



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

Tuesday, January 7, 2020 @ 6:00PM

Call To Order

Invocation

Invocation by Rick Ryan, Radiant Church

Roll Call

Mayor Hall called to order the Regular City Council Meeting of January 7, 2020 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 Winters, Council Members; Duffy, Hayden, Judd and Sanders and Remley.

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

Pledge of Allegiance

Led by Countryside Elementary School students.

Proclamation and Community Acknowledgements

City Manager Report

Recognized City Clerk Aguilar for 30 years of service.

1. Reports

1. Countryside Elementary School and Youth Council Members will be providing a report pertaining to current Youth events and projects

[Mike Cassidy introduced students from Countryside Elementary School.](#)

City Clerk Report

Call To The Public

[Scott Rowe spoke on the issue of Human Trafficking that is effecting our communities with artificial intelligence and the different behaviors that are being experienced.](#)

Regular City Council Meeting Agenda

CONSENT AGENDA:

Council Member Remley made the motion to approve the consent agenda, excluding items 4 and 7. Council Member Sanders seconded the motion. Seven yes votes, motion carried.

2. Consideration and action on the minutes of December 17, 2019 Regular City Council Meeting and Executive Session and December 19, 2019 Special City Council Meeting - APPROVED

3. Consideration and action to approve a request by Theresa June Morse, Agent/ for a Series 12 (Restaurant) liquor license for Amigos Authentic Mexican Grill and Bar located at 13621 N. Litchfield Road, Surprise, Arizona 85379 - APPROVED

4. Consideration and action to approve a request by ManuelÂ Coronado Jimenez, Owner / for a Series 12 (Restaurant) liquor license for Under ReviewÂ located at 13699 N. Litchfield Road, Surprise, Arizona 85379 - APPROVED

Council Member Remley made the motion to approve a request by Manuel Coronado Jimenez, Owner / for a Series 12 (Restaurant) liquor license for Under Review located at 13699 N. Litchfield Road, Surprise, Arizona 85379. Council Member Judd seconded the motion. Seven yes votes, motion carried.

5. Consideration and action pertaining to approval of the Final Master Plat entitled, "Rio Rancho Parcels 1B.1 & 1B.2" and dated August 2, 2019, a 36.88 acre property generally located on the southwest corner of Happy Valley Road and 183rd Avenue located in the Rio Rancho Estates Planned Unit Development (â€œPUD") - APPROVED

6. Consideration and action pertaining to approval of the Final Plat entitled, â€œSierra Sky" and dated October 17, 2019, a 41.51 acre property generally located on the northeast corner of Cactus Road and 175th Avenue within the Gehan at 175th and Cotton Planned Unit Development (â€œPUD") - APPROVED

7. Consideration and action pertaining to approval of the Final Plat entitled,Â â€œBell Pointe II - North and Tract LL of Bell Pointe I Plat" and dated November 11, 2019, and the related Alternative Assurance Agreement- Planning case FS19-665; Resolution # 2020-04 - APPROVED

Vice Mayor Winters made the motion to approve Resolution 2020-04. Council Member Duffy seconded the motion. Seven yes votes, motion carried.

REGULAR AGENDA ITEM - PUBLIC HEARING:

8. Consideration and action pertaining to approval of the Mesquite Mountain Ranch III Rezone with PUD Overlay to Rezone 201.9 acres generally located on the northeast corner of Beardsley Road and 227th Avenue from Mesquite Mountain Ranch PAD and Mesquite Mountain Ranch II PAD (RL-5-PAD) to Low Density Residential (RL-5-PUD), Medium Density Residential (RM-6-PUD), and Open Space (OS-PUD) with a PUD Overlay; Ordinance # 2020-05 - APPROVED

[City planner, Hobart Wingard gave a powerpoint presentation regarding this item.](#)

[Vice Mayor Winters - Is the developer donating land for a school?](#)

[Yes that is correct, it will be in the Nadaburg School District.](#)

[Council Member Sanders - Explain the landscaping and park area in more detail for each phase.](#)

[Developer Attorney Jeff Blilie gave an explanation on the landscaping and issue of a community pool.](#)

[Vice Mayor Winters made the motion to approve Ordinance 2020-05. Council Member Duffy seconded the motion. Six yes votes, one no vote \(Hayden\). Motion carried.](#)

9. Consideration and action pertaining to the rezoning of 27.16 acres of property located in Sub-Parcels seven and eight of the Surprise Pointe Planned Area Development (PAD) on the northwest corner of Dysart Road and Sweetwater Avenue from PAD-I1 and PAD-CC to PAD-C2-C3-I1; Ordinance # 2020-02 - APPROVED

[City Planner, Hobart Wingard gave a powerpoint presentation on this item.](#)

[Council Member Judd made the motion to approve Ordinance 2020-02. Council Member Sanders seconded the motion. Seven yes votes, motion carried.](#)

10. Consideration and action pertaining to a Rezone of approximately 5.7 acres generally located north of Peoria Avenue and west of Litchfield Road from Residential Ranch (RR) to Planned Area Development (PAD) for Reformed Church; Ordinance #2020-04 - APPROVED

[City Planner, Shirley Phan gave a powerpoint presentation on this item.](#)

[Council Member Sanders - Luke air space.](#)

[Council Member Sanders made the motion to approve Ordinance 2020-04. Council Member Judd seconded the motion. Seven yes votes, motion carried.](#)

11. Consideration and action pertaining to approval of a Comprehensive Sign Program for Sterling Grove, also known as Toll at Prasada. Planning case FS19-648 - APPROVED

[City Planner, Robert Kuhfuss gave a powerpoint presentation on this item.](#)

[Mayor Hall - questioned lighting at the entrance.](#)

[Council Member Duffy - questioned sign distance from the entry.](#)

[Council Member Duffy made the motion to approve FS19-648. Council Member Remley seconded the motion. Seven yes votes, motion carried.](#)

12. Consideration and action pertaining to adoption of an Ordinance rezoning property located on the southwest corner of Cactus and Reems Roads from Greer Ranch Community Commercial (CC-PAD) to Greer Ranch Medium Density Residential (RM-12-PAD); Ordinance #2020-01 - APPROVED

City Planner, Hobart Wingard gave a powerpoint presentation on this item.

Developer, Adam Baugh, Whitney Morse gave an overview for this request by powerpoint presentation.

Vice Mayor Winters - Do the dwellings have a backyard?

Yes they do.

Vice Mayor Winters - Are there commercial land in proximity?

Yes.

Council Member Duffy - 531 acres to the north that is zoned residential. The Developer has plans to develop, so why give up a corner, it doesn't make any sense.

Public Comments:

Connie Bowers - Resident of Greer Ranch - Spoke in opposition to this project, commented she has same concerns as Councilmember Duffy. Why give up a commercial corner? I am the most concerned about traffic, until the north side of Cactus is built, this will be an issue.

Patty Brandt - Resident of Greer Ranch clarified some comments that were brought up. Section 8 units were brought up at one of our community meetings. It is a federal program, there is no way this could be turned away by a developer. She also asked for clarification on the school, I don't understand what is going on here.

Shelly Stoddart - My main focus is expertise in real estate, 15 years this year and in Surprise for 20 years. Read data on rental properties, and other rental units in the proximity of this development.

Kevin Parker - I am the property owner, we have owned this property since 2005. I am a retail developer, CVS properties, Sprouts, Fry's, etc.,.

Connie Whitlock - I am here in support of the VITA Communities. I met with the developer and am very impressed with the amenities. A lot of people don't want to deal with mowing lawns, etc., so this will be very popular.

John Walland - Realtor and a Resident of Greer Ranch, I can tell you I am with buyers and sellers every day. This type of community will have a negative impact form buyers and sellers.

Nick Bacon - Resident of Greer Ranch, they are tired of hearing the developer and the residents have not been attending. Ever since the developer came to our community meetings he has skewed the data. It is all about the all mighty dollar for the developers and they could care less if we can't sell our homes.

Chad Beemer - Resident of Greer Ranch, I am very excited about the growth but we

just gave up a parcel of land, we still have houses that are being built. I appreciate CM Duffy's comments.

Pamela Howard - We received letters through the mail from VITA properties on City of Surprise letterhead, made me feel that this fight is already over. I do not support this project.

Council Member Remley - As Councilmembers we have tough decisions to make and hopefully we do our research. I have heard tonight concerns about crime, Section 8, traffic, more retail, etc., The Christopher Todd project across from Litchfield Manor, residents had the same concerns and now that it is built, the opposite is happening. To myself, this is not in my District but I have to make a vote and to consider what is best for the City of Surprise and it's residents.

Council Member M Judd - Zoning, if we approve tonight, and the project falls apart, what happens next? Can we put some sort of stipulation that it reverts back to it's old zoning?

City Attorney Wingo commented that he is not prepared to answer the question tonight and will need to research.

Council Member Judd - Medium Density zoning, why this corner? Are we short on this zoning in the area?

Council Member Sanders - Looking at this project as a whole, I started with the general plan and the land use element, specifically amenities. I focused on retail and commercial brokers as I was conducting research. I do like this project and I support it.

Council Member Remley made the motion to approve Ordinance 2020-01. Council Member Sanders seconded the motion. Five yes votes, two no votes (Duff and Judd), motion carried.

REGULAR AGENDA ITEM - NON-PUBLIC HEARING:

13. Consideration and action pertaining to approval of the Final Plat entitled, "Vita Communities at Greer Ranch" and dated September 20, 2019, a 15.09 acre property generally located on the southwest corner of Reems Road and Cactus Road in the Greer Ranch Planned Area Development ("PAD").

City Planner, Hobart Wingard reported on this item.

Vice Mayor Winters made the motion to approve the PAD. Council Member Remley seconded the motion. Six yes votes, one no vote (Duffy), motion carried.

14. Consideration and action pertaining to an amendment to Surprise Municipal Code Chapter 34, Article IV, Section 34-74, relating to the permissible periods for the sale and use of fireworks; Ordinance #2020-07 - APPROVED

Harold Brady reported on Ordinance 2020-07.

Mayor Hall - Section 1 & 2, need clarification on the heading on the ordinance.

Council Member Sanders made the motion to approve Ordinance 2020-07. Council

[Member Hayden seconded the motion. Six yes votes, one no vote \(Duffy\), motion carried.](#)

Other Business and Future Agenda Items

City Council Reports

Council attended and/or reported on the following:

Council Member Duffy - bigger picture and there are other matters to take care of. His brother Danny just started chemo therapy he wished him the best of luck and he spoke of a conversation between he and his brother.

Council Member Hayden - spent holidays in Florida with family. Hope you all had a Merry Christmas and New Year.

Council Member Judd - this is a great Council we can disagree end of day we all get along great group of people. The holidays were great! There is a meet and greet January 22 at 6PM at Freddy's.

Council Member Remley - Loves this town, the residents love living here. Martin Luther King day is coming up.

Council Member Sanders - none

Vice Mayor Winters - hope you all had great holidays, great 2019 but 2020 will be better. New Library grand opening coming up.

Mayor Hall - thanked Seth and his team for a great job on Senior Christmas party. MLK schedule-Breakfast at 8:30 AM and program starts at 9 AM; January 11th Surprise PD hosting a shred-athon and drug take back event. Fire-Medical 307 open house January 11th and a softball game in Sun City Grand.

Executive Session

Adjournment

Council Member Remley made the motion to adjourn the Regular City Council Meeting of January 7, 2020. Council Member Hayden seconded the motion. Seven yes votes, motion carried.

Skip Hall, Mayor

ATTEST:

Sherry Ann Aguilar, City Clerk, MMC

CERTIFICATION:

I, Sherry Ann Aguilar, City Clerk for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are the true and correct minutes of the Regular City Council Meeting of **Tuesday, January 7, 2020.**

Sherry Ann Aguilar, City Clerk, MMC