Legacy Village

A Planned Area Development

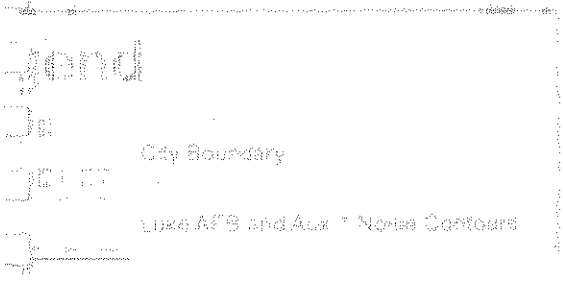
Submitted To:

City of Surprise
Surprise, Arizona

Submitted By:

C4 Properties, LLC
Jomax Capital Group, LLC
Legacy Land Development, LLC

CITY OF SURPRISE
PLANNING AND ZONING DEPARTMENT
APPROVED
Case No.: PAD05-358
P&Z Comm. Approval: 3-7-2006
City Council Approval: 4-13-2006
B.O.A. Approval:
A-O



c/o LEGACY LAND DEVELOPMENT, L.L.C.
4549 E. Beryl Lane, Suite 100
Phoenix, Arizona 85028
Cell 602.315.6777
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April 18, 2006

Standard Stipulations Written Response:

April 13, 2006 City Council approval of PAD05-358 with standard stipulations 'a' through 'o'.

Standard Stipulations:

a) Major changes to this PAD with regard to use and intensity, must be processed as a revised application with approval by the City Council upon recommendation of the Planning and Zoning Commission. Minor changes to this PAD may be administratively approved by the City Manager and the Community Development Director.

Accepted

b) The applicant shall submit a Written Response to Stipulations. The Response to Stipulations shall consist of a written response to the approved stipulations and five (5) copies of the PAD document revised as necessary to comply with these approved stipulations. Said submission must be under one (1) transmittal package and shall be submitted within fifteen (15) days of City Council approval.

Accepted, compliance herewith.

c) All infrastructure shall be constructed pursuant to the provisions of 16.20 of the Surprise Municipal Code or an approved development agreement, whichever applies; and

Accepted

d) The applicant shall include these stipulations (STANDARD) and all necessary revisions to text and exhibits in the final PAD document.

Accepted, copy of stipulations are included in the final PAD document.

e) All items to which the PAD document commits within the Design Guidelines compliance section of the zoning document are hereby stipulated;

Accepted

f) By its submittal of the PAD, the applicant—as landowner—agrees and approves in writing to the open space designated in the approved PAD plan;

Accepted as designated in PAD document.

g) The lighting standard for the project shall be subject to further review and approval by the Community Development Director, and the applicant shall comply with any adopted lighting standards that exist prior to the first Final Plat approval.

Accepted

h) At the time of platting access will need to be at least ¼ mile intervals. Also each parcel will be required to have a minimum to two remote access points.

Accepted

i) All off-site sewer and water infrastructures must comply with the most current City of Surprise Integrated Water/Sewer Master Plan.

Accepted

j) All public notice signs shall be removed from the site immediately following final decision by the Planning and Zoning Commission or City Council as applicable. A signed Affidavit of Sign Removal shall be included within the Stipulation Response Package.

Accepted, compliance herewith.

k) Prior to the approval of any final plat, the developer shall enter into an agreement with the Dysart School District that addresses the impact of the development on the school district.

Accepted

l) Cross sections must comply with the current cross sections at the time of preliminary plat.

Accepted

m) The housing designs need to comply with the current codes adopted by the City of Surprise at the time of Building permit submittal.

Accepted

n) Provide a minimum 20 foot side fire access lane between lots 14-19 to provide access to/from the north. Fire lane shall comply with all the fire access details.

Accepted

o) Air Force over flight information indicating flights as low as 1500 feet may occur must be posted in a conspicuous location within model homes or sales offices.

Accepted

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Initial Submittal:	**October 21, 2005**
Revised Submittal:	**November 23, 2005**
Revised Submittal:	**December 28, 2005**
Final Submittal:	**April 21, 2005**

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INTRODUCTION

Legacy Village is an approximate 55-acre mixed-use development featuring low density single family housing and a neighborhood commercial center. The project site is located at the Northeast corner of 163rd Avenue and Jomax Road in Surprise, Arizona, and is located entirely within the City of Surprise. The site is situated in an area that is experiencing a rapid change in land use from raw desert land to urban development. Located to the west and southwest are the planned communities of Desert Oasis, Santofina and Asante. To the north and northwest are the planned communities of Tierra Rico, Surprise Foothills, and Marisol Ranch. To the east and southeast are the planned communities of Rancho Mercado, Tierra Verde and Pinnacle Peak Country Estates. These developments alone represent over 20,000 new homes being planned or under construction within a 3-mile radius of Legacy Village, bringing a projected population of over 65,000 to this immediate area over several years to come.

The intersection of 163rd Avenue and Jomax Road is the largest proposed intersection within a 2 1/2-mile radius, with both 163rd Avenue and Jomax Road to be 200-foot wide Parkways, with three lanes of traffic each way, a 60 foot median and a multi-use path in each direction (See Exhibits 8 & 15). Currently proposed by the City of Surprise are Michigan Indirect Left Turns for this intersection, which makes this northeast corner the superior corner for a commercial retail center in this area. Additionally, Jomax Road and 163rd Ave are both indicated as Proposed Transit Routes, and this intersection is planned as one of ten Activity Nodes in the City of Surprise (See Exhibits 14-16).

The residential development of Legacy Village will help to support the demand for housing in this area, and the supporting commercial retail center is needed in this location to provide products and services to the local residents while minimizing drive times of these residents and preventing retail "leakage" to other areas. Legacy Village will remedy each of these concerns.

The purpose of this Planned Area Development (PAD) is to allow for a development consisting of single-family residential homes and a neighborhood commercial center. Legacy Village incorporates the Residential Design Standards for Planned Area Developments for the City of Surprise, and is a result of the collective efforts of a Project Team that includes a land planning consultant, civil engineers, traffic engineers, and an experienced land development team (See Exhibit 9).

Legacy Village will be designed to create a neighborhood and provide open space amenities for their residents while interfacing with the commercial components. Design Guidelines have been prepared to establish requirements for the compatible development of architectural character. Legacy Village includes an average single-family density of 3.1 dwelling units per acre (3.1 Du/Ac). There will be open space/common areas created for recreational use

and appropriate storm water retention. Similar entrance features and signage along with a master landscape theme will be utilized to create a cohesive and visually pleasing development throughout Legacy Village.

THE PROJECT SITE

The site is generally configured in a rectangular shape and generally comprises the southwest quarter of Section 31, T5N, R1W. Access to the property occurs along the existing paved section line streets, with 163rd Avenue on the West, and Jomax Road along the South (See Exhibit 1). The existing zoning for the site is R1-43, which represents its original zoning classification when the area was annexed by the City of Surprise. This zoning permits 1 Du/Ac. The proposed zoning is Planned Area Development (PAD).

No regional facilities impact this property, and the property is entirely unaffected by the Luke Air Force Base Auxiliary Field, as the F-16 Noise Contours from the Aux 1 field are approximately three miles to the west of Legacy Village.

See Exhibit 6 for legal descriptions, assessor's parcel numbers, ownership and control information.

EXISTING CONDITIONS

Legacy Village, like most of the surrounding properties, has been and is currently raw desert. The property is gently sloping to the south/southeast, does not encompass any floodplain, and is mostly flat with low vegetation. There is one residential structure currently in the south of the project site, which is owned/controlled by the developer and will be moved prior to the start of any development.

All required utilities (water, sewer, natural gas, electricity, telephone, and cable television) are either already available to the project site, or will be extended to the site by the developer in conjunction with the utility provider and/or Development Agreements. All utilities will be committed to be available prior to the actual development of this site.

A Phase I Environmental Assessment has been completed for the Legacy Village PAD. The site has no environmental hazards, thus no mitigation measures are to be implemented. The land has been surveyed according to ALTA Standards, and there are no encroachments or other historical title concerns.

PROPOSED LAND USES

The proposed land uses within Legacy Village will include single-family residential homes (which will include other ancillary uses typical of residential neighborhoods such as open space/common areas), as well as a commercial site. Also see Page 6 for detailed land use percentages.

LOW DENSITY RESIDENTIAL:
The planned residential community of Legacy Village will allow a homebuilder the ability to construct homes using similar architectural character on lots that will vary in size from 7,800 sf to 9,600 sf. The number of lots will not exceed 110, which represent an average density of approximately 3.1 Du/Ac. Of this total, each of the lots will be 60' x 120' or larger. The single-family developments of Legacy Village will comply with the Single Family Residential Design Guidelines as set forth by the City of Surprise, including but not limited to the utilization of mirrored configurations, staggered setbacks, and non-garage dominated architecture.

NEIGHBORHOOD COMMERCIAL:
A commercial site consisting of approximately 20 acres is being planned for the southwest area of the Legacy Village development. Encompassing the northeast corner area of the intersection of 163rd Avenue and Jomax Road, it is being planned as a neighborhood commercial development. See Exhibit 7 Commercial Permitted Uses.

PERMITTED USES

The single family residential parcels to be developed under this PAD zoning district are intended as neighborhoods of single family style homes with not more than one (1) site-built dwelling unit upon one (1) lot. The residential land uses and related open spaces proposed within this PAD reflect the current market interest by the majority of single-family merchant builders. The land uses are organized to effectively use circulation corridors and open space to define the various residential neighborhoods. This open space system will provide recreational opportunities as well as provide a means to direct and retain storm runoff.

Principally Permitted Uses:

1. Residential
   (a) Single Family – LDR
2. Commercial
   (a) Commercial– COM

The Commercial Uses listed in Exhibit 7 herein shall be the only commercial uses permitted in Legacy Village. The commercial developments will be subject to the Design Guidelines contained herein.

It is understood that any changes in parcel boundaries, lot sizes, uses and density will be subject to review as an amendment to this PAD and approval by the City of Surprise.

Community Facilities: Legacy Village will include community facilities such as meandering detached sidewalks that are 4' in width along the internal collector streets. Sidewalks along the local residential streets will be 4' in width and placed at the back of the curb.

SURPRISE GENERAL PLAN

The current land use designation for this site is Low Density Residential, providing for 3-5 Du/Ac. This project proposes a Planned Area Development zoning. The following land use designations are requested:

- LDR - Approximately 35 acres, 64%
- COM - Approximately 20 acres, 36%
- Total - Approximately 55 acres

ALLOCATION OF LAND USES

The proposed allocation of land uses, expressed in acres and as percentage of the area, as follows:

PAD PARCEL TABLE - NEC 163rd Avenue & Jomax Road

PARCEL	TYPICAL LOT SIZE	MIN LOT	GROSS	EST. UNITS*	GROSS	O.S./R	% O.S./R
LDR	60'X120' LOTS	7,800	35.0	110	3.1	5.0	14.29%
	TOTALS		35.0	110	3.1	5.0	14.29%
PARCEL							
COM	COMMERCIAL		20			3.0	15.00%
	TOTALS		20	0		3.0	15.00%

COMMON AREAS

The Development Site Plan includes open space/common areas that will be designed into the neighborhood to provide both recreational uses for the residents as well as provide the required storm water retention for the project. The total open space/common area initially includes approximately 8 acres, which represents over 14% of the gross land area. Legacy Village will require these open spaces be maintained by a Home Owner's Association (HOA). The amenities to be located within these common areas include: open turf areas for passive and active recreation, picnic areas, and tot-lots. At least 15% of the provided retention areas will be elevated above the 25-year floodwater surface elevation, including the tot-lot area.

Entrance features will be developed for entry from Jomax Road, as well as from 163rd Avenue, which may include identity signage on monument walls, a supporting landscape theme of low water use desert plant material, and other hardscape features such as concrete areas that will help establish an identity for Legacy Village. Common areas in the development will incorporate non-potable irrigation as soon as it is available. Until such time, potable water will be used with a separate water meter.

LANDSCAPING

Low water use plant material will be used exclusively on all public rights-of-way throughout the project. The use of this material will establish the landscape character for the project. The selection of material will be based on appearance and long term care.

Common area landscaping within the project shall be selected from the landscape palette, as referenced in Appendix A. Additional landscape materials may be added to the recommended landscape palette, but subject to the initial review and approval by the HOA then administratively approved by the Planning Department.

The internal collector roads and the project entries shall be landscaped with low water use plant material consisting of native canopy trees planted in a regular alignment with additional flowering trees, shrubs, cacti, and ground covers that will enhance the overall landscape theme. To provide a comprehensive theme throughout the project, the landscaping along neighborhood streets shall be compatible with the landscaping along the perimeter roadways and the internal local roadways. A street tree program will be established as a part of these Design Guidelines, which will call for the installation of at least one 15-gallon shade tree and four 5-gallon shrubs per lot located adjacent to the street frontage. This street tree pattern can effectively soften the linear views along streets and provide shade at the street for pedestrians. Ground covers may be

turf (but limited for water conservation purposes), decomposed granite or other natural rock material. All bare earth must be covered by approved plant or rock materials to provide a clean, dust-free appearance.

The minimum plant sizes to be used in public rights-of-way* and common areas to provide the required landscaping are as follows:

Type	General Locations	Entries and Landscape Features
Trees	15 gallon	24" box
Shrubs	5 gallon	5 gallon
Ground covers	1 gallon	1 gallon

*Minimum plant sizes shall be increased for Commercial areas and rights-of-ways adjacent to Commercial areas.

Other landscape materials such as boulders, berms, low screen walls, and other decorative materials may be used to create or supplement imaginative landscapes, compatible with the southwest character of the development and the low water use theme. Creative use of landscape elements with lighting and thematic planting is encouraged.

All common areas shall be landscaped and will include with their installation an appropriate low water drip irrigation system for all non-turfed landscapes. Maintenance of the landscape and the irrigation system for all common areas and Right of Way areas will be the responsibility of the HOA. All single-family homes must have the landscaping completed within 120 days following the Certificate of Occupancy issued by the City.

The homebuilder within Legacy Village shall offer to the homebuyer a selection of front yard landscaping packages to choose from. These shall consist of a variety of water-conserving plants, ground covers and designs. Prior to landscaping, all yards must be maintained in a neat, weed-free condition. On-lot landscaping shall be maintained by the owner/possessor of such lot. All landscaped areas shall be maintained in a reasonable and attractive manner, and all missing or dead plants shall be replaced by the homeowner within thirty days of notification from the HOA or the City.

Detailed landscaping plans for Legacy Village and homebuilder-installed front yard landscaping shall be submitted for review and approval by the City Planning Director to assure continuity of a quality landscaped environment during the subdivision process.

MINIMUM RESIDENTIAL BUILDING SETBACKS

(Measured from the property line)

Use	Front	Interior Sides	Corner Side	Rear Yard	PAD Perimeter
Single Family Detached	20'[1] [4]	5'& 8'	15'[3]	20'[2]	25'
Structures accessory to single-family residences	20'	5'	20'[3]	5'[2]	25'

[1] Livable area and front porches can have 15' front setback

[2] Setbacks along the perimeter boundary of the PAD and backing up to collectors and arterials shall be a minimum of 25'. However, lots that also back up to landscaped tracts and/or drainage tracts shall have a minimum of 20'.

[3] Local roads only, 20' collector or arterials. Landscaped tracts shall be included as part of the setback.

[4] May be reduced to a 15' front yard setback for side entry garages.

LOT AREA AND DIMENSIONS

(a) Single Family Detached

Use	Minimum Lot Area
Single-family dwelling	7,800 sf min.

(b) Minimum Lot Dimensions:

Use	Lot Width	Lot Depth
Single-family dwelling	60'	120'

(c) Lot coverage (for all lots): 50% maximum (Building footprint, including entry, garage and patios)

(d) Density: There shall not be more than one (1) single family dwelling unit on any one (1) lot.

(e) Encroachment into required front and side yards shall be permitted, however, with respect to encroachment into a side yard, such encroachment shall occur only on a side yard that is at least seven feet wide in the area of the encroachment and shall not cause the distance from the outside edge of the encroachment to the property line to be less than 5' wide.

(f) Development of the residential parcels shall, except as otherwise provided in the Legacy Village PAD, be subject to all applicable requirements.

ADDITIONAL REQUIREMENTS for PAD LAYOUT and DESIGN

1. **Enhanced subdivision entryway features.**
   The main entrances to Legacy Village have been enhanced by virtue of entry monuments set in increased open space areas at primary ingress/egress locations into the PAD (163rd Avenue and Jomax Road).

2. **Landscape Buffers and Street Trees.**
   A landscape buffer will be provided along 163rd Avenue and Jomax Road as part of the 200' parkway cross-section (see Exhibit 8). Trees will be placed where appropriate on the various streets throughout the project.

3. **Curvilinear Streets.**
   The street systems have been designed with curvilinear streets to break the monotony of "grid patterns", and provide a natural speed suppressant. Landscaped and/or drainage buffers have been designed along the local roadways.

4. **Perimeter Walls.**
   Perimeter walls adjacent to 163rd Avenue have been designed to be visually appealing from the exterior of the PAD.

5. **Entry Pavers.**
   The entry into the residential development (off 163rd Avenue) will be enhanced by the use of pavers or stamped asphalt.

SPECIFICATIONS AND STANDARDS FOR STREETS, UTILITIES AND SERVICES

STREETS:

Streets, utilities, and other infrastructure, as approved by the City Engineer, will be provided in accordance with the following minimum standards and specifications for such improvements. Typical (conceptual) cross-sections for the various roadway classifications are located in Exhibit 8 and from the City of Surprise Transportation Department.

(a) 163rd Avenue: Parkway (200' Right of Way)
(b) Jomax Road: Parkway (200' Right of Way)
(c) Entries: Entrances will lead into Legacy Village via the corner commercial site and the residential community. These shall conform with the depiction on the Development Site Plan (See Exhibit 5). Entries may be developed with identity signage on

monument walls and a supporting landscape theme. (See Appendix B)

(d) Local Two-Way Streets: Improvements shall consist of two travel lanes, and all sidewalks and landscaping shall be consistent with the City of Surprise roadway cross-sections.

(e) Traffic Signal: Future traffic signals will be planned where deemed necessary by the City Engineer.

The developer/builder of Legacy Village will be responsible for the following improvements:

1. The design and installation of the frontage landscaping and multi-use path along 163rd Avenue and Jomax Road in front of the Legacy Village property (100' Right Of Way dedication required for each). The improvements (subject to the review and approval of the City Engineer), will be phased with the development of the PAD.
2. The engineering and construction (and dedication) of all local streets and cul-de-sacs to City standards, except as approved by the City Engineer (e.g., meandering sidewalks, landscaped traffic islands and paver treatments).
3. All public improvements must comply with the minimum requirements of the City Code, unless otherwise approved by the City.

DRAINAGE:

Storm run-off will be channeled through the property and discharged at historical discharge points to the south, southeast. On-site storm water will be retained in retention basins designed throughout the project.

Prior to City approval of any required "Final Plats", the applicant will submit "Final Drainage & Retention" reports that meet the approval of the City Engineer.

UTILITIES & COMMUNITY FACILITIES

The location of future sewer lines, water providers and related facilities are detailed in Exhibits 10 & 11 of this PAD Application. All such utilities and services will be provided in accordance with the City's minimum specifications and standards for such improvements.

SEWER:

Sewer service is provided through the usage and expansion of existing facilities in the City of Surprise Special Planning Area 2. A Development Agreement with the City is underway for the design and construction of Phase II

of the wastewater treatment facility for this Planning Area. The developer is participating in this stage to provide sewer capacity for Legacy Village, and will install the appropriate infrastructure to facilitate the PAD. The developers anticipate credits against the homebuilder's future Impact Fees. In the event the City asks the developer to "oversize" any infrastructure for future development, the City must negotiate with the developer for a "Payback District" for partial future reimbursement. Final sewer plans to service this property must be approved by the City Engineer prior to the recordation of any Final Plats for this project.

WATER:

Water will be provided to the PAD by the City of Surprise. Both potable and non-potable water systems will be incorporated. Non-potable irrigation will be used for all common areas in the development as soon as it is available. Until such time potable water will be used with a separate water meter.

NATURAL GAS:

Natural Gas service is available to the PAD from Southwest Gas. Natural gas infrastructure is currently at the Legacy Village site. The developer will work with Ed Hempleman (602.818.9360) on the commercial development, and Dave Haggard (602.818.1826) on the residential development, both of Southwest Gas.

TELEPHONE:

Qwest and Cox Communications will provide telephone service to the PAD.

ELECTRIC:

APS will provide electric service to the PAD. The developer will work with Larry Cunningham (623.975.5706) on the commercial development, and Sarah Washington (Homebuilders West, 623.975.5760) on the residential development, both of APS.

UNDERGROUND UTILITIES:

Except as otherwise approved by the City Council, all utilities located on the subject site or those utilities that need to be relocated for development of the subject property will be placed underground.

MAINTENANCE:

Maintenance of the proposed open spaces, right-of-way landscaping and roadway paver treatments within the site shall be by a homeowner's association. A copy of the HOA CC&R's will be submitted for review with the first Final Plat submittal.

SCHOOLS:

Surprise Public Schools, Dysart Unified School District #89

SAFETY:

Safety services will be provided by the City of Surprise Police and Fire Departments. Fire hydrants and streetlights will be provided per City codes. Emergency access to the site has been reviewed and approved by the City.

SANITATION:

City of Surprise Waste Collection will serve Legacy Village.

SIGNAGE

RESIDENTIAL:

The residential development shall be permitted either a "monument" entry sign or a "perimeter wall" entry sign.

COMMERCIAL:

Each commercial parcel described in this PAD shall be permitted to have a monument sign. The commercial uses are also permitted to have attached signage on the buildings as is permitted by the City. All signage is subject to the review and approval of the City Planning and Zoning Commission. A "Master" sign program detailing requirements for sign number, size, color, location, type and materials shall be submitted to the City Planning and Zoning Commission for their review and approval.

PHASING

The development of Legacy Village is expected to take place over several years, and the following phasing schedule is anticipated:

Spring 2008:	Begin Residential Development
Spring 2009:	Begin Commercial Development
Summer 2009:	Complete Residential Development
Summer 2010:	Complete Commercial Development

Both 163rd Avenue and Jomax Road are existing paved roadways, therefore there are no natural barriers to development. Local roads and supporting landscape features, along with utility infrastructure will be constructed as the adjoining parcels are developed.

APPENDIX A

Recommended Landscape Palette

Botanical Name	Common Name
Trees:	
Acacia aneura	Mulga
Acacia salicina	Willow Acacia
Acacia smallii	Sweet Acacia
Caesalpinia cacalaco	Cascalote
Cercidium floridum	Blue Palo Verde
Cercidium microphyllum	Foothill Palo Verde
Cercidium praecox	Palo Brea
Chilopsis linearis	Desert Willow
Dalbergia sissoo	Sissoo Tree
Fraxinus velutina'Rio Grande'	Fan-tex Ash
Jacaranda mimosifolia	Jacaranda
Lysiloma microphylla var. thornberi	Desert Fern
Olea Europa'Swan Hill'	'Swan Hill'Olive
Olneya tesota	Ironwood
Phoenix dactylifera	Date Palm
Pinus canariensis	Canary Island Pine
Pinus eldarica	Eldarica Pine
Pinus roxburghii	Chir Pine
Pistachia chinensis	Chinese Pistache
Pithecellobium flexicaule	Texas Ebony
Pithecellobium mexicanum	Mexican Ebony
Prosopis chilensis	Chilean Mesquite
Prosopis glandulosa	Honey Mesquite
Prosopis juliflora	Native Mesquite
Pyrus calleryana 'Bradford'	Bradford Pear
Quercus species	Oak
Ulmus parvifolia	Evergreen Elm
Washingtonia robusta	Mexican Fan Palm
Shrubs:	
Buddleia marrubifolia	Woolly Butterfly Bush
Caesalpinia mexicana	Mexican Bird of Paradise
Caesalpinia pulcherrima	Red Bird of Paradise
Calliandra californica	Baja Fairy Duster
Calliandra eriophylla	Pink Fairy Duster
Cassia species	Cassia
Convolvulus cneorum	Silverbush Morning Glory
Cordia boissieri	Texas Olive
Cordia parvifolia	Littleleaf Cordia
Dalea species	Dalea

Shrubs (continued):

Dodonea viscosa	Hop Bush
Encelia farinosa	Brittlebush
Ericamaria laricifolia	Turpentine Bush
Justicia species	Justicia
Leucophyllum candidum	'Silver Cloud Sage
Leucophyllum frutescens	'Green Cloud, TM Sage
Leucophyllum laevigatum	Chihuahuan Sage
Leucophyllum zygophyllum	'Cimarron' TM Sage
Myrtus communis'Boetica'	Twisted Desert Myrtle
Penstemon species	Penstemon
Ruellia peninsularis	Desert Ruellia
Salvia clevelandii	Chaparral Sage
Salvia greggi	Autumn Sage
Salvia leucantha	Mexican Sage
Simmondsia chinensis	Jojoba
Spaeralcea ambiqua	Globemallow
Tecoma v. stans	Arizona Yellow Bells
Xylosma species	Xylosma

Perennials/Groundcover/Vines:

Acacia species	Acacia
Baileya multiradiata	Desert Marigold
Baccharis'Centennial'	Desert Broom hybrid
Antigonon leptopus	Queen's Wreath
Baileya multiradiata	Desert Marigold
Bougainvillea sp. 'Barbara Karst'	Barbara Karst
Bougainvillea	
Convolvulus species	Morning Glory
Dalea capitata	'Sierra Gold , TM
Euphorbia rigida	Gopher Plant
Gazania species	Gazania
Hymenoxys acaulis	Angelita Daisy
Lantana camara	Trailing Lantana
Lantana 'New Gold'	'New Gold' Lantana
Mascagnia lalacaena	Purple Orchid Vine
Melampodium leucanthum	Blackfoot Daisy
Myoporum parvifolium	Myoporum
Penstemon sp.	Penstemon

Verbena species	Verbena
Cynodon dactylon 'midiron'	Hybrid Bermuda

Accents/Cacti and Succulents:

Agave species	Agave
Aloe species	Aloe
Carnegia Gigantea	Saguaro
Dasylirion species	Desert Spoon
Echinocactus	Barrel Cactus
Fouqueria splendens	Ocotillo
Hesperaloe species	Hesperaloe
Nolina species	Bear Grass
Yucca species	Yucca
Opuntia species	Prickly Pear

APPENDIX B

SINGLE-FAMILY RESIDENTIAL DESIGN GUIDELINES

Compliance with City of Surprise Code

All buildings, structures, walls and fences constructed within Legacy Village, and the use and appearance of all land within Legacy Village shall comply with all applicable City of Surprise zoning and code requirements, these Guidelines, and the Conditions, Covenants, and Restrictions (CC&R's) when they are recorded with the Final Plat(s). These Design Guidelines for Legacy Village have been organized under the following sections:

1. Site Development
2. Architecture
3. Walls and Fences
4. Landscape
5. Hardscape
6. Maintenance

1. SITE DEVELOPMENT

1.1 Grading and Drainage

- Any aesthetic landscape berming on individual lots shall not direct drainage toward structures or onto adjacent lots.
- Berming of individual lots shall meet existing grade at a minimum of 2' before back of sidewalk or back of curb or property line. Grade transitions shall be even and smooth.
- Residential runoff shall be directed to the various open space retention areas, which will serve as the major drainage and retention area for the Community.
- Drainage swales shall be designed to minimize runoff velocities in order to protect sites from erosion.
- Grading shall be finished to minimize erosion both on and off-site. No slopes shall be steeper than 4 to 1.
- All excavation and fill areas shall be sufficiently compacted to prevent settlement or erosion problems.
- Any imported soils needed to create landscape berming shall be free of weeds and debris and shall be of similar makeup as the existing soils.
- Site grading design should complement and reinforce the architectural and landscape design character by screening undesirable elements,

by helping to reduce or encourage the perception of height and mass of buildings, by providing reasonable transitions between on-site uses, and by providing elevation transitions between lots to encourage on-site and off-site views.

- All finished graded slopes shall be stabilized, landscaped with approved plant material, and finished with turf or decomposed granite.
- Retention areas enclosed by solid walls and fences shall be prohibited.

1.2 Setbacks

- Building setbacks help to create view corridors and provide an open project feeling. Setbacks shall be as referenced in the Legacy Village PAD.
- Mirrored configurations and varied front yard setbacks along straight street frontages are required to break up "row housing", and to strengthen the character of the architectural theme.
- Single-family front yard setbacks shall vary by at least 3 feet along streets with a straight alignment (non-curvilinear), with no more than two homes in a row having the same front yard setback.
- No single-family lot is to front onto a collector street or arterial roadway.

1.3 Building Height

- Maximum building height for the single-family residences shall not exceed 30'.

1.4 Parking Requirements

- All single-family residential units shall have a minimum of two off-street concrete spaces in addition to their garage spaces. (18' wide driveways with a minimum length of 20' from back of sidewalk)
- No parking is allowed on arterial or collector roadways.
- Parking of boats, campers, trailers, RV's, etc. is not permitted within public or private view.

1.5 Screening of Refuse Areas

- Refuse containers for single-family uses shall be stored behind a block wall or within a garage except during pick up times.
- All refuse containers must be of a size that shall accommodate all refuse generated between collection times.

- Loading areas shall not disrupt normal circulation of the lot or sidewalks. No open storage of materials, supplies or equipment shall be permitted.

1.6 Utility Structure Placement

- All utilities unless otherwise approved by the City Council, shall be installed and maintained underground.
- Roof mounted mechanical equipment is prohibited, unless it is completely screened by a continuous parapet wall.
- Exterior transformers, utility pads, cable television, and telephone boxes should be grouped where feasible, painted a neutral color or color consistent with principal structure, and screened with plant material subject to the access requirements of the particular utility company.

1.7 Lot Coverage

- Single-family home lots will have a maximum lot coverage of 50 percent.

1.8 Overall Project

- Interaction of residential and open space is created through the use of hardscape and trail systems.
- Visual access from roads and residential developments to facilitate exposure and security is found throughout.
- Lighting shall be oriented to on-site uses to protect adjacent uses from unnecessary glare.
- Landscaping shall be used to break up otherwise uninterrupted building mass, frame views and connect with development on adjacent pads.

2. ARCHITECTURE

Architectural guidelines will help to establish visual compatibility throughout Legacy Village and assure an overall quality appearance. All structures in a defined neighborhood shall incorporate a schedule of materials, colors, and Southwest styles that blend with or complement each other.

2.1 General Style

Although architectural themes will vary, these Design Guidelines will insure their compatibility throughout Legacy Village. While a "Southwest" style may be the predominant theme, variations in front elevations, roof overhangs, accent building materials, punched openings, columns, color schemes, landscaping, etc., can all utilize subtle variations to maintain a consistent theme. Homebuilders shall emphasize distinctive architectural details in the front elevations (e.g. covered front entries and/or covered front porches, door and window details, roof overhangs, parapet walls with cap features, etc.)

2.2 Building Orientation

- The orientation of homes on lots will include a variety of site planning techniques to add interest to the streetscape. Some of those options include the following:
- Orient buildings to take advantage of solar access. Minimize east and west exposures to maximize energy efficiency.
- Provide for well-defined entries.
- Include shade trees along property lines adjacent to driveways.
- Residential units are encouraged to mix left and right elevations.
- Alternate rooflines to create interest.
- Rear roof ridgelines backing up to arterial and collector streets shall be varied.

2.3 Single-Family Massing

The careful selection of one and two story product types and their placement based on scale and proximity to adjacent units can help to establish the visual character of the neighborhood. Individual builders shall be required to consider the overall impact to adjacent units and the streetscape.

2.4 Building Materials

The selection of building materials must be applied to all exterior sides of buildings and structures. Each material will be used to express its characteristics in an appropriate manner with colors and textures compatible with the natural surroundings and other buildings and structures in the general vicinity.

Building Finishes

- Permitted exterior finished materials include masonry, stucco, split or textured decorative block, brick, and limited concrete plank siding.

Roofs

- Acceptable roof covering materials shall be lightweight concrete or clay tiles.
- Roof parapets must be finished with compatible material and color to the building's skin and shall continue around all sides.
- Roof features, such as overhead screens, shade covers, patio roofs, and other similar structures, are encouraged and should flow out of the building form. These features shall be constructed of materials and color to match or complement the main roof.
- All vent pipe stacks, gutters, flues, and any other equipment protruding above the plane of the roof and visible from neighboring properties are discouraged and, to the extent they are necessary, must be painted and/or screened to match the roof.

Colors

- The predominant colors in Legacy Village will be natural earth color tones and/or complementary pastel colors.
- All paint colors shall have light a reflectivity value of less than 50%.
- Trim colors shall not dominate the exterior appearance and shall be of compatible color as the major structure's color. Roof colors shall not produce glare, such as being white, light colored aluminum, or have a reflective surface.
- Builders shall provide and utilize a minimum of six house color schemes.

Accessory Buildings

- Accessory buildings are allowed pursuant to the requirements and restrictions of the PAD and in accordance with the City's current standard. Such buildings shall be constructed and painted a color to match or complement the main structure. No residential lot will have more than 300 square feet of detached storage or accessory buildings unless approved by a Conditional Use Permit by the City.

2.5 Single-family Home Diversity

- A minimum of 4 home floor plans, each with three distinct elevations, is required per each residential parcel.
- No more than two consecutive same front home elevations will be allowed.
- No more than three consecutive same rear elevations on homes backing up to a collector or arterial roadway.

2.6 Approvals

- Single-family home elevations shall be submitted to the City Planning Commission for approval prior to the issuance of any housing building permits.

3. WALLS and FENCES

When necessary for security, screening or to mitigate grading, walls can reinforce community identity and image. If not used carefully, however, walls can detract from the quality of open space. Walls should not be used simply to decorate property lines, with the exception of residential units. Acceptable fence materials shall include, but not be limited to, masonry, tubular steel (for gates only), stone, brick and masonry with wrought iron.

3.1 Guidelines:

- Residential developments requiring walls or fences around the parcel shall have the walls or fences installed by the builder prior to occupancy of any adjacent residences.
- Landscape berming can be used as a complement to screen walls.
- The texture, color, and form of walls adjacent to buildings shall harmonize with the building's design.
- Long, continuous lengths of screen wall at the same height are discouraged. Variations of height and forms are encouraged.
- Perimeter walls should be on the meandering right-of-way/property line but do not need to follow the alignment exactly.
- Walls and fences shall be a maximum of 6', as measured for an adjacent grade, along rear and side lot lines and shall conform to City zoning ordinances and visibility triangles.
- Walls between single-family and commercial uses shall be 8' high.
- Walls along 163rd Avenue and Jomax Road shall be 8' high.

- When walls are located in the front yard for decorative or screening purposes, they shall be a maximum of 3' in height, conforming to City zoning ordinances and visibility triangles.
- Chain link fencing is not permitted for fencing, except if within a rear yard with a perimeter masonry wall.
- Walls and fences shall be constructed to City of Surprise engineering of design standards.
- Open fencing shall be highly encouraged adjacent to open spaces, such as decorative block and wrought iron, in order to take advantage of views.
- Walls separating single family residential from nonresidential shall be installed as part of the construction of whichever use is developed first.
- The horizontal mass of continuance walls should be softened by landscape planting and vines, variations in height and berming.
- Walls built to screen ancillary structures shall complement the building materials of the principal structure.

4. HARDSCAPE

Hardscape elements should be used in coordination with the architecture and landscape to provide a link between the street edge and individual developments. Attention to hardscape details can enhance the sense of community by relating developments and reinforcing the overall design theme. In addition, proper hardscape design can improve pedestrian safety, movement, and visual enjoyment of public areas.

Patterned paving materials can be used in limited areas to emphasize entries and places of special interest. Utility lines should not be installed under such special materials if at all possible.

The places appropriate for this emphasis are as follows:

- Community entries
- Trail/road crossings
- Private walks
- Village entries
- Residential driveways
- Major intersections

Acceptable paving materials include (subject to Engineering approval):

- Integrated colored concrete
- Brick

- Native Stone
- Pre-cast interlocking pavers
- Combinations of the above

General Paving Guidelines:

- Near buildings, paving should be consistent with major intersection treatments.
- Painted paving surfaces other than those for traffic control and marking of parking areas within parking are prohibited.
- Use smooth materials to encourage movement and rough materials to slow movement down.
- Limit the number of paving materials in one place to three.

Paths and walkways will be provided to link the various land uses within this project and create a pedestrian friendly environment.

Street Furniture:

- Hardscape elements such as benches, bollards and trash receptacles should highlight the community themes as well as serve functional uses. Materials used in the construction of street furniture should reflect the surrounding architecture, walls, and fences and paving materials. Street furniture should be limited to a common design throughout each individual village and should tie into the overall theme.

General Guidelines for Street Furniture:

- Street furniture should be conservative in use of sidewalk space, and maintain a clear width to accommodate pedestrian flow.
- Street furniture should be constructed of longwearing, vandal-resistant materials capable of withstanding climatic conditions.
- To the greatest extent possible, street furniture should be integrated into landscape areas and off street amenity areas.
- Street furniture should consider the safety, comfort and convenience of the user, including the handicapped.
- Furniture will not obstruct stairs ramps, building entrances or exits, loading areas or public rights-of-way. Furniture will be placed to minimize policing or security hazards.

5. LANDSCAPE

The Preliminary Landscape Plan is a central element in the design of an overall community identity. The landscape and open space concept will establish a community framework for all common and public areas within Legacy Village. The objective of the landscape is to screen, accent, soften, and improve the visual character of Legacy Village. All plant material should be drought resistant and water conserving. Drip irrigation systems are required, except for turf areas. Streetscape is one of the most visible elements in a community. A consistent streetscape is one of the strongest cohesive features that help portray the image of the community to the public.

Landscape should be used:

- to soften, but not obstruct, the architecture,
- for visual screening,
- aesthetically, as a reminder of the natural environment in which we live. The plant list in Appendix A shall be used by all homebuilders to maintain a cohesive design throughout Legacy Village.
- All plant material shall be provided with fully automated drip irrigation systems. Plants should be selected to fit naturally into their space to avoid the need for excessive trimming and allow normal growth.
- Water-conserving devices, such as drip irrigation for all plant materials except turf areas, must be utilized.
- Backflow prevention devices shall be fully screened.
- Exposed earth is not permitted due to erosion and dust concerns except in planting beds.

The following landscape standards shall apply to streetscape and residential site development.

5.1 Streetscape

In order to achieve an overall circulation system and provide a strong community structure and neighborhood identity, the landscape design shall be of consistent quality and shall clearly define streetscapes, major entries and intersections.

- **Local Streets:** The landscaping along neighborhood streets will reflect the landscaping theme of the roadways to provide a cohesive design throughout the project.
- **Major Entries:** A formal (linear) planting of trees and landscaping is intended to create a visual sense of arrival.

5.2 Residential Site Development

- Landscaping shall comply with the Legacy Village Guidelines, City codes and specific approvals by the City.
- Individual developments' landscape designs shall be integrated with the streetscapes.
- At least one 15-gallon tree and four 5 gallon shrubs are required in the front yard of each single-family residential unit. Shrubs will be required in all front yards and will be utilized to soften and screen. Groundcover may be plants, decomposed granite, or other natural rock material. All bare earth must be covered by a City approved plant or rock material to provide a neat, dust-free appearance.
- All completed dwelling units must have the front yards landscaped and street trees planted within 120 days after occupancy. Prior to landscaping all yards must be maintained in a neat, weed-free, dust-free condition.
- All landscaping must reflect the character of the development.
- Rocks and boulders, patios, sidewalks, etc. may be used to supplement and create imaginative landscaping design.
- Artificially colored rock yards are not acceptable at any location.
- Ponds, water-falls and ornaments such as wagons, characters and flamingos are prohibited in the front yards.

5.3 Open Space/Retention Areas

- Landscaping shall comply with City of Surprise Codes and Ordinances and final landscape plans that are reviewed and approved by the City Planning Director. Design shall reflect the character of the Legacy Village theme.

6. Lighting

Light is used for both aesthetics and safety reasons. The fixtures themselves should be consistent with the overall image of Legacy Village. They should be attractive to look at during the day, as well as be functional at night. For streets, parking lots, and walkways, lighting is primarily for security. An effective economical combination of ground and streetlight level fixtures may be used. Landscape and architectural lighting is primarily for aesthetics. All lighting shall be compatible with the design character of the project. No bright, colored or flashing lights will be permitted. All light fixtures are subject to approval by the City prior to installation.

7. Signage

Signage for the single-family residential components of this PAD will be per the approved PAD guide for Legacy Village and all applicable City codes.

7.1 Entry Monument Signs - Conceptual

- The Entry Monument signs as shown on Exhibit 17 shall be designed and installed by the developer. These signs establish the theme for the entire development and all other signs should reflect this "master" sign standard. Each development sign, as a small portion of the whole project, will contribute significantly to the overall image.
- Subdivision signs shall be constructed of permanent materials.

8. Maintenance

Maintenance of all infrastructure is a necessary key to the continued quality appearance of Legacy Village. Maintenance applies to buildings and other structures, paving and hardscape, landscape, and all other site amenities.

8.1 Guidelines

- All improvements shall be kept in good and sufficient repair.
- Plants shall be maintained in a healthy and growing condition. Fertilization, cultivation, and natural looking pruning shall occur on a regular basis and shearing of plant material shall be minimized.
- All trash and weeds shall be removed on a regular basis.
- Dead plants shall be removed and replaced with a like species within ten working days, weather permitting.
- The irrigation system shall be maintained regularly to avoid water loss.
- Lawns shall be kept mowed.
- Damages to any improvements shall be repaired as promptly as the extent of the damage shall allow.

9. Machinery and Equipment

No machinery, fixtures, or equipment of any type, including, but not limited to, heating, evaporative cooling, air conditioning, and clotheslines, may be placed on any lot or parcel without screening or concealment from view of

neighboring or public property. The screening or concealment shall be integrated architecturally with the design of the building or structure, shall not have the appearance of a separate piece or pieces of machinery, fixtures, or equipment, and shall be constructed and positioned in such a manner so it is level and plumb with horizontal and vertical building components and shall be structurally stable in accordance with sound engineering principles. Ground mounted air conditioning units shall be concealed by a solid enclosure on all sides visible to neighboring property. All pool equipment shall be screened from off-site public view.

10. Solar Panels and Equipment

Except where contrary to Federal or State law, solar energy devices may not be visible from public view. Roof mounted solar panels and equipment must match the roof material. Panels must be an integrated part of the roof design and mounted directly to the roof plane. Solar units must not break the roof ridgeline. Roof mounted hot water storage systems must not be visible from neighborhood properties. Tacker type systems will be allowed only when not visible from neighboring property

11. Exterior Accessories

11.1 **Antennas**

- Except as where contrary to Federal or State laws, exterior television, radio, or other antenna or dishes of any kind shall not be visible from the street.

11.2 **Amplifier**

- No radio, stereo, television, broadcast, or loudspeaker unit, and no amplifier of any kind, may be placed upon or outside, or be directed to the outside, of any building in residential areas in a manner which would be disruptive to any such area.

11.3 **Basketball Backboards**

- Basketball backboards can be of the "portable" type or they must be installed only on a separate freestanding pole. Portable backboards shall be kept within the rear yards or garages when not in use.

11.4 **Flagpoles**

- Flagpoles shall be limited to a height of 20' in residential areas.
- Temporary flagpoles at model home complexes shall be per City code.

11.5 **Utility and Service Lines**

- No gas, electric, power, telephone, water, cable television, or other utility or service lines of any nature or kind may be placed, allowed, or maintained upon or above the ground on any lot or parcel, except to the extent, if any, underground placement may be prohibited by law or would prevent the subject line from being functional; provided, however, above ground service pedestals, splice boxes, switch cabinets, and transformers will be permitted where required for public utilities or the landscaping of common areas.

11.6 **Additions or Alterations**

- Any addition or alteration to any building, structure, lot, or parcel must, unless the additions and alterations are not visible from neighboring properties or public properties, not violate or conflict with these Guidelines. No garages shall be converted to liveable area or otherwise altered to change their original function.

12. Garbage

- No garbage or trash may be placed on any lot or parcel except in covered containers meeting the specifications of the City of Surprise.
- Rubbish, debris, and garbage shall not be allowed to accumulate. Each owner shall be responsible for removal of rubbish, debris, and garbage not only from his lot or parcel but also from all public right-of-way either fronting or siding his lot or parcel, excluding (a) public roadway improvements, and (b) those areas on a Tract Declaration or subdivision plot to be maintained by the City of Surprise.

13. Window Treatment.

- No aluminum material or other reflective material may be installed in windows.
- Exterior window coverings or treatments used to shelf or decorate openings must be compatible, with respect to materials and color, with the design guidelines applicable to the structure on which the coverings or treatments are being place.

14. ADDITIONAL REQUIREMENTS for PAD SINGLE-FAMILY RESIDENTIAL ARCHITECTURE

1. **Incorporate a Variety of Exterior Materials.**
   The homebuilders shall utilize at least four different roofing colors. Two or more tile types (e.g. "flat", "s") shall be offered.

2. **Provide Significant Architectural Features.**
   The homebuilder shall include at least one of the following on at least fifty percent of its product: covered entries, front porches or bay windows.

3. **Exceed the Mandatory Requirements for Home Color Schemes.**
   The homebuilder shall utilize at least six distinct home color schemes.

4. **Miscellaneous Requirements.**
   - No homes will have side entrances, except if entrance faces a street (i.e. corner lot).
   - All home sides shall include a minimum of one full-size window (minimum 20 square feet).
   - Front-loaded garages shall not extend more than ten feet forward of the homes liveable area.
   - All gang mailboxes will be built within a decorative block wall structure, which meets U.S.P.O. requirements.

COMMERCIAL DESIGN GUIDELINES

Compliance with City of Surprise Code and Ordinances

All buildings, structures, walls and fences constructed within Legacy Village, and the use and appearance of all land within Legacy Village, shall comply with all applicable City of Surprise zoning and code requirements and these Guidelines. These Design Guidelines for Legacy Village have been organized under the following sections:

1. Site Development
2. Architecture
3. Walls and Fences
4. Landscape
5. Hardscape
6. Maintenance

1. SITE DEVELOPMENT

1.1 Grading and Drainage

- Any aesthetic landscape berming on individual parcels shall not direct drainage toward structures or onto adjacent parcels.
- Drainage swales shall be designed to minimize runoff velocities in order to protect sites from erosion.
- Grading shall be finished to minimize erosion both on and off-site. No slopes shall be steeper than 4 to 1.
- All excavation and fill areas shall be sufficiently compacted to prevent settlement or erosion problems.
- Any imported soils needed to create landscape berming shall be free of weeds and debris and shall be of similar makeup as the existing soils.
- Site grading design should complement and reinforce the architectural and landscape design character by screening undesirable elements, by helping to reduce or encourage the perception of height and mass of buildings, by providing reasonable transitions between on-site uses, and by providing elevation transitions between lots to encourage on-site and off-site views.
- All finished graded slopes shall be stabilized, landscaped with approved plant material, and finished with turf or decomposed granite.
- Retention areas enclosed by solid walls and fences shall be prohibited.

1.2 Setbacks

- All commercial setbacks shall be in conformance to the approved Major Site Plan for the specific development. The minimum required building setbacks are as follows:

Front	Rear	Sides	Corner	Residential	PAD Perimeter
35'	15'	10'	25'	45'	25'

Parking, loading and circulation areas shall be set back a minimum of 5' from any non-residential property line and a minimum of 25' from any residential building.

1.3 Building Height

- Maximum building height for commercial development shall not exceed 35', except for the hotel/motel use, which may have four stories or 48',

if approved by the City Fire Chief and the City Planning and Zoning Commission.

1.4 Screening of Refuse Areas

- Refuse areas shall be enclosed within a wall structure, which has a minimum height of 6'. These enclosures are encouraged to abut the building's perimeter walls and should be constructed of the same materials.
- All enclosures must be provided with a solid gate and is of a size that shall accommodate all refuse generated between collection times.
- Loading areas shall not disrupt normal circulation of the parking lot or sidewalks. No open storage of materials, supplies or equipment shall be permitted.
- All enclosures shall be designed and constructed to City standards and colored to complement the principal buildings.

1.5 Utility Structure Placement

- All utilities unless otherwise approved by the City Council, shall be installed and maintained underground.
- Roof mounted mechanical equipment must be completely screened by a continuous parapet wall.
- Exterior transformers, utility pads, cable television, and telephone boxes should be grouped where feasible, painted a neutral color or color consistent with principal structure, and screened with plant material subject to the access requirements of the particular utility company.

2. ARCHITECTURE

Architectural guidelines will help to establish visual compatibility throughout Legacy Village and assure an overall quality appearance. All structures in a defined neighborhood shall incorporate a schedule of materials, colors, and Southwest styles that blend with or complement each other.

2.1 General Style

A "Southwest" style is the predominant theme. Variations in front elevations, roof overhangs, accent building materials, punched openings, columns, color schemes, landscaping, etc., can be utilized for subtle variations.

2.2 Building Orientation

- Provide for well-defined entries.

2.3 Building Materials

The selection of building materials must be applied to all exterior sides of buildings and structures. Each material will be used to express its characteristics in an appropriate manner with colors and textures compatible with the natural surroundings and other buildings and structures in the general vicinity.

2.4 Building Finishes

- Permitted exterior finished materials include masonry, stucco, split or textured decorative block, brick, and limited concrete plank siding.

2.5 Roofs

- Acceptable roof covering materials shall be lightweight concrete or clay tiles.
- Roof parapets must be finished with compatible material and color to the building's skin and shall continue around all sides.
- Roof features, such as overhead screens, shade covers, patio roofs, and other similar structures, are encouraged and should flow out of the building form. These features shall be constructed of materials and color to match or complement the main roof.
- All vent pipe stacks, gutters, flues, and any other equipment protruding above the plane of the roof and visible from neighboring properties are discouraged and, to the extent they are necessary, must be painted and/or screened to match the roof.

Colors

- The predominant colors in Legacy Village will be natural earth color tones and/or complementary pastel colors.
- All paint colors shall have a light reflectivity value of less than 50%.
- Trim colors shall not dominate the exterior appearance and shall be of compatible color as the major structure's color. Roof colors shall not produce glare, such as being white, light colored aluminum, or have a reflective surface.

2.6 Additional Architectural Requirements.

Wall Expanses

- There shall be a minimum of a three foot stagger that is no less than every fifty feet in any linear wall expanse over fifty feet.
- Pop-outs, varied materials, canopies and windows will be utilized to break-up the monotony of building walls.

Entries

- All public entries will be covered, as will walkways connecting public entries on each building and/or adjoining buildings.

Roofs

- Any individual store over 15,000 square feet or any group of adjoining stores totaling over 15,000 square feet, will vary roof heights and appearance for added diversity.

Four-Sided Architecture

- All sides of buildings will have a finished appearance. Docks and service areas will be completely screened by decorative walls and landscaping.

3. WALLS and FENCES

When necessary for security, screening or to mitigate grading, walls can reinforce community identity and image. If not used carefully, however, walls can detract from the quality of open space. Walls should not be used simply to decorate property lines. Acceptable fence materials shall include, masonry, stone, brick and limited wrought iron.

3.1 Guidelines:

- Landscape berming can be used as an alternative and/or as a complement to screen walls.
- The texture, color, and form of walls adjacent to buildings shall harmonize with the building's design.
- Long, continuous lengths of screen wall at the same height are discouraged. Variations of height and forms are encouraged.
- Perimeter walls should be on the meandering right-of-way/property line but do not need to follow the alignment exactly.

- Walls and fences, under normal conditions, shall be a maximum of 6', as measured for an adjacent grade, along rear and side lot lines and shall conform to City zoning ordinances and visibility triangles.
- Walls between residential and commercial uses shall be 8' in height.
- When walls are located adjacent to a road for decorative or screening purposes, they shall be a maximum of 3' in height, conforming to City zoning ordinances and visibility triangles.
- Chain link fencing is not permitted.
- Walls and fences shall be constructed to City of Surprise engineering design standards.
- Open fencing shall be highly encouraged adjacent to open spaces, such as decorative block and wrought iron, in order to take advantage of views.
- Walls separating residential uses from nonresidential uses shall be installed as part of the construction of whichever use is developed first.
- The horizontal mass of continuance walls should be softened by landscape planting and vines, variations in height and berming.
- Walls built to screen ancillary structures shall complement the building materials of the principal structure.

4. HARDSCAPE

4.1 General

Hardscape elements should be used in coordination with the architecture and landscape to provide a link between the street edge and individual developments. Attention to hardscape details can enhance the sense of community by relating developments and reinforcing the overall design theme. In addition, proper hardscape design can improve pedestrian safety, movement, and visual enjoyment of public areas.

Patterned paving materials can be used in limited areas to emphasize entries and places of special interest. Utility lines should not be installed under such special materials if at all possible.

The places appropriate for this emphasis are as follows:

- Commercial entries
- Major intersections

Acceptable paving materials include (subject to City's Engineer approval):

- Integrated colored concrete
- Brick
- Native Stone
- Pre-cast interlocking pavers
- Combinations of the above

General Paving Guidelines:

- Near buildings, paving should be consistent with major intersection treatments.
- Painted paving surfaces other than those for traffic control and marking of parking areas within parking are prohibited.
- Use smooth materials to encourage movement and rough materials to slow movement down.
- Limit the number of paving materials in one place to three.

4.2 Connectivity

- Paths and walkways will be provided to link the uses with the PAD and create a pedestrian friendly environment.

5. LANDSCAPE

Together with the Development Site Plan, the landscape concept is a central element in the design of an overall community identity. The landscape and open space concept will establish a community framework for all common and public areas within Legacy Village. The objective of the landscape is to screen, accent, soften, and improve the visual character of Legacy Village. All plant material should be drought resistant and water conserving. Drip irrigation systems are required, except for turf areas. Streetscape is one of the most visible elements in a community. A consistent streetscape is one of the strongest cohesive features that help portray the image of the community to the public. Landscape should be used:

- to soften, but not obstruct, the architecture,
- for visual screening,
- aesthetically as a reminder of the natural environment in which we live; and Plant material listed on the Recommended Landscape Palette, which is included as Appendix, should be used throughout Legacy Village and reflect the principles of xeriscape. Subdivision development shall develop similar plant lists to maintain cohesiveness throughout Legacy Village.

The minimum plant sizes are as follow:

Type	General Locations	Entries & Landscape Features
Trees	24" box	48" box
Shrubs	5 gallon	5 gallon
Groundcovers	5 gallon	5 gallon

- All plant material shall be provided with fully automated drip irrigation systems. Plants should be selected to fit naturally into their space to avoid the need for excessive trimming and allow normal growth.
- Water-conserving devices, such as drip irrigation for all plant materials except turf areas, must be utilized.
- Backflow prevention devices shall be fully screened.
- Exposed earth is not permitted due to erosion and dust concerns except in planting beds.

5.1 Streetscape

In order to achieve an overall circulation system and provide a strong community structure and neighborhood identity, the landscape design shall be of consistent quality and shall clearly define streetscapes, major entries and intersections.

- **Local Streets:** The landscape shall be a xeriscape landscape accented with native canopy trees with desert planting below.
- **Major Entries:** A formal (linear) planting of trees and landscaping is intended to create a visual sense of arrival. Examples are illustrated in Exhibit 6.

5.2 Open Space/Retention Areas

- Landscaping shall comply with City of Surprise Codes and Ordinances. Design shall reflect the character of the Legacy Village theme.

6. Lighting

Light is used for both aesthetics and safety reasons. The fixtures themselves should be consistent with the overall image of Legacy Village. They should be attractive to look at during the day, as well as be functional at night. For streets, parking lots, and walkways, lighting is primarily for security. An effective economical combination of ground and streetlight level fixtures may be used. Landscape and architectural lighting is primarily for aesthetics. All lighting shall be compatible with the

design character of the project. No bright, colored or flashing lights will be permitted. All light fixtures are subject to approval by the City prior to installation. All lighting shall be directed towards the ground and shielded from adjacent properties.

7. Signage

All signs within Legacy Village should be designed to provide a consistent reinforcement of Legacy Village character. Signs must communicate not only specific information but should, in themselves, add to the attractiveness of the area. Signs should advertise a place of business or provide directions and information. Signs shall be architectural attractive and contribute to the retention of character of the area. Signs should not compete with each other or dominate the setting via inconsistent height, size, shape, number, color, lighting or movement. All signage must comply with the PAD signage provisions, as established in a Comprehensive Sign Guide for Legacy Village, reviewed and approved by the City Planning and Zoning Commission.

7.1 Guidelines - Conceptual

- Signs shall not be located within the right-of-way.
- All signs shall be kept in good repair.
- All wires, haul outs, transformers, and raceways must be concealed. Signs shall not be supported by guy wires or braces.
- Colors shall relate to other signs in the area to avoid clashing contrasts.
- Illumination shall be concealed. No flashing or blinking lights are permitted. No animated or sound emitting signs are permitted.
- No florescent or iridescent colors are permitted.
- No vehicular signs are permitted for advertising, such as on trucks, vans, automobiles, or trailers.
- No portable signs are permitted.
- Pylon signs, billboards, inflatable signs and exposed neon are not allowed.
- Where possible, integrate signage into either a perimeter wall or the landscape, such as berms. Signs shall not restrict visibility at Intersections, parking areas, or driveways. Roof signs are not allowed. Painted window signs are prohibited.

7.2 Entry Monument Signs – Conceptual

- The Entry Monument signs establish the theme for the entire development and all other signs should reflect this "master" sign standard. Each development sign, as a small portion of the whole project, will contribute significantly to the overall image.
- All signs shall be constructed of permanent materials.

7.3 Directional Signage - Conceptual

- There shall be no more than one directional signs per driveway entrance to a lot, parcel or multiple use lot or parcel. None of these signs may include business identification or other advertising copy.
- No directional sign shall be greater than 6 sf. in area and have a height greater than 3' above grade. All signage is subject to approval by the City of Surprise Planning and Zoning Commission.

7.4 Detached Sign Consolidation

- There will be no more than two detached signs located on the neighborhood commercial center. One of these signs will be located on the southern portion of the development, and the second sign on the western portion of the development.
- All detached signs will be located adjacent to the City Arterial or Parkway frontage.

8. Maintenance

Maintenance of all infrastructure is a necessary key to the continued quality appearance of Legacy Village. Maintenance applies to buildings and other structures, paving and hardscape, landscape, and all other site amenities.

Guidelines

- All improvements shall be kept in good and sufficient repair.
- Plants shall be maintained in a healthy and growing condition. Fertilization, cultivation, and natural looking pruning shall occur on a regular basis and shearing of plant material shall be minimized.
- All trash and weeds shall be removed on a regular basis.
- Dead plants shall be removed and replaced with a like species within ten working days, weather permitting.
- The irrigation system shall be maintained regularly to avoid water loss.

- Lawns shall be kept mowed.
- Damages to any improvements shall be repaired as promptly as the extent of the damage shall allow.

9. Machinery and Equipment

No machinery, fixtures, or equipment of any type, including, but not limited to, heating, evaporative cooling, air conditioning, may be placed on any parcel without screening or concealment from view of neighboring or public property. The screening or concealment shall be integrated architecturally with the design of the building or structure, shall not have the appearance of a separate piece or pieces of machinery, fixtures, or equipment, and shall be constructed and positioned in such a manner so it is level and plumb with horizontal and vertical building components and shall be structurally stable in accordance with sound engineering principles. Ground mounted air conditioning units shall be concealed by a solid enclosure on all sides visible to neighboring property.

10. Solar Panels and Equipment

Except where contrary to Federal or State laws, solar energy devices may not be visible from public view. Roof mounted solar panels and equipment must match the roof material. Panels must be an integrated part of the roof design and mounted directly to the roof plane. Solar units must not break the roof ridgeline. Roof mounted hot water storage systems must not be visible from neighboring properties.

11. Exterior Accessories

11.1 Antennas

- Except where contrary to Federal or State laws, exterior television, radio, or other antenna or dishes of any kind shall not be visible from the street.

11.2 Amplifier

- No radio, stereo, television, broadcast, or loudspeaker unit, and no amplifier of any kind, may be placed upon or outside, or be directed to the outside, of any building in residential areas in a manner which would be disruptive to any such area.

11.3 Flagpoles

- Flagpoles within the commercial areas shall be limited to a maximum height of 35 feet.

11.4 Utility and Service Lines

- No gas, electric. Power, telephone, water, cable television, or other utility or service lines of any nature or kind may be placed, allowed, or maintained upon or above the ground on any lot or parcel, except to the extent, if any, underground placement may be prohibited by law or would prevent the subject line from being functional; provided, however, above ground service pedestals, splice boxes, switch cabinets, and transformers will be permitted where required for public utilities or the landscaping of common areas.

11.5 Alterations

- Any alterations are subject to the review and approval of the City Planning and Development Director.

12. Garbage

- No garbage or trash may be placed on any lot or parcel except in covered containers meeting the specifications of the City of Surprise.
- Rubbish, debris, and garbage shall not be allowed to accumulate. Each owner shall be responsible for removal of rubbish, debris, and garbage not only from his lot or parcel but also from all public right-of-way either fronting or siding his lot or parcel, excluding (a) public roadway improvements, and (b) those areas on a Tract Declaration or subdivision plot to be maintained by the City of Surprise.

13. Accessory Buildings/Structures

- No buildings/structures, including modular buildings and portable storage containers, shall be placed on any commercial parcel without a prior Major Site Plan approval by the City Planning and Zoning Commission. This requirement shall not include temporary construction offices and facilities approved with a Temporary Use Permit.

14. Access Management

- Future adjacent developments will be required to limit and space curb cuts per the recommendations of the City Engineer and Planning and Development Director.

15. Cross Access

- Cross Access Easements will be established and site plans will show vehicular cross-access between all contiguous parcels and developments where applicable.

16. Deceleration and Turn Lanes

- Deceleration lanes and right turn lanes will be provided per the recommendations of the City Engineer in accordance with City codes.

17. Medians

- Landscape medians will be provided within arterial rights-of-way to restrict turning movements as deemed necessary by the City Engineer in accordance with City codes. The developer/builder shall install landscaping within required medians and the City will be responsible for the maintenance.

18. Site Plans

- Commercial site plan layouts will be submitted for approval by the Planning and Zoning Commission.

APPENDIX C

General Plan Policy Checklist – Responses

Legacy Village

A Planned Area Development
55 Acres NEC of 163rd Ave and Jomax Road

1. Land Use:

   a. An efficient transportation system will be promoted throughout the project.
   b. No cluster development is incorporated into the project.
   c. The project is not located near Daimler-Chrysler, Volvo, NW Valley Landfill, White Tank Mountains, Surprise Center or Luke AFB.
   d. The project is not located near a Mixed Use or Gateway area.
   e. Design and landscape guidelines are incorporated into the project.
   f. Adequate buffering will be implemented into the project.
   g. Portions of the project's open space is designed for use by the Legacy Village community.

2. Transportation:

   a. Bicycle and pedestrian uses are incorporated into the project where feasible, and buffering will be provided where appropriate.
   b. Bicycle storage will be implemented where appropriate in the commercial development.
   c. Traffic calming techniques have been implemented into the project.

3. Economic Development:

   a. Appropriate buffering will be implemented into the project.
   b. The project will include appropriate land uses.

4. Housing:

   a. The project will enhance the character of the area, utilizing aesthetically pleasing landscape and structure design.
   b. Appropriate community facilities are integrated into the design of the project.

c. Appropriate construction materials, design features, open space usage, buffering and traffic patterns will be incorporated into the project.

(con't)

5. Open Space and Recreation

a. Appropriate open space configurations will be utilized.
b. The total number of residents in the project will be less than 1000.
c. The percentage of open space in the project exceeds the city's minimum.
d. No portion of the project slopes 10% or more.
e. No floodplain or floodway encompasses any portion of the project site.

6. Public Services / Cost of Development

a. Appropriate drainage is incorporated into the project.
b. All appropriate public utilities and facilities will be installed into the project.
c. The project will have a minimal effect on the local school district.
d. The project is located in a rapidly growing area, directly in the path of development.

7. Environmental Planning / Water Resources

a. Water will be provided to the project by the City of Surprise.
b. Appropriate water and sewer line sizes will be implemented into the project.
c. All project roadways will be paved surfaces.
d. The project is not in a flood-prone area, and appropriate grading practices will be implemented.
e. Water conservation practices will be implemented into the project.
f. Appropriate buffering and landscape walls will provide noise mitigation for the project where appropriate.

APPENDIX D

Standard Stipulations:

a) Major changes to this PAD with regard to use and intensity, must be processed as a revised application with approval by the City Council upon recommendation of the Planning and Zoning Commission. Minor changes to this PAD may be administratively approved by the City Manager and the Community Development Director.

b) The applicant shall submit a Written Response to Stipulations. The Response to Stipulations shall consist of a written response to the approved stipulations and five (5) copies of the PAD document revised as necessary to comply with these approved stipulations. Said submission must be under one (1) transmittal package and shall be submitted within fifteen (15) days of City Council approval.

c) All infrastructure shall be constructed pursuant to the provisions of 16.20 of the Surprise Municipal Code or an approved development agreement, whichever applies; and

d) The applicant shall include these stipulations (STANDARD) and all necessary revisions to text and exhibits in the final PAD document.

e) All items to which the PAD document commits within the Design Guidelines compliance section of the zoning document are hereby stipulated;

f) By its submittal of the PAD, the applicant—as landowner—agrees and approves in writing to the open space designated in the approved PAD plan;

g) The lighting standard for the project shall be subject to further review and approval by the Community Development Director, and the applicant shall comply with any adopted lighting standards that exist prior to the first Final Plat approval.

h) At the time of platting access will need to be at least ¼ mile intervals. Also each parcel will be required to have a minimum to two remote access points.

i) All off-site sewer and water infrastructures must comply with the most current City of Surprise Integrated Water/Sewer Master Plan.

j) All public notice signs shall be removed from the site immediately following final decision by the Planning and Zoning Commission or City Council as applicable. A signed Affidavit of Sign Removal shall be included within the Stipulation Response Package.

k) Prior to the approval of any final plat, the developer shall enter into an agreement with the Dysart School District that addresses the impact of the development on the school district.

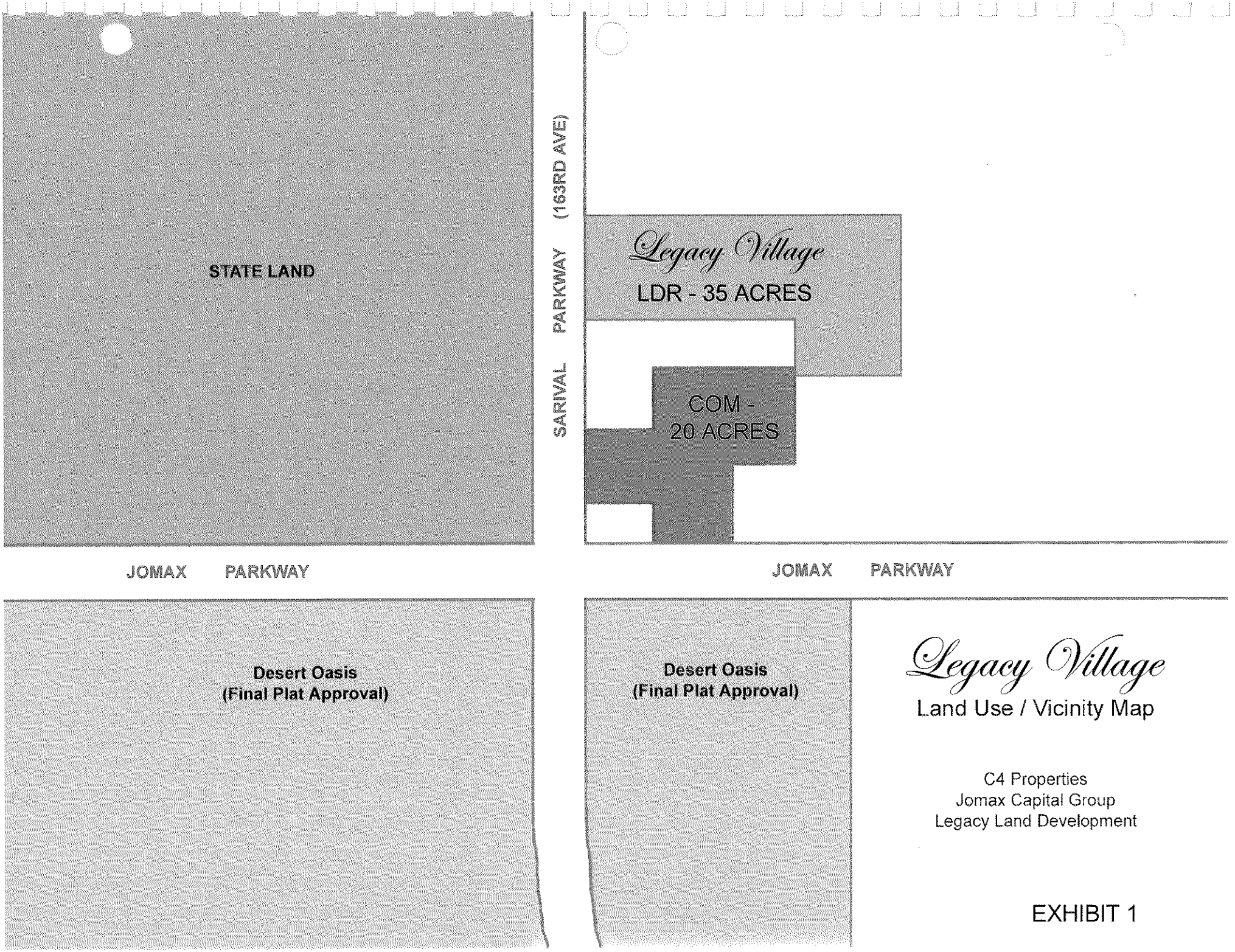
l) Cross sections must comply with the current cross sections at the time of preliminary plat.

m) The housing designs need to comply with the current codes adopted by the City of Surprise at the time of Building permit submittal.

n) Provide a minimum 20 foot side fire access lane between lots 14-19 to provide access to/from the north. Fire lane shall comply with all the fire access details.

o) Air Force over flight information indicating flights as low as 1500 feet may occur must be posted in a conspicuous location within model homes or sales offices.

April 13, 2006 City Council approval of PAD05-358 with standard stipulations 'a' through 'o'.



Legacy Village

Land Use / Vicinity Map

C4 Properties
Jomax Capital Group
Legacy Land Development

EXHIBIT 1

Legacy Village

Location Map

C4 Properties
Jomax Capital Group
Legacy Land Development

Roadway Classification

- Freeway
- Expressway
- Parkway
- Major Arterial
- Minor Arterial
- Interchange

City Boundary

SURPRISE
ARIZONA

EXHIBIT 2

AERIAL VICINITY & TOPOGRAPHY

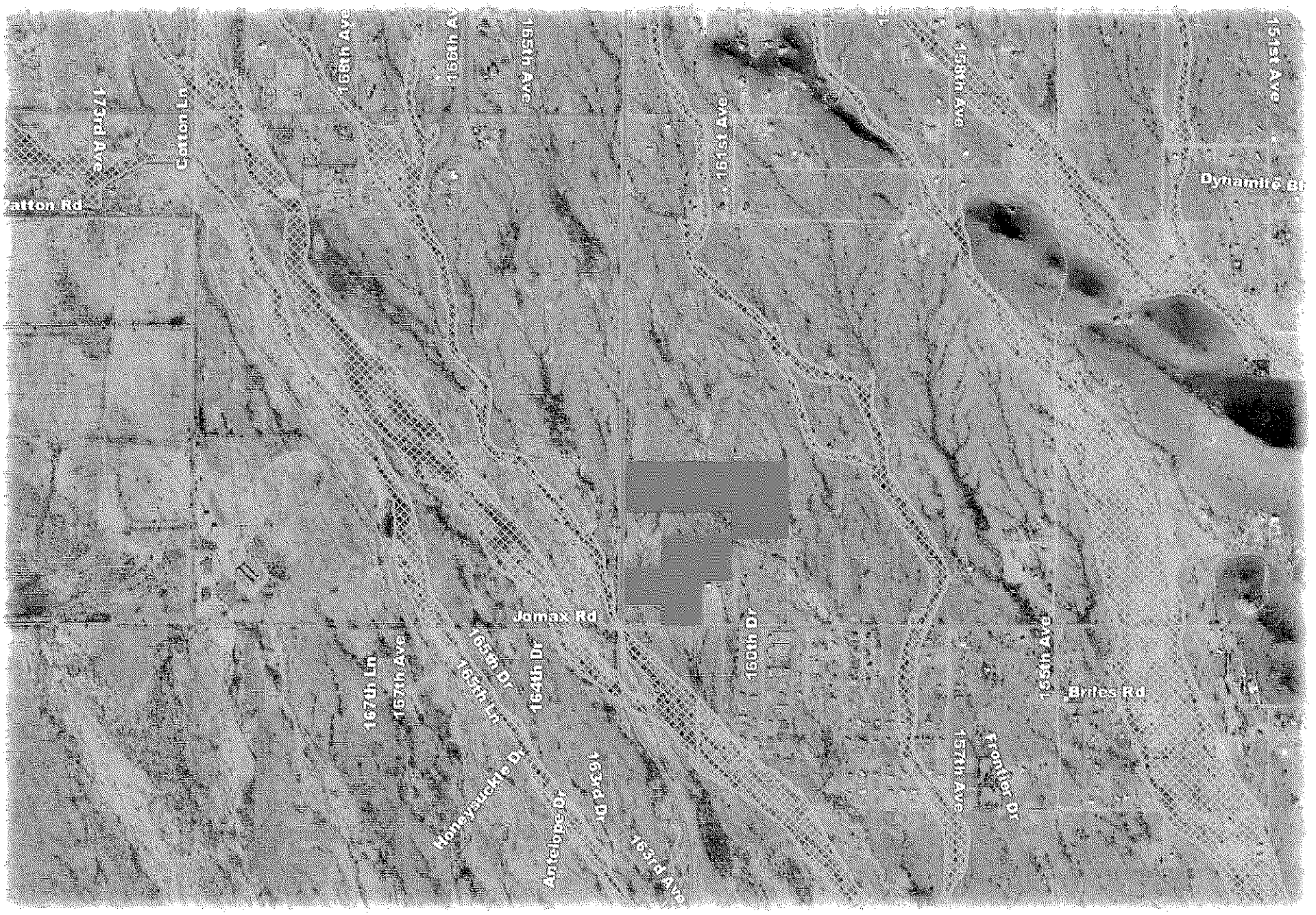


EXHIBIT 3

United Civil Group

September 14, 2005

Mr. Thomas Eggert
Legacy Land Development
4549 East Beryl Lane
Surprise, AZ 85028

Subject: Traffic Impact Statement
Residential Development
NE Corner of 163rd Ave and Jomax Rd
Surprise, Arizona
UCGC Project Number: TR5187

Introduction

The purpose of this traffic impact statement is to address trips created by the proposed Residential Development on the northeast corner of 163rd Avenue and Jomax Road in Surprise, Arizona. The proposed Residential Development will consist of 110 lots situated on approximately 35 acres. The Vicinity Map and Site Plan is attached with this letter.

Traffic Generation

Estimates of the traffic volumes for the proposed Residential Development were determined from transportation planning data taken from the Institute of Transportation Engineers (ITE) publication titled *Trip Generation, 7th Edition, 2003*. The ITE rates are based on studies that measure the trip generation characteristics for various types of land uses. The rates are expressed in terms of trips per unit of land use type. This publication is considered the standard for the transportation engineering profession.

A description of the land use, assumed to most closely describe the proposed development, is presented below.

Single-Family Detached Housing (ITE Code 210) – Single-family detached housing includes all single-family detached homes on individual lots. A typical site surveyed is a suburban subdivision.

Table 1: Trip Generation for the residential development

Land Use	ITE Code	Units	Total Size	Daily	AM Peak			PM Peak		
					In	Out	Total	In	Out	Total
Single-Family Detached Housing	210	Dwelling Units	110	1,053	21	62	83	70	31	111

EXHIBIT 4A

Single-Family Detached Housing

Daily	T = 9.57(X)	50% entering, 50% exiting
AM Peak Hour	T = 0.75(X)	25% entering, 75% exiting
PM Peak Hour	T = 1.01(X)	63% entering, 37% exiting

Source: ITE Trip Generation Manual 7th Edition

Based on the Trip Generation Manual, assuming a single-family detached housing land use, it is anticipated that the proposed Residential Development will generate approximately 1,053 trips daily with 83 trips occurring in the morning peak hour and 111 trips occurring in the evening peak hour.

CONCLUSION

Based on the City of Surprise Traffic Impact Study Procedures the proposed development is classified as a Category I – small development. The minimum study area for a Category I development is all site access driveways, major intersections within ¼ mile, and driveways within 500 feet. However, the land surrounding the proposed development is undeveloped and there are no existing intersections within the study area. Therefore, the only intersection to be analyzed would be the site access in the opening year. Due to the low traffic generated by this site it is anticipated that traffic impacts could be mitigated by a right-turn deceleration land and a left-turn deceleration lane on 163rd Avenue and a traffic impact study would not be needed.

If right-turn and left-turn deceleration lanes are constructed on 163rd Avenue, they are recommended to have a minimum of 75 feet of storage and a 15:1 taper.

LIMITATIONS

This letter is based on a variety of assumptions. If a larger building or alternate site plan is ultimately proposed, the trip generation calculations and criteria evaluation will not be valid.

Many of the ITE studies utilized for the trip generation have a significantly lower number of studies to support their values.

Nothing in this letter should be assumed to address the issues of internal site circulation. Further, this letter should not be interpreted as being a Traffic Impact Study or Analysis.

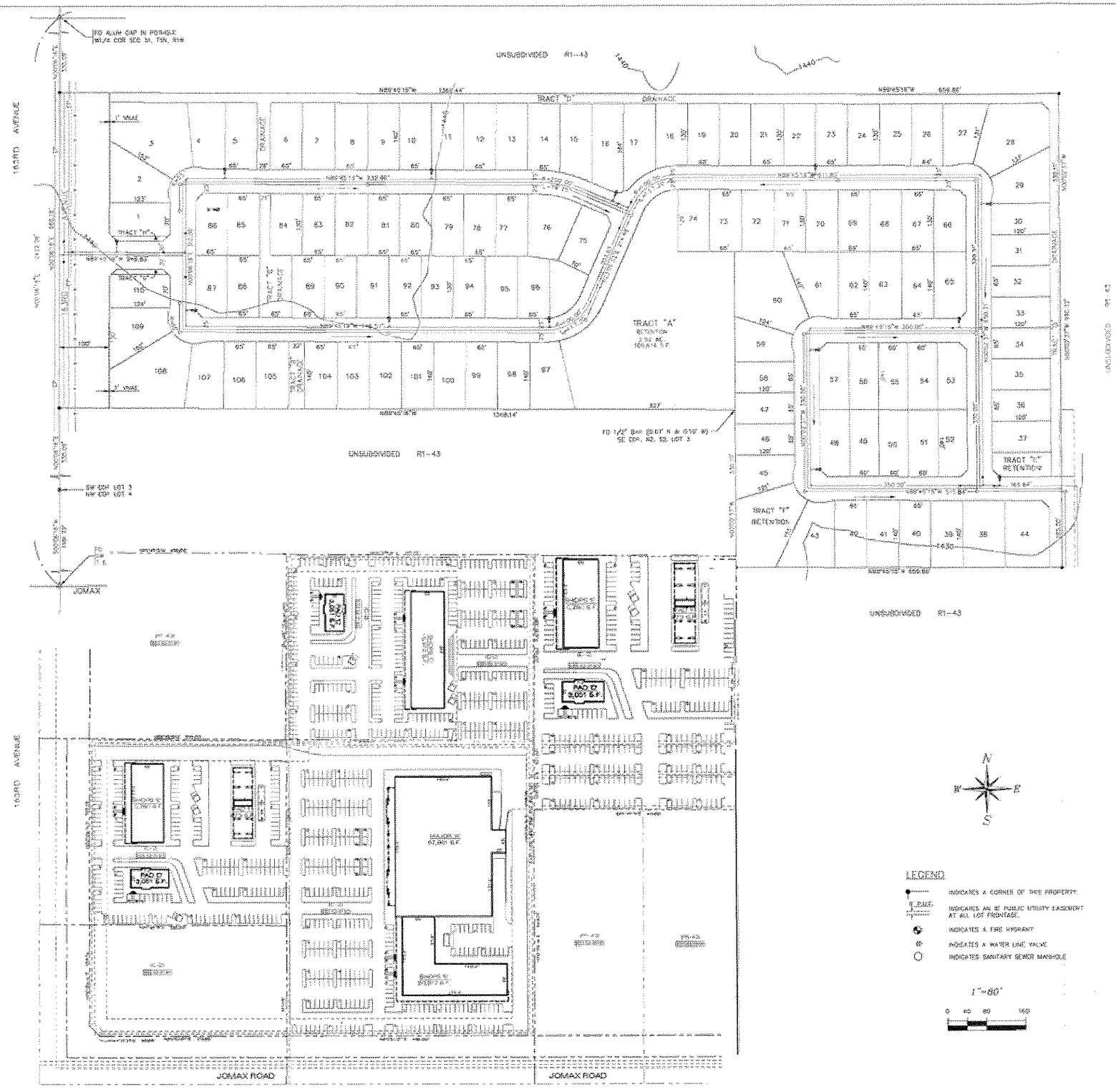
If you have any questions, please feel free to contact me at (602) 265-6155.

Sincerely,
United Civil Group Corporation

Conducted by: _____
David Riley, E.I.T.
Staff Engineer

Reviewed by: _____
Aaron M. Atkinson, P.E.
Project Engineer

EXHIBIT 4B



SITE DATA

RESIDENTIAL DEVELOPMENT

GROSS LAND AREA:	35.724 ACRES
NET LAND AREA:	34.210 ACRES
DENSITY:	3.08 LOTS/ACRE
PROPOSED ZONING:	PAD
EXISTING ZONING:	R1-43

COMMERCIAL DEVELOPMENT

PROPOSED USE:	RETAIL/RESTAURANT
GROSS LAND AREA:	910,354 S.F.
NET LAND AREA:	889,450 S.F.
BUILDING AREA:	133,864 S.F.
BUILDING/LAND COVERAGE:	14.7%
PARKING PLANNED:	685 SPACES
PARKING REQUIRED:	613 SPACES
ACCESSABLE PLANNED:	23 SPACES
ACCESSABLE REQUIRED:	13 SPACES

CITY PARKING STANDARD:
1 SPACE PER 250 S.F. RETAIL
1 SPACE PER 60 S.F. RESTAURANT

N
W E
S

LEGEND

- INDICATES A CORNER OF THIS PROPERTY.
- 8' PUE — INDICATES AN 8' PUBLIC UTILITY EASEMENT AT ALL LOT FRONTAGE.
- INDICATES A FIRE HYDRANT
- INDICATES A WATER LINE VALVE
- INDICATES SANITARY SEWER MANHOLE

1"=80'

0 40 80 160

SITE PLAN
FOR:

Legacy Village

SURPRISE, ARIZONA

EXHIBIT 5

SCHEDULE OF PARCEL INFORMATION

Legacy Village

RESIDENTIAL DEVELOPMENT

Parcel 1

Assessor's Parcel Number:	503-52-014-D
Legal Description:	S2 N2 NW4 SW4 TH/OF
Ownership (as of printing):	QUISENBERRY LOUISE A TR ETAL
Control:	JOMAX CAPITAL, LLC

Parcel 2

Assessor's Parcel Number:	503-52-014-G
Legal Description:	N 330F S 660F NW4 SW4
Ownership (as of printing):	QUISENBERRY LOUISE A TR ETAL
Control:	JOMAX CAPITAL, LLC

Parcel 3

Assessor's Parcel Number:	503-52-014-J
Legal Description:	W2 S2 N2 NE4 SW4 SEC 31
Ownership (as of printing):	QUISENBERRY LOUISE A TR ETAL
Control:	JOMAX CAPITAL, LLC

Parcel 4

Assessor's Parcel Number:	503-52-018-G
Legal Description:	W2 S2 NE4 SW4 SEC 31
Ownership (as of printing):	JOMAX CAPITAL, LLC
Control:	JOMAX CAPITAL, LLC

(con't)

EXHIBIT 6

SCHEDULE OF PARCEL INFORMATION

Legacy Village

COMMERCIAL DEVELOPMENT

Parcel 1

Assessor's Parcel Number:	503-52-019-G
Legal Description:	S 385.385F OF N 770.770F OF W 495F OF S2 SW4 SEC 31 EX W 55F RD
Ownership (as of printing):	GAINES CECIL & FAYE A
Control:	JOMAX CORNER, LLC

Parcel 2

Assessor's Parcel Number:	503-52-019-R
Legal Description:	THE SW4 OF E 495F OF W 990F OF S2 SW4 SEC 31 EX S 40F RD
Ownership (as of printing):	MONTGOMERY JOHN W/CONCEPCION E
Control:	JOMAX CORNER, LLC

Parcel 3

Assessor's Parcel Number:	503-52-019-Q
Legal Description:	THE NW4 & E2 OF E 495F OF W 990F OF S2 SW4 SEC 31 EX S 40F RD
Ownership (as of printing):	MONTGOMERY JOHN W/CONCEPCION E
Control:	JOMAX CORNER, LLC

Parcel 4

Assessor's Parcel Number:	503-52-079
Legal Description:	N 527F OF E 413F OF W 1403F OF S2 SW4
Ownership (as of printing):	CUSICK JOANN L TR
Control:	JOMAX CORNER, LLC

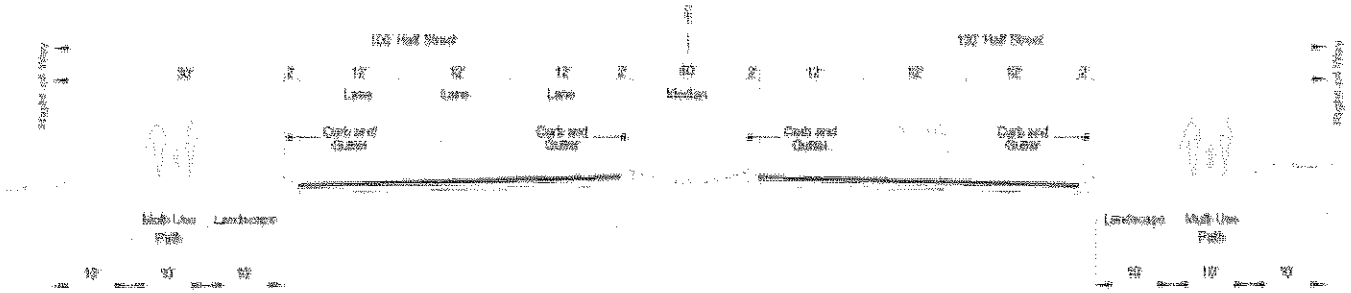
EXHIBIT 6

COMMERCIAL PERMITTED USES

Legacy Village

1. Administrative, business and professional offices
2. Appliance sales, service
3. Appliance repair
4. Athletic clubs
5. Automobile car wash
6. Automotive sales (new sales, with accessory maintenance, rental, repair and used vehicle sales)
7. Banks and other savings and lending institutions
8. Barber shop
9. Beauty parlor
10. Business and office machine sales, service and repair
11. Business, technical or vocational school
12. Candy and ice cream store
13. Cigar and tobacco store
14. Clothing and costume rental shop
15. Convenience store
16. Dancing or theatrical studio
17. Delicatessen and catering establishment
18. Drug Store
19. Dry cleaning and laundry establishment
20. Essential public service or utility installation
21. Florist
22. Garden supply store
23. Gas service station
24. General service uses including business, personal and professional service establishments
25. General retail businesses engaged in direct sales to the ultimate consumer
26. Greenhouse
27. Grocer
28. Hotel or motel
29. Laundromat, self-service
30. Liquor store
31. Medical, dental or health clinic
32. Mini, RV Storage
33. Newsstand
34. Offices
35. Optician
36. Photographic studio
37. Plant nursery
38. Public buildings (Post Office, Police, Fire, etc.)
39. Restaurants
40. Restaurant, convenience
41. Retail Stores
42. Shoe repair and shoe shine shop
43. Tavern, bar or lounge
44. Theatre, excluding drive-in theatre
45. Tire sales (auto), repair and mounting
46. Video arcade
47. Video sales and rental
48. Watch repair shop
49. Wireless telecommunication facilities – height is 35 feet maximum

EXHIBIT 7



Parkway

Typical Cross-Section

NTS

SURPRISE

ARIZONA

Parkway

Typical Cross-Section

EXHIBIT 8

PROJECT TEAM

Developers

Legacy Land Development, LLC
4549 East Beryl Lane
Phoenix, Arizona 85028
Attn: Tom Eggert
(602) 315-6777

C4 Properties, LLC
6753 East Grandview Drive
Scottsdale, Arizona 85254
Attn: CJ de Vries
(480) 699-7595

Jomax Capital Group, LLC
6725 North Rocking Road
Scottsdale, Arizona 85250
Attn: Tom Donnell
(480) 991-2068

Civil Engineering

Clouse Engineering, Inc.
1642 E. Orangewood Ave.
P.O. Box 16882
Phoenix, Arizona 85020
Attn: James "Abe" Abraham
(602) 395-9300

Traffic Engineer

United Civil Group
2803 North Seventh Avenue, Suite 16
Phoenix, Arizona 85002
(602) 265-6155
(602) 265-6171

Land Planning Consultant

Pinnacle Design
4343 East Camelback Road, Suite 100
Phoenix, Arizona 85018
Attn: Bill Francis
(602) 952-8585
(602) 952-8686

EXHIBIT 9

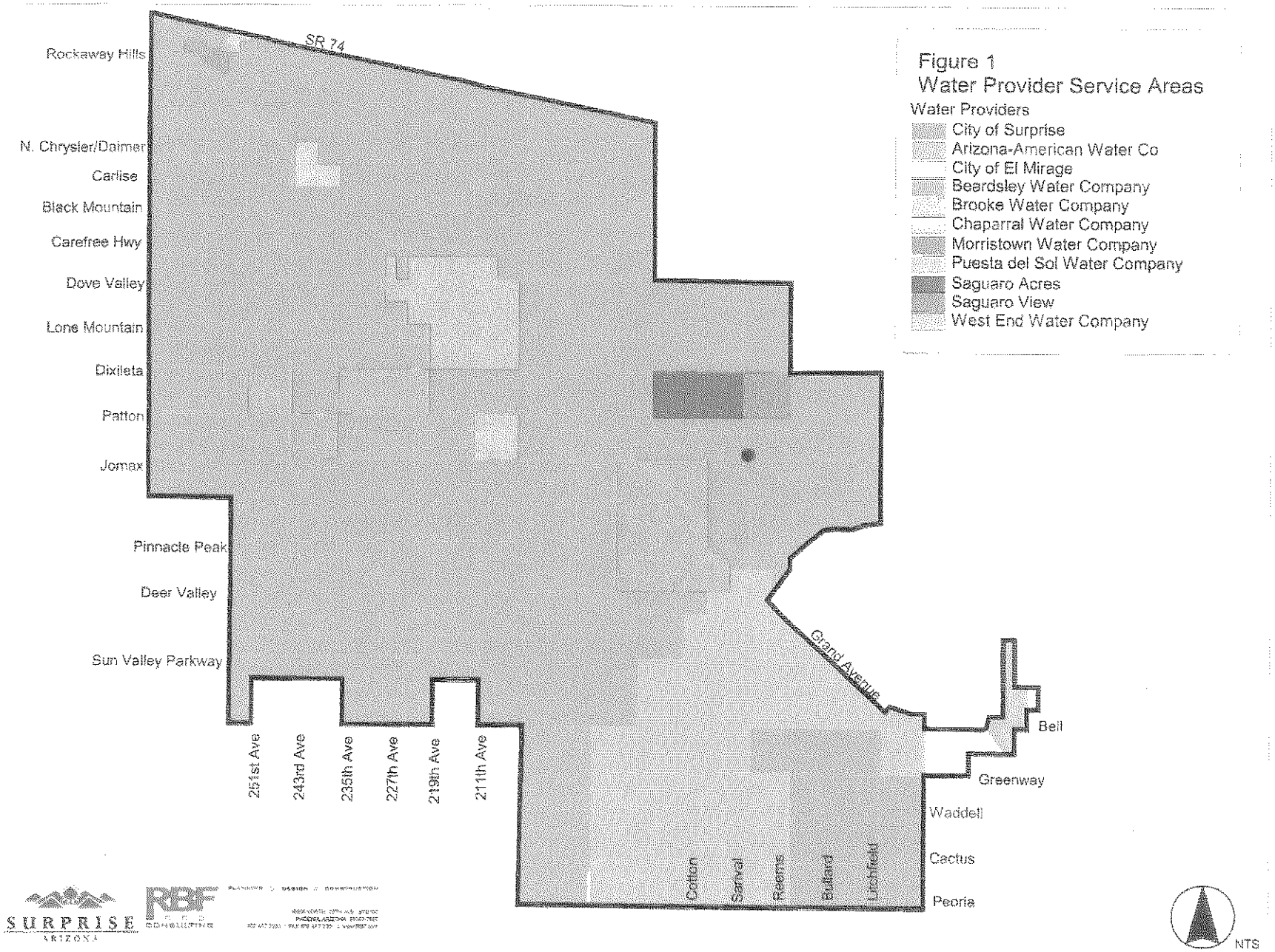


Figure 1
Water Provider Service Areas
Water Providers
City of Surprise
Arizona-American Water Co
City of El Mirage
Beardsley Water Company
Brooke Water Company
Chaparral Water Company
Morristown Water Company
Puesta del Sol Water Company
Saguaro Acres
Saguaro View
West End Water Company
SR 74
Rockaway Hills
N. Chrysler/Daimer
Carlise
Black Mountain
Carefree Hwy
Dove Valley
Lone Mountain
Dixileta
Patton
Jomax
Pinnacle Peak
Deer Valley
Sun Valley Parkway
251st Ave
243rd Ave
235th Ave
227th Ave
219th Ave
211th Ave
Grand Avenue
Bell
Greenway
Waddell
Cactus
Peoria
Cotton
Sarival
Reems
Bullard
Litchfield
SURPRISE
ARIZONA
NTS

EXHIBIT 10

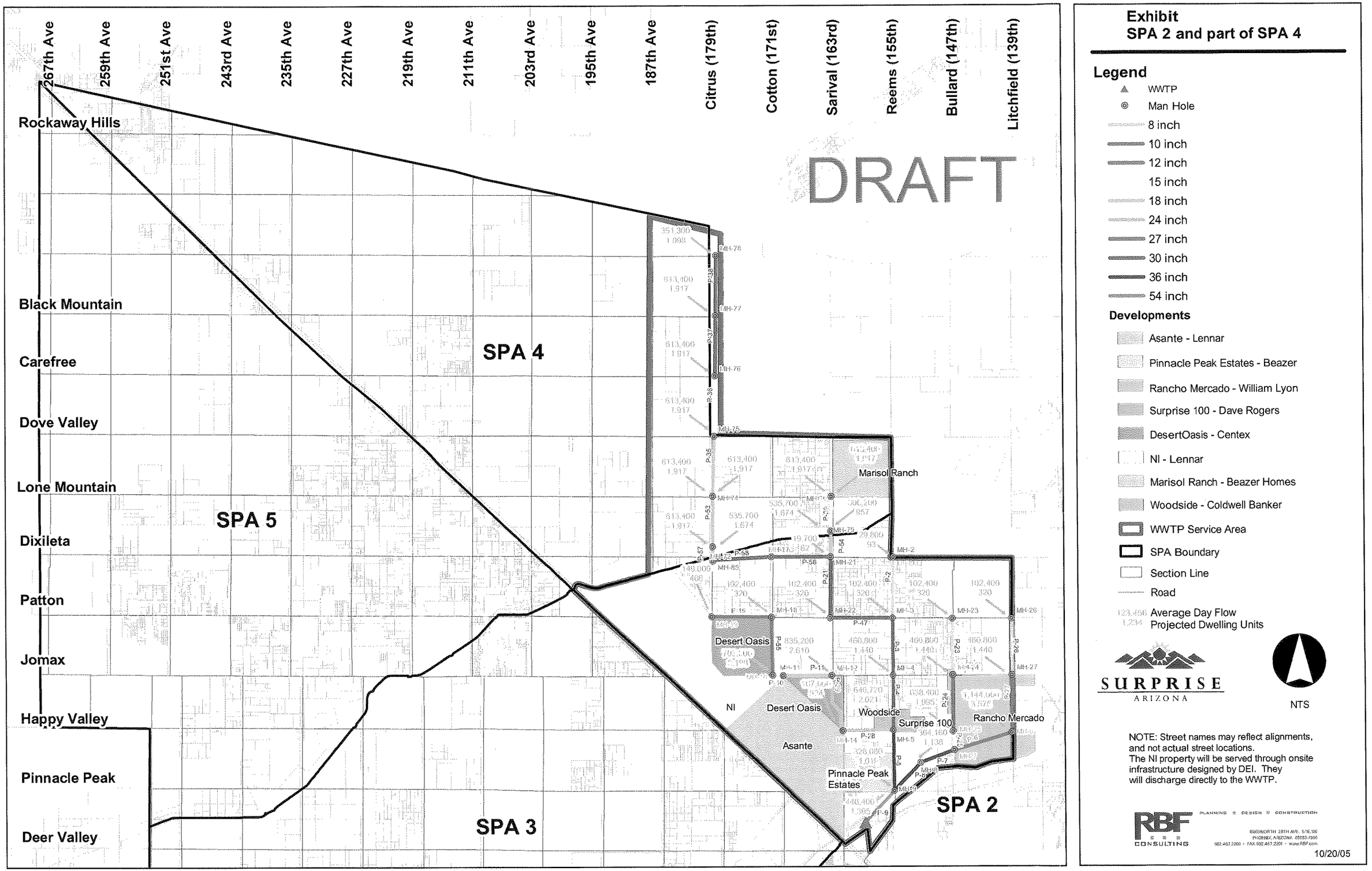
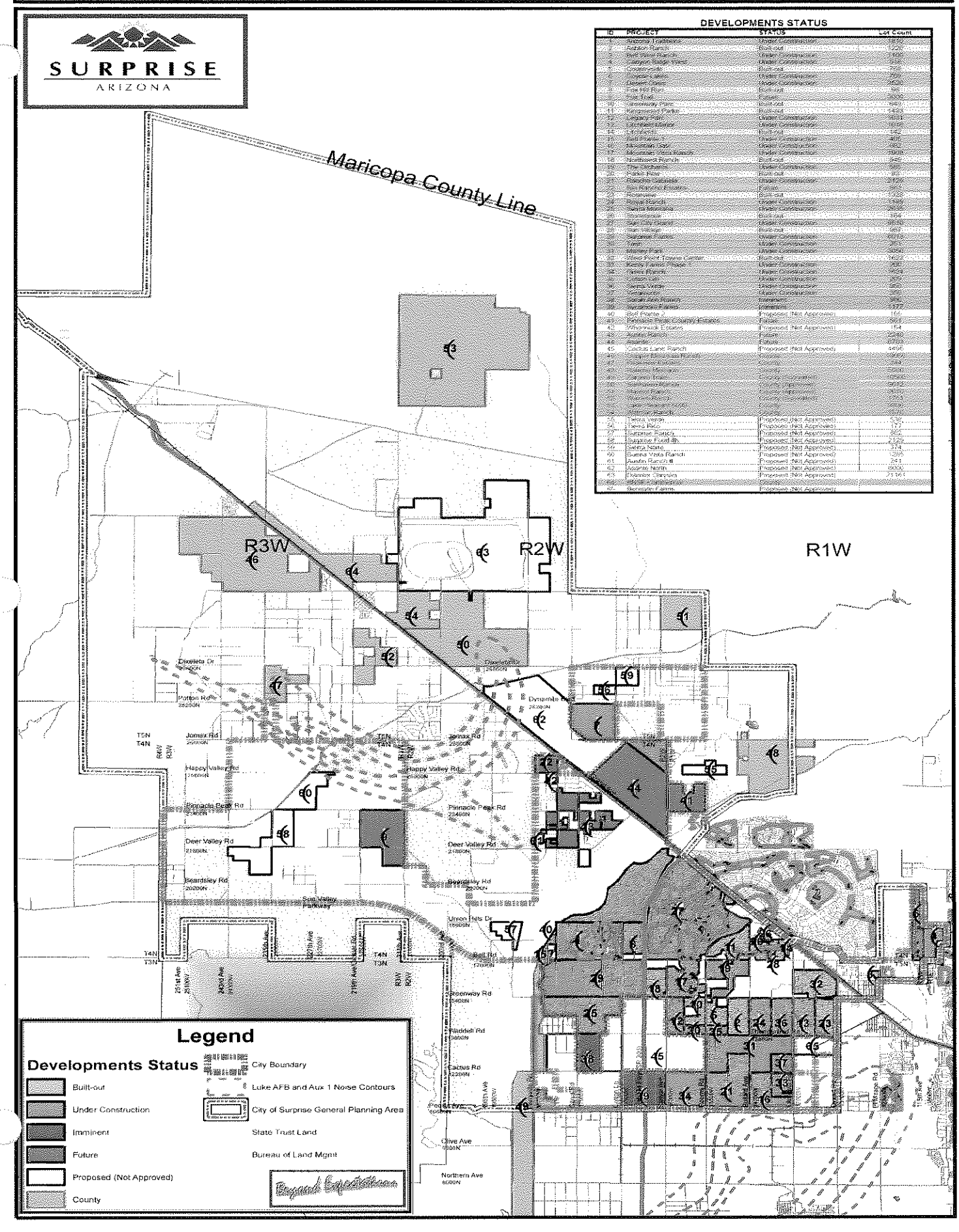


Exhibit
SPA 2 and part of SPA 4
Legend
WWTP
Man Hole
8 inch
10 inch
12 inch
15 inch
18 inch
24 inch
27 inch
30 inch
36 inch
54 inch
Developments
Asante - Lennar
Pinnacle Peak Estates - Beazer
Rancho Mercado - William Lyon
Surprise 100 - Dave Rogers
DesertOasis - Centex
NI - Lennar
Marisol Ranch - Beazer Homes
Woodside - Coldwell Banker
WWTP Service Area
SPA Boundary
Section Line
Road
123,456 Average Day Flow
1,234 Projected Dwelling Units
SURPRISE
ARIZONA
NTS
NOTE: Street names may reflect alignments, and not actual street locations.
The NI property will be served through onsite infrastructure designed by DEI. They will discharge directly to the WWTP.
RBF CONSULTING
PLANNING • DESIGN • CONSTRUCTION
10/20/05
DRAFT
267th Ave
259th Ave
251st Ave
243rd Ave
235th Ave
227th Ave
219th Ave
211th Ave
203rd Ave
195th Ave
187th Ave
Citrus (179th)
Cotton (171st)
Sarival (163rd)
Reems (155th)
Bullard (147th)
Litchfield (139th)
Rockaway Hills
Black Mountain
Carefree
Dove Valley
Lone Mountain
Dixileta
Patton
Jomax
Happy Valley
Pinnacle Peak
Deer Valley
SPA 4
SPA 5
SPA 3
SPA 2
Marisol Ranch
Desert Oasis
NI
Desert Oasis
Woodside
Surprise 100
Rancho Mercado
Asante
Pinnacle Peak Estates

City Of Surprise Development Status Map



Christine Klemz

From: Tracy Eberlein
Sent: Tuesday, August 02, 2005 1:13 PM
To: Christine Klemz; Shelley Hohman
Cc: Magnus Jolayemi; Robert Eroh; Robert Scrivo; Nicholas Mascia
Subject: Legacy Village

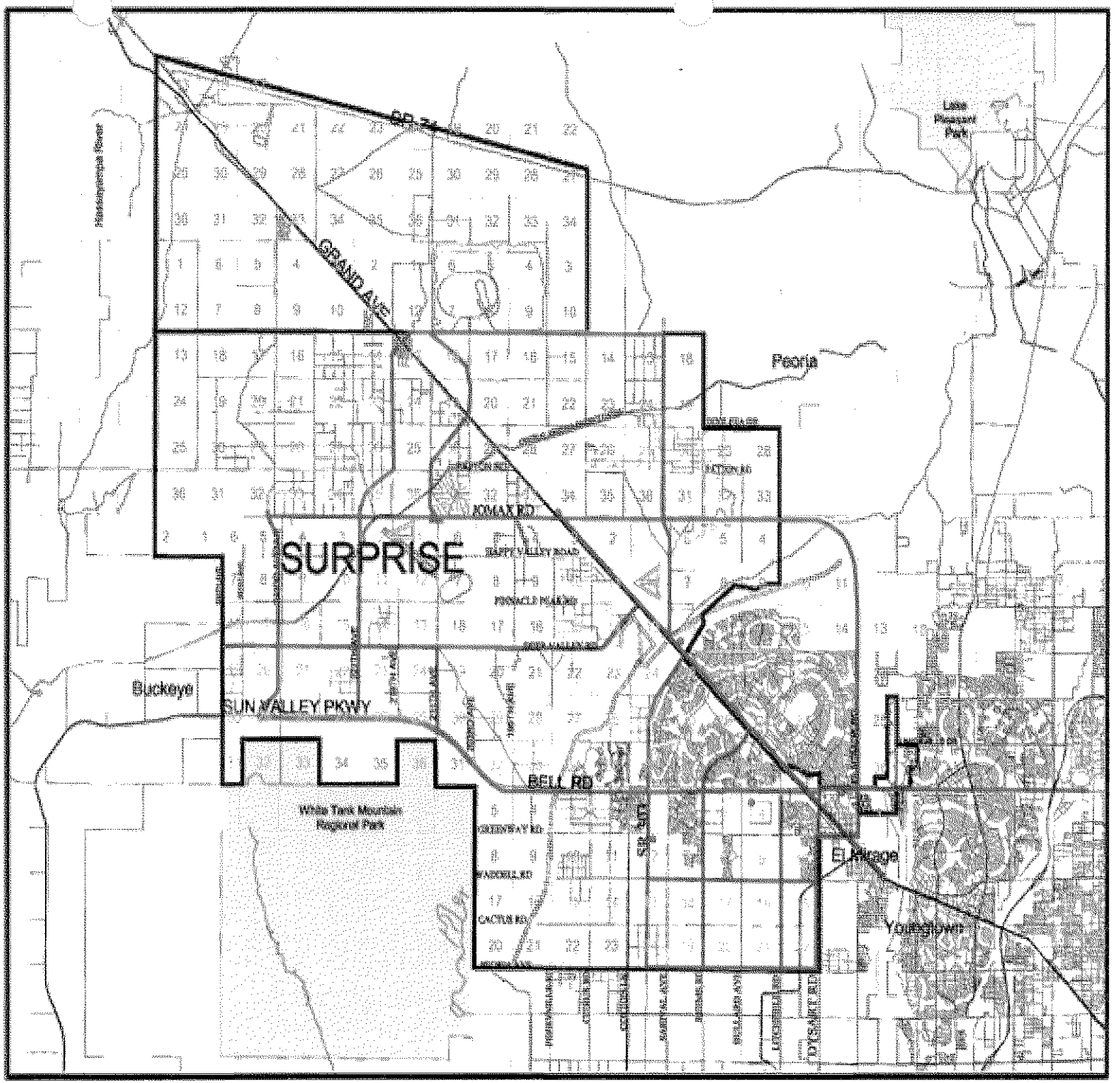
Hi Chris and Shelley. I spoke to Tom with Legacy Village (PA05-0055) and because I feel that the impact of this site will be minimal on 163rd and Jomax, I have agreed to waive the TIA for this submittal. It will have to be submitted to us prior to us approving Final TAC however. Tom has agreed to this.
Thank you.

Tracy Eberlein, E.I.T.
City of Surprise, Associate Traffic Engineer

12425 W. Bell Road, Suite D100
Surprise, AZ 85374-9002
Phone: (623) 583-6025
Fax: (623) 583-0721
E-Mail: Tracy.Eberlein@surpriseaz.com

RECEIVED
AUG 02 2005
COMMUNITY DEVELOPMENT

EXHIBIT 13



Transit Plan

- Proposed Transit Routes
- Park and Ride Locations
- Planning Area
- City Corporate Boundary

Surprise General Plan 2020: Imagine the Possibilities
City of Surprise, AZ

1 0 1 2 Miles

Partners for Strategic Action, Inc.
Nelson Nygaard and Associates
David Evans and Associates

November, 2000

EXHIBIT 14

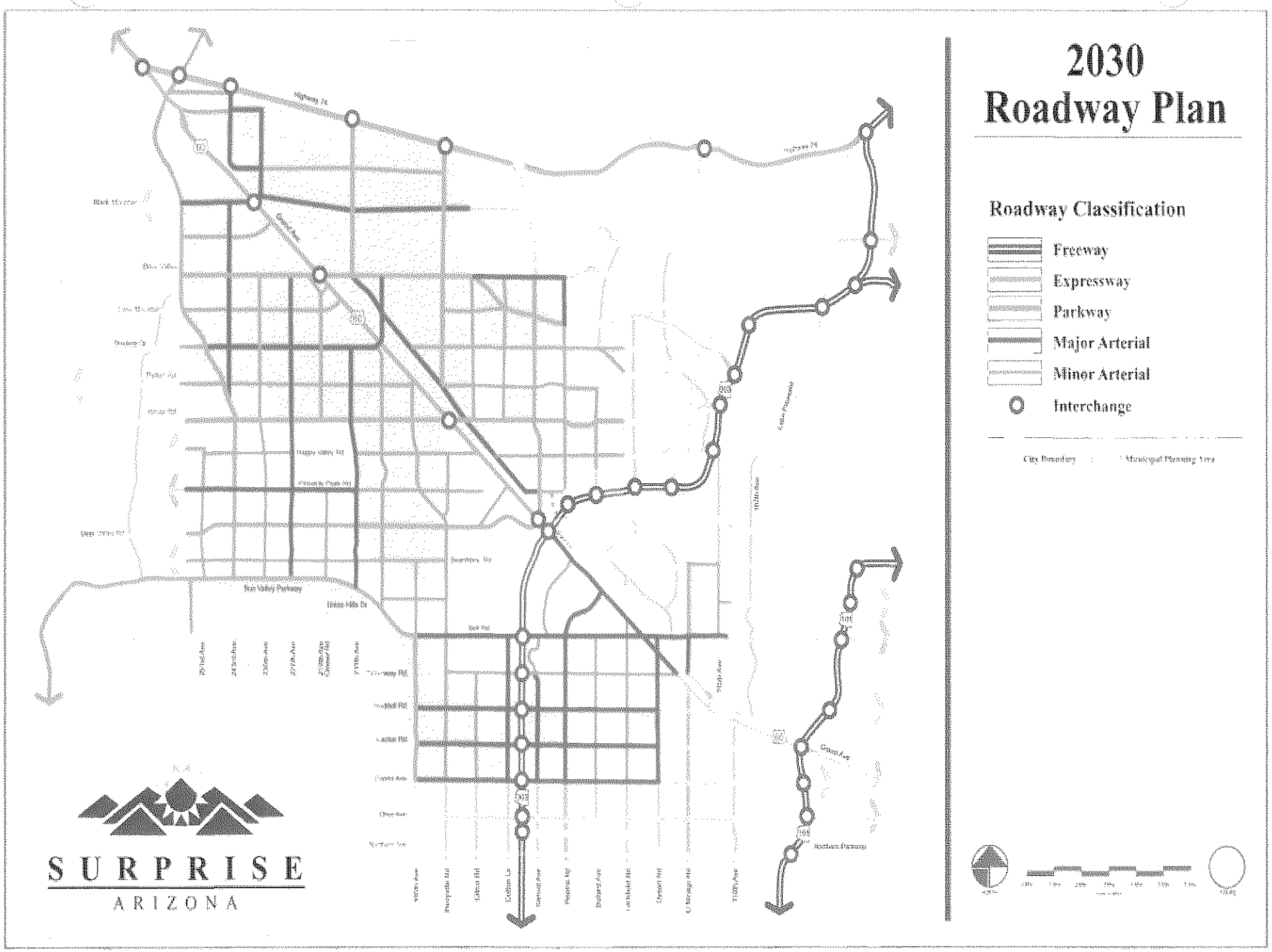
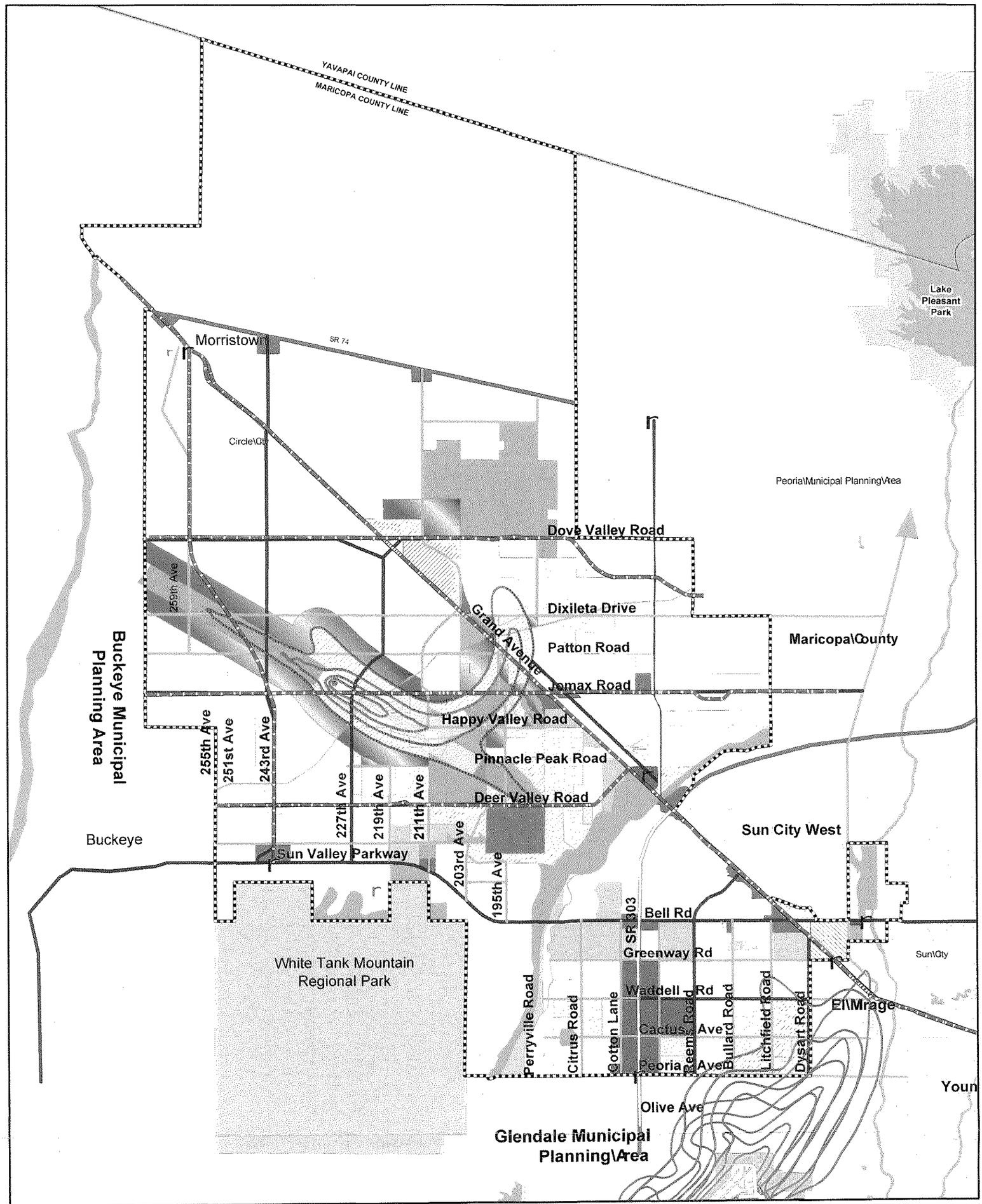

2030
Roadway Plan
Roadway Classification
Freeway
Expressway
Parkway
Major Arterial
Minor Arterial
Interchange
City Boundary
SURPRISE
ARIZONA

EXHIBIT 15



Land Use Classification

- Airport Preservation (0-2 Du's/Ac)
- Rural Residential (0-1 Du's/Ac)
- Suburban Residential (1-3 Du's/Ac)
- Low Density Residential (3-5 Du's/Ac)
- Medium Density Residential (5-8 Du's/Ac)
- Medium/High Density Residential (8-15 Du's/Ac)
- High Density Residential (15-21 Du's/Ac)
- Surprise Center
- Original Townsite
- Commercial
- Employment
- Mixed Use Gateway
- Agriculture
- Landfill
- Military
- Open Space
- Public Facilities
- Proving Grounds
- Mixed-Use Gateway
- Resort Development

* Note: Commercial under 25 acres can be approved in other land use classifications per criteria in the General Plan.

Street Classification

- Principal Arterial
- Major Arterial
- Minor Arterial
- Proposed Principal Arterial
- Proposed Major Arterial
- Proposed Minor Arterial
- Special Corridor
- PARKWAYS

- 1988 MAG Noise Contours
- 1995 Luke A.F.B Noise Contours (1997 Revised)
- Aux 1 F-16 Noise Contours
- City General Planning Area
- Maricopa County Boundary
- APZ I
- APZ II
- CLEAR ZONE

General Plan Updates

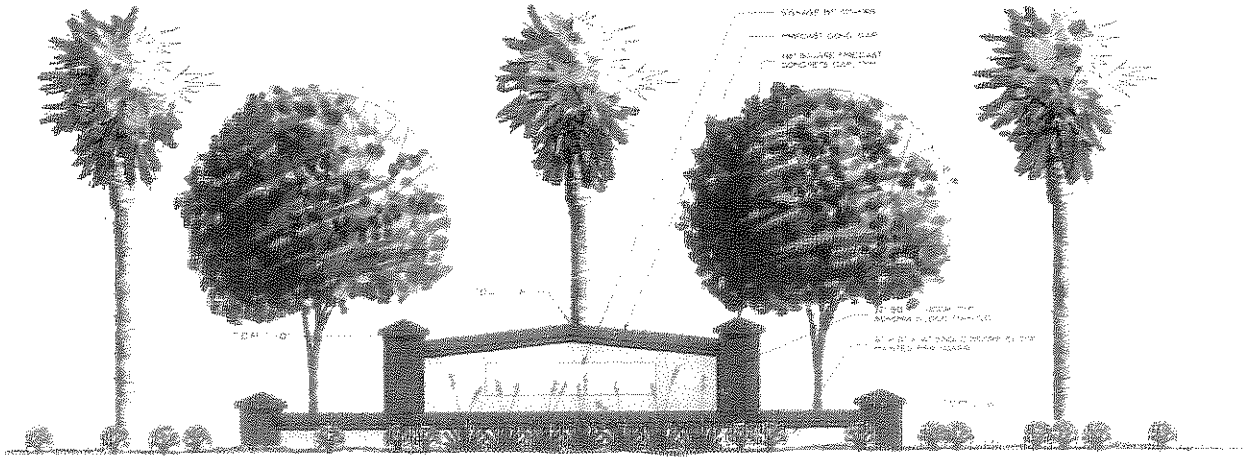
Case No.	Resolution No.	Approval Dates
GPA03-247	03-204	December 11, 2003
GPA03-248	03-205	December 11, 2003
GPA03-249	03-211	December 11, 2003
GPA04-184	04-228	November 23, 2004
GPA04-186	04-229	November 23, 2004
GPA04-219	04-230	November 23, 2004

SURPRISE
ARIZONA

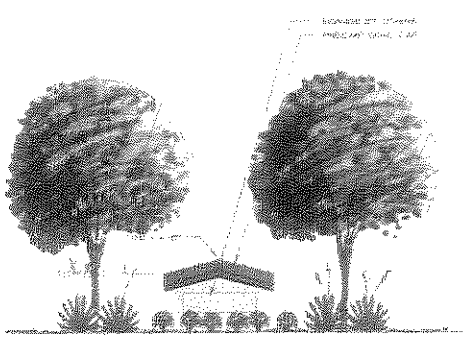
Surprise General Plan 2020: Imagine the Possibilities
City of Surprise, AZ

1 0 1 2 Miles

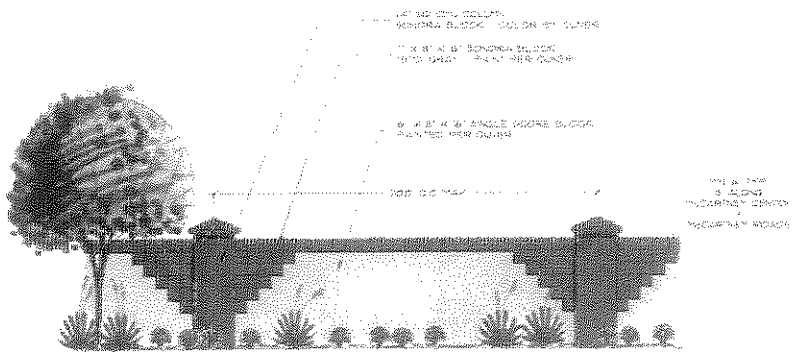
1 inch equals 6,250 feet



A ENTRY MONUMENT ELEVATION N.T.S.

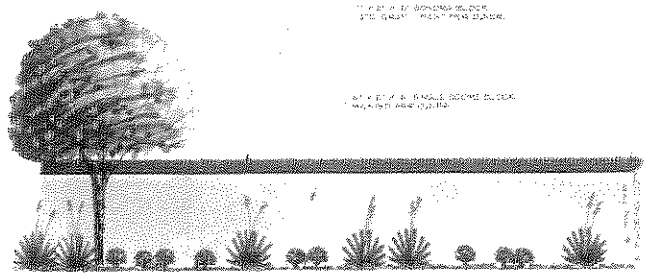


B ENTRY SUBDIVISION SIGN N.T.S.

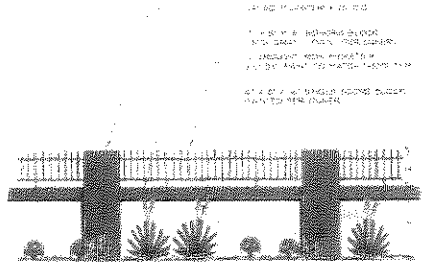


ELEVATION

C PERIMETER SCREEN WALL N.T.S.



D INTERIOR SCREEN WALL ELEVATION N.T.S.



E VIEW WALL ELEVATION N.T.S.

LEGACY VILLAGE

Surprise, Arizona

CONCEPTUAL WALL ELEVATIONS

PREPARED FOR: LEGACY LAND DEVELOPMENT, L.L.C.

EXHIBIT 17

SURPRISE
arizona

EXHIBIT 18

City of Surprise Population Projections*

Year	Housing Units	End of the Year Population	Percentage Change
1997	N/A	15,254	N/A
1998	N/A	23,244	52.38%
1999	N/A	31,960	37.50%
2000	18,823	39,093	22.32%
2001	22,150	47,654	21.90%
2002	25,250	55,714	16.91%
2003	29,407	66,522	19.40%
2004	35,141	81,431	22.41%
2005	40,975	96,559	18.58%
2006	46,909	112,028	16.02%
2007	52,943	127,716	14.00%
2008	58,093	141,106	10.48%
2009	62,925	153,669	8.90%
2010	67,446	165,424	7.65%
2020	105,215	263,623	59.36%
2030	140,100	345,500	31.06%
2040	249,000	644,400	86.51%
Build Out	260,400	677,600	5.15%

*Population was estimated by the City of Surprise Community and Economic Development Department

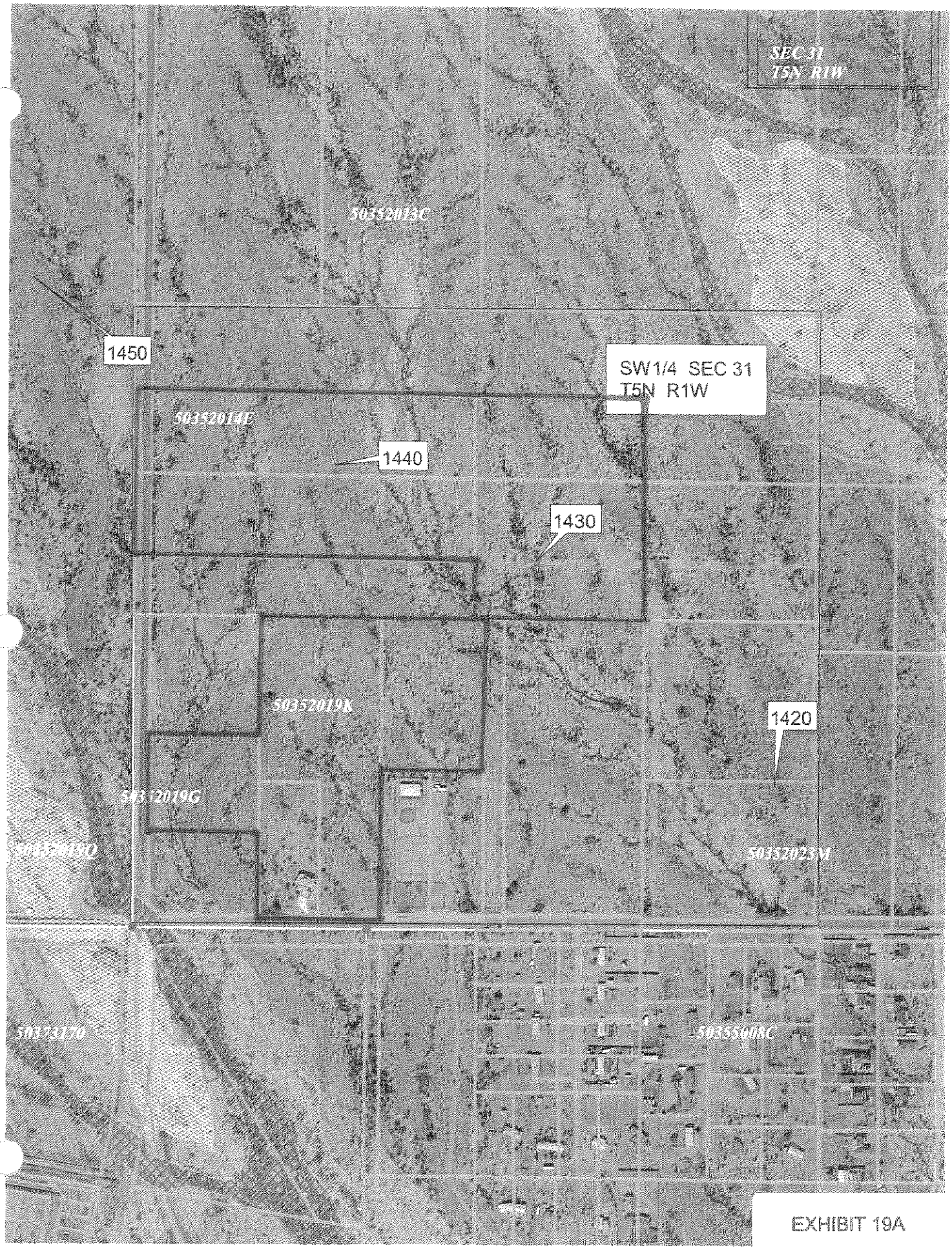

SEC 31
T5N R1W
50352013C
1450
SW1/4 SEC 31
T5N R1W
50352014E
1440
1430
50352019K
1420
50352019G
50352023M
50373170
50355008C

EXHIBIT 19A

SEE SHEET O-15

SEE SHEET N-14

SEE SHEET P-14

SEE SHEET O-13

FLOOD CONTROL DISTRICT OF MARICOPA COUNTY

WITTMANN AREA DRAINAGE MASTER STUDY UPDATE

CONTRACT FCD 2002C029

LEGEND

EFFECTIVE ZONE A — ZONE A

EFFECTIVE ZONE AE — ZONE AH

EFFECTIVE ZONE AH — ZONE AE

EFFECTIVE FLOODWAY — FLOODWAY (FW)

ZONE AO

HORIZONTAL BASE LINE

ZONE DESIGNATION — ZONE A

WASH ID LABEL — WASH 9 EAST

ELEVATION REFERENCE MARK — ERM AJ3866

GROSS SECTION — 2.199 / Q100 = 1270 / FP = 1400.55 / FW = 1400.56

BASE FLOOD ELEVATION — 1320

LEVEE / DIKE — DIKE

COUNTY BOUNDARY

CORPORATE LIMIT

LIMIT OF STUDY

LIMIT OF DETAILED STUDY

NONMINOR BASE LINE

SECTION LINE

SECTION NUMBER — 29

ELEVATION REFERENCE MARKS

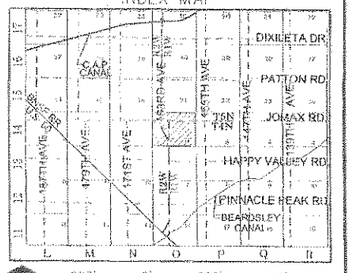
NOTE: ALL ELEVATIONS ARE BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88)

I.D. NUMBER	ELEV. (FT)	DESCRIPTION/LOCATION
AJ3867		NOTE: FOR ERM DESCRIPTION AND ELEVATIONS GO TO THE NATIONAL GEODETIC SURVEY WEB SITE WWW.NGS.NOAA.GOV

NOTE:

1. NGVD 29 + 1.90 FEET = NAVD 88.

INDEX MAP



Entellus

2355 W. 46th Street Suite 125
Phoenix AZ 85009-3709
Tel 602.244.2666
Fax 602.244.8447
Web www.entellus.com

	BY	DATE
DESIGN	AMG/RAS	07/2005
DESIGN CHK	HAA	07/2005
PLANS	KAB	07/2005
PLANS CHK	AMG/HAA	07/2005
SUBMITTED		

FLOOD CONTROL DISTRICT OF MARICOPA COUNTY

RECOMMENDED BY _____ DATE _____

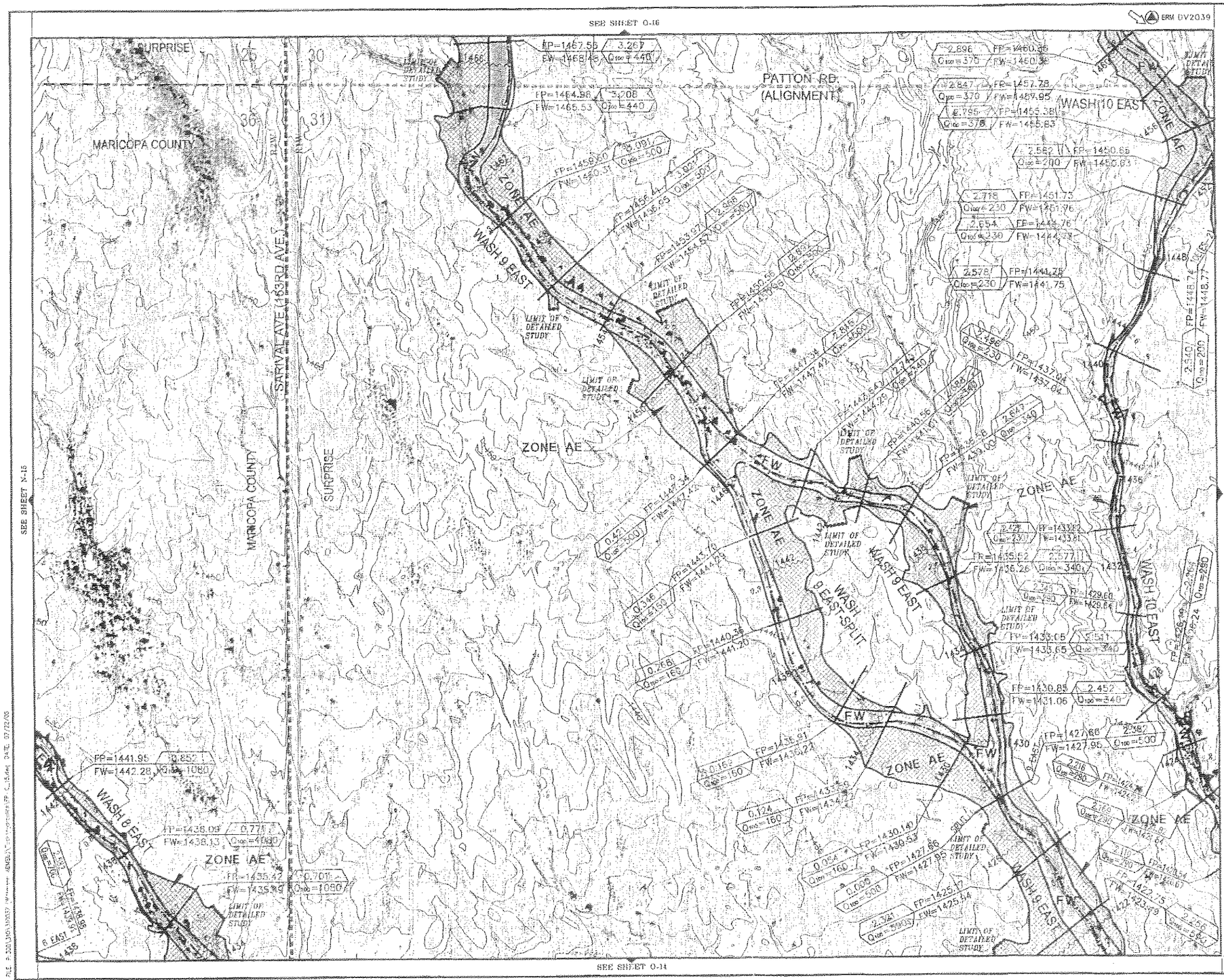
APPROVED BY _____ DATE _____

EXHIBIT 19B

FLOODPLAIN DELINEATION

1" = 500' (1"=2000') FLIGHT DATES: (04/18/02), (04/19/02), (04/23/02), 1"=1200' (1"=1440') (04/23/02) BY: STEWART GEO TECHNOLOGIES

FLOOD CONTROL DISTRICT OF MARICOPA COUNTY
WITTMANN AREA DRAINAGE MASTER STUDY UPDATE
CONTRACT FCD 2002C029



LEGEND

EFFECTIVE ZONE A
EFFECTIVE ZONE AE
EFFECTIVE ZONE AH
EFFECTIVE FLOODWAY

ZONE A
ZONE AH
ZONE AE
FLOODWAY (FW)
ZONE AO

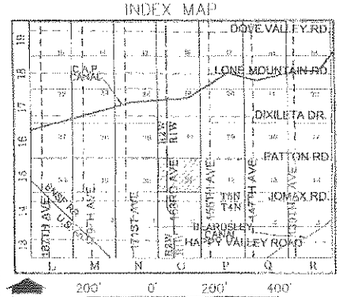
HYDRAULIC BASE LINE
ZONE DESIGNATION — ZONE A
WASH I.D. LABEL — WASH 9 EAST
ELEVATION REFERENCE MARK — ERM AJ3866
CROSS SECTION — 2.199 FP=1400.55 / Q100=1270 FW=1400.56
BASE FLOOD ELEVATION — 1329
AREA / LEVEE — DIKE
COUNTY BOUNDARY
CORPORATE LIMIT
LIMIT OF STUDY
LIMIT OF DETAILED STUDY
TOWNSHIP/RANGE LINE
SECTION LINE
SECTION NUMBER — 29

ELEVATION REFERENCE MARKS

NOTE: ALL ELEVATIONS ARE BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88)

I.D. NUMBER	ELEV. (FT)	DESCRIPTION/LOCATION
DV2039		NOTE: FOR ERM DESCRIPTION AND ELEVATIONS GO TO THE NATIONAL GEODETIC SURVEY WEB SITE, WWW.NGS.NOAA.GOV

NOTE:
1. NGVD 29 + 1.50 FEET = NAVD 88.



Entellus
2155 E. 44th Street, Suite 125
Phoenix, AZ 85040-8219
Tel 602.244.2666
Fax 602.244.8667
WEB www.entellus.com

	BY	DATE	FLOOD CONTROL DISTRICT OF MARICOPA COUNTY
DESIGN	AMG/RAS	07/2005	
DESIGN CHK.	HAA	07/2005	
PLANS	RAE	07/2005	RECOMMENDED BY: DATE:
PLANS CHK.	AMG/HAA	07/2005	APPROVED BY: DATE:
SUBMITTED F			EXPLAIN DATION

EXHIBIT 19C