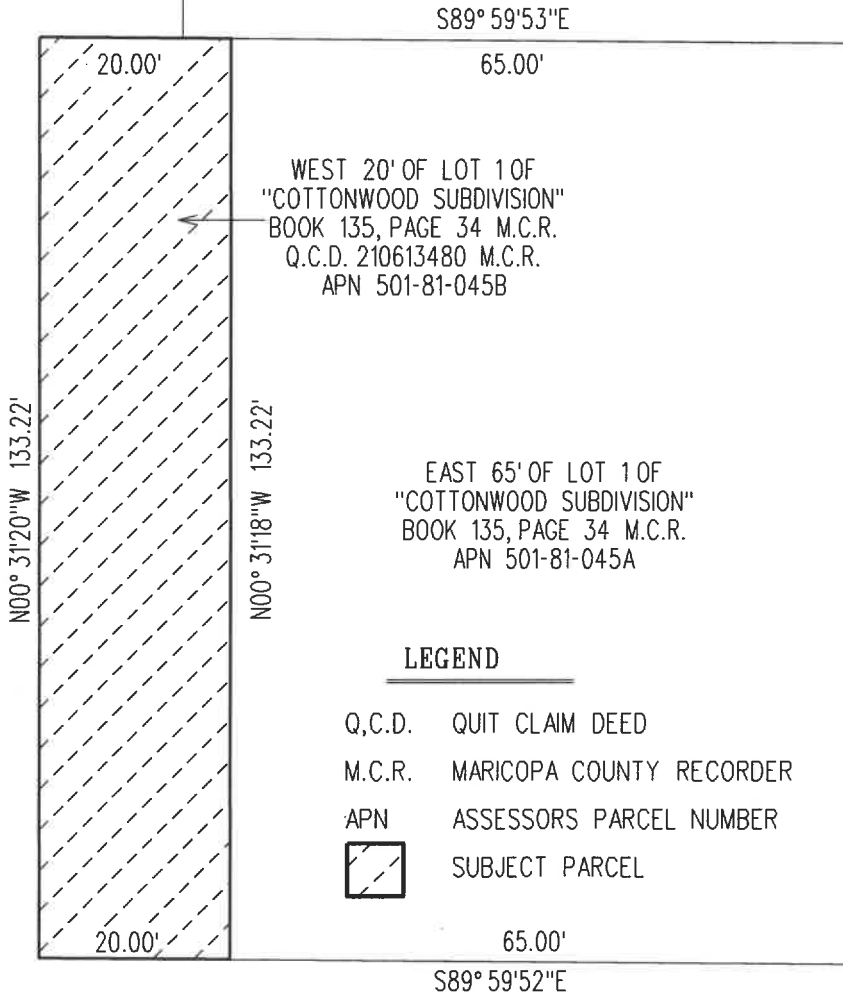


EXHIBIT "B"

35'
ROW

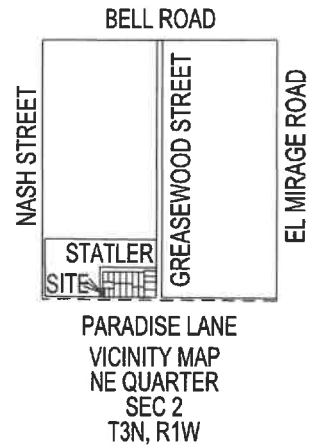
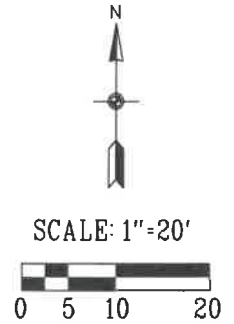
20'
ROW

HOLLYHOCK STREET



LEGEND

- Q.C.D. QUIT CLAIM DEED
M.C.R. MARICOPA COUNTY RECORDER
APN ASSESSORS PARCEL NUMBER
 SUBJECT PARCEL



30'
ROW

PARADISE LANE

EAST-WEST MIDSECTION LINE

S89°59'52"E



WEST 20' OF LOT 1 OF
"COTTONWOOD SUBDIVISION"
BOOK 135, PAGE 34 M.C.R.
Q.C.D. 210613480 M.C.R. APN 501-81-045B



CITY OF SURPRISE
LAND SURVEY DEPARTMENT

PROJECT # 21041

DRAWN BY RCD

DATE 11-18-21

SHEET 1 OF 1



SURPRISE

ARIZONA

City Council

February 15, 2022

Quit Claim Deed from Canabus LLC for
Hollyhock Street Right of Way

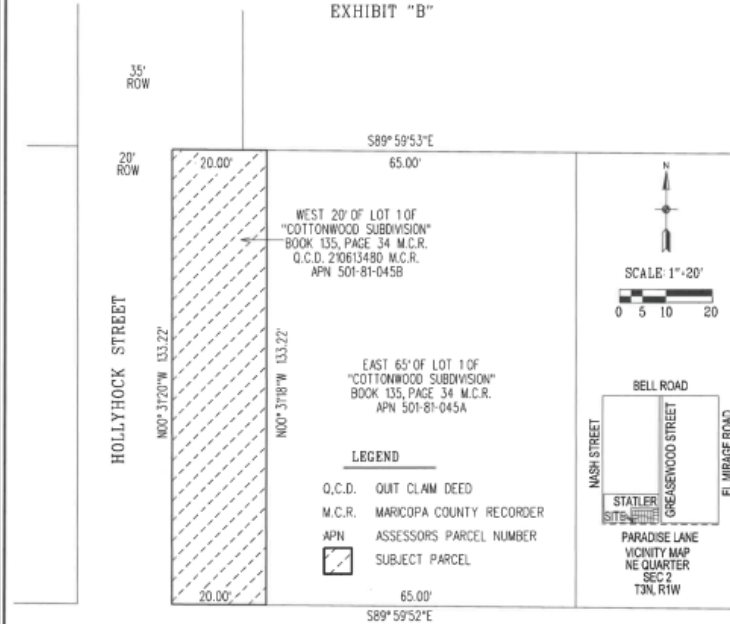


Vicinity Map



Site Map

EXHIBIT "B"



WEST 20' OF LOT 1 OF "COTTONWOOD SUBDIVISION" BOOK 135, PAGE 34 M.C.R. Q.C.D. 210613480 M.C.R. APN 501-81-045B	 CITY OF SURPRISE LAND SURVEY DEPARTMENT
PROJECT # 21041	DRAWN BY RCD DATE 11-18-21 SHEET 1 OF 1

EXHIBIT



SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: February 15, 2022 Contact Person: Trever Fleetham
Submitting Department: Community Development District: District 5
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, “Wood Partners at Surprise Center” and dated January 10, 2022, a property generally located north of Greenway Road and west of Litchfield Road; Case FS21-607.

Motion:

I move to approve the Final Plat entitled, “Wood Partners at Surprise Center” and dated January 10, 2022.

Background:

The subject request involves a final plat within the Surprise Center PAD to accommodate a multi-family development known as Alta Surprise. The proposed plat encompasses approximately 150 acres and creates three (3) lots, along with right-of-way dedication for the future 140th Avenue.

Objective Analysis:

The subject Final Plat meets the requirements of the Surprise Center PAD, in addition to other applicable requirements as set forth in the Surprise Municipal Code. All city reviewing departments have reviewed the request and expressed no concerns.

Policy Compliant:

The requested Final Plat is consistent with the Surprise Center 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 - FS21-607 Alta Surprise Final Plat - Staff Report 021522 CC
 2. 01 - FS21-607 Alta Surprise Final Plat - Vicinity Map
 3. 02 - FS21-607 Alta Surprise Final Plat - Zoning Map
 4. 03 - FS21-607 Alta Surprise Final Plat - Plat
 5. 04 - FS21-607 Alta Surprise Final Plat - Luke Letter
 6. FS21-607 Alta Surprise Final Plat - Presentation 021522
-



FINAL PLAT

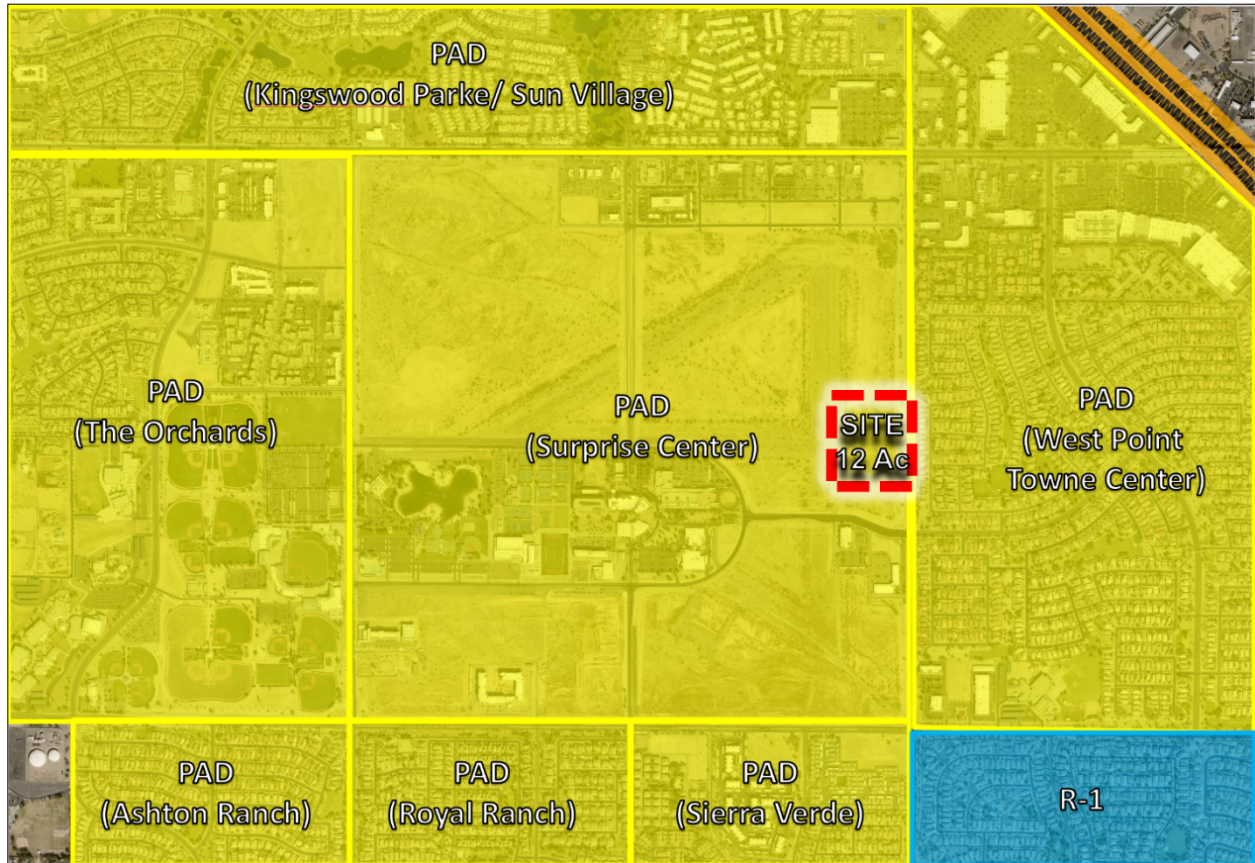
REPORT TO THE CITY COUNCIL

1 **Case:** **FS21-607**
2
3 **Project Name:** Alta Surprise Final Plat
4
5 **Council District:** 5 – Palm
6
7 **Meeting Date:** **February 15, 2022**
8
9 **Planner:** Trever Fleetham, AICP
10
11
12 **Owner:** Surprise Center Development Company
13
14 **Applicant:** Brian Greathouse with Burch & Cracchiolo, P.A. on behalf of Surprise
15 Center Development Company
16
17 **Request:** Final Plat for a multi-family residential development
18
19 **Site Location:** Generally north of Greenway Road and west of Litchfield Road in a
20 portion of Section 4, Township 3 North, Range 1 West of the Gila and
21 Salt River Base and Meridian, Maricopa County, Arizona.
22
23 **Site Size:** 150.58 acres (approx.)
24
25 **General Plan Conformance:** The proposal is consistent with the Surprise General Plan 2035
26
27 **Support/Opposition:** None known

28 **Project Description:**
29

The subject request involves a final plat within the Surprise Center PAD to accommodate a multi-family development known as Alta Surprise. The proposed plat encompasses approximately 150 acres and creates three (3) lots, along with right-of-way dedication for the future 140th Avenue.

Surrounding Land Zoning:



PAD – Mixed Use	PAD – Mixed Use	PAD – Single Family Residential
PAD – Mixed Use	PAD – Mixed Use	PAD – Single Family Residential
PAD – Mixed Use	PAD – Mixed Use	PAD – Single Family Residential

Background:

June 12, 1980: The subject property was annexed into the City of Surprise by the Mayor and City Council under Ordinance 80-03.

January 25, 2001: The Mayor and City Council approved a PAD for Surprise Center, under case PAD00-105.

May 6, 2021: The applicant submitted for a Site Plan for Alta Surprise under Case FS21-362.

August 6, 2021: The applicant submitted for a Final Plat for Alta Surprise under Case FS21-607, the subject case.

October 21, 2021: The Planning & Zoning Commission approved the site plan for Alta Surprise under case FS21-362.

Analysis and Discussion:

The subject request involves a final plat within the Surprise Center PAD to accommodate a multi-family development. The proposed plat carves out 11 acres from APN 501-18-570, labeled Lot 4, as well as 1.82 acres of new right-of-way for the future 312-unit multi-family development known as Alta Surprise. The proposed plat also creates Lot 5 (4.31 acres) and Lot 3 (133.44 acres) for future development.

The associated site plan for Alta Surprise was approved by the Planning & Zoning Commission on October 21, 2021 under case FS21-362. The proposed final plat is consistent with the approved site plan, the Surprise Center PAD, the Surprise General Plan, and applicable city codes.

Conformance with Adopted Plans:

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

Reviewing Agencies:

The subject request was routed to the standard reviewing agencies, who expressed no concerns.

Summary:

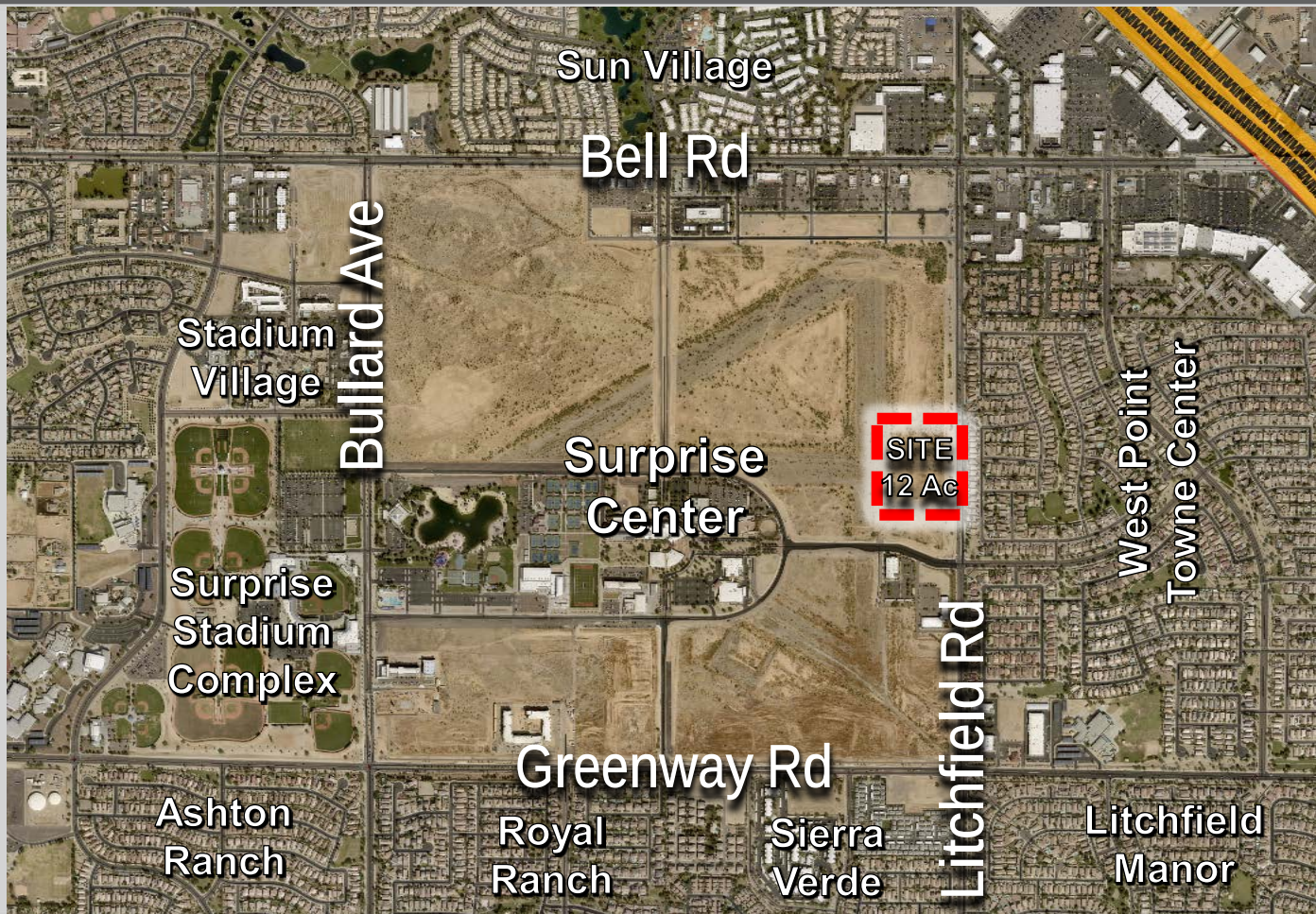
The subject Final Plat meets the requirements of the Surprise Center PAD, in addition to other applicable requirements as set forth in the Surprise Municipal Code. All city reviewing departments have reviewed the request and expressed no concerns.

Findings:

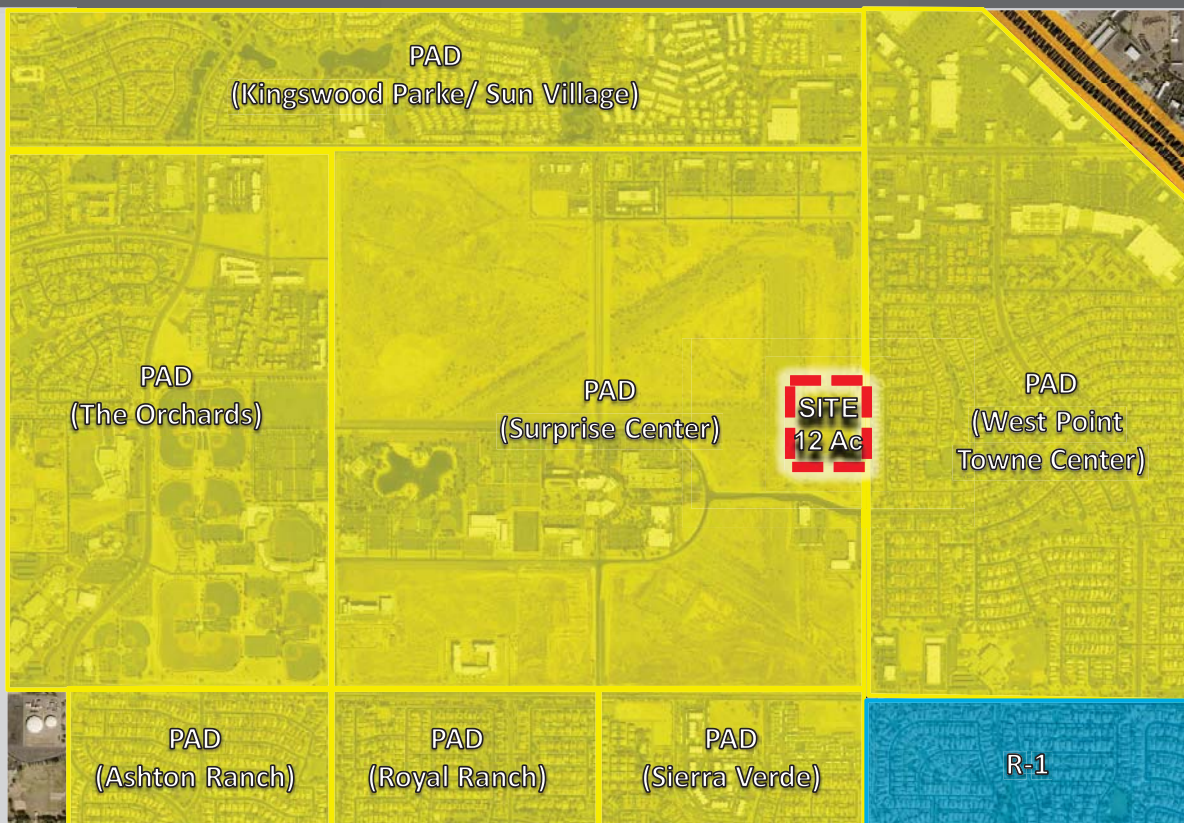
- The proposed Final Plat is consistent with the Surprise General Plan.
- The proposed Final Plat is consistent with the Surprise Center PAD.
- The reviewing agencies have indicated no objections.

Attachments:

- 86 01 Vicinity Map
- 87 02 Zoning Map
- 88 03 Final Plat
- 89 04 Luke Letter
- 90 PPT



FS21-607 VICINITY MAP



DEDICATIONS

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

KNOW ALL PERSONS BY THESE PRESENTS: THAT SURPRISE CENTER DEVELOPMENT COMPANY, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AS OWNER, HAS SUBDIVIDED UNDER THE NAME OF "WOOD PARTNERS AT SURPRISE CENTER ", A SUBDIVISION LOCATED IN A PORTION OF THE EAST HALF OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY ARIZONA, AS SHOWN AND AS AND FOR THE PLAT OF "WOOD PARTNERS AT SURPRISE CENTER" PLATTED HEREON, AND DOES HEREBY PUBLISH THIS PLAT 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 PLAT.

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

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

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

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 PLAT FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING PUBLIC UTILITIES.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL NON-EXCLUSIVE EASEMENT OVER, UNDER, UPON, AND ACROSS ALL AREAS DESIGNATED ON THE PLAT AS WATER / SEWER LINES, MANHOLES, FIRE HYDRANTS AND WATER METERS FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING, AND UTILIZING THE WATER / SEWER LINES, MANHOLES, FIRE HYDRANTS AND WATER METERS.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL EXCLUSIVE EASEMENT OVER, UNDER, UPON, AND ACROSS ALL AREAS DESIGNATED ON THE PLAT AS WATERLINE EASEMENT FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING, AND UTILIZING THE WATERLINES.

THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS AND PARKS SHALL BE THE RESPONSIBILITY OF THE OWNER OR THE 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 PROPERTY ASSOCIATION FORMED BY THE ADJACENT PROPERTY.

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.

GRANTOR HEREBY GRANTS AND CONVEYS TO THE CITY OF SURPRISE A PERPETUAL, EXCLUSIVE EASEMENT OVER THE EASEMENT AREAS FOR INSTALLATION AND MAINTENANCE OF WATER METERS.

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.

THE EASEMENTS GRANTED WITHIN THIS DEDICATION ARE PERMANENT AND PERPETUAL AND 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.

IN WITNESS WHEREOF, OWNERS HAVE HEREUNTO CAUSED ITS CORPORATE NAME TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY THE UNDERSIGNED, DULY AUTHORIZED OFFICER THIS

DATED THIS _____ DAY OF _____, 20_____.

BY: SURPRISE CENTER DEVELOPMENT COMPANY, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY
ITS: SOLE MEMBER AND MANAGER
BY: AIRFIELD CAPITAL PARTNERS, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY
ITS: MANAGING MEMBER
BY: AIRFIELD MANAGEMENT ASSOCIATES, L.L.C., AN ARIZONA LIMITED LIABILITY COMPANY
ITS: MANAGING MEMBER
BY: TRW PARTNERS LLC., AN ARIZONA LIMITED LIABILITY COMPANY
ITS: MEMBER
BY: WEST MANAGEMENT LIMITED PARTNERSHIP, AN ARIZONA LIMITED PARTNERSHIP
ITS: MANAGING MEMBER
BY: RICHARD WEST CO., AN ARIZONA CORPORATION
ITS: GENERAL MANAGER

BY: _____
RICHARD B. WEST, III,
ITS: _____

ACKNOWLEDGEMENT

STATE OF ARIZONA }
COUNTY OF MARICOPA } SS

THIS DOCUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20_____, SURPRISE CENTER DEVELOPMENT COMPANY, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, IN WITNESS WHEREOF, I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

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.

FINAL PLAT
FOR
"WOOD PARTNERS AT SURPRISE CENTER"
A REPLAT OF LOT 1 OF "NORTHEAST QUARTER OF SURPRISE CENTER" AS RECORDED IN
BOOK 1571, PAGE 34, M.C.R.

A PART OF THE NORTHEAST QUARTER AND SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 3 NORTH,
RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA

AVIGATION EASEMENT

SURPRISE CENTER DEVELOPMENT COMPANY, LLC, AN ARIZONA LIMITED LIABILITY COMPANY ("OWNER") DOES HEREBY GRANT, BARGAIN, AND CONVEY UNTO THE UNITED STATES AIR FORCE ("USAF"), ITS SUCCESSORS AND ASSIGNS, A NON-EXCLUSIVE, PERPETUAL, AND PERMANENT AVIGATION EASEMENT OVER AND ACROSS THE PLAT OR SUBJECT PARCEL, AS APPLICABLE, WHICH EASEMENT WILL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT TO FLY AIRCRAFT OVER THE PLAT OR SUBJECT PARCEL, AS APPLICABLE, 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 LUKE AIR FORCE BASE AND ITS AUXILIARY FIELDS. OWNER WILL NOT ALLOW ANYTHING OCCURRING ON THE PLAT OR THE SUBJECT PARCEL, AS APPLICABLE, TO IMPEDE THE USAF'S USE OF THIS AVIGATION EASEMENT.

RELEASE OF LIABILITY

SURPRISE CENTER DEVELOPMENT COMPANY, 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 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 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.

SURPRISE CENTER DEVELOPMENT COMPANY, LLC, AN ARIZONA LIMITED LIABILITY COMPANY ("OWNER") AS OWNER DOES HEREBY (1) RELEASE AND DISCHARGE THE UNITED STATED OF AMERICA DEPARTMENT OF THE AIR FORCE, 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 AIRCRAFT OVERFLIGHTS OF THE PROPERTY 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. THIS RELEASE SHALL RUN WITH THE LAND AND BE BINDING UPON GRANTOR AND ITS HEIRS, ASSIGNS, AND SUCCESSORS IN INTEREST TO THIS PLAT OR ANY PARCEL OR LOT THEREOF. THIS INSTRUMENT DOES NOT RELEASE THE UNITED STATES DEPARTMENT OF THE AIR FORCE 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 AND PROPERTY THAT MAY ARISE IN CONNECTION WITH THE USE OF SIDEWALKS LOCATED WITHIN THE RIGHT-OF-WAY.

LEGAL DESCRIPTION

A PORTION OF THE EAST HALF OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 4, FROM WHICH THE NORTH QUARTER CORNER OF SAID SECTION 4 LIES NORTH 89°23'04" WEST 2638.64 FEET; THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 4 NORTH 89°23'04" WEST 442.19 FEET; THENCE SOUTH 00°36'56" WEST 65.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF BELL ROAD AND THE POINT OF BEGINNING; THENCE ALONG SAID SOUTH RIGHT OF WAY LINE SOUTH 89°23'04" EAST 387.63 FEET TO THE WEST RIGHT OF WAY OF LITCHFIELD ROAD; THENCE ALONG SAID WEST RIGHT OF WAY LINE SOUTH 00°13'27" WEST 2711.77 FEET TO A POINT ON THE EAST-WEST MIDSECTION LINE OF SAID SECTION 4, SAID POINT BEING NORTH 89°01'06" WEST 55.00 FEET OF THE EAST QUARTER CORNER OF SAID SECTION 4; THENCE CONTINUING ALONG SAID WEST RIGHT OF WAY LINE SOUTH 00°13'59" WEST 710.58 FEET; THENCE SOUTH 45°13'59" WEST 46.67 FEET; THENCE NORTH 89°46'01" WEST 66.98 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 245.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 22°39'34" A DISTANCE OF 96.89 FEET; THENCE NORTH 67°06'27" WEST 252.48 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 355.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 21°56'43" A DISTANCE OF 135.97 FEET; THENCE NORTH 89°03'10" WEST 845.83 FEET; THENCE NORTH 46°54'32" WEST 48.94 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHWESTERLY, THE CENTER OF WHICH LIES SOUTH 83°55'23" WEST 718.25 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 82°56'31" A DISTANCE OF 1039.75 FEET; THENCE NORTH 89°01'06" WEST 329.34 FEET; THENCE NORTH 44°24'05" WEST 47.00 FEET; THENCE NORTH 00°12'56" EAST 1933.00 FEET; THENCE NORTH 00°12'57" EAST 108.12 FEET; THENCE SOUTH 44°47'03" EAST 46.67 FEET; THENCE SOUTH 89°47'03" EAST 493.65 FEET; THENCE NORTH 45°12'57" EAST 46.67 FEET; THENCE NORTH 00°13'38" EAST 529.71 FEET; THENCE NORTH 44°35'05" EAST 46.83 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF BELL ROAD; THENCE ALONG SAID RIGHT OF WAY SOUTH 89°23'04" EAST 115.89 FEET; THENCE SOUTH 45°22'52" WEST 46.47 FEET; THENCE SOUTH 00°12'57" WEST 359.57 FEET; THENCE SOUTH 89°45'36" EAST 393.23 FEET; THENCE NORTH 00°12'57" EAST 132.95 FEET; THENCE SOUTH 89°47'03" EAST 694.23 FEET; THENCE SOUTH 00°13'27" WEST 114.95 FEET; THENCE SOUTH 89°47'03" EAST 423.83 FEET; THENCE NORTH 00°12'43" EAST 364.24 FEET TO THE POINT OF BEGINNING.

LOT AREA SUMMARY TABLE

LOT 3: 5,812,628.02 S.F. OR 133.44 ACRES

LOT 4: 479,286.53 S.F. OR 11.00 ACRES

LOT 5: 187,870.52 S.F. OR 4.31 ACRES

R.O.W. DEDICATION: 79,361.45 S.F. OR 1.82 ACRES

TOTAL: 6,559,146.53 S.F. OR 150.58 ACRES

RECORDER

OWNER

SURPRISE CENTER DEVELOPMENT COMPANY, L.L.C.
11811 N. TATUM BLVD., STE. 4052
PHOENIX, AZ 85028
CONTACT: SCOTT PHILLIPS
PH: (602) 953-8708

SURVEYOR

INFINITY ENGINEERING SERVICES, LTD.
P.O. BOX 88034
PHOENIX, AZ 88034
CONTACT: BRETT NOWACKI, R.L.S.
PH: (602) 670-8635

GENERAL NOTES

1. FIRE SPRINKLERS ARE REQUIRED IN ALL ONE AND TWO FAMILY DWELLINGS BUILT IN AREAS WHICH DO NOT HAVE AN ADEQUATE WATER SUPPLY.
2. NO ON-SITE GRADING OR EXCAVATION SHALL OCCUR WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
3. THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF THE CITY OF SURPRISE WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT A.R.S. § 45-576.
4. THE ROADS DESIGNATED AS "PRIVATE" AND ANY APPURTENANCES INCLUDING BUT NOT LIMITED TO ROAD SIGNS, STRIPING, CURB AND GUTTER, AND SIDEWALKS ARE PRIVATE; SUCH ROADS AND APPURTENANCES ARE OWNED, MAINTAINED AND REPAIRED BY OWNER OR THE HOMEOWNER'S ASSOCIATION FORMED BY OWNER. THE CITY OF SURPRISE SHALL NOT MAINTAIN OR REPAIR ANY ROAD DESIGNATED AS "PRIVATE".
5. IN ACCORDANCE WITH ARS § 9-461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
6. PURSUANT TO A.R.S. § 42-11102, THE CITY OF SURPRISE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA, IS EXEMPT FROM ALL TAXES AND ASSESSMENTS BASED ON ASSESSED VALUE EXCEPT FOR SPECIAL DISTRICTS #14751 AND 14710, WHEN APPLICABLE.
7. THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS AND PARKS SHALL BE THE RESPONSIBILITY OF THE OWNER OR THE ASSOCIATION FORMED BY THE OWNER.
8. 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 PROPERTY ASSOCIATION FORMED BY THE ADJACENT PROPERTY.
9. WHERE NO PUBLIC UTILITY EASEMENT IS PROVIDED, DRY UTILITIES WILL BE LOCATED INTERNAL TO THE PROJECT SITE AND EASEMENTS PROVIDED FOR DRY UTILITIES AS REQUIRED.

FLOOD ZONE

THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "X," BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04013C1240L AND 04013C1240L, WITH EFFECTIVE DATES OF OCTOBER 16, 2013, FOR COMMUNITY NO. 040053, IN MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.

BASIS OF BEARING

NORTH 89 DEGREES 09 MINUTES 02 SECONDS WEST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN ON INSTRUMENT NO.: 2001-1090773, RECORDS OF MARICOPA COUNTY, AZ.

100 YEAR ASSURED WATER SUPPLY

THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF CITY OF SURPRISE MOUNTAIN VISTA PUBLIC WATER SYSTEM 04-07-500 WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT A.R.S. § 45-576.

CITY OF SURPRISE ENGINEER APPROVAL

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

APPROVED _____ DATE _____
CITY ENGINEER

CITY OF SURPRISE COUNCIL APPROVAL

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

MAYOR

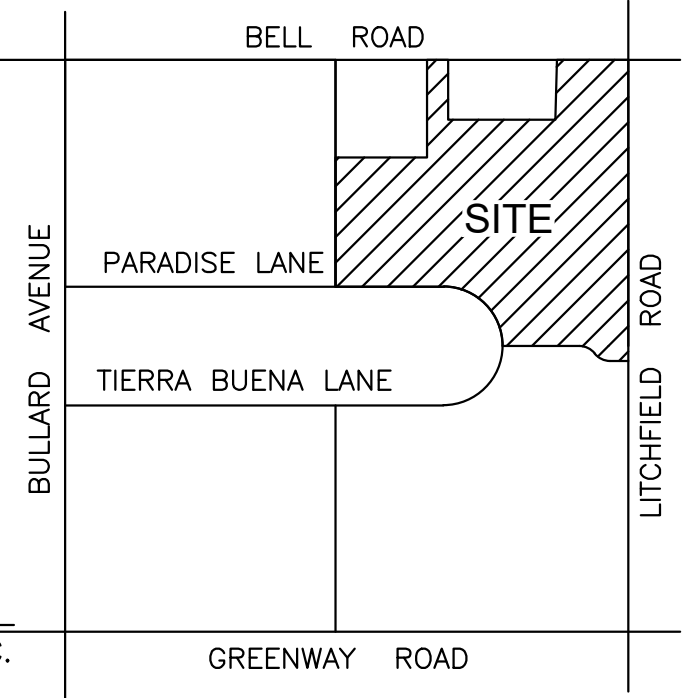
ATTEST: _____ DATE _____

CITY CLERK

LAND SURVEYOR'S CERTIFICATION:

THE IS TO CERTIFY THAT THE SURVEY AND PLAT OF THE PREMISES DESCRIBED HEREON WERE MADE UNDER MY DIRECTION AND THIS PLAT IS CORRECT AND ACCURATE AND THE FOUND MONUMENTS SHOWN HEREON HAVE BEEN LOCATED AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

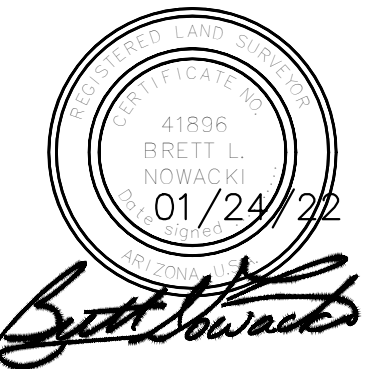
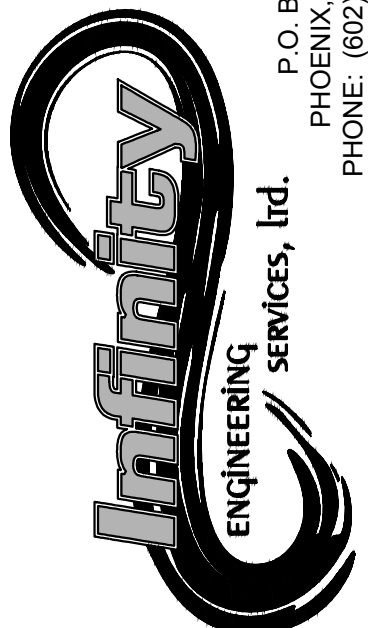
BY: _____
BRETT NOWACKI
REGISTERED LAND SURVEYOR # 41896



VICINITY MAP
SCALE: N.T.S. SEC. 4 T.3N., R.1W.

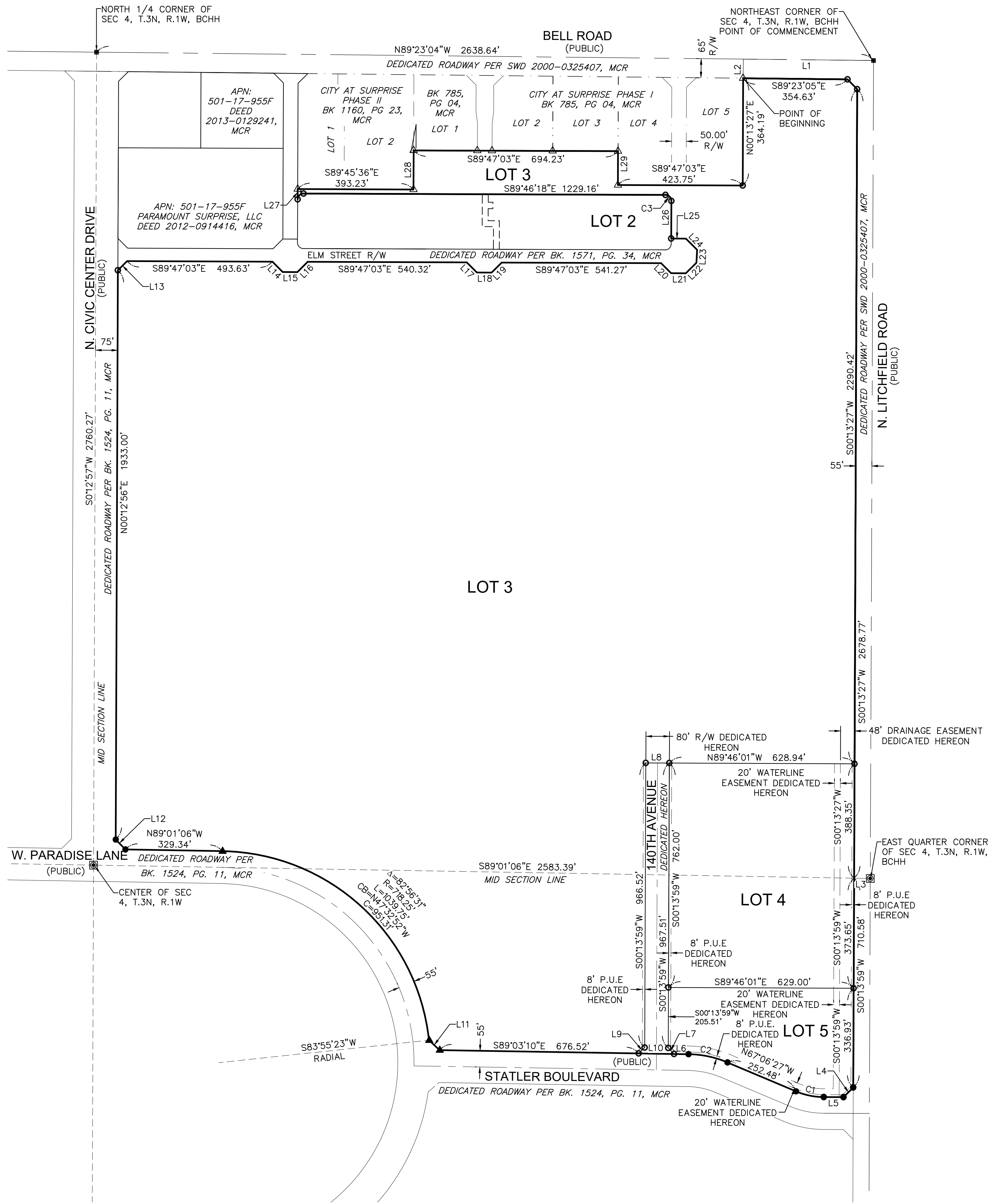
FINAL PLAT
"WOOD PARTNERS AT SURPRISE CENTER"
COVER SHEET
A PART OF THE EAST 1/2 OF SECTION 4, T-3N, R-1W
MARICOPA COUNTY, ARIZONA

DRAWN BY: BLN
CHECKED BY: AJW
DATE: 11/10/20
SCALE: AS SHOWN
PROJECT #: 16042
LAST MODIFIED: 11/10/20
LAST MODIFIED BY: BLN



SHEET 1 OF 2
PL1

FS21-607

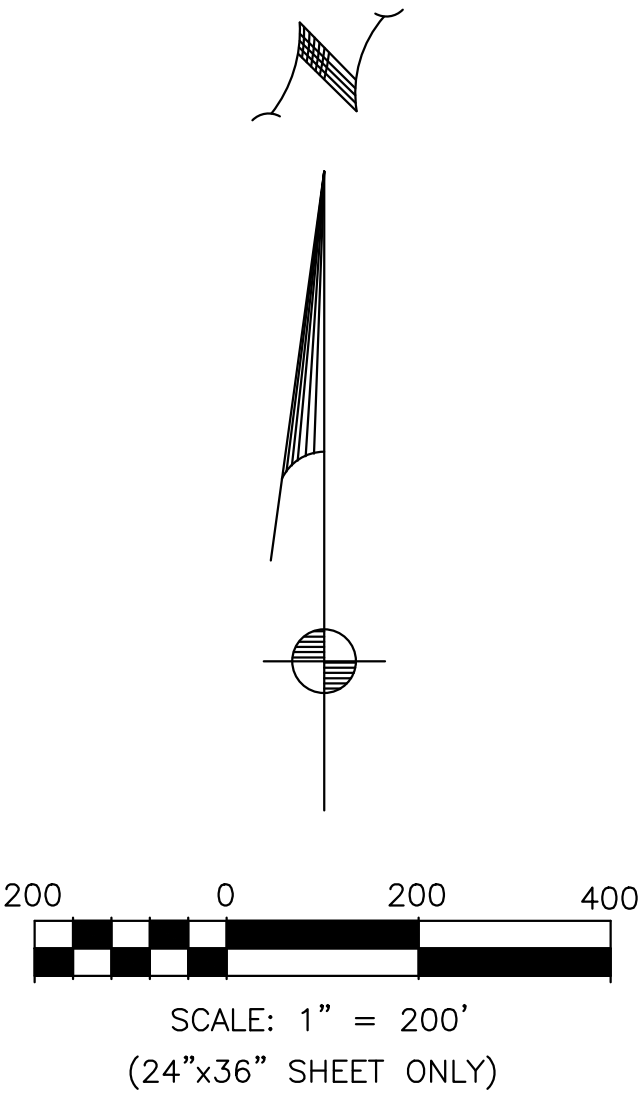


LEGEND	
APN	ASSESSORS PARCEL NUMBER
FND	FOUND
(C)	CALCULATED
(R)	RECORDED
(M)	MEASURED
R/W	RIGHT OF WAY
R.L.S.	REGISTERED LAND SURVEYOR
M.C.R.	MARICOPA COUNTY RECORDER
P.U.E.	PUBLIC UTILITY EASEMENT
BK. PG.	BOOK AND PAGE
■	FND SURVEY MONUMENT
●	FND ALUM CAP COS 19820
▲	FND ALUM CAP RLS 52139
△	FND ALUM CAP RLS 44007
○	SET REBAR W/CAP RLS41896
---	SUBDIVISION PROPERTY LINE
---	LOT LINE
---	EASEMENT LINE
---	EXISTING PROPERTY LINE
---	CENTER LINE

LINE TABLE		
LINE	LENGTH	BEARING
L1	442.19	N89° 23' 04"W
L2	65.00	S0° 36' 56"W
L3	54.85	S89° 01' 06"E
L4	46.67	S45° 13' 59"W
L5	66.98	N89° 46' 01"W
L6	49.31	S89° 03' 10"E
L7	28.46	S44° 24' 36"E
L8	80.00	N89° 46' 01"W
L9	28.11	N45° 35' 24"E
L10	120.01	S89° 03' 10"E
L11	48.94	N46° 54' 32"W
L12	47.00	N44° 24' 05"W
L13	44.01	N45° 12' 57"E
L14	49.36	S44° 46' 34"E
L15	50.01	S89° 46' 34"E
L16	49.38	N45° 12' 57"E
L17	48.47	S44° 46' 34"E
L18	50.00	S89° 46' 34"E
L19	48.49	N45° 13' 27"E
L20	48.23	S44° 46' 34"E

LINE TABLE		
LINE	LENGTH	BEARING
L21	50.00	S89° 46' 34"E
L22	50.52	N45° 13' 27"E
L23	44.06	N3° 10' 15"E
L24	53.73	N44° 46' 34"W
L25	50.00	N89° 46' 34"W
L26	127.91	S0° 13' 27"W
L27	35.00	S0° 12' 57"W
L28	132.95	N0° 12' 57"E
L29	114.95	S0° 13' 27"W

CURVE TABLE						
CURVE	RADIUS	LENGTH	CHORD BEARING	CHORD	DELTA	TANGENT
C1	245.00'	96.89'	N78°26'14"W	96.26'	22°39'34"	49.09'
C2	355.00'	135.97'	N78°04'49"W	135.14'	21°56'43"	68.83'
C3	20.00'	31.41'	S44°46'26"E	28.28'	89°59'45"	20.00'



OWNER
SURPRISE CENTER DEVELOPMENT, LLC,
PREPARED FOR
BECK CONSULTING ENGINEERS 2942 N. 24TH STREET #114 PHOENIX, AZ 85016 (602) 943-6200
PROPERTY INFO
A PART OF THE EAST 1/2 OF SECTION 4, T-3N, R1W, CITY OF SURPRISE, MARICOPA COUNTY, ARIZONA

FINAL PLAT
"WOOD PARTNERS AT SURPRISE CENTER"
A PART OF THE EAST 1/2 OF SECTION 4, T-3N, R-1W
MARICOPA COUNTY, ARIZONA

DRAWN BY:	BLN
CHECKED BY:	AJW
DATE:	11/10/20
SCALE:	AS SHOWN
PROJECT #:	16042
LAST MODIFIED:	11/10/20
LAST MODIFIED BY:	BLN

Infinity
ENGINEERING
services, ltd.

P.O. BOX 88034
PHOENIX, AZ 85080
PHONE: (602) 670-8635

Brett L. Nowacki
41896
BRET L. NOWACKI
01/04/21

SHEET	OF
2	2
PL2	

FS21-607



**DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND**

4 June 2021

Mr. Christopher P. Toale
Director, Community Initiatives Team
56th Fighter Wing
14185 West Falcon Street
Luke AFB AZ 85309-1629

Ms. Nichole Flores
Project Coordinator
City of Surprise Planning Department
16000 N. Civic Center Plaza
Surprise AZ 85374

Re: FS21-362; Alta Surprise (a portion of APN: 501-18-570)

Dear Ms. Flores

Thank you for the opportunity to comment on the Site Plan Review Application for Alta Surprise. The property sits on 11.7 vacant acres and is located north of the northwest corner of Litchfield Rd and Statler Dr in Surprise, AZ. The narrative calls for the construction of a 312 unit multi-family luxury community resulting in an overall density of 26.6 du/ac. The site is approximately 1 mile outside the Luke AFB 1988 JLUS 65 Ldn, "high noise or accident potential zone" as defined by A.R.S. § 28-8461 and is within the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461.

Luke AFB follows the guidelines in the Graduated Density Concept (GDC). The GDC proposes, in the absence of a more restrictive state, county or municipal general or comprehensive plan, graduating densities away from the 65 Ldn as follows: a maximum of 2 du/ac from the 65 Ldn to 1/2 mile, a maximum of 4 du/ac from 1/2 to 1 mile, and a maximum of 6 du/ac from 1 to 3 miles.

The proposed density of 26.6 du/ac does not meet these guidelines; however, the City of Surprise requests that Luke AFB use the previously approved Surprise Center PAD (attached), which allows for a maximum of 55 dwelling units per acre and was finalized prior to the establishment of A.R.S. § 28-8481. While less density would be beneficial to Luke AFB flight operations and overall community safety, Luke AFB recognizes the Surprise Center PAD as grandfathered. Alta Surprise will be closely monitored by Surprise planners to ensure the maximum number of dwellings per acre is not exceeded.

Luke AFB has no operational concerns regarding this project; however, since the development will be located within the “territory in the vicinity of a military airport,” it will be subjected to approximately 165 over flights a day, with some as low as 1,500 feet above ground level. We recommend you review the sound attenuation requirements found in A.R.S. § 28-8482. In addition, a strong notification program on the part of the applicant is essential to inform potential residents about Luke AFB operations.

If there are any questions, please contact my Community Planner, Mr. Mark James, at (623) 856-9981.

Sincerely

TOALE.CHRISTOPHER.P.10396
HER.P.1039696165

Digitally signed by
TOALE.CHRISTOPHER.P.10396
96165
Date: 2021.06.04 15:36:54 -07'00'

CHRISTOPHER P. TOALE

Attachment:
Surprise Center PAD, dated 5 January 2001

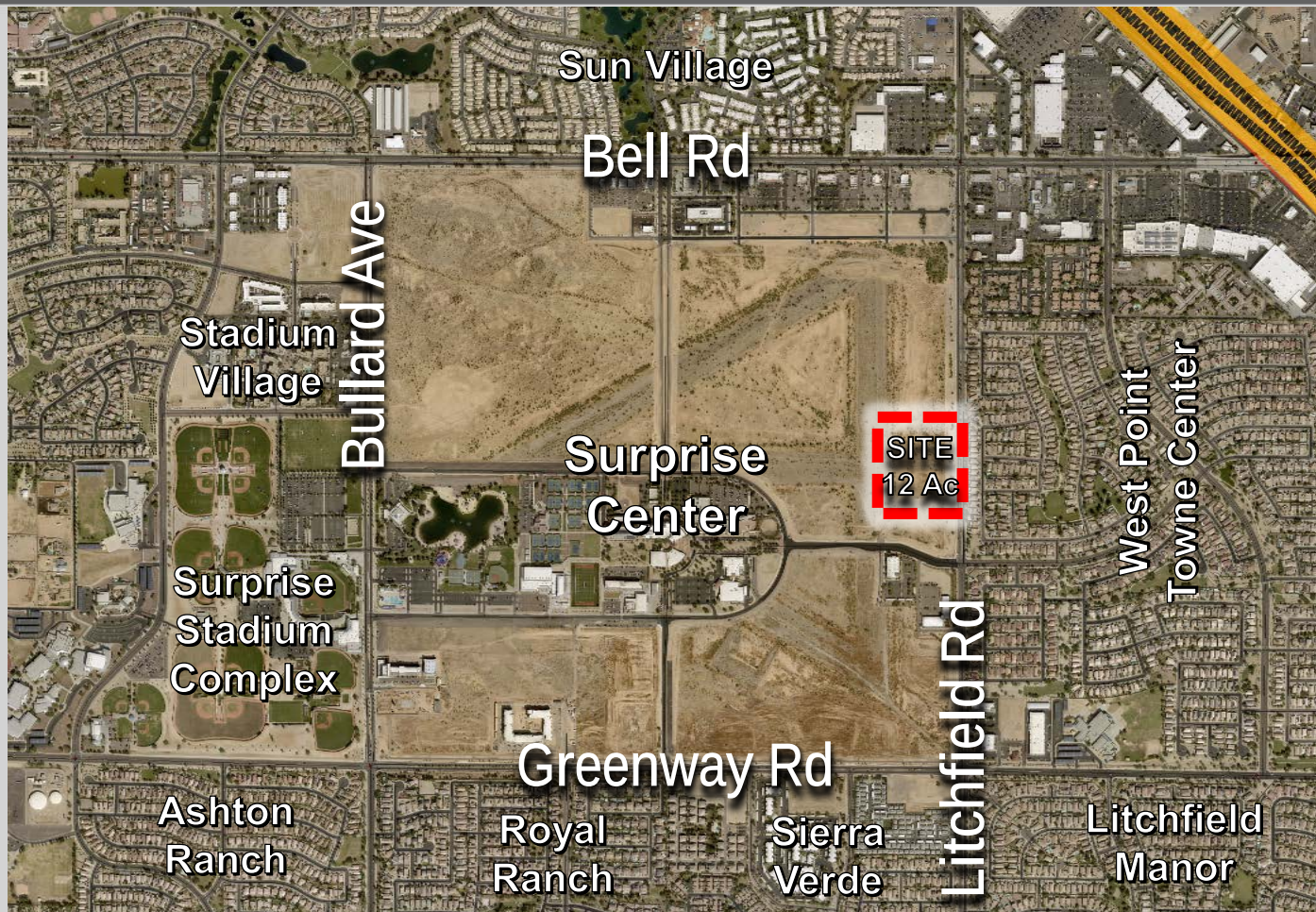
cc:
Colonel Luke B. Casper, Vice Commander, 56th Fighter Wing
Ms. Cindy L. Allen, GS-13, General and Environmental Law Attorney, 56th Fighter Wing



FS21-607

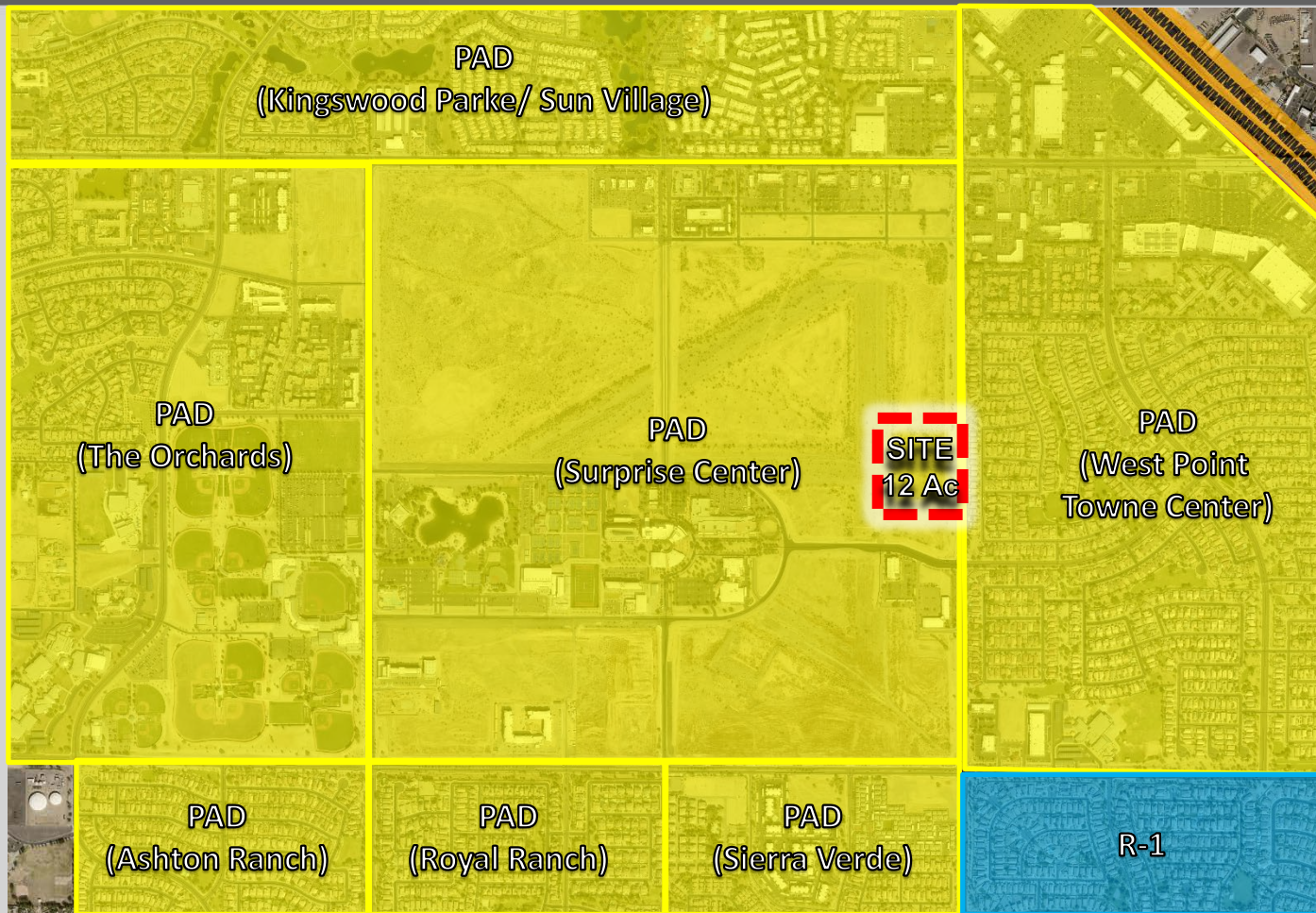
Alta Surprise Final Plat

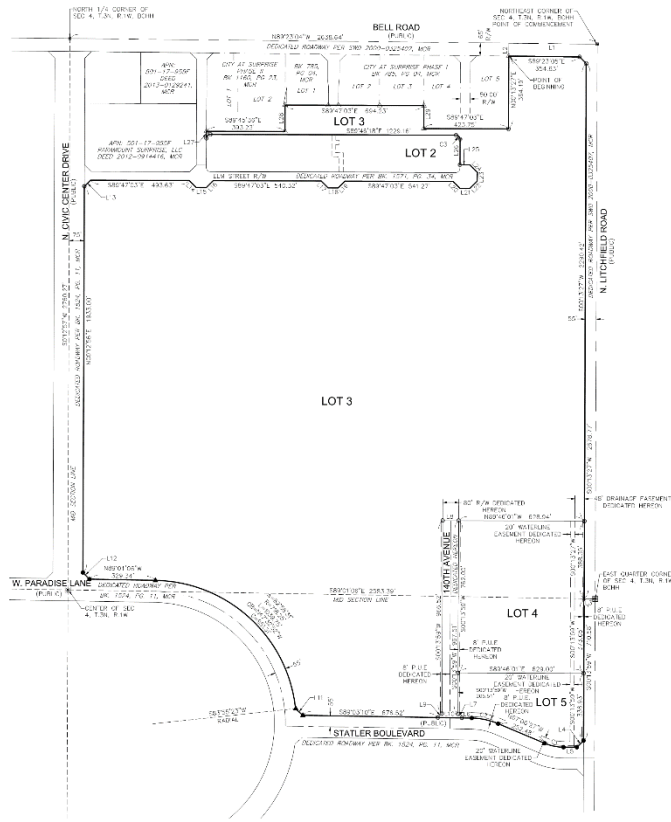
City Council
February 15, 2022



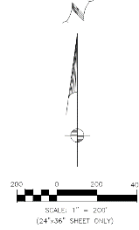
FS21-607 VICINITY MAP

FS21-607 ZONING





- LEGEND**
- APN ADJACENT PHYSICAL MAPS
 - FOI FILING
 - CO CALCULATED
 - NO RECORDS
 - NO MEASUREMENTS
 - LINE RIGHT OF WAY
 - P.L.S. PREPARED LAND SURVEYOR
 - M.C.R. MARICOPA COUNTY RECORDER
 - P.L.E. PUBLIC UTILITY EASEMENT
 - DR. TO. DRAINAGE AND FLOOD
 - FIND SURVEY MEASUREMENT
 - ▲ FIND ALIEN CAP. COS. 180°
 - ▲ FIND ALIEN CAP. S. 5° 12' 30"
 - ▲ FIND ALIEN CAP. S. 5° 12' 30"
 - SET RIGHT-OF-WAY BOUNDARY
 - SUBDIVISION PROPERTY LINE
 - LOT LINE
 - EXISTING LINE
 - EXISTING PROPERTY LINE
 - CENTER LINE



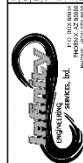
LINE	FOOTCH	BEARING
L1	442.19	N89° 22' 34"W
L2	65.20	S87° 30' 56"W
L3	54.89	S89° 01' 30"W
L4	46.87	S45° 13' 54"W
L5	66.80	N85° 48' 00"W
L6	49.71	S89° 02' 16"W
L7	38.46	S44° 24' 34"W
L8	50.00	S87° 48' 00"W
L9	38.41	N89° 30' 24"W
L10	320.01	S89° 03' 10"W
L11	48.94	N89° 24' 22"W
L12	47.20	N44° 24' 25"W
L13	44.01	N40° 12' 30"W
L14	40.36	S44° 48' 34"W
L15	50.01	S87° 48' 34"W
L16	49.78	N45° 12' 51"W
L17	68.47	S44° 48' 34"W
L18	50.00	S87° 48' 34"W
L19	48.45	N45° 12' 21"W
L20	49.23	S44° 48' 34"W

LINE	FOOTCH	BEARING
L1	50.00	S89° 40' 24"W
L2	50.52	N45° 13' 27"E
L3	41.26	N47° 40' 10"E
L4	53.73	N44° 45' 34"W
L5	50.00	N89° 48' 34"W
L6	127.9	S89° 12' 21"W
L7	25.20	S89° 12' 57"W
L8	132.98	N47° 12' 30"E
L9	114.65	S47° 12' 27"W

CURVE	CHORD	CHORD BEARING	CHORD	B.L. 1/4	TANGENT
C1	545.07	N6° 30'	107850.476	36.36	2736.34
C2	250.07	N65° 57'	107850.476	125.71	2736.34
C3	23.00	30.44°	54444.347	28.28	8495.45

FINAL PLAT
"WOOD PARTNERS AT SURPRISE CENTER"
 A PART OF THE EAST 1/2 OF SECTION 4, T-3N, R-1W
 MARICOPA COUNTY, ARIZONA

OWNER	WOOD PARTNERS
PREPARED FOR	WOOD PARTNERS
PROPERTY INFO	LOT 3, LOT 4, LOT 5



SHEET	OF
2	2
PL2	

FS21-607

CITY OF SURPRISE

FS20-607 FINAL PLAT



SURPRISE
ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: February 15, 2022 Contact Person: Chris Sexton
Submitting Department: Community Development District: District 4
Staff Recommendations: None

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

Agenda Wording:

Consideration and action pertaining to approval of the Final Plat entitled “Villas At Vesta Views”, dated April 22, 2020, a property generally located north of Greenway Road and west of El Mirage Road. Case FS21-104

Motion:

I move to approve the Plat entitled “Final Plat of “Villas At Vesta Views”, dated April 22, 2020.

Background:

David Bohn with BFH Group, on behalf of Brad Broyles, JBN Holdings seeks approval of a Final Plat of the subject property.

Objective Analysis:

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

Policy Compliant:

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

Financial Impact:

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

Budget Impact:

There is no anticipated budget impact related to this item.

FTE Impact:

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

ATTACHMENTS:

1. 00- FS21-104 Villas At Vesta Views Final Plat- Staff Report 2.15.22
 2. 01 FS21-104 Villas At Vesta Views - Vicinity Map
 3. 02 FS21-104 Villas At Vesta Views - Zoning Map
 4. 03 FS21-104 Villas At Vesta Views - Final Plat
 5. 04 FS21-104 Villas at Vesta Views - Luke AFB Letter
 6. FS21-104 Villas At Vesta Views - Powerpoint
-

FINAL PLAT

REPORT TO THE CITY COUNCIL

Case: FS21-104

Project Name: Villas At Vesta Views - Final Plat

Council District: 4 - Mulberry

City Council Date: February 15, 2022

Planner: Chris Sexton, Planner II

Owner: Brad Broyles, JBN Holdings

Applicant: David Bohn, BFH Group

Request: Final Plat for the dedication of 7-feet of right-of-way along El Mirage Road and a parcel assemblage.

Site Location: Generally located north of Greenway Road and west of El Mirage Road.

Dwelling Units: 72 total units

Site Size: 5.02 acres (approx.)

Density: 14.34 du/ac

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

Support/Opposition: None received

Findings:

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

Alternative Actions: **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.

Project Description:

The undeveloped 5.02-acres parcel will encompass 72 for lease residential units and is generally located north of Greenway Road and west of El Mirage Road. This proposed Final Plat will dedicate 7-feet of right-of-way plus establish an 8-foot wide Public Utilities Easement (PUE) for the purpose of accessing, installing, constructing, maintaining, repairing, replacing and utilizing public utilities situated along the easterly boundary of the project site.

Surrounding Land Zoning:

The following map and chart depicts the existing zoning of the subject site and its surrounds:



SHD-RO (Residential)	SHD-CO (Commercial)	City of El Mirage
SHD-CO (Commercial)	SHD-CO (Commercial)	City of El Mirage
SHD-RO (Residential)	SHD-CO (Commercial)	City of El Mirage

Background:

December 6, 1960: The Mayor and City Council approved an Annexation for the subject property under Resolution RES_1960.

October 1, 2020: A Concept Review meeting was held for the current proposal under case CR20-587.

February 9, 2021: The applicant submitted a request for a Final Plat and a Site Plan for Villas At Vesta Views under Case FS21-104, the subject case.

October 7, 2021: The Site Plan was approved by Planning and Zoning Commission.

67 **Analysis and Discussion:**

68
69 David Bohn of BFH Group is requesting Final Plat approval for 72 for lease multi-family units
70 on 5.02 acres, generally located 400 feet+ north of Greenway Road and on the west side of
71 El Mirage Road. The project provides for a density of 14.34 DU/Ac.
72

73 City Council approval of the subject Final Plat will allow the applicant to obtain the civil
74 construction permits necessary to begin construction of the infrastructure associated with the
75 project. The proposed Final Plat is in conformance with regulatory documents, and the
76 reviewing agencies have expressed no objections to the approval of the Final Plat.
77

78 **Summary:**

79
80 The applicant seeks a Final Plat across the subject property. The proposed development
81 is compatible with the neighboring land uses and the amenities included will provide
82 recreational opportunities for the neighborhood residents.
83

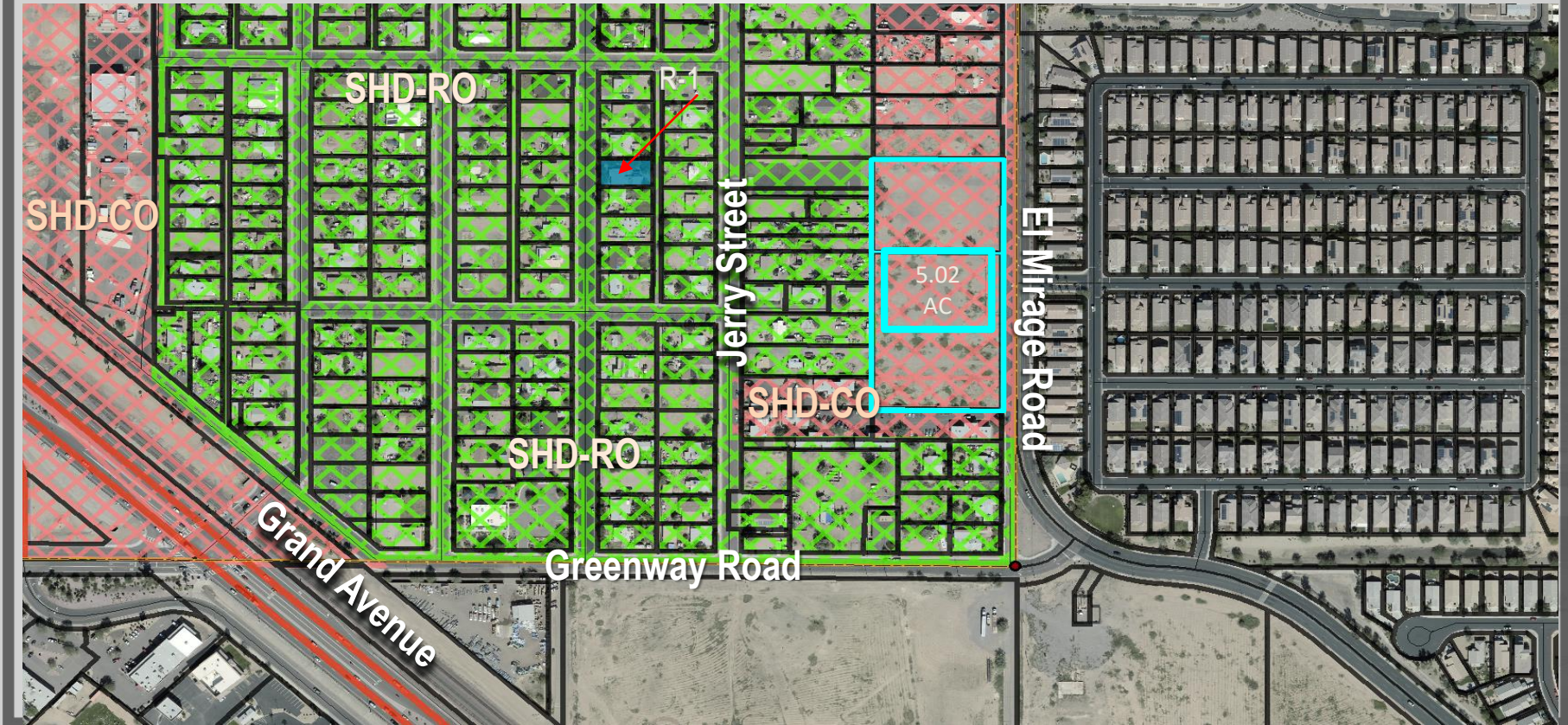
84
85 **Attachments:**

86
87 01 Vicinity Map
88 02 Zoning Map
89 03 Final Plat
90 04 Luke Letter
91
92

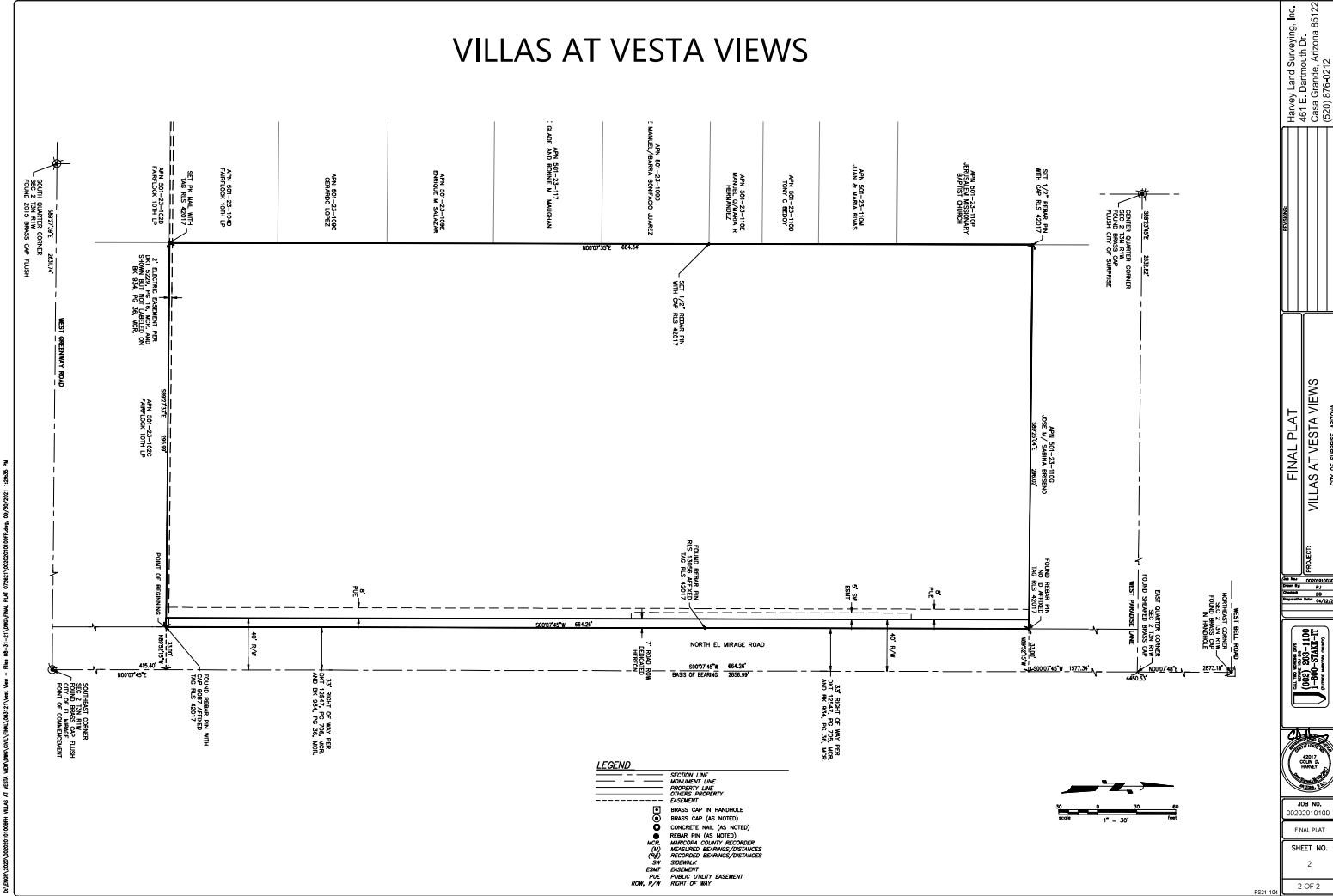
VICINITY MAP



SURROUNDING ZONING



VILLAS AT VESTA VIEWS



FINAL PLAT
VILLAS AT VESTA VIEWS
CITY OF SURPRISE, ARIZONA

PROJECT:
VILLAS AT VESTA VIEWS
CITY OF SURPRISE, ARIZONA

JOB NO.:
00202010100

FINAL PLAT

SHEET NO.:
2

2 OF 2

Surveyor:
Harvey Land Surveying, Inc.
461 E. Darnmouth Dr.
Casa Grande, Arizona 85122
(520) 876-0212

From: JAMES, MARK C GS-12 USAF AETC 56 FW/CVE <mark.james.14@us.af.mil>
Sent: Tuesday, September 22, 2020 8:43 AM
To: Nichole Flores
Cc: 56 FW/CIT Community Initiative; CHRISTIANSON, REGGIE A GS-13 USAF AETC 56 FW/CVE
Subject: RE: CR20-587 Villas at Vesta View (APN: 501-23-109L, 601-23-110H)

****The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.****

Nichole,

Thank you for the opportunity to provide comments for the Villas at Vesta View Concept Review Application. The site sits on 4.5 acres of land located at 15431 N. El Mirage Rd in the Original Town Site (OTS) also known as "Heritage District of Surprise". This proposed development is for 71 multi-family townhomes and is approximately .81 miles outside Luke AFB 1988 JLUS 65 Ldn, "high noise or accident potential zone" as defined by A.R.S. § 28-8461 and is within the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461.

In an effort to promote a more compatible co-existence Luke AFB follows the guidelines in the Graduated Density Concept (GDC). The GDC proposes, in the absence of a more restrictive state, county or municipal general or comprehensive plan, graduating densities away from the 65 Ldn as follows: a maximum of 2 du/acre from the 65 Ldn to 1/2 mile, a maximum of 4 du/acre from 1/2 to 1 mile, and a maximum of 6 du/acre from 1 to 3 miles.

This project with a density of 15.7 du/ac does not fall within these guidelines and it exceeds the densities that Luke AFB follows. However, we acknowledge the City of Surprise has requested that Luke AFB use the overall 640 acres for the OTS in evaluating Villas at Vesta View since it falls within the OTS area. The overall OTS density at maximum build-out was agreed upon by Surprise Planning to comply with the maximum densities identified in the GDC above, and was brought about due to incompatible higher density developments covering small parcels. By completing this parcel as proposed, the City of Surprise guarantees the overall density will not appreciably increase beyond 3,800 dwellings, and the OTS will remain within the guidelines of the GDC. Given that stipulation, Villas at Vesta View should not negatively impact the flying operations at Luke AFB; however, Luke AFB reserves the right to review/comment on final plans submitted to Surprise.

If approved, Villas at Vesta View will be located within the "territory in the vicinity of a military airport," and will be subjected to approximately 165 over flights a day, with some as low as 1,500 feet above ground level. We recommend you review the sound attenuation requirements found in A.R.S. § 28-8482. In addition, a strong notification program on the part of the applicant would be essential to inform potential residents about Luke AFB operations.

Respectfully,

Mark

Mark James

Planning Manager, Community Initiatives Team
Luke AFB AZ 85309
Office: 623-856-9981
DSN: 896-9981

-----Original Appointment-----

From: Nichole Flores

Sent: Tuesday, September 15, 2020 11:50 AM

To: Amy Peterson; Brigham Bennett; Chris Boyd; Christine Nunez; Cindy Coen; Dana Owsiany; David Mobley; Ellen VanRiper; Heather Donaldson; Hobart Wingard; Jacob Moreno; James Stewart; Jamie Sullivan; Jeffery Martin; Jeffrey Rallo; Jennifer Davidson; Joe Garza; John McFarland; Johnathan Futch; Joseph Zak; Joshua Mike; Keith Tanner; Kristin Tytler; Lana Collins; LariBeth Kirkendall; Lee Lambert; Lloyd Abrams; Lorraine Nevarez; Luke Korpi; Maolin Zheng; Marcia Sorensen; Martin Lucero; Michael Boule; Mike Gent; Nuning Lemka; Paul Frie; Randy De La Garza; Renee Fugiel; Robert Kuhfuss; Ron Dry; Sergio Angulo; Shirley Phan; Sophie Cole; Stephen Chang; Steven Stuart; Tiffany Copp; Todd Wuellner; Tracie Busby; Tracy Mills; Travis Samuelson; Warren Bert; Greg Welch

Cc: 56 FW/CIT Community Initiative; Adam D Carreon (ADOT); Afshin Ahouraiyan (Maricopa); 'Bob Woodring - TEMPX'; 'Bryce Christo (bchristo@cityofelmirage.org)'; 'Chris Cain - MWD'; Daniel Trujillo; 'Debbie Trasancos - MWD'; Donna Miller; 'Ernest (USPS)'; 'Eva Pierce'; 'Ibeth - USPS'; 'Jorge Gastelum - El Mirage'; 'Kevin Shipman'; 'Leslie - MWD'; 'Mark Frago'; 'Mary Orta - Surprise Chamber'; 'Peter Hughes - FCDX'; 'Project Coordinator'; 'Raoul Sada - Surprise Chamber'; 'Richard Hammitt'; Sandy Simmons; 'Vern Wolfley - MAG'; 'Victor.Schaum'; 'Yvonne Aguirre'

Subject: [Non-DoD Source] CR20-587 Villas at Vesta View

When: Thursday, October 1, 2020 8:45 AM-9:30 AM (UTC-07:00) Arizona.

Where: WebEx Meeting

Concept Review Meeting – CR20-587 Villas at Vesta View

15431 N El Mirage Rd

[501-23-109L](#); 501-23-110

Scope of Work:

- 71 Multi-Family Townhomes

Questions for Staff:

- None provided

****PLEASE MUTE MIC UNTIL CALLED UPON TO REDUCE BACKGROUND NOISE/FEEDBACK****

-- Do not delete or change any of the following text. --

When it's time, join your Webex meeting here.

Meeting number (access code): 146 901 3846

Meeting password: 6Zjg8dnF9r2

[Join meeting](#)

Tap to join from a mobile device (attendees only)

[+1-408-418-9388,,1469013846##](#) United States Toll

[+1-602-666-0783,,1469013846##](#) United States Toll (Phoenix)

Join by phone

+1-408-418-9388 United States Toll

+1-602-666-0783 United States Toll (Phoenix)

[Global call-in numbers](#)

Join from a video system or application

Dial [1469013846@surpriseaz.webex.com](#)

You can also dial 173.243.2.68 and enter your meeting number.

Join using Microsoft Lync or Microsoft Skype for Business

Dial [1469013846.surpriseaz@lync.webex.com](#)

If you are a host, [click here](#) to view host information.

Need help? Go to <http://help.webex.com>

City of Surprise offices open at 8 a.m. and close at 5 p.m. Monday through Friday. More info at www.surpriseaz.gov.

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15 Sep 2020 18:50:14 -0000



FS21-104

Villas At Vesta Views-Final Plat

City Council
February 15, 2022



Villas At Vesta Views

FS21-104 Vicinity Map





SURPRISE
ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: February 15, 2022 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 Final Plat entitled, "The Retreat at Prasada" and dated September 3, 2021, a property general located south of Waddell Road between Sarival Avenue and Reems Road. Case FS21-113

Motion:

I move to approve the Final Plat entitled, "The Retreat at Prasada" and dated September 3, 2021.

Background:

The subject request involves a final plat for Hancock Communities Prasada, also known as The Retreat at Prasada, a multi-family development. The project will include a total of 331 units consisting of 126 1-bedroom units, 187 2-bedroom units, and 18 3-bedroom units. Also included in the development is an office and clubhouse, fitness center, open space and recreational amenities, and parking canopies and garages. The accompanying site plan (FS20-658) for the subject development has been reviewed and approved by staff, pending the approval and recordation of the subject final plat.

Objective Analysis:

The subject Final Plat meets the requirements of the Prasada PAD, in addition to other requirements as set forth in the Surprise Municipal Code. All city reviewing departments have reviewed the requested and expressed no concerns.

Policy Compliant:

The requested Final Plat is consistent with the Prasada 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 - FS21-113 Hancock Communities Prasada Final Plat - Staff Report 021522 CC
 2. 01 - FS21-113 Hancock Communities Prasada - Vicinity Map
 3. 02 - FS21-113 Hancock Communities Prasada - Zoning Map
 4. 03 - FS21-113 Hancock Communities Prasada - Final Plat_Final
 5. FS21-113 Hancock Communities Prasada Final Plat
-

FINAL PLAT

REPORT TO THE CITY COUNCIL

Case: FS21-113

Project Name: Hancock Communities Prasada Final Plat

Council District: 3 – Mesquite

Meeting Date: February 15, 2022

Planner: Trever Fleetham, AICP

Owner: Suburban Land Reserve, Inc.

Applicant: Paul Sanchez with Bowman Consulting

Request: Final Plat for a multi-family residential development

Site Location: Generally south of Waddell Road between Sarival Avenue and Reems Road in the north half of Section 18, Township 3 North, Range 1 West, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona

Site Size: 34.83 acres (approx.)

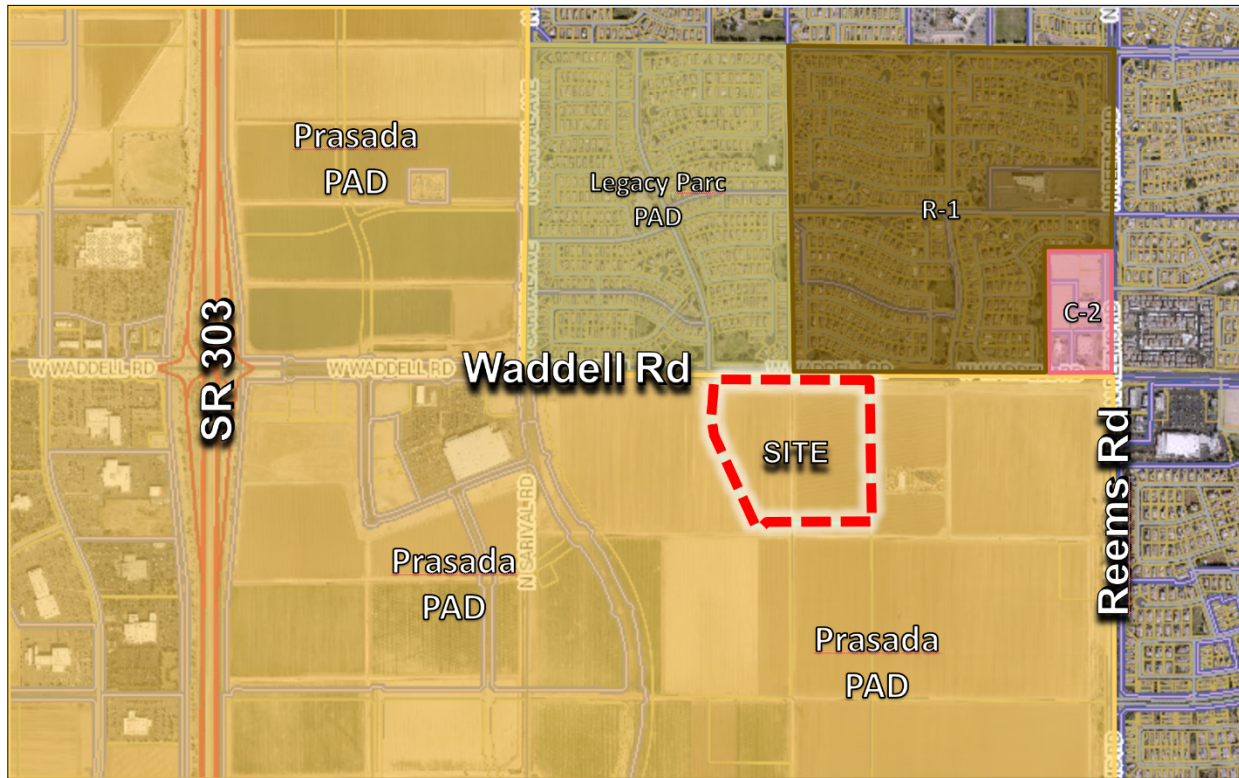
General Plan Conformance: The proposal is consistent with the Surprise General Plan 2035

Support/Opposition: None known

Project Description:

The subject request involves a final plat for Hancock Communities Prasada, also known as The Retreat at Prasada, a multi-family development. The project will include a total of 331 units consisting of 126 1-bedroom units, 187 2-bedroom units, and 18 3-bedroom units. Also included in the development is an office and clubhouse, fitness center, open space and recreational amenities, and parking canopies and garages. The accompanying site plan (FS20-658) for the subject development has been reviewed and approved by staff, pending the approval and recordation of the subject final plat.

Surrounding Land Zoning:



Background:

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

October 12, 2020: The applicant filed case FS20-658 for a Type I Site Plan for the subject property and development.

November 19, 2020: A Minor PAD Amendment to the Prasada Urban Village was administratively approved.

February 11, 2021: The applicant filed case FS21-113, the subject case, for a final plat for Hancock Communities Prasada multi-family development.

Analysis and Discussion:

The subject final plat includes a 34.83 gross acre parcel for the Hancock Communities Prasada a.k.a. The Retreat at Prasada multi-family development. The subject plat will dedicate approximately 3.37 acres of right-of-way, leaving a 31.46 acre lot for the multi-family development. The subject plat will also create the easements needed to accommodate this development. The site plan for the development was submitted under case FS20-658, and has since been reviewed by staff. Final approval of the accompanying site plan will be contingent upon the approval and recordation of the subject plat. The proposed final plat is consistent with the Prasada PAD, as amended, the Surprise General Plan, and applicable city codes.

Conformance with Adopted Plans:

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

Reviewing Agencies:

The subject request was routed to the standard reviewing agencies, who expressed no concerns.

Summary:

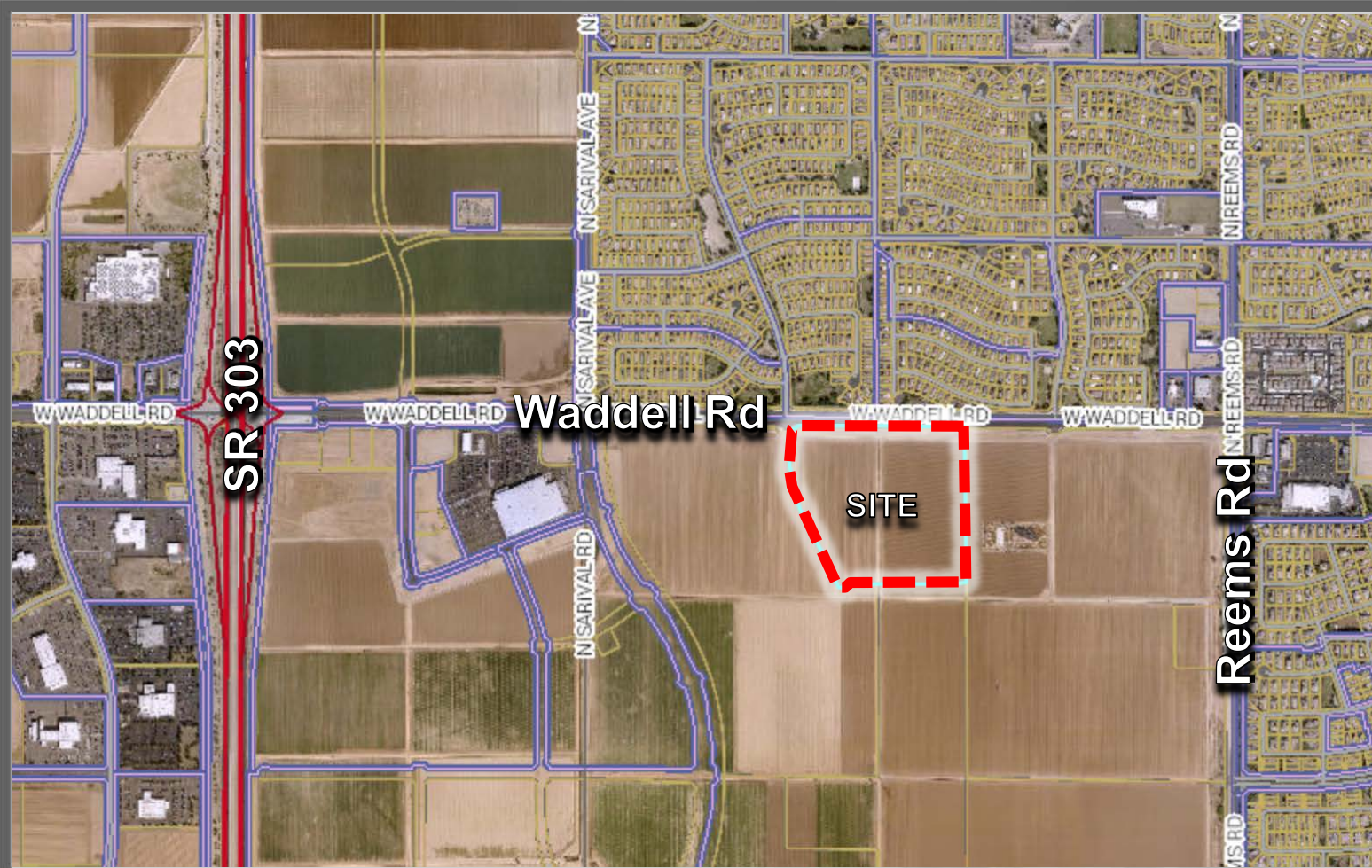
The subject Final Plat meets the requirements of the Prasada PAD, in addition to other applicable requirements as set forth in the LDO. All city reviewing departments have reviewed the request and expressed no concerns.

Findings:

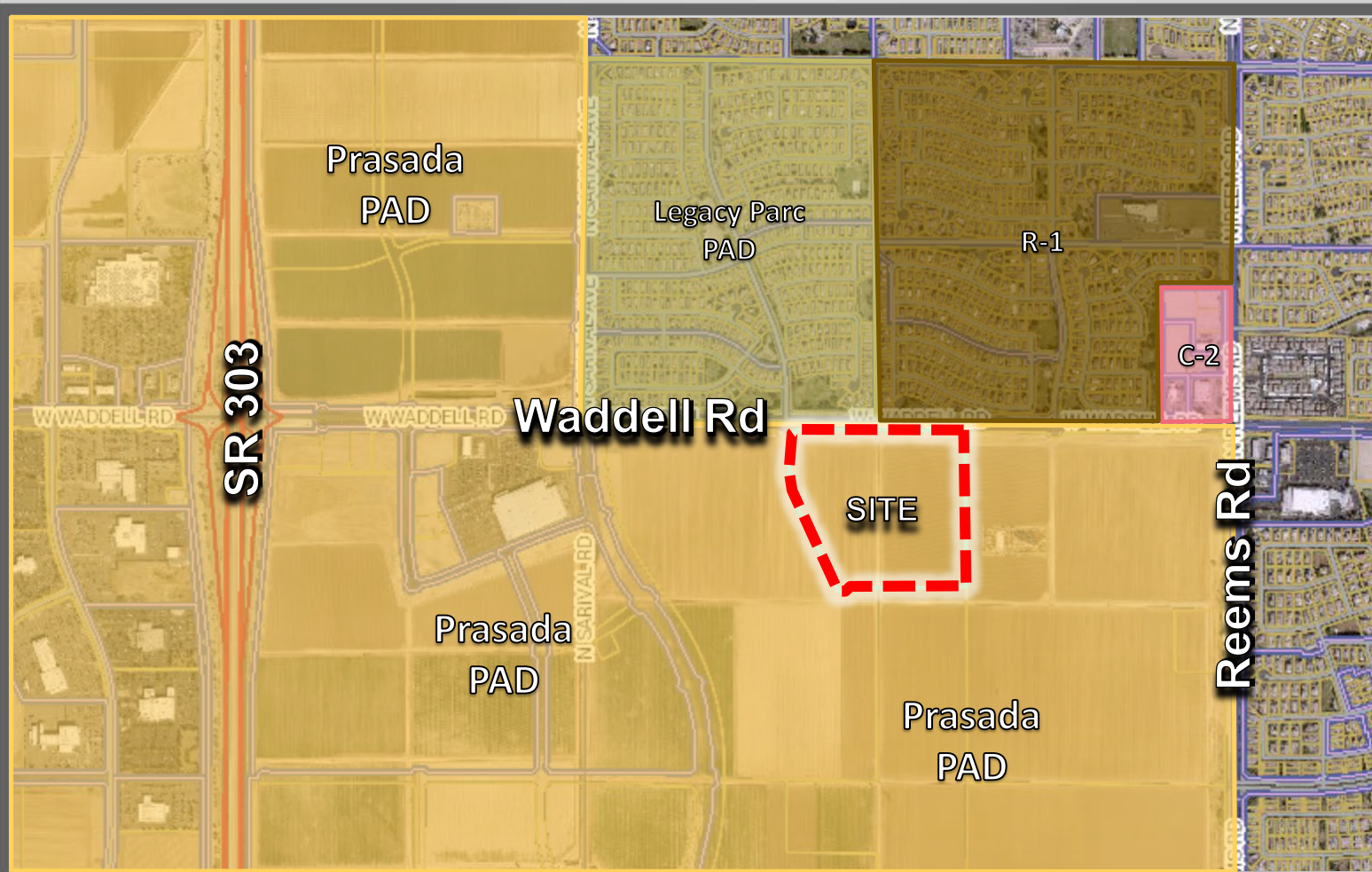
- The proposed Final Plat is consistent with the Surprise General Plan.
- The proposed Final Plat is consistent with the Prasada PAD.
- The reviewing agencies have indicated no objections.

Attachments:

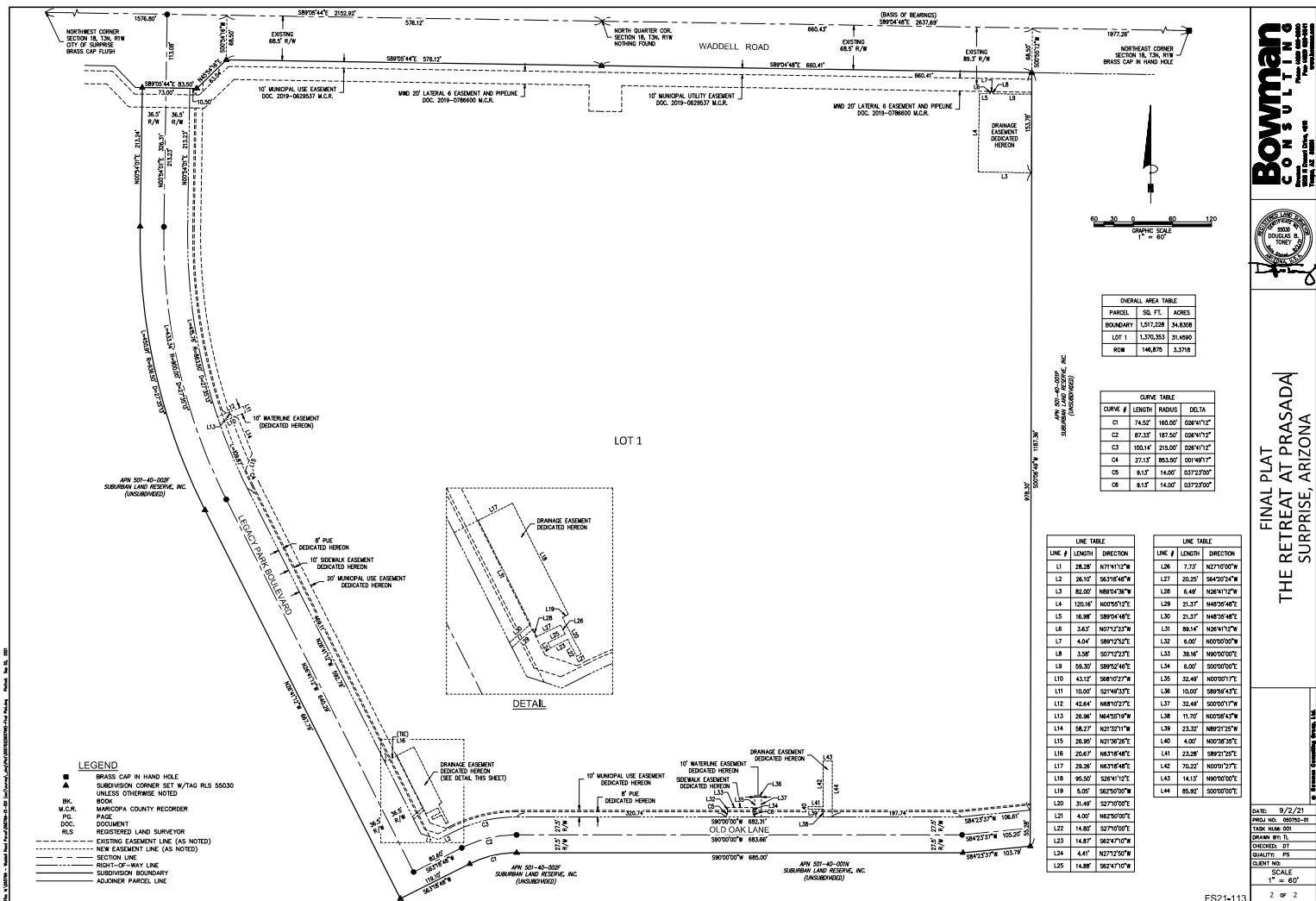
- 01 Vicinity Map
- 02 Zoning Map
- 03 Final Plat



FS21-113 VICINITY MAP



FS21-113 ZONING MAP



FINAL PLAT
THE RETREAT AT PRASADA
SURPRISE, ARIZONA

DATE:	9/2/21
PROJ. NO.:	080703-D
FILE NAME:	080703-D
DRAWN BY:	TS
CHECKED BY:	DT
QUALITY:	PS
CLIENT NO.:	
SCALE:	1" = 60'

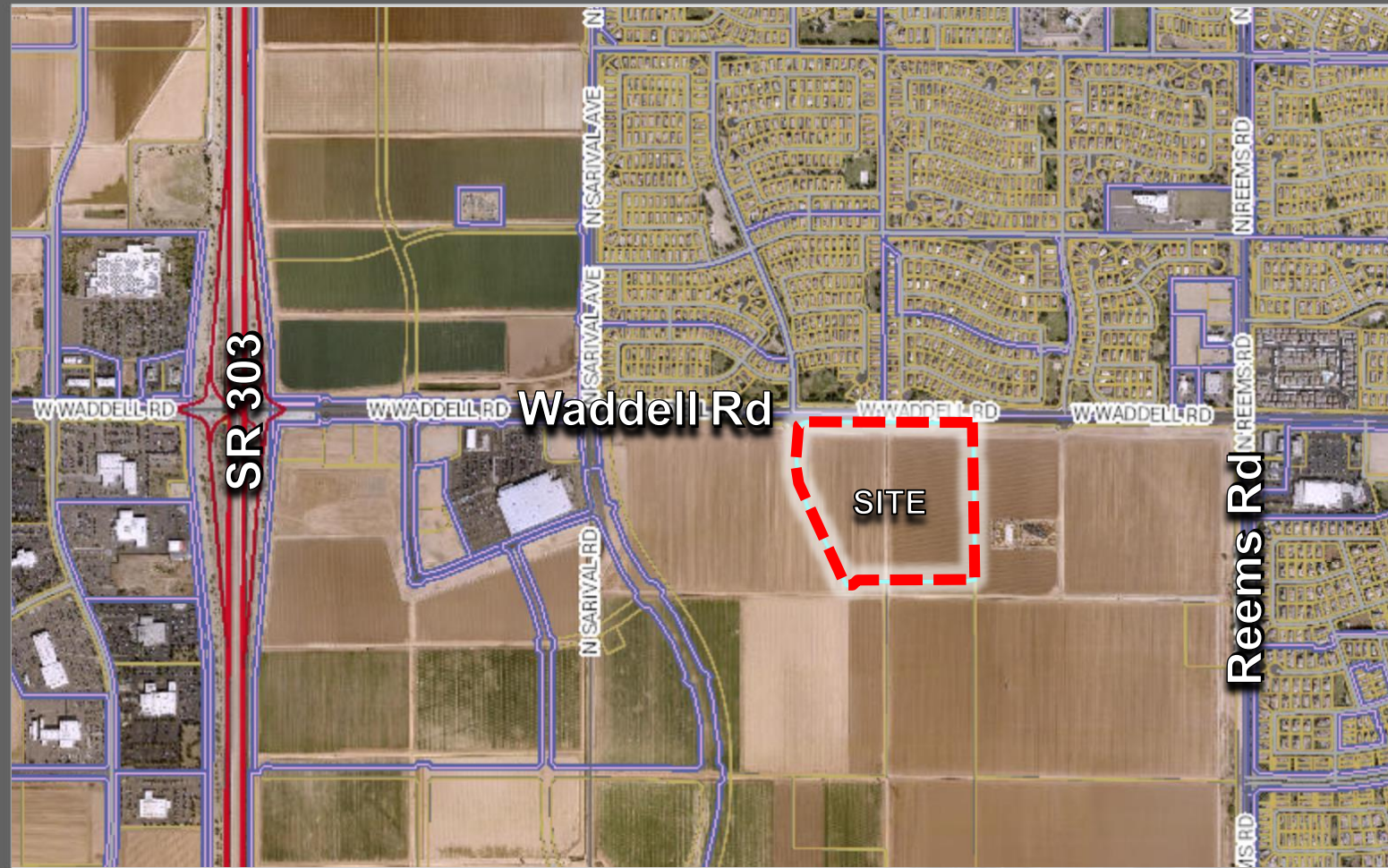


FS21-113

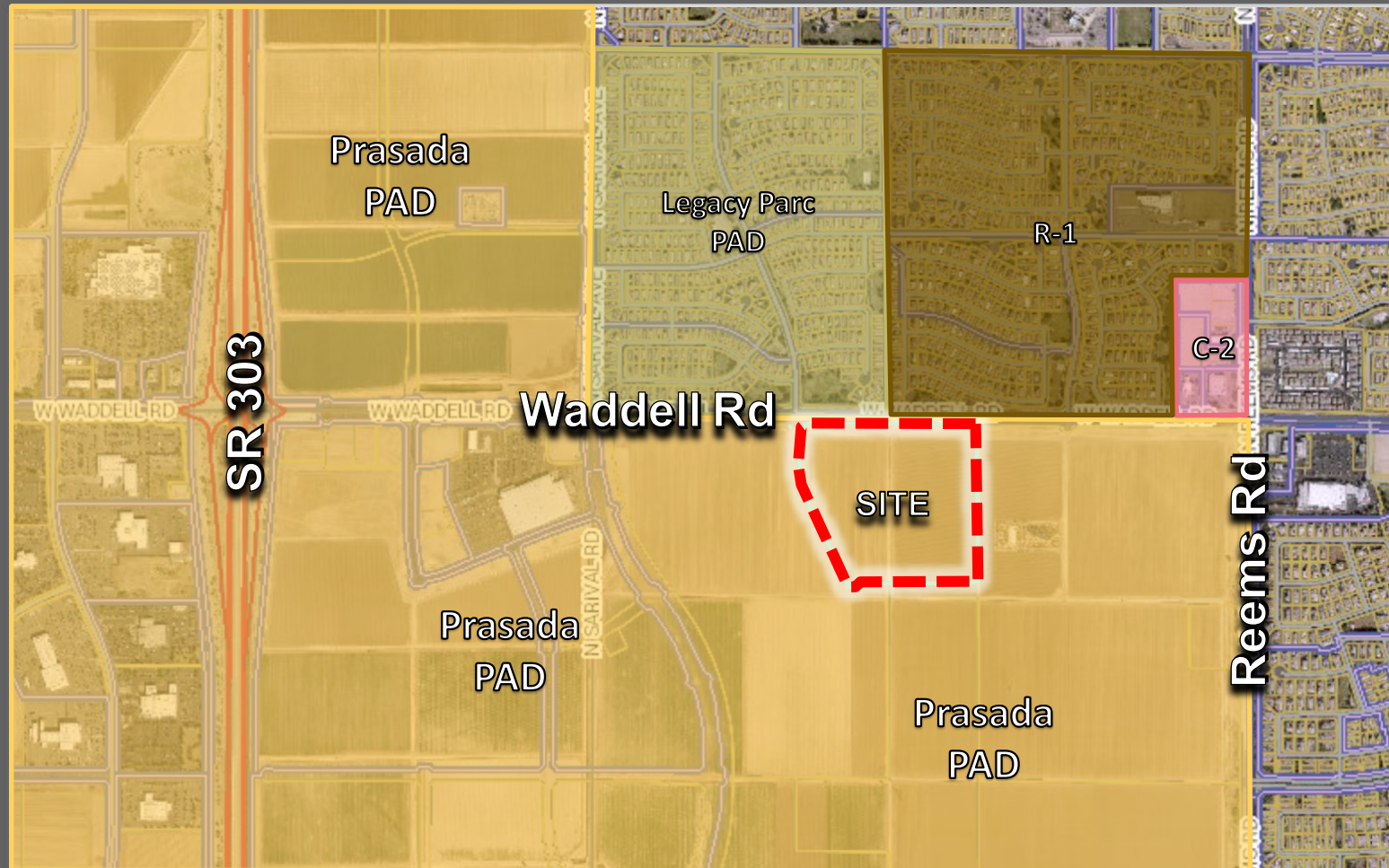
**Hancock Communities Prasada
Final Plat**

City Council

February 15, 2022



FS21-113 VICINITY MAP



FS21-113 ZONING MAP



SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: February 15, 2022 Contact Person: Tiffany Copp, Assistant Director
Submitting Department: Community Development District: Citywide
Staff Recommendations:

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

Agenda Wording:

Consideration and action pertaining to approval of the City of Surprise Property Maintenance Ordinance # 2022-05.

Motion:

I move to approve Ordinance # 2022-05.

Background:

In 2007 City Council adopted the 2006 International Property Maintenance Code (IPMC) as published by the International Code Council (Ordinance 07-38), governing the appearance and safety of all residential and non-residential structures and premises within the City. The Property Maintenance Ordinance (PMO) is intended to facilitate the community's access to the ordinance that guides the City's expectations regarding property maintenance, and enforcement, as well as to replace the 2006 IPMC.

Objective Analysis:

Upon adoption, the PMO will become part of the Surprise Municipal Code. Adopting a local ordinance gives the City content and publication authority over the document. The IPMC cannot be published by the City but is made available in hard copy for residents to review at City Hall upon request. The intent and spirit of the PMO remains consistent with the IPMC. Changes which have been made to the PMO include streamlining redundant or overstated content and adding content specific to the property maintenance expectations of the City of Surprise.

Policy Compliant:

The adoption of the Property Maintenance Ordinance is consistent with City and Council Policy.

Financial Impact:

The financial impact associated with the adoption of this ordinance will be the one-time cost to convert the ordinance to MuniCode for inclusion with the other Surprise Municipal Codes, which is not anticipated to exceed \$400.00.

Budget Impact:

Funds are available in the Community Development FY22 General Fund operating budget for this publication.

FTE Impact:

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

ATTACHMENTS:

1. PMO Presentation 2.15.22 CC
 2. 22.02.07 Ord 2022-05 Property Maintenance jtm final.pdf
-



PROPERTY MAINTENANCE ORDINANCE

Tiffany Copp, Assistant Director/ Community Development
February 15, 2022



BACKGROUND

In March 2021, staff proposed adopting a local Property Maintenance Ordinance (PMO) to replace the 2006 IPMC in an effort to:

- Improve transparency
- Ensure publication control

BACKGROUND

Adoption of a local PMO would:

- Replace the 2006 International Property Maintenance Code (IPMC) as the guiding document for property maintenance
- Allow the PMO to be published to the City's Municipal Code online as part of Chapter 34, Offenses and Miscellaneous Provisions

TIMELINE

03/02:
Work Session

03/03:
Begin 60-day Public
Comment Period

- Letters to HOA Boards
- Media & Video Presentation Release
- PMO Webpage

03/30:
First Public Meeting

04/13:
Second Public Meeting

05/02:
Close Public Comment
Period

06/11:
District 1 Meeting - AZ
Traditions

06/15:
Council Work Session

June:
Resident follow up and
research.

July:
Additional resident
follow up and research.

07/28:
Email from Capitol
Consulting, LLC

Aug-Nov: Evaluated
feedback and research
with internal
stakeholders.

Nov/Dec: Final follow up
with residents.

02/01:
Council Work Session

02/15:
Regular Council Meeting

March 2021

Apr 2021

May 2021

June 2021

July - Dec
2021

Feb 2022

STAFF RECOMMENDATION

Staff is recommending APPROVAL of the ordinance adopting the PMO.



Questions/ Comments?

ORDINANCE # 2022-05

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING CHAPTER 105, ARTICLE II, SEC. 105-19(H), AND ADDING CHAPTER 34, ARTICLE IX, , SECTIONS 401 THROUGH 409, *CITY OF SURPRISE PROPERTY MAINTENANCE ORDINANCE*; INCLUDING SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND REPEALING CONFLICTING ORDINANCES.

WHEREAS, the Mayor and Council have deemed it necessary, in order to protect the public health, safety, and welfare of both public and private property, to adopt certain rules and regulations regarding the repair and maintenance of all buildings, structures, or premises;

WHEREAS, in 2007 the Mayor and City Council adopted the 2006 International Property Maintenance Code ("2006 IPMC");

WHEREAS, the 2006 IPMC sets forth the laws, rules, and regulations that establish minimum standards for the condition and maintenance of all residential and nonresidential structures and buildings, as well as all vacant and improved lots and lands;

WHEREAS, the 2006 IPMC is subject to certain copyright laws, and its current public availability within the City of Surprise is limited to three paper copies maintained in the Office of the City Clerk;

WHEREAS, the Mayor and Council deem it preferable to have a Property Maintenance Ordinance that is more easily accessed by residents, citizens and members of the public, and is otherwise available to search, review, and inspect online; and

WHEREAS, the Property Maintenance Ordinance ("PMO") is intended to replace, in its entirety, the 2006 IPMC.

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

Section 1. Chapter 105, Article II, Sec. 105-19 is amended as follows:

Sec. 105-19. - Construction codes. The following codes and appendices as published by the International Code Council **AND/OR THE CITY OF SURPRISE FOR ITS PROPERTY MAINTENANCE ORDINANCE AS SET FORTH IN SEC. 105-19(H) BELOW**, and the *amendments* to those codes, as adopted by ordinance, are hereby adopted as amended and declared to be public records. At least three (3) copies of each code and its corresponding *amendments*, if any, shall be filed in the city clerk's *office* and

kept available for public use and inspection, **WITH THE EXCEPTION OF THE SURPRISE PROPERTY MAINTENANCE ORDINANCE WHICH SHALL BE MADE AVAILABLE ONLINE AT WWW.SURPRISEAZ.GOV.**

...

H. ~~2006 International Property Maintenance Code~~**2022 SURPRISE PROPERTY MAINTENANCE ORDINANCE.**

Section 2. Chapter 34, Article IX, Sections 401 through 419, Property Maintenance Ordinance, of the Surprise Municipal Code is hereby added as set forth in the attached Exhibit A, and incorporated by this reference.

Section 3. All ordinances, resolutions or codes in conflict with the provisions of this Ordinance or Code adopted by this Ordinance are repealed.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of these amendments to the municipal code adopted herein 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 5. This ordinance will become effective at the time and manner prescribed by law.

PASSED AND ADOPTED this ____ day of _____, 2022.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

EXHIBIT A
PROPERTY MAINTENANCE ORDINANCE

Surprise Municipal Code
Chapter 34, Offenses and Miscellaneous Provisions
Article IX, PROPERTY MAINTENANCE CODE

34-401 - Title

34-402 - Intent and Scope

34-403 - Conflict of Ordinances and Severability

34-404 - Definitions

34-405 - Authority and Enforcement

34-406 - Liability

34-407 - Violation Notice

34-408 - Civil Citation

34-409 - Criminal Complaint

34-410 - Inspection Warrants

34-411 - Abatement and Demolition

34-412 - Condemnation

34- 413 - Building Systems

34-414 - Interior Maintenance

34-415 - Exterior Maintenance

34-416 - Exterior Premises and Land Maintenance

34-417 - Landscape Maintenance

34-418 - Vehicles

34-419 - Safety

34-401 Title

This chapter shall be known as the “The Property Maintenance Code of the City of Surprise, Arizona.” Within this text, the following terms, whether capitalized or not, shall be synonymous with the Property Maintenance Code of the City of Surprise: “this PM code,” “Surprise Property Maintenance Code,” “this ordinance,” and “The Property Maintenance Ordinance.”

34-402 Intent and Scope

- (A) The purpose of this PM code is to promote the health, safety, and welfare of the residents of Surprise Arizona, and to protect neighborhoods against hazardous blighting and deteriorating influences or conditions that contribute to the downgrading of neighborhood property values, by establishing minimum standards for the condition and maintenance of all residential and nonresidential buildings, structures and vacant and improved lands.
- (B) This PM code shall apply to all buildings, structures, and lands within the City of Surprise.
- (C) This PM code shall be fairly, sensibly, and reasonably applied to promote the maintenance of all existing buildings and land within the jurisdiction of the City of Surprise.
- (D) This PM code shall not require changes in existing buildings and utilities when alterations were installed and have been maintained in accordance with the City of Surprise Adopted Codes in effect at the time of construction or alteration. This section does not apply when the building has been determined to be an imminent hazard, unsafe, unhealthy, blighted or deteriorated, or when the building has been moved to another location.

34-403 Conflict of Ordinances and Severability

- (A) In any case where a provision of this PM code is found to be in conflict with a provision of any zoning, Adopted Codes, safety or health ordinance or code existing on the effective date of this PM code, the provision of the zoning, Adopted Code, safety or health ordinance or code shall prevail.
- (B) Nothing in this PM code shall be construed to repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other laws, codes or ordinances, except those specifically repealed by this PM code, which shall remain in full force and effect.
- (C) If any section, subsection, paragraph, sentence, clause, or phrase of this PM code should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this PM code, which shall remain in full force and effect; and to this end, the provisions of this PM code are hereby declared to be severable.

Abatement: Action taken by the City Code Official or designee to correct, repair, clear, demolish or remove any blighted condition(s) or violation(s) of this PM code or any of the Adopted Codes.

Abatement (Court Ordered): An order, in writing, signed by a judge of a court of competent jurisdiction, authorizing any employee, representative, or contractor of the City to enter onto any affected property to abate specified conditions.

Adopted Codes: Any of the provisions of the construction codes including but not limited to the building, residential, mechanical, electrical, plumbing, residential, fuel gas, energy conservation, or fire code, as adopted and amended by the City.

Animal Waste: Household pet waste and/or waste from stables, kennels, pet pens, chicken coops, and veterinary establishments, or other establishments of a similar nature.

Architectural Pool: A constructed or excavated exterior area designed to contain a regular supply of water, other than a swimming pool.

Bathroom: A room containing plumbing fixtures including a bathtub or shower.

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 or dwelling having a roof that is supported by poles, columns, and/or walls, that is utilized or intended to be used for the housing and/or enclosure of persons, animals, or personal property.

Code Official: The City Manager or authorized designee in charge of the administration and enforcement of this PM code.

Condemn: To adjudge unfit for human occupancy.

Construction Materials: Any material commonly used in construction or landscaping including, but not limited to, asphalt, concrete, plaster, tile, rocks, bricks, sand, dirt, lumber, blocks, or other similar materials.

Debris: Substance or material of little or no apparent value including, but not limited to, deteriorated lumber, old newspapers, cardboard material, scrap metal, vehicle parts, discarded furniture parts, stoves, sinks, cabinets, household fixtures, refrigerators, abandoned, broken or neglected equipment, or the scattered remains of items.

Defendant: A person or group, company or institution, against whom a civil or criminal action is brought.

Deterioration or disrepair: The condition or appearance of a building, structure, or parts thereof be characterized by holes, breaks, rot, crumbling, cracking, peeling, rusting, any other evidence of physical decay or neglect, excessive use or lack of maintenance, or be incapable of performing the task for which it was designed and in the manner it was intended.

Driveway: An unobstructed private way directly connecting a public or private street with vehicle parking, loading, or maneuvering areas.

Dust-Proof Surface: An area completely covered by (1) concrete, asphalt, cement, or sealed aggregate pavement; (2) crushed rock or gravel no smaller than one-quarter inch and no larger than three-quarters-inch maintained to minimum depth of two (2) inches; or (3) another stabilization material or method approved by the City. Dust-proof surface does not include areas of grass, lawn, compacted dirt, or hard-packed dirt.

Dwelling: A single unit as a whole building or portion thereof, providing complete independent living facilities for one (1) or more persons including permanent provisions for living, sleeping, eating, cooking and sanitation.

Excavation: A swimming pool, architectural pool, pond, shaft, test hole, well, pit, trench, or other condition resulting from the removal or absence of earthen material resulting in a cavity or opening that is more than four (4) inches in any lateral dimension and more than three (3) feet in depth, excluding active sand or gravel mines being operated in compliance with City and State laws. City approved retention basins are not considered excavations for purposes of this PM code.

Exterior Surfaces: Outside walls, roofs, fixtures, fences, gates, and attachments to a building or structure, including, but not limited to, doors, windows, gutters, down spouts, lights, antennas, satellite dishes, porches, posts, railings, garages, eaves, trims, patios, and chimneys.

Exterior Property: The open space on the premises and on adjoining property under the control of the responsible party of such premises.

Fences (Includes retaining walls and screen walls): An artificially constructed barrier of wood, stone, masonry, metal or combination of materials erected to screen, separate, protect, confine, or enclose; not including landscaping or other natural growth. The term fence shall include all walls, except those as part of building.

Fixture(s): Something that is fixed or attached to a building or structure as a permanent appendage or as a structural part.

Garbage: An accumulation of spoiled, decaying, or discarded animal or vegetable material resulting from the handling, preparation, cooking, or consumption of food for humans or animals, as well as other organic waste material subject to rapid decomposition.

Graffiti: Any drawing or inscription that degrades the appearance of property which is carved, etched, drawn or painted on a surface in a place that can be seen by the public.

Hazard: Any condition that presents a risk to the safety of any person or adversely affects or jeopardizes the health or well-being of any person or endangers property. Such conditions include, but are not limited to, occupancy without adequate water or sanitation facilities, accumulation of human or animal waste, presence of medical or biological waste, sharps, gaseous or combustible materials, radioactive waste, dangerous or corrosive chemicals or liquids, flammable or explosive materials, friable asbestos, offal or decay matter.

Imminent Hazard/ Danger: A hazard on or condition of real property that creates an immediate or unreasonable risk of death or injury to any person or an immediate or unreasonable risk of loss of or damage to property.

Incongruous Materials, Colors, and Finishes: Exterior surfaces that are not matching, and are inconsistent, incompatible, and discordant with the adjacent exterior surfaces.

Infestation: A proliferation of unpleasant, damaging, or unhealthful insects, rodents, reptiles, or pests.

Inoperable Vehicle: A motor vehicle or any major portion thereof that is unlicensed and is incapable of movement under its own power and will remain so without major repair, including but not limited to repair of the differential, transmission, head, engine block, or oil pan.

Inspection Warrant: An order in writing, signed by a judge of a court of competent jurisdiction, directed to a state, county or local official, authorizing entry into private property to inspect for violations of the Surprise Municipal Code or other relevant laws and regulations.

Judge: A City of Surprise Municipal Court Judge.

Municipal Court: The City of Surprise Municipal Court.

Occupant: A person, persons, or legal entity that, through rights of ownership or tenancy, has possession or the use and enjoyment of the subject real property. Any individual living or sleeping on premises, in a building or structure, or having possession or custody of a space on or within a premise, building or structure.

Owner: Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the property.

Persons: Includes any individual or group of individuals, corporations, partnerships, associations, or any other organized group of persons, including state and local governments and agencies thereof.

Private Property: Land owned by any person other than the United States, the State of Arizona, a county, a city, a school district, or a special district.

Premises: A lot, plot, or parcel of land including any buildings thereon.

Responsible Party: An owner, occupant, lessor, lessee, manager, licensee, or other person having control over a structure or parcel of land; and in the case where demolition of a structure is proposed as a means of abatement, an lienholder whose lien interest is recorded in the official records of the Maricopa County Recorder's Office.

Right-of-Way (ROW): A designated or otherwise legally established strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, trees, or for another special use.

Sound Condition: Free from decay or defects and capable of performing the task for which it was designed and in the manner it was intended.

Structure: That which is built or constructed, an edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner.

Tenant: A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

Toilet Room: A room containing a water closet or urinal but not a bathtub or shower.

Trash/Litter: Decaying or non-decaying solid and semi-solid wastes, including, but not limited to both combustible and noncombustible wastes, such as paper, trash, cardboard, waste material, cans, yard clippings, wood, metal, glass, bedding, debris, scrap paving material, discarded appliances, discarded furniture, dry vegetation, weeds, dead trees and branches, vegetation, and trees which may harbor insect or rodent infestations or may become a fire hazard, piles of earth mixed with any of the above, or any foreign objects.

Unlawful Structure: An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under the Surprise Municipal Code, or which was erected, altered or occupied contrary to law.

Unsafe Equipment: Unsafe equipment including electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure that is in such disrepair or condition that such equipment is a hazard to life, health, property, or safety of the public or occupants of the premises or structure.

Unsafe/ Unfit Structure: A structure that is found to be dangerous to the life, health, property, or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants, in the event of fire, or because such

structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

Utility Service: Those services required for plumbing and electrical systems, heating and cooling systems, ventilation systems and fixtures, and appliances to properly operate, including water service, sewer service, electric service, and gas service.

Vehicle: Every device by which any person or property is or may be transported or drawn; including, but not limited to, automobiles, motor homes, travel trailers, utility trailers, or watercraft. Devices moved by human power or used exclusively upon stationary rails or tracks are exempt.

Vehicle Cover: A vehicle cover placed on any vehicle that is visible from any public street or sidewalk must be properly maintained and made exclusively for covering vehicles. A proper cover does not include bed linen, paper, cardboard, plastic sheeting, tarps, or any other item or material not manufactured specifically as a vehicle cover. The use of a vehicle cover on any abandoned or inoperable vehicle as defined in this PM code is limited to a vehicle that is stored in a carport.

Vehicle Parts: Any part(s), component(s), or accessory of a vehicle.

Weed: A useless and troublesome plant generally accepted as having no value and frequently of uncontrolled growth. This shall include all grasses, annual plants and vegetation, other than cultivated trees, shrubs, flowers or gardens.

Yard: An open area of a residential lot that is at grade level between the dwelling and the adjoining lot lines, except as otherwise provided in this PM code.

1. **Yard, Front:** A yard extending between two (2) side lot lines and the depth of which is the distance between the street and the primary building.
2. **Yard, Rear:** A yard extending between two (2) side lot lines and the depth of which is the distance between the rear lot line and the primary building.
3. **Yard, Side:** A yard extending between the fence return or front yard and rear yard and the depth of which is the distance between the side lot line and the primary building. The required side yard area is the area of the side yard that is bound by the front and rear yards and side lot lines.
4. **Yard, Street Side:** A side yard which is along the side lot line that abuts a street.

Zoning Ordinance: The adopted Land Development Ordinance of the City of Surprise, Arizona.

34-405 Authority and Enforcement

- (A) The Code Official shall have authority, as necessary in the interest of public health, safety and general welfare, to adopt and promulgate rules and procedures, to interpret and implement the provisions of this PM code, and to secure the intent thereof.

1. The City's Code Enforcement Division shall be charged with the administration and enforcement of this PM code.
 2. The Code Official shall keep official records of all enforcement actions in accordance with applicable State laws.
- (B) In determining compliance with this PM code and the Adopted Codes, interior and exterior inspections of private property, yards, or vacant land may be conducted. Interior inspections and the inspection of fenced yards having an expectation of privacy shall be conducted in accordance with applicable law, including as follows:
1. With approval of the responsible party of the home where the violation exists or is believed to exist;
 2. From the second story of a neighboring property, with the consent of the responsible party for that property, and where the violation can be seen in plain view from a window, balcony, patio or the like;
 3. By court order;
 4. Any other method permitted by law.
- (C) The City may proceed either civilly or criminally against any person who is found to be responsible for causing, permitting, or facilitating any violation of any provision of this PM code or for failing to perform any act or duty required by this PM code.
1. Each day a violation of any provision of this PM code or the failure to perform any act or duty required by this PM code continues shall constitute a separate violation or offense.
 2. Violations of this PM code are in addition to any other violation enumerated within the Surprise Municipal Code or other applicable law and in no way limit the penalties, actions or procedures, which may be taken by the City for any violation of this PM code, which is also a violation of any other provision of the Surprise Municipal Code or any other applicable law.
 3. The remedies specified herein are cumulative and the City may proceed under these or any other remedies authorized by law.
 4. When two (2) or more persons have liability to the City or are responsible for a violation of this PM code, their responsibility shall be joint and several.

34-406 Liability

- (A) Persons charged with the enforcement of this PM code, acting in good faith and without malice, and within the authority of their official capacity, shall be indemnified by the City in accordance with Chapter 4 of the Surprise Municipal Code.
- (B) No person shall obstruct, impede, or interfere with any officer, employee, or authorized representative of the City who is lawfully engaged in the enforcement or execution of the provisions of this PM code.
1. Any person who violates the requirements of this provision shall be guilty of a class 1 misdemeanor and shall be subject to the penalties in Sec. 2-238 of the Surprise Municipal Code, or any other penalties as appropriate and authorized by law.

- (A) Upon inspection, if the City finds facts or circumstances which give at least reasonable cause to believe that a violation of this PM code, or any other section of the Surprise Municipal Code or the Adopted Codes exists, the City may notify the responsible party through the issuance of a Violation Notice, that voluntary correction of the observed violations is warranted. A Violation Notice shall include:
1. Identification of the property in violation.
 2. Statement of violations in sufficient detail to allow the responsible party to identify and correct the violation(s).
 3. Expiration date; the date by which corrections should be made to bring the property into compliance.
 4. Address and phone number of a City representative to contact.
 5. If the notice includes possible abatement action, it shall also state the City's intent to abate if voluntary compliance is not achieved. The notice shall include a cost estimate to correct the violation(s), and the authority to assess a lien against the property for the costs to correct the violations, should the violation not be corrected within the time provided for voluntary compliance.
 6. If the notice includes possible removal or demolition, it shall also state the City's intent to remove or demolish the structure or equipment if voluntary compliance is not achieved. The notice shall include a cost estimate for the removal or demolition, and the authority to assess a lien against the property for the costs to correct the violations, should the violation not be corrected within the time provided for voluntary compliance. Such notice shall be recorded with the Maricopa County Recorder's Office.
 7. The potential for civil or criminal penalties for failing to correct the violation.
 8. If the violation is accompanied by a Notice of Condemnation it shall comply with Sec. 34-412 of this PM code.
- (B) Nothing within the PM code shall preclude the City from giving additional verbal or written notice at its discretion. If the City does elect to give any additional notice in any instance, it shall not be obligated to give such additional notice thereafter in the same or similar situations.
- (C) Nothing in this PM code shall require the issuance of a Violation Notice prior to the commencement of civil or criminal proceedings. The Code Official shall approve commencement of any proceeding in which a Violation Notice is not issued prior to commencement.
- (D) A Violation Notice shall be deemed properly served by any of the following means:
1. Personal service.
 2. Mailing a copy by first class, certified, or registered mail, return receipt requested, to the last known address.
 3. Posting the Violation Notice on or about the entrance of the premises where the violations exist.
 4. Publishing the Violation Notice one-time in a newspaper of general circulation in the City of Surprise.

- (E) The City may record a Violation Notice with the Maricopa County Recorder. A recorded Violation Notice shall run with the land and shall constitute notice, for all purposes of this PM code, to all person or entities acquiring an interest in the property. Failure to record a Violation Notice shall not affect the validity of the notice as to persons who receive the notice. When the property is brought into compliance, a release of the recorded notice will be subsequently filed with the Maricopa County Recorder.
- (F) It shall be unlawful for any responsible party who has received a Violation Notice to sell, transfer, mortgage, lease or otherwise dispose of such property until the provisions of this chapter have been complied with, or until such responsible party first furnishes the grantee, transferee, mortgagee, or lessee a true copy of any notice issued by the Code Official, and furnishes to the Code Official a signed and notarized statement from the grantee, transferee, mortgagee, or lessee acknowledging the receipt of such notice and fully accepting the responsibility without condition for making the corrections or repairs required by such notice.
- (G) Nothing in this section shall prevent the City from taking immediate action to protect the public from an imminent hazard to health or safety as otherwise provided by law.

34-408 Civil Citation

- (A) Should a violation continue past the time provided for voluntary compliance in the Violation Notice, a civil citation may be issued by the Code Official, unless submission to the City of Surprise Prosecutor for criminal charging is warranted.
- (B) The civil citation shall name the responsible party or parties for the property in violation as the “defendant” and include the following information:
 - 1. The date, time and location where the violation(s) were observed.
 - 2. A reference to all section(s) of this PM code or other chapters of the Surprise Municipal Code, or the Adopted Codes, which have been violated.
 - 3. The date and time to appear in the Surprise Municipal Court.
 - 4. Notice that if the defendant fails to appear in court, a default judgement may be entered against them.
- (C) The civil citation shall be deemed properly served by any of the following means:
 - 1. Personal service.
 - 2. Mailing a copy by first class, certified, or registered mail, return receipt requested, to the last known address. Proof of certified, registered or return receipt service shall be filed with the Surprise Municipal Court upon receipt.
 - 3. Any means allowed by the Arizona Rules of Civil Procedure.

34-409 Criminal Complaint

- (A) The Code Official or designee may seek the issuance of a criminal complaint by the Surprise City Prosecutor for the prosecution of any criminal offense as set forth

in this PM code or any other section(s) or chapters of the Surprise Municipal Code, or the Adopted Codes.

- (B) Every criminal action or proceeding under this PM code shall be designated a misdemeanor and commenced and prosecuted in accordance with the laws of the State of Arizona relating to misdemeanors and the Arizona Rules of Criminal Procedure.

34-410 Inspection Warrants

- (A) The Code Official or designee may seek the issuance of an inspection warrant by a judge if denied access to any property, building, or structure that the City would otherwise have the authority to inspect for public health and safety reasons.
- (B) An affidavit for an inspection warrant shall be submitted to the judge establishing probable cause that a violation of this PM code or another section or chapter of the Surprise Municipal Code or Adopted Codes exists, and that the proposed inspection is reasonable and necessary. Evidence which may establish probable cause includes:
 - 1. Previous inspections have shown violations and the present inspection is necessary to determine whether those violations have been abated.
 - 2. Complaints have been received by the City's Code Official or the Code Enforcement Division from persons who, by status or position, have personal knowledge of the violations of law occurring on the subject property, building, or structure.
- (C) Execution of inspection warrants granted under this PM code shall be coordinated with a sworn peace officer and in accordance with the Arizona Revised Statutes.
- (D) In executing an inspection warrant on occupied property, the person authorized to execute the warrant shall present the person's credentials, authority, and purpose to a responsible party in possession of and physically present at the property designated in the warrant and show the person the warrant or a copy thereof upon request. A copy of the warrant shall be left with the person in possession of the property and physically present at the time the property being inspected.
- (E) In executing an inspection warrant on property known to be uninhabited, the person authorized to execute the warrant need not inform anyone of the person's authority and purpose, but may promptly enter the designated property if it is at the time uninhabited or not in the possession of any person, or at the time reasonably believed to be in such condition. In such case, a copy of the inspection warrant shall be conspicuously posted on the property.
- (F) Any person who willfully refuses to permit an inspection lawfully authorized pursuant to this section is guilty of a misdemeanor.

- (G) An inspection warrant must be executed and returned to the court which issued it within five (5) calendar days of its date unless there has been a showing of need for additional time and the court has ordered otherwise.

34-411 Abatement and Demolition

- (A) If a responsible party is served a Violation Notice and fails to comply with such notice by the date provided for voluntary compliance, the City may abate the condition(s) as described in the notice.
- (B) No person shall allow or cause to remain on any property any damaged or dilapidated building, structure or equipment that is unreasonable to repair, contributes to blight or constitutes a hazard to public health or safety, or such structures may be ordered removed or demolished by the Code Official.
- (C) Notwithstanding any other provision of this PM code if, in the opinion of the Code Official, the conditions at a property constitute an imminent hazard, the Code Official may order immediate abatement of the hazard without notice. Such abatement of an imminent hazard shall be limited to the minimum work necessary to remove the hazard.
- (D) When the City has effected an abatement, removal or demolition of any violation, the actual cost of such abatement, removal or demolition, including administrative and other incidental costs in connection with the enforcement action, shall become an assessment upon the building or real property from which such violation was corrected. The responsible party for such property shall be liable for the payment of same.
1. A lien or assessment shall be placed on the property until paid.
 2. Such liens or assessments shall be prior and superior to all other liens, obligations, mortgages, or other encumbrances, except liens for general taxes.
 3. The City may pursue any or all means for recovery of cost if the lien or assessment is not paid. In the event it is necessary to enforce the lien or assessment by sale, the sale shall be made from a judgment of foreclosure and order of sale. The City shall have the right to enforce the lien or assessment in the Superior Court of Maricopa County at any time after recording, but failure to enforce the lien or assessment shall not affect its validity. The recorded lien or assessment shall be prima facie evidence of the truth of all matters recited therein, and of the regularity of all proceedings prior to the recording.
 4. If the lien or assessment is paid, the lien or assessment shall be removed by the City.
 5. Prior liens or assessments, for the purposes provided for in this PM code, shall not be a bar to a subsequent liens or assessments and any number of liens or assessments on the same parcel may be enforced in the same action.

6. Any liens or assessments filed with the Maricopa County Recorder pursuant to previous provisions of this PM code or any similar code or ordinance shall remain in effect under the same terms and conditions that existed at the time of recording.
- (E) In accordance with applicable law, the City may dispose of any material of value resulting from an abatement, removal or demolition, in any manner, including but not limited to sale or destruction. The sale or destruction of such property shall comply with the City of Surprise Procurement Code.
- (F) In addition to any other abatement procedure provided in this PM code, the Code Official or designee may apply to the Surprise Municipal Court for an order permitting the City to abate any condition that constitutes a violation of this PM code and which the City has been denied access to or been otherwise unable abate, or which the owner or responsible party has demonstrated an unwillingness to abate.

34-412 Condemnation

- (A) When a structure, premises or equipment is found by the Code Official to be unfit for human occupancy, unsafe, or unlawful, such structure, equipment or premises shall be condemned pursuant to the provisions of this section and the responsible party shall be issued a Violation Notice.
- (B) If a structure, premises or equipment is vacant and unfit for human occupancy, but does not present an imminent hazard, the Code Official is authorized to post a Notice of Condemnation on the structure, premises or equipment and order it closed up and secured by the responsible party, so as not to be a hazard to public health or safety.
- (C) When, in the opinion of the Code Official, there is imminent danger of failure or collapse of a structure or premises which endangers life, or when any parts thereof have fallen or failed, or when there is actual or potential danger because of explosives, explosive fumes or vapors, or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the Code Official is hereby authorized to post a Notice of Condemnation at each entrance to such structure and require the occupants to vacate the premises immediately and to order it to remain vacant. The property may then be abated pursuant to the provisions of Sec. 34-411 of this PM code.
 1. A structure condemned and ordered vacated or to remain vacant under the provisions of this section shall not be leased, rented, or occupied, until it has been inspected and deemed fit for occupancy by the City.
 2. The City may pay the cost and expense for the abatement of a hazard from any appropriation made available for that purpose.
 3. A lien shall be recorded with the Maricopa County Recorder's Office and shall address the same costs and procedures identified elsewhere in this PM code.

- (D) Notices of Condemnation shall contain the following language and information:
1. **CONDEMNED Occupancy/Use Has Been Prohibited by the Code Official.**
 2. The date by which the structure or equipment is to be closed up and secured.
 3. Notice that the responsible party's failure to comply with the notice shall cause the Code Official to close up and/or secure the structure, premises or equipment through any available means and the cost thereof shall become a lien upon such real estate through the procedures identified elsewhere in this PM code, and which may be collected through any recourse as prescribed by law.
 4. Notice that any temporary securement of vacant structures must be done in accordance with City specifications.
- (E) Any person occupying or using a condemned structure, premises or equipment and/or any responsible party for the premises who knowingly or intentionally occupies or permits the occupancy or use of a condemned structure, premises or equipment, shall be guilty of a misdemeanor.
- (F) The Code Official shall remove the Notice of Condemnation whenever all the condition(s) or defect(s) upon which the condemnation action was based have been eliminated.
1. Any person who defaces or removes a Notice of Condemnation without the approval of the Code Official shall be guilty of a misdemeanor.

34-413 Building Systems

- (A) All systems within the interior of every building or structure, including but not limited to plumbing, electrical, heating, cooling, ventilation and mechanical systems, fixtures, appliances and equipment, including fire detection and suppression equipment and systems, shall be properly installed in conformance to the Adopted Codes in effect at the time of installation and shall be maintained as approved, in a state of good repair, free from hazards, and capable of performing their intended function.
1. Every dwelling or dwelling unit where heating systems are installed shall have heating systems capable of safely heating all habitable rooms, bathrooms and flushing toilet rooms to a temperature of at least seventy (70) degrees Fahrenheit at a distance three (3) feet above floor level in the center of the room. Required heating shall be provided by permanently installed heating facilities.
 2. Every dwelling or dwelling unit where cooling systems are installed shall have cooling systems capable of safely cooling all habitable rooms, bathrooms and flushing toilet rooms to a temperature no greater than eighty-six (86) degrees Fahrenheit, if cooled by evaporative cooling, or eighty-two (82) degrees Fahrenheit, if cooled by air conditioning. Temperature measurements shall be taken at a distance three (3) feet above the floor in the center of the room. Required cooling shall be provided by permanently installed cooling facilities.

- (B) Pipes, ducts, conductors, fans, or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors, or other gaseous or particulate wastes directly upon abutting or adjacent public or private property, or that of another tenant.
- (C) All utility service connections to or within every building or structure shall be of the appropriate size and use required for the building or structure and shall be maintained in good repair and functioning for the proper operation of all systems and appliances within the building or structure, in compliance with the Adopted Codes.

34-414 Interior Maintenance

- (A) The interior of every building or structure shall be maintained in good repair, structurally sound, and in a safe and sanitary condition free from any accumulation of garbage, food waste, human or animal waste, infestation, or material generally considered trash, rubbish, or litter, graffiti or blight.
 - 1. The responsible party of a structure, dwelling or dwelling unit shall maintain, in a clean and sanitary condition, the shared or public areas of the structure, dwelling or dwelling unit, or the parts thereof which they occupy or control.
- (B) All interior surfaces, including but not limited to walls, doors, cabinets, windows, ceilings, stairs, railings, floors and all other appurtenances shall be maintained in good repair and in a safe and structurally sound condition.
 - 1. Peeling, chipping, flaking, or abraded paint shall be repaired, removed, or covered.
 - 2. Paint applied to interior surfaces must be lead-free.
 - 3. Cracked or loose plaster, decayed wood, and other defective surface conditions shall be corrected.
- (C) All buildings, dwellings or dwelling units shall have an adequate potable water supply in accordance with City of Surprise Land Development Ordinance 108-2.8.
- (D) All premises containing dwellings or dwelling units shall be provided with one or more bathrooms equipped with a toilet, sink, and either a bathtub or shower, as prescribed by the Adopted Codes, and maintained in a state of good repair and capable of performing their intended function.
- (E) Each sink, lavatory, bathtub, or shower or fixture shall be equipped with water from an approved water supply in amounts and pressure necessary for their normal operation, and consisting of running cold water and running heated water provided through a properly regulated mixing valve.
 - 1. Said fixtures shall be installed and maintained to provide a supply of water sufficient in volume and pressure such that the fixtures function safely and properly, free from defects and leaks and will perform their intended functions.
- (F) When a structure is equipped with an indoor cooking area, it must be provided with a sink separate and apart from any bathroom sink or lavatory.

- (G) Water heating facilities shall be properly installed per manufacturer standards, maintained in good repair and in a hazard-free condition, and capable of providing a supply of water in sufficient volume at every required sink, lavatory, bathtub or shower, and laundry facility, if provided, at a temperature of not less than one hundred ten (110) degrees.

34-415 Exterior Maintenance

- (A) The exterior of every building or structure, including accessory structures such as detached garages, fences and walls, shall be maintained in good repair, structurally sound, and in a safe and sanitary condition free from any accumulation of garbage, food waste, human or animal waste, or material generally considered trash, rubbish, or litter, graffiti or blight.
- (B) All exposed exterior surfaces of any building or structure shall be maintained in good repair and impervious to moisture and weather elements and shall be free of broken, rotted, split, curled, buckled or missing coverings or materials and shall not otherwise present a deteriorated appearance, including but not limited to the following:
1. All exterior surfaces shall be protected by paint or other protective treatment; except such surfaces naturally resistant to rust, rot or decay.
 2. Paint applied to exterior surfaces shall be free of loose, cracked, scaling, chipping, or peeling paint in such amounts as to present a deteriorated appearance.
 3. The maintenance, repair, replacement, completion or use of materials, colors, or finishes shall be consistent with the predominant materials, colors, or finishes of an exposed exterior surface and free from any incongruous materials, colors or finishes.
 4. Roof drains, gutter and downspouts shall be maintained free from obstructions and shall not discharge in a manner that creates any hazard to public health or safety.
 5. Window screens shall be free from excessive tears or holes or bent or broken frames.
 6. All glazing materials shall be maintained free from cracks and holes.
 7. Leaning fences or walls and/or fences or walls that are missing slats or blocks, or which exhibit rot, damage, graffiti, peeling paint, deterioration of paint or materials, or an otherwise blighted appearance are prohibited.
 8. Overhang extensions including, but not limited to, tarps, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored and kept in sound condition.
 9. Exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.
 10. Roof coverings shall be substantially free from broken, rotted, split, or curled materials and shall not otherwise present a deteriorated or blighted appearance.

11. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure.
 12. Roof water shall not be discharged in a manner that creates a hazard to public health or safety.
- (C) Except for privacy windscreens manufactured specifically for chain link fences, and appropriately attached to lawfully erected chain link fences, the visible use or display of tarps, plastic sheeting, or other similar materials as flexible or inflexible screening, fencing or wall covering is prohibited. Permanently boarded window or door openings on an occupied structure are prohibited but the temporary boarding prior to repairs is acceptable so long as it conforms to the City's specifications.

34-416 Exterior Premises and Land Maintenance

- (A) All exterior premises and lands, whether improved or unimproved, shall be maintained in a safe and sanitary condition free from any accumulation of garbage, human waste, animal waste, vegetation or food waste, hazardous waste, infestation, or any material generally considered trash, rubbish, litter, graffiti or blight.
- (B) Animal waste shall be removed from kennels, pens, stables, yards and other enclosures at least twice weekly and from the property at least once each week or more frequently if conditions necessitate.
- (C) No person shall cause, allow, or permit personal property which he owns, leases, rents, or controls to be abandoned on a public right-of-way, street, alley, or on any public or private real property within the City. Items placed by or approved by the City are exempt from this subsection.
1. Any person who violates this section shall be liable for all costs incurred by the City to remediate such violations in addition to any other penalties permitted by this PM code.
- (D) No person shall place and/or store any items in public view, such as furniture, except furniture designed and placed for outdoor use, equipment, appliances, construction or landscape materials, debris, or any other similar materials which are visible from beyond the boundaries of the property, and which contribute to a blighted condition. For purposes of this subsection only, the storage of personal property does not include items neatly and safely stored in the side or rear yards.
- (E) It is unlawful for any responsible party in charge of any construction or demolition site to cause, to maintain or permit the accumulation of any litter or debris on the site before, during, or after completion of the project, except in a designated contained area, or to allow any such litter or debris to become windblown, and carried or deposited upon any alley, street, public place, or adjacent property.

- (F) Vacant lots or lands which have been subject to dumping, trespass or the operation of vehicles on a non-dust controlled property shall be subject to the requirements of Surprise Municipal Code 34-111.
- (G) All property shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon, which may cause a hazardous or unhealthy condition, breed insects, or which is causing damage to foundations or foundation walls.
 - 1. No person shall allow any swimming pool, architectural pool, pond, or spa to remain or be maintained in a condition that may breed insects or result in insect or other infestation, is polluted or stagnant, or creates a blighting condition.
 - 2. Architectural pools that contain fish must be maintained to provide for the health of the fish. Dead fish must be removed immediately.
 - 3. Approved retention areas and reservoirs serving their intended and constructed purpose shall be the exception.
- (H) Excavations, pits, wells, holes and other similar conditions shall be maintained in a secure manner so as to not be a hazard to public health and safety.

34-417 Landscape Maintenance

- (A) No person shall allow or permit to remain on any property that they own or control, any landscaping conditions which contribute to visual blight, including, but not limited to:
 - 1. Vegetation that is substantially dead or damaged, to include palm trees with an excessive accumulation of dead or dry fronds, which could result in insect or other infestations or result in other conditions that are likely to become a hazard to public health or safety.
 - 2. All noxious weeds and/or weeds in excess of six (6) inches in height.
 - 3. Any tree whose limbs hang lower than fifteen (15) feet above any public street or seven (7) feet above any public sidewalk.
- (B) Grass or yard clippings, tree trimmings, or items of a similar nature shall not be placed or deposited onto public property or onto the property of another without permission.
- (C) All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be maintained and kept in a state of good repair and free from any deteriorated, blighted or hazardous conditions.

34-418 Vehicles

- (A) All vehicles are prohibited from parking on any surface that is not considered an improved or dust-proof surface intended for the parking of vehicles.

- (B) No person shall place or store any inoperable vehicle or vehicle parts in public view unless the following applies:
 - 1. The vehicle is undergoing repair and is owned and titled to the owner or occupant of the residence; and
 - 2. The total period during which the vehicle is inoperable does not exceed fifteen days; or
 - 3. The vehicle is placed in a garage or carport and, if in a carport, is covered with a vehicle cover intended for the use of covering a vehicle.
- (C) The painting of vehicles is prohibited except within an approved spray booth.
- (D) Disposal of automotive liquids on any property or in any trash container is prohibited.
- (E) Automotive liquids shall not be permitted to accumulate or otherwise cause a blighted appearance upon driveways or sidewalks.
 - 1. Automotive liquids that have accumulated or caused a blighted condition shall be removed in a manner that does not causes the discharge of the automotive liquids into the City's storm drains, pursuant to Surprise Municipal Code 58-491.
- (F) The display of one (1) vehicle for sale is permitted at a residential property when the vehicle is titled to the owner or occupant of the property, is parked on an improved or dust-proof parking surface, and is not being sold in connection with any automobile sales business.
 - 1. No more than three (3) vehicles may be displayed for sale at the same residence within a twelve (12) month period, and only one (1) may be for sale at a time.
- (G) No person shall park or permit to be parked any vehicle for the purpose of sale upon any property or vacant property, except property previously approved or zoned for the sale of vehicles.

34-419 Safety

- (A) All buildings or structures shall have an unobstructed path of travel to allow occupants to safely egress from doors, windows or other emergency escape openings from any point within the building to a public way, in accordance with the Adopted Codes.
- (B) Any condition which could hamper or obstruct the safe and expedient access or passage of public safety personnel into, out of, or within the vicinity of any structure or premises is prohibited.

- (C) All systems, device or equipment to detect, suppress or control a fire or actuate an alarm shall be maintained in good repair and in an operable condition at all times.



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: February 15, 2022 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 the annexation of approximately 93.97 acres of county land, generally located south of Pinnacle Peak Road and east of 163rd Avenue; Ordinance # 2022-04.

Motion:

I move to approve Ordinance #2022-04.

Background:

EPS Group, representing the property owner, seeks annexation of approximately 93.97 acres of undeveloped land generally located south of Pinnacle Peak Road and east of 163rd Avenue. The annexation proposal is for ten (10) parcels, consisting of approximately 93.97 acres of unincorporated land within Maricopa County zoning district Rural-43. If annexed, the property will assume the similar zoning district of Rural Residential (RR) as outlined in the Land Development Ordinance, but the owners have requested a rezoning (Case FS21-513) to Residential Low Density (R-1) and Residential High Density (R-3) (Case FS21-513), which is a separate agenda item. An annexation blank petition was recorded on December 22, 2021, and the Council conducted a public hearing during the last 10 days of the statutory 30-day waiting period.

Objective Analysis:

Positive impacts include adding property to the incorporated limits, which will generate additional property taxes and potential development fees for the City. Negative impacts could include providing services to a 93.97-acre area the City has not previously served.

Policy Compliant:

If the City Council moves forward to annex property into the City limits, the annexation would be deemed policy compliant by expanding the range of influence of the City.

Financial Impact:

At this time, there are no financial impacts associated with this item. If the City Council moves forward to annex property into the City limits, there could be financial impacts to provide services to an area that

the City has not previously served. If the area is annexed, this could generate future development fees and sales and property taxes. A Financial Impact Analysis has been submitted with the final annexation documents.

Budget Impact:

At this time, there are no budget impacts associated with this item. If the City Council moves forward to annex property into the City limits, there could be minor budget impacts associated with providing services to an area not previously served. Annexation of the area could generate additional development fees and sales and property taxes.

FTE Impact:

At this time, there would be no additional FTEs associated with this item. If the City Council moves forward to annex property into the City limits, staff does not believe any future FTEs would be needed based on the potential annexation.

ATTACHMENTS:

1. 00 - FS21-512 - 163rd Ave & Grand Ave - Annexation - Staff Report
 2. 01 - FS21-512 - 163rd Ave & Grand Ave - Annexation - Vicinity Map
 3. 02 - FS21-512 - 163rd Ave & Grand Ave - Annexation - Annex Map
 4. 03 - FS21-512 - 163rd Ave & Grand Ave - Annexation - Annex Narrative
 5. 04 - FS21-512 - 163rd Ave & Grand Ave - Annexation - Assessor Annexation Report
 6. 05 - FS21-512 - 163rd Ave & Grand Ave - Annexation - AZ DOR Value Transmittal Report
 7. 06 - FS21-512 - 163rd Ave & Grand Ave - Annexation - Ordinance - LEGAL REVISIONS
 8. 07 - FS21-512 - 163rd Ave & Grand Ave - Annexation - Signed Petition
 9. 08 - FS21-512 - 163rd Ave & Grand Ave - Annexation - Citizen Participation Report_Redacted
 10. 09 - FS21-512 - 163rd Ave & Grand Ave - Annexation - Affidavit of Posting
 11. 10 - FS21-512 - 163rd Ave & Grand Ave - Annexation - Financial Impact Analysis
 12. FS21-512 - 163rd Ave & Grand Ave - Annexation - PowerPoint
-

ANNEXATION

REPORT TO THE CITY COUNCIL

Case: FS21-512; Ordinance No. 2022-04

Project Name: 163rd Ave and Grand Ave - Annexation

Council District: 1

City Council Date: February 15, 2022

Planner: Sergio Angulo, Planner II

Owner: Campania, LLC
Valparaiso, LLC

Applicant: Josh Hannon with EPS Group, Inc.

Request: Annexation of 93.97 acres (approx.) of County land

Site Location: Generally south of Pinnacle Peak Road and east of 163rd Avenue

Site Size: 93.97 acres (approx.)

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

Actions: **Approve:** Approval of the proposed annexation will increase the corporate limits of the City of Surprise and allow for the subsequent approval of a related Zone Change request (FS21-513), which in turn will allow the property to be developed in accordance with the City of Surprise General Plan and Surprise Land Development Ordinance.

Deny: Denial of the proposed annexation will result in the continuation of a long-standing county jurisdiction and prevent the City Council from taking action regarding the related Zone Change requests.

36 **Introduction:**

37
38 EPS Group, representing the property owner, seeks annexation of approximately 93.97 acres of
39 undeveloped land generally located south of Pinnacle Peak Road and east of 163rd Avenue. The
40 annexation proposal consists of ten (10) parcels with two owners of unincorporated land adjacent to
41 Surprise City limits.
42

43 **Project Description:**

44
45 The property is currently zoned Maricopa County Rural-43. If annexed, the property will assume
46 similar Rural Residential (RR) zoning of the Surprise Land Development Ordinances (LDO). In a
47 concurrent development application, this property is part of a rezoning case FS21-513, and will
48 be heard by both the Planning and Zoning Commission and City Council.

49 The parcels associated with this proposed annexation boundary includes the following APN's:

- 50 • 503-57-003B
- 51 • 503-57-006
- 52 • 503-57-008D
- 53 • 503-57-009J
- 54 • 503-57-009K
- 55 • 503-57-009L
- 56 • 503-57-010F
- 57 • 503-57-010G
- 58 • 503-57-021A
- 59 • 503-57-026B

60
61 **Background:**

62
63 **March 11, 2021:** Staff reviewed the subject request at a Concept Review meeting under CR21-146.

64
65 **July 7, 2021:** The applicant filed the Annexation request under Case FS21-512.

66
67 **July 29, 2021:** The applicant held a Neighborhood Outreach meeting for this request.

68
69 **December 21, 2021:** Surprise City Council approved Resolution #2021-185 Intent to Annex.

70
71 **December 22, 2021:** Surprise City Clerk filed with the Maricopa County Recorder's Office a blank
72 petition with legal description and affidavit verifying that the territory is not subject to an earlier
73 filing for annexation. Notice and copies of the filings were sent to the Clerk of the Board of
74 Supervisors and County Assessor.

February 15, 2022 City Council
FS21-512
Annexation
RFLS #8115
Page 2 of 4

January 18, 2022: Surprise City Council held a public hearing within the last ten days of the 30-day waiting period pursuant to A.R.S. §9-471.

January 24, 2022: The City received signed petition.

Neighborhood Outreach

The applicant held a neighborhood outreach meeting on July 29, 2021 that was properly advertised per the requirements of the LDO. The meeting took place in-person and was available virtually via Go-To-Meeting. During this meeting, residents from the vicinity expressed their concerns regarding the proposed annexation and had questions in regards to the process, proposed uses within the annexation boundary, and infrastructure improvements to the area. County residents asked if this application looked to annex their properties and change their existing county zoning. In response, the applicant explained that this application was not forcing the annexation or rezone of those who do not wish to be included. See the attached Citizen Participation Report for a detailed summary of the meeting.

Arizona Revised Statute Description:

Arizona Revised Statutes require the filling of a blank annexation petition. The blank petition relating to the subject property was recorded with the Maricopa County Recorder's Office on December 22, 2021. Arizona Revised Statutes also requires that no signatures be obtained during a 30-day waiting period immediately following the filing of the blank petition, and that a public hearing must be held during the last 10 days of the 30-day waiting period. To meet that requirement, the public hearing occurred on the 28th day of the 30-day waiting period.

Once the public hearing is held and the 30-day waiting period has ended, signatures may be collected. State statute further requires that an excess of 50% of the landowners and assessed valuation for all real and personal property sign the petition in order to validate the petition. State statute also allows up to one year following the end of the 30-day period to obtain the required number of signatures.

Utility and Services Table:

Water:	City of Surprise
Wastewater:	City of Surprise
Refuse:	City of Surprise
Schools:	Dysart USD

Summary:

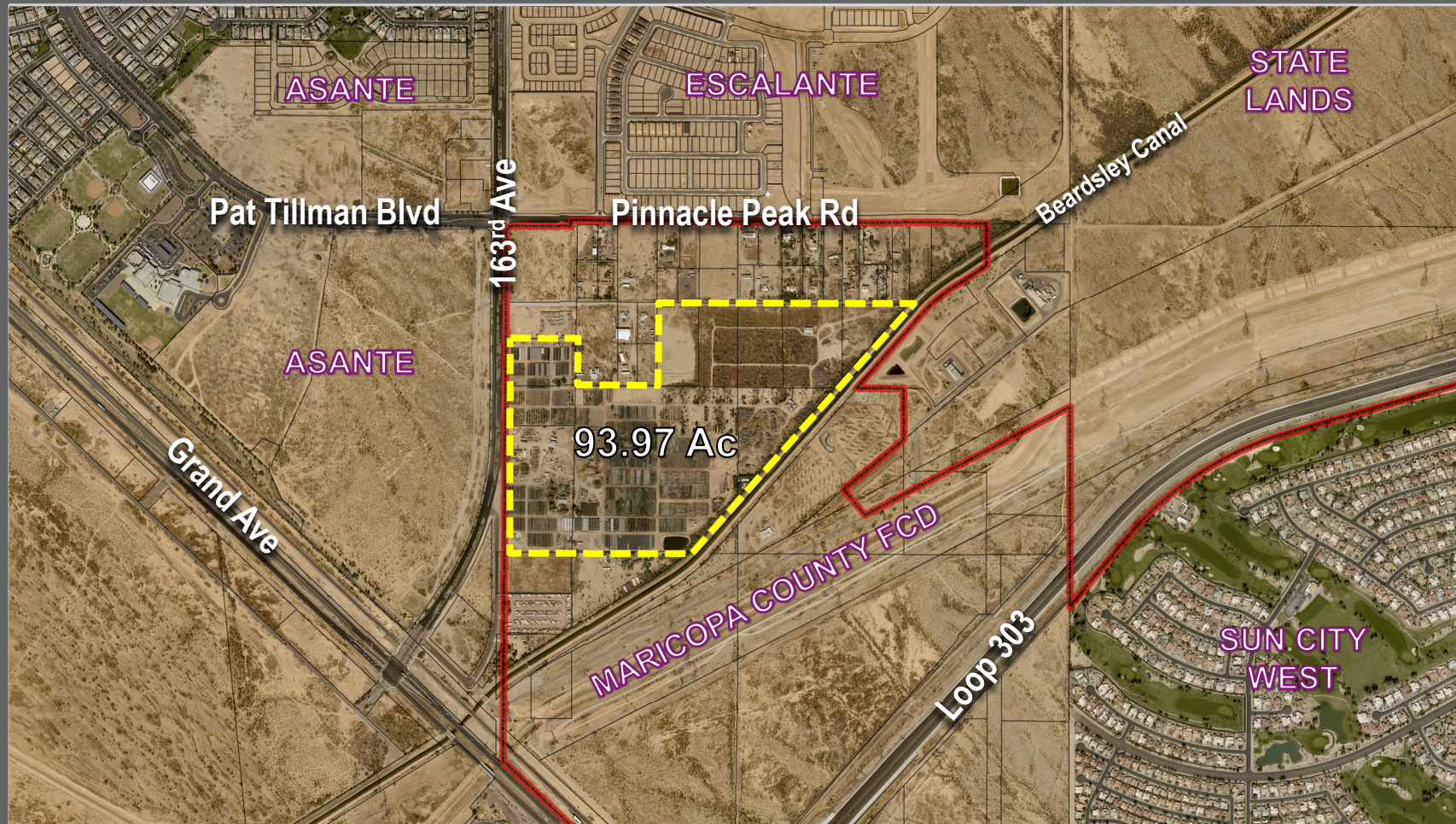
The proposed annexation includes ten (10) parcels, 93.97 acres, and requires signatures from representatives of two (2) owners after the Arizona Revised Statute's required 30-day waiting period that concluded on January 22, 2022. Upon receiving those signatures, the subject site will be eligible for annexation by the City of Surprise. The signed petition must be presented and considered by City Council within one (1) year.

<u>Annexation Details</u>	<u>A.R.S Requirements</u>	<u>Provided</u>	<u>Percentage provided</u>
Real Property - 10 parcels (2 owners)	2 signatures	2 signatures	100%
Total Assessed Value - \$70,715	\$70,715	\$70,715	100%

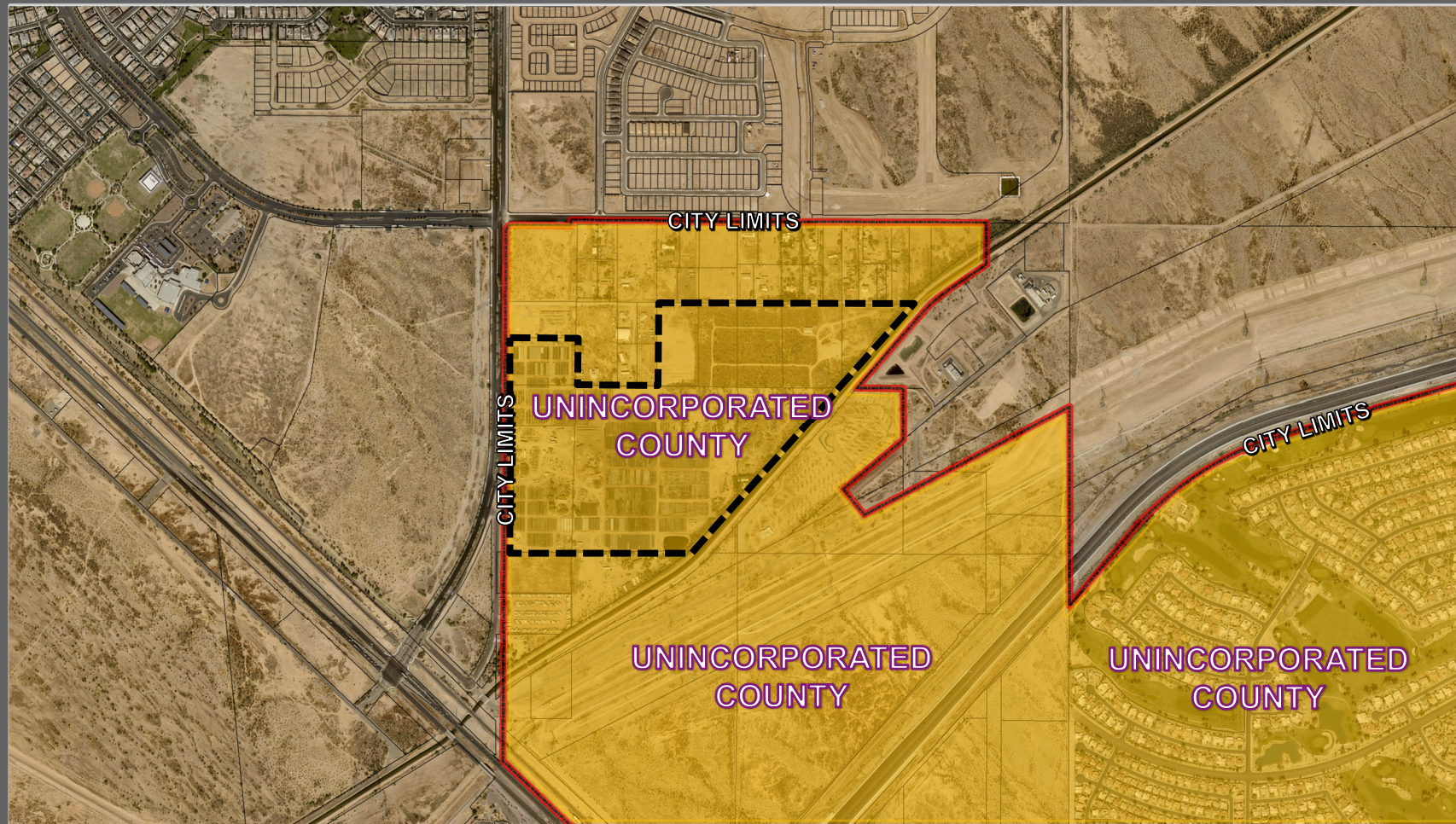
The parcels to be annexed comply with all requirements for size, shape, and contiguity set forth in the Arizona annexation statutes.

Attachments:

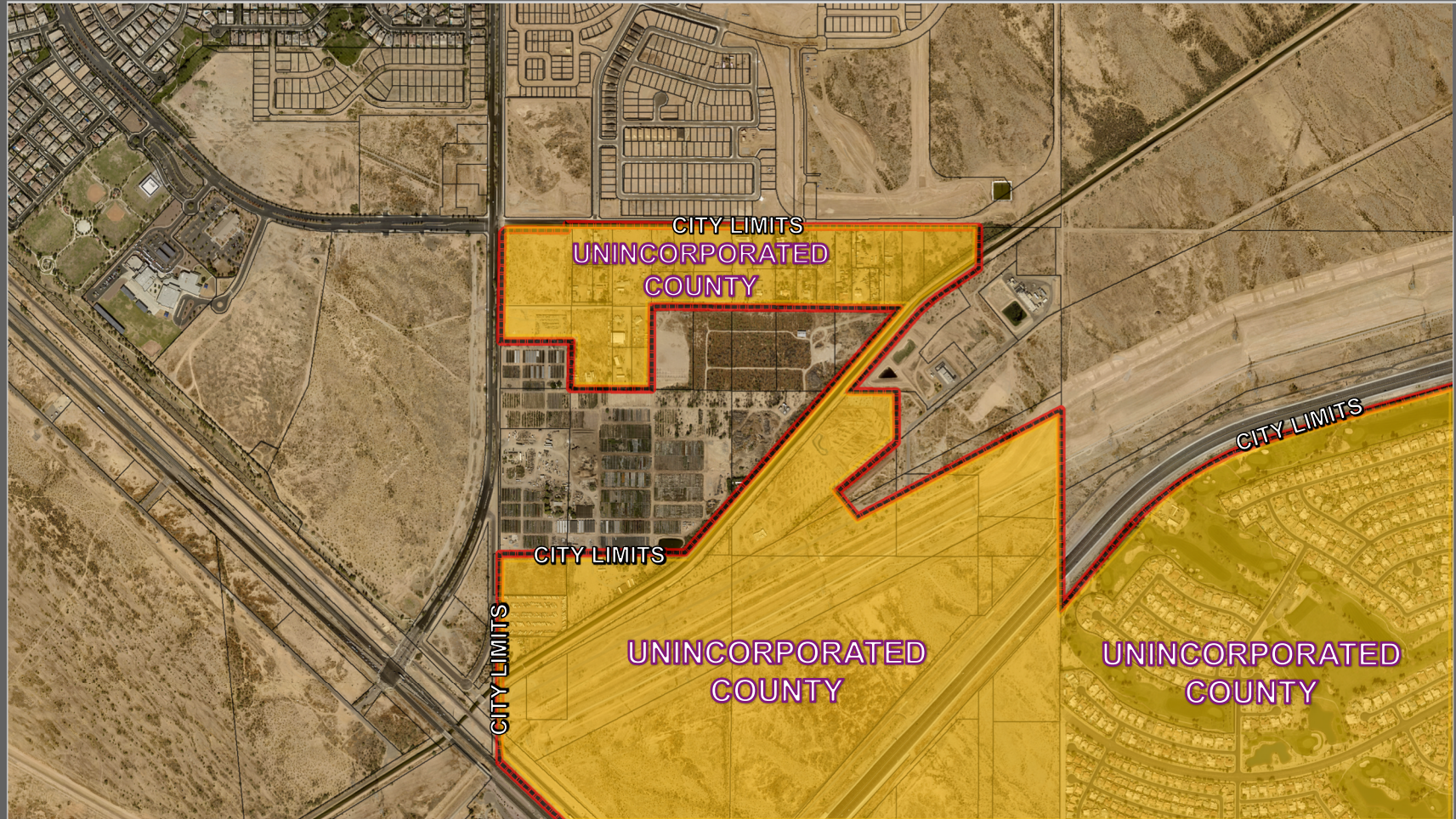
01 Vicinity Map
02 Annexation Map
03 Annexation Narrative
04 Assessor Annexation Report
05 AZ DOR Value Transmittal Report
06 Ordinance 2022-04
07 Signed Annexation Petition
08 Citizen Participation Report
09 Affidavit of Posting
10 Financial Impact Analysis



VICINITY MAP



EXISTING CITY BOUNDARY



PROPOSED CITY BOUNDARY

Annexation Project Narrative

NEC 163rd Avenue and Grand Ave

City of Surprise

October 1, 2021

DEVELOPMENT TEAM

PROPERTY OWNER

Campania LLC
Valparaiso LLC
c/o Saul Carranza
22435 N 163rd Avenue
Surprise, AZ 85387
Tel. 623.556.7748
oaguirre@sunrisenurseryllc.com

Legal Representation

Beus Gilbert McGroder PLLC
c/o Jeffrey Blilie
701 N 44th Street
Phoenix, AZ 85008
Tel. 623.606.0532
jbilie@beusgilbert.com

PLANNING CIVIL ENGINEER LANDSCAPE ARCHITECTURE TRAFFIC ENGINEER

EPS Group, Inc.
c/o Dan Auxier, PE, and Josh Hannon
1130 N. Alma School Road, Suite 120
Mesa, AZ 85201
Tel. 480.503.2250
dan.auxier@epsgroupinc.com
josh.hannon@epsgroupinc.com

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Location & Accessibility	1
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❖ Appendix 2: Existing Site Zoning Exhibit	3
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❖ Appendix 4: Existing Site General Plan Exhibit.....	3
❖ Appendix 5: Proposed Site General Plan Exhibit.....	3

Introduction

EPS Group, Inc., on behalf of the developer, submits this Annexation request for a proposed residential community on ± 93.97 -acres, located on the northeast corner of 163rd Avenue and Grand Avenue within the unincorporated limits of Surprise, Arizona. The site is currently undeveloped, agricultural land and is identified as Maricopa County Assessor Parcel Numbers (APNs): 503-57-003B, -006, -008D, -009J, -009L, -009K, -010F, -010G, -021A, and -026. The site is currently zoned RU-43.

Description of Request

This request is to Annex the property into the City of Surprise. The purpose of these requests is to allow the development of a high-quality single-family residential community on approximately 93.97 acres. Approximately 69.44-acres shall be rezoned to R-1 District and approximately 24.53-acres shall be rezoned to R-3. (See Appendices 1 & 2)



Figure 1: Site Location Map

Project Data	
A.P.N.	503-57-003B, -006, -008D, -009J, -009L, -009K, -010F, -010G, -021A, & -026
Current Land Use	Agricultural / Undeveloped
Existing General Plan Character Area	Commerce & Office
Proposed General Plan Character Area	Neighborhood (Case No. FS21-257)
Existing Zoning District	RU-43 (Maricopa County)
Post-Annexation Zoning District	RR
Gross Area	93.97-Acres

Compliance with the General Plan

A General Plan Amendment request to change the character area designation from Commerce & Office to Neighborhoods is currently under City review under Case Number: FS21-257. (See Appendices 3 & 4)

Relationship to Surrounding Properties

This site is located on existing agricultural/undeveloped fields at the northeast corner of 163rd Avenue and Grand Avenue. 303 RV Storage, and unincorporated residences reside south of the site. Multiple unincorporated residences are also located along the site's northern boundary and are within the RU-43 district of Maricopa County. The Beardsley Canal runs along the western boundary of the site, which separates the site from the adjacent 29 Palms RV & Boat Storage. Last, to the west of the site is Lennar Homes' Asante mixed-use PAD.

Location & Accessibility

The property has minimal property frontage for accessibility that only allows for two points of ingress/egress from 163rd Ave and 162nd Drive, which run parallel to each other and is not suitable for 'typical' shopping areas or office development given the scale of the site and isolated location with limited access. As such, the purpose of this requested annexation is to allow for the future development of a high-quality residential community within the City of Surprise.

Development Standards

The property will be developed in accordance with the City of Surprise Land Development Ordinance and the Planning & Engineering Design Standards.

Landscape and Open Space

A unique and diverse level of recreational amenities throughout the community shall provide opportunities and places for residents of all ages and abilities to gather, socialize, and explore. The landscape and open space theme shall include street trees and streetscape design in order to promote a strong community identity. The landscape and open space network shall provide both visual and actual connection to bring the neighborhood residents together and focus amenity activity on open space and amenities. Onsite retention areas will be landscaped to provide areas for active and passive recreation. All passive and active open space areas for the community are located within close proximity to all lots.

Utilities & Services

The proposed residential community shall be serviced by the following utility companies and community services:

Utilities & Services	
Water	City of Surprise
Sewer	City of Surprise
Electric	APS
Gas	Southwest Gas
Telephone	Century Link / Cox Communication
Cable TV	Century Link / Cox Communication
Refuse	City of Surprise
School District	Dysart Unified School District

Grading and Drainage

All drainage design will be in accordance with the City of Surprise design standards. Proposed drainage improvements will require that the Property retain the specified City of Surprise 100-year storm onsite prior to outfall. Grading will require all finished floor elevations (existing and proposed) to be elevated above the 100-year, 2-hour storm event. Retention basins will be maintained by the subdivision HOA. Maintenance access will be provided down the side slope of the basin (4:1 max) to allow ample access to maintain the basin and all drainage structures within the basin. Additional evaluation of the project site for on-site and off-site drainage shall be provided in later entitlements with the Preliminary and Final Plat.

Conclusion

We respectfully request your favorable consideration of the submitted documents and look forward to working with the City of Surprise as we move forward into the Rezone, Preliminary Plat and permitting approvals.

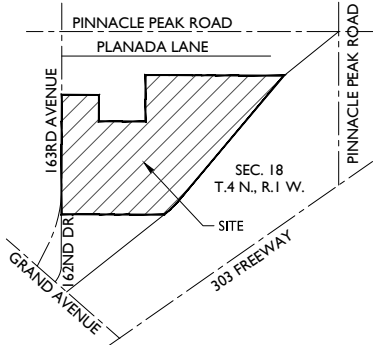
Appendix

- ❖ Appendix 1: Proposed Annexation Exhibit
- ❖ Appendix 2: Existing Site Zoning Exhibit
- ❖ Appendix 3: Post-Annexation Zoning Exhibit
- ❖ Appendix 4: Existing Site General Plan Exhibit
- ❖ Appendix 5: Proposed Site General Plan Exhibit

Appendix 1



VICINITY MAP



NTS

PROJECT TEAM

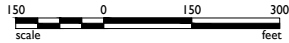
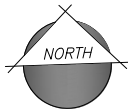
PROPERTY OWNER:
VALPARAISO LLC
CAMPANIA LLC
22435 N 163RD AVENUE
SURPRISE, AZ 85387
TEL: 602-628-7840
CONTACT: THE LAND AGENCY
c/o PAUL LAFFERTY
email: patty@taaz.com

PLANNING & ENGINEERING:
EPS GROUP, INC.
1130 N ALMA SCHOOL RD., STE 120
MESA, AZ 85201
TEL: (480) 503-2250
CONTACT: DAN AUXIER / JOSH HANNON
email: dan.auxier@epsgruoinc.com / josh.hannon@epsgruoinc.com

LAND USE ATTORNEY:
BEUS GILBERT
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PHOENIX, AZ 85008
TEL: 480-429-3000
CONTACT: JEFFREY BLILIE
email: jblilie@beusgilbert.com

PROJECT DATA

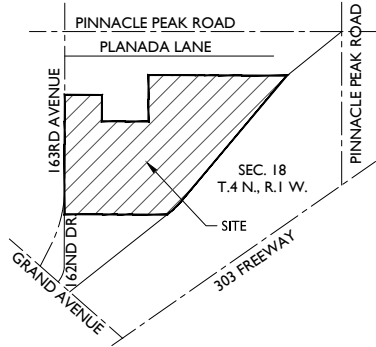
APN(s):	503-57-003B, -006, -008D, -009J, -009L, -009K, -010F, -010G, -021A, & -026
EXISTING LAND USE:	UNDEVELOPED/AGRICULTURE
PROPOSED LAND USE:	MULTI-FAMILY & SINGLE-FAMILY RESIDENTIAL
EXISTING GENERAL PLAN:	COMMERCE/OFFICE
PROPOSED GENERAL PLAN:	NEIGHBORHOOD
EXISTING ZONING:	RU-43 (MARICOPA COUNTY)
POST ANNEXATION ZONING:	RR
SITE ACREAGE:	93.97 GROSS ACRES 4,093,333 SQUARE FEET



Appendix 2



VICINITY MAP



NTS

PROJECT TEAM

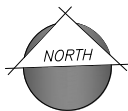
PROPERTY OWNER:
VALPARAISO LLC
CAMPANIA LLC
22435 N 163RD AVENUE
SURPRISE, AZ 85387
TEL: 602-628-7840
CONTACT: THE LAND AGENCY
c/o PAUL LAFFERTY
email: patty@daaz.com

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CONTACT: DAN AUXIER / JOSH HANNOIT
email: dan.auxier@epsgruoinc.com / josh.hannon@epsgruoinc.com

LAND USE ATTORNEY:
BEUS GILBERT
701 N 44TH ST
PHOENIX, AZ 85008
TEL: 480-429-3000
CONTACT: JEFFREY BLILIE
email: jblilie@beusgilbert.com

PROJECT DATA

APN(s):	503-57-003B, -006, -008D, -009J, -009L, -009K, -010F, -010G, -021A, & -026
EXISTING LAND USE:	UNDEVELOPED/AGRICULTURE
PROPOSED LAND USE:	MULTI-FAMILY & SINGLE-FAMILY RESIDENTIAL
EXISTING GENERAL PLAN:	COMMERCE/OFFICE
PROPOSED GENERAL PLAN:	NEIGHBORHOOD
EXISTING ZONING:	RU-43 (MARICOPA COUNTY)
POST ANNEXATION ZONING:	RR
SITE ACREAGE:	93.97 GROSS ACRES 4,093,333 SQUARE FEET



150 0 150 300
scale feet

1130 N Alma School Road, Suite120
Mesa, AZ 85210
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www.epsgruoinc.com



163RD & GRAND AVENUE

Maricopa County, Arizona

EXISTING ZONING EXHIBIT

Project

Revisions:



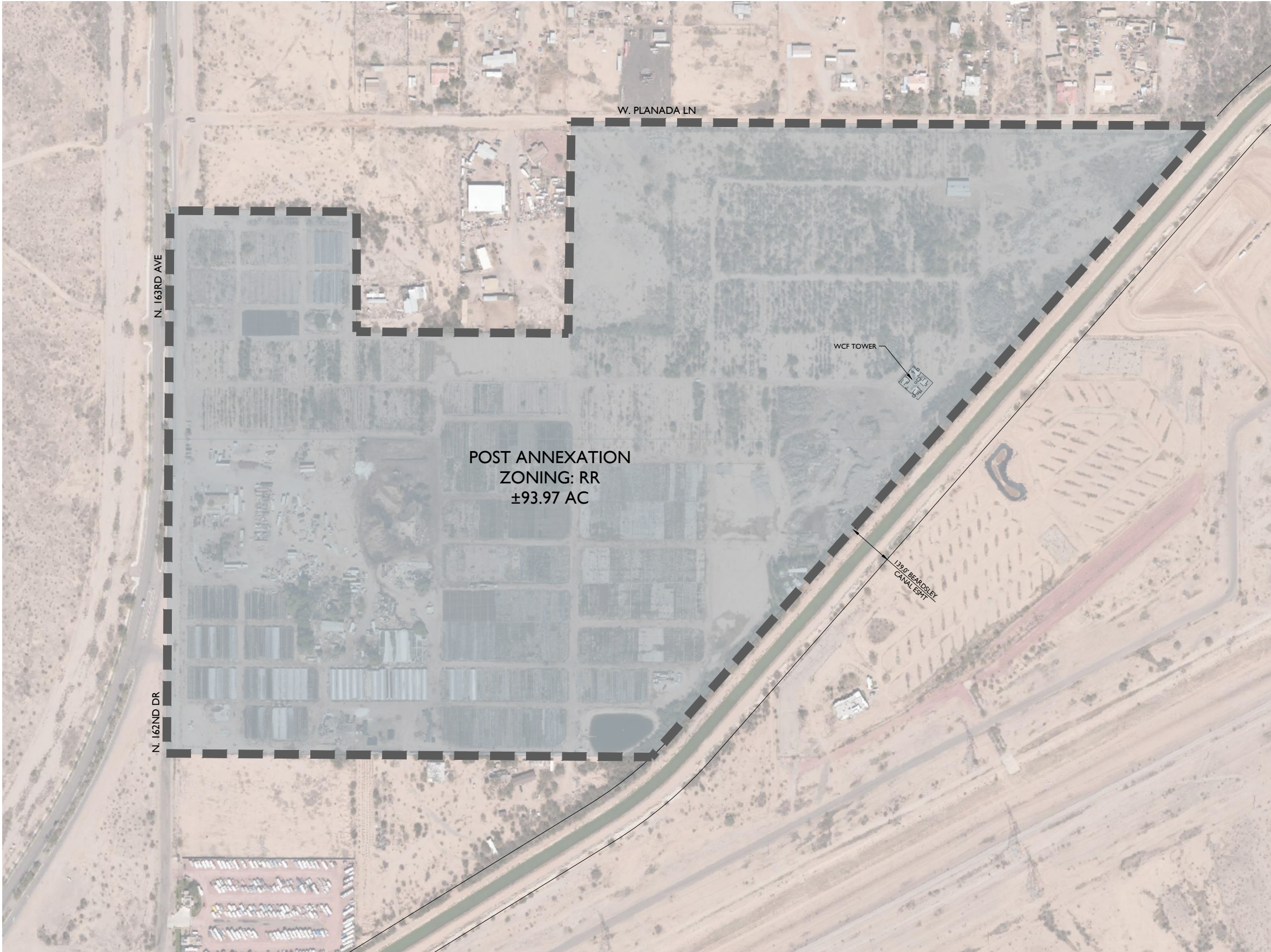
Designer: JH
Drawn by: NG

Preliminary
Not For
Construction
Or
Recording

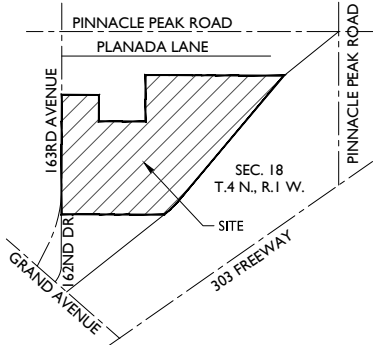
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21-0187

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Appendix 3



VICINITY MAP



NTS

PROJECT TEAM

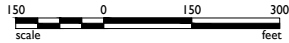
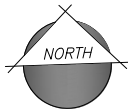
PROPERTY OWNER:
VALPARAISO LLC
CAMPANIA LLC
22435 N 163RD AVENUE
SURPRISE, AZ 85387
TEL: 602-628-7840
CONTACT: THE LAND AGENCY
c/o PAUL LAFFERTY
email: patty@taaz.com

PLANNING & ENGINEERING:
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MESA, AZ 85201
TEL: (480) 503-2250
CONTACT: DAN AUXIER / JOSH HANNON
email: dan.auxier@epsgroupinc.com / josh.hannon@epsgroupinc.com

LAND USE ATTORNEY:
BEUS GILBERT
701 N 44TH ST
PHOENIX, AZ 85008
TEL: 480-429-3000
CONTACT: JEFFREY BLILIE
email: jblilie@beusgilbert.com

PROJECT DATA

APN(s):	503-57-003B, -006, -008D, -009J, -009L, -009K, -010F, -010G, -021A, & -026
EXISTING LAND USE:	UNDEVELOPED/AGRICULTURE
PROPOSED LAND USE:	MULTI-FAMILY & SINGLE-FAMILY RESIDENTIAL
EXISTING GENERAL PLAN:	COMMERCE/OFFICE
PROPOSED GENERAL PLAN:	NEIGHBORHOOD
EXISTING ZONING:	RU-43 (MARICOPA COUNTY)
POST ANNEXATION ZONING:	RR
SITE ACREAGE:	93.97 GROSS ACRES 4,093,333 SQUARE FEET
MAX DENSITY:	
R-1	8 DU/AC
R-3	21 DU/AC



1130 N Alma School Road, Suite120
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www.epsgroupinc.com



163RD & GRAND AVENUE

Maricopa County, Arizona

POST ANNEXATION ZONING EXHIBIT

Project

Revisions:



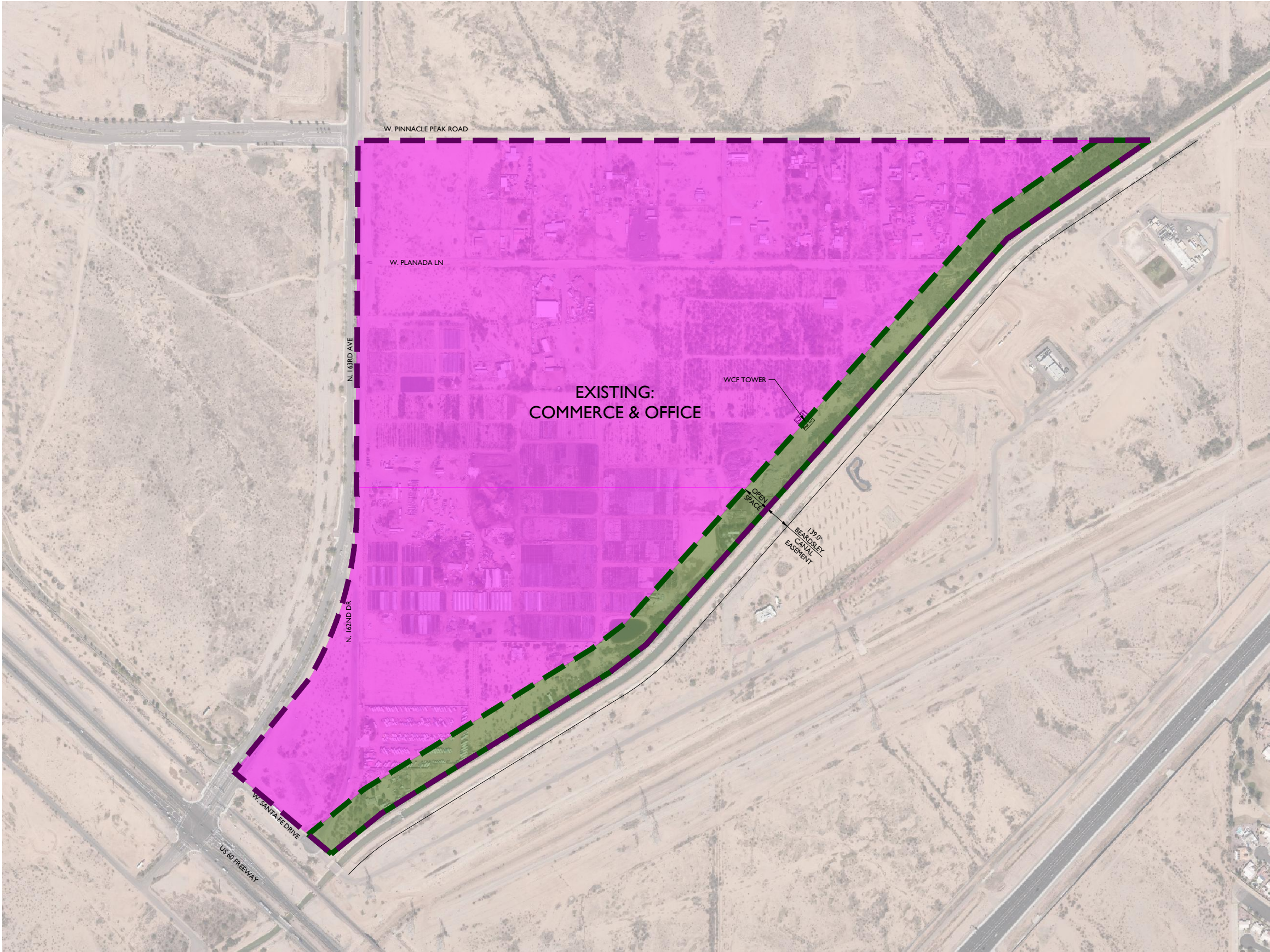
Designer: JH
Drawn by: NG

Preliminary
Not For
Construction
Or
Recording

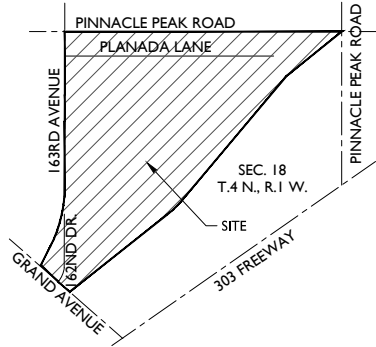
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21-0187

Sheet No.
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of 01

Appendix 4



VICINITY MAP



PROJECT TEAM

PROPERTY OWNER:
VALPARAISO LLC
CAMPANIA LLC
22435 N 163RD AVENUE
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TEL: 602-628-7840
CONTACT: THE LAND AGENCY
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email: dan.auxier@epsgruoinc.com / josh.hannon@epsgruoinc.com

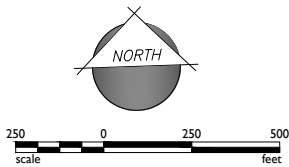
LAND USE ATTORNEY:
BEUS GILBERT
701 N 44TH ST
PHOENIX, AZ 85008
TEL: 480-429-3000
CONTACT: JEFFREY BLILIE
email: jblilie@beusgilbert.com

PROJECT DATA

APN(s): 503-57-003B, -004D, -004J, -005B, -005D, -005E, -005F, -006, -007F, -007G, -007H, -007J, -007K, -008C, -008D, -008E, -009J, -009K, -009L, -009P, -009U, -009W, -009X, -009Z, -010F, -010G, -010K, -010L, -010M, -010N, -010Q, -010R, -010S, -010T, -021A, -025Y, -025Z, -026, -028B, -031, -033A, -033B, -034, -035, -038A, -039, -040, -041A, -041B, -042A, -043, -044, -045, -046, -047, -048, -049A, -049B, -051, -052, 503-73-756A & -756B

EXISTING LAND USE: UNDEVELOPED/AGRICULTURE
PROPOSED LAND USE: MULTI-FAMILY & SINGLE-FAMILY RESIDENTIAL

EXISTING GENERAL PLAN: COMMERCIAL/OFFICE
PROPOSED GENERAL PLAN: NEIGHBORHOOD



1130 N Alma School Road, Suite 120
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163RD & GRAND AVENUE

EXISTING GENERAL PLAN EXHIBIT

Revisions:



Designer: JH
Drawn by: NG

Preliminary
Not For
Construction
Or
Recording

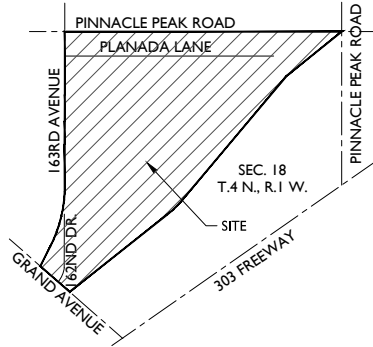
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21-0187

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of 01

Appendix 5



VICINITY MAP



PROJECT TEAM

PROPERTY OWNER:
VALPARAISO LLC
CAMPANIA LLC
22435 N 163RD AVENUE
SURPRISE, AZ 85387
TEL: 602-628-7840
CONTACT: THE LAND AGENCY
c/o PAUL LAFFERTY
email: patty@taaz.com

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email: dan.auxier@epsgroupinc.com / josh.hannon@epsgroupinc.com

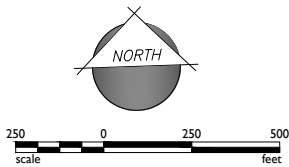
LAND USE ATTORNEY:
BEUS GILBERT
701 N 44TH ST
PHOENIX, AZ 85008
TEL: 480-429-3000
CONTACT: JEFFREY BLILIE
email: jblilie@beusgilbert.com

PROJECT DATA

APN(s): 503-57-003B, -004D, -004J, -005B, -005D, -005E, -005F, -006, -007F, -007G, -007H, -007J, -007K, -008C, -008D, -008E, -009J, -009K, -009L, -009P, -009U, -009W, -009X, -009Z, -010F, -010G, -010K, -010L, -010M, -010N, -010Q, -010R, -010S, -010T, -021A, -025Y, -025Z, -026, -028B, -031, -033A, -033B, -034, -035, -038A, -039, -040, -041A, -041B, -042A, -043, -044, -045, -046, -047, -048, -049A, -049B, -051, -052, 503-73-756A & -756B

EXISTING LAND USE: UNDEVELOPED/AGRICULTURE
PROPOSED LAND USE: MULTI-FAMILY & SINGLE-FAMILY RESIDENTIAL

EXISTING GENERAL PLAN: COMMERCE/OFFICE
PROPOSED GENERAL PLAN: NEIGHBORHOOD



Project

Revisions:

Parcel No	Tax Year	PUC	Property Use	Tax Area Code	Owner Name	Mailing Address	City State Zip	Situs Address	Situs City Zip
503-57-003B	2021	4012	NURSERIES & GREENHOUSES	890003	VALPARAISO LLC	22435 N 163RD AVENUE	SURPRISE AZ 85387	22439 N 163RD AVE,	SURPRISE 85387
503-57-006	2021	4010	NURSERIES & GREENHOUSES	890003	VALPARAISO LLC	22435 N 163RD AVENUE	SURPRISE AZ 85387		
503-57-008D	2021	4010	NURSERIES & GREENHOUSES	890003	CAMPANIA LLC	22439 N 163RD AVE	SURPRISE AZ 85387	23015 N 163RD AVE,	SURPRISE 85387
503-57-009J	2021	4010	NURSERIES & GREENHOUSES	890000	VALPARAISO LLC	22435 N 163RD AVENUE	SURPRISE AZ 85387	22439 N 163RD AVE,	SURPRISE 85387
503-57-009K	2021	4010	NURSERIES & GREENHOUSES	890000	VALPARAISO LLC	22435 N 163RD AVENUE	SURPRISE AZ 85387		
503-57-009L	2021	4010	NURSERIES & GREENHOUSES	890000	VALPARAISO LLC	22435 N 163RD AVENUE	SURPRISE AZ 85387		
503-57-010F	2021	4010	NURSERIES & GREENHOUSES	890000	VALPARAISO LLC	22435 N 163RD AVENUE	SURPRISE AZ 85387	22439 N 163RD AVE,	SURPRISE 85387
503-57-010G	2021	4011	NURSERIES & GREENHOUSES	890000	CAMPANIA LLC	22435 N 163RD AVE	SURPRISE AZ 85387	8135 E ROOSEVELT ST,	SURPRISE 85387
503-57-021A	2021	4012	NURSERIES & GREENHOUSES	890000	VALPARAISO LLC	22435 N 163RD AVENUE	SURPRISE AZ 85387	22815 N 159TH AVE,	SURPRISE 85387
503-57-026	2021	4010	NURSERIES & GREENHOUSES	890003	VALPARAISO LLC	22435 N 163RD AVENUE	SURPRISE AZ 85387	22439 N 163RD AVE,	SURPRISE 85387

Parcel No	Parcel Sq Ft	IWCD Acreage	IWDD Acreage	Total Acreage	Pers Prop FCV	Pers Prop Net Assessed
503-57-003B	526,858	12.100	0.000	12.095	\$0.00	\$0.00
503-57-006	174,414	4.000	0.000	4.004	\$0.00	\$0.00
503-57-008D	196,543	4.510	0.000	4.512	\$0.00	\$0.00
503-57-009J	217,147	0.000	0.000	4.985	\$0.00	\$0.00
503-57-009K	218,453	0.000	0.000	5.015	\$0.00	\$0.00
503-57-009L	226,730	0.000	0.000	5.205	\$0.00	\$0.00
503-57-010F	216,667	0.000	0.000	4.974	\$0.00	\$0.00
503-57-010G	216,667	0.000	0.000	4.974	\$0.00	\$0.00
503-57-021A	307,969	0.000	0.000	7.070	\$0.00	\$0.00
503-57-026	1,738,044	39.900	0.000	39.900	\$0.00	\$0.00
		60.510	0.000	92.734	\$0.00	\$0.00

Parcel No	Land FCV	Improvement FCV	CVP PP FCV	Total FCV	Total Assed FCV	Total Exmpt Assed FCV	Total Net FCV	Total LPV	Total Assessed Va	Exempt Assessed \	Net Assessed Value(LPV)
503-57-003B	\$211,200	\$161,600	\$0	\$372,800	\$63,873	\$0	\$63,873	\$184,013	\$31,466	\$0	\$31,466
503-57-006	\$82,100	\$0	\$0	\$82,100	\$12,315	\$0	\$12,315	\$10,463	\$1,569	\$0	\$1,569
503-57-008D	\$16,243	\$0	\$0	\$16,243	\$2,436	\$0	\$2,436	\$9,259	\$1,389	\$0	\$1,389
503-57-009J	\$105,100	\$0	\$0	\$105,100	\$15,765	\$0	\$15,765	\$13,027	\$1,954	\$0	\$1,954
503-57-009K	\$110,300	\$2,800	\$0	\$113,100	\$16,965	\$0	\$16,965	\$17,795	\$2,669	\$0	\$2,669
503-57-009L	\$89,500	\$0	\$0	\$89,500	\$13,425	\$0	\$13,425	\$13,604	\$2,041	\$0	\$2,041
503-57-010F	\$17,906	\$0	\$0	\$17,906	\$2,686	\$0	\$2,686	\$10,206	\$1,531	\$0	\$1,531
503-57-010G	\$103,203	\$0	\$0	\$103,203	\$15,480	\$0	\$15,480	\$58,826	\$8,824	\$0	\$8,824
503-57-021A	\$105,100	\$7,400	\$0	\$112,500	\$17,729	\$0	\$17,729	\$22,990	\$3,632	\$0	\$3,632
503-57-026	\$143,640	\$0	\$0	\$143,640	\$21,546	\$0	\$21,546	\$104,266	\$15,640	\$0	\$15,640
	\$984,292	\$171,800	\$0	\$1,156,092	\$182,220	\$0	\$182,220	\$444,449	\$70,715	\$0	\$70,715

STATE OF ARIZONA

Department of Revenue
Local Jurisdictions District
Fax (602) 542-4425



Douglas A. Ducey
Governor

December 22, 2021

Robert Woods
Director

Mr. Sergio Angulo
City of Surprise
16000 N. Civic Center Plaza
Surprise, AZ 85374

RE: Valuation Transmittal for Docket # 07-1330-00, FS21-512 (163rd Ave. & Grand Ave.)

Dear Mr. Angulo:

According to information provided by the taxpayer(s) and based on unit values established by the Division of Property Valuation and Equalization, the estimates of value for properties located in the proposed annexation areas are as follows:

Taxpayer #	Taxpayer Name	Full Cash Value	Assessed Value
51701	BNSF RAILWAY COMPANY	\$0.00	\$0.00
56729	QWEST CORPORATION	\$0.00	\$0.00
57610	SALT RIVER PROJECT (T&D)	\$0.00	\$0.00
56786	AT&T MOBILITY LLC	\$229.15	\$41.25
54650	ARIZONA PUBLIC SERVICE COMPANY	\$39,596.32	\$7,127.34

Please direct any inquiries you may have regarding this estimate to my email address:
fvillaverde@azdor.gov

Sincerely,

Flo Villaverde

Flo Villaverde
GIS Annexations
Telephone: 602 716 6832
Fax: 602 542 4425

ORDINANCE # 2022-04

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF SURPRISE, MARICOPA COUNTY, STATE OF ARIZONA PURSUANT TO THE PROVISIONS OF ARIZONA REVISED STATUTES TITLE 9 CHAPTER 4 ARTICLE 7 AND AMENDMENTS THERETO BY ANNEXING THERETO CERTAIN TERRITORY CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF SURPRISE, CONSISTING OF APPROXIMATELY 93.97 ACRES LOCATED ON A PORTION OF THE NORTH HALF OF SECTION 18, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, STATE OF ARIZONA, AND ESTABLISHING EQUIVALENT CITY OF SURPRISE ZONING.

WHEREAS, a petition in writing accompanied by a map or plot of said real property having been filed and presented to the Mayor and Council of the City of Surprise, Arizona, signed by the owners of more than one-half in value of the real and personal property and more than one-half of the persons owning real and personal property as would be subject to taxation by the City of Surprise in the event of annexation within the territory and land hereinafter described in the attached ***Exhibit A*** (the "Annexation Area") and as shown by the last assessment of said property which said Annexation Area is contiguous to the City of Surprise, and not now embraced within its limits, asking that the Annexation Area be annexed to the City of Surprise, and to extend and increase the corporate limits of the City of Surprise so as to embrace the same;

WHEREAS, the Mayor and City Council of the City of Surprise, Arizona are desirous of accepting said petition and extending and increasing the corporate limits of the City of Surprise to include said territory;

WHEREAS, the said petition sets forth a true and correct description of all the exterior boundaries of the entire Annexation Area proposed to be annexed to the City of Surprise and had attached thereto at all times an accurate map of the Annexation Area, as shown in ***Exhibit B***, desired to be annexed;

WHEREAS, no alterations increasing or reducing the territory sought to be annexed have been made after the said petition had been signed by any owner of real and personal property within the Annexation Area;

WHEREAS, the provisions of A.R.S. § 9-471, and amendments thereto, have been fully observed;

WHEREAS, proper and sufficient certification and proof of the foregoing facts are now on file in the office of the City Clerk of the City of Surprise, Arizona, together with a true and correct copy of the original petition referred to herein, which is on file in the office of the County Recorder for Maricopa County, Arizona;

WHEREAS, the Annexation Area described in **Exhibit A** and depicted on **Exhibit B** includes approximately 93.97 acres of improved property owned by Campana, LLC and Valparaiso, LLC;

WHEREAS, the subject property is within the Annexation Area having zoning in Maricopa County, as shown in **Exhibit C**, the Mayor and City Council, pursuant to A.R.S. § 9-471(L), shall adopt and apply to this area the City of Surprise zoning districts that permit densities and uses no greater than those permitted by the Maricopa County zoning immediately before annexation;

WHEREAS, the City Council has reviewed the Staff Reports and supporting materials which discuss the proposed annexation to be considered by the Council, and now finds that the annexation of the Annexation Area would be beneficial to Surprise by ensuring that all future development would be controlled by and be consistent with the objectives and policies of the Surprise General Plan 2035, the requirements of the Surprise Land Development Ordinance (LDO), all future land development ordinances, and all other applicable City of Surprise codes and regulations; and

WHEREAS, the City Council finds that annexation of the Annexation Area would not require any current expenditures in the City's Capital Improvement Plan ("CIP"), infrastructure for the site has been previously constructed within Maricopa County under Maricopa County's jurisdiction.

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

Section 1. That the Annexation Area described in the attached **Exhibit A** be and the same hereby is annexed to the City of Surprise and that the present corporate limits be and the same hereby are extended and increased to include the Annexation Area described in **Exhibit A** contiguous to the present City limits.

Section 2. That a copy of this Ordinance, together with an accurate map of the territory hereby annexed as shown in **Exhibit B** and certified by the Mayor of the City of Surprise shall be recorded in the office of the County Recorder of Maricopa County, Arizona, and that a copy of this Ordinance shall be provided to the Clerk of the Board of Supervisors of Maricopa County, Arizona.

Section 3. That the property described in Section 1 of this Ordinance with Maricopa County zoning as shown in ***Exhibit C*** shall be designated with equivalent City of Surprise zoning as shown in ***Exhibit C*** upon the effective date of this Ordinance.

Section 4. That the City of Surprise zoning map is herewith amended to reflect the change in districts referred to in Section 3, above.

Section 5. This Ordinance shall take effect, and the annexation of the subject property shall become final, thirty days after this Ordinance is adopted.

Section 6. This Ordinance is not of general application throughout the City and therefore is not required to be codified.

Section 7. That the provisions of this Ordinance are not severable, and the entirety of this Ordinance shall become null and void and of no effect in the event any provision is finally determined to be illegal or invalid by a court of competent jurisdiction or if any provision should be invalidated by a referendum vote.

PASSED AND ADOPTED this _____ day of _____, 2022.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

**EXHIBIT A
LEGAL DESCRIPTION**



**Legal Description
Annexation & Zoning**

Job No. 21-0787

10/4/2021

A portion of the North Half of Section 18, Township 4 North, Range 1 West of the Gila and Salt River Meridian, Maricopa County Arizona, more particularly described as follows:

BEGINNING at the West Quarter Corner of said Section 18, being marked by a 2-3/4" Maricopa County Highway Department brass cap in handhole, from which the Northwest Corner of said Section 18, being marked by a 3" City of Surprise brass cap flush, bears North 0 degrees 21 minutes 23 seconds East, 2633.85 feet;

thence along the West line of the Northwest Quarter of said Section 18, North 0 degrees 21 minutes 23 seconds East, 1690.43 feet;

thence along the North line of that parcel described in Document No. 2016-0833046 of Maricopa County Records, South 89 degrees 36 minutes 43 seconds East, 580.61 feet to the Northeast corner thereof;

thence along the East line of said parcel, South 0 degrees 01 minutes 53 seconds East, 373.51 feet to the Northwest Corner of the Southeast Quarter of the Northwest Quarter of said Section 18;

thence along the North line of said Southeast Quarter, South 89 degrees 37 minutes 24 seconds East, 659.08 feet to the Southwest Corner of that parcel described in Document No. 2018-0374381 of Maricopa County Records;

thence along the West line of said parcel, North 0 degrees 00 minutes 05 seconds West, 658.06 feet to the Northwest Corner thereof;

thence along the North line of said parcel and also along the North line of that parcel described in Document No. 2015-0095268 of Maricopa County Records, South 89 degrees 39 minutes 37 seconds East, 658.43 feet to the Northeast corner thereof;

thence along the North line of those parcels described in Document No. 2012-0451702 of Maricopa County Records, South 89 degrees 37 minutes 09 seconds East, 1318.44 feet;

EPS Group, Inc. • 1130 N. Alma School Rd, Suite 120 • Mesa, AZ 85201
Tel (480) 503-2250 • Fax (480) 503-2258

S:\Projects\2021\21-0187\Land Survey\Legals\21-0187 LD03 Annex & Zoning.docx

Ordinance No. 2022-04
RFLS # 8115
Rev 01/22



thence continuing along said North line, South 89 degrees 39 minutes 13 seconds East, 17.68 feet to a point on the Northwestern right-of-way of the Maricopa County Municipal Water Conservation District No. 1 Main Canal;

thence along said Northwestern right-of-way, South 41 degrees 18 minutes 56 seconds West, 2498.28 feet to the beginning of a curve, concave Northwest, having a radius of 1230.67 feet;

thence continuing along said Northwestern right-of-way, Southwesterly 123.92 feet along the arc of said curve to the right through a central angle of 5 degrees 46 minutes 09 seconds to a point on the South line of the Southeast Quarter of the Northwest Quarter of said Section 18;

thence along said South line, on a non-tangent line North 89 degrees 34 minutes 37 seconds West, 917.36 feet to the Southeast corner of Lot 2 of said Section 18;

thence along the South line of said Lot 2, North 89 degrees 33 minutes 38 seconds West, 591.82 feet to the **POINT OF BEGINNING**.

Contains 4,094,097 square feet or 93.9875 acres, more or less.

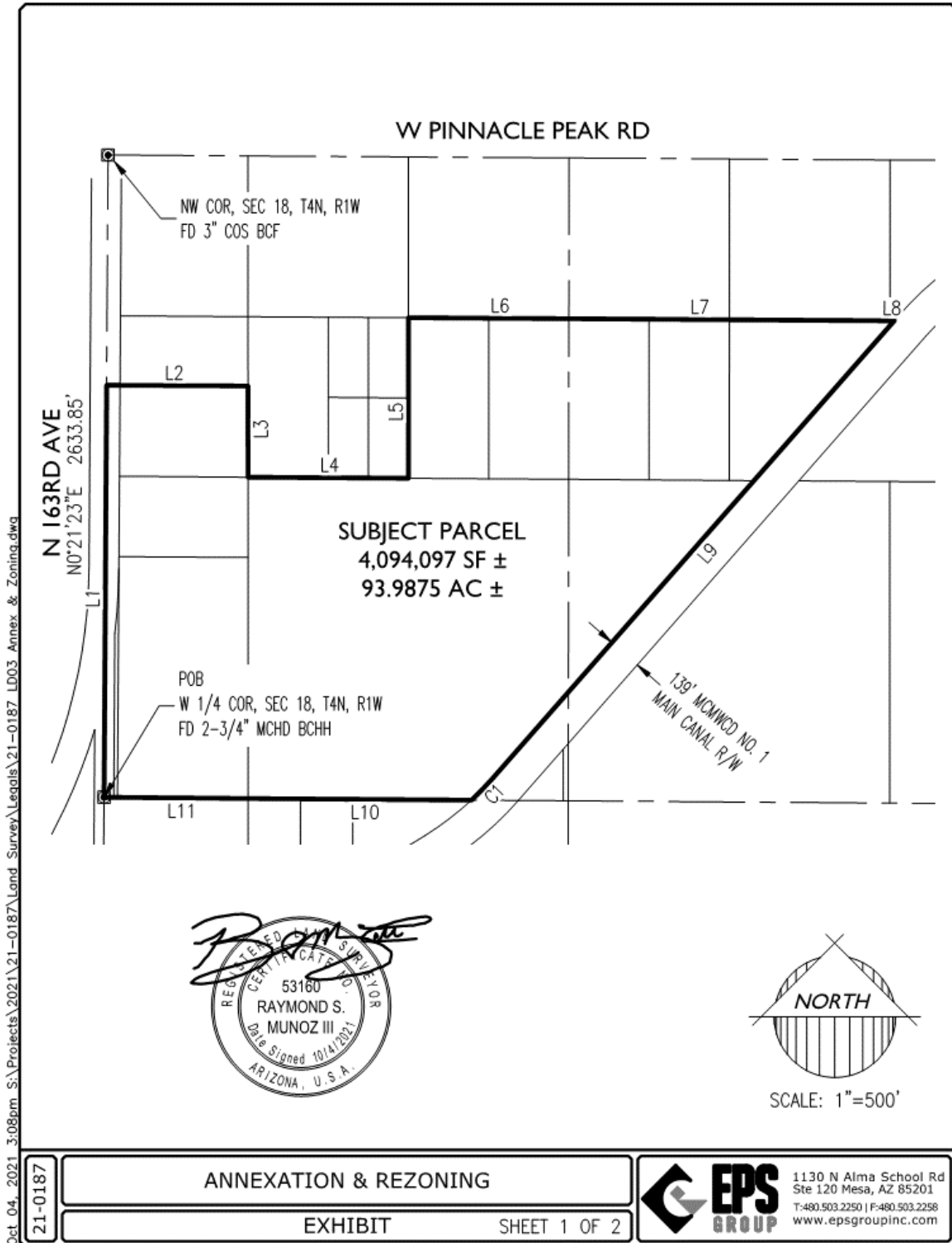


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Ordinance No. 2022-04
RFLS # 8115
Rev 01/22

EXHIBIT B MAP



Ordinance No. 2022-04
RFLS # 8115
Rev 01/22

Oct 04, 2021 3:09pm S:\Projects\2021\21-0187\Land Survey\Legals\21-0187 LD03 Annex & Zoning.dwg 21-0187

LINE TABLE		
LINE	BEARING	LENGTH
L1	N00°21'23"E	1690.43'
L2	S89°36'43"E	580.61'
L3	S00°01'53"E	373.51'
L4	S89°37'24"E	659.08'
L5	N00°00'05"W	658.06'
L6	S89°39'37"E	658.43'

LINE TABLE		
LINE	BEARING	LENGTH
L7	S89°37'09"E	1318.44'
L8	S89°39'13"E	17.68'
L9	S41°18'56"W	2498.28'
L10	N89°34'37"W	917.36'
L11	N89°33'38"W	591.82'

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C1	123.92'	1230.67'	5°46'09"	62.01'	123.87'	S44°12'01"W



21-0187

ANNEXATION & REZONING

EXHIBIT

SHEET 2 OF 2



1130 N Alma School Rd
Ste 120 Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

EXHIBIT C
Zoning Table

APN	Owner	Pre-annexation Maricopa County Zoning	Post-annexation Surprise Zoning
503-57-003B	VALPARAISO LLC	Rural-43 (RU-43)	Residential Ranch (RR)
503-57-006	VALPARAISO LLC	Rural-43 (RU-43)	Residential Ranch (RR)
503-57-008D	CAMPANIA LLC	Rural-43 (RU-43)	Residential Ranch (RR)
503-57-009J	VALPARAISO LLC	Rural-43 (RU-43)	Residential Ranch (RR)
503-57-009K	VALPARAISO LLC	Rural-43 (RU-43)	Residential Ranch (RR)
503-57-009L	VALPARAISO LLC	Rural-43 (RU-43)	Residential Ranch (RR)
503-57-010F	VALPARAISO LLC	Rural-43 (RU-43)	Residential Ranch (RR)
503-57-010G	CAMPANIA LLC	Rural-43 (RU-43)	Residential Ranch (RR)
503-57-021A	VALPARAISO LLC	Rural-43 (RU-43)	Residential Ranch (RR)
503-57-026	VALPARAISO LLC	Rural-43 (RU-43)	Residential Ranch (RR)

ANNEXATION PETITION

TO THE HONORABLE MAYOR AND COUNCIL OF THE CITY OF
SURPRISE, ARIZONA:

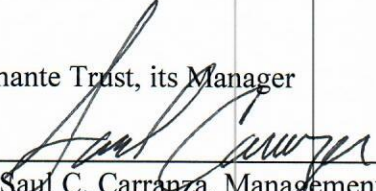
We, the undersigned, the owners of one-half or more of the real and personal property that also represents one-half or more of the value of the real and personal property that would be subject to taxation by the City of Surprise in the event of annexation within the territory proposed to be annexed, which is hereafter described, said territory being contiguous to the corporate limits of the City of Surprise, with the exterior boundaries of the territory proposed to be annexed shown on the map attached hereto, marked "Exhibit "B" and made a part hereof, request the City of Surprise to annex the following described territory, provided that the requirements of A.R.S. §9- 471, and amendments thereto are fully observed.

The description of the territory proposed to be annexed as part of the Surprise Case #FS21-512, not already within the present limits of the City of Surprise and located in Maricopa County, Arizona, is as described and attached hereto, marked Exhibit "A" and made part thereof:

Date	Name of Property Owner	Mailing Address	Phone No.	Parcel Number or Legal Description
1-24-22	Campania LLC	22439 N. 163 Rd Ave Surprise AZ 85387	623-764-0324	503-57-008D 503-57-010G

Campania, LLC, an Arizona limited liability
company

By: Diamante Trust, its Manager

By: 
Saul C. Carranza, Management Trustee

ANNEXATION PETITION

TO THE HONORABLE MAYOR AND COUNCIL OF THE CITY OF
SURPRISE, ARIZONA:

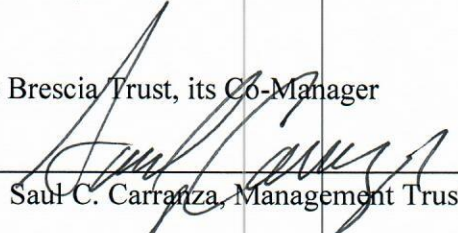
We, the undersigned, the owners of one-half or more of the real and personal property that also represents one-half or more of the value of the real and personal property that would be subject to taxation by the City of Surprise in the event of annexation within the territory proposed to be annexed, which is hereafter described, said territory being contiguous to the corporate limits of the City of Surprise, with the exterior boundaries of the territory proposed to be annexed shown on the map attached hereto, marked "Exhibit "B" and made a part hereof, request the City of Surprise to annex the following described territory, provided that the requirements of A.R.S. §9- 471, and amendments thereto are fully observed.

The description of the territory proposed to be annexed as part of the Surprise Case #FS21-512, not already within the present limits of the City of Surprise and located in Maricopa County, Arizona, is as described and attached hereto, marked Exhibit "A" and made part thereof:

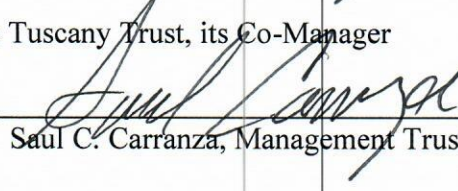
Date	Name of Property Owner	Mailing Address	Phone No.	Parcel Number or Legal Description
1/24/2022	Valparaiso, LLC	22439 N 163rd Ave., Surprise, AZ, 85387	623-764-0324	503-57-010F
				503-57-009J
				503-57-009K
				503-57-009L
				503-57-021A
				503-57-026B
				503-57-006
				503-57-003B

VALPARAISO, LLC, an Arizona limited liability company

By: The Brescia Trust, its Co-Manager

By: 
Saul C. Carranza, Management Trustee

By: The Tuscany Trust, its Co-Manager

By: 
Saul C. Carranza, Management Trustee

Citizen Participation Report

NEC 163rd Avenue and Grand Ave

City of Surprise

September 16, 2021

Parties Affected by Annexation & General Plan Amendment Request

Individual Canvassing Survey letters were sent to all property owners south of Pinnacle Peak, east of 163rd/162nd Avenue and north of the Beardsley Canal to seek out surrounding owner interest in joining the existing General Plan Amendment and Annexation requests. A map of the area identified is provided in **Appendix 1**. The City of Surprise published a newspaper ad and sent out notice letters to the property owners to inform them of a neighborhood meeting, which was held on July 29, 2021.

The survey letter, provided in **Appendix 2**, included a fillable survey and all of the information required by the city to explain the annexation and general plan amendment process and application. Interested parties were instructed to return the survey portion to the project representative, Jeffrey Blilie with Beus Gilbert McGroder PLLC.

Parties Affected by Annexation, General Plan Amendment, & Rezone Applications

Individual Neighborhood Meeting Invitations were sent by the City of Surprise in addition to posting an ad in the newspaper. These letters were sent to all property owners within 300' of the approximately 190.54-gross acres generally located at the northeast corner of 163rd Avenue and Grand Avenue. The letters invited the property owners to attend the meeting and included all of the information required by the city to explain the annexation, general plan amendment, and rezoning applications.

The below interested parties have been identified as part of this process. Returned surveys, emails, and letters received as part of this process are provided in **Appendix 3**.

OWNER	ADDRESS	GPA & SURVEY CANVASS			NOT A PART
		NO RESPONSE	ANNEX	GPA	
ARREOLA ALFREDO/NORMA	[REDACTED]	X			
BARCLAY SURPRISE INC	[REDACTED]	X			
BLUESHORE HOLDINGS LLC	[REDACTED]	X			
BREWER MARIA D	[REDACTED]	X			
CAMACHO CESAR/LETITIA	[REDACTED]	X			
CAMPANIA LLC	[REDACTED]	X			
CAMPANIA LLC	[REDACTED]	X			
DEACETIS VINCENT/ GERALDINE TR	[REDACTED]	X			
FERNANDEZ CARMEN R	[REDACTED]	X			
FREDRICKSON FAMILY TRUST	[REDACTED]	X			
FRONSMAN ADELLA M	[REDACTED]		NO	NO	
FRONSMAN GEORGE/ CRYSTAL	[REDACTED]	X			
GOMEZ CONSEPCION S	[REDACTED]	X			
HANCOCK LAWRENCE G	[REDACTED]		NO	NO	
HERNANDEZ CASIMIRO	[REDACTED]		NO	NO	
HUEY RICHARD G/IRENE TR/ WONG W O/S O TR/ETAL	[REDACTED]		NO	YES	

JOSEPH A SOLDEVERE/ ARLENE R REV TRUST	[REDACTED]	X			
LENNAR COMMUNITIES DEVELOPMENT INC	[REDACTED]	X			
MC REAL ESTATE DEVELOPMENT LLC	[REDACTED]	X			
MORGAN CAREY D/LAUREN L	[REDACTED]	X			
ODOGUI SAMUEL/NELLIE	[REDACTED]	X			
OROZCO SALVADOR D	[REDACTED]	X			
PASILLAS ALBINA SOLIS/FRANCISCO	[REDACTED]	X			
PASILLAS ANTONIO C/ ROSARIO IBARRA	[REDACTED]	X			
PASILLAS ANTONIO/ AUGUSTIN	[REDACTED]	X			
PEAK RV STORAGE LLC	[REDACTED]	X			
SCHULTZ ENTERPRISES WEST LLC	[REDACTED]		NO	NO	
SKAGGS M R/M E/RUCH R J/N A	[REDACTED]	X			
SOLIS JUAN A JR/ MARTINEZ NORMA	[REDACTED]	X			
SOLIS JUAN A SR	[REDACTED]	X			
SOLIS MARIANO/CYNTHIA	[REDACTED]	X			
SOLIS MARIANO/CYNTHIA	[REDACTED]	X			
SOLIS MARTIN F/ ALEJANDRINA/PASILLAS ANTONIO C	[REDACTED]	X			
SOLIS MARTIN F/ ALEJANDRINA/ PASILLAS ANTONIO C	[REDACTED]	X			
STANISLAW B MUSIAL AND BOZENA MUSIAL REV LIV	[REDACTED]		NO	NO	
TELLEZ ELIZABETH ANNAMARIE/ VERONICA ADELICIA	[REDACTED]	X			
VALPARAISO LLC	[REDACTED]	X			
VALPARAISO LLC	[REDACTED]	X			
VARGAS ALEJANDRINA HERNANDEZ	[REDACTED]	X			
WALKER RONALD/PAULA	[REDACTED]	X			
WEBB GARY	[REDACTED]				X
PHILLIPS SCOTT & JANICE	[REDACTED]				X
KEATING MATT	[REDACTED]				X

ODOGUI SAM & NELLIE					X
FRONSMAN CRYSTAL					X

Notification and Information Procedures

We will meet all City noticing requirements for annexing, rezoning, and amending the general plan land use designation of the property. These include notice of Public Hearing letters to be sent to surrounding property owners within 300' of the Property and other interested stakeholders, as identified on the buffer map provided in **Appendix 4**. The notification letters will include case information as well as our contact information. The interested parties and stakeholders identified are listed in **Appendix 5**.

We will post the site on our 163rd Avenue frontages with signs informing of the proposed annexation, general plan amendment, and rezoning request within the required timeframes. We have worked with City staff on the exact location and number of posted signs. Photographic evidence and the affidavit of posting are provided in **Appendix 6**.

Response Procedures

We will continue to respond to all input and comments received from parties affected by our application. We will also provide our responses to City Staff for their records. We will follow-up as necessary to ensure proper responses are provided and information is shared regarding the status of the request to interested stakeholders.

Schedule of Completion

June - Conducted Public outreach to generally secure maximum coordination of plans and to indicate properly located sites for all public purposes on the general plan. Consulted with, informed, and provided an opportunity for official comment by:

- All property owners south of Pinnacle Peak
- All property owners east of 163rd/162nd Avenue
- All property owners north of the Beardsley Canal

July – Completed Review and Submitted a Citizen Participation Plan to reflect outreach strategies to engage property owners and residents.

July 14 - Posted notifications on site (2 signs for the GPA and 3 for the rezoning and annexation) at least 15 days in advance of the Neighborhood Meetings, on July 14, 2021.

The City of Surprise published notification with local newspapers, press release, City website, and social media and mailed letters to property owners and neighbors at least 15 days in advance of the Neighborhood Meeting.

This Citizen Participation Report includes a list of attendees and an accurate account of the items discussed such as opposition, proposed alternatives solutions (by either neighbors or applicant), responses to proposed solutions, and any mutual agreements reached during the meeting. The Sign-In List is provided in **Appendix 7**. Completed Comment Cards are provided in **Appendix 8**.

July 19, 2021 – Held Neighborhood Meeting at the Asante Preparatory Academy at 6:00 PM.

August – Began 60-day notice: transmit the proposal to P&Z, City Council, and submit a copy to outside agencies and municipalities for review and further comment

October – 60-Day Review period closes

October – Public Notice: Site Posting, newspaper, website, and mailers between 15-30 days

November 4 – Public Hearing at offsite P&Z meeting to discuss

November 18 – Public Hearing at P&Z for recommendation (recommendation)

November – Public Notice: Site Posting, newspaper, website, and mailers between 15-30 days

December 7 – Public Hearing at City Council to consider Major General Plan Amendment (via resolution with 2/3s vote)

December – send notice of the approval, adoption or readoption of the general plan or major amendment to the general plan to the attorney general by certified mail, return receipt requested, within three business days after the approval, adoption or readoption.

After affirmation from Attorney General – Send a copy of the adopted general plan to the planning agency of Maricopa County.

Status Procedure

We will update city staff via email and telephone calls if any important issues come about as we continue our public outreach. If additional public outreach occurs after the submittal of the Public Outreach Plan, we will provide updates to inform city staff and council members.

CITIZEN PARTICIPATION PLAN RESULTS

Details and Techniques Used to Involve the Public

As part of the Public Outreach Process, the Applicant's representatives have not received any inquiries on the request except as found at the Neighborhood Meeting and through returned Canvassing letters.

Summary of Concerns, Issues and Problems & How They will be Addressed

The interactions we had with community members at the 7/24/2021 neighborhood meeting were inquisitive in nature and primarily to discuss and further describe the request. The Neighborhood Meeting Minutes are provided in **Appendix 9**.

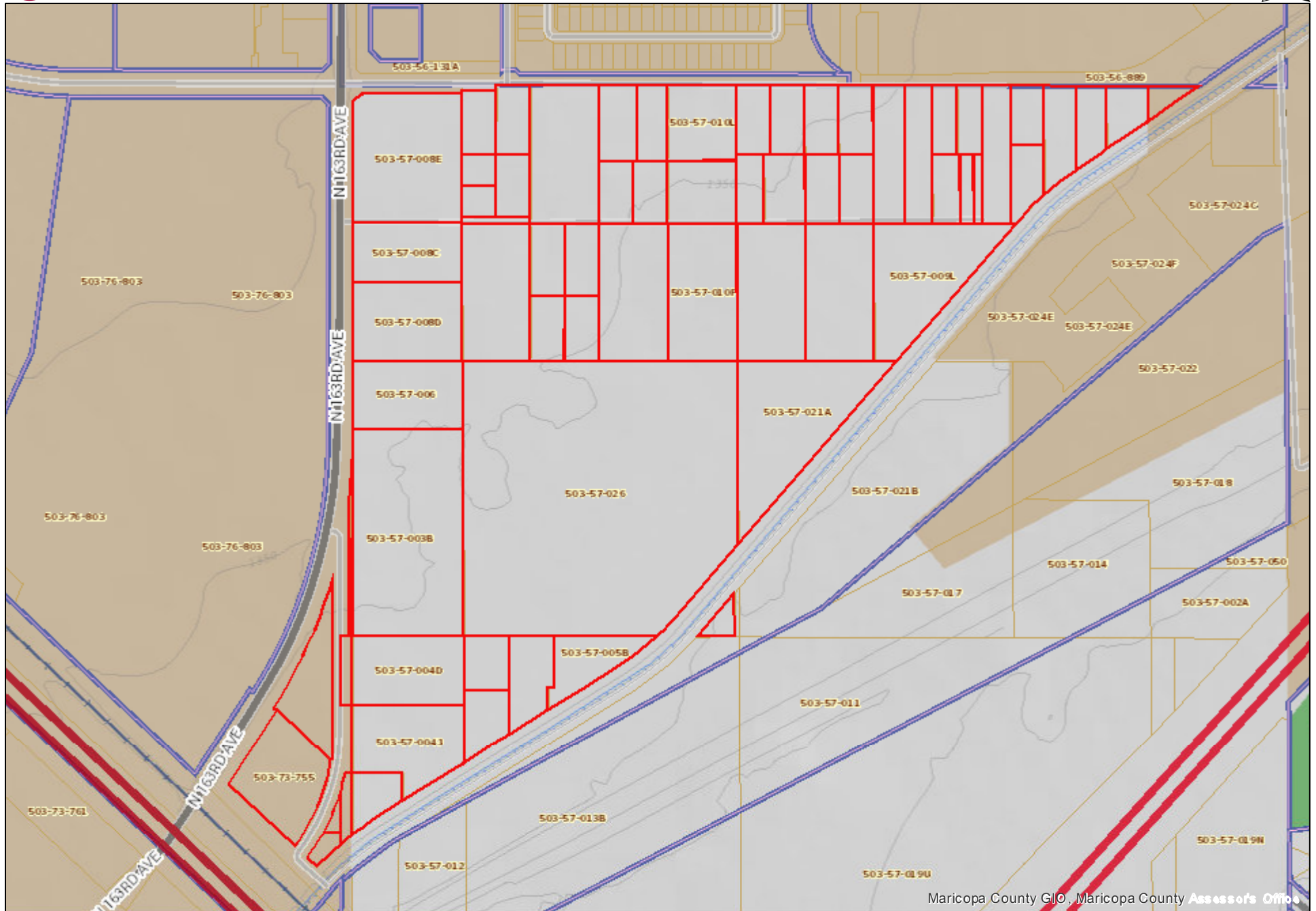
APPENDIX

- Appendix 1: Buffer Map
- Appendix 2: Canvassing Survey Letter
- Appendix 3: Completed Canvassing Surveys & Correspondence
- Appendix 4: Neighborhood Meeting & Public Hearing Buffer Map
- Appendix 5: Neighborhood Meeting & Public Hearing Mailing List
- Appendix 6: Public Notice Sign Posting Photographic Evidence & Affidavit
- Appendix 7: Neighborhood Meeting Sign-In Sheet
- Appendix 8: Neighborhood Meeting Comment Cards
- Appendix 9: Neighborhood Meeting Minutes

APPENDIX 1



163rd & Grand Avenue - Survey Buffer Map



Maricopa County GLO, Maricopa County Assessor's Office

5/25/2021 12:48:28 PM

163RD & GRAND AVENUE - GPA & ANNEXATION SURVEY MAILING LIST					
APN	OWNER	ADDRESS	CITY	STATE	ZIP
503-57-010S	ARREOLA ALFREDO/NORMA				
503-57-010T	BARCLAY SURPRISE INC				
503-57-007K	BLUESHORE HOLDINGS LLC				
503-57-038A	BREWER MARIA D				
503-57-039	BREWER MARIA D				
503-57-010N	CAMACHO CESAR/LETITIA				
503-57-008D	CAMPANIA LLC				
503-57-010G	CAMPANIA LLC				
503-57-026	CAMPANIA LLC				
503-73-755	DEACETIS VINCENT/GERALDINE TR				
503-57-009W	FERNANDEZ CARMEN R				
503-57-025Y	FREDRICKSON FAMILY TRUST				
503-57-025Z	FREDRICKSON FAMILY TRUST				
503-57-010Q	FRONSMAN ADELLA M				
503-57-010R	FRONSMAN GEORGE/CRYSTAL				
503-57-033A	GOMEZ CONSEPCION S				
503-57-004C	HANCOCK LAWRENCE G				
503-57-004D	HANCOCK LAWRENCE G				
503-57-035	HERNANDEZ CASIMIRO				
503-57-008E	HUEY RICHARD G/IRENE TR/WONG W O/S O TR/ETAL				
503-73-028V	JOSEPH A SOLDEVERE/ARLENE R REV TRUST				
503-57-028B	LENNAR COMMUNITIES DEVELOPMENT INC				
503-73-756A	LENNAR COMMUNITIES DEVELOPMENT INC				
503-73-756B	LENNAR COMMUNITIES DEVELOPMENT INC				
503-57-007F	MC REAL ESTATE DEVELOPMENT LLC				
503-57-007G	MC REAL ESTATE DEVELOPMENT LLC				
503-57-007H	MC REAL ESTATE DEVELOPMENT LLC				
503-57-007J	MC REAL ESTATE DEVELOPMENT LLC				
503-57-008C	MORGAN CAREY D/LAUREN L				
503-57-047	ODOGUI SAMUEL N/NELLIE				
503-57-049A	ODOGUI SAMUEL/NELLIE				
503-57-048	OROZCO SALVADOR D				
503-57-040	PASILLAS ALBINA SOLIS/FRANCISCO				
503-57-009U	PASILLAS ANTONIO C/ROSARIO IBARRA				
503-57-009P	PASILLAS ANTONIO/AUGUSTIN				
503-57-010L	PEAK RV STORAGE LLC				
503-57-010M	PEAK RV STORAGE LLC				
503-57-004J	SCHULTZ ENTERPRISES WEST LLC				
503-57-010K	SKAGGS M R/M E/RUCH R J/N A				
503-57-041A	SOLIS JUAN A JR/MARTINEZ NORMA				
503-57-041B	SOLIS JUAN A JR/MARTINEZ NORMA				
503-57-042A	SOLIS JUAN A SR				
503-57-009X	SOLIS MARIANO/CYNTHIA				
503-57-033B	SOLIS MARIANO/CYNTHIA				
503-57-009Z	SOLIS MARTIN F/ALEJANDRINA/PASILLAS ANTONIO C				
503-57-031	SOLIS MARTIN F/ALEJANDRINA/PASILLAS ANTONIO C				
503-57-043	STANISLAW B MUSIAL AND BOZENA MUSIAL REV LIV				
503-57-044	STANISLAW B MUSIAL AND BOZENA MUSIAL REV LIV				
503-57-045	STANISLAW B MUSIAL AND BOZENA MUSIAL REV LIV				
503-57-046	STANISLAW B MUSIAL AND BOZENA MUSIAL REV LIV				
503-57-049B	TELLEZ ELIZABETH ANNAMARIE/VERONICA ADELICIA				
503-57-003A	VALPARAISO LLC				
503-57-003B	VALPARAISO LLC				
503-57-005B	VALPARAISO LLC				
503-57-005D	VALPARAISO LLC				
503-57-005E	VALPARAISO LLC				
503-57-005F	VALPARAISO LLC				
503-57-006	VALPARAISO LLC				
503-57-009J	VALPARAISO LLC				
503-57-009K	VALPARAISO LLC				

503-57-009L	VALPARAISO LLC	
503-57-010F	VALPARAISO LLC	
503-57-021A	VALPARAISO LLC	
503-57-051	VARGAS ALEJANDRINA HERNANDEZ	
503-57-052	VARGAS ALEJANDRINA HERNANDEZ	
503-57-034	WALKER RONALD/PAULA	

APPENDIX 2

May 26, 2021

Proposed Major General Plan Amendment & Annexation to the City of Surprise

Dear Neighbor:

The owners of a property located near you at the northeast corner of 163rd Avenue and Grand Avenue are working with the City of Surprise regarding a Major General Plan Amendment and Annexation of this property. Because Surprises' corporate boundaries surround your area, the City of Surprise has requested that you be contacted to gauge your level of interest in joining the General Plan Amendment and petition for annexation.

This request is specifically to amend the City of Surprise General Plan designation for this area from Commerce & Business to Neighborhood and for annexation into the City of Surprise.

Recognizing that annexation is a personal decision, the City of Surprise typically relies on applications from property owners for proposed annexations to the City. Because the City has requested that you be contacted, information has been provided in this letter describing the annexation process and answering some of the most frequently asked question regarding annexations. A form consenting or opposing to annexation has also been included with a stamped envelope in this letter for your response.

Additional information may be obtained by contacting Jeffrey Blilie with Beus Gilbert McGroder PLLC at (623) 606-0532 or jblilie@beusgilbert.com. You may also contact Joshua Mike at the City of Surprise at (623) 222-3134 or joshua.mike@surpriseaz.gov. If EPS Group, Inc. or the City does not receive a response from you by June 9, 2021, it will be understood that you are not interested in annexing to the City of Surprise.

HOW MUCH DOES IT COST TO ANNEX?

There will be no cost to you to be included with the requests.

WHAT IF THERE IS ONLY SCATTERED INTEREST IN ANNEXING TO THE CITY?

The City is responsible for ensuring logical boundary expansions of cities. This includes ensuring that territory involved in annexation is physically contiguous to city boundaries and that the annexation configuration assures the efficient provision of municipal services. Although annexation boundaries are evaluated on a case-by-case basis, the City's goal is to annex blocks of territory that round out city boundaries and avoid creating unincorporated islands. If the annexation survey of this area results in a scattered response of property owners favoring annexation, the City may decide not to annex properties within the survey area and annex only the area requesting annexation.

HOW LONG WILL IT TAKE TO COMPLETE THE ANNEXATION PROCESS?

To complete the process, it will take approximately 10-12 months. A specific set of steps must be completed prior to and during a required 30-day waiting period before a 1-year timeline is initiated to obtain the necessary signatures on the annexation petition. After the signatures on the annexation petition are verified to meet the requirements of A.R.S. 9-471, the mayor and City Council shall consider an ordinance for annexation. The annexation shall be effective 30 days after adoption.

WHAT SERVICES ARE PROVIDED BY THE CITY?

When you annex into the City of Surprise, you gain access to a number of valuable, high quality benefits, such as:

- **Fire Protection & Medical Response:** The average response time for the City of Surprise Fire is 5 minutes. With well trained and certified firefighters, state of the art medical and firefighting equipment and excellent training programs, the City of Surprise Fire Department is one of the best in Arizona.
- **Police Protection:** Surprise Police's average response time for priority-1 calls is under 5 minutes. The Police department has highly trained officers who work to keep the neighborhoods safe and respond quickly to emergencies as they arise.
- **Refuse Recycling Collection:** The City's weekly collection service includes pickup of both trash and recyclables. A low monthly fee also covers other solid waste services such as curbside Brush and Bulky pickup, landfill operations, neighborhood cleanup, annual Christmas tree recycling and household hazardous waste events.
- **Street Maintenance:** Upon annexation, the City of Surprise assumes responsibility for repair, sweeping and maintenance of all paved public streets. Street name and traffic regulation signs also will be maintained and/or installed where appropriate.
- **Neighborhood Services:** The City of Surprise helps interested neighborhoods form neighborhood associations, supports neighborhood associations by mailing newsletters, keeping associations informed about important City issues, and assisting with code enforcement.
- **Participation in City Elections & Decisions:** Joining the City of Surprise gives you a voice in decisions and issues that are governed by the City of Surprise, many of which impact the entire region.
- **Water Services:** Water and wastewater service for your area will not change when you join the City of Surprise.

Sincerely,

Jeffrey M. Blilie

Beus Gilbert McGroder PLLC

(623) 606-0532

Jblilie@beusgilbert.com

163rd Avenue & Grand Avenue
Major General Plan Amendment & Annexation Survey

Please place an "X" in front of the appropriate response and mail this page back to the Planning Division in the stamped envelope provided.

_____ The undersigned owner(s) of property hereby give consent to their property being included in the proposed Major General Plan Amendment.

_____ The undersigned owner(s) of property hereby give consent to their property being included in the proposed Annexation to the City of Surprise.

_____ The undersigned owner(s) of property hereby do not give consent to their property being included in the proposed Major General Plan Amendment.

_____ The undersigned owner(s) of property hereby do not give consent to their property being included in the proposed Annexation to the City of Surprise.

Name (please print) Signature Date

Name (please print) Signature Date

Address (please print)

Assessor Parcel Number(s)

Phone Number

APPENDIX 3



**163rd Avenue & Grand Avenue
Major General Plan Amendment & Annexation Survey**

Please place an "X" in front of the appropriate response and mail this page back to the Planning Division in the stamped envelope provided.

___ The undersigned owner(s) of property hereby give consent to their property being included in the proposed Major General Plan Amendment.

___ The undersigned owner(s) of property hereby give consent to their property being included in the proposed Annexation to the City of Surprise.

☒ The undersigned owner(s) of property hereby do not give consent to their property being included in the proposed Major General Plan Amendment.

☒ The undersigned owner(s) of property hereby do not give consent to their property being included in the proposed Annexation to the City of Surprise.

CURTIS R. SCHULTZ
Name (please print)

[Signature]
Signature

6/1/21
Date

Name (please print)

Signature

Date

[Redacted Address]
Address (please print)

Assessor Parcel Number(s)

[Redacted Phone Number]
Phone Number



**163rd Avenue & Grand Avenue
Major General Plan Amendment & Annexation Survey**

Please place an "X" in front of the appropriate response and mail this page back to the Planning Division in the stamped envelope provided.

☒ The undersigned owner(s) of property hereby give consent to their property being included in the proposed Major General Plan Amendment.

☐ The undersigned owner(s) of property hereby give consent to their property being included in the proposed Annexation to the City of Surprise.

☐ The undersigned owner(s) of property hereby do not give consent to their property being included in the proposed Major General Plan Amendment.

☒ The undersigned owner(s) of property hereby do not give consent to their property being included in the proposed Annexation to the City of Surprise.

WALTER WONG
Name (please print)

Walter Wong
Signature

6/9/2021
Date

Shirley Wong
Name (please print)

Shirley Wong
Signature

6/9/2021
Date

[REDACTED]
Address (please print)

[REDACTED]
Assessor Parcel Number(s)

[REDACTED]
Phone Number

163rd Avenue & Grand Avenue
Major General Plan Amendment & Annexation Survey

Please place an "X" in front of the appropriate response and mail this page back to the Planning Division in the stamped envelope provided.

☐ The undersigned owner(s) of property hereby give consent to their property being included in the proposed Major General Plan Amendment.

☐ The undersigned owner(s) of property hereby give consent to their property being included in the proposed Annexation to the City of Surprise.

☒ The undersigned owner(s) of property hereby do not give consent to their property being included in the proposed Major General Plan Amendment.

☒ The undersigned owner(s) of property hereby do not give consent to their property being included in the proposed Annexation to the City of Surprise.

Lawrence Hancock [Signature] 5/30/21
Name (please print) Signature Date

Name (please print) Signature Date

[Redacted Address]
Address (please print)

[Redacted]
Assessor Parcel Number(s)

[Redacted]
Phone Number

From: [Natalie Maikoski](#)
To: "Jeffrey Blilie" [REDACTED]
Cc: "Joshua Mike"
Subject: RE: Project on 163rd and Grand Ave in Surprise
Date: Monday, June 14, 2021 3:57:00 PM
Attachments: [image001.png](#)
[21-0187-163rd & Grand Ave. Final Plat \(Narrative\).pdf](#)
[21-0187-163rd & Grand Ave. Major General Plan Amendment \(Exhibit\).pdf](#)

Good afternoon Dr. Musial,

I am a Planner with EPS Group and am representing the property owner regarding a proposed General Plan Amendment and future Rezone and Annexation into the City of Surprise. The owner wishes to develop a high-quality residential community and is requesting the site's General Plan designation be amended from Commerce/Office to Neighborhood land uses.

I've attached our formal General Plan Amendment package to this email for your review. These documents are also currently under review by the City. The Annexation and Rezone requests are anticipated to be submitted after the neighborhood meeting on 6/23.

Please let me know if you have any questions or comments.
Thank you!

Natalie Maikoski (Griffin) | EPS Group, Inc.

Planner

1130 N Alma School Road, Suite 120 | Mesa, AZ 85201

O: 480.503.2250 | natalie.griffin@epsgroupinc.com

[LinkedIn](#) | [Twitter](#) | [Facebook](#)



Notice to Recipients of Electronic Files from EPS Group, Inc.: All electronic files are for recipient's use only and all files are subject to revisions. EPS Group, Inc. makes no guarantees nor warrants the accuracy or completeness of any of the information contained in these files, as recipients should verify all information with actual sealed and signed documents. It shall be the responsibility of recipients to obtain any future updates from EPS Group, Inc.

From: Jeffrey Blilie <jblilie@beusgilbert.com>
Sent: Friday, June 11, 2021 1:34 PM
To: Natalie Maikoski <Natalie.Maikoski@epsgroupinc.com>
Subject: FW: Project on 163rd and Grand Ave in Surprise

Jeffrey M. Blilie

BEUS GILBERT MCGRODER PLLC

701 North 44th Street | Phoenix, AZ 85008

Direct: 623.606.0532

Email: jblilie@beusgilbert.com

This message may contain confidential and privileged information. If it has been sent to you in error, please reply to advise the sender of the error and then immediately delete this message.

From: izabela musial [REDACTED]

Sent: Friday, June 11, 2021 1:33 PM

To: Jeffrey Blilie <jblilie@beusgilbert.com>; joshua.mike@surpriseaz.gov

Subject: Project on 163rd and Grand Ave in Surprise

Goodafternoon.

My name is Izabela Musial and with my family I live at 16059 W. Pinnacle Peak RD
Im requesting documents regarding this project and maps so I can prepare for the meeting.
The letter is very vague and maps confusing. Please provide us with what is proposed what
developments will be in the area Etc?

Thank you,
Sincerely,
Izabela Musial MD FAAFP

[REDACTED]

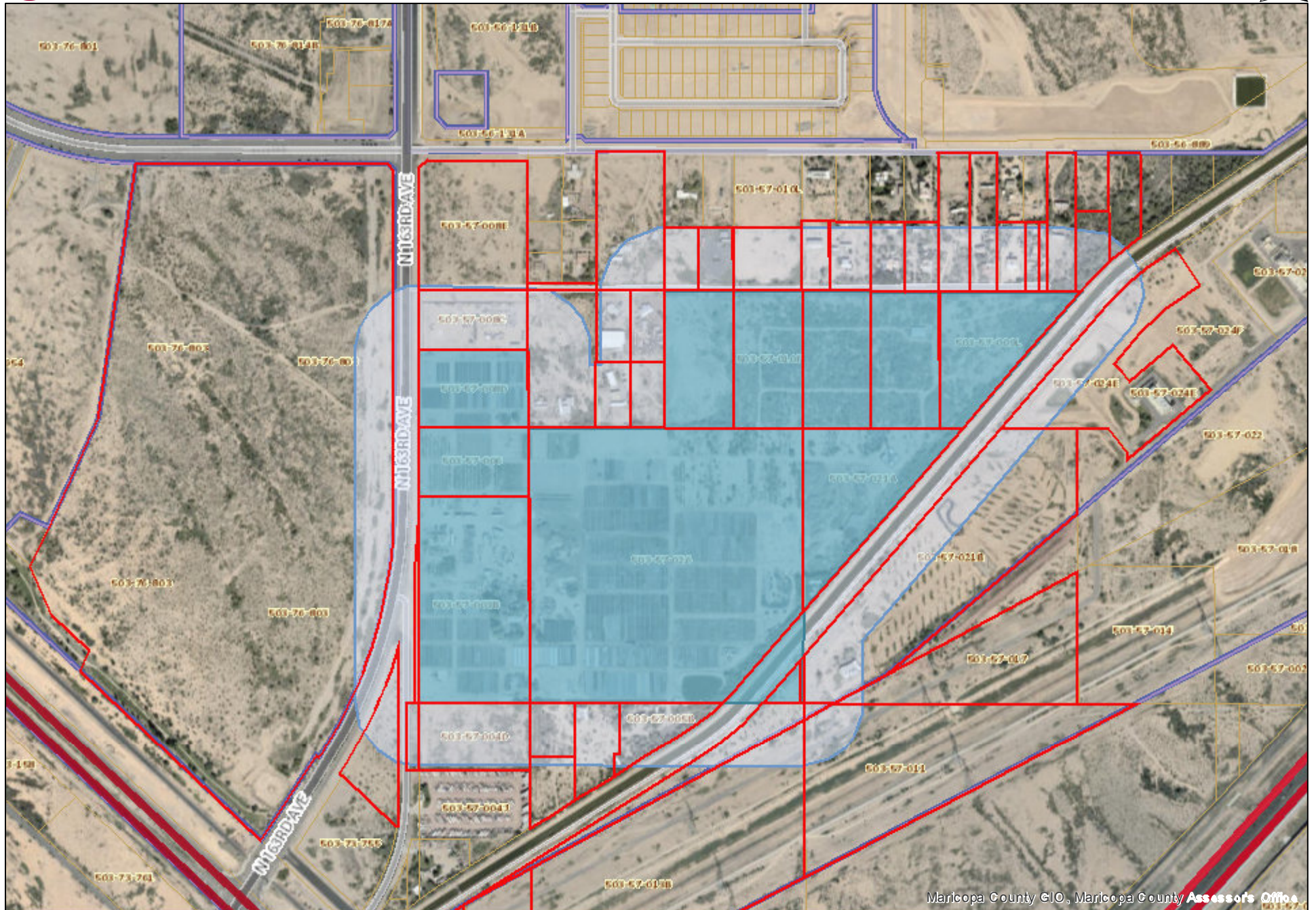
CAUTION - EXTERNAL EMAIL

Phishing? Forward to Helpdesk or _Trouble ticket

APPENDIX 4



163rd & Grand Avenue - 300' Buffer Map



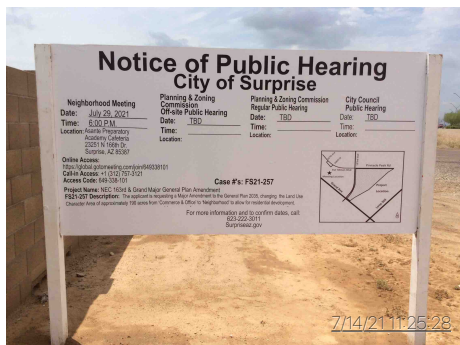
Maricopa County GIO, Maricopa County Assessor's Office

5/25/2021 11:34:04 AM

APPENDIX 5

163RD & GRAND AVENUE - MAILING LIST (300')					
APN	OWNER	ADDRESS	CITY	STATE	ZIP
503-57-016	29 PALMS RV & BOAT STORAGE LLC				
503-57-019G	29 PALMS RV & BOAT STORAGE LLC				
503-57-021B	29 PALMS RV & BOAT STORAGE LLC				
503-57-025G	29 PALMS RV & BOAT STORAGE LLC				
503-57-010S	ARREOLA ALFREDO/NORMA				
503-57-010T	BARCLAY SURPRISE INC				
503-57-038A	BREWER MARIA D				
503-57-010N	CAMACHO CESAR/LETITIA				
503-57-008D	CAMPANIA LLC				
503-57-010G	CAMPANIA LLC				
503-57-026	CAMPANIA LLC				
503-57-009W	FERNANDEZ CARMEN R				
503-57-011	FLOOD CONTROL DISTRICT OF MARICOPA COUNTY				
503-57-013B	FLOOD CONTROL DISTRICT OF MARICOPA COUNTY				
503-57-017	FLOOD CONTROL DISTRICT OF MARICOPA COUNTY				
503-57-010Q	FRONSMAN ADELLA M				
503-57-010R	FRONSMAN GEORGE/CRYSTAL				
503-57-033A	GOMEZ CONSEPCION S				
503-57-004C	HANCOCK LAWRENCE G				
503-57-004D	HANCOCK LAWRENCE G				
503-57-008E	HUEY RICHARD G/IRENE TR/WONG W O/S O TR/ETAL				
503-73-028V	JOSEPH A SOLDEVERE/ARLENE R REV TRUST				
503-76-803	KIMCO BARCLAY SURPRISE II LLC				
503-57-024E	LCD ASANTE LLC				
503-57-007G	MC REAL ESTATE DEVELOPMENT LLC				
503-57-007H	MC REAL ESTATE DEVELOPMENT LLC				
503-57-008C	MORGAN CAREY D/LAUREN L				
503-57-047	ODOGUI SAMUEL N/NELLIE				
503-57-048	OROZCO SALVADOR D				
503-57-009U	PASILLAS ANTONIO C/ROSARIO IBARRA				
503-57-009P	PASILLAS ANTONIO/AUGUSTIN				
503-57-010M	PEAK RV STORAGE LLC				
503-57-010K	SKAGGS M R/M E/RUCH R J/N A				
503-57-009X	SOLIS MARIANO/CYNTHIA				
503-57-009Z	SOLIS MARTIN F/ALEJANDRINA/PASILLAS ANTONIO C				
503-57-031	SOLIS MARTIN F/ALEJANDRINA/PASILLAS ANTONIO C				
503-57-045	STANISLAW B MUSIAL AND BOZENA MUSIAL REV LIV				
503-57-046	STANISLAW B MUSIAL AND BOZENA MUSIAL REV LIV				
503-57-003A	VALPARAISO LLC				
503-57-003B	VALPARAISO LLC				
503-57-005B	VALPARAISO LLC				
503-57-005D	VALPARAISO LLC				
503-57-005E	VALPARAISO LLC				
503-57-005F	VALPARAISO LLC				
503-57-006	VALPARAISO LLC				
503-57-009J	VALPARAISO LLC				
503-57-009K	VALPARAISO LLC				
503-57-009L	VALPARAISO LLC				
503-57-010F	VALPARAISO LLC				
503-57-021A	VALPARAISO LLC				
503-57-034	WALKER RONALD/PAULA				

APPENDIX 6



CITY OF SURPRISE
Site posting Process

AFFIDAVIT OF POSTING
(Sign modification)

Application No: FS21-257
Applicant Name: _____
Location: South of the Southeast corner of 163rd and Ave and Pinnacle Peak Rd
Date Site Posted: May 28th, 2021 sign modified: July 14th, 2021

In order to assist in providing adequate notice to interested parties, the applicant for any type of public hearing in the City of Surprise shall erect two (2) signs giving notice of the date, time and place of the scheduled hearings. These signs must be erected not less than **fifteen (15) days prior** to the date of the first hearing. The signs shall also include the nature of the request as contained on the formal zoning application. The size and format of this sign shall meet requirements established by the Planning and Zoning Department (see page 2).

Such notice shall be clearly legible and placed at a prominent location on the site – Generally adjacent and perpendicular to the public right-of-way. It shall be the responsibility of the applicant to erect and to maintain the sign on the subject property and to maintain the hearing information on the sign until final disposition of the case.

It shall also be the responsibility of the applicant to remove the signs within one week after the final disposition of the case.

I confirm that the site has been posted as required above, for the case noted above. A picture of the site posting, and photos of any subsequent changes/updates made to the sign, have also been submitted.

Maria Hitt
Applicant/Representative Signature

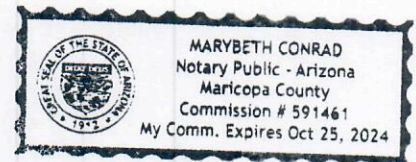
7-14-2021
Date

This instrument was acknowledged before me on this 14th day of July, 2021, and by Maria Hitt. I witness whereof I hereunto set my hand and official seal.

Marybeth Conrad
Notary Public

10-25-2021
My commission expires

Return completed and notarized **affidavit** and all relevant **photos** to the Planning and Zoning Department at least **fifteen (15) days prior** to the scheduled meeting(s).



AFFIDAVIT OF POSTING

Application No: FS21-512 and FS21-513

Applicant Name:

Location: South of the Southeast corner of 163rd Ave and Pinnacle Peak Rd

Date Site Posted: July 14, 2021

In order to assist in providing adequate notice to interested parties, the applicant for any *type of public hearing* in the City of Surprise shall erect two (2) signs giving notice of the *date, time and place* of the scheduled hearings. These signs must be erected not less than **fifteen (15) days prior to** the date of the first hearing. The signs shall also include the nature of the request as contained on the formal zoning application. The size and format of this sign shall meet requirements established by the Planning and Zoning Department (see page 2).

Such notice shall be clearly legible and placed at a prominent location on the site – Generally adjacent and perpendicular to the public right-of-way. It shall be the *responsibility of the applicant* to erect and to maintain the sign on the subject property and to maintain the hearing information on the sign until final disposition of the case.

It shall also be the *responsibility of the applicant* to remove the signs within one week after the final disposition of the case.

I confirm that the site has been posted as required above, for the case noted above. A picture of the site posting, and photos of any subsequent changes/updates made to the sign, have also been submitted.

Maria Hitt
Applicant/Representative Signature

7-14-2021
Date

This instrument was acknowledged before me on this 14th day of July, 2021, and by Maria Hitt. I witness whereof I hereunto

set my hand and official seal.

Marybeth Conrad
Notary Public
10-25-2024
My commission expires



APPENDIX 7



Sign-In Sheet Neighborhood Meeting

Please provide all information so that we can provide you with future updates and notifications of meetings and/or hearing.

Name	Larry Hancock	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	Resident
Name	Casimiro Hernandez	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	Resident
Name	Gary Webb & Vicki Webb	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	Resident
Name	Scott & Janice Phillips	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	Resident
Name	Donald Thomas Izabela music	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	Resident
Name	Matt Keating	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	P&Z Commissioner
Name	Sam & Nellie Odogui	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	[REDACTED]
Name	Crystal Fronsman	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	[REDACTED]
Name	Adella Fronsman	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	[REDACTED]

APPENDIX 8

Comment Card
Neighborhood Meeting



Optional

Name: GARY Webb

Address: [REDACTED]

Email: [REDACTED]

Would you like to be added to an
e-mail subscription list for updates on
this project?

Yes

☒

No

☐

Please provide your comments:

WHAT ROAD IMPROVEMENT
ARE PLANNED WITH
THIS DEVELOPMENT

AND WILL THE DEVELOPERS
BE HELPING WITH ANY
OF THEM

APPENDIX 9

Meeting Minutes

Project Name: 163rd and Grand Avenue
Project No.: 21-0167

Date: July 29, 2021

Meeting Location: Asante Prep Academy and Online – GoToMeeting
Meeting Date: July 29, 2021
Meeting Time: 6:00 – 6:50 PM

Development Team Attendees:

Jeff Blilie	Beus Gilbert Mcgroder, PLLC	jblilie@beusgilbert.com
David Hughes	EPS Group	david.hughes@epsgroupinc.com
Peter Margoliner	EPS Group	peter.margoliner@epsgroupinc.com
Natalie Maikoski (online)	EPS Group	natalie.maikoski@epsgroupinc.com

Public Attendees:

See attached attendance list.

Meeting Summary:

A neighborhood meeting was held at the above listed date, time and place to discuss a proposed annexation, General Plan Amendment, and Rezone request for future residential development, located on the east corner of 163rd and Grand Avenue, within the proposed annexation boundary of the City of Surprise. Jeff Blilie, along with EPS Group, hosted the meeting and gave a presentation. Following the presentation, a Question & Answer Session was in held in which members of the public were able to ask questions and give comments, to which the Development Team responded to. The public's comments and concerns are described below.

Questions Asked:

- Some residents stated that they did not get letters in the mail while others stated that they did.
 - The Development Team will update the list of residents to be notified of future meetings and Public Hearings.
- How many residential units will be created and if there was going to be any multi-family?
 - There is a multifamily development planned for about 240 units.
- Will the R-3 be for rent?
 - Yes.

Meeting Minutes

Project Name: 163rd and Grand Avenue
Project No.: 21-0167

Date: July 29, 2021

- What will happen to the tree farm?
 - It will go away.
- How long until it develops.
 - An estimate would be around two years.
- Who started the process?
 - The subject site property owners initiated the request and started the process.
- What are the advantages and disadvantages of joining the city?
 - One major advantage is for access to city utilities. A disadvantage discussed was being under City of Surprise code enforcement.
- What will happen to Planada Street? Will it go to 163rd?
 - It will be improved out to 163rd Street.
- How far north will 163rd be improved?
 - 163rd will be improved along the property line and will comply with City requirements for future developments.
- How does council feel about this?
 - The council member that was present was not a fan of the proposed product.
- Is there a range on square footage and price for the proposed development?
 - It is too early to determine price and square footage.
- Will the rezoning affect anything outside the boundary?
 - No.

Conclusion:

The meeting was adjourned at 6:50 PM when no other questions or comments were requested.

The above is the author's recollection of items discussed and the decisions reached. If there are any corrections or additions to be made, please contact the author. These meeting notes shall become part of the project file.

AFFIDAVIT OF POSTING

Application No: FS21-512 & FS21-513

Applicant Name: EPS Group

Location: S SEC of 163rd Ave and Pinnacle Peak Rd

Date Site Posted: 01/04/22

In order to assist in providing adequate notice to interested parties, the applicant for any *type of public hearing* in the City of Surprise shall erect two (2) signs giving notice of the *date, time and place* of the scheduled hearings. These signs must be erected not less than **fifteen (15) days prior to** the date of the first hearing. The signs shall also include the nature of the request as contained on the formal zoning application. The size and format of this sign shall meet requirements established by the Planning and Zoning Department (see page 2).

Such notice shall be clearly legible and placed at a prominent location on the site – Generally adjacent and perpendicular to the public right-of-way. It shall be the *responsibility of the applicant* to erect and to maintain the sign on the subject property and to maintain the hearing information on the sign until final disposition of the case.

It shall also be the *responsibility of the applicant* to remove the signs within one week after the final disposition of the case.

I confirm that the site has been posted as required above, for the case noted above. A picture of the site posting, and photos of any subsequent changes/updates made to the sign, have also been submitted.

Meghan Liggett 1/4/22
Applicant/Representative Signature Date

This instrument was acknowledged before me on 01/04/22, by Meghan Liggett. I witness whereof I hereunto set my hand and official seal.



Mary Beth Conrad
Notary Public
10.25.24
My commission expires

*Return completed and notarized **affidavit** and all relevant **photos** to the Planning and Zoning Department at least fifteen (15) days **prior to** the scheduled meeting(s).*

Notice of Public Hearing City of Surprise

FS21-512 Annexation Request FS21-513 Rezone Request

City Council Public Hearing (Blank Petition)

Date: December 21, 2021

Time: 6:00 P.M.

Location: Surprise City Hall
Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

Planning & Zoning Commission Regular Public Hearing

Date: January 20, 2022

Time: 6:00 P.M.

Location: Surprise City Hall
Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

City Council Public Hearing (Discussion)

Date: January 18, 2022

Time: 6:00 P.M.

Location: Surprise City Hall
Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

City Council Public Hearing (Approval/Denial)

Date: February 15, 2022

Time: 6:00 P.M.

Location: Surprise City Hall Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

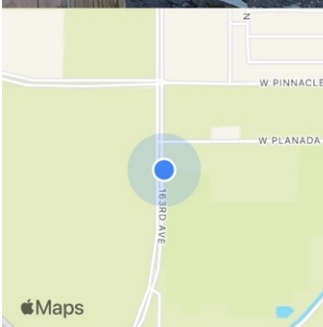
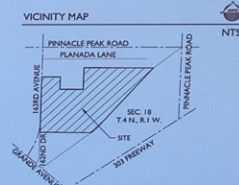
Project Name: NEC 163rd & Grand Major Annexation and Rezone

Description: The applicant is requesting the following entitlements:

FS21-512: An Annexation of approximately 93.97 acres of Maricopa County Unincorporated property into the City of Surprise.

FS21-513: A Rezone of approximately 93.97 acres from Rural Residential (RR) to Residential Low Density (R-1) and Residential High Density (R-3).

For more information, call:
623-222-3011



Jan 4, 2022 at 8:31:32 AM
N 33° 41' 39", W 112° 24' 33"
22907-23125 163rd Ave
Surprise AZ 85387

Notice of Public Hearing City of Surprise

FS21-512 Annexation Request FS21-513 Rezone Request

City Council Public Hearing (Blank Petition)

Date: December 21, 2021

Time: 6:00 P.M.

Location: Surprise City Hall
Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

Planning & Zoning Commission Regular Public Hearing

Date: January 20, 2022

Time: 6:00 P.M.

Location: Surprise City Hall
Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

City Council Public Hearing (Discussion)

Date: January 18, 2022

Time: 6:00 P.M.

Location: Surprise City Hall
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Surprise, AZ 85374

City Council Public Hearing (Approval/Denial)

Date: February 15, 2022

Time: 6:00 P.M.

Location: Surprise City Hall Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

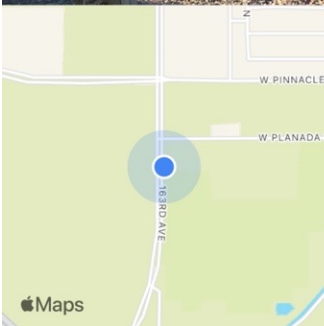
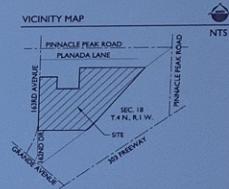
Project Name: NEC 163rd & Grand Major Annexation and Rezone

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Jan 4, 2022 at 8:31:17 AM
N 33° 41' 39", W 112° 24' 33"
22907-23125 163rd Ave
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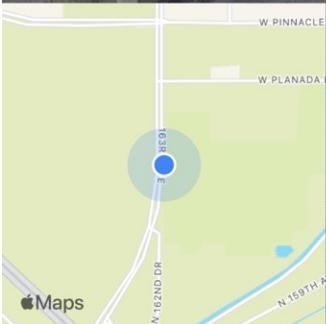
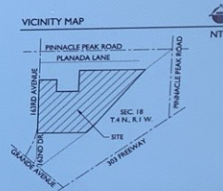
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623-222-3011



Jan 4, 2022 at 8:28:32 AM
N 33° 41' 32", W 112° 24' 33"
22439 163rd Ave
Surprise AZ 85387

Notice of Public Hearing City of Surprise

FS21-512 Annexation Request FS21-513 Rezone Request

City Council Public Hearing (Blank Petition)

Date: December 21, 2021

Time: 6:00 P.M.

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Council Chambers
16000 N Civil Center Plaza
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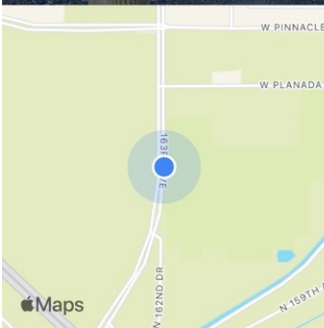
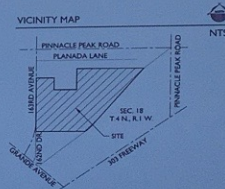
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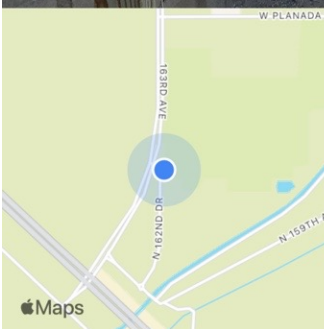
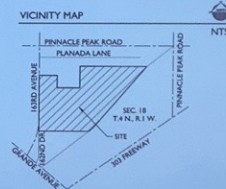
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For more information, call:
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Jan 4, 2022 at 8:24:35 AM
N 33° 41' 25", W 112° 24' 33"
N 162nd Dr
Surprise AZ 85387

Notice of Public Hearing City of Surprise

FS21-512 Annexation Request FS21-513 Rezone Request

City Council Public Hearing (Blank Petition)

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Surprise, AZ 85374

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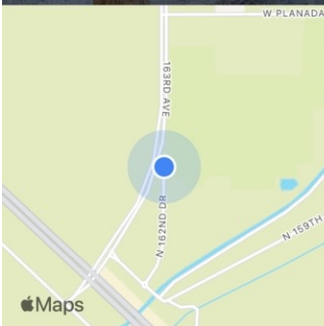
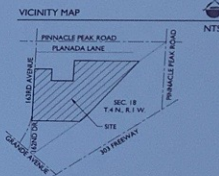
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623-222-3011



Jan 4, 2022 at 8:24:22 AM
N 33° 41' 25", W 112° 24' 33"
N 162nd Dr
Surprise AZ 85387



Memorandum

To: Lloyd Abrams, Assistant Director, Community Development
From: Stacie Cameron, Sr. Financial Management Analyst
Date: January 26, 2022
Re: FS21-512 163rd & Grand Ave Fiscal Impact Analysis

Per the Annexation Policy Manual – 2008 Revision, a land use based fiscal impact analysis has been conducted utilizing data provided by the applicant. The data provided assumes residential development of approximately 93.97 acres generally located south of Pinnacle Peak Road and east of 163rd Avenue.

Based on the land use information, the construction timeline, and the development assumptions, the net financial impact to the operating funds of the City of Surprise is positive. Due to construction sales tax collection, a positive impact is projected annually during the first four years of development. Over twenty years, expenses are projected to be \$13,092,010 and revenue is projected to be \$15,237,837, resulting in a net financial impact of \$2,145,827.



SURPRISE
ARIZONA

FS21-512
163rd Ave & Grand Ave
Annexation

City Council
February 15, 2022

Annexation Steps

File Blank Petition: ✓

- December 22, 2021: Record Blank Petition
- Began 30-day waiting period;

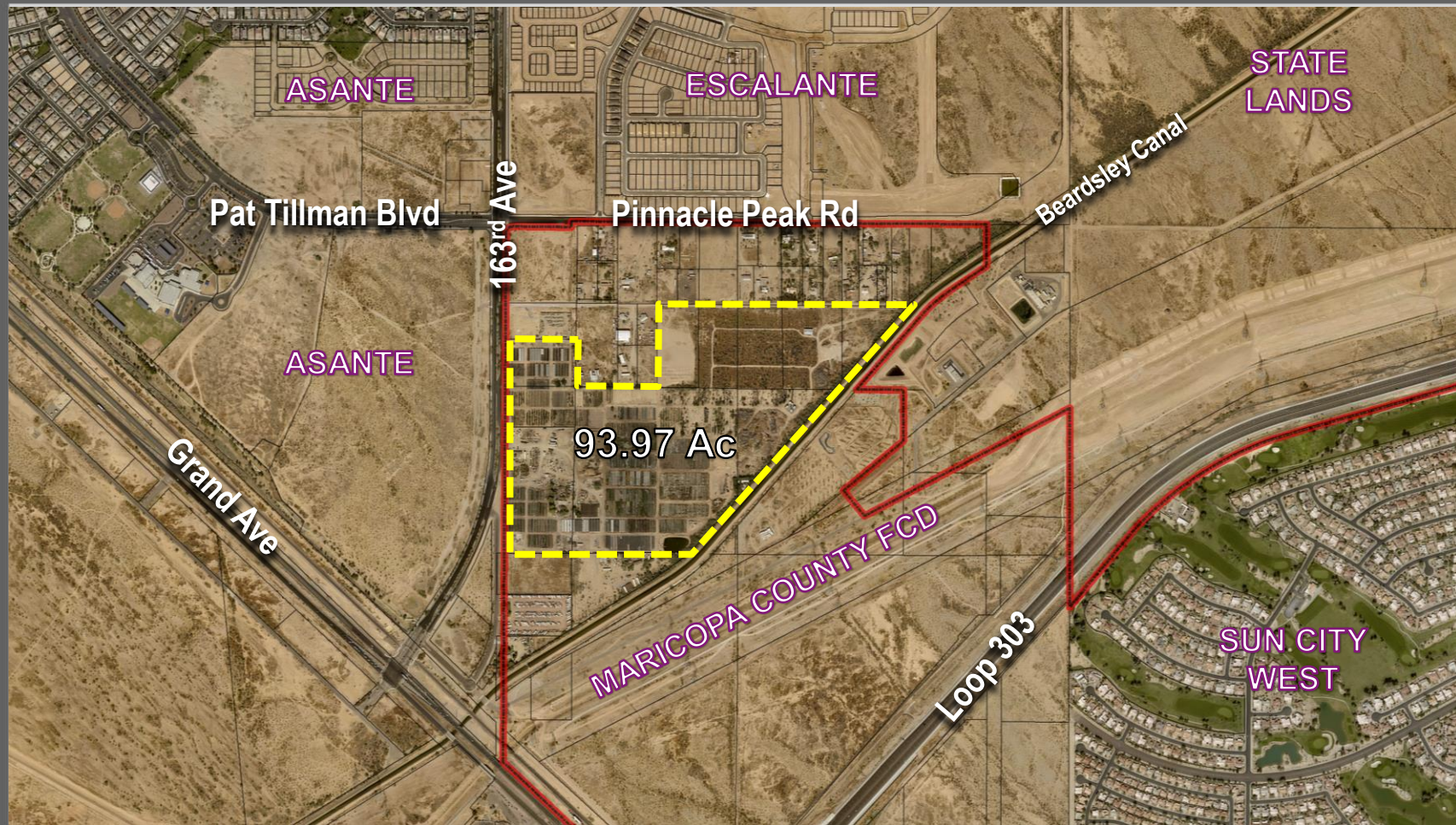
Public Hearing (Discussion Only): ✓

- January 18, 2022
- No Public Comment
- January 22, 2022 Concluded 30-day waiting period

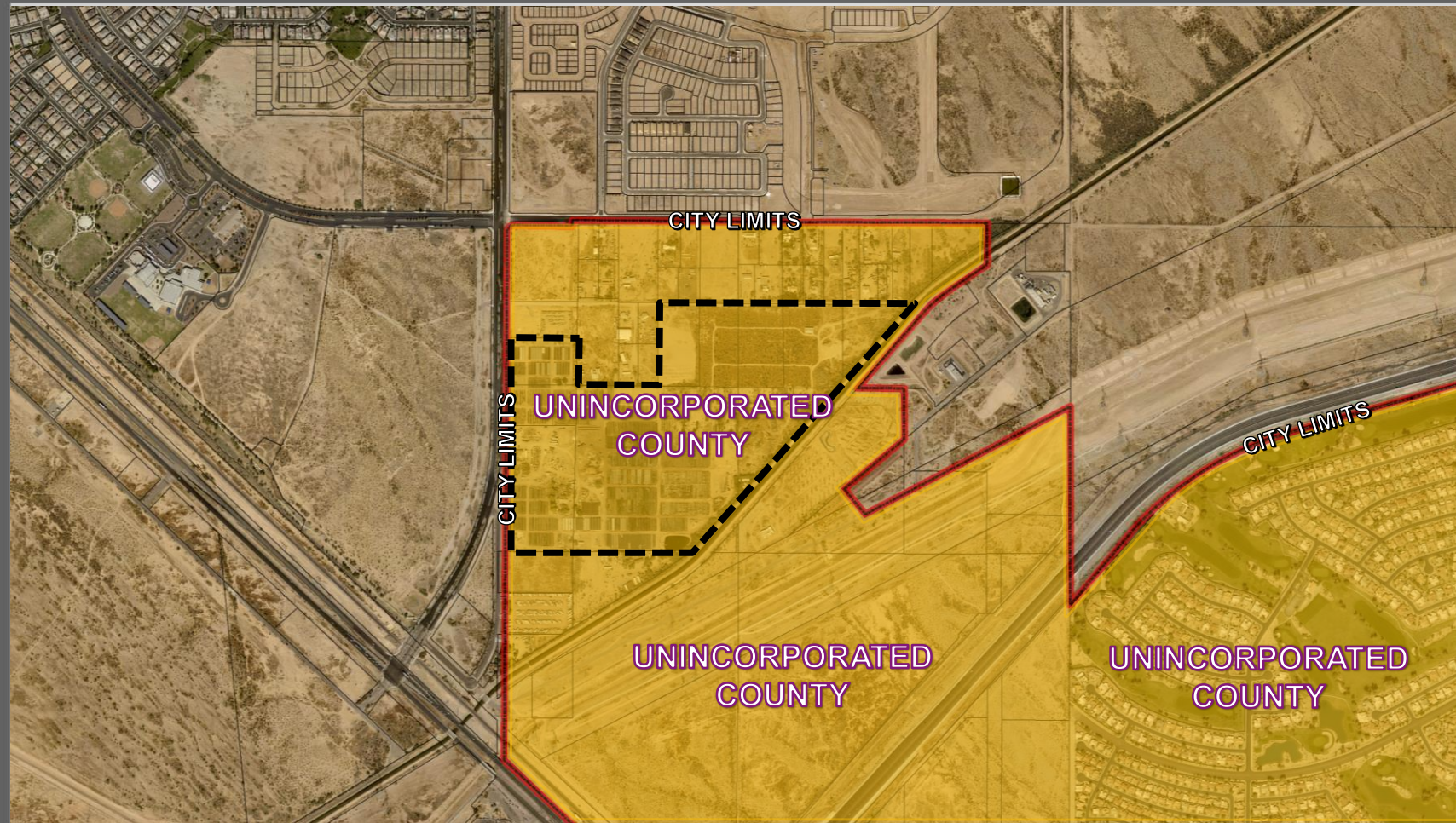
Obtained Property Owner Signatures ✓

- January 24, 2022

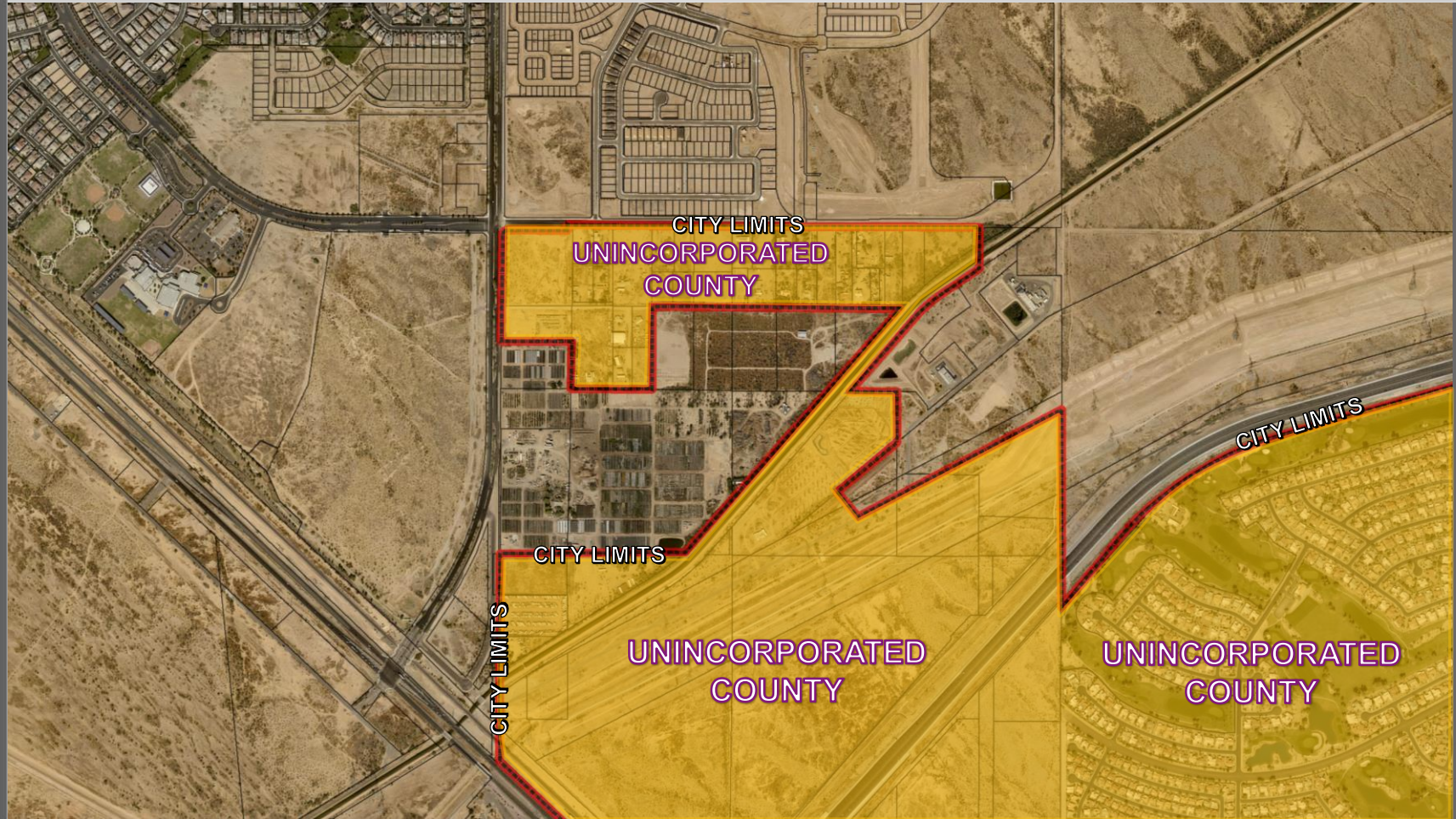
Public Hearing to approve/deny annexation ← Tonight



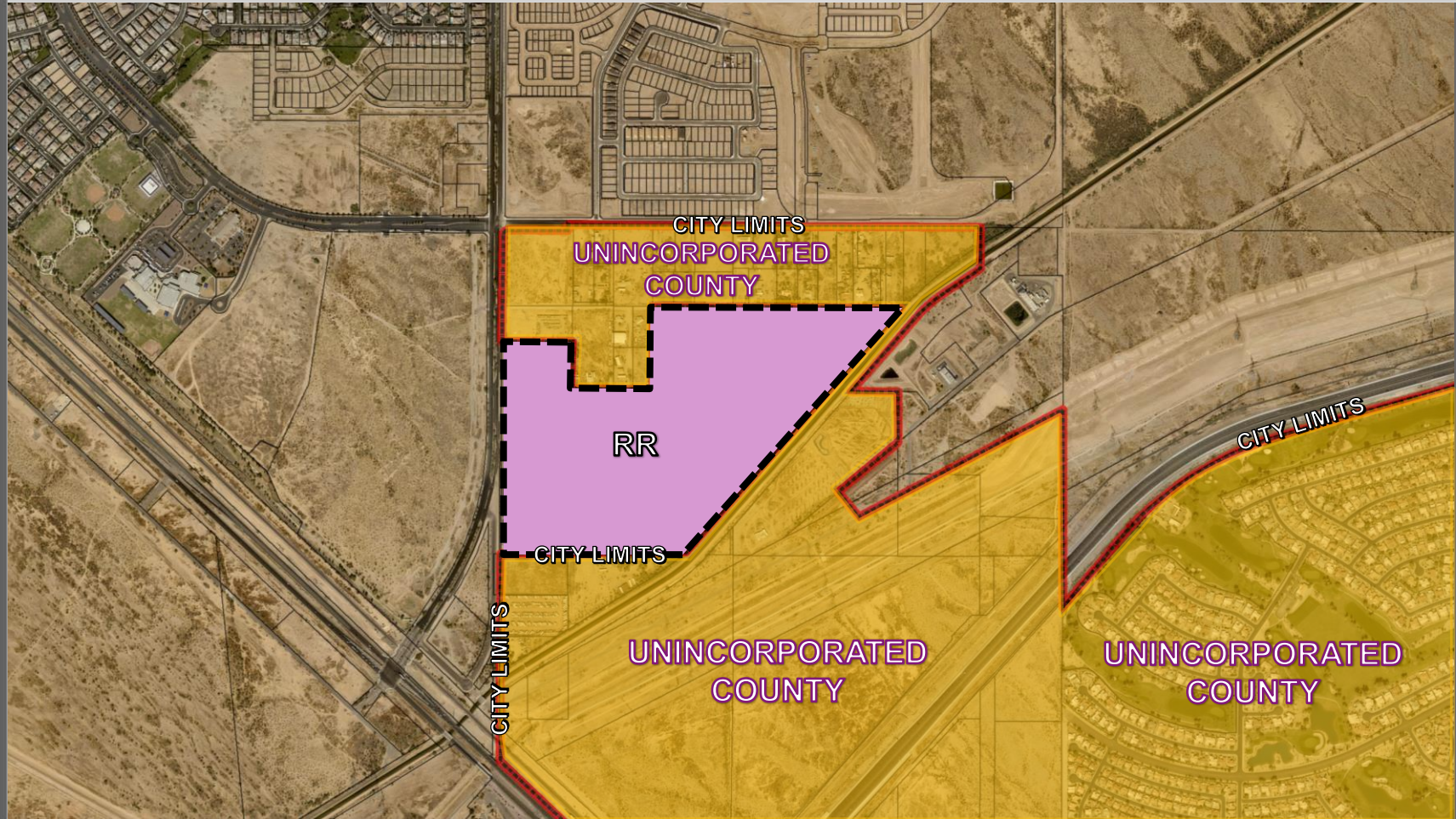
VICINITY MAP



EXISTING CITY BOUNDARY

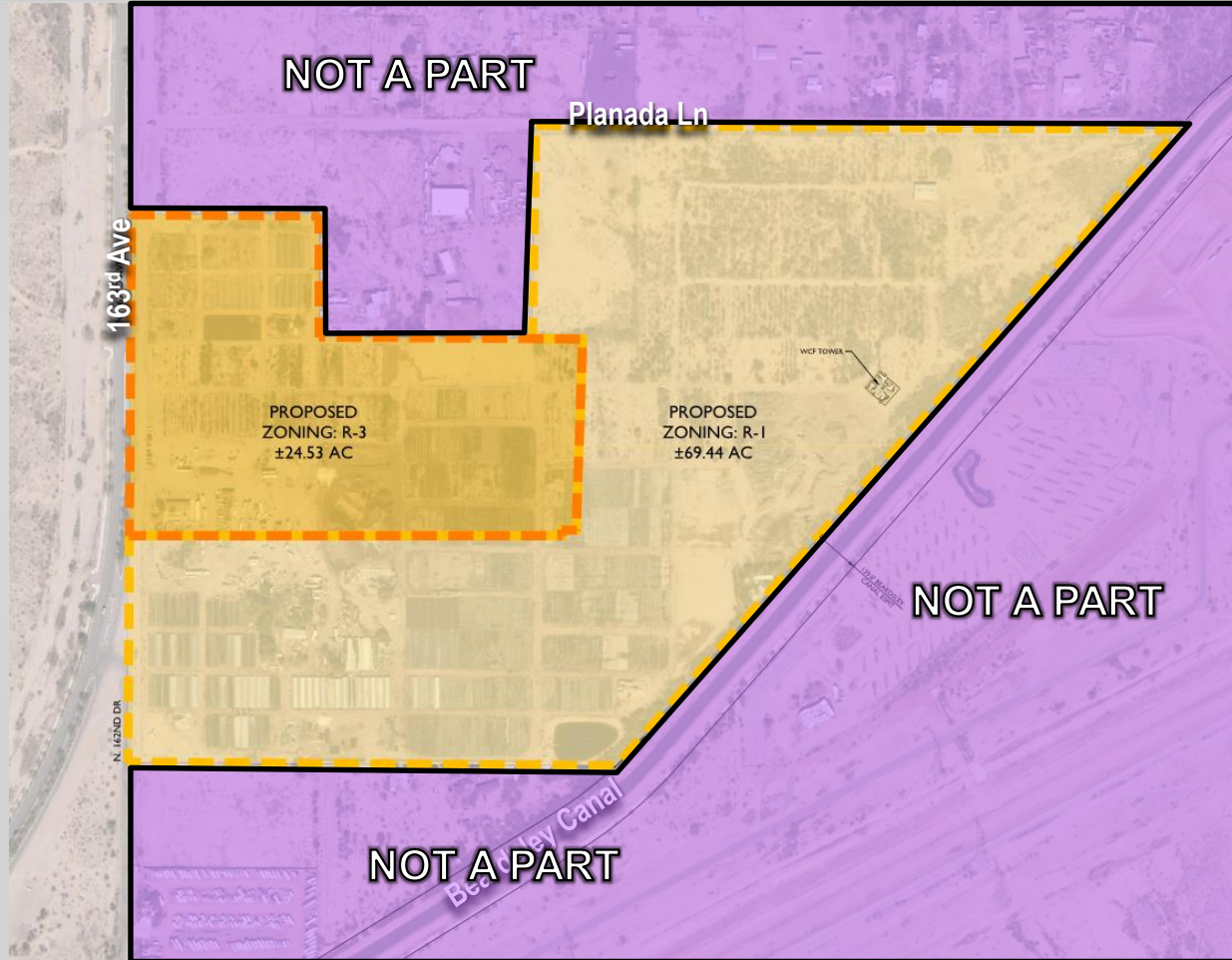


PROPOSED CITY BOUNDARY



POST ANNEXATION ZONING

FS21-513
Rezone to
R-1: ±69.44 Acres
R-3: ±24.53 Acres



PROPOSED REZONE



SURPRISE
ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: February 15, 2022 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 Zone Change of approximately 24.53 acres from Rural Residential (RR) to Residential High Density (R-3) and approximately 69.44 acres from Rural Residential (RR) to Residential Low Density (R-1), located south of Pinnacle Peak Road and east of 163rd Avenue; Ordinance #2022-03.

Motion:

I move to approve Ordinance # 2022-03.

Background:

At the time of this report, the subject property is in Maricopa County jurisdiction outside of City limits and is zoned RU-43. This Zone Change will follow the annexation of the subject property. Following the annexation, the applicant proposes to rezone 24.53 acres to R-3 and 69.44 acres to R-1 for single-family and multi-family residential developments south of Pinnacle Peak Road and east of 163rd Avenue. On January 20, 2022, the Planning and Zoning Commission passed a motion to recommend approval of the Zone Change case FS21-513 to the Mayor and City Council.

Objective Analysis:

This Zone Change will allow the applicant to develop single-family and multi-family residential developments on the subject property.

Policy Compliant:

The requested Zone Change is consistent with the Surprise Land Development Ordinance 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 staffing levels.

ATTACHMENTS:

1. 00 - FS21-513 - 163rd Ave Grand Rezone - Staff Report
 2. 01 - FS21-513 - 163rd Ave & Grand Rezone - Vicinity Map
 3. 02 - FS21-513 - 163rd Ave & Grand Rezone - Zoning Map
 4. 03 - FS21-513 - 163rd Ave & Grand Rezone - Zone Change Document
 5. 04 - FS21-513 - 163rd Ave & Grand Rezone - Luke AFB Comments
 6. 05 - FS21-513 - 163rd Ave & Grand Rezone - Citizen Participation Report_Redacted
 7. 06 - FS21-513 - 163rd Ave & Grand Rezone - Affidavit of Posting
 8. 07 - FS21-513 - 163rd Ave Grand Rezone - Ordinance
 9. FS21-513 - 163rd Ave & Grand Rezone - PowerPoint
-

ZONE CHANGE

REPORT TO THE CITY COUNCIL

Case: **FS21-513; Ordinance No. 2022-03**

Project Name: 163rd Ave and Grand Ave - Rezone

Council District: 1 – Acacia

Planning and Zoning Commission Meeting Date: January 20, 2022

City Council Date: **February 15, 2022**

Planner: Sergio Angulo, Planner II

Owner: Campania, LLC
Valparaiso, LLC

Applicant: Josh Hannon with EPS Group, Inc.

Request: Zone Change from Rural Residential (RR) to Residential Low Density (R-1) and Residential High Density (R-3).

Site Location: Generally south of Pinnacle Peak Road and east of 163rd Avenue in a portion of Section 18, Township 4 North, Range 1 West, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Site Size: 93.97 acres (approx.)

Max. Density: R-1: 5 DU/Ac
R-3: 12 DU/Ac

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

Support/Opposition: Residents from the vicinity attended the applicant's Neighborhood Outreach Meeting on July 29, 2021. During the meeting, there was some initial opposition from adjacent County residents.

Commission Recommendation: **Approval** of case **FS21-513**, subject to stipulation 'a' and 'b'.

41
42 **Project Description:**
43

44 The applicant on behalf of Campania, LLC and Valparaiso, LLC, requests a Zone Change of 93.97 acres
45 (approx.) from Rural Residential (RR) to Residential Low Density (R-1) and Residential High Density
46 (R-3) to accommodate future single-family and multi-family residential developments, on a property
47 located south of Pinnacle Peak Road and east of 163rd Avenue.
48

49 **Background:**
50

51 **March 11, 2021:** Staff met with the applicant to discuss the project during a regularly scheduled
52 Concept Review meeting under CR21-146.
53

54 **July 7, 2021:** The applicant filed a related request for a Zone Change from RR to R-1 and R-3 under
55 case FS21-513, the subject case.
56

57 **July 29, 2021:** The applicant held a neighborhood outreach meeting to discuss the project.
58

59 **January 20, 2022:** The Planning and Zoning Commission passed a motion to recommend approval of
60 this Zone Change to the Mayor and City Council subject to staff recommended stipulations 'a' and
61 'b'.
62

63 **Neighborhood Meeting Summary:**
64

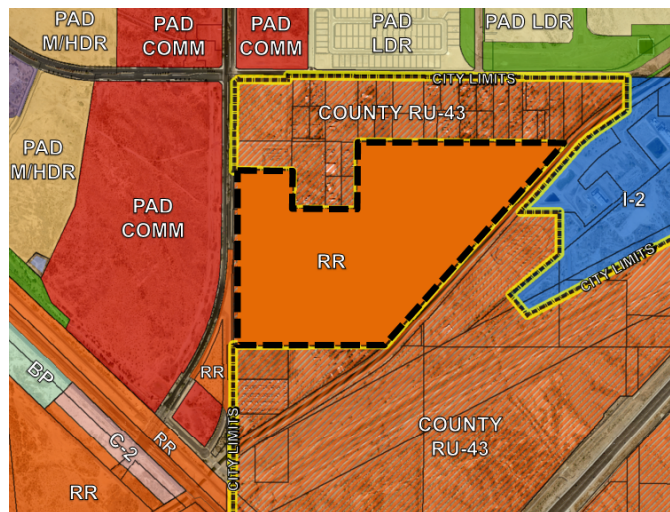
65 The applicant held a neighborhood outreach meeting on July 29, 2021 that was properly advertised
66 per the requirements of the LDO. The meeting took place in-person and was available virtually via
67 Go-To-Meeting. During this meeting, residents from the vicinity expressed their concerns regarding
68 the proposed project and had questions in regards to the process, proposed uses within the zoning
69 boundary, and infrastructure improvements to the area. County residents asked if this application
70 looked to annex their properties and change their existing county zoning. In response, the applicant
71 explained that this application was not forcing the annexation or rezone of those who do not wish to
72 be included. See the attached Citizen Participation Report for a detailed summary of the meeting.

73 **Analysis and Discussion:**
74

At the time of this report, the subject property is in Maricopa County jurisdiction outside of City limits. The current zoning of the subject property is Rural-43 (RU-43) under County jurisdiction. In conjunction with this Zone Change application the applicant submitted an annexation request under case FS21-512 to incorporate the subject property into the City of Surprise. The subject Zone Change will follow the annexation if approved. If the annexation is approved by the Mayor and City Council the subject property will assume like-zoning of Rural Residential (RR), which is the City's equivalent zoning to Maricopa's County RU-43 zoning district. If the annexation is denied by the Mayor and City Council this Zone Change request becomes null and void.

Following the annexation of the subject property, the applicant requests to rezone 69.44 acres from Rural Residential (RR) to Residential Low Density (R-1) to accommodate a future single-family residential subdivision, and 24.53 acres from Rural Residential (RR) to Residential High Density (R-3) to accommodate a future multi-family residential developments.

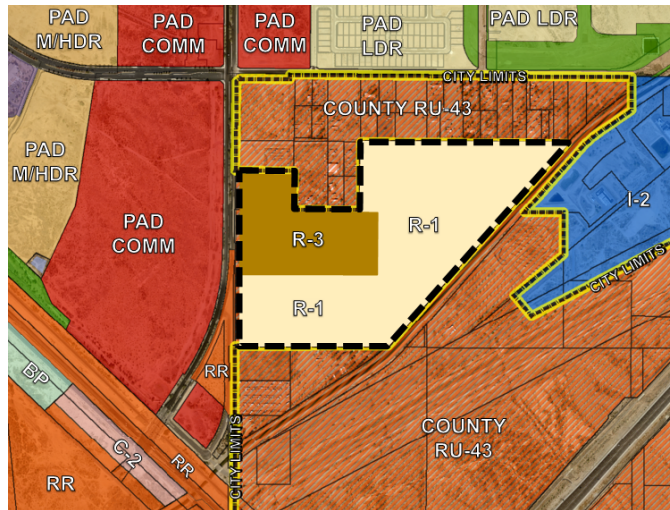
Existing Zoning (post-annexation)



PAD – Asante	Maricopa County (RU-43)	Maricopa County (RU-43)
PAD – Asante	RR	I-2
RR	Maricopa County (RU-43)	Maricopa County (RU-43)

Proposed Zoning

February 15, 2022
City Council
Case: FS21-513
163rd Ave & Grand Ave Rezone
Page 3 of 8



PAD – Asante	Maricopa County (RU-43)	Maricopa County (RU-43)
PAD – Asante	R-1 / R-3	I-2
RR	Maricopa County (RU-43)	Maricopa County (RU-43)

Development Standards:

The proposed residential projects will be developed per the current development standards for R-1 and R-3 zoning districts as shown in the Surprise Land Development Ordinance (LDO).

The following table depicts the R-1 Development Standards per Lot Category as depicted in the LDO.

February 15, 2022
City Council
Case: FS21-513
163rd Ave & Grand Ave Rezone
Page 4 of 8

Table 106-2c - Residential Low Density (R-1) Zoning district						
Lot Categories	A ³	B	C	D	E	F
General Plan Compatibility	Suburban	Suburban	Suburban	Suburban and Rural	Rural	Rural
Lot Area (sf)	4950-7,999	8,000-11,999	12,000-17,999	18,000-27,999	28,000-43,559	≥ 43,560
Min Lot Width (sf)	45	60	80	90	100	130
Min. Front setback ¹ (ft)	12	12	15	20	20	30
Max. Front setback (ft)	25	25	30	35		
Min. Rear setback ¹ (ft)	15	20	20	25	30	30
Min. Side setback ¹ (ft)	5 & 8	5 & 10	10	10 & 15	20	20
Min. Street side setback ¹ (ft)	15	15	15	15	20	20
Max. Bldg. Height (ft)	35	35	35	35	35	35
Max Lot coverage		45%	40%	30%	30%	25%
Open space (% of gross area of residential development) ³	20%	20%	20%	15%	15%	10%
Notes: 1. <i>Garage</i> face and embellishments shall be <i>setback</i> a minimum of twenty feet (20') measured from any opposing property line; except rear <i>alley</i> loaded <i>garages</i> , which shall be <i>setback</i> six feet (6') from edge of <i>alley</i> line. 2. The City requires <i>open space</i> on a development/subdivision basis rather than on a <i>lot-by-lot</i> basis. Subdivisions with more than one lot category will provide the higher percentage of open space. 3. Residential projects shall contain no more than fifty percent (50%) of lots less than forty-eight feet (48') wide as calculated across whole subdivisions or preliminary plat and will include mitigating designs outline in Chapter 108 of this ordinance.						

At the time of this report, the applicant proposes approximately 272 single-family units in the R-1 portion of the project. The total number of units and lot sizes will be determined during the preliminary plat process. At the time of Preliminary Plat, the project will be reviewed against the requirements of the LDO and the Planning and Engineering Design Standards (PEDS). This project shall provide a minimum of 20% open space area and meet the amenity requirements as listed in the PEDS.

The following table depicts the R-3 Development Standards per Density as depicted in the Land Development Ordinance (LDO).

Table 106-2e - Residential High Density (R-3) Zoning district			
Net Density (du/ac)	8-11.9	12-14.9	15+
Min. Setback to Arterial ROW (ft) ²	20	20	20
Min. Setback to Collector and Local ROW (ft) ²	15	15	15
Min. Setback Adjacent to Residential Zoning (ft)	10	15	20
Min. Setback Adjacent to Non-Residential Zoning (ft)	20	20	20
Max. Bldg. Height ¹ (ft)	45	50	60
Open space (sf/du)	150	150	150
Notes: 1. The <i>height</i> of any <i>structure</i> , or portions thereof, shall not exceed thirty feet (30') in <i>height</i> measured at the <i>setback</i> line when <i>adjacent</i> to <i>Single-family, Two-family, Three-family development parcels</i> . The <i>height</i> of the <i>accessory structure</i> may increase at a ratio of one foot vertical for every one foot horizontal (1':1') as measured relative to the property line to a maximum <i>height</i> equal to the <i>zoning</i> 2. <i>Setback</i> may be reduced to 10' along Collector or Local <i>right-of-way</i> for units that open to the <i>street</i> and exclude a perimeter wall			

The applicant proposes a multi-family residential development with a maximum density of 12 DU/Ac. in the R-3 portion of the project. At the time of this report, the applicant has not established the total number of units, this will be determined at the time of Site Plan review. At the time of Site Plan review, the project will be reviewed against the requirements of the LDO and the Planning and Engineering Design Standards (PEDS).

Utility and Services Table:

Electric:	APS
Water:	City of Surprise
Wastewater:	City of Surprise
Refuse:	City of Surprise
Natural Gas:	Southwest Gas
Schools:	Dysart Unified School District

Conformance with Adopted Plans:

February 15, 2022
City Council
Case: FS21-513
163rd Ave & Grand Ave Rezone
Page 6 of 8

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) and in an urban neighborhood supports residential development of eight dwelling units per acre (8 DU/Ac) or greater. The proposed Zone Change will allow for a single-family residential development with a maximum density of 5 DU/Ac. and a multi-family development with a maximum density of 12 DU/Ac. The proposed Zone Change 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.

Summary:

The proposed Zone Change from Rural Residential (RR) to Residential Low Density (R-1) and Residential High Density (R-3) is consistent with the recently approved General Plan Amendment under case FS21-257 and will be developed under the provisions of the LDO.

Findings:

- The proposed Zone Change and density is consistent with the Surprise General Plan 2035 as amended under case FS21-257.

Recommendation:

Based on the findings noted above, the Commission voted to recommend **approval** of case **FS21-513** to the City Council, subject to stipulation 'a' and 'b' as outlined below:

- a. Development and use of the site shall be consistent with the rezone narrative entitled "NEC 163rd Avenue and Grand Ave", prepared by EPS Group and dated October 1, 2021.
- b. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the applicable provisions of the Surprise Municipal Code.

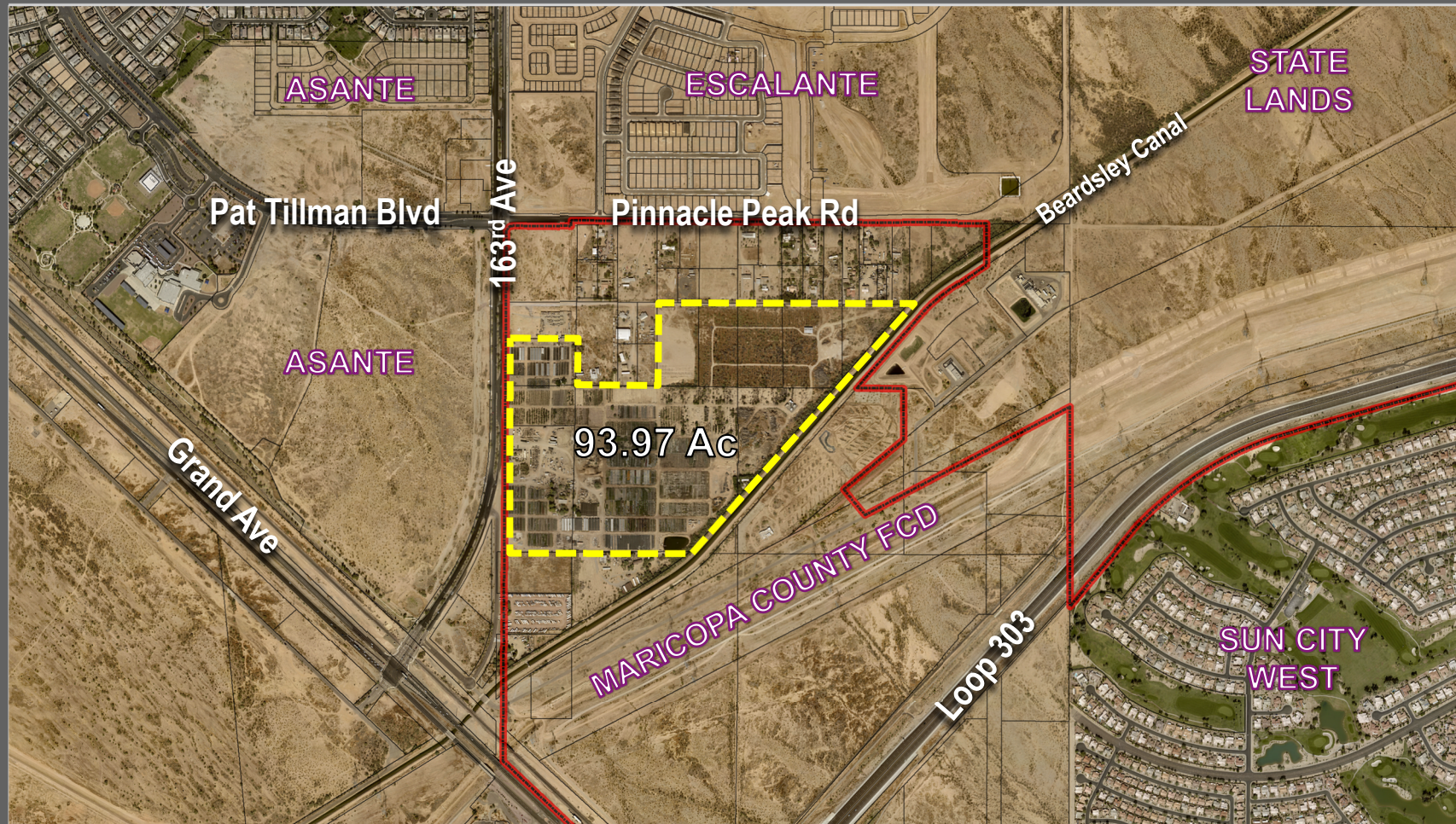
However, should the City Council wish to **deny** the request, the City Council should make its own findings and base its decision on those alternative findings.

Attachments:

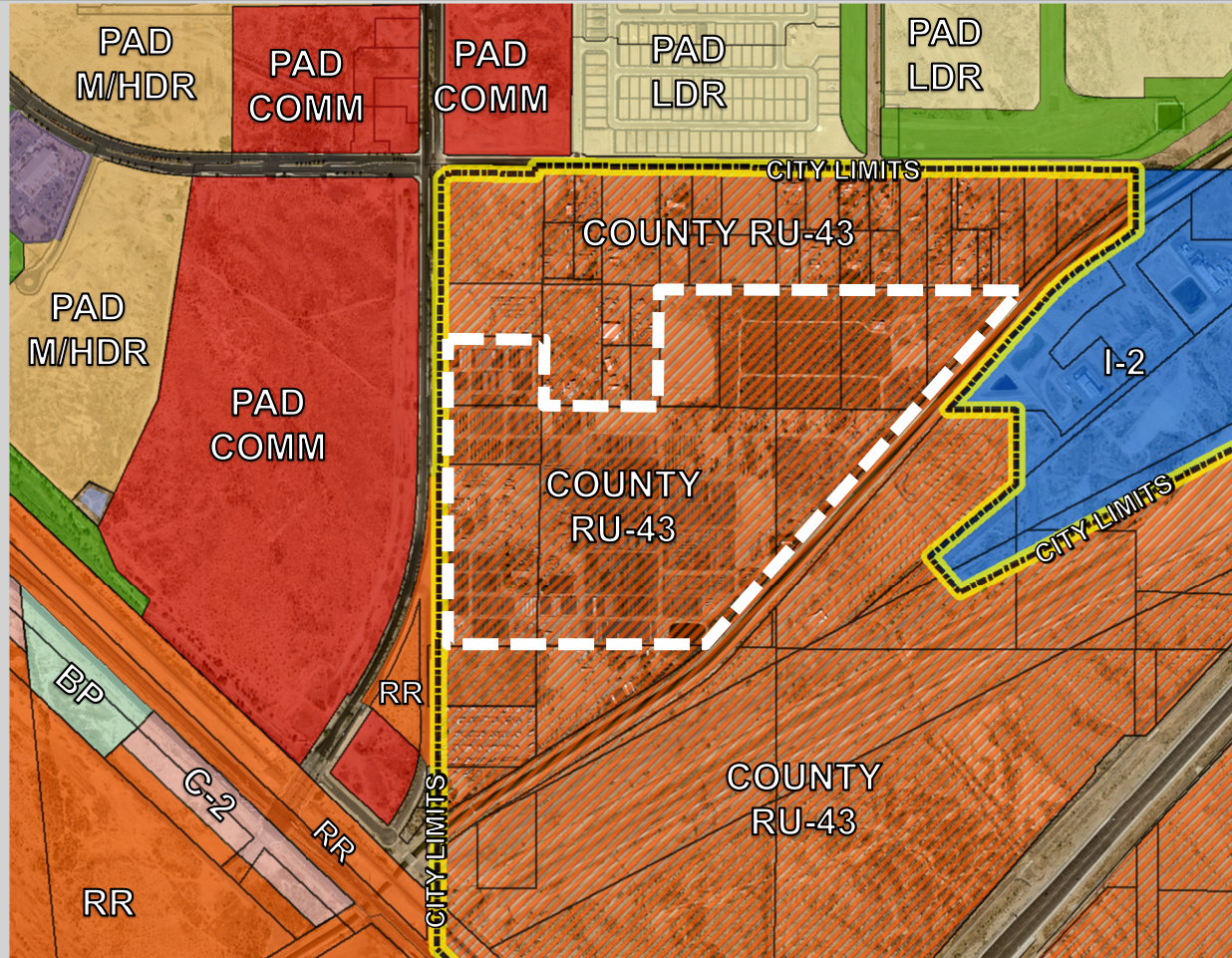
01 Vicinity Map

February 15, 2022
City Council
Case: FS21-513
163rd Ave & Grand Ave Rezone
Page 7 of 8

158	02 Zoning Map
159	03 Zone Change Document
160	04 Luke AFB comments
161	05 Citizen Participation Report
162	06 Affidavit of Posting
163	07 Ordinance 2022-03

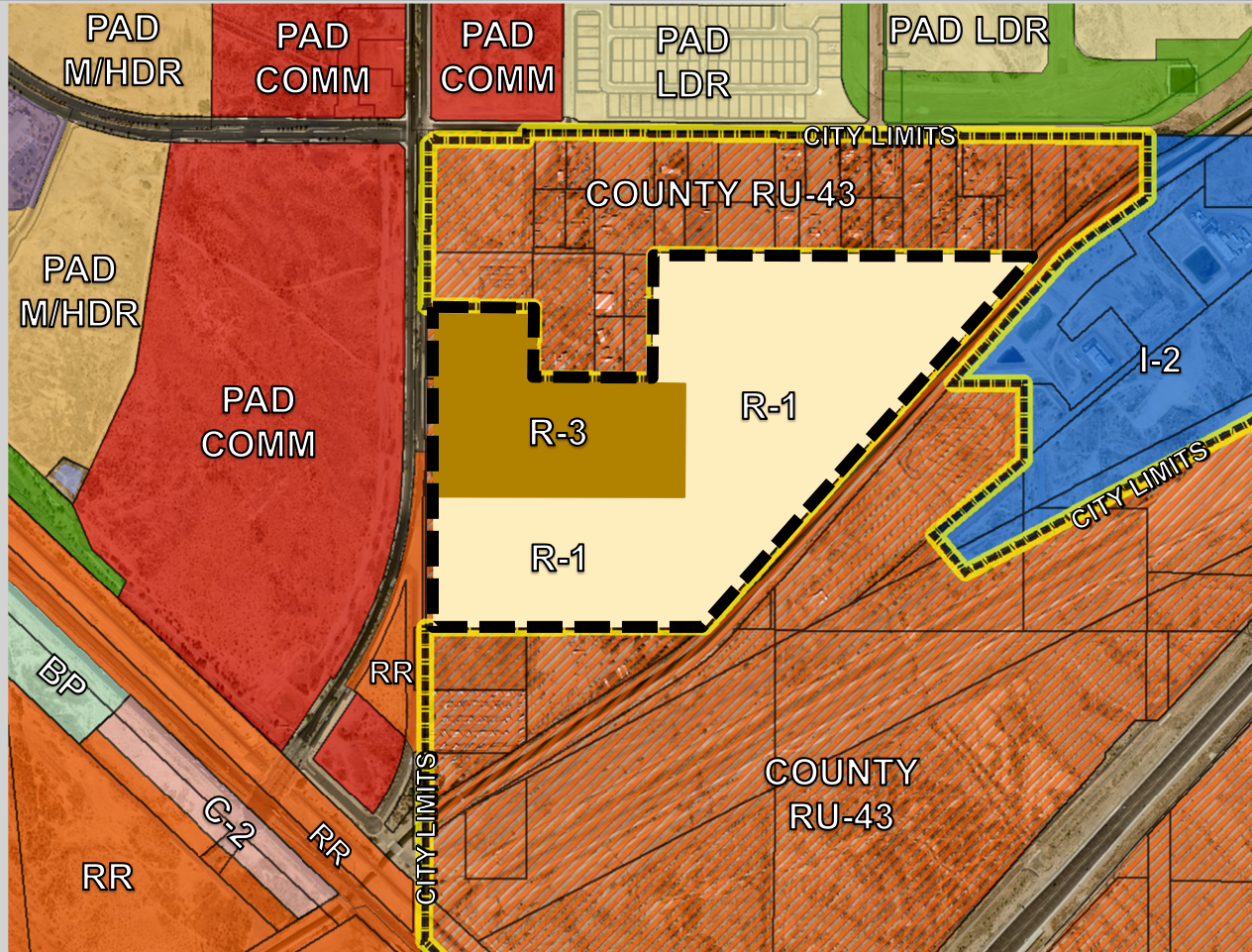


VICINITY MAP



EXISTING ZONING

RR



PROPOSED ZONING

Rezone Project Narrative

NEC 163rd Avenue and Grand Ave

City of Surprise

October 1, 2021

DEVELOPMENT TEAM

PROPERTY OWNER

Campania LLC
Valparaiso LLC
c/o Saul Carranza
22435 N 163rd Avenue
Surprise, AZ 85387
Tel. 623.556.7748
oaguirre@sunrisenurseryllc.com

Legal Representation

Beus Gilbert McGroder PLLC
c/o Jeffrey Blilie
701 N 44th Street
Phoenix, AZ 85008
Tel. 623.606.0532
jbilie@beusgilbert.com

PLANNING CIVIL ENGINEER LANDSCAPE ARCHITECTURE TRAFFIC ENGINEER

EPS Group, Inc.
c/o Dan Auxier, PE, and Josh Hannon
1130 N. Alma School Road, Suite 120
Mesa, AZ 85201
Tel. 480.503.2250
dan.auxier@epsgroupinc.com
josh.hannon@epsgroupinc.com

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Introduction

EPS Group, Inc., on behalf of the developer, submits this Rezone request for a proposed residential community on ± 93.97 -acres, located on the northeast corner of 163rd Avenue and Grand Avenue within the unincorporated limits of Surprise, Arizona. The site is currently undeveloped, agricultural land and is identified as Maricopa County Assessor Parcel Numbers (APNs): 503-57-003B, -006, -008D, -009J, -009K, -009L, -010F, -010G, -021A, and -026. The site is currently zoned RU-43.

Description of Request

An annexation request is currently being reviewed by the City of Surprise under Case No. FS21-512.

This request is to Rezone the property from the post-annexation designation of RR and current designation of RU-43 to Residential Low-Density R-1 and Residential High-Density R-3. The purpose of these requests is to allow the development of a high-quality single-family residential community on approximately 93.97 acres. Approximately 69.44-acres shall be rezoned to R-1 District and approximately 24.53-acres shall be rezoned to R-3. (See Appendices 1 & 2)



Figure 1: Site Location Map

Project Data	
A.P.N.	503-57-003B, -006, -008D, -009J, -009K, -009L, -010F, -010G, -021A, & -026
Current Land Use	Agricultural / Undeveloped
Existing General Plan Character Area	Commerce & Office
Proposed General Plan Character Area	Neighborhood (Case No. FS21-257)
Existing Zoning District	RU-43 (Maricopa County)
Post-Annexation Zoning District	RR
Proposed Zoning District	R-1 & R-3
Gross Area	
R-1	69.44-Acres
R-3	24.53-Acres
Total	93.97-Acres
Maximum Density	
R-1	5.0 du/ac
R-3	12 du/ac

Compliance with the General Plan

A General Plan Amendment request to change the character area designation from Commerce & Office to Neighborhoods is currently under City review under Case Number: FS21-257 as the current designation is not suitable for the property due to its minimal accessible property frontage, allowing for only one full access ingress/egress near the intersection of 163rd Ave and 162nd Drive, which run parallel to each other. (See Appendices 3 & 4) Additionally, this site is not suitable for 'typical' shopping areas or office development given the scale of the site and the abundance of better situated commercial/office acreage on the west side of 163rd Avenue. As such, the requested General Plan Amendment, concurrent annexation request and this rezone request is to allow the development of a high-quality

multi-family and single-family residential community, with potentially some limited commercial/office uses along 163rd Avenue.

Relationship to Surrounding Properties

This site is located on existing agricultural/undeveloped fields at the northeast corner of 163rd Avenue and Grand Avenue. 303 RV Storage, and unincorporated residences reside south of the site. Multiple unincorporated residences are also located along the site's northern boundary and are within the RU-43 district of Maricopa County. The Beardsley Canal runs along the western boundary of the site, which separates the site from the adjacent 29 Palms RV & Boat Storage. Last, to the west of the site is Lennar Homes' Asante mixed-use PAD.

Location & Accessibility

The property has minimal property frontage for accessibility that only allows for two points of ingress/egress from 163rd Ave and 162nd Drive, which run parallel to each other and is not suitable for 'typical' shopping areas or office development given the scale of the site and isolated location with limited access. As such, the purpose of this requested rezone is to allow the development of a high-quality residential community.

Development Standards

The property will be developed in accordance with the City of Surprise Land Development Ordinance and the Planning & Engineering Design Standards.

Landscape and Open Space

A unique and diverse level of recreational amenities throughout the community shall provide opportunities and places for residents of all ages and abilities to gather, socialize, and explore and will meet all requirements of the City of Surprise Land Development Ordinance (LDO) and Planning & Engineering Design Standards (PEDS). The landscape and open space theme shall include street trees and streetscape design in order to promote a strong community identity. The landscape and open space network shall provide both visual and actual connection to bring the neighborhood residents together and focus amenity activity on open space and amenities. Onsite retention areas will be landscaped to provide areas for active and passive recreation. All passive and active open space areas for the community are located within close proximity to all lots.

Utilities & Services

The proposed residential community shall be serviced by the following utility companies and community services:

Utilities & Services	
Water	City of Surprise
Sewer	City of Surprise
Electric	APS
Gas	Southwest Gas
Telephone	Century Link / Cox Communication
Cable TV	Century Link / Cox Communication
Refuse	City of Surprise
School District	Dysart Unified School District

Grading and Drainage

All drainage design will be in accordance with the City of Surprise design standards. Proposed drainage improvements will require that the Property retain the specified City of Surprise 100-year storm onsite prior to outfall. Grading will

require all finished floor elevations (existing and proposed) to be elevated above the 100-year, 2-hour storm event. Retention basins will be maintained by the subdivision HOA. Maintenance access will be provided down the side slope of the basin (4:1 max) to allow ample access to maintain the basin and all drainage structures within the basin. Additional evaluation of the project site for on-site and off-site drainage shall be provided in later entitlements with the Preliminary and Final Plat.

Conclusion

We respectfully request your favorable consideration of the submitted documents and look forward to working with the City of Surprise as we move forward into the Rezone, Preliminary Plat and permitting approvals.

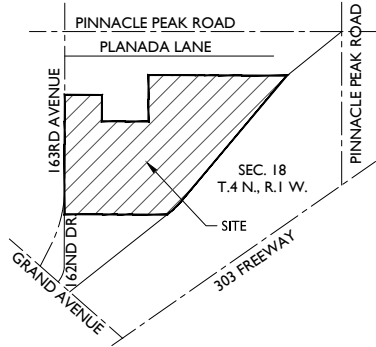
Appendix

- ❖ Appendix 1: Existing Site Zoning Exhibit
- ❖ Appendix 2: Post-Annexation Exhibit
- ❖ Appendix 3: Proposed Site Zoning Exhibit
- ❖ Appendix 4: Existing Site General Plan Exhibit
- ❖ Appendix 5: Proposed Site General Plan Exhibit

APPENDIX 1



VICINITY MAP



PROJECT TEAM

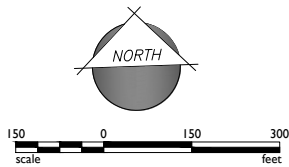
PROPERTY OWNER:
VALPARAISO LLC
CAMPANIA LLC
22435 N 163RD AVENUE
SURPRISE, AZ 85387
TEL: 602-628-7840
CONTACT: THE LAND AGENCY
c/o PAUL LAFFERTY
email: patty@daaz.com

PLANNING & ENGINEERING:
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TEL: (480) 503-2250
CONTACT: DAN AUXIER / JOSH HANNOIT
email: dan.auxier@epsgruoinc.com / josh.hannon@epsgruoinc.com

LAND USE ATTORNEY:
BEUS GILBERT
701 N 44TH ST
PHOENIX, AZ 85008
TEL: 480-429-3000
CONTACT: JEFFREY BLILIE
email: jblilie@beusgilbert.com

PROJECT DATA

APN(s):	503-57-003B, -006, -008D, -009J, -009K, -009L, -010F, -010G, -021A, & -026
EXISTING LAND USE:	UNDEVELOPED/AGRICULTURE
PROPOSED LAND USE:	MULTI-FAMILY & SINGLE-FAMILY RESIDENTIAL
EXISTING GENERAL PLAN:	COMMERCE/OFFICE
PROPOSED GENERAL PLAN:	NEIGHBORHOOD
EXISTING ZONING:	RU-43 (MARICOPA COUNTY)
PROPOSED ZONING:	R1 & R-3
SITE ACREAGE:	93.97 GROSS ACRES 4,093,333 SQUARE FEET



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Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
www.epsgruoinc.com



163RD & GRAND AVENUE

Maricopa County, Arizona

EXISTING ZONING EXHIBIT

Project

Revisions:



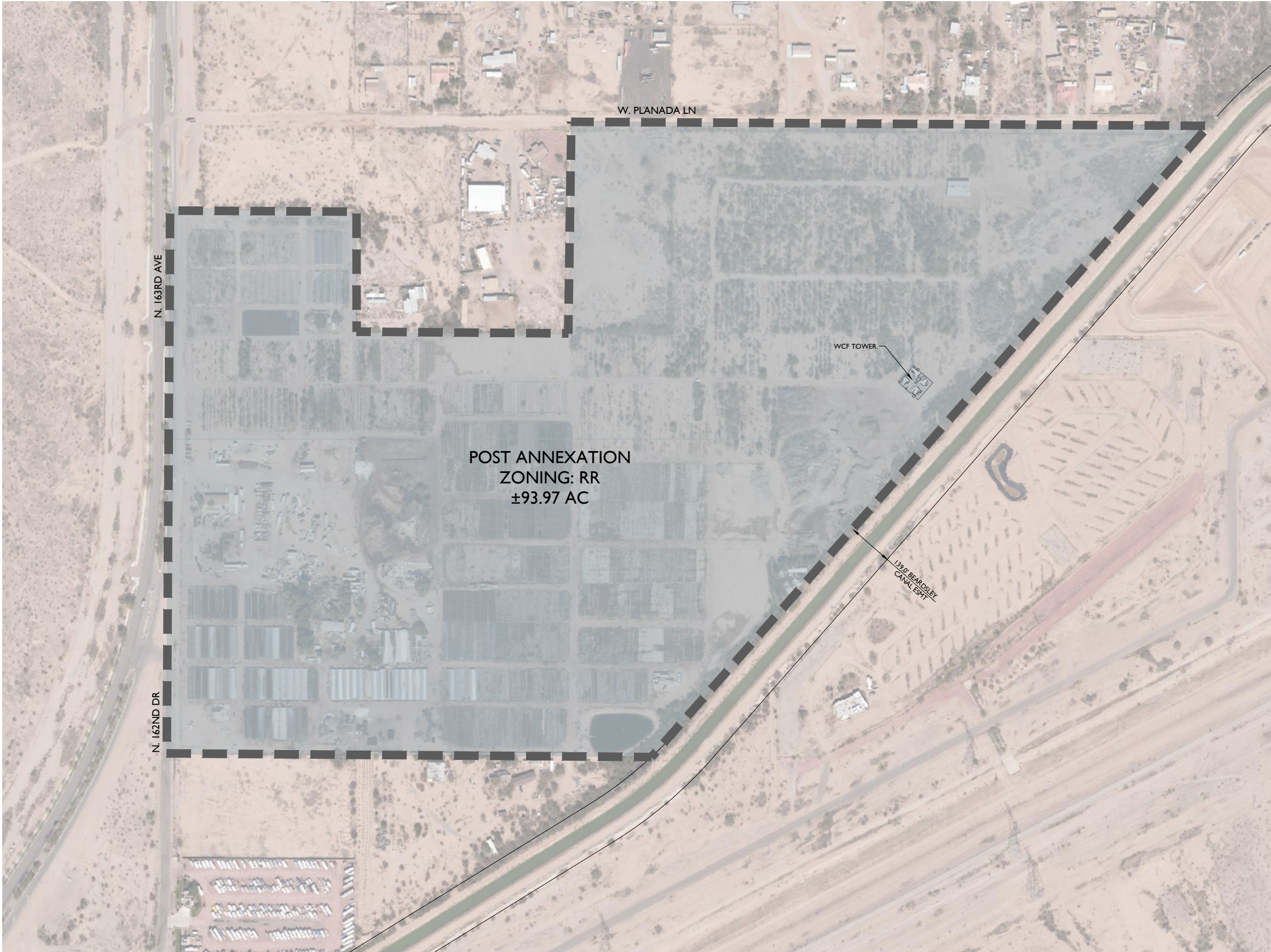
Designer: JH
Drawn by: NG

Preliminary
Not For
Construction
Or
Recording

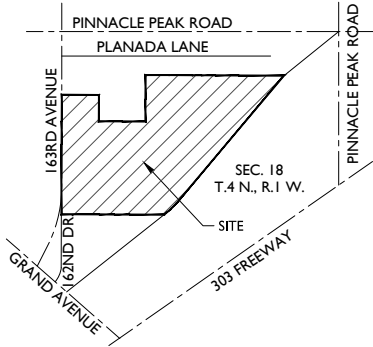
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APPENDIX 2



VICINITY MAP



PROJECT TEAM

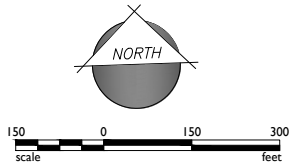
PROPERTY OWNER:
VALPARAISO LLC
CAMPANIA LLC
22435 N 163RD AVENUE
SURPRISE, AZ 85387
TEL: 602-628-7840
CONTACT: THE LAND AGENCY
c/o PAUL LAFFERTY
email: patty@taaz.com

PLANNING & ENGINEERING:
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CONTACT: DAN AUXIER / JOSH HANNON
email: dan.auxier@epsgruoinc.com / josh.hannon@epsgruoinc.com

LAND USE ATTORNEY:
BEUS GILBERT
701 N 44TH ST
PHOENIX, AZ 85008
TEL: 480-429-3000
CONTACT: JEFFREY BLILIE
email: jblilie@beusgilbert.com

PROJECT DATA

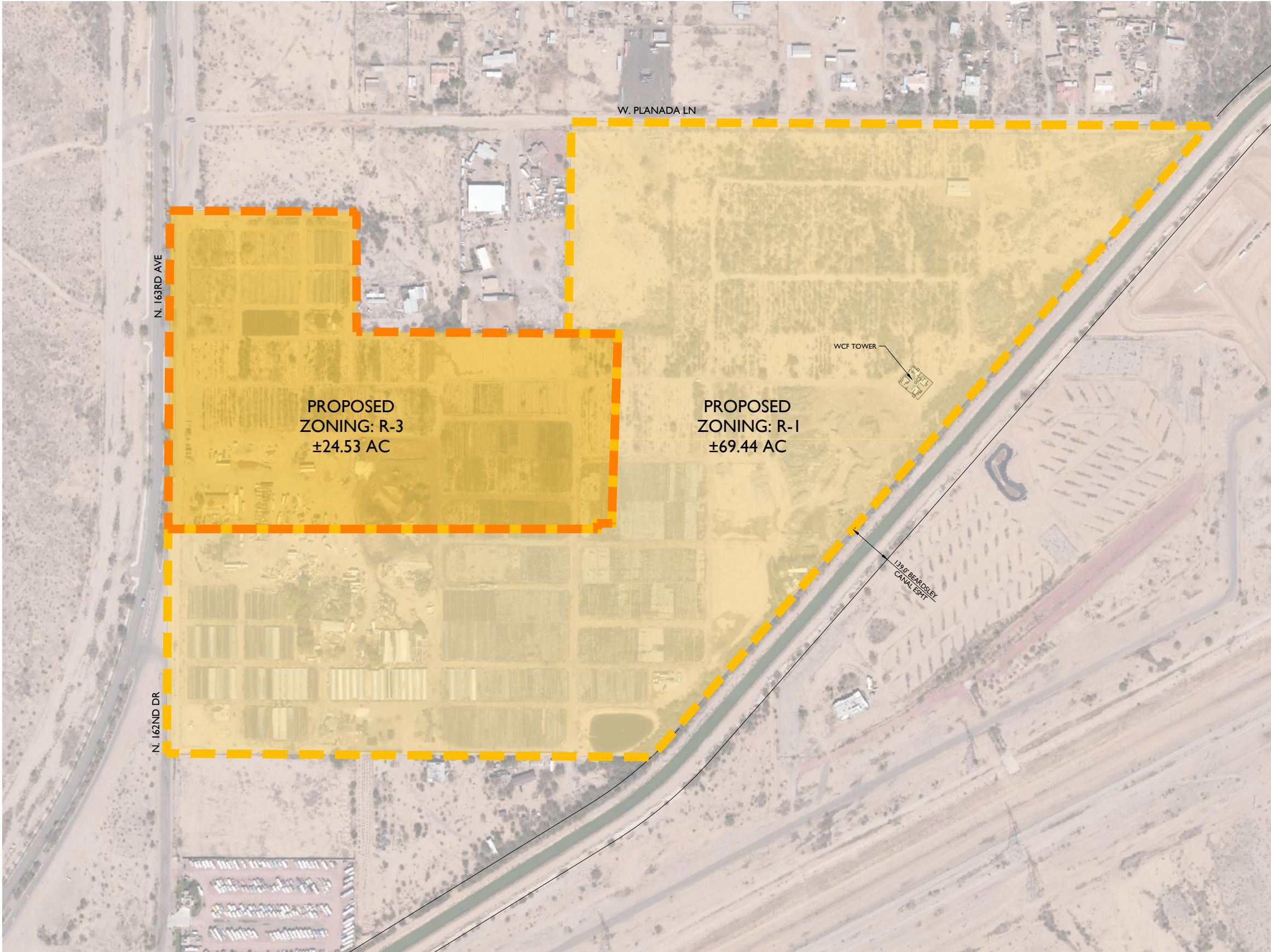
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EXISTING LAND USE:	UNDEVELOPED/AGRICULTURE
PROPOSED LAND USE:	MULTI-FAMILY & SINGLE-FAMILY RESIDENTIAL
EXISTING GENERAL PLAN:	COMMERCE/OFFICE
PROPOSED GENERAL PLAN:	NEIGHBORHOOD
EXISTING ZONING:	RU-43 (MARICOPA COUNTY)
POST ANNEXATION ZONING:	RR
SITE ACREAGE:	93.97 GROSS ACRES 4,093,333 SQUARE FEET
MAX DENSITY:	5 DU/AC
R-1	12 DU/AC
R-3	



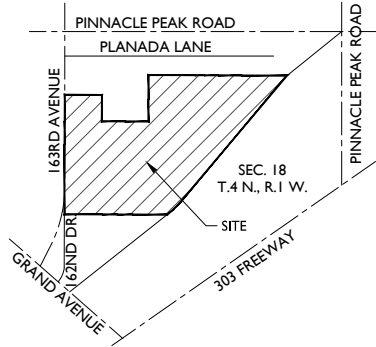
Project

Revisions:

APPENDIX 3



VICINITY MAP



NTS

PROJECT TEAM

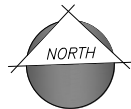
PROPERTY OWNER:
VALPARAISO LLC
CAMPANIA LLC
22435 N 163RD AVENUE
SURPRISE, AZ 85387
TEL: 602-628-7840
CONTACT: THE LAND AGENCY
c/o PAUL LAFFERTY
email: paty@taaz.com

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PROPOSED ZONING:	R1 & R-3
SITE ACREAGE:	93.97 GROSS ACRES 4,093,333 SQUARE FEET
MAX DENSITY:	5 DU/AC 12 DU/AC



150 0 150 300
scale feet

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163RD & GRAND AVENUE

Maricopa County, Arizona

PROPOSED ZONING EXHIBIT

Project

Revisions:



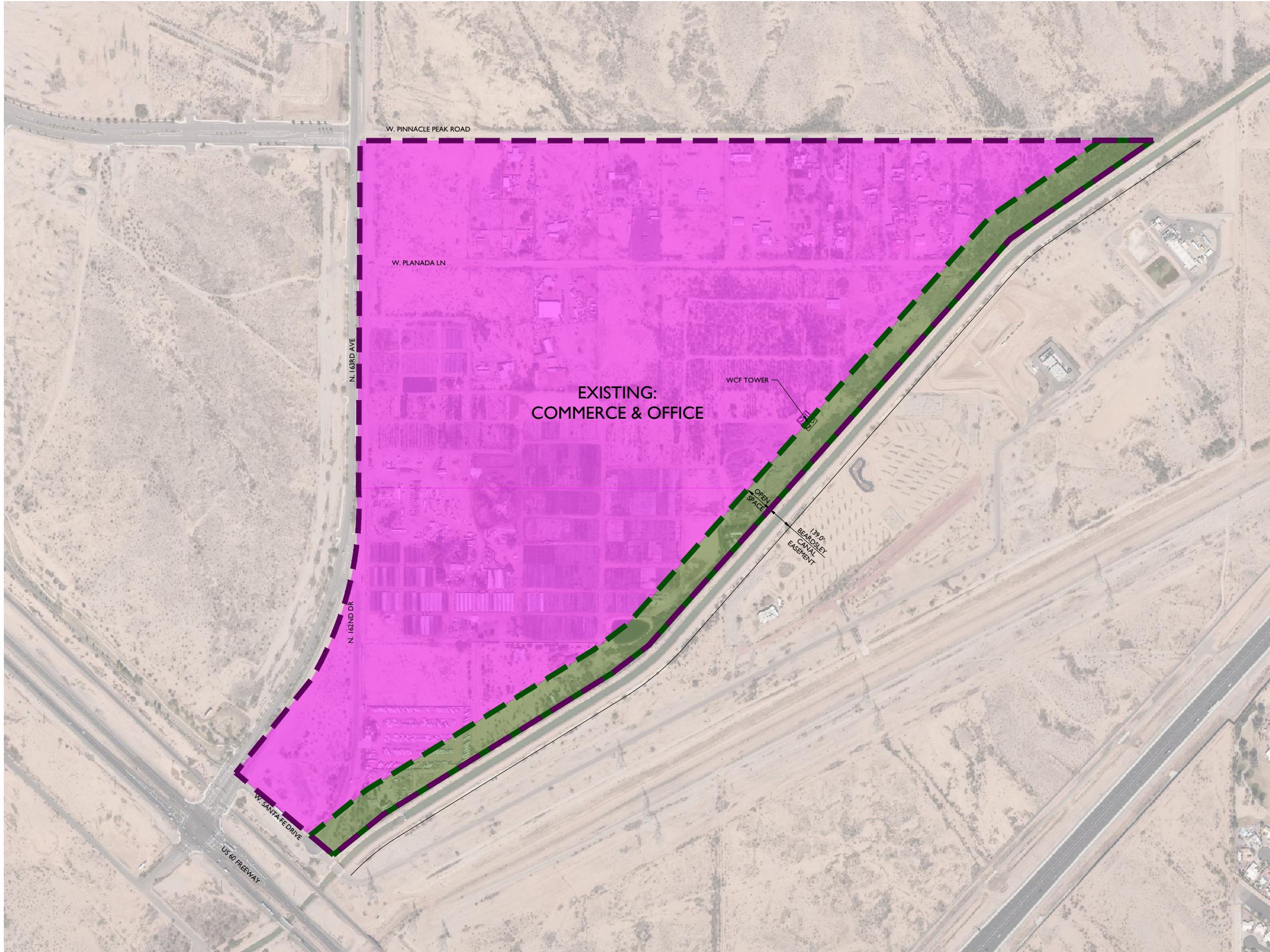
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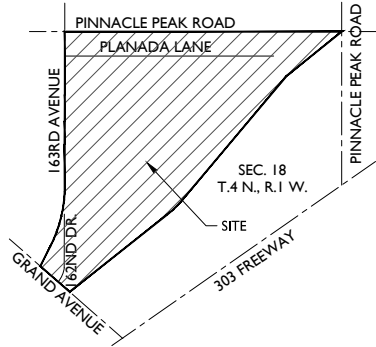
APPENDIX 4



APPENDIX 5



VICINITY MAP



PROJECT TEAM

PROPERTY OWNER:
VALPARAISO LLC
CAMPANIA LLC
22435 N 163RD AVENUE
SURPRISE, AZ 85387
TEL: 602-628-7840
CONTACT: THE LAND AGENCY
c/o PAUL LAFFERTY
email: patty@taaz.com

PLANNING & ENGINEERING:
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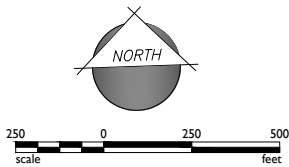
LAND USE ATTORNEY:
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PHOENIX, AZ 85008
TEL: 480-429-3000
CONTACT: JEFFREY BLILIE
email: jblilie@beusgilbert.com

PROJECT DATA

APN(s): 503-57-003B, -004D, -004J, -005B, -005D, -005E, -005F, -006, -007F, -007G, -007H, -007J, -007K, -008C, -008D, -008E, -009J, -009K, -009L, -009P, -009U, -009W, -009X, -009Z, -010F, -010G, -010K, -010L, -010M, -010N, -010Q, -010R, -010S, -010T, -021A, -025Y, -025Z, -026, -028B, -031, -033A, -033B, -034, -035, -038A, -039, -040, -041A, -041B, -042A, -043, -044, -045, -046, -047, -048, -049A, -049B, -051, -052, 503-73-756A & -756B

EXISTING LAND USE: UNDEVELOPED/AGRICULTURE
PROPOSED LAND USE: MULTI-FAMILY & SINGLE-FAMILY RESIDENTIAL

EXISTING GENERAL PLAN: COMMERCE/OFFICE
PROPOSED GENERAL PLAN: NEIGHBORHOOD



Project

Revisions:

From: [JAMES, MARK C GS-12 USAF AETC 56 FW/CVE](#)
To: [Nichole Flores](#)
Cc: [56 FW/CIT Community Initiative](#)
Subject: RE: FS21-512 163rd & Grand Ave Annexation - New Digital Submittal 07.07.21
Date: Thursday, July 8, 2021 2:34:38 PM

The e-mail below is from an external source. Please do not open attachments or click links from an unknown or suspicious origin.

Nichole,

Thank you for allowing Luke AFB to make comments on the 163rd & Grand Ave Annexation and Rezone Application. This application proposes a residential community on 94 acres. The site is located on the northeast corner of 163rd Ave and Grand Ave in Surprise, AZ. It is approximately 3.5 miles outside the Aux-1 2004 JLUS 65 Ldn, "high noise or accident potential zone" as defined by A.R.S. § 28-8461 and is inside the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461.

As described in the application, this request will not have a negative impact on Luke AFB Flight Operations. Since the site will be located inside the "territory in the vicinity of a military airport," it will be subjected to approximately 165 over flights per day, as low as 1,500 feet above the ground. We recommend you review the sound attenuation requirements found in A.R.S. § 28-8482. In addition, a strong notification program on the part of the applicant is essential to inform the tenant about Luke AFB operations.

Respectfully,

Mark James

Planning Manager, Community Initiatives Team
Luke AFB AZ 85309
Office: 623-856-9981
DSN: 896-9981

Citizen Participation Report

NEC 163rd Avenue and Grand Ave

City of Surprise

September 16, 2021

Parties Affected by Annexation & General Plan Amendment Request

Individual Canvassing Survey letters were sent to all property owners south of Pinnacle Peak, east of 163rd/162nd Avenue and north of the Beardsley Canal to seek out surrounding owner interest in joining the existing General Plan Amendment and Annexation requests. A map of the area identified is provided in **Appendix 1**. The City of Surprise published a newspaper ad and sent out notice letters to the property owners to inform them of a neighborhood meeting, which was held on July 29, 2021.

The survey letter, provided in **Appendix 2**, included a fillable survey and all of the information required by the city to explain the annexation and general plan amendment process and application. Interested parties were instructed to return the survey portion to the project representative, Jeffrey Blilie with Beus Gilbert McGroder PLLC.

Parties Affected by Annexation, General Plan Amendment, & Rezone Applications

Individual Neighborhood Meeting Invitations were sent by the City of Surprise in addition to posting an ad in the newspaper. These letters were sent to all property owners within 300' of the approximately 190.54-gross acres generally located at the northeast corner of 163rd Avenue and Grand Avenue. The letters invited the property owners to attend the meeting and included all of the information required by the city to explain the annexation, general plan amendment, and rezoning applications.

The below interested parties have been identified as part of this process. Returned surveys, emails, and letters received as part of this process are provided in **Appendix 3**.

OWNER	ADDRESS	GPA & SURVEY CANVASS			NOT A PART
		NO RESPONSE	ANNEX	GPA	
ARREOLA ALFREDO/NORMA	[REDACTED]	X			
BARCLAY SURPRISE INC	[REDACTED]	X			
BLUESHORE HOLDINGS LLC	[REDACTED]	X			
BREWER MARIA D	[REDACTED]	X			
CAMACHO CESAR/LETITIA	[REDACTED]	X			
CAMPANIA LLC	[REDACTED]	X			
CAMPANIA LLC	[REDACTED]	X			
DEACETIS VINCENT/ GERALDINE TR	[REDACTED]	X			
FERNANDEZ CARMEN R	[REDACTED]	X			
FREDRICKSON FAMILY TRUST	[REDACTED]	X			
FRONSMAN ADELLA M	[REDACTED]		NO	NO	
FRONSMAN GEORGE/ CRYSTAL	[REDACTED]	X			
GOMEZ CONSEPCION S	[REDACTED]	X			
HANCOCK LAWRENCE G	[REDACTED]		NO	NO	
HERNANDEZ CASIMIRO	[REDACTED]		NO	NO	
HUEY RICHARD G/IRENE TR/ WONG W O/S O TR/ETAL	[REDACTED]		NO	YES	

JOSEPH A SOLDEVERE/ ARLENE R REV TRUST	[REDACTED]	X			
LENNAR COMMUNITIES DEVELOPMENT INC	[REDACTED]	X			
MC REAL ESTATE DEVELOPMENT LLC	[REDACTED]	X			
MORGAN CAREY D/LAUREN L	[REDACTED]	X			
ODOGUI SAMUEL/NELLIE	[REDACTED]	X			
OROZCO SALVADOR D	[REDACTED]	X			
PASILLAS ALBINA SOLIS/FRANCISCO	[REDACTED]	X			
PASILLAS ANTONIO C/ ROSARIO IBARRA	[REDACTED]	X			
PASILLAS ANTONIO/ AUGUSTIN	[REDACTED]	X			
PEAK RV STORAGE LLC	[REDACTED]	X			
SCHULTZ ENTERPRISES WEST LLC	[REDACTED]		NO	NO	
SKAGGS M R/M E/RUCH R J/N A	[REDACTED]	X			
SOLIS JUAN A JR/ MARTINEZ NORMA	[REDACTED]	X			
SOLIS JUAN A SR	[REDACTED]	X			
SOLIS MARIANO/CYNTHIA	[REDACTED]	X			
SOLIS MARIANO/CYNTHIA	[REDACTED]	X			
SOLIS MARTIN F/ ALEJANDRINA/PASILLAS ANTONIO C	[REDACTED]	X			
SOLIS MARTIN F/ ALEJANDRINA/ PASILLAS ANTONIO C	[REDACTED]	X			
STANISLAW B MUSIAL AND BOZENA MUSIAL REV LIV	[REDACTED]		NO	NO	
TELLEZ ELIZABETH ANNAMARIE/ VERONICA ADELICIA	[REDACTED]	X			
VALPARAISO LLC	[REDACTED]	X			
VALPARAISO LLC	[REDACTED]	X			
VARGAS ALEJANDRINA HERNANDEZ	[REDACTED]	X			
WALKER RONALD/PAULA	[REDACTED]	X			
WEBB GARY	[REDACTED]				X
PHILLIPS SCOTT & JANICE	[REDACTED]				X
KEATING MATT	[REDACTED]				X

ODOGUI SAM & NELLIE					X
FRONSMAN CRYSTAL					X

Notification and Information Procedures

We will meet all City noticing requirements for annexing, rezoning, and amending the general plan land use designation of the property. These include notice of Public Hearing letters to be sent to surrounding property owners within 300' of the Property and other interested stakeholders, as identified on the buffer map provided in **Appendix 4**. The notification letters will include case information as well as our contact information. The interested parties and stakeholders identified are listed in **Appendix 5**.

We will post the site on our 163rd Avenue frontages with signs informing of the proposed annexation, general plan amendment, and rezoning request within the required timeframes. We have worked with City staff on the exact location and number of posted signs. Photographic evidence and the affidavit of posting are provided in **Appendix 6**.

Response Procedures

We will continue to respond to all input and comments received from parties affected by our application. We will also provide our responses to City Staff for their records. We will follow-up as necessary to ensure proper responses are provided and information is shared regarding the status of the request to interested stakeholders.

Schedule of Completion

June - Conducted Public outreach to generally secure maximum coordination of plans and to indicate properly located sites for all public purposes on the general plan. Consulted with, informed, and provided an opportunity for official comment by:

- All property owners south of Pinnacle Peak
- All property owners east of 163rd/162nd Avenue
- All property owners north of the Beardsley Canal

July – Completed Review and Submitted a Citizen Participation Plan to reflect outreach strategies to engage property owners and residents.

July 14 - Posted notifications on site (2 signs for the GPA and 3 for the rezoning and annexation) at least 15 days in advance of the Neighborhood Meetings, on July 14, 2021.

The City of Surprise published notification with local newspapers, press release, City website, and social media and mailed letters to property owners and neighbors at least 15 days in advance of the Neighborhood Meeting.

This Citizen Participation Report includes a list of attendees and an accurate account of the items discussed such as opposition, proposed alternatives solutions (by either neighbors or applicant), responses to proposed solutions, and any mutual agreements reached during the meeting. The Sign-In List is provided in **Appendix 7**. Completed Comment Cards are provided in **Appendix 8**.

July 19, 2021 – Held Neighborhood Meeting at the Asante Preparatory Academy at 6:00 PM.

August – Began 60-day notice: transmit the proposal to P&Z, City Council, and submit a copy to outside agencies and municipalities for review and further comment

October – 60-Day Review period closes

October – Public Notice: Site Posting, newspaper, website, and mailers between 15-30 days

November 4 – Public Hearing at offsite P&Z meeting to discuss

November 18 – Public Hearing at P&Z for recommendation (recommendation)

November – Public Notice: Site Posting, newspaper, website, and mailers between 15-30 days

December 7 – Public Hearing at City Council to consider Major General Plan Amendment (via resolution with 2/3s vote)

December – send notice of the approval, adoption or readoption of the general plan or major amendment to the general plan to the attorney general by certified mail, return receipt requested, within three business days after the approval, adoption or readoption.

After affirmation from Attorney General – Send a copy of the adopted general plan to the planning agency of Maricopa County.

Status Procedure

We will update city staff via email and telephone calls if any important issues come about as we continue our public outreach. If additional public outreach occurs after the submittal of the Public Outreach Plan, we will provide updates to inform city staff and council members.

CITIZEN PARTICIPATION PLAN RESULTS

Details and Techniques Used to Involve the Public

As part of the Public Outreach Process, the Applicant's representatives have not received any inquiries on the request except as found at the Neighborhood Meeting and through returned Canvassing letters.

Summary of Concerns, Issues and Problems & How They will be Addressed

The interactions we had with community members at the 7/24/2021 neighborhood meeting were inquisitive in nature and primarily to discuss and further describe the request. The Neighborhood Meeting Minutes are provided in **Appendix 9**.

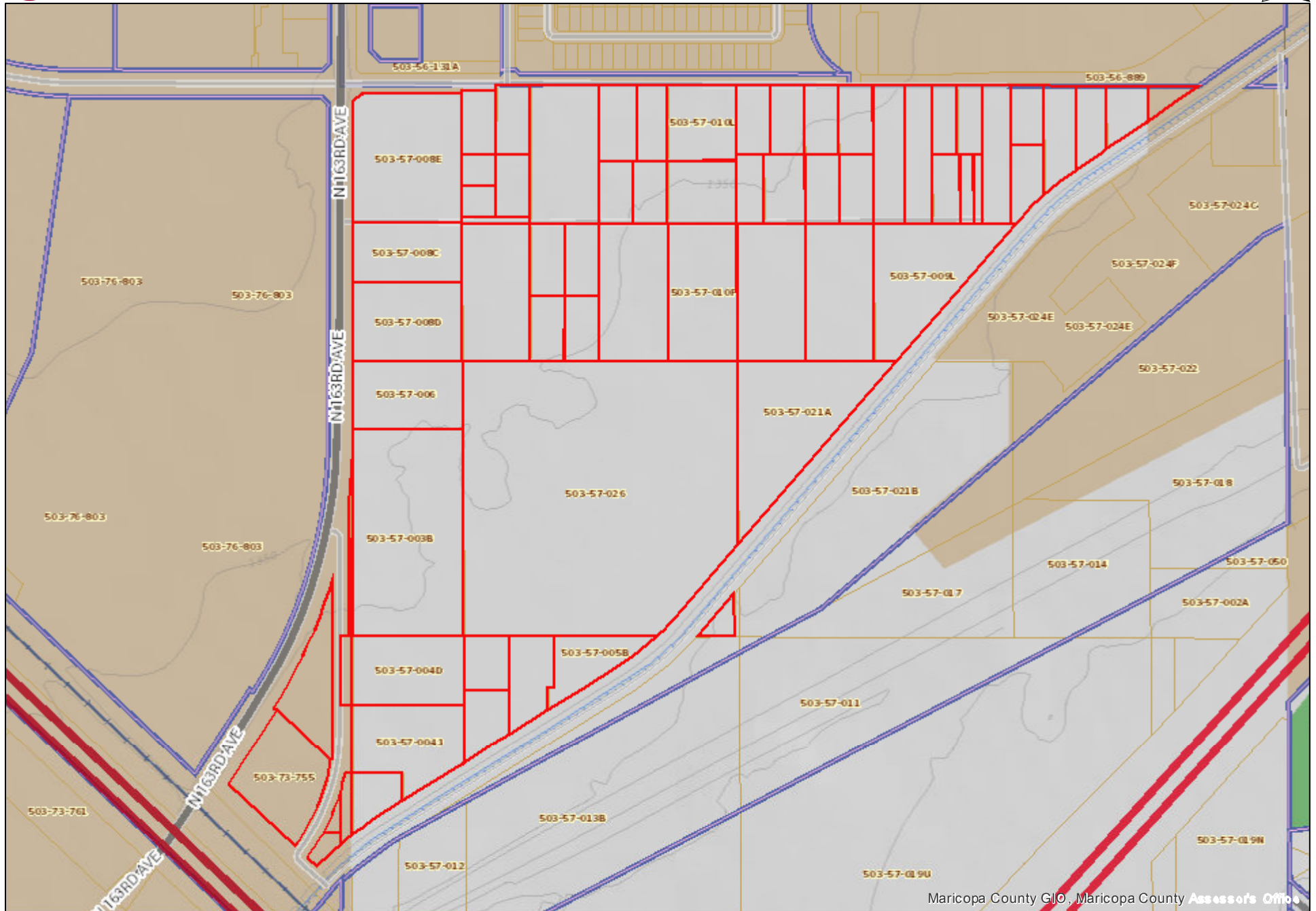
APPENDIX

- Appendix 1: Buffer Map
- Appendix 2: Canvassing Survey Letter
- Appendix 3: Completed Canvassing Surveys & Correspondence
- Appendix 4: Neighborhood Meeting & Public Hearing Buffer Map
- Appendix 5: Neighborhood Meeting & Public Hearing Mailing List
- Appendix 6: Public Notice Sign Posting Photographic Evidence & Affidavit
- Appendix 7: Neighborhood Meeting Sign-In Sheet
- Appendix 8: Neighborhood Meeting Comment Cards
- Appendix 9: Neighborhood Meeting Minutes

APPENDIX 1



163rd & Grand Avenue - Survey Buffer Map



Maricopa County GLO, Maricopa County Assessor's Office

5/25/2021 12:48:28 PM

163RD & GRAND AVENUE - GPA & ANNEXATION SURVEY MAILING LIST					
APN	OWNER	ADDRESS	CITY	STATE	ZIP
503-57-010S	ARREOLA ALFREDO/NORMA				
503-57-010T	BARCLAY SURPRISE INC				
503-57-007K	BLUESHORE HOLDINGS LLC				
503-57-038A	BREWER MARIA D				
503-57-039	BREWER MARIA D				
503-57-010N	CAMACHO CESAR/LETITIA				
503-57-008D	CAMPANIA LLC				
503-57-010G	CAMPANIA LLC				
503-57-026	CAMPANIA LLC				
503-73-755	DEACETIS VINCENT/GERALDINE TR				
503-57-009W	FERNANDEZ CARMEN R				
503-57-025Y	FREDRICKSON FAMILY TRUST				
503-57-025Z	FREDRICKSON FAMILY TRUST				
503-57-010Q	FRONSMAN ADELLA M				
503-57-010R	FRONSMAN GEORGE/CRYSTAL				
503-57-033A	GOMEZ CONSEPCION S				
503-57-004C	HANCOCK LAWRENCE G				
503-57-004D	HANCOCK LAWRENCE G				
503-57-035	HERNANDEZ CASIMIRO				
503-57-008E	HUEY RICHARD G/IRENE TR/WONG W O/S O TR/ETAL				
503-73-028V	JOSEPH A SOLDEVERE/ARLENE R REV TRUST				
503-57-028B	LENNAR COMMUNITIES DEVELOPMENT INC				
503-73-756A	LENNAR COMMUNITIES DEVELOPMENT INC				
503-73-756B	LENNAR COMMUNITIES DEVELOPMENT INC				
503-57-007F	MC REAL ESTATE DEVELOPMENT LLC				
503-57-007G	MC REAL ESTATE DEVELOPMENT LLC				
503-57-007H	MC REAL ESTATE DEVELOPMENT LLC				
503-57-007J	MC REAL ESTATE DEVELOPMENT LLC				
503-57-008C	MORGAN CAREY D/LAUREN L				
503-57-047	ODOGUI SAMUEL N/NELLIE				
503-57-049A	ODOGUI SAMUEL/NELLIE				
503-57-048	OROZCO SALVADOR D				
503-57-040	PASILLAS ALBINA SOLIS/FRANCISCO				
503-57-009U	PASILLAS ANTONIO C/ROSARIO IBARRA				
503-57-009P	PASILLAS ANTONIO/AUGUSTIN				
503-57-010L	PEAK RV STORAGE LLC				
503-57-010M	PEAK RV STORAGE LLC				
503-57-004J	SCHULTZ ENTERPRISES WEST LLC				
503-57-010K	SKAGGS M R/M E/RUCH R J/N A				
503-57-041A	SOLIS JUAN A JR/MARTINEZ NORMA				
503-57-041B	SOLIS JUAN A JR/MARTINEZ NORMA				
503-57-042A	SOLIS JUAN A SR				
503-57-009X	SOLIS MARIANO/CYNTHIA				
503-57-033B	SOLIS MARIANO/CYNTHIA				
503-57-009Z	SOLIS MARTIN F/ALEJANDRINA/PASILLAS ANTONIO C				
503-57-031	SOLIS MARTIN F/ALEJANDRINA/PASILLAS ANTONIO C				
503-57-043	STANISLAW B MUSIAL AND BOZENA MUSIAL REV LIV				
503-57-044	STANISLAW B MUSIAL AND BOZENA MUSIAL REV LIV				
503-57-045	STANISLAW B MUSIAL AND BOZENA MUSIAL REV LIV				
503-57-046	STANISLAW B MUSIAL AND BOZENA MUSIAL REV LIV				
503-57-049B	TELLEZ ELIZABETH ANNAMARIE/VERONICA ADELICIA				
503-57-003A	VALPARAISO LLC				
503-57-003B	VALPARAISO LLC				
503-57-005B	VALPARAISO LLC				
503-57-005D	VALPARAISO LLC				
503-57-005E	VALPARAISO LLC				
503-57-005F	VALPARAISO LLC				
503-57-006	VALPARAISO LLC				
503-57-009J	VALPARAISO LLC				
503-57-009K	VALPARAISO LLC				

503-57-009L	VALPARAISO LLC	
503-57-010F	VALPARAISO LLC	
503-57-021A	VALPARAISO LLC	
503-57-051	VARGAS ALEJANDRINA HERNANDEZ	
503-57-052	VARGAS ALEJANDRINA HERNANDEZ	
503-57-034	WALKER RONALD/PAULA	

APPENDIX 2

May 26, 2021

Proposed Major General Plan Amendment & Annexation to the City of Surprise

Dear Neighbor:

The owners of a property located near you at the northeast corner of 163rd Avenue and Grand Avenue are working with the City of Surprise regarding a Major General Plan Amendment and Annexation of this property. Because Surprises' corporate boundaries surround your area, the City of Surprise has requested that you be contacted to gauge your level of interest in joining the General Plan Amendment and petition for annexation.

This request is specifically to amend the City of Surprise General Plan designation for this area from Commerce & Business to Neighborhood and for annexation into the City of Surprise.

Recognizing that annexation is a personal decision, the City of Surprise typically relies on applications from property owners for proposed annexations to the City. Because the City has requested that you be contacted, information has been provided in this letter describing the annexation process and answering some of the most frequently asked question regarding annexations. A form consenting or opposing to annexation has also been included with a stamped envelope in this letter for your response.

Additional information may be obtained by contacting Jeffrey Blilie with Beus Gilbert McGroder PLLC at (623) 606-0532 or jblilie@beusgilbert.com. You may also contact Joshua Mike at the City of Surprise at (623) 222-3134 or joshua.mike@surpriseaz.gov. If EPS Group, Inc. or the City does not receive a response from you by June 9, 2021, it will be understood that you are not interested in annexing to the City of Surprise.

HOW MUCH DOES IT COST TO ANNEX?

There will be no cost to you to be included with the requests.

WHAT IF THERE IS ONLY SCATTERED INTEREST IN ANNEXING TO THE CITY?

The City is responsible for ensuring logical boundary expansions of cities. This includes ensuring that territory involved in annexation is physically contiguous to city boundaries and that the annexation configuration assures the efficient provision of municipal services. Although annexation boundaries are evaluated on a case-by-case basis, the City's goal is to annex blocks of territory that round out city boundaries and avoid creating unincorporated islands. If the annexation survey of this area results in a scattered response of property owners favoring annexation, the City may decide not to annex properties within the survey area and annex only the area requesting annexation.

HOW LONG WILL IT TAKE TO COMPLETE THE ANNEXATION PROCESS?

To complete the process, it will take approximately 10-12 months. A specific set of steps must be completed prior to and during a required 30-day waiting period before a 1-year timeline is initiated to obtain the necessary signatures on the annexation petition. After the signatures on the annexation petition are verified to meet the requirements of A.R.S. 9-471, the mayor and City Council shall consider an ordinance for annexation. The annexation shall be effective 30 days after adoption.

WHAT SERVICES ARE PROVIDED BY THE CITY?

When you annex into the City of Surprise, you gain access to a number of valuable, high quality benefits, such as:

- **Fire Protection & Medical Response:** The average response time for the City of Surprise Fire is 5 minutes. With well trained and certified firefighters, state of the art medical and firefighting equipment and excellent training programs, the City of Surprise Fire Department is one of the best in Arizona.
- **Police Protection:** Surprise Police's average response time for priority-1 calls is under 5 minutes. The Police department has highly trained officers who work to keep the neighborhoods safe and respond quickly to emergencies as they arise.
- **Refuse Recycling Collection:** The City's weekly collection service includes pickup of both trash and recyclables. A low monthly fee also covers other solid waste services such as curbside Brush and Bulky pickup, landfill operations, neighborhood cleanup, annual Christmas tree recycling and household hazardous waste events.
- **Street Maintenance:** Upon annexation, the City of Surprise assumes responsibility for repair, sweeping and maintenance of all paved public streets. Street name and traffic regulation signs also will be maintained and/or installed where appropriate.
- **Neighborhood Services:** The City of Surprise helps interested neighborhoods form neighborhood associations, supports neighborhood associations by mailing newsletters, keeping associations informed about important City issues, and assisting with code enforcement.
- **Participation in City Elections & Decisions:** Joining the City of Surprise gives you a voice in decisions and issues that are governed by the City of Surprise, many of which impact the entire region.
- **Water Services:** Water and wastewater service for your area will not change when you join the City of Surprise.

Sincerely,

Jeffrey M. Blilie

Beus Gilbert McGroder PLLC

(623) 606-0532

Jblilie@beusgilbert.com

163rd Avenue & Grand Avenue
Major General Plan Amendment & Annexation Survey

Please place an "X" in front of the appropriate response and mail this page back to the Planning Division in the stamped envelope provided.

_____ The undersigned owner(s) of property hereby give consent to their property being included in the proposed Major General Plan Amendment.

_____ The undersigned owner(s) of property hereby give consent to their property being included in the proposed Annexation to the City of Surprise.

_____ The undersigned owner(s) of property hereby do not give consent to their property being included in the proposed Major General Plan Amendment.

_____ The undersigned owner(s) of property hereby do not give consent to their property being included in the proposed Annexation to the City of Surprise.

Name (please print) Signature Date

Name (please print) Signature Date

Address (please print)

Assessor Parcel Number(s)

Phone Number

APPENDIX 3



**163rd Avenue & Grand Avenue
Major General Plan Amendment & Annexation Survey**

Please place an "X" in front of the appropriate response and mail this page back to the Planning Division in the stamped envelope provided.

___ The undersigned owner(s) of property hereby give consent to their property being included in the proposed Major General Plan Amendment.

___ The undersigned owner(s) of property hereby give consent to their property being included in the proposed Annexation to the City of Surprise.

☒ The undersigned owner(s) of property hereby do not give consent to their property being included in the proposed Major General Plan Amendment.

☒ The undersigned owner(s) of property hereby do not give consent to their property being included in the proposed Annexation to the City of Surprise.

CURTIS R. SCHULTZ
Name (please print)

[Signature]
Signature

6/1/21
Date

Name (please print)

Signature

Date

[Redacted Address]
Address (please print)

Assessor Parcel Number(s)

[Redacted Phone Number]
Phone Number



**163rd Avenue & Grand Avenue
Major General Plan Amendment & Annexation Survey**

Please place an "X" in front of the appropriate response and mail this page back to the Planning Division in the stamped envelope provided.

☒ The undersigned owner(s) of property hereby give consent to their property being included in the proposed Major General Plan Amendment.

☐ The undersigned owner(s) of property hereby give consent to their property being included in the proposed Annexation to the City of Surprise.

☐ The undersigned owner(s) of property hereby do not give consent to their property being included in the proposed Major General Plan Amendment.

☒ The undersigned owner(s) of property hereby do not give consent to their property being included in the proposed Annexation to the City of Surprise.

WALTER WONG
Name (please print)

Walter Wong
Signature

6/9/2021
Date

Shirley Wong
Name (please print)

Shirley Wong
Signature

6/9/2021
Date

[Redacted Address]
Address (please print)

[Redacted Assessor Parcel Number(s)]
Assessor Parcel Number(s)

[Redacted Phone Number]
Phone Number

163rd Avenue & Grand Avenue
Major General Plan Amendment & Annexation Survey

Please place an "X" in front of the appropriate response and mail this page back to the Planning Division in the stamped envelope provided.

☐ The undersigned owner(s) of property hereby give consent to their property being included in the proposed Major General Plan Amendment.

☐ The undersigned owner(s) of property hereby give consent to their property being included in the proposed Annexation to the City of Surprise.

☒ The undersigned owner(s) of property hereby do not give consent to their property being included in the proposed Major General Plan Amendment.

☒ The undersigned owner(s) of property hereby do not give consent to their property being included in the proposed Annexation to the City of Surprise.

Lawrence Hancock [Signature] 5/30/21
Name (please print) Signature Date

Name (please print) Signature Date

[Redacted Address]
Address (please print)

[Redacted]
Assessor Parcel Number(s)

[Redacted]
Phone Number

From: [Natalie Maikoski](#)
To: "Jeffrey Blilie" [REDACTED]
Cc: "Joshua Mike"
Subject: RE: Project on 163rd and Grand Ave in Surprise
Date: Monday, June 14, 2021 3:57:00 PM
Attachments: [image001.png](#)
[21-0187-163rd & Grand Ave. Final Plat \(Narrative\).pdf](#)
[21-0187-163rd & Grand Ave. Major General Plan Amendment \(Exhibit\).pdf](#)

Good afternoon Dr. Musial,

I am a Planner with EPS Group and am representing the property owner regarding a proposed General Plan Amendment and future Rezone and Annexation into the City of Surprise. The owner wishes to develop a high-quality residential community and is requesting the site's General Plan designation be amended from Commerce/Office to Neighborhood land uses.

I've attached our formal General Plan Amendment package to this email for your review. These documents are also currently under review by the City. The Annexation and Rezone requests are anticipated to be submitted after the neighborhood meeting on 6/23.

Please let me know if you have any questions or comments.
Thank you!

Natalie Maikoski (Griffin) | EPS Group, Inc.

Planner

1130 N Alma School Road, Suite 120 | Mesa, AZ 85201

O: 480.503.2250 | natalie.griffin@epsgroupinc.com

[LinkedIn](#) | [Twitter](#) | [Facebook](#)



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From: Jeffrey Blilie <jblilie@beusgilbert.com>
Sent: Friday, June 11, 2021 1:34 PM
To: Natalie Maikoski <Natalie.Maikoski@epsgroupinc.com>
Subject: FW: Project on 163rd and Grand Ave in Surprise

Jeffrey M. Blilie

BEUS GILBERT MCGRODER PLLC

701 North 44th Street | Phoenix, AZ 85008

Direct: 623.606.0532

Email: jblilie@beusgilbert.com

This message may contain confidential and privileged information. If it has been sent to you in error, please reply to advise the sender of the error and then immediately delete this message.

From: izabela musial [REDACTED]

Sent: Friday, June 11, 2021 1:33 PM

To: Jeffrey Blilie <jblilie@beusgilbert.com>; joshua.mike@surpriseaz.gov

Subject: Project on 163rd and Grand Ave in Surprise

Goodafternoon.

My name is Izabela Musial and with my family I live at 16059 W. Pinnacle Peak RD
Im requesting documents regarding this project and maps so I can prepare for the meeting.
The letter is very vague and maps confusing. Please provide us with what is proposed what
developments will be in the area Etc?

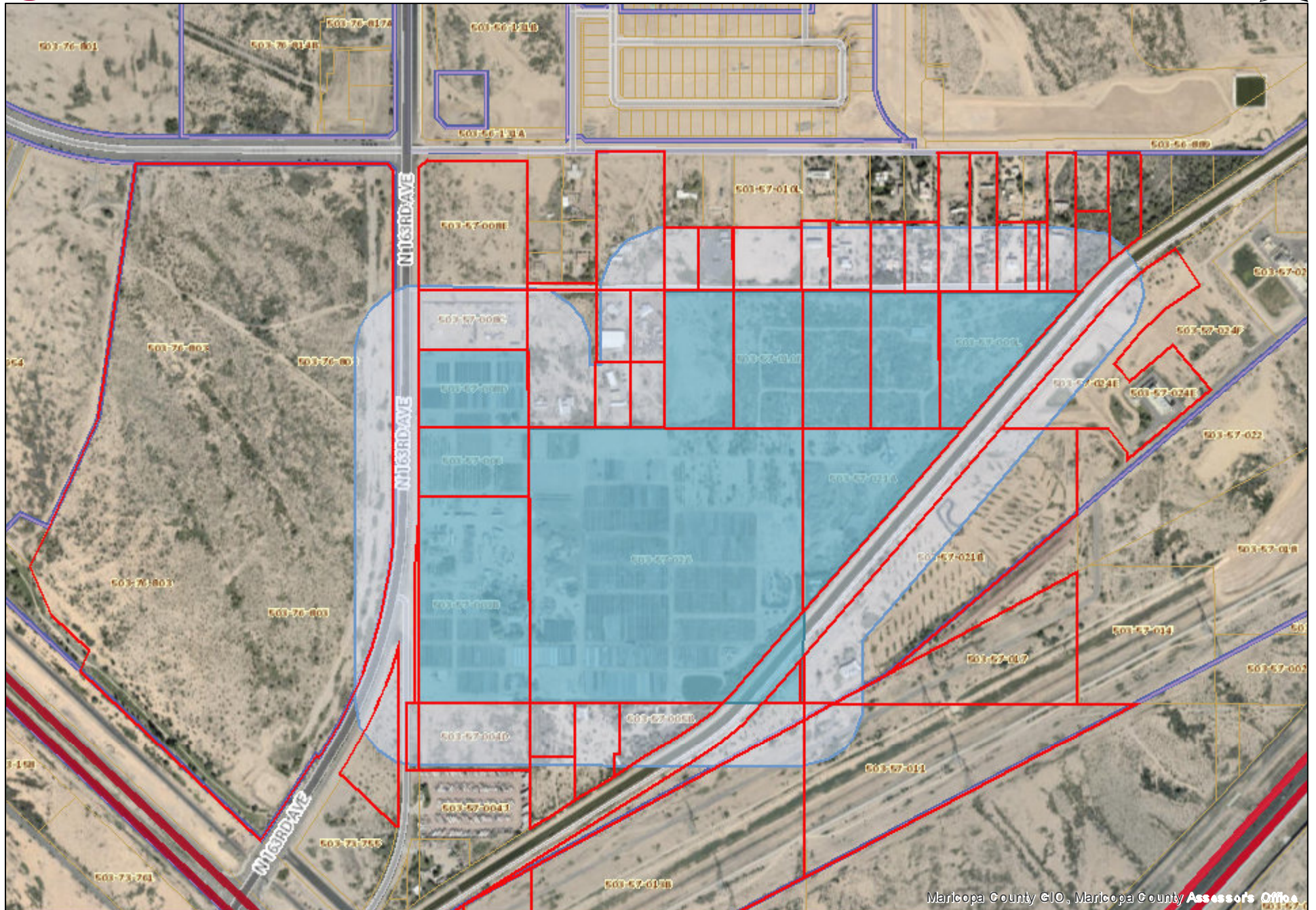
Thank you,
Sincerely,
Izabela Musial MD FAAFP

[REDACTED]

CAUTION - EXTERNAL EMAIL

Phishing? Forward to Helpdesk or _Trouble ticket

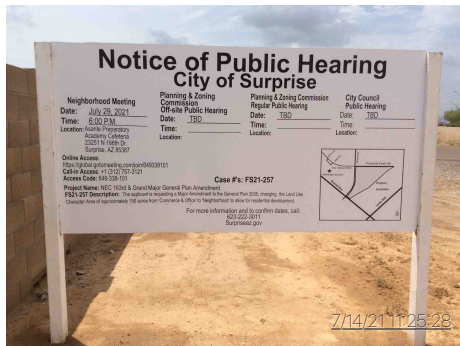
APPENDIX 4



APPENDIX 5

163RD & GRAND AVENUE - MAILING LIST (300')					
APN	OWNER	ADDRESS	CITY	STATE	ZIP
503-57-016	29 PALMS RV & BOAT STORAGE LLC				
503-57-019G	29 PALMS RV & BOAT STORAGE LLC				
503-57-021B	29 PALMS RV & BOAT STORAGE LLC				
503-57-025G	29 PALMS RV & BOAT STORAGE LLC				
503-57-010S	ARREOLA ALFREDO/NORMA				
503-57-010T	BARCLAY SURPRISE INC				
503-57-038A	BREWER MARIA D				
503-57-010N	CAMACHO CESAR/LETITIA				
503-57-008D	CAMPANIA LLC				
503-57-010G	CAMPANIA LLC				
503-57-026	CAMPANIA LLC				
503-57-009W	FERNANDEZ CARMEN R				
503-57-011	FLOOD CONTROL DISTRICT OF MARICOPA COUNTY				
503-57-013B	FLOOD CONTROL DISTRICT OF MARICOPA COUNTY				
503-57-017	FLOOD CONTROL DISTRICT OF MARICOPA COUNTY				
503-57-010Q	FRONSMAN ADELLA M				
503-57-010R	FRONSMAN GEORGE/CRYSTAL				
503-57-033A	GOMEZ CONSEPCION S				
503-57-004C	HANCOCK LAWRENCE G				
503-57-004D	HANCOCK LAWRENCE G				
503-57-008E	HUEY RICHARD G/IRENE TR/WONG W O/S O TR/ETAL				
503-73-028V	JOSEPH A SOLDEVERE/ARLENE R REV TRUST				
503-76-803	KIMCO BARCLAY SURPRISE II LLC				
503-57-024E	LCD ASANTE LLC				
503-57-007G	MC REAL ESTATE DEVELOPMENT LLC				
503-57-007H	MC REAL ESTATE DEVELOPMENT LLC				
503-57-008C	MORGAN CAREY D/LAUREN L				
503-57-047	ODOGUI SAMUEL N/NELLIE				
503-57-048	OROZCO SALVADOR D				
503-57-009U	PASILLAS ANTONIO C/ROSARIO IBARRA				
503-57-009P	PASILLAS ANTONIO/AUGUSTIN				
503-57-010M	PEAK RV STORAGE LLC				
503-57-010K	SKAGGS M R/M E/RUCH R J/N A				
503-57-009X	SOLIS MARIANO/CYNTHIA				
503-57-009Z	SOLIS MARTIN F/ALEJANDRINA/PASILLAS ANTONIO C				
503-57-031	SOLIS MARTIN F/ALEJANDRINA/PASILLAS ANTONIO C				
503-57-045	STANISLAW B MUSIAL AND BOZENA MUSIAL REV LIV				
503-57-046	STANISLAW B MUSIAL AND BOZENA MUSIAL REV LIV				
503-57-003A	VALPARAISO LLC				
503-57-003B	VALPARAISO LLC				
503-57-005B	VALPARAISO LLC				
503-57-005D	VALPARAISO LLC				
503-57-005E	VALPARAISO LLC				
503-57-005F	VALPARAISO LLC				
503-57-006	VALPARAISO LLC				
503-57-009J	VALPARAISO LLC				
503-57-009K	VALPARAISO LLC				
503-57-009L	VALPARAISO LLC				
503-57-010F	VALPARAISO LLC				
503-57-021A	VALPARAISO LLC				
503-57-034	WALKER RONALD/PAULA				

APPENDIX 6



CITY OF SURPRISE
Site posting Process

AFFIDAVIT OF POSTING
(Sign modification)

Application No: FS21-257
Applicant Name: _____
Location: South of the Southeast corner of 163rd and Ave and Pinnacle Peak Rd
Date Site Posted: May 28th, 2021 sign modified: July 14th, 2021

In order to assist in providing adequate notice to interested parties, the applicant for any type of public hearing in the City of Surprise shall erect two (2) signs giving notice of the date, time and place of the scheduled hearings. These signs must be erected not less than **fifteen (15) days prior** to the date of the first hearing. The signs shall also include the nature of the request as contained on the formal zoning application. The size and format of this sign shall meet requirements established by the Planning and Zoning Department (see page 2).

Such notice shall be clearly legible and placed at a prominent location on the site – Generally adjacent and perpendicular to the public right-of-way. It shall be the responsibility of the applicant to erect and to maintain the sign on the subject property and to maintain the hearing information on the sign until final disposition of the case.

It shall also be the responsibility of the applicant to remove the signs within one week after the final disposition of the case.

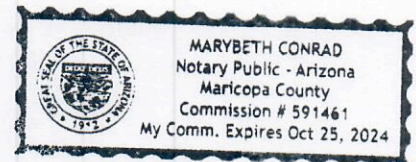
I confirm that the site has been posted as required above, for the case noted above. A picture of the site posting, and photos of any subsequent changes/updates made to the sign, have also been submitted.

Maria Hitt 7-14-2021
Applicant/Representative Signature Date

This instrument was acknowledged before me on this 14th day of July, 2021, and by Maria Hitt. I witness whereof I hereunto set my hand and official seal.

Marybeth Conrad
Notary Public
10-25-2021
My commission expires

Return completed and notarized **affidavit** and all relevant **photos** to the Planning and Zoning Department at least **fifteen (15) days prior** to the scheduled meeting(s).



AFFIDAVIT OF POSTING

Application No: FS21-512 and FS21-513

Applicant Name:

Location: South of the Southeast corner of 163rd Ave and Pinnacle Peak Rd

Date Site Posted: July 14, 2021

In order to assist in providing adequate notice to interested parties, the applicant for any *type of public hearing* in the City of Surprise shall erect two (2) signs giving notice of the *date, time and place* of the scheduled hearings. These signs must be erected not less than **fifteen (15) days prior to** the date of the first hearing. The signs shall also include the nature of the request as contained on the formal zoning application. The size and format of this sign shall meet requirements established by the Planning and Zoning Department (see page 2).

Such notice shall be clearly legible and placed at a prominent location on the site – Generally adjacent and perpendicular to the public right-of-way. It shall be the *responsibility of the applicant* to erect and to maintain the sign on the subject property and to maintain the hearing information on the sign until final disposition of the case.

It shall also be the *responsibility of the applicant* to remove the signs within one week after the final disposition of the case.

I confirm that the site has been posted as required above, for the case noted above. A picture of the site posting, and photos of any subsequent changes/updates made to the sign, have also been submitted.

Maria Hitt
Applicant/Representative Signature

7-14-2021
Date

This instrument was acknowledged before me on this 14th day of July, 2021, and by Maria Hitt. I witness whereof I hereunto

set my hand and official seal.

Marybeth Conrad
Notary Public
10-25-2024
My commission expires



APPENDIX 7



Sign-In Sheet

Neighborhood Meeting

Please provide all information so that we can provide you with future updates and notifications of meetings and/or hearing.

Name	Larry Hancock	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	Resident
Name	Casimiro Hernandez	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	Resident
Name	Gary Webb & Vicki Webb	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	Resident
Name	Scott & Janice Phillips	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	Resident
Name	Donald Thomas Izabela music	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	Resident
Name	Matt Keating	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	P&Z Commissioner
Name	Sam & Nellie Odogui	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	[REDACTED]
Name	Crystal Fronsman	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	[REDACTED]
Name	Adella Fronsman	Phone	[REDACTED]
Address	[REDACTED]		
Email	[REDACTED]	Affiliation	[REDACTED]

APPENDIX 8

Comment Card
Neighborhood Meeting



Optional

Name: GARY Webb

Address: [REDACTED]

[REDACTED]

Email: [REDACTED]

Would you like to be added to an
e-mail subscription list for updates on
this project?

Yes ☒ No ☐

Please provide your comments:

WHAT ROAD IMPROVEMENT
ARE PLANNED WITH
THIS DEVELOPMENT

AND WILL THE DEVELOPERS
BE HELPING WITH ANY
OF THEM

APPENDIX 9

Meeting Minutes

Project Name: 163rd and Grand Avenue
Project No.: 21-0167

Date: July 29, 2021

Meeting Location: Asante Prep Academy and Online – GoToMeeting
Meeting Date: July 29, 2021
Meeting Time: 6:00 – 6:50 PM

Development Team Attendees:

Jeff Blilie	Beus Gilbert Mcgroder, PLLC	jblilie@beusgilbert.com
David Hughes	EPS Group	david.hughes@epsgroupinc.com
Peter Margoliner	EPS Group	peter.margoliner@epsgroupinc.com
Natalie Maikoski (online)	EPS Group	natalie.maikoski@epsgroupinc.com

Public Attendees:

See attached attendance list.

Meeting Summary:

A neighborhood meeting was held at the above listed date, time and place to discuss a proposed annexation, General Plan Amendment, and Rezone request for future residential development, located on the east corner of 163rd and Grand Avenue, within the proposed annexation boundary of the City of Surprise. Jeff Blilie, along with EPS Group, hosted the meeting and gave a presentation. Following the presentation, a Question & Answer Session was in held in which members of the public were able to ask questions and give comments, to which the Development Team responded to. The public's comments and concerns are described below.

Questions Asked:

- Some residents stated that they did not get letters in the mail while others stated that they did.
 - The Development Team will update the list of residents to be notified of future meetings and Public Hearings.
- How many residential units will be created and if there was going to be any multi-family?
 - There is a multifamily development planned for about 240 units.
- Will the R-3 be for rent?
 - Yes.

Meeting Minutes

Project Name: 163rd and Grand Avenue
Project No.: 21-0167

Date: July 29, 2021

- What will happen to the tree farm?
 - It will go away.
- How long until it develops.
 - An estimate would be around two years.
- Who started the process?
 - The subject site property owners initiated the request and started the process.
- What are the advantages and disadvantages of joining the city?
 - One major advantage is for access to city utilities. A disadvantage discussed was being under City of Surprise code enforcement.
- What will happen to Planada Street? Will it go to 163rd?
 - It will be improved out to 163rd Street.
- How far north will 163rd be improved?
 - 163rd will be improved along the property line and will comply with City requirements for future developments.
- How does council feel about this?
 - The council member that was present was not a fan of the proposed product.
- Is there a range on square footage and price for the proposed development?
 - It is too early to determine price and square footage.
- Will the rezoning affect anything outside the boundary?
 - No.

Conclusion:

The meeting was adjourned at 6:50 PM when no other questions or comments were requested.

The above is the author's recollection of items discussed and the decisions reached. If there are any corrections or additions to be made, please contact the author. These meeting notes shall become part of the project file.

AFFIDAVIT OF POSTING

Application No: FS21-512 & FS21-513

Applicant Name: EPS Group

Location: S SEC of 163rd Ave and Pinnacle Peak Rd

Date Site Posted: 01/04/22

In order to assist in providing adequate notice to interested parties, the applicant for any *type of public hearing* in the City of Surprise shall erect two (2) signs giving notice of the *date, time and place* of the scheduled hearings. These signs must be erected not less than **fifteen (15) days prior to** the date of the first hearing. The signs shall also include the nature of the request as contained on the formal zoning application. The size and format of this sign shall meet requirements established by the Planning and Zoning Department (see page 2).

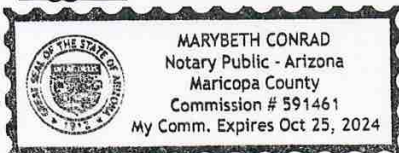
Such notice shall be clearly legible and placed at a prominent location on the site – Generally adjacent and perpendicular to the public right-of-way. It shall be the *responsibility of the applicant* to erect and to maintain the sign on the subject property and to maintain the hearing information on the sign until final disposition of the case.

It shall also be the *responsibility of the applicant* to remove the signs within one week after the final disposition of the case.

I confirm that the site has been posted as required above, for the case noted above. A picture of the site posting, and photos of any subsequent changes/updates made to the sign, have also been submitted.

Meghan Liggett 1/4/22
Applicant/Representative Signature Date

This instrument was acknowledged before me on 01/04/22, by Meghan Liggett. I witness whereof I hereunto set my hand and official seal.



Mary Beth Conrad
Notary Public
10.25.24
My commission expires

*Return completed and notarized **affidavit** and all relevant **photos** to the Planning and Zoning Department at least fifteen (15) days **prior to** the scheduled meeting(s).*

Notice of Public Hearing City of Surprise

FS21-512 Annexation Request FS21-513 Rezone Request

City Council Public Hearing (Blank Petition)

Date: December 21, 2021

Time: 6:00 P.M.

Location: Surprise City Hall
Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

Planning & Zoning Commission Regular Public Hearing

Date: January 20, 2022

Time: 6:00 P.M.

Location: Surprise City Hall
Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

City Council Public Hearing (Discussion)

Date: January 18, 2022

Time: 6:00 P.M.

Location: Surprise City Hall
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16000 N Civil Center Plaza
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City Council Public Hearing (Approval/Denial)

Date: February 15, 2022

Time: 6:00 P.M.

Location: Surprise City Hall Council Chambers
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Surprise, AZ 85374

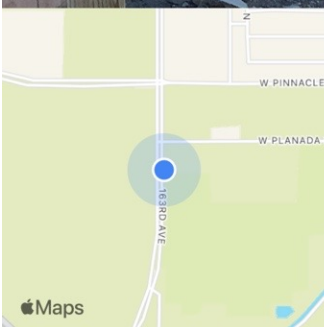
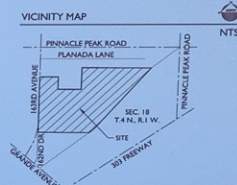
Project Name: NEC 163rd & Grand Major Annexation and Rezone

Description: The applicant is requesting the following entitlements:

FS21-512: An Annexation of approximately 93.97 acres of Maricopa County Unincorporated property into the City of Surprise.

FS21-513: A Rezone of approximately 93.97 acres from Rural Residential (RR) to Residential Low Density (R-1) and Residential High Density (R-3).

For more information, call:
623-222-3011



Jan 4, 2022 at 8:31:32 AM
N 33° 41' 39", W 112° 24' 33"
22907-23125 163rd Ave
Surprise AZ 85387

Notice of Public Hearing City of Surprise

FS21-512 Annexation Request
FS21-513 Rezone Request

City Council Public Hearing (Blank Petition)

Date: December 21, 2021

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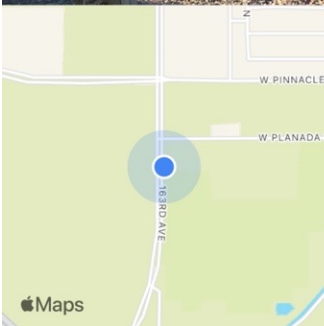
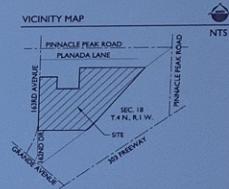
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623-222-3011



Jan 4, 2022 at 8:31:17 AM
N 33° 41' 39", W 112° 24' 33"
22907-23125 163rd Ave
Surprise AZ 85387

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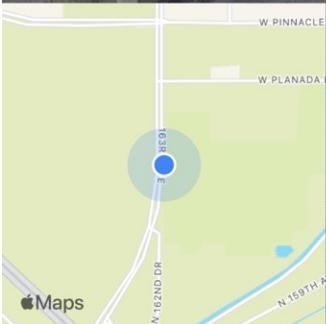
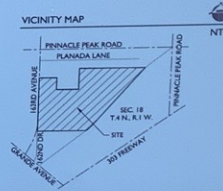
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For more information, call:
623-222-3011



Jan 4, 2022 at 8:28:32 AM
N 33° 41' 32", W 112° 24' 33"
22439 163rd Ave
Surprise AZ 85387

Notice of Public Hearing City of Surprise

FS21-512 Annexation Request FS21-513 Rezone Request

City Council Public Hearing (Blank Petition)

Date: December 21, 2021

Time: 6:00 P.M.

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Council Chambers
16000 N Civil Center Plaza
Surprise, AZ 85374

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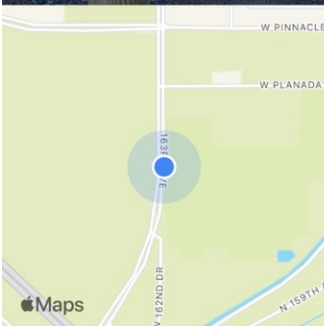
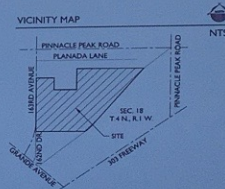
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Jan 4, 2022 at 8:28:16 AM
N 33° 41' 32", W 112° 24' 33"
22439 163rd Ave
Surprise AZ 85387

Notice of Public Hearing City of Surprise

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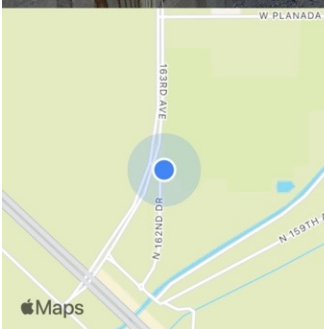
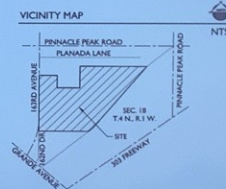
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For more information, call:
623-222-3011



Jan 4, 2022 at 8:24:35 AM
N 33° 41' 25", W 112° 24' 33"
N 162nd Dr
Surprise AZ 85387

Notice of Public Hearing City of Surprise

FS21-512 Annexation Request FS21-513 Rezone Request

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Date: December 21, 2021

Time: 6:00 P.M.

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Council Chambers
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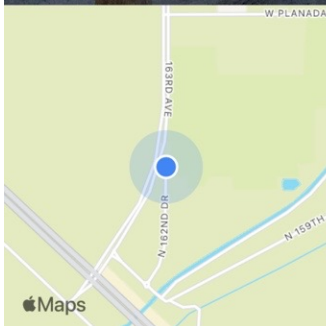
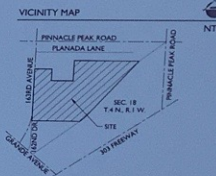
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For more information, call:
623-222-3011



Jan 4, 2022 at 8:24:22 AM
N 33° 41' 25", W 112° 24' 33"
N 162nd Dr
Surprise AZ 85387

ORDINANCE # 2022-03

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING A REZONE FROM RURAL RESIDENTIAL (RR) TO RESIDENTIAL LOW DENSITY (R-1) AND RESIDENTIAL HIGH DENSITY (R-3), FOR APPROXIMATELY 94 ACRES OF PROPERTY LOCATED GENERALLY SOUTH OF PINNACLE PEAK 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 generally south of Pinnacle Peak Road and east of 163rd Avenue;

WHEREAS, the subject site is zoned Rural Residential (RR);

WHEREAS, the proposed use of the subject site requires modification of the applicable zoning regulations;

WHEREAS, the proposed rezone to Residential Low Density (R-1) and Residential High Density (R-3), satisfies the requirements set forth in the Surprise Land Development Ordinance;

WHEREAS, this rezone is in harmony with the purposes and intent of the Land Development Ordinance and the Surprise General Plan 2035; and

WHEREAS, on January 20, 2022, the Planning and Zoning Commission recommended approval of the subject rezone.

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

Section 1. Rezoning. The parcel legally described on ***Exhibit A*** and depicted on ***Exhibit B***, known as “163rd Ave and Grand Ave” is rezoned from Rural Residential (RR) to Residential Low Density (R-1) and Residential High Density (R-3) subject to the following stipulations:

- a. Development and use of the site shall be consistent with the rezone narrative entitled “NEC 163rd Avenue and Grand Ave”, prepared by EPS Group and dated October 1, 2021.

- b. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the applicable provisions of the Surprise Municipal Code.

Section 2. *Amendment of Zoning Map.* The City of Surprise zoning map is herewith amended to reflect the change in districts referred to in Section 1 above.

Section 3. *Codification.* This Ordinance is not of a general nature and shall not be codified.

Section 4. *Repeal of Conflicting Ordinances.* All ordinances or parts of ordinances in conflict with the provisions of this ordinance or any part of the code adopted herein by reference are hereby repealed, upon the effective date of this Ordinance.

Section 5. *Severability.* If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 6. *Effective Date.* This ordinance shall become effective at the time and in the manner prescribed by law.

PASSED AND ADOPTED this _____ day of _____ 2022.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

EXHIBIT A
LEGAL DESCRIPTION FOR PROPERTY



**Legal Description
Annexation & Zoning**

Job No. 21-0787

10/4/2021

A portion of the North Half of Section 18, Township 4 North, Range 1 West of the Gila and Salt River Meridian, Maricopa County Arizona, more particularly described as follows:

BEGINNING at the West Quarter Corner of said Section 18, being marked by a 2-3/4" Maricopa County Highway Department brass cap in handhole, from which the Northwest Corner of said Section 18, being marked by a 3" City of Surprise brass cap flush, bears North 0 degrees 21 minutes 23 seconds East, 2633.85 feet;

thence along the West line of the Northwest Quarter of said Section 18, North 0 degrees 21 minutes 23 seconds East, 1690.43 feet;

thence along the North line of that parcel described in Document No. 2016-0833046 of Maricopa County Records, South 89 degrees 36 minutes 43 seconds East, 580.61 feet to the Northeast corner thereof;

thence along the East line of said parcel, South 0 degrees 01 minutes 53 seconds East, 373.51 feet to the Northwest Corner of the Southeast Quarter of the Northwest Quarter of said Section 18;

thence along the North line of said Southeast Quarter, South 89 degrees 37 minutes 24 seconds East, 659.08 feet to the Southwest Corner of that parcel described in Document No. 2018-0374381 of Maricopa County Records;

thence along the West line of said parcel, North 0 degrees 00 minutes 05 seconds West, 658.06 feet to the Northwest Corner thereof;

thence along the North line of said parcel and also along the North line of that parcel described in Document No. 2015-0095268 of Maricopa County Records, South 89 degrees 39 minutes 37 seconds East, 658.43 feet to the Northeast corner thereof;

thence along the North line of those parcels described in Document No. 2012-0451702 of Maricopa County Records, South 89 degrees 37 minutes 09 seconds East, 1318.44 feet;

EPS Group, Inc. • 1130 N. Alma School Rd, Suite 120 • Mesa, AZ 85201
Tel (480) 503-2250 • Fax (480) 503-2258

S:\Projects\2021\21-0187\Land Survey\Legals\21-0187 LD03 Annex & Zoning.docx

Ordinance No. 2022-03
RFLS # 8113
Rev 01/22



thence continuing along said North line, South 89 degrees 39 minutes 13 seconds East, 17.68 feet to a point on the Northwestern right-of-way of the Maricopa County Municipal Water Conservation District No. 1 Main Canal;

thence along said Northwestern right-of-way, South 41 degrees 18 minutes 56 seconds West, 2498.28 feet to the beginning of a curve, concave Northwest, having a radius of 1230.67 feet;

thence continuing along said Northwestern right-of-way, Southwesterly 123.92 feet along the arc of said curve to the right through a central angle of 5 degrees 46 minutes 09 seconds to a point on the South line of the Southeast Quarter of the Northwest Quarter of said Section 18;

thence along said South line, on a non-tangent line North 89 degrees 34 minutes 37 seconds West, 917.36 feet to the Southeast corner of Lot 2 of said Section 18;

thence along the South line of said Lot 2, North 89 degrees 33 minutes 38 seconds West, 591.82 feet to the **POINT OF BEGINNING**.

Contains 4,094,097 square feet or 93.9875 acres, more or less.

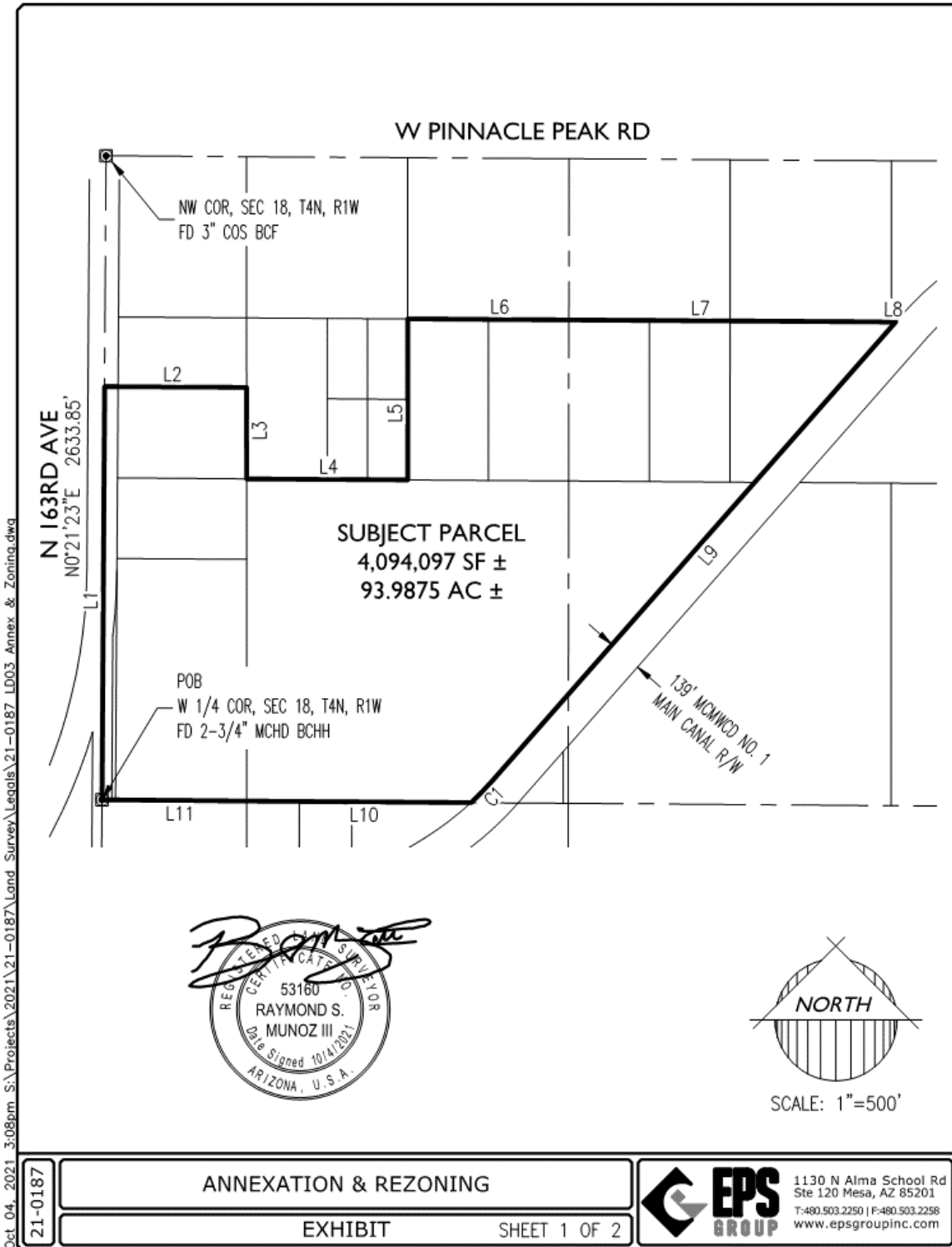


EPS Group, Inc. • 1130 N. Alma School Rd, Suite 120 • Mesa, AZ 85201
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S:\Projects\2021\21-0187\Land Survey\Legals\21-0187 LD03 Annex & Zoning.docx

Ordinance No. 2022-03
RFLS # 8113
Rev 01/22

EXHIBIT B
DEPICTION OF THE PROPERTY TO BE RE-ZONED



Ordinance No. 2022-03
RFLS # 8113
Rev 01/22

Oct 04, 2021 3:09pm S:\Projects\2021\21-0187\Land Survey\Legals\21-0187 LD03 Annex & Zoning.dwg 21-0187

LINE TABLE		
LINE	BEARING	LENGTH
L1	N00°21'23"E	1690.43'
L2	S89°36'43"E	580.61'
L3	S00°01'53"E	373.51'
L4	S89°37'24"E	659.08'
L5	N00°00'05"W	658.06'
L6	S89°39'37"E	658.43'

LINE TABLE		
LINE	BEARING	LENGTH
L7	S89°37'09"E	1318.44'
L8	S89°39'13"E	17.68'
L9	S41°18'56"W	2498.28'
L10	N89°34'37"W	917.36'
L11	N89°33'38"W	591.82'

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C1	123.92'	1230.67'	5°46'09"	62.01'	123.87'	S44°12'01"W



21-0187

ANNEXATION & REZONING

EXHIBIT

SHEET 2 OF 2



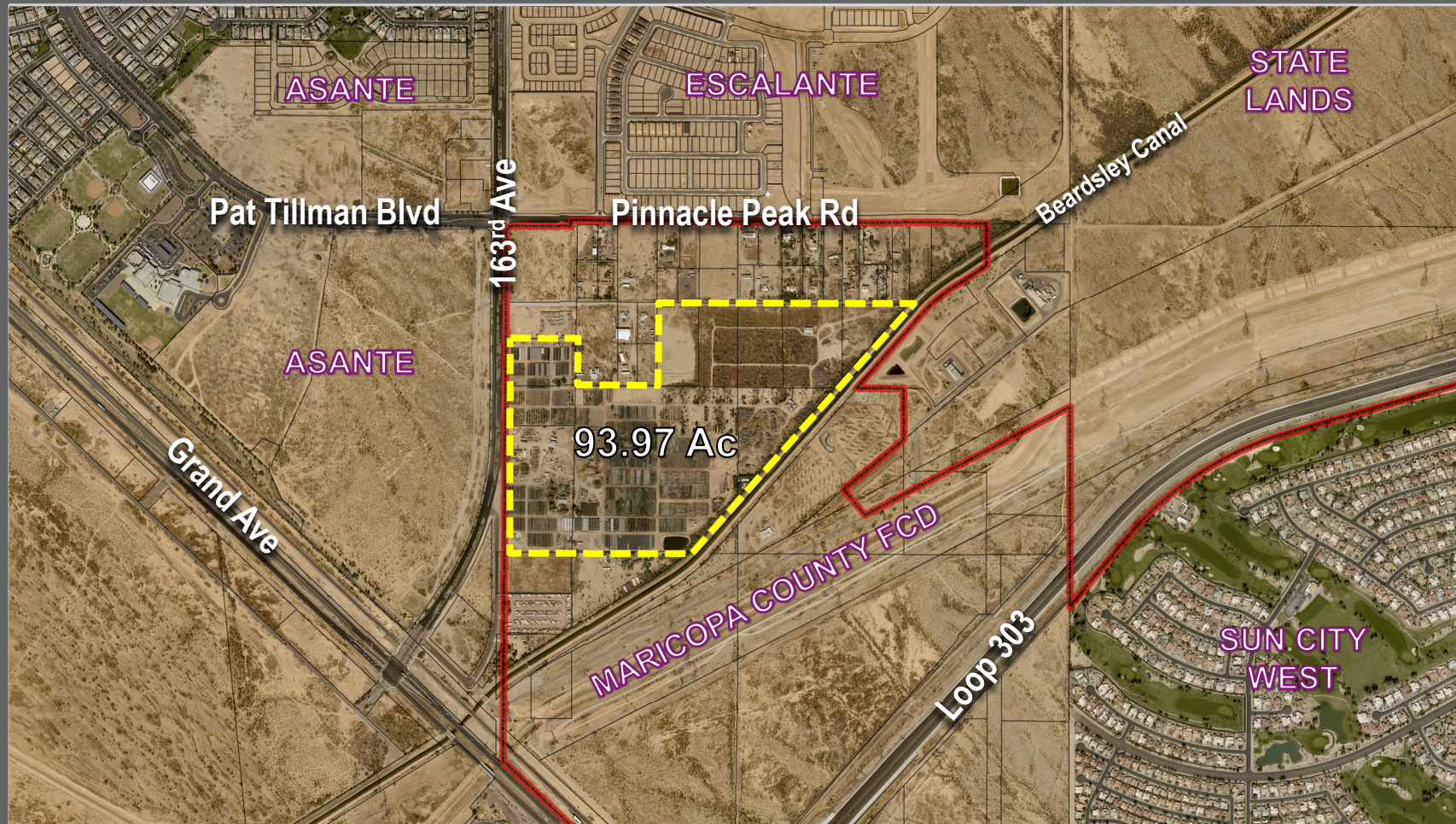
1130 N Alma School Rd
Ste 120 Mesa, AZ 85201
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com



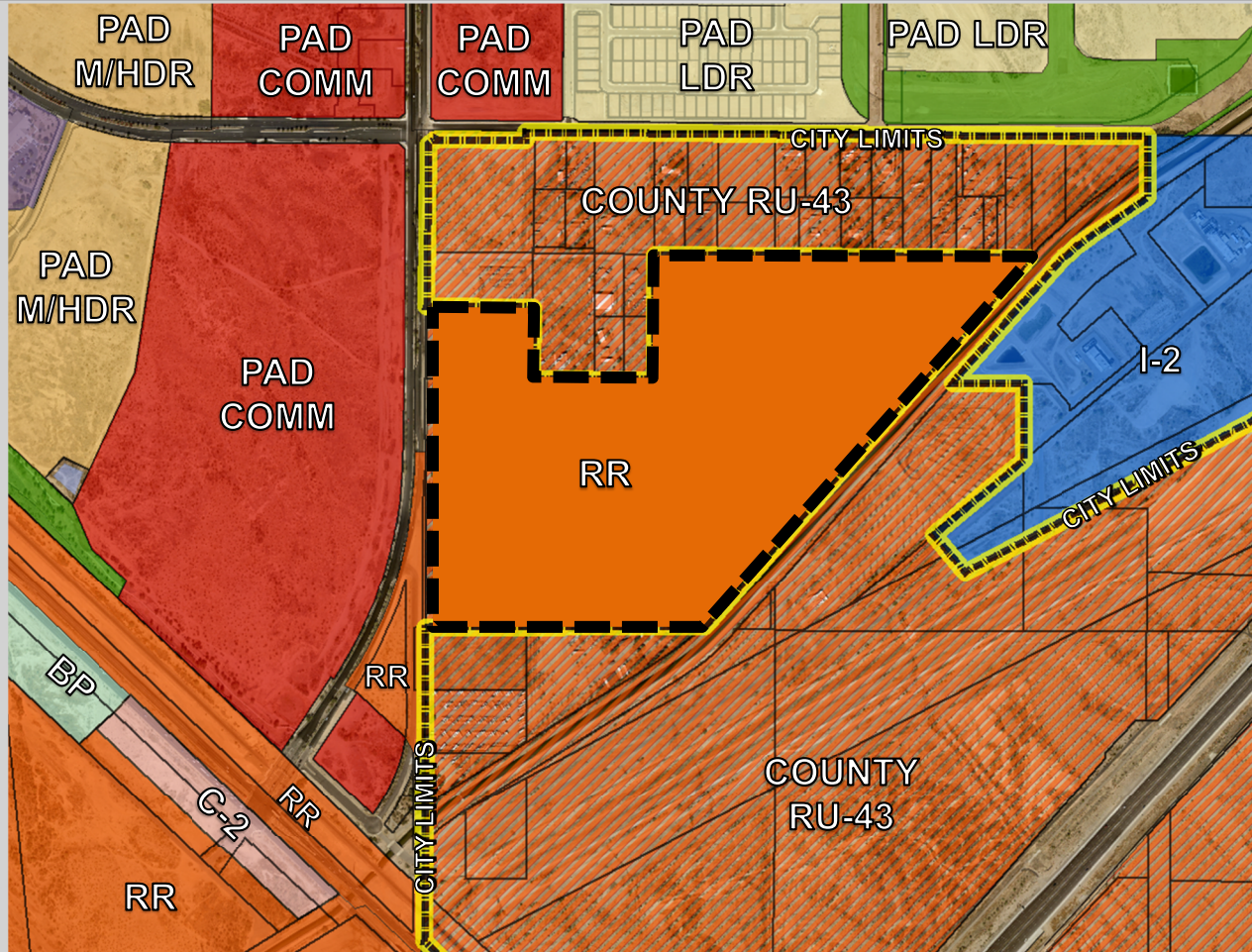
SURPRISE
ARIZONA

FS21-513
163rd Ave & Grand Ave
Rezone

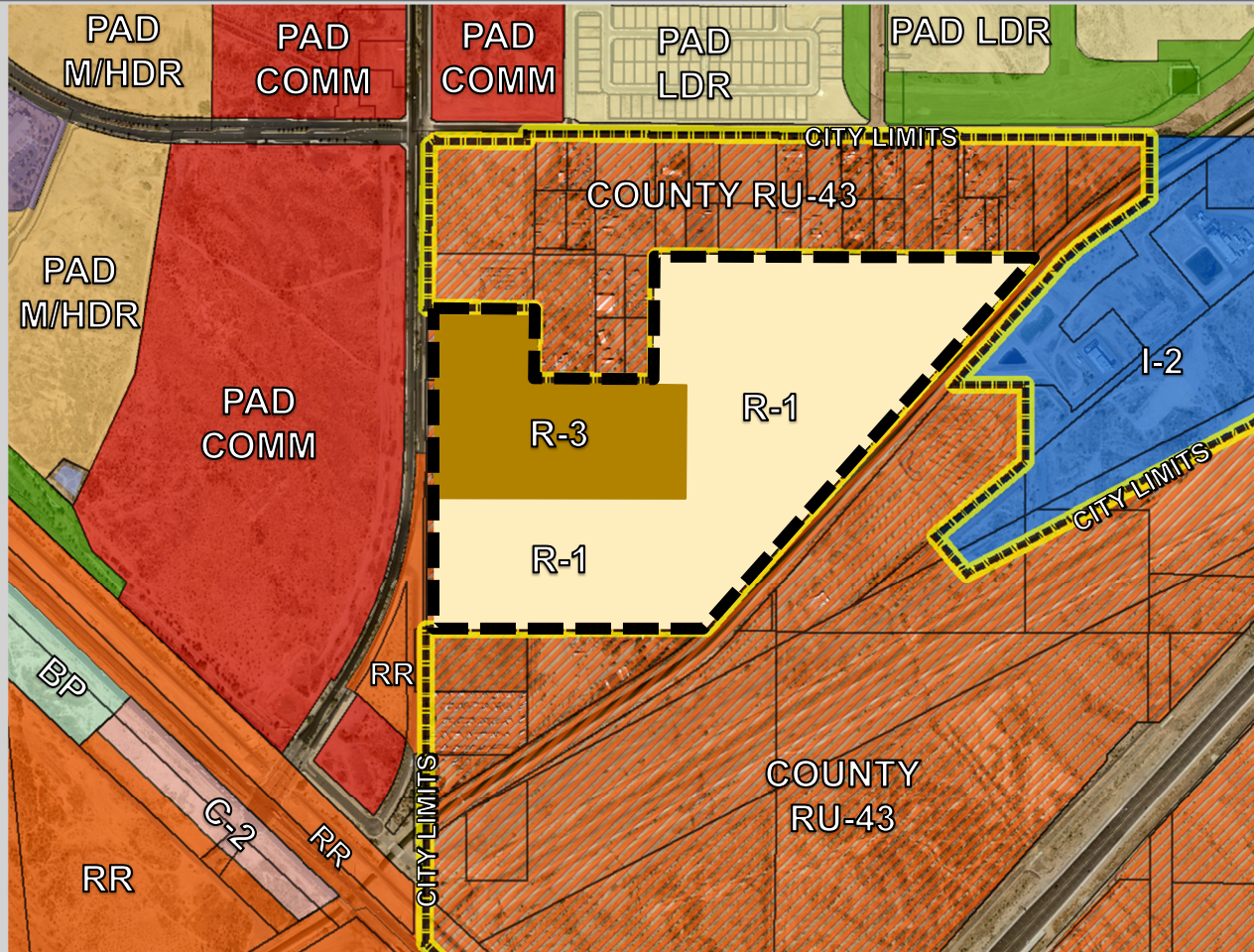
City Council
February 15, 2022



VICINITY MAP



POST ANNEX ZONING



PROPOSED ZONING



OUTREACH

Neighborhood Meeting: July 29, 2021

- Infrastructure Improvements
- Proposed Uses

Outside Agencies Review

- No Concerns





RECOMMENDATION

January 20, 2022

P&Z Commission Recommended Approval to the Mayor and City Council, subject to stipulation 'a' and 'b'.



SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: February 15, 2022
Submitting Department: Human Resources
Staff Recommendations:

Contact Person:
District: Internal

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

Consideration and action pertaining to approval of an amendment to the Surprise Municipal Code establishing the Internal Auditor position as an appointed official; Ordinance # 2022-07.

Motion:

I move to approve Ordinance # 2022-07.

Background:

The Internal Audit Program was adopted in City Code in September 2016 as Chapter 2, Article XI. This established an internal city audit program, defined the responsibilities of the internal auditor, and addressed the independence of the internal auditor.

Objective Analysis:

These proposed code changes will change the current Internal Auditor - Senior non-classified employee position to an appointed official titled the City Auditor. The City Auditor will functionally report to the audit committee and serve at the pleasure of city council.

Policy Compliant:

These proposed code changes will allow the City Auditor to operate independent of city operations and without management interference.

Financial Impact:

There is no financial impact associated with these code changes.

Budget Impact:

There is no budget impact associated with these code changes.

FTE Impact:

There is no FTE impact associated with these code changes.

ATTACHMENTS:

1. Chapter 2 - Article III_V2
 2. Chapter 3 - Article I
 3. City Auditor Appointed Official
 4. Chapert 2 - Article XI
 5. 22.02.06 Auditor Ord #2022-07
-

ARTICLE III. APPOINTED OFFICIALS¹

¹Editor's note(s)—Ord. No. 2013-09, § 2(Exh. A), adopted Nov. 12, 2013, repealed the former Art. III, §§ 2-121—2-123, 2-145—2-149, and enacted a new Art. III as set out herein. The former Art. III pertained to officers and employees and derived from Code 2007, §§ 2.08.010, 2.08.020, 2.08.050, 2.08.060, 2.08.070, 2.09.010, 2.10.010, 2.12.030; Ord. No. 07-06, § 3, adopted March 22, 2007; Ord. No. 09-20, § 2, adopted May 14, 2009.

State law reference(s)—Public officers and employees, A.R.S. § 38-101 et seq.

PART I - GENERAL ORDINANCES
Chapter 2 - ADMINISTRATION
ARTICLE III. - APPOINTED OFFICIALS
DIVISION 1. GENERALLY

DIVISION 1. GENERALLY²

²Editor's note(s)—Ord. No. 2017-04, § 1, adopted Jan. 3, 2017, repealed Ord. No. 2015-24, adopted Nov. 3, 2015, which previously amended §§ 2-100 and 2-101. Said sections were reinstated in the forms adopted by prior Ord. No. 2013-09, § 2(Exh. A), adopted Nov. 12, 2013, as set out herein.

Sec. 2-100. Officials, generally.

The appointed officials of the city will consist of the city manager, city clerk, city attorney, city auditor, and the presiding city court judge. The city council hereby delegates to the city manager the council's statutory authority to appoint the police chief, fire chief, and city engineer.

(Ord. No. 2013-09, § 2(Exh. A), 11-12-13)

Sec. 2-101. Noninterference by council.

(a) Neither the city council nor any of its members may:

- (1) Direct or give orders, either publicly or privately, to any city employee under the supervision of an appointed official.
- (2) Request the appointment of any person to or removal from employment, or participate in any manner in the appointment or removal of any employee, other than appointed officials under this article.

(b) City council will address matters of concern directly with its appointed officials and will limit interaction with all other city employees to the purpose of inquiry.

(Ord. No. 2013-09, § 2(Exh. A), 11-12-13)

Secs. 2-102—2-119. Reserved.*DIVISION 2. CITY MANAGER³*

³State law reference(s)—City manager authorized, A.R.S. § 9-303.

Sec. 2-120. Appointment.

- (a) The city council will appoint a city manager to serve as the operational and administrative head of the city. The city manager will serve at the pleasure of the city council.
- (b) The city manager will be chosen solely on the basis of executive and administrative qualifications with special reference to actual experience in or knowledge of accepted practice in respect to the duties of the office set forth in this division. No council member may receive such appointment during the term for which the council member has been elected.

(Ord. No. 2013-09, § 2(Exh. A), 11-12-13)

Sec. 2-121. Terms and conditions of employment.

The terms and conditions of employment of the city manager will be set forth in a written contract approved by majority vote of the city council. The employment contract may be terminated by majority vote of the city council at any time and for any reason. No term or condition in the employment contract may be inconsistent with this division.

(Ord. No. 2013-09, § 2(Exh. A), 11-12-13)

Sec. 2-122. Powers and duties.

- (a) The city manager may delegate the authority of the city manager to subordinate employees.
- (b) The city manager is authorized to appoint, supervise, direct, discipline, and terminate all officers and employees of the city except appointed officials or as otherwise set forth in this article.
- (c) The city manager will:
 - (1) Manage the day to day operations of the city;
 - (2) Carry out the goals and directives of the city council;
 - (3) Prepare and present a recommended budget to the city council annually;
 - (4) Keep the city council advised of the financial condition and future needs of the city, and make such recommendations as are appropriate;
 - (5) Recommend for city council action measures necessary or expedient for the health, safety, or welfare of the community;
 - (6) Attend city council meetings unless excused;
 - (7) See that all laws and ordinances are duly enforced; and
 - (8) Perform any other duties or responsibilities otherwise described in this Code.

(Ord. No. 2013-09, § 2(Exh. A), 11-12-13)

Editor's note(s)—Ord. No. 2017-04, § 1, adopted Jan. 3, 2017, repealed Ord. No. 2015-24, adopted Nov. 3, 2015, which previously amended § 2-122(a) and (b). Said subsections were reinstated in the form adopted by prior Ord. No. 2013-09, § 2(Exh. A), adopted Nov. 12, 2013, as set out herein.

Secs. 2-123—2-139. Reserved.

PART I - GENERAL ORDINANCES
Chapter 2 - ADMINISTRATION
ARTICLE III. - APPOINTED OFFICIALS
DIVISION 3. CITY ATTORNEY

DIVISION 3. CITY ATTORNEY⁴

⁴Editor's note(s)—Ord. No. 2017-04, § 1, adopted Jan. 3, 2017, repealed Ord. No. 2015-24, adopted Nov. 3, 2015, which previously amended §§ 2-140 and 2-141. Said sections were reinstated in the forms adopted by prior Ord. No. 2013-09, § 2(Exh. A), adopted Nov. 12, 2013, as set out herein.

Sec. 2-140. Appointment.

The city council will appoint a city attorney who will be the chief legal adviser of all officers, departments and agencies and of all officers and employees in matters relating to their official powers and duties. The city attorney will serve at the pleasure of the city council. The city council reserves the right to engage other legal counsel as its discretion.

(Ord. No. 2013-09, § 2(Exh. A), 11-12-13)

Sec. 2-141. Terms and conditions of employment.

The terms and conditions of employment of the city attorney will be set forth in a written contract approved by majority vote of the city council. The employment contract may be terminated by majority vote of the city council at any time and for any reason. No term in the employment contract may be inconsistent with this division.

(Ord. No. 2013-09, § 2(Exh. A), 11-12-13)

Sec. 2-142. Legal department.

- (a) There will be a legal department headed by the city attorney consisting of a civil division and a criminal division and such other divisions or sections as designated by the city attorney.
- (b) Except for legal counsel engaged by the city council and the local PSPRS boards, all legal counsel for the city will be engaged exclusively by the city attorney and no expenditure may be made or indebtedness incurred for legal services except with the written consent and approval of the city attorney.

(Ord. No. 2013-09, § 2(Exh. A), 11-12-13; Ord. No. 2019-34 , § 1, 12-19-19)

Sec. 2-143. Powers and duties of office.

- (a) The city attorney, or designee, will represent the city in all matters and proceedings in which the city, its officers or employees acting in their scope of authority, are a party.
- (b) The city attorney is authorized to appoint, supervise, direct, discipline, and terminate all city employees in the legal department.
- (c) The city attorney will comply will all city policies and procedures of the city unless inconsistent with this Code.
- (d) The city will be the sole client of the city attorney.
- (e) The city attorney will attend all city council meetings unless excused.
- (f) The city attorney, or designee, will draft and/or review and approve:
 - (1) All agreements of any kind to which the city, its officers or employees in their official capacity, is a party;
 - (2) All ordinances and resolutions;
 - (3) Pleadings, motions or other court filings; and
 - (4) All other legal documents of the city.
- (g) The city attorney will perform any other duties or responsibilities otherwise describe in this Code.

(Ord. No. 2013-09, § 2(Exh. A), 11-12-13)

Secs. 2-144—2-159. Reserved.

DIVISION 4. CITY CLERK

Sec. 2-160. Appointment.

The city council will appoint a city clerk who will be the official document and record custodian of the city. The city clerk will serve at the pleasure of the city council.

(Ord. No. 2013-09, § 2(Exh. A), 11-12-13)

Sec. 2-161. Terms and conditions of employment.

The terms and conditions of employment of the city clerk will be set forth in a written contract approved by majority vote of the city council. The employment contract may be terminated by majority vote of the city council at any time and for any reason. No term in the employment contract may be inconsistent with this division.

(Ord. No. 2013-09, § 2(Exh. A), 11-12-13)

Sec. 2-162. Powers and duties of office.

- (a) The city clerk is authorized to appoint, supervise, direct, discipline, and terminate all city employees under the supervision of the city clerk.
- (b) The city clerk will comply will all city policies and procedures of the city unless inconsistent with this Code.
- (c) The city clerk will:
 - (1) Keep and maintain official city documents, including official copies of the city Code, council meeting minutes, ordinances, resolutions, contracts/agreements, deeds and easements, leases, insurance certificates, bonds, annexation documents, notarized affidavits of publications, meeting and agenda postings;
 - (2) Assure city compliance with public records law and retention/destruction requirements;
 - (3) Respond to requests for public records;
 - (4) Serve as the chief elections officer of the city;
 - (5) Administer council meetings;
 - (6) Affix the city seal on all official documents;
 - (7) Attest to all official acts of the mayor;
 - (8) Assure compliance with posting and minutes requirements under the open meeting laws for all city public bodies;
 - (9) Attend all meetings of the common council unless excused; and
 - (10) Perform any other duties or responsibilities otherwise describe in this Code.

(Ord. No. 2013-09, § 2(Exh. A), 11-12-13)

PART I - GENERAL ORDINANCES
Chapter 2 - ADMINISTRATION
ARTICLE III. - APPOINTED OFFICIALS
DIVISION 4. CITY CLERK

Secs. 2-163—2-166. Reserved.

DIVISION 5. CITY AUDITOR

Sec. 2-170 Appointment.

The city council will appoint a city auditor who will oversee the internal audit program outlined in Chapter 2, Article XI. The city auditor will functionally report to the audit committee and serve at the pleasure of the city council.

Sec. 2-171. Terms and conditions of employment.

The terms and conditions of employment of the city auditor will be set forth in a written contract approved by majority vote of the city council. The employment contract may be terminated by majority vote of the city council at any time and for any reason. No term in the employment contract may be inconsistent with this division.

Sec. 2-172. Powers and duties of office.

- (a) The city auditor is authorized to appoint, supervise, direct, discipline, and terminate all city employees under the supervision of the city auditor.
- (b) The city auditor will comply will all city policies and procedures of the city unless inconsistent with this Code.
- (c) The city auditor will periodically:
 - 1) Develop a flexible, risk-based internal annual audit plan including any risks or control concerns identified by city management. The plan will be and submitted to the audit committee for review and approval, as well as periodic updates;
 - 2) Implement the annual audit plan, as approved, including as appropriate any special tasks or projects requested by city management and the audit committee;
 - 3) Evaluate the adequacy of actions taken by city management to correct reported deficiencies;
 - 4) Present final internal audit reports with management responses and action plans to the audit committee and applicable parties;
 - 5) Maintain and present to the audit committee a summary and status of open audit recommendations;
 - 6) Present an annual audit activity report summarizing the prior fiscal year accomplishments of the city audit program;
 - 7) Keep the audit committee informed of emerging trends and successful practices in internal auditing.
 - (8) Perform any other duties or responsibilities otherwise describe in this Code.

Secs. 2-173—2-179. Reserved.

Sec. 3-15. Categories of employment.

- (a) *Employment categories.* All employment positions with the city fall into one of the following defined employment categories:
- (1) *Appointed officials.* Positions whose incumbents are appointed by and serve pursuant to the terms of an employment contract with the mayor and city council, or positions for which the appointment power has been delegated to the city manager pursuant to section 2-100 of this Code. Appointed officials include:
 - a. City manager.
 - b. City attorney.
 - c. City clerk.
 - d. Presiding judge.
 - e. Associate judges.
 - f. City auditor
 - (2) *Nonclassified employees.* Employee positions not included in the classified service are nonclassified employees. Persons in nonclassified positions are at-will employees and serve at the discretion of their hiring official. Nonclassified positions include:
 - a. Assistant and deputy city managers.
 - b. Senior administrative specialists.
 - c. All employees in the office of the city manager.
 - d. All department director/assistant department director positions.
 - e. All other manager positions.
 - f. All employees in the city attorney's office/legal department.
 - g. Classified employees in their introductory period of employment.
 - h. All employees meeting the definition of supervisor per city policy.
 - i. Fire and police recruits.
 - j. Part-time or temporary, employees.
 - k. All employees in the mayor or council office.
 - l. All employees in the human resources department.
 - m. All employees in the information technology department.
 - n. All employees in the office of the city clerk.
 - o. All employees reporting to the city auditor.
 - (3) *Classified employees.* Employee positions with the city other than those designated as nonclassified or appointed officials are classified employees.
- (b) *Scheduling categories.* All employment positions with the city fall into one of the following defined scheduling categories:
- (1) *Full-time.* A position scheduled to work at least 40 hours per week on a regularly scheduled basis.

-
- (2) *Part-time*. A position scheduled to work less than 40 hours per week on a regularly scheduled basis.
- (c) *Duration categories*. All employment positions with the city fall into one of the following defined duration categories:
- (1) *Regular*. A position requiring a regular schedule of at least 26 bi-weekly pay periods (27 in certain years) in a calendar year.
- (2) *Temporary*. A position in which an employee works on a full or part-time basis for a fixed period of time.

(Ord. No. 08-42, § 1(Exh. A), 9-25-08; Ord. No. 2011-10, § 1, 6-28-11; Ord. No. 2019-27, § 1, 11-5-19; Ord. No. 2020-29, § 2, 10-20-20)

Editor's note(s)—Ord. No. 2017-04, § 1, adopted Jan. 3, 2017, repealed Ord. No. 2015-24, adopted Nov. 3, 2015, which previously amended § 3-15(a)(1). Said subsection was reinstated in the form adopted by prior Ord. No. 08-42, § 1(Att. A), adopted Sept. 25, 2008, as set out herein.



City Auditor to Appointed Official

Donna Meuse, Director of Human Resources
February 15, 2022

Background

- Internal Audit Program adopted to City Code in September 2016
 - Established an internal city audit program charged with conducting financial, performance, contract compliance, and internal control audits
 - Outlined responsibilities for internal auditor
 - Addressed the independence of the internal auditor

Change Category of Employment

- Changing the city auditor from a non-classified employee to an appointed official means:
 - Functionally report to the audit committee
 - Serve at the pleasure of city council
 - Terms and conditions of employment are contained in a written contract approved by majority vote of city council
 - Performance evaluation conducted by city council (Sec. 3-23 Performance Manager)

Code Updates – Chapter 3

- Chapter 3 – Personnel
- Article I – General Provisions
- Section 3-15 Categories of Employment
 - Added City Auditor as an appointed official
 - Identifies any direct reports of the City Auditor as non-classified employees

Code Updates – Chapter 2

- Chapter 2 – Administration
- Article III – Appointed Officials
- Updated Sec. 2-100 Officials, generally.
 - Added City Auditor as appointed official
- Added Division 5. City Auditor
 - Sec. 2-170 Appointment
 - Sec. 2-171 Terms and conditions of employment
 - Sec. 2-172 Powers and duties of office

Code Updates – Chapter 2 Continued

- Chapter 2 – Administration
- Article XI – Internal Audit Program
- Updated Sec. 2-372 Establishment and Sec. 2-375 Independence of internal auditor
 - City auditor will functionally report to the audit committee and serve at the pleasure of city council
- Added Sec. 2-378 Interference with city auditor prohibited

Next Steps

- Vote on city code changes
- Vote to approve contract and appoint current incumbent serving as the Internal Auditor – Senior to the City Auditor position (future council meeting)



SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You

ARTICLE XI. INTERNAL AUDIT PROGRAM¹

¹Editor's note(s)—Ord. No. 2016-26, § 2(Exh. A), adopted Sept. 6, 2016, set out provisions adding Art. XI, §§ 2-363—2-370. To maintain the existing §§ 2-363—2-368, and at the editor's discretion, these provisions have been included herein as Art. XI, §§ 2-371—2-377.

Sec. 2-371. Purpose.

The purpose of the city audit program is to provide independent and objective assurance and non-auditing services on city programs and activities to city management and city council. Services provided are designed to add value, improve the organizational operations, identify opportunities to minimize organizational risks, maximize efficiency and effectiveness, and strengthen public confidence and accountability.

(Ord. No. 2016-26, § 2(Exh. A), 9-6-16)

Sec. 2-372. Establishment.

There is hereby established an independent internal city audit program charged with conducting financial, performance, contract compliance, and internal control audits of all City of Surprise departments, programs, services, activities, boards, and commissions and reporting audit findings and recommendations to the directors of the affected departments, the city manager, audit committee, and city council. ~~The internal auditor will be supported administratively by the city manager and report functionally to the audit committee. The city auditor will be an appointed official functionally reporting to the audit committee and serving at the pleasure of the city council.~~ The ~~internal-city~~ auditor will organize and administer the city audit program to operate without management interference and shall be provided with free and open access (except where limited by law) to all records, personnel, facilities, systems, and information necessary to carry out these duties.

(Ord. No. 2016-26, § 2(Exh. A), 9-6-16)

Sec. 2-373. Standard of audit practice.

The city audit program will meet the Government Auditing Standards (Yellow Book) published by the Comptroller General of the United States as demonstrated by undergoing a periodic external quality peer review assessment, not exceeding an interval of three years.

(Ord. No. 2016-26, § 2(Exh. A), 9-6-16)

Sec. 2-374. Scope of city audit program.

The scope of the city audit program will be adequately comprehensive to assist city management and the audit committee with determining whether the city's network of risk management, control, and governance processes, as designed and represented by city management, is adequate and functioning in a manner to ensure:

- (a) Risks are appropriately identified and managed;
- (b) Significant financial, managerial, and operating information is accurate, reliable, and timely;
- (c) Employees' actions comply with policies, standards, procedures, and applicable laws and regulations;
- (d) Resources are acquired economically, used efficiently, and adequately protected;
- (e) Programs, plans, and objectives are achieved; and
- (f) Quality and continuous improvement are fostered in the city's control process.

(Ord. No. 2016-26, § 2(Exh. A), 9-6-16)

Sec. 2-375. Independence of internal-city auditor.

The city~~internal~~ auditor will report to the audit committee with respect to the adequacy and effectiveness of internal control systems, but is not intended to participate directly in the operation of those systems. The internal-city auditor is independent of city operations and as such has no responsibility for the management of city operations. The ~~internal-city~~ auditor will not conduct work where there is, or the appearance of, a conflict of interest.

To provide for the independence of the city audit program, the city auditor will be an appointed official functionally reporting to the audit committee and serving at the pleasure of the city council.~~internal auditor will be supported administratively by the city manager and functionally report to the audit committee.~~

(Ord. No. 2016-26, § 2(Exh. A), 9-6-16)

Sec. 2-376. Responsibility of internal-city auditor.

The internal-city auditor will periodically:

- (a) Develop a flexible, risk-based internal annual audit plan including any risks or control concerns identified by city management. The plan will be and submitted to the audit committee for review and approval, as well as periodic updates;
- (b) Implement the annual audit plan, as approved, including as appropriate any special tasks or projects requested by city management and the audit committee;
- (c) Evaluate the adequacy of actions taken by city management to correct reported deficiencies;
- (d) Present final internal audit reports with management responses and action plans to the audit committee and applicable parties;
- (e) Maintain and present to the audit committee a summary and status of open audit recommendations;
- (f) Present an annual audit activity report summarizing the prior fiscal year accomplishments of the city audit program;
- (g) Keep the audit committee informed of emerging trends and successful practices in internal auditing.

(Ord. No. 2016-26, § 2(Exh. A), 9-6-16)

Sec. 2-377. Access.

The internal-city auditor will have unrestricted and independent access to, and the right to request meetings with, the audit committee. Additionally, the city auditor will have access, consistent with law, to all city records, property, information systems, and personnel necessary to accomplish the objectives related to approved annual audit plans.

(Ord. No. 2016-26, § 2(Exh. A), 9-6-16)

Sec. 2-378. Interference with city auditor prohibited.

A department, office, or program subject to an audit by the city auditor and its employees is prohibited from interfering with the initiation and completion of the audit including the findings, conclusions, and recommendations of the audit and any associated reports.

Secs. ~~2-378~~, 2-379. Reserved.

ORDINANCE # 2022-07

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING CHAPTER 2, ARTICLES III AND XI, AND CHAPTER 3, ARTICLE I OF THE SURPRISE MUNICIPAL CODE TO ESTABLISH THE CITY AUDITOR POSITION AS AN APPOINTED OFFICER; INCLUDING SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND REPEALING CONFLICTING ORDINANCES.

WHEREAS, Arizona Revised Statutes § 9-237 et seq. provides City Council, among other things, the authority to establish and appoint, by ordinance, officers it deems necessary;

WHEREAS, Chapter 2, Article XI of the Surprise Municipal Code previously established an Internal Audit Program, and the scope thereof, to be implemented by an internal auditor;

WHEREAS, independence of an auditor is of utmost importance to the audit process and integrity; and

WHEREAS, establishing a City Auditor position as an appointed official who functionally reports to the audit committee and serve at the pleasure of the City Council further ensures the City Auditor's independence and effectiveness.

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

Section 1.

A) Chapter 2, Article III., Sections 2-100 of the Surprise Municipal Code is hereby amended to read as follows:

Sec. 2-100. Officials, generally.

The appointed officials of the city will consist of the city manager, city clerk, city attorney, CITY AUDITOR, and the presiding city court judge. The city council hereby delegates to the city manager the council's statutory authority to appoint the police chief, fire chief, and city engineer.

B) Chapter 2, Article III. of the Surprise Municipal Code is hereby amended by adding a new *Division 5. City Auditor*, including Sections 2-170 through 179, to read as follows:

DIVISION 5. -CITY AUDITOR

Sec. 2-170 Appointment.

The city council will appoint a city auditor who will oversee the internal audit program outlined in Chapter 2, Article XI. The city auditor will functionally report to the audit committee and serve at the pleasure of the city council.

Sec. 2-171. Terms and conditions of employment.

The terms and conditions of employment of the city auditor will be set forth in a written contract approved by majority vote of the city council. The employment contract may be terminated by majority vote of the city council at any time and for any reason. No term in the employment contract may be inconsistent with this division.

Sec. 2-172. Powers and duties of office.

- (a) The city auditor is authorized to appoint, supervise, direct, discipline, and terminate all city employees under the supervision of the city auditor.
- (b) The city auditor will comply will all city policies and procedures of the city unless inconsistent with this Code.
- (c) The city auditor will periodically:
 - 1) Develop a flexible, risk-based internal annual audit plan including any risks or control concerns identified by city management. The plan will be and submitted to the audit committee for review and approval, as well as periodic updates;
 - 2) Implement the annual audit plan, as approved, including as appropriate any special tasks or projects requested by city management and the audit committee;
 - 3) Evaluate the adequacy of actions taken by city management to correct reported deficiencies;
 - 4) Present final internal audit reports with management responses and action plans to the audit committee and applicable parties;
 - 5) Maintain and present to the audit committee a summary and status of open audit recommendations;
 - 6) Present an annual audit activity report summarizing the prior fiscal year accomplishments of the city audit program;
 - 7) Keep the audit committee informed of emerging trends and successful practices in internal auditing.
 - 8) Perform any other duties or responsibilities otherwise describe in this Code.

Secs. 2-173—2-179. Reserved.

Section 2. Chapter 2, Article XI., Sections 2-372 and 2-375 through 2-379 of the Surprise Municipal Code are hereby amended and/or added to read as follows:

Sec. 2-372. Establishment.

There is hereby established an independent internal city audit program charged with conducting financial, performance, contract compliance, and internal control audits of all City of Surprise departments, programs, services, activities, boards, and commissions and reporting audit findings and recommendations to the directors of the affected departments, the city manager, audit committee, and city council. The ~~internal~~ CITY auditor will be ~~supported administratively by the city manager~~ AN APPOINTED OFFICIAL WHO ~~and report~~ functionally REPORTS to the audit committee AND SERVES AT THE PLEASURE OF CITY COUNCIL. The ~~internal~~ CITY auditor will organize and administer the city audit program to operate without management interference and shall be provided with free and open access (except where limited by law) to all records, personnel, facilities, systems, and information necessary to carry out these duties

Sec. 2-375. Independence of ~~internal~~ CITY auditor.

The ~~internal~~ CITY auditor will report to the audit committee with respect to the adequacy and effectiveness of internal control systems, but is not intended to participate directly in the operation of those systems. The ~~internal~~ CITY auditor is independent of city operations and as such has no responsibility for the management of city operations. The ~~internal~~ CITY auditor will not conduct work where there is, or the appearance of, a conflict of interest.

To provide for the independence of the city audit program, the ~~internal~~ CITY auditor will be ~~supported administratively by the city manager~~ and AN APPOINTED OFFICIAL functionally reporting to the audit committee AND SERVING AT THE PLEASURE OF CITY COUNCIL.

Sec. 2-376. Responsibility of ~~internal~~ CITY auditor.

The ~~internal~~ CITY auditor will periodically:

- (a) Develop a flexible, risk-based internal annual audit plan including any risks or control concerns identified by city management. The plan will be and submitted to the audit committee for review and approval, as well as periodic updates;
- (b) Implement the annual audit plan, as approved, including as appropriate any special tasks or projects requested by city management and the audit committee;

- (c) Evaluate the adequacy of actions taken by city management to correct reported deficiencies;
- (d) Present final internal audit reports with management responses and action plans to the audit committee and applicable parties;
- (e) Maintain and present to the audit committee a summary and status of open audit recommendations;
- (f) Present an annual audit activity report summarizing the prior fiscal year accomplishments of the city audit program;
- (g) Keep the audit committee informed of emerging trends and successful practices in internal auditing.

Sec. 2-377. Access.

The ~~internal~~ CITY auditor will have unrestricted and independent access to, and the right to request meetings with, the audit committee. Additionally, the city auditor will have access, consistent with law, to all city records, property, information systems, and personnel necessary to accomplish the objectives related to approved annual audit plans.

Sec. 2-378. Interference with city auditor prohibited.

A department, office, or program subject to an audit shall cooperate with the city auditor or their designee and is prohibited from interfering with the audit process, from initiation to completion, including the findings, conclusions, and recommendations of the audit and any associated reports.

Sec. 2-379. Reserved.

Section 3. Chapter 3, Article I, Section 3-15(a)(1) and (2) of the Surprise Municipal Code are hereby amended to read as follows:

- (1) *Appointed officials.* Positions whose incumbents are appointed by and serve pursuant to the terms of an employment contract with the mayor and city council, or positions for which the appointment power has been delegated to the city manager pursuant to section 2-100 of this Code. Appointed officials include:
 - a. City manager.
 - b. City attorney.
 - c. City clerk.
 - d. Presiding judge.
 - e. Associate judges.
 - F. CITY AUDITOR

- (2) *Nonclassified employees.* Employee positions not included in the classified service are nonclassified employees. Persons in nonclassified positions are at-will employees and serve at the discretion of their hiring official. Nonclassified positions include:
- a. Assistant and deputy city managers.
 - b. Senior administrative specialists.
 - c. All employees in the office of the city manager.
 - d. All department director/assistant department director positions.
 - e. All other manager positions.
 - f. All employees in the city attorney's office/legal department.
 - g. Classified employees in their introductory period of employment.
 - h. All employees meeting the definition of supervisor per city policy.
 - i. Fire and police recruits.
 - j. Part-time or temporary, employees.
 - k. All employees in the mayor or council office.
 - l. All employees in the human resources department.
 - m. All employees in the information technology department.
 - n. All employees in the office of the city clerk.
 - O. ALL EMPLOYEES REPORTING TO THE CITY AUDITOR

Section 4. All ordinances, resolutions or codes in conflict with the provisions of this Ordinance or Code adopted by this Ordinance are repealed.

Section 5. If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of these amendments to the municipal code adopted herein 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 6. This ordinance will become effective 30 days after adoption by City Council.

PASSED AND ADOPTED this _____ day of _____, 2022.

Skip Hall, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney



CITY OF SURPRISE Regular City Council Meeting

Council Meeting Date: February 15, 2022

Contact Person: Chris Boyd, AD - BS DV & CD
ENF

Submitting Department: Community Development District: Citywide

Staff Recommendations: None

Consent: No

Regular: Yes

Public Hearing: No

Report/Discussion: No

Agenda Wording:

Presentation and discussion pertaining to the Temporary Use Permit (TUP) process.

Motion:

Presentation and discussion only.

Background:

Most special events, as defined in the City of Surprise Land Development Ordinance 106-10.42, are required to have an approved Temporary Use Permit (TUP), which require the event coordinator/applicant to complete and submit the appropriate application for such events. Events that occur on City property have historically required both a TUP and a City of Surprise Facility Use Agreement (FUA) to be approved and in place prior to the event. The Sports and Tourism Department works with the event coordinators to gather the information needed to complete the FUA. Once the FUA is in order, the applicant is then required to submit an application for a TUP and pay the associated fee(s), depending on the event type. Coordinators for these events have conveyed that the process to acquire an FUA and TUP is redundant and inclusive of unnecessary fees.

Objective Analysis:

Staff have reviewed the existing application process in an effort to determine areas of redundancy and create a streamlined the process by reducing redundancy, while still maintaining public safety for those attending special events.

Policy Compliant:

The proposed revisions made to the TUP process remain consistent with City and Council Policy.

Financial Impact:

The potential financial impact associated would be the loss of funds collected as part of the TUP process for events which historically have required both an FUA and TUP. With this proposed change, the City would no longer be asking the applicant who has an FUA in place for events occurring on City property, to complete a TUP application and pay the associated TUP application fees.

Budget Impact:

The budget impact associated with this item is the cost associated with the implementation of a new digital application platform, which was included in the initial cost for the purchase of the software and associated ongoing annual service fee. The budget was included in the capital project P42080 Permit Planning Software.

FTE Impact:

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

ATTACHMENTS:

1. TUP Process Staff Report 2.1.22 CCWS - FINAL
 2. TUP Process Presentation 02.15.22 CCWS
-

TUP Process Update

REPORT TO MAYOR AND CITY COUNCIL

Topic of Discussion: Presentation and discussion pertaining to the Temporary Use Permit process

Meeting Date: February 15, 2022

Presenter: Chris Boyd, Director of Community Development

Discussion:

Most special events, as defined in the City of Surprise Land Development Ordinance 106-10.42, are required to have an approved Temporary Use Permit (TUP) on file with the City. To obtain an approved TUP, the event coordinator/applicant must complete and submit the relevant pages of the 17-page TUP application to the City, with all supporting documents, no less than 15 days prior to the planned event. The fees associated with a TUP range from \$135 for an event, plus additional costs for Fire Department inspections as follows: \$300 for a fireworks show and \$350 for fireworks sales with tent inspection. The purpose of the TUP is to ensure the City does not assume liability for the event; as well as to ensure that public safety, traffic engineering and building safety have reviewed the event details and the necessary measures are in place to ensure optimal safety of event attendees and the public during the event. Feedback from previous applicants has been that the TUP packet is challenging to navigate.

Events that occur on City property have historically required both a TUP and a City of Surprise Facility Use Agreement (FUA) to be approved and in place prior to the event. The Sports and Tourism Department works with the event coordinators to gather the information needed to complete the FUA. Once the FUA is in order, the applicant is then required to submit an application for a TUP and pay the associated fee(s), depending on the event type. Coordinators for these events have conveyed that the process to acquire an FUA and TUP is redundant and inclusive of unnecessary fees.

Prior to the COVID-19 pandemic, all applications were submitted to the City in paper form. When City Hall closed as a result of the pandemic, Community Development quickly implemented a temporary digital intake process for all applications, though the application packets and requirements themselves remained unchanged.

At the request of the Mayor and Council, Community Development recently performed a comprehensive review of the TUP and FUA processes in an effort to create a streamlined and more intuitive process for those wishing to coordinate events in the City of Surprise. This effort has involved collaboration with the following departments:

- Sports and Tourism
- Parks and Recreation
- Fire Prevention

- Police Department
- Traffic Engineering
- Finance

As a result of the review, staff has developed a better understanding of the areas where there is duplication, specifically between the Facility Use Agreement (FUA) and Temporary Use Permit (TUP), while also identifying where review requirements would not be met if only a Facility Use Agreement were to be processed for events occurring on City properties.

For events occurring on City property, staff has determined that a Facility Use Agreement (FUA) will sufficiently provide the information needed to review and approve an event, so long as all appropriate departments have a review opportunity as it relates to the FUA. With regard to required fees for certain events, Finance staff are in the process of reviewing the applicable code and requirements for such events and anticipate bringing code changes before Council near the end of the calendar year 2022.

In addition to reducing the redundancy between the FUA and TUP process, Community Development staff has been working on the implementation of an intuitive and user-friendly digital permit application solution called Camino, which is part of larger software enhancement project, in an effort to provide a user-friendly online portal option for customers.

While staff has determined the information required for Temporary Use Permit application can seem extensive, through the upcoming implementation of a new digital application platform, staff anticipates the process will be much more intuitive and straightforward for the individual submitting the application. Some key elements and benefits to the new digital application process include:

- Decision tree which helps to filter out questions that are not relevant to an application and includes questions where necessary
- Ability to check application status online
- Ability for staff and the applicant to correspond directly via the portal about specific applications and requirements.
- Guided tips and explanations for application fields and requirements to help ensure a successful submittal

Staff believes the review of the existing application processes has streamlined the process by reducing redundancy while still maintaining public safety for those attending special events.

Attachments:

1. Staff Report
2. Presentation



TUP Process

Mayor and Council
February 15, 2022



Background

- Council requested a review of the TUP process to:
 - Make the process less burdensome
 - Evaluate associated fees
- Staff initiated a comprehensive review of existing applications and processes to streamline as much as possible



Review Outcome

- **Staff identified two primary issues:**
 - Required information
 - Simplification of the process

TUP FUNCTION

Covers very simple and complex activity – examples include:

- Grand openings
- Fireworks sales
- Large public gatherings on private property (i.e., carnival or festival)
- Farmers Markets
- Walkathon/5k, 10k

TUP Process at Start of Review

- Broad range of events require completion of a 17-page application packet or *multiple* applications for specific activities
- Most applicants do not fill out a majority of the application because it does not relate to them
- Greater level of event complexity results in requiring completion of more or all pieces of the application

TEAM COLLABORATION

- Internal stakeholders consulted as part of this review include:

• Sports and Tourism	• Traffic Engineering
• Fire/Medical	• Finance
• PD	• Parks and Recreation



Collaboration Overview

- Staff consulted each stakeholder to review their respective information gathered in the application, in order to remove any redundancies or collection of unnecessary information
- The most productive result was coordinating with Sports and Tourism and Parks and Recreation to eliminate the need for **both** a Facility Use Agreement (FUA) and TUP for City sponsored events or most events occurring on City property

Streamlining the Process

- Staff has identified a digital application guide, Camino, that uses a decision tree format to eliminate irrelevant portions of the application
- Ultimately provides a more straightforward and less tedious process for the applicant as they work through application submission
- Applicants can track their application progress

DECISION TREE



Is this application for the sale of fireworks?

Yes



No



Does your event involve the sale or consumption of alcohol?

Yes



No



Will your event involve the use of temporary tents, canopies or other similar amenities?

Yes



No



Does your event involve coordination with or the participation of any outside companies or vendors?

Yes



No



Do you have an approved traffic control plan?

Yes



No



Submit Answers

EDUCATING THE PUBLIC

- Video/guide on the website
- Informative text on the website
- Staff contact information
- Videos and information will be added as additional phases and functionality become available



Implementation Timeline

- The TUP digital application will go-live in Camino mid-February 2022



SURPRISE
ARIZONA

QUESTIONS OR COMMENTS?

Thank You



CITY OF SURPRISE
Regular City Council Meeting

Council Meeting Date: February 15, 2022

Contact Person: Chris Boyd, AD - BS DV & CD
ENF

Submitting Department: Community Development District: Citywide

Staff Recommendations:

Consent: No

Regular: No

Public Hearing: No

Report/Discussion: Yes

Agenda Wording:

Presentation and discussion regarding identifying opportunities to increase the speed of bringing project development to market.

Motion:

Presentation and discussion only.

Background:

At the City Council's request, city staff has reviewed and analyzed the current Land Development Ordinance (LDO) to identify opportunities to shorten City development application review and approval timeframes, so development projects may be completed sooner and brought to market.

Objective Analysis:

A. To maintain the current LDO approval process in which the Planning and Zoning Commission remains the approval body for Site Plan application and Conditional Use Permits.

B. To propose draft language within the LDO to create opportunities to increase the speed of development projects to market.

Policy Compliant:

This item is Council and Policy compliant.

Financial Impact:

Not applicable.

Budget Impact:

Not applicable.

FTE Impact:

Not applicable.

ATTACHMENTS:

1. Entitlement Streamlining Review Staff Report 2.15.22
-



Entitlement Process Review

REPORT TO THE CITY COUNCIL

Project Name: Entitlement Streamline Review Update

Council District: Citywide

Meeting Date: **February 15, 2022**

Planner: Jason Moquin, Planning Manager

Requestor: City of Surprise

Request: Presentation and discussion pertaining to the proposal of a Zone Text Amendment (ZTA) to the Surprise Land Development Ordinance (LDO) to streamline the entitlement process.

Location: Citywide

Alternative Actions: The overall goal and objective of this presentation and discussion, is staff seeking direction from Council on how to proceed based on the following proposed options:

A. Maintain the current LDO approval process in which the Planning and Zoning Commission remains the approval body; or

B. To propose draft language within the LDO to create opportunities to increase the speed of development projects to market.

PROJECT DESCRIPTION & BACKGROUND:

At the City Council's request, staff was asked to analyze the entitlement process and identify opportunities to increase speed to market for planning projects.

ANALYSIS AND DISCUSSION:

Currently the city's Land Development Ordinance (LDO) designates the respective bodies of authority for review and approval of the following land use or land use related application types.

Table 1

Table 102-2a: Application Type, Procedure, and Decision Authority Summary								
	Public Outreach				Community Development Director	Planning and Zoning Commission	City Council	Board of Adjustment
	Agenda Posting	Notice Letter & Newspaper	Neighborhood Meeting	Site Posting				
Type 1 Applications								
Zoning Interpretation					D			A
Site Plan Amendment (minor)					D	A		
Minor land division / Parcel assemblage					D		A	
Administrative Use Permits					D			A
Temporary Use Permits					D	A		
Home Product Review					D	A		
Corrective Plat					D		A	
PEDS Deviation/Waiver					D	A		
Slope Category Analysis Waiver					D	A		
Administrative Waiver/Extension					D	A		
Type 2 Applications								
Site Plan Review	X				R	D	A	
Site Plan Amendment (major)	X				R	D	A	
Protected Development Rights Plans	X				R	R	D	
Preliminary plats	X				R	R	D	
Final plats	X				R		D	
Original Townsite Incentive	X				R		D	
Development Agreement	X				R		D	
Hillside Cut & Fill Waiver	X			X	R	D		
Type 3 Applications								
General Plan Amendments	X	X	X	X	R	R	D	
Specific Area Plan Requests	X	X	X	X	R	R	D	
Rezoning Requests	X	X	X	X	R	R	D	
LDO Text Amendments	X	X ⁽¹⁾	X		R	R	D	
Conditional Use Permits	X	X	X	X	R	D	A	
Comprehensive Sign Program	X	X	X	X	R	R	D	
Variances Requests	X	X		X	R			D
Annexation	X	X	X	X	R		D	
Key:					R = Reviews and recommends action to decision-making body			
X = Required					D = Decision-making body			
(1) = 1 st Class Letter not required					A = Appeal authority			

Although local ordinance such as the adopting ordinance for the LDO can grant review and approval authority as shown in Table 1, Arizona Revised Statutes (A.R.S.) requires the Planning and Zoning Commission review and approval and/or recommendation, with City Council approval for specific land use related applications as shown in Table 2.

Table 2
Governed by Arizona Revised Statutes

Annexation	Development Agreement
General Plan Amendment	Preliminary Plat
Rezoning Request	Final Plat

Staff evaluated the following 11 cities land use approval authority and the respective entitlement timelines as shown in Table 3

Table 3
Cities Evaluated

Avondale	Glendale	Mesa
Buckeye	Goodyear	Scottsdale
Chandler	Peoria	Tempe
Gilbert	Phoenix	

Of the 11 cities studied, three (3) require Planning and Zoning Commission Review for Site Plan approval: Chandler, Gilbert, and Buckeye. Scottsdale and Tempe have the additional step of a Development Review Board or Commission and the remaining six (6) cities approve site plans administratively.

The analysis concluded that Site Plan application approval is commonly approved as an administrative action. For reference purposes, the LDO defines a Site Plan as “a drawing showing the accurate location of all structures, streets, alleys, and parking areas existing and proposed on a subject property.” Currently, Site Plans are regulated by the Land Development Ordinance (LDO) and must meet the minimum development standards for staff to recommend approval before the Planning and Zoning Commission.

In 2021, the City of Surprise Community Development Department and Planning and Zoning Commission reviewed 24 Site Plan applications representing 31% of all applications reviewed by the Planning and Zoning Commission. The LDO currently requires action by the Planning and Zoning Commission, to affirm staff’s review of the application. No notable adverse action could be undertaken by the Planning and Zoning Commission as the site plan is required to adhere to the City’s Zoning Code and development standards set forth in the LDO, which were approved by the Planning and Zoning Commission at the time the LDO was adopted and subsequently amended.

Based off 2021 stats, it was determined that requiring the Planning and Zoning Commissions' affirmation of a site plan, on average added 30 days per application. Based on the number of Site Plans reviewed during that time, it is estimated that staff could save 24 months cumulatively of time, thereby bringing development to market in a more direct and expedient manner. Furthermore, it is estimated that over 96 staff hours were spent on administrative tasks such as site plan staff reports and presentations. Site Plans accounted for 31% of the entitlement applications reviewed by the Planning and Zoning Commission in 2021. Should staff be directed to amend the LDO to allow the approval of Site Plans as an Administrative Approval, not only will the overall time to bring a project to market be reduced, but time spent by staff would be re-directed to the review of other development related activities. Similar time savings could be captured by granting sole approval authority to the Planning and Zoning Commission for Preliminary Plats.

FINDINGS:

- Revisions to the City's Site Plan review process will bring us in-line with surrounding cities.
- Reducing the process time will increase the speed of bringing development to market.
- Reducing staff hours spent in the preparation of a site plan staff report, presentation and other administrative tasks will result in additional time saved related to the agenda review process.
- Potential to expand to other entitlement types that are fully regulated by the City's Land Development Ordinance.