



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

Tuesday, August 15, 2017 @ 6:00 PM
COUNCIL CHAMBERS

[Back](#) [Print](#)

A. Call To Order

B. Roll Call

C. Pledge of Allegiance

D. PROCLAMATION AND COMMUNITY ACKNOWLEDGEMENTS

E. City Manager Report:

District Internal [Recognition of our partner the Salvation Army for "Project Connect"](#).

None
Seth Dyson

F. City Attorney Report:

G. City Clerk Report:

H. 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.

I. Regular City Council Meeting Agenda:

Consent Agenda:

1. District Citywide [Consideration and action pertaining to approval of actual workers' compensation insurance premium increase in the amount of \\$15,608.00 for FY18 policy; Resolution #2017-91.](#)

None
Brian
Carmichael

- | | | | |
|----|-------------------|---|---|
| 2. | District Internal | <u>Consideration and action pertaining to support of the League of Arizona Cities and Towns 2018 Legislative Session Legislative Resolutions.</u> | None
Paul
Bernardo,
Government
and
Community
Partnerships
Director |
| 3. | District Internal | <u>Consideration and action on the minutes of August 1, 2017 Regular City Council Work Session and Regular City Council Meeting.</u> | None
Sherry Ann
Aguilar, City
Clerk |

Regular Agenda Item - Public Hearing:

- | | | | |
|----|------------|---|---|
| 4. | District 1 | <u>Consideration and action pertaining to the annexation of approximately 2.49 acres generally located between Happy Valley Road, Jomax Road, 147th Ave and 155th Ave; Ordinance #2017-13.</u> | None
Joshua Mike
- Community
Development |
| 5. | District 1 | <u>Consideration and action pertaining to rezoning property known as Bonita Ranch Parcels B & C from Residential Ranch (RR) to Residential Medium Density (RM-6) with a PUD Overlay, located generally south of Jomax Road and west of the 147th Avenue alignment; Ordinance # 2017-14.</u> | None
Robert
Kuhfuss -
Community
Development |
| 6. | District 1 | <u>Consideration and action pertaining to rezoning of property known as Bonita Ranch Parcel A from Residential Ranch (RR) to Residential Medium Density (RM-6) with a PUD Overlay, located generally south of Jomax Road and west of the 147th Avenue alignment; Ordinance #2017-15.</u> | None
Robert
Kuhfuss -
Community
Development |

Regular Agenda Item - Non-Public Hearing:

- | | | | |
|----|-------------------|--|--|
| 7. | District Citywide | <u>Consideration and action pertaining to approval of New and Revised Community Development user fees; Resolution # 2017-92</u> | Approve
Eric Fitzer -
Community
Development |
| 8. | District Citywide | <u>Consideration and action pertaining to a fiscal year 2017 budget amendment reallocating appropriations from various funds required to close the fiscal year 2017 budget; Resolution # 2017-89.</u> | None
Lindsey
Duncan,
Finance
Director |
| 9. | District Citywide | <u>Consideration and action pertaining to the creation of a new Enterprise Department focusing on private sector sports, public/private partnerships, and tourism in the City of Surprise; amending the FY2018 budget by reallocating appropriations of \$338,900 from the Grants Fund to Sports and Tourism fund, transferring actual funds of \$338,900 from the General Fund to the Sports and Tourism Fund, and authorizing two new Full-time Equivalent employment positions to facilitate the new department; Resolution #2017-95.</u> | None
Bob
Wingenroth,
City
Manager |

J. Other Business and Future Agenda Items:

K. Mayor/Council Reports:

L. Executive Session:

- | | | | |
|-----|-------------------|--|---------------------------------------|
| 10. | District Internal | <u>Consideration and action to enter into executive session for City Council to discuss and consult with staff in order to consider its position and instruct staff regarding negotiations for the future development options pertaining to real property within the Original Town Site pursuant to A.R.S 38-431.03(A)(7).</u> | None
Robert Wingo,
Robert Wingo |
| 11. | District Internal | <u>Consideration and action to enter into executive session for discussion or consultation for legal advice with the City Attorney pertaining to Mattamy Homes pursuant to A.R.S. 38-431.03(A)(3).</u> | None
Robert Wingo, City Attorney |
| 12. | District Internal | <u>Consideration and action to enter into executive session for legal advice with the City Attorney and with representatives of the public body in order to consider its position and instruct its representatives regarding real property in the vicinity of Dale Lane pursuant to A.R.S. 38-431.03(A)(3) and (7).</u> | None
Robert Wingo, City Attorney |

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).

M. Adjournment:

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED:

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

August 15, 2017 @ 6:00:00 PM

[Back](#) [Print](#)

Council Meeting Date:	August 15, 2017	Contact Person:	Seth Dyson
Submitting Department:		District:	Internal
Staff Recommendations:	None		

Consent	Regular	Public Hearing	Report/Discussion
---------	---------	----------------	-------------------

Agenda Wording:

Recognition of our partner the Salvation Army for "Project Connect".

Motion:

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

[Click to download](#)

No Attachments Available



CITY OF SURPRISE
Regular City Council Meeting

August 15, 2017 @ 6:00:00 PM

[Back](#) [Print](#)

Council Meeting Date:	August 15, 2017	Contact Person:	Brian Carmichael
Submitting Department:	Human Resources	District:	Citywide
Staff Recommendations:	None		

Consent	x	Regular	Public Hearing	Report/Discussion
---------	---	---------	----------------	-------------------

Agenda Wording:

Consideration and action pertaining to approval of actual workers' compensation insurance premium increase in the amount of \$15,608.00 for FY18 policy; Resolution #2017-91.

Motion:

I move to approve Resolution #2017-91.

Background:

Risk Management and Finance provided a joint presentation to Council, related to Resolution 2017-03 in January 2017. The approved resolution provided authority of \$135,000.00 for annual workers' compensation insurance premium for FY18. This figure was based on the projected premium cost. Due to the transition from a guaranteed cost program to a self-administered workers' compensation program, the actual premium was rated slightly higher at \$150,608.00. The allocated \$135,000.00 has been provided to the carrier and a balance is due in the amount of \$15,608.00. The initial \$135,000.00 was approved on budget line item 18019.

Objective Analysis:

The approval to release these extra funds is required, as a condition of the City's excess workers' compensation insurance. Failure to pay required premiums in full can result in cancellation of policy; thus, leaving the City exposed to large losses. Additionally, the City is required to maintain this insurance to maintain self-insurance authority from the Industrial Commission of Arizona.

Policy Compliant:

This action assures compliance with City of Surprise Procurement Code 2-338 (d) which requires the authority of the Mayor and Council when the cost to the city is greater than \$50,000.

Financial Impact:

The total cost of the workers' compensation insurance premium is \$150,608. The premium is an ongoing expense and could vary from year to year.

Budget Impact:

Along with the FY2018 adopted budget, Council approved Reference #18019 Workers' Compensation Premiums for \$135,000 on the Fiscal Year 2018 Capital and Operating List of Items Over \$50,000. The amount of this item will need to increase by \$15,700 to \$150,700. The Human Resources Department will be able to absorb the increase within the Workers' Compensation Fund service operating budget.

FTE Impact:

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

ATTACHMENTS:

Click to download

☐ [Resolution #2017-91](#)

RESOLUTION # 2017-91

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING THE FISCAL YEAR 2018 CAPITAL AND OPERATING LIST OF ITEMS OVER \$50,000 BY INCREASING the WORKERS' COMPENSATION PREMIUMS ITEM TO \$150,700.

WHEREAS, the FY2018 budget was adopted included funding for procurement of an excess workers' compensation insurance policy for the newly created self-insured/self-administered program, which took effect July 1, 2017;

WHEREAS, industry standards, risk appetite, and current authority to self-insure the workers' compensation program require the City to procure and maintain an excess insurance policy to protect both injured workers and the financial health of the City in the event of a catastrophic loss;

WHEREAS, the FY2018 budget, including the FY2018 Capital and Operating List of Items Over \$50,000, was adopted by Council Resolution #2017-64 on June 6, 2017;

WHEREAS, the City of Surprise Procurement Code §2-338 (d) requires the authority of the Mayor and Council when the cost to the city is greater than \$50,000.

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

Section 1. That the statements and schedules attached as *Exhibit A* and incorporated by reference are adopted, the Fiscal Year 2018 Capital and Operating List of Items Over \$50,000 of the City of Surprise, Arizona for the fiscal year July 1, 2017 through June 30, 2018.

APPROVED AND ADOPTED this ____ day of _____, 2017.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

RESOLUTION # 2017-91

Exhibit A

1. List of Operating Items Over \$50,000 – Council approved \$135,000 for the purpose of Worker's Compensation Premiums included on the Fiscal Year 2018 Capital and Operating List of Items Over \$50,000. This amount was based on the projected premium cost as presented to Council in January of 2017. Due to the transition from a guaranteed cost program to a self-administered workers' compensation program, the actual premium was rated slightly higher at \$150,608, requiring an increase of \$15,700.

Reference #	Description	Current Amount	Increase/ (Decrease)	Amended Amount
18019	Worker's Compensation Premiums	\$135,000	\$15,700	\$150,700



CITY OF SURPRISE
Regular City Council Meeting

August 15, 2017 @ 6:00:00 PM

[Back](#) [Print](#)

Council Meeting Date:	August 15, 2017	Contact Person:	Paul Bernardo, Government and Community Partnerships Director
Submitting Department:	City Mgr	District:	Internal
Staff Recommendations:	None		

Consent	x	Regular	Public Hearing	Report/Discussion
---------	---	---------	----------------	-------------------

Agenda Wording:

Consideration and action pertaining to support of the League of Arizona Cities and Towns 2018 Legislative Session Legislative Resolutions.

Motion:

I move to support the 2018 Legislative Session League Resolutions consistent with the attached summary chart.

Background:

Annually, the League of Arizona Cities and Towns drafts legislative policy resolutions for adoption by all 91 cities and towns at the annual League Conference. These resolutions come from ideas submitted by the municipalities or from issues that have arisen during the preceding year. The intent of this agenda item is to establish Council direction for voting on the Resolutions at the upcoming meeting.

For reference and detail on the individual resolutions, the Resolutions packet prepared by the League has been attached to this item as well as a summary chart with notes from staff regarding the resolutions being put forward by the League. Regarding the staff notes, items are annotated with either "Support, Neutral/Support, or Neutral". It is intended that this provide context for the Council's consideration not only as it relates to the adoption of these Resolutions but for ongoing activity related to these issues if they proceed.

Items marked Support are items that either Surprise has as key components of our legislative agenda and should be actively supported as such throughout the year or are items that generally relate to our legislative agenda and/or standard municipal operations and should be supported as opportunities arise.

Items marked Neutral/Support are items that could be supported in theory but the level to which ongoing engagement and support is provided will need to be determined based on the receptivity to the concepts by the Legislature.

Items marked Neutral are items which will require ongoing monitoring based on the receptivity of the Legislature and mechanics of details worked out regarding any potential legislation that arises.

Objective Analysis:

Pending Council conversation, the League Resolutions as drafted can all be supported at the League Conference without adverse impact to Surprise. However, ongoing engagement will be driven by the evolution of the conversations surrounding each Resolution.

Policy Compliant:

Submittal of Resolution proposals was completed in compliance with existing operating protocols and in conjunction with the currently adopted City of Surprise State Legislative Agenda.

Financial Impact:

There is no fiscal impact directly related to this item. Future fiscal impacts may be determined based on eventual outcomes of any legislation that is implemented.

Budget Impact:

There is no budget impact directly related to this item. Future budget impacts may be determined based on eventual outcomes of any legislation that is implemented.

FTE Impact:

There is no FTE impact from this item.

ATTACHMENTS:

Click to download

☐ [League Resolutions Packet](#)

☐ [Resolutions Summary Chart](#)



1820 W. Washington · Phoenix, AZ 85007 · Phone: (602) 258-5786 · Fax: (602) 253-3874
Email: league@azleague.org · Web site: www.azleague.org

July 5, 2017

Dear Mayor:

It is my privilege to appoint you to the 2017 Resolutions Committee of the League of Arizona Cities and Towns. Christian Price, Mayor of Maricopa and a member of the League's Executive Committee, has agreed to serve as Chairman.

The Committee is responsible for recommending items for inclusion in the League's legislative program based upon a review of the Resolutions submitted by Arizona's cities and towns or by League staff. The adopted Resolutions are outlined in the annual Municipal Policy Statement which serves as the principal guide for the League's legislative program for the upcoming session.

The Chairs of the five League Policy Committees will present the Resolutions discussed in their respective committees to the Resolutions Committee at the Annual Conference. League staff will present Staff Resolutions.

Included in this packet you will find the:

- Resolutions Committee Calendar
- Resolutions Committee Procedures
- Policy Committee Reports and Resolutions
- Proposed League Staff Resolutions

The Resolutions Committee will meet on **Tuesday, August 22, 2017 at 1:30 p.m.** as the first item of business at the League Annual Conference at the El Conquistador Resort in Oro Valley. Lunch will be provided before the meeting. The actions of the full Resolutions Committee will be formally adopted at the League's Annual Business Meeting on **Thursday August 24, 2017** at 4:00 p.m.

Please officially accept your appointment or designate a council representative to serve your city/town on the 2017 Resolutions Committee, by clicking here www.surveymonkey.com/r/ResCom_RSVP.

We look forward to having all 91 cities and towns participate on the Resolutions Committee. If you have any questions or comments regarding the Resolutions Committee, your appointment or the resolution submittal process, please do not hesitate to contact the League office.

Sincerely,

A handwritten signature in blue ink that reads "Jay Tibshraeny".

Mayor Jay Tibshraeny, Chandler
League President

Enclosures

cc (via email): Managers, Clerks without Managers, Intergovs,

2017 Resolutions Committee Calendar

- April:** Mayor Price appointed as 2017 Resolutions Chairman.
- April-June:** Policy Committees meet.
- July 5:** League to send out resolutions packets to membership.
- August 22:** Resolutions Committee meeting at the Annual Conference in Oro Valley.
- August 24:** Resolutions ratified at the Annual Business Meeting.

League of Arizona Cities and Towns Resolutions Committee Procedures

1. Resolutions Committee Appointment

The President shall appoint the Chairman and members of the Resolutions Committee. Only one elected official from each city or town shall be appointed to the Committee.

2. Duties

The Resolutions Committee shall adopt statements of policy amending the annual Municipal Policy Statement, special resolutions and such other resolutions of courtesy, commendation or appreciation as the Committee deems appropriate.

3. Submission of Resolutions

- A. All resolutions submitted by a city or town, including resolutions of courtesy, commendation or appreciation, may be considered by the Committee provided such resolutions are submitted to the Chairman of the Committee or to the League office for consideration by the Policy Committees. The resolutions process allows cities and towns to submit policy ideas to the League at any time during the year without the requirement of a co-sponsoring city or town. If approved by a policy committee, League staff will draft the resolution for presentation to the full Resolutions Committee. Sponsoring cities and towns, or other interested stakeholders may be consulted to provide more information on the idea and also may be invited to speak to the issue at one of the policy committee meetings. Submissions received after June 1 may not be processed in time for the Annual Conference.
- B. Except in the case of emergency as determined by the chair of the committee, no resolutions submitted by a city or town after the deadline specified in subsection A of this section or that have not been vetted by the Policy Committees may be considered.
- C. League staff may submit resolutions for consideration by the full Resolutions Committee if there are issues that have not been addressed through the policy committee process.

4. Resolutions Committee Process

- A. The President shall assign submissions to the relevant Policy Committee. The Policy Committees will review submissions and develop pertinent resolutions for consideration by the Resolutions Committee. Except for the provisions of subsections 3 A and B, only resolutions advanced by the Policy Committees shall be discussed at the Annual Conference Resolutions Committee.
- B. Resolutions shall be amended according to the process established by the Chairman of the Committee.
- C. The completed resolutions will go to the full Resolutions Committee at the Annual Conference for consideration. The chairs of each policy committee will be responsible for presenting the resolutions and their committee activities to the full Resolutions Committee. Notice shall be given to each member at least four weeks in advance of the meeting.

5. Final Report

After the Resolutions Committee meeting, the Chairman of the Committee or a designee shall report to the entire league membership at the Annual Business Meeting those resolutions adopted by the Committee. Resolutions adopted by the Committee shall be formally adopted by the membership at the Annual Business Meeting and become the basis for the annual Municipal Policy Statement.

Policy Committee Reports

The following policy committee reports and resolutions are arranged in alphabetical order. The recommended resolutions are categorized by their respective committee initials and numbered according to the order in which they were approved. These are the only items that will be voted on. The other submissions that did not move forward as resolutions will be explained at the Resolutions Committee.

Budget, Finance and Economic Development – BFED

General Administration, Human Resources and Elections – GAHRE

Neighborhoods, Sustainability and Quality of Life – NSQL

Public Safety, Military Affairs and the Courts – PSMAC

Transportation, Infrastructure and Public Works – TIPW

**League of Arizona Cities and Towns Resolutions Summary Chart
2017 Resolutions**

Number	Resolution	Sponsor	Action	Notes
GAHRE 1	Allow city/town elected officials to transfer campaign contributions to a statewide or legislative office.	Maricopa		
GAHRE 2	Allow cities and towns to appoint, by resolution, a designee of the council to sign special event liquor licenses.	Wickenburg		
GAHRE 3	Require a candidate or entity that intends to receive contributions or make expenditures of \$1000 or less to file a signed exemption statement that states that intention before receiving contributions, making any expenditure, distributing any campaign literature or circulating petitions.	Peoria		
NSQL 1	Pursue modifications to state and federal law to provide more options for local governments to regulate unstructured sober living homes in order to protect the health, safety and welfare of sober home residents and the communities in which they are located.	Phoenix		
TIPW 1	Draft legislation to allow for Street Light Improvement Districts (SLID) and Parkway Maintenance Improvement Districts (MID) that have continuous border to be combined.	Buckeye		
TIPW 2	Explore, draft or support legislation for alternative transportation funding for cities and towns to operate and maintain their roads.	Yuma		

**League of Arizona Cities and Towns Resolutions Summary Chart
2017 Resolutions**

League Staff 1	Perform extensive research and develop legislation for introduction in the 2018 Legislative Session that addresses the challenges with and discrepancies between local boards of the Public Safety Personnel Retirement System (PSPRS) and reconvene the Pension Task Force in an effort to make the administrative processes more efficient and ensure determinations for disability are uniform among the more than 230 PSPRS plans.	League		
League Staff 2	Continue the analysis of the impact of various proposed legislative changes to the construction sales tax system to assure that any modifications will create a long-term, sustainable policy that maintains state and municipal revenues, ensures local revenues are received at the location in which the construction activity occurs, provides simplicity for the industry and improves compliance.	League		
League Staff 3	Urge the Governor and Legislature to complete the stabilization and balancing of the State budget by eliminating current reliance on local governments to fund the State's responsibility for day-to-day operations of the Department of Revenue.	League		

Chair's Report of the Budget, Finance and Economic Development Policy Committee

Mayor Daryl Seymore, Chair

Resolutions Committee Meeting, League Annual Conference
Tuesday, August 22, 2017

On **June 8, 2017**, the Budget, Finance and Economic Development Policy Committee (BFED) convened to discuss two policy issues submitted by cities and towns for consideration by the committee. Below is a summary of each of the policy issues considered by BFED:

1. Advocate for state enabling legislation for Property Assessed Clean Energy. – **Flagstaff (Policy Issue 1)**
2. Support efforts to increase tourism in our state. – **Queen Creek (Policy Issue 2)**

Below is a summary of the committee discussion and the recommendations:

The town of Queen Creek submitted **Policy Issue 1**. Councilman Dawn Oliphant, on behalf of Queen Creek, explained the purpose is to support efforts to increase tourism in our state, as it diversifies our economic base, creates jobs and general economic development opportunities, and reduces the tax burden on our residents. In addition, the goal is to bring more visibility to tourism opportunities in areas that have not traditionally been tourist hot spots and look into the state's efforts on increasing tourism.

The Committee voted to assign the resolution for further study.

The city of Flagstaff presented **Policy Issue 2**. Caleb Blaschke, Assistant to the City Manager, explained the proposal is requesting the League to assist in advocating for enabling legislation that would allow the creation of renewable energy and conservation financing districts.

This legislation has been attempted in the past and has been unsuccessful because of the legislature's reluctance to create additional special districts. Last year, a coalition consisting of the city of Flagstaff and other groups worked to develop this concept and draft legislation; however, legislation was not offered as the coalition needed more time to develop the concept.

The committee voted to assign this resolution for further study.

The table below summarizes the BFED Committee's actions:

Policy Issue	Disposition by Committee
1	Assigned for further study
2	Assigned for further study

Daryl Seymore
Mayor of Show Low
Chair, Budget, Finance and Economic Development Policy Committee

Chair's Report of the General Administration, Human Resources and Elections Committee

Mayor Lana Mook, El Mirage

Resolutions Committee Meeting, League Annual Conference
Tuesday, August 22, 2017

On **April 13, 2017 and June 8, 2017**, General Administration, Human Resources and Elections Committee (GAHRE) convened to discuss four policy issues submitted by the cities of Buckeye, Maricopa, and Peoria as well as the town of Wickenburg. Below is a summary of the issue considered by GAHRE:

1. Allow city/town elected officials to transfer campaign contributions to a statewide or legislative office. **Maricopa (Policy Issue 1)**
2. Allow cities and towns to appoint, by resolution, a designee of the council to sign special event liquor licenses. **Wickenburg (Policy Issue 2)**
3. Amend A.R.S. § 48-702(C)(8) by 1) making the “two additional members” non-voting members of the CFD governing body; 2) requiring that the “two additional members” be residents of the city where the CFD is located; 3) allowing the governing body of the CFD to remove the additional members by a simple majority vote; and 4) requiring the two additional members to be qualified voters. **Buckeye (Policy Issue 3)**
4. Require a candidate or entity that intends to receive contributions or make expenditures of \$1,000 or less to file a signed exemption statement that states that intention before receiving contributions, making any expenditure, distributing any campaign literature or circulating petitions. **Peoria (Policy Issue 4)**

Below is a summary of the committee discussion and recommendations:

The city of Maricopa submitted **Policy Issue 1**. Mayor Christian Price explained that current statute, recently amended by the legislature, allows surplus campaign contributions to be transferred to a campaign for statewide office by any elected official; with the lone exception of city and town elected officials. Excluding mayors and councilmembers from using campaign contributions to seek statewide office is a clear equity issue that really has no justification.

The committee agreed that this is an issue that needs to be rectified by a change to state law and recommended that this policy issue be designated as a proposed resolution to be considered by the Resolutions Committee at the League Annual Conference.

The town of Wickenburg proposed **Policy Issue 2** that would allow cities and towns to appoint, by resolution, a designee of the council to sign special event liquor licenses. It was explained that the Arizona Department of Liquor Licenses and Control issued an “Industry Notice” stating that it has been an acceptable practice for the cities and towns to have a designee sign special event Liquor Licenses without having to go directly to the council. This was accomplished by having the council appoint a designee by resolution, and usually that designee is the clerk. After some research by city and town attorneys, they indicated that state law has no provision for a designee to be appointed. The intent of this policy issue is to amend state statute to reflect current practice; an industry standard that is accepted by all parties in the transaction.

The committee discussed the issue, considered it to be very straightforward law and recommended that this policy issue be designated as a proposed resolution to be considered by the Resolutions Committee.

The city of Buckeye proposed **Policy Issue 3**. It proposes a change to the statutes related to the governing body of CFDs. In the 2017 legislative session, two additional seats were added to the governing board of CFDs. These seats are to be filled by nominations from the largest landholder in the CFD and appointed by the governing board. George Diaz, Government Relations Manager for the city of Buckeye, expressed concerns about the appointment of these private sector individuals. These concerns included issues related to their presence in an executive session of the governing board and the ability of the city to insure these members.

Mr. Diaz said that the intention of the policy proposal was to do the following: 1) make the “two additional members” non-voting members of the CFD governing body; 2) require that the “two additional members” be residents of the city where the CFD is located; 3) allow the governing body of the CFD to remove the additional members by a simple majority vote; and 4) require the two additional members to be qualified voters.

Patrice Kraus, Legislative Director for the League, then explained to the group how all the components of the CFD legislation were negotiated. All the issues were measured against the fact that a much more egregious bill made its way to the governor’s office the year before. On the issue of adding the additional private members to the board, she explained that the League felt that the governing board still had a significant majority made up by the council. Also, she felt that some of the issues raised by the city of Buckeye could be handled by adopting an ordinance related to board governance. The ordinance contemplated could include provisions about term limits, removal for cause and the additional members providing their own insurance.

The committee then discussed the issue and arrived at the conclusion that this issue should not move forward as a resolution at this time because it had been negotiated by the League very recently. However, they also directed League staff to assist with the drafting of a board governance ordinance if requested by a city or town and to revisit the issue in a year to see what the experience of cities and towns has been with the addition of the new private members to the governing boards of CFDs.

The city of Peoria proposed **Policy Issue 4**. Rhonda Germinisky, City Clerk for Peoria, explained that a change to the statutes related to campaign finance reporting created a need for discussion of this policy issue. Until very recently, statute required individuals or committees to file a Threshold Exemption Statement if they were not intending to spend more than the statutory cap. Because a large percentage of our candidates in local elections do not spend over the statutory cap, without a threshold exemption statement, city and town clerks have no way to contact candidates or political committees for complaints related to their campaign, such as with political signs. Also, with the statutory cap of \$1,000 being increased each year by \$100, fewer and fewer candidates and committees will be doing any campaign finance reporting. The policy proposal is to reinstate the requirement for individuals/committees to file a Threshold Exemption Statement for local elections as well as to keep the threshold to qualify as a committee capped at \$1,000.

The committee discussed the issue and recommended that this policy issue be designated as a proposed resolution to be considered by the Resolutions Committee.

The table below summarizes the TIPW Committee's actions:

Policy Issue	Disposition by Committee
1	Resolution GAHRE 1
2	Resolution GAHRE 2
3	Revisit in 2018
4	Resolution GAHRE 3

Lana Mook
Mayor of El Mirage
Chair, General Administration, Human Resources and Elections

GAHRE#1

League of Arizona Cities & Towns Resolution

Allow city/town elected officials to transfer campaign contributions to a statewide or legislative office.

A. Purpose and Effect of Resolution

The inability for local officials to transfer contributions to a statewide or legislative office is simply not equal treatment. This change would encourage more local elected officials to run for statewide office.

B. Relevance to Municipal Policy

City and town elected officials, because of their experience, should be encouraged to run for statewide or legislative office. It is not reasonable to exclude them from using contributions in this way.

C. Fiscal Impact to Cities and Towns

No fiscal impact to cities and towns.

D. Fiscal Impact to the State

No fiscal impact to the state.

E. Contact Information

Sponsoring City or Town: City of Maricopa

Name: Dale Wiebusch, Intergovernmental Affairs Director

Phone: 602-549-3696 Email: dale.wiebusch@maricopa-az.gov

League Staff: Tom Belshe

League of Arizona Cities & Towns Resolution

Allow cities and towns to appoint, by resolution, a designee of the council to sign special event liquor licenses.

A. Purpose and Effect of Resolution

The Arizona Department of Liquor Licenses and Control issued an “Industry Notice” stating that it has been an acceptable practice for cities and towns to have a designee sign special event liquor licenses without having to go directly to the council. This will allow for timely issuance of the licenses. Because statute does not reflect the actual practice, it is necessary to amend state statute.

B. Relevance to Municipal Policy

City and town elected officials and clerks want to be business friendly and working with the Arizona Department of Liquor Licenses and Control to codify sound practice makes sense.

C. Fiscal Impact to Cities and Towns

No fiscal impact to cities and towns.

D. Fiscal Impact to the State

No fiscal impact to the state.

E. Contact Information

Sponsoring City or Town: Town of Wickenburg

Name: Amy Brown, Interim Town Clerk

Phone: (928) 684-5451 x1517 Email: abrown@wickenburgaz.org

League Staff: Tom Belshe

League of Arizona Cities & Towns Resolution

Require a candidate or entity that intends to receive contributions or make expenditures of \$1,000 or less to file a signed exemption statement that states that intention before receiving contributions, making any expenditure, distributing any campaign literature or circulating petitions.

A. Purpose and Effect of Resolution

By reinstating the requirement for individuals and committees to file a Threshold Exemption Statement for local elections as well as keeping the threshold to qualify as a committee capped at \$1,000, cities and towns will be able to comply with state law related to elections.

B. Relevance to Municipal Policy

City and town clerks need to have information on candidates and committees in town to be able to deal with complaints and issues with political signs.

C. Fiscal Impact to Cities and Towns

No fiscal impact to cities and towns.

D. Fiscal Impact to the State

No fiscal impact to the state.

E. Contact Information

Sponsoring City or Town: City of Peoria

Name: Rhonda Geriminsky, City Clerk

Phone: (623) 773-7340 **Email:** rhonda.geriminsky@peoriaaz.gov

League Staff: Tom Belshe

Chair's Report of the Neighborhoods, Sustainability, and Quality of Life Policy Committee

Mayor Linda Kavanagh, Chair

Resolutions Committee Meeting, League Annual Conference
Tuesday, August 22, 2017

On **June 20, 2017**, the Neighborhoods, Sustainability, and Quality of Life Policy Committee (NSQL) convened to discuss one policy issue submitted by a member community for consideration. Below is a summary of the policy issue considered by NSQL:

1. Pursue modifications to state and federal law to provide more options for local governments to regulate sober living homes in order to protect the health, safety, and welfare of sober home residents and the communities in which they are located. **Phoenix (Policy Issue 1)**

Below is a summary of the committee discussion and the recommendations:

The city of Phoenix submitted **Policy Issue 1**. Alex Vidal (League Staff) gave a brief overview of the licensing of group homes and how sober living homes differ from other group homes. The committee then discussed various examples of the negative consequences that unregulated, poorly-run sober living homes in Arizona and other states have had on the health, safety and welfare of the sober living home and neighborhood residents.

John Wayne Gonzales (Intergovernmental Affairs Liaison) on behalf of the city of Phoenix described the city's current efforts to update relevant zoning ordinances to address some of the issues related to sober living homes while complying with the Americans with Disabilities Act and Fair Housing Act (ADA/FHA).

The committee then discussed various approaches that different communities have tried to address this issue. The committee agreed that existing state and local laws should be examined to explore what policy options local governments currently have and that best practices based on that information should be shared. The discussion moved to the Arizona Department of Health Services' (ADHS) lack of authority in this area and what actions have been or could be taken by the state. Staff was instructed to seek further information from ADHS, and other appropriate local and national organizations, about sober living homes and incorporate any relevant findings into the policy proposal.

The committee then turned to the ADA/FHA which requires local zoning laws to treat sober living homes identically to other similarly situated residences. The committee agreed that the ADA/FHA as currently written has become an impediment to local government's ability to address bad actors in the sober living home industry to protect public health, safety, and welfare and that reasonable reform in this area should be pursued.

Staff described the various actions the committee could take with respect to the policy issue. The committee voted unanimously to move the policy issue forward as a resolution for consideration at the League Annual Conference.

The table below summarizes the NSQL Committee's actions:

Policy Issue	Disposition by Committee
1	Resolution NSQL 1

Linda Kavanagh

Mayor of Fountain Hills

Chair, Neighborhoods, Sustainability, and Quality of Life Policy Committee

League of Arizona Cities & Towns Resolution

Pursue modifications to state and federal law to provide more options for local governments to regulate unstructured sober living homes in order to protect the health, safety, and welfare of sober home residents and the communities in which they are located.

A. Purpose and Effect of Resolution

Sober living homes are meant to provide an alcohol and drug-free living environment for those recovering from alcohol and/or drug addiction. Subsets of these homes, which are “unstructured”, have proliferated in Arizona and other states in recent years with no on-sight supervision and no government regulation or oversight of any kind. Examples of unregulated/unsupervised sober living homes that are poorly administered devolving into dangerous and unhealthy living environments abound. Bad actors in the industry jeopardize the recovery of house residents and have increasingly negative impacts on the surrounding community. Some attempts by local governments to protect the public through local ordinances have been successful but others have been ineffective or resulted in adverse legal action based on federal grounds. This resolution therefore calls for potential modifications to state and federal law to provide more options for local governments to regulate unstructured sober living homes in order to protect the health, safety, and welfare of sober home residents and the communities in which they are located.

B. Relevance to Municipal Policy

Many sober living homes provide no actual in-house services other than housing, and are therefore not regulated or overseen by any state or federal agency. Communities have turned to local governments and law enforcement for relief from the negative impacts of poorly-run sober living homes. However, under the ADA/FHA, residents of sober living homes are considered disabled and sober living home operators can bring federal discrimination claims on their behalf. This has severely constrained what actions local governments can take to regulate bad actors in the industry that have established themselves in a community.

C. Fiscal Impact to Cities and Towns

No fiscal impact to municipalities.

D. Fiscal Impact to the State

No fiscal impact to the state.

E. Contact Information

Sponsoring City or Town: City of Phoenix

Name: John Wayne Gonzales, Intergovernmental Affairs Liaison

Phone: (602) 256-4257

Email: john.wayne.gonzales@phoenix.gov

League Staff: Alex Vidal

Chair's Report of the Public Safety, Military Affairs and the Courts Policy Committee

Mayor Jerry Weiers, Glendale

Resolutions Committee Meeting, League Annual Conference
Tuesday, August 22, 2017

The PSMAC Policy Committee did not receive any policy issues to review. Therefore, they did not meet and have no recommended resolutions for the Resolutions Committee to consider.

Chair's Report of the Transportation, Infrastructure and Public Works Policy Committee

Mayor Bob Rivera, Thatcher

Resolutions Committee Meeting, League Annual Conference
Tuesday, August 22, 2017

On **April 28, 2017**, the Transportation, Infrastructure and Public Works Committee (TIPW) convened to discuss two policy issues submitted by the cities of Yuma and Sedona. Below is a summary of the issue considered by TIPW:

1. Discuss transportation funding recommendations. **Yuma (Policy Issue 1)**
2. Amend statute to permit cities/towns to restrict operation of off-highway vehicles on streets under their exclusive authority. **Sedona (Policy Issue 2)**

Below is a summary of the committee discussion and recommendations:

The city of Yuma submitted **Policy Issue 1**. Dan White, Assistant City Attorney, explained the intent is to review alternative methods to increase transportation funding for street and road maintenance that do not include increasing the gas tax. Among the ideas proposed include 1) increasing the vehicle registration fee from \$8 to \$16; 2) require driver license renewals every three years and dedicate the fees to highway infrastructure; and 3) require annual registration renewal, rather than permanent registration, for boat and utility trailers. Mr. White stated that increasing transportation funding should not be limited to these proposed ideas and other methods could be explored and supported as well.

The committee discussed and requested the policy issue be continued to the next scheduled TIPW meeting in order to revise the wording of the resolution to allow League staff flexibility to draft or support legislation that is consistent with the goal of the committee.

Robert Pickels, City Attorney, and Councilor Scott Jablow on behalf of the city of Sedona proposed **Policy Issue 2**. It would allow cities and towns to restrict operation of off-highway vehicles (OHV) on streets that are under their exclusive authority.

Mr. Pickels and Councilor Jablow explained OHVs travel on city streets to access popular U.S. Forest Service trail heads, which are located within residential neighborhoods. OHVs in these areas are frequently operated at high rates of speed, generate high decibel level noise and cause significant disturbance to residents who live near the trail heads.

The committee discussed the issue and offered suggestions in-lieu of a change to state statute. After discussion, the committee voted to assign the resolution for further study to allow Sedona to work with ADOT on a possible administrative action.

On **June 16, 2017**, the TIPW committee convened to discuss one policy issue submitted by the city of Buckeye and to review and vote on a revised policy issue submitted by the city of Yuma. Below is a summary of the issue considered by TIPW:

1. Explore, draft or support legislation for alternative transportation funding, such as increasing registration fees and the frequency of driver's license and trailer registration renewals, for cities and

towns to operate and maintain their roads. **Yuma (Policy Issue 1)**

2. Draft legislation to allow for Street Light Improvement Districts (SLID) and Parkway Maintenance Improvement Districts (MID) that have continuous borders to be combined. **Buckeye (Policy Issue 3)**

Below is a summary of the committee discussion and recommendations:

The city of Yuma revised and resubmitted **Policy Issue 1** on request of the TIPW committee. At the meeting, League staff explained the intent and the goal is to allow for more flexibility to support legislation that will increase transportation funding. After discussion, the committee voted to assign this proposal as a resolution to be considered by the Resolutions Committee.

The city of Buckeye submitted **Policy Issue 3** regarding proposed legislation that would allow cities and towns to consolidate SLIDs and MIDs that have continuous borders.

George Diaz, Government Relations Manager for the city of Buckeye, explained there can be several SLID/MIDs in a particular area that have continuous borders, which creates inefficiencies for cities and towns as these are managed by individual improvement districts. Mr. Diaz went on to explain the concept would allow for the even distribution of property tax payments for property owners in the consolidated SLIDs/MIDs and allow for the addition of new territory to the consolidated district, which will provide developers flexibility when developing projects in phases and remove the requirement to form a new SLID/MID for each phase constructed.

The table below summarizes the TIPW Committee's actions:

Policy Issue	Disposition by Committee
1	Resolution TIPW 2
2	Assigned for further study
3	Resolution TIPW 1

Bob Rivera
Mayor of Thatcher
Chair, Transportation, Infrastructure and Public Works Policy Committee

League of Arizona Cities & Towns Resolution

Draft legislation to allow for Street Light Improvement Districts (SLID) and Parkway Maintenance Improvement Districts (MID) that have continuous borders to be combined.

A. Purpose and Effect of Resolution

Many cities and towns have ordinances that allow for SLIDs to help defray the cost of power for streetlights within neighborhoods and for MIDs that protect the city or town from the unlikely event that a homeowners' association (HOA) may fail. MIDs provide a revenue source in the form of property taxes to defray the costs of maintaining the landscaping in the rights of way of an HOA that has failed.

It is very common for several SLID/MIDs with contiguous borders to have been formed in a particular area. Very often, one SLID will have a property tax assessment higher than another area. There are a variety of reasons for this, including:

- a) The number of and type of lights in one district is different than another; or
- b) The number of collector streets is higher in one district than another.

This creates a perceived disparity in property tax burden. Also, managing multiple districts in one area or HOA is insufficient for the municipality and the county assessor.

B. Relevance to Municipal Policy

The benefits of consolidating SLIDs and MIDs are a much more evenly distributed ad valorem tax for the payment of SLIDs (and MIDs if enacted due to HOA failure) and increased efficiency for the municipality and county assessor in the administration of these districts.

C. Fiscal Impact to Cities and Towns

Cities and towns may realize cost savings associated with managing consolidated SLIDs and MIDs rather than managing multiple in a particular area.

D. Fiscal Impact to the State

No fiscal impact to the state.

E. Contact Information

Sponsoring City or Town: City of Buckeye

Name: George Diaz, Government Relations Manager

Phone: (623) 349-6996 Email: gdiaz@buckeyeaz.gov

League Staff: Tom Savage

League of Arizona Cities & Towns Resolution

Explore, draft or support legislation for alternative transportation funding for cities and towns to operate and maintain their roads.

A. Purpose and Effect of Resolution

State HURF money is intended to fund the repair of streets and highways throughout the counties and municipalities as well as maintenance and construction, with the revenue coming from a gasoline tax and other transportation-related fees. A gasoline tax puts the burden of funding highway infrastructure only on those vehicles using gasoline or diesel fuels while hybrid, electric and towed vehicles pay little or nothing.

If Arizona is going to compete for new businesses and manufacturers, it is imperative that we improve our highway infrastructure. New revenue streams for funding highways, including but not limited to increasing registration fees and the frequency of driver's license and trailer registration renewals, would distribute the expense more fairly over all of the highway users.

B. Relevance to Municipal Policy

Cities and towns rely on HURF monies to construct, repair and maintain street and highway infrastructure. With projected declines in HURF revenues associated with increased fuel-efficiency of passenger vehicles and the uncertain future of continued legislative sweeps of HURF monies to fund the Department of Public Safety, cities and towns should explore and support alternative funding options for road construction and maintenance and the DPS that is distributed equally among all highway users.

C. Fiscal Impact to Cities and Towns

Cities and towns will receive increased revenue for road construction and maintenance.

D. Fiscal Impact to the State

The state will receive increased revenue for road construction and maintenance.

E. Contact Information

Sponsoring City or Town: City of Yuma

Name: Dan White, Assistant City Attorney

Phone: (928) 373-5050 Email: Daniel.White@yumaaz.gov

League Staff: Tom Savage

Report from the League Executive Director on Staff-Developed Resolutions

Ken Strobeck, Executive Director

Resolutions Committee Meeting, League Annual Conference
Tuesday, August 22, 2017

After the completion of the Policy Committee meetings, League staff met to determine whether there were policy issues that had not been proposed through the Policy Committee process. The following are proposed resolutions staff believes should be considered by the Resolutions Committee at the Annual Conference.

1. Perform extensive research and develop legislation for introduction in the 2018 Legislative Session that addresses the challenges with and discrepancies between local boards of the Public Safety Personnel Retirement System (PSPRS) and reconvene the Pension Task Force in an effort to make the administrative processes more efficient and ensure determinations for disability are uniform among the more than 230 PSPRS plans. – **League Staff (Policy Issue 1)**
2. Continue the analysis of the impact of various proposed legislative changes to the construction sales tax system to assure that any modifications will create a long-term, sustainable policy that maintains state and municipal revenues, ensures local revenues are received at the location in which the construction activity occurs, provides simplicity for the industry and improves compliance. – **League Staff (Policy Issue 2)**
3. Urge the Governor and Legislature to complete the stabilization and balancing of the State budget by eliminating current reliance on local governments to fund the State's responsibility for day-to-day operations of the Department of Revenue. – **League Staff (Policy Issue 3)**

League Staff #1

League of Arizona Cities & Towns Resolution

Perform extensive research and develop legislation for introduction in the 2018 Legislative Session that addresses the challenges with and discrepancies between local boards of the Public Safety Personnel Retirement System (PSPRS) and reconvene the Pension Task Force in an effort to make the administrative processes more efficient and ensure determinations for disability are uniform among the more than 230 PSPRS plans.

A. Purpose and Effect of Resolution

Laws 2016, Chapter 2 (SB1428) and the voter-approved Proposition 124 enacted changes to PSPRS by removing Permanent Benefit Increases in exchange for a more predictable Cost of Living Adjustment, established a new Tier 3 where members hired after July 1, 2017 would be subject to a 50/50 split of required contributions, and created a defined contribution plan for employees not eligible for Social Security. Additionally, Section 18 required the PSPRS Board to receive recommendations from the Advisory Committee on the concepts of risk pooling and local board consolidation and present their findings to the President of the Senate, Speaker of the House, and Governor.

Laws 2017, Chapter 235 (SB1063) addressed the concept of risk pooling outlined in the Cortex study by establishing a risk pool arrangement for employer participants with 250 or fewer active members and single employer plans for employer participants with 251 or more active members. It also created a statewide pool for death and disability benefits. However, the legislature failed to address any recommendations regarding the local board structure and consolidation of local disability boards during the 2017 Legislative Session.

The League believes it to be prudent for the legislature to address the idea of consolidating PSPRS local boards from the current total of 233 to something significantly more efficient and uniform with all recommendations substantiated by utilizing data and comparing best practices of similar systems.

B. Relevance to Municipal Policy

Pursuant to A.R.S. § 38-847, the local boards are responsible for:

- Deciding questions of eligibility for membership, service credits, and benefits;
- Determining the amount, manner, and time of payment of any benefits under PSPRS;
- Responding to member appeals; and
- Appointing a medical board.

C. Fiscal Impact to Cities and Towns

Impact TBD pending accumulation and analysis of data.

D. Fiscal Impact to the State

Impact TBD pending accumulation and analysis of data.

E. Contact Information

Sponsoring City or Town: League of Arizona Cities and Towns

League Staff: Nick Ponder

Phone: 602-258-5786

Email: nponder@azleague.org

League Staff #2

League of Arizona Cities & Towns Resolution

Continue the analysis of the impact of various proposed legislative changes to the construction sales tax system to assure that any modifications will create a long-term, sustainable policy that maintains state and municipal revenues, ensures local revenues are received at the location in which the construction activity occurs, provides simplicity for the industry and improves compliance.

A. Purpose and Effect of Resolution

For years there has been an effort by the construction industry to move from our current construction sales tax system to one that taxes materials only at the point of sale.

The League's Executive Committee directed League staff to form a task force to take a more in depth look at this issue and to develop the data necessary to make informed decisions about any changes to the construction sales tax process. The task force was appointed and met regularly during the interim. The information the task force assembled played a critical role in explaining to members the impact of the legislation that was introduced during the last session.

According to task force's analysis and information developed by the Joint Legislative Budget Committee (JLBC), if the state taxed only the materials used in construction, it would see significant revenues losses. To offset this loss, last year's legislation proposed imposing a new excise tax on construction activity and a general redistribution of some local TPT revenue. This proposal came late in the process and legislators were reluctant to support it until they had more detailed information.

The task force will be reconvened to continue to analyze the various concepts that were discussed last session to determine their fiscal impact on state and local governments and feasibility of implementation. Additionally, it will explore other options for modifying construction sales tax.

B. Relevance to Municipal Policy

Both municipalities and the state would lose significant revenues if we moved to taxing only construction materials. Since we were able to demonstrate this fiscal impact through our analyses, new proposals were made in an attempt to mitigate the negative financial impact on the state and on local governments. We need to continue to review these proposals so we can be prepared to provide the data necessary to guide any policy decisions regarding changing our construction sales tax system.

C. Fiscal Impact to Cities and Towns

The current tax system is imposed on 65% of the contract value or the selling price of new construction at the city level. A shift to taxing materials only will reduce that percentage to an estimated 30% to 40%, resulting in significant reduction in revenues. Some of this reduction may be offset by the higher revenue sharing rate assigned to the Retail class associated with the purchase of construction materials. However, the amount offset for each community will depend on many factors.

New legislative proposals surfaced last session that attempted to mitigate these losses. The task force will review these proposals and develop information that can be used to evaluate their impact and feasibility.

D. Fiscal Impact to the State

State revenues would also be reduced by taxing material only. While a new excise tax was proposed to offset these losses, the concept was not fully vetted and the bill did not advance last year. Further analysis is necessary to determine the effect of this proposal.

E. Contact Information

Sponsoring City or Town: League of Arizona Cities and Towns

League Staff: Patrice Kraus

Phone: 602-258-5786

Email: pkraus@azleague.org

League Staff #3

League of Arizona Cities & Towns Resolution

Urge the Governor and Legislature to complete the stabilization and balancing of the state budget by eliminating current reliance on local governments to fund the state's responsibility for day-to-day operations of the Department of Revenue.

A. Purpose and Effect of Resolution

As part of the Governor's objective to create a structurally balanced budget in 2015, local governments were called upon to provide funding that covered almost half of the Department of Revenue's ongoing operations. This contribution was intended to be a temporary measure to assist in closing the projected structural deficit in the shortest possible time. In exchange, cities and towns requested additional reports on specific performance measures as a means for cities to provide assistance in the revitalization and improvement of Department functionality.

Since then, the Governor and legislature have successfully put Arizona's finances back on stable footing with balanced budgets and the opportunity for tax cuts in each of the past three fiscal years. It is now time for Arizona to take the next step toward permanent financial solvency and independence by removing this reliance on local governments to fund a critical state agency.

Cities and towns should call on the legislature to repeal A.R.S. § 42-5041, Partial assessment of costs to local governments, councils and authorities, eliminating the annual capture of \$20,755,835 from local governments to fund the ordinary operations of a state agency.

B. Relevance to Municipal Policy

Municipalities are required to operate with balanced budgets that fully provide for all of the services and functions provided by the city or town. A policy of diverting locally imposed tax revenues to pay for the ordinary operations of a State agency results in less money available locally to provide the services citizens expect. Ultimately, this policy leads to either a reduction in services or an increase in local taxes to maintain service levels.

C. Fiscal Impact to Cities and Towns

Each year, cities and towns, counties, the Maricopa Association of Governments, and the Pima Association of Governments contribute \$20,755,835 to the ongoing operations of the Arizona Department of Revenue. Proportionate shares are allocated to each level of government. For FY 2017-2018, the 91 cities and towns will shoulder \$11,126,518 of the total burden imposed on local governments. Repeal of this statute will immediately return these critical funds to the localities that imposed these taxes to fund local services.

D. Fiscal Impact to the State

Elimination of this statute will require a reallocation of \$20,755,835 in state revenues to restore full responsibility for funding the operations of this state agency.

E. Contact Information

Sponsoring City or Town: League of Arizona Cities and Towns

League Staff: Patrice Kraus

Phone: 602-258-5786 **Email:** pkraus@azleague.org

League of Arizona Cities and Towns Resolutions Summary Chart
2017 Resolutions

Number	Resolution	Sponsor	Notes
GAHRE 1	Allow city/town elected officials to transfer campaign contributions to a statewide or legislative office.	Maricopa	Neutral
GAHRE 2	Allow cities and towns to appoint, by resolution, a designee of the council to sign special event liquor licenses.	Wickenburg	Neutral/Support –may provide operational efficiency; policy decision of the council.
GAHRE 3	Require a candidate or entity that intends to receive contributions or make expenditures of \$1000 or less to file a signed exemption statement that states that intention before receiving contributions, making any expenditure, distributing any campaign literature or circulating petitions.	Peoria	Neutral
NSQL 1	Pursue modifications to state and federal law to provide more options for local governments to regulate unstructured sober living homes in order to protect the health, safety and welfare of sober home residents and the communities in which they are located.	Phoenix	Support
TIPW 1	Draft legislation to allow for Street Light Improvement Districts (SLID) and Parkway Maintenance Improvement Districts (MID) that have continuous border to be combined.	Buckeye	Support
TIPW 2	Explore, draft or support legislation for alternative transportation funding for cities and towns to operate and maintain their roads.	Yuma	Support

League Staff 1	Perform extensive research and develop legislation for introduction in the 2018 Legislative Session that addresses the challenges with and discrepancies between local boards of the Public Safety Personnel Retirement System (PSPRS) and reconvene the Pension Task Force in an effort to make the administrative processes more efficient and ensure determinations for disability are uniform among the more than 230 PSPRS plans.	League	Support
League Staff 2	Continue the analysis of the impact of various proposed legislative changes to the construction sales tax system to assure that any modifications will create a long-term, sustainable policy that maintains state and municipal revenues, ensures local revenues are received at the location in which the construction activity occurs, provides simplicity for the industry and improves compliance.	League	Support
League Staff 3	Urge the Governor and Legislature to complete the stabilization and balancing of the State budget by eliminating current reliance on local governments to fund the State's responsibility for day-to-day operations of the Department of Revenue.	League	Support



CITY OF SURPRISE
Regular City Council Meeting

August 15, 2017 @ 6:00:00 PM

[Back](#) [Print](#)

Council Meeting Date:	August 15, 2017	Contact Person:	Sherry Ann Aguilar, City Clerk
Submitting Department:		District:	Internal
Staff Recommendations:	None		

Consent	☒ x	Regular	Public Hearing	Report/Discussion
---------	---------------------------------------	---------	----------------	-------------------

Agenda Wording:

Consideration and action on the minutes of August 1, 2017 Regular City Council Work Session and Regular City Council Meeting.

Motion:

I move to approve the meeting minutes.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

Click to download

- ☐ [Work Session](#)
 - ☐ [Regular Meeting](#)
-

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

Tuesday, August 1, 2017 @ 04:00 PM

Call to Order

Roll Call

Mayor Wolcott called the **Regular City Council Work Session** to order at 04:00 p.m. at Surprise City Hall Council Chamber, 16000 North Civic Center Plaza Surprise, Arizona 85374, on **Tuesday, August 1, 2017**. Also in attendance with Mayor Wolcott were Vice Mayor Tande, Council Member Winters, Council Member Hayden, Council Member Williams, Council Member Hall, and Council Member Remley.

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

Pledge of Allegiance

Call to the Public

Regular Agenda Item - Non-Public Hearing

1 – Discussion of a potential organizational change to create a new Enterprise Department to focus on private sector sports, public/private partnerships, and tourism in the City of Surprise - NO ACTION

City Manager Wingenroth gave a powerpoint presentation on this item.

Council Member Hall - Overall I think this is a great idea for the City, when I look at the management analyst position, would they evaluate different events coming in to the City? Is this what you are thinking about?

Mr. Wingenroth - Yes exactly, this department will need to be analytically savvy. I think we all know that during spring training we have retail activity during this time period, but we need to get a handle on revenue coming in.

Regular City Council Work Session Minutes – August 1, 2017 – Page 2

Council Member Hall - Library operations, is it our intent to take over the library? Ms. Miller has brought a group together to study Library operations. The Library is heavily utilized as well as the Aquatic Center. Residents think the Library belongs to the City, we really need to look hard at this.

Council Member Remley - I too have questions concerning the library, when will the results of the study be available to us?

CRS Director, Donna Miller - in the next couple of weeks, then bring to the Council late September.

Council Member Remley - Do we have staff dedicated to Tourism right now? This is a big deal, the stadium is promoting our City.

Mr. Wingenroth - The staff proposed will all take part in this as part of their focus. There was a lengthy discussion on what to call this, Sports Tourism or Sports & Tourism Department.

Council Member Remley - When I stop in one of the Big Box stores, I can usually find Cardinals, Diamondbacks, etc., but cannot find anything that says Surprise on it in our local stores.

Vice Mayor Tande - General fund subsidizes, one of the things I am looking for is treating the stadium like a business and create an Enterprise Fund. I want the parks and recreation to focus on working with our businesses for tourism to maximize our assets. We need to have specialists that are really good at different functions.

Council Member Winters - Great idea Bob, make Surprise a destination City. On the Director position, are you planning to do a Nationwide Search?

Yes, created a brochure.

Council Member Hall - Isn't the Tourism commission in the throes of creating a Strategic Plan?

Ms. Miller - Yes, September 12th is there second meeting. Then will present this to the Council in a few months.

Mr. Wingenroth - Tourism is an opportunity for us and will go after really hard.

Council Member Hayden - 83rd Avenue and Bell, may be able to duplicate some of this idea.

Mayor Wolcott - I agree this is an opportunity for our community. I really like the idea of an Enterprise Fund, especially for transparency. We know what our residents expect, I really appreciate this idea.

Mr. Wingenroth - Will come back to Council at the next meeting.

2 – Discussion and presentation pertaining to the Surprise Regional Chamber of Commerce and the development of a new citywide "Shop Local" program - NO ACTION

ED Director, Jeanine Jerkovic gave a power point presentation regarding this item. Touched on highlights of Chamber accomplishments, then turned over to incoming Chairman, Patrick McDermott from APS for an update. Topics included:

New Mission statement & MVP

Public Education/City Store/Local Promotions/Visitor Center/Relocation Kits and Luke Bags

Patrick McDermott turned over the presentation to Mr. Sada Chamber Director to discuss:

A recap of 2016: Award-Winning "Shop Bell & Grand". Keep it Local, Business, Jobs, Community.

Continue with digital text/email marketing and boots-on-the-ground

SHOP LOCAL (Version 2.0)

Enhanced website

More tools to enhance business engagement

Improve coupon and tracking capabilities

Mr. Sada - Our goal is to not be dependent on City Funds for Shop Surprise, let the Private Sector take control of the program and not rely on the City.

Mayor Wolcott - Technology is the wave of the future, we want an answer now and quickly. I like this concept and like the direction we are going in.

Vice Mayor Tande - This is going to be important for local small businesses and can take advantage of this marketing package. If the corporate partners are ready to go, don't wait.

Christopher Amos, Marketing Consultant with Dex Media - Host a series of Webinars so that all Surprise businesses can take advantage of this. We have a lot of resources taking place. This is really a regional thing, we have opt ins from Phoenix, Peoria and Glendale, we need to take advantage of this. We are also doing 6 commercials and promote throughout the region and bring business back here to Surprise.

Council Member Remley - I am impressed, how awesome. Once in a while we mention payback on investments, we really had payback on this through the construction period.

Council Member Williams - The reach goes well beyond our local businesses, this will reach big businesses that will want to build in Surprise. This is the way we are going to reach more businesses. I appreciate the work on this.

Council Member Hall - The budget amendment is \$41,000.? I like this project, don't get me wrong, but I would like some analysis, I would like to look at this on a year by year.

Ms. Jerkovic - This is what we propose, need to talk to Finance about this.

Chris - Absolutely understand what you are looking for, we will be able to track and produce really good data for you.

Council Member Remley - We may decide we want to do more, may want to add to this. Maybe doing this on a year by year basis, we may want to evaluate how much more we want to do.

3 – Discussion and presentation regarding Bell Road and Grand Avenue Monument Signage - NO ACTION

Community Development Director, Eric Fitzer gave a powerpoint presentation on this item.

Topics included:

Free Standing Monument Sign Requirements

Current Code Requirements

Potential Sign Locations

Sign Program Requests

Draft Sign Code Regulations being proposed to Council soon.

Potential Processes - Staff have received requests from owners in and around the Bell Grand Overpass Area.

Gene Laramée - Representing businesses at Bell/Grand Marketplace. The holiday season is approaching again, and want to make sure we are prepared. I agree with 40-foot signage on the opposite side of Bell Road, makes a difference. We are strictly looking for line of sight.

Rick Rettelle, Senior Producer with Blue Media working with several entities. Put together a submittal with the City after meetings with stakeholders, extensive technical surveys done to come up with appropriate data on behalf of the stakeholders, visible for west bound traffic over the overpass.

Vice Mayor Tande - Ask for slide showing potential sign locations. Do you have other locations within the property where this would also work? I appreciate the efforts you have put in for the mock-up of temporary signs.

Vice Mayor Tande - The overpass gives us a great view, was impressed of how green our City is, was very impressed. I do think it's important that you get the signage that shows this, but keeps our guidelines. I want to be a good partner and get you what you need, but this is a stumbling block for me, maybe to get your signage somewhere else on this sight.

Council Member Williams - I think this is a different situation for this area. How do you reach people, this is another component to this conversation? This is a unique situation due to the bridge, so I get it, but we are looking at constructing a downtown so what is being requested is not any more than how we can make this area sustainable and drive traffic to it.

Council Member Remley - I didn't realize how far off the road these signs were going to have to be, so really they are not on the road so terms of view, if they are going to be farther off the road, they need to be more significant. I am struggling with this.

Council Member Hall - We kind of think in a static mode, so I looked at the census data, 13-20% of the people move every year for whatever reason. You are always replenishing your market; it is not static. Signage attracts the customer, build the brands, and increase sales. Shopping centers of this size a study shows that 20% of sales are impulse driven. This is for new customers coming into Surprise, the locals no these businesses are there. I would have to ask you Eric, what would you recommend?

Mayor Wolcott - Commented that this is putting Eric in a bad situation to make a recommendation, he is here to present the info to Council for discussion and consideration. We are here to find a tasteful solution that satisfies everyone. I can see the businesses from the top of the bridge, but could see it better if the trees were trimmed. I think this is a great conversation, but we have to tread carefully on this,

Regular City Council Work Session Minutes – August 1, 2017 – Page 6

because of what we do here, will set the tone for future sign requests.

Mayor Wolcott - Staff is looking for our feedback to enhance our gateway into Surprise.

Vice Mayor Tande - Bell Road going West, down by our transit center, going north on Grand, would a sign identifying stores off of Grand, south of transit center to direct them onto Bell Road. Would this offsite help?

Mr. Fitzer - We have had some discussions with ADOT on this topic, the response has been mostly negative. Moon Valley Nursery case is an example of making adjustments for signs since the business was set back from Grand Avenue.

Vice Mayor Tande - My preference is to preserve our signature view and come up with some plans.

Council Member Hall - We are not talking about 80 foot signs, and second if someone comes forward with a sign request outside of the code, they would need to come before the Board of Adjustment. I think whatever we can do to assist our businesses, this is what I prefer. I agree with the 60-foot view, it is doable.

Council Member Winters - Foxfire, are they going to get a monument sign for this area? Different discussion. I agree that the businesses need the signage to bring people in.

Council Member Remley - Recently at the corner of Dysart and Bell Road, new directional signs, is this something we could do for the Foxfire area?

Mr. Fitzer- those types of signs were originally.

4 – Discussion and presentation regarding Temporary Signs – NO ACTION

Community Development Director, Eric Fitzer gave a power point presentation on this item. He gave history of A Frame signs in the City of Surprise.

Currently going through a revamp of the entire City Code for Temporary Signs.

Temporary Signs Draft Code

Sign classifications and types

Bring forward to Council in November/December for possible adoption.

Vice Mayor Tande - Currently A-Frames are not allowed, currently looking the other way. Until we adopt something is different, this is okay?

Regular City Council Work Session Minutes – August 1, 2017 – Page 7

Mr. Fitzer - Correct, bring something back in a temporary A-Frame sign policy.

Council Member Hall - I like this idea, Beta Test.

Council Member Remley - Right now if the existing code was in place, it would affect open houses. Beta Test.

Council Member Williams - Beta Test.

Mayor Wolcott - You have demonstrated that we need to clean up the language, I want to make sure we are really careful. I agree with Beta Test. Temporary means temporary, not a permanent fixture.

Executive Session

Adjournment

Mayor Wolcott adjourned the Regular City Council Work Session of August 1, 2017.

Sharon R. Wolcott, Mayor

ATTEST:

Sherry Ann Aguilar, City Clerk

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, August 1, 2017.**

Sherry Ann Aguilar, City Clerk

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

Tuesday, August 1, 2017 @ 06:24 PM

Call to Order

Roll Call

Mayor Wolcott called the **Regular City Council Meeting** to order at 06:24 p.m. at Surprise City Hall Council Chamber, 16000 North Civic Center Plaza Surprise, Arizona 85374, on **Tuesday, August 1, 2017**. Also in attendance with Mayor Wolcott were Vice Mayor Tande, Council Member Winters, Council Member Hayden, Council Member Williams, Council Member Remley, and Council Member Hall.

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 will recognize the 2017 Summer Youth Interns.

Recognition of our partner the Salvation Army for "Project Connect".

City Manager, Bob Wingenroth recognized the 2017 Summer Youth Intern Program and turned over the presentation to Irvin Cutwright, Program Manager.

25 interns selected out of 70 applications, City hiring process and assigned to different departments. Certificates were issued to each student and the Mayor and Council acknowledged each student.

Two students gave an overview of the 2017 Intern Program.

Regular City Council Meeting Minutes – August 9, 2017 – Page 2

City Manager Wingenroth - Terry Lowe - became MAG Water Quality Advisor Committee Chair. He was recognized by the Maricopa Community College Foundation.

City Attorney Report

City Clerk Report

Call to the Public

Randy Tamburino - Illegal Dumping within City limits @ Litchfield Road and Larkspur Lanes. The dumping has been going on for several years, and Code Enforcement is not enforcing the City code. The City should be enforcing this, provided several pictures for Council to review.

Consent Agenda

1 – Consideration and action on the minutes of June 20, 2017 Regular City Council Work Session and Regular City Council Meeting - APPROVED

2 – Consideration and action on a request by Daniel Hansen for a series 12 liquor license for Rito's Mexican Food, LLC., located at 15643 N. Reems Road, Surprise, AZ 85374 (New License/LLC - License No. 1207B079) - APPROVED

3 – Consideration and action on an Intergovernmental Agreement with Maricopa County for Workforce Development Services. Resolution #2017-87 - APPROVED

4 – Consideration and action accepting maintenance of the streets and public utility improvements at Sierra Montana Phase 1 North – Parcel G, generally located on the northwest corner of Cotton Lane and Acoma Drive. Resolution No 2017-83 - APPROVED

Council Member Remley asked that this item be removed from the consent agenda for discussion. Grand Materials is locating their headquarters to the original townsite in the City of Surprise. I want to put the word out there that if someone wants to bring their business to the original townsite, there are incentives through the infill incentive program.

City Planner, Hobart Wingard gave a presentation for this item.

Council Member Remley - How many jobs for this project?

Mr. Wingard - 25 jobs.

5 – Consideration and action pertaining to approval of request for incentive under the Original Town Site Infill Incentive District to facilitate the expansion of the Grand Materials Facility generally located southwest of the southwest corner of West Cottonwood and North Church Streets, and amending the FY2018 budget by reallocating appropriations in the amount of \$67,600 from Economic Development Contingency Fund for building permit, plan review, and development impact fees; Resolution # 2017-82 - APPROVED

6 – Consideration and action accepting maintenance of the streets and public utility improvements at The Retreat at Sycamore Farms Parcel 12, Phase 2, generally located on the south west corner of Cholla Street and 165th Drive. Resolution No 2017-85 - APPROVED

7 – Consideration and action accepting maintenance of the streets and public utility improvements at Sweetwater Avenue. Resolution No 2017-84 - APPROVED

8 – Consideration and action accepting maintenance of the streets and public utility improvements at Mariposa Pointe of Surprise, generally located on the southwest corner of Young Street and Stadium Way. Resolution No 2017-86 - APPROVED

9 – Consideration and action pertaining to an amendment of the FY2018 budget by reallocating appropriations of \$20,000 within the Grants Fund for the acceptance of the following two awards from the Arizona Governor's Office of Highway Safety (GOHS) for: 1) \$10,000 to support overtime for Selective Traffic Enforcement Program/Speed Enforcement activities and 2) to accept Change Order Number 2017-43, an amendment to GOHS FY2017-II-015 for \$10,000 in additional funding for DUI overtime enforcement; Resolution #2017-81 - APPROVED

10 – Consideration and action on RES 2017-80 authorizing the City of Surprise Fire-Medical Department ("SFMD") to enter into a Mutual Aid Agreement with Rural Metro Fire Department Incorporated ("RM") for the mutual exchange of fire, medical emergency and rescue services - APPROVED

11 – Consideration and action on RES 2017-78 authorizing the City of Surprise Fire-Medical Department (SFMD) to enter into an IGA with the City of Phoenix for fire training services - APPROVED

12 – Consideration and action pertaining to approval of a Fiscal Year 2018 budget amendment in the amount of \$2,800 and the acceptance grant funds from the Arizona Attorney General's Office for the Victim Services Program; Resolution # 2017-88 - APPROVED

Regular City Council Meeting Minutes – August 9, 2017 – Page 4

Council Member Winters made the motion to approve the consent agenda, excluding item #4. Council Member Williams seconded the motion. Seven yes votes, motion carried.

Regular Agenda Item - Public Hearing

13 – Consideration and action on grant funding priorities for the Community Development Block Grant Program Third Year Annual Action Plan for Year 2017-2018 - APPROVED

Neighborhood Services Manager, Christina Ramirez reported on items 13 and 14.

Council Member Winters made the motion to approve the Community Development Block Grant Program Third Year Annual Action Plan for Year 2017-2018. Council Member Remley seconded the motion. Seven yes votes, motion carried.

14 – Consideration and action on Public Service funding priorities for the Community Development Block Grant (CDBG) Program Third Year Annual Action Plan for Year 2017-2018 - APPROVED

Council Member Williams made the motion to approve Public Service funding priorities for the CDBG Program Third Year Annual Action Plan for Year 2017-2018. Council Member Hayden seconded the motion. Seven yes votes, motion carried.

15 – Presentation and discussion of FS17-107 Bonita Ranch Parcel A, Annexation Public Hearing, in accordance with Arizona Revised Statutes 9-471(A)(3), a public hearing is required to be held after filing a blank petition within the last ten days of the thirty day waiting period - NO ACTION

Lloyd Abrams gave a presentation regarding this item.

Regular Agenda Item - Non-Public Hearing

16 – Consideration and action pertaining to approval of a supplement to the Parks and Recreation Master Plan by adding a Recreation and Leisure Trends Analysis - APPROVED

CRS Director, Donna Miller gave a presentation on this item.

Council Member Williams made the motion to approve the recreation and leisure trends analysis as a supplement to the Parks and Recreation Master Plan. Council Member Winters seconded the motion. Seven yes votes, motion carried.

Regular City Council Meeting Minutes – August 9, 2017 – Page 5

17 – Presentation and discussion pertaining to City sponsorship of a zoning amendment of 5.7 acres of real property located approximately one-half of a mile north of Peoria Ave on the west side of Litchfield Rd to facilitate a Veteran's Memorial Hall - NO ACTION

CD Director, Eric Fitzer reported on this item.

Mayor Wolcott - Glad to see this land being rezoned for a good cause.

Council Member Winters - Agree with the rezoning request, we will talk about funding at a later date.

Council Member Hall - I agree with the rezoning request.

Council Member Williams - Asked for legal clarification on gift clause.

Attorney Wingo explained the legalities of the gift clause.

Vice Mayor Tande - This parcel is in my district, the Kenly Farms land is very inexpensive. My concern is always; is this going to fit in with the neighborhoods and I have not heard anything on this. When would a notice go out on this project for a public hearing?

Mr. Fitzer - There is a process for rezoning to lead up to the public hearings and neighborhood meetings, etc.

Vice Mayor Tande - Is there a way to get a business plan from the Veteran's before waving fees?

Mr. Fitzer - Received authorization from the landowner agreeing to move forward with a rezone.

Dave Vallencourt, Vice-President for Veteran's Memorial Hall - Display on military items. The first meeting had problems with the location of the hall, facing Litchfield Road could change the layout of the building. The hall is intended to be used for the public as well. Rent out for weddings, Bingo, open to the public, etc.

Vice Mayor Tande - Serve alcohol?

Mr. Vallencourt - Yes, but closed for membership.

Mr. Vallencourt - We are all getting older, need to reach out to new membership for the future.

Regular City Council Meeting Minutes – August 9, 2017 – Page 6

Council Member Remley - I feel I am very much in favor of this, can't imagine why we wouldn't do this.

Council Member Winters - How is your fundraising going for this memorial hall?

Mr. Vallencourt - We have 4 grants pending. Gila Indian Reservation, Newman's Own Grant & John F. Long Foundation.

Other Business

Hayden/Winters - Next Meeting - Changing pool fence ordinance

Hall/Winters - E-Session to discuss letter form Mattamy Homes - Legal will create item.

Mayor/Council Report

Mayor and Council reported the events they attended.

Council Member Winters made the motion to recess the Regular City Council Meeting and enter into executive session at 7:36 PM. Council Member Williams seconded the motion. Seven yes votes, motion carried.

Executive Session

18. **Consideration and action to enter into executive session for legal advice with the City Attorney and with representatives of the public body in order to consider its position and instruct its representatives regarding negotiations and purchase of utility infrastructure pursuant to A.R.S. 38-431.03(A)(3) and (7).**

Mayor Wolcott reconvened the Regular Council Meeting at 7:51.

Adjournment

Council Member Hall made the motion to adjourn the Regular City Council Meeting of August 1, 2017 at 7:52 PM. Council Member Williams seconded the motion. Seven yes votes, motion carried.

Sharon R. Wolcott, Mayor

Regular City Council Meeting Minutes – August 9, 2017 – Page 7

ATTEST:

Sherry Ann Aguilar, City Clerk

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, August 1, 2017.**

Sherry Ann Aguilar, City Clerk



CITY OF SURPRISE
Regular City Council Meeting

August 15, 2017 @ 6:00:00 PM

[Back](#) [Print](#)

Council Meeting Date:	August 15, 2017	Contact Person:	Joshua Mike - Community Development
Submitting Department:	CD	District:	1
Staff Recommendations:	None		

Consent	Regular	Public Hearing	x	Report/Discussion
---------	---------	----------------	---	-------------------

Agenda Wording:

Consideration and action pertaining to the annexation of approximately 2.49 acres generally located between Happy Valley Road, Jomax Road, 147th Ave and 155th Ave; Ordinance #2017-13.

Motion:

I move to approve Ordinance # 2017-13.

Background:

Kent A. Xander of Pensco Trust Company seeks annexation of an undeveloped parcel generally located between Happy Valley Road, Jomax Road, 147th Ave and 155th Ave. The annexation proposal is for a 2.49 acre parcel under single ownership of unincorporated land adjacent on 3 sides to the Rancho Mercado subdivision within Surprise city limits. The property is currently zoned Maricopa County Rural-43. If annexed, the property will assume similar Rural Residential (RR) zoning of the Surprise Unified Development Code (SUDC). In a concurrent development application, Bonita Ranch – Parcel A is part of a rezoning case that includes Bonita Ranch – Parcel B and C that was heard by the Planning and Commission on July 20, 2017 and will be heard by City Council on a later date. The blank petition was recorded with the Maricopa County Recorder's Office on July 6, 2017. Per the Arizona Revised Statutes (ARS) signatures of property owners may not be collected until 30 days after the recording of the blank petition and a public hearing must be held within the last ten days of the 30 day waiting period. Once the public hearing is held and the 30 day waiting period has expired state statute requires that an excess of 50% of the land owners and assessed valuation for all real and personal property sign the in order to validate the petition. The statute allows up to one year to obtain the signatures; staff anticipates obtaining the necessary signature in with the final signed petition being heard by the City Council on August 15, 2017.

Objective Analysis:

Positive impacts include adding additional property to the incorporated limits which will generate additional property and potential development fees. Negative impacts could include providing services in a 2.49 acre area where the City did not have to previously serve.

Policy Compliant:

In the event the City Council moves forward to annex this 2.49 acre parcel into the City limits the annexation would be deemed policy compliant by expanding the range of influence of the City.

Financial Impact:

The net financial impact to the City of Surprise is negative. Expenditures are estimated to be greater than revenue by approximately \$12,600 over twenty years, an average of approximately \$600 annually.

Budget Impact:

At this time there are no budget impacts associated with this item. Future budgets will include any associated expenditures and revenues as appropriate.

FTE Impact:

At this time there would be no additional FTEs associated with this item.

ATTACHMENTS:**Click to download**

- ☐ [00 - FS17-107 Annexation – Bonita Ranch Parcel A - Staff Report](#)
 - ☐ [01 - FS17-107 Annexation – Bonita Ranch Parcel A - Vicinity Map](#)
 - ☐ [02 - FS17-107 Annexation – Bonita Ranch Parcel A - Case Map](#)
 - ☐ [03 - FS17-107 Annexation Petition - Bonita Ranch Parcel A](#)
 - ☐ [04 - FS17-107 Annexation – Bonita Ranch Parcel A - Assessor Annexation Report](#)
 - ☐ [05 - FS17-107 Annexation – Bonita Ranch Parcel A - Value Transmittal - AZDOR](#)
 - ☐ [06 - FS17-107 Annexation – Bonita Ranch Parcel A - Annexation Impact Analysis](#)
 - ☐ [07 - FS17-107 Annexation – Bonita Ranch Parcel A - Ord 2017-13 Annexation of Bonita Ranch Parcel](#)
 - ☐ [08 - FS17-107 Annexation – Bonita Ranch Parcel A - Presentation](#)
-



Case: FS17-107

Project Name: Bonita Ranch - Parcel A

Council District: 1

City Council Date: August 15, 2017

Planner: Joshua Mike

Owner: Pensco Trust Company, FBO Kent A. Xander IRA

Applicant: Kent A. Xander

Request: Annexation Public Hearing

Site Location: Generally located between Happy Valley Road, Jomax Road, 147th Ave and 155th Ave

Site Size: 2.49 acres (approx.)

Density: N/A

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, which in turn will allow the property to be developed in accordance with the City of Surprise General Plan and Unified Development Code.

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

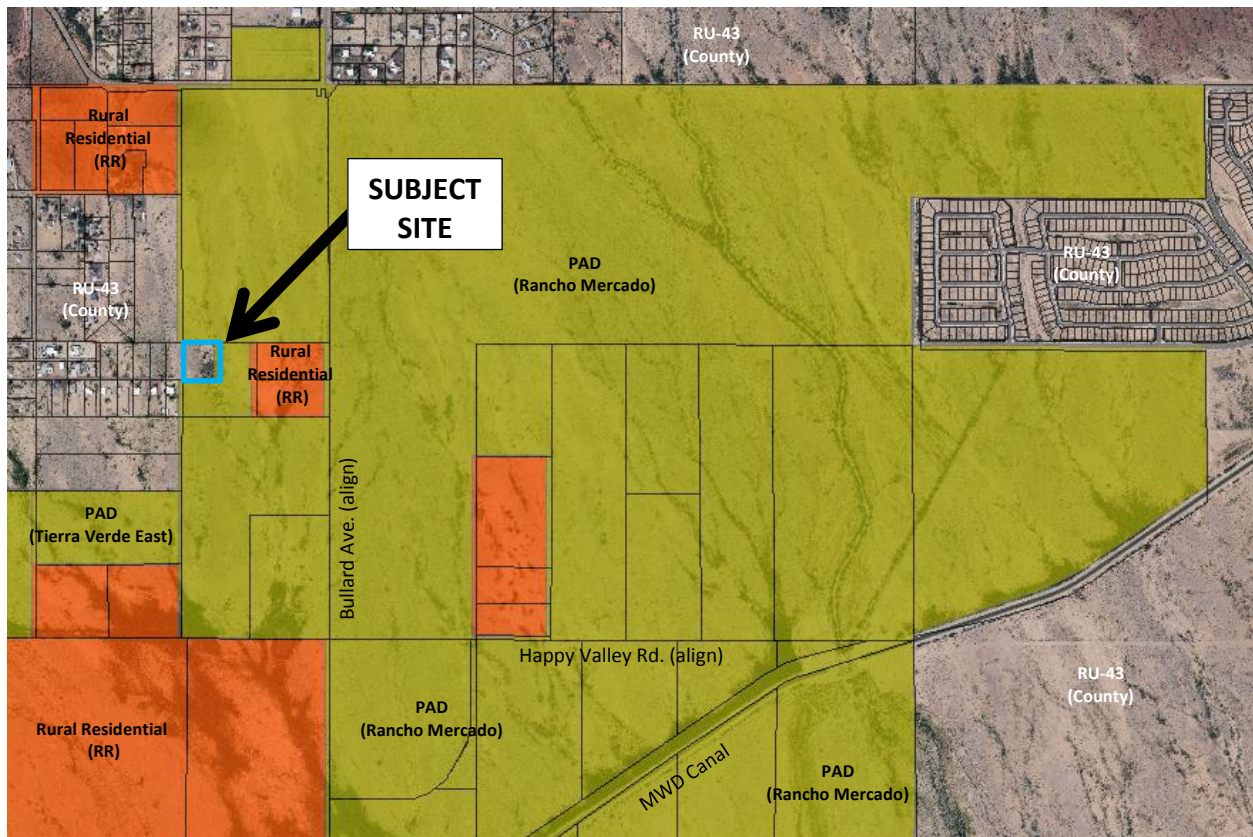
Introduction:

Kent A. Xander of Pensco Trust Company seeks annexation of an undeveloped parcel generally located between Happy Valley Road, Jomax Road, 147th Ave and 155th Ave. The annexation proposal is for a 2.49 acre parcel under single ownership of unincorporated land adjacent on 3 sides to the Rancho Mercado subdivision within Surprise city limits.

Project Description:

The property is currently zoned Maricopa County Rural-43. If annexed, the property will assume similar Rural Residential (RR) zoning of the Surprise Unified Development Code (SUDC). In a concurrent development application, Bonita Ranch - Parcel A is part of a rezoning case that includes Bonita Ranch - Parcel B and C that was heard by the Planning and Commission on July 20, 2017 and will be heard by City Council on a later date.

Arizona Revised Statutes require the filing of a blank annexation petition. The blank petition relating to the subject property was recorded with the Maricopa County Recorder's Office on July 6, 2017 (see attached). Arizona Revised Statutes also require that no signatures be obtained during the first 30 days 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. Once the public hearing is held and the 30-day waiting period has ended, signatures may be collected. State statute further requires that an excess of 50% of the land owners and assessed valuation for all real and personal property sign the petition in order to validate the petition. State statute also allows up to one year following the end of the 30-day period to obtain the required number of signatures.



Background:

June 9, 2017: Request sent to Maricopa County Assessor's office and AZ Department of Revenue for the name and address of each owner and the assessed value of all property within the boundaries.

June 14, 2017: The applicant held a Citizen Outreach meeting regarding the concurrent development application for rezoning.

June 15, 2017: Posted notice of the public hearing in at least three conspicuous public places in the territory proposed to be annexed.

July 6, 2017: Blank petition with legal description and affidavit verifying that territory is not subject to an earlier filing for annexation is filed with Maricopa County Recorder's Office. Notice and copies of filings are sent to Clerk of the Board of Supervisors and County Assessor.

July 10, 2017: Notice published on City website.

July 14, 2017: Notice published in the Daily News.

July 19, 2017: Notice published in the Surprise Today.

July 20, 2017: Notice sent by mail to Chair of Maricopa County Board of Supervisors and each owner of real and personal property within territory proposed to be annexed.

August 1, 2017: The City Council approved the blank annexation petition relating to the annexation of the subject property under case FS17-107.

Citizen Outreach:

The site was posted in accordance with the SUDC and state statute. As noted above, the applicant held an outreach on June 14, 2016 for the concurrent rezoning application. The outreach meeting and associated hearings were advertised in accordance with the SUDC and state law. No support or opposition was received as a result of these efforts; however, concerns were expressed regarding domestic well draw-down, drainage and outdoor lighting. The applicant agreed to grant open space access to the neighboring residents and to limit the housing product to single-story along the west side of Parcel A. During the Commission hearing of July 20, 2017 for the concurrent rezoning application, several individuals indicated concerns over increased population and potential impacts on aquifer levels, wildlife, dust, traffic, access, crime, and illegal dumping.

Utility and Services Table:

Electric:	APS
Water:	City of Surprise
Wastewater:	City of Surprise
Refuse:	City of Surprise
Natural Gas:	SWG
Irrigation:	N/A
Schools:	Dysart USD #89

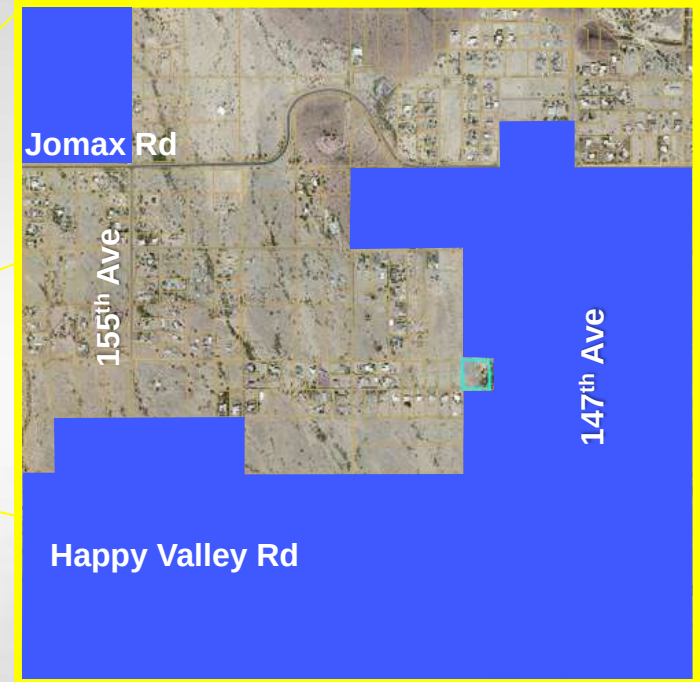
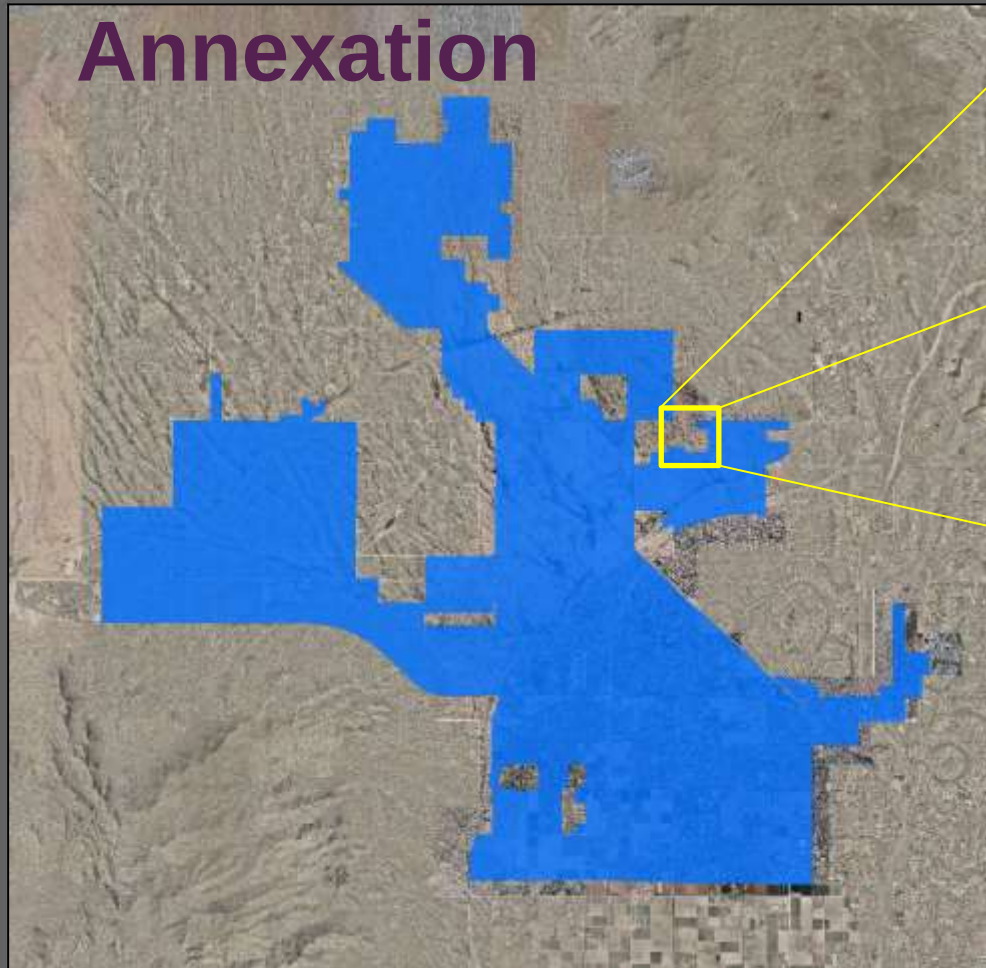
Summary:

The proposed annexation is requested by the single ownership of a vacant, 2.49 acre parcel and only requires one signature after the Arizona Revised Statutes required 30-day waiting period that concludes on August 5, 2017. Upon receiving that signature, Bonita Ranch – Parcel A will be eligible for annexation by the City of Surprise City Council and be part of a concurrent rezoning case that includes Parcel B and C. The parcel to be annexed complies with all requirements for size, shape, and contiguity set forth in the Arizona annexation statutes.

Attachments:

- 01 Vicinity Map
- 02 Case Map
- 03 Signed Petition
- 04 Assessor Annexation Report
- 05 AZ Dept. of Revenue Value Transmittal Report
- 06 Annexation Impact Analysis
- 07 Annexation Ordinance
- 08 Presentation

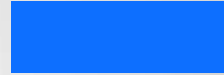
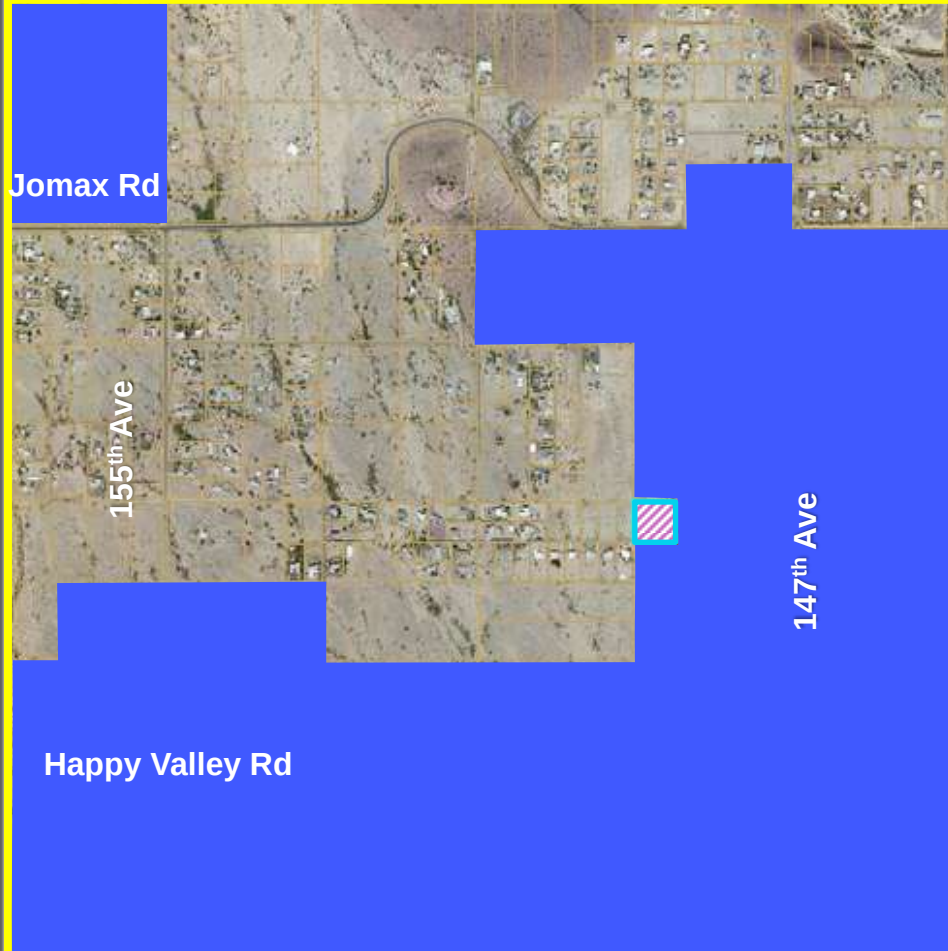
Annexation



- Existing Surprise Incorporated Limits
- Bonita Ranch – Parcel A

FS17-107

Annexation



Surprise Incorporated Limits



Proposed Annexation

FS17-107

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, 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
------	------------------------------	-----------------	----------	--

August 6, 2017 – Kent A. Xander – 8530 E. Via Del Sol Dr. Scottsdale, AZ 85255– 602-499-9305 – 503-54-006G

Kent A Xander 8-6-17

EXHIBIT "A"

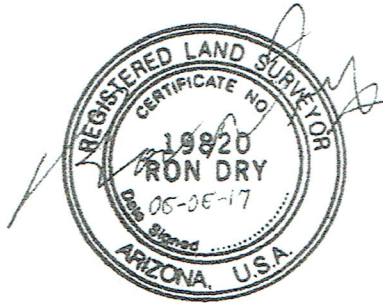
DESCRIPTION

BONITA RANCH ANNEXATION

The Northwest quarter of the Northwest quarter of the Northeast quarter of the Southeast quarter of Section 5, Township 4 North, Range 1 West, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

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

End of description



EXPIRES 09-30-2017

N 1/4 COR
SEC 5
T4N, R1W

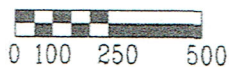
EXHIBIT "B"

JOMAX ROAD

NE COR
SEC 5
T4N, R1W



SCALE: 1"=500'



CENTER 1/4 COR
SEC 5
T4N, R1W

BONITA RANCH ANNEXATION
2.5 ACRES

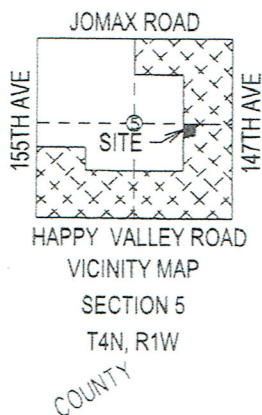
RANCHO MERCADO
ANNEXATION ORDINANCE 07-47
2007-1218674 M.C.R.

E 1/4 COR
SEC 5
T4N, R1W

LEGEND

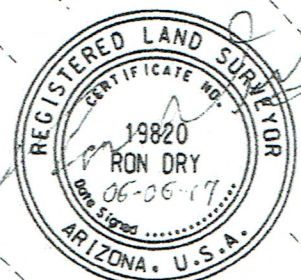
- M.C.R. MARICOPA COUNTY RECORDER
-  EXISTING CITY OF SURPRISE TERRITORY
-  BONITA RANCH ANNEXATION

RANCHO MERCADO
ANNEXATION ORDINANCE 07-47
2007-1218674 M.C.R.



ANNEXATION ORDINANCE 05-60
2006-0104870 M.C.R.

RANCHO MERCADO
ANNEXATION ORDINANCE 07-47
2007-1218674 M.C.R.



EXPIRES 09/30/17

S 1/4 COR
SEC 5
T4N, R1W

SE COR
SEC 5
T4N, R1W

BONITA RANCH ANNEXATION



CITY OF SURPRISE
LAND SURVEY DEPARTMENT

PROJECT # 17020

DRAWN BY RCD

DATE 06-06-17

SHEET 1 OF 1



Community Development Department
Planning and Zoning Letterhead
16000 N Civic Center Plaza
Surprise, AZ 85374
Ph: 623-222-3000
Fax: 623-222-3001
TTY: 623-222-1002

July 20, 2017

Pensco Trust Company FBO Kent A. Xander IRA
Kent A. Xander
8530 E Via Del Sol Drive
Scottsdale, AZ 85255

RE: Notice of Filing of Blank Annexation Petition for Bonita Ranch, City of Surprise Case
#FS17-107

Dear Mr Xander:

Pursuant to A.R.S. §9-471 you are hereby given notice that the City of Surprise intends to annex certain property (parcel 503-54-006G) located within the Northwest quarter of the Northwest quarter of the Northeast quarter of the Southeast quarter of Section 5, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, generally located west of 147th Avenue between Jomax Road and Happy Valley Road, as indicated in the enclosed map.

The City of Surprise has filed a blank petition with the Maricopa County Recorder and the Surprise City Council will hold a public hearing at a regularly scheduled Council Meeting on August 1, 2017 to be held at the City of Surprise City Hall, 16000 Civic Center Plaza, Surprise, AZ 85374 at 6:00pm.

Please do not hesitate to call me at 623-222-3134 if you have questions or comments. Thank you for your attention to this matter.

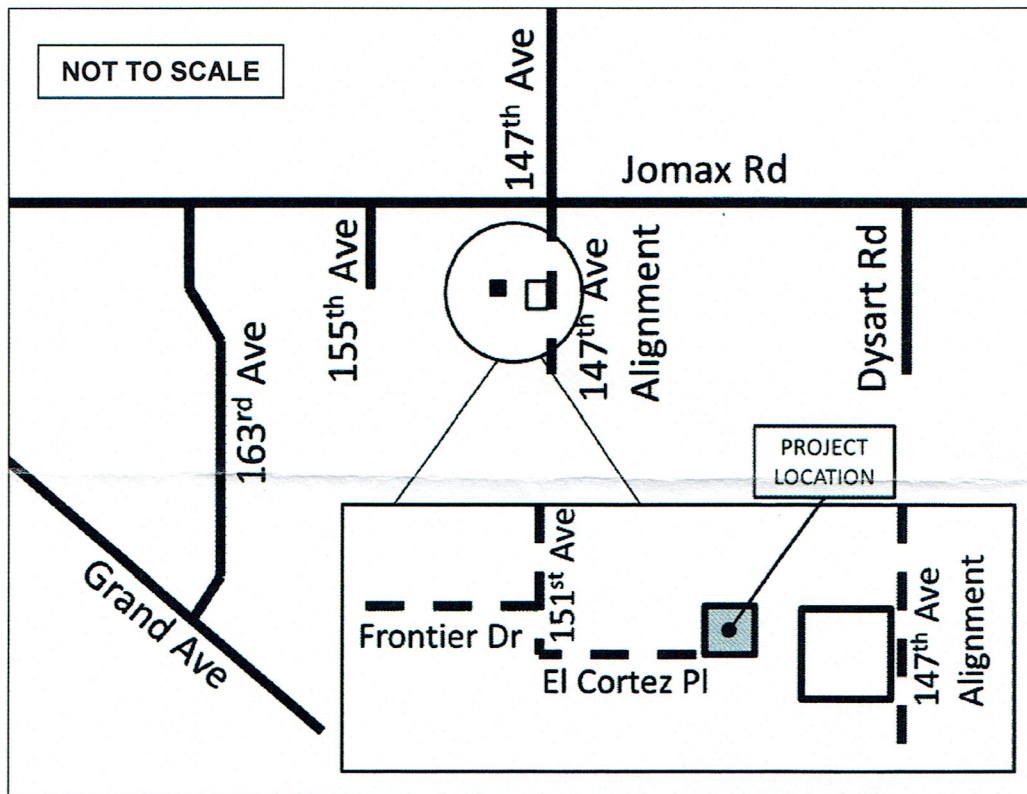
Sincerely,

Joshua Mike
Planner, Community Development Department
City of Surprise

Enc: Project Map

cc: file

Project Location Map



PROJECT DESCRIPTION: The applicant is requesting approval of an annexation (case number FS17-107) of approximately 2.49 acres of unincorporated land into the City of Surprise as generally depicted in the above map.

KAX

From: Joshua Mike <Joshua.Mike@surpriseaz.gov>
Sent: Thursday, July 13, 2017 1:27 PM
To: kxander@kaxgroup.com
Cc: Jamie Sullivan
Subject: RE: FS17-107

Goof Afternoon,

For the sake of efficiently meeting the agenda process for the 8/15 City Council meeting, a scanned copy will be fine but an original is necessary for official public records.

Thanks,
Joshua J Mike
Planner II

City of Surprise | Community Development
16000 N. Civic Center Plaza | Surprise AZ | 85374
623.222.3134 t
623.222.3001 f

From: KAX [<mailto:kxander@kaxgroup.com>]
Sent: Thursday, July 13, 2017 1:20 PM
To: Joshua Mike
Subject: RE: FS17-107

Hi Mike,

Thanks for sending over.

I will take care of this on 8-6-17.

Is a scanned copy okay?

Thanks.

Kent A. Xander
Owner of Land
Designated Broker
KAX Group, LLC
8530 E. Via Del Sol Drive
Scottsdale, Arizona 85255
Cell - 602-499-9305

From: Joshua Mike [<mailto:Joshua.Mike@surpriseaz.gov>]
Sent: Thursday, July 13, 2017 10:13 AM
To: kxander@kaxgroup.com

**CITY OF SURPRISE
PUBLIC NOTICE**

FS17-107

Take notice that at the date, time, and place listed below, the City of Surprise City Council will hold a Public Hearing to discuss the possible annexation of Bonita Ranch-Parcel A, located in the Southeast quarter of Section 5, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Surprise, Arizona, as indicated in the map below. At this meeting, any member of the public may appear and be heard relative to this project or submit written comments at any time prior to the Public Hearing. All written comments regarding this matter will be made part of the record of the City. Any interested party may obtain an agenda 24 hours prior to the Public Hearing at the Surprise City Hall. City of Surprise Case number FS17-107. Related cases include FS17-108&109.

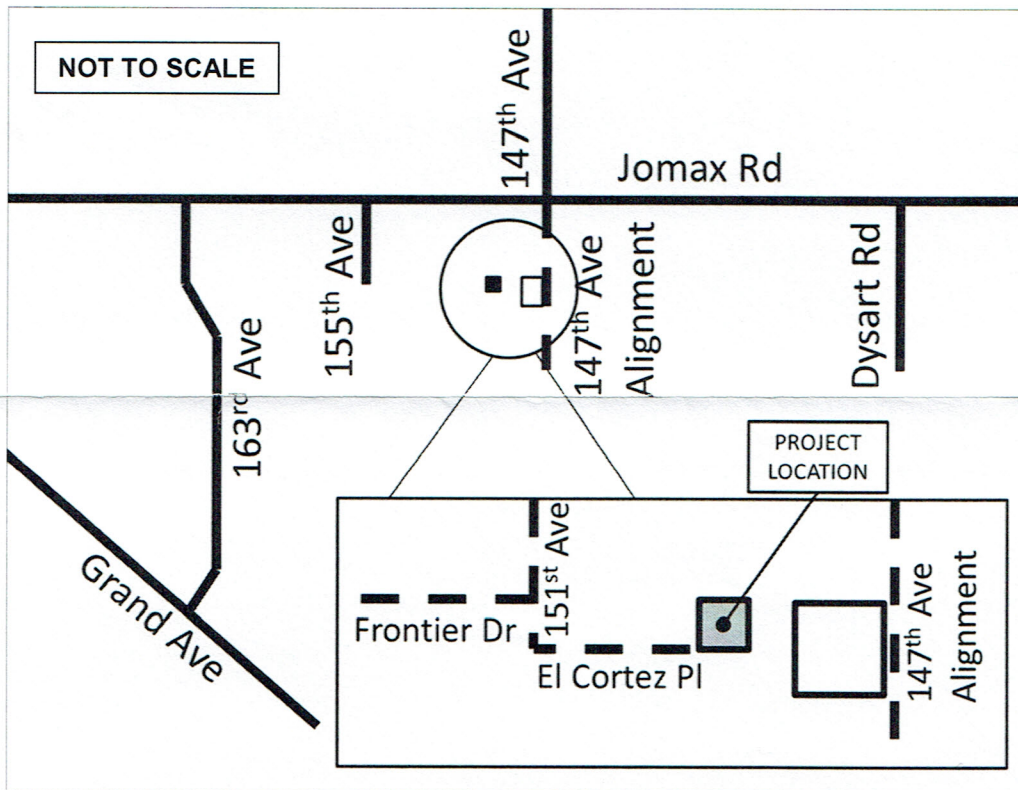
The City of Surprise Community Development Department may be contacted prior to the scheduled meeting for additional information.

City of Surprise Planner: Joshua Mike
623-222-3134

Public Hearing Details

DATE: Tuesday, August 1, 2017
TIME: 6:00 PM
LOCATION: Surprise City Hall
16000 North Civic Center Plaza
Surprise, AZ 85374

Project Location Map



PROJECT DESCRIPTION: The applicant is requesting approval of an annexation (case number FS17-107) of approximately 2.49 acres of unincorporated land into the City of Surprise as generally depicted in the above map.

KAX

From: Joshua Mike <Joshua.Mike@surpriseaz.gov>
Sent: Thursday, July 13, 2017 10:13 AM
To: kxander@kaxgroup.com
Cc: Robert Kuhfuss; Jamie Sullivan
Subject: FS17-107
Attachments: FS17-107 ANNEXATION PETITION.pdf; Legal Description and Map.pdf

Good Morning Kent,

My name is Josh Mike and I'm handling the Annexation request for the Bonita Ranch Parcel A. Everything is currently on pace to present the recorded blank petition to City Council on August 1, 2017, as required during the final 10 days of the 30-day waiting period. No signatures may be obtained prior to the completion of the waiting period, which ends August 5.

The City needs your signature on the petition in order for City Council to hear and take action on August 15, 2017 for the annexation request and subsequent rezoning case for Parcel A on August 15, 2017.

Please sign and date the attached petition after August 6 and resubmit to the City by August 10, 2017.

Let me know if you have any questions.

Thanks,
Joshua J Mike
Planner II

City of Surprise | Community Development
16000 N. Civic Center Plaza | Surprise AZ | 85374
623.222.3134 t
623.222.3001 f

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

This e-mail and any accompanying files transmitted are intended solely for the use of the individual or entity to whom they are addressed; if you have received this e-mail in error please delete it and notify the sender. In addition, under Arizona law, e-mail communications and e-mail addresses may be public records.
0.1

Parcel No	Tax Year	PUC	Property Use	Tax Area Code	Owner Name	Mailing Address	City	State	Zip	Centrally Valued	Land FCV	Improvement FCV	CVP PP FCV	Total FCV	Total Assed FCV	Total Exmpt Assed FCV	Total Net FCV	Total LPV	Total Assessed Value(LPV)	Exempt Assessed Value	Net Assessed Value(LPV)	Building Sq Ft	Parcel Sq Ft	IWCD Acreage	IWDD Acreage	Total Acreage	Pers Prop FCV	Pers Prop Net Assessed
503-54-006G	2016	0014	VACANT LAND	890007	PENSCO TRUST COMPANY FBO KENT A XANDER IRA	8530 E VIA DEL SOL DR	SCOTTSDALE	AZ	85255	N	\$42,400	\$0	\$0	\$42,400	\$6,360	\$0	\$6,360	\$23,704	\$3,556	\$0	\$3,556	0	108,900	0.000	0.000	2.500	\$0.00	\$0.00
											\$42,400	\$0	\$0	\$42,400	\$6,360	\$0	\$6,360	\$23,704	\$3,556	\$0	\$3,556			0.000	0.000	2.500	\$0.00	\$0.00

STATE OF ARIZONA

Department of Revenue
Local Jurisdiction District
Fax (602) 542-4425



Douglas A. Ducey
Governor

David Briant
Director

June 30, 2017

Mr. Joshua Mike
City of Surprise
16000 N. Civic Center Plaza
Surprise, AZ 85375

RE: Valuation Transmittal for Docket # 07-9407-00, Bonita Ranch Anx.

Dear Mr. Mike:

According to information provided by the taxpayer(s) and based on unit values established by the Division of Property Valuation and Equalization, the estimates of value for properties located in the proposed annexation areas are as follows:

Taxpayer #	Taxpayer Name	Full Cash Value	Assessed Value
54641	SOUTHWEST GAS CORPORATION (T&D)	\$0.00	\$0.00
56796	LEVEL 3 COMMUNICATIONS LLC	\$0.00	\$0.00

Please direct any inquiries you may have regarding this estimate to my email address:
fvillaverde@azdor.gov

Sincerely,

Flo Villaverde

Flo Villaverde
GIS Annexations
Telephone: 602 716 6832
Fax: 602 542 4425



Memorandum

To: Eric Fitzer, Community Development Director
From: Jennifer Medina, Financial Analyst - Senior
Date: July 18, 2017
Re: FS17-107 Annexation – Bonita Ranch Parcel A (RFLS #5755)

Per the Annexation Policy Manual – 2008 Revision, an annexation impact analysis has been conducted utilizing the data provided by the Community Development Department. The data provided by the Community Development Department. The data provided assumes annexation of approximately 2.49 acres of vacant rural residential land between Happy Valley Road, Jomax Road, 147th Avenue, and 155th Avenue. The annexation proposal is adjacent on three sides to the Rancho Mercado subdivision within Surprise city limits. Based on this information, the net financial impact to the City of Surprise is negative. Expenditures are estimated to be greater than revenue by approximately \$12,600 over twenty years, an average of approximately \$600 annually.

WHEN RECORDED RETURN TO:

City Clerk's Office
City of Surprise
16000 N. Civic Center Plaza
Surprise, AZ 85374

ORDINANCE 2017-13

AN ORDINANCE 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, PARCEL 503-54-006G, GENERALLY WEST OF N 147TH AVE AND SOUTH OF W JOMAX RD.

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 as shown by the last assessment of said property, which said territory is contiguous to the City of Surprise, and not now embraced within its limits, asking that the property more particularly hereinafter described be annexed to the City of Surprise, and to extend and increase the corporate limits of the City of Surprise so as to embrace the same;

WHEREAS, the Mayor and Council of the City of Surprise, Arizona, are desirous of complying with said petition and extending and increasing the corporate limits of the City of Surprise to include said territory;

WHEREAS, the said petition sets forth a true and correct description of all the exterior boundaries of the entire area proposed to be annexed to the City of Surprise, and had attached thereto at all times an accurate map of the territory desired to be annexed;

WHEREAS, no alterations increasing or reducing the territory sought to be annexed have been made after the said petition had been signed by any owner of real and personal property in such territory;

WHEREAS, the provisions of A.R.S. §9-471, and amendments thereto, have been fully observed;

WHEREAS, proper and sufficient certification and proof of the foregoing facts are now on file in the office of the City Clerk of the City of Surprise, Arizona, together with a true and correct copy of the original petition referred to herein, which is on file in the office of the county recorder; and

WHEREAS, the area to be annexed having been zoned Rural-43 (RU-43) in Maricopa County, pursuant to A.R.S. § 9-471(L), the Council shall adopt and apply to this area the zoning classification of Residential Ranch (RR), that permits densities and uses no greater than those permitted by the County immediately before annexation.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AS FOLLOWS:

SECTION 1. That the territory 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 following described territory contiguous to the present City limits:

The Northwest quarter of the Northwest quarter of the
Northeast quarter of the Southeast quarter of Section 5,
Township 4 North, Range 1 West, of the Gila and Salt River
Base and Meridian, Maricopa County, Arizona.

SECTION 2. That a copy of this ordinance, together with an accurate map of the territory hereby annexed to the City of Surprise, certified by the Mayor of the City of Surprise, shall be recorded in the office of the County Recorder of Maricopa County, Arizona and that a copy of this ordinance shall be provided to the Clerk of the Board of Supervisors of Maricopa County, Arizona.

SECTION 3. That the property described in Section 1 of this Ordinance with Maricopa County zoning of Rural-43 (RU-43), shall be designated with City of Surprise zoning district Residential Ranch (RR), 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 6. This Ordinance shall take effect, and the annexation of the subject property shall become final thirty, days after this Ordinance is adopted.

SIGNATURES ON THE FOLLOWING PAGE

PASSED AND ADOPTED this _____ day of _____, 2017.

Mayor

ATTEST:

APPROVED AS TO FORM:

City Clerk

City Attorney

CERTIFICATION OF MAP

MAP OF AREA TO BE ANNEXED

I, _____, Mayor of the City of Surprise, Arizona, do hereby certify that the foregoing map as expressed in Exhibit A is a true and correct map of the territory annexed under and by virtue of the petition of the real and personal property owners in the said territory and by Ordinance No. _____, annexing the territory described in Ordinance No. _____ and as shown on said map as a part of the territory to be included within the corporate limits of the City of Surprise, Arizona.

Mayor

ATTEST:

Clerk

EXHIBIT "A"

DESCRIPTION

BONITA RANCH ANNEXATION

The Northwest quarter of the Northwest quarter of the Northeast quarter of the Southeast quarter of Section 5, Township 4 North, Range 1 West, of the Gila and Salt River Base and Meridian, Maricopa County , Arizona.

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

End of description



EXPIRES 09-30-2017

N 1/4 COR
SEC 5
T4N, R1W

EXHIBIT "B"

JOMAX ROAD

NE COR
SEC 5
T4N, R1W



SCALE: 1"=500'



COUNTY

RANCHO MERCADO
ANNEXATION ORDINANCE 07-47
2007-1218674 M.C.R.

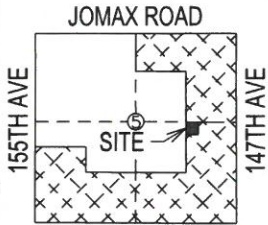
CENTER 1/4 COR
SEC 5
T4N, R1W

E 1/4 COR
SEC 5
T4N, R1W

BONITA RANCH ANNEXATION
2.5 ACRES

COUNTY

RANCHO MERCADO
ANNEXATION ORDINANCE 07-47
2007-1218674 M.C.R.



HAPPY VALLEY ROAD
VICINITY MAP
SECTION 5
T4N, R1W

LEGEND

- M.C.R. MARICOPA COUNTY RECORDER
-  EXISTING CITY OF SURPRISE TERRITORY
-  BONITA RANCH ANNEXATION

ANNEXATION ORDINANCE 05-60
2006-0104870 M.C.R.

RANCHO MERCADO
ANNEXATION ORDINANCE 07-47
2007-1218674 M.C.R.



EXPIRES 09/30/17

S 1/4 COR
SEC 5
T4N, R1W

SE COR
SEC 5
T4N, R1W

BONITA RANCH ANNEXATION



CITY OF SURPRISE
LAND SURVEY DEPARTMENT

PROJECT # 17020

DRAWN BY RCD

DATE 06-06-17

SHEET 1 OF 1



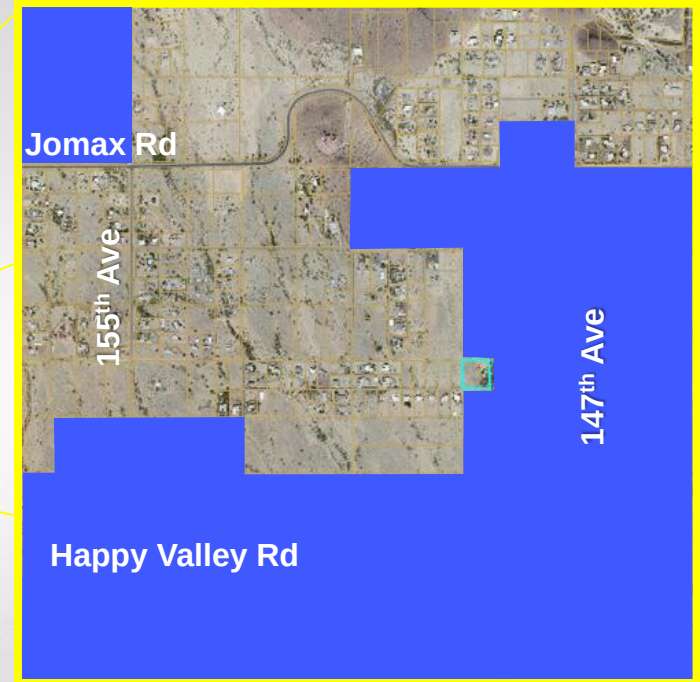
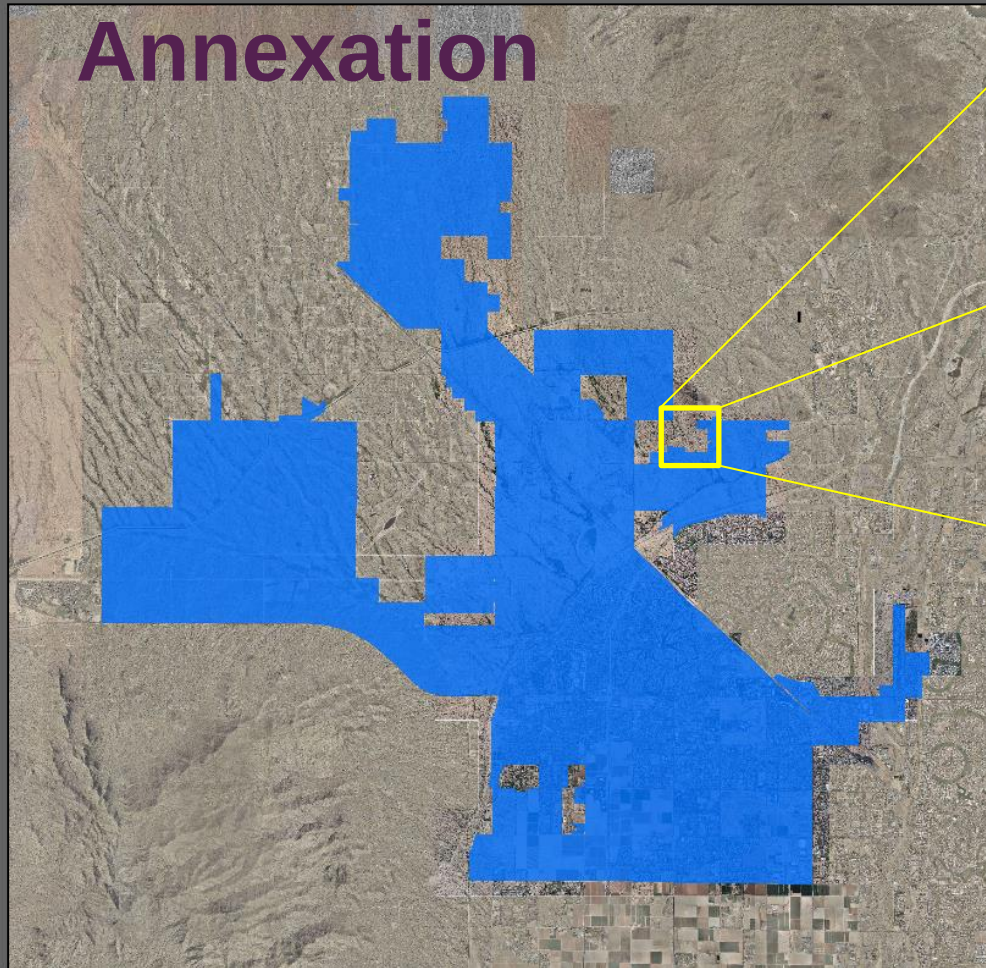
SURPRISE
ARIZONA

City Council
August 15, 2017



FS17-107
Bonita Ranch
Parcel A
Annexation

Annexation



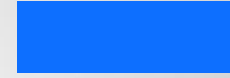
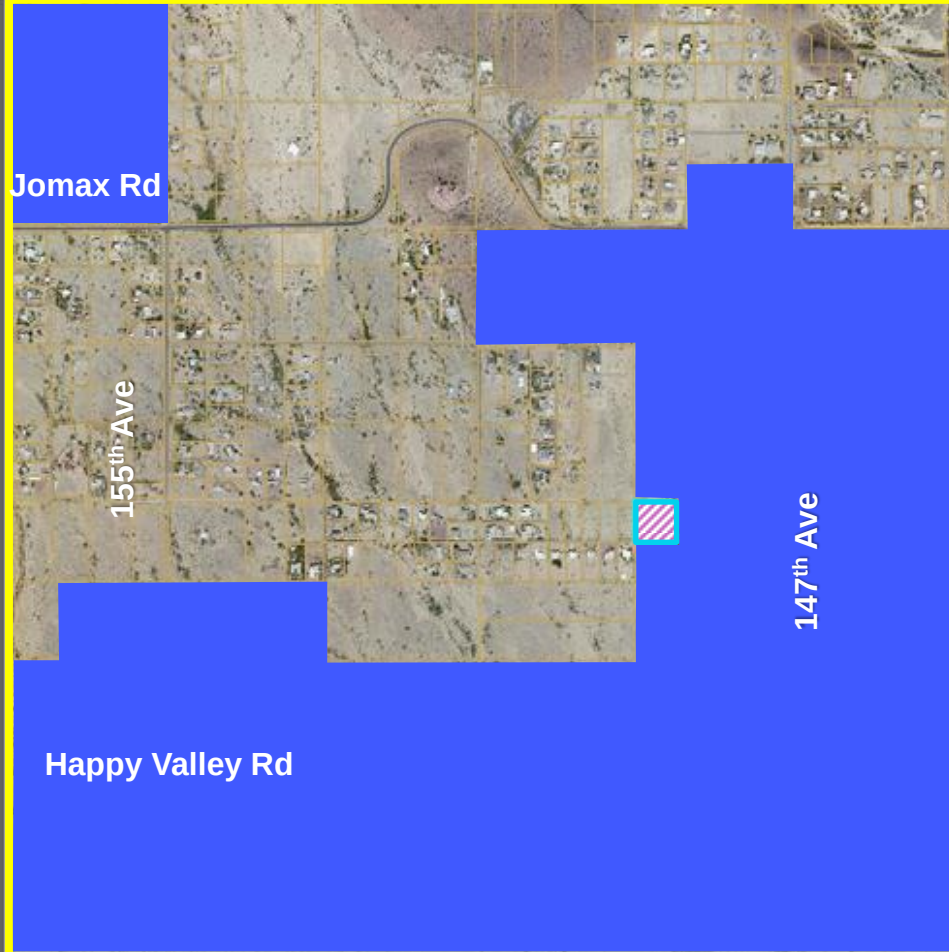
Existing Surprise Incorporated Limits



Bonita Ranch – Parcel A

FS17-107

Annexation



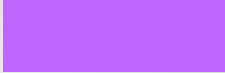
Surprise Incorporated Limits

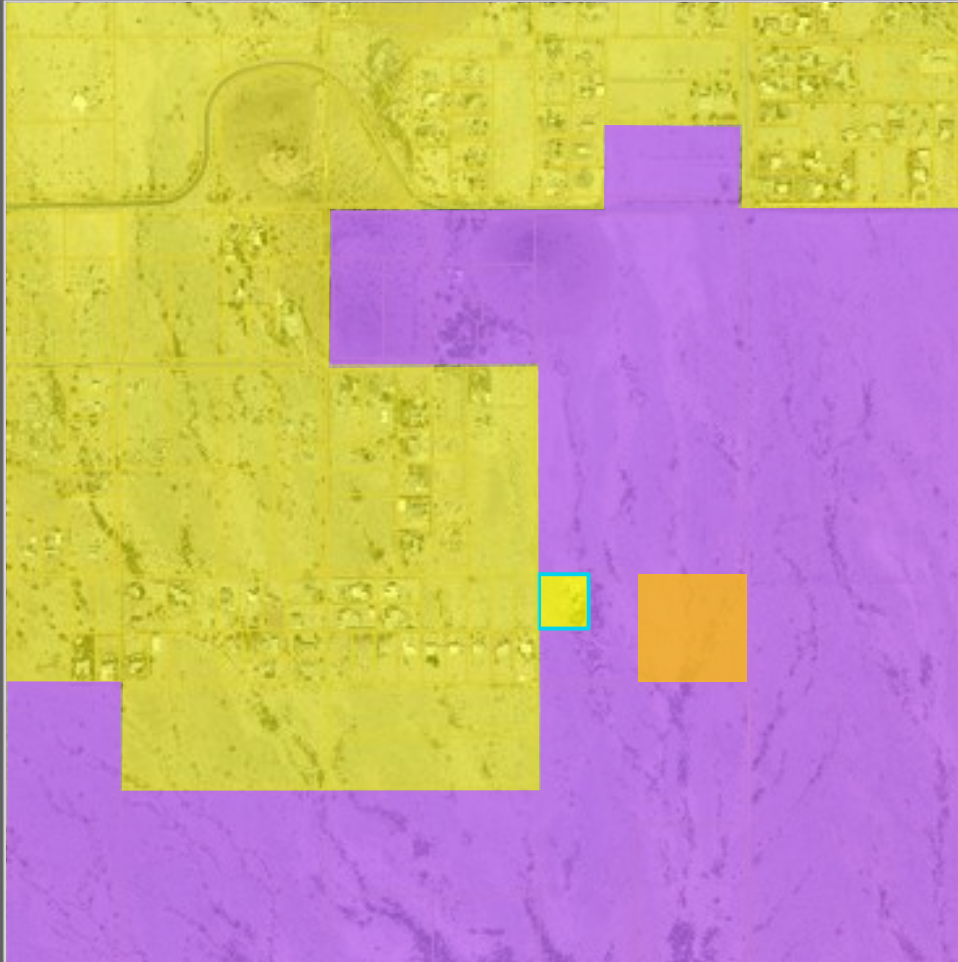


Proposed Annexation

FS17-107

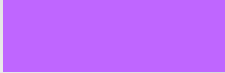
Annexation

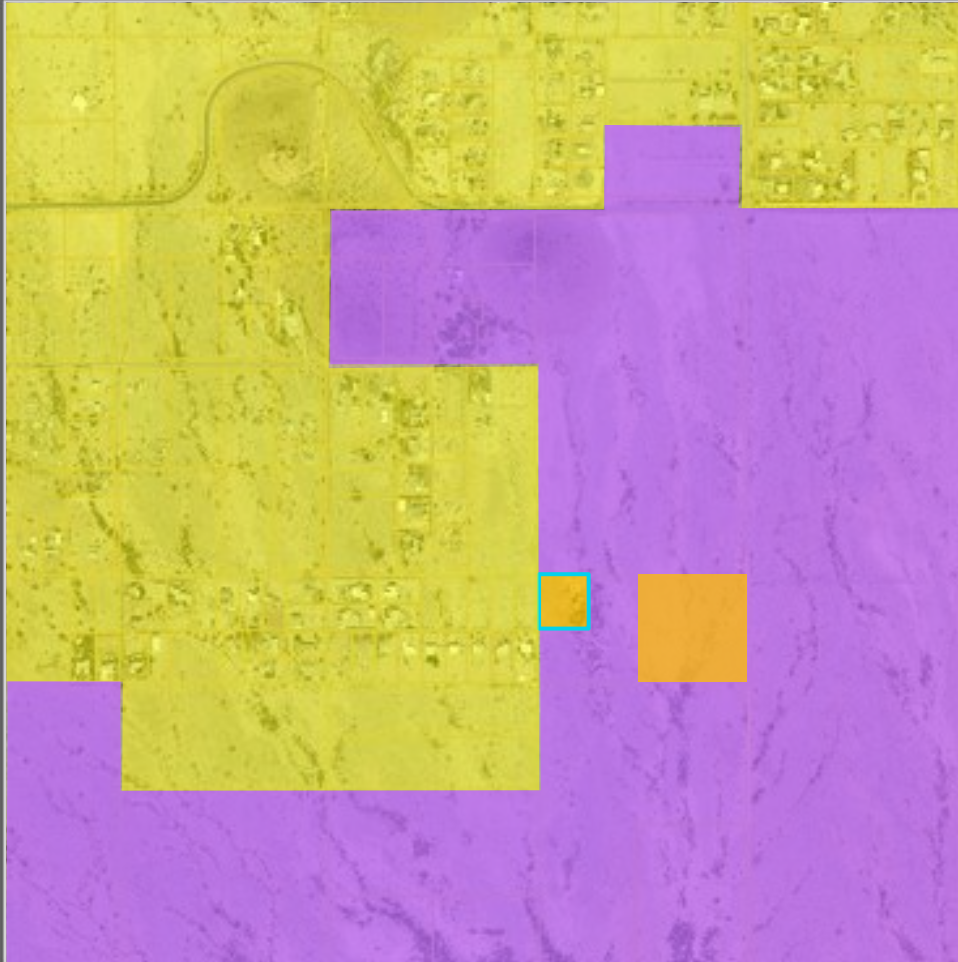
-  Surprise Incorporated Limits
PAD Zoning
-  Proposed Annexation
RU-43 Zoning
-  Surprise Incorporated Limits
RR Zoning



FS17-107

Annexation

-  Surprise Incorporated Limits
PAD Zoning
-  Proposed Annexation Parcel
RR Zoning (Post Annexation)
-  Surprise Incorporated Limits
RR Zoning



FS17-107

Concurrent Cases

Planning and Zoning Commission – July 20, 2017

- **FS17-108 Bonita Ranch Parcel A – Rezoning:**
 - ✓ Recommend Approval of rezoning (RR to RM6-PUD), upon completion of annexation

- **FS17-108 Bonita Ranch Parcels B and C – Rezoning:**
 - ✓ Recommend Approval of rezoning (RR to RM6-PUD)



SURPRISE

ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You



CITY OF SURPRISE
Regular City Council Meeting

August 15, 2017 @ 6:00:00 PM

[Back](#) [Print](#)

Council Meeting Date:	August 15, 2017	Contact Person:	Robert Kuhfuss - Community Development
Submitting Department:	CD	District:	1
Staff Recommendations:	None		

Consent	Regular	Public Hearing	x	Report/Discussion
---------	---------	----------------	---	-------------------

Agenda Wording:

Consideration and action pertaining to rezoning property known as Bonita Ranch Parcels B & C from Residential Ranch (RR) to Residential Medium Density (RM-6) with a PUD Overlay, located generally south of Jomax Road and west of the 147th Avenue alignment; Ordinance # 2017-14.

Motion:

I move to approve Ordinance # 2017-14, subject to stipulations “a” and “b” as recommended by the Planning and Zoning Commission.

Background:

Kent Xander, of KAX Group, on behalf of Pensco Trust Company requests approval of a Zone Change from Residential Ranch (RR) to Residential Medium Density (RM-6) with a PUD Overlay. The intent of the Zone Change and Overlay is to bring the property in line with the adjacent Rancho Mercado PAD. The property is approximately 10 acres and will integrate with the Rancho Mercado development. The Planning and Zoning Commission heard the request during their regular meeting of July 20, 2017 and recommended approval per staff recommended stipulations “a” and “b”.

Objective Analysis:

The intent of the proposed Zone Change is to allow development of the subject property to occur in a manner that is consistent with the surrounding Rancho Mercado PAD. The base zoning will be RM-6, which would allow up to 6 dwelling units per acre (DU/Ac); however, through the PUD Overlay, the developer proposes 40 dwelling units over approximately 10 acres for a gross density of 4.00 DU/Ac. While RL-5 might be closer to the proposed density, the development standards associated with the RM-6 zoning district are more in line with those of the PAD that surrounds the subject site. The applicant proposes 1.5 acres of open space, which equates to 20.05% of the project's Net Residential Acreage. A trail will extend along the open space tract located along the west side of the property thereby connecting with the Rancho Mercado project to the north and south.

Policy Compliant:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character

Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 4.00 DU/Ac, the project most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard. The General plan seeks appropriate buffers and transitions between the various Character Areas. To meet this guideline, an open space corridor will extend along the western side of the subject property, connecting to similar open space planned for Rancho Mercado Parcels A22, A23 and A24.

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.

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:

Click to download

- ☐ [00 - FS17-109 - Bonita Ranch Parcels B & C Zone ChangeRFLS# 5718, ORD # 2017-14 - Staff Report](#)
 - ☐ [01 - FS17-109 - Bonita Ranch Parcels B & C Zone ChangeRFLS# 5718, ORD # 2017-14 - Vicinity Map](#)
 - ☐ [02 - FS17-109 - Bonita Ranch Parcels B & C Zone ChangeRFLS# 5718, ORD # 2017-14 - Case Map](#)
 - ☐ [03](#)
 - ☐ [04 - FS17-109 - Bonita Ranch Parcels B & C Zone ChangeRFLS# 5718, ORD # 2017-14 - Luke AFB Comments](#)
 - ☐ [05 - FS17-109 - Bonita Ranch Parcels B & C Zone ChangeRFLS# 5718, ORD # 2017-14 - Public Engagement Form](#)
 - ☐ [06 - FS17-109 - Bonita Ranch Parcels B & C Zone ChangeRFLS# 5718, ORD # 2017-14 - Presentation](#)
 - ☐ [Ordinance 2017-14](#)
-

Case: **FS17-109**

Project Name: Bonita Ranch Parcels B & C

Council District: 1

Meeting Date: **August 15, 2017**

Planner: Robert H. Kuhfuss, AICP

Owner: KAX, LLC et. al.

Applicant: Kent Xander of KAX Group

Request: Zone Change from Residential Ranch (RR) to Residential Medium Density (RM-6) PUD

Site Location: Generally south of Jomax Road and west of the 147th Avenue alignment

Site Size: 10.00 gross acres (approx.)

Density: 4.0 DU/Ac

General Plan Conformance: The proposal advances the goals of the Surprise General Plan 2035.

Support/Opposition: No direct support or opposition was received regarding this request; however, several individuals indicated concerns over increased population and potential impacts on aquifer levels, wildlife, dust, traffic, access, crime, and illegal dumping.

Commission

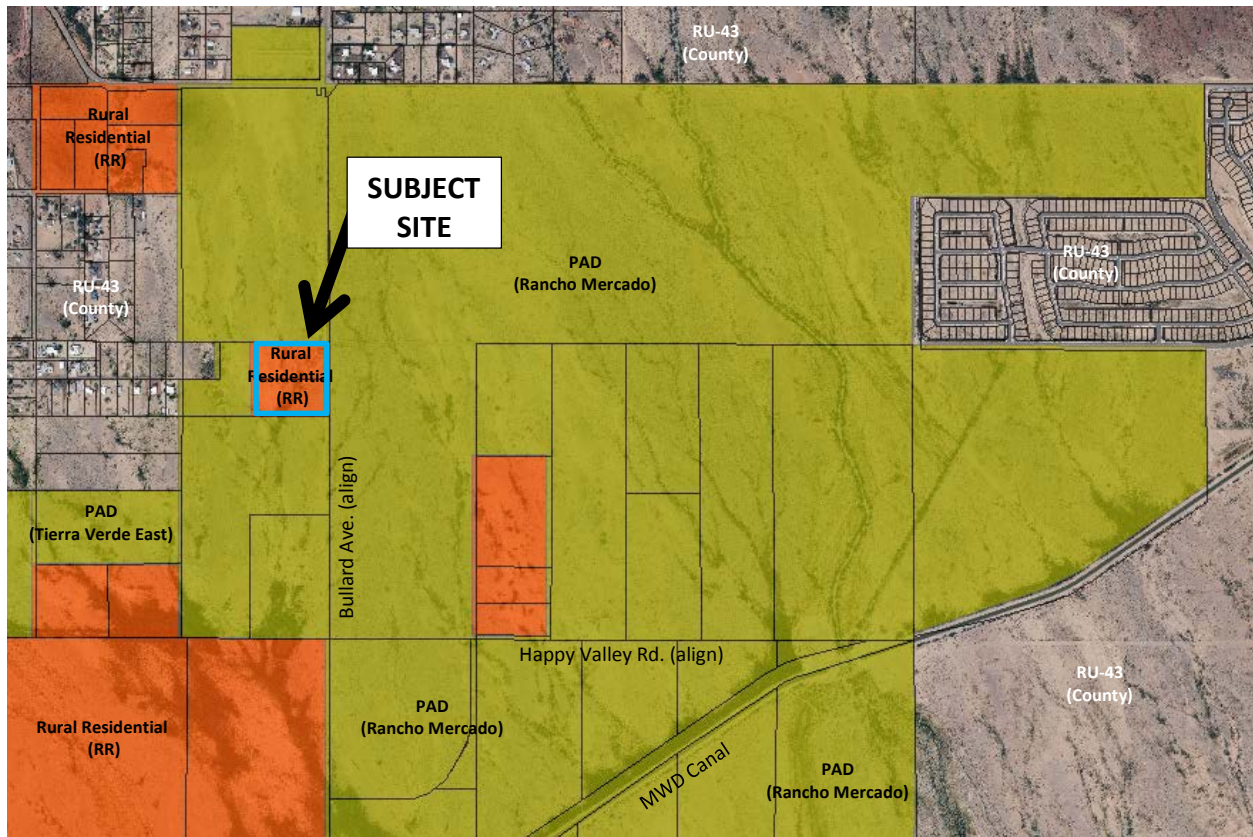
Recommendation: The Planning and Zoning Commission voted to recommend **approval** of the proposed Zone Change to the City Council, subject to stipulations "a" and "b".

Project Description:

Kent Xander, of KAX Group, on behalf of KAX, LLC et. al. requests approval of a Zone Change from Residential Ranch (RR) to Residential Medium Density (RM-6) with a PUD Overlay. This intent of the Zone Change and Overlay is to bring the property in line with the adjacent Rancho Mercado PAD. The property is approximately 10.00 acres and will integrate with the Rancho Mercado development.

Existing Zoning:

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



BACKGROUND:

July 11, 2006: The Maricopa County Board of Supervisors approved a request for a Development Master Plan (DMP) and associated Zone Change for the Rancho Mercado project in what was then unincorporated Maricopa County.

October 11, 2007: The Surprise City Council approved the Rancho Mercado PAD under case PAD06-276, Ordinance #07-46.

November 10, 2007: The City of Surprise annexed the Rancho Mercado property into the City of Surprise via Ordinance # 2007-47.

January 5, 2016: The City Council approved a Preliminary Plat for Rancho Mercado Unit 1 under case FS15-069.

June 16, 2016: The Bonita Ranch project was discussed at a Concept Review meeting under case CR16-236.

February 21, 2017: The applicant filed a request for annexation of the subject property under case FS17-107.

February 21, 2017: The applicant filed a request for a Zone Change from RR to RM-6 PUD for Bonita Ranch Parcel A under case FS17-108, the subject case.

February 21, 2017: The applicant filed a request for a Zone Change from RR to RM-6 PUD for Bonita Ranch Parcels B and C under case FS17-109.

June 14, 2017: The applicant held a Citizen Outreach meeting regarding the subject request.

July 20, 2017: The Planning and Zoning Commission recommended approval of the subject request subject to stipulations "a" and "b".

July 20, 2017: The Planning and Zoning Commission recommended approval of the related Bonita Ranch Parcel A under FS17-108, subject to stipulations "a" through "e".

August 1, 2017: Bonita Ranch Parcel A is being considered for annexation by the City Council under case FS17-107 and discussed under separate cover. The outcome of that case is unknown as of the writing of this report.

Citizen Outreach:

As noted above, the applicant held an outreach on June 14, 2016. The outreach meeting and associated hearings were advertised in accordance with the SUDC and state law. No support or opposition was received as a result of these efforts; however, concerns were expressed regarding domestic well draw-down, drainage and outdoor lighting. The applicant agreed to grant open space access to the neighboring residents and to limit the housing product to single-story along the west side of Parcel A. During the Commission hearing of July 20, 2017, several individuals indicated concerns over increased population and potential impacts on aquifer levels, wildlife, dust, traffic, access, crime, and illegal dumping.

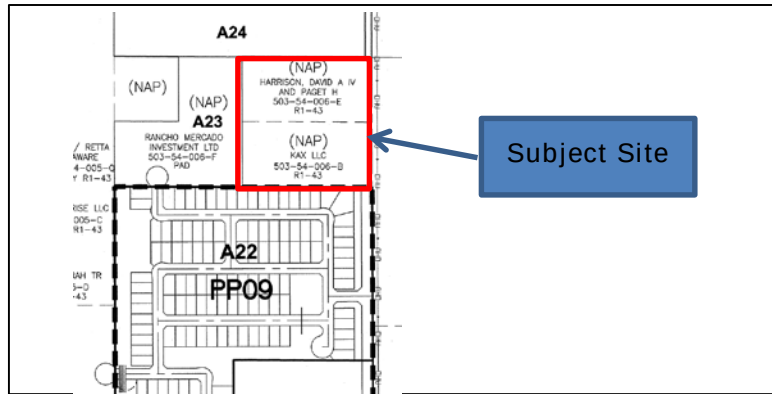
Analysis and Discussion:

The subject property was an exception to the Rancho Mercado PAD and is completely surrounded by it. For all intents and purposes, the subject property is an infill project.

The following Land Use map taken from the Rancho Mercado PAD is annotated to show the location of the subject property relative to the surrounding PAD. Note that the subject property is surrounded by Low Density Residential on the north, east and west, which will allow up to 5.0 DU/Ac. The notch located to the west of Rancho Mercado Parcel A23 is Bonita Ranch Parcel A and is the subject of the related case FS17-108, which is discussed under separate cover. The intent of the subject Zone Change is to allow development of the subject property to occur in a manner that is consistent with the surrounding PAD, while integrating Rancho Mercado Parcel A23 and Bonita Ranch Parcel A.

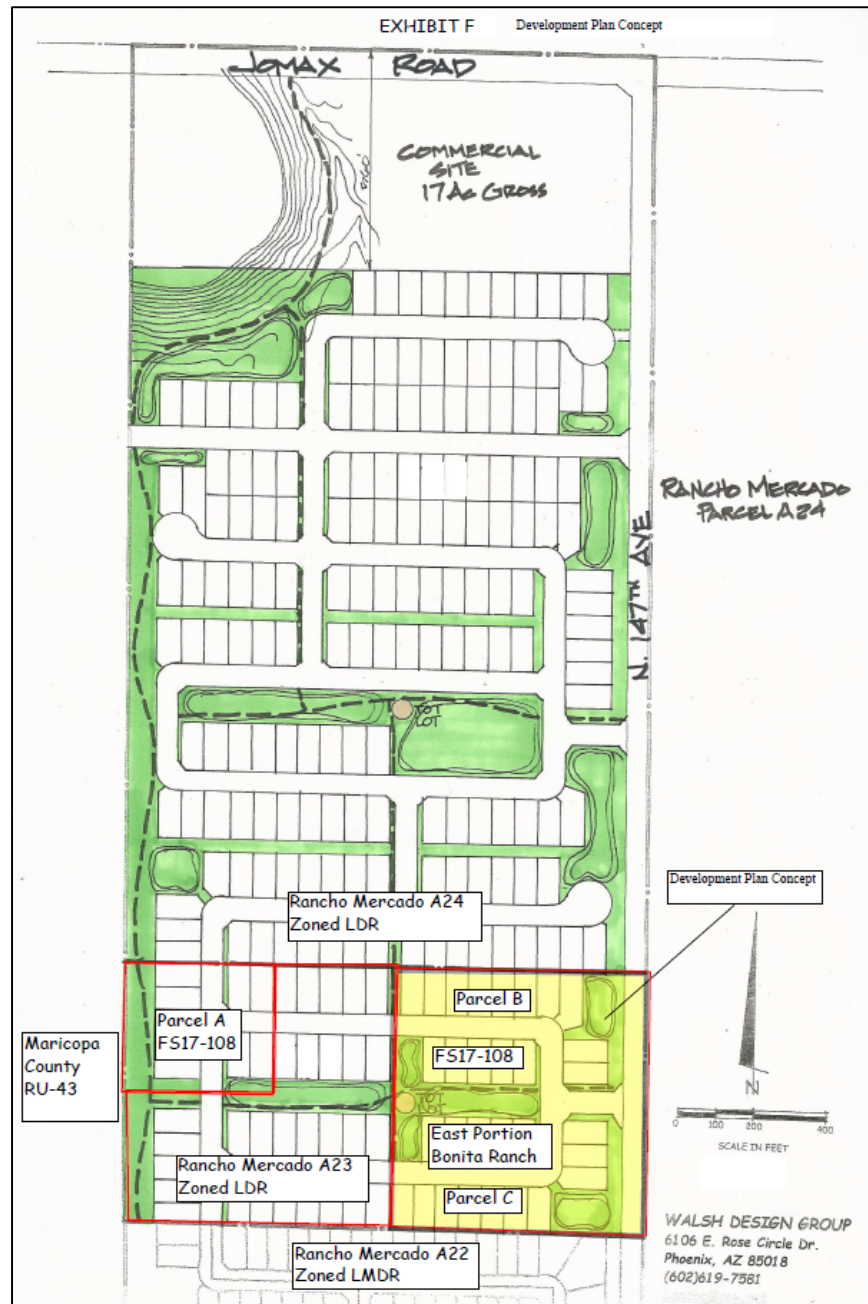


As noted previously, the City Council approved a Preliminary Plat for Rancho Mercado Unit 1. The following image, taken from that Preliminary Plat, shows the subject site in relation to the Rancho Mercado Unit 1 Preliminary Plat. Note that neither Rancho Mercado Parcel A23 nor Rancho Mercado Parcel A24 were included in the Unit 1 Preliminary Plat; therefore, the surrounding lotting has not been established.



While the lotting of Rancho Mercado Parcels A23 and A24 was not contemplated with the Unit 1 Preliminary Plat, provisions were made to accommodate future access to Rancho Mercado Parcel A23 from A22. The applicant is in discussion with the owner of Rancho Mercado Parcels A23 and A24, who collectively have proposed the following lotting arrangement as expressed in Exhibit F of the subject narrative report. While this arrangement may change between the time of the current zone change and the ultimate development of these parcels, staff is comfortable with the lotting as proposed.

[Continued on following page.]



172 It is envisioned that Bonita Ranch Parcels A, B and C will develop concurrently with Rancho
 173 Mercado Parcel A23. This will also develop concurrently with or subsequent to Rancho Mercado
 174 Parcel A22. Since Rancho Mercado Parcel A24 will lie north of a water pressure zone, that parcel
 175 will develop at a later date. Bonita Ranch Parcel A will extend a stub-out in that direction to
 176 accommodate the expansion of the roadway network into Parcel A24.
 177

The base zoning will be RM-6, which would allow up to 6 dwelling units per acre (DU/Ac); however, through the PUD Overlay, the developer proposes not more than 40 dwelling units over approximately 10.00 acres for a gross density of 4.0 DU/Ac. While RL-5 might be closer to the proposed density, the development standards associated with the RM-6 zoning district are more in line with those of the PAD that surrounds the subject site, with certain deviations as articulated in the following table taken from Pages 6 and 7 of the attached Zoning Narrative.

Table A Proposed RM-6 PUD Development Standards			
	Rancho Mercado PAD LDR Development Standards (2)(5)(7)	Proposed Bonita Ranch Parcel B and C RM-6 PUD Development Standards (2)(5)(7)	RM-6 City Base Development Standards
Lot Width (Min)	58'	58'	50'
Lot Area (Min)	6,300 SF	6,300 SF	Not Specified
Lot Area Per Dwelling Unit (Min)	Not Specified (8)	6,000 SF (8)	6,000 SF (8)
Lot Depth (Min)	110' (3)	110' (3)	100'
Front Setback (livable)	12' (12)	12' (12)	12'
Front Setback (garage)	18' (7) (12)	20' (1) (7) (12)	20'
Interior Side Setback	5'/8'	5'/8'	TBD at Pre-Plat
Aggregate Setback	Not Specified	13'	TBD at Pre-Plat
Corner Side Setback	8'	10' (11)	Not Specified
Rear Setback	15'	15'	20'
Rear Setback (arterial street)	20'	20' (11)	Not Specified
Maximum Width of Driveway as % of Lot Width	Not Specified	35% (6)	30%
Maximum Area of Driveway as % of Front Yard Area	Not Specified	35% (10)	30%
Building Height (Max)	30'	30' (9)	35'
Building Coverage	TBD by building Envelope (4)	TBD by building Envelope (4)	Not Specified

Footnotes:

(1) Garage front setbacks maybe less than livable as sided-loaded garage only. The reduced front setback also applies to livable area, extended front porches and walled courtyards. Otherwise, the garage front setback will be a minimum of 20' back-of-walk.

(2) Fireplace, pop-outs, bay windows, eaves, overhangs, porches/patios, 2nd story cantilevers, and/or other appendages may encroach 2.5' into the front, side, and rear yard setbacks, so long as they are not less than 3' from the property line.

(3) No minimum site depth required.

(4) Building lot coverage is established by the building envelopes created by the required setbacks and allowable projections as defined in Table A and Footnotes.

(5) Building setbacks apply equally to one and two story product.

(6) Increased from 30% to 35% (this will allow for 20' wide driveways).

(7) The Front Garage setback means back-of-walk to face of garage door only if the garage is located in the front yard.

(8) Site average area is defined as follows: Gross site area minus right-of-way divided by total number of lots.

(9) A Lot that backs up to a side yard of an adjacent lot, within the subdivision, shall be limited to single story.

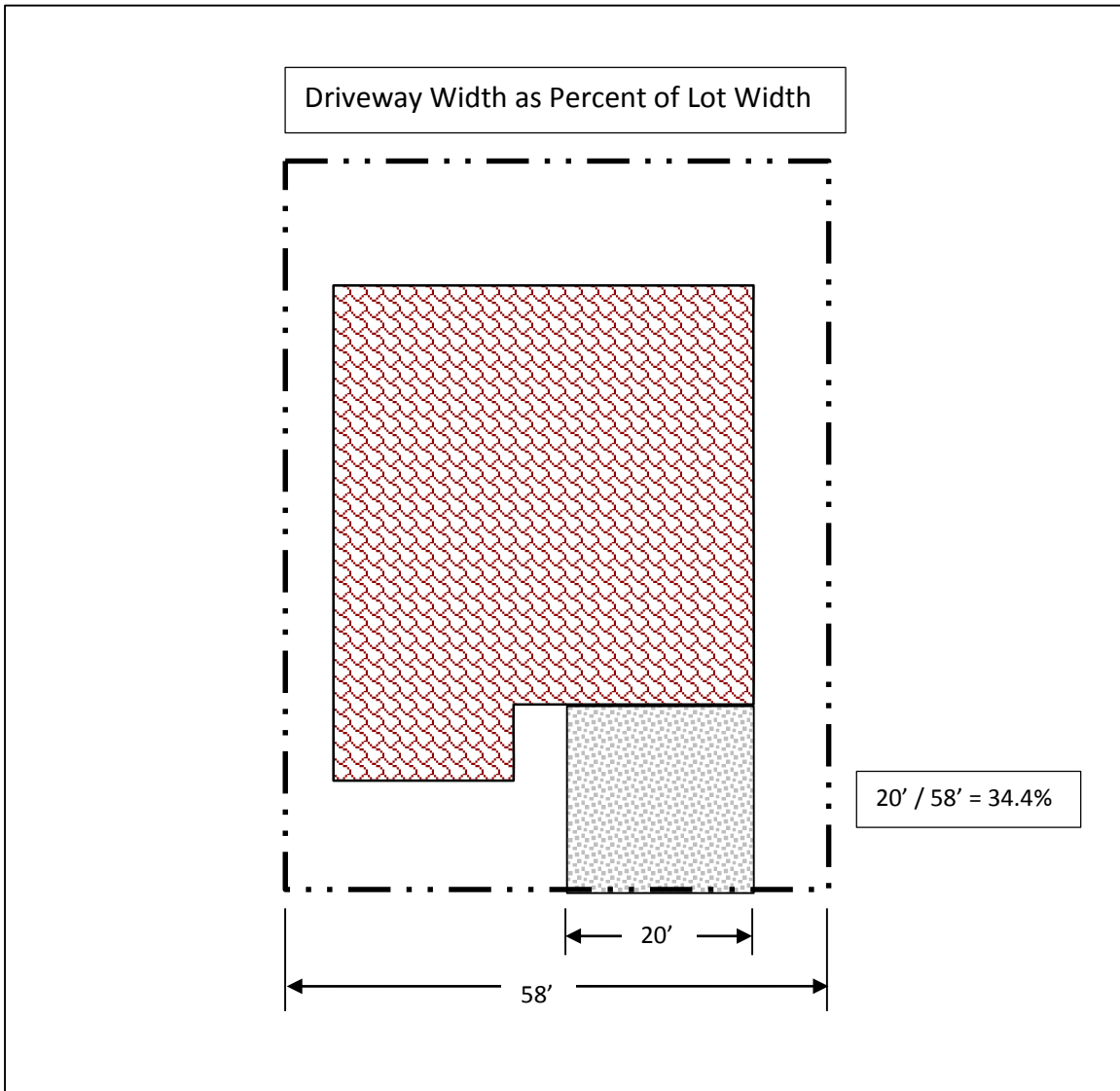
(10) Increased from 30% to 35% (this will allow for 20' wide driveways garage doors on 58' wide lots).

(11) If a landscape tract of at least 10' in width is provided on an arterial street adjacent to a rear yard, or a landscape tract of at least 8' in width is provided adjacent to a side yard, then the standard rear and side setbacks apply. For side yards, the wider of the two side yards (where applicable) shall be located on the street side.

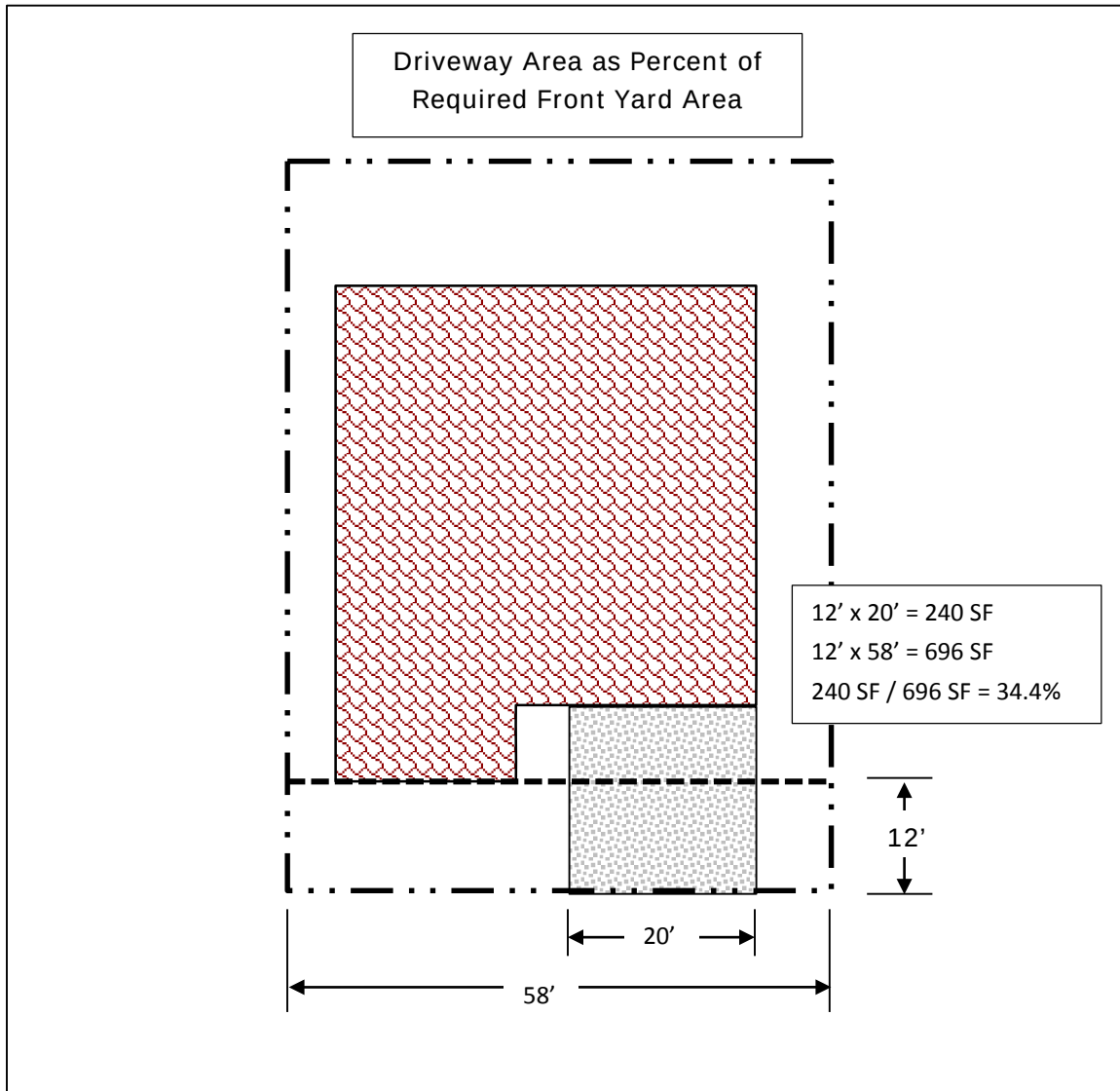
(12) Front setbacks measured from back-of-walk.

[Continued on following page.]

There is a provision in the current SUDC which limits the width of a residential driveway to 30% of the lot's width. The proposed minimum lot width is 58', which will only allow for a 17.4' wide driveway if held to the 30% rule. Since a typical garage is 20' wide, increasing the allowable driveway width from 30% to some higher number make sense. A standard garage door is 16' wide. Adding an additional 2' on each side brings the width of the driveway to 20', which would be 34.4% of the width of a 58' wide lot. Rounding up, this becomes 35%. Note that no such provision exists with the Rancho Mercado PAD.



There is also a provision in the current SUDC which limits the area of a residential driveway to 30% of the required front yard area, which is that area located between the front setback line and the front lot line. Again, the proposed minimum lot width is 58', while the proposed minimum front setback is 12', which calculates to 696 square feet. 30% of that area is 208 square feet, which is too small to accommodate the aforementioned 20' wide driveway. A 20' wide driveway occupying 12' of the front yard = 240 square feet of driveway area located in the required front yard, which is 34.4% of the required front yard area. Rounding up this becomes 35%. Again, no such provision exists with the Rancho Mercado PAD.



The SUDC currently requires landscape circles in the middle of any cul-de-sacs; however, this feature hinders the ability of fire apparatus to maneuver within the cul-de-sac. Further, this provision is not included in the Rancho Mercado PAD. Since the intent of the subject Zone Change is to align with the surrounding PAD, the applicant requests this provision be removed through the PAD Overlay. Staff agrees with this request.

The SUDC requires that not less than 20% of the "Net Residential Acreage" be set aside as open space. The narrative states the project will provide 15% open space; however, this is based on the gross area of the site. The Net Residential Acreage is essentially the total amount of land taken up by the individual lots combined with the total open space. Since the gross area of the site is 10.00 acres, there will be a minimum of 65,340 square feet of open space, based on the stated 15%. Combine this figure with the aggregate lot area figure of 252,000 square feet (40 lots at 6,300 square feet) to get the Net Residential Acreage figure of 317,340 square feet. Dividing 65,340 square feet into the Net Residential Acreage yields 20.5% open space, which is consistent with the 20% requirement set forth in the SUDC.

Lot Area = 40 lots x 6,300 SF per lot	252,000 SF	5.79 Acres
Open Space	65,340 SF	1.50 Acres
Net Residential Acreage = Lot Area + Open Space	317,340 SF	7.29 Acres
Open Space as % of NRA	20.5%	

The applicant proposes a front setback of 12' to livable and 20' to the face of garage. Typically, setbacks are measured from the lot line since that line is fixed per the Final Plat; however, the Rancho Mercado PAD measures the front setback from the back-of-walk. The applicant requests the same provision be included in the subject rezone since the intent is to align with the Rancho Mercado PAD. Staff has no objection to this provision.

The maximum building height is not called out in the Rancho Mercado PAD; however, the base RM-6 zoning will allow houses up to 35' in height. The applicant proposes that building heights be limited to 30', with a provision that further limits buildings for single story if the lot backs up to a side yard of another lot. Staff has no objection to this provision.

As with other projects in this region, staff is concerned over the incremental increase in the number of platted lots since this region also suffers from a lack of connectivity to the surrounding area, with the majority of the traffic being funneled to the intersection of 163rd Avenue and Grand Avenue. Increasing the population within that area will only serve to increase the traffic congestion at that intersection until such time as alternative access to the region is established. The City of Surprise is working with another developer to the east, which will extend Happy Valley Road from 163rd Avenue in an easterly direction to connect with existing development occurring within the unincorporated area of Maricopa County; however, the extension of Happy Valley Road will only have minimal impacts to the congestion problem occurring at 163rd Avenue and Grand Avenue. The City is also discussing a future interchange at Litchfield Road and the Loop 303, which will ultimately reduce traffic congestion in the immediate area; however, that interchange might not be constructed until several years into the future. The City is also discussing a grade-separated crossing at Jomax Road and Grand Avenue, but this is well into the future and will have no impacts in the short run.

Having stated this, the City has little in the way of being able to limit development in the area or manage traffic, especially where existing zoning entitlements already grant the rights of the developer to proceed as currently approved. Additional rooftops in the region, however, will have the effect of incentivizing commercial retailers to establish much needed businesses in the area, which will have the effect of altering traffic patterns in the region.

Utility and Services Table:

Electric:	APS
Water:	City of Surprise
Wastewater:	City of Surprise
Refuse:	City of Surprise
Natural Gas:	SWG
Irrigation:	N/A
Schools:	Dysart USD #89

Conformance with Adopted Plans:

Surprise General Plan 2035: The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 4.0 DU/Ac, the project most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard. The General plan seeks appropriate buffers and transitions between the various Character Areas. To meet this guideline, an open space corridor will extend along the western side of the subject property, connecting to similar open space planned for Rancho Mercado Parcels A22, A23 and A24.

302 **Reviewing Agencies:**

303
304 The project was routed to the standard reviewing agencies who offered the following comments:

305
306 **Arizona Department of Transportation (ADOT):** In an email dated February 28, 2017, ADOT
307 indicated no objection to the request.

308
309 **Luke Air Force Base (LAFB):** In a letter dated March 3, 2017, (attached), LAFB indicated the
310 proposed development will not negatively affect operation at the base, but recommends
311 appropriate sound attenuation.

312
313 **Maricopa Water District (MWD):** In an email dated March 6, 2017 (attached), MWD indicated the
314 proposed project is outside their current boundaries.

315
316 **Dysart Unified School District:** The project was also routed to the Dysart Unified School District,
317 who has not offered comment with respect to the subject proposal; however, the Rancho Mercado
318 development includes a school site, which is located approximately ¼ mile south of the subject site.
319 While the timing of construction of the school is unknown, children living in the proposed
320 community will have the opportunity to attend school at that location once constructed.

321
322 **Summary:**

323
324 As an infill, the property is somewhat constrained; however, the intent of the proposed zone
325 change is to set the stage to integrate the site with the adjacent Rancho Mercado project. The
326 proposed zone change advances the goals and policies as established in the currently approved
327 General Plan. While the development of this property will increase traffic congestion in the region,
328 the likelihood of retailers entering the area is dependent upon increased residential.

329
330 **Findings:**

- 331
- 332 • The proposed zoning is consistent with the Surprise 2035 General Plan.
 - 333 • The proposed zoning is consistent with the adjacent Rancho Mercado PAD.
 - 334 • The proposed zoning is consistent with the Surprise Unified Development Code except as
 - 335 amended through the PUD Overlay.
 - 336 • The reviewing agencies have indicated no concerns.
- 337

338
339
340 [Continued on following page.]

345 **Recommendation:**

346
347 Based on the findings noted above, staff recommends the Commission vote to recommend
348 **approval** of the proposed Zone Change to the City Council, subject to stipulations “a” and “b” as
349 follows:

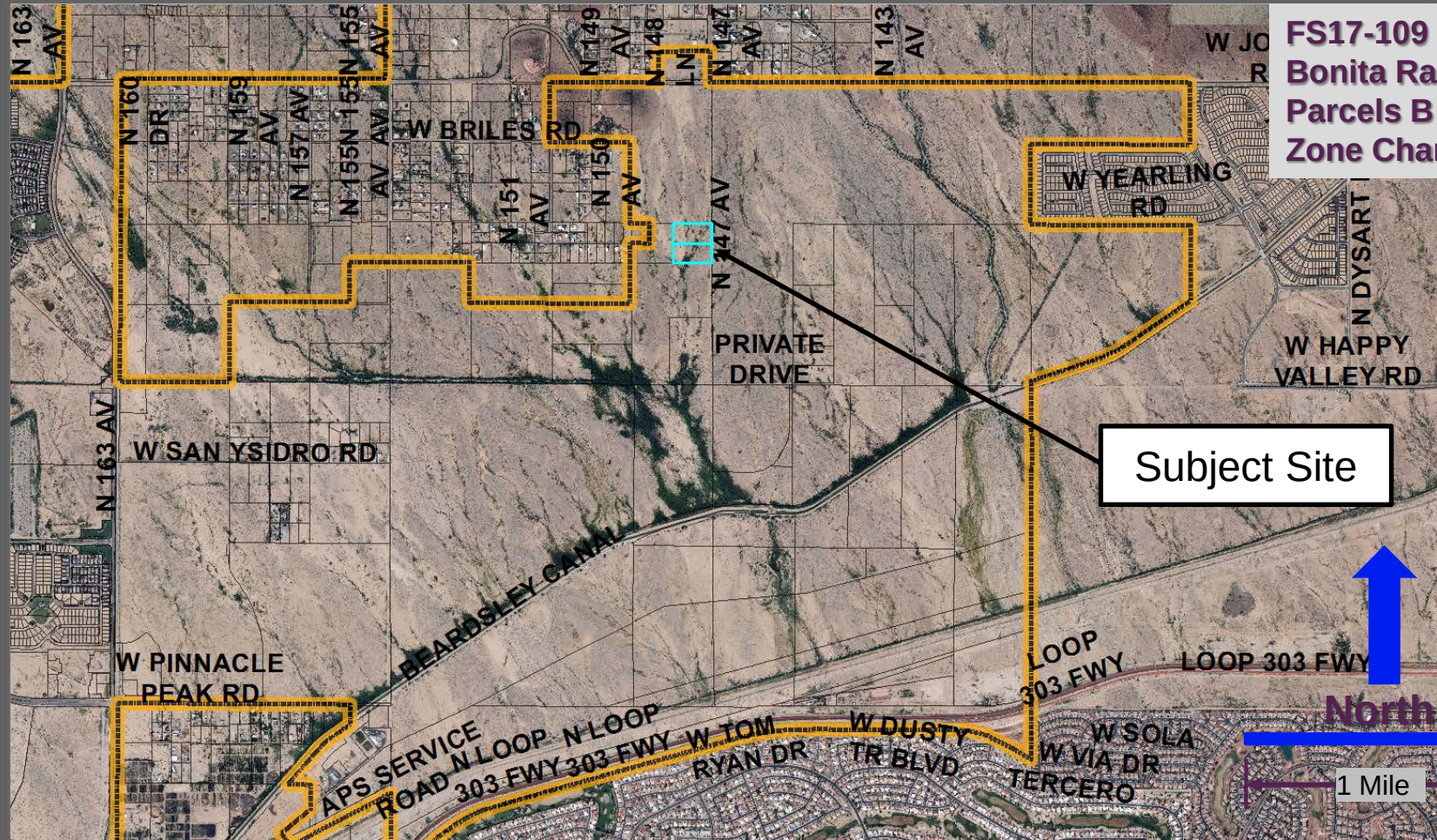
- 350
351 a. Development and use of the site shall be in conformance with the project narrative
352 entitled “Bonita Ranch Parcels B & C”, prepared by KAX and Walsh Design Group as
353 revised June 16, 2017 and stamped received June 16, 2017.
354
355 b. Non-compliance with the stipulations of approval of this case will be treated as a
356 violation in accordance with the provisions of Article XIV of the Surprise Unified
357 Development Code.

358 However, should the Council wish to deny the request, the Council should make its own findings
359 and base its decision on those alternative findings.

360
361 **Attachments:**

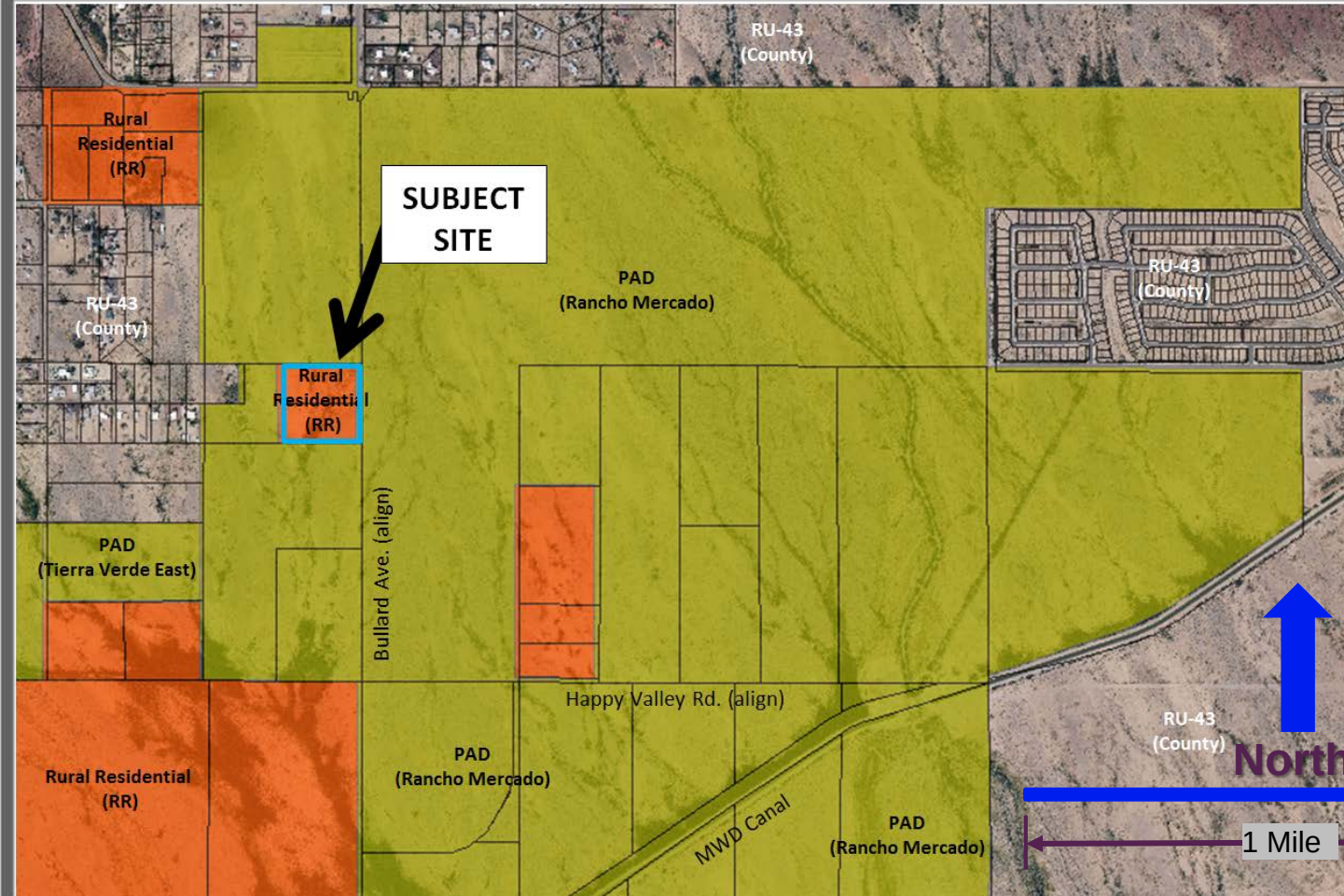
- 362
363 01 – Vicinity Map
364 02 – Case Map
365 03 – Zoning Narrative
366 04 – Luke Air Force Base comments

**FS17-109
Bonita Ranch
Parcels B & C
Zone Change**



Vicinity Map

**FS17-109
Bonita Ranch
Parcels B & C
Zone Change**



Case Map

North

1 Mile

EAST PORTION OF

BONITA RANCH

PARCEL B & C

Case # FS17-109

Rezone APN # 503-54-006B,006E from RR (Residential Ranch)
to RM-6 (Residential Medium Density) with a PUD Overlay

10.00 Gross Acres

Southwest corner of 147th Avenue (Bullard Road) and
Yearling Road, Surprise, AZ

Prepared by: KAX and Walsh Design Group

Submitted To: City of Surprise, Arizona

Dated: June 13, 2017

TABLE OF CONENTS

Bonita Ranch Team.....	3
Introduction and Location.....	3
Vicinity Map.....	4
Description of Request, Development Standards, and SUDC Amended Requirement.....	5
Table A Proposed LDR Development Standards.....	6-7
Proposed SUDC Amended Sections.....	7
Operation Aspect of Use, Infrastructure, Roads.....	8
Existing Zoning Map Exhibit.....	A
Proposed Zoning Map Exhibit.....	B
Legal Description and Map Exhibit.....	C
Rancho Mercado Open Space and Trails Master Plan Exhibit.....	D
Bonita Ranch Pedestrian Trail System Exhibit.....	E
Development Concept Plan Exhibit.....	F
Rancho Mercado PAD Map.....	G

BONITA RANCH TEAM

Prepared By:

KAX

Kent A. Xander

8530 E. Via Del Sol Drive

Scottsdale, Arizona 85255

(602) 499-9305

kxander@kaxgroup.com

Prepared By:

Walsh Design Group

Joe Walsh

6106 E. Rose Circle Drive

Phoenix, AZ 85018

(602) 619-7581

landoc@cox.net

Engineer:

EPS Group, Inc.

Daniel Auxier, PE

2045 S. Vineyard Ave., Ste. 101

Mesa, AZ 85210

(480) 503-2250

dan.auxier@epsgroupinc.com

INTRODUCTION AND LOCATION

Parcel B & C of Bonita Ranch (Case # FS17-109) Bonita Ranch is a portion of a proposed subdivision located at the southwest corner of Yearling Road alignment and 147th Avenue (Bullard Road) consisting of 10.00 gross acres of vacant land, located in City of Surprise, and zoned RR (Residential Ranch). The Assessor Parcel Number is 503-54-006B,006E. **A Vicinity Map on Page 4 illustrates Parcel B & C Bonita Ranch location.**

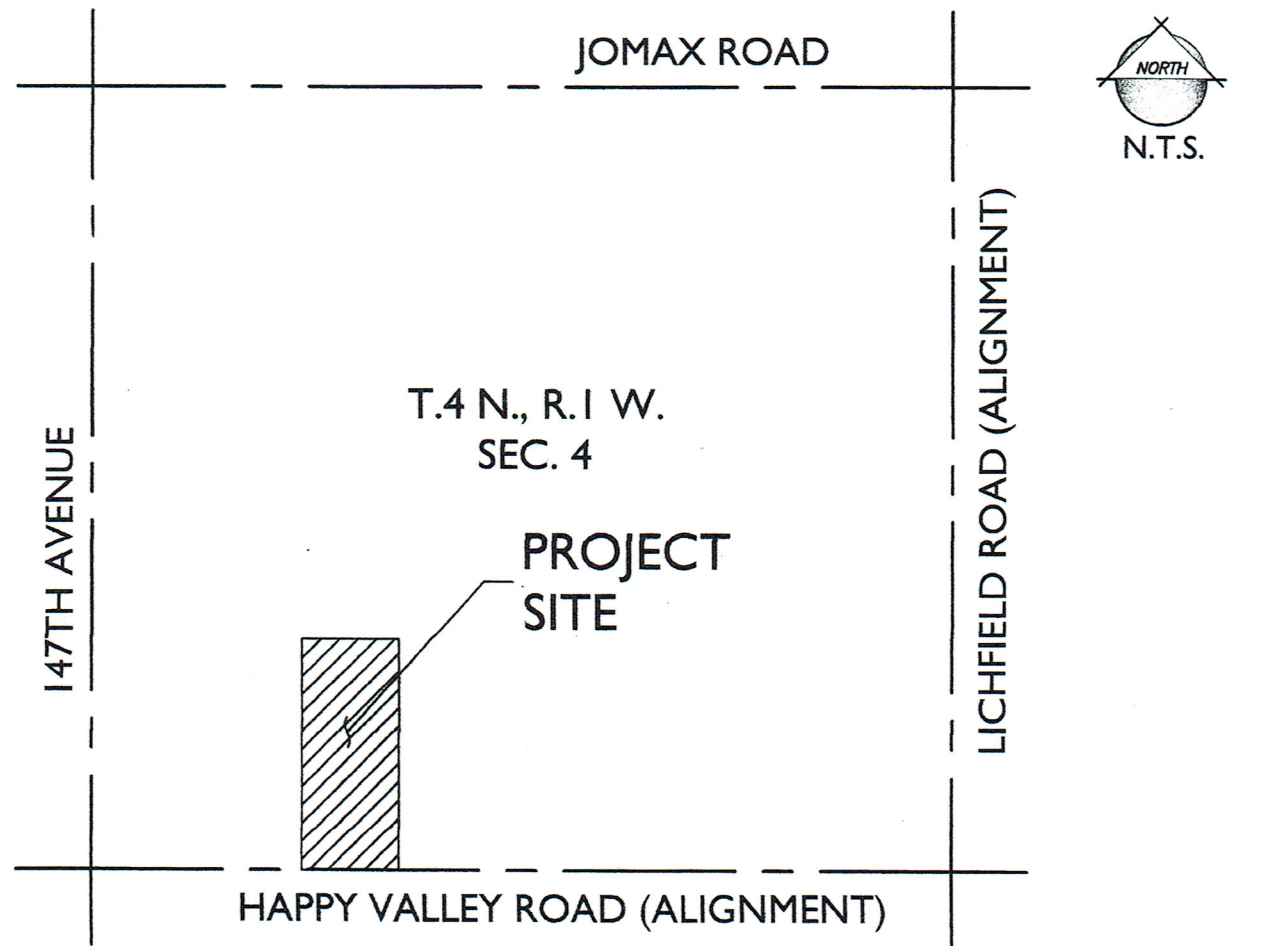
Bonita Ranch is surrounded on four sides by Rancho Mercado PAD06-276 and Minor Zoning Amendment FS10-210. See Exhibit G for “Rancho Mercado PAD”. The specific adjacent zoning is as follows:

- North, Rancho Mercado PAD Parcel A-24, “PAD (LDR - 63’ x 115’ Lots)”
- East, Rancho Mercado PAD Parcel B2, “PAD (LDR - 58’ x 110’ Lots)”
- South, Rancho Mercado PAD Parcel A-22, “PAD (LMDR - 53’ x 105’ Lots)”
- West, Rancho Mercado PAD Parcel A-23, “PAD (LDR - 63’ x 115’ Lots)”

The stated lot sizes are as noted in Rancho Mercado PAD; however, the Rancho Mercado PAD will allow a variety of lot sizes including 58’ x 110’ as proposed for Bonita Ranch

See Exhibit A for “Existing Zoning” Map and Exhibit G for adjacent Rancho Mercado PAD Map.

VICINITY MAP



DESCRIPTION OF REQUEST

Zoning

Bonita Ranch is a proposed subdivision located at the southwest corner of Yearling Road alignment and 147th Avenue (Bullard Road) consisting of 10.00 gross acres of vacant land, located in City of Surprise, and zoned RR (Residential Ranch). The Assessor Parcel Number is 503-54-006B,006E. **The legal description and Map is described in Exhibit C.**

Request

The purpose of this request is to rezone the subject property from RR (Residential Ranch) to RM-6 (Residential Medium Density) with a PUD (Planned Unit Development) Overlay, thereby incorporating certain development standards, as well as other variations from the requirements of the Surprise Unified Development Code (SUDC) necessary to bring the site into alignment with the Rancho Mercado PAD, and limiting the maximum overall density of the subject site to not more than 4.0 dwelling units per acre. **See Exhibit B for proposed Zoning Map.**

DEVELOPMENT STANDARDS

It is the intent of Bonita Ranch to follow the “Single-Family” LDR Development Standards that are the same as those approved for Rancho Mercado under PAD06-276 and Minor Zoning Amendment FS10-210 adjacent to the Project, except that; 1.) The front garage setback as described in Rancho Mercado PAD LDR Development Standards Table A will be 20’ as measured from back of sidewalk to face of garage door as opposed to Rancho Mercado PAD 18’ from back of sidewalk to face of garage door, 2.) The Site Average Area per Dwelling Unit as described in Rancho Mercado PAD LDR Development Standards Table A will be 6,300 square feet as opposed to Rancho Mercado PAD 6,000 square feet; and 3.) The proposed Bonita Ranch RM-6 PUD Maximum Building Height is 30 feet as opposed to Rancho Mercado PAD having a Maximum Building Height of 35’.

See Table A page 6-7 for the proposed Bonita Ranch RM-6 PUD Development Standards and Footnotes.

SUDC AMENDED REQUIREMENTS

It is the intent of Bonita Ranch to follow SUDC Requirements, except as follows: 1.) Bonita Ranch proposes to delete the landscape circles at the ends of all cul-de-sacs as opposed to Rancho Mercado PAD that has landscape circles. 2.) The SUDC requirement that any Medium Density Residential project with more than 60 residential units include a community pool unless one is included as part of the overall development shall be deleted to be in alignment with Rancho Mercado PAD.

See page 7 for the proposed Surprise Uniform Development Code (SUDC) Amended Sections.

Table A
Proposed RM-6 PUD Development Standards

	Rancho Mercado PAD LDR Development Standards (2)(5)(7)	Proposed Bonita Ranch Parcel B and C RM-6 PUD Development Standards (2)(5)(7)	RM-6 City Base Development Standards
Lot Width (Min)	58'	58'	50'
Lot Area (Min)	6,300 SF	6,300 SF	Not Specified
Lot Area Per Dwelling Unit (Min)	Not Specified (8)	6,000 SF (8)	6,000 SF (8)
Lot Depth (Min)	110' (3)	110' (3)	100'
Front Setback (livable)	12' (12)	12' (12)	12'
Front Setback (garage)	18' (7) (12)	20' (1) (7) (12)	20'
Interior Side Setback	5'/8'	5'/8'	TBD at Pre-Plat
Aggregate Setback	Not Specified	13'	TBD at Pre-Plat
Corner Side Setback	8'	10' (11)	Not Specified
Rear Setback	15'	15'	20'
Rear Setback (arterial street)	20'	20' (11)	Not Specified
Maximum Width of Driveway as % of Lot Width	Not Specified	35% (6)	30%
Maximum Area of Driveway as % of Front Yard Area	Not Specified	35% (10)	30%
Building Height (Max)	30'	30' (9)	35'
Building Coverage	TBD by building Envelope (4)	TBD by building Envelope (4)	Not Specified

Footnotes:

- (1) Garage front setbacks maybe less than livable as sided-loaded garage only. The reduced front setback also applies to livable area, extended front porches and walled courtyards. Otherwise, the garage front setback will be a minimum of 20' back-of-walk.
- (2) Fireplace, pop-outs, bay windows, eaves, overhangs, porches/patios, 2nd story cantilevers, and/or other appendages may encroach 2.5' into the front, side, and rear yard setbacks, so long as they are not less than 3' from the property line.
- (3) No minimum site depth required.
- (4) Building lot coverage is established by the building envelopes created by the required setbacks and allowable projections as defined in Table A and Footnotes.
- (5) Building setbacks apply equally to one and two story product.
- (6) Increased from 30% to 35% (this will allow for 20' wide driveways).
- (7) The Front Garage setback means back-of-walk to face of garage door only if the garage is located in the front yard.
- (8) Site average area is defined as follows: Gross site area minus right-of-way divided by total number of lots.
- (9) A Lot that backs up to a side yard of an adjacent lot, within the subdivision, shall be limited to single story.
- (10) Increased from 30% to 35% (this will allow for 20' wide driveways garage doors on 58' wide lots).
- (11) If a landscape tract of at least 10' in width is provided on an arterial street adjacent to a rear yard, or a landscape tract of at least 8' in width is provided adjacent to a side yard, then the standard rear and side setbacks apply. For side yards, the wider of the two side yards (where applicable) shall be located on the street side.
- (12) Front setbacks measured from back-of-walk.

Proposed Surprise Uniform Development Code (SUDC) Amended Sections

There are aspects of the SUDC that need to be amended and incorporated into the PUD Overlay Development Standards of Bonita Ranch so they align with Rancho Mercado PAD. The following proposed deviations to the SUDC will be part of the Bonita Ranch PUD Overlay Development Standards.

Landscaping.

1. SUDC Section 122-130(c) requires landscape circles at the ends of all cul-de-sacs. Bonita Ranch proposes to delete this Section 122-130(c).

“Delete requirement SUDC Section 122-130(c) because the Fire Department has indicated concerns over their use.”

Community Pool.

2. SUDC Section 122-137(r) requires that any Medium Density Residential project with more than 60 residential units include a community pool unless one is included as part of the overall development. Bonita Ranch proposes to amend this Section as follows:

“Bonita Ranch shall not develop a community pool.”

When a house is built at Bonita Ranch subdivision, the potential Buyer of the home would be able to construct a private pool in the backyard.

OPERATIONAL ASPECT OF USE

The primary access to Bonita Ranch will be at 147th Avenue (Bullard Avenue). Other access will be on the north side of Bonita Ranch adjacent to Rancho Mercado PAD Parcels A22, A23, and A24.

The primary amenity area will follow SUDC 122-137(o) including a Ramada, seating areas, tot lot, with a turf area providing play opportunities for all ages and shaded seating areas.

Parcel B and C Bonita Ranch proposes 15% open space spread over the site to connect all pedestrian trails with Rancho Mercado. It is the intention to join Rancho Mercado HOA so Bonita Ranch will have access to all local parks. Ranch Del Rey shall develop a mini park as noted in **Exhibit D**, make pedestrians connection to adjacent land, and use the same landscaping quantity, quality, and materials as used for Rancho Mercado PAD mini parks.

It is the intention of Bonita Ranch to join Rancho Mercado HOA.

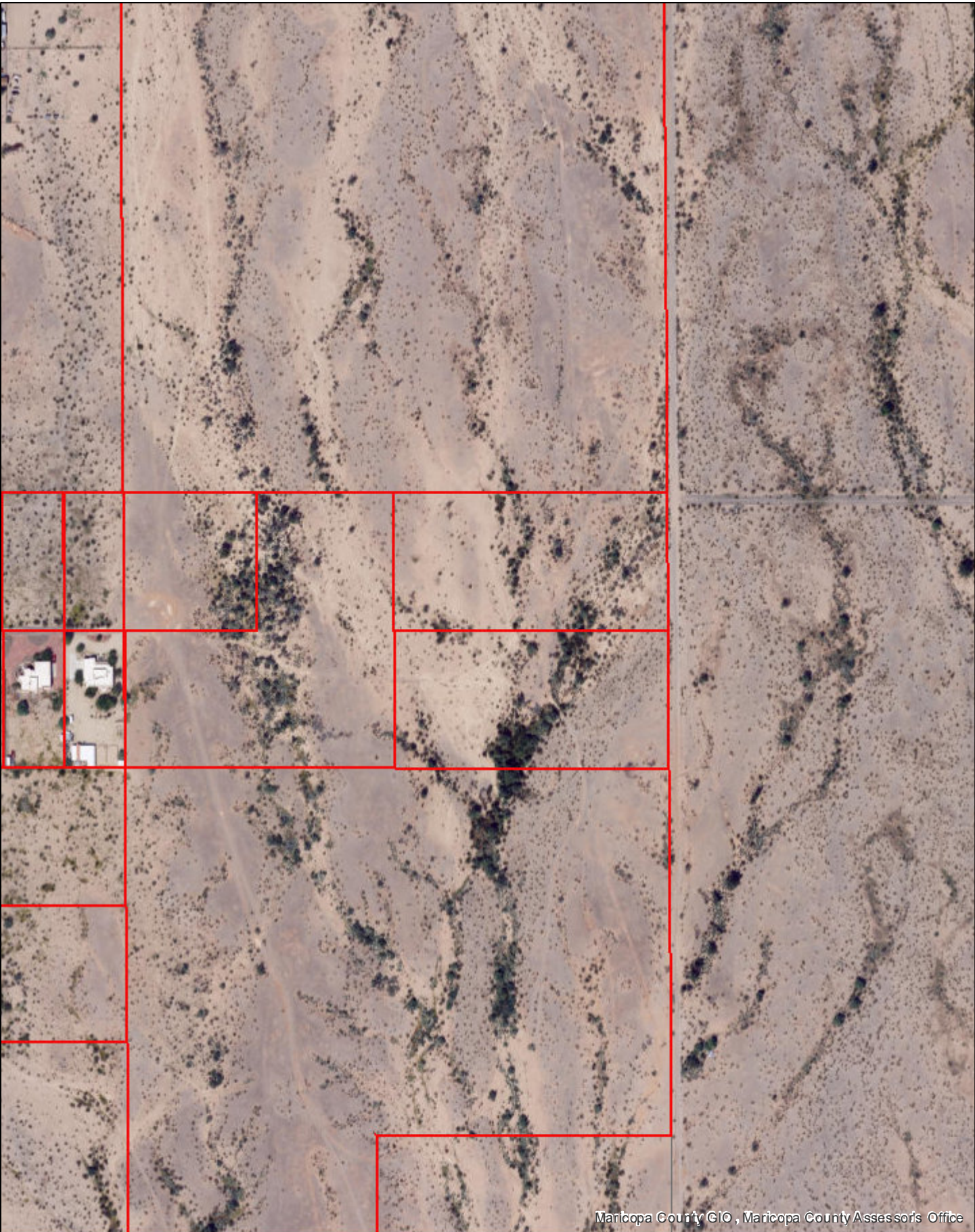
In addition to the primary amenity, interconnecting pedestrian trails within Bonita Ranch, noted on **Exhibit E**, the pedestrian trails will connect with Rancho Mercado Master Trail system as shown on **Exhibit D**.

INFRASTRUCTURE, ROADS, PROPOSED DEVELOPMENT PLAN

- Upon development of Bonita Ranch, all necessary utilities for Bonita Ranch will be extended from adjacent Rancho Mercado PAD Development into Bonita Ranch. Bonita Ranch is to be included into Rancho Mercado PAD 1st phase Water Campus located next to Rancho Mercado Parcel B & C14 on Happy Valley Road to the southeast. Bonita Ranch will purchase sewer capacity pursuant to SPA 2 Water Reclamation Facility Capacity Allocation Agreement. Bonita Ranch will have onsite 55' wide public streets to be constructed to City standards within Bonita Ranch.
- Offsite 147th Avenue (Bullard Road) – Along 147th Avenue, it is the intention of Bonita Ranch to dedicate a 55' offsite half street right of way upon Final Plat and construct its required adjacent ½ street improvements on 147th Avenue.



Existing Zoning Map

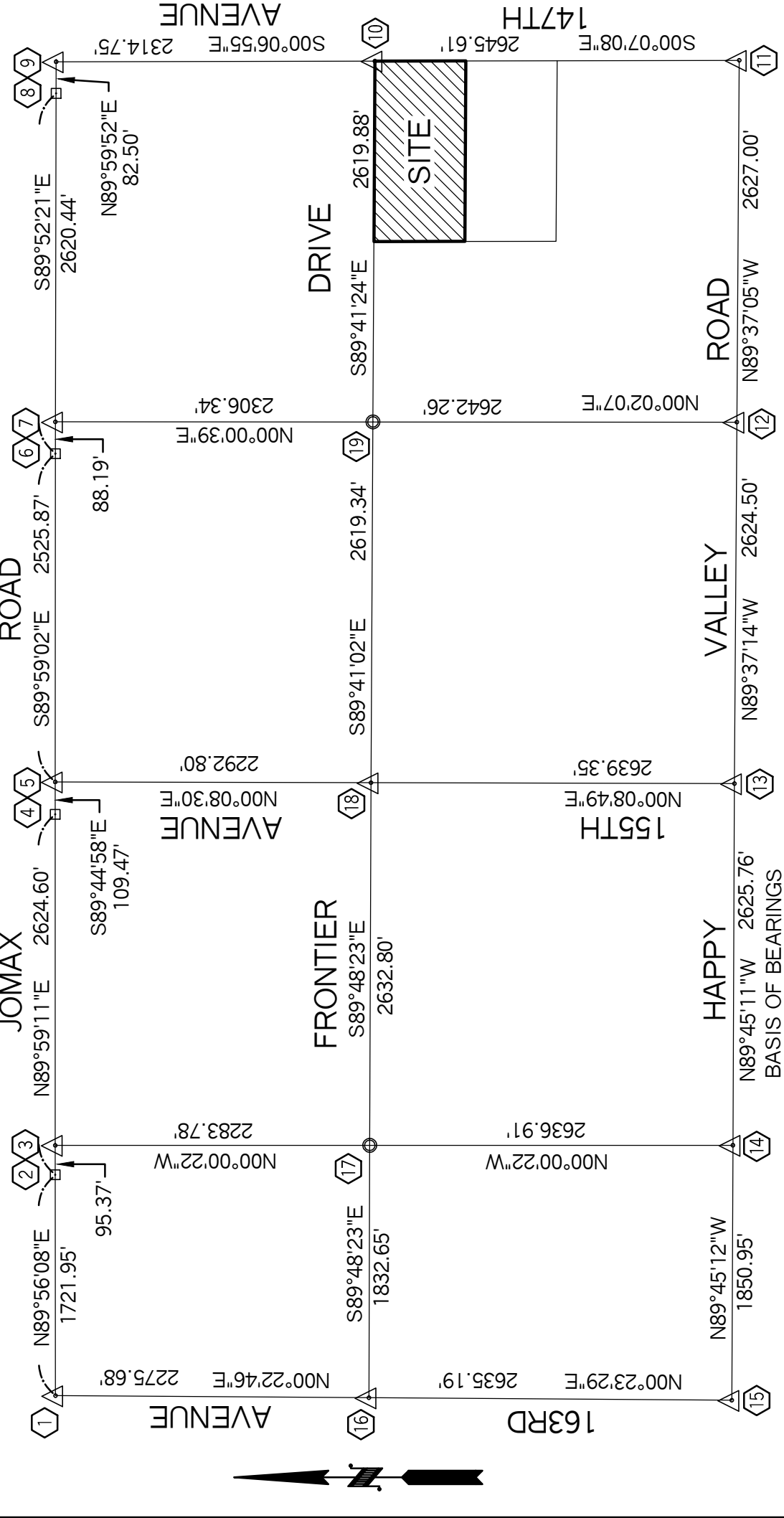




Zoning Exhibit "A"



SECTIONS 5 & 6, T4N, R1W



MONUMENT DESCRIPTIONS

- NE CORNER SEC 6
- ANGLE POINT
- N1/4 COR SEC 6
- ANGLE POINT
- NE CORNER SEC 5
- ANGLE POINT
- N1/4 COR SEC 5
- ANGLE POINT
- NE COR SEC 5
- N1/4 COR SEC 5
- SE COR SEC 5
- SW COR SEC 5
- SE COR SEC 6
- U.S.D.I. B.L.M. BRASS CAP
- SW COR SEC 6
- N1/4 COR SEC 6
- W1/4 COR SEC 6
- CENTER SEC 6
- W1/4 COR SEC 6
- CENTER SEC 5
- NOTE: IN PREVIOUS SURVEYS IN THIS AREA SINCE 2000, THIS SURVEYOR FOUND A U.S.D.I. B.L.M. BRASS CAP IN THIS LOCATION. THIS NEW ALUMINUM CAP IS 0.3' SOUTH OF THE PREVIOUS LOCATION. ALL MEASUREMENTS ON THIS SURVEY ARE BASED ON THE PREVIOUS LOCATION OF THE BRASS CAP.

- This survey is based upon a title commitment prepared by First American Title Insurance Company, Title No. NCS-778839-PHX1, dated February 24, 2016.
- The Surveyor has relied on said title commitment to disclose all matters of record affecting the subject property. The Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other matters that may affect the property.
- This property lies in Flood Zone X-Shaded according to FIRM No. 04013C1210L as published by FEMA on October 16, 2013.
- Parcels 1, 2 and 3 zoned P.A.D. by the City of Surprise. Parcel 4 is zoned Rural.43 by Maricopa County.
- There are no buildings on this property.
- The Basis of Bearings shown hereon is the South line of the Southeast quarter of Section 6, being North 89° 45' 11" West as taken from GDACS map per Book 1049 of Maps.
- © Copyright 2016. These drawings are an instrument of service and are the property of Land Survey Services, PLC. No reproduction or use of design concepts are allowed without written permission of Land Survey Services. Any violation of this copyright shall be subject to legal action.

CERTIFICATION

To First American Title Insurance Company, Penscoo Trust Company FBO Kent A. Xander IRA, KAX, L.L.C., David A. Harrison, IV and Paget H. Harrison, his wife, as joint tenants with right of survivorship and Rancho Mercado Investment Limited Partnership, an Arizona limited partnership:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 6(a), 7(a)(b)(1), 8, 9, 11(a), 14, 16 and 20 from Table A thereof. The field work was completed on February 16, 2016.

Thomas L. Rope, R.L.S., No. 21081

LEGAL DESCRIPTIONS

- PARCEL A:
- The Northwest quarter of the Northwest quarter of the Northeast quarter of the Southeast quarter of Section 5, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.
- PARCEL A23:
- The North 660 feet of the East half of the Southeast quarter of Section 5, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.
- EXCEPT the Northwest quarter of the Northwest quarter of the Northeast quarter of the Southeast quarter; and
- EXCEPT the East 660 feet.
- PARCEL B:
- The East 660 feet of the North 660 feet of the East half of the Southeast quarter of Section 5, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.
- EXCEPT the Southeast quarter of the North 660 feet of the East half of the Southeast quarter of Section 5, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.
- PARCEL C:
- The Southeast quarter of the North 660 feet of the East half of the Southeast quarter of Section 5, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

AREAS

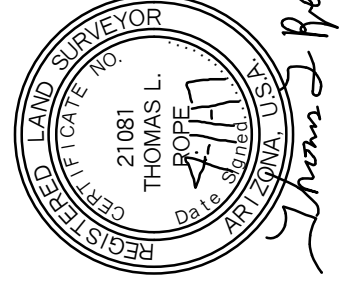
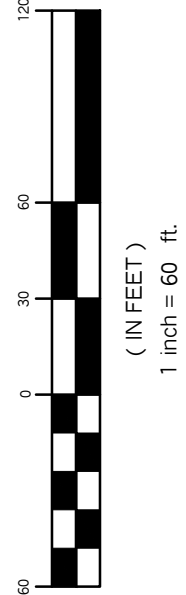
- PARCEL NO. 1: 4.9644 AC.
- PARCEL NO. 2: 5.0359 AC.
- PARCEL NO. 3: 7.3688 AC.
- PARCEL NO. 4: 2.4852 AC.
- TOTAL AREA: 19.8543 AC.

SCHEDULE B EXCEPTIONS

- Taxes for the full year of 2016. (The first half is due October 1, 2016 and is delinquent November 1, 2016. The second half is due March 1, 2017 and is delinquent May 1, 2017 .)
- Reservations or Exceptions in Patents, or in Acts authorizing the issuance thereof.
- The terms and provisions contained in the document entitled "Interim Agreement" recorded December 19, 1986 as 86-704416 of Official Records. (Affects Parcel No. 4)
- The terms and provisions contained in the document entitled "Rancho Mercado Pre-Annexation Development Agreement" recorded July 12, 2007 as 2007-0794202 of Official Records. (Affects Parcel No. 3)
- All matters as set forth in Boundary Survey, recorded as Book 841 of Maps, Page 49. (Affects Parcels No. 1 and 2)
- All matters as set forth in Land Division, recorded as Book 872 of Maps, Page 12 and in Book 925 of Maps, Page 12. (Affects Parcel No. 1)
- Lack of a right of access to and from the land.
- Any claim that the Title is subject to a trust or lien created under The Perishable Agricultural Commodities Act, 1930 (7 U.S.C. §§4959a, et seq.), or the Packers and Stockyards Act (7 U.S.C. §§181 et seq.) or under similar state laws.
- The rights of parties in possession by reason of any unrecorded lease or leases or month to month tenancies affecting any portion of the within described property. NOTE: This matter will be more fully set forth or deleted upon compliance with the applicable requirement(s) set forth herein.
- Any facts, rights, interests or claims that may exist or arise by reason of the following matters discussed by an ALTA/ACSM survey made by _____ on _____, designated Job Number _____.

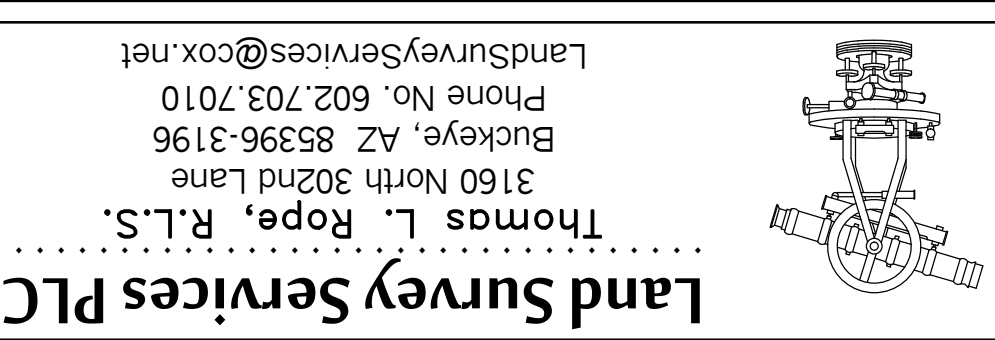
LEGEND

- SECTION CORNER
- ANGLE POINT
- CENTER OF SECTION
- REBAR/CAP "LS 31020" UNLESS NOTED OTHERWISE
- POWER POLE
- EDGE OF DIRT ROAD
- WIRE FENCE



Drawn By:	Thomas Rope
Expires:	3/31/2019
Date:	MAR 2016
Job No.:	16017
Sheet No.:	1 of 1

ALTA/ACSM LAND TITLE SURVEY
A PART OF THE SOUTHEAST QUARTER OF SECTION 5,
T4N, R1W, G. & S. R. B. M., MARICOPA COUNTY, ARIZONA



Rancho Mercado

City of Surprise, Arizona

Planned Area Development Figure 7 Open Space and Trails Master Plan

LEGEND

-  Recreational Open Space
-  Open Space/Wash Corridors
-  Fire Station
-  Proposed Future Loop 303 Interchange
-  Neighborhood / Community Trail
-  Property Boundary
-  Proposed Mini Parks (Locations TBD at time of plat)
-  Well Site
-  Water Campus
-  Monument Sign



Date: 06-26-06
Drawn By: DM
Revised: 10-08-10



LVA
Urban Design
Studio LLC

JOMAX ROAD

COMMERCIAL SITE
17 AC GROSS

RANCHO MERCADO
PARCEL A24

N. 147TH AVE

BONITA
RANCH

TYP.
58' 11 1/2'

LOT
LOT

TYP.
58' 11 1/2'

LOT
LOT



SCALE IN FEET

7/22/16

WALSH DESIGN GROUP
6106 E. Rose Circle Dr.
Phoenix, AZ 85018
(602)619-7581
Lansed@cox.net

JOMAX ROAD

COMMERCIAL SITE
17 AC GROSS

RANCHO MERCADO
PARCEL A24

N. 147TH AVE

BONITA
RANCH

TYP.
58' 11 1/2'

LOT
LOT

TYP.
58' 11 1/2'

LOT
LOT



SCALE IN FEET

7/22/16

WALSH DESIGN GROUP
6106 E. Rose Circle Dr.
Phoenix, AZ 85018
(602)619-7581
Lansed@cox.net

Rancho Mercado

City of Surprise, Arizona

Planned Area Development Figure 6

Land Use Master Plan

LEGEND

- Low Density Residential (LDR)
2.0-5.0 du/ac
- Low Medium Density Residential (LMDR)
4.0-6.0 du/ac
- Medium Density Residential (MDR)
5.0-10.0 du/ac
- High Density Residential (HDR)
15.0 + du/ac
- Community Commercial
- Commercial / Employment
- Educational / School
- Recreational Open Space
- Open Space / Wash Corridors
- Fire Station
- Proposed Future Loop 303 Interchange
- Neighborhood / Community Trail
- Property Boundary
- Proposed Mini Parks
(Locations TBD at time of plat)
- Well Site
- Water Campus



Date: 06-26-06
Drawn By: MR
Revised: 02-23-07



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

3 March 2017

Mr. James R. Mitchell
Director, Community Initiatives Team
56th Fighter Wing
14185 West Falcon Street
Luke AFB AZ 85309-1629

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

Re: FS17-107, 108 & 109; Bonita Ranch

Dear Ms. Donaldson

Thank you for the opportunity to comment on the applications for Annexation and Rezone with PUD overlay of Parcels A, B and C at Bonita Ranch. The specific actions evaluated are as follows:

FS17-107: Annexation Parcel A: The property consists of 2.5 acres, ½ mile north of Happy Valley Road, ¼ mile west of Bullard Road (147th Avenue) in an unincorporated area of Maricopa County. The request is to have the City of Surprise Annex APN # 503-54-006G which is currently vacant land.

FS17-108: Rezone Parcel A: The property consists of 2.5 acres, ½ mile north of Happy Valley Road, ¼ mile west of Bullard Road (147th Avenue) in an unincorporated area of Maricopa County. If the Annexation is approved the request is to rezone the parcel from Single Family Residential (R-43) to Residential Medium Density (RM-6).

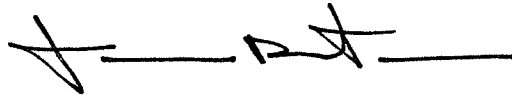
FS17-109: Rezone Parcel B & C: The property consists of 10 square gross acres of vacant land at the Southwest corner of 147th Avenue (Bullard Road) and Yearling Road in Surprise AZ. The request is to rezone the parcels from Residential Ranch (RR), to RM-6.

Bonita Ranch development will be approximately 5.3 miles outside the Luke AFB Auxiliary Field #1 2004 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.

This request as stated in the applications will not negatively impact the flying operations at Luke AFB. Since Bonita Ranch 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 you have any questions, please contact my Community Planner, Ms. Barbara Plante at (623) 856-9981.

Sincerely

A handwritten signature in black ink, appearing to read 'J. R. Mitchell', with a long horizontal line extending to the right.

JAMES R. MITCHELL

cc:

Colonel David G. Shoemaker, Vice Commander, 56th Fighter Wing

Ms. Cindy L. Calderon, GS-13, General and Environmental Law Attorney, 56th Fighter Wing

PUBLIC ENGAGEMENT FORM

PROJECT TITLE: Bonita Ranch Parcel B & C Rezone

OVERALL PUBLIC INVOLVEMENT LEVEL:

This activity will follow the citizen outreach and public hearing notification processes as outlined in state statute and the SUDC.

IDENTIFY STAKEHOLDERS:

Impacted residents; schools; churches; businesses; public at-large; property owners?

OBJECTIVES:

What is the purpose of the project/service/program and why is it needed? What are the impacts if the project/service/program is not achieved?

PUBLIC ENGAGEMENT STRATEGIES & TOOLS:

Public Engagement & Project timeline:

Public outreach time frame (when to when)

Future Council Work Session/Meetings target dates

Election dates (if applicable)

Project start/completion dates

Communication Tools and Technique options: (which do you plan to use?)

- ☐ Press releases
- ☐ Public meetings (video/photos, poster boards, fact sheet(s) *do you need Spanish version?)
- ☐ Presentations to boards and commissions, other interested community partners/stakeholders
- ☐ Third-party consultant/moderator (pending budget)
- ☐ Survey (online/paper/both?)
- ☐ Social media
- ☐ Surprise 11
- ☐ Notify Me email/ Council newsletters (opt-in audience)
- ☐ Paid advertising (pending budget)
- ☐ Surprise Progress (mailed quarterly and tied to print deadlines)
- ☐ Booth at city events
- ☐ Paid mailings (pending budget)
- ☐ Creation of a subcommittee/task force
- ☐ Youth/adult activities, registration, or orientation (HOA Academy)
- ☐ Website updates



FS17-108 Bonita Ranch Parcel A Zone Change
FS17-109 Bonita Ranch Parcel B & C Zone Change

City Council
August 15, 2017

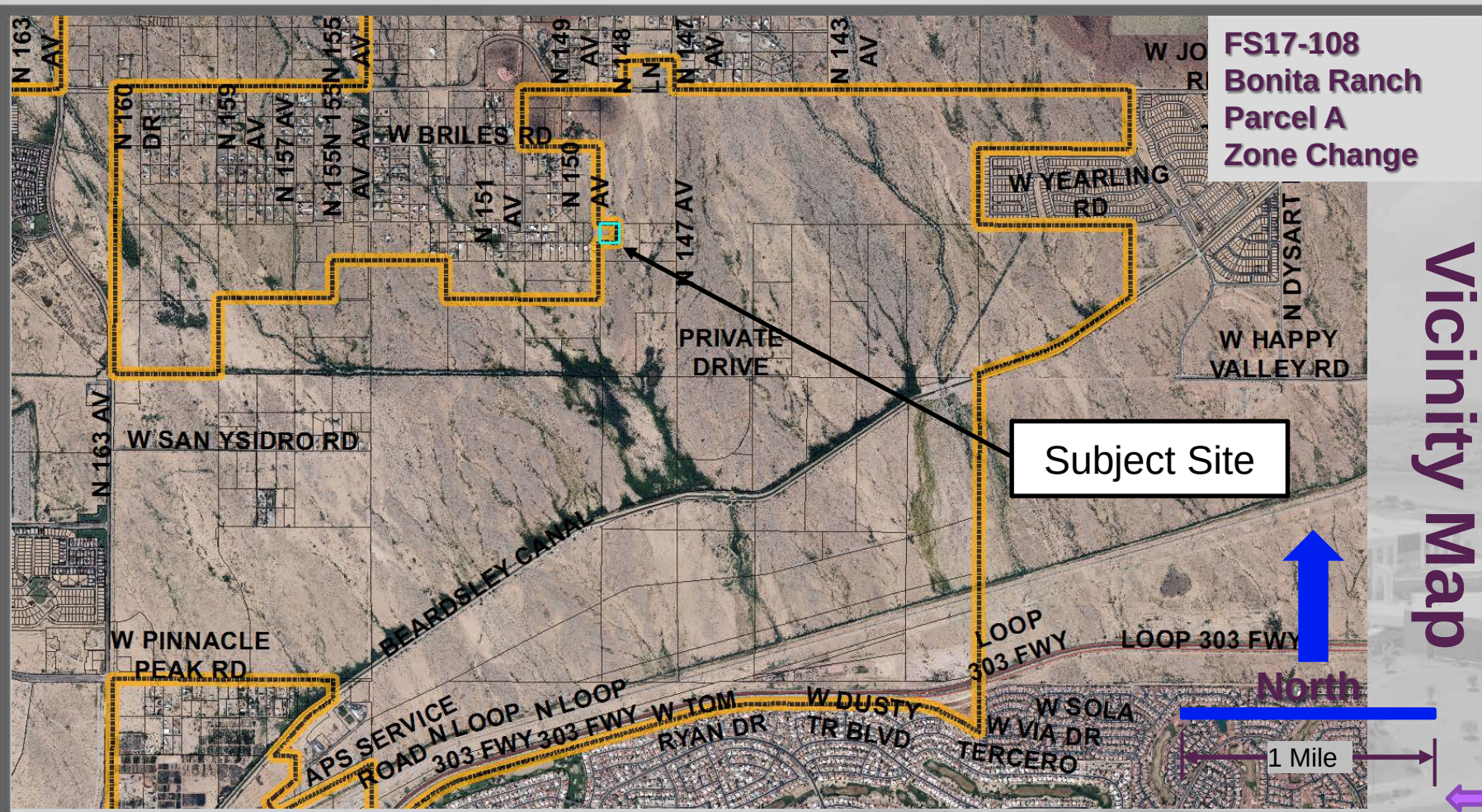
Topics of Discussion

**Bonita Ranch
Parcel A, B & C
Zone Change**

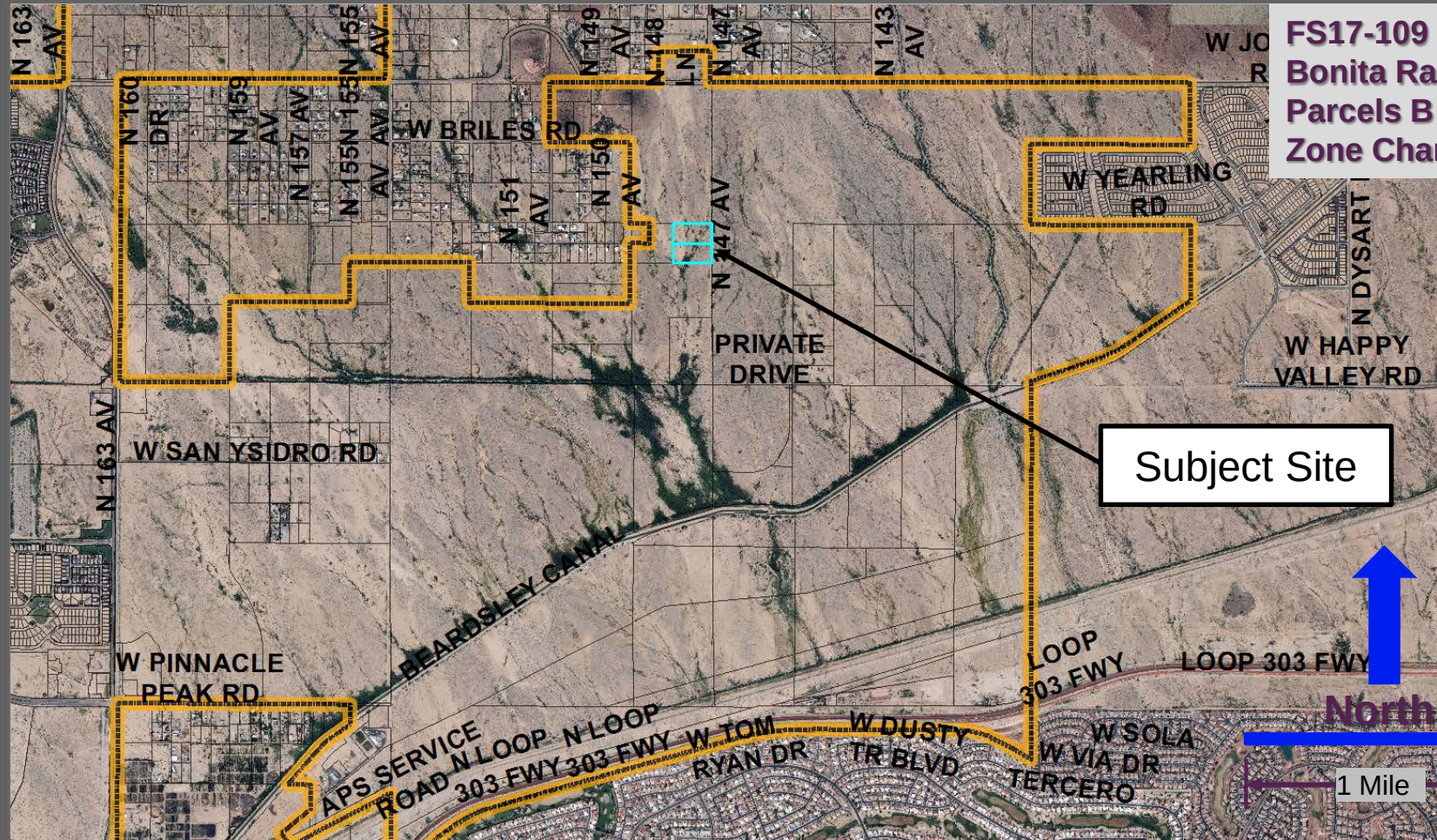
- [FS17-108 Vicinity Map](#)
- [FS17-109 Vicinity Map](#)
- [FS17-108 Case Map](#)
- [FS17-109 Case Map](#)
- [Exhibit D – Rancho Mercado](#)
- [Table A – Development Standards](#)
- [Exhibit F – Conceptual Development Plan](#)
- [Recommendations](#)
- [Questions or Comments](#)

**FS17-108
Bonita Ranch
Parcel A
Zone Change**

Vicinity Map

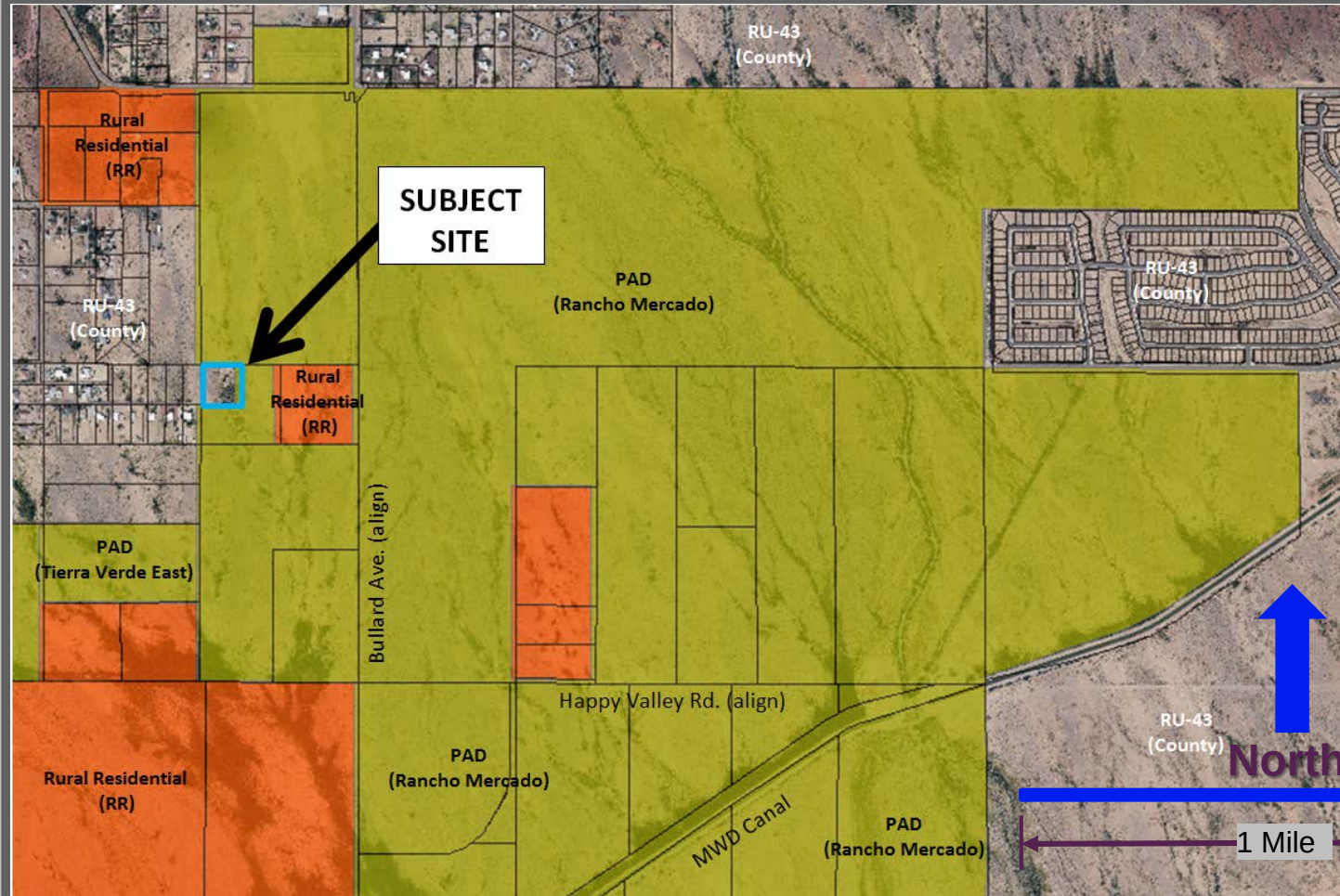


**FS17-109
Bonita Ranch
Parcels B & C
Zone Change**



Vicinity Map

**FS17-108
Bonita Ranch
Parcel A
Zone Change**

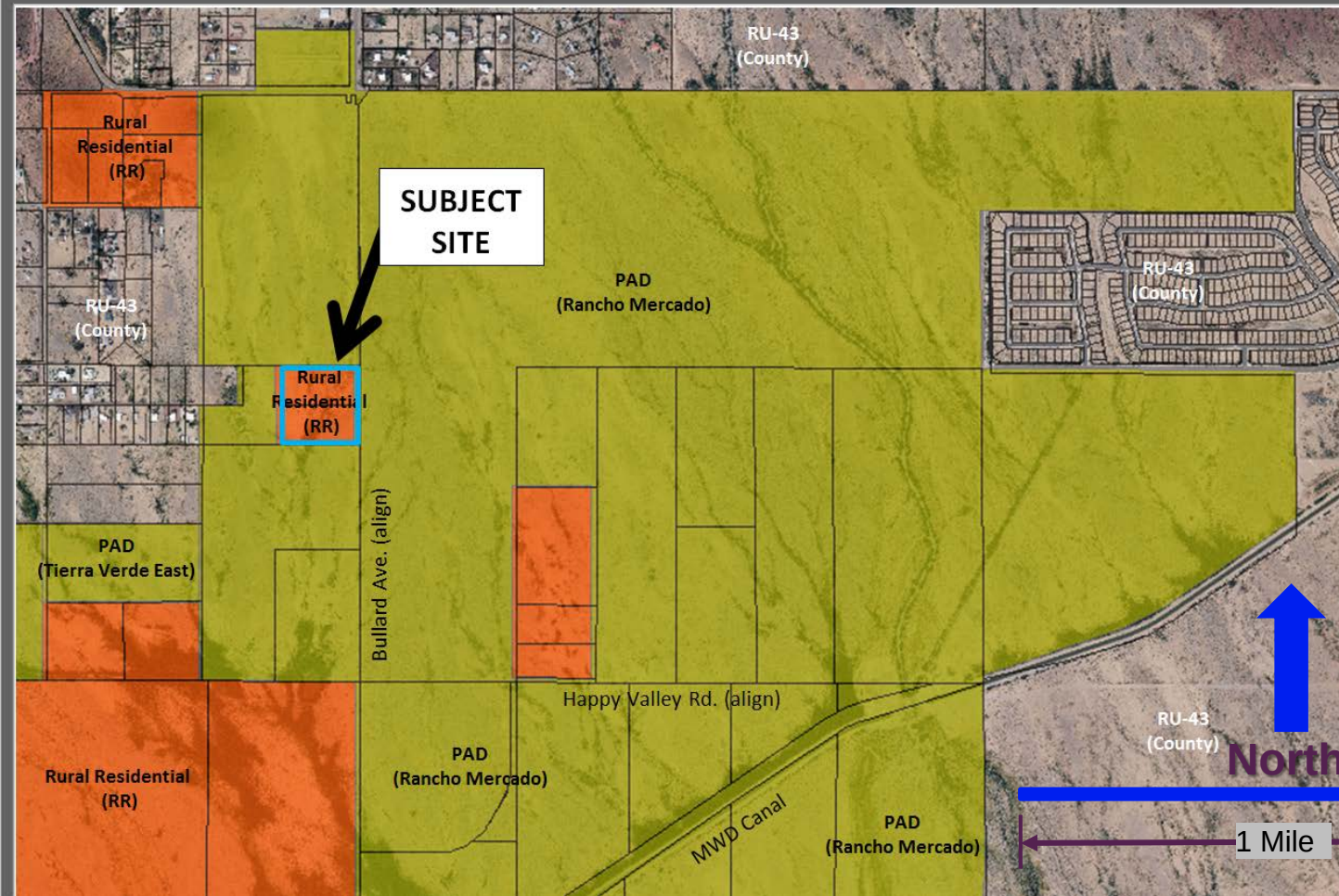


Case Map

North

1 Mile

**FS17-109
Bonita Ranch
Parcels B & C
Zone Change**



Case Map

North

1 Mile

Bonita Ranch Parcel A, B & C Zone Change



Rancho Mercado

City of Surprise, Arizona

Planned Area Development Figure 7 Open Space and Trails Master Plan

LEGEND

- Recreational Open Space
- Open Space/Walk Corridor
- Fire Station
- Proposed Future Loop 303 Interchange
- Neighborhood / Community Trail
- Property Boundary
- ✱ Proposed Mini Parks (Locations TBD at time of plan)
- Wet Site
- Water Channel
- Monument Sign

Date: 06-26-06
Drawn By: DM
Revised: 10-06-10

LVA
Urban Design
Studio L.L.C.

Exhibit D

Exhibit D



Table A
Proposed RM-6 PUD Development Standards

	Rancho Mercado PAD LDR Development Standards (2)(5)(7)	Proposed Bonita Ranch Parcel A RM-6 PUD Development Standards (2)(5)(7)	RM-6 City Base Development Standards
Lot Width (Min)	58'	58'	50'
Lot Area (Min)	6,300 SF	6,300 SF	Not Specified
Lot Area Per Dwelling Unit (Min)	Not Specified (8)	6,000 SF (8)	6,000 SF (8)
Lot Depth (Min)	110' (3)	110' (3)	100'
Front Setback (livable)	12' (12)	12' (12)	12'
Front Setback (garage)	18' (7) (12)	20' (1) (7) (12)	20'
Interior Side Setback	5'/8'	5'/8'	TBD at Pre-Plat
Aggregate Setback	Not Specified	13'	TBD at Pre-Plat
Corner Side Setback	8'	10' (11)	Not Specified
Rear Setback	15'	15'	20'
Rear Setback (arterial street)	20'	20' (11)	Not Specified
Maximum Width of Driveway as % of Lot Width	Not Specified	35% (6)	30%
Maximum Area of Driveway as % of Front Yard Area	Not Specified	35% (10)	30%
Building Height (Max)	30'	30' (9)	35'
Building Coverage	TBD by building Envelope (4)	TBD by building Envelope (4)	Not Specified

Table A
Proposed RM-6 PUD Development Standards

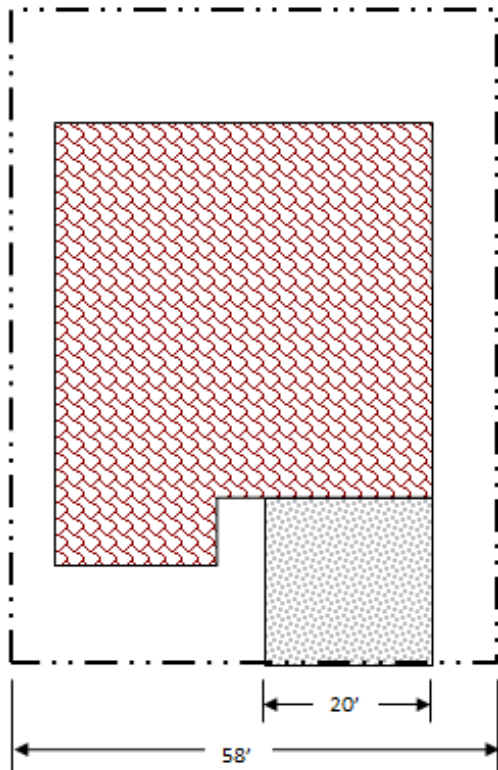
	Rancho Mercado PAD LDR Development Standards (2)(5)(7)	Proposed Bonita Ranch Parcel B and C RM-6 PUD Development Standards (2)(5)(7)	RM-6 City Base Development Standards
Lot Width (Min)	58'	58'	50'
Lot Area (Min)	6,300 SF	6,300 SF	Not Specified
Lot Area Per Dwelling Unit (Min)	Not Specified (8)	6,000 SF (8)	6,000 SF (8)
Lot Depth (Min)	110' (3)	110' (3)	100'
Front Setback (livable)	12' (12)	12' (12)	12'
Front Setback (garage)	18' (7) (12)	20' (1) (7) (12)	20'
Interior Side Setback	5'/8'	5'/8'	TBD at Pre-Plat
Aggregate Setback	Not Specified	13'	TBD at Pre-Plat
Corner Side Setback	8'	10' (11)	Not Specified
Rear Setback	15'	15'	20'
Rear Setback (arterial street)	20'	20' (11)	Not Specified
Maximum Width of Driveway as % of Lot Width	Not Specified	35% (6)	30%
Maximum Area of Driveway as % of Front Yard Area	Not Specified	35% (10)	30%
Building Height (Max)	30'	30' (9)	35'
Building Coverage	TBD by building Envelope (4)	TBD by building Envelope (4)	Not Specified

Bonita Ranch Parcel A, B & C Zone Change

Development Standards

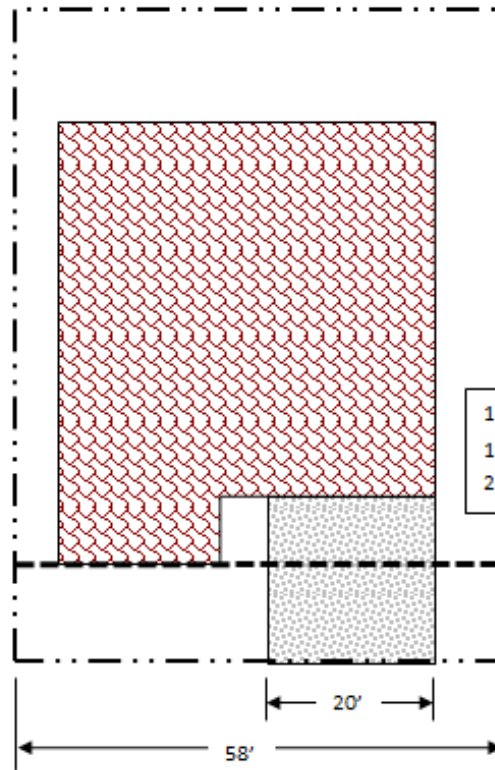


Driveway Width as Percent of Lot Width



$$20' / 58' = 34.4\%$$

Driveway Area as Percent of Required Front Yard Area



$$\begin{aligned} 12' \times 20' &= 240 \text{ SF} \\ 12' \times 58' &= 696 \text{ SF} \\ 240 \text{ SF} / 696 \text{ SF} &= 34.4\% \end{aligned}$$

**Bonita Ranch
Parcel A, B & C
Zone Change**

**Development
Standards**



EXHIBIT F Development Concept Plan

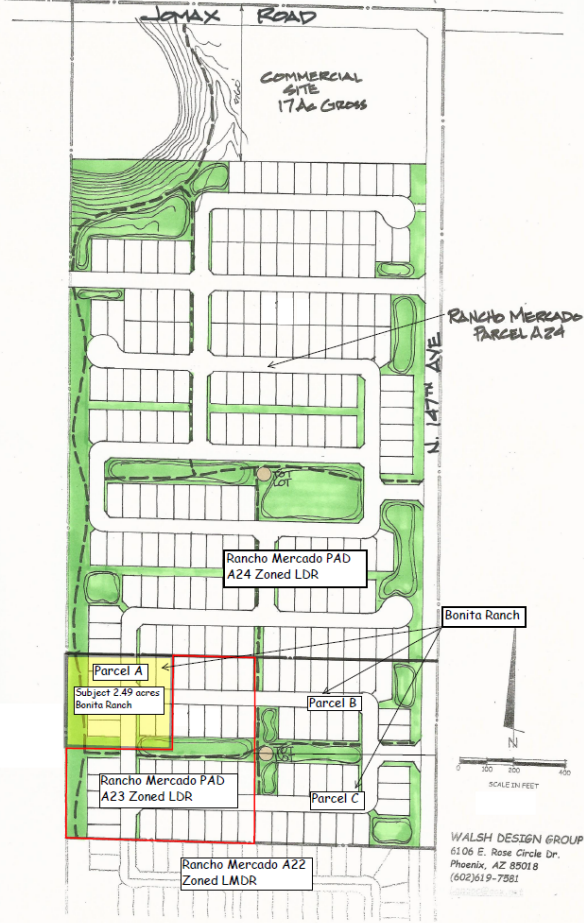
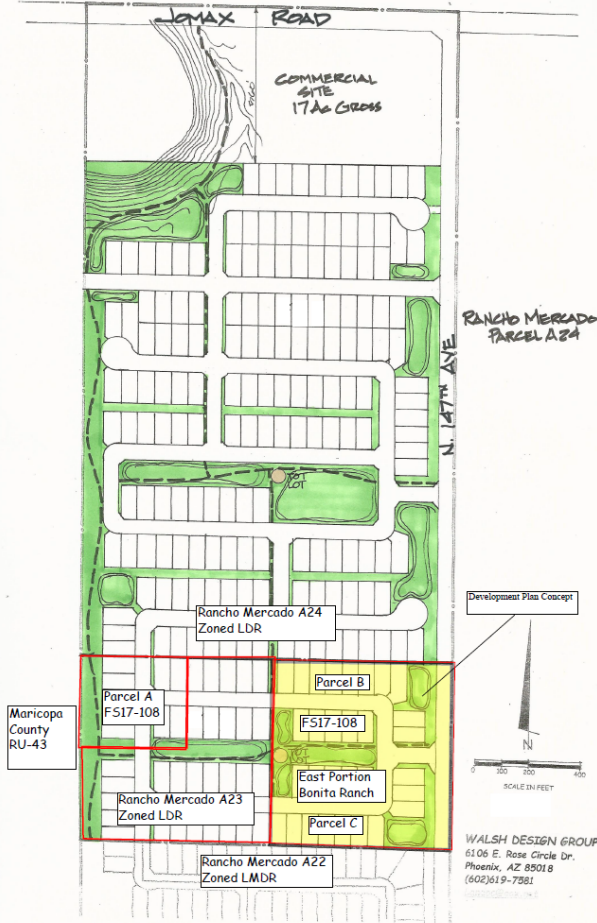


EXHIBIT F Development Plan Concept



Bonita Ranch Parcel A, B & C Zone Change

Exhibit F



**Bonita Ranch
Parcel A, B & C
Zone Change**

Outreach meeting on June 14, 2017

Planning and Zoning Commission on July 20, 2017

Outreach



**FS17-108
Bonita Ranch
Parcel A
Zone Change**

FS17-108 Bonita Ranch Parcel A

Approve

Subject to Stipulations “a” – “e”

**Commission
Recommendation**



**FS17-109
Bonita Ranch
Parcels B & C
Zone Change**

FS17-109 Bonita Ranch Parcels B & C

Approve

Subject to Stipulations “a” – “b”

**Commission
Recommendation**





SURPRISE
ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You



ORDINANCE 2017-14

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING A REZONE FROM RESIDENTIAL RANCH TO RESIDENTIAL MEDIUM DENSITY (RM-6) WITH A PLANNED UNIT DEVELOPMENT (PUD) OVERLAY FOR BONITA RANCH PARCELS B AND C, LOCATED SOUTH OF JOMAX ROAD AND WEST OF THE 147TH AVENUE ALIGNMENT.

WHEREAS, this Ordinance was properly noticed for public hearing and the necessary hearings and opportunity for public input were completed;

WHEREAS, the subject site is located south of Jomax Road and west of the 147th Avenue alignment;

WHEREAS, the subject site is zoned as Residential Ranch;

WHEREAS, the rezone to Residential Medium Density with PUD overlay district is authorized by and satisfies the requirements of Surprise Municipal Code §122-68;

WHEREAS, the proposed use of the subject site requires modification of the applicable zoning regulations;

WHEREAS, this rezone is in harmony with the purposes and intent of the zoning ordinance and the Surprise General Plan; and

WHEREAS, on July 20, 2017, the Planning and Zoning Commission recommended approval of the Bonita Ranch Parcels B and C rezone with PUD overlay.

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

Section 1. *Rezoning with PUD overlay.* The property known as Bonita Ranch Parcels B and C, as legally described on Exhibit A and depicted on Exhibit B, is rezoned from Residential Ranch (RR) to Residential Medium Density (RM-6) with a PUD Overlay subject to the following stipulations:

- a. Development and use of the site shall be in conformance with the project narrative entitled "Bonita Ranch Parcels B & C", prepared by KAX and Walsh Design Group as revised June 16, 2017 and stamped received June 16, 2017.

- b. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.

Section 2. *Amendment of Zoning Map.* The City of Surprise zoning map is herewith amended to reflect the change in districts referred to in Section 1 above.

Section 3. *Codification.* This ordinance is not of a general nature and will not be codified.

Section 4. *Repeal of Conflicting Ordinances.* All ordinances or parts of ordinances in conflict with the provisions of this ordinance or any part of the code adopted herein by reference are hereby repealed, upon the effective date of this Ordinance.

Section 5. *Severability.* If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 6. *Effective Date.* This ordinance shall become effective at the time and in the manner prescribed by law.

APPROVED AND ADOPTED this _____ day of _____ 2017.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

EXHIBIT "A"

DESCRIPTION

BONITA RANCH PARCELS B&C REZONE

PARCEL B

The East 660 feet of the North 660 feet of the East half of the Southeast quarter of Section 5, Township 4 North, Range 1 West, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Except the Southeast quarter of the North 660 feet of the East half of the Southeast quarter of Section 5, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Together with

PARCEL C

The Southeast quarter of the North 660 feet of the East half of the Southeast quarter of Section 5, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

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

End of description



EXPIRES 09-30-2017

N 1/4 COR
SEC 5
T4N, R1W

EXHIBIT "B"

JOMAX ROAD

NE COR
SEC 5
T4N, R1W



SCALE: 1"=500'



SURPRISE CITY LIMITS

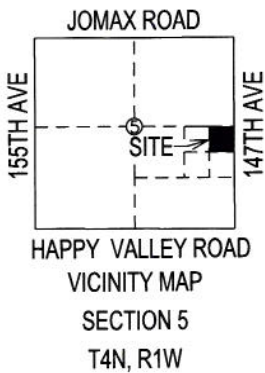
ZONING: RU-43 MARICOPA COUNTY
LAND USE: LDR

RANCHO MERCADO
PARCEL A24
ZONING: PAD
LAND USE: LDR

CENTER 1/4 COR
SEC 5
T4N, R1W

BONITA RANCH PARCELS B & C
REZONE RR TO RM-6 PUD

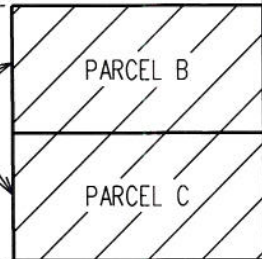
E 1/4 COR
SEC 5
T4N, R1W



SURPRISE CITY LIMITS

SURPRISE CITY LIMITS

RANCHO MERCADO
PARCEL A23
ZONING: PAD
LAND USE: LDR



ZONING: RU-43 MARICOPA COUNTY
LAND USE: LDR

RANCHO MERCADO
PARCEL A22
ZONING: PAD
LAND USE: L/MDR

SURPRISE CITY LIMITS

LEGEND

- RR RURAL RESIDENTIAL
- RM-6 PUD RESIDENTIAL MEDIUM DENSITY WITH PUD OVERLAY
- PUD PLANNED UNIT DEVELOPMENT
- LDR LOW DENSITY RESIDENTIAL
- L/MDR LOW/MEDIUM DENSITY RESIDENTIAL
- PAD PLANNED AREA DEVELOPMENT
-  BONITA RANCH REZONE AREA



EXPIRES 09/30/17

S 1/4 COR
SEC 5
T4N, R1W

SE COR
SEC 5
T4N, R1W

BONITA RANCH PARCELS B&C
REZONE RR TO RM-6 PUD



CITY OF SURPRISE
LAND SURVEY DEPARTMENT

PROJECT # 17020

DRAWN BY RCD

DATE 06-06-17

SHEET 1 OF 1



CITY OF SURPRISE
Regular City Council Meeting

August 15, 2017 @ 6:00:00 PM

[Back](#) [Print](#)

Council Meeting Date:	August 15, 2017	Contact Person:	Robert Kuhfuss - Community Development
Submitting Department:	CD	District:	1
Staff Recommendations:	None		

Consent	Regular	Public Hearing	x	Report/Discussion
---------	---------	----------------	---	-------------------

Agenda Wording:

Consideration and action pertaining to rezoning of property known as Bonita Ranch Parcel A from Residential Ranch (RR) to Residential Medium Density (RM-6) with a PUD Overlay, located generally south of Jomax Road and west of the 147th Avenue alignment; Ordinance #2017-15.

Motion:

I move to approve Ordinance # 2017-15, subject to stipulations “a” through “e” as recommended by the Planning and Zoning Commission.

Background:

Kent Xander, of KAX Group, on behalf of Pensco Trust Company requests approval of a Zone Change from Residential Ranch (RR) to Residential Medium Density (RM-6) with a PUD Overlay. The intent of the Zone Change and Overlay is to bring the property in line with the adjacent Rancho Mercado PAD. The property is approximately 2.49 acres and will integrate with the Rancho Mercado development. The Planning and Zoning Commission heard the request during their regular meeting of July 20, 2017 and recommended approval per staff recommended stipulations “a” through “e”.

Objective Analysis:

The intent of the proposed Zone Change is to allow development of the subject property to occur in a manner that is consistent with the surrounding Rancho Mercado PAD. The base zoning will be RM-6, which would allow up to 6 dwelling units per acre (DU/Ac); however, through the PUD Overlay, the developer proposes 10 dwelling units over approximately 2.5 acres for a gross density of 4.00 DU/Ac. While RL-5 might be closer to the proposed density, the development standards associated with the RM-6 zoning district are more in line with those of the PAD that surrounds the subject site. The applicant proposes 0.37 acres of open space, which equates to 20.05% of the project's Net Residential Acreage. A trail will extend along the open space tract located along the west side of the property thereby connecting with the Rancho Mercado project to the north and south. Houses located along the west end of the site will be limited to single-story.

Policy Compliant:

The Surprise General Plan 2035 shows the subject property as lying within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac or more, provided appropriate transitions are made between the various Neighborhood types included within the character area. At 4.00 DU/Ac, the project most closely aligns with the Suburban Neighborhood type and is consistent with the General Plan in this regard. The General plan seeks appropriate buffers and transitions between the various Character Areas. To meet this guideline, an open space corridor will extend along the western side of the subject property, connecting to similar open space planned for Rancho Mercado Parcels A22, A23 and A24.

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.

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:

Click to download

- ☐ [00 - FS17-108 - Bonita Ranch Parcel A Zone Change RFLS# 5717 ORD # 2017-15 - Staff Report](#)
 - ☐ [01 - FS17-108 - Bonita Ranch Parcel A Zone Change RFLS# 5717 ORD # 2017-15 - Vicinity Map](#)
 - ☐ [02 - FS17-108 - Bonita Ranch Parcel A Zone Change RFLS# 5717 ORD # 2017-15 - Case Map](#)
 - ☐ [03](#)
 - ☐ [04 - FS17-108 - Bonita Ranch Parcel A Zone Change RFLS# 5717 ORD # 2017-15 - LAFB Comments](#)
 - ☐ [05 - FS17-108 - Bonita Ranch Parcel A Zone Change RFLS# 5717 ORD # 2017-15 - Public Engagement Form](#)
 - ☐ [06 - FS17-108 - Bonita Ranch Parcel A Zone Change RFLS# 5717 ORD # 2017-15 - Presentation](#)
 - ☐ [Ordinance 2017-15](#)
-

Case: **FS17-108**

Project Name: Bonita Ranch Parcel A

Council District: 1

Meeting Date: **August 15, 2017**

Planner: Robert H. Kuhfuss, AICP

Owner: Pensco Trust Company

Applicant: Kent Xander of KAX Group

Request: Zone Change from Residential Ranch (RR) to Residential Medium Density (RM-6) PUD

Site Location: Generally south of Jomax Road and west of the 147th Avenue alignment

Site Size: 2.49 gross acres (approx.)

Density: 4.0 DU/Ac

General Plan Conformance: The proposals advance the goals of the Surprise General Plan 2035.

Support/Opposition: No direct support or opposition was received regarding this request; however, several individuals indicated concerns over increased population and potential impacts on aquifer levels, wildlife, dust, traffic, access, crime, and illegal dumping.

Commission

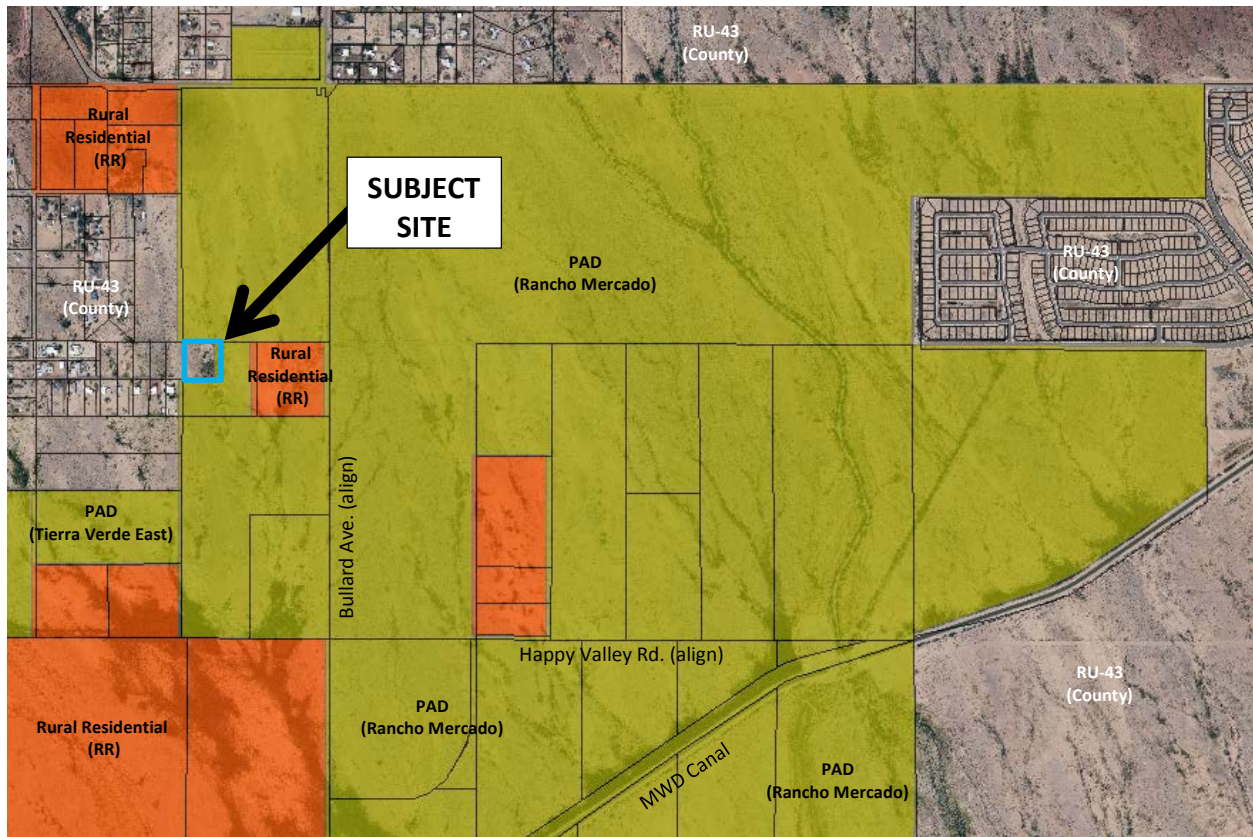
Recommendation: The Planning and Zoning Commission recommended **approval** of the proposed Zone Change to the City Council, subject to stipulations "a" through "e".

Project Description:

Kent Xander, of KAX Group, on behalf of Pensco Trust Company requests approval of a Zone Change from Residential Ranch (RR) to Residential Medium Density (RM-6) with a PUD Overlay. This intent of the Zone Change and Overlay is to bring the property in line with the adjacent Rancho Mercado PAD. The property is approximately 2.49 acres and will integrate with the Rancho Mercado development.

Existing Zoning:

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



BACKGROUND:

July 11, 2006: The Maricopa County Board of Supervisors approved a request for a Development Master Plan (DMP) and associated Zone Change for the Rancho Mercado project in what was then unincorporated Maricopa County.

October 11, 2007: The Surprise City Council approved the Rancho Mercado PAD under case PAD06-276, Ordinance #07-46.

November 10, 2007: The City of Surprise annexed the Rancho Mercado property into the City of Surprise via Ordinance # 2007-47.

January 5, 2016: The City Council approved a Preliminary Plat for Rancho Mercado Unit 1 under case FS15-069.

June 16, 2016: The Bonita Ranch project was discussed at a Concept Review meeting under case CR16-236.

February 21, 2017: The applicant filed a request for annexation of the subject property under case FS17-107.

February 21, 2017: The applicant filed a request for a Zone Change from RR to RM-6 PUD for Bonita Ranch Parcel A under case FS17-108, the subject case.

February 21, 2017: The applicant filed a request for a Zone Change from RR to RM-6 PUD for Bonita Ranch Parcels B and C under case FS17-109.

June 14, 2017: The applicant held a Citizen Outreach meeting regarding the subject request.

July 20, 2017: The Planning and Zoning Commission recommended approval of the subject request subject to stipulations "a" through "e".

July 20, 2017: The Planning and Zoning Commission recommended approval of the related Bonita Ranch Parcels B and C under FS17-109, subject to stipulations "a" and "b".

August 1, 2017: The subject property is being considered for annexation by the City Council under case FS17-107 and discussed under separate cover. The outcome of that case is unknown as of the writing of this report.

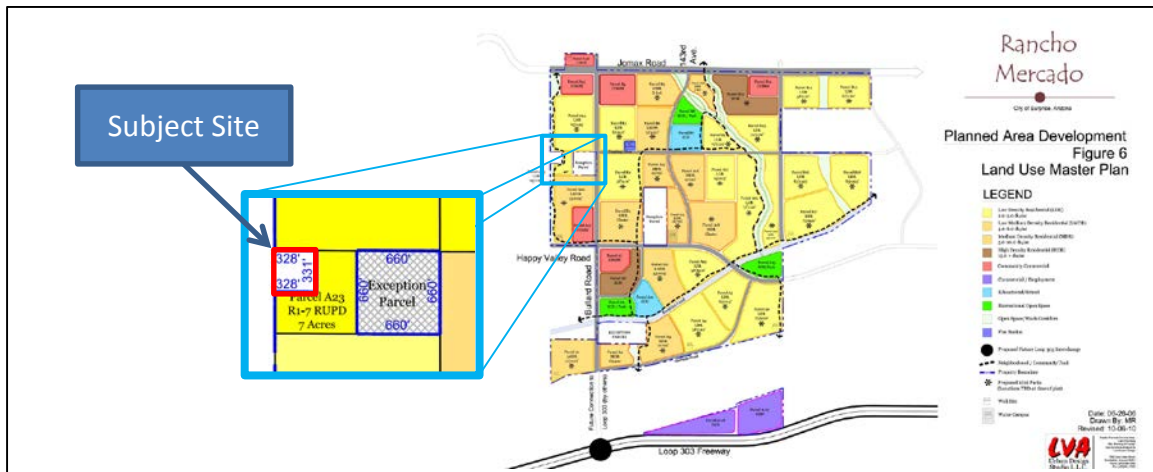
Citizen Outreach:

As noted above, the applicant held an outreach on June 14, 2016. The outreach meeting and associated hearings were advertised in accordance with the SUDC and state law. No support or opposition was received as a result of these efforts; however, concerns were expressed regarding domestic well draw-down, drainage and outdoor lighting. The applicant agreed to grant open space access to the neighboring residents and to limit the housing product to single-story along the west side of Parcel A. During the Commission hearing of July 20, 2017, several individuals indicated concerns over increased population and potential impacts on aquifer levels, wildlife, dust, traffic, access, crime, and illegal dumping.

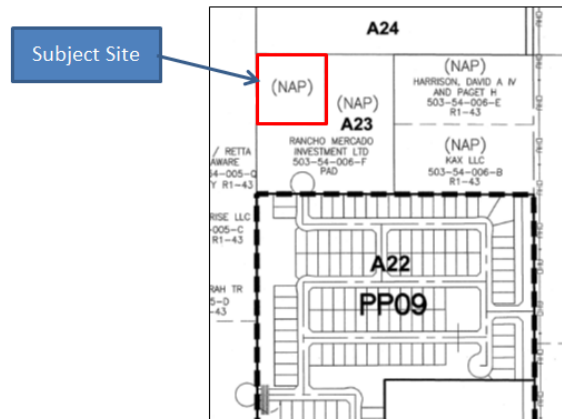
Analysis and Discussion:

The subject property is currently located in unincorporated Maricopa County and was an exception to the Rancho Mercado PAD. It is surrounded on the north, east and south by the Rancho Mercado PAD and by vacant, unincorporated, rural property to the west. For all intents and purposes, the subject property is an infill project.

The following Land Use map taken from the Rancho Mercado PAD is annotated to show the location of the subject property relative to the surrounding PAD. Note that the subject property is surrounded by Low Density Residential on the north, east and south, which will allow up to 5.0 DU/Ac. The ten acre "Exception Parcel" located to the east of Rancho Mercado Parcel A23 is an assemblage of properties that make up the proposed Bonita Ranch Parcels B and C, which are discussed under separate cover. The intent of the subject Zone Change is to allow development of the subject property to occur in a manner that is consistent with the surrounding PAD, while integrating Rancho Mercado Parcel A23 and Bonita Ranch Parcels B and C (the "Exception Parcel").



As noted previously, the City Council approved a Preliminary Plat for Rancho Mercado Unit 1. The following image, taken from that Preliminary Plat, shows the subject site in relation to the Rancho Mercado Unit 1 Preliminary Plat. Note that neither Rancho Mercado Parcel A23 nor Rancho Mercado Parcel A24 were included in the Unit 1 Preliminary Plat; therefore, the surrounding lotting has not been established.



While the lotting of Rancho Mercado Parcels A23 and A24 was not contemplated with the Unit 1 Preliminary Plat, provisions were made to accommodate future access to Rancho Mercado Parcel A23 from A22. The applicant is in discussion with the owner of Rancho Mercado Parcels A23 and A24, who collectively have proposed the following lotting arrangement as expressed in Exhibit F of the subject narrative report. While this arrangement may change between the time of the current zone change and the ultimate development of these parcels, staff is comfortable with the lotting as proposed.

[Continued on following page.]



170 It is envisioned that Bonita Ranch Parcels A, B and C will develop concurrently with Rancho
 171 Mercado Parcel A23. This will also develop concurrently with or subsequent to Rancho Mercado
 172 Parcel A22. Since Rancho Mercado Parcel A24 will lie north of a water pressure zone, that parcel
 173 will develop at a later date. Bonita Ranch Parcel A will extend a stub-out in that direction to
 174 accommodate the expansion of the roadway network into Parcel A24.

175

The base zoning will be RM-6, which would allow up to 6 dwelling units per acre (DU/Ac); however, through the PUD Overlay, the developer proposes not more than 10 dwelling units over approximately 2.5 acres for a gross density of 4.0 DU/Ac. While RL-5 might be closer to the proposed density, the development standards associated with the RM-6 zoning district are more in line with those of the PAD that surrounds the subject site, with certain deviations as articulated in the following table taken from Pages 6 and 7 of the attached Zoning Narrative.

Table A
Proposed RM-6 PUD Development Standards

	Rancho Mercado PAD LDR Development Standards (2)(5)(7)	Proposed Bonita Ranch Parcel A RM-6 PUD Development Standards (2)(5)(7)	RM-6 City Base Development Standards
Lot Width (Min)	58'	58'	50'
Lot Area (Min)	6,300 SF	6,300 SF	Not Specified
Lot Area Per Dwelling Unit (Min)	Not Specified (8)	6,000 SF (8)	6,000 SF (8)
Lot Depth (Min)	110' (3)	110' (3)	100'
Front Setback (livable)	12' (12)	12' (12)	12'
Front Setback (garage)	18' (7) (12)	20' (1) (7) (12)	20'
Interior Side Setback	5'/8'	5'/8'	TBD at Pre-Plat
Aggregate Setback	Not Specified	13'	TBD at Pre-Plat
Corner Side Setback	8'	10' (11)	Not Specified
Rear Setback	15'	15'	20'
Rear Setback (arterial street)	20'	20' (11)	Not Specified
Maximum Width of Driveway as % of Lot Width	Not Specified	35% (6)	30%
Maximum Area of Driveway as % of Front Yard Area	Not Specified	35% (10)	30%
Building Height (Max)	30'	30' (9)	35'
Building Coverage	TBD by building Envelope (4)	TBD by building Envelope (4)	Not Specified

Footnotes:

(1) Garage front setbacks maybe less than livable as sided-loaded garage only. The reduced front setback also applies to livable area, extended front porches and walled courtyards. Otherwise, the garage front setback will be a minimum of 20' back-of-walk.

(2) Fireplace, pop-outs, bay windows, eaves, overhangs, porches/patios, 2nd story cantilevers, and/or other appendages may encroach 2.5' into the front, side, and rear yard setbacks, so long as they are not less than 3' from the property line.

(3) No minimum site depth required.

(4) Building lot coverage is established by the building envelopes created by the required setbacks and allowable projections as defined in Table A and Footnotes.

(5) Building setbacks apply equally to one and two story product.

(6) Increased from 30% to 35% (this will allow for 20' wide driveways).

(7) The Front Garage setback means back-of-walk to face of garage door only if the garage is located in the front yard.

(8) Site average area is defined as follows: Gross site area minus right-of-way divided by total number of lots.

(9) A Lot that backs up to a side yard of an adjacent lot, within the subdivision, shall be limited to single story.

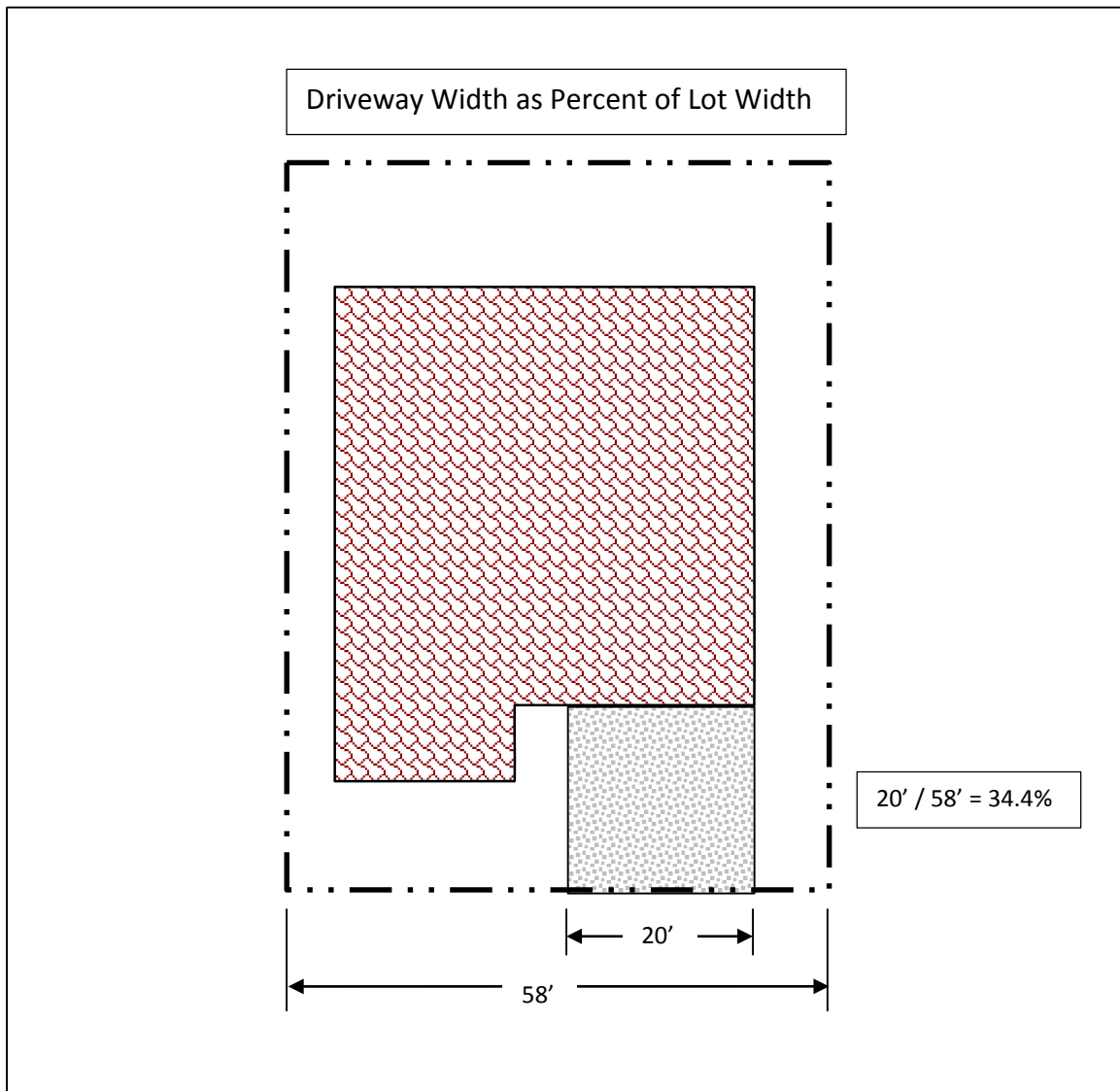
(10) Increased from 30% to 35% (this will allow for 20' wide driveways garage doors on 58' wide lots).

(11) If a landscape tract of at least 10' in width is provided on an arterial street adjacent to a rear yard, or a landscape tract of at least 8' in width is provided adjacent to a side yard, then the standard rear and side setbacks apply. For side yards, the wider of the two side yards (where applicable) shall be located on the street side.

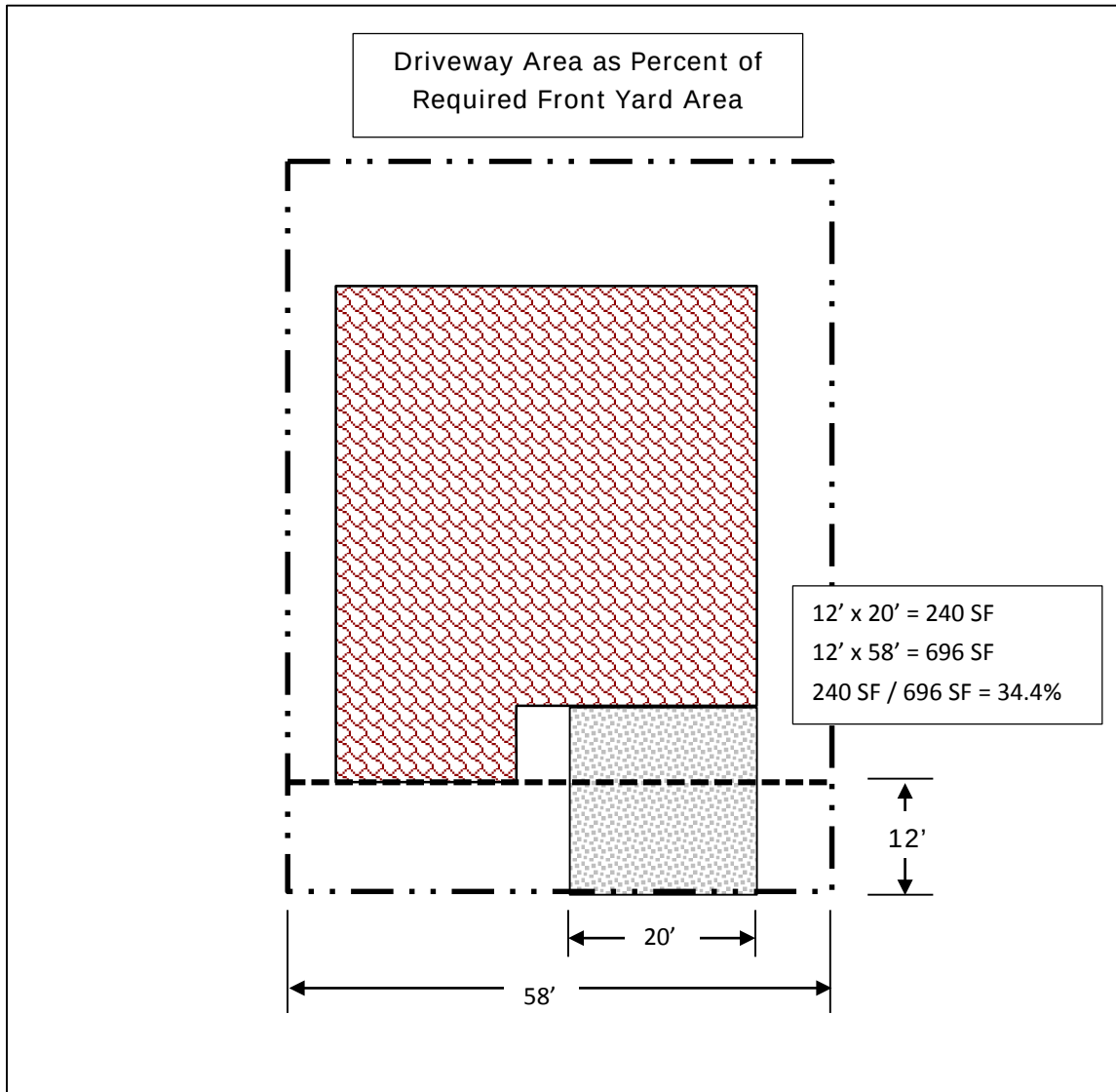
(12) Front setbacks measured from back-of-walk.

[Continued on following page.]

There is a provision in the current SUDC which limits the width of a residential driveway to 30% of the lot's width. The proposed minimum lot width is 58', which will only allow for a 17.4' wide driveway if held to the 30% rule. Since a typical garage is 20' wide, increasing the allowable driveway width from 30% to some higher number make sense. A standard garage door is 16' wide. Adding an additional 2' on each side brings the width of the driveway to 20', which would be 34.4% of the width of a 58' wide lot. Rounding up, this becomes 35%. Note that no such provision exists with the Rancho Mercado PAD.



There is also a provision in the current SUDC which limits the area of a residential driveway to 30% of the required front yard area, which is that area located between the front setback line and the front lot line. Again, the proposed minimum lot width is 58', while the proposed minimum front setback is 12', which calculates to 696 square feet. 30% of that area is 208 square feet, which is too small to accommodate the aforementioned 20' wide driveway. A 20' wide driveway occupying 12' of the front yard = 240 square feet of driveway area located in the required front yard, which is 34.4% of the required front yard area. Rounding up this becomes 35%. Again, no such provision exists with the Rancho Mercado PAD.



The SUDC currently requires landscape circles in the middle of any cul-de-sacs; however, this feature hinders the ability of fire apparatus to maneuver within the cul-de-sac. Further, this provision is not included in the Rancho Mercado PAD. Since the intent of the subject Zone Change is to align with the surrounding PAD, the applicant requests this provision be removed through the PAD Overlay. Staff agrees with this request.

The SUDC requires that not less than 20% of the "Net Residential Acreage" be set aside as open space. The narrative states the project will provide 15% open space; however, this is based on the gross area of the site. The Net Residential Acreage is essentially the total amount of land taken up by the individual lots combined with the total open space. Since the gross area of the site is 2.49 acres, there will be a minimum of 16,270 square feet of open space, based on the stated 15%. Combine this figure with the aggregate lot area figure of 63,000 square feet (10 lots at 6,300 square feet per lot) to get the Net Residential Acreage figure of 79,270 square feet. Dividing 16,270 square feet into the Net Residential Area yields 20.5% open space, which is consistent with 20% requirement set forth in the SUDC.

Lot Area = 10 lots x 6,300 SF per lot	63,000 SF	1.45 Acres
Open Space	16,270 SF	0.37 Acres
Net Residential Acreage = Lot Area + Open Space	79,270 SF	1.82 Acres
Open Space as % of NRA	20.05%	

The applicant proposes a front setback of 12' to livable and 20' to the face of garage. Typically, setbacks are measured from the lot line since that line is fixed per the Final Plat; however, the Rancho Mercado PAD measures the front setback from the back-of-walk. The applicant requests the same provision be included in the subject rezone since the intent is to align with the Rancho Mercado PAD. Staff has no objection to this provision.

The maximum building height is not called out in the Rancho Mercado PAD; however, the base RM-6 zoning will allow houses up to 35' in height. The applicant proposes that building heights be limited to 30', with a provision that further limits buildings for single story if the lot backs up to a side yard of another lot. Staff has no objection to this provision. As noted in the Outreach section above, however, the applicant also agreed to limit houses located along the west side of Parcel A to be limited to single-story. Staff recommends a stipulation to that effect be added as well.

As with other projects in this region, staff is concerned over the incremental increase in the number of platted lots since this region also suffers from a lack of connectivity to the surrounding area, with the majority of the traffic being funneled to the intersection of 163rd Avenue and Grand Avenue. Increasing the population within that area will only serve to increase the traffic congestion at that intersection until such time as alternative access to the region is established. The City of Surprise is working with another developer to the east, which will extend Happy Valley Road from 163rd Avenue in an easterly direction to connect with existing development occurring within the unincorporated area of Maricopa County; however, the extension of Happy Valley Road will only have minimal impacts to the congestion problem occurring at 163rd Avenue and Grand Avenue. The City is also discussing a future interchange at Litchfield Road and the Loop 303, which will ultimately reduce traffic congestion in the immediate area; however, that interchange might not be constructed until several years into the future. The City is also discussing a grade-separated crossing at Jomax Road and Grand Avenue, but this is well into the future and will have no impacts in the short run.

Having stated this, the City has little in the way of being able to limit development in the area or manage traffic, especially where existing zoning entitlements already grant the rights of the developer to proceed as currently approved. Additional rooftops in the region, however, will have the effect of incentivizing commercial retailers to establish much needed businesses in the area, which will have the effect of altering traffic patterns in the region.

The subject property is also being considered for annexation under case FS17-107 and is discussed under separate cover.

Utility and Services Table:

Electric:	APS
Water:	City of Surprise
Wastewater:	City of Surprise
Refuse:	City of Surprise
Natural Gas:	SWG
Irrigation:	N/A
Schools:	Dysart USD #89

300 **Conformance with Adopted Plans:**

301
302 **Surprise General Plan 2035:** The Surprise General Plan 2035 shows the subject property as lying
303 within the Neighborhood Character Area, which supports residential development of up to 8 DU/Ac
304 or more, provided appropriate transitions are made between the various Neighborhood types
305 included within the character area. At 4.0 DU/Ac, the project most closely aligns with the Suburban
306 Neighborhood type and is consistent with the General Plan in this regard. The General plan seeks
307 appropriate buffers and transitions between the various Character Areas. To meet this guideline,
308 an open space corridor will extend along the western side of the subject property, connecting to
309 similar open space planned for Rancho Mercado Parcels A22, A23 and A24.

310
311 **Reviewing Agencies:**

312
313 The project was routed to the standard reviewing agencies who offered the following comments:

314
315 **Arizona Department of Transportation (ADOT):** In an email dated February 28, 2017, ADOT
316 indicated no objection to the request.

317
318 **Luke Air Force Base (LAFB):** In a letter dated March 3, 2017, (attached), LAFB indicated the
319 proposed development will not negatively affect operation at the base, but recommends
320 appropriate sound attenuation.

321
322 **Maricopa Water District (MWD):** In an email dated March 6, 2017 (attached), MWD indicated the
323 proposed project is outside their current boundaries.

324
325 **Dysart Unified School District:** The project was also routed to the Dysart Unified School District,
326 who has not offered comment with respect to the subject proposal; however, the Rancho Mercado
327 development includes a school site, which is located approximately ¼ mile south of the subject site.
328 While the timing of construction of the school is unknown, children living in the proposed
329 community will have the opportunity to attend school at that location once constructed.

330
331 **Summary:**

332
333 As an infill, the property is somewhat constrained; however, the intent of the proposed zone
334 change is to set the stage to integrate the site with the adjacent Rancho Mercado project. The
335 proposed zone change advances the goals and policies as established in the currently approved
336 General Plan. While the development of this property will increase traffic congestion in the region,
337 the likelihood of retailers entering the area is dependent upon increased residential.

343 **Findings:**

- 344
- 345 • The proposed zoning is consistent with the Surprise 2035 General Plan.
 - 346 • The proposed zoning is consistent with the adjacent Rancho Mercado PAD.
 - 347 • The proposed zoning is consistent with the Surprise Unified Development Code except as
 - 348 amended through the PUD Overlay.
 - 349 • The reviewing agencies have indicated no concerns.
- 350

351 **Commission Recommendation:**

352

353 Based on the findings noted above, the Commission voted to recommend **approval** of the proposed

354 Zone Change to the City Council, subject to stipulations “a” through “e” as follows:

355

- 356 a. Development and use of the site shall be in conformance with the project narrative
 - 357 entitled “Bonita Ranch Parcel A”, prepared by KAX and Walsh Design Group as revised
 - 358 June 13, 2017 and stamped received June 13, 2017, except as modified below.
 - 359
 - 360 b. Within 30 days of City Council approval of the subject zone change request, the applicant
 - 361 shall submit to the Surprise Community Development Department a revised zoning
 - 362 narrative for Bonita Ranch Parcel A which limits houses located on any lot within 190 feet of
 - 363 the western boundary of Bonita Ranch Parcel A to single-story.
 - 364
 - 365 c. Any Preliminary Plat or Final Plat that includes Bonita Ranch Parcel A shall identify those lots
 - 366 that are limited to single-story.
 - 367
 - 368 d. Approval of this zone change request presumes the successful annexation of the subject
 - 369 property as being processed under FS17-107. Should said annexation request fail, the
 - 370 zoning of the property granted under the subject approval is null and void.
 - 371
 - 372 e. Non-compliance with the stipulations of approval of this case will be treated as a
 - 373 violation in accordance with the provisions of Article XIV of the Surprise Unified
 - 374 Development Code.
- 375

376 However, should the Council wish to deny the request, the Council should make its own findings

377 and base its decision on those alternative findings.

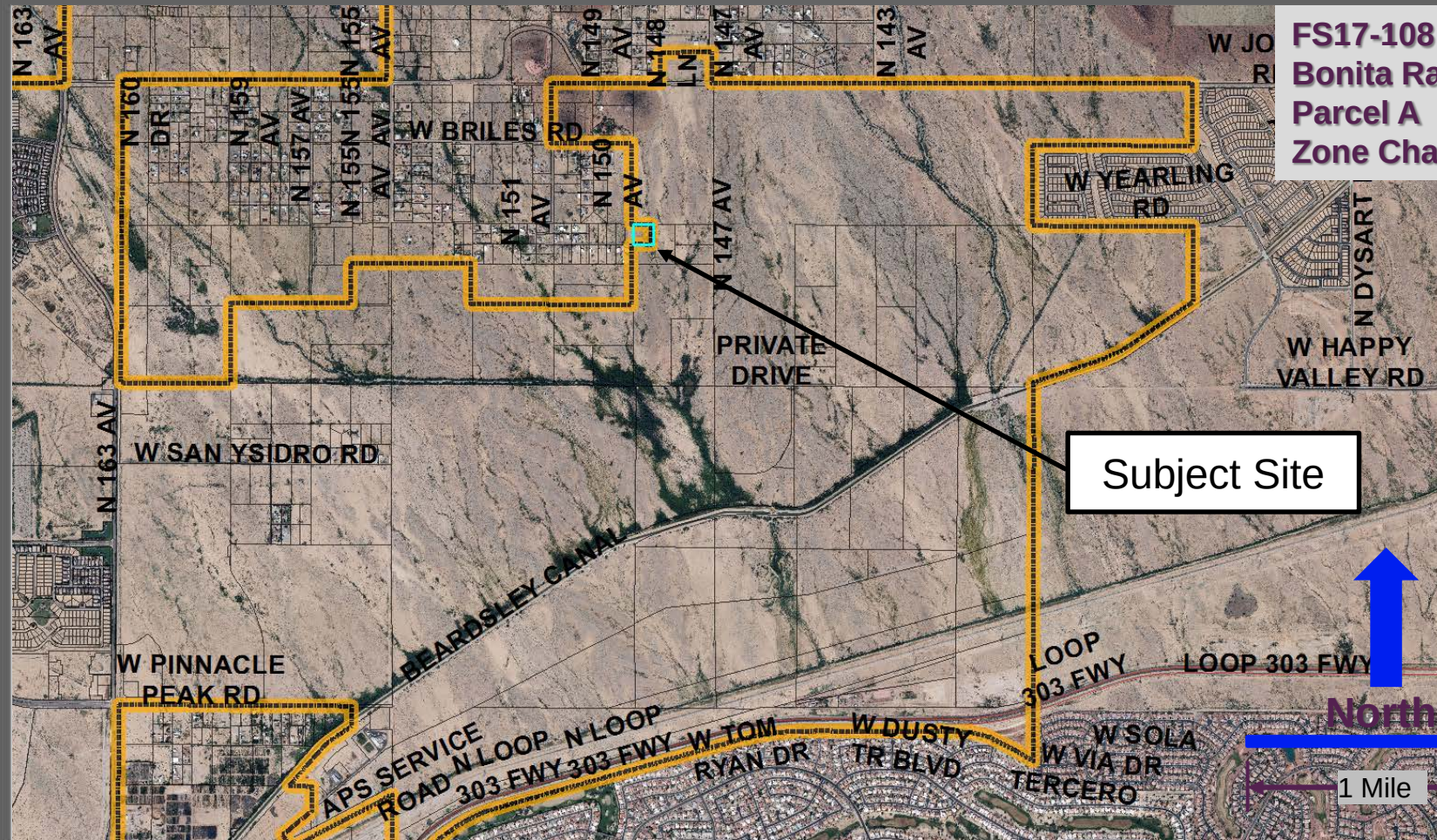
378

379 **Attachments:**

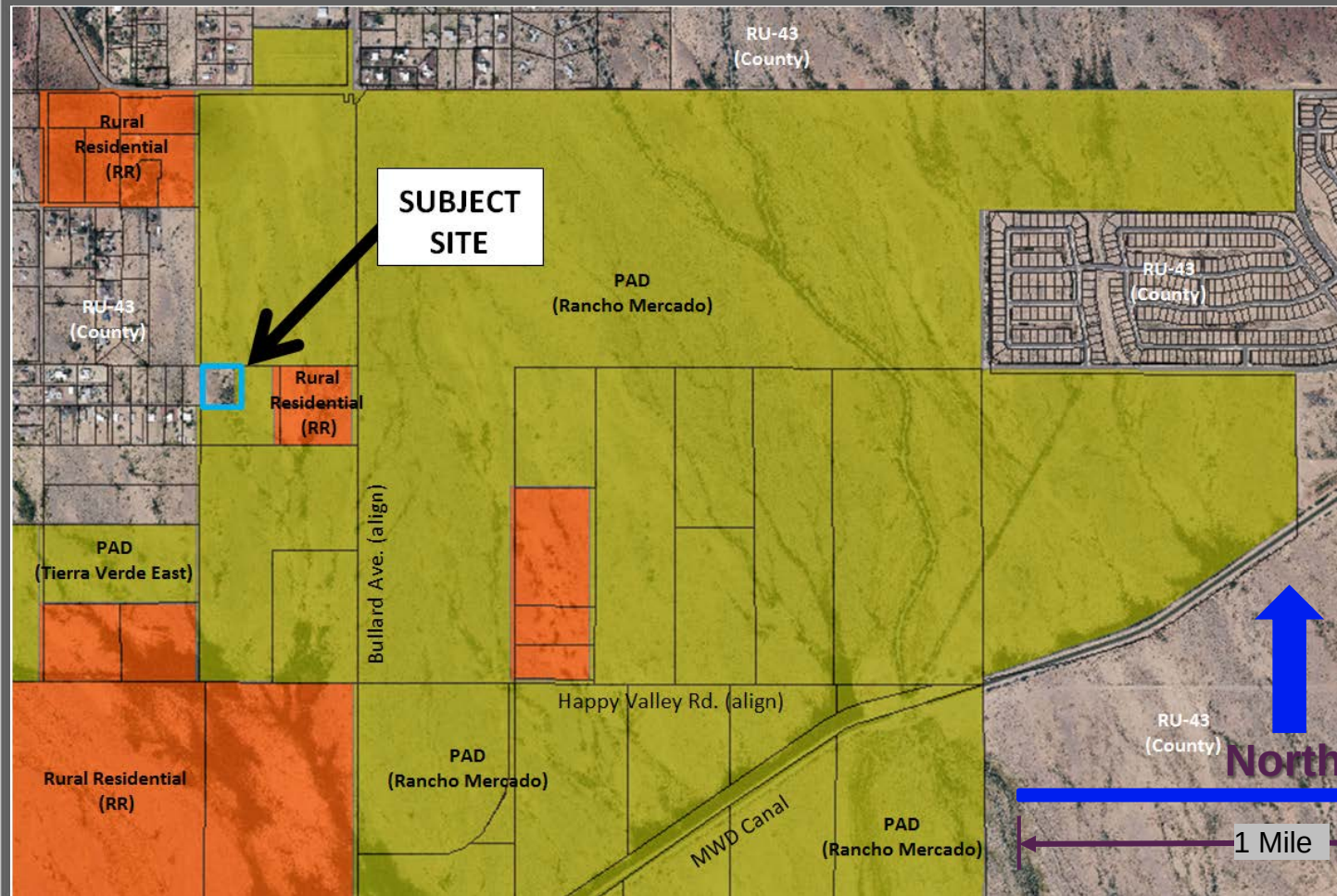
- 380
- 381 01 – Vicinity Map
 - 382 02 – Case Map
 - 383 03 – Zoning Narrative
 - 384 04 – Luke Air Force Base comments

**FS17-108
Bonita Ranch
Parcel A
Zone Change**

Vicinity Map



**FS17-108
Bonita Ranch
Zone Change**



Vicinity Map

NORTHWEST PORTION OF
BONITA RANCH
PARCEL A

Case # FS17-108

Rezone APN # 503-54-006G from RR (Residential Ranch) to
RM-6 (Residential Medium Density) with a PUD Overlay

2.49 Gross Acres

West of the Southwest corner of 147th Avenue (Bullard
Road) and Yearling Road, Surprise, AZ

Prepared by: KAX and Walsh Design Group

Submitted To: City of Surprise, Arizona

Dated: June 13, 2017

TABLE OF CONENTS

Bonita Ranch Team.....	3
Introduction and Location.....	3
Vicinity Map.....	4
Description of Request, Development Standards, and SUDC Amended Requirement.....	5
Table A Proposed LDR Development Standards.....	6-7
Proposed SUDC Amended Sections.....	7
Operation Aspect of Use, Infrastructure, Roads.....	8
Existing Zoning Map Exhibit.....	A
Proposed Zoning Map Exhibit.....	B
Legal Description and Map Exhibit.....	C
Rancho Mercado Open Space and Trails Master Plan Exhibit.....	D
Bonita Ranch Pedestrian Trail System Exhibit.....	E
Development Concept Plan Exhibit.....	F
Adjacent Rancho Mercado PAD Map.....	G

BONITA RANCH TEAM

Prepared By:

KAX

Kent A. Xander

8530 E. Via Del Sol Drive

Scottsdale, Arizona 85255

(602) 499-9305

kxander@kaxgroup.com

Prepared By:

Walsh Design Group

Joe Walsh

6106 E. Rose Circle Drive

Phoenix, AZ 85018

(602) 619-7581

landoc@cox.net

Engineer:

EPS Group, Inc.

Daniel Auxier, PE

2045 S. Vineyard Ave., Ste. 101

Mesa, AZ 85210

(480) 503-2250

dan.auxier@epsgroupinc.com

INTRODUCTION AND LOCATION

Parcel A of Bonita Ranch (Case # FS17-108) Bonita Ranch is a portion of a proposed subdivision located at the southwest corner of Yearling Road alignment and 147th Avenue (Bullard Road) consisting of 2.49 gross acres of vacant land, located in City of Surprise, and zoned RR (Residential Ranch). The Assessor Parcel Number is 503-54-006G. **A Vicinity Map on Page 4 illustrates Parcel A Bonita Ranch location.**

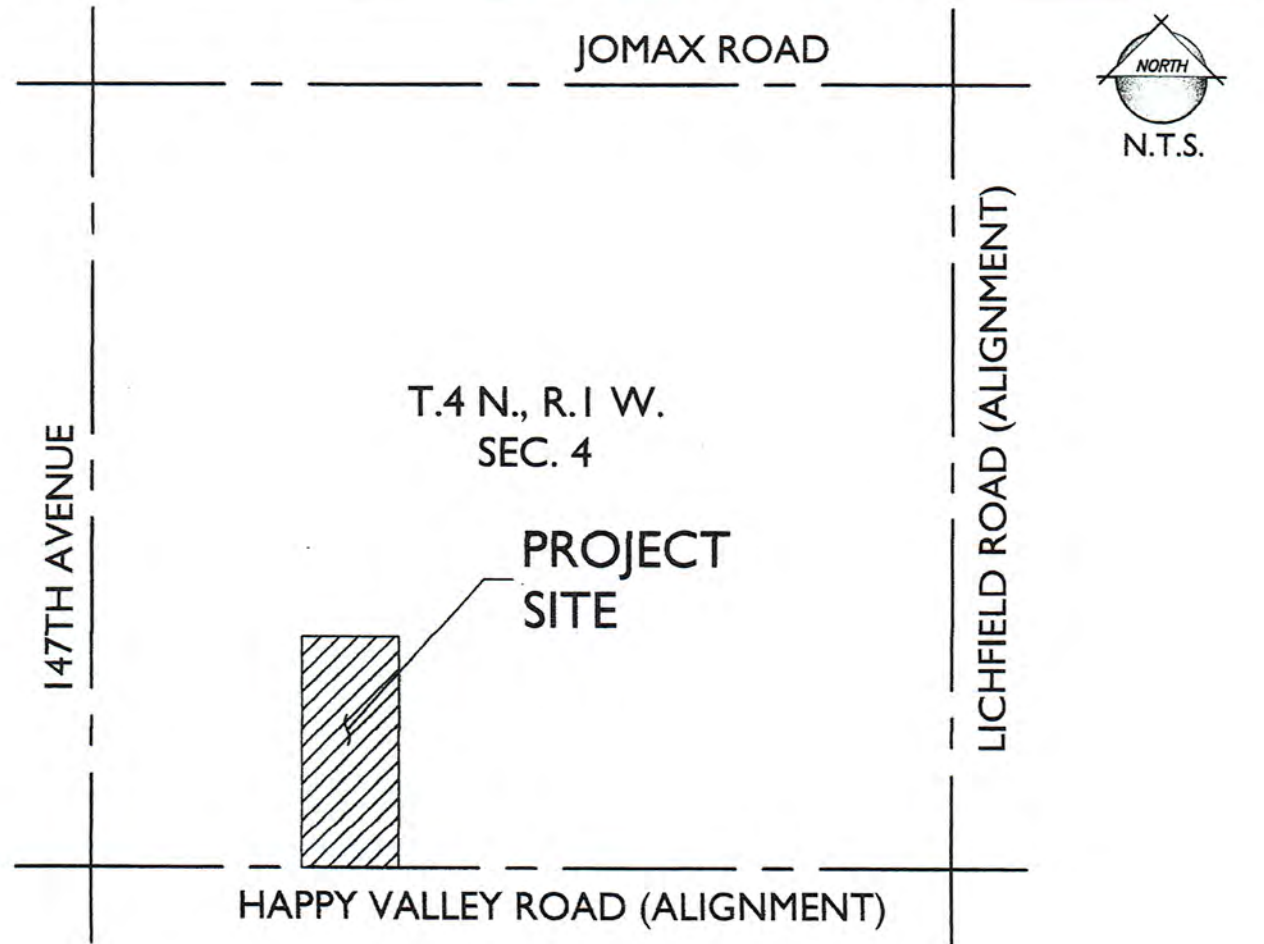
Bonita Ranch is surrounded on three sides by Rancho Mercado PAD06-276 and Minor Zoning Amendment FS10-210. See Exhibit G for “Rancho Mercado PAD”. The specific adjacent zoning is as follows:

- North, Rancho Mercado PAD Parcel A-24, “PAD (LDR - 63’ x 115’ Lots)”
- East and South, Rancho Mercado PAD Parcel A-23, “PAD (LDR - 63’ x 115’ Lots)”
- West, RU-43, “(RU-43 – 1 acre Lots)”

The stated lot sizes are as noted in Rancho Mercado PAD; however, the Rancho Mercado PAD will allow a variety of lot sizes including 58’ x 110’ as proposed for Bonita Ranch

See Exhibit A for “Existing Zoning” Map and Exhibit G “adjacent Rancho Mercado PAD Map”.

VICINITY MAP



DESCRIPTION OF REQUEST

Zoning

Bonita Ranch is a proposed subdivision located at the southwest corner of Yearling Road alignment and 147th Avenue (Bullard Road) consisting of 2.49 gross acres of vacant land, located in City of Surprise, and zoned RR (Residential Ranch). The Assessor Parcel Number is 503-54-006G. **The legal description and Map is described in Exhibit C.**

Request

The purpose of this request is to rezone the subject property from RR (Residential Ranch) to RM-6 (Residential Medium Density) with a PUD (Planned Unit Development) Overlay, thereby incorporating certain development standards, as well as other variations from the requirements of the Surprise Unified Development Code (SUDC) necessary to bring the site into alignment with the Rancho Mercado PAD, and limiting the maximum overall density of the subject site to not more than 4.0 dwelling units per acre. **See Exhibit B for proposed Zoning Map.**

DEVELOPMENT STANDARDS

It is the intent of Bonita Ranch to follow the “Single-Family” LDR Development Standards that are the same as those approved for Rancho Mercado under PAD06-276 and Minor Zoning Amendment FS10-210 adjacent to the Project, except that; 1.) the front garage setback as described in Rancho Mercado PAD LDR Development Standards Table A will be 20’ as measured from back of sidewalk to face of garage door as opposed to Rancho Mercado PAD 18’ from back of sidewalk to face of garage door, 2.) The Site Average Area per Dwelling Unit as described in Rancho Mercado PAD LDR Development Standards Table A will be 6,300 square feet as opposed to Rancho Mercado PAD 6,000 square feet; and 3.) The proposed Bonita Ranch RM-6 PUD Maximum Building Height is 30 feet as opposed to Rancho Mercado PAD having a Maximum Building Height of 35’.

See Table A page 6-7 for the proposed Bonita Ranch RM-6 PUD Development Standards and Footnotes.

SUDC AMENDED REQUIREMENTS

It is the intent of Bonita Ranch to follow SUDC Requirements, except as follows: 1.) Bonita Ranch proposes to delete the landscape circles at the ends of all cul-de-sacs as opposed to Rancho Mercado PAD that has landscape circles. 2.) The SUDC requirement that any Medium Density Residential project with more than 60 residential units include a community pool unless one is included as part of the overall development shall be deleted to be in alignment with Rancho Mercado PAD.

See page 7 for the proposed Surprise Uniform Development Code (SUDC) Amended Sections.

Table A
Proposed RM-6 PUD Development Standards

	Rancho Mercado PAD LDR Development Standards (2)(5)(7)	Proposed Bonita Ranch Parcel A RM-6 PUD Development Standards (2)(5)(7)	RM-6 City Base Development Standards
Lot Width (Min)	58'	58'	50'
Lot Area (Min)	6,300 SF	6,300 SF	Not Specified
Lot Area Per Dwelling Unit (Min)	Not Specified (8)	6,000 SF (8)	6,000 SF (8)
Lot Depth (Min)	110' (3)	110' (3)	100'
Front Setback (livable)	12' (12)	12' (12)	12'
Front Setback (garage)	18' (7) (12)	20' (1) (7) (12)	20'
Interior Side Setback	5'/8'	5'/8'	TBD at Pre-Plat
Aggregate Setback	Not Specified	13'	TBD at Pre-Plat
Corner Side Setback	8'	10' (11)	Not Specified
Rear Setback	15'	15'	20'
Rear Setback (arterial street)	20'	20' (11)	Not Specified
Maximum Width of Driveway as % of Lot Width	Not Specified	35% (6)	30%
Maximum Area of Driveway as % of Front Yard Area	Not Specified	35% (10)	30%
Building Height (Max)	30'	30' (9)	35'
Building Coverage	TBD by building Envelope (4)	TBD by building Envelope (4)	Not Specified

Footnotes:

- (1) Garage front setbacks maybe less than livable as sided-loaded garage only. The reduced front setback also applies to livable area, extended front porches and walled courtyards. Otherwise, the garage front setback will be a minimum of 20' back-of-walk.
- (2) Fireplace, pop-outs, bay windows, eaves, overhangs, porches/patios, 2nd story cantilevers, and/or other appendages may encroach 2.5' into the front, side, and rear yard setbacks, so long as they are not less than 3' from the property line.
- (3) No minimum site depth required.
- (4) Building lot coverage is established by the building envelopes created by the required setbacks and allowable projections as defined in Table A and Footnotes.
- (5) Building setbacks apply equally to one and two story product.
- (6) Increased from 30% to 35% (this will allow for 20' wide driveways).
- (7) The Front Garage setback means back-of-walk to face of garage door only if the garage is located in the front yard.
- (8) Site average area is defined as follows: Gross site area minus right-of-way divided by total number of lots.
- (9) A Lot that backs up to a side yard of an adjacent lot, within the subdivision, shall be limited to single story.
- (10) Increased from 30% to 35% (this will allow for 20' wide driveways garage doors on 58' wide lots).
- (11) If a landscape tract of at least 10' in width is provided on an arterial street adjacent to a rear yard, or a landscape tract of at least 8' in width is provided adjacent to a side yard, then the standard rear and side setbacks apply. For side yards, the wider of the two side yards (where applicable) shall be located on the street side.
- (12) Front setbacks measured from back-of-walk.

Proposed Surprise Uniform Development Code (SUDC) Amended Sections

There are aspects of the SUDC that need to be amended and incorporated into the PUD Overlay Development Standards of Bonita Ranch so they align with Rancho Mercado PAD. The following proposed deviations to the SUDC will be part of the Bonita Ranch PUD Overlay Development Standards.

Landscaping.

1. SUDC Section 122-130(c) requires landscape circles at the ends of all cul-de-sacs. Bonita Ranch proposes to delete this Section 122-130(c).

“Delete requirement SUDC Section 122-130(c) because the Fire Department has indicated concerns over their use.”

Community Pool.

2. SUDC Section 122-137(r) requires that any Medium Density Residential project with more than 60 residential units include a community pool unless one is included as part of the overall development. Bonita Ranch proposes to amend this Section as follows:

“Bonita Ranch shall not develop a community pool.”

When a house is built at Bonita Ranch subdivision, the potential Buyer of the home would be able to construct a private pool in the backyard.

OPERATIONAL ASPECT OF USE

The primary access to Bonita Ranch will be at 147th Avenue (Bullard Avenue). Other access will be on the north side of Bonita Ranch adjacent to Rancho Mercado PAD Parcels A22, A23, and A24.

The primary amenity area will follow SUDC 122-137(o) including a Ramada, seating areas, tot lot, with a turf area providing play opportunities for all ages and shaded seating areas.

Parcel A Bonita Ranch proposes 15% open space spread over the site to connect all pedestrian trails with Rancho Mercado. It is the intention to join Rancho Mercado HOA so Bonita Ranch will have access to all local parks. Ranch Del Rey shall develop a mini park as noted in **Exhibit D**, make pedestrians connection to adjacent land, and use the same landscaping quantity, quality, and materials as used for Rancho Mercado PAD mini parks.

It is the intention of Bonita Ranch to join Rancho Mercado HOA.

In addition to the primary amenity, interconnecting pedestrian trails within Bonita Ranch, noted on **Exhibit E**, the pedestrian trails will connect with Rancho Mercado Master Trail system as shown on **Exhibit D**.

INFRASTRUCTURE, ROADS, PROPOSED DEVELOPMENT PLAN

- Upon development of Bonita Ranch, all necessary utilities for Bonita Ranch will be extended from adjacent Rancho Mercado PAD Development into Bonita Ranch. Bonita Ranch is to be included into Rancho Mercado PAD 1st phase Water Campus located next to Rancho Mercado Parcel A14 on Happy Valley Road to the southeast. Bonita Ranch will purchase sewer capacity pursuant to SPA 2 Water Reclamation Facility Capacity Allocation Agreement. Bonita Ranch will have onsite 55' wide public streets to be constructed to City standards within Bonita Ranch.
- Offsite 147th Avenue (Bullard Road) – Along 147th Avenue, it is the intention of Bonita Ranch to dedicate a 55' offsite half street right of way upon Final Plat and construct its required adjacent ½ street improvements on 147th Avenue.



Existing Zoning Map

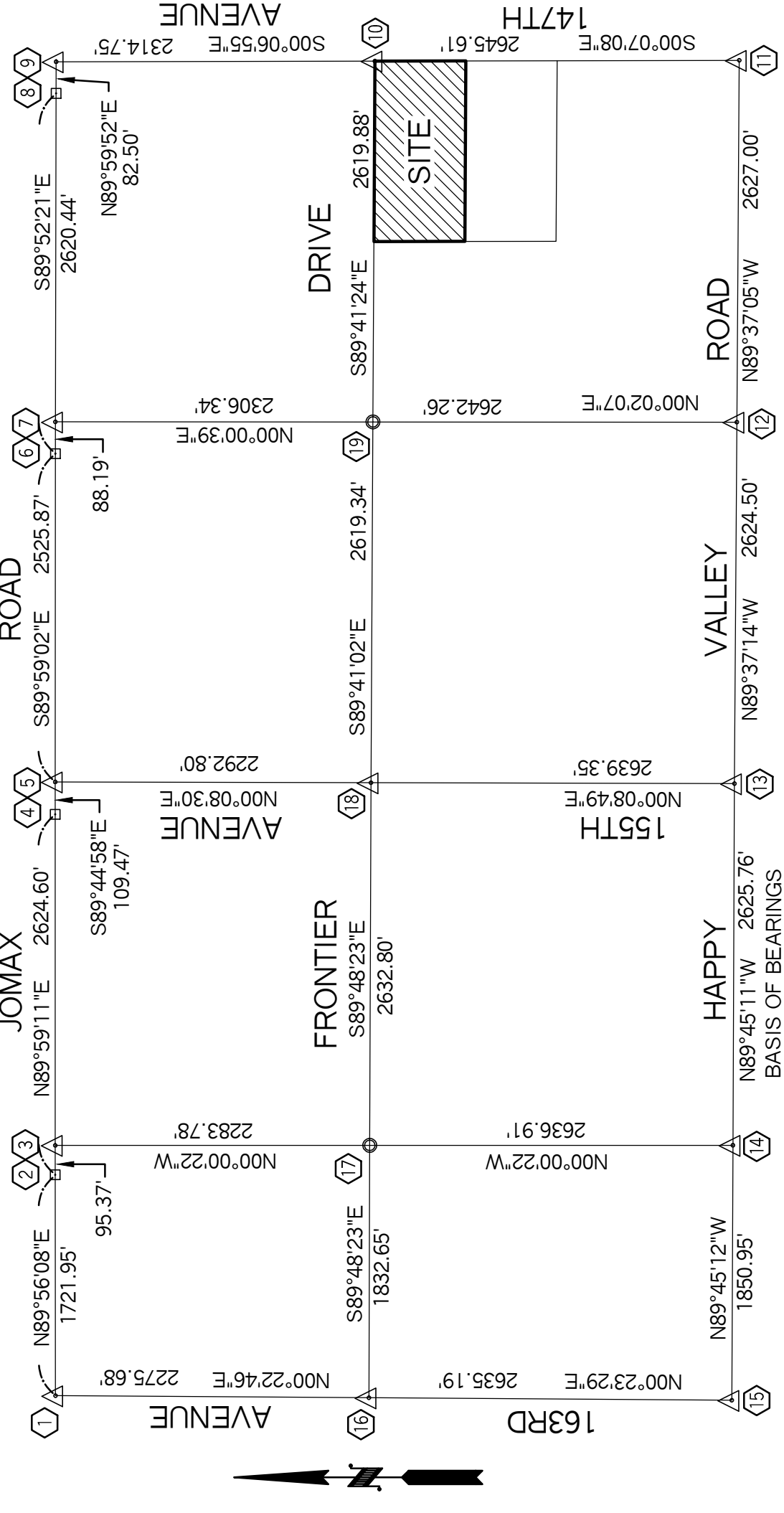




Zoning Exhibit "A"



SECTIONS 5 & 6, T4N, R1W



- 1 NE CORNER SEC 6
 - 2 ANGLE POINT
 - 3 N1/4 COR SEC 6
 - 4 ANGLE POINT
 - 5 NE CORNER SEC 5
 - 6 ANGLE POINT
 - 7 N1/4 COR SEC 5
 - 8 ANGLE POINT
 - 9 NE COR SEC 5
 - 10 E1/4 COR SEC 5
 - 11 SE COR SEC 5
 - 12 S1/4 COR SEC 5
 - 13 SW COR SEC 5
 - 14 SE COR SEC 6
 - 15 U.S.D.I. B.L.M. BRASS CAP
 - 16 S1/4 COR SEC 6
 - 17 W1/4 COR SEC 6
 - 18 CENTER SEC 6
 - 19 E1/4 COR SEC 6
 - 20 CENTER SEC 5
- BRASS CAP IN HANDHOLE
2" ALUM CAP "M.C. LS 37934"
BRASS CAP IN HANDHOLE 0.3' S. OF LINE
2" ALUM CAP "M.C. LS 37934"
BRASS CAP IN HANDHOLE
2" ALUM CAP "M.C. LS 35832"
2" ALUM CAP "M.C. LS 35832" 0.15' N. OF LINE
CALCD POSITION. NOTHING FND
2" ALUM CAP CAP IN HANDHOLE 0.15' N. OF LINE
2" ALUM CAP "M.C. LS 35832"
3" ALUM CAP "LS 33307"
2" ALUM CAP "M.C. LS 35832"
2" ALUM CAP "LS 36562" (SEE NOTE BELOW)
U.S.D.I. B.L.M. BRASS CAP
2" ALUM CAP "M.C. LS 35832"
2" ALUM CAP
1/2" REBAR WITAG "LS 13554" W/CAP "LS 32226"
2" ALUM CAP "M.C. LS 37934"
"BRASS CAP IN CONC. "LS 9753"

NOTE: IN PREVIOUS SURVEYS IN THIS AREA SINCE 2000, THIS SURVEYOR FOUND A U.S.D.I. B.L.M. BRASS CAP IN THIS LOCATION. THIS NEW ALUMINUM CAP IS 0.3' SOUTH OF THE PREVIOUS LOCATION. ALL MEASUREMENTS ON THIS SURVEY ARE BASED ON THE PREVIOUS LOCATION OF THE BRASS CAP.

LEGAL DESCRIPTIONS

PARCEL A:
The Northwest quarter of the Northwest quarter of the Northeast quarter of the Southeast quarter of Section 5, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.
PARCEL A23:
The North 660 feet of the East half of the Southeast quarter of Section 5, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.
EXCEPT the Northwest quarter of the Northwest quarter of the Northeast quarter of the Southeast quarter; and
EXCEPT the East 660 feet.
PARCEL B:
The East 660 feet of the North 660 feet of the East half of the Southeast quarter of Section 5, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.
EXCEPT the Southeast quarter of the North 660 feet of the East half of the Southeast quarter of Section 5, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.
PARCEL C:
The Southeast quarter of the North 660 feet of the East half of the Southeast quarter of Section 5, Township 4 North, Range 1 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

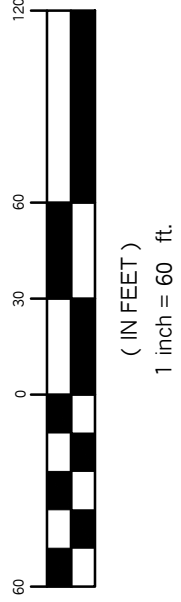
AREAS

PARCEL NO. 1: 4.9644 AC.
PARCEL NO. 2: 5.0359 AC.
PARCEL NO. 3: 7.3688 AC.
PARCEL NO. 4: 2.4852 AC.
TOTAL AREA: 19.8543 AC.

SCHEDULE B EXCEPTIONS

- Taxes for the full year of 2016. (The first half is due October 1, 2016 and is delinquent November 1, 2016. The second half is due March 1, 2017 and is delinquent May 1, 2017 .)
- Reservations or Exceptions in Patents, or in Acts authorizing the issuance thereof.
- The terms and provisions contained in the document entitled "Interim Agreement" recorded December 19, 1986 as 86-704416 of Official Records. (Affects Parcel No. 4)
- The terms and provisions contained in the document entitled "Rancho Mercado Pre-Annexation Development Agreement" recorded July 12, 2007 as 2007-0794202 of Official Records. (Affects Parcel No. 3)
- All matters as set forth in Boundary Survey, recorded as Book 841 of Maps, Page 49. (Affects Parcels No. 1 and 2)
- All matters as set forth in Land Division, recorded as Book 872 of Maps, Page 12 and in Book 925 of Maps, Page 12. (Affects Parcel No. 1)
- Lack of a right of access to and from the land.
- Any claim that the Title is subject to a trust or lien created under The Perishable Agricultural Commodities Act, 1930 (7 U.S.C. §§4959a, et seq.), or the Packers and Stockyards Act (7 U.S.C. §§181 et seq.) or under similar state laws.
- The rights of parties in possession by reason of any unrecorded lease or leases or month to month tenancies affecting any portion of the within described property. NOTE: This matter will be more fully set forth or deleted upon compliance with the applicable requirement(s) set forth herein.
- Any facts, rights, interests or claims that may exist or arise by reason of the following matters discussed by an ALTA/ACSM survey made by _____ on _____, designated Job Number _____.

- LEGEND**
- SECTION CORNER
 - ANGLE POINT
 - CENTER OF SECTION
 - REBAR/CAP "LS 31020" UNLESS NOTED OTHERWISE
 - POWER POLE
 - EDGE OF DIRT ROAD
 - WIRE FENCE



(IN FEET)

1 inch = 60 ft.

MONUMENT DESCRIPTIONS

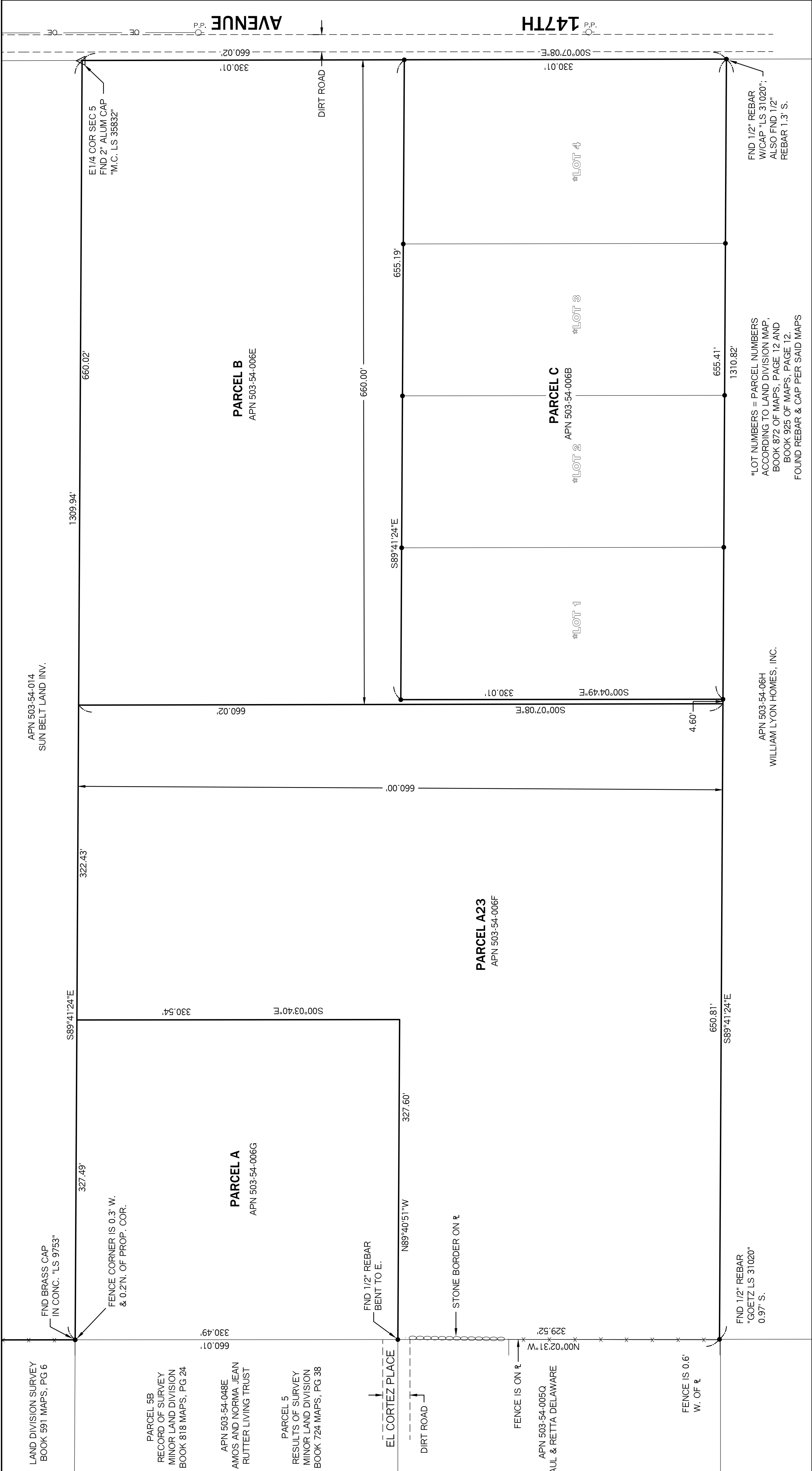
- This survey is based upon a title commitment prepared by First American Title Insurance Company, Title No. NCS-778839-PHX1, dated February 24, 2016.
- The Surveyor has relied on said title commitment to disclose all matters of record affecting the subject property. The Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other matters that may affect the property.
- This property lies in Flood Zone X-Shaded according to FIRM No. 04013C1210L as published by FEMA on October 16, 2013.
- Parcels 1, 2 and 3 zoned P.A.D. by the City of Surprise. Parcel 4 is zoned Rural-43 by Maricopa County.
- There are no buildings on this property.
- The Basis of Bearings shown hereon is the South line of the Southeast quarter of Section 6, being North 89° 45' 11" West as taken from GDACS map per Book 1049 of Maps.
- © Copyright 2016. These drawings are an instrument of service and are the property of Land Survey Services, PLC. No reproduction or use of design concepts are allowed without written permission of Land Survey Services. Any violation of this copyright shall be subject to legal action.

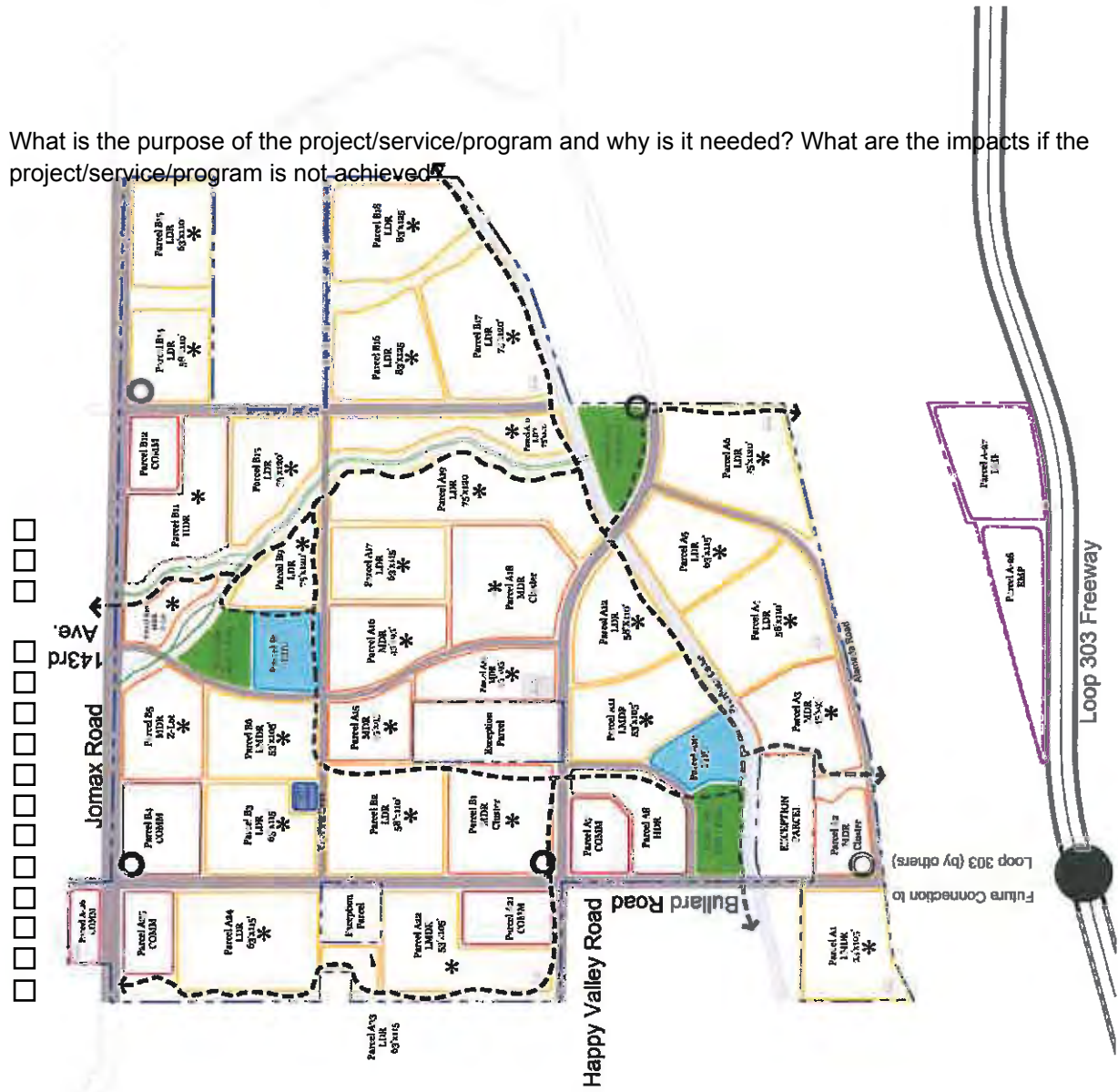
CERTIFICATION

To First American Title Insurance Company, Penscoo Trust Company FBO Kent A. Xander IRA, KAX, L.L.C., David A. Harrison, IV and Paget H. Harrison, his wife, as joint tenants with right of survivorship and Rancho Mercado Investment Limited Partnership, an Arizona limited partnership:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6(a), 7(a)(b)(1), 8, 9, 11(a), 14, 16 and 20 from Table A thereof. The field work was completed on February 16, 2016.

Thomas L. Rope, R.L.S. No. 21081





JOMAX ROAD

COMMERCIAL SITE
17 AC GROSS

RANCHO MERCADO
PARCEL A24

N. 147TH AVE

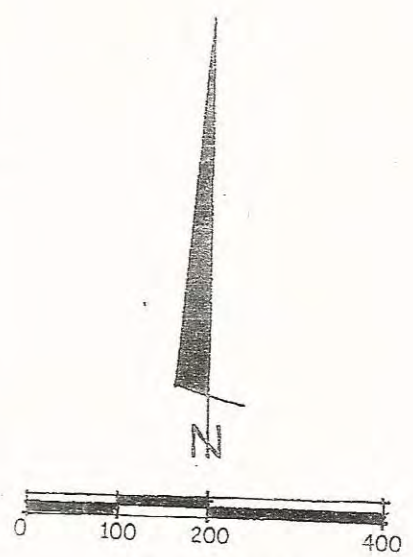
BONITA
RANCH

TYP.
58' 11 1/2'

LOT
LOT

TYP.
58' 11 1/2'

LOT
LOT



SCALE IN FEET

7/22/16

WALSH DESIGN GROUP
6106 E. Rose Circle Dr.
Phoenix, AZ 85018
(602)619-7581

JOMAX ROAD

COMMERCIAL SITE
17 AC GROSS

RANCHO MERCADO
PARCEL A24

N. 147TH AVE

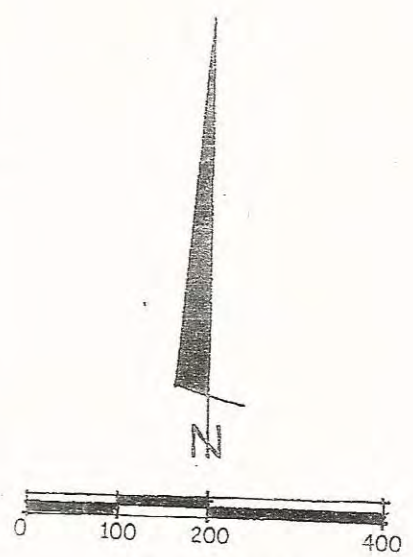
BONITA RANCH

TYP. 58' 11 1/2'

LOT LOT

TYP. 58' 11 1/2'

LOT LOT



SCALE IN FEET

7/22/16

WALSH DESIGN GROUP
6106 E. Rose Circle Dr.
Phoenix, AZ 85018
(602)619-7581

Rancho Mercado

City of Surprise, Arizona

Planned Area Development Figure 6

Land Use Master Plan

LEGEND

- Low Density Residential (LDR)
2.0-5.0 du/ac
- Low Medium Density Residential (LMDR)
4.0-6.0 du/ac
- Medium Density Residential (MDR)
5.0-10.0 du/ac
- High Density Residential (HDR)
15.0 + du/ac
- Community Commercial
- Commercial / Employment
- Educational / School
- Recreational Open Space
- Open Space/Wash Corridors
- Fire Station
- Proposed Future Loop 303 Interchange
- Neighborhood / Community Trail
- Property Boundary
- Proposed Mini Parks
(Locations TBD at time of plat)
- Well Site
- Water Campus



Date: 06-26-06
Drawn By: MR
Revised: 02-23-07



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

3 March 2017

Mr. James R. Mitchell
Director, Community Initiatives Team
56th Fighter Wing
14185 West Falcon Street
Luke AFB AZ 85309-1629

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

Re: FS17-107, 108 & 109; Bonita Ranch

Dear Ms. Donaldson

Thank you for the opportunity to comment on the applications for Annexation and Rezone with PUD overlay of Parcels A, B and C at Bonita Ranch. The specific actions evaluated are as follows:

FS17-107: Annexation Parcel A: The property consists of 2.5 acres, ½ mile north of Happy Valley Road, ¼ mile west of Bullard Road (147th Avenue) in an unincorporated area of Maricopa County. The request is to have the City of Surprise Annex APN # 503-54-006G which is currently vacant land.

FS17-108: Rezone Parcel A: The property consists of 2.5 acres, ½ mile north of Happy Valley Road, ¼ mile west of Bullard Road (147th Avenue) in an unincorporated area of Maricopa County. If the Annexation is approved the request is to rezone the parcel from Single Family Residential (R-43) to Residential Medium Density (RM-6).

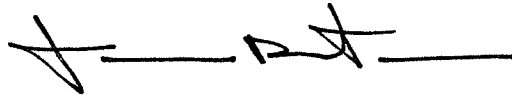
FS17-109: Rezone Parcel B & C: The property consists of 10 square gross acres of vacant land at the Southwest corner of 147th Avenue (Bullard Road) and Yearling Road in Surprise AZ. The request is to rezone the parcels from Residential Ranch (RR), to RM-6.

Bonita Ranch development will be approximately 5.3 miles outside the Luke AFB Auxiliary Field #1 2004 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.

This request as stated in the applications will not negatively impact the flying operations at Luke AFB. Since Bonita Ranch 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 you have any questions, please contact my Community Planner, Ms. Barbara Plante at (623) 856-9981.

Sincerely

A handwritten signature in black ink, appearing to read 'J. R. Mitchell', with a long horizontal line extending to the right.

JAMES R. MITCHELL

cc:

Colonel David G. Shoemaker, Vice Commander, 56th Fighter Wing

Ms. Cindy L. Calderon, GS-13, General and Environmental Law Attorney, 56th Fighter Wing

PUBLIC ENGAGEMENT FORM

PROJECT TITLE: Bonita Ranch Parcel A Rezone

OVERALL PUBLIC INVOLVEMENT LEVEL:

This activity will follow the citizen outreach and public hearing notification processes as outlined in state statute and the SUDC.

IDENTIFY STAKEHOLDERS:

Impacted residents; schools; churches; businesses; public at-large; property owners?

OBJECTIVES:

What is the purpose of the project/service/program and why is it needed? What are the impacts if the project/service/program is not achieved?

PUBLIC ENGAGEMENT STRATEGIES & TOOLS:

Public Engagement & Project timeline:

Public outreach time frame (when to when)

Future Council Work Session/Meetings target dates

Election dates (if applicable)

Project start/completion dates

Communication Tools and Technique options: (which do you plan to use?)

- ☐ Press releases
- ☐ Public meetings (video/photos, poster boards, fact sheet(s) *do you need Spanish version?)
- ☐ Presentations to boards and commissions, other interested community partners/stakeholders
- ☐ Third-party consultant/moderator (pending budget)
- ☐ Survey (online/paper/both?)
- ☐ Social media
- ☐ Surprise 11
- ☐ Notify Me email/ Council newsletters (opt-in audience)
- ☐ Paid advertising (pending budget)
- ☐ Surprise Progress (mailed quarterly and tied to print deadlines)
- ☐ Booth at city events
- ☐ Paid mailings (pending budget)
- ☐ Creation of a subcommittee/task force
- ☐ Youth/adult activities, registration, or orientation (HOA Academy)
- ☐ Website updates



FS17-108 Bonita Ranch Parcel A Zone Change
FS17-109 Bonita Ranch Parcel B & C Zone Change

City Council
August 15, 2017

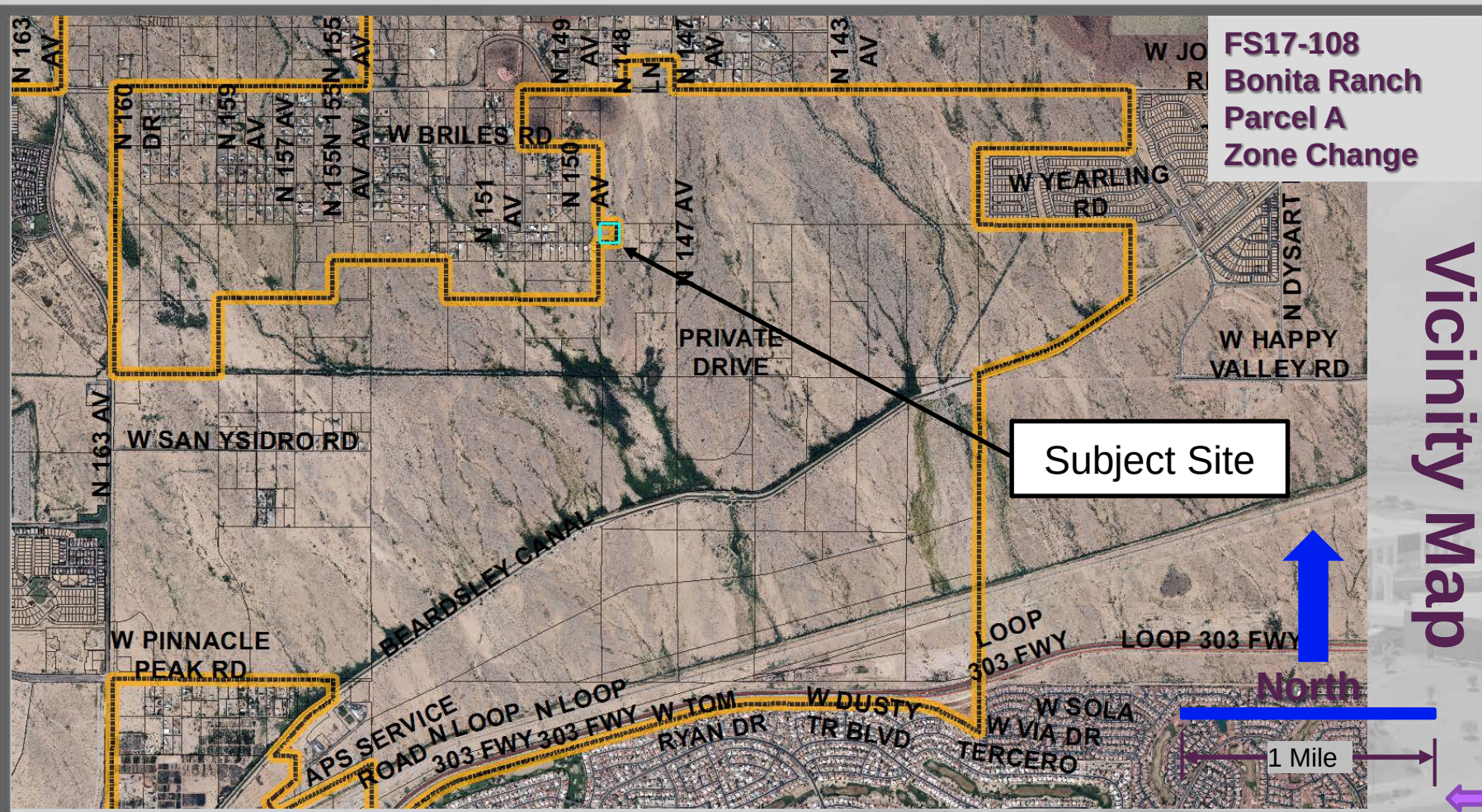
Topics of Discussion

**Bonita Ranch
Parcel A, B & C
Zone Change**

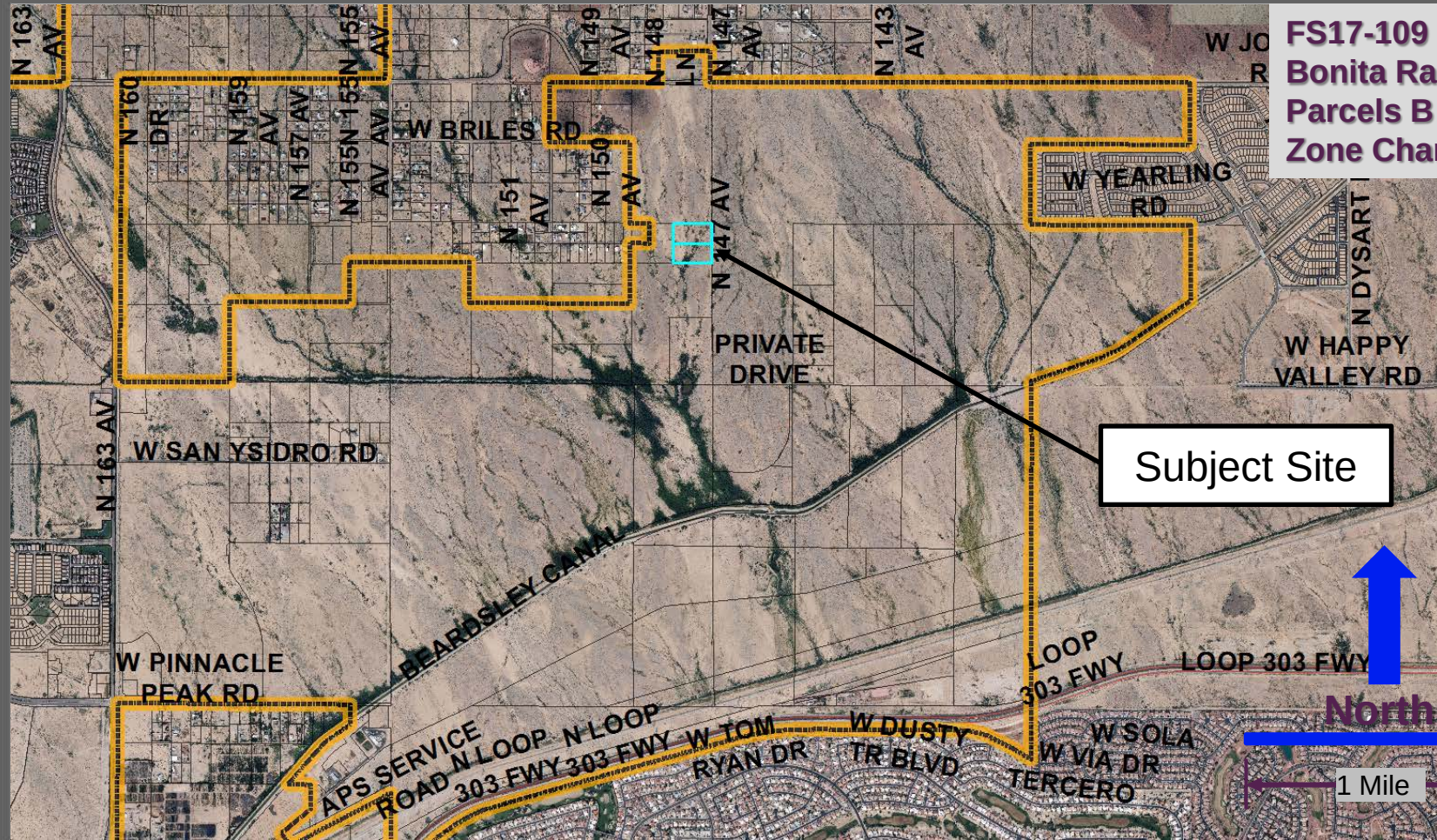
- [FS17-108 Vicinity Map](#)
- [FS17-109 Vicinity Map](#)
- [FS17-108 Case Map](#)
- [FS17-109 Case Map](#)
- [Exhibit D – Rancho Mercado](#)
- [Table A – Development Standards](#)
- [Exhibit F – Conceptual Development Plan](#)
- [Recommendations](#)
- [Questions or Comments](#)

**FS17-108
Bonita Ranch
Parcel A
Zone Change**

Vicinity Map

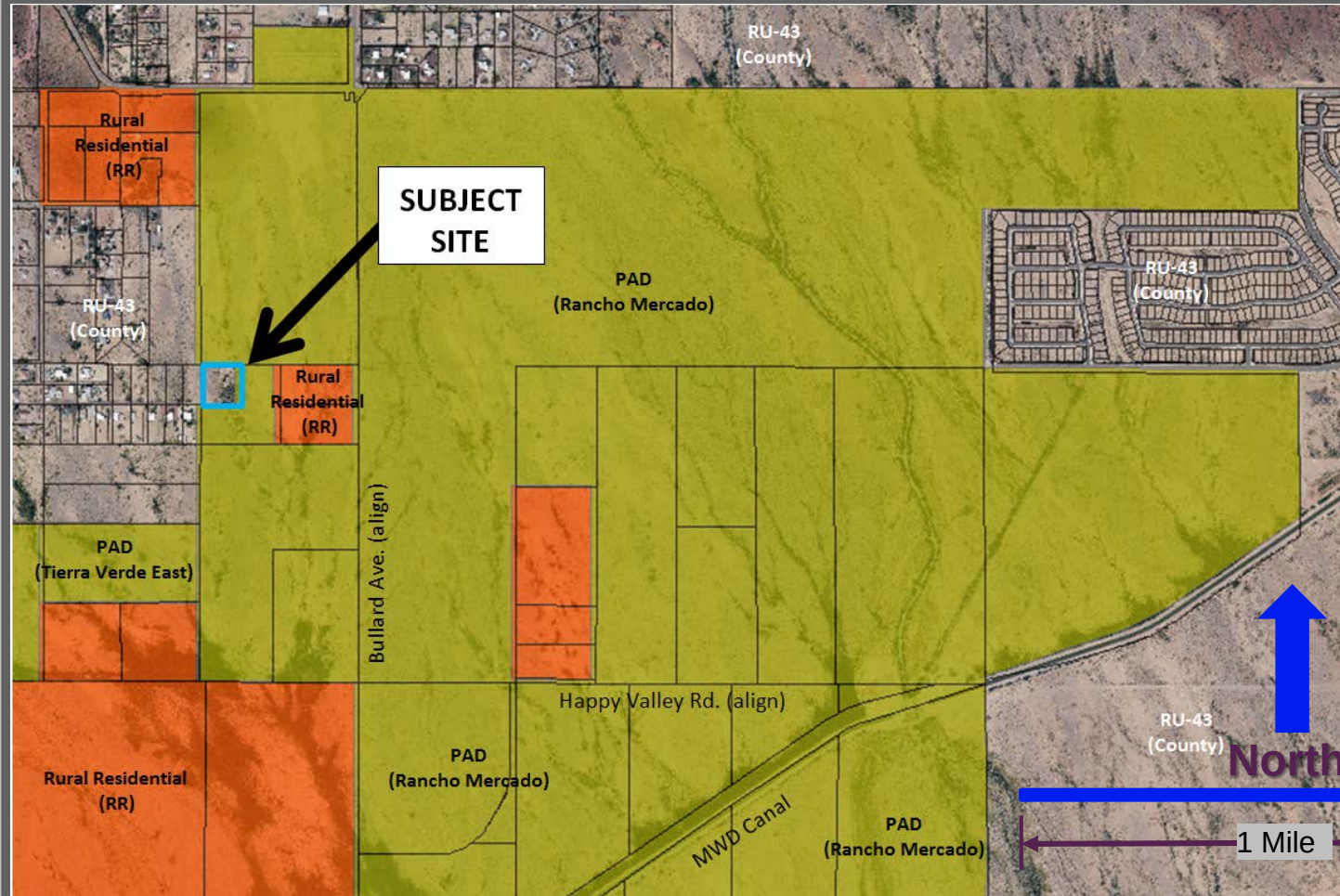


**FS17-109
Bonita Ranch
Parcels B & C
Zone Change**



Vicinity Map

**FS17-108
Bonita Ranch
Parcel A
Zone Change**

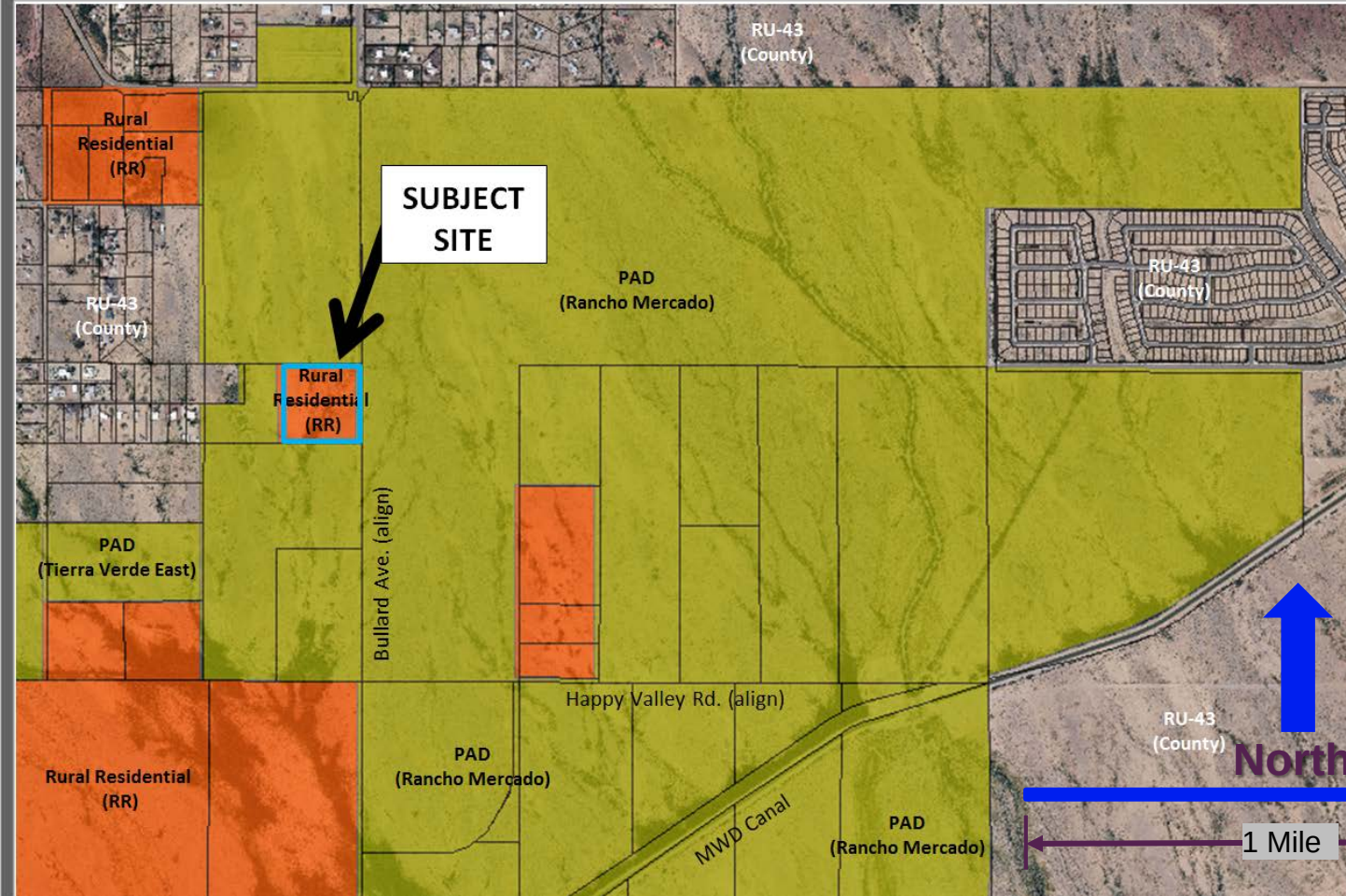


Case Map

North

1 Mile

**FS17-109
Bonita Ranch
Parcels B & C
Zone Change**



Case Map

North

1 Mile

Bonita Ranch Parcel A, B & C Zone Change



Planned Area Development
Figure 7
Open Space and Trails
Master Plan

Exhibit D

Date: 06-26-06
Drawn By: DM
Revised: 10-06-10

LVA
Urban Design
Studio L.L.C.



Table A
Proposed RM-6 PUD Development Standards

	Rancho Mercado PAD LDR Development Standards (2)(5)(7)	Proposed Bonita Ranch Parcel A RM-6 PUD Development Standards (2)(5)(7)	RM-6 City Base Development Standards
Lot Width (Min)	58'	58'	50'
Lot Area (Min)	6,300 SF	6,300 SF	Not Specified
Lot Area Per Dwelling Unit (Min)	Not Specified (8)	6,000 SF (8)	6,000 SF (8)
Lot Depth (Min)	110' (3)	110' (3)	100'
Front Setback (livable)	12' (12)	12' (12)	12'
Front Setback (garage)	18' (7) (12)	20' (1) (7) (12)	20'
Interior Side Setback	5'/8'	5'/8'	TBD at Pre-Plat
Aggregate Setback	Not Specified	13'	TBD at Pre-Plat
Corner Side Setback	8'	10' (11)	Not Specified
Rear Setback	15'	15'	20'
Rear Setback (arterial street)	20'	20' (11)	Not Specified
Maximum Width of Driveway as % of Lot Width	Not Specified	35% (6)	30%
Maximum Area of Driveway as % of Front Yard Area	Not Specified	35% (10)	30%
Building Height (Max)	30'	30' (9)	35'
Building Coverage	TBD by building Envelope (4)	TBD by building Envelope (4)	Not Specified

Table A
Proposed RM-6 PUD Development Standards

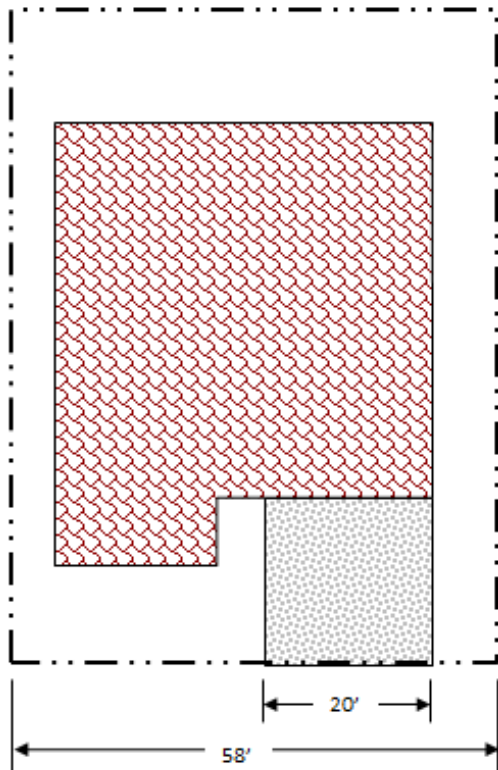
	Rancho Mercado PAD LDR Development Standards (2)(5)(7)	Proposed Bonita Ranch Parcel B and C RM-6 PUD Development Standards (2)(5)(7)	RM-6 City Base Development Standards
Lot Width (Min)	58'	58'	50'
Lot Area (Min)	6,300 SF	6,300 SF	Not Specified
Lot Area Per Dwelling Unit (Min)	Not Specified (8)	6,000 SF (8)	6,000 SF (8)
Lot Depth (Min)	110' (3)	110' (3)	100'
Front Setback (livable)	12' (12)	12' (12)	12'
Front Setback (garage)	18' (7) (12)	20' (1) (7) (12)	20'
Interior Side Setback	5'/8'	5'/8'	TBD at Pre-Plat
Aggregate Setback	Not Specified	13'	TBD at Pre-Plat
Corner Side Setback	8'	10' (11)	Not Specified
Rear Setback	15'	15'	20'
Rear Setback (arterial street)	20'	20' (11)	Not Specified
Maximum Width of Driveway as % of Lot Width	Not Specified	35% (6)	30%
Maximum Area of Driveway as % of Front Yard Area	Not Specified	35% (10)	30%
Building Height (Max)	30'	30' (9)	35'
Building Coverage	TBD by building Envelope (4)	TBD by building Envelope (4)	Not Specified

Bonita Ranch Parcel A, B & C Zone Change

Development Standards

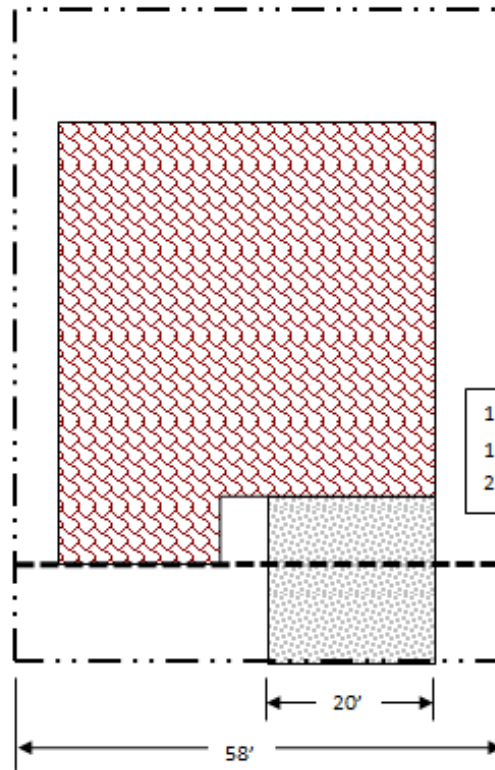


Driveway Width as Percent of Lot Width



$$20' / 58' = 34.4\%$$

Driveway Area as Percent of Required Front Yard Area



$$\begin{aligned} 12' \times 20' &= 240 \text{ SF} \\ 12' \times 58' &= 696 \text{ SF} \\ 240 \text{ SF} / 696 \text{ SF} &= 34.4\% \end{aligned}$$

**Bonita Ranch
Parcel A, B & C
Zone Change**

**Development
Standards**



EXHIBIT F Development Concept Plan

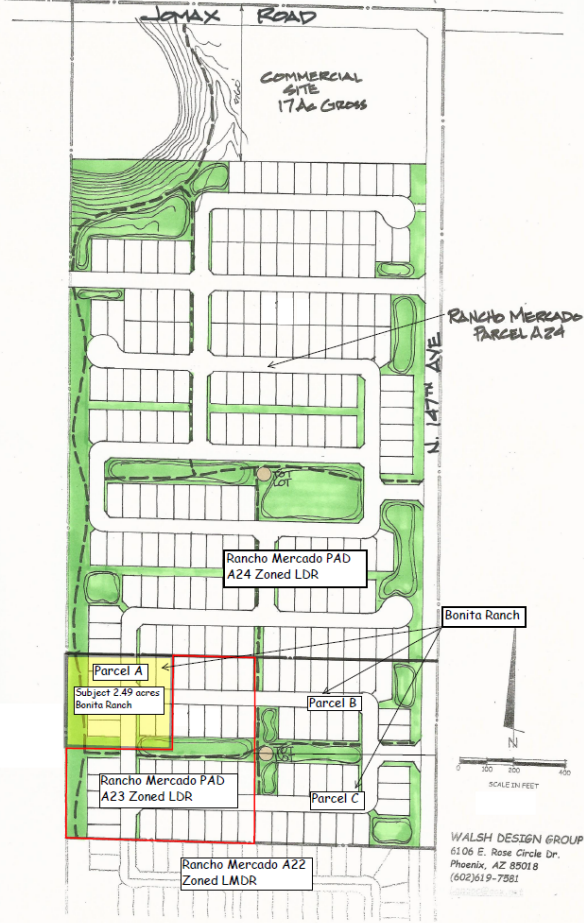
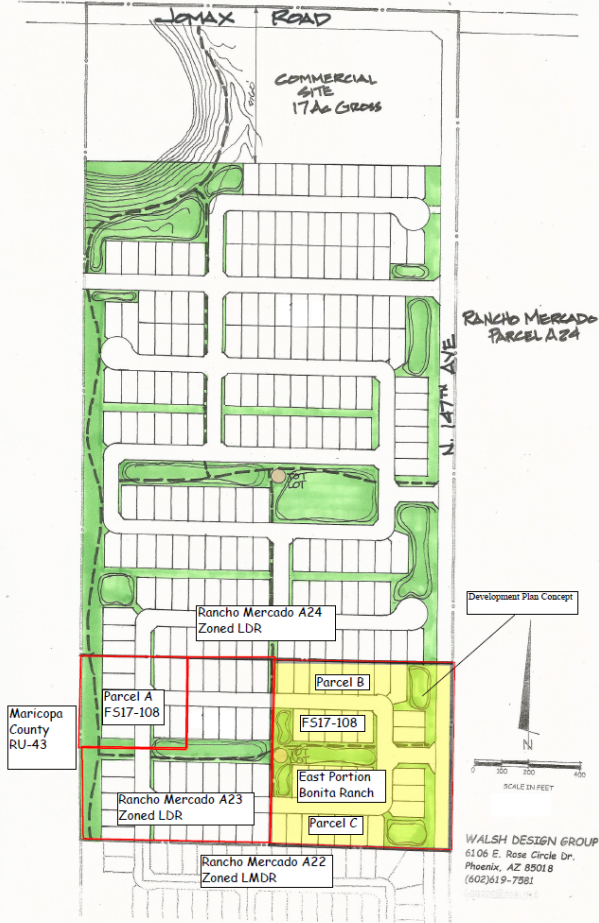


EXHIBIT F Development Plan Concept



Bonita Ranch Parcel A, B & C Zone Change

Exhibit F



**Bonita Ranch
Parcel A, B & C
Zone Change**

Outreach meeting on June 14, 2017

Planning and Zoning Commission on July 20, 2017

Outreach



**FS17-108
Bonita Ranch
Parcel A
Zone Change**

FS17-108 Bonita Ranch Parcel A

Approve

Subject to Stipulations “a” – “e”

**Commission
Recommendation**



**FS17-109
Bonita Ranch
Parcels B & C
Zone Change**

FS17-109 Bonita Ranch Parcels B & C

Approve

Subject to Stipulations “a” – “b”

**Commission
Recommendation**





SURPRISE
ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You



ORDINANCE 2017-15

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING A REZONE FROM RESIDENTIAL RANCH TO RESIDENTIAL MEDIUM DENSITY (RM-6) WITH A PLANNED UNIT DEVELOPMENT (PUD) OVERLAY FOR BONITA RANCH PARCEL A, LOCATED SOUTH OF JOMAX ROAD AND WEST OF THE 147TH AVENUE ALIGNMENT.

WHEREAS, this Ordinance was properly noticed for public hearing and the necessary hearings and opportunity for public input were completed;

WHEREAS, the subject site is located south of Jomax Road and west of the 147th Avenue alignment;

WHEREAS, the subject site was annexed into the City of Surprise on August 1, 2017 under Resolution 2017-13;

WHEREAS, the subject site is zoned as Residential Ranch;

WHEREAS, the rezone to Residential Medium Density (RM-6) with PUD overlay is authorized by and satisfies the requirements of Surprise Municipal Code §122-68;

WHEREAS, the proposed use of the subject site requires modification of the applicable zoning regulations;

WHEREAS, this rezone is in harmony with the purposes and intent of the zoning ordinance and the Surprise General Plan; and

WHEREAS, on July 20, 2017, the Planning and Zoning Commission recommended approval of the Bonita Ranch Parcel A rezone with PUD overlay.

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

Section 1. *Rezoning with PUD overlay.* The property known as Bonita Ranch Parcel A, as legally described on Exhibit A and depicted on Exhibit B, is rezoned from Residential Ranch (RR) to Residential Medium Density (RM-6) with a PUD Overlay subject to the following stipulations:

- a. Development and use of the site shall be in conformance with the project narrative entitled “Bonita Ranch Parcel A”, prepared by KAX and Walsh Design Group as revised June 13, 2017 and stamped received June 13, 2017, except as modified below.
- b. Within 30 days of City Council approval of the subject zone change request, the applicant shall submit to the Surprise Community Development Department a revised zoning narrative for Bonita Ranch Parcel A which limits houses located on any lot within 190 feet of the western boundary of Bonita Ranch Parcel A to single-story.
- c. Any Preliminary Plat or Final Plat that includes Bonita Ranch Parcel A shall identify those lots that are limited to single-story.
- d. Approval of this zone change request presumes the successful annexation of the subject property as being processed under FS17-107. Should said annexation request fail, the zoning of the property granted under the subject approval is null and void.
- e. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.

Section 2. *Amendment of Zoning Map.* The City of Surprise zoning map is herewith amended to reflect the change in districts referred to in Section 1 above.

Section 3. *Codification.* This ordinance is not of a general nature and will not be codified.

Section 4. *Repeal of Conflicting Ordinances.* All ordinances or parts of ordinances in conflict with the provisions of this ordinance or any part of the code adopted herein by reference are hereby repealed, upon the effective date of this Ordinance.

Section 5. *Severability.* If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 6. *Effective Date.* This ordinance shall become effective at the time and in the manner prescribed by law.

SIGNATURES ON THE FOLLOWING PAGE

APPROVED AND ADOPTED this _____ day of _____ 2017.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

EXHIBIT "A"

DESCRIPTION

BONITA RANCH PARCEL A REZONE

The Northwest quarter of the Northwest quarter of the Northeast quarter of the Southeast quarter of Section 5, Township 4 North, Range 1 West, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

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

End of description



EXPIRES 09-30-2017

N 1/4 COR
SEC 5
T4N, R1W

EXHIBIT "B"

JOMAX ROAD

NE COR
SEC 5
T4N, R1W



SCALE: 1"=500'



SURPRISE CITY LIMITS

ZONING: RU-43 MARICOPA COUNTY
LAND USE: LDR

CENTER 1/4 COR
SEC 5
T4N, R1W

RANCHO MERCADO
PARCEL A24
ZONING: PAD
LAND USE: LDR

E 1/4 COR
SEC 5
T4N, R1W

BONITA RANCH PARCEL A
REZONE RR TO RM-6 PUD

ZONING: RR

RANCHO MERCADO
PARCEL A23
ZONING: PAD
LAND USE: LDR

ZONING: RR

ZONING: RU-43 MARICOPA COUNTY
LAND USE: LDR

RANCHO MERCADO
PARCEL A22
ZONING: PAD
LAND USE: L/MDR

SURPRISE CITY LIMITS

LEGEND

RR	RURAL RESIDENTIAL
RM-6 PUD	RESIDENTIAL MEDIUM DENSITY WITH PUD OVERLAY
PUD	PLANNED UNIT DEVELOPMENT
LDR	LOW DENSITY RESIDENTIAL
L/MDR	LOW/MEDIUM DENSITY RESIDENTIAL
PAD	PLANNED AREA DEVELOPMENT
	BONITA RANCH REZONE AREA



EXPIRES 09/30/17

S 1/4 COR
SEC 5
T4N, R1W

SE COR
SEC 5
T4N, R1W

BONITA RANCH PARCEL A
REZONE RR TO RM-6 PUD



CITY OF SURPRISE
LAND SURVEY DEPARTMENT

PROJECT # 17020

DRAWN BY RCD

DATE 06-06-17

SHEET 1 OF 1



CITY OF SURPRISE
Regular City Council Meeting

August 15, 2017 @ 6:00:00 PM

[Back](#) [Print](#)

Council Meeting Date:	August 15, 2017	Contact Person:	Eric Fitzer - Community Development
Submitting Department:	CD	District:	Citywide
Staff Recommendations:	Approve		

Consent	Regular	Public Hearing	Report/Discussion
---------	---------	----------------	-------------------

Agenda Wording:

Consideration and action pertaining to approval of New and Revised Community Development user fees; Resolution # 2017-92

Motion:

I move to approve Resolution # 2017-92.

Background:

The current FY2018 budget is supported in part by direct charges for services provided by the city. These charges for services fall into three broad groups including utility rates, development impact fees, and user fees. The revision of utility rates and development impact fees is highly regulated by state law. Though less regulated, user fees do have state mandated posting requirements.

Additionally, the Comprehensive Financial Management Policies call for a periodic examination of user fees to determine an acceptable rate of cost recovery. In order to ensure compliance with state mandates and to facilitate a more consistent user fee policy process, a consolidated user fee schedule was adopted by the Mayor and Council in FY2016. This consolidated schedule was the basis for all future user fee modifications. These modifications mostly encompassed three departments that identified new fees or revisions to existing fees. The departments were the City Clerk's Office, the Surprise Police Department, and the Surprise Fire and Medical Department; with Community Development adding a Solar permit fee.

The Community Development Department has not conducted a formal overhaul of the Community Development User Fees (Development Services Fee Schedule) since 2010, under Resolution 2010-23,

effective date April 1, 2010. There have been subsequent minor modifications in 2012 and 2016, but not a thorough review of the fees.

On June 6th, 2017 at a Work Session of the City of Surprise City Council, the Council was presented with the potential modified and new Community Development User Fees. Per statute and prior to June 13th, 2017, in accordance with ARS 9-499.15 the 60 day review period began with the City filing with the City Clerk and posting the proposed New and Revised Community Development User fees on the website as well as the report explaining the New and Revised Community Development User Fees. On June 16, 2017 the City of Surprise posted the notices for the New and Revised Community Development User Fees on Twitter and Facebook to garner more public comment.

As of July 31, 2017 the City has received no comments for or against the Proposed New and Revised Community Development User Fees.

Objective Analysis:

The Proposed New and Revised the Community Development user fees allow the city to recover a portion of the costs associated with providing services. In the absence of user fees, these services either would not be provided, or would be provided with funding received from taxes, state shared revenues, or some other source. This, in turn, would lead to the reduction of other services currently supported by those sources.

Policy Compliant:

This action is compliant with City and Council policy. It supports the Comprehensive Financial Management Policies, specifically: 8. A diversified revenue system will be developed to protect City services. 14. All user fees (excluding water, wastewater, and solid waste) will be examined periodically to determine the direct and indirect cost of service recovery rate. The acceptable recovery rate and any associated changes to user fees and charges will be approved by the City Council.

Financial Impact:

Charges for Services/Other revenue is estimated to be \$9.8 million or 10% of the General Fund revenue in the FY2018 Budget. Community Development User fees make up approximately \$2.4 million or 24% of the Charges for Services/Other revenue.

Budget Impact:

Anticipated operational costs associated with this item are included in the FY2018 budget. If there is a higher than expected level of activity in the programs, the expenditure budget may need to be amended. This potential increase to the expenditure budget would be offset by higher revenues.

FTE Impact:

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

ATTACHMENTS:

Click to download

- ☐ [August 15, 2017 Community Development New and Revised User Fee Report](#)
 - ☐ [Community Development New and Revised User Fee Website Posting](#)
 - ☐ [Community Development New and Revised User Fee Facebook Posting](#)
 - ☐ [Community Development New and Revised User Fee Twitter Posting](#)
 - ☐ [Community Development New and Revised User Fee Presentation](#)
 - ☐ [Resolution 2017-92 New and Revised Community Development User Fees](#)
-

City of Surprise

Report on August 15, 2017 Fee Update

The purpose of this report is to support the recommended fee changes for the City of Surprise that will be brought to the City Council for action on August 15, 2017. The fee recommendations pertain mostly to the development related services offered through the Community Development, Fire, and Public Works departments. In large part the fees have not been updated since 2010 with minor modifications in 2012 and 2016. The recommended fee changes will bring the fees more in line with current costs while keeping them competitive with other neighboring municipalities. The recommendations also provide more clarity to customers by breaking out new fee categories in areas that have frequently produced questions. City staff undertook a study to determine the amount of staff time devoted to various development matters that require processing. In each case where a new or updated fee is proposed, the fee amount is based on the average staff time spent on the item and a corresponding calculation of the cost to the City to employ sufficient staff to process the item. In many cases, the proposed fee is significantly less than the City's actual cost, but the proposed fee is kept lower in order to allow the City to remain competitive with other jurisdictions.

A Building/Fire Permit Fee is currently in place and City staff recommends it to be modified in two ways. First, the permits are divided into three tiers based on valuation. This is due to a reduction in impacts to workload witnessed at the high and low end of the valuation spectrum. Additionally, the base per permit and variable per \$1,000 of valuation fees are recommended to be increased to be more in line with costs of providing development related services. The recommendations are as follows:

Fee Name	Current Fee	Proposed Fee
Building/Fire Permit Fee - Valuation of \$1,000.00 or Less	\$30.00 Plus \$4.11/\$1,000.00 of Valuation	\$75.00
Building/Fire Permit Fee - Valuation of \$1,000.01 to \$999,999.99	\$30.00 Plus \$4.11/\$1,000.00 of Valuation	\$100.00 Plus \$6.00 Per \$1,000.00 of Valuation
Building/Fire Permit Fee - Valuation of \$1,000,000.00+	\$30.00 Plus \$4.11/\$1,000.00 of Valuation	\$100.00 plus \$5.00 per \$1,000.00 of Valuation

The following fees are currently in place and are recommended to be in line with the Building/Fire Permit Fees as the workload associated with them is similar to those fees. The expectation is that each Temporary Power Permit will be less than \$1,000 in valuation. The Landscape Plan Reviews and Temporary Sales/Construction Trailers will fall between \$1,000.01 and \$999,999.99 in valuation. The proposed fees will allow the City to recoup costs associated with processing permits for projects that vary in size. This scaled approach will more accurately reflect the actual cost to the City associated with these projects. The recommendations are as follows:

Fee Name	Current Fee	Proposed Fee
Temporary Power Permit	\$45.00 per permit	\$75.00 per permit
Landscape Plan Review	\$2.67/\$1,000.00 of Total Cost	\$100.00 Plus \$6.00 Per \$1,000.00 of Valuation
Temporary Sales/Construction Trailer	\$55.00 per permit	\$100.00 Plus \$6.00 Per \$1,000.00 of Valuation

The following fees are currently charged by the City. After reviewing the average staff cost associated with processing each fee, and fees that neighboring municipalities charge for the same service, staff recommends that these fees be modified as follows:

Fee Name	Current Fee	Proposed Fee
After Hour Inspection	\$75.00	\$100.00
After Hour Inspection - Weekends/Holidays/3rd Shift	\$75.00	\$100.00
Annexation	\$675.00	\$800.00
Development Agreement	\$1,275.00	\$5,000.00
Development Agreement Amendment	\$1,210.00	\$2,500.00
Final Plat	\$300.00	\$1,200.00 Plus \$17.00 Per Lot/Tract/Parcel
General Plan Amendment (Major)	\$4,045.00	\$6,000.00
General Plan Amendment (Minor)	\$1,735.00	\$2,500.00
Home Product Review	\$615.00	\$125.00
Landscape Design Review	\$200.00	\$300.00
Preliminary Plat	\$320.00	\$2,500.00 Plus \$30.00 Per Lot/Tract/Parcel
Rezone	\$2,700.00	\$3,000.00 Plus \$20.00 Per Acre
Site Plan (Narrative and elevations included in per sheet fee)	\$975.00	\$3,000.00 Plus \$30.00 Per Acre
Text Amendment	\$1,035.00	\$2,000.00
Zoning Amendment (Major)	\$1,770.00	\$2,500.00
Zoning Verification, Compliance Letter, Or Assisted living Reservation	\$60.00	\$100.00

The following fees are currently in place and staff recommends that they are set to follow the intergovernmental agreement between the City and the Arizona Department of Housing. The recommendations are as follows:

Fee Name	Current Fee	Proposed Fee
Commercial Factory Built Building	\$4.50 Per Linear Foot/Per Story Including System	Per Arizona Department of Housing Intergovernmental Agreement
Manufactured Home	\$350.00 Per Home	Per Arizona Department of Housing Intergovernmental Agreement
Residential Factory Built Building	\$450.00 Per Story Including System	Per Arizona Department of Housing Intergovernmental Agreement

The following fees are currently in place and staff recommends changing them to the direct outside costs borne by the City. Because these are costs charged by outside entities, the City The recommendations are as follows:

Fee Name	Current Fee	Proposed Fee
Document Handling	\$1.00 Per Document	Actual Cost to City
Outside Consultant	Actual Cost to City plus Indirect Cost	Actual Cost to City
Public Meeting Notice/Advertising	\$185.22 Per Advertisement	Actual Cost to City
Swimming Pool Signs	\$4.31 Per Sign	Actual Cost to City

Staff recommends revising the Temporary Use Permit fees to simplify the application of the fee and to be more in line with costs borne by the City. The recommendations are as follows:

Fee Name	Current Fee	Proposed Fee
Grand Opening Event	\$20.00 per permit	
Major Temporary Use Permit	\$60.00 per permit	
Minor Temporary Use Permit	\$40.00 per permit	
Temporary Use Permit/Special Event		\$135.00 per permit

The following fees have minor clarifying changes recommended; the fee amounts are not being modified. The Civil Construction Permit fee is currently in place. However, it is listed as one fee with two separate percentages associated for City Service or Private Service. Staff recommends that these two fees be split into two separate fees for transparency to customers. Staff also recommends that the Development Grading and Drainage fee be revised to "Preliminary Grading, Drainage and Utilities." This is strictly a name change for clarity. Additionally, staff recommends that a fee for "Self-Certification Meeting" fee be added; the current fee is \$300.00 for what is currently called a "Concept Review," and this re-named fee will be added to help eliminate confusion for customers. The recommendations are as follows:

Fee Name	Current Fee	Proposed Fee
City Jurisdiction or Service Area – Civil Construction Permit	3% for City Service	3% of Construction Cost
City Jurisdiction or Service Area, Private Utility	1% for Private Service	1% of Construction Cost
Development Preliminary Grading, and Drainage and Utilities	\$135.00	\$135.00
Self-Certification Meeting	\$300.00	\$300.00

The Model Home Complex fee, Comprehensive Sign Program, and the Conditional Use Permit with Site Plan are currently being charged the Site Plan fee. The processing costs for the Model Home Complex are less than that of the Site Plan fee. It is recommended that the Comprehensive Sign Program and the Conditional Use Permit with Site Plan fees be separated and charged fees that more accurately reflect the City's cost and that are similar to other neighboring municipalities. The recommendations are as follows:

Fee Name	Current Fee	Proposed Fee
Model Home Complex	\$975.00	\$600.00 Each Plus \$30.00 Per Lot/Tract/Parcel
Comprehensive Sign Program (CSP)	\$975.00	\$1,750.00
Conditional Use Permit with Site Plan	\$975.00	\$3,600.00 Plus \$30.00 Per Acre

The following fees are currently being charged the Final Plat fee. The cost of these items is less than the new proposed Final Plat fee and should be split out to charge an appropriate amount based on the estimated staff time to process each item. The recommendations are as follows:

Fee Name	Current Fee	Proposed Fee
Lot Line Adjustment	\$300.00	\$400.00
Map of Dedication	\$300.00	\$750.00
Minor Land Division	\$300.00	\$400.00 Plus \$17.00 Per Lot/Tract/Parcel
Parcel Assemblage	\$300.00	\$400.00

The following fees are currently being charged the Administrative Processing fee. It is recommended that the fees be split out to better reflect the cost associated with the services provided. The recommendations are as follows:

Fee Name	Current Fee	Proposed Fee
Administrative Processing Fee - Valuation of \$1.00 - \$999,999.99	\$140.00	0.50% of Valuation
Administrative Processing Fee - Valuation of \$1,000,000.00 +	\$140.00	0.052% of Valuation
Variance	\$140.00	\$500.00 Each Plus \$25.00 Per Item Requested
Design Review Elevation Only (Remodel, Colors)	\$140.00	\$50.00

The following fees are new and are set to recover costs associated with their processing or to keep fee amounts in line with neighboring municipalities. The recommendations are as follows:

Fee Name	Current Fee	Proposed Fee
Administrative Use Permit (AUP)		\$400.00
Conditional Use Permit (Use Only)		\$1,250.00

The following fees have been added or modified in order to encourage more efficient development practices for the city and its customers. The fees are intended to reduce the number of revisions or repetition of activity beyond normal processing. The recommendations are as follows:

Fee Name	Current Fee	Proposed Fee
Miscellaneous 4th and subsequent reviews (any plan type)		20% of Initial Base Fee
Plan Revision Requested by Applicant		50% of Initial Base Fee
Plan Revisions - After Permit is Approved		\$100.00
Re-Inspection	\$75.00	\$100.00

Additional information may be obtained by contacting Eric Fitzer, Community Development Director at 623-222-3020.



Surprise City Gov

4 mins · 🌐



Notice of Intent for New or Revised Community Development Fees

Pursuant to Arizona Revised Statutes (A.R.S) § 9-499.15 notice is hereby given that the City of Surprise intends to discuss and take action to establish new Community Development fees and modify some existing Community Development fees at the Regular City Council Meeting on August 15, 2017 at 6:00 p.m. at the Surprise City Council Chambers, 16000 N. Civic Center Plaza Surprise, AZ 85374. A schedule of the proposed fee including the amount of the fee and a written report or data that supports the fee is available on the City's website located at <https://www.surpriseaz.gov/3405#fee-updates> and at the City Clerk's Office, 16000 N. Civic Center Plaza Surprise, AZ 85374.



SURPRISE

ARIZONA

Boost Post

👍 Like 💬 Comment ➦ Share





City of Surprise @AZSurprise · 36s



New Public Notice on potential new or revised Community Development fees
surpriseaz.gov/3405#fee-updat...





Community Development Revised and New User Fees

City Council Regular Session
August 15, 2017



History

- Resolution 07-226 adoption of a fee schedule designed to recover the cost of services provided on January 1, 2008
- April 1, 2010 Resolution 2010-203 Established the Development Services Fee Schedule and revised Resolution 07-226
- March 5, 2012 Resolution 2012-1 revised the following:
 - Reduced water heater permit fees
 - Reduced Temporary Use Permit Fees
- July 1, 2016 Resolution 2016-62 established the Solar Permit Fee
- June 6, 2017 Work Session and Presentation on potential Community Development New and Revised User Fees with City Council
- June 12, 2017 Notice of Intent for the New and Revised Community Development User Fees and Report posted for 60 day review on the City Website and filed with City Clerk per ARS § 9-499.15
- June 16, 2017 Notice of Intent for the New and Revised Community Development User Fees posted on the City's FaceBook and Twitter accounts

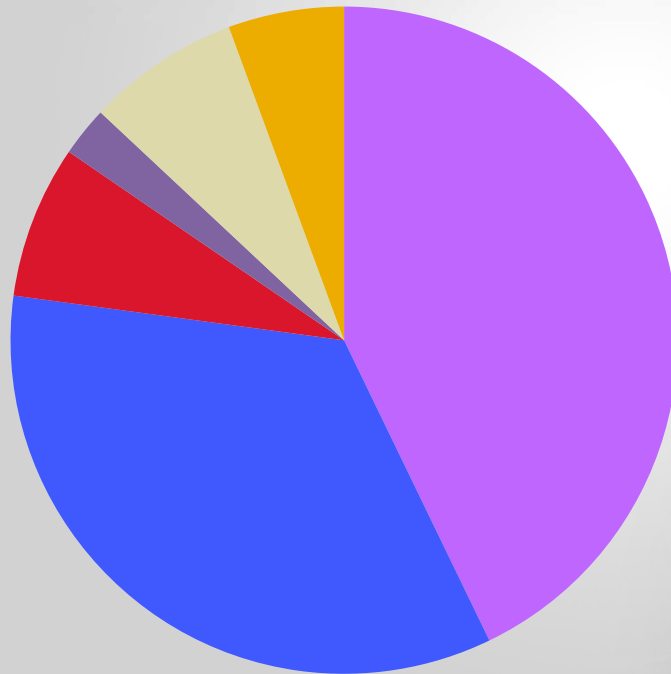


Goals/Requirements

- Recover all or part of program costs associated with development including various departments:
 - Community Development
 - Public Works (Engineering)
 - Fire/Police
 - Others including Legal, CRS, Finance
 - 60 day process per ARS § 9-499.15 (**completed**)
 - Filed with City Clerk (**completed**)
 - Website notice (**completed**)
 - Post on Social Media (**completed**)
- 

General Fund Revenue Sources

FY18 Revenue Projections \$99.7 Million



■ Local Sales Tax \$42.7 Million

■ Intergovernmental \$34.2 Million

■ Charges for other Services/other than CD \$7.4 Million

■ **Community Development Fees \$2.4 Million**

■ Primary Property Tax \$7.4 Million

■ Franchise Fees \$5.6 Million



Financials

- User Fees
 - Make up \$9.8 million of estimated User Fee Revenue FY18
 - Community Development \$2.4 Million at 24% FY18
 - Based on current fee schedule
 - Tied to Comprehensive Financial Management Policies
 - Help to provide diversified revenue system
 - Help to recover some costs of service
 - Examined periodically
 - Last comprehensive assessment 2010
- 



New Fees

Planning & Development Services

- Administrative Use Permit
- Conditional Use Permit (Use only)
- Conditional Use Permit with Site Plan
- Design Review Elevation Only
- Map of Dedication
- Minor Land Division
- Parcel Assemblage
- Lot Line Adjustment
- Variance

Building Safety & Development Services

- Plan Revision Request
- Fourth and subsequent reviews
- Administrative Processing Fee – valuation of \$1 - \$999,999.00
- Administrative Processing Fee – valuation of \$1,000,001.00 +
- Self-Certification meeting
- Plan Revision after permit is approved



Revised Fees

Planning & Development Services

- Annexation
- Development Agreement & Amendment
- Pre Plat and Final Plat
- General Plan Amendment (Minor & Major)
- Home Product Review
- Rezone
- Site Plan
- Text Amendment
- Zoning Verification/Compliance Letter
- Model Home Complex
- Landscape Plan Review

Building Safety & Development Services

- Building/Fire Permit Fee - valuation of \$1,000 or less
 - Building/Fire Permit Fee - valuation of \$1,000.01 to \$999,999.99
 - Building/Fire Permit Fee - valuation of \$1,000,000+Administrative
 - Temporary Power Permit
 - Temporary Sales/Construction Trailer
 - Temporary Use Permit
 - Re-inspection
 - After hour inspection
- 



SURPRISE
ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You

RESOLUTION # 2017-92

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, ESTABLISHING NEW AND REVISED DEVELOPMENT SERVICE FEES OFFERED THROUGH COMMUNITY DEVELOPMENT, FIRE, AND PUBLIC WORKS; AND ADOPTING A COMMUNITY DEVELOPMENT FEE SCHEDULE.

WHEREAS, it is necessary that the City of Surprise establish certain new fees and revise other fees for providing services related to building permit inspections and plan review, planning, fire and civil permits and inspections;

WHEREAS, the establishment or revision of the fees related to providing these services allow the affected departments to recover increased operational costs;

WHEREAS, the city has statutory authority to assess these fees and charges and notice has been provided as required by Ariz. Rev. Stat. § 9-499.15;

WHEREAS, per the City of Surprise Comprehensive Financial Management Policies adopted by Council Resolution #2015-53 on June 2, 2015, user fees and charges will be examined periodically; and

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

Section 1. The new and revised fees and charges are authorized as identified in Exhibit A and shall become effective September 15, 2017.

APPROVED AND ADOPTED this _____ day of _____, 2017.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

RESOLUTION # 2017-92
Exhibit A

<u>Department</u>	<u>Category</u>	<u>Current Amount</u>	<u>Proposed Amount</u>
Community Development	Building/Fire Permit Fee - Valuation of \$1,000.00 or Less	\$30.00 Plus \$4.11/\$1,000.00 of Valuation	\$75.00
Community Development	Building/Fire Permit Fee - Valuation of \$1,000.01 to \$999,999.99	\$30.00 Plus \$4.11/\$1,000.00 of Valuation	\$100.00 Plus \$6.00 Per \$1,000.00 of Valuation
Community Development	Building/Fire Permit Fee - Valuation of \$1,000,000.00+	\$30.00 Plus \$4.11/\$1,000.00 of Valuation	\$100.00 plus \$5.00 per \$1,000.00 of Valuation
Community Development	Temporary Power Permit	\$45.00 per permit	\$75.00 per permit
Community Development	Landscape Plan Review	\$2.67/\$1,000.00 of Total Cost	\$100.00 Plus \$6.00 Per \$1,000.00 of Valuation
Community Development	Temporary Sales/Construction Trailer	\$55.00 per permit	\$100.00 Plus \$6.00 Per \$1,000.00 of Valuation
Community Development	After Hour Inspection	\$75.00	\$100.00 (\$200.00 min)
Community Development	After Hour Inspection - Weekends/Holidays/3rd Shift	\$75.00	\$100.00 (\$300.00 min)
Community Development	Annexation	\$675.00	\$800.00
Community Development	Development Agreement	\$1,275.00	\$5,000.00
Community Development	Development Agreement Amendment	\$1,210.00	\$2,500.00
Community Development	Final Plat	\$300.00	\$1,200.00 Plus \$17.00 Per Lot/Tract/Parcel
Community Development	General Plan Amendment (Major)	\$4,045.00	\$6,000.00
Community Development	General Plan Amendment (Minor)	\$1,735.00	\$2,500.00
Community Development	Home Product Review	\$615.00	\$125.00
Community Development	Landscape Design Review	\$200.00	\$300.00
Community Development	Preliminary Plat	\$320.00	\$2,500.00 Plus \$30.00 Per Lot/Tract/Parcel
Community Development	Rezone	\$2,700.00	\$3,000.00 Plus \$20.00 Per Acre
Community Development	Site Plan (Narrative and elevations included in per sheet fee)	\$975.00	\$3,000.00 Plus \$30.00 Per Acre

Community Development	Text Amendment	\$1,035.00	\$2,000.00
Community Development	Zoning Amendment (Major)	\$1,770.00	\$2,500.00
Community Development	Zoning Verification, Compliance Letter, Or Assisted living Reservation	\$60.00	\$100.00
Community Development	Commercial Factory Built Building	\$4.50 Per Linear Foot/Per Story Including System	Per Arizona Department of Housing Intergovernmental Agreement
Community Development	Manufactured Home	\$350.00 Per Home	Per Arizona Department of Housing Intergovernmental Agreement
Community Development	Residential Factory Built Building	\$450.00 Per Story Including System	Per Arizona Department of Housing Intergovernmental Agreement
Community Development	Document Handling	\$1.00 Per Document	Actual Cost to City
Community Development	Outside Consultant	Actual Cost to City plus Indirect Cost	Actual Cost to City
Community Development	Public Meeting Notice/Advertising	\$185.22 Per Advertisement	Actual Cost to City
Community Development	Swimming Pool Signs	\$4.31 Per Sign	Actual Cost to City
Community Development	Grand Opening Event	\$20.00 per permit	
Community Development	Major Temporary Use Permit	\$60.00 per permit	
Community Development	Minor Temporary Use Permit	\$40.00 per permit	
Community Development	Temporary Use Permit/Special Event		\$135.00 per permit
Community Development	City Jurisdiction or Service Area – Civil Construction Permit	3% for City Service	3% of Construction Cost
Community Development	City Jurisdiction or Service Area, Private Utility	1% for Private Service	1% of Construction Cost
Community Development	Development Preliminary Grading, and Drainage and Utilities	\$135.00	\$135.00
Community Development	Self-Certification Meeting	\$300.00	\$300.00
Community Development	Model Home Complex	\$975.00	\$600.00 Each Plus \$30.00 Per Lot/Tract/Parcel
Community Development	Comprehensive Sign Program (CSP)	\$975.00	\$1,750.00
Community Development	Conditional Use Permit with Site Plan	\$975.00	\$3,600.00 Plus \$30.00 Per Acre

Community Development	Lot Line Adjustment	\$300.00	\$400.00
Community Development	Map of Dedication	\$300.00	\$750.00
Community Development	Minor Land Division	\$300.00	\$400.00 Plus \$17.00 Per Lot/Tract/Parcel
Community Development	Parcel Assemblage	\$300.00	\$400.00
Community Development	Administrative Processing Fee - Valuation of \$1.00 - \$999,999.99	\$140.00	0.50% of Valuation
Community Development	Administrative Processing Fee - Valuation of \$1,000,000.00 +	\$140.00	0.052% of Valuation
Community Development	Variance	\$140.00	\$500.00 Each Plus \$25.00 Per Item Requested
Community Development	Design Review Elevation Only (Remodel, Colors)	\$140.00	\$50.00
Community Development	Administrative Use Permit (AUP)		\$400.00
Community Development	Conditional Use Permit (Use Only)		\$1,250.00
Community Development	Miscellaneous 4th and subsequent reviews (any plan type)		20% of Initial Base Fee
Community Development	Plan Revision Requested by Applicant		50% of Initial Base Fee
Community Development	Plan Revisions - After Permit is Approved		\$100.00
Community Development	Re-Inspection	\$75.00	\$100.00



CITY OF SURPRISE
Regular City Council Meeting

August 15, 2017 @ 6:00:00 PM

[Back](#) [Print](#)

Council Meeting Date:	August 15, 2017	Contact Person:	Lindsey Duncan, Finance Director
Submitting Department:	Finance Dept	District:	Citywide
Staff Recommendations:	None		

Consent	Regular	Public Hearing	Report/Discussion
---------	---------	----------------	-------------------

Agenda Wording:

Consideration and action pertaining to a fiscal year 2017 budget amendment reallocating appropriations from various funds required to close the fiscal year 2017 budget; Resolution # 2017-89.

Motion:

I move to approve Resolution # 2017-89.

Background:

As a part of closing fiscal year 2017, expenditure budgets and actuals are reviewed to ensure that the City is in compliance with budget amendment policies. Specifically, fund, capital improvement plan (CIP) projects, grants, and departments cannot have actual expenditures exceed the budgeted amounts. When this does occur, approval of the Mayor and Council is necessary to increase the budgeted amounts.

For FY2017, three main categories of amendments have been identified. The first category is budget adjustments for operating budgets including debt service payments, developer reimbursements, and stadium operations and maintenance. The second category involves the allocation of Utility Billing and Locating costs to each of the utility funds. The allocation is based on the expected revenue collected in each fund. The third category involves capital projects. Per the Comprehensive Financial Management policies, projects within the capital project funds need to have sufficient budget authority to cover expenditures. A fourth category is also included to outline transfers between funds necessary to complete the budget amendments. With the annual audit currently underway, FY2017 has not yet been closed. Any changes that are made to the financials may require additional budget amendments for FY2017.

Objective Analysis:

The FY2017 budget was adopted by fund, CIP project, grant, and department. The Budget Amendment Policies and Procedures are designed to place any amendments to the budget that cross those categories back before the Mayor and Council for approval. This action accomplishes that aim and ensures that each of those categories do not have actual expenditures that exceed the budget.

Policy Compliant:

This action will make the FY2017 financials compliant with the Budget Amendment Policies and Procedures.

Financial Impact:

This action has no direct financial impact. Expenditures have already occurred and this action brings the financials back in compliance with the Budget Amendment Policies and Procedures. The approval of these budget amendments is necessary to complete the FY2017 Comprehensive Annual Financial Report (CAFR) and related audit.

Budget Impact:

This action reallocates spending authority without an increase or decrease the total budget for FY2017 and does not represent an actual transfer of funds. Each item is considered one time in nature, however this amendment may impact future carry forward amounts with respect to CIP projects and grants.

FTE Impact:

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

ATTACHMENTS:

Click to download

- ☐ [Presentation](#)
 - ☐ [Resolution 2017-89](#)
-



Budget Amendments Fiscal Year 2017

City Council Meeting
August 15, 2017

FY2017 Amendments

- Budget adjustments—operations
- Utility billing and locating
- Projects—capital improvements
- Transfers between funds



FY2017 Amendments

- Budget adjustments--operations \$2,372,000
 - Debt service payments
 - Developer reimbursements
 - Stadium operations and maintenance

- Offset with contingency
 - Unforeseen revenue



FY2017 Amendments

- Utility billing and locating \$0
 - Originally budgeted in Sewer fund
 - Moved from Sewer to Water and Solid Waste
 - No net increase or decrease



FY2017 Amendments

- Projects—capital improvements \$2,705,000
 - Developer installed infrastructure
 - Changes in funding source—development impact fees



FY2017 Amendments

- Transfers between funds \$13,900
 - Debt service funds
 - Operations to capital
 - Support budget amendments





SURPRISE
ARIZONA

**QUESTIONS OR
COMMENTS?**

Thank You

RESOLUTION # 2017-89

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING THE FISCAL YEAR 2017 BUDGET BY REALLOCATING APPROPRIATIONS FROM VARIOUS FUNDS TO VARIOUS FUNDS TO CLOSE OUT THE FISCAL YEAR.

WHEREAS, in the course of daily operations various adjustments were identified which are necessary amendments to the FY2017 Adopted Budget;

WHEREAS, in the course of preparing the FY2017 Comprehensive Annual Financial Report (CAFR), various adjustments were identified and are required to ensure compliance with state law for appropriations. These legally required amendments will allow the City to close out the fiscal year's budgetary accounts and proceed with the annual independent audit. These are standard, end-of-year processes that are required to close the books and the bottom line budget amounts do not change;

WHEREAS, the FY2017 budget was adopted by Council Resolution #2016-81 on June 21, 2016;

WHEREAS, this action will necessitate a budget amendment; and

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

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

Section 1. That the statements and schedules attached as *Exhibit A* and incorporated by reference are adopted, amending the budget of the City of Surprise, Arizona for the fiscal year July 1, 2016 through June 30, 2017.

APPROVED AND ADOPTED this ____ day of _____, 2017.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

RESOLUTION # 2017-89

Exhibit A

The FY2017 Annual Budget is amended by reallocating appropriations among lawfully available appropriations to ensure the continued operations of the City of Surprise in the payment of necessary expenditures. These allocations do not represent an actual transfer of funds, but only a transfer of budget authority. Additionally, these reallocations do not increase or decrease the total budget.

- Budget adjustments** – To adjust budget authority for various funds. The adjustments below will give each fund the proper budget authority to accommodate FY2017 expenditures associated with debt payments, developer agreements, and stadium operating and maintenance. Per the Budget Amendment Policies and Procedures, budget adjustments of this nature require the Mayor and City Council approval.

Fund	Department	Project/Category	Rev/ Exp	Current Budget	Increase/ (Decrease)	Amended Budget
Marley Park Bond Debt Service	General Operations	Capital	E	7,222,300	92,700	7,315,000
Water Operations	General Operations	Services	E	30,700	6,000	36,700
Water Operations	General Operations	Contingency	E	137,700	(6,000)	131,700
General Fund	General Operations	Services	E	4,825,600	1,100,000	5,925,600
Sewer Operations	General Operations	Services	E	407,800	200,000	607,800
Spring Trng Ticket Surcharge	Community and Recreation Svcs	Services	E	0	973,300	973,300
Grants	General Operations	Contingency	E	14,935,500	(2,366,000)	12,569,500
				27,559,600	0	27,559,600

- 2. Utility Billing and Locating** – The FY2017 adopted budget included transfers to facilitate the allocation of utility billing expenditures to the proper enterprise funds. For FY2017, expenditures for utility billing will be reclassified to the proper funds in lieu of transfers. The adjustments below will give each fund the proper budget authority for personnel, supplies, and services associated with utility billing. In addition, the adjustments below include a movement of budget authority within the Utility Locating program for personnel related expenditures associated with a Utility Locator position.

Fund	Department	Project/Category	Rev/ Exp	Current Budget	Increase/ (Decrease)	Amended Budget
Water Operations	Finance	Personnel Services	E	713,700	74,700	788,400
Water Operations	Finance	Supplies	E	223,900	40,000	263,900
Water Operations	Finance	Services	E	20,700	325,300	346,000
Water Operations	Information Technology	Personnel Services	E	0	35,200	35,200
Sewer Operations	Finance	Personnel Services	E	765,800	(335,800)	430,000
Sewer Operations	Finance	Supplies	E	131,500	(79,000)	52,500
Sewer Operations	Finance	Services	E	1,069,900	(643,000)	426,900
Sewer Operations	Information Technology	Personnel Services	E	115,600	(69,400)	46,200
Solid Waste Operations	Finance	Personnel Services	E	59,500	260,900	320,400
Solid Waste Operations	Finance	Supplies	E	300	39,000	39,300
Solid Waste Operations	Finance	Services	E	400	317,700	318,100
Solid Waste Operations	Information Technology	Personnel Services	E	0	34,400	34,400
Water Operations	Public Works	Personnel Services	E	543,700	74,600	618,300
Sewer Operations	Public Works	Personnel Services	E	400,200	(74,600)	325,600
Water Operations	General Operations	Contingency	E	137,700	(74,600)	63,100
Sewer Operations	General Operations	Contingency	E	755,700	74,600	830,300
				4,938,600	0	4,938,600

- 3. Projects** – To adjust budget authority for projects. The adjustments referenced below include a movement of budget authority to the appropriate project for the Asante and Desert Oasis development agreements. Additionally, the adjustments below include capital project adjustments to align the project budgets with actual activity. Per the Comprehensive Financial Management Policies, projects within the capital project funds need to have sufficient budget authority to cover expenditures.

Fund	Department	Project/Category	Rev/ Exp	Current Budget	Increase/ (Decrease)	Amended Budget
Fire/EMS Dev Fee Grandfathered	General Operations	Services	E	49,100	(49,100)	0
Fire/EMS Dev Fee Grandfathered	General Operations	Contingency	E	1,410,300	(500)	1,409,800
Fire/EMS Dev Fee Grandfathered	General Operations	#D18030 Asante-Fire Development Agreement	E	0	49,600	49,600
Park/Rec Dev Fee Grandfathered	General Operations	Services	E	101,700	(91,300)	10,400
Park/Rec Dev Fee Grandfathered	General Operations	#D18031 Asante-Parks/Rec Development Agrmnt	E	0	91,300	91,300
Wtr Sys SPA 2 Dev Fee 2014 Law	General Operations	Services	E	96,900	(74,800)	22,100
Wtr Sys SPA 2 Dev Fee 2014 Law	General Operations	Contingency	E	53,400	(53,400)	0
Wtr Sys SPA 2 Dev Fee 2014 Law	General Operations	#D18020 Desert Oasis-Centex/Pulte Homes	E	0	2,759,000	2,759,000
Wtr Res SPA 2 Dev Fee 2014 Law	General Operations	Services	E	126,600	(104,500)	22,100
Wtr Res SPA 2 Dev Fee 2014 Law	General Operations	Contingency	E	113,600	(20,300)	93,300
Wtr Res SPA 2 Dev Fee 2014 Law	General Operations	#D18020 Desert Oasis-Centex/Pulte Homes	E	0	124,800	124,800
Wtr Res SPA 1 Dev Fee	Public Works	#P61010 Greenway Rd Imp Litchfd-Bullard	E	700,000	(15,700)	684,300
Wtr Res SPA 1 Dev Fee	General Operations	Contingency	E	607,300	15,700	623,000
Wtr Sys SPA 1 Dev Fee 2014 Law	Public Works	#P61010 Greenway Rd Imp Litchfd-Bullard	E	0	1,800	1,800
Wtr Sys SPA 1 Dev Fee 2014 Law	General Operations	Contingency	E	378,100	(1,800)	376,300
Water Utility Capital	Public Works	#P61010 Greenway Rd Imp Litchfd-Bullard	E	0	13,900	13,900
Water Operations	General Operations	Contingency	E	137,700	(13,900)	123,800
General Capital Projects Fund	Public Works	#P61260 Reems Fiber Opt Waddell Peoria	E	109,800	(32,700)	77,100
Public Works Dev Fee	Public Works	#P61260 Reems Fiber Opt Waddell Peoria	E	102,000	32,700	134,700
Public Works Dev Fee	General Operations	Contingency	E	7,721,400	(32,700)	7,688,700
Grants	General Operations	Contingency	E	14,935,500	(2,598,100)	12,337,400
				26,643,400	0	26,643,400

- 4. Transfers** – To adjust budget authority for transfers. For FY2017, capital funds were created for Water, Sewer, and Solid Waste to account for funded capital projects. Transfers from the Water, Sewer, and Solid Waste operating funds were included in the FY2017 adopted budget to give each of the capital funds the necessary funding for the capital projects. Additionally, the FY2017 adopted budget also includes debt related transfers. The adjustments below are necessary to give each fund the proper funding for capital projects and debt service payments.

Transfer from Fund	Transfer to Fund	Current Budgeted Transfer	Increase/ (Decrease)	Amended Budgeted Transfer
Water Operations	Water Utility Capital	3,975,100	13,900	3,989,000
Fire/EMS Dev Fee 2012 Law	Refunded Gov Debt Service 2015	2,100	(2,100)	0
Fire/EMS Dev Fee Grandfathered	Refunded Gov Debt Service 2015	64,900	2,100	67,000
Spring Trng Ticket Surcharge	Stadium Gov Debt Service 2015	645,000	(645,000)	0
General Fund	Stadium Gov Debt Service 2015	542,200	645,000	1,187,200



CITY OF SURPRISE
Regular City Council Meeting

August 15, 2017 @ 6:00:00 PM

[Back](#) [Print](#)

Council Meeting Date:	August 15, 2017	Contact Person:	Bob Wingenroth, City Manager
Submitting Department:	City Mgr	District:	Citywide
Staff Recommendations:	None		

Consent	Regular	Public Hearing	Report/Discussion
---------	---------	----------------	-------------------

Agenda Wording:

Consideration and action pertaining to the creation of a new Enterprise Department focusing on private sector sports, public/private partnerships, and tourism in the City of Surprise; amending the FY2018 budget by reallocating appropriations of \$338,900 from the Grants Fund to Sports and Tourism fund, transferring actual funds of \$338,900 from the General Fund to the Sports and Tourism Fund, and authorizing two new Full-time Equivalent employment positions to facilitate the new department; Resolution #2017-95.

Motion:

I move to approve Resolution #2017-95.

Background:

As our City grows and matures, there is greater need for focus and energy to assure we are able to take advantage of opportunities to enhance the quality of life for our residents. Three years ago, the City Council created the Water Resource Management Department (WRM) to protect and manage our most precious natural resource. Since that time, WRM has created an Integrated Water Master Plan, established an efficient Asset Management Program, partnered with Gateway Community College to develop tomorrow's water resource professionals, and is proactively identifying new wet water resources while reducing our reliance of ground water. A similar opportunity to increase focus exists in the services currently performed by our Community and Recreation Services Department (CRS). The CRS Mission statement "is to enrich and complement the lives of Surprise residents through stewardship of our resources while providing responsive programs which promote and prioritize diversity, cultural, neighborhood, family, education, recreation and wellness opportunities." At the same time, CRS is responsible for operating two world class facilities (baseball and tennis) and staffing and coordinating with the Surprise Tourism Commission. Staff is proposing a new Enterprise Department, possibly named the Sports and Tourism Department. This new Department would be business focused with the following primary responsibilities:

1. Operation of Surprise Stadium and the Surprise Tennis & Racquet Complex;
2. Establish public/private partnerships to construct an Aquatics Center and a Regional Recreation Complex;
3. Coordinate the usage of City sports facilities with Ottawa University; and

4. Work hand in hand with the Chamber of Commerce and the Tourism Commission to bring regional and national events to Surprise that would increase overnight stays and increase local restaurant and retail business.

The majority of the staffing necessary to build the Sports and Tourism Department would come from CRS divisions. In addition, it will be necessary to establish a director position and a coordinator position at an estimated annual cost of \$318,900. There would be estimated start up costs of \$20,000 as well.

Objective Analysis:

Potential positive impacts include additional revenue to the community and the city. In addition, there is an opportunity to construct large city sports facilities without the use of property taxes. Negative impacts include the disruption of our outstanding CRS Team. All staff would work hard to minimize downside and maximize teamwork and fulfillment. The additional costs of the director and coordinator may also be considered a negative impact; it is expected that the positions will generate revenue.

Policy Compliant:

The establishment of a new city department and the establishment of new positions require City Council approval.

Financial Impact:

The total operational costs are expected to be \$338,900. Of that total, it is expected that \$318,900 will be ongoing personnel costs and \$20,000 will be one-time costs for supplies.

Budget Impact:

This action establishes a new Sports and Tourism Fund and reallocates appropriations in the amount of \$338,900 from Grants Fund contingency to personnel and supplies within the Sports and Tourism Fund. These allocations do not represent an actual transfer of funds, but only a transfer of spending authority.

Additionally, approval of this item will authorize a transfer of actual funds in the amount of \$338,900 from the General Fund to the Sports and Tourism Fund to support the reallocation of appropriations.

FTE Impact:

This action authorizes the addition of two new FTEs within the Sports and Tourism Department.

ATTACHMENTS:

Click to download

- ☐ [Presentation](#)
 - ☐ [Resolution 2017-95](#)
-



SURPRISE
ARIZONA

Proposed Sports & Tourism Department

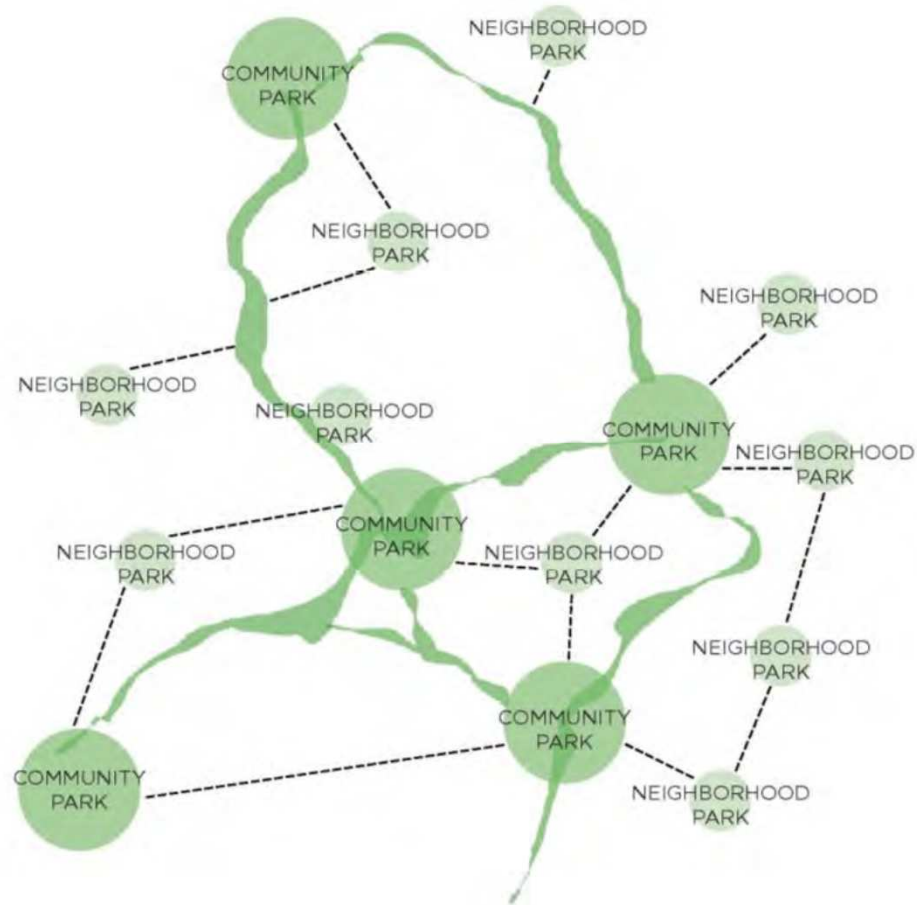
August 15, 2017
City Manager's Office

















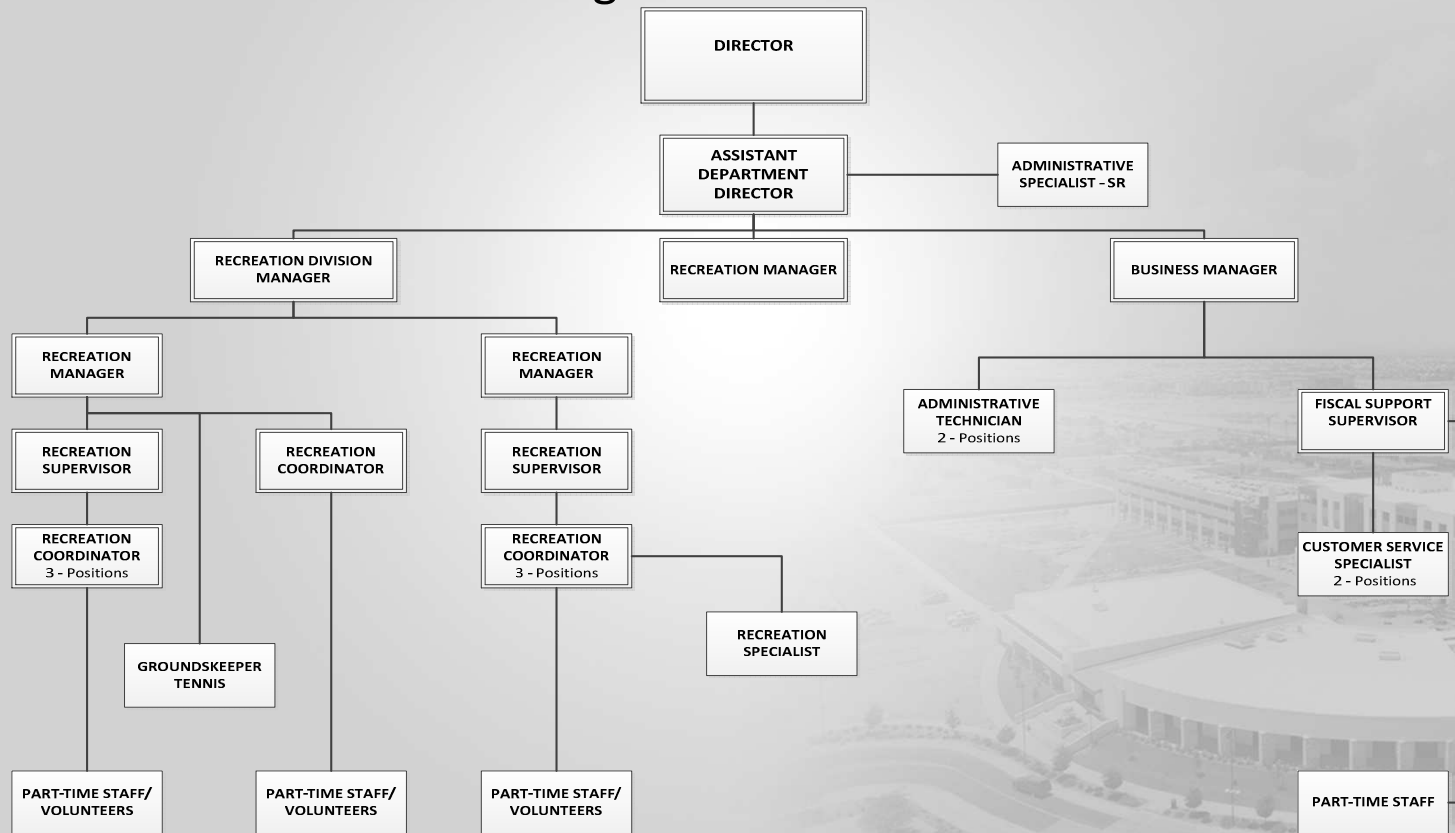


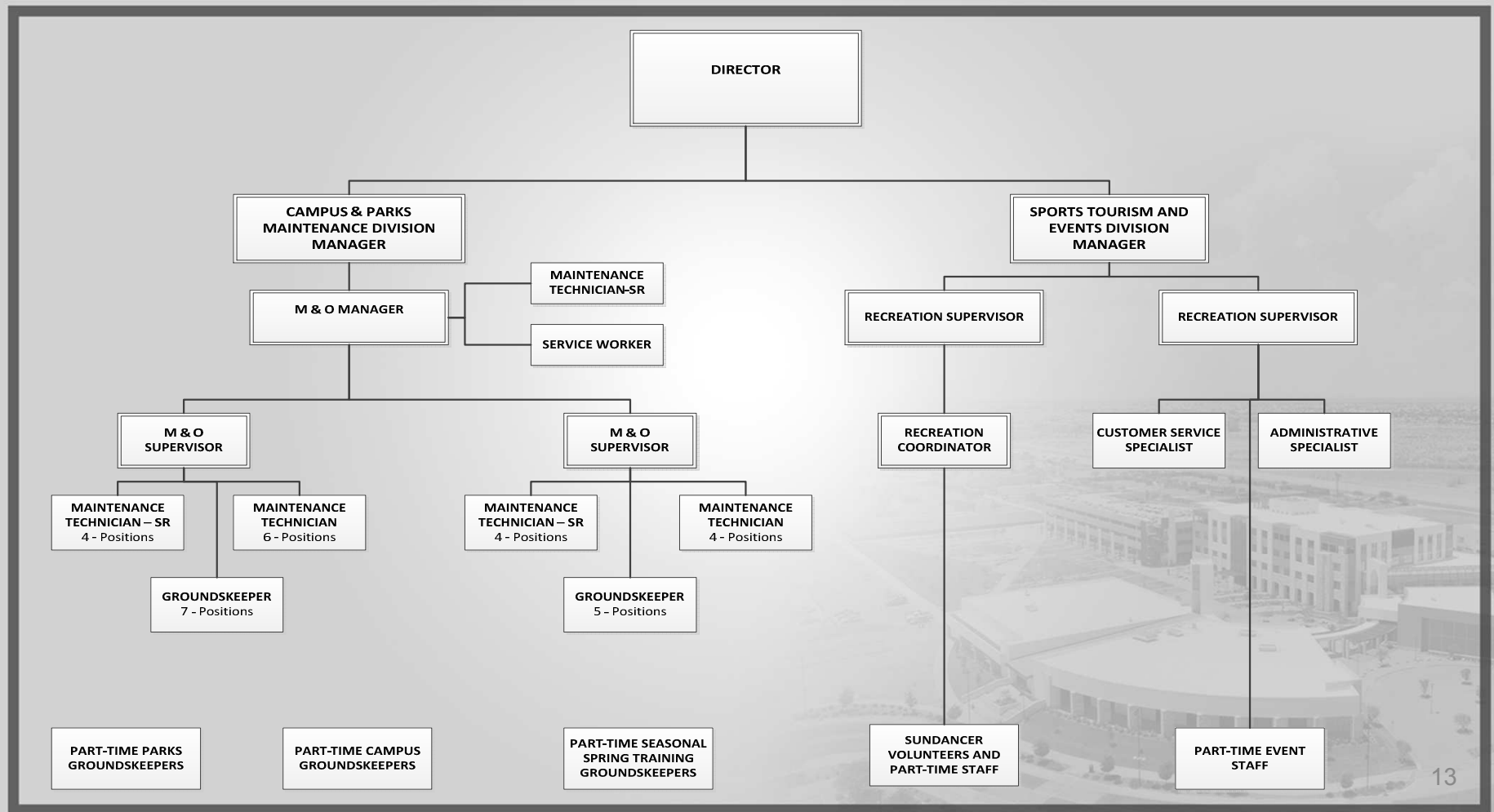


2017.05.10
This color rendering is for conceptual design only and should not be referred to as a construction document.

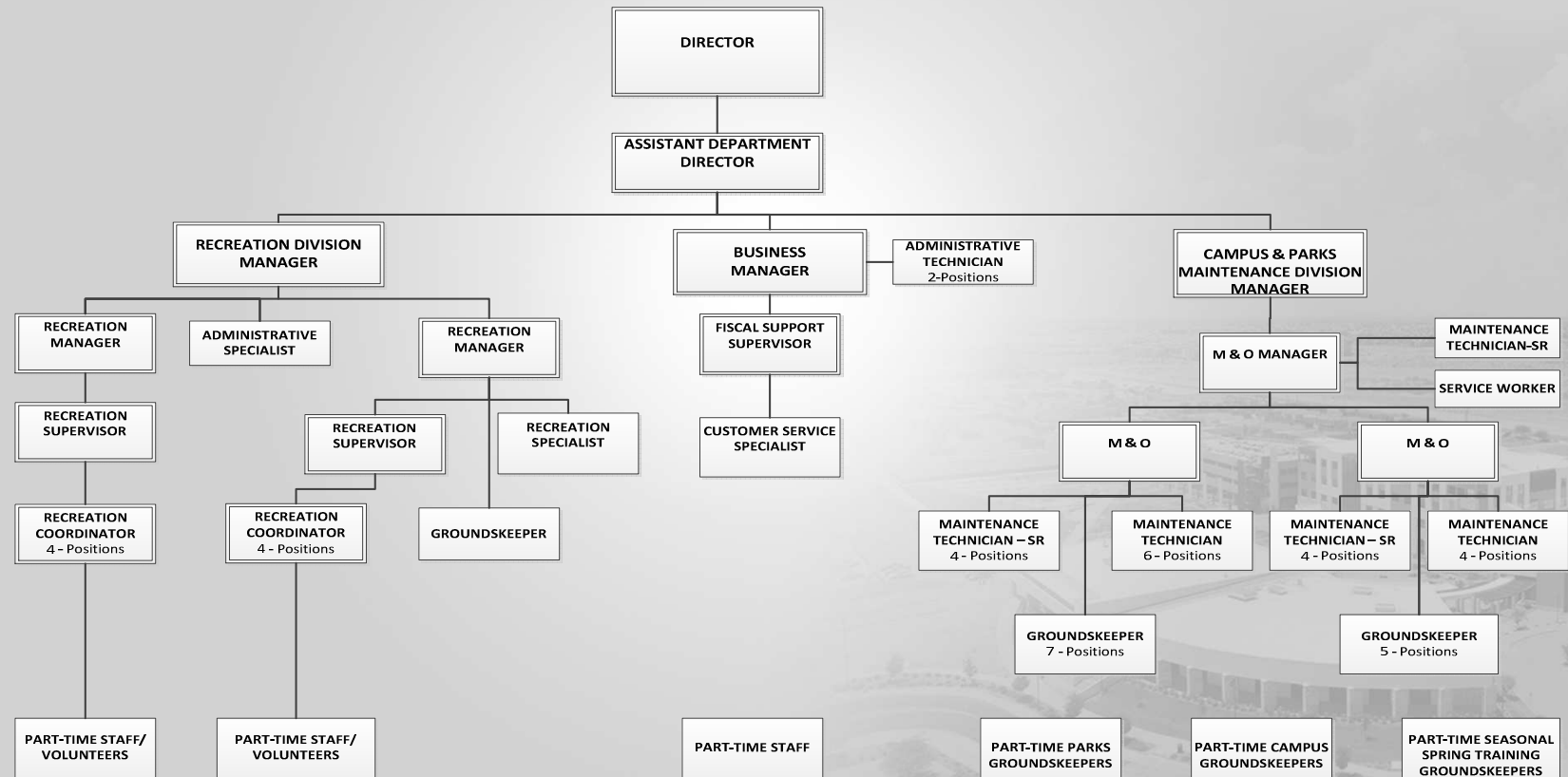


Current Community & Recreation Services Organizational Chart

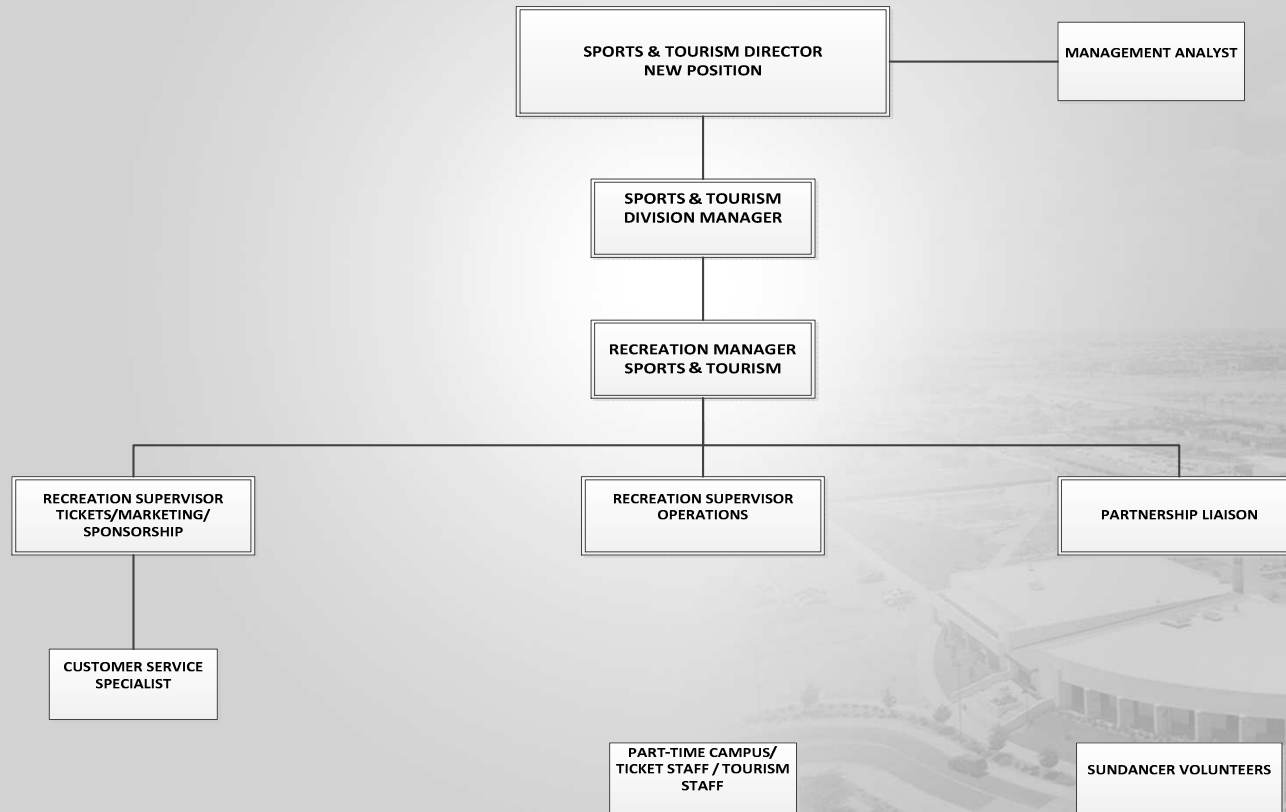




Proposed Community & Recreation Services Organizational Chart



Proposed Sports & Tourism Organizational Chart





SURPRISE
ARIZONA

QUESTIONS

Thank You

RESOLUTION # 2017-95

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, ESTABLISHING A NEW SPORTS AND TOURISM DEPARTMENT; ESTABLISHING A NEW SPORTS AND TOURISM FUND; AMENDING THE FISCAL YEAR 2018 BUDGET BY REALLOCATING APPROPRIATIONS OF \$338,900 FROM GRANTS FUND CONTINGENCY TO PERSONNEL AND SUPPLIES WITHIN THE SPORTS AND TOURISM FUND; AND AUTHORIZING A TRANSFER OF ACTUAL FUNDS IN THE AMOUNT OF \$338,900 FROM THE GENERAL FUND TO THE SPORTS AND TOURISM FUND.

WHEREAS, as our City grows and matures, there is greater need for focus and energy to assure we are able to take advantage of opportunities to enhance the quality of life for our residents;

WHEREAS, the City will create a new department to focus on private sector sports, public/private partnerships, and tourism in the City of Surprise;

WHEREAS, this new Sports and Tourism Department will necessitate the addition of one new full-time Department Director position and one new full-time Partnership Liaison Coordinator position;

WHEREAS, a new fund will be created to effectively manage the revenue and expenditures related to the establishment and operation of the Sports and Tourism Department;

WHEREAS, the FY2018 budget was adopted by Council Resolution #2017-64 on June 6, 2017;

WHEREAS, this action will necessitate a budget amendment and a transfer of actual funds; and

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

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

Section 1. That the statements and schedules attached as *Exhibit A* and incorporated by reference are adopted, amending the budget of the City of Surprise, Arizona for the fiscal year July 1, 2017 through June 30, 2018.

SIGNATURES ON FOLLOWING PAGE

APPROVED AND ADOPTED this ____ day of _____, 2017.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Robert Wingo, City Attorney

RESOLUTION # 2017-95
Exhibit A

1. Appropriation - The allocations below represent a reallocation of appropriations in the amount of \$338,900 from contingency within the Grants Fund to personnel and supplies within the Sports and Tourism Fund to establish a budget for the new Sports and Tourism Department. These allocations do not represent an actual transfer of funds, but only a transfer of spending authority.

Fund	Department	Project/Category	Rev/ Exp	Current Budget	Increase/ (Decrease)	Amended Budget
Sports and Tourism	Sports and Tourism	Personnel	E	-	318,900	318,900
Sports and Tourism	Sports and Tourism	Supplies	E	-	20,000	20,000
Grants	General Operations	Contingency	E	12,907,900	(338,900)	12,569,000
				12,907,900	-	12,907,900

2. Cash Transfer- This will be an actual cash transfer of \$338,900 from the General Fund to the Sports and Tourism Fund based on the budget amendments in Table 1.

Transfer from Fund	Transfer to Fund	Current Budgeted Transfer	Increase/ (Decrease)	Amended Budgeted Transfer
General Fund	Sports and Tourism Fund	20,937,400	(338,900)	20,598,500

3. Full-Time Equivalent (FTE)- The creation of the new Sports and Tourism Department requires the addition of two new FTEs.

Fund	Department	Current FTEs	Increase/ (Decrease)	Amended FTEs
Sports and Tourism	Sports and Tourism	0.0	2.0	2.0



CITY OF SURPRISE
Regular City Council Meeting

August 15, 2017 @ 6:00:00 PM

+ Back Print

Council Meeting Date:	August 15, 2017	Contact Person:	Robert Wingo, Robert Wingo
Submitting Department:		District:	Internal
Staff Recommendations:	None		

Consent	Regular	Public Hearing	Report/Discussion
---------	---------	----------------	-------------------

Agenda Wording:

Consideration and action to enter into executive session for City Council to discuss and consult with staff in order to consider its position and instruct staff regarding negotiations for the future development options pertaining to real property within the Original Town Site pursuant to A.R.S 38-431.03(A)(7).

Motion:

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

Click to download

No Attachments Available



CITY OF SURPRISE
Regular City Council Meeting

August 15, 2017 @ 6:00:00 PM

[Back](#) [Print](#)

Council Meeting Date:	August 15, 2017	Contact Person:	Robert Wingo, City Attorney
Submitting Department:		District:	Internal
Staff Recommendations:	None		

Consent	Regular	Public Hearing	Report/Discussion
---------	---------	----------------	-------------------

Agenda Wording:

Consideration and action to enter into executive session for discussion or consultation for legal advice with the City Attorney pertaining to Mattamy Homes pursuant to A.R.S. 38-431.03(A)(3).

Motion:

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

[Click to download](#)

No Attachments Available



CITY OF SURPRISE
Regular City Council Meeting

August 15, 2017 @ 6:00:00 PM

+ Back Print

Council Meeting Date:	August 15, 2017	Contact Person:	Robert Wingo, City Attorney
Submitting Department:		District:	Internal
Staff Recommendations:	None		

Consent	Regular	Public Hearing	Report/Discussion
---------	---------	----------------	-------------------

Agenda Wording:

Consideration and action to enter into executive session for legal advice with the City Attorney and with representatives of the public body in order to consider its position and instruct its representatives regarding real property in the vicinity of Dale Lane pursuant to A.R.S. 38-431.03(A)(3) and (7).

Motion:

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

Click to download

No Attachments Available