SURPRISE
ARIZONA

# Mountain Vista Ranch

| Amendment | Case Number | Approval Date | Approval Doc. | Page |
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| **Original PAD** | PAD94-002 | 7/28/94 | ORD94-13 | 2 |
| **Land Addition** | PADA96-005 | 3/18/07 | ORD96-04 | 46 |
| **Land Use & Density Revision** | PADA97-124 | 5/28/98 | ORD98-10 | 54 |
| **Land Use Revision** | PADA07-011 | 3/18/07 | | 254 |

CITY OF SURPRISE
PLANNING AND ZONING DEPARTMENT
A P P R O V E D

Case No.: PAD94-002

P&Z Comm. Approval: _____

City Council Approval: 7/28/1994

B.O.A. Approval: _____

Stipulations: _____

AVERY
RECYCLED PAPER MADE FROM 20% POST CONSUMER CONTENT

DATE: July 28, 1994
TO: Honorable Mayor and Councilmembers
FROM: Shirley Berg, Planning Director
RE: Mountain Vista Ranch - Final P.A.D.
Section 6, Township 3 North, Range 1 West
Application No. PADA94-02

On July 19th, 1994, the Surprise Planning and Zoning Commission approved the above referenced Planned Area Development Amendment with the following stipulations:

1. Submit a Phase I Environmental Site Assessment to the City for review and approval prior to any construction.

2. Confirm need to establish an archeological data recovery program with the State Historical Preservation Office.

3. Subject site is located within the White Tanks ADMS. Maricopa Flood Control District must acknowledge plan is compatible with the White Tanks ADMS.

4. Drainage must comply with Maricopa Flood Control District drainage standards.

5. Reems Road will be designated as a minor arterial. Thus, requiring a 110' right-of-way (55' to centerline).

6. Left turn storage lanes must be provided at all perimeter street entrances or as deemed necessary by the City Engineer.

7. Turning lanes in arterial roadways may replace raised landscaped medians.

8. Sarival Road shall be constructed as a four lane minor arterial road unless otherwise justified and approved by the City Council.

9. Upon platting of subdivisions adjacent to perimeter arterial, a financial guarantee instrument shall be required for construction of perimeter roads in accordance with arterial roadway specifications.

   Perimeter roads shall be constructed at the City's discretion and the City may exercise their right to require construction of a perimeter roadway when 50%± of development and/or subdivision plats are recorded along any given perimeter roadway.

10. Section XII, Major Entrances and Secondary Entrances, must provide for sidewalk on both sides.

Section XII, Typical Internal Collector Streets must provide for sidewalks within the 60' right-of-way or the linear park adjacent thereto.

12. The width of the residential streets' right-of-way shall be 34', which is equal to the width between the back of curb (on the side of the street where no sidewalk is provided) and the back of sidewalk (on the side of street where the sidewalk will be provided). In addition to the 34' of right-of-way: (a) on the side of the street where no sidewalk is provided, a four foot (4') sidewalk easement and an eight foot (8') wide public utility easement shall be provided to the City and the appropriate utilities, and (b) on the side of the street where a sidewalk is provided, an eight foot (8') wide public utility easement shall be provided to the City and the appropriate utilities.

13. Final PAD approval does not commit the City to provide water and/or sewer service to subject site known as Mountain Vista Ranch.

14. Infrastructure Plans to be approved by City Engineer prior to submittal of any Final Subdivision Plats.

As Amended

SUBSTITUTE ORDINANCE NO. 94-13

AN ORDINANCE AMENDING THE ZONING OF A PARCEL LOCATED AT THE SOUTHWEST CORNER OF BELL ROAD AND REEMS ROAD IN SECTION 6, T.3N., R.1W, GILA AND SALT RIVER BASE AND MERIDIAN BY DELETING THE FINAL DEVELOPMENT PLAN WHICH IS CURRENTLY REQUIRED UNDER THE PARCEL'S PLANNED AREA DEVELOPMENT ZONING AND SUBSTITUTING A DIFFERENT FINAL DEVELOPMENT PLAN

WHEREAS, the subject parcel is currently zoned Planned Area Development; and

WHEREAS, as a condition of that zoning the property owner is currently required to develop the property in accordance with a particular final development plan; and

WHEREAS, the property owner desires to utilize a different final development plan for developing the property; and

WHEREAS, the new final development plan is consistent with changes which are occurring in the neighborhood, enhances the public health, safety, and welfare, and complies with the Surprise Comprehensive Development Guide;

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Surprise, Arizona, that:

**Section 1.** This ordinance is not of a general and permanent nature and shall not be codified.

**Section 2.** The Planned Area Development zoning classification which currently applies to the property described on Exhibit "A" is amended as follows. The final development plan which was previously approved as a requirement of the Planned Area Development zoning is vacated and deleted. The new final development plan set forth in that certain document entitled "Planned Area Development Final Development Plan for Mountain Vista Ranch Surprise, Arizona (located at the Southwest Corner of Bell Road and Reems Road)" dated June 28, 1994, which is attached as Exhibit "B", together with the modifications thereto and other conditions contained on Exhibit "C", is adopted and approved as a requirement of the Planned Area Development zoning of the property described on Exhibit "A". Pursuant to the Planned Area Development zoning classification, the property shall be developed in accordance with Exhibit "B" and Exhibit "C".

**Section 3.** The City Manager shall cause the official zoning map to be amended as necessary to reflect this amendment.

**Section 4.** This ordinance shall become effective thirty days after its adoption.

PASSED AND ADOPTED this 11th day of August, 1994.

Roy V. Villanueva
Mayor

Attest:

Lucy Fitzpatrick
City Clerk

Approved as to form:

Pol H. Lange
City Attorney

Yeas: Councilmembers Bott, Broich, Johnson, Montoya, Reafleng, Vice-mayor Shafer & Mayor Villanueva

Nays: None

# LEGAL DESCRIPTION

PARCEL NO. ONE:

GLO LOTS 3, 4, 5, 6, AND 7; THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THEREFROM THE FOLLOWING DESCRIBED PARCELS, TO WIT:

BEGINNING AT A POINT 33 FEET SOUTH AND 20 FEET WEST OF THE NORTH QUARTER CORNER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN;

THENCE SOUTHERLY ALONG A LINE PARALLEL TO AND 20 FEET WEST OF THE NORTH AND SOUTH MID-SECTION LINE A DISTANCE OF 50 FEET TO A POINT;

THENCE WESTERLY A DISTANCE OF 50 FEET TO A POINT;

THENCE NORTHERLY A DISTANCE OF 50 FEET TO A POINT;

THENCE EASTERLY ALONG A LINE PARALLEL TO AND 33 FEET SOUTH OF THE NORTH BOUNDARY LINE OF SAID SECTION, A DISTANCE OF 50 FEET TO A POINT OF BEGINNING, AS CONVEYED TO MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE BY DEED RECORDED DECEMBER 29, 1939 IN BOOK 339 OF DEEDS, PAGE 48; AND

ALSO EXCEPT ANY PORTION OF THE SAID WEST HALF OF SECTION 6 LYING WITHIN THE ABANDONED 30 FOOT RAILROAD RIGHT-OF-WAY AS DESCRIBED IN DOCKET 3353, PAGE 116 AND BEING IN THE NORTHWEST CORNER OF SAID WEST HALF OF SECTION 6; AND

EXCEPT THAT PART OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 6;

THENCE SOUTH 00°03'11" EAST, ALONG THE WEST LINE OF SAID SECTION 6, A DISTANCE OF 85.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89°59'12" EAST, 55.00 FEET TO A POINT ON A LINE WHICH IS PARALLEL TO AND 55.00 FEET EASTERLY, AS MEASURED AT RIGHT ANGLES, FROM SAID WEST LINE;

THENCE NORTH 44°58'48" EAST, 28.27 FEET TO A POINT ON A LINE WHICH IS PARALLEL TO AND 85.00 FEET SOUTHERLY, AS MEASURED AT RIGHT ANGLES, FROM THE NORTH LINE OF SAID SECTION 6;

THENCE SOUTH 89°59'12" EAST, ALONG SAID PARALLEL LINE, 1008.00 FEET;

THENCE SOUTH 00°03'11" EAST, 728.00 FEET;

THENCE SOUTH 44°58'48" WEST, 273.80 FEET;

THENCE NORTH 89°59'12" WEST, 869.28 FEET TO A POINT ON SAID WEST LINE;

THENCE NORTH 00°03'11" WEST, ALONG SAID WEST LINE, 898.72 FEET TO THE TRUE POINT OF BEGINNING; AND

EXCEPT THAT PORTION OF THE NORTH 85 FEET NOT BEING WITHIN A 30 FOOT BY 30 FOOT WELL SITE AS DESCRIBED IN BOOK 339 OF DEEDS, PAGE 48; AND

EXCEPT THE SOUTH 20 FEET OF THE NORTH 85 FEET OF THE WEST 55 FEET; AND

EXCEPT THE WEST 33 FEET AND THE SOUTH 33 FEET OF SAID SECTION 6.

PARCEL NO. TWO:

GLO LOTS 1 AND 2; THE SOUTH HALF OF THE NORTHEAST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE NORTH 85 FEET THEREOF; AND

EXCEPT THE SOUTH 20 FEET OF THE NORTH 85 FEET OF THE EAST 55 FEET; AND

EXCEPT THE EAST 33 FEET AND THE SOUTH 33 FEET OF SAID SECTION 6.

PARCEL NO. THREE:

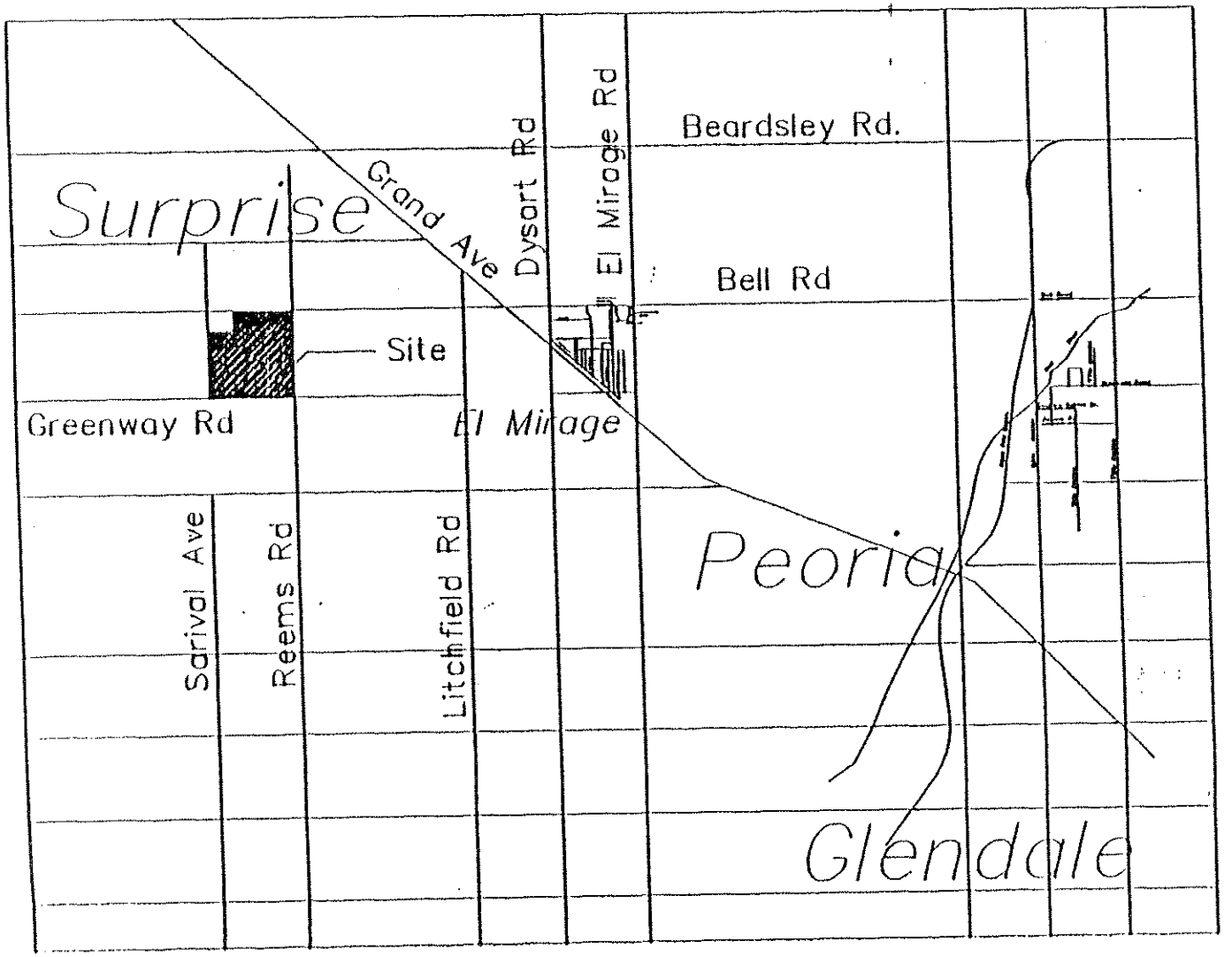
THAT PORTION OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6;

EXCEPT THE SOUTH 33 FEET THEREOF.

EXHIBIT "A" TO ORDINANCE NO. 94-13

# Mountain Vista Ranch Location Map




## LEGAL DESCRIPTION

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EXCEPT RIGHT-OF-WAY FOR THE FOLLOWING DESCRIBED PARCELS, TO WIT:

BEGINNING AT A POINT 33 FEET SOUTH AND 20 FEET WEST OF THE NORTH QUARTER CORNER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN;

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THENCE WESTERLY A DISTANCE OF 50 FEET TO A POINT;

THENCE NORTHERLY A DISTANCE OF 50 FEET TO A POINT;

THENCE EASTERLY ALONG A LINE PARALLEL TO AND 33 FEET SOUTH OF THE NORTH BOUNDARY LINE OF SAID SECTION, A DISTANCE OF 50 FEET TO A POINT OF BEGINNING, AS CONVEYED TO MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE, BY DEED RECORDED DECEMBER 29, 1938 IN BOOK 333 OF DEEDS, PAGE 18; AND

ALSO EXCEPT ANY PORTION OF THE SAID WEST HALF OF SECTION 6 LYING WITHIN THE ABANDONED 50 FOOT RAILROAD RIGHT-OF-WAY AS DESCRIBED IN DOCKET 3353, PAGE 518 AND BEING IN THE NORTHWEST CORNER OF SAID WEST HALF OF SECTION 6; AND

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COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 6;

THENCE SOUTH 00°03'31" EAST, ALONG THE WEST LINE OF SAID SECTION 6, A DISTANCE OF 83.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89°56'29" EAST, 33.00 FEET TO A POINT ON A LINE WHICH IS PARALLEL TO AND 83.00 FEET EASTERLY, AS MEASURED AT RIGHT ANGLES, FROM SAID WEST LINE;

THENCE NORTH 41°56'48" EAST, 28.27 FEET TO A POINT ON A LINE WHICH IS PARALLEL TO AND 83.00 FEET SOUTHERLY, AS MEASURED AT RIGHT ANGLES, FROM THE NORTH LINE OF SAID SECTION 6;

THENCE SOUTH 89°56'29" EAST, ALONG SAID PARALLEL LINE, 1008.00 FEET;

THENCE SOUTH 00°03'31" EAST, 725.00 FEET;

THENCE SOUTH 41°56'48" WEST, 273.00 FEET;

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EXCEPT THE SOUTH 20 FEET OF THE NORTH 83 FEET OF THE WEST 33 FEET; A

EXCEPT THE WEST 33 FEET AND THE SOUTH 33 FEET OF SAID SECTION 6.

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EXCEPT THE SOUTH 20 FEET OF THE NORTH 83 FEET OF THE EAST 33 FEET, AND

EXCEPT THE EAST 33 FEET AND THE SOUTH 33 FEET OF SAID SECTION 6.

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THAT PORTION OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6;

EXCEPT THE SOUTH 33 FEET THEREOF.

Exhibit B to Ordinance No. 94-13 is a lengthy document which is not attached. The City Clerk has a copy at her desk.

DATE: July 28, 1994
TO: Honorable Mayor and Councilmembers
FROM: Shirley Berg, Planning Director
RE: Mountain Vista Ranch - Final P.A.D.
Section 6, Township 3 North, Range 1 West
Application No. PADA94-02

On July 19th, 1994, the Surprise Planning and Zoning Commission approved the above referenced Planned Area Development Amendment with the following stipulations:

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Section XII, Typical Internal Collector Streets must provide for sidewalks within the 60' right-of-way or the linear park adjacent thereto.

12. The width of the residential streets' right-of-way shall be 34', which is equal to the width between the back of curb (on the side of the street where no sidewalk is provided) and the back of sidewalk (on the side of street where the sidewalk will be provided). In addition to the 34' of right-of-way: (a) on the side of the street where no sidewalk is provided, a four foot (4') sidewalk easement and an eight foot (8') wide public utility easement shall be provided to the City and the appropriate utilities, and (b) on the side of the street where a sidewalk is provided, an eight foot (8') wide p u b l i c utility easement shall be provided to the City and the appropriate utilities.

13. Final PAD approval does not commit the City to provide water and/or sewer service to subject site known as Mountain Vista Ranch.

14. Infrastructure Plans to be approved by City Engineer prior to submittal of any Final Subdivision Plats.

MINUTES
CITY OF SURPRISE
PLANNING AND ZONING COMMISSION
REGULAR MEETING

July 19, 1994

MEMBERS PRESENT:
Chairperson Dorothy Cooper, Vice-Chairman Darrell Belk, Commissioners Isaias Gutierez, Robert Perez, William Rafferty, Joseph Urban and Arnold Weed.

APPROVAL OF MINUTES:
Commissioner Weed motioned to approve the minutes of June 21, 1994. Commissioner Belk seconded the motion and the motion carried.

PUBLIC HEARING:
(A) Chairperson Cooper read the Public Hearing title PADA94-02 stating that Ed Bull of Burch & Cracchiolo, P.D. and Harvard Investments is requesting approval for a PAD Amendment with a Final Development Plan to amend the existing Waddell Farms PAD to the Mountain Vista Ranch PAD. Subject property is bounded by Bell Road to the north, Greenway Road to the south, Sarival Road to the west and Reems Road to the east. Planning Director Shirley Berg made a few brief comments stating that there have been some revisions in the language pursuant to the stipulations from the Planning and Zoning Commission and City Council. (copy attached) She further advised the commission that on July 12, 1994, Dysart Unified School district accepted a donation by Harvard Investments for an elementary school site in the Mountain Vista Ranch Development. At this time Ms. Berg introduced Mr. Ed Bull who gave an overview of the PAD Amendment and Final Development Plan for the commissioners. Mr. Bull requested that the commission consider Burch and Cracchiolo's plan for one 8' side walk on the east side of the main arterial street as opposed to staff's recommendation of 5' sidewalks on both sides of the street referenced in item 10. Staff recommends approval with stipulations including revised language in items 11 and 12 and addition of item 15 stating that infrastructure plans submitted to Willdan be approved. Item 10 regarding sidewalks will be up to the Planning and Zoning Commission to decide.

Chairperson Cooper opened the floor to the public. There being no comments from the public, Commissioner Belk motioned to close the public hearing. Commissioner Urban seconded the motion and the motion carried.

(B) Chairperson Cooper read the Public Hearing title No. PP94-15 stating that Ed Bull of Burch & Cracchiolo, P.A. is requesting Preliminary Plat approval for Parcel 10 in the Mountain Vista Ranch development. Subject property is located in the north half of Section 6, Township 3 North, Range West of the

G&SRB&M. Planning Director Shirley Berg stated that staff comments on plat review were provided to Ed Bull's firm on July 12, 1994. Ms. Berg introduced Mr. Ed Bull who gave a brief presentation to the commission. Mr. Bull advised the commission that most of staff's comments have been addressed. Staff requests approval for Planning and Zoning Commission to reconvene for a special meeting Tuesday, July 26, 1994 at 6:00 P.M. to request approval Preliminary Plat for Parcel 10, in order to provide adequate time to finalize everything with the engineering firm representing Harvard Investments.

Chairperson Cooper opened the floor to the public. There being no comments from the public, Commissioner Belk motioned to close the public hearing. Commissioner Urban seconded the motion and the motion carried.

(C) Chairperson Cooper read the Public Hearing title Application No. PP94-16 submitted by Ed Bull of Burch & Cracchiolo, P.A. is requesting approval for Preliminary Plat approval for Parcel 6 in the Mountain Vista Ranch Development. Subject property is located in the north half of Section 6, Township 3 North, Range 1 West of the G&SRB&M. Planning Director Shirley Berg stated that comments on plat review were provided to Ed Bull's firm on July 12, 1994. Ms. Berg introduced Ed Bull who made brief presentation to the Commission. Mr. Bull stated that most of staff's comments have been addressed. Commissioner Belk stated that plat has names of interior streets. Commissioner Belk questioned Ms. Berg as to whether street names have to be approved and by whom. Ms. Berg replied, Preliminary Plats with names and addresses, are to be forwarded to the U.S. Postal Service in Sun City West for approval. The City has already looked at the street names and they do match up in general with the streets in the original town site.

Staff requests Planning and Zoning commission to reconvene for a special meeting on July 26, 1994 at 6:00 P.M. to request Preliminary Plat approval for Parcel 6, in order to provide adequate time to finalize everything with engineering firm representing Harvard Investments.

Chairperson Cooper opened the floor to the public. There being no comments from the public, Commissioner Belk motioned to close the public hearing. commissioner Rafferty seconded the motion and the motion carried.

At this time Ms. Berg requested Chairperson Cooper move to New Business, Item A in the interest of Harvard Investments as the matters under Old Business would require some time for discussion. Chairperson Cooper granted the request.

NEW BUSINESS:

(A) Ed Bull of Burch & Cracchiolo is requesting approval for Application No. PADA94-02 for a Planned Area Development Amendment with a Final Development Plan to amend the existing Waddell Farms PAD. After considerable discussion among the commissioners, Commissioner Rafferty motioned to approve PADA94-02 subject to revised stipulations with deletion of items 10, exact language in items 11 and 12 to be worked out by staff and Ed Bull's firm and addition of item 15 requiring approval from Willdan Associates for infrastructure plans. Commissioner Weed seconded the motion and the motion carried.

(B) (C) Motion was made by Commissioner Rafferty to postpone further action on Application No. PP94-15, Preliminary Plat for Parcel 10 and Application No. PP94-16, Preliminary Plat for Parcel 6 until special meeting is held Tuesday, July 26, 1994. commissioner Belk seconded and the motion carried

PETITIONS FROM CITIZENS NOT ON THE AGENDA:

- None

CORRESPONDENCE ON INFORMATIVE ITEMS:

Zoning News and Council Minutes were passed out to the Commissioners for their information.

UNFINISHED (OLD) BUSINESS:

(A) Planning Director Shirley Berg gave a status report on the Arismendez Site Plan Application No. CU94-03 stating that the applicant has complied with the six stipulations placed by the Planning and Zoning Commission as conditions for approval. Provided in the P & Z Packets were copies of reports of surveys conducted by valid certified contractors which essentially stated that there was no underground tanks found on site and that the property was clean. Ms. Berg apologized that the City Engineer was unable to be present on the day survey was conducted but the report was signed and sealed by a qualified geologist. The report was reviewed by the City Engineers and determined to be satisfactory and with that it ws agreed to release the business license. City Engineer Bill Parrish noted for the record that he was not on staff at the time this case was brought to the Planning and Zoning Commission.

(B) Planning Director Shirley Berg gave a brief status report on Application No. PADA94-02 regarding Mountain Vista

Ranch Arterial Roadways. Ms. Berg and City Engineer Bill Parrish met with representatives of Mountain Vista Ranch to discuss arterial roadway standards and right-of-way widths. Ms. Berg read report of discussion to Commission. (included in packet)

NEW BUSINESS (CONTINUED):

(D) Discussion regarding two dwelling units on one lot permitted under R1-5 zone, Section, Subsection E in Del Webb's Planned Area Development Application. Ms. Berg briefly presented staff's evaluation and research on how other communities principally permit a two-family structure. Staff is recommending change of text in Article No. VI, Section 6-602A as follows:
TEXT OF CHANGE: Delete "Two-Family Structure' principally peritted under the R1-5 zone. After a brief discussion among the commissioners, Commissioner Rafferty motioned to approve the Planning Department to draft a proposed ordinance and forward it to the Legal Department for review, after which the proposed orcdinance will be placed on the Planning and Zoning Commission's Agenda for for discussion and action.

(E) Letter submitted by commissioner Urban regarding two applications for construction in Happy Trails not submitted to Planning and Zoning Commission for approval. Ms. Berg will investigate subject site plans in question and report to the commission.

ADJOURNMENT:
There being no further business, Commissioner Rafferty motioned to adjourn the meeting. Commissioner Weed seconded the motion and the motion carried.

MINUTES
CITY OF SURPRISE
PLANNING AND ZONING COMMISSION
REGULAR MEETING
(Amended Minutes*)

July 19, 1994

*The Planning and Zoning meeting commenced at 7:10 P.M.

MEMBERS PRESENT:
Chairperson Dorothy Cooper, Vice-Chairman Darrell Belk, Commissioners Isaias Gutierez, Robert Perez, William Rafferty, Joseph Urban and Arnold Weed.

APPROVAL OF MINUTES:
Commissioner Weed motioned to approve the minutes of June 21, 1994. Commissioner Belk seconded the motion and the motion carried.

PUBLIC HEARING:
(A) Chairperson Cooper read the Public Hearing title PADA94-02 stating that Ed Bull of Burch & Cracchiolo, P.D. and Harvard Investments is requesting approval for a PAD Amendment with a Final Development Plan to amend the existing Waddell Farms PAD to the Mountain Vista Ranch PAD. Subject property is bounded by Bell Road to the north, Greenway Road to the south, Sarival Road to the west and Reems Road to the east. Planning Director Shirley Berg made a few brief comments stating that there have been some revisions in the language pursuant to the stipulations from the Planning and Zoning Commission and City Council. (copy attached) She further advised the commission that on July 12, 1994, Dysart Unified School district accepted a donation by Harvard Investments for an elementary school site in the Mountain Vista Ranch Development. At this time Ms. Berg introduced Mr. Ed Bull who gave an overview of the PAD Amendment and Final Development Plan for the commissioners. Mr. Bull requested that the commission consider Burch and Cracchiolo's plan for one 8' side walk on the east side of the main arterial street as opposed to staff's recommendation of 5' sidewalks on both sides of the street referenced in item 10. Staff recommends approval with stipulations including revised language in items 11 and 12 and addition of item 15 stating that infrastructure plans submitted to Willdan be approved. Item 10 regarding sidewalks will be up to the Planning and Zoning Commission to decide.

Chairperson Cooper opened the floor to the public. There being no comments from the public, Commissioner Belk motioned to close the public hearing. Commissioner Urban seconded the motion and the motion carried.

(B) Chairperson Cooper read the Public Hearing title No. PP94-15 stating that Ed Bull of Burch & Cracchiolo, P.A. is requesting Preliminary Plat approval for Parcel 10 in the Mountain Vista

At this time Ms. Berg requested Chairperson Cooper move to New Business, Item A in the interest of Harvard Investments as the matters under Old Business would require some time for discussion. Chairperson Cooper granted the request.

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PETITIONS FROM CITIZENS NOT ON THE AGENDA:

- None

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(E) Letter submitted by Commissioner Urban regarding two applications for construction in Happy Trails not submitted to Planning and Zoning Commission for approval. Ms. Berg will investigate subject site plans in question and report to the commission.

ADJOURNMENT:
There being no further business, Commissioner Rafferty motioned to adjourn the meeting. Commissioner Weed seconded the motion and the motion carried. *The meeting was adjourned at 9:05 P.M.

Regular Meeting
April 14, 1994
7:00 p.m.

The Common Council of the City of Surprise held a Regular Meeting in the Council Chambers on April 14, 1994. Mayor Roy Villanueva called the meeting to order at 7:08 p.m. Present in addition to Mayor Villanueva were Vice-Mayor Joan Shafer, Councilmembers Bill Bott, Tom Broich, Debbie Johnson, Johnny Montoya and Harry Reafleng, Jr. Also present were City Manager R.W. "Dick" McComb, City Attorney Paul Cragan and City Clerk Lucy Fitzpatrick.

**Flag Salute**

The Pledge of Allegiance was led by Mayor Villanueva.

**Consent Agenda**

APPROVAL OF MINUTES OF REGULAR MEETING OF MARCH 24, 1994 AND SPECIAL MEETING OF MARCH 31, 1994.
CONSIDERATION OF CLAIMS
Motion by Vice-mayor Shafer to approve the items on the Consent Agenda. Motion seconded by Councilmember Johnson and it carried unanimously.

**PUBLIC HEARING:**

**Ordinance No. 94-05; An Ordinance establishing a Limitation on the Height of Buildings which may be constructed in the City of Surprise**

City Manager McComb explained that this ordinance was to limit the height of buildings for effective response by the fire department. He added that this ordinance would be in effect until the fire department obtained necessary equipment to combat fires in higher structures. Discussion followed regarding capabilities of surrounding departments. Motion by Vice-mayor Shafer to close public hearing and seconded by Councilmember Montoya. Motion carried unanimously and public hearing closed at 7:20 p.m.

**Ordinance No. 94-06; An Ordinance adopting Drainage Design Standards enacted by the Flood Control District of Maricopa County and requiring use of these standards for subdivisions which are larger than 160 acres.**

Planning Director Shirley Berg stated that this ordinance would provide specific drainage standards for subdivisions over 160 acres since the current ordinance does not address large developments. Motion to close public hearing by Vice-mayor Shafer and seconded by Councilmember Johnson. Motion carried unanimously and public hearing closed at 7:22 p.m.

**Ordinance No. 94-07; An Ordinance increasing the City's Sewer System Development Fee, Public Improvements Development Fee, and Water System Development Fee; and enacting a city wide Parks and Recreation Department Fee and a Library Development Fee.**

City Attorney Cragan informed Council that the City was required to have a report available supporting the increase and also to publish a notice of intent to increase development fees per state law. Motion to table this item to Council's meeting of June 9th by Vice-mayor Shafer and seconded by Councilmember Johnson. Motion carried unanimously.

**Request by Ed Bull of Burch & Cracchiolo for approval of an Amendment to a Planned Area Development (PAD) with a Preliminary Development Plan for the described property located at the southwest corner of Bell and Reems Road.**

Planning Director Berg explained that the application was for a planned area development with staff recommending approval contingent upon the following stipulations; 1) arterial cross-sections shown on Exhibit T of the proposal should be reviewed and accepted by the city engineer. 2) Council should consider sidewalk issue on local streets. Ms. Berg explained that this is an option provided in the subdivision ordinance and added that the sidewalks are within the right-of-way. 3) Clarify intent on page 5, paragraph three, last two sentences, linear park shall be constructed. 4) Applicant will donate a minimum five acre school site to the Dysart Unified School District. 5) Language involving exceeding the 35' height limitation must be revised to comply with the proposed ordinance which requires Planning and Zoning Commission's approval. 6) Compliance with the proposed

landscape and maintenance ordinance. 7) The Preliminary P.A.D. approval does not commit the City to provide water service to the subject site known as the Mountain Vista Ranch development. A presentation describing the area surrounding the property was made by Ms. Berg. Discussion followed regarding sidewalks, street dedications and five acres to be used for a school site. Mr. Ed Bull explained that he had talked with school officials regarding the use of five acres for a school site and had been informed that there was a need for an elementary school. He added that recommendation no. 4 would be modified to delete "minimum" and after "five acre" insert the word "elementary". City Manager McComb expressed concern with the City placing a restriction on the type of school facility. Councilmember Broich felt that the wording "applicant will donate a minimum five acre school site to Dysart Unified School District" should remain as is. The City Manager felt that the developer wanted some assurances and stated Council could include a stipulation that it would be an elementary school site contingent upon receiving a letter of agreement from the school district. If not, the developer could address this issue again with Council. Mr. Ed Bull of Burch & Cracchiolo reviewed exhibits of the subdivision with Council explaining the types of housing. Following additional comments, motion by Vice-mayor Shafer to close the public hearing and seconded by Councilmember Montoya. Motion carried unanimously and public hearing closed at 8:25 p.m.

**Liquor License application request by Arthur Wahlers dba Riverboat Acres, 18351 W. Bell Road**

The City Clerk explained the location of the proposed liquor license and reviewed comments submitted by the Planning and Police departments. Councilmember Montoya commented that Council had previously requested that applicants be present at Council meetings. Mr. Arthur Weed, Planning and Zoning Commissioner, noted that the address on the application was incorrect. City Manager McComb explained that approval could be contingent upon address verification. Motion by Council-member Montoya and seconded by Vice-mayor Shafer to close the public hearing. Motion carried unanimously and public hearing closed at 8:34 p.m.

**Consideration and action of Ordinance No. 94-05; Establishing a Limitation on the Height of buildings which may be constructed in the City of Surprise. (SECOND READING)**

Motion by Vice-mayor Shafer to substitute the substitute version of Ordinance No. 94-05 for the original ordinance and seconded by Councilmember Johnson. Motion it carried unanimously. Vice-mayor Shafer then moved to adopt Ordinance No. 94-05 and seconded by Councilmember Johnson. Motion carried unanimously.

**Consideration and action of Ordinance No. 94-06; Adopting Drainage Design Standards enacted by the Flood Control District of Maricopa County and requiring use of these Standards for subdivisions which are larger than 160 acres. (SECOND READING)**

Motion by Councilmember Montoya adopt Ordinance No. 94-06; An Ordinance adopting Drainage Design Standards enacted by the Flood Control District of Maricopa County and requiring use of these standards for subdivisions which are larger than 160 acres. Motion seconded by Councilmember Broich and it carried unanimously.

Special Meeting
April 12, 1994
6:00 p.m.

The Common Council of the City of Surprise held a Special Meeting in the Council Chambers on April 12, 1994. Vice-Mayor Joan Shafer called the meeting to order at 6:05 p.m. Present in addition to Vice-Mayor Shafer were Councilmembers Bill Bott, Debbie Johnson, Johnny Montoya and Harry Reafleng. Mayor Roy Villanueva arrived at 6:08 p.m. Also present were City Manager Richard Manager, City Clerk Lucy Fitzpatrick and Finance Director Vito Tedeschi. Not present was Councilmember Tom Broich. The Vice-Mayor declared the presence of a quorum.

**Consideration of Resolution No. 94-11; A Resolution authorizing the issuance and ordering the sale of City of Surprise, Arizona General Obligation Bonds (Projects of 1987), Series C (1994), in the total aggregate principal amount of $1,555,000, and City of Surprise, Arizona General Obligation Bonds (Projects of 1987) Series D (1994), in the total aggregate principal amount of $4,030,000 and declaring an emergency.**

The Vice-Mayor opened the meeting for a discussion of the capital needs of the City and the desirability of issuing general obligation bonds pursuant to the authority granted by the qualified electors of the City at the special bond election held on June 30, 1987.

The Vice-Mayor advised the Council that it was the date and hour set to consider the sale of $1,555,000 principal amount of City of Surprise, Arizona General Obligation Bonds (Projects of 1987), Series C (1994), and $4,030,000 principal amount of City of Surprise General Obligation Bonds (Projects of 1987), Series D (1994), in accordance with the accelerated bidding process of Title 35, Chapter 3, Article 3, Section 35-457, Arizona Revised Statutes, as amended, and that the City had received pricing quotations from Peacock, Hislop, Staley & Given, Inc., J.W. Garrett & Co. Incorporated and Sutro & Co., Inc., all of whom are recognized purchasers of bonds of the type being sold. The Finance Director announced that Peacock, Hislop, Staley & Given, Inc. had offered to purchase $1,555,000 principal amount of City of Surprise, Arizona General Obligation Bonds (Projects of 1987), Series C (1994), and $4,030,000

principal amount of City of Surprise General Obligation Bonds (Projects of 1987), Series D (1994), pursuant to the provisions of a Bond Purchase Contract at the par value of the bonds, plus a premium of $9,800 together with interest thereon at the rates set forth in the Bond Purchase Contract.

After discussion, the Mayor announced that it was in order to adopt a resolution providing for the issuance and sale of the City of Surprise, Arizona, General Obligation Bonds (Projects of 1987), Series C (1994), in the principal amount of $1,555,000, and City of Surprise, Arizona General Obligation Bonds (Projects of 1987), Series D (1994), in the principal amount of $4,030,000. Thereupon, the following captioned Resolution was introduced and its title read in full:

RESOLUTION NO. 94-11

RESOLUTION AUTHORIZING THE ISSUANCE AND ORDERING THE SALE OF CITY OF SURPRISE, ARIZONA GENERAL OBLIGATION BONDS (PROJECTS OF 1987), SERIES C (1994), IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF $1,555,000, AND CITY OF SURPRISE, ARIZONA GENERAL OBLIGATION BONDS (PROJECTS OF 1987), SERIES D (1994), IN THE TOTAL AGGREGATE PRINCIPAL AMOUNT OF $4,030,000, AND DECLARING AN EMERGENCY.

Vice-Mayor Shafer then moved that Resolution No. 94-11 be adopted as introduced, and Councilmember Montoya seconded the motion. Upon roll call vote, the following voted aye:
Roy Villanueva, Mayor
Joan Shafer, Vice-mayor
Harry Reafleng, Councilmember
Johnny Montoya, Councilmember
Bill Bott, Councilmember
Debbie Johnson, Councilmember

and none voted nay. The Mayor declared Resolution 94-11 adopted as introduced.

**Adjournment**

There being no further business relative to the above matter, the meeting adjourned at 6:25 p.m.

_____
Mayor Roy Villanueva

**ATTEST:**

_____
City Clerk

**Consideration and action of a request by Ed Bull of Burch & Cracchiolo, PA, for approval of an Amendment to a Planned Area Development with a Preliminary Development Plan for described property located at the southwest corner of Bell and Reems Road.**

Motion by Councilmember Broich to approve a request by Burch & Cracchiolo, PA, for an amendment to a Planned Area Development PADA 94-02 with the stipulations discussed earlier regarding the school and sidewalk issue. Motion seconded by Councilmember Johnson. City Attorney Cragan advised Council that to amend the motion to include all of staff's stipulations as well as the letter from the school district. Motion to reconsider by Vice-mayor Shafer and seconded by Councilmember Johnson. Councilmember Bott thereupon moved to accept the Planned Area Development No. 94-02 as stated with all requirements as suggested by staff and amended to read one sidewalk and five acre site for elementary school with letter from school district. Motion seconded by Councilmember Johnson and it carried unanimously.

**Consideration and action of an Application for a Liquor License by Arthur Wahlers dba Riverboat Acres, 18351 W. Bell Road**

Motion by Councilmember Johnson to table this request and schedule for a public hearing with the applicant being notified. Motion seconded by Councilmember Montoya. City Manager McComb stated that reposting of the property would be required. He informed Council that they could move to reopen the public hearing and move to continue the public hearing to the next regular council meeting. Councilmember Johnson withdrew her original motion and second withdrawn by Councilmember Montoya. Motion to reopen the public hearing by Vice-mayor Shafer and seconded by Councilmember Johnson. Motion to continue the public hearing until the next regular meeting and seconded by Councilmember Broich. Motion carried unanimously.

**Consideration and action of an Application for a Liquor License by Arthur Wahlers dba Riverboat Acres, 18351 W. Bell Road**

Motion by Councilmember Johnson to table this request and schedule for a public hearing with the applicant being notified. Motion seconded by Councilmember Montoya. City Manager McComb stated that reposting of the property would be required. He informed Council that they could move to reopen the public hearing and move to continue the public hearing to the next regular council meeting. Councilmember Johnson withdrew her original motion and second withdrawn by Councilmember Montoya. Motion to reopen the public hearing by Vice-mayor Shafer and seconded by Councilmember Johnson. Motion to continue the public hearing until the next regular meeting and seconded by Councilmember Broich. Motion carried unanimously.

**Resolution No. 94-12; Authorizing the Formation of a Joint Application for the Enterprise Communities; Designating the boundaries of the Enterprise Communities; appointing a representative(s) from the Surprise City Council to serve on the Enterprise Communities Commission; authorizing the City to enter into an Intergovernmental Agreement with the other municipalities to form the Enterprise Communities Commission; and authorizing the Enterprise Communities Commission to file an Application for Designation of an Enterprise Community.**

Grants Coordinator Tom Odom explained that the state enterprise zone application had been approved and this resolution would allow the formation of a joint application for the enterprise communities. Motion by Vice-mayor Shafer to approve Resolution No. 94-12 and seconded by Councilmember Broich. Motion carried unanimously.

**Request by Minnie Williams, Surprise/El Mirage Community Organization to address Council regarding Juneteenth Celebration to be held June 17-18, 1994 at Gaines Park**

Ms. Minnie Williams informed Council that the group was low on funds and would need security during the celebration. City Manager McComb suggested that a member from staff and council meet with Ms. Williams to work out the details for the celebration and place the item on the agenda for the next council meeting. Ms. Williams also provided information regarding the event and some activities they provide to the community. Mr. Craig Krumweide, representing Burch & Cracchiolo, stated that his firm would be donating $200 to the Surprise/El Mirage Community Organization to be used during their celebration. Ms. Williams thanked them for their donation.

**Discussion and possible action regarding Willdan Change Orders for Sewer Project**

Mayor Villanueva stated that he had received a request by Mr. Paul Braunstein to address this item and, based on advice from the City Attorney, all communications are to be directed to David Cantelme's office. Mr. Braunstein provided the City Clerk with a document. City Manager McComb explained that Willdan & Associates had been hired to complete required design work for the sewer project and also to act as engineers and construction managers for same. Since that time, revisions to the plans were necessary based on some information received. Willdan & Associates' request was for change orders that had been reviewed by staff. Recommendation was that the change orders be approved in an amount not to exceed $300,000. Payment would be $220,000 now and the balance at a later date, contingent upon a written agreement regarding this issue with Willdan & Associates. Motion by Councilmember Broich to approve as stated by the City Manager and seconded by Vice-mayor

Shafer. Councilmember Broich asked if this action would complete all change orders to the engineer design. City Attorney Cragan stated that there would be no additional changes unless the City made a written request. Copies of the document submitted earlier in the meeting by Mr. Braunstein were distributed to Council. Motion carried unanimously.

**Discussion and possible action regarding Police Department Take Home Car Policy**

Councilmember Johnson moved to remove this item from the agenda since she had been advised by the Police Chief that this issue had been resolved. Motion seconded by Vice-mayor Shafer. Mayor Villanueva stated that the police officers would not be taking the police vehicles home. Motion carried unanimously.

**Call to the Public**

Ms. Goldfarb said that more officers needed to be hired with a commitment to serve the city for at least two years. She also stated that she was circulating a petition against the noise ordinance. City Attorney Cragan reported that he had reviewed noise ordinances from surrounding communities and that the current ordinance could be updated. He added that this proposed ordinance would be presented at the next meeting. Councilmember Montoya reminded everyone of Luke Day on April 16th. Councilmember Johnson commented on the "blitz" the previous weekend and the amount of work that was accomplished during a short period of time. Police Chief Arrell reported that he was working on an agreement with Maricopa County to pick up stray dogs. This would be effective July 1st. City Manager McComb informed Council that the Northwest Valley Chamber would be sponsoring a circus on June 1st and will ask permission for use of

of Bicentennial Park. He reported that he would be accompanying Kingswood Elementary School students on a trip to Mexico.

**Adjournment**

Motion to adjourn by Councilmember Montoya and seconded by Vice-mayor Shafer. There being no further business, the meeting adjourned at 9:25 p.m.

_____
Mayor Roy Villanueva

**ATTEST:**

_____
**City Clerk**

# ENHANCED NOTIFICATION PROCEDURE

# REQUEST FOR COMMENTS FORM

Today's date: July 19, 1994
Case number: PADA94-02
Deadline for commenting jurisdiction to submit comments: July 26, 1994
Date for response to comment: _____
First hearing date for project: July 28, 1994 City Council

**COMMENTING JURISDICTION:** In accordance with the Enhanced Notification Procedure adopted by our community, we are informing you of a project that is being considered by our jurisdiction that may affect your community. Please review the data provided on this project and assess whether it may impact your jurisdiction. If you would like to submit comments, they should be provided by the above noted date, and should specifically address potential impacts. Please keep comments to a maximum of **3 pages**. A response to your comments will be provided by the above noted date. **ALL COMMENTS WILL BE REVIEWED AS ADVISORY ONLY - THE HOST JURISDICTION MAINTAINS AUTHORITY TO PROCEED WITH THEIR HEARING SCHEDULE AS NOTED.** If you have any questions or would like additional information, please call the contact person indicated below.

1. Submitting/host jurisdiction: City of Surprise
2. Contact person: Shirley Berg, Planning Director Phone: 583-1088
3. Address or description of location of project: Bounded by Bell Rd. to the north, Greenway Rd. to the south, Sarival Rd. to the west, Reems Rd. to the west, T3N, R1W of the G&SRB&M
4. Nature of action requested (general plan amendment, master plan, rezoning, etc.): An Amendment to a Planned Area Development (Mountain vista Ranch)
5. Description of the project. Projected additional A.M./P.M. peak hour vehicle trips: _____
   Number of dwelling units: LDR 628-1883 MDR 422-563 HDR 335-922 Non-residential square footage: _____
   Acreage of project: 548.2 Present and proposed land uses: Mixed residential, Commercial, Church , School site
   Phasing plan for overall project: Project will be developed in five phases
6. Current level of service identified in the MAG Congestion Study for the nearest major intersection(s). _____
7. Distance from the perimiter of the project to the nearest existing or proposed:
   freeway - Grand Ave. & Estrella road of regional significance - Greenway Rd., Bell Rd., Reems Rd.
8. Measures that will be employed to mitigate any traffic impacts caused by the project: See Project Narative
   If system related, are these improvements identified in the current MAG Transportation Improvement Program? _____
9. Measures to mitigate other impacts of the proposed development (such as noise, drainage, land use transitions, etc.).
10. How the project supports the host jurisdiction's commitments to implement the air quality plans of the region (trip reduction measures, transit incentives, etc.).
11. Date of any previous communication of this overall project through the Enhanced Notification Procedure: _____
12. Any other comments on the project (may use reverse side or separate sheet): _____

Please attach copies of:
- a vicinity map, site plan and land use map of project;
- any available development impact studies conducted for this area.

## I. INTRODUCTION.

This Final Development Plan ("P.D.P.") provides a project overview of this Major Amendment to the mixed use Planned Area Development (P.A.D.) planned at the southwest corner of Bell Road and Reems Road in Surprise, Arizona. This P.D.P. is intended to provide the City of Surprise with the information necessary to review and approve the requested Preliminary Development Plan for the "Mountain Vista Ranch" project.

## II. THE SITE.

The P.A.D. is approximately 548.1730 gross/532.0224 net acres located at the southwest corner of Bell Road and Reems Road in Surprise, Arizona. The "Site Location Map" (Figure 1, page 2) and the aerial photograph (Figure 2, page 3) illustrate the location of "Mountain Vista Ranch" and surrounding properties.

The legal description for the site is located in the Appendix at Exhibit A.

The site's Topography Map, which illustrates the existing site conditions, drainage patterns, etc., is located in the Appendix at Exhibit B.

The irrigation ditches located on the site are owned by HW, L.L.C. and will be removed in phases as the project develops.

The overhead power lines located on the property will be buried and/or removed in phases as the project develops.

There are no known hazardous conditions on the site.

## III. LAND USES.

The Mountain Vista Ranch Land Use Plan is at Figure 3 (page 4) and indicates the land uses and intensity of development. Principle uses include single-family, multi-family, commercial and common area uses -- including linear parks and trails. This primarily single-family residential P.A.D. will provide a variety of densities and housing products that are geared toward young families desiring high quality yet affordable homes and useable amenities in Surprise.

Uses permitted on the parcels depicted on the Land Use Plan as LDR & MDR shall be the uses permitted, or analogous to the uses permitted, as Principally Permitted Uses, Conditionally Permitted Uses and Permitted Accessory Uses in the current R1-5 District, as set forth in Sections 6-602 & 7-704 of the Surprise Zoning Ordinance, copies of which

# Mountain Vista Ranch Location Map

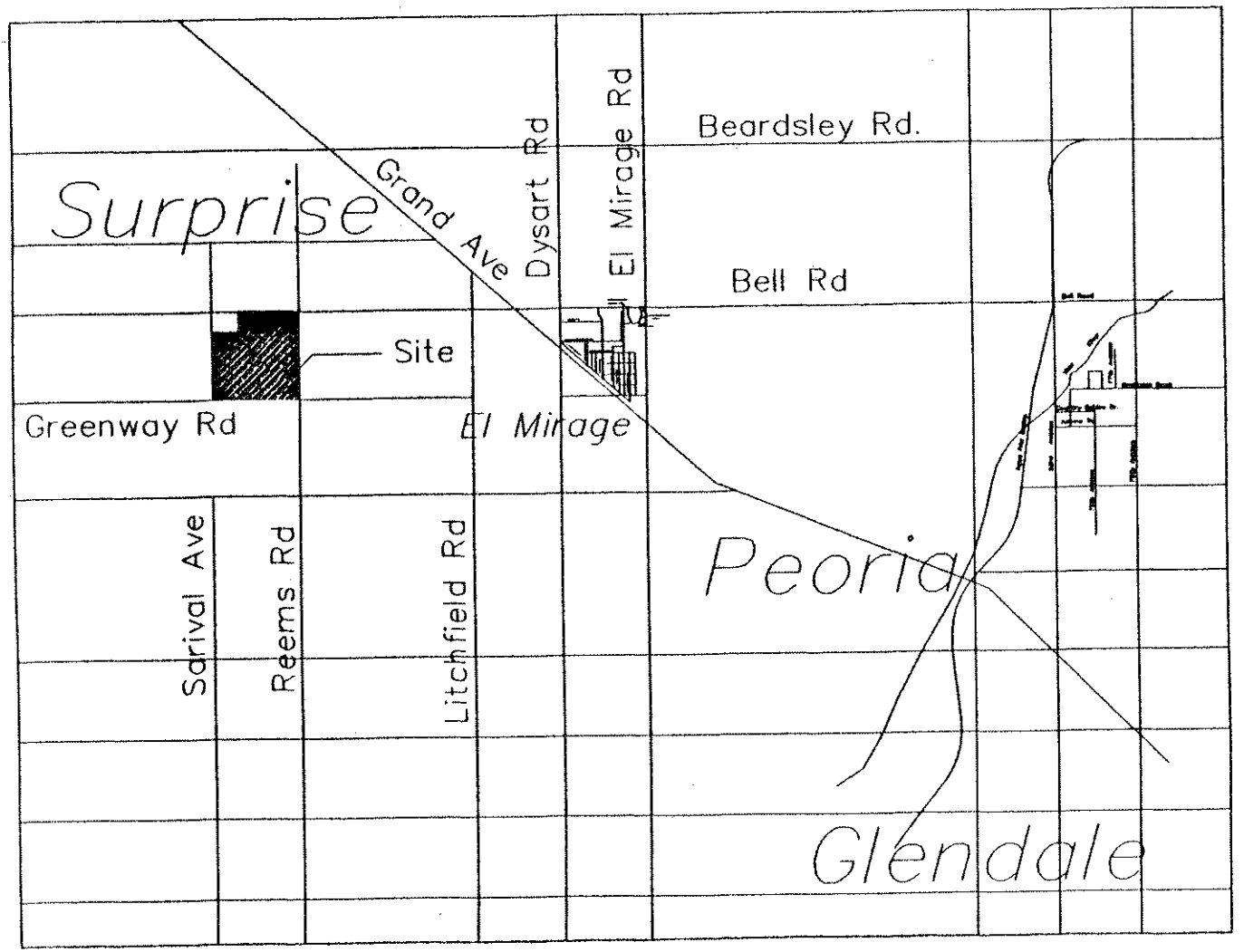



Figure 1

2

## LEGAL DESCRIPTION

PARCEL NO. ONE:

OLO LOTS 3, 4, 5, 6, AND 7; THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THEREFROM THE FOLLOWING DESCRIBED PARCELS, TO WIT:

BEGINNING AT A POINT 33 FEET SOUTH AND 20 FEET WEST OF THE NORTH QUARTER CORNER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN;

THENCE SOUTHERLY ALONG A LINE PARALLEL TO AND 20 FEET WEST OF THE NORTH AND SOUTH MID-SECTION LINE A DISTANCE OF 50 FEET TO A POINT;

THENCE WESTERLY A DISTANCE OF 50 FEET TO A POINT;

THENCE NORTHERLY A DISTANCE OF 80 FEET TO A POINT;

THENCE EASTERLY ALONG A LINE PARALLEL TO AND 33 FEET SOUTH OF THE NORTH BOUNDARY LINE OF SAID SECTION, A DISTANCE OF 50 FEET TO A POINT OF BEGINNING, AS CONVEYED TO MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE BY DEED RECORDED DECEMBER 29, 1958 IN BOOK 339 OF DEEDS, PAGE 48; AND

ALSO EXCEPT ANY PORTION OF THE SAID WEST HALF OF SECTION 6 LYING WITHIN THE ABANDONED 50 FOOT RAILROAD RIGHT-OF-WAY AS DESCRIBED IN DOCKET 3353, PAGE 118 AND BEING IN THE NORTHWEST CORNER OF SAID WEST HALF OF SECTION 6; AND

EXCEPT THAT PART OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 6;

THENCE SOUTH 00°03'11" EAST, ALONG THE WEST LINE OF SAID SECTION 6, A DISTANCE OF 85.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89°56'12" EAST, 55.00 FEET TO A POINT ON A LINE WHICH IS PARALLEL TO AND 55.00 FEET EASTERLY, AS MEASURED AT RIGHT ANGLES, FROM SAID WEST LINE;

THENCE NORTH 44°56'48" EAST, 28.27 FEET TO A POINT ON A LINE WHICH IS PARALLEL TO AND 85.00 FEET SOUTHERLY, AS MEASURED AT RIGHT ANGLES, FROM THE NORTH LINE OF SAID SECTION 6;

THENCE SOUTH 89°56'12" EAST, ALONG SAID PARALLEL LINE, 1008.00 FEET;

THENCE SOUTH 00°03'11" EAST, 728.00 FEET;

THENCE SOUTH 44°56'48" WEST, 273.80 FEET;

THENCE NORTH 89°56'12" WEST, 886.28 FEET TO A POINT ON SAID WEST LINE;

THENCE NORTH 00°03'11" WEST, ALONG SAID WEST LINE, 898.72 FEET TO THE TRUE POINT OF BEGINNING; AND

EXCEPT THAT PORTION OF THE NORTH 85 FEET NOT BEING WITHIN A 50 FOOT BY 50 FOOT WELL SITE AS DESCRIBED IN BOOK 339 OF DEEDS, PAGE 48, AND

EXCEPT THE SOUTH 20 FEET OF THE NORTH 85 FEET OF THE WEST 55 FEET; AND

EXCEPT THE WEST 33 FEET AND THE SOUTH 33 FEET OF SAID SECTION 6

PARCEL NO. TWO:

OLO LOTS 1 AND 2; THE SOUTH HALF OF THE NORTHEAST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE NORTH 85 FEET THEREOF; AND

EXCEPT THE SOUTH 20 FEET OF THE NORTH 85 FEET OF THE EAST 58 FEET; AND

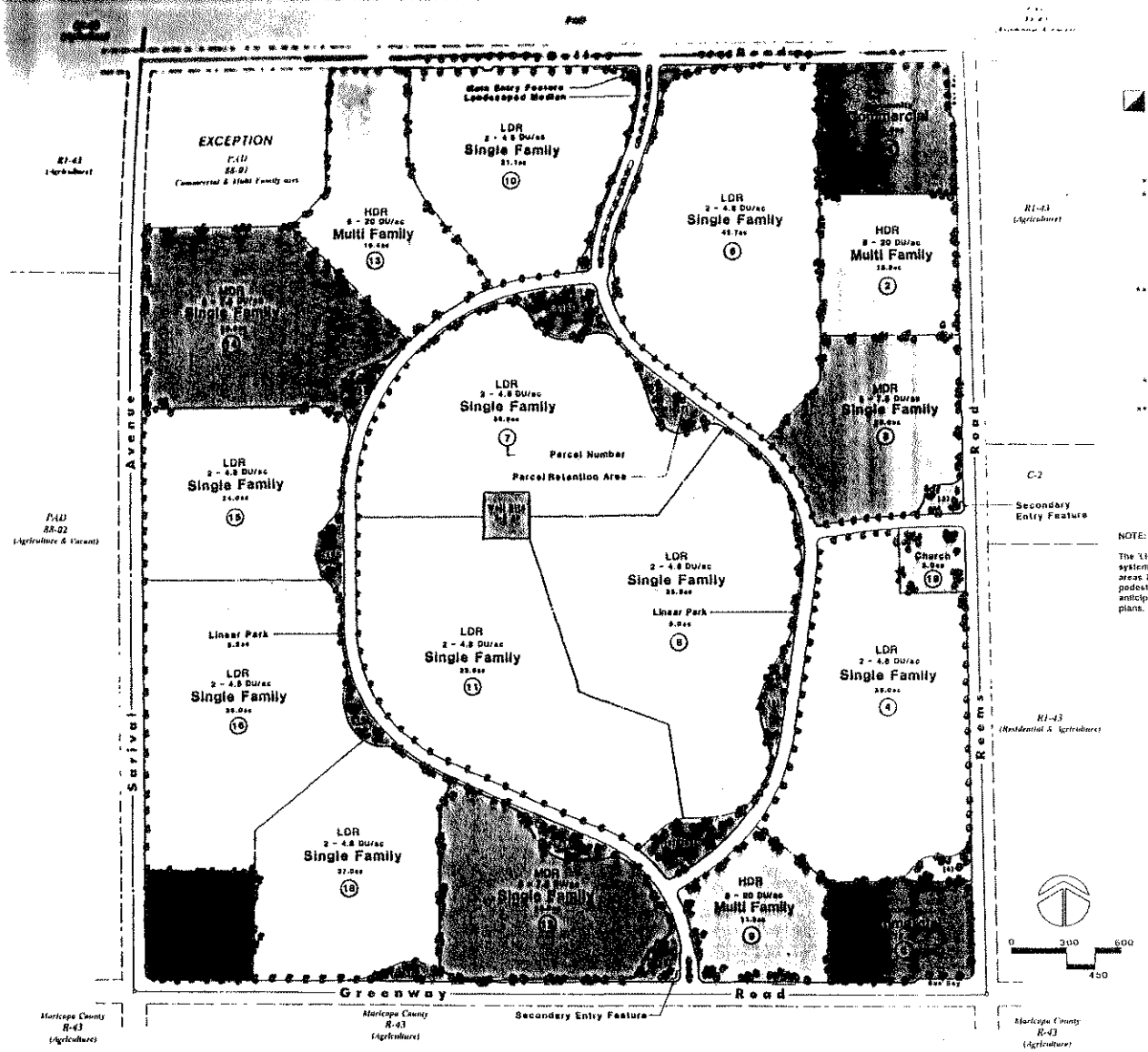
EXCEPT THE EAST 33 FEET AND THE SOUTH 33 FEET OF SAID SECTION 6.

PARCEL NO. THREE:

THAT PORTION OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY ARIZONA MORE PARTICULARLY DESCRIBED AS FOLLOWS

THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6;

EXCEPT THE SOUTH 33 FEET THEREOF.




## Site Data

| Use | | Acres | % | DU/ac | Units |
|---|---|---|---|---|---|
| * LDR | SINGLE FAMILY | 314.1 | 57.3 | 2 - 4.8 | 628 - 1506 |
| * MDR | SINGLE FAMILY | 73.0 | 13.3 | 5 - 7.5 | 352 - 548 |
| HDR | MULTI FAMILY | 41.4 | 7.6 | 8 - 20 | 335 - 796 |
| Streets: | | | | | |
| | Arterials | 26.8 | 4.9 | | |
| | Collectors | 20.0 | 3.6 | | |
| ** Open Space | | 38.4 | 7.0 | | |
| | Commercial | 30.0 | 5.5 | | |
| | Well Site | 1.5 | 0.3 | | |
| | Church | 3.0 | 0.5 | | |
| Total Project | | 548.2 | 100.0 | | 1315 - 2850 |
| * Total Single Family | | 388.7 | 71.0 | | 980 - 2054 |
| ** Open Space: | | | | | |
| | Linear Park & Retention | 38.4 | 7.0 | | |

NOTE:

The 'Linear Park' system depicted on the plan is in concept only. The intent of the system is to provide an aesthetically pleasing solution to storm water retention areas by incorporating the majority of them into a corridor of landscaping and pedestrian/bike paths. The detailed cross-sections of the 'Linear Park', illustrates anticipated varying widths. Final dimensions will be determined with final grading plans.

**Community Development**
City of Surprise

This Final Development Plan conforms with the approved Preliminary Development Plan. Certified this _____ day of _____, 19__.

_____
Community Development Director

I acknowledge the information that I have given on this checklist, the accompanying application and the Final Development Plan to be true and accurate.

_____
Signature of Petitioner

_____
Signature of Property Owner
(If other than petitioner)

**Engineering Note**

The design and construction specifications for all utilities, property and street improvements have been approved by the Town Engineer.

# Mountain Vista Ranch

6.27.94

548± ACRES, A PORTION OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST, GILA & SALT RIVER BASE & MERIDIAN, MARICOPA COUNTY, ARIZONA

FINAL DEVELOPMENT PLAN

pdsA SAURBY ASSOCIATES

4

Figure 3

are in the Appendix as Exhibits C and D, respectively. In addition, two-family dwellings shall be permitted as a Principally Permitted use on parcels depicted as MDR. R1-5 is the zoning category most nearly equivalent to LDR and MDR.

Uses permitted on the parcels depicted on the Land Use Plan as HDR shall be the uses permitted, or analogous to the uses permitted, as Principally Permitted Uses, Conditionally Permitted Uses and Permitted Accessory Uses in the current R-3 District, as set forth in Sections 6-602 & 7-706 of the Surprise Zoning Ordinance, copies of which are in the Appendix as Exhibits C and E, respectively. R-3 is the zoning category most nearly equivalent to HDR.

Uses permitted on the parcels depicted on the Land Use Plan as Commercial shall be the uses permitted, or analogous to the uses permitted, as Principally Permitted Uses, Conditionally Permitted Uses and Permitted Accessory Uses in the current C-2 District, as set forth in Sections 6-603 & 7-708 of the Surprise Zoning Ordinance, copies of which are in the Appendix as Exhibits F and G, respectively. C-2 is the zoning category most nearly equivalent to Commercial.

The Mountain Vista Ranch Plan includes the opportunity for and identifies the locations of linear parks and trails and a potential church to help create stable, identifiable residential neighborhoods which will contain a full complement of supportive commercial, institutional and public facilities. The linear parks, which parallel the internal loop street system, are to be located and configured in general conformance with their depiction on the Land Use Plan (Figure 3, page 4) and such linear parks shall be developed in phases in conjunction with the development of the adjoining parcels. If the linear parks are reconfigured pursuant to the final grading and drainage plans and/or the church site is relocated from where depicted on the Plan, such site(s) are to be developed with the same or substantially similar single-family residences as are developed on the abutting single-family properties. Accordingly, the P.A.D. zoning underlying such linear park and church sites shall be for Low Density Residential (adjacent to Parcels 6, 7, 8, 10, 11, 15, 16 and 18) and Medium Density Residential (adjacent to Parcels 12 and 14) and shall be granted as a part of this P.A.D. approval. Provided however, irrespective of whether or not the linear parks are built in exactly the sizes, shapes and locations as are depicted on the Plan, such linear parks shall be built in conjunction with the adjoining subdivisions and the total open space provided within Mountain Ranch shall be 7% or such greater amount as the developer elects to provide.

The proposed land uses and development intensities for Mountain Vista Ranch are consistent with market potential, the Comprehensive Development Guide recommendations and the area.

## IV. CONSISTENCY WITH THE SURPRISE COMPREHENSIVE DEVELOPMENT GUIDE.

The site is currently zoned P.A.D. and is designated "Typical Neighborhood" (TN) on the City's Comprehensive Development Plan ("C.D.P."). The proposed Mountain Vista Ranch development consists of single-family, multi-family, commercial, linear parks, open space and potential public facilities and is consistent with the City's C.D.P.. Particular provisions of the City's C.D.P. which are complemented by the proposed development include, for example:

* In accordance with Objective D-2 of the C.D.P., the project will promote the development of high quality, yet affordable "starter housing" for young families in Surprise.

* In accordance with Objective B-1 of the C.D.P., the project will create stable, identifiable residential neighborhoods which contain a full complement of single-family, multi-family and commercial development to promote a sense of community.

* In accordance with Objective D-3 of the C.D.P., the project uses the PAD process to plan this large scale land holding and to achieve overall flexibility in development, while at the same time fulfilling the City's desire for quality neighborhood development.

* In accordance with Section D.1.2(j) of the C.D.P., the project denotes acreage for common use which include open space, pedestrian/bicycle trails and a potential church site. Such acreage will include a linked open space system that will be created through the development of linear open spaces.

* In accordance with Sections D.1.2(a, c & d) of the C.D.P., gross residential densities on Low Density Residential ("LDR") properties will not exceed 6 du/ac (LDR densities will be approximately 2-4.8 du/ac). Gross residential densities on Medium Density Residential ("MDR") properties will not exceed 8 du/ac (MDR densities will be approximately 5-7.5 du/ac). Gross residential densities on High Density Residential ("HDR") properties will not exceed 22 du/ac (HDR densities will be approximately 8-20 du/ac). All LDR, MDR and HDR properties within the Mountain Vista Ranch P.A.D. will fall within these density ranges. And, in accordance with Section D.1.2(b) of the C.D.P., the overall gross density will not exceed 7 du/ac.

* In accordance with Objective C-1 of the C.D.P., the project will offer a range of housing types and sizes.

* In accordance with Objective C-3 of the C.D.P., the project will provide the opportunity for quality, yet affordable rental housing compatible in scale and character with surrounding neighborhoods.

* In accordance with Section D.1.2(g) of the C.D.P., the development denotes commercial acreage at the intersections of arterial roadways.

* In accordance with Section D.1.2(p) of the C.D.P., buffering and transition techniques, including open space, walls, extra deep yards and landscaped roadways, will be used to assure compatibility.

* In accordance with Objective E-2 of the C.D.P., the project plans for the development of commercial areas located on sites that will have adequate access and be compatible with adjacent uses.

* In accordance with Objective G-1 of the C.D.P., the development sets minimum design standards for residential and commercial land uses and establishes Design Guidelines for such development.

* In accordance with Section D.2.3(b) of the C.D.P., creative grading and drainage techniques, particularly within the linear park system paralleling the internal collector streets, will be utilized to create artificial topographical relief to add visual interest to the built environment.

* In accordance with Section D.2.3 of the C.D.P., the development includes Design Guidelines which formulate appropriate generalized architectural treatment themes for residential and commercial development and will insure quality development and project conformity.

* In accordance with Section D.3.4(c) and Objective H-1 of the C.D.P., the development provides for appropriately located linear parks and trail systems.

* In accordance with Objective J-2, the development provides for busbays in appropriate locations on Reems Road and Greenway Road.

* In accordance with Objective K-1 of the C.D.P., the development provides for pedestrian and bicycle circulation.

* In accordance with Objective L-1 of the C.D.P., the development is creating master plans for water, sewer and drainage and will extend public utilities and services in an orderly, planned manner to support the new development.

V. ALLOCATION OF LAND USES.

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

## Site Data

| Use | Acres | % | DU/ac | Units |
|---|---|---|---|---|
| * LDR **SINGLE FAMILY** | 314.1 | 57.3 | 2 - 4.8 | 628 -1506 |
| * MDR **SINGLE FAMILY** | 73.0 | 13.3 | 5 - 7.5 | 352 - 548 |
| HDR **MULTI FAMILY** | 41.4 | 7.6 | 8 - 20 | 335 - 796 |
| Streets: | | | | |
| Arterials | 26.8 | 4.9 | | |
| Collectors | 20.0 | 3.6 | | |
| ** Open Space | 38.4 | 7.0 | | |
| Commercial | 30.0 | 5.5 | | |
| Well Site | 1.5 | 0.3 | | |
| Church | 3.0 | 0.5 | | |
| **Total Project** | **548.2** | **100.0** | | 1315 - 2850 |
| * Total Single Family | 388.7 | 71.0 | | 980 - 2054 |
| ** Open Space: | | | | |
| Linear Park & Retention | 38.4 | 7.0 | | |

## VI. COMMON AREAS.

As is depicted on the Land Use Plan, approximately 7.0% of open space will be provided within the Mountain Vista Ranch P.A.D.. Such open space will be maintained by the Master Homeowners' Association and/or individual subdivision Homeowners' Associations.

The open space system is designed to accommodate a linear park, a trail system and necessary on-site retention. Entry features on Bell Road (main entry), Reems Road (secondary entry) and Greenway Road (secondary entry) will provide additional openness and attraction. A Conceptual Plan for the Bell Road main entry follows as Figure 4 (page 10).

The linear park and trail system will visually and physically link residential uses within the Mountain Vista Ranch P.A.D. as well as provide a system of walkways/trails for pedestrians and bicycles. A Conceptual Plan for the linear park follows as Figure 5 (page 11).

In addition to the linear park and trail system, appropriately located busbays are included as a part of the public facilities to be provided at the Mountain Vista Ranch P.A.D.. One busbay is planned for the west side of Reems Road, south of Bell Road and the other busbay is planned for the north side of Greenway Road, west of Reems Road.

Sidewalks, generally as depicted on the Roadway and Street Cross-sections which are discussed within Section XII below, are to be provided. Sidewalks built along the perimeter roadways and internal collector streets shall be built in conjunction with the construction of such roadways/collectors. Sidewalks built in the LDR and MDR neighborhoods and in the HDR and commercial developments are to built by the respective builders of such homes, multi-family developments and commercial centers prior to occupancy thereof. Sidewalks will be provided on one side only of the local and internal collector streets.

## VII. LANDSCAPING.

Landscaping visible to the public on the periphery of the site and within Mountain Vista Ranch shall be an informal desert landscape theme reflective of the southwest character of the development. The recommended landscape palette, from which common area landscaping within the Mountain Vista Ranch P.A.D. shall be selected, is located in the Appendix at Exhibit H. Upon request from the developer, the addition of plants and materials to the recommended landscape pallet may be Administratively Approved by the City's Community Development Director. Significant changes in the recommended landscaping pallet may be approved by the City when deemed necessary through either the minor changes or major changes processes for amendments to the P.A.D. approval, as found in Sections 9-906(G)(1&2) of the City's current Zoning Ordinance, copies of which are located in the Appendix at Exhibit I.

Reems, Greenway, Sarival and the Internal Loop streets shall be landscaped with native canopy trees planted in a regular alignment with lush desert planting below. Some turf will

be allowed within the landscape areas. To provide cohesiveness throughout the project, the landscaping along neighborhood streets shall be compatible with the landscaping along the perimeter roadways and Internal Loop street system.

The front yards of single-family and two-family homes shall be landscaped with at least two trees and shrubs utilized to soften and screen. Ground cover may be turf, decomposed granite or other natural rock material. All bare earth must be covered by an approved organic material to provide a neat, dust free appearance.

Commercial and multi-family developments shall be landscaped with trees, shrubs and ground covers compatible with Mountain Vista Ranch's informal desert landscape theme and in compliance with the City's Code/Ordinance landscaping requirements.

The minimum plant sizes to be used to provide the required landscaping are as follows:

* Trees -- 15 gallon;
* Shrubs -- 1 gallon; and
* Ground covers -- 1 gallon.

Rocks and boulders, railroad ties, etc. may be used to supplement and create imaginative landscaping design compatible with the southwest character of the development and the informal desert landscape theme. Artificially colored rock yards are not acceptable at any location.

The front yards of all single-family and two-family homes must be landscaped and street trees planted at the time construction of such homes is completed. All landscaping areas visible to the public within multi-family and commercial developments must be landscaped at the time of completion of construction of such developments. Prior to landscaping, all yards must be maintained in a neat, weed-free condition.

All landscaped common areas shall be provided with an appropriate low water consumptive underground watering system and shall be appropriately maintained.

Front yards for two family attached "companion homes" will be maintained by the Homeowners' Association to be established for that particular development.

On-lot landscaping shall be provided and maintained by the owner/possessor of such lot. All landscaped areas shall be maintained in a reasonable and attractive manner.

Detailed landscaping plans, consistent with the Preliminary Development Plan Approval, for individual subdivisions and commercial and multi-family developments shall be submitted as supplemental information, and reviewed by Staff to assure continuity of a quality landscaped environment, during the Final Plat (for single-family) and Site Plan (for commercial and multi-family) processes.

XII. SPECIFICATIONS AND STANDARDS FOR STREETS, UTILITIES AND SERVICES.

Streets will be provided in accordance with the following standards and specifications for such improvements:

* Bell Road. Existing/built.

* Reems Road. 110' of R.O.W.[1]. Improvements shall consist of four travel lanes and the opportunity for left turn lanes and right turn lanes as required. The west one half of Reems Road is to be dedicated and improved in conjunction with the development of Mountain Vista Ranch parcels that are abutting Reems Road. Parcels 1, 2, 3, 4, 5 and 19 shall be responsible for construction of improvements to the west half of Reems Road. Rather than constructing such street frontages in a piece meal manner, as a condition of Final Plat Approval, each such parcel shall deposit with the City a performance bond or other acceptable assurance, in an amount as set by the City Council based upon the City Engineer's recommendation, for such parcel's proportionate share of Mountain Vista Ranch's one mile of Reems Road frontage. The west one half street improvements shall be constructed upon the earlier of (a) the development of parcels 2, 3, & 4 or (b) such earlier time as the developer desires.

* Greenway Road. 110' of R.O.W.. Improvements shall consist of four travel lanes and the opportunity for left turn lanes and right turn lanes as required. The north one half of Greenway Road is to be dedicated and improved in conjunction with the development of Mountain Vista Ranch parcels that are abutting Greenway Road. Parcels 5, 9, 12, 17 and 18 shall be responsible for construction of improvements to the north one half of Greenway Road. Rather than constructing such street frontages in a piece meal manner, as a condition of Final Plat Approval, each such parcel shall deposit with the City a performance bond or other acceptable assurance, in an amount as set by the City Council based upon the City Engineer's recommendation, for such parcel's proportionate share of Mountain Vista Ranch's one mile of Greenway Road frontage. The north one half street improvements shall be constructed upon the earlier of (a) the development of parcels 9, 12 & 18 or (b) such earlier time as the developer desires.

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[1] An additional 10' of R.O.W., as needed (a) for a right turn lane into the Secondary Entry from Reems, (b) for a right turn lane onto Greenway Road and (c) for additional right turn lanes (if any) as determined necessary by the City, shall also be dedicated upon request from the City prior to or in conjunction with the development of the parcels adjoining such right turn lanes.

* Sarival Avenue. 110' R.O.W.. Improvements shall consist of two travel lanes and the opportunity for left turn lanes and right turn lanes as required. The east one half of Sarival Avenue, abutting Mountain Vista Ranch is to be dedicated and improved in conjunction with the development of Mountain Vista Ranch parcels that are abutting Sarival Avenue. Parcels 14, 15, 16, and 17 shall be responsible for construction of improvements to the east one half of Sarival Avenue abutting Mountain Ranch. Rather than constructing such street frontages in a piece meal manner, as a condition of Final Plat Approval, each such parcel shall deposit with the City a performance bond or other acceptable assurance, in an amount as set by the City Council based upon the City Engineer's recommendation, for such parcel's proportionate share of Mountain Vista Ranch's approximately 4/5 mile of Sarival Avenue frontage. The east one half street improvements shall be constructed upon the earlier of (a) the development of parcels 14, 15 & 16 or (b) such earlier time as is desired by the developer.

* Major Entrances The major entrances into Mountain Vista Ranch (from Bell Road, approximately 1,700' west of Reems Road and from Greenway Road, approximately 1,500' west of Reems Road) shall consist of short sections of 4-lane divided roadway in general conformance with the depictions of such sections on the Land Use Plan. 80' of R.O.W. shall be provided. Improvements shall consist of two travel lanes in each direction plus a raised median on 64' of pavement. The scope and phasing of such improvements, appropriate transitions, etc. shall be discussed and agreed to between the City and the Developer prior to the development of parcels that are abutting such collector streets.

* Typical Internal Collector Streets. 60' R.O.W.. Improvements shall consist of 36' of pavement that is undivided (except at the major entrances off of Bell and Greenway Roads) with no parking and sidewalks on one side only. The scope and phasing of such improvements, appropriate transitions, etc. shall be discussed and agreed to between the City and the Developer prior to the development of parcels that are abutting such collector streets.

* Local Streets. 36' of R.O.W. plus 2-8' public utility easements. Improvements shall consist of two travel lanes on 30' of pavement and shall be undivided with parking and sidewalks on one side. The scope and phasing of such improvements, appropriate transitions, etc. shall be discussed and agreed to between the City and the Developer prior to the development of parcels that will be improved with such streets.

R.O.W. dedications shall be made in conjunction with Final Plat Approval of the particular subdivision (a) within which such internal rights-of-way will be located and (b) adjacent to which such perimeter rights-of-way will abut.

Typical cross-sections for the various roadway classifications are located in the Appendix as Exhibit T; provided however, medians shall not be required in Reems Road, Greenway Road and/or Sarival Avenue unless they will be maintained by the City.

Heffernan and Associates' Traffic Report, providing appropriate justification for the street standards and specifications, is located in the Appendix as Exhibit U.

The Civil Site Plan, and other plans illustrating the location of existing and future water lines, sewer lines, etc., are located in the Appendix as Exhibit V. Except as otherwise approved by the City through its plans review/approval processes, such utilities and services will be provided in accordance with the City's typical specifications and standards for such improvements.

All on-site utilities shall be installed underground.

## XIII. SIGNAGE.

Signage within Mountain Vista Ranch shall, except as provided below, be in compliance with the City's current Ordinance 85-8, a copy of which is located in the Appendix as Exhibit W. In addition to signage allowed pursuant to Ordinance 85-8, subject to obtaining a Use Permit approving a Master Sign Plan for Mountain Vista Ranch, signage may be provided which is not in strict compliance with the provisions of Ordinance 85-8 but which is appropriate to the character of the development, provides adequate identification and information, provides a good visual environment, promotes traffic safety and is regulated to the extent necessary to be safe and compatible with the Mountain Vista Ranch P.A.D. The Use Permit for the Master Sign Plan, or any modification thereto, may contain such conditions, requirements or standards that may be stipulated by the City to assure that signs covered by the Use Permit will not be detrimental to persons or property in the vicinity or to the pubic welfare in general.

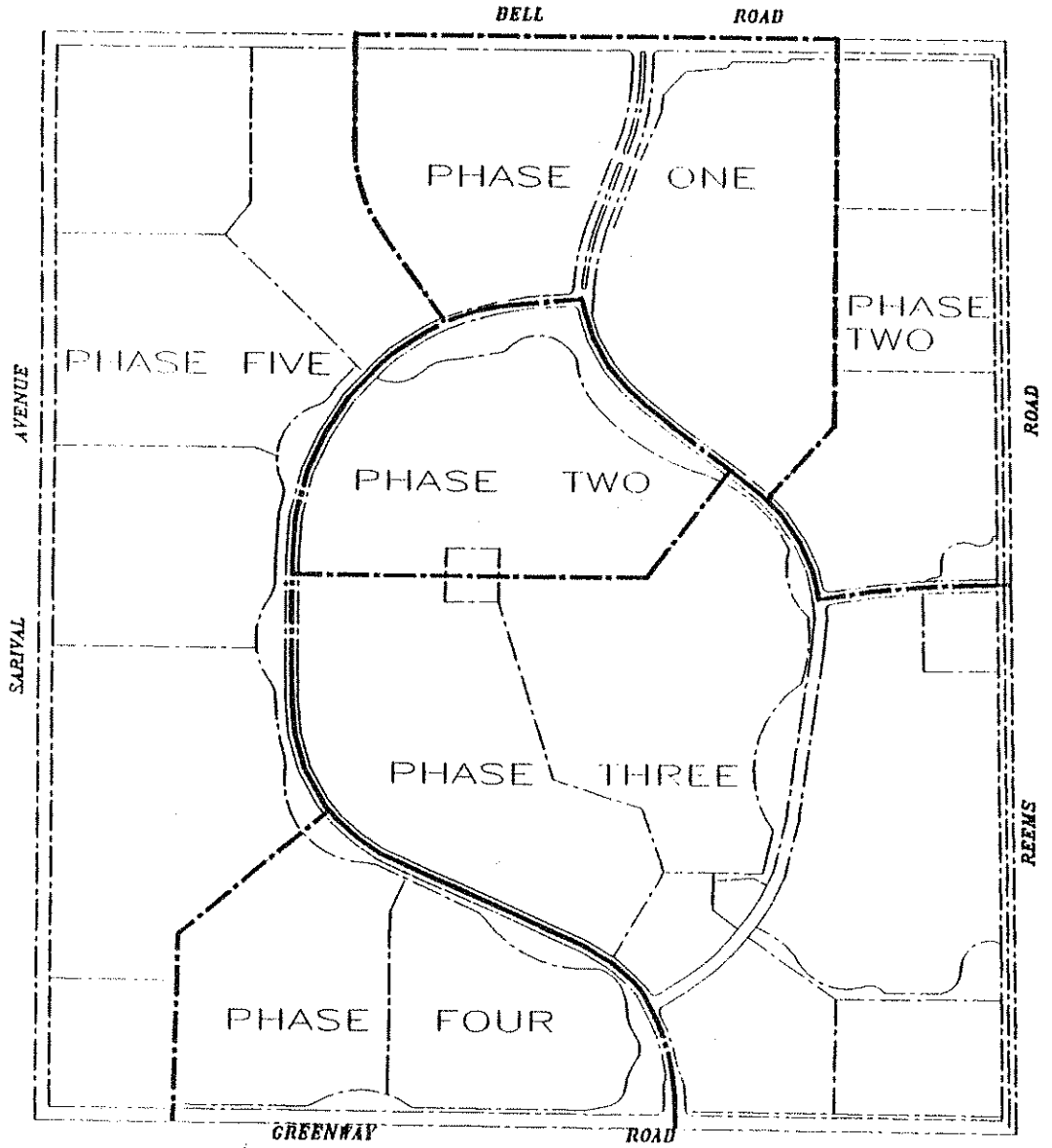
## XIV. PHASING

The Conceptual Phasing Plan is illustrated in Figure 7 (page 26).

The Phasing Plan sets forth the intended times for beginning and completion of each phase. Construction in any phase may be commenced prior to the time shown on the Phasing Plan. Commencement of construction of a phase prior to or within the time designated on the Phasing Plan for commencement of that phase shall satisfy the current Zoning Ordinance Section 9-906(D)(3)(d) provision concerning start of construction, a copy of which is located in the Appendix at Exhibit X.

Extensions of time for up to two years to commence construction in any phase may be administratively approved by the City's Community Development Director. Extensions of time for greater than two years may be approved by the City when deemed necessary through either the minor changes or major changes processes for amendments to the PAD approval as found in the Sections 9-906G(1)&(2) of the City's current Zoning Ordinance, a copy of which is located in the Appendix at Exhibit I.

Phase I provides paved access onto Bell Road only, with emergency all-weather access to Reems Road also being provided. Similar means of (paved) access and emergency (all weather) access will be provided, as necessary and appropriate, in conjunction with the development of subsequent phases of the P.A.D.




# PHASING MAP

## MOUNTAIN VISTA RANCH

N

Phase Boundary

Parcel Boundary

| | INTENDED START | INTENDED COMPLETION |
|---|---|---|
| PHASE I | 1994 | 1996 |
| PHASE II | 1997 | 1998 |
| PHASE III | 1999 | 2000 |
| PHASE IV | 2001 | 2002 |
| PHASE V | 2003 | 2004 |

ORDINANCE NO. 96-04

AN ORDINANCE AMENDING THE ZONING OF A PARCEL LOCATED AT THE SOUTHWEST CORNER OF BELL ROAD AND REEMS ROAD IN SECTION 6, T.3N., R.1W., OF THE GILA AND SALT RIVER MERIDIAN BY AMENDING THE PLANNED AREA DEVELOPMENT FINAL DEVELOPMENT PLAN DATED JUNE 28, 1994 FOR MOUNTAIN VISTA RANCH.

WHEREAS, the CITY OF SURPRISE has adopted a Zoning Ordinance regulating the use and development of lands within the City boundaries, and

WHEREAS, the Common Council of the City of Surprise previously approved the Planned Area Development Final Development Plan for Mountain Vista Ranch (Ordinance No. 94-13),

WHEREAS as a condition of that Planned Area Development approval, the property owner is currently required to develop the property in accordance with a particular final development plan; and

WHEREAS, the property owner desires to amend the final development plan for developing the property; and

WHEREAS, the amendments to the final development plan are consistent with changes which are occurring in the neighborhood, enhances the public health, safety and welfare, and complies with the Surprise Comprehensive Development Guide;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF SURPRISE AS FOLLOWS:

SECTION 1. This ordinance is not of a general and permanent nature and shall not be codified.

SECTION 2. The Planned Area Development zoning classification which currently applies to the property described in Attachment "1" is amended as follows, contingent upon compliance with the stipulations contained in Attachment "4." The Final Development Plan dated June 28, 1994 is amended as follows:

I.

Page 4, Figure 3 is hereby deleted and the Final Development Plan attached hereto as Attachment "2" is substituted in its place.

II.

SECTION III of the Planned Area Development Final Development Plan for Mountain Vista Ranch dated June 28, 1994 is amended by adding the following paragraph at the end of Section III, page 5:

> "Installation or construction and operation of development-related facilities, including, but not limited to, one or more contractor's storage yard, temporary construction trailer, temporary sales and office buildings, model home complexes and appurtenant parking facilities, is allowed, provided that prior written administrative approval has been obtained from the City's Community Development Director. For purposes of this P.A.D., "administrative approval" shall mean written approval of the development-related facility by the Community Development Director following the Director's review of a written request for the development-related facility."

III.

Footnote 2 on Page 15 of the Planned Area Development Final Development Plan for Mountain Vista Ranch dated June 28, 1994 is vacated and deleted. The new footnote 2 on Page 15 shall provide as follows:

> "On LDR and MDR properties developed with single-family detached homes, at least one side yard shall be 10'; the setback for the remaining side may be less than 10' providing principal building separations are at least 10' and the other side yard is at least 3'. Alternatively, on LDR and MDR properties developed with single-family detached homes, at least one side yard shall be 8' and the other side yard at least 5' for a total of 13' of side yard setback on a lot. Typical details depicting such setbacks are located in the Appendix at Exhibit "N."

IV.

Exhibit N is amended by adding the additional Setback Exhibit B (page 2) which is attached as Attachment "3" to this Amended Ordinance.

V.

SECTION XVII is added at Page 28 of the Planned Area Development Final Development Plan for Mountain Vista Ranch dated June 28, 1994 as follows:

"XVII. DENSITY TRANSFER.

Any individual parcel may be developed at a density of not more than one hundred and fifteen percent (115%) of the maximum density allowed for such parcel as shown on the Final Development Plan, provided prior written administrative approval has been obtained from the City's Planning and Zoning Director and the City Manager, provided that in no event shall the overall cap on the number of any particular type of residential dwelling unit within Mountain Vista Ranch be exceeded. And, in accordance with Section D.1.2(b) of the City's Comprehensive Development Plan, the overall gross density will not exceed 7 du/ac. For purposes of this P.A.D., "administrative approval" shall mean written approval of additional density by the Community Development Director following the Director's review of a written request for a density transfer.

SECTION 3. The City Manager shall cause the official records to be amended as necessary to reflect this amendment.

SECTION 4. This ordinance shall become effective thirty (30) days after its adoption.

PASSED AND APPROVED BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF SURPRISE, ARIZONA, this 28th day of March, 1996.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

# LEGAL DESCRIPTION

PARCEL NO. ONE:

GLO LOTS 3, 4, 5, 6, AND 7; THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THEREFROM THE FOLLOWING DESCRIBED PARCELS, TO WIT:

BEGINNING AT A POINT 33 FEET SOUTH AND 20 FEET WEST OF THE NORTH QUARTER CORNER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN;

THENCE SOUTHERLY ALONG A LINE PARALLEL TO AND 20 FEET WEST OF THE NORTH AND SOUTH MID-SECTION LINE A DISTANCE OF 50 FEET TO A POINT,

THENCE WESTERLY A DISTANCE OF 50 FEET TO A POINT;

THENCE NORTHERLY A DISTANCE OF 50 FEET TO A POINT;

THENCE EASTERLY ALONG A LINE PARALLEL TO AND 33 FEET SOUTH OF THE NORTH BOUNDARY LINE OF SAID SECTION, A DISTANCE OF 50 FEET TO A POINT OF BEGINNING, AS CONVEYED TO MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE BY DEED RECORDED DECEMBER 29, 1939 IN BOOK 339 OF DEEDS, PAGE 48; AND

ALSO EXCEPT ANY PORTION OF THE SAID WEST HALF OF SECTION 6 LYING WITHIN THE ABANDONED 50 FOOT RAILROAD RIGHT-OF-WAY AS DESCRIBED IN DOCKET 3353, PAGE 116 AND BEING IN THE NORTHWEST CORNER OF SAID WEST HALF OF SECTION 6; AND

EXCEPT THAT PART OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 6;

THENCE SOUTH 00°03'11" EAST, ALONG THE WEST LINE OF SAID SECTION 6, A DISTANCE OF 85.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89°59'12" EAST, 55.00 FEET TO A POINT ON A LINE WHICH IS PARALLEL TO AND 55.00 FEET EASTERLY, AS MEASURED AT RIGHT ANGLES, FROM SAID WEST LINE;

THENCE NORTH 44°56'48" EAST, 28.27 FEET TO A POINT ON A LINE WHICH IS PARALLEL TO AND 55.00 FEET SOUTHERLY, AS MEASURED AT RIGHT ANGLES, FROM THE NORTH LINE OF SAID SECTION 6;

THENCE SOUTH 89°59'12" EAST, ALONG SAID PARALLEL LINE, 1008.00 FEET;

THENCE SOUTH 00°03'11" EAST, 725.00 FEET;

THENCE SOUTH 44°56'48" WEST, 273.60 FEET;

THENCE NORTH 89°59'12" WEST, 889.28 FEET TO A POINT ON SAID WEST LINE;

THENCE NORTH 00°03'11" WEST, ALONG SAID WEST LINE, 898.72 FEET TO THE TRUE POINT OF BEGINNING; AND

EXCEPT THAT PORTION OF THE NORTH 85 FEET NOT BEING WITHIN A 50 FOOT BY 50 FOOT WELL SITE AS DESCRIBED IN BOOK 339 OF DEEDS, PAGE 48; AND

EXCEPT THE SOUTH 20 FEET OF THE NORTH 85 FEET OF THE WEST 55 FEET; AND

EXCEPT THE WEST 33 FEET AND THE SOUTH 33 FEET OF SAID SECTION 6.

PARCEL NO. TWO:

GLO LOTS 1 AND 2; THE SOUTH HALF OF THE NORTHEAST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE NORTH 85 FEET THEREOF; AND

EXCEPT THE SOUTH 20 FEET OF THE NORTH 85 FEET OF THE EAST 55 FEET; AND

EXCEPT THE EAST 33 FEET AND THE SOUTH 33 FEET OF SAID SECTION 6.

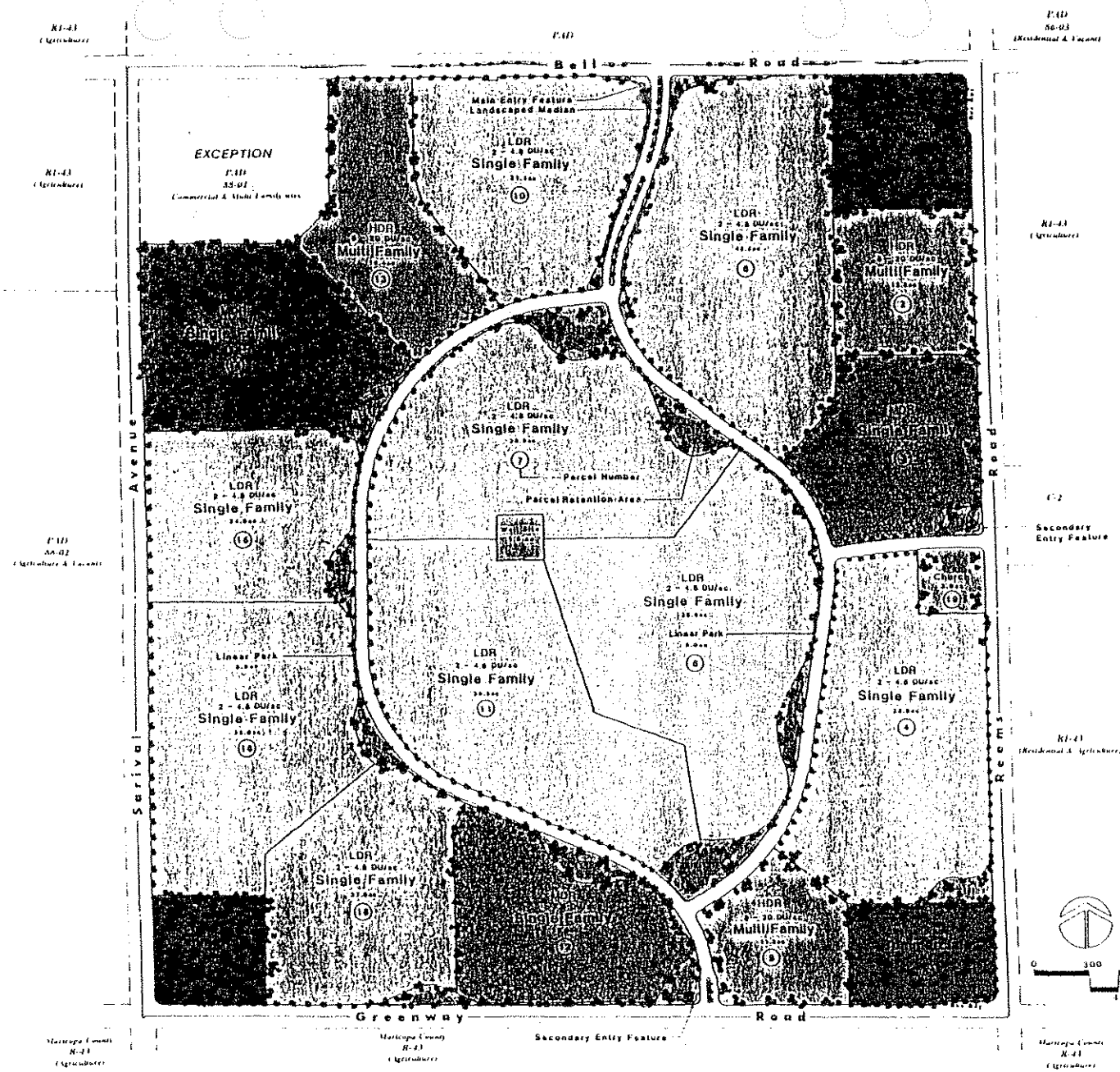
PARCEL NO. THREE:

THAT PORTION OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6;

EXCEPT THE SOUTH 33 FEET THEREOF.

ATTACHMENT # 1
TO ORDINANCE NO. 96-04




## Site Data

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| * MDR SINGLE FAMILY | 73.0 | 13.3 | 5 - 7.5 | 352 - 548 |
| HDR MULTI FAMILY | 41.4 | 7.6 | 8 - 20 | 335 - 796 |
| Streets | | | | |
| Arterials | 26.8 | 4.9 | | |
| Collectors | 20.0 | 3.6 | | |
| ** Open Space | 38.4 | 7.0 | | |
| Commercial | 30.0 | 5.5 | | |
| Well Site | 1.5 | 0.3 | | |
| Church | 3.0 | 0.5 | | |
| Total Project | 548.2 | 100.0 | | 1315 - 2850 |
| * Total Single Family | 388.7 | 71.0 | | 980 - 2054 |
| ** Open Space Linear Park & Retention | 38.4 | 7.0 | | |

NOTE:

Any individual parcel may be developed at a density of not more than one hundred and fifteen percent (115%) of the maximum density allowed for such parcel as shown on the Final Development Plan, provided prior written administrative approval has been obtained from the City's Planning and Zoning Director and the City Manager, provided that in no event shall the overall cap on the number of any particular type of residential dwelling unit within Mountain Vista Ranch be exceeded. And, in accordance with Section D.1.2.(b) of the C.O.P., the overall gross density will not exceed 7 du/ac. For purposes of this P.A.D., "administrative approval" shall mean written approval of additional density by the Community Development Director following the Director's review of a written request for a density transfer.

The "Linear Park" system depicted on the plan is in concept only. The intent of the system is to provide an aesthetically pleasing solution to storm water retention areas by incorporating the majority of them into a corridor of landscaping and pedestrian /bike paths. The detailed cross-sections of the "Linear Park", illustrate anticipated varying widths. Final dimensions will be determined with final grading plans.

Community Development
City of Scottsdale

This Final Development Plan, consisting of ____ sheets, is approved by the Community Development Director of the City of Scottsdale on the ____ day of ____, ____.

Community Development Director

I acknowledge that submission of this plan does not constitute the acceptance of any dedications shown hereon for maintenance purposes by the City of Scottsdale.

Signature of Petitioner

Signature of Property Owner
(If other than petitioner)

Engineering Note

The design and construction specifications for all public improvements shall be approved by the Town Engineer.

# Mountain Vista Ranch

6.27.94

544± ACRES, A PORTION OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 5 WEST, GILA & SALT RIVER BASE & MERIDIAN, MARICOPA COUNTY, ARIZONA

FINAL DEVELOPMENT PLAN

pdl Sabrity Associates

ATTACHMENT #2
TO ORDINANCE NO. 96-04

# Mountain Vista Ranch

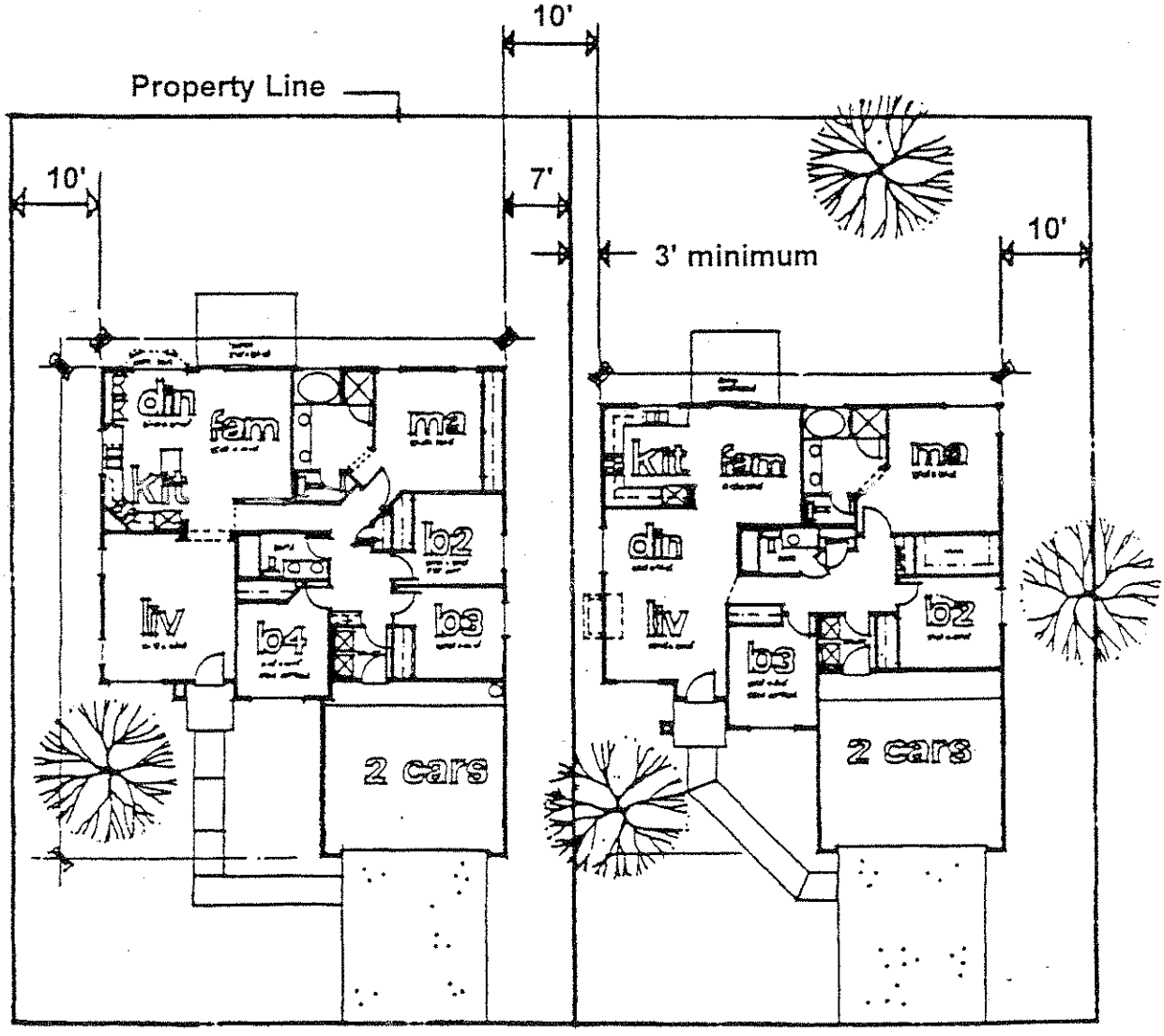
## Setback Exhibit

## B

On LDR and MDR properties developed with single family detached homes there are two side yard setback alternatives:

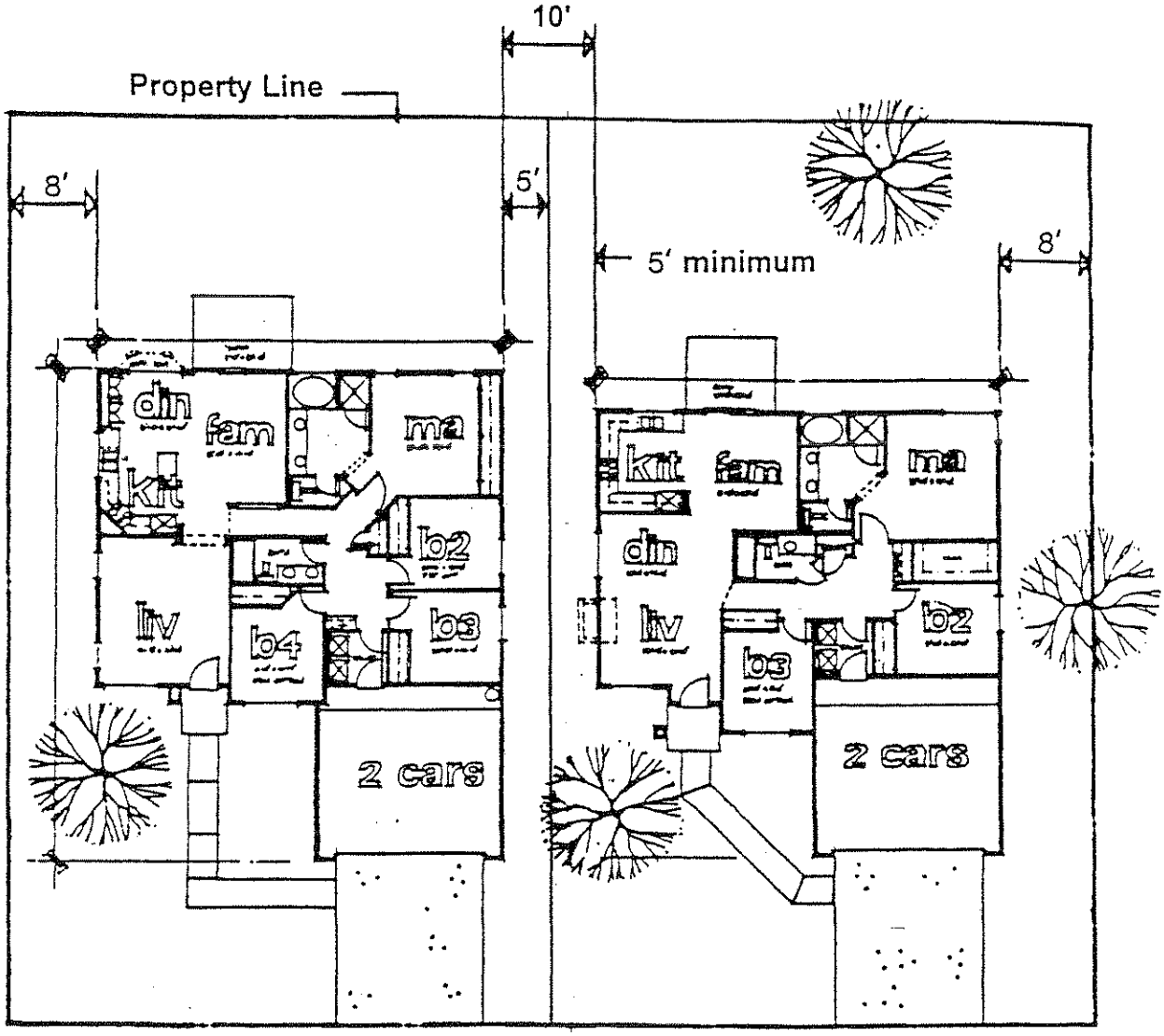
Alternative #1 - At least one side yard shall be 10'; the setback for the remaining side may be less than 10' providing principal building separations are at least 10' and the other side yard is at least 3'; or,

Alternative #2 - On LDR and MDR properties developed with single family detached homes, at least one side yard shall be 8' and the other side yard is at least 5' for a total of 13' of side yard setback on a lot.




ALTERNATIVE #1

ATTACHMENT #3
TO ORDINANCE NO. 96-04




ALTERNATIVE #2

ATTACHMENT #3
TO ORDINANCE NO. 96-04

**RECOMMENDATION:** (PADA96-05)

Subject request is consistent with the proposed Surprise Comprehensive Development Guide. Furthermore, approval of this request would allow for efficient and orderly development. Additionally, approval of this request would not adversely impact the surrounding area. It is **recommended** that this request, a Planned Area Development - Amendment **be approved** subject to the following stipulations:

a) Major changes to the Planned Area Development - Amendment with regards to use and intensity, must be processed as a revised application with approval by the City Council upon recommendation of the Commission. Minor changes may be administratively approved by the Planning and Zoning Department,

b) Submission of six (6) copies of a Narrative Report and six (6) copies of the Planned Area Development Final Development Plan revised as necessary to comply with these approved stipulations prior to approval of any further application or permits,

c) All stipulations approved for the previous PAD 94-02 must be adhered to,

ATTACHMENT "4"
TO ORDINANCE No.: 96-04

PADA97-124

# PLANNED AREA DEVELOPMENT
# FINAL DEVELOPMENT PLAN
(AMENDED)

FOR

# "MOUNTAIN VISTA RANCH"

**Surprise, Arizona**

(Located at the Southwest Corner of Bell Road and Reems Road)

Mt Vista Ranch
PADAMENDMENTS
Applicable ORD's CONDITIONS
1ST AMEND — #94-13
2ND AMEND — #96-04
3RD AMEND — #98-10

Amendment
~~March 28, 1996~~
March 30, 1998

CITY OF SURPRISE
PLANNING AND ZONING DEPARTMENT
APPROVED
Case No.: PADA97-124
P&Z Comm. Approval:
City Council Approval: 5/28/1998
B.O.A. Approval:
Stipulations:

**ORDINANCE NO. 98-10**

**AN ORDINANCE AMENDING THE ZONING TO APPROVE A PLANNED AREA DEVELOPMENT PADA97-124 FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF BELL ROAD AND REEMS ROAD IN SECTION 6 T. 3 N., R.1W., G.&S.R.B.&M. BY AMENDING THE PRELIMINARY DEVELOPMENT PLAN CONSISTING OF CHANGING PARCELS FROM COMMERCIAL TO LOW DENSITY RESIDENTIAL, CHURCH TO LOW DENSITY RESIDENTIAL , HIGH DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL, A SLIGHT INCREASE IN RESIDENTIAL DENSITY, A REVISION TO THE PHASING PLAN AND MISCELLANEOUS "CLEANUP/CLARIFICATION" CHANGES TO THE MOUNTAIN VISTA RANCH PLANNED AREA DEVELOPMENT DOCUMENT**

WHEREAS, the subject parcel is currently zoned Planned Area Development; and

WHEREAS, as a condition of that zoning the property owner is currently required to develop the property in accordance with a particular Preliminary Development Plan; and

WHEREAS, the property owner desires to amend the Preliminary Development Plan; and

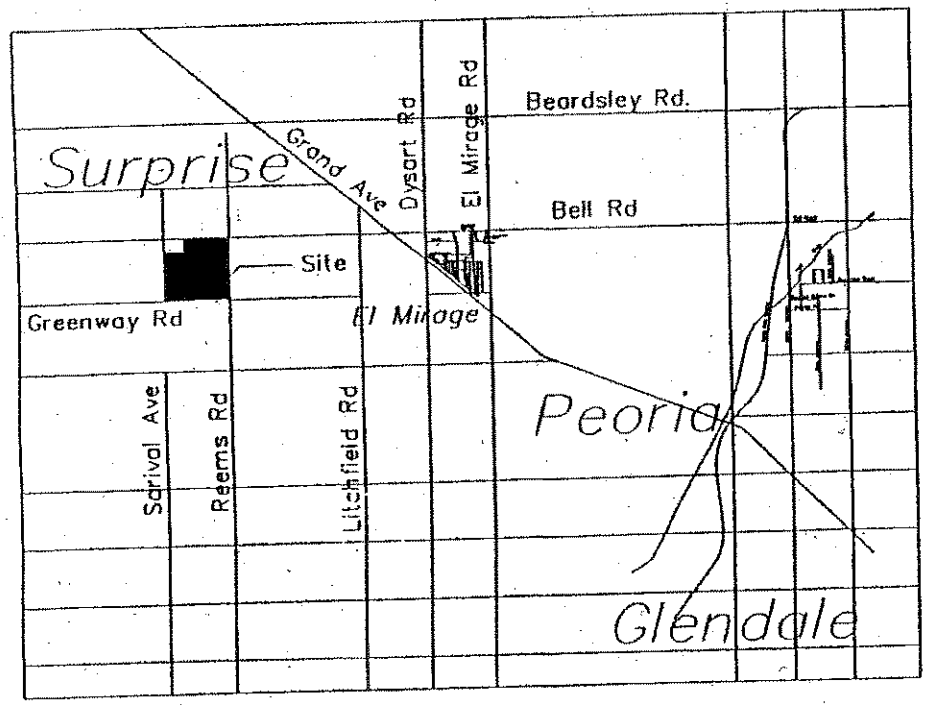
WHEREAS, the amended Preliminary Development Plan is consistent with changes which are occurring in the neighborhood, enhances the public health, safety, and welfare, and complies with the Comprehensive Development Guide;

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Surprise, Arizona, that:

Section 1. This ordinance is not of a general and permanent nature and shall not be codified.

Section 2. The Planned Area Development zoning classification which currently applies to the property described on Exhibit A is amended as follows. The Preliminary Development Plan which was previously approved as a requirement of the Planned Area Development zoning is amended as set forth in that certain document entitled "Planned Area Development Final Plan (Amended) for Mountain Vista Ranch, Surprise, Arizona (located at the southwest corner of Bell Road and Reems Road)," dated May 14, 1998, as Application No. PADA 97-124, a copy of which is on file in the Community Development Department.

# Mountain Vista Ranch Location Map




## LEGAL DESCRIPTION

PARCEL NO. ONE:

OLD LOTS 3, 4, 5, 6, AND 7; THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THEREFROM THE FOLLOWING DESCRIBED PARCEL TO WIT:

BEGINNING AT A POINT 33 FEET SOUTH AND 30 FEET WEST OF THE NORTH QUARTER CORNER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN;

THENCE SOUTHERLY ALONG A LINE PARALLEL TO AND 29 FEET WEST OF THE NORTH AND SOUTH MID-SECTION LINE A DISTANCE OF 50 FEET TO A POINT;

THENCE WESTERLY A DISTANCE OF 50 FEET TO A POINT;

THENCE NORTHERLY A DISTANCE OF 50 FEET TO A POINT;

THENCE EASTERLY ALONG A LINE PARALLEL TO AND 33 FEET SOUTH OF THE NORTH BOUNDARY LINE OF SAID SECTION, A DISTANCE OF 50 FEET TO A POINT OF BEGINNING, AS CONVEYED TO MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE BY DEED RECORDED DECEMBER 29, 1930 IN BOOK 336 OF DEEDS, PAGE 48; AND

ALSO EXCEPT ANY PORTION OF THE SAID WEST HALF OF SECTION 6 LYING WITHIN THE ABANDONED 80 FOOT RAILROAD RIGHT-OF-WAY AS DESCRIBED IN DOCKET 2552, PAGE 116 AND BEING IN THE NORTHWEST CORNER OF SAID WEST HALF OF SECTION 6; AND

EXCEPT THAT PART OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 6;

THENCE SOUTH 00°03'11" EAST, ALONG THE WEST LINE OF SAID SECTION 6, A DISTANCE OF 85.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89°59'13" EAST, 85.00 FEET TO A POINT ON A LINE WHICH IS PARALLEL TO AND 85.00 FEET EASTERLY, AS MEASURED AT RIGHT ANGLES, FROM SAID WEST LINE;

THENCE NORTH 44°56'48" EAST, 28.27 FEET TO A POINT ON A LINE WHICH IS PARALLEL TO AND 83.00 FEET SOUTHERLY, AS MEASURED AT RIGHT ANGLES, FROM THE NORTH LINE OF SAID SECTION 6;

THENCE SOUTH 89°59'13" EAST, ALONG SAID PARALLEL LINE, 1004.86 FEET;

THENCE SOUTH 00°03'11" EAST, 225.00 FEET;

THENCE SOUTH 44°56'48" WEST, 273.00 FEET;

THENCE NORTH 89°59'13" WEST, 1144.70 FEET TO A POINT ON SAID WEST LINE;

THENCE NORTH 00°03'11" WEST, ALONG SAID WEST LINE, 1044.72 FEET TO THE TRUE POINT OF BEGINNING; AND

EXCEPT THAT PORTION OF THE NORTH 85 FEET NOT BEING WITHIN A 50 FOOT BY 50 FOOT MILL SITE AS DESCRIBED IN BOOK 338 OF DEEDS, PAGE 48; AND

EXCEPT THE SOUTH 30 FEET OF THE NORTH 60 FEET OF THE WEST 33 FEET; AND

EXCEPT THE WEST 33 FEET AND THE SOUTH 33 FEET OF SAID SECTION 6.

PARCEL NO. TWO:

OLD LOTS 11 AND 12 THE SOUTH HALF OF THE NORTHEAST QUARTER & SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE NORTH 60 FEET THEREOF; AND

EXCEPT THE SOUTH 30 FEET OF THE NORTH 60 FEET OF THE EAST 30 FEET; AND

EXCEPT THE EAST 33 FEET AND THE SOUTH 33 FEET OF SAID SECTION 6.

PARCEL NO. THREE:

THAT PORTION OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6;

EXCEPT THE SOUTH 33 FEET THEREOF.

PARCEL NO. FOUR:

THAT PORTION OF THE WEST HALF OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 6 FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION 6 BEARS NORTH 00°04'25" WEST, A DISTANCE OF 2642.06 FEET;

THENCE NORTH 00°04'25" WEST ALONG THE WEST LINE OF SOUTHWEST QUARTER OF SAID SECTION 6, A DISTANCE OF 30.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 00°04'25" WEST ALONG SAID WEST LINE, A DISTANCE OF 2601.06 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 6;

THENCE NORTH 00°03'11" WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 6, A DISTANCE OF 648.54 FEET TO THE BEGINNING OF NON-TANGENT CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS POINT BEARS NORTH 81°04'51" WEST, A DISTANCE OF 314.00 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 16°39'24", AN ARC DISTANCE OF 91.41 FEET TO A POINT OF TANGENCY SAID POINT ALSO BEING ON THE EASTERLY LINE OF THE [illegible] FEET OF THE NORTHWEST QUARTER OF SAID SECTION 6;

THENCE SOUTH 00°03'11" EAST ALONG SAID EASTERLY LINE, A DISTANCE OF 1068 FEET;

THENCE SOUTH 89°59'39" EAST ALONG THE EASTERLY LINE OF WESTERLY 33.00 FEET OF THE SOUTHWEST QUARTER OF SAID SECTION 6 TO A POINT ON THE NORTHERLY LINE OF THE SOUTHERLY 30.00 FEET OF SAID SOUTHWEST QUARTER;

THENCE NORTH 89°38'15" WEST ALONG THE SAID NORTHERLY LINE, A DISTANCE OF 3364 FEET TO THE TRUE POINT OF BEGINNING.

EXHIBIT "A" OF RESOLUTION 98-10

# REPORT TO THE PLANNING AND ZONING COMMISSION AND THE CITY COUNCIL

PREPARED BY THE COMMUNITY DEVELOPMENT DEPARTMENT

**CASE NO: GPA97-123** (General Plan Amendment Mountain Vista Ranch - Parcel 17)

| | |
|---|---|
| Planning and Zoning Commission Hearing Date: | April 21, 1998 |
| City Council Hearing Date: | May 14, 1998 |

**REQUEST:** Ed Bull of Burch Cracchiolo, P.A. on behalf of HW, L.L.C. is requesting approval of a **General Plan Amendment for Mountain Vista Ranch to amend Parcel 17 from "Convenience Commercial/Service Node" to "Typical Neighborhood" (LDR).**

**SITE LOCATION:** Subject site is located immediately east of Sarival Road, south of Bell Road and immediately north of Greenway Road. Parcel 17 subdivision is located within the southwest quarter of Section 6, Township 3 North, Range 1 West, Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**SITE SIZE:** The size of the subject property is **7.97 gross acres.**

## CONFORMANCE TO ADOPTED LAND USE PLANS:

**GENERAL PLAN:** This item is a request to amend the Surprise Comprehensive Development Guide - Land Use Plan.

**DEVELOPMENT PLAN:** The subject request is going to also require an amendment to the Final Development Plan (See Plan Analysis Section of this staff report). If approved by the City Council, this Final Plat would comply with the Mountain Vista Ranch (MVR) Planned Area Development Plan.

## COMMENTING JURISDICTIONS:

| | |
|---|---|
| Town of Buckeye: | No comments were received. |
| City of El Mirage: | No comments were received. |
| City of Peoria: | No comments were received. |
| Maricopa County: | No comments were received. |
| Dysart Unified School District: | No comments were received. |

## ADJACENT ROAD STATUS:

3. **VISTA RANCH ROAD:** The street Right-Of-Way width is 60 feet with single lane traffic in each direction. Included is an 8 feet wide meandering sidewalk on one side. No medium will be constructed in this area. The portion of Vista Ranch Road adjacent to this site is already built per the improvement plans for Parcel 7. The remainder of this road is planned to be built with Parcel 11. These improvements also include an 8-foot wide meandering sidewalk constructed along the west side of Vista Ranch Road (adjacent to the open space tracts within this parcel). This sidewalk will line up and match the existing 8 foot sidewalk already constructed with MVR Parcel 7.

4. **SARIVAL AVENUE:** The street right-of-way width will be 110 feet abutting proposed Parcel 16. The remaining portion of Sarival Road is proposed to be abandoned and realigned with the Northwest Ranch PAD. The City Council is presently reviewing the proposed Sarival Roadway abandonment proposal.

5. **Greenway Road (Proposed):** 110 feet of R.O.W. Improvements to be consistent with four travel lanes and the opportunity for left turn lanes and right turn lanes as required. The north one-half of Greenway Road is to be dedicated and improved in conjunction the development of Mountain Vista Ranch Parcels abutting Greenway Road. This includes Parcels, 5, 9, 12, 17 and 18.

## EXISTING UTILITIES AND SERVICES STATUS:

5. **WATER** City of Surprise

6. **SEWER** City of Surprise

7. **FIRE PROTECTION:** The Surprise Fire Department currently has a fire station located at 15616 North Hollyhock Street. A second fire station is under construction near the intersection of the proposed Mountain View Boulevard and Reems Road.

8. **POLICE PROTECTION:** The Surprise Police Department is located at 12425 W. Bell Road.

intersection of Sarival Avenue and Greenway for "Convenience Commercial/Service Node." The General Plan defines this commercial designation as the following:

*"The intersection of two minor arterial roadways is appropriate for location of a convenience commercial service node from 20 to 28 acres in size, or 5 to 7 acres per corner."*

20. The intersection of Sarival Road and Greenway is presently planned so that Sarival Road is realigned to the west of its original location. The realignment is part of the Northwest Ranch PAD. Page 7, of the proposed Northwest Ranch PAD indicates the following:

"Sarival Road. The developer shall construct (or cause to be constructed), at its sole cost and expense:

1. Improving the est half of Sarival Road from Bell Road south to primary entry to the project, approximately 2100 feet south of Bell Road. The segment of Sarival Road will be improved and landscaped to the City of Surprise standards for a minor arterial (110' ROW) with appropriate dedications from adjacent land owners.
2. Beginning at the point where the above segment of Sarival Road terminates, Sarival Road will be realigned and taken through the property to Greenway Road. The entire segment of the project drive will be improved and landscaped to the City of Surprise's standards for a major collector with a 80' right-of-way and 10' landscape tracts on either side."

21. Thus, the urban form of the area has been proposed to substantially change with the development of Northwest Ranch PAD. There will be no intersection as originally planned with the Mountain Vista Ranch PAD. Therefore, the applicant is requesting that the commercial area consisting of Parcel 17 be changed from its commercial designation to residential.

22. The layouts of proposed subdivision lots will be in accordance with the requirements of the Development Agreement, and PAD 94-02 and as amended by PADA 96-05.

23. Access to Parcel 16 subdivision will be from two (2) access points from Vista Ranch Road on the east, which is part of the Parcel 11 plat.

24. The landscaping within the rights-of-way, tracts and open space areas will be maintained by the Mountain Vista Ranch Homeowner's Association.

25. All interior streets will be designed and improved in accordance with the Master Development Agreement and the City of Surprise Design Criteria. Street roadways are proposed as 42' right-of-way local roadways and 44' right-of-way for the entry roadways. A four (4) foot sidewalk is planned on one side of all local streets.

26. Due to the proposed realignment of Sarival Road by the developer of Northwest Ranch PAD to the southwest of this project and proposed Parcel 16, an abandonment of the 33 foot right-

# REPORT TO THE PLANNING AND ZONING COMMISSION AND THE CITY COUNCIL

PREPARED BY THE COMMUNITY DEVELOPMENT DEPARTMENT

**CASE NO: PADA97-124** (Planned Area Development Amendment for Mountain Vista Ranch)

| | |
|---|---|
| Planning and Zoning Commission Hearing Date: | April 21, 1998 |
| City Council Hearing Date: | May 14, 1998 |

**REQUEST:** Ed Bull of Burch Cracchiolo, P.A. on behalf of HW, L.L.C. is requesting approval of a **Planned Area Development Amendment for Mountain Vista Ranch (MVR) to change parcels from Commercial to Low Density Residential (LDR), Church to LDR (Church), High Density Residential (HDR) to Medium Density Residential (MDR), a slight increase in residential density, a revision to phasing plan and miscellaneous "cleanup/clarification" changes to the MVR PAD document.**

**SITE LOCATION:** Subject site is bounded by Sarival Road on the west, Bell Road on the north, Reems Road on the east, and Greenway Road to the south. Parcel 17 subdivision is located within the southwest quarter of Section 6, Township 3 North, Range 1 West, Gila and Salt River Base and Meridian, Maricopa County, Arizona.

**SITE SIZE:** The size of the subject property is 548.9 **gross acres.**

## CONFORMANCE TO ADOPTED LAND USE PLANS:

GENERAL PLAN: This request requires an amendment to the Surprise Comprehensive Development Guide. If this amendment is approved, this request would comply with the General Plan Land Use Map

DEVELOPMENT PLAN: The subject request is for an amendment to the existing Mountain Vista Ranch PAD PADA 96-05, which was approved by City Council on March 5, 1996.

## COMMENTING JURISDICTIONS:

Town of Buckeye: No comments were received.

## EXISTING AND SURROUNDING LAND USE :

| | | |
|---|---|---|
| 2. | ON-SITE: | Presently under construction, some vacant/agricultural areas |
| | NORTH: | Sun City Grand PAD, golf course |
| | EAST: | The Orchards PAD, Vacant/Agricultural |
| | SOUTH: | Proposed Kenly Farms Residential - Parcel E (SFR), Vacant/Agricultural |
| | WEST: | Northwest Ranch PAD, Vacant/Agriculture |

## ADJACENT ROAD STATUS:

3. **BELL ROAD:** Currently three lanes in each direction with a median section, left turn lanes, and meandering sidewalks on both sides.

4. **REEMS ROAD:** 110 foot right-of-way, consisting of four travel lanes and the opportunity for left turn lanes and right turn lanes as required. The west on-half of Reems Road is to be dedicated and improved in conjunction with the development of Mountain Vista Ranch Parcels 1, 2, 3, 4, 5, and 19.

5. **VISTA RANCH ROAD:** The street Right-Of-Way width is 60 feet with single lane traffic in each direction. Included is an 8 feet wide meandering sidewalk on one side. No medium will be constructed in this area. The portion of Vista Ranch Road adjacent to this site is already built per the improvement plans for Parcel 7. The remainder of this road is planned to be built with Parcel 11. These improvements also include an 8-foot wide meandering sidewalk constructed along the west side of Vista Ranch Road (adjacent to the open space tracts within this parcel). This sidewalk will line up and match the existing 8 foot sidewalk already constructed with MVR Parcel 7.

6. **SARIVAL AVENUE:** The street right-of-way width will be 110 feet abutting proposed Parcel 16. The remaining portion of Sarival Road is proposed to be abandoned and realigned with the Northwest Ranch PAD. The City Council is presently reviewing the proposed Sarival Roadway abandonment proposal.

7. **Greenway Road (Proposed):** 110 feet of R.O.W. Improvements to be consistent with four travel lanes and the opportunity for left turn lanes and right turn lanes as required. The north one-half of Greenway Road is to be dedicated and improved in conjunction the development of Mountain Vista Ranch Parcels abutting Greenway Road. This includes Parcels, 5, 9, 12, 17 and 18.

17. Immediately west of the subject site is the proposed Northwest Ranch P.A.D. Currently this area is vacant land and zoned Planned Area Development (R1-5) and is designated as a single-family residential development (this includes development of a park area).

18. The proposed map amendments of the PAD are consistent and compatible with its surrounding urban uses.

## PLAN ANALYSIS:

19. The developer has submitted an application for a General Plan Amendment (GPA 97-123) changing Parcel 17 from Commercial to Low Density Residential. This application is consistent with the aforementioned GPA.

20. There has been a concern from the Planning and Zoning Commission and people living in the Mountain Vista Ranch PAD pertaining changing the MVR PAD so that sidewalks would be required on both sides of proposed local streets.

    The applicant's have submitted proposed language from conversations with staff. Attached is a copy of the recommended working that will require sidewalks on both sides of residential streets within all LDR and MDR parcels, except for parcels 6, 7, 8, and 10 (which are currently under development) and Parcels 14, 15, and 16 which have preliminary plat approval and under review for final subdivision plat approval. The remaining subdivisions that will provide sidewalks on both sides of the streets include parcels 2, 3, 4, 5, 9, 12, 13, & 18.

21. Staff will refer to the applicants Narrative for more detailed explanation of the proposed PAD changes. A brief verbal staff report will be provided at the April 21, 1998 Planning and Zoning Commission Workshop and Public Hearing.

22. Due to the proposed realignment of Sarival Road by the developer of Northwest Ranch PAD to the southwest of this project and proposed Parcel 16, an abandonment of the 33 foot right-of-way along Sarival Road, adjacent to this neighboring property, on the east side of the monument line was approved on February 12, 1998 (Case No. AB 97-122). This land will be used in the design of Parcel 16 Subdivision and shall be used within proposed Lots 22-47.

23. On April 16, 1998, the Community Development Department received comments from Maricopa Water Control District (MWD) on the proposed Final Plat. The comments pertain to to easement interests that the District is going to abandon (See attachment).

24. After analysis of the surrounding area land use patterns and review of all relative planning documentation of the area staff has prepared the following Findings for the Planning and Zoning Commission to consider:

    FINDINGS:

    a. The proposed PAD amendment constitutes an overall reflection of the changing land use patterns within the immediate area and will be an overall improvement to the

# ATTACHMENT 2

# REPORT TO THE PLANNING AND ZONING COMMISSION AND THE CITY COUNCIL

PREPARED BY THE COMMUNITY DEVELOPMENT DEPARTMENT

**CASE NO: PADA97-124** (Planned Area Development Amendment for Mountain Vista Ranch)

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**DEVELOPMENT PLAN:** The subject request is for an amendment to the existing Mountain Vista Ranch PAD PADA 96-05, which was approved by City Council on March 5, 1996.

## COMMENTING JURISDICTIONS:

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## EXISTING AND SURROUNDING LAND USE :

| | | |
|---|---|---|
| 2. | ON-SITE: | Presently under construction, some vacant/agricultural areas |
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| | EAST: | The Orchards PAD, Vacant/Agricultural |
| | SOUTH: | Proposed Kenly Farms Residential - Parcel E (SFR), Vacant/Agricultural |
| | WEST: | Northwest Ranch PAD, Vacant/Agriculture |

## ADJACENT ROAD STATUS:

3. **BELL ROAD:** Currently three lanes in each direction with a median section, left turn lanes, and meandering sidewalks on both sides.

4. **REEMS ROAD:** 110 foot right-of-way, consisting of four travel lanes and the opportunity for left turn lanes and right turn lanes as required. The west on-half of Reems Road is to be dedicated and improved in conjunction with the development of Mountain Vista Ranch Parcels 1, 2, 3, 4, 5, and 19.

5. **VISTA RANCH ROAD:** The street Right-Of-Way width is 60 feet with single lane traffic in each direction. Included is an 8 feet wide meandering sidewalk on one side. No medium will be constructed in this area. The portion of Vista Ranch Road adjacent to this site is already built per the improvement plans for Parcel 7. The remainder of this road is planned to be built with Parcel 11. These improvements also include an 8-foot wide meandering sidewalk constructed along the west side of Vista Ranch Road (adjacent to the open space tracts within this parcel). This sidewalk will line up and match the existing 8 foot sidewalk already constructed with MVR Parcel 7.

6. **SARIVAL AVENUE:** The street right-of-way width will be 110 feet abutting proposed Parcel 16. The remaining portion of Sarival Road is proposed to be abandoned and realigned with the Northwest Ranch PAD. The City Council is presently reviewing the proposed Sarival Roadway abandonment proposal.

7. **Greenway Road (Proposed):** 110 feet of R.O.W. Improvements to be consistent with four travel lanes and the opportunity for left turn lanes and right turn lanes as required. The north one-half of Greenway Road is to be dedicated and improved in conjunction the development of Mountain Vista Ranch Parcels abutting Greenway Road. This includes Parcels, 5, 9, 12, 17 and 18.

17. Immediately west of the subject site is the proposed Northwest Ranch P.A.D. Currently this area is vacant land and zoned Planned Area Development (R1-5) and is designated as a single-family residential development (this includes development of a park area).

18. The proposed map amendments of the PAD are consistent and compatible with its surrounding urban uses.

## PLAN ANALYSIS:

19. The developer has submitted an application for a General Plan Amendment (GPA 97-123) changing Parcel 17 from Commercial to Low Density Residential. This application is consistent with the aforementioned GPA.

20. There has been a concern from the Planning and Zoning Commission and people living in the Mountain Vista Ranch PAD pertaining changing the MVR PAD so that sidewalks would be required on both sides of proposed local streets.

    The applicant's have submitted proposed language from conversations with staff. Attached is a copy of the recommended working that will require sidewalks on both sides of residential streets within all LDR and MDR parcels, except for parcels 6, 7, 8, and 10 (which are currently under development) and Parcels 14, 15, and 16 which have preliminary plat approval and under review for final subdivision plat approval. The remaining subdivisions that will provide sidewalks on both sides of the streets include parcels 2, 3, 4, 5, 9, 12, 13, & 18.

21. Staff will refer to the applicants Narrative for more detailed explanation of the proposed PAD changes. A brief verbal staff report will be provided at the April 21, 1998 Planning and Zoning Commission Workshop and Public Hearing.

22. Due to the proposed realignment of Sarival Road by the developer of Northwest Ranch PAD to the southwest of this project and proposed Parcel 16, an abandonment of the 33 foot right-of-way along Sarival Road, adjacent to this neighboring property, on the east side of the monument line was approved on February 12, 1998 (Case No. AB 97-122). This land will be used in the design of Parcel 16 Subdivision and shall be used within proposed Lots 22-47.

23. On April 16, 1998, the Community Development Department received comments from Maricopa Water Control District (MWD) on the proposed Final Plat. The comments pertain to to easement interests that the District is going to abandon (See attachment).

24. After analysis of the surrounding area land use patterns and review of all relative planning documentation of the area staff has prepared the following Findings for the Planning and Zoning Commission to consider:

    FINDINGS:

    a. The proposed PAD amendment constitutes an overall reflection of the changing land use patterns within the immediate area and will be an overall improvement to the

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## APPENDIX EXHIBITS

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|---|---|
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| D. | ZONING ORDINANCE § 7-704 |
| E. | ZONING ORDINANCE § 7-706 |
| F. | ZONING ORDINANCE § 6-603 |
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| AA. | ORDINANCE NO. 96-04 FINAL PAD AMENDMENT |

## I. INTRODUCTION.

This Final Development Plan ("F.D.P.") provides a project overview of this Major Amendment to the mixed use Planned Area Development (P.A.D.) planned at the southwest corner of Bell Road and Reems Road in Surprise, Arizona. This F.D.P. is intended to provide the City of Surprise with the information necessary to review and approve the requested ~~Preliminary Development Plan~~ Amendment to the Final Development Plan P.A.D. for the"Mountain Vista Ranch" project.

## II. THE SITE.

The P.A.D. is approximately ~~548.1730~~ 548.9 gross/~~532.0224~~ 527.3 net acres located at the southwest corner of Bell Road and Reems Road in Surprise, Arizona. The "Site Location Map" (Figure 1, page 2) and the aerial photograph (Figure 2, page 3) illustrate the location of "Mountain Vista Ranch" and surrounding properties.

The legal description for the site is located in the Appendix at Exhibit A.

The site's Topography Map, which illustrates the existing site conditions, drainage patterns, etc., is located in the Appendix at Exhibit B.

The irrigation ditches located on the site are owned by HW, L.L.C. and will be removed in phases as the project develops.

The overhead power lines located on the property will be buried and/or removed in phases as the project develops.

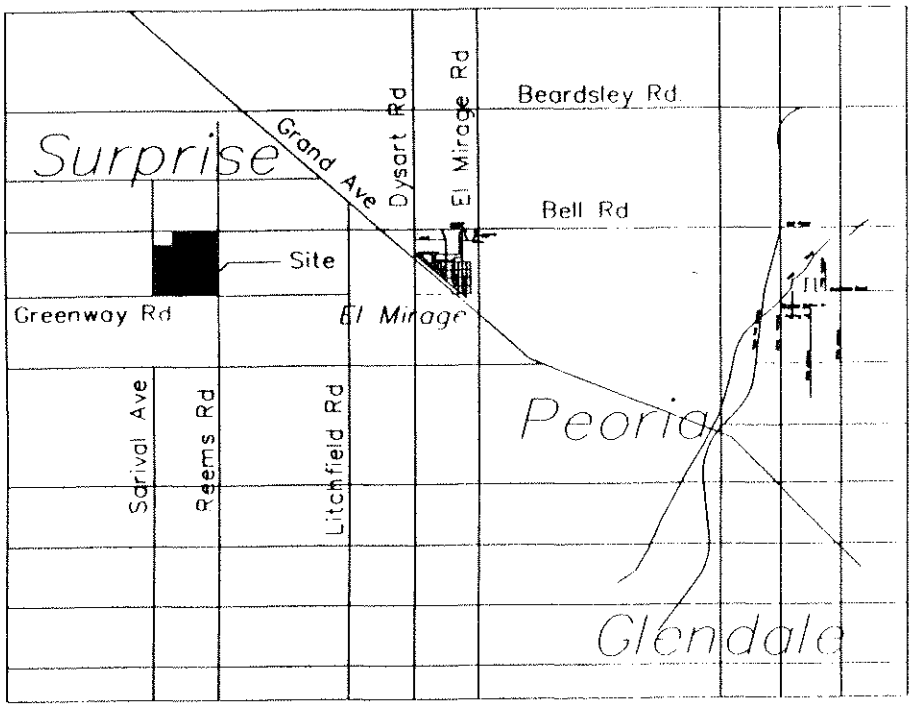
There are no known hazardous conditions on the site.

## III. LAND USES.

The Mountain Vista Ranch Land Use Plan is at Figure 3 (page 4) and indicates the land uses and intensity of development. Principle uses include single-family, multi-family, commercial, governmental facilities and common area uses -- including linear parks and trails. This primarily single-family residential P.A.D. will provide a variety of densities and housing products that are geared toward young families desiring high quality yet affordable homes and useable amenities in Surprise.

Uses permitted on the parcels depicted on the Land Use Plan as LDR & MDR shall be the uses permitted, or analogous to the uses permitted, as Principally Permitted Uses, Conditionally Permitted Uses and Permitted Accessory Uses in the current R1-5 District, as set forth in Sections 6-602 & 7-704 of the Surprise Zoning Ordinance, copies of which are in the Appendix as Exhibits C and D, respectively.

# Mountain Vista Ranch Location Map




## LEGAL DESCRIPTION

PARCEL NO. ONE

GLO LOTS 3, 4, 5, 6 AND 7, THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA.

EXCEPT THEREFROM THE FOLLOWING DESCRIBED PARCELS, TO WIT:

BEGINNING AT A POINT 33 FEET SOUTH AND 20 FEET WEST OF THE NORTH QUARTER CORNER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN;

THENCE SOUTHERLY ALONG A LINE PARALLEL TO AND 20 FEET WEST OF THE NORTH AND SOUTH MID SECTION LINE A DISTANCE OF 50 FEET TO A POINT;

THENCE WESTERLY A DISTANCE OF 50 FEET TO A POINT;

THENCE NORTHERLY A DISTANCE OF 50 FEET TO A POINT;

THENCE EASTERLY ALONG A LINE PARALLEL TO AND 33 FEET SOUTH OF THE NORTH BOUNDARY LINE OF SAID SECTION A DISTANCE OF 50 FEET TO A POINT OF BEGINNING, AS CONVEYED TO MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE BY DEED RECORDED DECEMBER 28, 1918 IN BOOK 318 OF DEEDS, PAGE 48, AND

ALSO EXCEPT ANY PORTION OF THE SAID WEST HALF OF SECTION 6 LYING WITHIN THE ABANDONED 50 FOOT RAILROAD RIGHT-OF-WAY AS DESCRIBED IN DOCKET 3353, PAGE 138, AND BEING IN THE NORTHWEST CORNER OF SAID WEST HALF OF SECTION 6, AND

EXCEPT THAT PART OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 6;

THENCE SOUTH 00°03'11" EAST, ALONG THE WEST LINE OF SAID SECTION 6, A DISTANCE OF 85.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89°59'12" EAST, 55.00 FEET TO A POINT ON A LINE WHICH IS PARALLEL TO AND 55.00 FEET EASTERLY, AS MEASURED AT RIGHT ANGLES, FROM SAID WEST LINE;

THENCE NORTH 44°58'48" EAST, 28.27 FEET TO A POINT ON A LINE WHICH IS PARALLEL TO AND 85.00 FEET SOUTHERLY, AS MEASURED AT RIGHT ANGLES, FROM THE NORTH LINE OF SAID SECTION 6;

THENCE SOUTH 89°59'12" EAST, ALONG SAID PARALLEL LINE, 1008.00 FEET;

THENCE SOUTH 00°03'11" EAST, 725.00 FEET;

THENCE SOUTH 44°58'48" WEST, 27.580 FEET;

THENCE NORTH 89°59'12" WEST, 888.28 FEET TO A POINT ON SAID WEST LINE;

THENCE NORTH 00°03'11" WEST, ALONG SAID WEST LINE, 888.72 FEET TO THE TRUE POINT OF BEGINNING; AND

EXCEPT THAT PORTION OF THE NORTH 85 FEET NOT BEING WITHIN A 50 FOOT BY 50 FOOT WELL SITE, AS DESCRIBED IN BOOK 339 OF DEEDS, PAGE 48, AND

EXCEPT THE SOUTH 20 FEET OF THE NORTH 85 FEET OF THE WEST 55 FEET; AND

EXCEPT THE WEST 33 FEET AND THE SOUTH 33 FEET OF SAID SECTION 6

PARCEL NO. TWO

GLO LOTS 1 AND 2; THE SOUTH HALF OF THE NORTHEAST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE NORTH 85 FEET THEREOF; AND

EXCEPT THE SOUTH 20 FEET OF THE NORTH 85 FEET OF THE EAST 55 FEET; AND

EXCEPT THE EAST 33 FEET AND THE SOUTH 33 FEET OF SAID SECTION 6

PARCEL NO. THREE:

THAT PORTION OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6;

EXCEPT THE SOUTH 33 FEET THEREOF

PARCEL NO. FOUR:

THAT PORTION OF THE WEST HALF OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 6 FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION 6 BEARS NORTH 00°04'25" WEST, A DISTANCE OF 2642.98 FEET;

THENCE NORTH 00°04'25" WEST ALONG THE WEST LINE OF SOUTHWEST QUARTER OF SAID SECTION 6, A DISTANCE OF 55.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 00°04'25" WEST ALONG SAID WEST LINE, A DISTANCE OF 2587.98 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 6;

THENCE NORTH 00°03'12" WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 6, A DISTANCE OF 888.24 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWESTERLY WHOSE RADIUS POINT BEARS NORTH 61°58'51" WEST, A DISTANCE OF 140.00 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 18°25'34", AN ARC DISTANCE OF 67.47 FEET TO A POINT OF NON-TANGENCY, SAID POINT ALSO BEING ON THE EASTERLY LINE OF THE WESTERLY 33.00 FEET OF THE NORTHWEST QUARTER OF SAID SECTION 6;

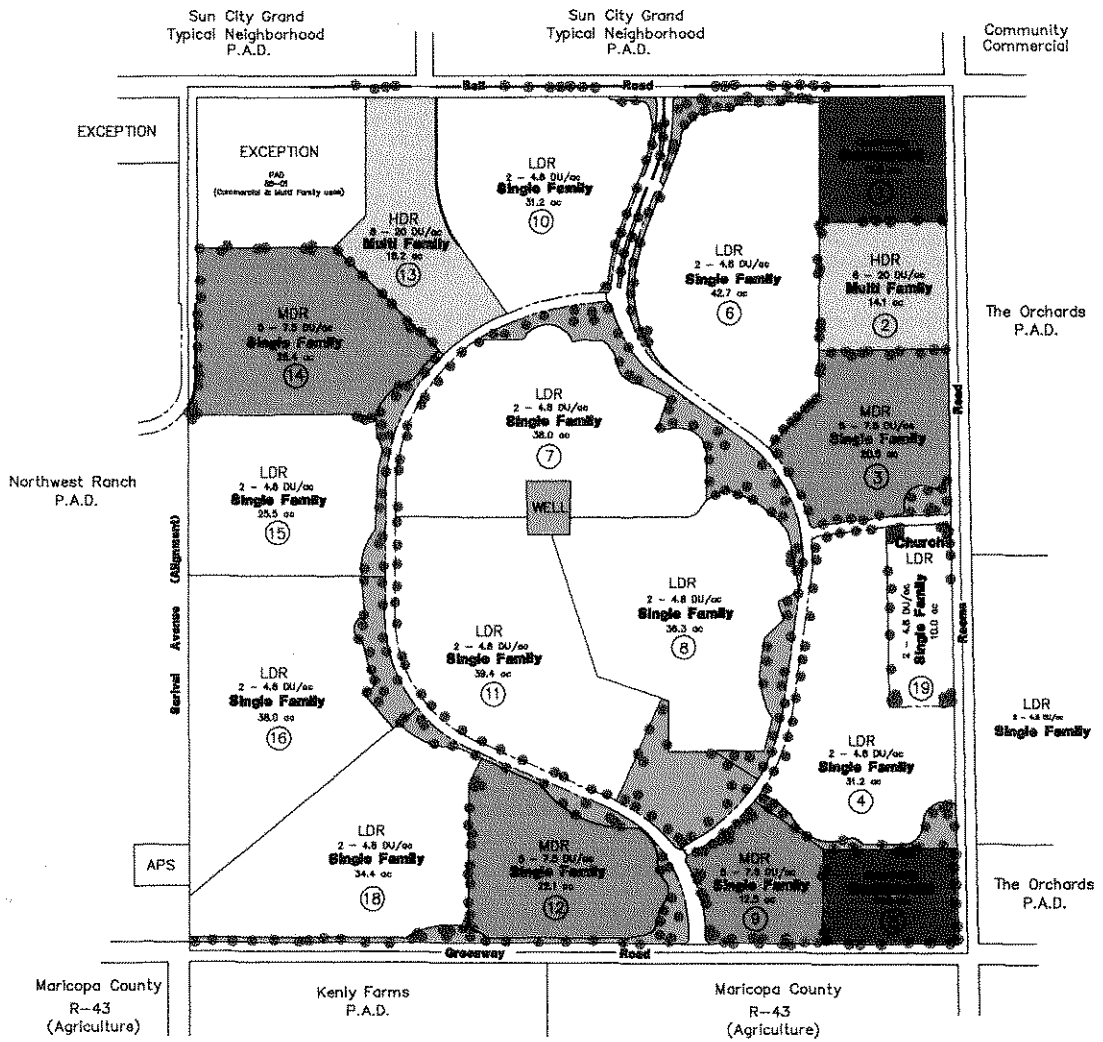
THENCE SOUTH 00°03'12" EAST ALONG SAID EASTERLY LINE, A DISTANCE OF 788.80 FEET;

THENCE SOUTH 00°04'25" EAST ALONG THE EASTERLY LINE OF WESTERLY 33.00 FEET OF THE SOUTHWEST QUARTER OF SAID SECTION 6, TO A POINT ON THE NORTHERLY LINE OF THE SOUTHERLY 55.00 FEET OF SAID SOUTHWEST QUARTER;

THENCE NORTH 89°38'13" WEST ALONG THE SAID NORTHERLY LINE, A DISTANCE OF 33.00 FEET TO THE TRUE POINT OF BEGINNING.



Figure 1

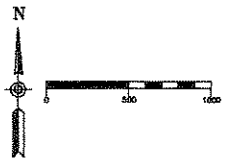



SITE DATA

| Use | | Acres | % | DU/ac | Units | |
|---|---|---|---|---|---|---|
| * LDR | Single Family | 352.6 | 64.2% | 2 - 4.8 | 705 | 1693 |
| * MDR | Single Family | 89.4 | 16.3% | 5 - 7.5 | 447 | 670 |
| HDR | Multi Family | 32.3 | 5.9% | 8 - 20 | 258 | 645 |
| Streets | | | | | | |
| Arterials | | 21.6 | 3.9% | | | |
| Collectors | | 18.6 | 3.4% | | | |
| Commercial | | 24.4 | 4.4% | | | |
| Well Site | | 2.0 | 0.4% | | | |
| Church | | 10.0 | 1.8% | | | |
| Total Project | | 550.9 | 100.0% | | 1410 | 3008 |
| *Total Single Family | | 442.0 | 80.5% | | 1152 | 2363 |
| **Open Space: | | | | | | |
| Linear Park & Retention | | 41.9 | 7.6% | | | |

NOTE:

The 'Linear Park' system depicted on the plan is in concept only. The intent of the system is to provide an aesthetically pleasing solution to storm water retention areas by incorporating the majority of them into a corridor of landscaping and pedestrian/bike paths. The detailed cross section of the 'Linear Park', illustrates anticipated varying widths. Final dimensions will be determined with final grading plans.




# Mountain Vista Ranch

*650± ACRES, A PORTION OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST, GILA & SALT RIVER BASE & MERIDIAN, MARICOPA COUNTY, ARIZONA*

FINAL DEVELOPMENT PLAN

# PROJECT INFORMATION

## )UNTAIN VISTA RANCH

| Subdivision | MCR# | #Lots | Builder Name | Marketing Name | Net Area of Subdivision in Acres | Dus/ Acre |
|---|---|---|---|---|---|---|
| Mountain Vista Ranch Parcel 4 | 534-47 | 132 | | | 23.8 | 132 |
| Mountain Vista Ranch Parcel 6 | 417-33 | 266 | | | 36.81 | 7.23 |
| Mountain Vista Ranch Parcel 7 | 441-10 | 188 | Beazer Homes | Encore | 33.53 | 5.61 |
| Mountain Vista Ranch Parcel 8 | 441-11 | 154 | | | 33.22 | 4.64 |
| Mountain Vista Ranch Parcel 9 | 531-41 | 58 | | | 10.2 | 5.68 |
| Mountain Vista Ranch Parcel 10 | 417-34 | 177 | Beazer Homes | | 29.4 | 6.02 |
| Mountain Vista Ranch Parcel 11 | 474-36 | 194 | Richmond American & Standard Pacific | Westwind-Richmond | 34.85 | 5.57 |
| Mountain Vista Ranch Parcel 12 | 516-13 | 129 | Standard Pacific | Villages | 21.46 | 6.01 |
| Mountain Vista Ranch Parcel 14 | 476-16 | 153 | Standard Pacific, Regal Homes & Westmark | Wildwood-Regal, Desert Springs @ Mtn Vista Ranch-Westmark | 24.37 | 6.28 |
| ıntain Vista Ranch Parcel 15 | 475-23 | 140 | Richmond American & Standard Pacific | Canyon Creek-Richmond | 22.53 | 6.21 |
| Mountain Vista Ranch Parcel 16 | 475-04 | 160 | Regal Homes & Sivage Thomas | Eagle Rock-Regal, Sunrise @ Mtn Vista-Sivage-Thomas | 34.5 | 4.64 |
| Mountain Vista Ranch Parcel 18 | 519-45 | 157 | Hacienda & Regal | Rosewood-Regal | 30.3 | 5.18 |
| Totals | | 1908 | | | 311.17 | |

Project Build-out is 2363

In addition, two-family dwellings shall be permitted as a Principally Permitted use on parcels depicted as MDR. R1-5 is the zoning category most nearly equivalent to LDR and MDR.

Uses permitted on the parcels depicted on the Land Use Plan as HDR shall be the uses permitted, or analogous to the uses permitted, as Principally Permitted Uses, Conditionally Permitted Uses and Permitted Accessory Uses in the current R-3 District, as set forth in Sections 6-602 & 7-706 of the Surprise Zoning Ordinance, copies of which are in the Appendix as Exhibits C and E, respectively. R-3 is the zoning category most nearly equivalent to HDR.

Uses permitted on the parcels depicted on the Land Use Plan as Commercial shall be the uses permitted, or analogous to the uses permitted, as Principally Permitted Uses, Conditionally Permitted Uses and Permitted Accessory Uses in the current C-2 District, as set forth in Sections 6-603 & 7-708 of the Surprise Zoning Ordinance, copies of which are in the Appendix as Exhibits F and G, respectively. C-2 is the zoning category most nearly equivalent to Commercial.

The Mountain Vista Ranch Plan includes the opportunity for and identifies the locations of linear parks and trails, an elementary school, and a ~~potential~~ church to help create stable, identifiable residential neighborhoods which will contain a full complement of supportive commercial, institutional, ~~and~~ public and governmental facilities. The linear parks, which parallel the internal loop street system, are to be located and configured in general conformance with their depiction on the Land Use Plan (Figure 3, page 4) and such linear parks shall be developed in phases in conjunction with the development of the adjoining parcels. If the linear parks are reconfigured pursuant to the final grading and drainage plans and/or the church site is relocated from where depicted on the Plan, such site(s) are to be developed with the same or substantially similar single-family residences as are developed on the abutting single-family properties. Accordingly, the P.A.D. zoning underlying such linear park, elementary school and church sites shall be for Low Density Residential and ~~(adjacent to Parcels 6, 7, 8, 10, 11, 15, 16 and 18) and~~ Medium Density Residential ~~(adjacent to Parcels 12 and 14)~~ and shall be granted as a part of this P.A.D. approval. Provided however, irrespective of whether or not the linear parks are built in exactly the sizes, shapes and locations as are depicted on the Plan, such linear parks shall be built in conjunction with the adjoining subdivisions and the total open space provided within Mountain Ranch shall be approximately 7% or such greater amount as the developer elects to provide.

The proposed land uses and development intensities for Mountain Vista Ranch are consistent with market potential, the Comprehensive Development Guide recommendations and the area.

Installation or construction and operation of development-related facilities, including, but not limited to, one or more contractor's storage yard, temporary construction trailer, temporary sales and office buildings, model home complexes and appurtenant parking facilities, is allowed, provided that prior written administrative

approval has been obtained from the City's Community Development Director. For purposes of this P.A.D., "administrative approval" shall mean written approval of the development-related facility by the Community Development Director following the Director's review of a written request for the development-related facility.

IV. CONSISTENCY WITH THE SURPRISE COMPREHENSIVE DEVELOPMENT GUIDE.

The site is currently zoned P.A.D. and is designated "Typical Neighborhood" (TN) on the City's Comprehensive Development Plan ("C.D.P."). The proposed Mountain Vista Ranch development consists of single-family, multi-family, commercial, linear parks, open space and potential public and governmental facilities and is consistent with the City's C.D.P.. Particular provisions of the City's C.D.P. which are complemented by the proposed development include, for example:

* In accordance with Objective D-2 of the C.D.P., the project will promote the development of high quality, yet affordable "starter housing" for young families in Surprise.

* In accordance with Objective B-1 of the C.D.P., the project will create stable, identifiable residential neighborhoods which contain a full complement of single-family, multi-family and commercial development to promote a sense of community.

* In accordance with Objective D-3 of the C.D.P., the project uses the PAD process to plan this large scale land holding and to achieve overall flexibility in development, while at the same time fulfilling the City's desire for quality neighborhood development.

* In accordance with Section D.1.2(j) of the C.D.P., the project denotes acreage for common use which include open space, pedestrian/bicycle trails and a potential church site. Such acreage will include a linked open space system that will be created through the development of linear open spaces.

* In accordance with Sections D.1.2(a, c & d) of the C.D.P., gross residential densities on Low Density Residential ("LDR") properties will not exceed 6 du/ac (LDR densities will be approximately 2-4.8 du/ac). Gross residential densities on Medium Density Residential ("MDR") properties will not exceed 8 du/ac (MDR densities will be approximately 5-7.5 du/ac). Gross residential densities on High Density Residential ("HDR") properties will not exceed 22 du/ac (HDR densities will be approximately 8-20 du/ac). All LDR, MDR and HDR properties within the Mountain Vista Ranch P.A.D. will fall within these density ranges. And, in accordance with Section D.1.2(b) of the C.D.P., the overall gross density will not exceed 7 du/ac.

* In accordance with Objective C-1 of the C.D.P., the project will offer a range of housing types and sizes.

* In accordance with Objective C-3 of the C.D.P., the project will provide the opportunity for quality, yet affordable rental housing compatible in scale and character with surrounding neighborhoods.

* In accordance with Section D.1.2(g) of the C.D.P., the development denotes commercial acreage at the intersections of arterial roadways.

* In accordance with Section D.1.2(p) of the C.D.P., buffering and transition techniques, including open space, walls, extra deep yards and landscaped roadways, will be used to assure compatibility.

* In accordance with Objective E-2 of the C.D.P., the project plans for the development of commercial areas located on sites that will have adequate access and be compatible with adjacent uses.

* In accordance with Objective G-1 of the C.D.P., the development sets minimum design standards for residential and commercial land uses and establishes Design Guidelines for such development.

* In accordance with Section D.2.3(b) of the C.D.P., creative grading and drainage techniques, particularly within the linear park system paralleling the internal collector streets, will be utilized to create artificial topographical relief to add visual interest to the built environment.

* In accordance with Section D.2.3 of the C.D.P., the development includes Design Guidelines which formulate appropriate generalized architectural treatment themes for residential and commercial development and will insure quality development and project conformity.

* In accordance with Section D.3.4(c) and Objective H-1 of the C.D.P., the development provides for appropriately located linear parks and trail systems.

* In accordance with Objective J-2, the development provides for busbays in appropriate locations on Reems Road and Greenway Road.

* In accordance with Objective K-1 of the C.D.P., the development provides for pedestrian and bicycle circulation.

* In accordance with Objective L-1 of the C.D.P. the development is creating master plans for water, sewer and drainage and will extend public utilities and services in an orderly, planned manner to support the new development.

V. ALLOCATION OF LAND USES.

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

## SITE DATA

| Use | | Acres | % | DU/ac | Units | |
|---|---|---|---|---|---|---|
| *LDR | Single Family | 352.6 | 64.0% | 2 - 4.8 | 705 | 1693 |
| *MDR | Single Family | 89.4 | 16.2% | 5 - 7.5 | 447 | 670 |
| HDR | Multi Family | 32.3 | 5.9% | 8 - 20 | 258 | 645 |
| Streets | | | | | | |
| | Arterials | 21.6 | 3.9% | | | |
| | Collectors | 18.6 | 3.4% | | | |
| Commercial | | 24.4 | 4.4% | | | |
| Well Site | | 2.0 | 0.4% | | | |
| Church | | 10.0 | 1.8% | | | |
| **Total Project** | | 550.9 | 100.0% | | 1410 | 3008 |
| *Total Single Family | | 442.0 | 80.2% | | 1152 | 2363 |
| Open Space: Linear Park & Retention | | 41.9 | 7.6% | | | |

## VI. COMMON AREAS.

As is depicted on the Land Use Plan, approximately 7.0% of open space will be provided within the Mountain Vista Ranch P.A.D.. Such open space will be maintained by the Master Homeowners' Association and/or individual subdivision Homeowners' Associations.

The open space system is designed to accommodate a linear park, a trail system and necessary on-site retention. Entry features on Bell Road (main entry), Reems Road (secondary entry) and Greenway Road (secondary entry) will provide additional openness and attraction. A Conceptual Plan for the Bell Road main entry follows as Figure 4 (page 10).

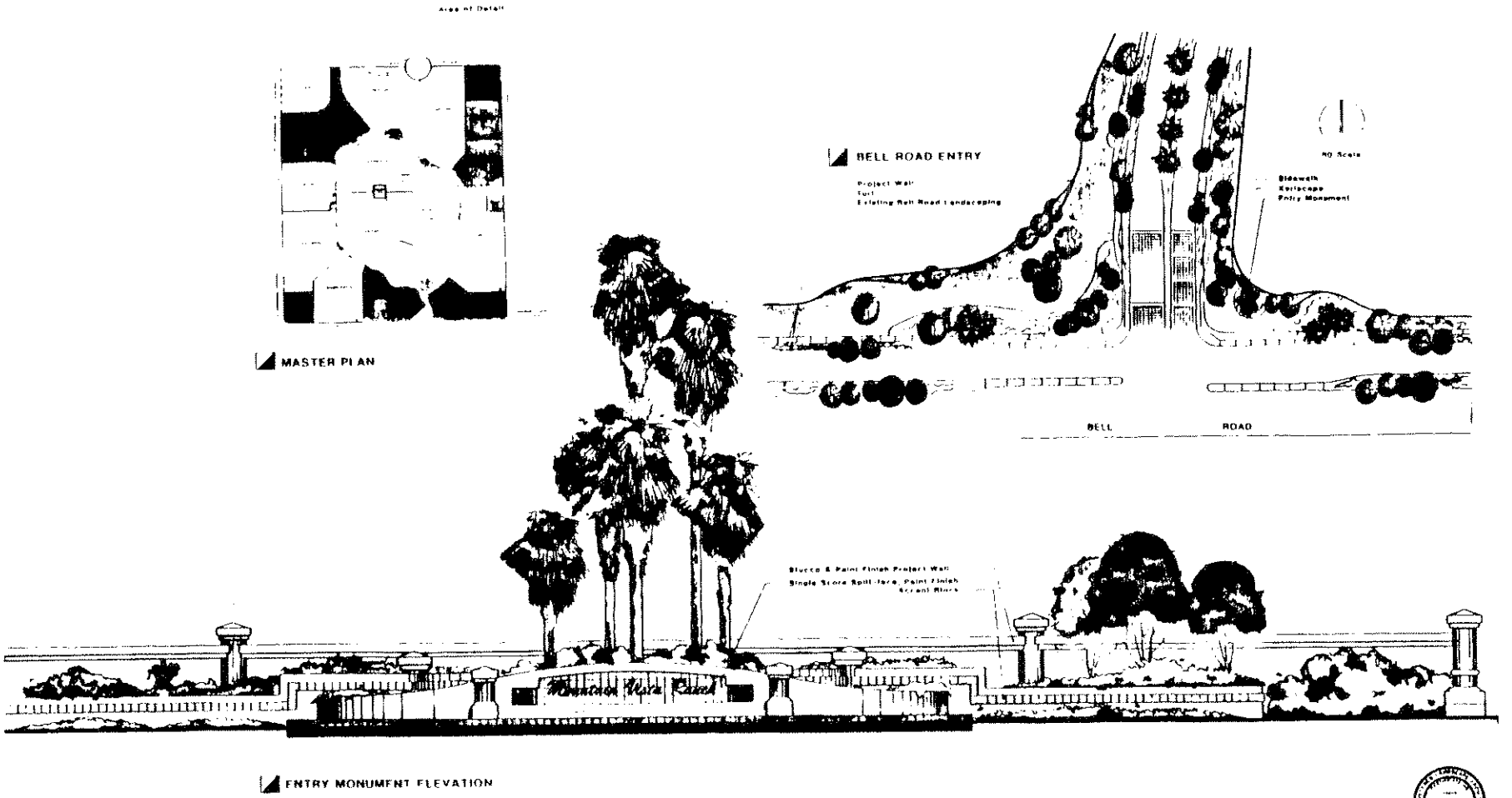
The linear park and trail system will visually and physically link residential uses within the Mountain Vista Ranch P.A.D. as well as provide a system of walkways/trails for pedestrians and bicycles. A Conceptual Plan for the linear park follows as Figure 5 (page 11).

In addition to the linear park and trail system, appropriately located busbays are included as a part of the public facilities to be provided at the Mountain Vista Ranch P.A.D.. One busbay is planned for the west side of Reems Road, south of Bell Road and the other busbay is planned for the north side of Greenway Road, west of Reems Road.

Sidewalks, generally as depicted on the Roadway and Street Cross-sections which are discussed within Section XII below, are to be provided. Sidewalks built along the perimeter roadways and internal collector streets shall be built in conjunction with the construction of such roadways/collectors. Sidewalks built in the LDR and MDR neighborhoods and in the HDR and commercial developments are to built by the respective builders of such homes, multi-family developments and commercial centers prior to occupancy thereof. Sidewalks will be provided on one side only of the local and internal collector streets.

## VII. LANDSCAPING.

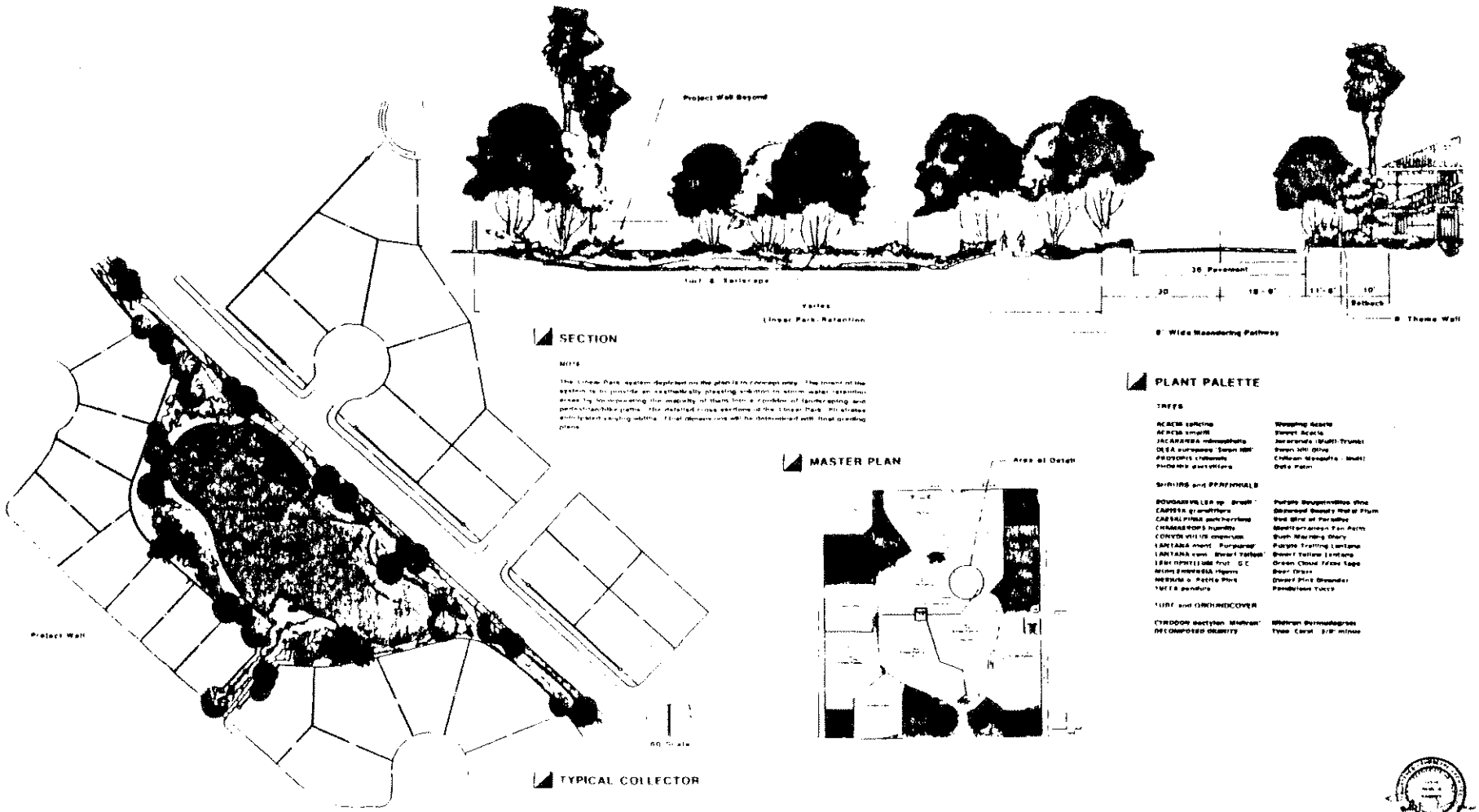
Landscaping visible to the public on the periphery of the site and within Mountain Vista Ranch shall be an informal desert landscape theme reflective of the southwest character of the development. The recommended landscape palette, from which common area landscaping within the Mountain Vista Ranch P.A.D. shall be selected, is located in the Appendix at Exhibit H. Upon request from the developer, the addition of plants and materials to the recommended landscape pallet may be Administratively Approved by the City's Community Development Director. Significant changes in the recommended landscaping pallet may be approved by the City when deemed necessary through either the minor changes or major changes processes for amendments to the P.A.D. approval, as found in Sections 9-906(G)(1&2) of the City's current Zoning Ordinance, copies of which are located in the Appendix at Exhibit I.




# Mountain Vista Ranch

ENTRY FEATURE

Figure 4




# Mountain Vista Ranch

LINEAR PARK CONCEPT

pd/s Associates

2

Figure 5

Reems, Greenway, Sarival and the Internal Loop streets shall be landscaped with native canopy trees planted in a regular alignment with lush desert planting below. Some turf will be allowed within the landscape areas. To provide cohesiveness throughout the project, the landscaping along neighborhood streets shall be compatible with the landscaping along the perimeter roadways and Internal Loop street system.

The front yards of single-family and two-family homes shall be landscaped with at least two trees and shrubs utilized to soften and screen. Ground cover may be turf, decomposed granite or other natural rock material. All bare earth must be covered by an approved organic material to provide a neat, dust free appearance.

Commercial and multi-family developments shall be landscaped with trees, shrubs and ground covers compatible with Mountain Vista Ranch's informal desert landscape theme and in compliance with the City's Code/Ordinance landscaping requirements.

The minimum plant sizes to be used to provide the required landscaping are as follows:

* Trees -- 15 gallon;
* Shrubs -- 1 gallon; and
* Ground covers -- 1 gallon.

Rocks and boulders, railroad ties, etc. may be used to supplement and create imaginative landscaping design compatible with the southwest character of the development and the informal desert landscape theme. Artificially colored rock yards are not acceptable at any location.

The front yards of all single-family and two-family homes must be landscaped and street trees planted at the time construction of such homes is completed. All landscaping areas visible to the public within multi-family and commercial developments must be landscaped at the time of completion of construction of such developments. Prior to landscaping, all yards must be maintained in a neat, weed-free condition.

All landscaped common areas shall be provided with an appropriate low water consumptive underground watering system and shall be appropriately maintained.

Front yards for two family attached "companion homes" will be maintained by the Homeowners' Association to be established for that particular development.

On-lot landscaping shall be provided and maintained by the owner/possessor of such lot. All landscaped areas shall be maintained in a reasonable and attractive manner.

Detailed landscaping plans, consistent with the Preliminary Development Plan Approval, for individual subdivisions and commercial and multi-family developments

shall be submitted as supplemental information, and reviewed by Staff to assure continuity of a quality landscaped environment, during the Final Plat (for single-family) and Site Plan (for commercial and multi-family) processes.

## VIII. ARCHITECTURAL STYLE AND DESIGN GUIDELINES.

### A. Concept

1. The P.A.D. is located within an emerging urban node characterized by contemporary southwest architecture. As such, each building visible to the public should reflect materials and construction technique expressed in a simple, contemporary manner.

2. Wooden fences shall be prohibited.

### B. Conceptual Elevations and Design Guidelines

Mountain Vista Ranch is a predominately single-family P.A.D. offering a variety of housing types and product ranges to meet the growing demands of the Surprise market. The homes, multi-family developments and commercial facilities will be developed in the Southwestern style with predominately, although not exclusively, tile roofs and stucco walls. Various conceptual single-family and multi-family elevations, offered to generally depict architectural style and exterior materials, are located in the Appendix at Exhibits J and K, respectively.

The Mountain Vista Ranch Design Guidelines are also located in the Appendix at Exhibit L. These Design Guidelines will provide guidance to individual development efforts so that high quality, compatibility and cohesiveness are maintained throughout the P.A.D. They address numerous issues and concepts such as landscaping, architecture, walls and fences, lighting, site development and other matters. As is described in more detail within the Design Guidelines, they shall serve as a general guide regarding development within the Mountain Vista Ranch P.A.D.

## IX. BUILDING HEIGHT.

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

Maximum building height for the multi-family residences shall not exceed 35'.

Commercial buildings may be erected to a height not to exceed 35'; provided however, such buildings, subject to the Planning and Zoning Commission's approval, may be erected to a height over 35' provided that minimum front and side yard setbacks shall be increased by 1' for every 3' of building height in excess of 35'. Commercial

buildings over 35' in height shall be subject to additional fire protection as determined by the City Fire Marshall.

Building heights for all buildings shall be measured as the vertical distance from the average contact ground level at the front wall of the building to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the mean height level between eaves and ridges for gable and hip or gambel roofs.

## X. BUILDING SETBACKS.

Minimum building setbacks from property lines are illustrated on Figure 6 (pages 15 and 16).

Additional building setbacks needed for visibility triangles and other health-safety requirements may be required during the subdivision plat process.

## RESIDENTIAL BUILDING SETBACKS

| USE | FRONT | INTERIOR SIDE | CORNER SIDE | REAR YARD |
|---|---|---|---|---|
| **LDR & MDR Parcels** | | | | |
| Single Family Detached | 20'[1] | 10'[2] | 10'[3] | 20' |
| Two-Family Attached[4] | 20' | 10' and 0' | 10'[3] | 20' |
| Schools, civic, cultural & religious institutions (including their accessory use structures | 50' | 50' | 50' | 50' |
| Structures accessory to SF residences and two-family residences | 20' | 3' | 10' | 3' |
| Structures for all other principal, conditional or accessory uses | 20' | 10' | 20' | 20' |
| **HDR Parcels** | | | | |
| Multi-family Structures | 20' | 20' | 20' | 20' |
| Townhouse Cluster | 20' | 15' | 20' | 20' |

[1] 20' back of curb (on street fronts without sidewalks) and 20' back of sidewalk (on street fronts with sidewalks). Except for these LDR and MDR front yard setbacks which are measured from back of curb or back of sidewalk as appropriate, all other setbacks are measured from the property lines. A typical detail, depicting such setbacks is located in the Appendix at Exhibit M.

[2] On LDR and MDR properties developed with single-family detached homes, at least one side yard shall be 10'; the setback for the remaining side may be less than 10' providing principal building separations are at least 10' and the other side yard is at least 3'. A typical detail depicting such setbacks is located in the Appendix at Exhibit N.

[3] Corner side setbacks of a minimum of 20' back of curb shall be provided adjacent to collector and arterial streets and for key lots.

[4] Two-Family residences allowed only on MDR parcels.

| USE | FRONT | INTERIOR SIDE | CORNER SIDE | REAR YARD |
|---|---|---|---|---|
| Schools, civic, cultural and religious institutions (including their accessory use structures) | 50' | 50' | 50' | 50' |
| Structure accessory to MF residences | 20' | 3' | 20' | 3' |
| Structures for all other principal or conditional uses | 20' | 10' | 20' | 20' |

## COMMERCIAL BUILDING SETBACKS

| USE | FRONT | INTERIOR SIDE | CORNER SIDE | REAR YARD | RES. ZONE BOUNDARY |
|---|---|---|---|---|---|
| COMMERCIAL | | | | | |
| Buildings | 35' | 15' | 25' | 15' | 45' |
| Parking Lots | 4' | 3' | 4' | 3' | 3' |

XI. LOT AREA AND DIMENSIONS.

A. LDR AND MDR PARCELS

(1) Required Lot Area:

| USE | MINIMUM LOT AREA[1] |
|---|---|
| Single-family dwelling units | 4,725 s.f. |
| Two-family dwelling units[2] | 4,200 s.f. |
| Other permitted uses | Min. area to be determined by building area, parking requirements, and required setbacks. |

(2) Required Lot Dimensions:

| USE | MINIMUM LOT WIDTH | MINIMUM LOT DEPTH |
|---|---|---|
| Single-family dwelling units[3] | 45 feet | 105 feet |
| Two-family dwelling units | 40 feet | 105 feet |
| Other permitted uses | Lot dimensions to be determined by building area, parking requirements and required setbacks. | |

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[1] A diversity of lot sizes and housing types shall be encouraged. Typical expected single-family detached lot widths include 45', 50', 55', 60', 65' and 70', with a minimum allowed lot width of 45'. Typical expected lot depths include 105' and 110', with a minimum allowed lot depth of 105'. The total number of single-family and two family dwelling units shall not exceed ~~2054~~ 2363.

[2] Permitted on MDR Parcels only.

[3] A diversity of lot sizes and housing types shall be encouraged. Typical single-family detached lot widths that are expected include 45', 50', 55', 60', 65' and 70', with a minimum allowed lot width of 45'. Typical lot depths that are expected are 105' and 110', with a minimum allowed lot depth of 105'. Total single-family and two family dwelling units shall not exceed ~~2054~~ 2363.

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

(4) Encroachment into required front and side yards shall be permitted as provided in the current Section 7-701(G) of the Zoning Ordinance, which is located in the Appendix as Exhibit O.

(5) Development on LDR and MDR parcels shall, except as otherwise provided in the Mountain Vista Ranch PAD, be subject to all applicable requirements of the current Article VIII of the Zoning Ordinance ("General Building and Performance Requirements"), a copy of which is located in the Appendix as Exhibit P.

(6) Any property located within a parcel designated LDR or MDR as well as the F-1 or F-2 overlay zones must comply with the current regulations of Sections 7-712 and 7-713 of the Zoning Ordinance, copies of which are located in the Appendix as Exhibits Q and R, respectively.

B. HDR PARCELS.

(1) Lot area and dimensions.

In determining minimum lot area and minimum lot dimensions, the following table shall be used:

| USE | MINIMUM AREA PER UNIT | MINIMUM LOT DIMENSIONS[1] | OUTDOOR LIVING AREA[2] |
|---|---|---|---|
| Multi-Family structure | 2,000 sq. ft./unit | Width: 90' Depth: 90' | 300 sq.ft./unit |
| Townhouse cluster | 2,000 sq. ft./unit[3] | Width: 90' Depth: 90' | 400 sq.ft./unit |
| Other permitted uses | Minimum area and lot dimensions to be determined by building area, parking requirements and required setbacks. | | |

(2) Schedule of Allowances.

The minimum areas per unit may be adjusted in accordance with the current Section 7-705(F) of the Zoning Ordinance, a copy of which is located in the Appendix as Exhibit S.

(3) Accessory Buildings.

Accessory buildings shall observe the same setback requirements established for the multiple residence building except that accessory buildings located within the rear yard of the multiple-residence building

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[1] These dimensions apply to the initial lot size per structure. Initial lots may be divided to accommodate individual ownership of the structures' dwelling units.

[2] Outdoor living area in the minimum amount specified above must be provided on any lot occupied by the multiple residence or townhouse building. This space must be easily accessible for daily recreational use by the occupants of the building. Driveways, parking, ornamental landscaped areas (having a width of 20') areas and required side or front yards shall not be considered as Outdoor Living Area, except in the case of interior townhouse units where said unit is less than 20 feet in width, in which case the minimum width of the Outdoor Living Area shall be the width of the lot.

[3] May be calculated as average lot size per unit per structure.

may be located to within five(5) feet of the rear or interior side property line. The City Council may require common walls for accessory buildings on the same lot where common walls will eliminate unsightly and hazardous areas. Accessory buildings on the same lot shall otherwise be separated by a distance of not less than ten (10) feet.

(4) Distance Between Buildings.

When two (2) or more principal buildings are located on one (1) lot, the minimum separation between any two (2) adjacent principal buildings shall be a distance not less than an amount equal to the height of the taller of the two buildings or twenty (20) feet.

Parcel 11 = school site

(5) Additional Building and Performance Standards.

Development on HDR parcels shall, except as otherwise provided in the Mountain Vista Ranch PAD, be subject to all applicable requirements of the current Article VIII of the Zoning Ordinance, a copy of which is located in the Appendix as Exhibit P.

(6) Relationship to Overlay Zones.

Any property designated HDR, as well as located in the F-1 or F-2 Overlay Zones, must comply with the current regulations of Sections 7-712 and 7-713 of the Zoning Ordinance, copies of which are located in the Appendix as Exhibits Q and R, respectively.

C. <u>COMMERCIAL PARCELS</u>.

(1) Lot Width and Lot Area.

a. The minimum lot width shall be 100 feet except that corner lots shall have a minimum width of 150 feet.

b. Minimum lot area shall be determined by building area, parking requirements and required setbacks.

(2) Additional Building and Performance Standards.

Development on Commercial parcels shall, except as otherwise provided in the Mountain Vista Ranch PAD, be subject to all applicable requirements of the current Article VIII of the Zoning Ordinance, a copy of which is located in the Appendix as Exhibit P.

(3) Relationship to Overlay Zones.

Any property designated Commercial, as well as located in the F-1 or F-2 Overlay Zones, must comply with the current regulations of Sections 7-712 and 7-713 of the Zoning Ordinance, copies of which are located in the Appendix as Exhibits Q and R, respectively.

(4) Access.

(1) Access to commercial activities shall be allowed only on arterial streets or a street specifically designed for such development.

(2) Access points shall be located at least 150 feet from any street intersection.

(3) Access points on the same street shall not be spaced closer than 100 feet (as measured from centerline). Commercial developments of a small scale shall be encouraged to develop common access drives and parking facilities.

(4) Commercial developments which may not be able to meet the requirements of the current Section 7-708 E(2) and (3) of the Zoning Ordinance (which are located in the Appendix as Exhibit G), and are requesting deviations from the above noted standards, shall submit to the City Engineer an engineer's report certified by a Professional Engineer addressing the following site conditions, both present and future:

* traffic volumes,
* turning movements,
* traffic controls,
* site design,
* site distances, and
* location and alignment of other access points.

Based upon the above data, the City Engineer shall determine whether a deviation from the requirement standards is justified and, if so, what alternative requirements will be necessary.

XII. SPECIFICATIONS AND STANDARDS FOR STREETS, UTILITIES AND SERVICES.

Streets will be provided in accordance with the following standards and specifications for such improvements:

* Bell Road. Existing/built.

* Reems Road. 110' of R.O.W.[1]. Improvements shall consist of four travel lanes and the opportunity for left turn lanes and right turn lanes as required. The west one half of Reems Road is to be dedicated and improved in conjunction with the development of Mountain Vista Ranch parcels that are abutting Reems Road. Parcels 1, 2, 3, 4, 5 and 19 shall be responsible for construction of improvements to the west half of Reems Road. Rather than constructing such street frontages in a piece meal manner, as a condition of Final Plat Approval, each such parcel shall deposit with the City a performance bond or other acceptable assurance, in an amount as set by the City Council based upon the City Engineer's recommendation, for such parcel's proportionate share of Mountain Vista Ranch's one mile of Reems Road frontage. The west one half street improvements shall be constructed upon the earlier of (a) the development of parcels 2, 3, & 4 or (b) such earlier time as the developer desires.

* Greenway Rd. 110' of R.O.W.. Improvements shall consist of four travel lanes and the opportunity for left turn lanes and right turn lanes as required. The north one half of Greenway Road is to be dedicated and improved in conjunction with the development of Mountain Vista Ranch parcels that are abutting Greenway Road. Parcels 5, 9, 12, 17 and 18 shall be responsible for construction of improvements to the north one half of Greenway Road. Rather than constructing such street frontages in a piece meal manner, as a condition of Final Plat Approval, each such parcel shall deposit with the City a performance bond or other acceptable assurance, in an amount as set by the City Council based upon the City Engineer's recommendation, for such parcel's proportionate share of Mountain Vista Ranch's one mile of Greenway Road frontage. The north one half street improvements shall be constructed upon the earlier of (a) the development of parcels 9, 12 & 18 or (b) such earlier time as the developer desires.

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[1] An additional 10' of R.O.W., as needed (a) for a right turn lane into the Secondary Entry from Reems, (b) for a right turn lane onto Greenway Road and (c) for additional right turn lanes (if any) as determined necessary by the City, shall also be dedicated upon request from the City prior to or in conjunction with the development of the parcels adjoining such right turn lanes.

* Sarival Ave.. 110' R.O.W.. Improvements shall consist of two travel lanes and the opportunity for left turn lanes and right turn lanes as required. The east one half of Sarival Avenue, abutting Parcel 14 of Mountain Vista Ranch is to be dedicated and improved in conjunction with the development of Parcel 14. ~~Mountain Vista Ranch parcels that are abutting Sarival Avenue. Parcels 14, 15, 16, and 17~~ Parcel 14 shall be responsible for construction of improvements to the east one half of Sarival Avenue abutting Mountain Vista Ranch. ~~Rather than constructing such street frontages in a piece meal manner, as a condition of Final Plat Approval, each such parcel shall deposit with the City a performance bond or other acceptable assurance, in an amount as set by the City Council based upon the City Engineer's recommendation, for such parcel's proportionate share of Mountain Vista Ranch's approximately 4/5 mile of Sarival Avenue frontage.~~ The east one half street improvements shall be constructed upon the earlier of (a) the development of parcels 14~~, 15 & 16~~ or (b) such earlier time as is desired by the developer. The remainder of the east half of Sarival Road adjacent to Mountain Vista Ranch is to be abandoned.

* Major Entrances The major entrances into Mountain Vista Ranch (from Bell Road, approximately 1,700' west of Reems Road and from Greenway Road, approximately 1,500' west of Reems Road) shall consist of short sections of 4-lane divided roadway in general conformance with the depictions of such sections on the Land Use Plan. 80' of R.O.W. shall be provided. Improvements shall consist of two travel lanes in each direction plus a raised median on 64' of pavement. The scope and phasing of such improvements, appropriate transitions, etc. shall be discussed and agreed to between the City and the Developer prior to the development of parcels that are abutting such collector streets.

* Typical Internal Collector Streets. 60' R.O.W.. Improvements shall consist of 36' of pavement that is undivided (except at the major entrances off of Bell and Greenway Roads) with no parking and sidewalks on one side only. The scope and phasing of such improvements, appropriate transitions, etc. shall be discussed and agreed to between the City and the Developer prior to the development of parcels that are abutting such collector streets.

* Local Streets. 36' of R.O.W. plus 2-8' public utility easements. Improvements shall consist of two travel lanes on 30' of pavement and shall be undivided with parking and sidewalks on one side. The scope and phasing of such improvements, appropriate transitions, etc. shall be discussed and agreed to between the City and the Developer prior to the development of parcels that will be improved with such streets.

R.O.W. dedications shall be made in conjunction with Final Plat Approval of the particular subdivision (a) within which such internal rights-of-way will be located and (b) adjacent to which such perimeter rights-of-way will abut.

Typical cross-sections for the various roadway classifications are located in the Appendix as Exhibit T; provided however, medians shall not be required in Reems Road, Greenway Road and/or Sarival Avenue unless they will be maintained by the City.

Heffernan and Associates' Traffic Report, providing appropriate justification for the street standards and specifications, is located in the Appendix as Exhibit U.

The Civil Site Plan, and other plans illustrating the location of existing and future water lines, sewer lines, etc., are located in the Appendix as Exhibit V. Except as otherwise approved by the City through its plans review/approval processes, such utilities and services will be provided in accordance with the City's typical specifications and standards for such improvements.

All on-site utilities shall be installed underground.

## XIII. SIGNAGE.

Signage within Mountain Vista Ranch shall, except as provided below, be in compliance with the City's current Ordinance 85-8, a copy of which is located in the Appendix as Exhibit W. In addition to signage allowed pursuant to Ordinance 85-8, subject to obtaining a Use Permit approving a Master Sign Plan for Mountain Vista Ranch, signage may be provided which is not in strict compliance with the provisions of Ordinance 85-8 but which is appropriate to the character of the development, provides adequate identification and information, provides a good visual environment, promotes traffic safety and is regulated to the extent necessary to be safe and compatible with the Mountain Vista Ranch P.A.D. The Use Permit for the Master Sign Plan, or any modification thereto, may contain such conditions, requirements or standards that may be stipulated by the City to assure that signs covered by the Use Permit will not be detrimental to persons or property in the vicinity or to the pubic welfare in general.

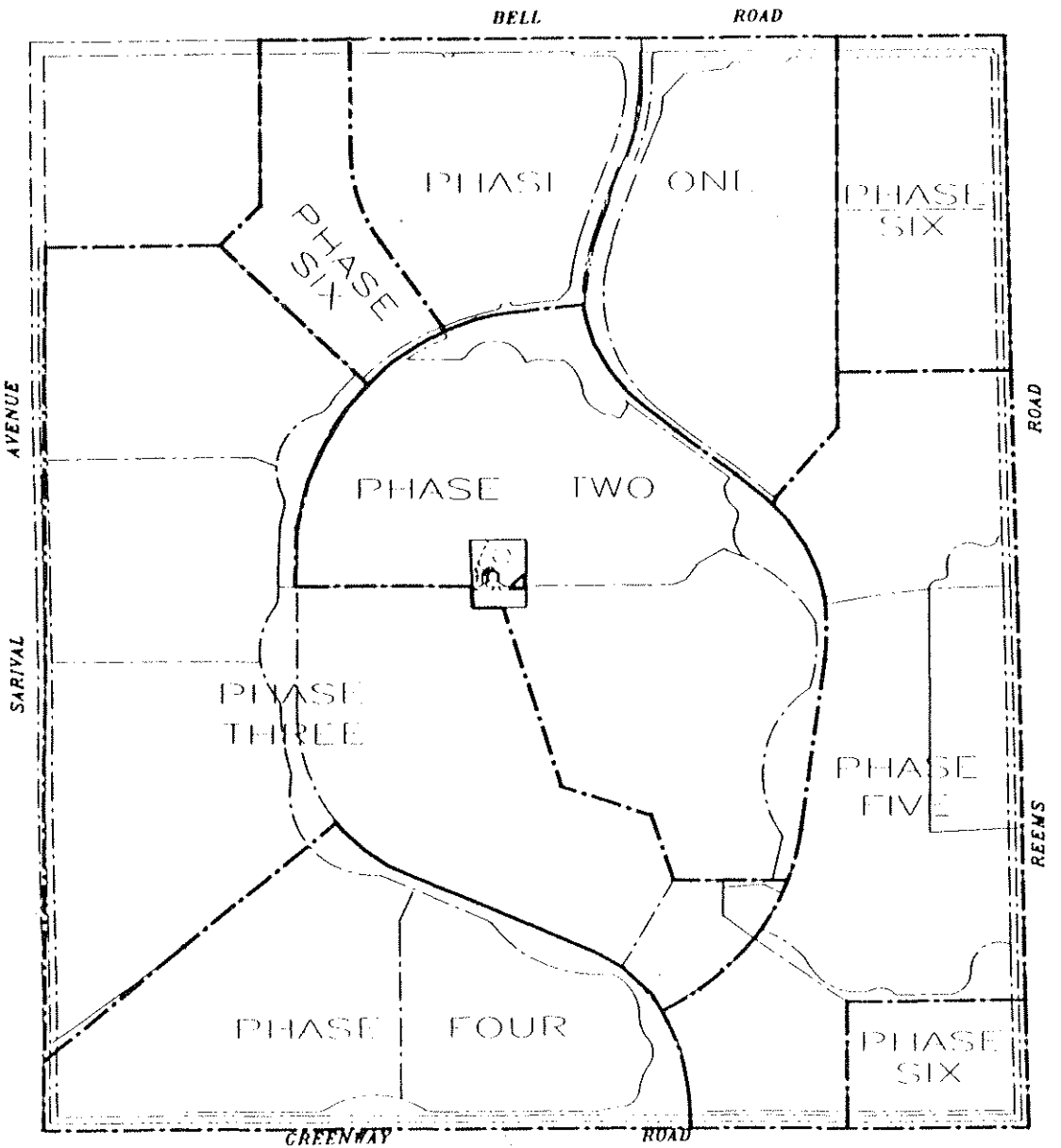
## XIV. PHASING

The Conceptual Phasing Plan is illustrated in Figure 7 (page 26).

The Phasing Plan sets forth the intended times for beginning and completion of each phase. Construction in any phase may be commenced prior to the time shown on the Phasing Plan. Commencement of construction of a phase prior to or within the time designated on the Phasing Plan for commencement of that phase shall satisfy the current Zoning Ordinance Section 9-906(D)(3)(d) provision concerning start of construction, a copy of which is located in the Appendix at Exhibit X.

Extensions of time for up to two years to commence construction in any phase may be administratively approved by the City's Community Development Director. Extensions of time for greater than two years may be approved by the City when deemed necessary through either the minor changes or major changes processes for amendments to the PAD approval as found in the Sections 9-906G(1)&(2) of the City's current Zoning Ordinance, a copy of which is located in the Appendix at Exhibit I.

Phase I provides paved access onto Bell Road only, with emergency all-weather access to Reems Road also being provided. Similar means of (paved) access and emergency (all weather) access will be provided, as necessary and appropriate, in conjunction with the development of subsequent phases of the P.A.D.




# PHASING MAP

## MOUNTAIN VISTA RANCH

N

Phase Boundary

Parcel Boundary

| | INTENDED START | INTENDED COMPLETE |
|---|---|---|
| PHASE I | 1994 | 1997 |
| PHASE II | 1997 | 1999 |
| PHASE III | 1999 | 2001 |
| PHASE IV | 2001 | 2003 |
| PHASE V | 2003 | 2005 |
| PHASE VI | 2005 | 2007 |

## XV. PROJECT TEAM.

Ownership

HW, L.L.C.
C/O Harvard Investments
2425 East Camelback Road #900
Phoenix, Arizona 85016
Attention: Craig Krumwiede

Phone: 956-0446

Planning

PD/Saurey Associates
3740 E. Southern Avenue
Suite 212
Mesa, AZ 85206
Attention: Paul Saurey

Phone: 807-4240

Engineering

American Engineering Company
21442 North 20th Avenue
Phoenix, Arizona 85027
Attention: Scott Larson

Phone: 582-0260

Zoning/Legal

Burch & Cracchiolo, P.A.
702 E. Osborn Road, #200
Phoenix, AZ 85014
Attention: Ed Bull

Phone: 274-7611

XVI. CITY APPROVALS.

The Preliminary Development Plan PAD Amendment No. 94-02 for Mountain Vista Ranch was approved on April 14, 1994 subject to stipulations found in the Appendix at Exhibit Y.

~~The Final Development Plan PAD No. 94-02 for Mountain Vista Ranch~~ Ordinance No. 94-13 amending the zoning for the Final Development Plan P.A.D. was approved on August 11, 1994, subject to stipulations found in the Appendix at Exhibit Z.

Ordinance No. 96-04 amending the zoning for the Final Development Plan P.A.D. was approved on March 28, 1996 and can be found in the Appendix at Exhibit AA.

XVII. DENSITY TRANSFER.

Any individual parcel may be developed at a density of not more than one hundred and fifteen percent (115%) of the maximum density allowed for such parcel as shown on the Final Development Plan, provided prior written administrative approval has been obtained from the City's Planning and Zoning Director and the City Manager, provided that in no event shall the overall cap on the number of any particular type of residential dwelling unit within Mountain Vista Ranch be exceeded. And, in accordance with Section D.1.2(b) of the City's Comprehensive Development Plan, the overall gross density will not exceed 7 du/ac. For purposes of this P.A.D., "administrative approval" shall mean written approval of additional density by the Community Development Director following the Director's review of a written request for a density transfer. (See Ordinance No. 96-04, Exhibit AA.)

LEGAL DESCRIPTION

PARCEL NO. ONE:

GLO LOTS 3, 4, 5, 6, AND 7; THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THEREFROM THE FOLLOWING DESCRIBED PARCELS, TO WIT:

BEGINNING AT A POINT 33 FEET SOUTH AND 20 FEET WEST OF THE NORTH QUARTER CORNER OF SECTION, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN:

THENCE SOUTHERLY ALONG A LINE PARALLEL TO AND 20 FEET WEST OF THE NORTH AND SOUTH MID-SECTION LINE A DISTANCE OF 50.0 FEET TO A POINT;

THENCE WESTERLY A DISTANCE OF 50 FEET TO A POINT;

THENCE NORTHERLY A DISTANCE OF 50 FEET TO A POINT;

THENCE EASTERLY ALONG A LINE PARALLEL TO AND 33 FEET SOUTH OF THE NORTH BOUNDARY LINE OF SAID SECTION A DISTANCE OF 50 FEET TO A POINT OF BEGINNING. AS CONVEYED TO MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE BY DEED RECORDED DECEMBER 29, 1939 IN BOOK 339 OF DEEDS, PAGE 48; AND

ALSO EXCEPT ANY PORTION OF THE SAID WEST HALF OF SECTION 6 LYING WITHIN THE ABANDONED 50 FOOT RAILROAD RIGHT-OF-WAY AS DESCRIBED IN DOCKET 3353, PAGE 116 AND BEING IN THE NORTHWEST CORNER OF SAID WEST HALF OF SECTION 6; AND

EXCEPT THAT PORTION OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 6;

THENCE SOUTH 00°03'11" EAST, ALONG THE WEST LINE OF SAID SECTION 6, A DISTANCE OF 85.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89°59'12" EAST, 55.00 FEET TO A POINT ON A LINE WHICH IS PARALLEL TO AND 55.00 FEET EASTERLY, AS MEASURED AT RIGHT ANGLES, FROM SAID WEST LINE;

THENCE NORTH 44°58'48" EAST, 28.27 FEET TO A POINT ON A LINE WHICH IS PARALLEL TO AND 65.00 FEET SOUTHERLY, AS MEASURED AT RIGHT ANGLES, FROM

THE NORTH LINE OF SAID SECTION 6;

THENCE SOUTH 89°59'12" EAST, ALONG SAID PARALLEL LINE, 1008.00 FEET;

THENCE SOUTH 00°03'11" EAST, 725.00 FEET;

THENCE SOUTH 44°58'48" WEST, 273.80 FEET;

THENCE NORTH 89°59'12" WEST, 889.28 FEET TO A POINT ON SAID WEST LINE;

THENCE NORTH 00°03'11" WEST, ALONG SAID WEST LINE, 898.72 FEET TO THE TRUE POINT OF BEGINNING; AND

EXCEPT THAT PORTION OF THE NORTH 65 FEET NOT BEING WITHIN A 50 FOOT BY 50 FOOT WELL SITE AS DESCRIBED IN BOOK 339 OF DEEDS, PAGE 48; AND

EXCEPT THE SOUTH 20 FEET OF THE NORTH 85 FEET OF THE WEST 55 FEET; AND

EXCEPT THE WEST 33 FEET AND THE SOUTH 33 FEET OF SAID SECTION 6.

PARCEL NO. TWO:

GLO LOTS 1 AND 2, THE SOUTH HALF OF THE NORTHEAST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE NORTH 65 FEET THEREOF; AND

EXCEPT THE SOUTH 20 FEET OF THE NORTH 85 FEET OF THE EAST 55 FEET; AND

EXCEPT THE EAST 33 FEET AND THE SOUTH 33 FEET OF SAID SECTION 6.

PARCEL NO. THREE:

THAT PORTION OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6;

EXCEPT THE SOUTH 33 FEET THEREOF.

PARCEL NO. FOUR:

THAT PORTION OF THE WEST HALF OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY,

ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 6 FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION 6 BEARS NORTH 00°04'25" WEST, A DISTANCE OF 2642.98 FEET;

THENCE NORTH 00°04'25" WEST ALONG THE WEST LINE OF SOUTHWEST QUARTER OF SAID SECTION 6, A DISTANCE OF 55.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 00°04'25" WEST ALONG SAID WEST LINE, A DISTANCE OF 2587.98 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 6;

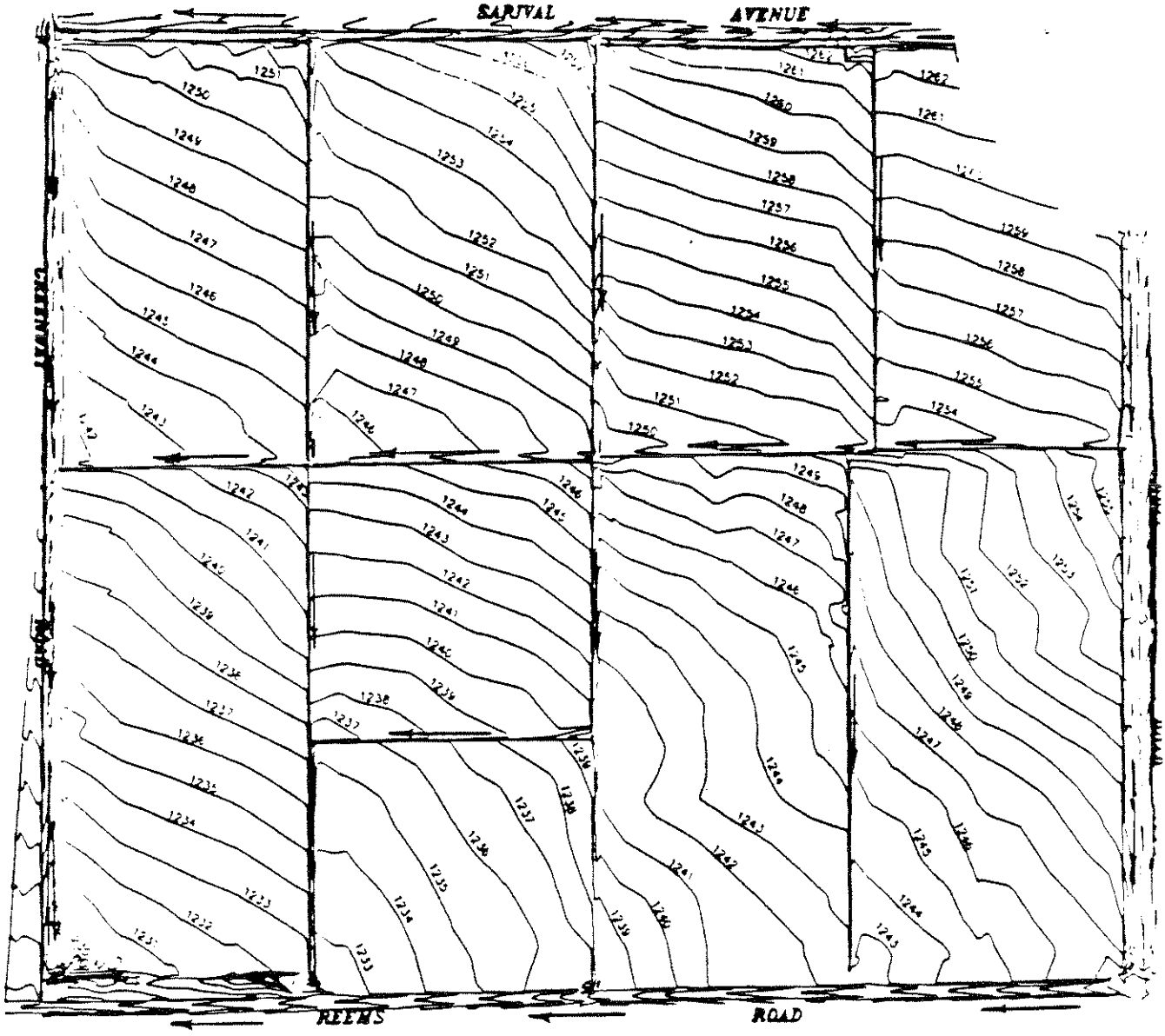
THENCE NORTH 00°03'12" WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 6, A DISTANCE OF 698.24 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY WHOSE RADIUS POINT BEARS NORTH 61°58'51" WEST, A DISTANCE OF 340.00 FEET;

THENCE NORTHEASTERLY ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 16°25'34", AN ARC DISTANCE OF 97.47 FEET TO A POINT OF NON-TANGENCY SAID POINT ALSO BEING ON THE EASTERLY LINE OF THE WESTERLY 33.00 FEET OF THE NORTHWEST QUARTER OF SAID SECTION 6;

THENCE SOUTH 00°03'12" EAST ALONG SAID EASTERLY LINE, A DISTANCE OF 789.60 FEET;

THENCE SOUTH 00°04'25" EAST ALONG THE EASTERLY LINE OF WESTERLY 33.00 FEET OF THE SOUTHWEST QUARTER OF SAID SECTION 6 TO A POINT ON THE NORTHERLY LINE OF THE SOUTHERLY 55.00 FEET OF SAID SOUTHWEST QUARTER;

THENCE NORTH 89°38'13" WEST ALONG THE SAID NORTHERLY LINE, A DISTANCE OF 33.00 FEET TO THE TRUE POINT OF BEGINNING.

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ARTICLE VI
ESTABLISHMENT OF ZONES

-601. Zone Classifications

or the purpose of this Ordinance, the Town of Surprise, Arizona, shall be ivided into the following zones:

| | | |
|---|---|---|
| R1-43 | Single-Family Residential | (Section 7-701) |
| R1-18 | Single-Family Residential | (Section 7-702) |
| R1-8 | Single-Family Residential | (Section 7-703) |
| R1-5 | Two-Family Residential | (Section 7-704) |
| R-2 | Multi-Family Residential | (Section 7-705) |
| R-3 | Multi-Family Residential | (Section 7-706) |
| C-1 | Neighborhood Commercial | (Section 7-707) |
| C-2 | Community Commercial | (Section 7-708) |
| C-3 | General Service Commercial | (Section 7-709) |
| I-1 | Industrial | (Section 7-710) |
| PAD | Planned Area Development | (Section 7-711) |
| F-1 | Floodway | (Section 7-712) |
| F-2 | Floodplain | (Section 7-713) |

'he boundaries of the above zones are hereby established as shown on a map entitled "Zone Map of Surprise, Arizona," which has been recommended and cer-ified by the Surprise Town Council with the signature of the Mayor affixed hereto and is hereby made a part of this Ordinance.

5-602. Residential Zone Uses

| A. Principally Permitted Uses | R1-43 | R1-18 | R1-8 | R1-5 | R-2 | R-3 |
|---|---|---|---|---|---|---|
| Single-Family Dwelling Unit | o | o | o | o | | |
| Two Family Structure | | | | o | o | |
| Three Family Structure | | | | | o | |
| Four Family Structure | | | | | o | o |
| Multiple Family Structure | | | | | | o |
| Townhouse Cluster, not to exceed four (4) units or 120 feet in length | | | | | o | |
| Townhouse Cluster with four or more units, but not to exceed 160 feet in length | | | | | | o |
| Public Parks | o | o | o | o | o | o |

B.

| Conditionally Permitted Uses | R1-43 | R1-18 | R1-8 | R1-5 | R-2 | R-3 |
|---|---|---|---|---|---|---|
| Churches | o | o | o | o | o | o |
| Day Care Center | o | o | o | o | o | o |
| Electrical Sub-Station | o | o | o | o | o | o |
| Farms | o | | | | | |
| Gas Regulating Station | o | o | o | o | o | o |
| Group Homes | | | | o | o | o |
| Mobile Homes, as per Section 8-814 | | | | o | | |
| Mobile Home Parks, as per Section 8-814 | | | | o | | |
| Model Homes, Temporary | o | o | o | o | o | o |
| Public Buildings | o | o | o | o | o | o |
| Ranches | o | | | | | |
| Schools | o | o | o | o | o | o |
| Sewer Lift Station | o | o | o | o | o | o |
| Water Pump Station | o | o | o | o | o | o |
| Water Tower | o | o | o | o | o | o |
| Golf Courses | o | o | o | o | o | o |
| Temporary Sales and Office Buildings, buildings incidental to construction work | o | o | o | o | o | o |
| Boarding of horses; No more than 2 per acre to a maximum of 5 horses | o | | | | | |

| C. Permitted Accessory Uses | R1-43 | R1-18 | R1-8 | *R1-5 | R-2 | R-3 |
|---|---|---|---|---|---|---|
| Greenhouse | o | o | o | o | o | o |
| Home Occupations | o | o | o | o | | |
| Private Garage | o | o | o | o | o | o |
| Private or jointly owned community center recreational facilities pools, tennis courts | o | o | o | o | o | o |
| Signs , as per Ordinance 85-5 | o | o | o | o | o | o |
| Tool sheds, for storage of domestic supplies | o | o | o | o | o | o |

6-603. Commercial and Industrial Zone Uses

| A. Principally Permitted Uses | C-1 | C-2 | C-3 | I-1 |
|---|---|---|---|---|
| 89-10 Animal hospital, clinic and kennel providing the establishment and animal runs are completely enclosed in the building | | | o | o |
| Antique shop and store | | o | o | o |
| Apparel and accessory store | | o | o | |
| Appliance sales, services | | o | o | |
| Appliance repair | | | o | |
| Art supply stores | | o | o | o |
| Athletic clubs and commercial recreation | | o | o | o |
| Automobile, boat or recreational vehicle sales, service and rental | | | o | o |
| Automobile, auto body repair | | | o | o |
| Automobile parking lot or garage (public or private) | | o | o | o |
| Auto supply store | | o | o | o |
| Bakery for on-site sales | o | o | o | o |

## 7-704. Single-Family Residential Zone (R1-5)

A. Purpose
The purpose of the R1-5 Single-Family Residential Zone is to provide for the development of single-family detached dwellings and directly related complementary uses at a moderate density. The Zone is intended to be strictly residential in character with a minimum of disturbances due to traffic or overcrowding.

B. Principally Permitted Uses
See Section 6-602 A.

C. Conditionally Permitted Uses
See Section 6-602 B.

D. Permitted Accessory Uses
See Section 6-602 C.

E. Lot Area and Lot Dimensions
(1) Required Lot Area:

| Use | Minimum Lot Area |
|---|---|
| Single-family dwelling units | 5,500 square feet[1] |
| Other Permitted Uses | Minimum area to be determined by building area, parking requirements, and required setbacks. |

1 This may be calculated as an average lot size for lots within a given subdivision, provided no lot is less than 5,200 square feet in size and that not more than 10 percent of the lots are less than 5,500 square feet in size.

(2) Required Lot Dimensions:

| Use | Minimum Lot Width | Minimum Lot Depth |
|---|---|---|
| Single-family dwelling Units | 50 feet | 100 feet |
| Other permitted uses | Lot dimensions to be determined by building area, parking requirements and required setbacks. | |

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

F. Setbacks, Yards and Heights
(1) Minimum Setbacks From Property Line:

| Use | Front | Interior Side | Corner Side | Rear Yard |
|---|---|---|---|---|
| Single-family dwelling | 20' | 10'* | 20' | 20' |
| Schools, civic, cultural and religious institutions (including their accessory use structures) | 50' | 50' | 50' | 50' |
| Structures accessory to single family residences | 20' | 3' | 20' | 3' |
| Structures for all other principal, conditional or accessory uses | 20' | 10' | 20' | 20' |

* At least one side yard shall be ten feet; the setback for the remaining side may be less than ten providing principal building separations are at least 10 feet and that in the case of detached units, the other side yard is at least 3 feet.

Zero lot line development may be permitted which may result in the creation of a two-family residential structure.

(2) Maximum Building Height: 30 feet

G. Encroachment into Required Front and Side Yard Setbacks
See Section 7-701 G.

H. Additional Building and Performance Standards
Development of any parcel of land within this district shall be subject to all applicable requirements of Article VIII of this Ordinance.

I. Relationship to Overlay Zones
Any property located in the R1-5 Zone as well as the F-1 or F-2 Overlay Zones must comply with the regulations of the Overlay Zone.

## 7-706. Multi-Family Residential Zone (R-3)

A. Purpose
The purpose of the R-3 Multi-Family Residential Zone is to provide for high density housing in multiple-family structures and directly related complementary uses. The R-3 Zone is designed to allow highly economical use of land while creating an attractive, functional and safe residential environment.

B. Principally Permitted Uses
See Section 6-602 A.

C. Conditionally Permitted Uses
See Section 6-602 B.

D. Permitted Accessory Uses
See Section 6-602 C.

E. Lot Area and Lot Dimensions
In determining minimum lot area and minimum lot dimensions, the following table shall be used:

| Use | Minimum Area Per Unit | Minimum Lot Dimensions [1] | Outdoor Living Area [2] |
|---|---|---|---|
| Multi-Family structure | 2,000 sq. ft./unit | Width: 90' Depth: 90' | 300 sq. ft./unit |
| Townhouse cluster | 2,000 sq. ft./unit[3] | Width: 90' Depth: 90' | 400 sq. ft./unit |
| Other Permitted Uses | | Minimum area and lot dimensions to be determined by building area, parking requirements and required setbacks. | |

[1] These dimensions apply to the initial lot size per structure. Initial lots may be divided to accommodate individual ownership of the structures' dwelling units.

[2] Outdoor Living Area in the minimum amount specified above must be provided on any lot occupied by the multiple residence or townhouse building. This space must be easily accessible for daily recreational use by the occupants of the building. Driveways, parking areas, ornamental landscaped areas (having a width of less than 20 feet), and required side or front yards shall not be considered as Outdoor Living Area, except in the case of interior townhouse units where said unit is less than 20 feet in width, in which case the minimum width of the outdoor living area shall be the width of the lot.

[3] May be calculated as average lot size per unit per structure.

F. Schedule of Allowances
The minimum areas per unit in 7-706 E may be adjusted in accordance with Section 7-705 F.

G. Setbacks, Yards, and Heights

(1) Minimum Setbacks from Property Line:

| Use | Front | Interior Side | Corner Side | Rear |
|---|---|---|---|---|
| Multi-Family structure | 20' | 20' | 20' | 20' |
| Townhouse cluster | 20' | 15' | 20' | 20' |
| Schools, civic, cultural and religious institutions (including their accessory use structures) | 50' | 50' | 50' | 50' |
| Structure accessory to multi-family residences | 20' | 3' | 20' | 3' |
| Structures for all other principal or conditional uses | 20' | 10' | 20' | 20' |

(2) For apartment buildings, parking of motor vehicles shall not be allowed within the required front or corner side setbacks.

(3) Maximum Building Height: 35 feet.

H. Accessory Buildings

See Section 7-705 H of this Ordinance.

I. Distance Between Buildings

See Section 7-705 I of this Ordinance.

J. Additional Building and Performance Standards

Development of any parcel of land within this district shall be subject to all applicable requirements of Article VIII of this Ordinance.

K. Relationship to Overlay Zones

Any property located in the R-3 Zone as well as in the F-1 or F-2 Overlay Zones must comply with the regulations of the Overlay Zones.

| C. Permitted Accessory Uses | R1-43 | R1-18 | R1-8 | *R1-5 | R-2 | R-3 |
|---|---|---|---|---|---|---|
| Greenhouse | o | o | o | o | o | o |
| Home Occupations | o | o | o | o | | |
| Private Garage | o | o | o | o | o | o |
| Private or jointly owned community center recreational facilities pools, tennis courts | o | o | o | o | o | o |
| Signs , as per Ordinance 85-5 | o | o | o | o | o | o |
| Tool sheds, for storage of domestic supplies | o | o | o | o | o | o |

6-603. Commercial and Industrial Zone Uses

| A. Principally Permitted Uses | C-1 | C-2 | C-3 | I-1 |
|---|---|---|---|---|
| 89-10 Animal hospital, clinic and kennel providing the establishment and animal runs are completely enclosed in the building | | | o | o |
| Antique shop and store | | o | o | o |
| Apparel and accessory store | | o | o | |
| Appliance sales, services | | o | o | |
| Appliance repair | | | o | |
| Art supply stores | | o | o | o |
| Athletic clubs and commercial recreation | | o | o | o |
| Automobile, boat or recreational vehicle sales, service and rental | | | o | o |
| Automobile, auto body repair | | | o | o |
| Automobile parking lot or garage (public or private) | | o | o | o |
| Auto supply store | | o | o | o |
| Bakery for on-site sales | o | o | o | o |

| | C-1 | C-2 | C-3 | I-1 |
|---|---|---|---|---|
| Banks and other savings and lending institutions | o | o | o | o |
| Barber shop | o | o | o | |
| Beauty parlor | o | o | o | |
| Bicycle sales, service and repair shop | | o | o | |
| Blueprint shop | | | o | o |
| Boat repair | | | o | o |
| Book and stationery store | | o | o | |
| Bowling alley | | | o | o |
| Building material sales yard, including sand and gravel | | | o | o |
| Bus terminals | | | o | o |
| Business and office machine sales, service and repair shop | | o | o | o |
| Business, technical or vocational school | | | o | o |
| Candy and ice cream store | o | o | | |
| Church and parish house | o | o | | |
| Cigar and tobacco store | o | o | | |
| Clothing and costume rental shop | | o | o | |
| Community center or meeting hall | | | o | o |
| Contractors storage yard | | | o | o |
| Convenience food store of not more than 3,500 square feet | o | o | o | |
| Custom dressmaking, furrier, millinery or tailor shop employing five persons or less | | o | | |
| Dancing or theatrical studio | | o | o | |
| Delicatessen and catering establishment | | o | o | o |

| | C-1 | C-2 | C-3 | I-1 |
|---|---|---|---|---|
| Department store | | o | o | |
| Dry goods and notion store | | o | o | |
| Dry cleaning and laundry establishment | o | o | o | |
| Equipment rental or storage yard | | | o | o |
| Essential public service or utility installation | o | o | o | o |
| Exterminator shop | | | o | o |
| Feed store, including yard | | | o | o |
| Exterior storage of goods and materials provided that all goods and materials are screened from view from adjacent properties and rights-of-way | | | o | o |
| Florist | o | o | o | |
| Frozen food locker | | | o | o |
| Furniture Store | | o | o | o |
| Game Rooms, Pool Halls | | o | o | o |
| Garden supply store | | | o | o |
| Gift shop | | o | o | |
| Golf driving range and miniature golf course | | | o | o |
| Grainery, elevator storage | | | o | o |
| Grocery store (including retail markets and produce store) | | o | o | o |
| Greenhouse | | | o | o |
| Hardware store, no exterior storage | | o | o | o |
| Health and exercise center | | o | o | o |
| Hobby, stamp and coin shop | | o | o | |
| Hospital | | o | o | o |
| Hotel or motel | | o | o | o |

| | C-1 | C-2 | C-3 | I-1 |
|---|---|---|---|---|
| Hunting and Fishing Supply Store | | o | o | |
| Interior decorator's shop | | o | o | o |
| Jewelry and metal craft store | | o | o | o |
| Laundromat, self service | o | o | | |
| Leather goods and luggage store | | o | o | |
| Liquor store | o | o | o | |
| Lock and key shop | | o | o | o |
| Lumber yard, provided that all goods and materials are screened from adjacent properties | | | o | o |
| Mail order catalog store | | o | o | |
| Medical, dental or health clinic | | o | o | o |
| Medical and orthopedic appliance store | | o | o | o |
| Messenger or telegraph service station | | o | o | o |
| Monument sales and engraving shop | | | o | o |
| Mortuary | | | o | o |
| Museum | | o | o | o |
| Music and instrument sales, service and repair shop | | o | o | o |
| Music or dance studio | | o | o | o |
| Newspaper office | | o | o | o |
| Newsstand | o | o | o | o |
| Offices greater than 4,000 square feet | | o | o | o |
| Offices of not more than 4,000 square feet | o | o | o | o |
| Office supply and office equipment store | | o | o | o |
| Optician | | o | o | |
| Package liquor store, including drive-in | | o | o | o |

| | C-1 | C-2 | C-3 | I-1 |
|---|---|---|---|---|
| Paint and wallpaper store | | o | o | o |
| Pawn shop | | o | o | |
| Pet shop | | o | o | |
| Photographic equipment and supply store | | o | o | |
| Photographic studio | | o | o | o |
| Picture frame shop | | o | o | |
| Plant nursery | | | o | o |
| Plumbing shop | | | o | o |
| Printing and publishing house (including newspapers) | | | o | o |
| Private club, fraternity, sorority or lodge | | o | o | o |
| Public Buildings | o | o | o | o |
| Public utility service yard | | | o | o |
| Radio or television sales, service and repair | | o | o | o |
| Radio and television studio | | o | o | o |
| Recreational vehicle repair | | | o | o |
| Restaurant | | o | o | o |
| Restaurants of not more than 4,500 square feet, excluding convenience food restaurant | o | | | |
| Sewing machine store | | o | o | |
| Shoe store | | o | o | |
| Shoe repair and shoe shine shop | | o | o | |
| Sporting and athletic goods store | | o | o | |
| Swap meet, flea market | | | o | o |
| Tailor shop, more than 5 employees | | | o | o |
| Tavern, bar or lounge | | o | o | o |
| Taxidermist | | | o | o |

| | C-1 | C-2 | C-3 | I-1 |
|---|---|---|---|---|
| Theatre, excluding drive-in theatre | | o | o | |
| Theatre, drive-in | | | o | o |
| Tire sales, repair and mounting | | | o | o |
| Trade schools | | | o | o |
| Toy store | | o | o | |
| Travel agency | | o | o | o |
| Upholstery shop | | | o | o |
| Variety store | | o | o | |
| Video Arcade | | | o | o |
| Wallpaper store | | o | o | |
| Watch repair shop | | o | o | |

B. Conditionally Permitted Uses

Refer to Conditionally Permitted Uses for the specific zone classification in question.

C. Permitted Accessory Uses

Refer to Permitted Accessory Uses for the specific zone classification in question.

6-604. Interpretation of Zone Boundaries

Where uncertainty exists with respect to any of the boundaries of the zones as shown on the Zone Map, the following rules shall apply:

(i) Where zone boundaries are indicated as approximately following the center lines of street, highway, or railroad rights-of-way or such lines extended, such center lines or such lines extended shall be construed to be such boundaries.

(ii) Where zone boundaries are indicated as approximately following the corporate limit line of the Town, such corporate limit line shall be construed to be such boundaries.

(iii) Where zone boundaries are indicated as approximately following property lines or such lines extended, such property lines or such lines extended shall be construed to be such boundaries.

(iv) Where zone boundaries are indicated as approximately following the center line of stream beds or river beds, such center lines or such lines extended shall be construed to be such boundaries.

7-708. Community Commercial Zone (C-2)

A. Purpose
The purpose of the C-2 Community Commercial Zone is to provide for low intensity, retail or service outlets which deal directly with the consumer for whom the goods or services are intended. The uses allowed in this district are to provide goods and services on a community market scale and located in areas which are served by arterial street facilities.

B. Principally Permitted Uses
See Section 6-603 A.

C. Conditionally Permitted Uses
(1) Automobile Service Stations
(a) Site improvements such as buildings or structures (permanent of temporary) shall be separated from any residential zone by at least 50 feet. Parking areas shall be separated from any residential zone by at least 15 feet.
(b) The total site area shall not be less than 12,000 square feet.
(c) Pump islands shall be set back not less than 25 feet from any street right-of-way line, not less than 40 feet from any non-street property line and not less than 75 feet from any residential zone boundary.
(d) Hydraulic hoists, pits, and all lubrication, greasing, washing, repair and diagnostic equipment shall be used and enclosed within a building.
(e) Interior curbs of not less than six (6) inches in height shall be constructed to separate driving surfaces from sidewalks, landscaped areas and street rights-of-way.
(f) No automobile service station on a site contiguous to any residential zone shall be operated between the hours of 11:00 p.m. and 7:00 a.m. of the following day.
(2) Automobile Washing Establishments:
(a) Automobile washing establishments shall be subject to the same limitations and conditions as are specified heretofore in subparagraphs "a," "b," "c," "e," and "f" for Automobile Service Stations.
(b) Sufficient off-street area to provide space for not less than 10 automobiles waiting to be washed or three waiting spaces per washing stall, whichever is greater, shall be provided. A space 20 feet by 9 feet shall be deemed adequate for each such required space.
(c)) All wash-water, disposal facilities including sludge, grit removal and disposal equipment shall be subject to the approval of the Town Engineer and shall conform with all Town ordinances regarding sewage and health and shall be designed so as not to detrimentally affect the Town sewer system.
(3) Convenience-Food Restaurants:
Convenience-food restaurants shall be subject to the same limitations and conditions as are specified heretofore in subparagraphs "a," "e," and "f" for Automobile Service Stations.

(4) Day-Care Center
   (a) A minimum of seventy-five (75) square feet of outdoor, play space per child shall be provided from which at least fifty (50) square feet of fenced-in, play space per child shall be provided. Fenced-in, outdoor, play space shall not include driveways, parking areas or land unsuited by virtue of other usage or natural features for children's play space.
   (b) At least two hundred and fifty (250) square feet of lot area per child shall be provided.

(5) Model homes, temporary

(6) Recreational Vehicle Park and Overnight Campground:
   (a) Recreational vehicle park shall be screened from view of any residential development, as approved by the Planning and Zoning Commission.
   (b) Internal circulation roads shall be paved with a dust-free surface.
   (c) Individual recreational vehicle parking pads shall be plainly marked and paved with a dust-free surface and shall be at least 1,500 square feet in size.
   (d) Individual recreational vehicle parking pads shall be set back at least 30 feet form the perimeter of the park and 30 feet from any public street right-of-way.
   (e) Approved trash disposal and toilet facilities shall be provided for use of overnight campers.
   (f) Park plans, certified approved by Maricopa Department of Health Services shall be submitted.

(7) Video arcades

D. Permitted Accessory Uses:
(1) Those accessory uses permitted under Section 7-707D.

E. Access
(1) Access to commercial activities shall be allowed only on arterial streets or a street specifically designed for such development.
(2) Access points shall be located at least 150 feet from any street intersection.
(3) Access points on the same street shall not be spaced closer than 100 feet (as measured from centerlines). Commercial developments of a small scale shall be encouraged to develop common access drives and parking facilities.
(4) Commercial developments which may not be able to meet the requirements of Sections 7-708 E(2) and (3), and are requesting deviations from the above noted standards, shall submit to the Town Engineer an engineer's report certified by a Professional Engineer addressing the following site conditions, both present and future:
- traffic volumes
- turning movements
- traffic controls
- site design
- site distances
- location and alignment of other access points

Based upon the above data, the Town Engineer shall determine whether a deviation from the requirement standards is justified and, if so, what alternative requirements will be necessary.

F. Setbacks and Height

(1) The minimum building setback from any lot line or public street right-of-way shall be as set forth below:

| Setbacks | Feet |
|---|---|
| (a) Building setbacks: | |
| 1. Front | 35 |
| 2. Interior side and rear | 15 |
| 3. Corner side | 25 |
| 4. Residential Zone boundary | 45 |
| (b) Parking lots | |
| 1. Front | 4 |
| 2. Interior side and rear | 3 |
| 3. Corner side | 4 |
| 4. Residential Zone boundary | 3 |

(2) A structure may be erected to a height above 45' provided that minimum front and side setbacks shall be increased by one (1) foot for every three (3) feet of building height in excess of 35 feet. Buildings over 45 feet in height shall be subject to additional fire protection as determined by the Town Fire Marshall.

G. Lot Width and Lot Area

(1) The minimum lot width shall be 100 feet except that corner lots shall have a minimum width of 150 feet.

(2) Minimum lot area shall be determined by building area, parking requirements and required setbacks.

H. Additional Building and Performance Standards

Development of any parcel of land within this district shall be subject to all applicable requirements of Article VIII of this Ordinance.

I. Relationship to Overlay Zones

Any property located in the C-2 Zone as well as in the F-1 or F-2 Overlay Zones must comply with the regulations of the Overlay Zones.

## Recommended Landscape Palette

| *Botanical Name* | *Common Name* | *Size* |
|---|---|---|
| **Trees** | | |
| ACACIA salicina | Weeping Acacia | 15 Gal. |
| ACACIA smallii | Sweet Acacia | 15 Gal./24" Box |
| JACARANDA mimosifolia | Jacaranda (Multi-Trunk) | 24" Box |
| OLEA europaea 'Swan Hill' | Swan Hill Olive | 30" Box |
| PROSOPIS chilensis | Chilean Mesquite - Multi | 24" Box |
| PHOENIX dactylifera | Date Palm | 12'/15' |
| PINUS eldarica | Mondel Pine | 24" Box |
| SCHINUS terebinthifolius | Brazilian Pepper Tree | 15 Gal. |
| ULMUS parvifolia 'Sempervirens' | Evergreen Elm | 24" Box |
| WASHINGTONIA robusta | Mexican Fan Palm | 8'/10'/12' |
| **Shrubs / Groundcovers** | | |
| BOUGAINVILLEA sp. 'Brasil.' | Purple Bougainvillea Vine | 5 Gal. |
| CARISSA grandiflora 'G.C.' | Green Carpet Natal Plum | 1 Gal. |
| CHAMAEROPS humilis | Mediterranean Fan Palm | 15 Gal. |
| CONVOLVULUS cneorum | Bush Morning Glory | 1 Gal. |
| LANTANA camara | Dwarf Yellow Lantana | 1 Gal. |
| LEUCOPHYLLUM frutescens | Green Cloud Texas Sage | 5 Gal. |
| MUHLENBERGIA rigens | Deer Grass | 5 Gal. |
| MYOPORUM parvifolium | Myoporum | 1 Gal. |
| NERIUM oleander 'Petite Pink' | Dwarf Pink Oleander | 5 Gal. |
| XYLOSMA congestum | Dwarf Xylosma | 5 Gal. |
| YUCCA pendula | Pendulous Yucca | 5 Gal. |
| CYNODON dactylon 'Midiron' | Midiron Bermudagrass | Sod or Sprig |
| DECOMPOSED GRANITE | Type: Coral | 3/8" minus |

1. public and private streets and utilities
2. landscaping, and
3. privately owned and maintained recreational facilities.

g. Any land dedication agreements made as part of the Preliminary Development Plan approval are fulfilled.

2. Platting Requirements
All applicants for a Planned Area Development permit shall be required to file with Maricopa County a final plat of said Planned Area Development complying with all of the requirements of the Subdivision Ordinance of the Town, except to the extent that the Council may give specific permission to the effect that specific portions of the Subdivision Ordinance need not be complied with. Such required plats shall contain on their face a cross-reference to the P.A.D. Development Plan.

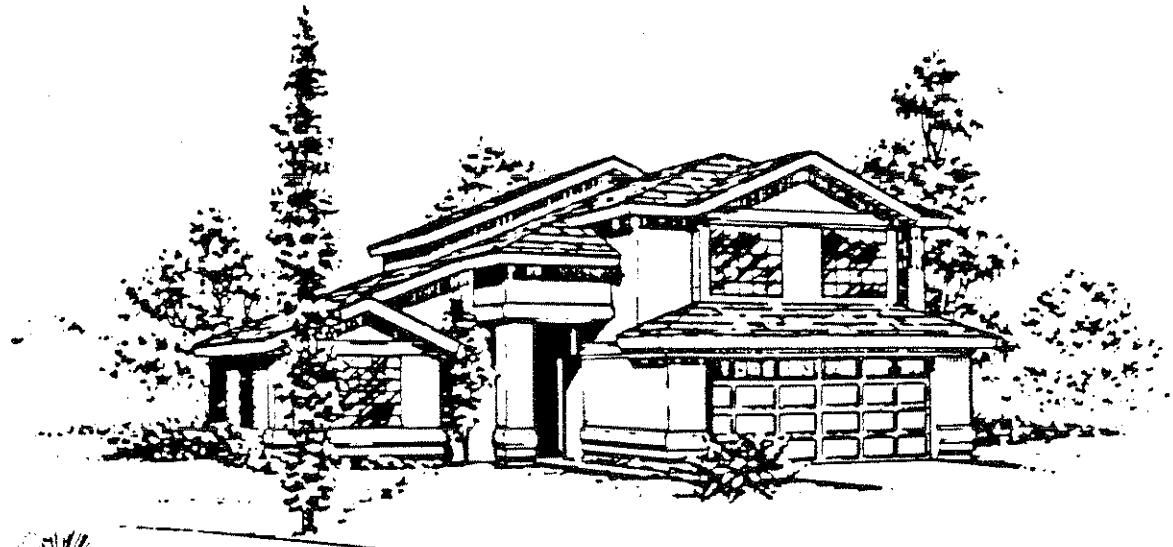
F. Method of Withdrawing an Application for P.A.D. Approval
Any application for a Planned Area Development Permit may be withdrawn by the applicant at any time prior to filing the Final Plat upon written notification to the Community Development Director and/or Town Clerk. The P.A.D. shall be null and void upon receipt of such notice by the Town.

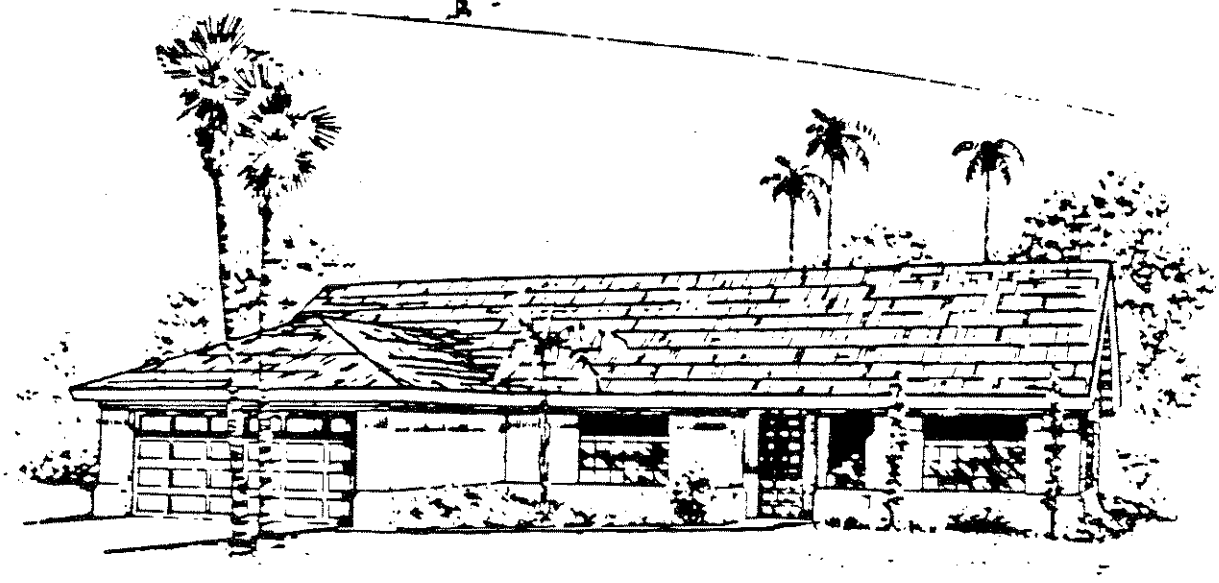
G. Amendments to P.A.D. Approval

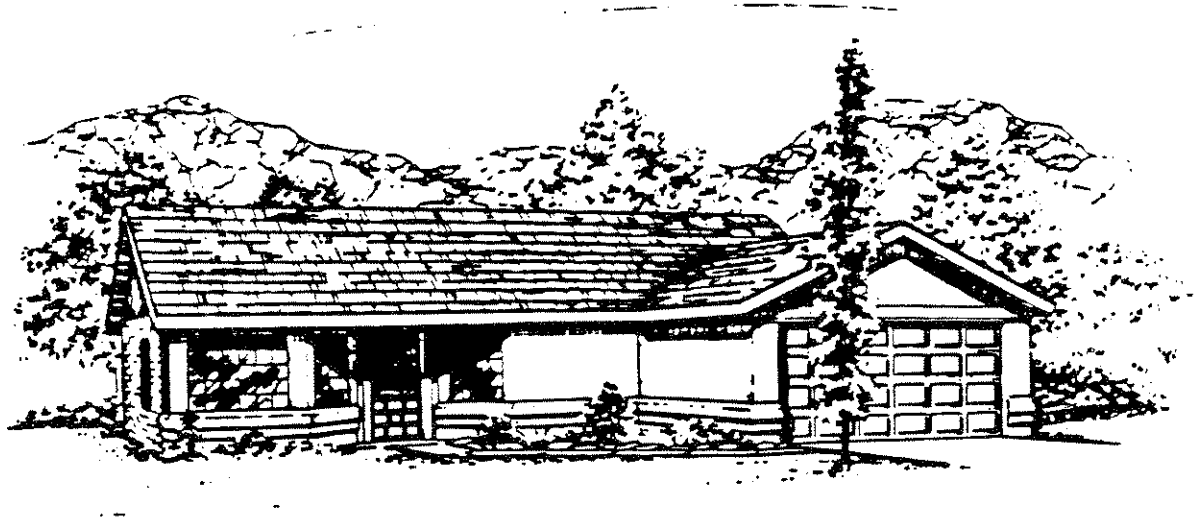
(1) Minor Changes
Minor changes in the location and placement of buildings may be authorized by the Community Development Director and Town Engineer where unforeseen circumstances such as engineering requirements, dictate such change. When in question, the Community Development Director and the Town Engineer may determine whether the changes shall be classified as a minor or major, or may refer the question to the Planning and Zoning Commission, if they deem it necessary.

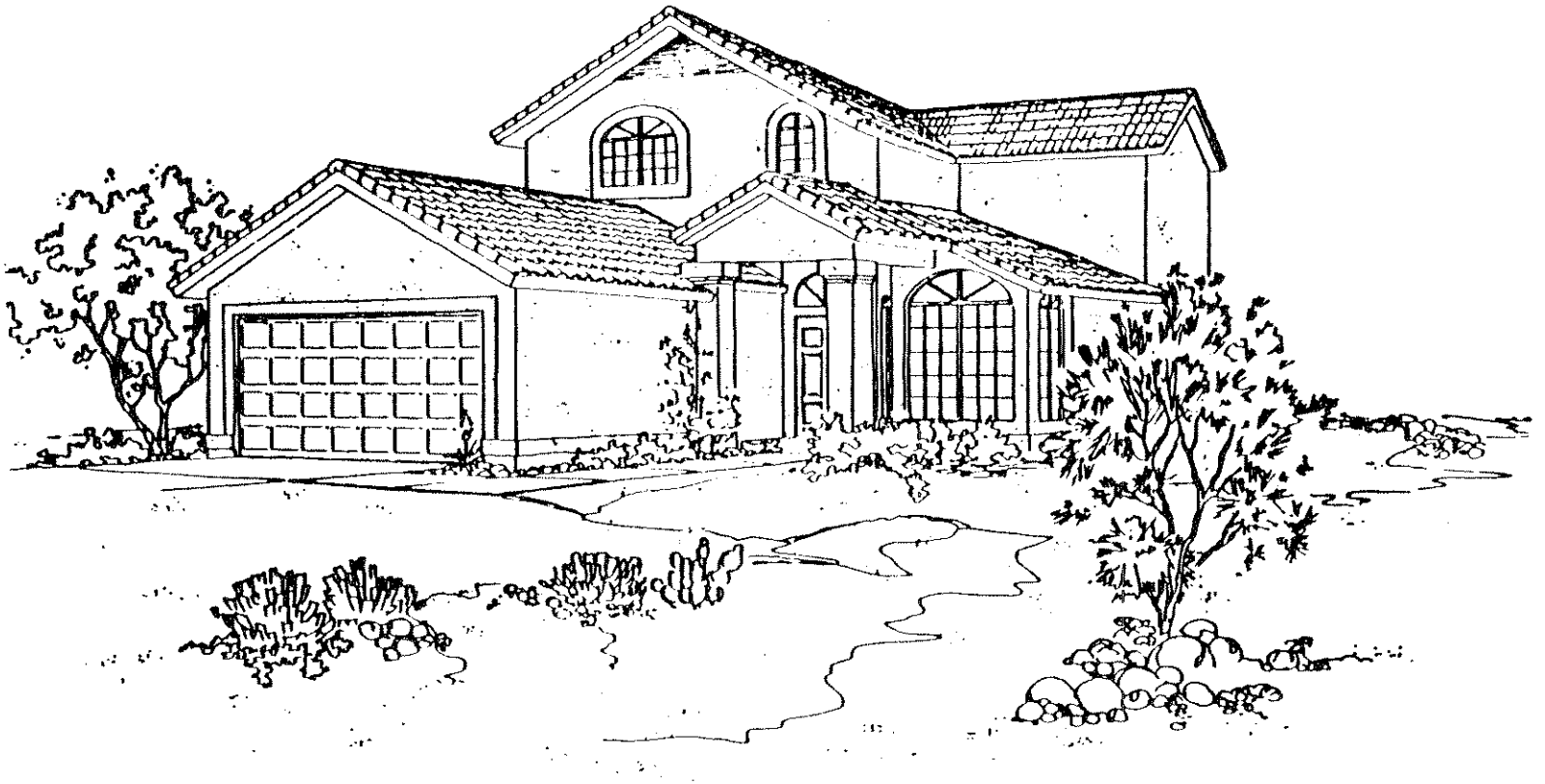
(2) Major Changes
Major changes, such as alterations in structural types, in the shapes and arrangements of lots and blocks, in the allocation of open space or other land uses which increase density and/or intensity of the project, and all other changes which significantly affect the overall design or intent of the project shall be referred to the Planning and Zoning Commission, after which the Commission shall consider and shall either approve or deny, the changes in the Final Development Plan. If such changes are authorized, the developer shall submit a revised plan showing the authorized changes. Requirements of Section 9-904 C-D shall apply to requests for major changes.

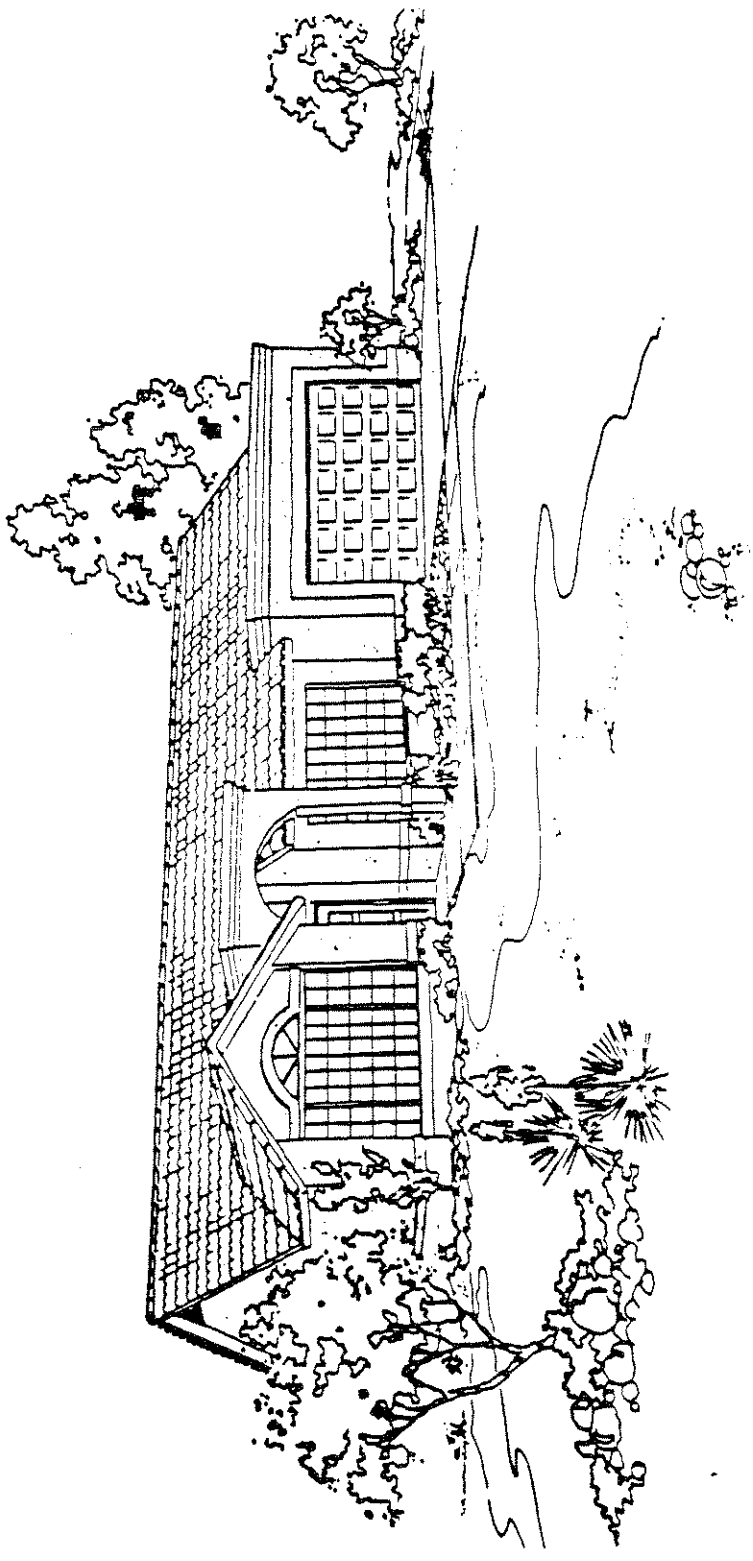
H. Denial of P.A.D. Approval
If an application for Planned Area Development Approval is denied at either the Preliminary Development Plan or Final Development Plan stage, a new application for a P.A.D. Approval by the same applicant on the same site or portion of the site cannot be filed prior to 90 days after the date of denial.











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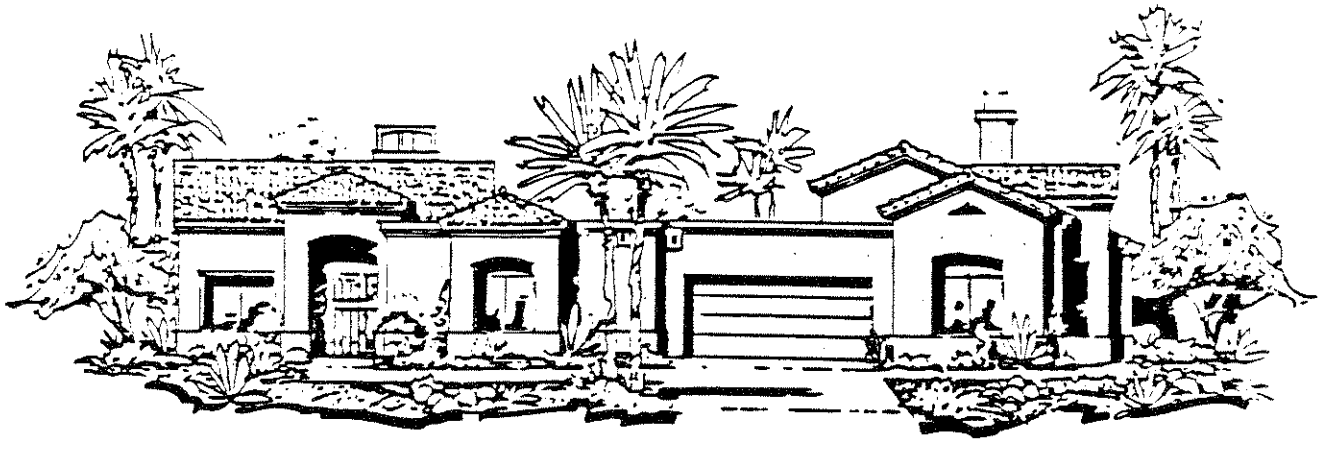

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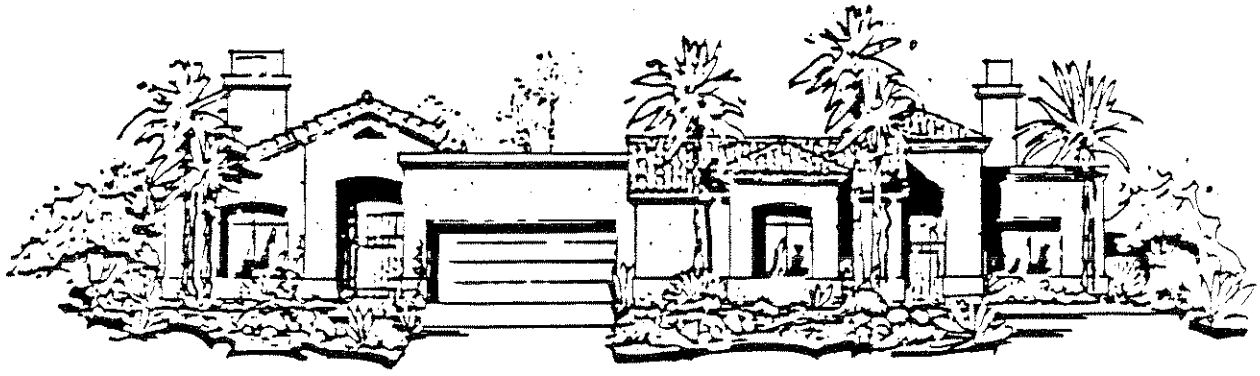
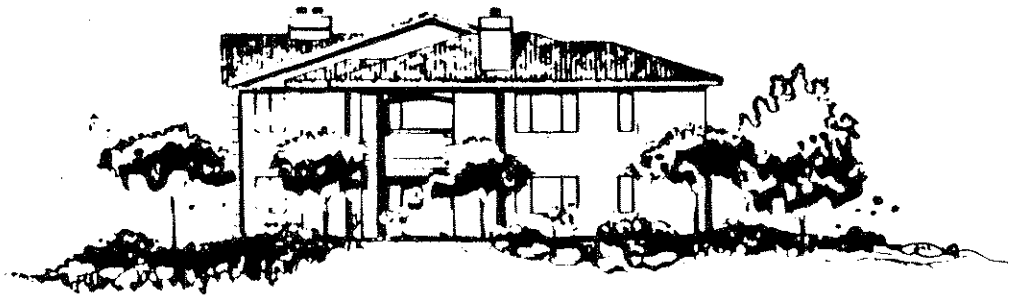


PLAN 420 A

PLAN 440 B

PLAN 420 B

PLAN 440 A



# MOUNTAIN VISTA RANCH

## Surprise, Arizona

## Design Guidelines

A Planned Residential Development

Prepared for:

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2425 East Camelback Road, Suite 900
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July 16, 1996

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Recommended Landscape Palette

# I. INTRODUCTION

## A. Purpose and Intent

These Design Guidelines have been prepared for Mountain Vista Ranch to assist in providing a high quality project. The Design Guidelines illustrate the desired character for future residential and commercial development. Aspects of the Design Guidelines address development, architecture, landscape, signage, and lighting. By guiding certain design elements throughout Mountain Vista Ranch, a unified community, compatible and complimentary to area development, will be provided.

It is not intended for these Design Guidelines to limit innovative design, but instead to protect owners, occupants, and the community from undesirable or substandard design and development. The priority of development compliance is first with the Mountain Vista Ranch PAD Preliminary Development Plan's requirements and restrictions and second with the Design Guidelines. The Design Guidelines should be considered througnout the development approval process.

## B. Project Description

The Mountain Vista Ranch is located in central Maricopa County in the City of Surprise. The future 202 Loop is located one-half (1/2) mile to the west. The master planned community of Kingswood Parke is located immediately to the north. Mountain Vista Ranch is bounded on the north by Bell Road, on the south by Greenway Road, on the west by Sarival Avenue, and on the east by Reems Road. The project site, presently used for agricultural purposes, is flat and lacks native vegetation

## II. DESIGN GUIDELINES

### A. SITE DEVELOPMENT

#### 1. Grading and Drainage

* Any aesthetic landscape berming of individual lots shall not direct drainage 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 done to minimize erosion on- or off-site. No slopes shall be steeper than 4:1, pursuant to the standards of the City of Surprise unless approved by a soils engineer.
* All excavation and fill areas shall be sufficiently compacted to prevent erosion problems.
* Any imported soil needed to create landscape berming shall be free of weeds and debris.

#### 2. Setbacks

* Building setbacks help to create view corridors and provide an open project feeling. Setbacks shall be as stated in the Mountain Vista Ranch Planned Area Development (PAD) Preliminary Development Plan (PDP) document.

#### 3. Lot Size and Coverage

Refer to the PDP for applicable lot sizes and lot coverage standards.

#### 4. Parking Requirements

* Parking lots shall include planted islands, a minimum of 5 feet (5') in width, which shall be landscaped with both shrubs and trees.
* Parking stall requirements shall follow the City of Surprise Zoning Code.
* Parking spaces shall be clearly defined by paint or contrasting paving material.
* Parking areas for multi-family and commercial sites shall be screened with a minimum of a 3 foot wall, landscape, and/or berm adjacent to public streets.
* One covered parking space per apartment is required for multi-family units. One section shall cover approximately 10 to 12 spaces, but no less than three. Covers shall be of durable construction and shall have an appropriate fascia around all four sides, unless a side is next to a building.
* Single family residential units shall have a minimum of two off-street spaces.
* Residential parking is prohibited on arterial and collector streets and is discouraged on any street, drive, or place other than approved parking spaces or areas. Parking areas, as much as reasonably possible, shall be screened from public roads and adjacent properties.
* Parking of boats, campers, trailers, etc., is not permitted within public or private view.

#### 5. Screening of Refuse Areas

* Loading docks shall be screened from the right-of-way and adjacent residential properties. Screening techniques may include utilizing the building itself as a visual

barrier, screen walls, utilizing landscaping to conceal activities, a grading plan which provides a below grade dock, or a combination thereof.

* Refuse areas shall be enclosed within a wall structure which has an average height of 6 feet. These enclosures are encouraged to abut the building's perimeter walls and be of the same materials.
* Isolated enclosures along the property's perimeter are discouraged.
* All enclosures must be provided with a solid gate and be of a size that shall accommodate all refuse generated between collection times.
* Loading areas shall not disrupt normal circulation of the site. No open storage of materials, supplies, or equipment shall be permitted.

6. Utility Structure Placement

* All exterior on-site utilities, including, but not limited to, sewer, gas, and water lines, and electrical, telephone, and communications wires and equipment, shall be installed and maintained underground.
* Mechanical equipment for non-residential buildings may be roof mounted but shall be appropriately screened.

* If possible, mechanical equipment for residential units shall be ground mounted. Whenever practical, roof mounted equipment should be screened.
* Exterior transformers, utility pads, cable television, and telephone boxes are encouraged to be located out of view of the right-of-way and screened with vegetation.

7. Buffering Techniques

* Buffering and transition techniques, such as walls, extra deep yards, and/or landscaped roadways, shall be used to buffer arterial roadways from adjoining LDR parcels.

## B. ARCHITECTURE

Architectural guidelines will help to establish visual compatibility throughout Mountain Vista Ranch and assure an overall quality appearance. All structures in a neighborhood shall be of materials, colors, and styles that blend with or complement each other.

1. Style

Architectural styles may vary from neighborhood to neighborhood but shall be cohesive throughout Mountain Vista Ranch. Designs incorporating a southwestern theme are encouraged.

2. Building Orientation

* Use buildings as an alternative way to screen service areas.
* Orient buildings to take advantage of solar access. Minimize east and west exposures to maximize energy efficiency.
* Provide for well-defined entries and drop-off areas for non-residential buildings.
* Residential units are encouraged to mix left and right elevations.
* Subdivision plats are encouraged to reflect curvilinear street patterns which allow for reduced speeds, variations of views, and flexibility of orientation. Where possible,

neighborhoods shall be created by the use of cul-de-sacs, small loop streets, or other interesting street patterns.

3. Massing

* Provide for a consistency in height, massing, and proportion.
* Heights shall be per the standards in the Mountain Vista Ranch PDP document.

4. Building Materials

* Finished 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.
* Permitted exterior finished materials include plaster and masonry, adobe, slump, split or textured decorative block, brick, and a limited amount of hardwood siding.

5. Roofs

* Generally acceptable roof covering materials shall be wood shake shingle, concrete tile, or clay tile.
* "Built-up" type roof covering materials shall be appropriately screened from view with roof parapets.
* Roof mounted equipment shall not be visible from any public street. Such equipment must be screened through the use of roof parapets or other appropriate screening.
* Roof parapets must be finished with the same material and color as is used for 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.

6. Colors

* The predominant colors in Mountain Vista Ranch will be earth tones and other colors compatible with a southwestern architectural style.
* Trim colors shall not dominate the exterior appearance and shall be of the same color range as the major color. Roof colors shall not produce glare, such as being white, light colored aluminum, or a reflective surface.

7. Accessory Buildings

* Accessory buildings are allowed pursuant to the requirements and restrictions of the PAD. Such buildings shall be painted a color to match or complement the main structure.

C. 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 demarcate property lines, with the exception of residential units.

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. Walls or fences around commercial parcels must be completed prior to a final inspection by the City of Surprise.
* Landscape berming is encouraged as an alternative 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 form are encouraged.

* Perimeter walls should respect the right-of-way line but do not need to follow the alignment exactly.
* Walls and fences, under normal conditions, shall be a minimum of 6 feet, as measured from an adjacent grade, along rear and side lot lines and (when provided) 3 feet along front lot lines adjacent to a road. They shall conform to City zoning ordinances and visibility triangles.
* No chain link fencing is permitted except to enclose game areas, such as tennis courts. Wooden fences are prohibited. See the Zoning Ordinance for further restrictions.
* Open fencing may be provided adjacent to open spaces, such as decorative block and wrought iron.
* Walls separating single family residential from multi-family and non-residential shall be installed as part of the construction of whichever use is developed first.
* All parking lots adjacent to major arterial, collector, and minor roads shall be screened from the right-of-way by either walls, landscape, berms, or a combination of these. Screen walls shall be approximately maximum of 3 feet above the adjacent curb height and shall complement the building materials of the building.

D. HARDSCAPE

Hardscape elements shall be designed to coordinate with the architecture and landscape to provide a link between the street edge and the individual developments. Proper hardscape can improve pedestrian safety, movement, and visual enjoyment of community areas.

Guidelines:

* Use of special paving at subdivision entries is encouraged and shall complement the paving installed by the master developer at major entries and intersections.
* Non-vehicular circulation paving within sites shall complement the architecture and should be in natural earth tones similar to the "public" sidewalks.
* Painted paving surfaces, other than for traffic control in parking areas, are prohibited.

E. LANDSCAPE

The objective of the landscape is to screen, accent, soften, and improve the visual character of Mountain Vista Ranch. 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 helps portray the image of the community to the public. Landscape should be used to:

* soften, but not obstruct, the architecture;
* reinforce the circulation hierarchy;
* for screening; and
* aesthetically as a reminder of the natural environment in which we live.

Plant material listed on the Recommended Landscape Palette, which is included in the PDP at Appendix Exhibit 1, should be used throughout Mountain Vista Ranch and reflect the principles of xeriscape. Subdivision developments shall develop similar plant lists to maintain cohesiveness throughout Mountain Vista Ranch.

Guidelines:

* The minimum plant sizes are as follows:
  **Trees - 15 gallon
  **Shrubs - 1 gallon
  **Groundcovers - 1 gallon

* All plant material shall be provided with a fully automated, below grade, drip irrigation system. Plants should be selected to fit naturally into their space to avoid the need for excessive trimming.
* 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.

The following landscape standards shall apply to streetscape, non-residential, and multi-family site development and residential site development.

1. Streetscape

   Reems, Greenway, and Sarival

   Subject to approval by the City, the landscaping along Reems, Greenway, and Sarival shall be an informal desert landscape. Such streets shall have native canopy trees in a regular alignment with lush desert planting below. Some turf will be allowed within the landscape tracts.

   Collectors

   The landscaping along the loop collector street shall be an informal desert landscape accented with native canopy trees with lush desert plantings below. Some turf will be allowed within landscape tracts.

Neighborhood Streets

The landscaping along neighborhood streets should reflect the landscaping of the roadways to provide cohesiveness throughout the project.

2. Non-Residential and Multi-Family Site Development

* Landscaping shall comply with City Codes and Ordinances.
* Design shall reflect the character of the Mountain Vista Ranch theme and Guidelines.

3. Residential Site Development

* Landscaping shall comply with Mountain Vista Ranch Guidelines.
* Design shall reflect the character of the Mountain Vista Ranch theme.

At least two trees are required in the front yard of each dwelling unit. ("street trees"). Shrubs will be required in all front yards and will be utilized to soften and screen.

Groundcover may be turf, decomposed granite, or other natural rock material. All bare earth must be covered by an approved organic material to provide a neat, dust-free appearance.

All completed and sold dwelling units must have the front yards landscaped and street trees planted at the time the dwelling unit is completed. All unsold spec units must have the front yards landscaped and street trees planted at the time of completion of construction. Prior to landscaping, all yards must be maintained in a neat, weed-free, dust-free condition.

All landscaping must reflect the southwest character of the development:

* Rocks and boulders, patios, sidewalks, railroad ties, telephone poles, etc., may be used to supplement and create imaginative landscaping design.
* Artificially colored rock yards are not acceptable at any location.

4. Open Space/Retention Areas

* Landscaping shall comply with City of Surprise Codes and Ordinances.
* Design shall reflect the character of the Mountain Vista Ranch theme.

F. LIGHTING

Lighting is used for both aesthetics and safety reasons. The fixtures themselves should be consistent with the overall image of Mountain Vista Ranch. 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. Landscape and architectural lighting is primarily for aesthetics All lighting must comply with the City of Surprise lighting ordinance.

G. SIGNAGE

All signage must comply with the PAD signage provisions.

Guidelines:

* Signs shall not be located within the right-of-way.
* All signs shall be kept in good repair.
* All wires, haulouts, 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 fluorescent 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.
* Billboards and inflatable signs 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 highly discouraged. If used, no more than 10 percent of the window area may be painted and it must be on the interior.

1. Entry Monument Signs

Master community signs shall be designed and installed by the developer. These signs establish the theme for the entire development and all other signs should reflect the 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.
* To promote a community identity, the following shall be included after the name of the subdivision - "at Mountain Vista Ranch".

2. Directional Signage

* There shall be no more than two directional signs per driveway entrance to a lot, parcel or multiple use lot or parcel. Only one of these signs may include business identification. There shall be no limit on the number of directional signs interior to a site which do not include business identification.
* No directional sign shall be greater than 6 sq.ft. in area and have a height greater than 3 feet above grade. No more than 25 percent of the area of a directional sign may be devoted to business identification. Such area shall not be assessed as business identification sign area.

3. Open House Directional Signs

* Open house directional signs may be provided pursuant to Article IX, Section 5 of the City's current Ordinance 85-8.

* "Open House" or similar "For Sale" signs in excess of the above Article IX. Section 5. Ordinance 85-8 criteria shall not be placed by either homebuilders or resale sellers.

## H. MAINTENANCE

Maintenance of all infrastructure is a necessary key to the continued quality appearance of Mountain Vista Ranch. 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. Flat top, round or square shaping of shrubs is prohibited.
* 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 plant and water loss.
* Lawns shall be kept mowed.
* Damages to any improvements shall be repaired as promptly as the extent of the damage shall allow.
* Buildings which happen to be vacant for any reason shall be kept locked and the windows glazed in order to prevent entrance or vandalism of the property.

## I. MACHINERY AND EQUIPMENT

No machinery, fixtures, or equipment of any type, including, but not limited to, heating, cooling, air conditioning and refrigeration equipment, 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 solid and 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.

## J. SOLAR PANELS AND EQUIPMENT

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 ridge line and must not be visible from view. Roof mounted hot water storage systems must

not be visible from neighboring properties. Tracker type systems will be allowed only when not visible from neighboring property.

The criteria for screening is set forth in Section II.I "Machinery and Equipment" and shall apply to solar panels and equipment.

K. EXTERIOR ACCESSORIES

1. Antennas

* No exterior television, radio, or other antenna or dishes of any kind may be placed. allowed, or maintained in residential areas.
* Concealment of antennas in non-residential areas will be required, where practical.
* Ham, citizen band, or other similar antennas shall not be allowed.
* Multi-family dwelling unit must either have a television antenna installed and concealed therein when constructed or must be served by a master system.

2. Amplifiers

* 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.

3. Basketball Backboards

* Basketball hoops, backboards, and other elevated sport structures shall not be erected, placed, or maintained on any roof of a Unit. Basketball hoops, backboards, and other sport structures may be erected, placed, or maintained in any public yard of a lot (including in front driveways) so long as the structure is removable or on removable sleeves and so long as the structure is up only during actual use (and is otherwise stored so as not to be visible from neighboring property). Basketball hoops, backboards, and other elevated sport structures may be erected, placed, and maintained in any private yard of any lot on a permanent basis.

4. Flagpoles

* Flagpoles shall be limited to a height of 20 feet in residential areas.
* Only the United States and State of Arizona flags may be displayed and such flags shall be of a reasonable size.

5. Utility and Service Lines

* No gas, electric, power, telephone, water, sewer, 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.

6. Clothes Drying Facilities

* All clothes drying facilities must be located and maintained exclusively within a fenced service yard or otherwise concealed from the view of neighboring or public property.

7. Additions or Alterations

* Any addition or alteration to any building, structure, lot, or parcel must not violate or conflict with these guidelines, unless the additions and alterations are not visible from neighboring properties or public properties.

L. GARBAGE

* No garbage or trash may be placed on any lot or parcel except in covered containers meeting the specification 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 specified on a Tract Declaration or subdivision plat to be maintained by the City of Surprise.

M. 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 placed.

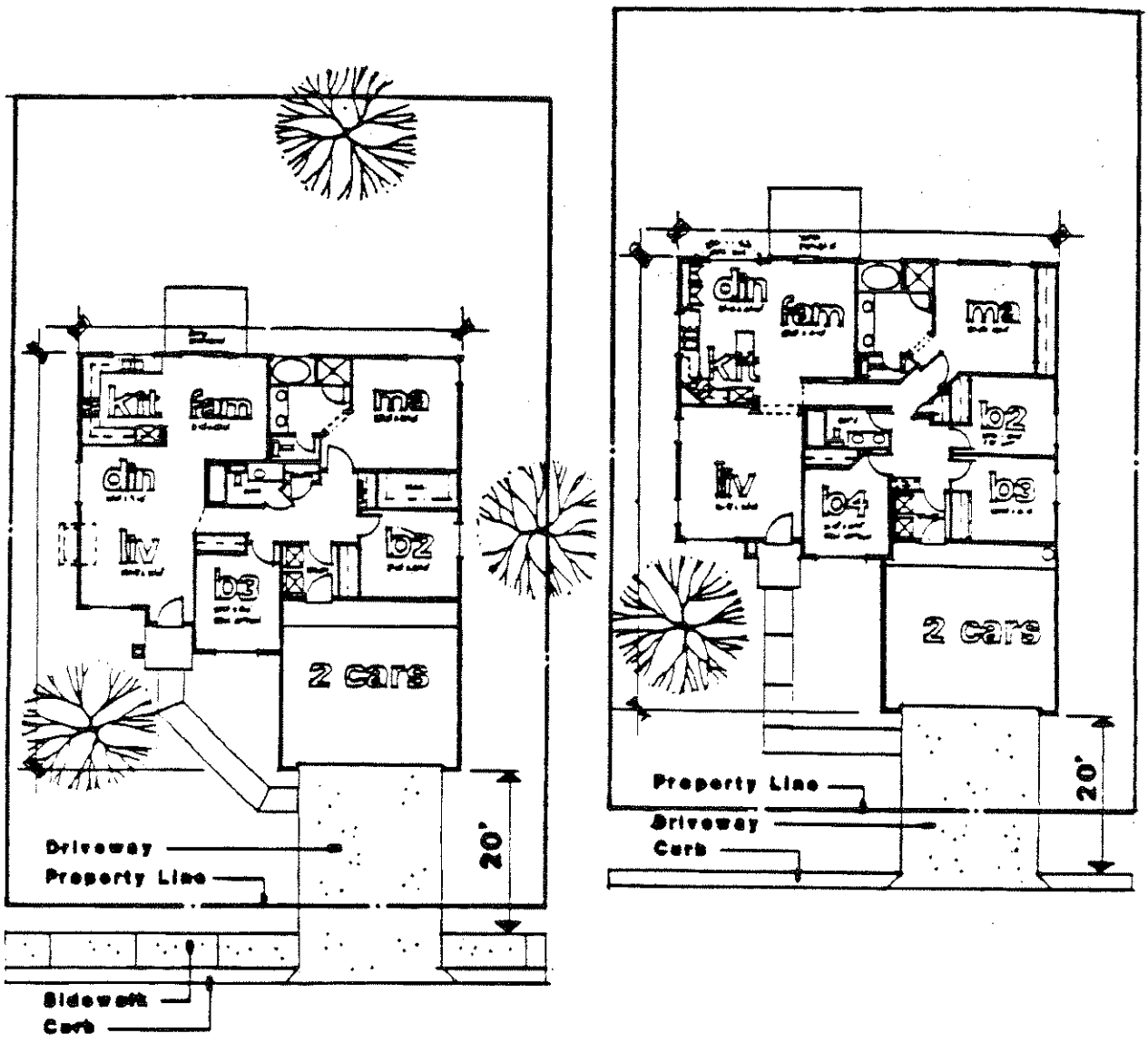
## III. USE OF DESIGN GUIDELINES

These guidelines shall serve as a general guide regarding development within the Mountain Vista Ranch PAD. They are not CC&R's and they are not intended to be nor shall they be construed to be rigid or inflexible. Instead, they are a flexible guide to be considered by the developer, builders, residents, commercial tenants, etc., of the PAD and by the City to achieve and maintain Mountain Vista Ranch as a compatible, cohesive, and high quality development. The Design Guidelines are issues and concepts that the developer, home builders, commercial builders, and others should consider in preparing their plans for Mountain Vista Ranch. Non-satisfaction of Design Guidelines is not grounds for rejecting a plan, but the inclusion or recognition of such issues and concepts in such plans where reasonable and appropriate is encouraged and may be considered by the City in its consideration of such plans.

# Recommended Landscape Palette

| *Botanical Name* | *Common Name* | *Size* |
|---|---|---|
| **Trees** | | |
| ACACIA salicina | Weeping Acacia | 15 Gal. |
| ACACIA smallii | Sweet Acacia | 15 Gal./24" Box |
| JACARANDA mimosifolia | Jacaranda (Multi-Trunk) | 24" Box |
| OLEA europaea 'Swan Hill' | Swan Hill Olive | 30" Box |
| PROSOPIS chilensis | Chilean Mesquite - Multi | 24" Box |
| PHOENIX dactylifera | Date Palm | 12'/15' |
| PINUS eldarica | Mondel Pine | 24" Box |
| SCHINUS terebinthifolius | Brazilian Pepper Tree | 15 Gal. |
| ULMUS parvifolia 'Sempervirens' | Evergreen Elm | 24" Box |
| WASHINGTONIA robusta | Mexican Fan Palm | 8'/10'/12' |
| **Shrubs / Groundcovers** | | |
| BOUGAINVILLEA sp. 'Brasil.' | Purple Bougainvillea Vine | 5 Gal. |
| CARISSA grandiflora 'G.C.' | Green Carpet Natal Plum | 1 Gal. |
| CHAMAEROPS humilis | Mediterranean Fan Palm | 15 Gal. |
| CONVOLVULUS cneorum | Bush Morning Glory | 1 Gal. |
| LANTANA camara | Dwarf Yellow Lantana | 1 Gal. |
| LEUCOPHYLLUM frutescens | Green Cloud Texas Sage | 5 Gal. |
| MUHLENBERGIA rigens | Deer Grass | 5 Gal. |
| MYOPORUM parvifolium | Myoporum | 1 Gal. |
| NERIUM oleander 'Petite Pink' | Dwarf Pink Oleander | 5 Gal. |
| XYLOSMA congestum | Dwarf Xylosma | 5 Gal. |
| YUCCA pendula | Pendulous Yucca | 5 Gal. |
| CYNODON dactylon 'Midiron' | Midiron Bermudagrass | Sod or Sprig |
| DECOMPOSED GRANITE | Type: Coral | 3/8" minus |

EXHIBIT 1




20' back of curb (on street fronts without sidewalks) and 20' back of sidewalk (on street fronts with sidewalks). Except for these LDR and MDR front yard setbacks which are measured from back of sidewalk as appropriate, all other setbacks are measured from the property lines.

# Mountain Vista Ranch

## Setback Exhibit

## A

# Mountain Vista Ranch

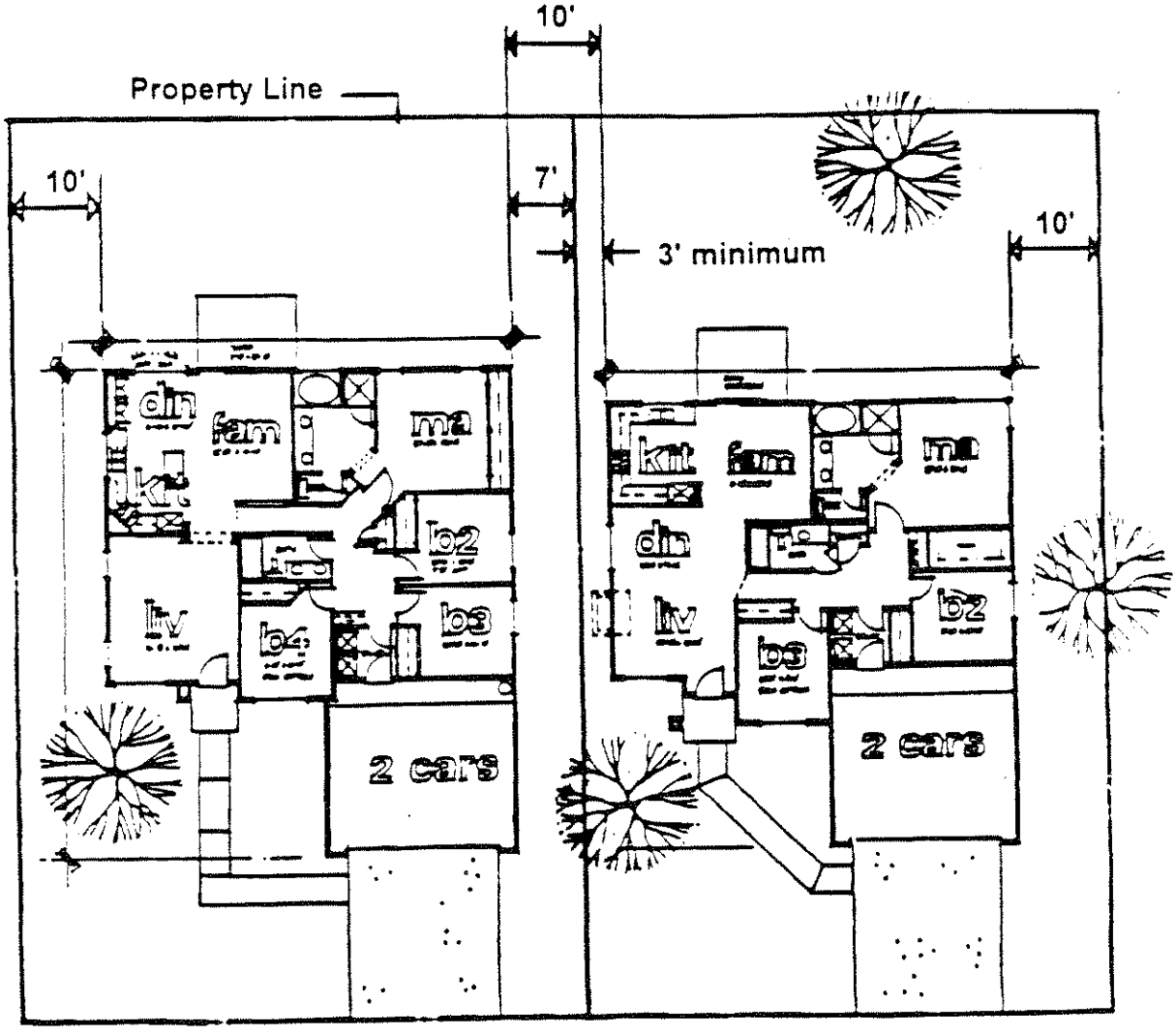
## Setback Exhibit

## B

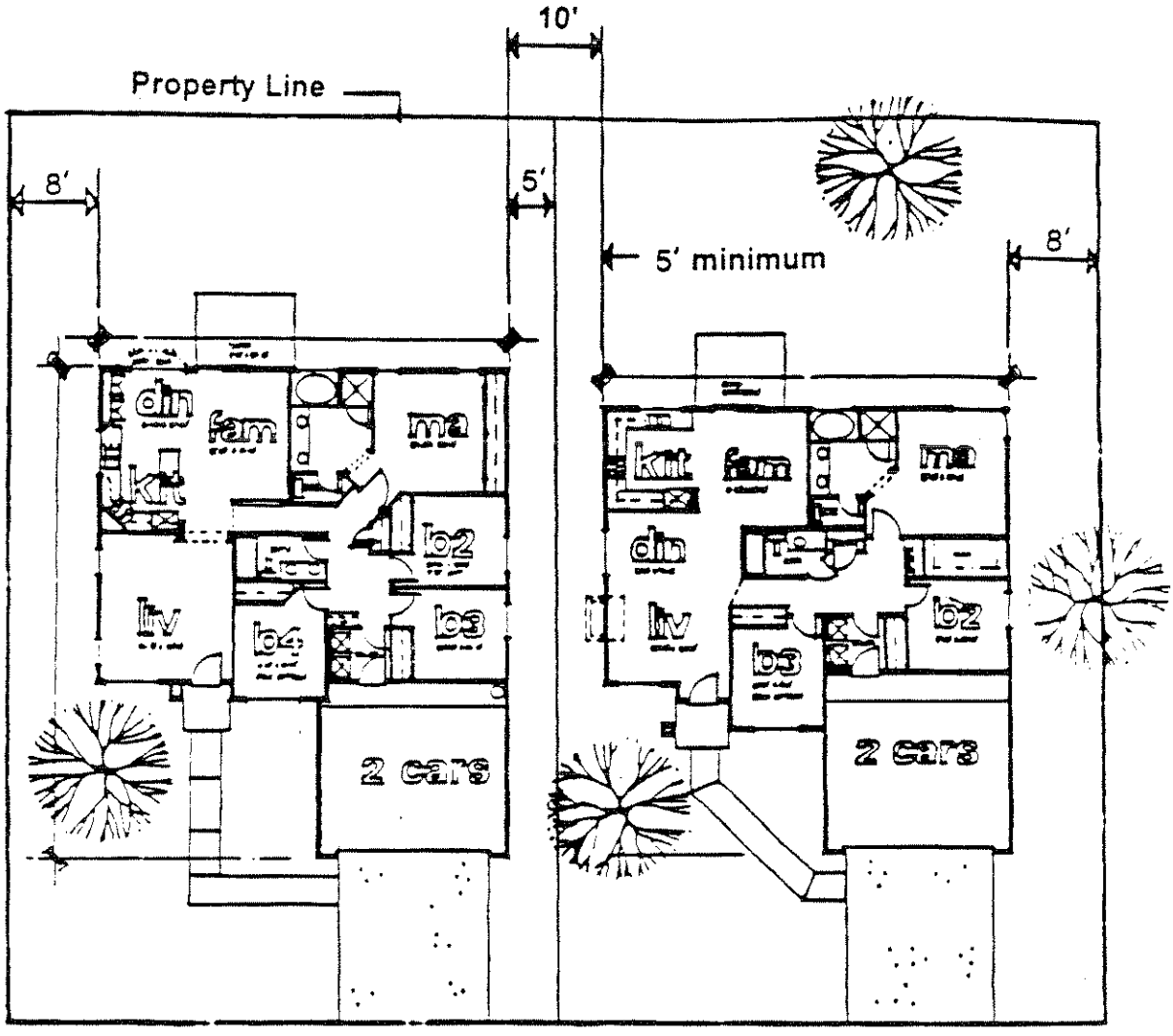
On LDR and MDR properties developed with single family detached homes there are two side yard setback alternatives:

Alternative #1 - At least one side yard shall be 10'; the setback for the remaining side may be less than 10' providing principal building separations are at least 10' and the other side yard is at least 3'; or,

Alternative #2 - On LDR and MDR properties developed with single family detached homes, at least one side yard shall be 8' and the other side yard is at least 5' for a total of 13' of side yard setback on a lot.




ALTERNATIVE #1




ALTERNATIVE #2

F. Setbacks, Yards and Heights
(1) Minimum Setbacks From Property Line:

| Use | Front | Interior Side | Corner Side | Rear Yard |
|---|---|---|---|---|
| Single-family dwelling | 50' | 20 | 50' | 50' |
| Schools, civic, cultural and religious institutions (including their accessory use structures) | 50' | 50' | 50' | 50' |
| Structures accessory to single-family dwellings | 50' | 3' | 50' | 3' |
| Structures for all other principal, conditional or accessory uses | 50' | 50' | 50' | 50' |

(2) Maximum Building Height: 30 feet

G. Encroachment Into Required Front and Side Yard Setbacks
(1) Open steps and decks shall be permitted to extend into the required front and side yard setbacks a distance of not more than five (5) feet.

(2) Covered patios, decks, porches or carports shall not be permitted encroachments in any required setbacks.

(3) Normal Roof Projections (Eaves) Into Required Side Yards. A house or garage roof may not be constructed within three (3) feet of a side property line.

H. Additional Building and Performance Standards
Development of any portion of land within this district shall be subject to all applicable requirements of Article VIII of this Ordinance.

I. Relationship of Overlay Zones
Any property located in the R1-43 Zone as well as the F-1 or F-2 Overlay Zones must comply with the regulations of the Overlay Zone.

ARTICLE VIII
General Building and Performance Requirements

8-801 Purpose

The purpose of this section of the Zoning Ordinance is to establish general development performance standards. These standards are intended and designed to assure compatibility of uses; to prevent urban blight, deterioration and decay; and to enhance the health, safety and general welfare of the residents of the community.

8-802 Screening

All multi-family and mobile home developments' principal and accessory uses (except signs) which are situated on a parcel which abutts a single-family residential district and all business and industrial developments' principal and accessory uses (except signs) which are situated on a parcel which abutts a residential district shall be screened from such a district by an approved wall or fence not less than six (6) feet in height above the level of the adjacent property at the District boundary. Walls or fences of lesser heights or planting screens may be permitted by the Town if there is a finding that the nature or extent of the use being screened is such that a lesser degree of screening will adequately promote the use and enjoyment of the properties within the adjacent residential district, or there is a finding that a screening of the type required by this Ordinance would interfere with the provision of adequate amounts of light and air to same said properties. All required screening devices shall be designed so that they are architecturally harmonious with the principal structures on the site and they shall be properly maintained so as not to become unsightly, hazardous or less opaque than when originally constructed.

8-803 Landscaping Requirements

A. Generally

Landscaping requirements as set forth in this Ordinance have been established to encourage quality development within the Town, to provide a smooth transition between adjoining properties; to screen service yards, parking lots and other areas which tend to be unsightly; to facilitate the buffering of one land use from other land uses; to encourage harmonious relationships between buildings which are part of one development and buildings located on abutting properties; to provide open space and recreational areas to serve the needs of the residents of the Town; to soften the effect of development; to improve erosion and storm water runoff control; to reduce the particulate matter in the air; to encourage a sense of commitment to the Town and its residents on the part of developers; and to provide for the health, safety and general welfare of the residents of the Town.

B. Definition

Landscaping for purposes of this Ordinance shall be defined as including any or all of the following: lawn or grass areas; trees, shrubs, ground cover or other plantings; sprinkler or irrigation systems; decorative rock, natural or manmade; decorative lighting; benches, tables, fountains, planters or other similar outdoor fur-

niture; decorative fences; detention and retention ponds; waterfalls and manmade streams; and berms or mounds.

C. Landscaping Plan

A landscaping plan shall be submitted in conjunction with any required site plan and shall be reviewed and approved, denied or modified in conjunction with said site plan. All exposed ground areas surrounding or within a principal or accessory use, including street boulevards, which are not devoted to drives, parking lots, sidewalks, patios or other such uses shall be landscaped.

At minimum, seven percent of any site shall be landscaped with at least 30 percent of the landscaped area being covered by plant materials or a plant canopy at the end of the first year and 50 percent of the area being covered at plant maturity.

When possible, areas of any particular site allocated to landscaping shall be located on that site in such a way so as to provide substantial benefit to the general public as well as to the site itself.

Where practical, landscaping shall also be provided within parking lots in a manner which will serve to visually reduce the expanse of paved areas.

D. Minimum Landscaping

(1) Multi-family, apartment, condominium and commercial developments: All areas, including adjacent unpaved rights-of-way, not used for buildings, parking, drives or other impervious materials or used for storage of materials shall be landscaped according to an approved landscape plan. For townhouses with individually screened and/or fenced rear yards, landscaping shall be required only in the front yards, side yards and unpaved rights-of-way.

(2) Industrial Developments: All areas in front and corner side yards, including adjacent unpaved rights-of-way, not used for parking, drives or other impervious materials or storage shall be landscaped according to an approved landscape plan.

E. Installation Prior to Occupancy Permit

All landscaping materials and equipment as provided for on the approved landscape plan for any residential, business or industrial development, or in the case of phased development, for the particular phase, shall be installed prior to the issuance of any occupancy permit, unless a financial guarantee in the amount of 150% of the cost of the materials and labor is submitted to the Town. Financial guarantees shall be of the types and forms provided in the Town of Surprise Subdivision Ordinance, Section 11-1106A. In the event that a cash deposit is made for the purpose of a financial guarantee, no interest shall be paid by the Town unless specific arrangements are made for such interest to be paid, prior to Town acceptance of the deposit.

Upon completion of the landscaping requirements as provided on the approved landscape plan, the financial guarantee shall be released except for a portion in the amount of 20% of the cost of materials and installation which shall be retained for a warranty period of one year as a guarantee of proper installation and maintenance. Following the warranty period the remaining 20% guarantee shall be released upon a finding that installation and maintenance has occurred as per approved landscape plan.

F. Maintenance
All landscaped areas shall be kept neat, clean and uncluttered. No landscaped area shall be used for the parking of vehicles or the storage or display of materials, supplies or merchandise.

8-804 Dwelling Unit Restrictions

No cellar, garage, tent, basement with unfinished structure above, or accessory building or any mobile home or recreational vehicle outside of an approved mobile home or recreational vehicle development shall at any time be used as a dwelling unit. The basement portion of a finished home may be used for normal living, eating, and sleeping purposes, provided it is properly damp-proofed and has suitable fire protection and exits.

8-805 Accessory Buildings, Uses and Equipment

A. An accessory building shall be considered an integral part of the principal building if it is connected to the principal building by a covered passageway.
B. Accessory buildings and garages in residential districts shall not exceed the height of the principal structure and shall not be located within a utility easement.
C. No accessory building or garage for single-family homes shall occupy more than 25 percent of a rear yard nor exceed 600 square feet of floor area, except that garages which exceed the aforesaid maximum may be allowed with a Conditional Use Permit.
D. No permit shall be issued for the construction of more than one accessory, detached, private garage structure for each dwelling.
E. No accessory building or use shall be constructed or developed on a lot prior to the time of construction of the principal building to which it is accessory, except by Conditional Use Permit.
F. Accessory buildings in any business or industrial district may be located only to the rear of the principal building.
G. No accessory building in any business or industrial district shall exceed the height of the principal building except by Conditional Use Permit.

8-806 Fences

A. Permit Required
No persons, firm or corporation, except on a farm and related to farming, shall hereafter construct, or cause to be constructed or erected within the Town of Surprise any fence without first making an application for and securing a building permit.

B. Locations
All fences shall be located entirely upon the private property of

the persons, firms or corporation constructing, or causing the construction, of such fence unless the owner of the property adjoining agrees, in writing, that such fence may be erected on the division line of the respective properties.

C. Construction, Maintenance and Height Measurement

(1) Construction and Maintenance

Every fence shall be constructed in a substantial, workmanlike manner and of substantial material reasonably suited for the purpose for which the fence is proposed to be used. Every fence shall be maintained in a condition of reasonable repair and shall not be allowed to become and remain in a condition of disrepair, damage, or unsightliness, or constitute a nuisance, public or private. Any such fence which is, or has become, dangerous to the public safety, health or welfare, or has become unsightly through improper maintenance or neglect is a public nuisance, and the Zoning Administrator shall commence proper proceedings for the abatement thereof.

Link, or wire fences, wherever permitted, shall be constructed in such a manner that no barbed ends shall be at the top, except in industrial districts and shall be constructed of at least 11 gauge wire or its comparable.

Electrical or barbed wire fences shall be prohibited, except in an I-1 district.

(2) Measuring Fence Height

The height of any fence shall be calculated to the uppermost points as follows:

(a) In required yards abutting a street, the height of the fence shall be the total effective height measured from the finished grade on the side nearest the street.

(b) In other required yards, the height of the fence shall be the total effective height above the finished grade measured on the side nearest the abutting property.

(c) On property lines the height may be measured from the finished grade of either side when the abutting property owners are in joint agreement, with such agreement submitted in writing.

D. Residential Fences

(1) In all parts of Surprise zoned residential, no fence or wall shall be erected or maintained more than six (6) feet in height and also;

(a) In R1-8, R1-5, R-2 or R-3 zones, no fence or wall shall be allowed in any required front yard.

(b) In R1-43 or R1-18 Zones, no fence or wall shall be allowed in any required residential front yard which has any supporting member measuring 36" in height, or any horizontal member or series of vertical members spaced closer than four (4) feet from one another over 30" in height or is less than 65 percent transparent, except that walls or fences 24" or less in height with a transparency of less than 65 percent, shall be permitted.

(Note: Generally chainlink fences and two-rail fences are 70-90 percent transparent)

(2) Fences, walls, or hedges which are erected in any sideyard and which run parallel or approximately parallel to the front line of a building or mobile home shall be set back from the front line of the building or mobile home a minimum of five (5) feet.

(3) On corner lots in all districts, no fence or planting in excess of 30 inches above the street center line grade shall be permitted within a triangular area defined as follows: beginning at the intersection of the projected curbing lines of two intersecting streets, thence 40 feet along one curb line, thence diagonally to a point 40 feet from the point of beginning on the other curb line, then to the point of beginning.

(4) In those instances where a fence is erected as an enclosure which restricts access from the front to the rear yard, a gate, identifiable collapsible section, or other such means of recognizable ingress shall be installed, shall remain unobstructed and shall be a minimum of three (3) feet in width. The location of such ingress points shall be positioned at any point paralleling the front lot line between the side lot property line and the principal structure.

(5) In corner side yards, fences up to six (6) feet in height may be permitted provided that no fence may be built in a corner side yard that is adjacent to a neighboring front yard.

E. Business and Industrial District Fences
Fences in all Commercial and Industrial Districts shall not exceed 10 feet in height except that boundary-line fences abutting Residential Districts shall not be greater than six (6) feet in height.

F. Special-Purpose Fences
Fences for special purposes and fences differing in construction, height or length may be permitted in any district by issuance of Conditional Use Permit approved by the Planning and Zoning Commission. Findings shall be made that the fence is necessary to protect, buffer or improve the premises for which the fence is intended and will not detrimentally effect adjacent property.

G. Fences in all Districts
Any fence constructed so as to have only one elevation "finished," which shall be defined as not having its supporting members significantly visible, shall be erected such that the finished elevation of the fence is exposed to the adjacent property.

8-807 Setback and Height Encroachments, Limitations and Exceptions

The following shall be considered as permitted encroachments on setback and height requirements except as hereinafter provided:

A. In Any Yards
Posts; off-street, open-parking spaces; sills; pilasters; lintels, cornices; eaves; gutters; awnings; open terraces; service-station pump islands; open canopies; steps; flag poles; ornamental features; open fire escapes; sidewalks; and fences, except as hereinafter

amended. Also, terraces, steps, exposed ramps (wheelchair), uncovered porches, stoops, or similar features provided they do not extend above the height of the ground-floor level of the principal structure or to a distance of less than three (3) feet from any lot line nor less than one (1) foot from any existing or proposed access drive. Also, yard lights and nameplate signs in residential districts; trees; shrubs; plants; floodlights or other sources of light-illumination, authorized lights or light standards for illuminating parking areas, loading areas or yards for safety and security reasons, provided the direct source of light is not visible from the public right-of-way or adjacent, residential property.

B. In Side and Rear Yards
Balconies eight (8) feet above grade may extend into the yards to within five (5) feet of a lot line provided said balconies do not extend over nonresidential driveways. Recreational equipment, picnic tables and apparatus needed for the operation of active and passive solar-energy systems.

C. In Rear Yards
Laundry, drying equipment; covered but not enclosed porches, breezeways and detached outdoor livingrooms may extend 20 feet into the rear yard but not closer than ten (10) feet from the rear lot line. Apparatus needed for the operation of active and passive solar-energy systems.

D. Height
Height limitations shall not apply to church spires, belfries, cupolas and domes; monuments; chimneys and smokestacks; flag poles; public and private-utility facilities; transmission towers of commercial and private radio-broadcasting stations; television antennae; parapet walls extending no more than four (4) feet above the limiting height of the building except as hereinafter provided; and solar-energy collectors and equipment used for the mounting or operation of such collectors.

E. Side and Rear Setbacks - Zero Lot Line Provision
Subject to regulations contained in the Uniform Building Code and other applicable regulations, buildings may be excluded from side and rear setback requirements provided party walls are used and if the adjacent buildings are constructed as an integral unit. This primarily pertains to townhomes and condominium structures.

F. Front Setbacks Averaging
When more than 25 percent of the frontage on the side of a street between intersections is occupied by structures having setbacks from the street rights-of-way of greater or lesser amounts than hereinafter required, the average setback of all existing buildings between the intersections shall be maintained by all new or relocated structures. In the event a building is to be built where there is an established average setback different from that required hereinafter and there are existing buildings on one side only, the front setback of said new building needs to be no greater than that of the next adjoining existing building. In a case where a building is to be built where there is such an established average setback

and there are existing buildings on both sides of the said new building, the front setback shall not be required to be greater than that which would be established by connecting a straight line between the furthest extension of the first adjacent building on each side.

8-808 Off-Street-Parking Requirements

A. General Provisions

(1) Floor Area

The term "floor area," for the purpose of calculating the number of off-street parking spaces required, shall be determined on the basis of the exterior-area dimensions of the building, structure or use multiplied by the number of floors, minus 10%, except as may hereinafter be provided or modified.

(2) Change of Use or Occupancy of Buildings

Any change of use or occupancy of any building or buildings including additions thereto requiring more parking shall not be permitted until such additional parking spaces as required by this Ordinance are furnished.

(3) Parking Accessory to a Residential Use

Off-street parking facilities accessory to residential use shall be utilized solely for the parking of licensed and operable, passenger automobiles; no more than one (1) truck not to exceed gross capacity of 12,000 pounds; and recreational vehicles and equipment. Under no circumstances shall required parking facilities accessory to a residential structure be used for storage of commercial vehicles or equipment or for the parking of automobiles belonging to the employees, owners, tenants, or customers of business or manufacturing establishments.

(4) Parking in Residential Setbacks

No motor or recreational vehicle shall be parked in any front or corner side setback except on a paved, parking surface.

B. Stall, Aisle and Driveway Design

(1) Parking Dimensions:

The following shall be the minimum parking-space dimensions:

| Angle | Width [1] | | | Length | | | Aisle Width [2] |
|---|---|---|---|---|---|---|---|
| | Standard | Handicapped | Compact [4] | Standard | Handicapped | Compact [4] | |
| 90 degrees | 9' | 13' | 8' | 18' | 18' | 16' | 25' |
| 60 degrees | 9' | 13' | 8' | 18' | 18' | 16' | 20' |
| 45 degrees | 9' | 13' | 8' | 18' | 18' | 16' | 15' [3] |

[1] As measured by a line perpendicular to the stall line at a point on the outside end of the stall, except when the stall is on the inside edge of a curve, in which case the point of

measurement shall be on the inside end of the stall.

2 For 90° parking, aisles are 2-way; for 60° and 75° parking they are 1-way only.

3 Except where needed as a fire lane in which case a 20' minimum is required.

4 Unless otherwise approved all parking spaces shall be of standard width, but in no case shall compact spaces exceed 30% of the total required spaces.

(2) Within Structures

The off-street parking requirements may be furnished by providing spaces so designed within the principal building or structure attached thereto; however, unless provisions are made, no building permit shall be used to convert said parking structures into a dwelling unit or living area or other activity until other adequate provisions are made to comply with the required off-street parking provisions of this Ordinance.

(3) Circulation Between Bays

Except in the case of single, two-family, townhouse, three-family and four-family dwellings, parking areas shall be designed so that circulation between parking bays occurs within the designated parking lot and does not depend upon a public street or alley. Except in the case of single, two-family, townhouse, three-family and four-family dwellings, parking area design which requires backing into the public street is prohibited.

(4) Preserving Off-Site Parking

When required, accessory off-street parking facilities are provided elsewhere than on the lot with the same ownership or control, either by deed or long-term lease, than the property occupied by such principal use, the owner of the principal use shall file a recordable document with the Town and County Clerk requiring the owner and his or her heirs and assigns to maintain the required number of off-street spaces during the existence of said principal use.

(5) Drive Access

All drive accesses shall be approved by the Town Engineer for width and location.

(6) Drive Access Required

All off-street parking spaces shall have access from a drive access and not directly from the public street.

(7) Distance from Intersection

No drive access shall be located nearer than 40 feet (in a Residential District), 150 feet (in a Commercial District), or 150 feet (in an Industrial District) from the intersection of two public street rights-of-way.

(8) Parallel parking spaces
Shall be a minimum of 22 feet in length.

(9) Distance Between Drive Accesses
Drive accesses to a public street except for single, two-family and townhouse dwellings shall not be located less than 40 feet from one another as measured from inside of drive to inside of drive.

(10) Number of Drive Accesses
Each property shall be allowed one (1) drive access for each 100 feet of street frontage. Single family uses shall be limited to one (1) drive access per property. These conditions shall apply unless otherwise granted approval by the Planning and Zoning Commission.

(11) Grade
The grade elevation of any parking area shall not exceed three (3%) percent.

(12) Surfacing
All areas intended to be utilized for parking space and driveways shall be paved with materials suitable to control dust and drainage. Plans for paving and drainage of driveways and stalls for five or more vehicles shall be submitted to the Town Engineer for his/her review, and the final drainage plan shall be subject to his/her written approval.

(13) Striping
Except for townhouses and single-, two-, three- and four-family dwellings, all parking stalls shall be marked with painted lines not less than four (4) inches wide.

(14) Lighting
Any lighting used to illuminate an off-street parking area shall be so arranged as to reflect the light away from adjoining property, abutting residential uses and public rights-of-way and be in compliance with this Ordinance.

(15) Signs
No sign shall be so located as to restrict the sight lines and orderly operation and traffic movement within any parking lot. All signs shall conform to Town Sign Requirements.

(16) Curbing
Except for townhouses and single-, two-, three-, and four-family dwellings, all open off-street parking areas and driveways shall have a perimeter concrete curb and gutter around the entire parking lot built according to standards provided by the Town Engineer.

(17) Protruding Vehicles
All on-site parking stalls which abut property lines shall be designed and constructed such that parked vehicles shall not protrude over property lines.

C. Maintenance
It shall be the joint and separate responsibility of the lessee and owner of the principal use, uses or building to maintain in a neat and adequate manner, the parking space, accessways, striping, landscaping, and required fences.

D. Use of Required Parking Areas for Parking Only
Required accessory off-street parking spaces in any district shall not be utilized for open storage, sale or rental of goods, or storage of inoperable vehicles.

E. Number of Spaces Required
The following minimum number of off-street parking spaces shall be provided and maintained by ownership, easement and/or lease for and during the life of the respective uses hereinafter set forth:

(1) Residential Uses

| Dwelling Types | Off-Street Parking Spaces Required | |
|---|---|---|
| | W/ Street Parking | W/O Street Parking |
| Single-Family Dwelling | 2 Spaces/Unit | 3 Spaces/Unit |
| Mobile Homes | 2 Spaces/Unit | 3 Spaces/Unit |
| Two-Family Dwelling | 2 Spaces/Unit | 2.25 Spaces/Unit |
| Three-Family Dwelling | 2 Spaces/Unit | 2.25 Spaces/Unit |
| Four-Family Dwelling | 2 Spaces/Unit | 2.25 Spaces/Unit |
| Townhouse | 2 Spaces/Unit | 2.25 Spaces/Unit |
| Apartments | 2.25 Spaces/Unit | 2.25 Spaces/Unit |
| Boarding Houses | 2.25 Spaces/Unit | 2.25 Spaces/Unit |
| Group Homes | 1 Space per Potential Guest Room | 1 Space per Potential Guest Room |

(2) Non Residential Uses

| Use Type | Off-Street Parking Spaces Required |
|---|---|
| Automobile Sales | a) One (1) space per 200 square feet of indoor floor area, plus<br>b) Two (2) spaces per 20 outdoor vehicle display spaces |
| Automobile Service Station | a) Two (2) spaces per service stall but no less than four (4) spaces |
| Automobile Washing Establishment | |
| o Automatic Drive-Through | a) Three (3) spaces or one for each employee on maximum shift, in addition to stacking space |
| o Self-Service | a) Two (2) spaces per stall not including washing or drying spaces |

| | |
|---|---|
| Bowling Alley | a) Four (4) spaces per alley, plus<br>b) Two (2) spaces per billiard tables, plus<br>c) One (1) space per pinball and/or electronic game machine, plus<br>d) One (1) space per each five visitor gallery seats |
| Church | a) One (1) space per four seats based upon design capacity of main assembly hall |
| Community or Recreation Center | a) One (1) space per 200 square feet of floor area |
| Dance Halls, Skating Rinks or Similar Uses | a) One (1) space per 300 square feet of floor area |
| Court Clubs, (Racquetball, Handball, Tennis) | a) One (1) space per 200 square feet of floor area, plus 3 spaces per court |
| Day Care Centers | a) One (1) space per 200 square feet of floor area |
| Elderly (Senior Citizens) Housing | a) One (1) space per unit |
| Furniture Stores Over 20,000 Square Feet | a) Three (3) spaces per 1,000 square feet of floor area |
| Golf Courses | a) One (1) space per 200 square feet of main building floor area, plus<br>b) One (1) space for every two practice tees in driving range, plus<br>c) Four (4) spaces per each green in the playing area |
| Hospital | a) One (1) space per bed |

| | |
|---|---|
| Manufacturing and Industrial Uses | a) One (1) space per 450 square feet of floor area, plus<br>b) One (1) space for each company owned truck if not stored within the building |
| Medical and Dental Offices | a) Four (4) spaces for each doctor or dentist, plus<br>b) One (1) space for each employee |
| Motels, Hotels<br><br>o Restaurants, Bars, Dining Rooms<br>o Commercial Areas<br>o Public Assembly Areas | a) One and One-tenth (1.1) spaces per each guest room, plus<br>b) One (1) space per employee on maximum shift, plus<br>c) Spaces for accessory uses as follows:<br>d) One (1) space per 60 square feet<br>e) One (1) space per each 400 square feet of floor area<br>f) One (1) space for each five seats based upon design capacity, except that<br>g) Total off-street parking for public assembly may be reduced by one space for every four guest rooms. |
| Nursing Homes, Rest Homes or Similar Uses | a) Four (4) spaces, plus<br>b) One (1) space for each three beds, plus<br>c) One (1) space for each employee on maximum shift |
| Offices (Except Medical and Dental)<br>o Floor Area 0-5,000 square feet<br>o Floor Area 5,000-20,000 square feet<br>o Floor Area of over 20,000 square feet | a) Minimum of four (4) spaces and<br>b) Four (4) spaces per 1,000 square feet<br>c) Three and one-half (3.5) spaces per 1,000 square feet<br>d) Three (3) spaces per 1,000 square feet |
| Outdoor Sales (Plant Nurseries, Building Materials, Equipment Rental and Similar Uses) | a) One (1) space per 300 square feet of sales and/or display area |
| Restaurants, Cafes, Bars and Similar Uses | a) One (1) space per 50 square feet of indoor public floor area, plus<br>b) One (1) space per 200 square feet of outdoor serving (patio) area |

| | |
|---|---|
| Retail Store and Service Establishments | a) One (1) space per 250 square feet of floor area |
| Schools | |
| o Elementary and/or Junior High | a) One and one-half (1.5) spaces for each classroom, library, lecture hall and cafeterias, plus<br>b) One (1) space per each three fixed seats in the main area of public assembly, or<br>c) One (1) space for each 21 square feet of area available for public assembly if fixed seats are not provided. |
| o Senior High | a) One and one-half (1.5) spaces for each classroom or lecture hall, plus<br>b) One (1) space per each five students, plus<br>c) One (1) space for each non-teaching employee, plus<br>d) One (1) space per each three fixed seats in the area of public assembly, or<br>e) One (1) space per 21 square feet of area available for public assembly if fixed seats are not provided. |
| o Business or Similar School | a) One (1) space for each 150 square feet of floor area |
| Theatre, Auditorium or Similar Place of Public Assembly | a) One (1) space per four seats based upon design capacity |
| Warehousing, Storage or Handling of Bulk Goods | a) One (1) space per 1,000 square feet of floor area devoted to storage of goods, plus<br>b) One (1) space for each employee on maximum shift, plus<br>c) One (1) space for each company truck not stored inside of building, plus<br>d) Appropriate spaces to support accessory office or retail sales facilities, subject to the office and/or retail sales parking requirements |

(F) Joint Use of Parking Facilities

(1) Up to 80% of the parking facilities required by this Subsection for a church or for an auditorium incidental to a public or parochial school may be supplied by the off-street parking facilities by the following daytime uses: banks, business offices, retail stores, personal service shops, household equipment or furniture shops, clothing or shoe repair or ser-

vice shops, manufacturing, wholesale and similar uses.

(2) Other joint use of parking by adjacent commercial uses to reduce total parking spaces may be allowed with approved Parking Study Submittal by a Registered Transportation Engineer.

(3) Conditions Required for Joint Use

(a) The building or use for which application is being made to utilize the off-street parking facilities provided by another building or use shall be located within three hundred feet of such parking facilities.

(b) The applicant shall show that there is no substantial conflict in the operating hours of the two buildings or uses for which joint use of off-street parking facilities is proposed.

(c) A properly drawn legal instrument, executed by the parties concerned for joint use of off-street parking facilities, duly approved as to form and manner of execution by the Town Attorney, shall be filed with the Town Clerk and recorded with the County Recorder.

(G) Off-Site Parking

(1) Any off-site parking which is used to meet the requirements of this Ordinance shall be a conditional use as regulated by this Ordinance and shall be subject to the conditions listed below.

(2) Off-site parking shall be developed and maintained in compliance with all requirements and standards of this Ordinance.

(3) Reasonable access from off-site parking facilities to the use being served shall be provided.

(4) The site used for meeting the off-site parking requirements of this Ordinance shall be under the same ownership as the principal use being served, under public ownership, or shall have guaranteed permanent use by virtue of a perpetual lease filed with the Town Clerk and County Clerk.

(5) Off-site parking for multiple-family dwellings shall not be located more than 200 feet from any normally used entrance of the principal use served.

(6) Off-site parking for non-residential uses shall not be located more than 300 feet from the main entrance of the principal use being used.

(7) Any use which depends upon off-site parking to meet the requirements of this Ordinance shall maintain ownership or prove a long term irrevocable lease agreement for parking utilization of the off-site location.

8-809 Off-Street Loading

A. Location

(1) All required loading berths shall be off-street and located on the same lot as the building or use to be served.

(2) Except for loading berths required for apartments, no loading berths shall be located closer than 50 feet from a residential district unless within a structure.

(3) Loading berths shall not be located within the minimum front yard building setback.

(4) Loading berths located at the front or at the side of buildings on a corner lot shall observe the following requirements:
(a) Loading berths shall not conflict with pedestrian movement.
(b) Loading berths shall not obstruct the view of the public right-of-way from off-street parking access.
(c) Loading berths shall comply with all other requirements of this Section.

B. Screening
Except in the case of multiple dwellings, all loading areas shall be screened and landscaped from abutting and surrounding residential uses.

C. Size
Unless otherwise specified in these zoning regulations, the first loading berth shall be at least 70 feet in length and additional berths required shall be at least 30 feet in length and all loading berths shall be at least 10 feet in width and 14 feet in height, exclusive of aisle and manuevering space.

8-810 Signs

All signs must conform to Town of Surprise Ordinance 85-8, Town of Surprise Sign Ordinances for all site plans, conditional uses, Planned Area Developments and other applicable procedures addressed in this Ordinance. Any and all requirements pertaining to signs shall comply with Ordinance 85-8.

8-811 Home Occupations

A. Generally
A home occupation is an accessory use of a dwelling unit, conducted entirely within the dwelling unit, carried on by one or more persons, all of whom reside within the dwelling unit, and where no persons are employed other than resident and domestic help; anywhere the use is clearly incidental and secondary to the use of the dwelling for residence purposes and does not change the character thereof or adversely affect the uses permitted in the residential district of which it is a part. There shall be no outside storage of any kind; any indoor storage, construction, alterations, or electrical or mechanical equipment used, shall not change the fire rating of the structure or the fire district in which the structure is located. The use may increase vehicular traffic flow and parking by no more than one additional vehicle at a time. It shall not cause an increase in the use of one or more utilities (water, sewer, or garbage) so that the combined total use for dwelling and home occupation purposes of the one or more utilities exceeds the average for residences in the neighborhood. When a use is a home occupation, it means that the owner, lessee, or other persons who have a legal right to the use of the dwelling unit also have the vested right to conduct the home occupation without securing special permission to do so. However, such person shall be subject to all conditions set forth in this Ordinance, such as off-street parking, and to all other permits required by the Town, such as Building Permits and Business Licenses, and is encouraged to check with Town officials before establishing such home occupation.

B. Purpose

It is the intent of this Section to eliminate as home occupations all uses except those that conform to the standards set forth in this Section. In general, a home occupation is an accessory use so located and conducted that the average neighbor, under normal circumstances, would not be aware of its existence. The standards for home occupations in this Section are intended to insure compatibility with other permitted uses and with the residential character of the neighborhood, and a clearly secondary or incidental status in relation to the residential use of the main building as the criteria for determining whether a proposed accessory use qualifies as a home occupation.

C. Necessary Conditions

Home occupations are permitted accessory uses in residential zones only so long as all the following conditions are observed:

(1) Such occupation shall be conducted solely by resident occupants in their residence;

(2) No more than one room or twenty-five (25%) percent of the gross area of one floor of said residence, whichever is less, shall be used for such purpose. Use of accessory buildings or garages for these purposes is prohibited;

(3) No use shall require internal or external alterations or involve construction features or the use of electrical or mechanical equipment that would change the fire rating of the structure or the fire district in which the structure is located;

(4) No home occupation shall cause an increase in the use of any one or more utilities (water, sewer, garbage, etc.) so that the combined total use for dwelling and home occupation purposes exceeds the average for residences in the neighborhood;

(5) There shall be no outside storage of any kind related to the home occupation;

(6) The use may increase vehicular traffic flow and parking by no more than one additional vehicle at a time;

(7) No use shall create noise, dust, vibration, smell, smoke, glare, electrical interference, fire hazard, or any other hazard or nuisance to any greater or more frequent extent than that usually experienced in an average residential occupancy in the district in question under normal circumstances wherein no home occupation exists.

Complaints by citizens or residents may be cause for termination of the home occupation.

D. Examples of the Uses That Frequently Qualify as Home Occupations

The following are typical examples of uses which can be conducted within the limits of the restrictions established in this section and thereby qualify as home occupations. Uses which may qualify as "home occupations" are not limited to those named in this paragraph (nor does the listing of a use in this paragraph automatically qualify as a home occupation): accountant; architect; artist; attorney-at-law; author; consultant; dressmaking; individual stringed-instrument instruction; individual tutoring; insurance; millinery; preserving and home cooking; realtor.

E. Uses That Are Prohibited

The following uses by the nature of the investment of operation have

a pronounced tendency, once started, to rapidly increase beyond the limits permitted for home occupations and thereby impair the use and value of a residentially zoned area for residential purposes. Therefore, the following uses shall not be permitted as home occupations: auto repair, minor or major; barber shop; carpentry work; dance instruction; dental offices; medical offices; painting of vehicles, trailers, or boats; photo developing; photo studios; private schools with organized classes; radio repair; television repair; upholstering.

8-812 Miscellaneous Performance Requirements

A. Glare and Lighting

(1) Any lighting used to illuminate an off-street parking area, sign or other structure, shall be arranged so as to deflect light away from any adjoining residential zone or from the public streets. Direct or sky-reflected glare, whether from floodlights or from high temperature processes such as combustion or welding shall not be directed into any adjoining property. The source of lights shall be hooded or controlled in some manner so as not to light adjacent property. Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights which cause light on a public street, other than lights specifically intended for that purpose, shall not exceed one (1) foot candle (meter reading) as measured from the center line of said street. Any light or combination of lights which cast light on residential property shall not exceed four (4) foot candles (meter reading) as measured from said property.

(2) No light which is flashing, revolving, or otherwise resembles a traffic-control signal shall be allowed in any area where it could create a hazard for passing vehicular traffic.

B. Surface-Water Ponding

Natural ponding areas shall be retained as much as possible or, if necessary, enlarged or modified as directed by the Town Engineer to restrict the off-site runoff, subject to Town subdivision requirements for storm water runoff control and Town Ordinance 85-01, Stormwater Retention.

C. Storage; Exterior Displays

All materials, supplies, merchandise or other similar matter not on display for direct sale, rental or lease to the ultimate consumer or user shall be stored within the confines of a 100% opaque wall or fence not less than six (6) feet tall. Merchandise which is offered for sale as described may be displayed beyond the confines of a building in any General Commercial District, but the area occupied by such outdoor display shall not constitute a greater number of square feet than 10% of the ground floor area of the building housing the principal use, unless such merchandise is a type customarily displayed outdoors such as automobiles and garden supplies. No storage of any type shall be permitted within the one-half of the required front or side street setback nearest the street nor within any required interior side or rear setback.

D. Trash and Garbage Incinerators; Storage
No exterior incineration of trash or garbage is permissible. N exterior storage of trash or garbage is permissible except in a accessory building enclosed by walls and roof or in closed con tainers within a totally screened area.

E. Refuse Containers
It shall be the duty of the owner or developer of all new singl family residential construction and development within the Town o Surprise, when such development is not subject to the provisions o the Surprise Subdivision Ordinance with respect to refuse con tainers, to supply at his/her expense refuse containers which shal become the property of the Town. The type of such containers shal be approved by the Town Engineer.

F. Public-Street Frontage
Except as otherwise allowed or required by this Ordinance, no lo shall contain any building unless such lot abutts for at least 5 feet on a public street or a private street approved as part of Town approved planned development.

G. Smoke, Dust and Other Particulate Matter
The emission of smoke, dust and other particulate matter shall be in compliance with the County Bureau of Air Pollution Standards as regulated by the Maricopa County Health Services Department.

H. Bulk Storage (Liquid)
All uses associated with bulk storage of all gasoline, liquid fer- tilizer, chemicals, flammable and similar liquids shall comply with Uniform Building and Fire Code requirements and Maricopa County regulations.

I. Water Quality, Hazardous Wastes and Wastewater
Discharge of hazardous waste, chemicals and wastewater will be sub- ject to Arizona Department of Health Services, Division of Environmental Health standards.

J. Odors
The emission of odors by any use shall be in compliance with Town standards and regulations.

K. Noise
The emission of noise from any use shall be in compliance with Town standards and regulations.

8-813 Non-Conforming Uses and Structures

A. Any structure or use lawfully existing upon the effective date of this Ordinance may be continued at the size and in the manner of operation existing upon such date except as hereinafter specified.

B. When a structure has been declared unsafe by the Building Safety Department it may be placed in a safe condition unless such con- dition was created as described in Section 8-813 D of this Ordinance.

C. When any lawful non-conforming use of any structure or land in any district has been changed to a conforming use, it shall not thereafter be changed to any non-conforming use.

D. Whenever a lawful non-conforming use of a building or structure has been damaged by fire, flood, explosion, earthquake, war, riot, or act of God, to an extent greater than 60 percent of its originally appraised value, it shall not be reconstructed, but such property shall revert to a conforming use.

E. Whenever a lawful, non-conforming use of a building or structure or land is discontinued for a period of 90 days, any future use of said building or structure or land shall be in conformity with the provisions of this Ordinance.

F. Normal maintenance of a building or other structure containing or related to a lawful non-conforming use is permitted, including necessary structural repairs provided such structural repairs do not enlarge or intensify the non-conforming use.

G. A lawful non-conforming use shall not be changed except in conformance with the use requirements of the zone in which it is located.

H. Alterations may be made to a structure or building containing lawful non-conforming residential units when they will improve the liveability thereof, provided they will not increase the number of dwelling units.

I Existing Lots:

(1) At the time of the enactment of this Ordinance, if any owner of a plot of land consisting of one or more adjacent lots in a subdivision of record does not own sufficient contiguous land to enable him/her to conform to the minimum lot size requirements or does not have sufficient lot width to conform to the minimum lot width requirements, such plot of land may nevertheless be used as a building site. The dimensional requirements of the district in which the piece of land is located may be reduced by the smallest amount that will permit a structure of acceptable size to be built upon the lot, such reduction to be determined by the Board of Adjustment.

(a) In the R1-43, R1-18, R1-8 and R1-5 zones, the reductions shall permit only a single-family residence.

(b) In the R-2 zone, the reduction shall permit only a duplex.

(c) In the R-3 zone, the reduction shall permit only a townhouse cluster or apartment containing no more than four units.

(2) No lot, even though it may consist of one or more adjacent lots in the same ownership at the time of passage of this Ordinance, shall be reduced in size so that lot width or size of yards or lot area per family or any other requirement of this Ordinance is not maintained. This Section shall not apply when a portion of a lot is acquired for a public purpose.

## 8-814 Mobile Homes and Mobile Home Parks

A. Purpose
The purpose of these regulations is to ensure quality mobile home development within the Town of Surprise.

B. Permitted Uses
(1) Mobile Homes 18' in width or greater on individual lots with permanent foundations
(2) Mobile Homes within mobile home parks
(3) Accessory uses approved by the Planning and Zoning Commission
(4) Recreational vehicles in mobile home parks, not to exceed 10 percent of mobile home spaces provided.

C. Lot Area and Lot Dimensions
(1) Required Lot Area

| Use | Minimum Lot Area |
|---|---|
| Mobile Home in Mobile Home Park | 4,000 square feet |
| Recreational Vehicle in Mobile Home Park | 4,000 square feet |
| Mobile Home 18' in width or greater on Individual Lot | 5,500 square feet |

(2) Required Lot Dimensions

| Use | Minimum Lot Width | Minimum Lot Depth |
|---|---|---|
| Mobile Home in Mobile Home Park | 40' | 100' |
| Recreational Vehicle in Mobile Home Park | 40' | 100' |
| Mobile Home on Individual Lot | 50' | 100' |

D. Setbacks, Yards and Heights
(1) Minimum setbacks from property (lot) lines:

| Use | Front | Interior Side | Corner Side | Rear |
|---|---|---|---|---|
| Mobile Home in Mobile Home Park | 20' | 8' | 10' | 10' |
| Recreational Vehicle in Mobile Home Park | 10' | 8' | 10' | 10' |
| Mobile Home on Individual Lot | 20' | 8' | 10' | 10' |

E. Encroachment Into Front and Side Yard Setbacks

(1) Open steps and decks shall be permitted to extend into the front and side yard setback a distance of not more than five (5) feet in the case of front yards and not closer than five (5) feet to the property line in the case of side yards.

(2) Covered patios, decks, porches or carports shall not be permitted encroachments in any setback.

(3) Roof Projections into Required Side yards. A mobile home or garage roof may not be constructed closer than five (5) feet of a side property line.

F. Landscaping

(1) The front setback area of each mobile home lot shall be landscaped.

(2) All private, commonly owned recreation areas not devoted to buildings, structures, surfaced courts, sand boxes, etc. shall be landscaped and irrigated.

G. Maintenance

(1) There shall be no occupancy of any mobile home until an occupancy permit is issued; no occupancy permit shall be issued unless the mobile home is connected to public sewer and water lines.

(2) No mobile home may be parked on a roadway for more than 24 hours.

(3) No abandoned, burned, or wrecked mobile home may be kept on a lot for more than 30 days.

(4) Each mobile home must bear an insignia which attests that the construction of the mobile home meets regulation A119.1 of the American National Standards Institute (adopted by the U.S. Department of Housing and Urban Development).

(5) Standard mobile home skirting must be provided around the entire perimeter of the mobile home between the bottom of the body of the mobile home and the ground, except where the mobile home is attached to a permanent foundation.

(6) Each mobile home must be securely anchored to the ground in a manner acceptable to the Town of Surprise.

(7) Each mobile home must be stabilized from beneath using a concrete masonry, and/or metal support system acceptable to the Town of Surprise.

(8) There shall be no exposed outdoor storage of furniture (except lawn furniture), household goods, tools, equipment, or building materials or supplies.

H. Other Requirements

Applicable regulations of Article VIII of this Ordinance shall apply.

## 7-712. Floodway Overlay Zone (F-1)

A. Purpose

The F-1 Floodway Zone is intended to allow unimpeded passage of water during a flood through those areas of the Town of Surprise identified as floodway by the Federal Insurance Administration of the National Flood Insurance Program of the U.S. Department of Housing and Urban Development and shown as such on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map for the Town of Surprise. The purpose of these regulations is to promote the public health, safety, and general welfare, and to minimize public and private losses because of flood conditions. Since the floodway is an extremely hazardous area because of the velocity of flood waters which carry debris and erosion potential, development is closely regulated.

B. Principally Permitted Uses

Those principally permitted uses which are allowed in the underlying zoning district only if a technical evaluation demonstrates that encroachments, fill, new construction, substantial improvements, or other development shall not result in any increase in flood levels during the occurrence of the base flood discharge.

C. Conditionally Permitted Uses

Those conditionally permitted uses which are allowed in the underlying zoning district only if a technical evaluation demonstrates that encroachments, fill, new construction, substantial improvements, or other development shall not result in any increase in flood levels during the occurrence of the base flood discharge.

D. Non-Conforming Uses

Non-conforming uses in the Floodway Overlay Zone shall not be expanded but may be modified, altered, or repaired to incorporate flood-proofing measures provided such measures do not raise the level of a 100-year flood.

7-713. Floodplain Overlay Zone (F-2)

A. Purpose
The F-2 Floodplain Overlay Zone is intended to regulate the nature of permitted development in the 100-year floodplain as identified by the Federal Insurance Administration of the National Flood Insurance Program of the U.S. Department of Housing and Urban Development and shown as "A" Zones on the Town's Flood Insurance Rate Maps, so as to lessen property damage and hazards resulting from such events.

B. Principally Permitted Uses
Those principally permitted uses of the underlying zoning district, which may be any of the residential, commercial, or industrial zones defined in this Ordinance, provided, however, that such uses comply with the restrictions of Section 7-713 E and F of this Ordinance.

C. Conditionally Permitted Uses
Those conditionally permitted uses of the underlying zoning district, which may be any of the residential, commercial, or industrial zones defined in this Ordinance, provided, however, that such uses comply with the restrictions of Section 7-713 E and F of this Ordinance.

D. Permitted Accessory Uses
Those permitted accessory uses of the underlying zoning district, which may be any of the residential, commercial or industrial zones defined in this Ordinance, provided, however, that such uses comply with the restrictions of Section 7-713 E and F of this Ordinance.

E. General Standards for Flood Hazard Reduction
In all Floodway and Floodplain areas, the following standards are required:
(1) Anchoring
(a) All new construction and substantial improvements shall be anchored to prevent floatation, collapse, or lateral movement of the structure.
(b) All mobile homes shall be anchored to resist floatation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors. Special requirements shall be that:
1. Over-the-top ties be provided at each of the four corners of the mobile home, with two additional ties per side at intermediate locations; mobile homes less than 50 feet long require only one additional tie per side;
2. Frame ties be provided at each corner of the mobile home with five additional ties per side at intermediate points with mobile homes less than 50 feet long requiring only four additional ties per side;
3. All components of the anchoring system are capable of carrying a force of 4,800 pounds; and
4. Any additions to the mobile home be similarly anchored.
(2) Construction Materials and Methods
(3) Utilities
(a) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

(b) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and

(c) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

F. Specific Standards for Flood Hazard Reduction

The following standards shall apply in all areas where base flood elevation data has been established by the Federal Insurance Administrator of the National Flood Insurance Program of the U.S. Department of Housing and Urban Development.

(1) Residential Construction

(a) New construction and substantial improvement of any residential structure shall have the lowest finished floor elevation, including basement, at least one foot above the base flood elevation.

(b) New construction and substantial improvement of any residential structure located in an AO Zone as specified on the community's Flood Insurance Rate Map (FIRM) shall have the lowest floor, including basement, elevated above the crown of the nearest street or to the depth number specified in the community's FIRM.

(2) Nonresidential Construction

(a) New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to one foot above the base flood elevation; or, together with attendant utility and sanitary facilities, shall:

1. Be floodproofed so that below one foot above the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
2. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
3. Be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certifications shall be provided to the Building Safety Department.

(b) New construction and substantial improvement of any nonresidential structure located in an AO Zone as specified on the community's FIRM shall have the lowest floor, including basement, elevated above the crown of the nearest street or to the depth number specified on the community's FIRM or together with attendant utility and sanitary facilities shall:

1. Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
2. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
3. Be certified by a registered professional engineer that the standards of this subsection are satisfied. Such certifications shall be provided to the Building Safety Department.

(3) Mobile Homes

(a) Mobile homes shall be anchored in accordance with Section 8-814.

(b) For new mobile home parks and mobile home subdivisions; for expansions to existing mobile home parks and mobile home subdivisions; for existing mobile home parks and mobile home

subdivisions where the repair, reconstruction or improvement has commenced; and for mobile homes not placed in a mobile home park or mobile home subdivision; require that:

1. Stands or lots are elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be at or above one foot above the base flood level;
2. Adequate surface drainage and access for a hauler are provided; and
3. In the instance of elevation on piling, that:
   - lots are large enough to permit steps,
   - piling foundations are placed in stable soil no more than ten feet apart; and

(c) No mobile home shall be placed in a floodway.

7-705. Multi-Family Residential Zone (R-2)

A. Purpose
The purpose of the R-2 Multi-Family Residential Zone is to provide for medium density housing in multiple-family structures and directly related complementary uses. The R-2 Zone is designed to allow economical use of land while creating an attractive, functional and safe residential environment.

B. Principally Permitted Uses
See Section 6-602 A.

C. Conditionally Permitted Uses
See Section 6-602 B.

D. Permitted Accessory Uses
See Section 6-602 C.

E. Lot Area and Lot Dimensions
In determining minimum lot area and minimum lot dimensions, the following table should be used:

| Use | Minimum Area Per Unit | Minimum Lot Dimensions [1] | Outdoor Living Area [2] |
|---|---|---|---|
| Two-family dwelling | 3,000 sq. ft. | Width: 70'<br>Depth: 90' | 600 sq. ft./ dwelling unit |
| Three-family dwelling | 3,000 sq. ft. | Width: 80'<br>Depth: 90' | 500 sq. ft./ dwelling unit |
| Four-family dwelling | 3,000 sq. ft. | Width: 80'<br>Depth: 90' | 400 sq. ft./ dwelling unit |
| Townhouse cluster | 3,000 sq. ft.[3] | Width: 90'<br>Depth: 90' | 400 sq. ft./ dwelling unit |
| Other Permitted Uses | | Minimum area and lot dimensions to be determined by building area, parking requirements and required setbacks. | |

1 These dimensions apply to the initial lot size per structure. Initial lots may be divided to accommodate individual ownership of the structures' dwelling units.

2 Outdoor Living Area in the minimum amount specified above must be provided on any lot occupied by the multiple residence or townhouse building. This space must be easily accessible for daily recreational use by the occupants of the building. Driveways, parking areas, ornamental landscaped areas (having a width of less than 20 feet), and required side or front yards shall not be considered as an Outdoor Living Area, except

In the case of interior townhouse units where said unit is less than 20 feet in width, in which case the minimum width of the outdoor living area shall be the width of the lot.

[3] May be calculated as average lot size per unit per structure.

F. Schedule of Allowances

The minimum areas per unit in 7-705 E may be adjusted according to the following, except allowance shall not be made for two or three family dwellings.

(1) For each parking stall in or under the residence, or otherwise completely underground, subtract 400 sq. ft. from the total minimum lot area.

(2) For each unit with a balcony or patio greater than 40 sq. ft., subtract 100 sq. ft. from the Outdoor Living Area.

G. Setbacks, Yards, and Heights

(1) Minimum Setbacks from Property Line:

| Use | Front | Interior Side | Corner Side | Rear |
|---|---|---|---|---|
| Two-family dwelling structure | 20' | 10' | 20' | 20' |
| Three-family dwelling structure | 20' | 10' | 20' | 20' |
| Four-family dwelling structure | 20' | 15' | 20' | 20' |
| Townhouse cluster structure | 20' | 15' | 20' | 20' |
| Schools, civic, cultural and religious institutions (including their accessory use structures) | 50' | 50' | 50' | 50' |
| Structures accessory to two family dwelling structures | 20' | 3' | 20' | 3' |
| Structures for all other principal or conditional uses | 20' | 10' | 20' | 20' |

(2) For apartment buildings, parking of motor vehicles shall not be allowed within the required front or corner side setbacks.

(3) Maximum Building Height: 30 feet.

H. Multi-Family Accessory Buildings

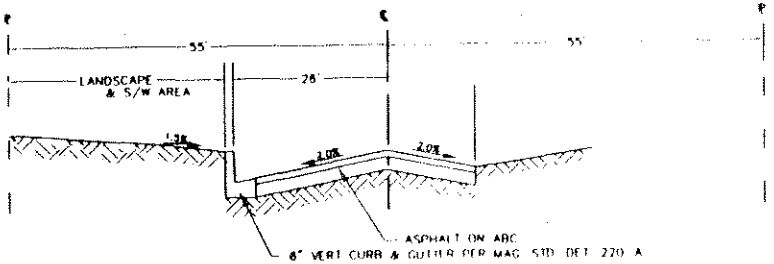
(1) Accessory buildings shall observe the same setback requirements established for the multiple residence building except that accessory buildings located within the rear yard of the multiple-residence building may be located to within five (5) feet of the rear or interior side property line. The Town Council may require common walls for accessory buildings on the same lot where common walls will eliminate unsightly and hazardous areas. Accessory buildings on the same lot shall otherwise be separated by a distance of not less than ten (10) feet.

(2) Exteriors of accessory buildings shall have an exterior finish compatible to the main structure. Compatibility shall be determined by the Town based on type and use of building materials.

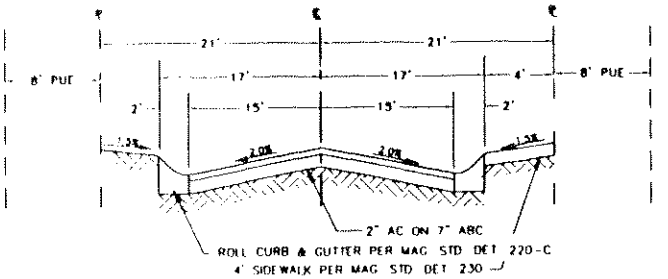
I. Distance Between Buildings
When two (2) or more principal buildings are located on one (1) lot, the minimum separation between any two (2) adjacent principal buildings shall be a distance not less than an amount equal to the height of the taller of the two buildings or twenty (20) feet, whichever is greater when developed as a Planned Area Development. For major and minor site plans, building separation shall be the sum of two interior side yard setbacks.

J. Additional Building and Performance Standards
Development of any parcel of land within this district shall be subject to all applicable requirements of Article VIII of this Ordinance.

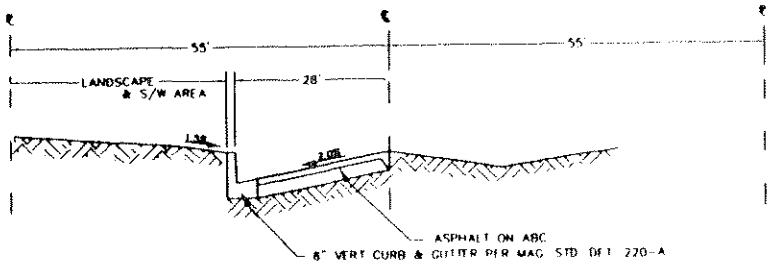
K. Relationship to Overlay Zones
Any property located in the R-2 Zone as well as in the F-1 or F-2 Overlay Zones must comply with the regulations of the Overlay Zones.



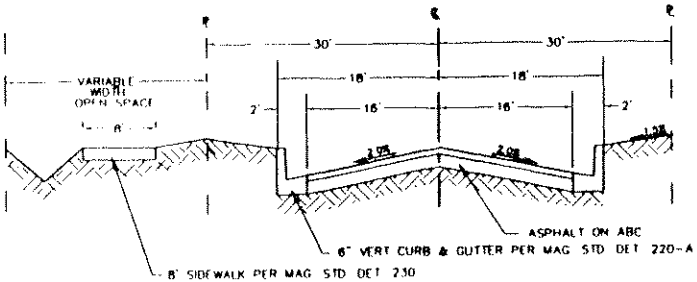

REEMS ROAD LOOKING NORTH



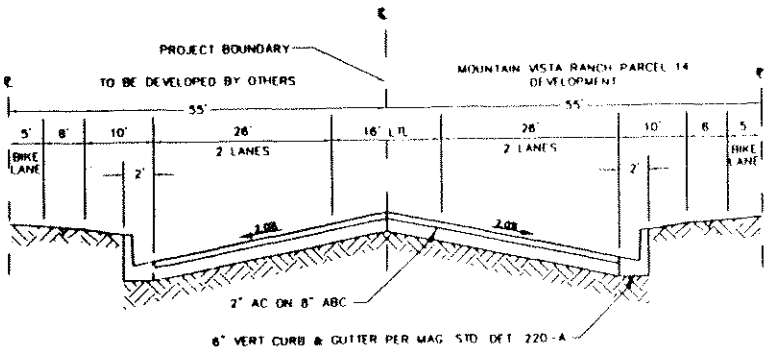

RESIDENTIAL STREET



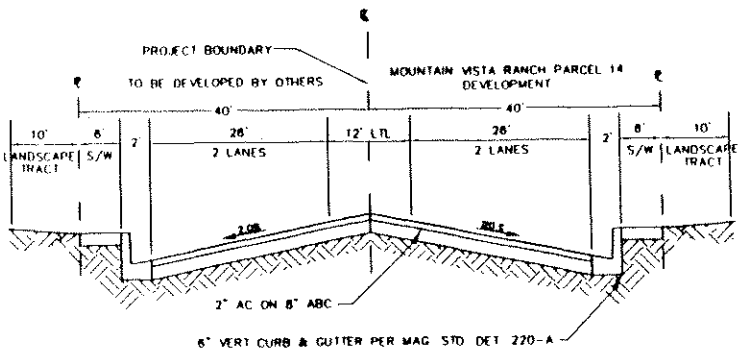

GREENWAY ROAD LOOKING EAST




INTERNAL COLLECTOR STREET




110' RIGHT-OF-WAY SECTION
SARIVAL AVENUE LOOKING NORTH




80' RIGHT-OF-WAY SECTION
SARIVAL AVENUE LOOKING NORTH

## MOUNTAIN VISTA RANCH STREET CROSS SECTIONS

NOT TO SCALE

NOTE: MEDIAN SHALL NOT BE REQUIRED IN REEMS ROAD, GREENWAY ROAD AND/OR SARIVAL AVENUE UNLESS THEY WILL BE MAINTAINED BY THE CITY.

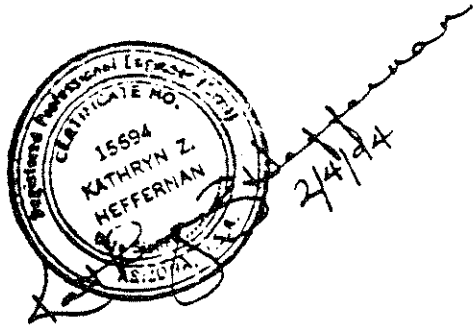
G:\ADCAD01\3168\3168SEC1.DWG

*Heffernan & Associates* Transportation Consultants
2720 East Thomas Road ◆ Building A ◆ Phoenix, Arizona 85016 ◆ (602) 224-6116

## Traffic Review for Preliminary P.A.D.

# MOUNTAIN VISTA RANCH

Prepared for HW, L.L.C.




February 1994

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## INTRODUCTION

Mountain Vista Ranch is a mixed-use project being proposed for a 525-acre site located on the southwest corner of Bell and Reems Roads in the City of Surprise, Arizona. Preliminary plans call for the development of up to 2,850 residential units; three potential commercial parcels have also been designated within the project.

This report was prepared to provide City staff and officials with preliminary information regarding the potential traffic impacts of the proposed project. Although it contains considerably more detail than would normally be provided at this early stage in the planning process, such analysis can provide valuable traffic engineering input into the design of the preliminary Planned Area Development (P.A.D.)

## PROJECT DESCRIPTION

The site is generally bounded by Bell Road on the north, Reems Road on the east, Greenway Road on the south, and Sarival Avenue on the west, although a large parcel on the southeast corner of Bell Road and Sarival Avenue is not included (see Exhibit 1). The preliminary P.A.D. includes approximately 384 acres of single-family residential development (representing 1,050 - 2,446 homes), 42 acres of multi-family residential development (335 - 922 apartments), and 30 acres of commercial uses. The remainder of the 525-acre site would be used for park and retention areas.

## SITE TRAFFIC GENERATION

The major factors determining the amount of traffic that will be generated by a project are its size and land use mix. Estimates of site traffic volumes were based on the data and methodology presented in *Trip Generation* - 5th Edition, 1991, published by the Institute of Transportation Engineers (ITE). This document contains the most comprehensive database available on trip generation rates for 120 different land uses. It is based on findings reported in approximately 3,000 individual trip generation studies. The ITE report is widely accepted by public agencies across the county as the basic reference source for estimating site traffic generation. Since numerous local surveys have verified the applicability of the national data to the Phoenix area, all local agencies with published requirements for traffic impact studies specify use of the ITE report;

# Mountain Vista Ranch

## PRELIMINARY DEVELOPMENT PLAN

HEFFERNAN & ASSOCIATES

Exhibit
1

these agencies include the Arizona Department of Transportation, Maricopa County, and the cities of Phoenix, Scottsdale, and Tempe, among others.

At the preliminary P.A.D. stage, there are no subdivision plats to determine the exact number of lots which will be built and how they would be designed. Instead, there is simply a generalized plan showing the location of proposed site access points and major internal streets, and a range of densities for individual parcels comprising the site. This traffic review is based on the assumption that a total of 2,850 dwelling units would be built - a density which the developer considers to be at the upper end of what might realistically be built under present market conditions. These 2,850 units were then allocated to individual parcels within the project in proportion to each parcel's acreage. It was also assumed that all three commercial parcels would eventually contain retail development with a floor/area ratio (F.A.R.) of 0.25, a maximum density that is very unlikely to be achieved in this area.

Exhibit 2 presents a summary of the peak hour and daily trips expected to be generated by the proposed development. Under the land use assumptions described above, the project will generate about 47,000 vehicle-trips on an average weekday (23,500 inbound and 23,500 outbound) at full buildout. Approximately 2,400 trips (800 inbound and 1,600 outbound) would be generated during the AM peak hour, while 4,600 trips (2,700 inbound and 1,900 outbound) would occur during the critical PM peak hour. These estimates are based on 100-percent auto usage; however, in a large mixed-use project such as Mountain Vista Ranch, there is likely to be some replacement of auto trips to and from the site with pedestrian trips, bicycle trips, and/or auto trips internal to the development. This would reduce the project's traffic impact on external roadways. However, no such reduction in the projected site traffic volumes was taken in this traffic review, since the actual magnitude of these internal trips is difficult to estimate.

It should also be noted that not all of the site-generated trips shown in Exhibit 2 represent "new" traffic on the adjacent streets. Retail developments, particularly the neighborhood-level facilities currently envisioned for Mountain Vista Ranch, normally draw a substantial amount of their patronage from the passing traffic stream, i.e., they attract customers already driving by the site for other purposes. This is particularly true during the PM peak hour when people often go shopping or run other errands on their way home from work. Data published in *Trip Generation* indicate that the amount of this

| PARCEL | LAND USE | SIZE | NUMBER OF VEHICLE-TRIPS | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | | A.M. PEAK HOUR | | | P.M. PEAK HOUR | | | 24-HOUR |
| | | | IN | OUT | TOTAL | IN | OUT | TOTAL | TOTAL |
| 3 | Single Family | 115 d.u. | 20 | 65 | 85 | 75 | 40 | 115 | 1,100 |
| 4 | Single Family | 235 d.u. | 45 | 130 | 175 | 155 | 80 | 235 | 2,200 |
| 6 | Single Family | 163 d.u. | 30 | 90 | 120 | 110 | 55 | 165 | 1,600 |
| 7 | Single Family | 144 d.u. | 25 | 80 | 105 | 95 | 50 | 145 | 1,400 |
| 8 | Single Family | 168 d.u. | 30 | 90 | 120 | 110 | 60 | 170 | 1,600 |
| 10 | Single Family | 148 d.u. | 30 | 80 | 110 | 100 | 50 | 150 | 1,400 |
| 11 | Single Family | 315 d.u. | 60 | 175 | 235 | 205 | 110 | 315 | 3,000 |
| 12 | Single Family | 143 d.u. | 25 | 80 | 105 | 95 | 50 | 145 | 1,400 |
| 14 | Single Family | 160 d.u. | 30 | 90 | 120 | 105 | 55 | 160 | 1,500 |
| 15 | Single Family | 138 d.u. | 25 | 75 | 100 | 90 | 50 | 140 | 1,300 |
| 16 | Single Family | 187 d.u. | 35 | 105 | 140 | 125 | 65 | 190 | 1,800 |
| 18 | Single Family | 138 d.u. | 25 | 75 | 100 | 90 | 50 | 140 | 1,300 |
| Subtotal | | 2054 d.u. | 380 | 1135 | 1515 | 1355 | 715 | 2070 | 19,600 |
| 2 | Multi-Family | 276 d.u. | 25 | 105 | 130 | 105 | 55 | 160 | 1,800 |
| 9 | Multi-Family | 224 d.u. | 20 | 85 | 105 | 85 | 45 | 130 | 1,500 |
| 13 | Multi-Family | 296 d.u. | 25 | 110 | 135 | 110 | 60 | 170 | 2,000 |
| Subtotal | | 796 d.u. | 70 | 300 | 370 | 300 | 160 | 460 | 5,300 |
| *Total Residential Trips* | | *2850 d.u.* | *450* | *1435* | *1885* | *1655* | *875* | *2530* | *24,900* |
| 1 | Commercial | 140,000 s.f. | 125 | 75 | 200 | 405 | 405 | 810 | 8,700 |
| 5 | Commercial | 110,000 s.f. | 110 | 60 | 170 | 350 | 350 | 700 | 7,500 |
| 17 | Commercial | 75,000 s.f. | 85 | 50 | 135 | 275 | 275 | 550 | 5,900 |
| *Total Commercial Trips* | | *325,000 s.f.* | *320* | *185* | *505* | *1030* | *1030* | *2060* | *22,100* |
| **TOTAL TRIPS** | | | **770** | **1620** | **2390** | **2685** | **1905** | **4590** | **47,000** |

## TRIP GENERATION SUMMARY

HEFFERNAN & ASSOCIATES

Exhibit 2

"pass-by" traffic ranged between 8 and 89 percent at 67 shopping centers where extensive surveys were conducted - with most of the sites recording pass-by rates of 20 - 40 percent. Since the three commercial parcels account for nearly half of the daily trips expected to be generated by Mountain Vista Ranch, the pass-by phenomenon would greatly reduce the actual traffic impact of the project. However, without specific plans for the commercial parcels, no estimates of the amount of pass-by traffic can be made at this time.

## DIRECTIONAL DISTRIBUTION OF TRIPS

The major factors to be considered in estimating the orientation of site-generated traffic include the distribution of potential trip origins and destinations within the development's proposed market area and the relative efficiencies (in terms of travel times) on the various routes to and from the site. The directions-of-approach analysis is also based on the fact that drivers normally choose the fastest, not necessarily the most direct route, to and from a given traffic generator.

The directional distribution of the traffic which would be generated by the residential component of Mountain Vista Ranch was based upon the distribution of employment opportunities within a 12.5-mile radius of the site. This particular distance was chosen because data provided by the Maricopa Association of Governments (MAG) indicate that over 90 percent of all home-to-work trips in the Phoenix area are less than 12.5 miles long. Home-to-work and work-to-home trips constitute the major portion of travel on city streets during the critical AM and PM peak hours, respectively. A similar analysis, using the distribution of population rather than employment, was used to estimate the potential orientation of traffic generated by the commercial parcels within the project. However, since the commercial parcels are expected to be developed as neighborhood shopping centers or similar small-scale uses, a circle having a radius of only five miles was used to draw the potential trade area for the commercial component of Mountain Vista Ranch.

The year 2015 was chosen as the design year for the directions-of-approach analysis, since a 20-year planning horizon is usually used for transportation planning purposes. MAG has published detailed forecasts of population and employment for the year 2015, and these were used in developing the directional distribution of traffic. It was assumed

that the complete network of streets designated in the City's Comprehensive Development Plan would be constructed by the design year. For example, Greenway Road would be paved between Loop 303 and Litchfield Road, and Sarival Avenue would be constructed south of Bell Road. There would no longer be direct access onto Greenway Road from Loop 303, but interchanges would be located at Waddell Road and Bell Road.

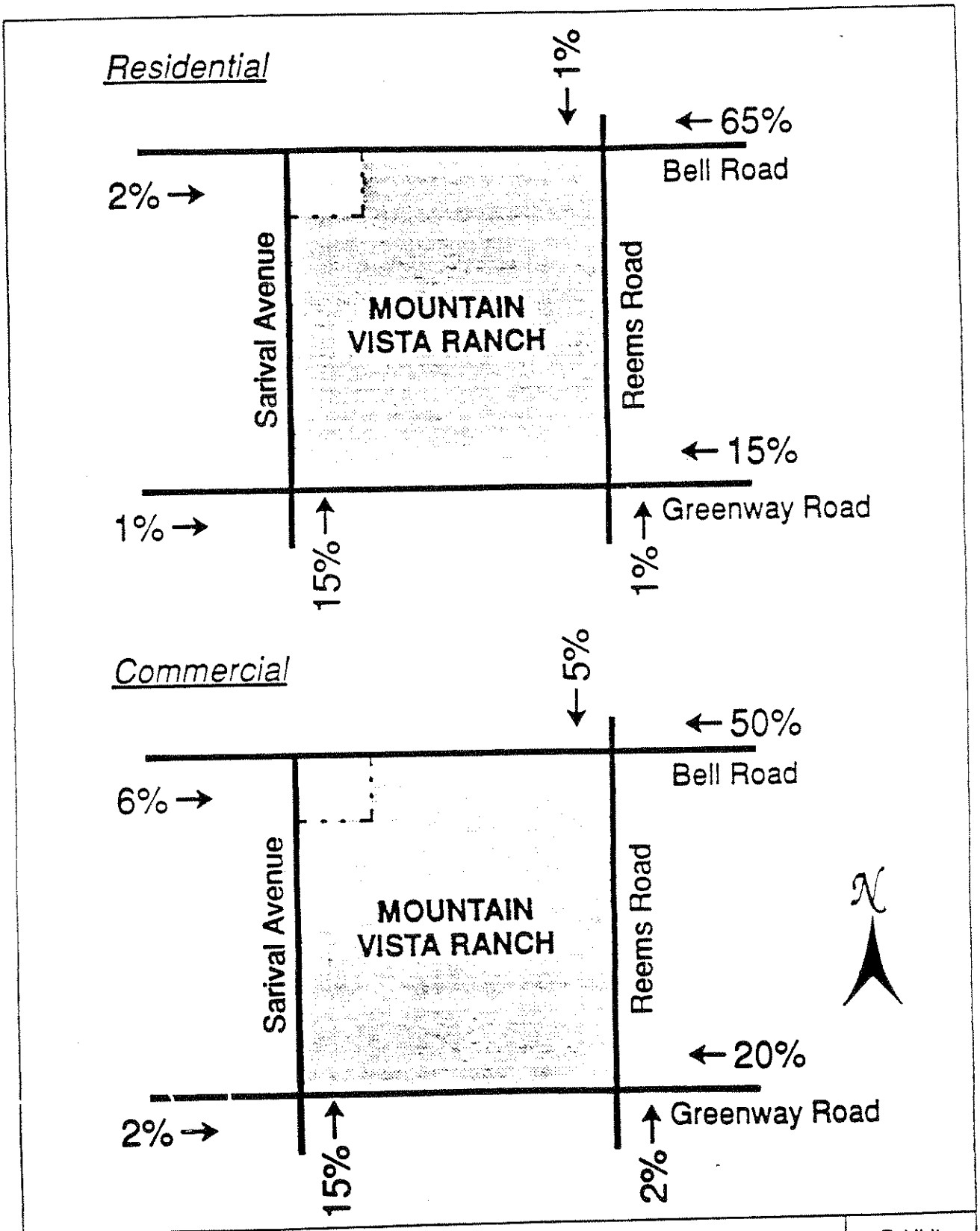
As illustrated in Exhibit 3, the resulting directions of approach and departure are:

| DIRECTION | RESIDENTIAL | COMMERCIAL |
|---|---|---|
| To/from the east via Bell Road | 65% | 50% |
| To/from the east via Greenway Road | 15 | 20 |
| To/from the south via Sarival Avenue | 15 | 15 |
| To/from the west via Bell Road | 2 | 6 |
| To/from the north via Reems Road | 1 | 5 |
| To/from the south via Reems Road | 1 | 2 |
| To/from the west via Greenway Road | 1 | 2 |
| TOTAL | 100% | 100% |

In the short term (0 - 10 years), nearly all of the traffic can be expected to use Bell Road to get to and from the site. Relatively few vehicles would use Greenway Road on a daily basis until it is paved. If paved, however, Greenway Road would be the most likely route to and from Loop 303 - at least until such time as Loop 303 is upgraded to full freeway standards and direct access to Greenway Road is lost.

## SITE TRAFFIC ASSIGNMENT

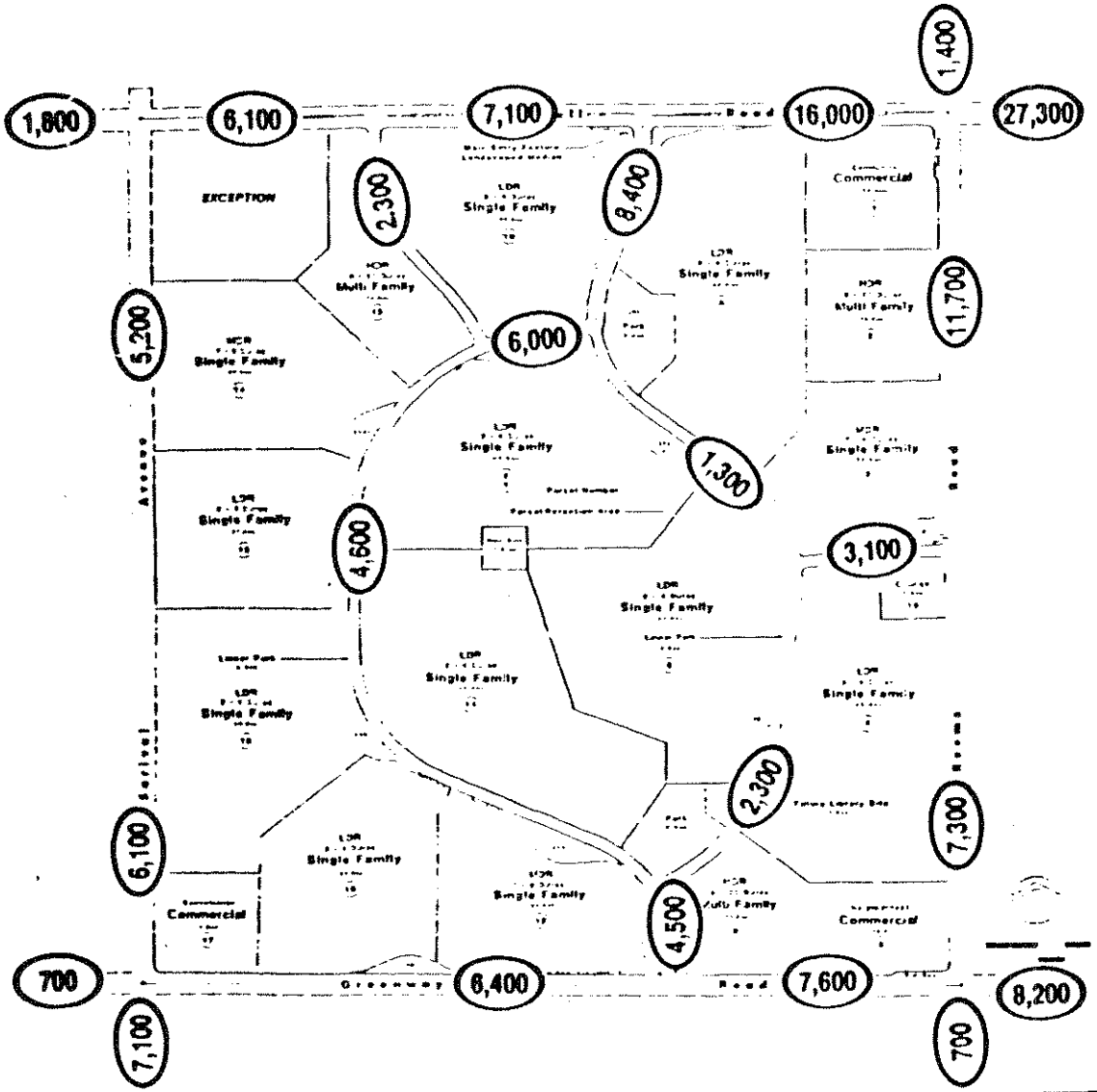
Projected site traffic volumes were assigned to the area roadnet using the directions of approach and departure discussed previously. The location of proposed site access points and internal streets were also considered. The resulting site traffic assignment is shown in Exhibit 4.




DIRECTIONS OF APPROACH

HEFFERNAN & ASSOCIATES

Exhibit 3

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*Average Weekday Daily Trip Ends*

**SITE TRAFFIC ASSIGNMENT**

**HEFFERNAN & ASSOCIATES**

Exhibit

4

## ROADWAY IMPROVEMENTS

The developer of Mountain Vista Ranch will be responsible for dedicating the necessary rights-of-way and constructing half-street improvements along the project frontage as well as developing the internal street system. Similarly, other developers in the area will be responsible for the improvement of roads bordering their properties.

### External Streets

Bell Road has already been developed to its ultimate six-lane divided cross-section along the northern boundary of the site. In the P.A.D. plan, the two major site access points have been located to take advantage of existing median breaks on Bell Road. It is also anticipated that access to the commercial parcel on the southwest corner of Bell and Reems Road would occur at an existing median break.

Reems Road is also designated as a major arterial (six-lane divided cross-section) in the Future Transportation System of the City's Comprehensive Development Plan. However, this road is currently only two lanes wide. Greenway Road and Sarival Avenue, which are both currently unpaved, are designated as minor arterials, requiring a four-lane divided facility for their ultimate cross-section.

The traffic volumes expected to be generated by Mountain Vista Ranch do not require a six-lane cross-section on Reems Road; however, it is possible that the combined impact of all future development in the area may someday require the full six-lane cross-section. This can only be determined by a comprehensive area study and is well beyond the scope of this traffic review. Similarly, the need for four lanes on Sarival Avenue adjacent to the project will be dependent upon other growth in the area, particularly the future development of the parcels located between Sarival Avenue and Loop 303. This section of roadway is of only minor importance to Mountain Vista Ranch and only secondary access (into individual parcels and subdivisions) is currently planned.

## Internal Circulation

The circulation scheme shown in the preliminary P.A.D. plan for Mountain Vista Ranch has been designed to discourage cut-through traffic as much as possible. Therefore the only traffic on the major internal streets will be traffic generated by the development itself. Although the City of Surprise might normally require major internal streets to be built as "primary collectors" (requiring 44 feet of pavement in a 60-foot right-of-way), it is recommended that a smaller cross-section be used for most of the collector streets within this particular project in order to establish and enhance its residential character. A smaller pavement width (36 feet) would be sufficient to accommodate the projected traffic volumes on nearly all roadway segments and would be more desirable in terms of discouraging cut-through traffic and excessive vehicle speeds. In other cities, wider streets have created speeding problems and often required extensive mitigation measures to correct this problem; two examples are Via Linda in Scottsdale and Eugie Avenue in Glendale where traffic circles were (or will be) installed to force vehicles to slow down and thus protect neighboring residents. The 36-foot pavement width proposed for this project is sufficient to accommodate two travel lanes (one lane in each direction), while still providing opportunities for safely passing left-turning vehicles or vehicles stopped along the curb for emergencies. It can also accommodate a three-lane cross-section at site access points, permitting one inbound lane and two outbound lanes (one for left turns and one for right turn/through movements). Although the proposed pavement width is less than the City's normal requirement, the standard 60-foot right-of-way would still be provided on these collector streets.

The major entrance into Mountain Vista Ranch (from Bell Road) will require a larger cross-section. A four-lane divided cross-section is recommended for the section of roadway between Bell Road and the internal loop in order to accommodate the projected traffic volumes. A short section of four-lane divided roadway is also proposed for the major site access point on Greenway Road; however, in this case, the divided cross-section is being provided for aesthetic purposes rather than for traffic capacity since the projected volumes are relatively small along this roadway segment. The raised median should be at least 200 feet long in order to minimize the potential for traffic accidents at this location. A pavement width of 64 feet (two travel lanes in each direction plus a raised median) in an 80-foot right-of-way is the recommended cross-section for these two roadway segments.

All local streets to be constructed within the individual subdivisions comprising Mountain Vista Ranch will have 28 feet of pavement as required by normal City standards. (Since each home is expected to have at least two off-street parking spaces, no additional pavement is needed for on-street parking.) If utilities (water, sewer, and electric) are to be located within the street right-of-way, the City's standard cross-section for local streets (28 feet of pavement in a 50-foot right-of-way) would be provided. However, in preliminary discussions, some utilities have indicated a preference for having their facilities placed in a public utility easement (P.U.E.) located outside the street right-of-way. If this alternate design is chosen, the street right-of-way would be reduced to 36 feet (which accommodates 28 feet of pavement plus a sidewalk on one side of the street), and two 8-foot P.U.E.'s would be provided (one of each side of the street), resulting in a combined width of 52 feet for streets and utilities.

## PHASING

Due to its size, Mountain Vista Ranch will be developed in several phases. The first models are expected to open in early 1995, with full buildout taking several years. In order to keep development costs as low as possible so that the houses in Mountain Vista Ranch can be priced for young families (the intended market), construction of the required infrastructure should also be phased. Internal streets should not be built until required to provide access to particular parcels. External roadway improvements should also be phased accordingly. For example, the construction of Sarival Avenue is not needed until the parcels on the west side of the project are developed (currently scheduled for the fifth, and final phase). The widening of Reems Road for the first half-mile south of Bell Road should occur concurrent with Phase 2 (when adjacent parcels are expected to be developed), although the remaining half-mile section down to Greenway Road would likely not be needed until Phase 3 development occurs in the southeast corner of the site.

Additional consideration should also be given to the staged construction of external street improvements, in order to minimize the accident potential introduced with wide variations in cross-sections along a given roadway segment. "Scalloped" streets, as they are often called, are very confusing to drivers who often must contend with unexpected lane drops, awkward transitions in lane alignments, and other hazards. For this reason, they tend to create special liability problems for local jurisdictions. In the absence of any

other planned development occurring in the immediate area over the same time period as development of Mountain Vista Ranch, it might make more sense to build an interim roadway cross-section initially rather than half of the ultimate cross-section. The full right-of-way should be dedicated now, however, in order to ensure that the full cross-section could be developed at some point in the future if it is needed.

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Transportation Consultants:

- Traffic Engineering
- Transportation Planning
- Transit Planning/Operations
- Parking Demand Analysis

# DRAINAGE REPORT

FOR

MOUNTAIN VISTA RANCH

Prepared for:
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Phoenix, Arizona 85016

Prepared by:
Scott M. Larson, P.E. & Frank Gu
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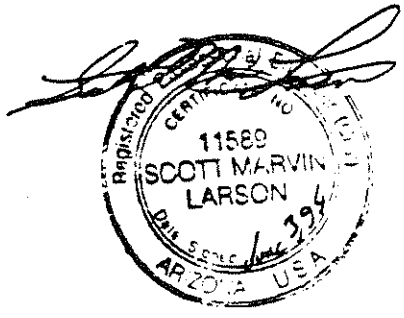
May 27,1994



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## 1.0 Introduction

### 1.1 Scope

This is the second revision of the report for the drainage study of "Mountain Vista Ranch." After the second submittal, the study has been modified again to meet the requirements according to Maricopa County Flood Control's Drainage Design Manual.

The major change in this report from the second submittal is that all the parameters used in HEC-1 study were calculated by MCUHP1 program. Other minor changes have also been made according to the comments from the City of Surprise.

### 1.2 Site Location & Description

The proposed Mountain Vista Ranch is located in the City of Surprise, approximately 2 miles west of the community of Sun City West. The development on Section 6 (T3N, R1W) and has a total area of approximately 572 acres. The project is bounded on the north by Bell Road, on the south by Greenway Road, on the west by Sarival Avenue and on the east by Reems Road.

## 2.0 Hydrology

### 2.1 Methodology

HEC-1 was developed by the Hydrologic Engineering Center, US Army Corps of Engineers. It is designed to simulate the surface runoff response of a river basin to the precipitation. In the current study, only the 100-year 6-hour rainfall event has been used and distribution data are based on the Drainage Design Manual of Maricopa County.

Green and Ampt method and Clark Unit Hydrograph was used to calculate the rainfall losses and unit hydrography.

MCUHP1 program from Maricopa County Flood Control District was used to calculated all the necessary parameters for the input of HEC-1 study.

### 2.2 Off-site & Existing Drainage Conditions

The off-site drainage areas that impacts the Mountain Vista Ranch development are

bounded on the northwest by the McMicken Dam and the Trilby Wash Detention Basin Flood Control facilities. These facilities outlet into a diversion channel that routes the intercepted storm runoff to the Agua Fria River. The offsite drainage areas that impact the site are in excess of seven square miles and have a uniform slope to the southeast at about 0.5 percent. Presently, these drainage areas are primarily agricultural land, however, areas of undeveloped desert and the Happy Trails Development are also included in the offsite drainage areas.

Reems Road and Bell Road are the two main roadways that impact off-drainage patterns in the vicinity of the Mountain Vista Ranch site. At the very north of Reems Road, off-site runoff is collected at the intersection of Beardsley Avenue and Reems Road. The flow drains south down Reems Road combined with the runoff from Section 25 and 30 at the intersection of Union Hills Drive and Reems Road. Runoff from Section 25 and Section 30 are collected along Union Hills Drive and routed easterly along an elevated tailwater ditch toward Reems Road. Refer to the attached offsite drainage map in Appendix G for the Section and Area numbers. Reems Road, south of Union Hills Drive also collects flow and routes it along drainage swales towards the south. No evidence has shown significant diversion to the east of Reems Road by breaking out the street boundary of Reems Road. So it is assumed that all the flow goes down Reems Road, and continues south to cross Bell Road through a dip section. South of Bell Road and adjacent to the project site, Reems Road has two lanes of pavement and well defined drainage swales on both sides of the road.

Bell Road collects storm runoff from as far as the Beardsley Canal and routes the flow to Cotton Lane. Since Bell Road can only carry as much as approximately 107 cfs of flow (see Appendix E for Bell Road capacity calculation), any flow that exceeds the capacity of Bell Road will either go down Cotton Lane or overflow onto Section 1. Between Cotton Lane and Sarival Avenue, Bell Road has a section on the south side, at which the curb is opened to allow the flow to go through the sidewalk and enter Section 1. To the east of Sarival Avenue, storm runoff from the drainage areas north of Bell Road can be collected and carried by Bell Road and a big diversion channel parallel to Bell Road in Section 31. The flow combines with the runoff from the north part of Reems Road at the intersection of Bell Road and Reems Road.

## 3.0 Discussion

The big ditch located north of Bell Road can at least intercept the flow from Area 25 to the intersection of Bell Road and Reams Road. However in the event of a 100-year storm, the flow on Bell Road will still exceed the capacity of roadway. So we propose a berm and depressed belt landscape along the north side boundary to protect the project site from being threatened by offsite overflow. If there shall be a rainfall more

than a 100-year storm, the overspills from the berm and landscape area will be directed by the streets through the site to Reams Road. See attached drainage pattern map for details.

The peak discharges of a 100-year 6-hour storm in Bell Road, adjacent to the project site, range from approximately 107 to 235 cfs. A comparison of our study with ADMS is given in Table 3.1.

Table 3.1 Peak Flow Comparison of this study with ADMS

| | This Study | ADMS |
|---|---|---|
| Storm Type | Maricopa's 100-year 6-hour | SCS 100-year 24-hour |
| Flow at Intersection of Bell Road and Sarival Avenue | 234 cfs | 556 cfs |
| Consider Flow From Section 36 | NO | YES |
| Maximum Flow in Bell Road | 235 cfs | 376 cfs |

In the current study, it is assumed that half of the runoff from Section 36 (Area 8) flows onto Bell Road to the east of the intersection of Bell Road and Sarival Avenue. The difference between this study and ADMS was mainly caused by the design rainfall difference and the flow diversion on Bell Road.

Rainfall runoff from Area 1 gets diverted at the intersection of Cotton Lane and Bell Road. Bell Road can only take 107 cfs down to the east. ADMS shows a three way equal diversion at that intersection no matter how much the flow is. It is considered that our model presents a more reliable and accurate flow pattern for this intersection.

The future development of Dell Webb project to the north of Mountain Vista Ranch will retain all the runoff from its own site, thus will dramatically improve the off-site drainage situation of the Mountain Vista Ranch project, such as the peak flow on Bell Road in front of the project site and total amount of water flows on Reams Road. However, for the current study, the areas of the future Dell Webb project were still considered to be undeveloped.

## 4.0 Results

The right-of-way capacity of Bell Road is 107 cfs. So a drainage channel is proposed along the west boundary of the site to intercept the flow from Bell Road. The total flow exceeds the capacity of Bell Road at the intersection of Bell Road and Sarival Avenue is 127 cfs and will be directed into this channel. The natural grass channel is designed to carry up to 243.2 cfs of flow with a side slope of 4:1 and bottom width of 6 feet. Refer to Appendix D for the calculation of the drainage channel. There is a significant amount of water from Section 1 and those diverted from Bell Road. The flow would overflow the bank of a depression area next to the intersection of Greenway Road and Sarival Avenue in Section 1. Special protection must be provided for the section of the drainage channel near Greenway Road. It should also be noted that Sarival Avenue can also take some water in its right-of-way down to Greenway Road.

The berm and belt landscape area will be designed to carry at least 300 cfs along with the right-of-way of Bell Road.

The peak discharges of a 100-year 6-hour storm in Reems Road, adjacent to the project site range from approximately 1793 to 2702 cfs, which significantly exceed the roadway capacity. According to the Area Drainage Master Study (ADMS) from Flood Control District of Maricopa County, those sections are identified as Zone A. Due to the unavoidable spills from several sections of Reems Road into the site, special concerns must be given to protect these sections. We propose a retaining wall along Reams Road to protect the property from the offsite flow. After the development of Dell Webb project, the flow on Reams Road will be dramatically decreased, so the zoning category will also be changed.

## 5.0 On-Site Retention Requirements

In accordance with Town of Surprise Ordinance No. 85-01, the project site retention system is designed to retain the runoff from a 100-year,1-hour storm. All retention basins are designed to retain a water depth up to three feet. Every parcel are to be put its own retention basins to be able to meet the requirements.

The runoff coefficients for various zoning used in calculating the total runoff are listed in Table 5.1. These values are obtained from Table 3.2 of Drainage Design Manual for Maricopa County.

Table 5.1 Runoff Coefficients for Different Land Uses

| | |
|---|---|
| Commercial | 0.75 |
| Multi Family | 0.69 |
| Single Family | 0.63 |
| Church & Library | 0.85 |

The complete conceptual design of the retention basins is illustrated in Table 5.2.

Table 5.2 Conceptual Retention Basin Requirement

| Parcel No. | Zone* | Area (acre) | Runoff Coeff. | Rainfall (inches) | Total Volume (ac-ft) | Volume (ft^3) | Length (ft) | Width (ft) | Slope | Depth (ft) | Bank Height (ft) | Basin Volume (ft^3) | Top Width (ft) | Top Length (ft) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | CM | 11.1 | 0.75 | 2.4 | 1.67 | 72527.40 | 180.0 | 120.0 | 4 | 3.0 | 1.0 | 76165.7 | 152 | 212 |
| 2 | MF | 13.8 | 0.69 | 2.4 | 1.90 | 82955.66 | 180.0 | 150.0 | 4 | 3.0 | 1.0 | 93453.9 | 182 | 212 |
| 3 | SF | 21.0 | 0.63 | 2.4 | 2.65 | 115259.76 | 210.0 | 180.0 | 4 | 3.0 | 1.0 | 128014.5 | 212 | 242 |
| 4 | SF | 43.0 | 0.63 | 2.4 | 5.42 | 236008.08 | 300.0 | 250.0 | 4 | 3.0 | 1.0 | 245373.8 | 282 | 332 |
| 5 | CM | 11.1 | 0.75 | 2.4 | 1.67 | 72527.40 | 180.0 | 120.0 | 4 | 3.0 | 1.0 | 76165.7 | 152 | 212 |
| 6 | SF | 39.0 | 0.63 | 2.4 | 4.91 | 214053.84 | 260.0 | 260.0 | 4 | 3.0 | 1.0 | 222096.0 | 292 | 292 |
| 7 | SF | 43.0 | 0.63 | 2.4 | 5.42 | 236008.08 | 1650.0 | 36.0 | 4 | 3.0 | 1.0 | 237080.8 | 68 | 1682 |
| 8 | SF | 48.8 | 0.63 | 2.4 | 6.15 | 267841.73 | 1750.0 | 40.0 | 4 | 3.0 | 1.0 | 272684.9 | 72 | 1782 |
| 9 | MF | 11.2 | 0.69 | 2.4 | 1.55 | 67326.34 | 150.0 | 150.0 | 4 | 3.0 | 1.0 | 78876.0 | 182 | 182 |
| 10 | SF | 29.0 | 0.63 | 2.4 | 3.65 | 159168.24 | 1150.0 | 36.0 | 4 | 3.0 | 1.0 | 165842.0 | 68 | 1182 |
| 11 | SF | 45.0 | 0.63 | 2.4 | 5.67 | 246985.20 | 1750.0 | 36.0 | 4 | 3.0 | 1.0 | 251328.5 | 68 | 1782 |
| 12 | SF | 26.0 | 0.63 | 2.4 | 3.28 | 142702.56 | 200.0 | 200.0 | 4 | 3.0 | 1.0 | 134976.0 | 232 | 232 |
| 13 | MF | 14.8 | 0.69 | 2.4 | 2.04 | 88966.94 | 180.0 | 150.0 | 4 | 3.0 | 1.0 | 93453.9 | 182 | 212 |
| 14 | SF | 29.0 | 0.63 | 2.4 | 3.65 | 159168.24 | 1150.0 | 36.0 | 4 | 3.0 | 1.0 | 165842.0 | 68 | 1182 |
| 15 | SF | 27.0 | 0.63 | 2.4 | 3.40 | 148191.12 | 1150.0 | 36.0 | 4 | 3.0 | 1.0 | 165842.0 | 68 | 1182 |
| 16 | SF | 39.0 | 0.63 | 2.4 | 4.91 | 214053.84 | 1000.0 | 60.0 | 4 | 3.0 | 1.0 | 217855.8 | 92 | 1032 |
| 17 | CM | 8.0 | 0.75 | 2.4 | 1.20 | 52272.00 | 150.0 | 150.0 | 4 | 3.0 | 1.0 | 78876.0 | 182 | 182 |
| 18 | SF | 27.0 | 0.63 | 2.4 | 3.40 | 148191.12 | 215.0 | 215.0 | 4 | 3.0 | 1.0 | 154731.0 | 247 | 247 |
| 19 | CH | 3.0 | 0.65 | 2.4 | 0.51 | 22215.60 | 75.0 | 75.0 | 4 | 3.0 | 1.0 | 22851.0 | 107 | 107 |
| 20 | LI | 1.0 | 0.65 | 2.4 | 0.17 | 7405.20 | 45.0 | 45.0 | 4 | 3.0 | 1.0 | 9891.0 | 77 | 77 |

* CM Commercial Area
MF Multi Family
SF Single Family
CH Church
LI Library

## References


1. US Department of Agriculture, Soil Conservation Service and University of Arizona, "Soil Survey of Maricopa County, Arizona - Central Part", September 1977.

2. Flood Control District, Maricopa County, Arizona, "Drainage Design Manual for Maricopa County, Arizona", Vol. 1 & 2, June, 1992.

3. Arizona Department of Transportation, " Highway Drainage Design Manual Hydrology", March, 1993.

4. P. Wanielista, Martin, "Hydrology and Water Quantity Control", University of Central Florida, 1990.

# MASTER SEWER REPORT

FOR

MOUNTAIN VISTA RANCH

Prepared for:
Harvard Investments, Inc.
2425 East Camelback Road, Suite 900
Phoenix, Arizona 85016

Prepared by:
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June 1994

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## 1.0 Introduction

The Mountain Vista Ranch is located in the Town of Surprise, Arizona, approximately 2 miles west of the community of Sun City West. The development encompasses Section 6 (T3N, R1W) and involves a total area of approximately 572 acres. The development is bounded on the north by Bell Road, on the south by Greenway Road, on the east by Reems Road, and on the West by Sarival Avenue.

## 2.0 Flow Estimation and Sewer Line Design

The land will be developed mostly for residential areas. There will also be two commercial areas and in the site as well as some city parks and open spaces. The population densities for these areas are listed below:

| | |
|---|---|
| Multi Family | 18 dwellings/acre (DU/AC)<br>2.0 persons/dwelling unit |
| Single Family | 45 x 110 -- 5.35 dwelling/acre<br>55 x 110 -- 4.8 dwelling/acre<br>65 x 110 -- 4.4 dwelling/acre<br>75 x 110 -- 3.7 dwelling/acre<br>3.2 persons/dwelling unit |

The sewer design rate was obtained from "Engineering Bulletin No. 11" by the Arizona Department of Health Services", July, 1978.

Average daily wastewater flow (Residential) -- 100 gallons per capita per day (gpcd)
(Commercial) -- 1,750 gallons per acre per day (gpad)

The design flow rate was based on the peak hourly flow. The equation for calculating the peaking factor is listed below:

$$\frac{Q_{max}}{Q_{avg}} = \frac{5}{\left(\frac{population}{1000}\right)^{(1/6)}}$$

## 3.0 Results

The main sewer trunks are proposed around Reems Road, Greenway Road, and the inner loop. A sewer line from west to east, average of 500 feet south of Bell Road is to be put to take care of the flow from the area between that sewer line and Bell Road (see Figure 3.1). It is designed to transfer the flow to the existing sewer line under Bell Road by connecting the manholes between them.

For the initial Phase I development, the rest of the flow will be collected at Node K(see Figure 3.1). A temporary pumping facility will be installed near node K to pump the flow back to Bell

Road. The location of the force main is illustrated in Figure 3.1.

Ultimately, all rest of the flow from the site will go into the main trunks and flow towards the southeast corner of the project site. The sewer then will be carried to the Surprise Wastewater Treatment Plant which is current being built. After the first few phases are constructed in Mountain Vista Ranch, the main sewer line in Reams Road should be completed. If not, then another lift station will be required to pump the sewer to Bell Road. Complete conceptual design of sewer lines is illustrated in the Appendix.

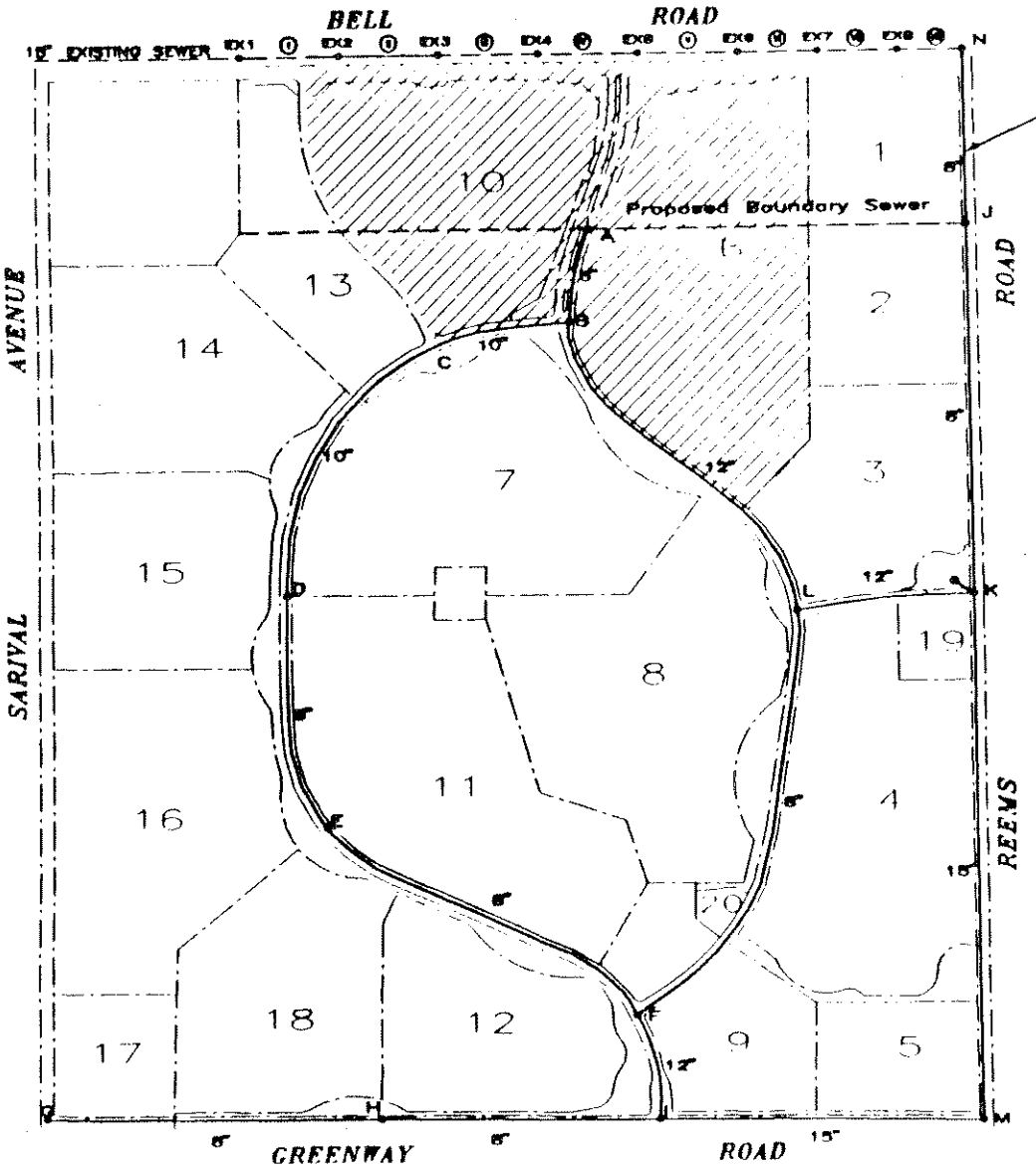


**Figure 3.1**
**Conceptual Sewer Line Design**

- Existing Sewer Line
- Sewer Line
- Parcel Boundary
- PHASE I
- A — Node Number
- 10" — Diameter
- Lift Station
- 15 — Parcel Number

N

ALL NEW SEWERS TO BE CONSTRUCTED WITH SDR-35

## 4.0 Appendix - Tables and Figures

Table A. Land Use and Flow Estimation

| Parcel No. | Type* | Area (acre) | Density | Unit | Population (Capita/Unit) | Total Population | Flow (gal/day) |
|---|---|---|---|---|---|---|---|
| 1 | CM | 11.1 | 1750 | GAL/AC | 10.0 | 111 | 19425.0 |
| 2 | MF | 13.8 | 18 | DU/AC | 2.0 | 497 | 49680.0 |
| 3 | SF | 21.0 | 5.35 | DU/AC | 3.2 | 360 | 35952.0 |
| 4 | SF | 43.0 | 4.8 | DU/AC | 3.2 | 660 | 66048.0 |
| 5 | CM | 11.1 | 1750 | GAL/AC | 10.0 | 111 | 19425.0 |
| 6 | SF | 39.0 | 4.4 | DU/AC | 3.2 | 549 | 54912.0 |
| 7 | SF | 43.0 | 4.4 | DU/AC | 3.2 | 605 | 60544.0 |
| 8 | SF | 48.8 | 3.7 | DU/AC | 3.2 | 578 | 57779.2 |
| 9 | MF | 11.2 | 18 | DU/AC | 2.0 | 403 | 40320.0 |
| 10 | SF | 29.0 | 4.8 | DU/AC | 3.2 | 445 | 44544.0 |
| 11 | SF | 45.0 | 3.7 | DU/AC | 3.2 | 533 | 53280.0 |
| 12 | SF | 26.0 | 4.8 | DU/AC | 3.2 | 399 | 39936.0 |
| 13 | MF | 14.8 | 18 | DU/AC | 2.0 | 533 | 53280.0 |
| 14 | SF | 29.0 | 5.35 | DU/AC | 3.2 | 496 | 49648.0 |
| 15 | SF | 27.0 | 4.8 | DU/AC | 3.2 | 415 | 41472.0 |
| 16 | SF | 39.0 | 4.4 | DU/AC | 3.2 | 549 | 54912.0 |
| 17 | CM | 8.0 | 1750 | GAL/AC | 10.0 | 80 | 14000.0 |
| 18 | SF | 27.0 | 4.8 | DU/AC | 3.2 | 415 | 41472.0 |
| 19 | CH | 3.0 | 10.0 | GAL/P | 200.0 | 200 | 2000.0 |
| 20 | LI | 1.0 | 75.0 | GAL/P | 200.0 | 200 | 15000.0 |

* CM Commercial Zone
MF Multi Family Zone
SF Single Family Zone
CH Church
LI Library

Table B. Conceptual Sewer Line Design

| Sewer Pipe No. | From | To | From Elevation | To Elevation | Length (ft) | Serving Areas | Cumm Population | Avg. Flow (GPD) | Peak Factor | Flow (GPD) | Flow (cfs) | Invert From Elevation | Invert To Elevation | Slope (ft/ft) | Pipe Dia (in) | Area (ft^2) | Capacity (cfs) | Velocity (fps) |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1 | A | B | 1250.0 | 1249.0 | 522.26 | 25% 6 | 137 | 13725.0 | 7.0 | 95549.9 | 0.148 | 1243.0 | 1239.0 | 0.00766 | 8 | 0.349 | 1.058 | 3.03 |
| 2 | D | C | 1253.7 | 1252.0 | 1532.04 | 50%15+14+70%13+ 40%7 | 1319 | 131660.0 | 4.6 | 629599.3 | 0.976 | 1246.7 | 1241.5 | 0.00339 | 10 | 0.545 | 1.100 | 2.34 |
| 3 | C | B | 1252.0 | 1249.0 | 661.65 | 20% 7+30%10 | 1573 | 157310.0 | 4.6 | 729346.0 | 1.130 | 1241.5 | 1239.0 | 0.00367 | 10 | 0.545 | 1.143 | 2.43 |
| 4 | D | E | 1253.7 | 1248.8 | 1208.12 | 50% (11+ 15 ) + 16 | 1023 | 102300.0 | 5.0 | 509565.1 | 0.790 | 1246.7 | 1241.5 | 0.00430 | 8 | 0.349 | 0.793 | 2.27 |
| 5 | E | F | 1248.8 | 1238.3 | 1848.05 | 50%(11+12) + 30%18 | 1614 | 161350.0 | 4.6 | 744922.0 | 1.155 | 1241.5 | 1224.8 | 0.00914 | 8 | 0.349 | 1.156 | 3.31 |
| 6 | B | L | 1249.0 | 1238.6 | 1902.85 | 30%(6 + 8)+50%3+40%7 | 2470 | 247045.0 | 4.3 | 1062388.6 | 1.647 | 1239.0 | 1231.6 | 0.00389 | 12 | 0.785 | 1.696 | 2.83 |
| 7 | L | K | 1238.6 | 1237.0 | 885.36 | None | 2470 | 247045.0 | 4.3 | 1062388.6 | 1.647 | 1231.6 | 1228.2 | 0.00384 | 12 | 0.785 | 1.685 | 2.81 |
| 8 | J | K | 1244.0 | 1237.0 | 1828.80 | 2 + 50%3 | 677 | 67700.0 | 5.3 | 361238.4 | 0.560 | 1237.0 | 1228.2 | 0.00481 | 8 | 0.349 | 0.838 | 2.40 |
| 9 | L | F | 1238.6 | 1238.3 | 2280.37 | 70% 8 + 20 | 605 | 60460.0 | 5.4 | 328745.7 | 0.510 | 1231.6 | 1224.0 | 0.00333 | 8 | 0.349 | 0.696 | 2.00 |
| 10 | K | M | 1237.0 | 1233.0 | 2617.80 | 4 + 19 | 4007 | 400700.0 | 4.0 | 1589715.7 | 2.464 | 1228.2 | 1216.0 | 0.00466 | 15 | 1.227 | 2.900 | 3.59 |
| 11 | F | I | 1238.3 | 1236.1 | 546.66 | None | 2218 | 221810.0 | 4.4 | 971152.9 | 1.505 | 1224.8 | 1222.8 | 0.00336 | 12 | 0.785 | 1.581 | 2.64 |
| 12 | G | H | 1252.0 | 1242.8 | 1687.05 | 17 + 70%18 | 371 | 37050.0 | 5.9 | 218588.3 | 0.339 | 1245.0 | 1235.8 | 0.00552 | 8 | 0.349 | 0.896 | 2.57 |
| 13 | H | I | 1242.8 | 1236.1 | 1364.69 | 50%12 | 570 | 57000.0 | 5.5 | 312991.4 | 0.485 | 1235.8 | 1222.8 | 0.00939 | 8 | 0.349 | 1.171 | 3.35 |
| 14 | I | M | 1236.1 | 1233.0 | 1605.46 | 5 + 9 | 3302 | 330210.0 | 4.1 | 1352991.9 | 2.097 | 1222.8 | 1216.0 | 0.00424 | 15 | 1.227 | 2.765 | 3.43 |
| 15 | J | N | 1244.0 | 1238.9 | 500.00 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| I | EX1 | EX2 | 1252.10 | 1250.25 | 496.00 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| II | EX2 | EX3 | 1250.25 | 1248.41 | 496.00 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| III | EX3 | EX4 | 1248.41 | 1246.61 | 496.00 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| IV | EX4 | EX5 | 1246.61 | 1244.81 | 496.00 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| V | EX5 | EX6 | 1244.81 | 1243.20 | 496.00 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| VI | EX6 | EX7 | 1243.20 | 1241.64 | 396.00 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| VII | EX7 | EX8 | 1241.64 | 1240.13 | 396.00 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| VIII | EX8 | N | 1240.13 | 1239.90 | 323.00 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A |

Table C. Excavation of the Manholes (ft)

| ManHole No. | Elevation | Invert | Drop |
|---|---|---|---|
| A | 1250.0 | 1243.0 | 7.0 |
| B | 1249.0 | 1239.0 | 10.0 |
| C | 1252.0 | 1241.5 | 10.5 |
| D | 1253.7 | 1246.7 | 7.0 |
| E | 1248.8 | 1241.5 | 7.3 |
| F | 1238.3 | 1224.6 | 13.7 |
| G | 1252.0 | 1245.0 | 7.0 |
| H | 1242.8 | 1235.8 | 7.0 |
| I | 1236.1 | 1222.8 | 13.3 |
| J | 1244.0 | 1237.0 | 7.0 |
| K | 1237.0 | 1228.2 | 8.8 |
| L | 1238.6 | 1231.6 | 7.0 |
| M | 1233.0 | 1216.0 | 1219.7 |

# MASTER WATER REPORT

FOR

MOUNTAIN VISTA RANCH

Prepared for:
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April 1994

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## 1.0 INTRODUCTION

### 1.1 Location:

The proposed Mountain Vista Ranch development is located in Section 6 (T3N, R1W). It is bounded on the north by Bell Road, on the south by Greenway Road, on the west by Sarival Avenue and on the east by Reams Road.

### 1.2 Purpose:

The purpose of this preliminary report is to study the water consumption of the proposed Mountain Vista Ranch project and to plan the water distribution system for the project. A conceptual design of the main water lines and their sizes is also provided.

### 1.3 Methodology:

A computer program called EPANET, which is designed by US EPA, was used to calculate the distribution system requirements for this project.

## 2.0 RESULTS AND DISCUSSION:

The distribution of average daily demands is found to be very satisfactory throughout the modeled system with all the operating pressures of the system in the desirable range of 64-76 psi. See EPANET output for details.

The distribution of fire flow demand is satisfactory for values of 3,000 gpm at each commercial area (node 19, 22, and 26 in the EPANET output). Pressure of more than 20 psi are available at each point of fire flow while simultaneously providing a minimum of 35 psi at other nodes in the system. (see EPANET outputs in the Appendix).

The total reservoir requirements for the Mountain Vista Ranch project is 1.0 mg.

The recommended water line sizing for the water distribution system are shown in the Appendix.

## 3.0 WATER CONSUMPTION RATE:

The water demands used in this report are based on the projected consumption rates in the City of Phoenix service area. The various consumption rates are listed in the next page:

Average Daily Demand:

Residential:

| | |
|---|---|
| Average Daily Demand | 220 gal/capita |
| Multifamily Zoning | 2.0 persons/dwelling unit |
| Single Family Zoning | 3.2 persons/dwelling unit |

Industrial and Commercial:

| | |
|---|---|
| Average Daily Demand | 3,000 gal/acre |

Maximum Daily Demand

The Peak Hourly Demand is calculated according to Arizona Department of Environmental Quality, Engineering Bulletin No. 10:

Fire Flow Demand

City of Surprise has indicated that the fire flow requirements should meet the fire codes from City of Phoenix. Duration of two hours is used for all the fire flow demands. System demands for fire flow are based on following criteria from City of Phoenix Fire Codes:

Residential:

F = 1,000 gpm

Commercial:

F = 3,000 gpm

## 4.0 RESERVOIR REQUIREMENTS:

The tank is located in the center of the project site. Eventually it will be feed by two pumping wells in the site.

| | |
|---|---|
| Population: | 8195 |
| Average Daily Flow: | 1204 gpm |
| Peak Flow: | 2151 gpm |

Peak Fire Flow = 3000 gpm x 2 hours = 360,000 gallons
= 250 gpm (Daily Demand)

Total Peak Day Demand:

$Q_{demand}$ = 2151 x 60 x 24 + 3000 x 2 x 60 = **3,457,440 gallons**

Assume well production are:

No. 1 = 1650 gpm
No. 2 = 1200 gpm

$Q_{supply}$ = (1650 + 1200) x 60 x 24 = **4,104,000 gallons** > $Q_{demand}$

No reservoir required for peak day demand.

Peak Day with Fire Flow = 2151 + 3000 = 5151 gpm
Well Production = 1650 + 1200 = 2850 gpm
2301 gpm

Reservoir Volume:

2301 x 60 x 2 = **276,120 gallons**

use: 0.3 million gallons

However, if one of the wells goes out of service on a peak day, the storage requirements would be **1.0 million** gallons.

## 5.0 SYSTEM WATER DEMANDS:

| Parcel No. | Zoning | Area (acres) | Density | Unit | Population Capita/unit | Avg. Daily Flow (gpm) | Population (persons) |
|---|---|---|---|---|---|---|---|
| 1 | CM | 11.1 | 3000 | gal/ac | N/A | 23.13 | 111 |
| 2 | MF | 13.8 | 18 | du/ac | 2.0 | 75.90 | 497 |
| 3 | SF | 21.0 | 5.35 | du/ac | 3.2 | 54.93 | 360 |
| 4 | SF | 43.0 | 4.8 | du/ac | 3.2 | 100.91 | 707 |
| 5 | CM | 11.1 | 3000 | gal/ac | N/A | 23.13 | 111 |
| 6 | SF | 39.0 | 4.4 | du/ac | 3.2 | 83.89 | 549 |
| 7 | SF | 43.0 | 4.4 | du/ac | 3.2 | 92.50 | 493 |
| 8 | SF | 48.8 | 3.7 | du/ac | 3.2 | 88.27 | 317 |
| 9 | MF | 11.2 | 18 | du/ac | 2.0 | 61.60 | 403 |
| 10 | SF | 29.0 | 4.8 | du/ac | 3.2 | 68.05 | 445 |
| 11 | SF | 45.0 | 3.7 | du/ac | 3.2 | 81.40 | 438 |
| 12 | SF | 26.0 | 4.8 | du/ac | 3.2 | 61.01 | 576 |
| 13 | MF | 14.8 | 18 | du/ac | 2.0 | 81.40 | 533 |
| 14 | SF | 29.0 | 5.35 | du/ac | 3.2 | 75.85 | 496 |
| 15 | SF | 27.0 | 4.8 | du/ac | 3.2 | 63.36 | 415 |
| 16 | SF | 39.0 | 4.4 | du/ac | 3.2 | 83.89 | 549 |
| 17 | CM | 8.0 | 3000 | gal/ac | N/A | 16.67 | 80 |
| 18 | SF | 27.0 | 4.8 | du/ac | 3.2 | 63.36 | 415 |
| 19 | CH | 3.0 | N/A | N/A | 200.0 | 1.74 | 200 |
| 20 | LI | 1.0 | N/A | N/A | 300.0 | 2.60 | 300 |
| 21 | EX | 8.0 | N/A | N/A | N/A | N/A | N/A |
| Total | | 498.80 | | | | 1203.93 | 7994.67 |

See attached sheet for parcel numbering.

| Parcel No. | Type* | Area (acres) | Density | Unit | Total Units | Peak Flow (gpm) |
|---|---|---|---|---|---|---|
| 1 | CM | 11.1 | 3000 | GAL/AC | 94 | 69.28 |
| 2 | MF | 13.8 | 18 | DU/AC | 248 | 183.06 |
| 3 | SF | 21.0 | 5.35 | DU/AC | 112 | 82.80 |
| 4 | SF | 43.0 | 4.8 | DU/AC | 206 | 152.11 |
| 5 | CM | 11.1 | 3000 | GAL/AC | 94 | 69.28 |
| 6 | SF | 39.0 | 4.4 | DU/AC | 172 | 126.46 |
| 7 | SF | 43.0 | 4.4 | DU/AC | 189 | 139.44 |
| 8 | SF | 48.8 | 3.7 | DU/AC | 181 | 133.07 |
| 9 | MF | 11.2 | 18 | DU/AC | 202 | 148.57 |
| 10 | SF | 29.0 | 4.8 | DU/AC | 139 | 102.59 |
| 11 | SF | 45.0 | 3.7 | DU/AC | 167 | 122.71 |
| 12 | SF | 26.0 | 4.8 | DU/AC | 125 | 91.97 |
| 13 | MF | 14.8 | 18 | DU/AC | 266 | 196.33 |
| 14 | SF | 29.0 | 5.35 | DU/AC | 155 | 114.34 |
| 15 | SF | 27.0 | 4.8 | DU/AC | 130 | 95.51 |
| 16 | SF | 39.0 | 4.4 | DU/AC | 172 | 126.46 |
| 17 | CM | 8.0 | 3000 | GAL/AC | 68 | 50.11 |
| 18 | SF | 27.0 | 4.8 | DU/AC | 130 | 95.51 |
| 19 | CH | 3.0 | N/A | N/A | 40 | 29.48 |
| 20 | LI | 1.0 | N/A | N/A | 30 | 22.11 |
| 21 | EX | 8.0 | N/A | N/A | 0 | 0.00 |
| | | | | | 2919 | 2151 |

## 6.0 PHASE I WATER SUPPLY:

There are total of 390 units in Phase I which includes parcel 6 and 10. The average daily flow is:

$$Q_{avg} = 3.2 \times 220 \times 390 = 274,560 \ gpd = 190 \ gpm$$

Two booster pumps will be required, each has a capacity of 250 gpm with 75 psi of head. We chose two Peerless Pumps Model 825A with 15 hp.

The maximum daily demand is:

$$V_{max} = 1.8 \times 190 \times 60 \times 24 = 492,000 \ gallons$$

The fire flow requirement is 1000 gpm. So a fire pump with 1000 gpm capacity and 75 psi of head will be required in parallel with the other two regular pumps.

Peak Day Demand + Fire Flow = 492,000 + 1000 x 60 x 2 = 612,000 gallons

Well productions are:

No. 1 = 1650 gpm
No. 2 = 1200 gpm

$Q_{No\,1}$ = 1650 x 60 x 24 = **2,376,000 gallons** > $Q_{demand}$ = 612,000 gallons
$Q_{No\,2}$ = 1200 x 60 x 24 = **1,728,000 gallons** > $Q_{demand}$
No reservoir required for peak day demand, since if one well went out, the smaller well could be put in line.

A 200,000 gallon reservoir would have enough capacity to provide the 120,000 gallon fire flow storage and have a buffer in the tank for domestic demand of 80,000 gallons. The reservoir will constructed as 24' high with 38' of diameter. Actual capacity of the reservoir is:

$$Volume = \frac{\pi}{4}(38')^2 \times 24' \times 7.481 = 203,624 \ gallons$$

A disconnect switch will be provided so a mobile generator can be plugged into the system to provide electricity for the booster pumps.

We also proposed a bypass water line connecting the reservoir with the main water line. In case of no electricity is available, the bypass line can carry water out of the reservoir by gravity to the system.

ORDINANCE NO. 85-8

AN ORDINANCE OF THE TOWN OF SURPRISE, ARIZONA, REPEALING ORDINANCE NO.83-2, AND APPROVING AND ADOPTING THE "TOWN OF SURPRISE SIGN ORDINANCE" BY REFERENCE, ESTABLISHING A PENALTY FOR VIOLATION THEREOF AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SURPRISE, ARIZONA, AS FOLLOWS:

Section 1: Ordinance No.83-2 of the Town of Surprise is hereby repealed.

Section 2: That certain document, known as the "TOWN OF SURPRISE SIGN ORDINANCE" three copies of which are on file in the Office of the Town Clerk of the Town of Surprise, which document was declared public record by Resolution No.85-8 of the Town of Surprise, is hereby adopted and made part of this Ordinance as if fully set forth herein.

Section 3: Any person violating any of the provisions of the "TOWN OF SURPRISE SIGN ORDINANCE", shall, upon conviction, be deemed guilty of a misdemeanor, and shall be subject to punishment by a fine not to exceed $1,000.00, imprisonment for not to exceed six months, or both. Each day a violation of the Ordinance is allowed to continue shall constitute a separate offense.

Section 4: If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or of the "TOWN OF SURPRISE SIGN ORDINANCE", adopted herein by reference, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not effect the validity or enforceability of the remaining provisions thereof.

Section 5: Whereas, it is necessary for the preservation of the peace, health and safety of the Town of Surprise, Arizona, an emergency is hereby declared to exist, and this Ordinance shall be effective immediately upon its passage and adoption.

PASSED AND ADOPTED by the Town Council of the TOWN OF SURPRISE, ARIZONA, this 10 day of October, 1985.

Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

# TOWN OF SURPRISE SIGN ORDINANCE 85-8

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## ARTICLE I. PURPOSE

It is declared that the regulation of signs within the Town of Surprise is necessary and in the public interest (1) to protect the property values within the Town of Surprise; (2) to encourage the creation of an aesthetic appearance along street frontages through the use of attractive signing; (3) to promote and aid in the tourist industry which is of importance to the economy of the Town of Surprise; (4) to protect the general public from damage and injury which may be caused by the faulty and uncontrolled construction of signs within the Town of Surprise; (5) to protect pedestrians and motorists from damage or injury caused, or partially attributable to the distractions and obstructions which are hereby declared to be caused by improperly situated signs; (6) to promote the public safety, welfare, convenience and enjoyment of travel and the free flow of traffic within the Town of Surprise.

The sign regulations as set forth in Articles V, VI, and VII are designed to be both logical and equitable for the various uses and identification needs. These sign standards and regulations help to effectuate an aesthetic and functional street environment.

## ARTICLE II. DEFINITIONS

1. SIGN: Any device providing identification, advertising or directional information for a specific business, service, product, person, organization, place or building. Included in this definition as signs are graphic devices such as logos, attention-attracting media such as banners or logo sculpture, and obtrusive, colored fascie or architectural elements.

2. ABANDONED SIGN: A sign is presumed to have been abandoned when it is located on property which becomes vacant and unoccupied for a period of three (3) or more months.

3. ADVERTISING SIGN: A sign which includes any copy and/or graphics relating to any service, product, person, business, place, activity or organization in addition to simple identification, excluding directional information.

4. ARTERIAL STREET: Any street with in the Town of Surprise with a right-of-way of 60 feet or greater.

5. BOARD OF APPEALS: In the absence of a Board of Appeals, the Planning and Zoning Commission will exercise that function.

6. CBD or CENTRAL BUSINESS DISTRICT: Comprises two principal areas: (1) the Grand Avenue CBD - extending from Greenway Road to Union Hills Drive and extending roughly 300 feet west from the Grand Avenue right-of-way, and (2) the Bell Road CBD - extending from 115th Avenue to 183rd Avenue and extending roughly 300 feet north and south (within Surprise corporate limits) from the Bell Road right-of-way.

7. DEPARTMENT OF COMMUNITY DEVELOPMENT and TOWN COMMUNITY DEVELOPMENT DIRECTOR: In the absence of a Department of Community Development, the Town Manager or his/her appointee will exercise that function.

8. DESIGN REVIEW BOARD: In the absence of a Design Review Board, the Town Manager, Director of Community Development, and Director of Building Safety will exercise that function.

9. DIRECTIONAL SIGN: A sign that does not contain either identification or advertising copy, but includes pertinent information, including assisting the flow of traffic.

10. DIRECTORY SIGN: Any sign listing the names and/or uses, and/or locations of the various businesses or activities within a building, or a multi-tenant development, not for the purpose of advertising products, goods or services to the attention of vehicular traffic.

11. FASCIA SIGN: A sign which is permanently affixed to the horizontal piece covering the joint between the top of a wall and the projecting eaves of the roof.

12. FREESTANDING SIGN: An identification sign which is erected on or mounted upon its own self-supporting permanent structure, detached from the supporting elements of the main building which it identifies. Such signs shall have a maximum height of 8 ft. and a maximum area of 24 sq. ft., or as hereinafter provided.

13. GRAND OPENING: The introduction, promotion, or announcement of a new business, store, shopping center, office or the introduction, promotion or announcement of an established business changing ownership.

14. GROUND LEVEL: The finished grade of existing sidewalk or where there is no sidewalk six (6) inches above street grade measured at the base of the curb, or at the shoulder of the roadway where no curb exists.

15. IDENTIFICATION SIGN: A sign that includes, as copy, only the name of the business, place, organization, building or person it identifies.

16. ILLUMINATED SIGN: A sign whose surface is lighted internally or externally and which identifies, advertises, or attracts attention to a use or activity.

17. MAINTENANCE: The replacing or repairing of a part or portion of a sign made unusable by ordinary wear, tear or damage beyond the control of the owner, or the reprinting of existing copy without changing the wording, composition or color of said copy.

18. MANSARD & PARAPET SIGNS: A sign permanently affixed to a wall or surface designed to protect the edge of a roof, constructed no more than 20 degrees from vertical.

19. MENU BOARD: A permanently mounted sign displaying the bill of fare of a drive-in or drive-thru restaurant.

20. NONCONFORMING SIGN: Any sign which is not allowed under this Ordinance, but which, when first constructed, was legally allowed by the Town of Surprise or the political subdivision then having the control and regualtion over construction of signs.

21. OFF-PREMISE: A structure which bears a sign which is not appurtenant to the use of the property where the sign is located, or a product sold or a service offered upon the property where the sign is located, and which does not identify the place of business where the sign is located as a purveyor of the merchandise or services advertised upon the sign. Permanent off-premise signs are prohibited absolutely.

22. PAD (PLANNED AREA DEVELOPMENT): A legally designated area no smaller than ten acres in size which may form a miniature community within the municipality because of its regulated mix of land uses.

23. PERMANENT SIGN: Any sign which is intended to be and is so constructed as to be a lasting and enduring condition, remaining unchanged in character, condition (beyond normal wear) and position, and in a permanent manner affixed to the ground, wall or building.

24. PRICE SIGN: A permanently mounted sign displaying the retailing cost of a gallon of gasoline on the premises of a service station.

25. SANDWICH SIGN: Any sign which is not permanently affixed to any structure on the site or permanently ground-mounted; any portable sign.

26. TEMPORARY SIGN: Any sign, banner, penant, valance of advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard or other like materials, with or without frames, and any type sign not permanently attached to the ground, wall or building, intended to be displayed for a short period of time only.

27. WALL-MOUNTED SIGN: An identification or advertising sign which is fastened to any vertical portion of the main building which it identifies or advertises.

## ARTICLE III. GENERAL REGULATIONS

### SECTION 1: REQUIREMENT OF CONFORMITY

It shall be illegal for a sign to be placed or maintained in the Town of Surprise except as provided in this Ordinance.

a. All signs maintained contrary to the provisions of this Ordinance are declared to be nuisances, and such nuisances may be abated as provided by law.

b. Any person, firm or corporation violating any provisions of this Ordinance or failing to comply with any order or regulations made hereunder shall be guilty of a misdemeanor.

### SECTION 2: NON-CONFORMING SIGNS

Reasonable repairs and alterations may be made to nonconforming signs. However, in the event any such sign is hereafter damaged exceeding fifty percent (50%) of the reproduction value according to appraisal thereof by competent appraisers, or is removed by any means whatsoever, including an act of God, such sign may be restored, reconstructed, altered or repaired only to conform with the provisions of this Ordinance.

### SECTION 3: PROHIBITIONS

Signs not specifically authorized are prohibited, including, but not limited to the following:

a. Political signs in public right-of-way or public property.

b. Sandwich signs except as otherwise provided. (See Temporary Signs)

c. Signs mounted, attached or painted on trailers, boats or motor vehicles when used as additional advertising signs on or near the premises.

d. Awning signs except as otherwise provided for non-residential uses in the CBD.

e. Roof-mounted signs, or signs that project above the highest point of the roof line, parapet, or fascia of the building.

f. Any sign emitting sound.

g. Any sign with intermittent or flashing illumination, animated or moving signs.

h. Flag-mounted signs; or signs that project from the roof or wall or a building perpendicular to a wall surface except as otherwise provided for non-residential uses in the CBD.

i. Off-premise signs except subdivision advertising signs obtained with use permits. See Article VII, Section 2.

SECTION 4: ABANDONED SIGNS

Non-conforming free-standing signs, sign structures, poles and other related equipment that has been abandoned or not in use for more than three (3) months shall be removed by the owner of the property on which the sign is located. See Article IV, Section 3.

ARTICLE IV. VIOLATIONS

SECTION 1: SIGN PERMITS & FEES

1. It shall be unlawful for any person to erect, install and/or modify any sign within the town without first applying for and obtaining a Sign Permit from the Department of Community Development. "Modify", as it is used herein, shall mean any change in or to an existing sign, its face, copy, colors and/or supporting structures.

2. It shall be unlawful for any person to erect, install and/or modify any sign within the town except in full compliance with the provisions of this Ordinance. "Person", as it is used in this section, shall include any person, firm, partnership, corporation or other business association engaged in the business of erecting, installing and/or modifying signs in exchange for consideration.

3. Failure to conform to the conditions of a sign permit, including any conditions and/or stipulations attached thereto by the Town Council, Design Review Board and/or Board of Appeals shall render such permit void.

4. Fees for sign permits shall be required and payable in such sums as the Town Council may from time to time establish by resolution.

5. A sign permit does not include electrical work; however, this exemption shall not be deemed to grant authorization for any work to be done in violation of the provisions of Ordinance 84-6 or any other laws or Ordinances.

SECTION 2: REVOCATION OF PERMITS

The Director of Building Safety shall have the authority to revoke any permit which has been granted when he/she has determined that the sign authorized by the permit has been constructed or is being constructed or is being maintained in violation of the permit.

1. Notice of the Building Safety Director's decision to revoke a sign permit shall be served upon the holder of the permit (1) by delivering personally a copy of the notice to the holder of the permit, or to one of its officers, or (2) by leaving a copy of the notice with any person in charge of the premises, or (3) in the event that no such person can be found on the premises, by affixing a copy of the notice in a conspicuous position at an entrance to the premises and by certified mailing of another copy of the notice to the last known post office address of the holder of the permit.

2. The holder of the permit may appeal the decision of the Building Safety Director to revoke the permit to the Board of Appeals. This appeal must be made within fifteen (15) days from the date when the notice was served.

3. If no appeal has been taken by the end of the fifteen (15) day appeal period, then the permit is revoked and the sign is illegal. The Director of Building Safety then shall initiate the procedure for the removal of the illegal sign.

SECTION 3: REMOVAL OF SIGNS

The Director of Building Safety is hereby authorized to require the removal of any illegal sign as defined by this Ordinance.

1. Before bringing an action to require removal of any illegal sign, the Direcor of Building Safety shall give written notice to the owner of the sign or the owner of the premises on which such sign is located. The notice shall state the reasons and grounds for removal, specifying the defficiencies charged; such notice shall specify what repairs, if any, will make such an installation conform to the requirements of this Ordinance, and specify that the sign must be removed or made to conform with the provisions of this Ordinance within the notice period provided below. Service of notice may be made personally on the owner, or lessee, or by certified mail addressed to the owner or lessee at the address specified in the permit or the last known address.

   a. Notice Period

      1) The notice period for permanent signs shall be ten (10) days.

      2) The notice period for temporary signs shall be forty-eight (48) hours.

   b. Re-erection of any sign or substantially similar sign on the same premises after a compliance notice has been issued shall be deemed a continuance of the original violation.

2. If the owner or lessee of the premises upon which the sign is located has not demonstrated to the satisfaction of the Director of Building Safety that his/her sign has been removed or brought into compliance with the provisions of this Ordinance by the end of the notice period, then the Director of Building Safety shall certify the violations to the Town Attorney for prosecution. In prosecuting violations, the Town Attorney may pursue either or both of the remedies set forth in Article III, Sections 1 and 2 of this Ordinance, which remedies are cumulative and not exclusive. In connection with any suit brought to abate a nonconforming or invalid sign as a nuisance, the Town may collect its costs incurred together with reasonable amounts expended as attorneys' fees.

   a. The Director of Building Safety is authorized to cause the removal of any sign adjudged to be illegal by a court of competent jurisdiction if the court so orders. All the actual cost and expense of any such removal by the Director of Building Safety shall be borne by the owner of such sign installation and the owner of the premises on which located; each of them shall be jointly and severally liable therefor, and an action for recovery thereof may be brought by the Town Attorney upon proper certification thereof to him/her by the Director of Building Safety.

   b. The Director of Building Safety or his/her representative is authorized to seize any illegal temporary sign which is maintained or re-erected after the expiration of the notice period, where the owner or lessee of the premises has been issued a compliance notice at least once before for a violation involving the same or a similar sign.

SECTION 4: EMERGENCY REMOVAL OR REPAIR

1. The Director of Building Safety is hereby authorized to cause the immediate removal or repair of any sign or signs found to be unsafe or defective to the extent that such sign creates an immediate and emergency hazard to persons or property.

2. Notice: If the Director of Building Safety has determined that an immediate hazard to persons or property exists, then actual notice to the property owner or lessee shall not be required. The Director shall make a reasonable effort to notify the property owner or lessee that the unsafe or defective sign must be removed or repaired immediately.

3. All the actual cost and expense of any such removal or repair by the director of building safety shall be borne by the owner of such sign installation and by the owner of the premises on which the sign is located; each of them shall be jointly and severally liable therefor, and an action for recovery thereof may be brought by the Town Attorney upon proper certification thereof to him or her by the Director of Building Safety.

SECTION 5: LIABILITY FOR DAMAGES

The provisions of this ordinance shall not be construed to relieve or to limit in any way the responsibility or liability of any person, firm or corporation which erects or owns any sign; nor shall the provisions of this Ordinance be construed to impose upon the Town of Surprise, its officers, or its employees any responsibility or liability by reason of the approval of any sign under the provisions of this Ordinance.

ARTICLE V. MEASUREMENT OF SIGNS

SECTION 1: SIGN AREAS shall be measured as follows:

a. Sign copy mounted or painted on a background panel or area distinctively painted, textured or constructed as a background for the sign copy:

Sign area is measured as that area contained within the outside dimensions of the background panel or surface.

b. Sign copy mounted as individual letters and/or graphics against a wall or fascia of a building or other structure that has not been painted, textured or otherwise altered to provide a distinctive background for the sign copy:

Sign area is measured as the area enclosed by the smallest single rectangle that will enclose all sign copy.

c. Sign copy mounted or painted on an illuminated sign or illuminated sign or illuminated architectural element of a building:

The entire illuminated surface or illuminated architectural element which contains sign copy, will be counted as sign area.

d. Number of sign faces:

One - Area of the single face only

Two - The maximum allowable interior angle between two sign faces is 45 degrees. If the distance between the two sign faces at their widest point is six (6) feet or less, the area will be the area of one face only; if the distance between the two sign faces is greater than six (6) feet, the sign area will be the sum of the areas of the two faces.

Three or more - The sign area will be the sum of the areas of the three or more faces.

Spherical, free-form, sculptural, & other non-planar signs - Sign area will be the sum of the areas of the four vertical sides of the smallest polyhedron that will encompass the sign structure.

e. Sign area will include the areas of all permitted signs, except non-residential district directional signs assisting the flow of traffic, street addresses, or signs necessary for safety (e.g., stop engine, no smoking) that do not exceed two square feet in area.

f. For a sign having more than one component - e.g., a service station identification/price sign combination on a monument base - mounted on the same surface; the sign area will be the area of the smallest rectangle that will encompass the several components of the sign.

SECTION 2: SIGN HEIGHTS shall be measured as follows:

a. Free-standing sign: Height shall be the distance from the top of the sign structure to the top of curb or crown of roadway where no curb exists. The height of any monument base or other structure erected to support or ornament the sign shall be measured as part of the sign height.

b. Wall or Fascia Mounted Signs: Height shall be the distance from the top of the sign structure to the top of curb or crown of road where no curb exists.

## ARTICLE VI. MISCELLANEOUS

### SECTION 1: PROXIMITY TO RIGHT-OF-WAY

No sign shall be erected or placed within any traffic median or any public sidewalk or bicycle path. The Town employees may remove any sign located in these areas.

### SECTION 2: ILLUMINATED SIGNS

The source of a sign's illumination shall not be visible from any adjacent residential areas or streets.

### SECTION 3: CHANGE OF BUSINESS NAME

Whenever the name of a business changes, the signs on the premises shall be modified to bring them into conformance with these regulations, even though the intended change is a change of sign copy only. This regulation shall not apply to directory signs designed with interchangable letters or panels.

### SECTION 4: PERMITTED AREA OF WINDOW SIGN

When any window sign or signs are placed so as to attract the attention of persons outside the building where such signs are displayed, the total area of all such window signs shall not exceed twenty-five percent (25%) of the total window area of the window in which such sign is placed.

## ARTICLE VII. SIGNS PERMITTED FOR RESIDENTIAL USE

### SECTION 1: ONE & TWO FAMILY DWELLINGS

1. Identification Signs: A sign not exceeding one (1) square foot in area, giving the name only of the land or building on which displayed, or of the owner or lessee thereof.

2. Temporary Signs (See Article VI)

3. Permanent Subdivision Identification Signs for recorded Subdivisions in accordance with the following:

   a. Maximum area of such sign to be 24 square feet with a maximum height of five (5) feet.

   b. Such signs to be monument type; i.e., individually mounted letters on a free-standing wall.

c. Final location of such signs to be approved by the Town Community Development Director.

d. Such signs shall be located in a landscaped area of at least two (2) square feet per each one (1) square foot of sign area.

4. Directional Signs: Not to exceed two (2) square feet in area or three (3) feet in height.

SECTION 2: MULTI-FAMILY DWELLINGS

1. All signs permitted in Section 1: One & Two Family Dwellings, above, of this Article.

2. Identification signs for apartments and condominium complexes and such uses as follows:

a. A free-standing sign, not exceeding 24 square feet in area. Such sign shall not exceed ten (10) feet in width or five (5) feet in height. Such sign must be located at least five (5) feet from any property line.

b. A wall-mounted sign, not exceeding six (6) square feet in area. Height of such sign shall not exceed ten (10) feet.

SECTION 3: MOBILE HOME, RV & TRAILER PARKS

1. All signs permitted in Section 1: One & Two Family Dwellings, of this Article.

2. One (1) identification sign for each entrance to the Park set back at least five feet from the Park's exterior property line. Each sign shall not exceed 24 square feet in area, five (5) feet in height, nor ten (10) feet in width.

ARTICLE VIII. SIGNS PERMITTED FOR NON-RESIDENTIAL USE

SECTION 1: IN RESIDENTIAL AREAS

1. All signs permitted in Section 1: One & Two Family Dwellings, Article VII.

2. Civic organizations such as Kiwanis, Rotary, Jaycees, etc., may be identified on group display structures in accordance with the following standards:

   a. Such structures shall be on arterial streets and in commercial or industrial districts and within 1/4 mile of the town limits of Surprise.

   b. Structures shall not be over six (6) feet in height or an area in excess of 60 square feet.

   c. The signs shall not be illuminated.

   d. Each civic organization shall be limited to a maximum area of two (2) square feet.

   e. Churches shall not be included in the above.

   f. Exact location and design of the sign structure shall require approval of the Community Development Director.

3. Identification signs displaying only the name of the building or tenant business with a total maximum sign area not exceeding 24 square feet. Such signs may be wall-mounted with a maximum height of ten (10) feet, and/or such signs may be free-standing according to the following:

   a. One (1) free-standing identification sign shall be permitted with a maximum height of five (5) feet. A second such freestanding sign shall be permitted for a lot whose front property line measures greater than 80 lineal feet. Where two free-standing signs are permitted, they shall be located at least 60' feet apart.

   b. Free-standing identification signs shall be located at least five (5) feet from any property line.

   c. A landscaped area shall be provided, on site at the street frontage at the base of the free-standing sign, with said landscaped area to have a minimum area of four (4) square feet for each one square foot of sign area.

4. In addition to the above, each tenant may be allocated three (3) square feet of non-illuminated sign area, identifying the business. Such sign shall be located on the wall adjacent to the entry of the tenant's business.

5. In addition to the above, a directory with a maximum area of six (6) square feet and a maximum height of six (6) feet may be permitted behind the required front yard setback.

SECTION 2: IN NON-RESIDENTIAL AREAS

1. All signs permitted in Section 1: One & Two Family Dwellings, Article VI.

2. Civic organization identification signs same as Section 1.2, Article VII.

3. Business signs shall be in accordance with the following regulations:

   a. The total aggregate sign area of one (1) face of all signs on the premises pertaining to any one (1) business shall not exceed 50 square feet. However, if the portion of the building adjacent to its lot's street-property line measures more than 50' then the aggregate area of one (1) face of all such signs on the premises may be increased in area to the rate of one (1) square foot of sign area for each foot of building frontage in excess of 50 lineal feet; but the total aggregate area of one face of such signs on the premises shall not exceed 100 square feet for each business. For corner buildings, only the main entrance frontage shall be so measured.

   b. Free-standing identification signs shall be counted as a portion of the total aggregate sign area of the premises and shall be restricted to the following:

      1. One (1) free-standing identification for each street upon which the lot has frontage.

      2. Such signs shall have a maximum area of 24 square feet.

      3. Such signs shall not be closer than 30 feet to any residential district.

      4. A landscaped area shall be provided, on site at the street frontage at the base of the free-standing sign, with said landscaped area to have a minimum area of four (4) square feet for each square foot of sign area.

c. For building complexes or centers, the regulations listed below in Section 2.d, Article 8 shall apply and preclude those listed heretofore. For purposes of this Section, a building complex or center shall mean any number of buisinesses greater than one which buildings share the same site, using common points of ingress and egress to and from the site.

A. PRICE SIGNS FOR SERVICE STATIONS only, in accordance with the following:

a. Maximum area shall not exceed 12 square feet each and shall be counted in the total aggregate sign area of the premises as permitted above.

b. Maximum height shall not exceed five (5) feet.

c. One (1) free-standing price sign per each street frontage on which the service station has frontage.

d. A landscaped area shall be provided, on site at the street frontage, at the base of the free-standing sign, with said landscaped area of four (4) square feet for each square foot of sign area.

e. The maximum sign area for free-standing signs shall not exceed 24 square feet including all identification and price signs.

B. MENU BOARDS FOR DRIVE-IN RESTAURANTS

a. One (1) free-standing or wall mounted menu board per business and shall be located not less than 45 feet from the street property line.

b. Maximum area shall not exceed 12 square feet and shall be counted in the total aggregate sign area of the premises.

c. Maximum sign height shall not exceed five (5) feet for free-standing menu signs.

d. A landscaped area shall be provided, at the base of the free-standing sign with said landscaped area of four (4) square feet of sign area.

C. SIGNS PERMITTED IN THE CENTRAL BUSINESS DISTRICT (CBD)

a. Awning signs, with the following requirements may be permitted on tenant-leased areas:

1) Business name and building address numerals only to be allowed on the vertical portion of the awning with a maximum copy height of ten (10) inches.

2) Logos (with Design Review Board approval) may be permitted on the diagonal portion of the awning.

3) Total area of logo or awning sign not to exceed twenty-five percent (25%) of allowed sign area and to be deducted from that area.

4) Awnings and signs to be non-illuminated and displayed on tenant's leased area only.

b. Flag-mounted signs, with the following requirements, may be permitted on individual tenants' leased area only.

1) Maximum area of six (6) square feet, identifying primary businesses and building address numerals only, to be deducted from allowed sign area.

2) Height to be eight (8) feet minimum to the bottom of the sign and fifteen (15) feet maximum to the top of the sign with the sign centrally located on the tenant's leased area.

3) Signs to be wall-mounted shall be non-illuminated.

D. SIGNS PERMITTED IN PLANNED AREA DEVELOPMENTS (PAD)

1. All signs permitted in Section 1, Article VIII and Section 1 and 2, Article VII.

2. Business signs shall be in accordance with the following regulations:

   a. The total aggregate area of one (1) face of all signs on the premises pertaining to any one business shall not exceed 40 square feet. However, if the portion of the building adjacent to its lot's street-property line measures more than 40 lineal feet, then the total aggregate area of one face of all such signs on the premises may be increased in area at the rate of one (1) square foot of sign area for each foot of building frontage in excess of 40 lineal feet; but the total aggregate area of one face of all such signs on the premises shall not exceed 80 square feet for each business. For corner buldings, only the main entrance frontage shall be so measured.

   b. One (1) free-standing identification sign per street frontage of the entire site is permitted in accordance with the following:

      1) Such signs shall identify the center only, and shall not be counted in the total aggregate sign area for individual business identification.

      2) Maximum area of 24 square feet per sign.

      3) A free-standing sign identifying an individual business rather than the center shall be obtained only by the approval of the Director of Community Development with the final plan of development.

      4) A landscaped area shall be provided on site at the street frontage at the base of the free-standing sign, with said landscaped area of four (4) square feet for each square foot of sign area.

   c. All wall or fascia-mounted signs for individual business shall be uniform in terms of colors, shapes, and maximum vertical dimension with all other such signs in the center. A proposal for signing for the entire center shall be submitted prior to the issuance of any sign permit.

3. Service station price signs shall be as specified in Section 2.A, Article V.

IX

## ARTICLE ~~VIII~~. TEMPORARY SIGNS

The following signs shall be permitted in all zoning districts according to the following regulations:

SECTION 1: SALE, LEASE OR RENT SIGNS: non-illuminated and not exceeding six (6) square feet in aggregate area and eight (8) feet in maximum height pertaining only to the land or building upon which displayed.

SECTION 2: SUBDIVISION ADVERTISING SIGNS: to be located on the site or within three quarters of a mile radius of the recorded subdivision and in accordance with the following schedule:

1. One (1) sign per arterial street or major entry.
2. Maximum sum of all such signs to total 160 square feet.
3. Maximum height above grade level shall be 18' for all such signs.
4. Such signs may be illuminated only by non-flashing lights and so shielded that only the face of the sign is illuminated.
5. Such signs may be maintained for a period of two (2) years, or until all the lots in the subdivision are sold, whichever occurs first.
6. Such signs shall not be located within 100' of any existing residential structure.
7. All off-site subdivision signs shall be subject to a Use Permit.

SECTION 3: FUTURE DEVELOPMENT SIGNS: Signs announcing the proposed development of property prior to issuance of a building permit for the purpose of displaying the name of the project, contractors, architect and any additional information pertaining to the site on which the signs are located are allowed in accordance with the following:

1. Maximum sign area shall not exceed thirty-two (32) square feet.
2. Such signs shall not be internally illuminated.
3. Such signs may be double faced.
4. One free-standing sign per each street on which the development has frontage.

5. Maximum height shall not exceed eight (8) feet for all such signs.

6. Such signs may be maintained for a period not to exceed six (6) months prior to obtaining building permits for a development and must be removed upon issuance of a Certificate of Occupancy.

7. Prior to obtaining building permits for a proposed development a sign permit must be obtained from the Town of Surprise Building Safety Department for all development signs located on the site.

SECTION 4: BANNERS, PENNANTS & DISPLAYS: shall be allowed on a one time basis for a maximum of 14 consecutive days during the grand opening of a business. A permit shall be obtained prior to the installation of any banners, pennants or displays.

SECTION 5: OPEN HOUSE DIRECTIONAL SIGNS: temporary sign used to direct traffic to a home for sale.

1. There shall be a maximum of four such signs for each home for sale.

2. These signs may be a maximum of three (3) square feet and three (3) feet in height and shall be portable.

3. These signs may be double faced and shall not be illuminated.

4. These signs may be used only when a sales person is on duty at the home for sale and in no event may be left overnight.

5. No such sign shall be so placed as to create a traffic hazard as determined by town staff.

6. No such sign shall be placed in a traffic median or on a public sidewalk.

SECTION 6: FLAGS: State, U.S. and Corporate flags for registered corporations or flags of foreign nations.

1. Only one of each type of flag mentioned above with a maximum of three (3) flags on any one site or structure shall be allowed.

2. Any flag flown in conjunction with the U.S. and/or State of Arizona flag must be flown beneath them and must not exceed them in size.

3. The maximum size of any corporate flag shall not exceed 15 square feet. No one dimension to exceed six (6) feet in any direction.

4. Flags shall not include any advertising copy.

5. A permit is required to display any Corporate flag.

6. Corporate flags shall be permitted in industrial zoned districts only.

§9-906(D)(3)

Conditions may be applied to the approval and/or periodic review of the approval may be required. Approvals, if granted, shall be for a particular development, not for a particular applicant.

c. Public Protests Against P.A.D.
If there is written protest against the Preliminary Development Plan signed by the owners of twenty (20) percent or more of the property within 150 feet of the proposed P.A.D., the Preliminary Development Plan shall not be approved except upon the affirmative vote of three-fourths (3/4) of all members of the Town Council. If the above protest requirements are not met, approval may be by majority vote of the membership of the Town Council.

d. Duration of P.A.D. Zoning
Approval of a P.A.D. rezoning request shall be conditioned upon the start of construction beginning within one year of the date of approval action taken by the Town Council. If, at the expiration of this period, the start of construction has not begun, the property shall revert to its former zoning classification without Council or Commission action.

In the case of a proposed phased development, start of construction for the first phase must commence within one year, with the remaining phases commencing according to the approved phasing plan.

The Town may authorize extensions when deemed necessary.

E. Final Development Plan
1. Approval
Final P.A.D. Development Plan Approval and the issuance of a Development Permit for any portion of a P.A.D. shall occur only when:
a. A reproducible copy of the approved Preliminary Development Plan with appropriate signatures.
b. The design and construction specifications for all utilities, property and street improvements have been approved by the Town Engineer.
c. A site plan, subject to the requirements of Section 9-904 of this Ordinance, for the specific portion of the P.A.D. in question has been submitted and has been approved by the Planning and Zoning Commission, as in conformance with the Preliminary Development Plan. (Upon approval of the site plan, a reproducible copy shall be submitted.)
d. Architectural elevations of the buildings, with materials lists, are submitted and approved by the Planning and Zoning Commission.
e. A landscaping plan is submitted and approved by the Planning and Zoning Commission.
f. A performance bond, cash escrow agreement, or other acceptable instrument has been deposited with the Town in an amount as set by the Town Council based upon the Town Engineer's recommendation. This financial guarantee shall be used to ensure the full completion, as specified, of:

## PAD PDP STIPULATIONS

1. The arterial cross-sections shown on Exhibit T of the Mountain Vista Ranch proposal be reviewed and accepted by the City Engineer.

2. Sidewalks to be provided on one side only of the local and collector streets.

3. Clarify intent on page 5, paragraph three, last two sentences. Linear park shall be constructed.

4. Applicant will donate a five acre elementary school site to the Dysart Unified School District.

5. Language involving exceeding the 35' height limitation must be revised to comply with the proposed ordinance which required Planning and Zoning Commission's approval.

6. Compliance with the proposed landscape and maintenance ordinance.

7. The Preliminary P.A.D. approval does not commit the City to provide water service to the subject site known as the Mountain Vista Ranch development.

As Amended

SUBSTITUTE ORDINANCE NO. 94-13

AN ORDINANCE AMENDING THE ZONING OF A PARCEL LOCATED AT THE SOUTHWEST CORNER OF BELL ROAD AND REEMS ROAD IN SECTION 6, T.3N., R.1W, GILA AND SALT RIVER BASE AND MERIDIAN BY DELETING THE FINAL DEVELOPMENT PLAN WHICH IS CURRENTLY REQUIRED UNDER THE PARCEL'S PLANNED AREA DEVELOPMENT ZONING AND SUBSTITUTING A DIFFERENT FINAL DEVELOPMENT PLAN

WHEREAS, the subject parcel is currently zoned Planned Area Development; and

WHEREAS, as a condition of that zoning the property owner is currently required to develop the property in accordance with a particular final development plan; and

WHEREAS, the property owner desires to utilize a different final development plan for developing the property; and

WHEREAS, the new final development plan is consistent with changes which are occurring in the neighborhood, enhances the public health, safety, and welfare, and complies with the Surprise Comprehensive Development Guide;

NOW THEREFORE BE IT ORDAINED, by the City Council of the City of Surprise, Arizona, that:

**Section 1.** This ordinance is not of a general and permanent nature and shall not be codified.

**Section 2.** The Planned Area Development zoning classification which currently applies to the property described on Exhibit "A" is amended as follows. The final development plan which was previously approved as a requirement of the Planned Area Development zoning is vacated and deleted. The new final development plan set forth in that certain document entitled "Planned Area Development Final Development Plan for Mountain Vista Ranch Surprise, Arizona (located at the Southwest Corner of Bell Road and Reems Road)" dated June 28, 1994, which is attached as Exhibit "B", together with the modifications thereto and other conditions contained on Exhibit "C", is adopted and approved as a requirement of the Planned Area Development zoning of the property described on Exhibit 'A". Pursuant to the Planned Area Development zoning classification, the property shall be developed in accordance with Exhibit "B" and Exhibit "C".

**Section 3.** The City Manager shall cause the official zoning map to be amended as necessary to reflect this amendment.

**Section 4.** This ordinance shall become effective thirty days after its adoption.

PASSED AND ADOPTED this 11th day of August, 1994.

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney

Yeas: Councilmembers Bott, Broich, Johnson, Montoya, Raafleng, Vice-mayor Shafer & Mayor Villanueva

Nays: None

# LEGAL DESCRIPTION

PARCEL NO. ONE:

OLD LOTS 3, 4, 5, 6, AND 7; THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THEREFROM THE FOLLOWING DESCRIBED PARCELS, TO WIT:

BEGINNING AT A POINT 33 FEET SOUTH AND 20 FEET WEST OF THE NORTH QUARTER CORNER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN;

THENCE SOUTHERLY ALONG A LINE PARALLEL TO AND 20 FEET WEST OF THE NORTH AND SOUTH MID-SECTION LINE A DISTANCE OF 50 FEET TO A POINT;

THENCE WESTERLY A DISTANCE OF 50 FEET TO A POINT;

THENCE NORTHERLY A DISTANCE OF 50 FEET TO A POINT;

THENCE EASTERLY ALONG A LINE PARALLEL TO AND 33 FEET SOUTH OF THE NORTH BOUNDARY LINE OF SAID SECTION, A DISTANCE OF 50 FEET TO A POINT OF BEGINNING, AS CONVEYED TO MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE BY DEED RECORDED DECEMBER 29, 1959 IN BOOK 156 OF DEEDS, PAGE 48; AND

ALSO EXCEPT ANY PORTION OF THE SAID WEST HALF OF SECTION 6 LYING WITHIN THE ABANDONED 50 FOOT RAILROAD RIGHT-OF-WAY AS DESCRIBED IN DOCKET 2353, PAGE 116 AND BEING IN THE NORTHWEST CORNER OF SAID WEST HALF OF SECTION 6; AND

EXCEPT THAT PART OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 6;

THENCE SOUTH 00°03'11" EAST, ALONG THE WEST LINE OF SAID SECTION 6, A DISTANCE OF 55.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89°59'12" EAST, 55.00 FEET TO A POINT ON A LINE WHICH IS PARALLEL TO AND 55.00 FEET EASTERLY, AS MEASURED AT RIGHT ANGLES, FROM SAID WEST LINE;

THENCE NORTH 44°58'48" EAST, 2827 FEET TO A POINT ON A LINE WHICH IS PARALLEL TO AND 55.00 FEET SOUTHERLY, AS MEASURED AT RIGHT ANGLES, FROM THE NORTH LINE OF SAID SECTION 6;

THENCE SOUTH 89°59'12" EAST, ALONG SAID PARALLEL LINE, 1005.00 FEET;

THENCE SOUTH 00°03'11" EAST, 720.00 FEET;

THENCE SOUTH 44°58'48" WEST, 2731.80 FEET;

THENCE NORTH 89°59'12" WEST, 888.28 FEET TO A POINT ON SAID WEST LINE;

THENCE NORTH 00°03'11" WEST, ALONG SAID WEST LINE, 698.72 FEET TO THE TRUE POINT OF BEGINNING; AND

EXCEPT THAT PORTION OF THE NORTH 85 FEET 40" BEING WITHIN A 50 FOOT BY 50 FOOT WELL SITE AS DESCRIBED IN BOOK 330 OF DEEDS, PAGE 48; AND

EXCEPT THE SOUTH 20 FEET OF THE NORTH 85 FEET OF THE WEST 55 FEET; AND

EXCEPT THE WEST 33 FEET AND THE SOUTH 33 FEET OF SAID SECTION 6.

PARCEL NO. TWO:

OLD LOTS 1 AND 2, THE SOUTH HALF OF THE NORTHEAST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE NORTH 85 FEET THEREOF; AND

EXCEPT THE SOUTH 20 FEET OF THE NORTH 85 FEET OF THE EAST 55 FEET; AND

EXCEPT THE EAST 33 FEET AND THE SOUTH 33 FEET OF SAID SECTION 6.

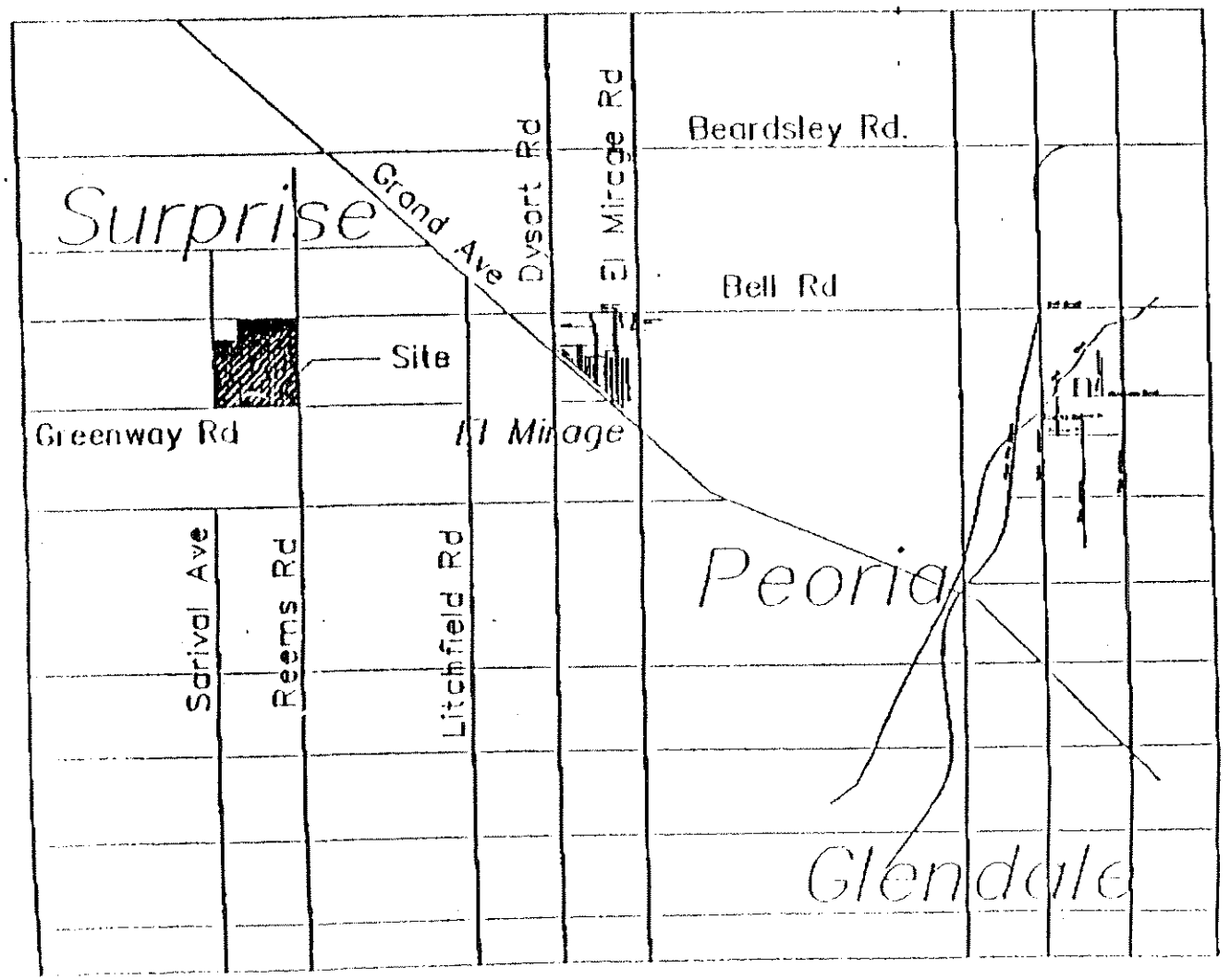
PARCEL NO. THREE:

THAT PORTION OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6;

EXCEPT THE SOUTH 33 FEET THEREOF

# Mountain Vista Ranch Location Map




## LEGAL DESCRIPTION

PARCEL NO ONE:

THE EAST 1/2, S.W. 1/4, AND S, THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 3 NORTH, RANGE 3 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA,

EXCEPT DEDICATION FOR PUBLIC HIGHWAY PURPOSES, AS MORE

BEGINNING AT A POINT 33 FEET SOUTH AND 30 FEET WEST OF THE NORTH QUARTER CORNER OF SECTION 8, TOWNSHIP 3 NORTH, RANGE 3 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN;

THENCE SOUTHERLY ALONG A LINE PARALLEL TO AND 30 FEET WEST OF THE NORTH AND SOUTH MID-SECTION LINE A DISTANCE OF 30 FEET TO A POINT;

THENCE WESTERLY A DISTANCE OF 30 FEET TO A POINT;

THENCE NORTHERLY A DISTANCE OF 60 FEET TO A POINT;

THENCE EASTERLY ALONG A LINE PARALLEL TO AND 33 FEET SOUTH OF THE NORTH BOUNDARY LINE OF SAID SECTION A DISTANCE OF 33 FEET TO A POINT OF BEGINNING AS CONVEYED TO MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE BY DEED RECORDED IN DOCKET 10136 AT PAGE 439 OF OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA

ALSO EXCEPT ANY PORTION OF THE SAID NORTH HALF OF SECTION 8 THAT WITHIN THE ABANDONED SECOND AVENUE ROAD (80' - 0" WAY AS DESCRIBED IN DOCKET 3353, PAGE 318 AND SHOWN IN THE NORTHWEST QUARTER OF SAID WEST HALF OF SECTION 8, AND

EXCEPT THAT PART OF SECTION 8, TOWNSHIP 3 NORTH, RANGE 3 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 8;

THENCE SOUTH 00°03'16" EAST, ALONG THE WEST LINE OF SAID SECTION 8 A DISTANCE OF 60.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89°56'44" EAST 33.00 FEET TO A POINT ON A LINE WHICH IS PARALLEL TO AND 33.00 FEET SOUTHERLY, AS MEASURED AT RIGHT ANGLES FROM SAID NORTH LINE;

THENCE NORTH 44°56'16" EAST, 28.28 FEET TO A POINT ON A LINE WHICH IS PARALLEL TO AND 33.00 FEET WESTERLY, AS MEASURED AT RIGHT ANGLES FROM THE MERIDIAN LINE OF SAID SECTION 8;

THENCE SOUTH 00°03'16" EAST, ALONG SAID PARALLEL LINE 1320.00 FEET;

THENCE SOUTH 89°56'44" WEST, 33.00 FEET;

THENCE SOUTH 00°03'16" EAST, 2640.00 FEET;

THENCE NORTH 89°56'44" WEST, 660.00 FEET TO A POINT ON SAID WEST LINE;

THENCE NORTH 00°03'16" WEST, ALONG SAID WEST LINE, 4000.00 FEET TO THE TRUE POINT OF BEGINNING; AND

EXCEPT THAT PORTION OF THE NORTH 60 FEET NOW BEING WITHIN A 30 FOOT AT THE POINT WHERE SAID 30 FOOT SCRIBED ON DOCKET 3353 OF MARICOPA COUNTY, AND

EXCEPT THE SOUTH 30 FEET OF THE NORTH 60 FEET OF THE WEST 30 FEET, AND

EXCEPT THE WEST 33 FEET AND THE SOUTH 33 FEET OF SAID SECTION 8.

PARCEL NO. TWO:

THE SOUTH HALF OF THE NORTHEAST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 3 NORTH, RANGE 3 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA,

EXCEPT THE NORTH 33 FEET THEREOF; AND

EXCEPT THE SOUTH 30 FEET OF THE NORTH 60 FEET OF THE EAST 30 FEET, AND

EXCEPT THE EAST 33 FEET AND THE SOUTH 33 FEET OF SAID SECTION 8.

PARCEL NO THREE:

THAT PORTION OF SECTION 8, TOWNSHIP 3 NORTH, RANGE 3 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE NORTHEAST OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8;

EXCEPT THE SOUTH 33 FEET THEREOF.

Exhibit B to Ordinance No. 94-13 is a lengthy document which is not attached. The City Clerk has a copy at her desk.

DATE: July 28, 1994
TO: Honorable Mayor and Councilmembers
FROM: Shirley Berg, Planning Director
RE: Mountain Vista Ranch - Final P.A.D.
Section 6, Township 3 North, Range 1 West
Application No. PADA94-02

On July 19th, 1994, the Surprise Planning and Zoning Commission approved the above referenced Planned Area Development Amendment with the following stipulations:

1. Submit a Phase I Environmental Site Assessment to the City for review and approval prior to any construction.

2. Confirm need to establish an archeological data recovery program with the State Historical Preservation Office.

3. Subject site is located within the White Tanks ADMS. Maricopa Flood Control District must acknowledge plan is compatible with the White Tanks ADMS.

4. Drainage must comply with Maricopa Flood Control District drainage standards.

5. Reems Road will be designated as a minor arterial. Thus, requiring a 110' right-of-way (55' to centerline).

6. Left turn storage lanes must be provided at all perimeter street entrances or as deemed necessary by the City Engineer.

7. Turning lanes in arterial roadways may replace raised landscaped medians.

8. Sarival Road shall be constructed as a four lane minor arterial road unless otherwise justified and approved by the City Council.

9. Upon platting of subdivisions adjacent to perimeter arterial, a financial guarantee instrument shall be required for construction of perimeter roads in accordance with arterial roadway specifications.

   Perimeter roads shall be constructed at the City's discretion and the City may exercise their right to require construction of a perimeter roadway when 50%± of development and/or subdivision plats are recorded along any given perimeter roadway.

10. Section XII, Major Entrances and Secondary Entrances, must provide for sidewalk on both sides.

Exhibit "C" to Ordinance No. 94-13

Section XII, Typical Internal Collector Streets must provide for sidewalks within the 60' right-of-way or the linear park adjacent thereto.

12. The width of the residential streets' right-of-way shall be 34', which is equal to the width between the back of curb (on the side of the street where no sidewalk is provided) and the back of sidewalk (on the side of street where the sidewalk will be provided). In addition to the 34' of right-of-way: (a) on the side of the street where no sidewalk is provided, a four foot (4') sidewalk easement and an eight foot (8') wide public utility easement shall be provided to the City and the appropriate utilities, and (b) on the side of the street where a sidewalk is provided, an eight foot (8') wide p u b l i c utility easement shall be provided to the City and the appropriate utilities.

13. Final PAD approval does not commit the City to provide water and/or sewer service to subject site known as Mountain Vista Ranch.

14. Infrastructure Plans to be approved by City Engineer prior to submittal of any Final Subdivision Plats.

ORDINANCE NO. ____
(Amending Ordinance No. 94-13)

AN ORDINANCE AMENDING THE ZONING OF A PARCEL LOCATED AT THE SOUTHWEST CORNER OF BELL ROAD AND REEMS ROAD IN SECTION 6, T.3N., R.1W., OF THE GILA AND SALT RIVER MERIDIAN BY AMENDING THE PLANNED AREA DEVELOPMENT FINAL DEVELOPMENT PLAN DATED JUNE 28, 1994 FOR MOUNTAIN VISTA RANCH.

WHEREAS, the CITY OF SURPRISE has adopted a Zoning Ordinance regulating the use and development of lands within the City boundaries, and

WHEREAS, the Common Council of the City of Surprise previously approved the Planned Area Development Final Development Plan for Mountain Vista Ranch (Ordinance No. 94-13),

WHEREAS as a condition of that Planned Area Development approval, the property owner is currently required to develop the property in accordance with a particular final development plan; and

WHEREAS, the property owner desires to amend the final development plan for developing the property; and

WHEREAS, the amendments to the final development plan are consistent with changes which are occurring in the neighborhood, enhances the public health, safety and welfare, and complies with the Surprise Comprehensive Development Guide;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF SURPRISE AS FOLLOWS:

SECTION 1. This ordinance is not of a general and permanent nature and shall not be codified.

SECTION 2. The Planned Area Development zoning classification which currently applies to the property described in Attachment "1" is amended as follows. The Final Development Plan dated June 28, 1994 is amended as follows:

I.

Page 4, Figure 3 is hereby deleted and the Final Development Plan attached hereto as Attachment "2" is substituted in its place.

II.

SECTION III of the Planned Area Development Final Development Plan for Mountain Vista Ranch dated June 28, 1994 is amended by adding the following paragraph at the end of Section III, page 5:

> "Installation or construction and operation of development-related facilities, including, but not limited to, one or more contractor's storage yard, temporary construction trailer, temporary sales and office buildings, model home complexes and appurtenant parking facilities, is allowed, provided that prior written administrative approval has been obtained from the City's Community Development Director. For purposes of this P.A.D., "administrative approval" shall mean written approval of the development-related facility by the Community Development Director following the Director's review of a written request for the development-related facility."

III.

Footnote 2 on Page 15 of the Planned Area Development Final Development Plan for Mountain Vista Ranch dated June 28, 1994 is vacated and deleted. The new footnote 2 on Page 15 shall provide as follows:

> "On LDR and MDR properties developed with single-family detached homes, at least one side yard shall be 10'; the setback for the remaining side may be less than 10' providing principal building separations are at least 10' and the other side yard is at least 3'. Alternatively, on LDR and MDR properties developed with single-family detached homes, at least one side yard shall be 8' and the other side yard at least 5' for a total of 13' of side yard setback on a lot. Typical details depicting such setbacks are located in the Appendix at Exhibit N."

IV.

Exhibit N is amended by adding the additional Setback Exhibit B (page 2) which is attached as Attachment "3" to this Amended Ordinance.

V.

SECTION XVII is added at Page 28 of the Planned Area Development Final Development Plan for Mountain Vista Ranch dated June 28, 1994 as follows:

"XVII. DENSITY TRANSFER.

Any individual parcel may be developed at a density of not more than one hundred and fifteen percent (115%) of the maximum density allowed for such parcel as shown on the Final Development Plan, provided prior written administrative approval has been obtained from the City's Planning and Zoning Director and the City Manager, provided that in no event shall the overall cap on the number of any particular type of residential dwelling unit within Mountain Vista Ranch be exceeded. And, in accordance with Section D.1.2(b) of the C.D.P., the overall gross density will not exceed 7 du/ac. For purposes of this P.A.D., "administrative approval" shall mean written approval of additional density by the Community Development Director following the Director's review of a written request for a density transfer.

SECTION 3. The City Manager shall cause the official records to be amended as necessary to reflect this amendment.

SECTION 4. This ordinance shall become effective thirty (30) days after its adoption.

PASSED AND APPROVED BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF SURPRISE, ARIZONA, this _____ day of _____, 19___.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

PARCEL NO. ONE:

OLD LOTS 3, 4, 5, 6, AND 7; THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THEREFROM THE FOLLOWING DESCRIBED PARCELS TO WIT:

BEGINNING AT A POINT 33 FEET SOUTH AND 20 FEET WEST OF THE NORTH QUARTER CORNER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN;

THENCE SOUTHERLY ALONG A LINE PARALLEL TO AND 20 FEET WEST OF THE NORTH AND SOUTH MID-SECTION LINE A DISTANCE OF 58 FEET TO A POINT;

THENCE WESTERLY A DISTANCE OF 50 FEET TO A POINT;

THENCE NORTHERLY A DISTANCE OF 50 FEET TO A POINT;

THENCE EASTERLY ALONG A LINE PARALLEL TO AND 33 FEET SOUTH OF THE NORTH BOUNDARY LINE OF SAID SECTION, A DISTANCE OF 50 FEET TO A POINT OF BEGINNING, AS CONVEYED TO MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NUMBER ONE BY DEED RECORDED DECEMBER 29, 1938 IN BOOK 328 OF DEEDS, PAGE 48; AND

ALSO EXCEPT ANY PORTION OF THE SAID WEST HALF OF SECTION 6 LYING WITHIN THE ABANDONED 50 FOOT RAILROAD RIGHT-OF-WAY AS DESCRIBED IN DOCKET 3353, PAGE 116 AND BEING IN THE NORTHWEST CORNER OF SAID WEST HALF OF SECTION 6; AND

EXCEPT THAT PART OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 6;

THENCE SOUTH 00°03'11" EAST, ALONG THE WEST LINE OF SAID SECTION 6, A DISTANCE OF 65.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89°58'12" EAST, 55.00 FEET TO A POINT ON A LINE WHICH IS PARALLEL TO AND 65.00 FEET EASTERLY, AS MEASURED AT RIGHT ANGLES, FROM SAID WEST LINE;

THENCE NORTH 44°58'48" EAST, 20.27 FEET TO A POINT ON A LINE WHICH IS PARALLEL TO AND 65.00 FEET SOUTHERLY, AS MEASURED AT RIGHT ANGLES, FROM THE NORTH LINE OF SAID SECTION 6;

THENCE SOUTH 89°58'12" EAST, ALONG SAID PARALLEL LINE, 1005.00 FEET;

THENCE SOUTH 00°03'11" EAST, 720.00 FEET;

THENCE SOUTH 44°58'48" WEST, 372.80 FEET;

THENCE NORTH 89°58'12" WEST, 888.28 FEET TO A POINT ON SAID WEST LINE;

THENCE NORTH 00°03'11" WEST, ALONG SAID WEST LINE, 898.72 FEET TO THE TRUE POINT OF BEGINNING; AND

EXCEPT THAT PORTION OF THE NORTH 65 FEET NOT BEING WITHIN A 50 FOOT BY 50 FOOT WELL SITE AS DESCRIBED IN BOOK 328 OF DEEDS, PAGE 48; AND

EXCEPT THE SOUTH 20 FEET OF THE NORTH 65 FEET OF THE WEST 55 FEET; AND

EXCEPT THE WEST 33 FEET AND THE SOUTH 33 FEET OF SAID SECTION 6.

PARCEL NO. TWO:

OLD LOTS 1 AND 2; THE SOUTH HALF OF THE NORTHEAST QUARTER AND THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA;

EXCEPT THE NORTH 65 FEET THEREOF; AND

EXCEPT THE SOUTH 20 FEET OF THE NORTH 65 FEET OF THE EAST 55 FEET; AND

EXCEPT THE EAST 33 FEET AND THE SOUTH 33 FEET OF SAID SECTION 6.

PARCEL NO. THREE:

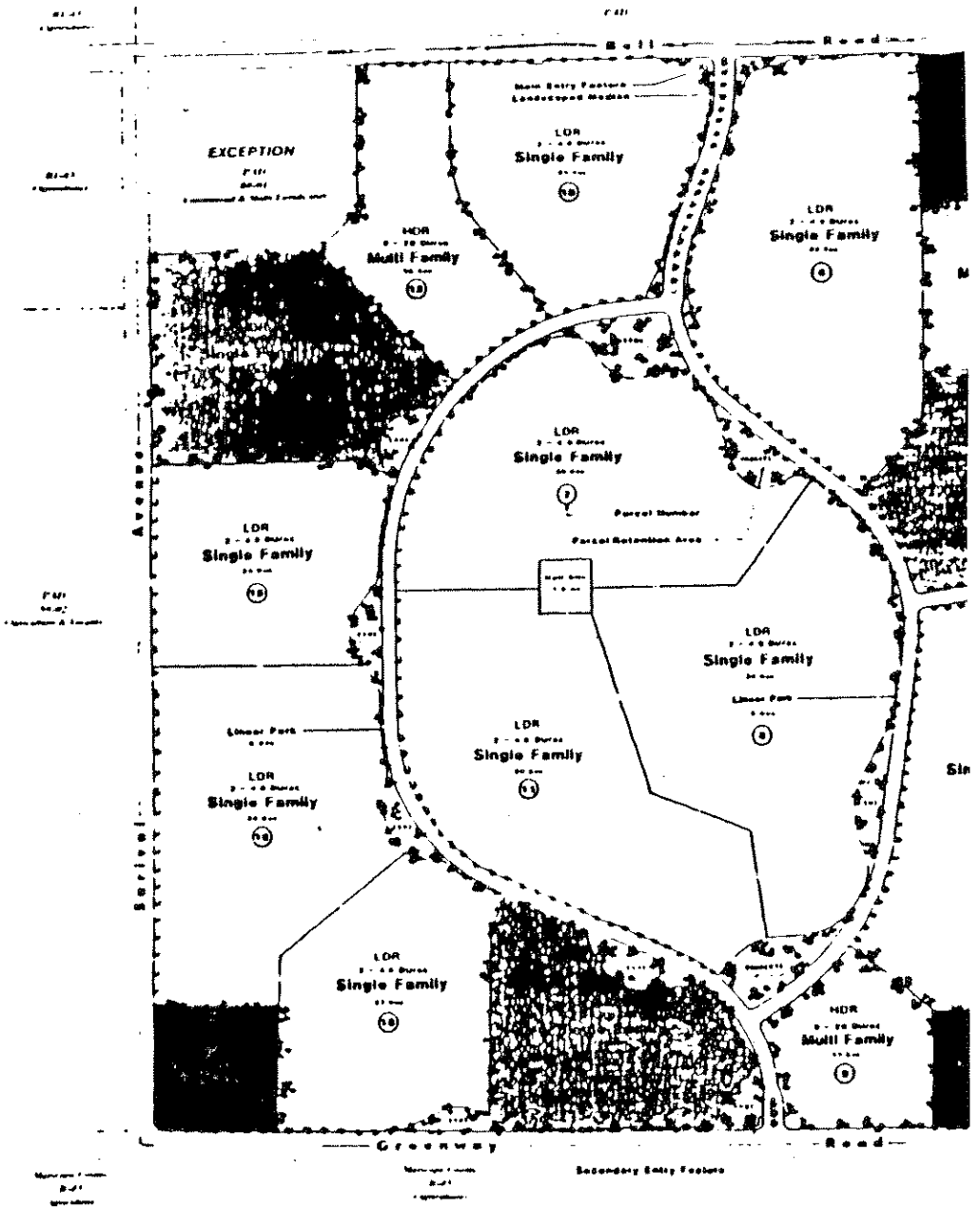
THAT PORTION OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 6;

EXCEPT THE SOUTH 33 FEET THEREOF.

EXHIBIT "A" TO ORDINANCE NO. 94-13

ATTACHMENT #1




# Mountain Vista Ran

ATTACHMENT #2

# Mountain Vista Ranch

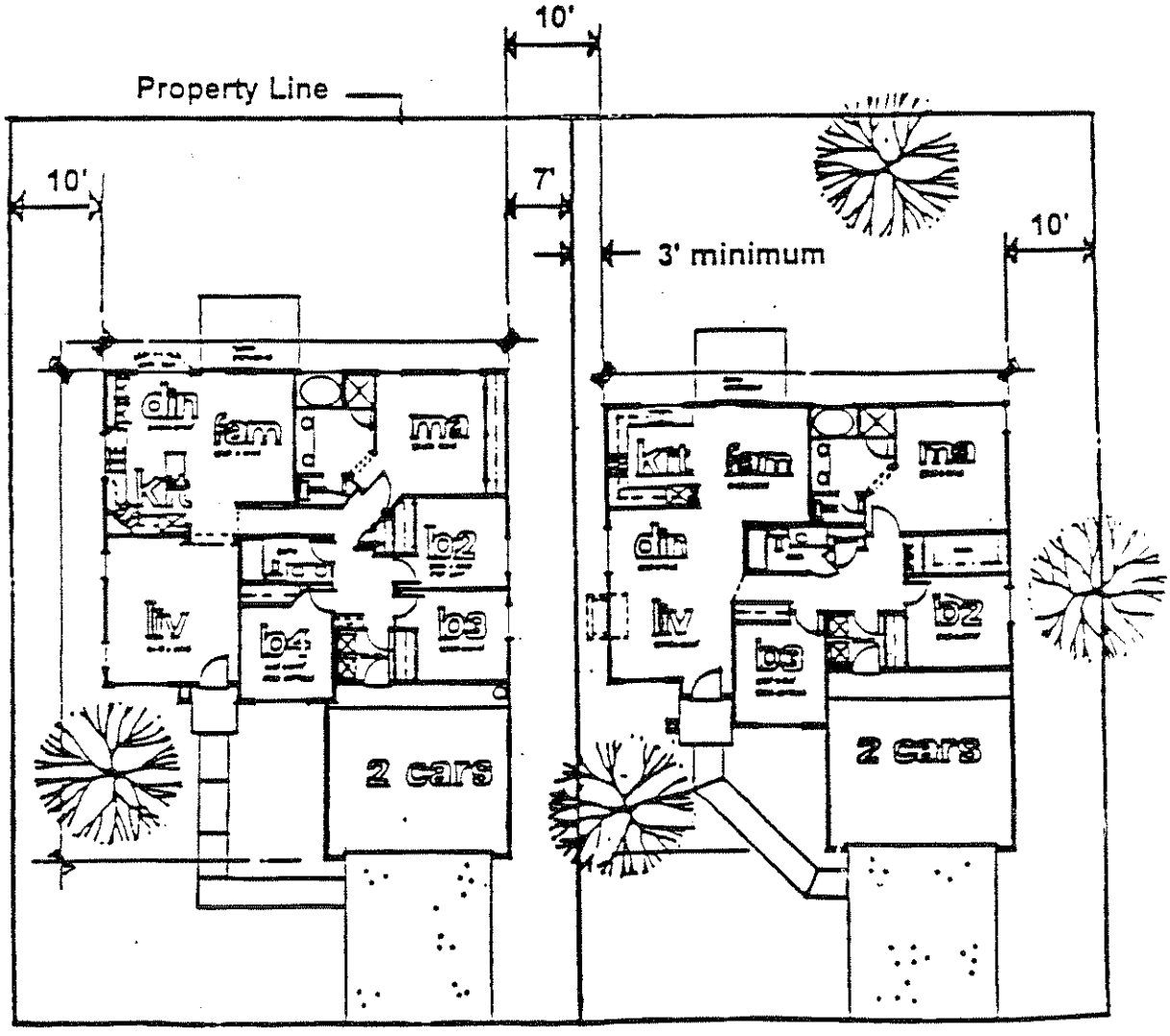
## Setback Exhibit

## B

On LDR and MDR properties developed with single family detached homes there are two side yard setback alternatives:

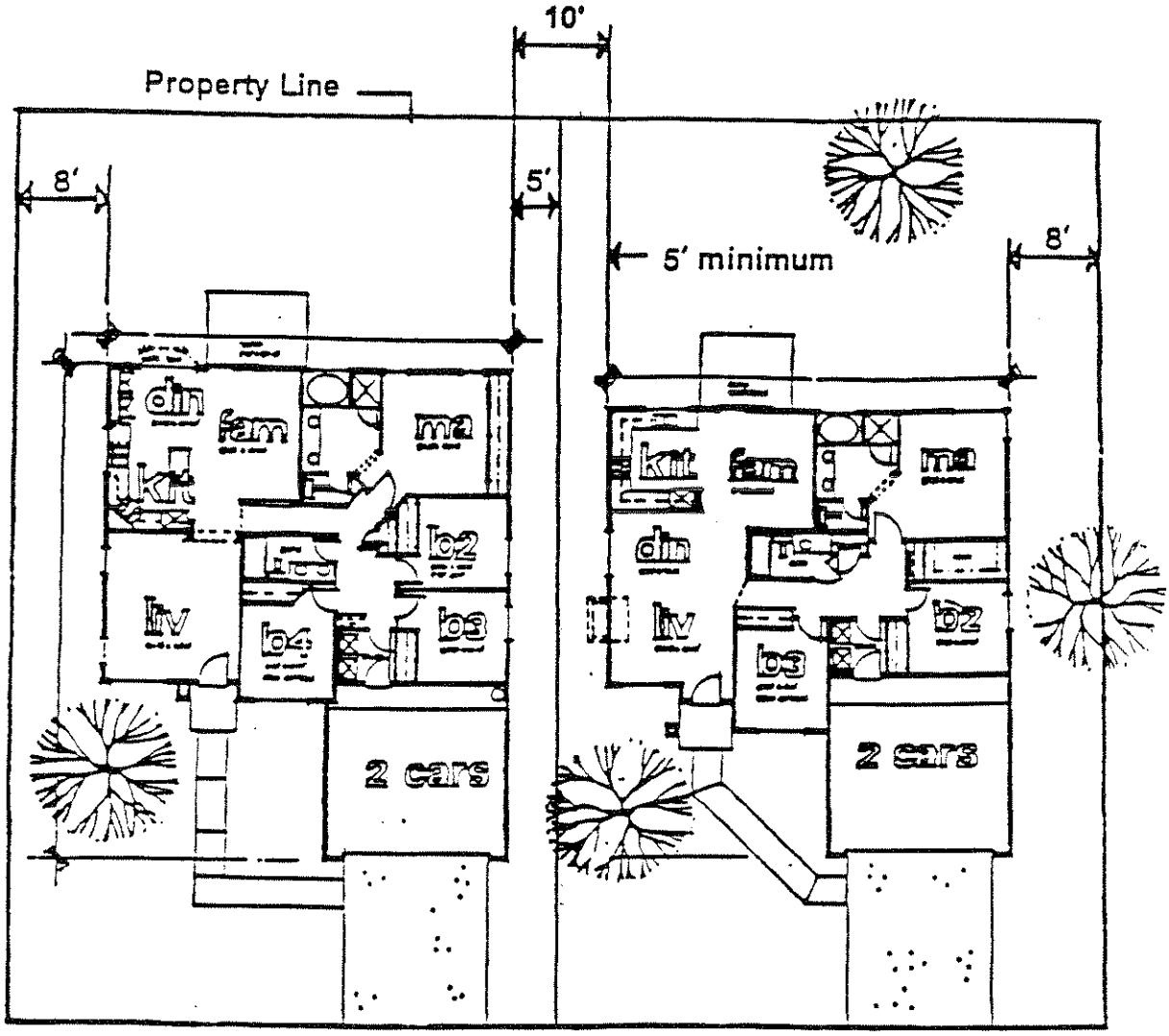
Alternative #1 - At least one side yard shall be 10'; the setback for the remaining side may be less than 10' providing principal building separations are at least 10' and the other side yard is at least 3'; or,

Alternative #2 - On LDR and MDR properties developed with single family detached homes, at least one side yard shall be 8' and the other side yard is at least 5' for a total of 13' of side yard setback on a lot.




ALTERNATIVE #1

ATTACHMENT #3




ALTERNATIVE #2

# Narrative

## Purpose

The purpose of this proposed zoning amendment is to more properly align the existing land uses with the existing site conditions.

The subject property is 40 acres in size with approximately half zoned C-2 commercial and the other half zoned Mountain Vista Ranch High Density Multi-Family of 8-20 du / ac. The entire southern edge of the existing commercial zone abuts single family residential and a portion of the existing MF residential zone abuts Bell Road. (see Exhibit A existing zoning).

The goal of this amendment is to realign those uses such that the Commercial zone is adjacent to Bell Road and the MF zone is adjacent to the single family. ( see Exhibit B proposed zoning).

This realignment makes good planning sense from the standpoint that the revised MF zone area creates a transitional zone between single family uses and commercial, and the commercial area is able to take full advantage of the Bell Road frontage and traffic counts. The small portion of commercial that is adjacent to single family residential is not directly adjacent to the extent that a new road (160$^{th}$ Ave.) will be constructed that will create access to Bell, connection to the adjacent neighborhood, and a buffer between the existing single family and the realigned commercial (see Exhibit C).

## Effects on adjoining residential areas

The effects the zoning proposed will have on adjacent residential areas are positive. This realignment of uses will eliminate commercial development directly adjacent to existing single family homes, and move it closer to the Bell Road frontage where it belongs. The proposed Multi-family uses will act as a transitional use between existing single Family and proposed commercial which is a common and logical planning hierarchy.

Overall impacts of traffic generation will be beneficial given that the amount of C-2 zoned area will be slightly less under this proposed than currently exists, so overall traffic counts will be less.

The existing single family area on the eastern edge of the proposed C-2 zone will be approximately 100' from the proposed realigned commercial as proposed. That is more than double the distance under existing zone standards for commercial to residential adjacencies. The city is requiring 160$^{th}$ Ave to be built along the eastern boundary of the subject property, which will have landscaping on both sides and within a median creating an effective additional buffer between the uses. The net effect is that there will be no commercial use, other than the street, directly adjacent to the existing homes.

In summary, impacts on existing single family homes will be less under this proposal. Two neighborhood outreach meetings, one held December 21, 2006 and the other January 29, 2007 resulted in no negative feedback to this proposed from the Mountain Vista Ranch neighborhood, related to the proposed land use realignment. Their primary concern focused on the city's desire to see 160th connect Bell Road to Vista Ranch Road.

**History**
**A. Waddell Farms PAD:**

The Subject Property is located at the south east corner of Sarival Avenue and Bell Road. The Subject Property is approximately 40 acres in size and is comprised of a 22 acre ± Parcel 1 and an 18 acre ± Parcel 2. See *Exhibit D* Parcel 1 and 2 received zoning by the City of Surprise (the "City") in 1988 as part of the Waddell Farms PAD (P.A.D. 88-01). In March of 1988 the City Planning and Zoning Commission (the "Commission") forwarded a favorable recommendation of the Waddell Farms PAD to the City Council (the "Council") who considered and approved the Waddell Farms PAD on April 14, 1988. *See Exhibit E and F for the minutes of the Commission and Council meetings.*

The Waddell Farms PAD is a 568 acre planned area development bounded by Bell Road to the north, Greenway Road to the south, Reems Road to the east and Sarival Avenue to the west. The Waddell Farms PAD as approved was a "mixed use planned community" and included commercial, office/retail and single and multi-family residential land uses.

The Subject Property is included in the Waddell Farms PAD and is identified as Parcels 12 and 13 and part of Parcels 11 and 14. See *Exhibit G* depicting the Waddell Farms PAD land use plan "Exhibit C". The 22.6 acre Parcel 12 was zoned Commercial, the 13.7 acre Parcel 13 was zoned Multi-Family and the 30 acre parcel 14 was zoned Patio Home/R-1-5.

**B. Mountain Vista Ranch PAD:**

At some point prior to 1994 the bulk of the Waddell Farms PAD property was sold to a new owner. Shortly thereafter, the new owner of the Waddell Farms property began processing an amendment to the Waddell Farms PAD and in 1994 the City Council approved PADA 94-02, the Mountain Vista Ranch PAD amending the Waddell Farms PAD, Exhibit H.

The Mountain Vista Ranch PAD is a 548 acre project that included nearly all of the land comprising the Waddell Farms PAD, with one significant exception: An approximately 22 acre ± exception parcel in the north west corner of Section 6 (identified in the Mountain Vista Ranch Final Development Plan as the "EXCEPTION" Parcel) was not included in the Mountain Vista Ranch PAD. Refer to Exhibit I. Because the Exception parcel was not included in the Mountain Vista Ranch PAD, and no other zoning actions have since taken place with respect to that parcel, the Waddell Farms PAD

not included in the Mountain Vista Ranch PAD. Refer to Exhibit I. Because the Exception parcel was not included in the Mountain Vista Ranch PAD, and no other zoning actions have since taken place with respect to that parcel, the Waddell Farms PAD zoning has remained unchanged with respect to the Exception Parcel. As such, the Exception Parcel is zoned Commercial/Multi-Family. Finally, the extreme eastern portion and the southern panhandle of the Subject Property lie within the Mountain Vista Ranch PAD and are designated on the Final Development Plan as "HDR-Multi Family."

The Mountain Vista Ranch PAD, as approved, provides for commercial and single family and multi-family development. Development is still occurring within the Mountain Vista Ranch subdivision, although most of the land within the subdivision has already developed. For the most part, development of the Mountain Vista Ranch subdivision has mirrored the approved PAD. However, a number of deviations from the approved land use plan for the Mountain Vista Ranch PAD Final Development Plan have been allowed without requiring a PAD amendment. Specifically, these include the single family residential development at the south west corner of the Mountain Vista Ranch PAD (designated Commercial on the Mountain Vista Ranch PAD); Commercial development on the west side of Reems Road (designated Single Family on the Mountain Vista Ranch PAD), and; single family residential development on Greenway Road west of Reems (designated Multi Family on the Mountain Vista Ranch PAD).

## C. Current Zoning on the Subject Property:

As discussed above, the sources of the existing zoning on the Subject Property are derived from the Waddell Farms PAD and the Mountain Vista Ranch PAD. The 22 acre ± Exception Parcel discussed previously retains the zoning approved in the Waddell Farms PAD. Specifically, the Exception Parcel is zoned Commercial and Multi-Family. See Exhibit J for a graphical depiction of the overlay of the Waddell Farms PAD land use exhibit onto the Mountain Vista Ranch land use exhibit. The remainder of the Subject Property has Multi Family zoning from the Mountain Vista Ranch PAD.

### Minor Amendment

Based on the foregoing discussion and the existing zoning on the Subject Property, a minor amendment to the Mountain Vista Ranch PAD is all that is required (if at all) to accomplish the proposed reconfiguration. A minor PAD amendment is the appropriate process for a variety of reasons, not the least of which involves the important fact that the proposed reconfiguration of the multi-family portion of the Subject Property is consistent with the zoning currently in place on the property. As shown at Exhibit J the proposed reconfiguration of the multi-family portion aligns almost seamlessly with the northern portion of the multi-family Parcel 13 of the Waddell Farms PAD. As such, the only portion of the proposed reconfiguration that impacts the Mountain Vista Ranch PAD at all is the small eastward expansion (approximately 8 acres) of the commercial development into property identified on the Mountain Vista Ranch PAD as Multi Family.

As discussed above, and at the very least, there have been three similar reconfigurations to the Mountain Vista Ranch PAD, all accomplished without any sort of PAD amendment. The 8 acre ± commercial section at the north east intersection of Greenway and Sarival was entirely eliminated, apparently through an administrative approval, and single family residential was permitted to occur at that location. Additionally, without a major or minor PAD amendment, an approximately 5 acre commercial development was permitted in an area previously designated as single family development at approximately the midsection line on Reems Road within the Mountain Vista Ranch PAD (additional modifications to the Mountain Vista Ranch PAD have occurred over the years without any requirement to formally amend the PAD including the relocation and expansion of a church site within the Mountain Vista Ranch PAD and the previously mentioned elimination of multi-family residences in favor of single family development). Refer to Exhibit K.

Adjustments, like the examples above, underscore the value of PAD zoning. The very purpose of PAD zoning is to provide the flexibility to develop large tracts of land over a period of many years. In this instance, the development process began nearly twenty years ago and is yet to be completed. Without the flexibility to shift around land uses within the Mountain Vista Ranch PAD to respond to the preferences and desires of residents and City officials, opportunities for both the developers and the City would have been lost. This request is consistent with that intent and with Section 17.36.060 G " Minor Amendment"

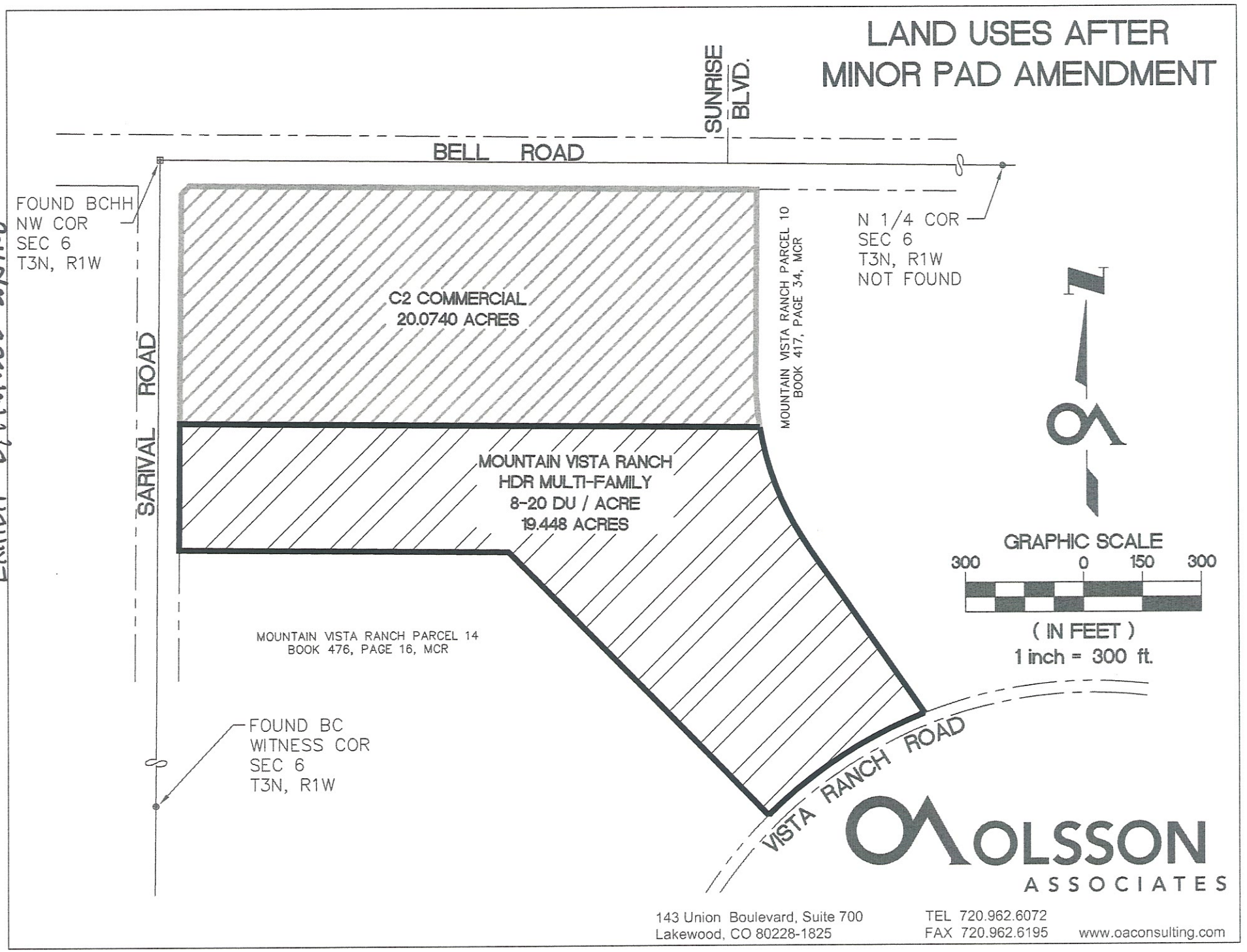
The 20 acre site at the north east corner of Sarival Avenue and Bell Road has always been considered by City officials as appropriate for commercial development. The Waddell Farms PAD contemplated commercial development at that site, and had the Exception Parcel been included in the Mountain Vista Ranch PAD, it too would have identified the 20 acres as commercial. All of the actions of the City Planning and Zoning Commission and the City Council have been consistent with the notion commercial development should occur at this location.

EXHIBIT A, EXISTING ZONING

SEC Sarival Avenue and Bell Road

EXHIBIT B, PROPOSED ZONING

# LAND USES AFTER MINOR PAD AMENDMENT





OLSSON ASSOCIATES

143 Union Boulevard, Suite 700
Lakewood, CO 80228-1825

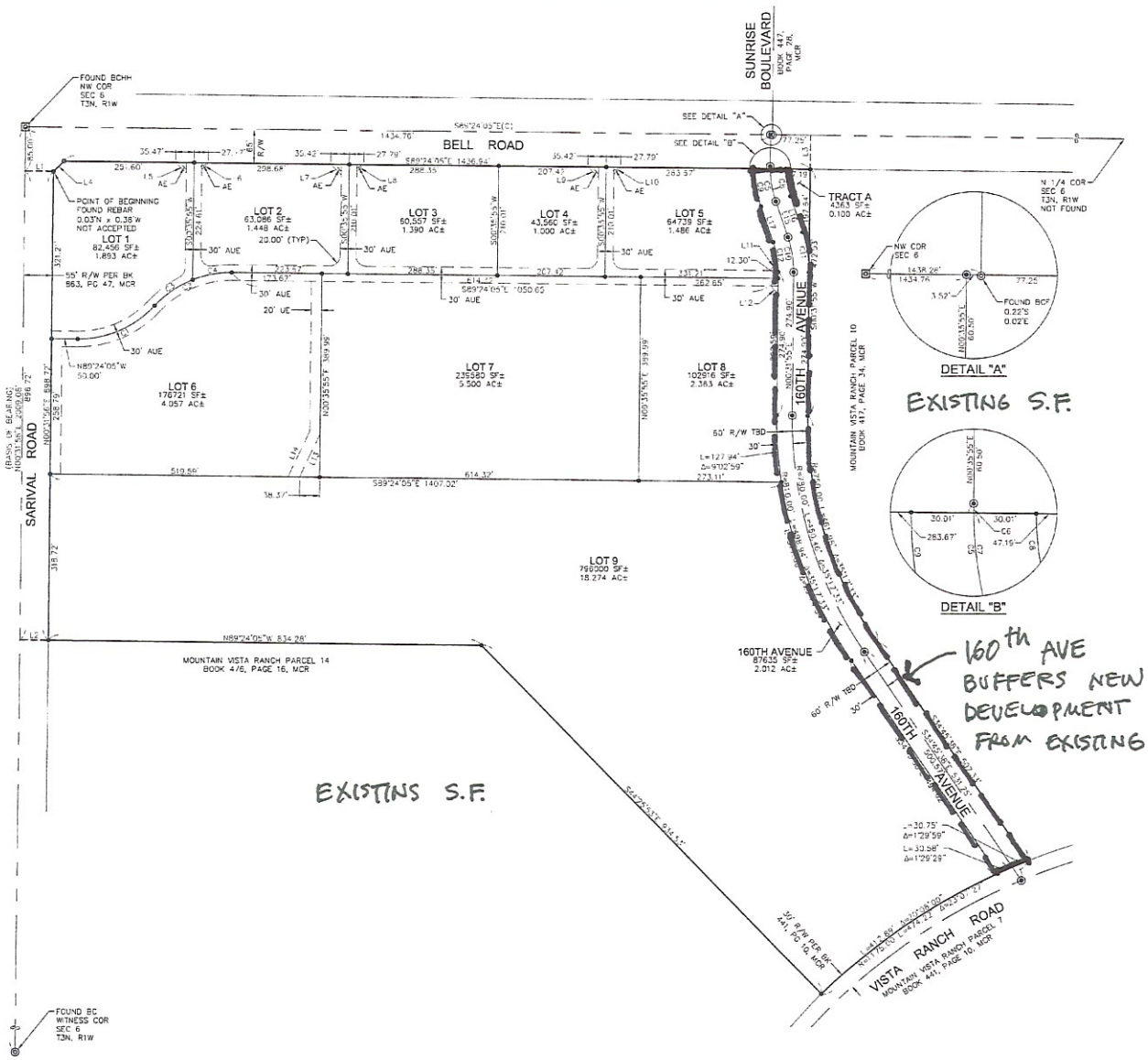
TEL 720.962.6072
FAX 720.962.6195

www.oaconsulting.com

# FINAL PLAT

## WESTFIELD COMMONS SUBDIVISION AMENDED

EXHIBIT C




| LINE TABLE | | |
|---|---|---|
| LINE | LENGTH | BEARING |
| L1 | 55.00 | S89°24'05"E |
| L2 | 55.00 | S89°24'05"E |
| L3 | 55.00 | N00°35'55"E |
| L4 | 28.27 | N45°35'55"E |
| L5 | 28.94 | S44°24'05"E |
| L6 | 18.06 | S45°35'55"W |
| L7 | 28.68 | S44°24'05"E |
| L8 | 18.09 | S45°35'55"W |
| L9 | 28.88 | S44°24'05"E |
| L10 | 18.09 | S45°35'55"W |
| L11 | 21.96 | N45°35'55"E |
| L12 | 19.46 | S44°24'05"E |
| L13 | 91.26 | N25°27'38"E |
| L14 | 96.12 | N25°27'38"E |
| L15 | 72.38 | S19°00'29"E |
| L16 | 72.38 | S19°00'29"E |
| L17 | 72.38 | S19°00'29"E |

| CURVE TABLE | | | |
|---|---|---|---|
| CURVE | RADIUS | LENGTH | DELTA |
| C1 | 200.00 | 166.78 | 47°46'42" |
| C2 | 200.00 | 166.78 | 47°46'42" |
| C3 | 200.00 | 89.86 | 25°45'00" |
| C4 | 200.00 | 76.89 | 22°01'42" |
| C5 | 200.00 | 68.44 | 19°36'24" |
| C6 | 200.00 | 4.51 | 1°17'26" |
| C7 | 200.00 | 63.93 | 18°18'57" |
| C8 | 170.00 | 53.67 | 18°05'17" |
| C9 | 230.00 | 74.20 | 18°28'03" |
| C10 | 200.00 | 68.21 | 19°32'24" |
| C11 | 230.00 | 78.44 | 19°32'24" |
| C12 | 170.00 | 57.981 | 19°32'24" |

LEGEND

- SECTION LINE
- BOUNDARY LINE
- LOTLINES
- BOUNDARY TIE LINE
- GENERAL LAND OFFICE
- BRASS CAP IN HAND HOLE (UNO)
- BRASS CAP FLUSH (UNO)
- FOUND REBAR (UNO)
- SET 1/2" REBAR W/ CAP MARKED LS #22271 (UNO)
- MCR — MARICOPA COUNTY RECORDS
- R/W — RIGHT-OF-WAY
- BCHH — BRASS CAP IN HAND HOLE
- BC — BRASS CAP FLUSH
- AUE — ACCESS & UTILITIES EASEMENT
- AE — ACCESS EASEMENT
- UE — UTILITIES EASEMENT
- (TYP) — TYPICAL
- (UNO) — UNLESS NOTED OTHERWISE
- TBD — TO BE DEDICATED W/ THIS PLAT

50 0 25 50 100

1 inch = 50 ft.

PRELIMINARY

## FINAL PLAT

WESTFIELD COMMONS SUBDIVISION AMENDED
A RE-PLAT OF WESTFIELD COMMONS SUBDIVISION, RECORDED AT BOOK 863, PAGE 47, MCR AND A PORTION OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA.

A TOTAL OF 39.523 ACRES± BEING DIVIDED INTO 9 LOTS


OLSSON ASSOCIATES
ENGINEERS • PLANNERS • SCIENTISTS • SURVEYORS


| | |
|---|---|
| DATE: | 10-06-06 |
| DRN BY: | RES |
| CHKD BY: | CRP |
| JOB NO. | 05-1538 |
| SHEET | 2 |
| OF | 2 |

**Exhibit D**

SEC Sarival Avenue and Bell Road

# Exhibit E

MINUTES
TOWN OF SURPRISE
PLANNING AND ZONING COMMISSION
SPECIAL MEETING

MARCH 22, 1988

Meeting called to Order at 7:15 P.M.

Members Present:
Richard Smith, Gona Blankenship, Alfonso Cisneros, Isaias Gutierrez, Charlie Robinson, and Doug Rogers

Approval of Minutes:
Charlie Robinson made a motion to approve the Minutes, Isaias Gutierrez seconded and motion carried unanimously.

Public Hearing:
-None

Petition from Citizens on Matters not on the Agenda:
-None

Correspondence or Informative Items:
(1) Distributed ADOT's Public Notice regarding the meeting schedules for the Grand Freeway Concept presentation.

(2) Announced a meeting to be held March 23, 1988 at the Town Hall with the property owners in Sections #25, 26 and 30, Township 5 North, Range 1 West, regarding proposed annexation.

Unfinished (Old) Business:
-None

New Business:
(1) Mr. Tom Waddell of Waddell Farms submitted a Prelimiary Planned Area Development, Application No. Pre 88-001P.D. for Section 6, Township 3 North, Range 1 West. The project planner, Cathy Hart of Coe and Van Loo, gave a presentation regarding proposed development concepts in reference to the preliminary planned area development submittal. After brief discussion, Charlie Robinson made a motion to approve the Preliminary P.A.D., Gona Blakenship seconded and the motion carried unanimously.

(2) Ken Schaeffer submitted a Conditional Use, Application No. CU88-06 for a two-year period, to temporarily allow a model cabin behind the Village at Surprise retail center. Approximate location is 16801 North El Mirage Road. After brief discussion, Gona Blankenship motioned to approval the two-year conditional use with the stipulation that the petitioner resubmit a site plan that meets the design requirements per Ordinance 86-06, Article VIII. Charlie Robinson seconded the motion and the motion carried unanimously.

(3) The proposed Planning and Zoning By-Laws were revised per the Town Council's request. Exhibit "A" of these minutes describes the revisions. After brief discussion, the Commission members accepted the revised edition of the Planning and Zoning By-Laws.

Adjournment:

There being no further discussion, Isaias Gutierrez motioned to adjourn the meeting and Gona Blakenship seconded. The meeting adjourned at 8:00 P.M.

Richard Smith
Vice-Chairman of
Planning & Zoning Commission

Shirley Berg, Secretary
Planning and Zoning
Commission

# Exhibit F

COUNCIL MEETING
APRIL 14, 1988
MINUTES

The Common Council for the Town of Surprise held their regular meeting Thursday, April 14, 1988. The meeting was called to order at 7:09 P.M.

All Councilmen were present except Councilmen Gaines and Cisneros.

The Pledge of Allegiance was lead by Mayor Cumbie.

Pat Szlemko, deputy town clerk, stated there were two corrections in the March 24, 1988 minutes. Julie Ferguson is Community Services Director and A.P.S. will be donating 20 gallons of paint, not 5 gallons. Councilman Miles made a motion approving the amended minutes, Vice-Mayor Longoria seconded and the motion carried.

Councilman Miles made a motion approving the claims, Councilman Villanueva seconded and the motion was carried.

GUEST SPEAKER: Resident, Joe Roson stated Maricopa County Water District will no longer give them water in their location on Reems Road. There are no available well sites in their vacinity to supply them with water. Mr. Roson stated the previous administration promised them water three years ago. Mr. Roson also stated he realized that the Town has given them a temporary water supplier but what is going to be the permanent solution. Nick Bacon, town manager, said there are surveys being done and we are trying to get Superfund money to help us take care of this problem. Lance Hiller of Reems Road stated the problem with the temporary water supplier is the difficulty in getting the water. The Council agreed to put in a stan pipe to assist the citizens in that area.

PETITIONS, COMMUNICATIONS AND PUBLIC HEARINGS:

Tom Waddell of Waddell Farms requested approval of his preliminary planned area development (P.A.D.) submittal, application no. PRE 88-001 P.D. for section 7, township 3 north, range 1 west. Shirley Berg, community developer coordinator, stated the staff and town recommend approval of the

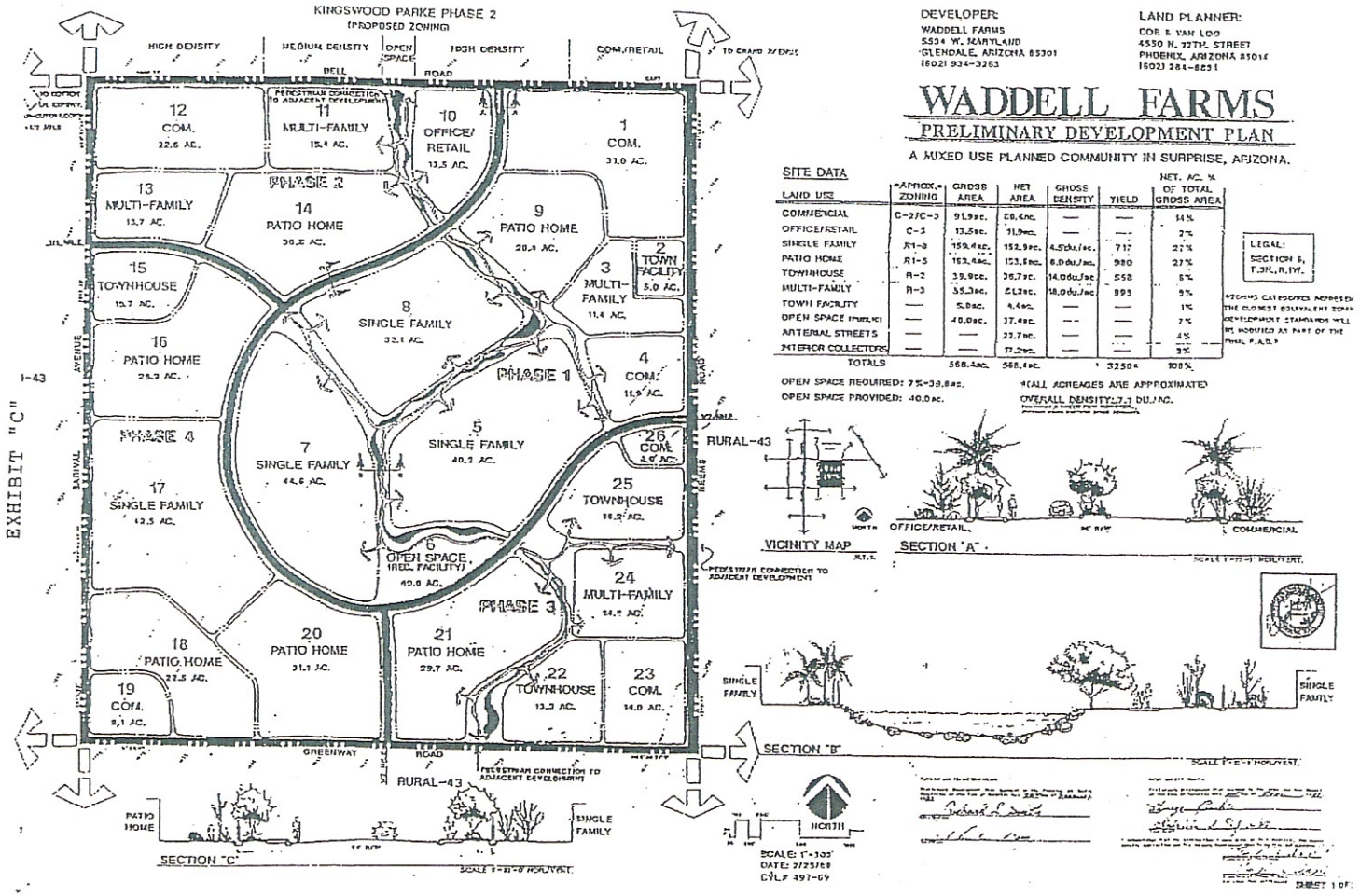
Preliminary P.A.D. with contingencies:

1. Land Use Compatability
2. Circulation Plan
3. Drainage
4. Water Supply
5. Sewage Disposal
6. Off-Sites
7. On-Site Design Standards
8. Phasing

The develper has agreed to participate in the Greenway sewer improvement district and dedicate the necessary right-of-way. Councilman Miles made a motion approving the request with the contingencies, Vice-Mayor Longoria seconded and the motion carried.

13-88-0 ORDINANCE NO. 88-13 AMENDING Article 2 OF ORDINANCE 86-06 THE SUPRRISE ZONING ORDINANCE, AND PROVIDING FOR THE DESIGNATION OF TERMS OF OFFICE FOR THE PLANNING AND ZONING COMMISSION, AND THE DESIGNATION OF A CHAIRPERSON FOR SAID COMMISSION was read by title by Town Attorney Bob McCoy. Bob McCoy explained the Ordinance was considered by the town council previously. This being the second reading Councilman Miles made a motion adopting the Ordinance, Vice-Mayor Longoria seconded and the motion carried.

14-88-0 ORDINANCE NO. 88-14 RETROACTIVELY DECLARING A TEMPORARY MORATORIUM ON THE COLLECTION OF CERTAIN TRANSACTION PRIVILEGE TAXES, PROVIDING FOR THE COLLECTION OF SUCH TAXES FROM AND AFTER MAY 1, 1988 AND DECLARING AN EMERGENCY was read by title by Town Attorney, Bob McCoy. Bob McCoy explained the businesses affected by this tax did not receive notification from the state so it would be unfair to collect the previous amount due. Councilman Miles made a motion adopting the Ordinance, Vice-Mayor Longoria seconded and the motion carried.




DEVELOPER:
WADDELL FARMS
5534 W. MARYLAND
GLENDALE, ARIZONA 85301
(602) 934-3263

LAND PLANNER:
COE & VAN LOO
4550 N. 12TH STREET
PHOENIX, ARIZONA 85014
(602) 264-6831

# WADDELL FARMS

## PRELIMINARY DEVELOPMENT PLAN

A MIXED USE PLANNED COMMUNITY IN SURPRISE, ARIZONA.

SITE DATA

| LAND USE | APPROX. ZONING | GROSS AREA | NET AREA | GROSS DENSITY | YIELD | NET AC. % OF TOTAL GROSS AREA |
|---|---|---|---|---|---|---|
| COMMERCIAL | C-2/C-3 | 91.9ac. | 68.4ac. | — | — | 14% |
| OFFICE/RETAIL | C-3 | 13.5ac. | 11.0ac. | — | — | 2% |
| SINGLE FAMILY | R1-8 | 159.4ac. | 152.9ac. | 4.5du./ac. | 717 | 27% |
| PATIO HOME | R1-5 | 153.4ac. | 153.5ac. | 6.0du./ac. | 980 | 27% |
| TOWNHOUSE | R-2 | 39.9ac. | 36.7ac. | 14.0du./ac | 552 | 6% |
| MULTI-FAMILY | R-3 | 55.3ac. | 51.3ac. | 18.0du./ac | 893 | 9% |
| TOWN FACILITY | — | 5.0ac. | 4.4ac. | — | — | 1% |
| OPEN SPACE (PUBLIC) | — | 40.0ac. | 37.4ac. | — | — | 7% |
| ARTERIAL STREETS | — | — | 23.7ac. | — | — | 4% |
| INTERIOR COLLECTORS | — | — | 22.2ac. | — | — | 3% |
| TOTALS | | 568.4ac. | 568.4ac. | | 3250± | 100% |

LEGAL:
SECTION 6, T.3N., R.1W.

*ZONING CATEGORIES INDICATED THE CLOSEST EQUIVALENT ZONING DEVELOPMENT STANDARDS WILL BE MODIFIED AS PART OF THE FINAL P.A.D.P.

OPEN SPACE REQUIRED: 7%=39.8ac.
OPEN SPACE PROVIDED: 40.0ac.

*(ALL ACREAGES ARE APPROXIMATE)
OVERALL DENSITY: 7.1 DU./AC.

SHEET 1 OF

Exhibit G

# Exhibit H

MINUTES
CITY OF SURPRISE
PLANNING AND ZONING COMMISSION
SPECIAL MEETING
(Amended MInutes)

March 22, 1994
7:00 P.M.

The Planning and Zoning meeting commenced at 7:10 P.M.

MEMBERS PRESENT:
Chairperson Dorothy Cooper, Vice-Chairman Darrell Belk, Commissioners Robert Perez, William Rafferty and Arnold Weed.

APPROVAL OF MINUTES:
Commissioner Rafferty motioned to approve the minutes of March 15, 1994. Commissioner Belk seconded the motion and the motion carried. Commissioner Rafferty requested that the minutes of March 15, 1994 include his comments regarding an altercation between a City Councilman and a Planning and Zoning Commissioner.

PUBLIC HEARING:
Chairperson Cooper read the public hearing title Application No. PADA 94-02 stating that Ed Bull of Burch & Cracchiolo, P.A. is requesting approval for a Planned Area Development Amendment with a Preliminary Development Plan to amend the existing Waddell Farms PAD to the Mountain Vista Ranch PAD. Planning Director Shirley Berg introduced Mr. Ed Bull to the Commission. Mr. Bull gave an extensive overview of the proposed PAD Amendment for Mountain Vista Ranch Development discussing densities, entry features, street designs, traffic flows and landscapes. Commissioner Weed commended Mr. Bull on quality of book submitted for PAD Amendment. Commission inquired about the quality of well water that will be supplying the development. Mr. Tom Waddell responded that the well has been in service since 1948 and pumps 1700 gallons per minute. City Manager McComb stated that the City is negotiating the water situation with the developers. Commissioner Rafferty inquired about amenities such as parks. This is discussed in staff's recommendations. City Manager McComb informed the Commission that an ordinance addressing development fees for parks is in process of being approved by the City Council as the City does not have the resourses to maintain parks in every new development. Miss Berg addressed the historical prospective on the site and discussed staff's comments (attached) with the commissioners. Comments expanded upon in portions of staff's recommendations are as follows:

1. ITEM III LAND USES
   Petitioner proposes to principally permit parks and churches under this PAD. Staff does not have a problem with this.

2. ITEM IV CONSISTENCY WITH SURPRISE COMP. DEV. GUIDE

(A) Section D.3 Petitioner proposes to provide a local neighborhood trail system, which will have 38.5 acres in leiu of a 5 acre site as required by the Surprise Comprehensive Development Guide. Staff does not have a problem with this.

(C) Section D.4.5 Circulation Element - Petitioner proposes some deviation from the roadway design primarily in pavement widths. A traffic analysis report has been submitted by petitioner that justify some of these deviations. Staff feels although there is some room for compromise, further studies need to be done to asure that everything will be conducted properly. The City staff will meet with City Engineers, and representatives from Harvard Investments on March 30, 1994 to discuss roadway standards, right-of-way standards and construction standards.

NOT INCLUDED IN ORIGINAL REVIEW - PUBLIC FACILITIES

One item that was not included in the plan but was discussed, is the public facility site. The original PAD plan included a 5 acre parcel designated for a school site. If Dysart Unified School District desires to have a school there, site will be included, if not there will be no public facility site. Site must be used for elementary school only - no administrative offices or maintenance yards.

6. ITEM VIII ARCHITECTURAL STYLE AND DESIGN
City has requested wood fences be prohibited. Petitioner has agreed to this.

10. EXHIBIT L DESIGN GUIDELINES

A. CIRCULATION
Eliminate the CIRCULATION section from the Design Guidelines. It will be included in the PAD.

C. ARCHITECTURE
5) Commercial building heights to be amended per new ordinance.

I. OTHER INFORMATION

12) Delete (Referrence to R-2 regulations)

With these comments staff recommends approval of Mountain Vista Ranch Preliminary PAD Amendment, Application No. 94-02. The petitioner and the owner have agreed to comply with all the recommendations. The roadway issues will be addressed at above referenced meeting with City Staff, City Engineers and Harvard Investments.

Chairperson Cooper opened the floor to the public. There being no comments from the public, Commissioner Rafferty motioned to close the Public Hearing. Commissioner Belk seconded the motion and the motion carried.

PETITIONS FROM CITIZENS NOT ON THE AGENDA:
- None

CORRESPONDENCE ON INFORMATIVE ITEMS:
- None

UNFINISHED (OLD) BUSINESS:
- None

NEW BUSINESS:

(A) Ed Bull of Burch & Cracchiolo, P.A. is requesting approval for Application No. PADA 94-02 for a Planned Area Development Amendment with a Preliminary Development Plan to amend the existing Waddell Farms PAD to the Mountain Vista Ranch PAD. After considerable discussion among the commissioners, Commissioner Rafferty motioned to approve Application No. PADA 94-02 for Mountain Vista Ranch with the stipulations recommended by staff. Commissioner Belk seconded the motion and the motion carried.

(B) Ms. Berg informed the Commission of the 1994 Planning Commissioners' Seminar, "A Short Course in Zoning" and requested all those who plan to attend this seminar to notify the Planning Department by April 4, 1994.

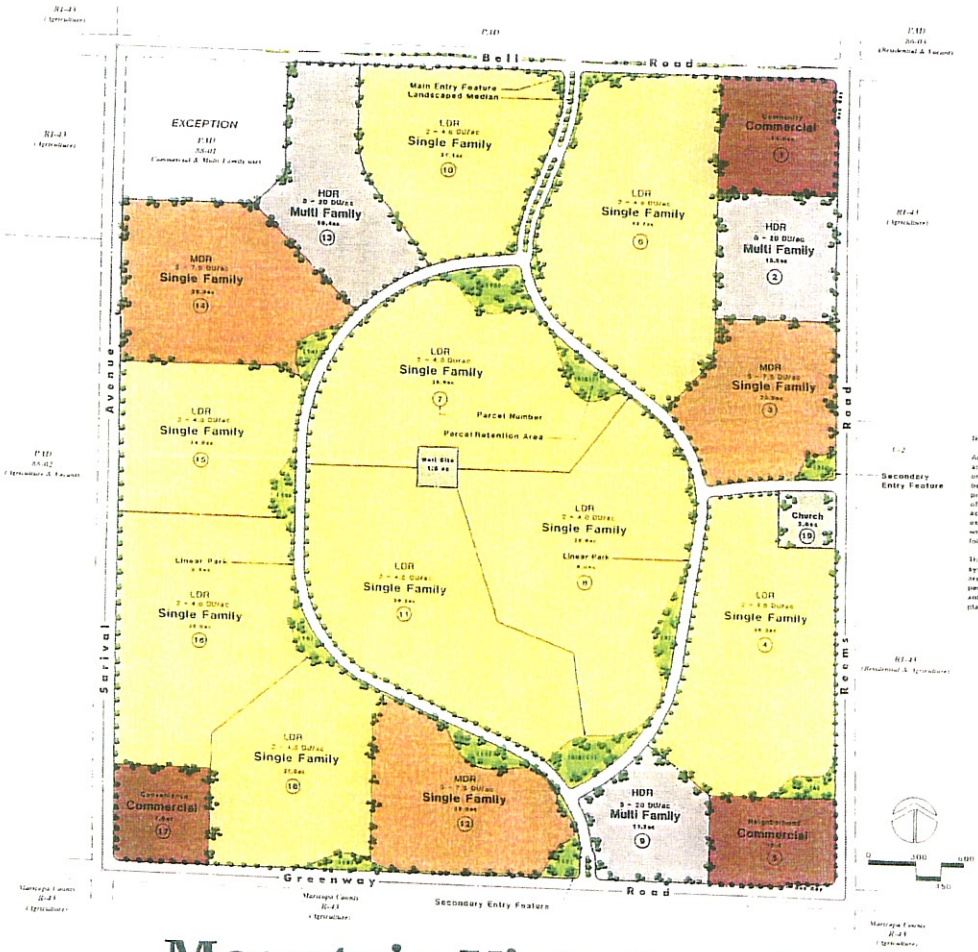
ADJOURNMENT:
There being no further business, Commissioner Rafferty motioned to adjourn the meeting. Commissioner Belk seconded the motion and the motion carried. The meeting adjourned at 8:20 P.M.

Dorothy Cooper

Dorothy Cooper, Chairperson
Planning and Zoning Commission

Shirley Berg

Shirley Berg, Secretary
Planning and Zoning Commission




## Site Data

| Use | | Acres | % | DU ac | Units |
|---|---|---|---|---|---|
| * LDR | SINGLE FAMILY | 314.1 | 57.3 | 2 - 4.8 | 628 - 1506 |
| * MDR | SINGLE FAMILY | 73.6 | 13.2 | 5 - 7.5 | 352 - 548 |
| HDR | MULTI FAMILY | 41.4 | 7.6 | 8 - 20 | 335 - 796 |
| Streets | | | | | |
| Arterials | | 26.6 | 4.8 | | |
| Collectors | | 20.0 | 3.6 | | |
| ** Open Space | | 38.4 | 7.0 | | |
| Commercial | | 30.0 | 5.5 | | |
| Well Site | | 1.5 | 0.3 | | |
| Church | | 3.0 | 0.5 | | |
| Total Project | | 548.2 | 100.0 | | 1315 - 2850 |
| * Total Single Family | | 388.7 | 71.0 | | 380 - 2054 |
| ** Open Space | | | | | |
| Linear Park & Retention | | 38.4 | 7.0 | | |

NOTE

Any individual parcel may be developed at a density of not more than one hundred and fifteen percent (115%) of the maximum density allowed for such parcel as shown on the Final Development Plan, provided prior written administrative approval has been obtained from the City's Planning and Zoning Director and the City Manager, provided that in no event shall the overall cap on the number of any particular type of residential dwelling unit within Mountain Vista Ranch be exceeded. And, in accordance with Section 3.1.2.(b) of the C.D.P., the overall gross density will not exceed 7 du/ac. For purposes of this P.A.D., "administrative approval" shall mean written approval of additional density by the Community Development Director following the Director's review of a written request for a density transfer.

The 'Linear Park' system depicted on the plan is in concept only. The intent of the system is to provide an aesthetically pleasing solution to storm water retention areas by incorporating the majority of them into a corridor of landscaping and pedestrian/bike paths. The detailed cross-sections of the 'Linear Park', illustrates anticipated varying widths. Final dimensions will be determined with final grading plans.

Community Development

Engineering Note

# Mountain Vista Ranch

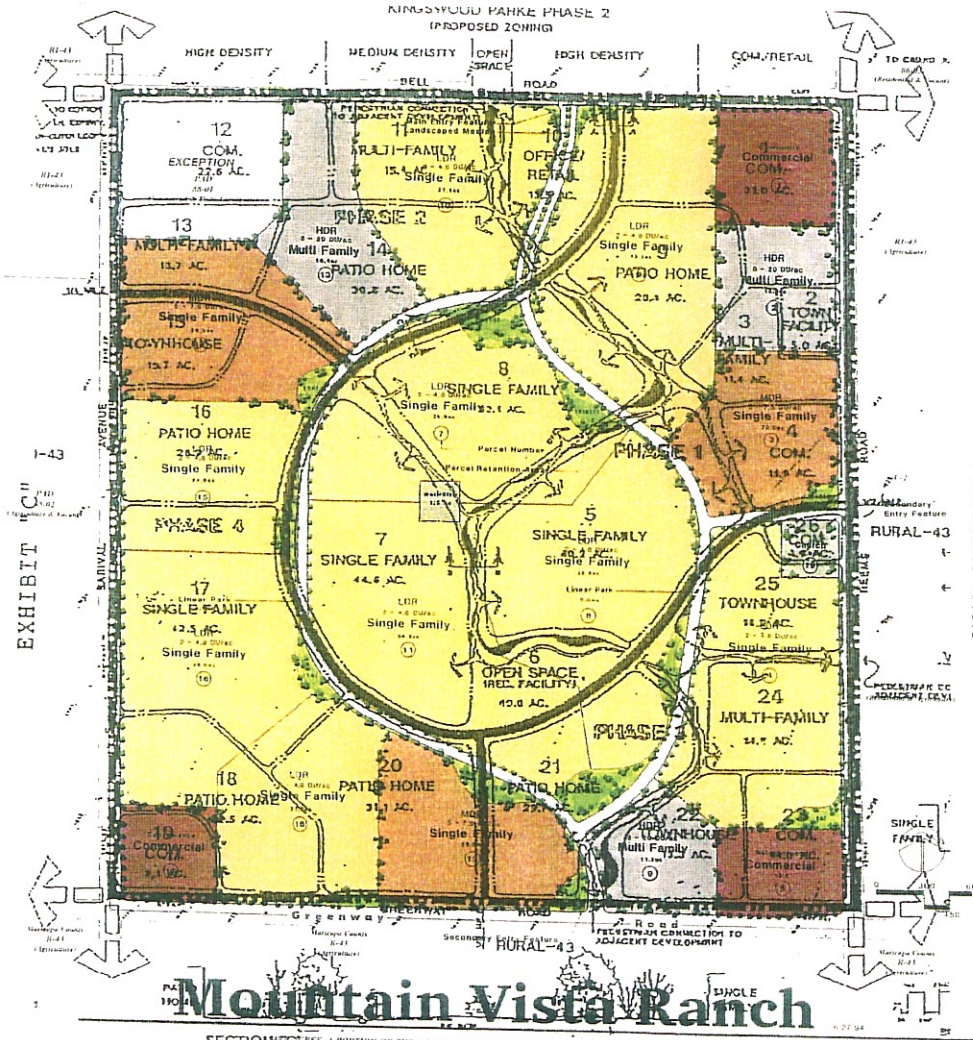
548± ACRES, A PORTION OF THE SOUTHWEST QUARTER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST, GILA & SALT RIVER BASE & MERIDIAN, MARICOPA COUNTY, ARIZONA

FINAL DEVELOPMENT PLAN

pd/sd Sadney Associates

Exhibit I

Exhibit J




## Site Data

| | Use | Acres | % | DU ac | Units |
|---|---|---|---|---|---|
| * LDR | SINGLE FAMILY | 314.1 | 57.3 | 2 - 4.8 | 628 - 1506 |
| * MDR | SINGLE FAMILY | 73.6 | 13.4 | 5 - 7.5 | 352 - 548 |
| HDR | MULTI FAMILY | 41.4 | 7.6 | 8 - 20 | 335 - 796 |
| Streets | | | | | |
| | Arterials | 26.8 | 4.9 | | |
| | Collectors | 20.0 | 3.6 | | |
| ** Open Space | | 38.4 | 7.0 | | |
| | Commercial | 30.0 | 5.5 | | |
| | Well Site | 1.5 | 0.3 | | |
| | Church | 3.0 | 0.5 | | |
| Total Project | | 548.2 | 100.0 | | 1315 - 2850 |
| * Total Single Family | | 388.7 | 71.0 | | 980 - 2054 |
| ** Open Space | | | | | |
| | Linear Park & Retention | 38.4 | 7.0 | | |

NOTE

Any individual parcel may be developed at a density of not more than one hundred and fifteen percent (115%) of the maximum density allowed for such parcel as shown on the Final Development Plan, provided prior written administrative approval has been obtained from the City's Planning and Zoning Director and the City Manager, provided that in no event shall the overall cap on the number of any particular type of residential dwelling unit within Mountain Vista Ranch be exceeded. And, in accordance with Section D.1.2 (b) of the C.D.P., the overall gross density will not exceed 7 du/ac. For purposes of this P.A.D., "administrative approval" shall mean written approval of additional density by the Community Development Director following the Director's review of a written request for a density transfer.

The "Linear Park" system depicted on the plan is in concept only. The intent of the system is to provide an aesthetically pleasing solution to storm water retention areas by incorporating the majority of them into a corridor of landscaping and pedestrian dike paths. The detailed cross-sections of the "Linear Park", illustrates anticipated varying widths. Final dimensions will be determined with final grading plans.

Community Development

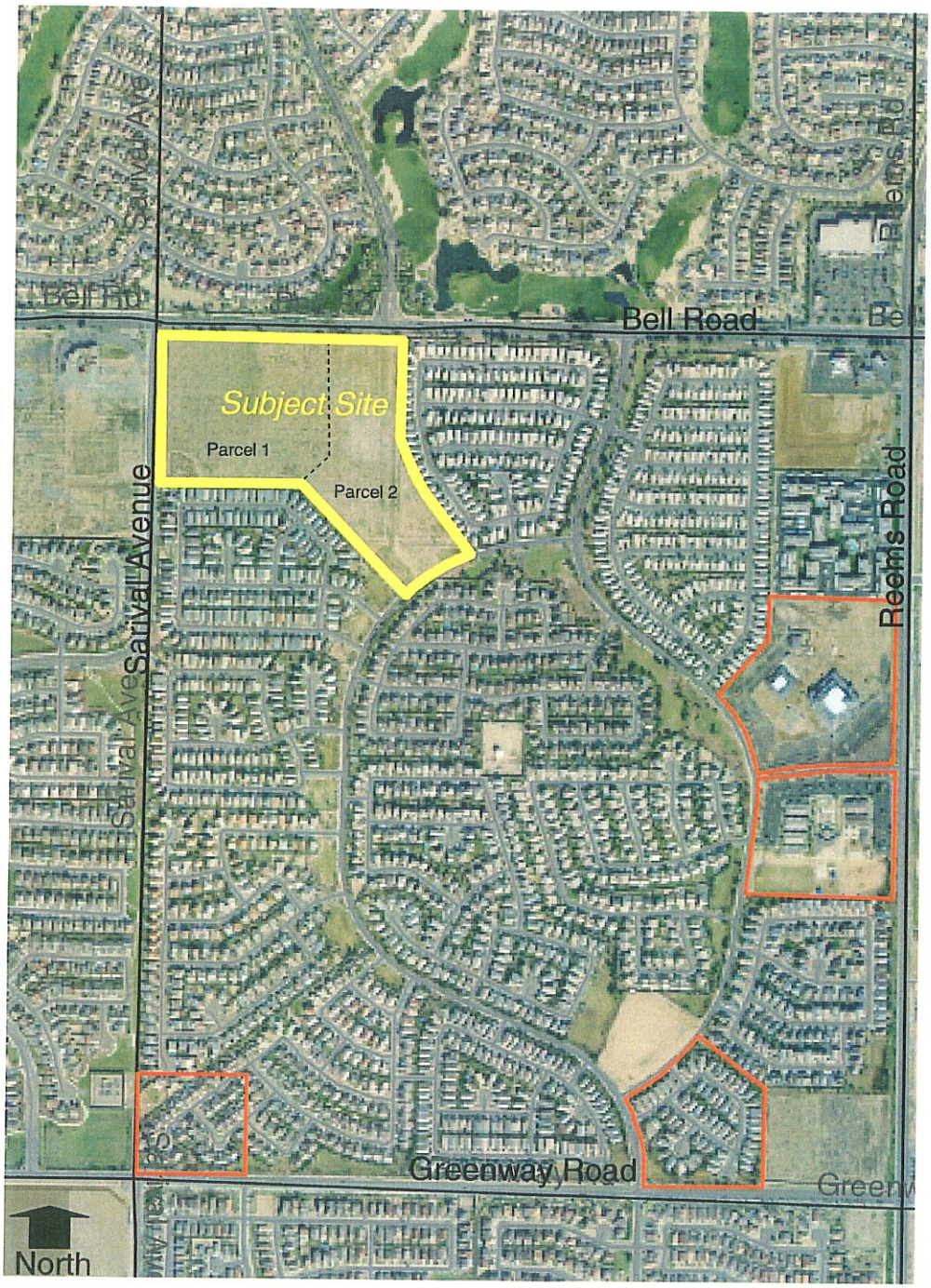
Engineering Note

FINAL DEVELOPMENT PLAN

pdl/sd

Sandry Associates

**Exhibit K**




SEC Sarival Avenue and Bell Road

**Legal Description**

**Existing C-2 Commercial**

Lots 1-5 Westfield Commons Subdivision

**Legal Description**

**Existing Mountain Vista Ranch Multi Family Property**

A PARCEL OF LAND SITUATE IN THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 6;

THENCE SOUTH 89 DEGREES 59 MINUTES 11 SECONDS EAST, ALONG THE NORTH LINE OF SAID SECTION 6, A DISTANCE OF 1083.00 FEET;

THENCE SOUTH 00 DEGREES 03 MINUTES 11 SECONDS EAST, A DISTANCE OF 65.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 89 DEGREES 59 MINUTES 11 SECONDS EAST, ALONG A LINE 65.00 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE, A DISTANCE OF 428.94 FEET TO THE NORTHWEST CORNER OF MOUNTAIN VISTA RANCH PARCEL 10, A SUBDIVISION RECORDED AT BOOK 417 OF MAPS PAGE 34, MARICOPA COUNTY RECORDER;

THENCE SOUTH 00 DEGREES 03 MINUTES 12 SECONDS EAST, ALONG THE WEST LINE OF SAID MOUNTAIN VISTA RANCH PARCEL 10, A DISTANCE OF 472.53 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY, WHOSE RADIUS POINT BEARS NORTH 89 DEGREES 56 MINUTES 48 SECONDS EAST, A DISTANCE OF 750.00 FEET;

THENCE SOUTHERLY ALONG SAID CURVE TO THE LEFT AND SAID WEST LINE, THROUGH A CENTRAL ANGLE OF 35 DEGREES 17 MINUTES 33 SECONDS, AN ARC DISTANCE OF 461.98 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 35 DEGREES 20 MINUTES 45 SECONDS EAST, ALONG SAID WEST LINE, A DISTANCE OF 507.33 FEET TO A POINT ON A NON-TANGENT CURVE CONCAVE SOUTHEASTERLY, WHOSE RADIUS POINT BEARS SOUTH 21 DEGREES 53 MINUTES 31 SECONDS EAST, A DISTANCE OF 1,175.00 FEET, SAID POINT BEING ON THE NORTHWESTERLY LINE OF MOUNTAIN VISTA RANCH PARCEL 7, A SUBDIVISION RECORDED IN BOOK 441 OF MAPS, PAGE 10, MARICOPA COUNTY RECORDER;

THENCE SOUTHWESTERLY ALONG SAID CURVE TO THE LEFT AND SAID NORTHWESTERLY LINE, THROUGH A CENTRAL ANGLE OF 23 DEGREES 07 SECONDS 27 MINUTES, AN ARC DISTANCE OF 474.23 FEET TO A POINT OF NON-TANGENCY;

THENCE NORTH 45 DEGREES 01 MINUTES 00 SECONDS WEST, ALONG THE NORTHEAST BOUNDARY LINE OF MOUNTAIN VISTA RANCH PARCEL 14, A SUBDIVISION RECORDED IN BOOK 476 OF MAPS, PAGE 16, A DISTANCE OF 934.53 FEET TO THE NORTHEASTERLY CORNER OF SAID MOUNTAIN VISTA RANCH PARCEL 14;

THENCE NORTH 44 DEGREES 58 MINUTES 48 SECONDS EAST, DEPARTING SAID MOUNTAIN VISTA RANCH PARCEL 14, A DISTANCE OF 273.80 FEET;

THENCE NORTH 00 DEGREES 03 MINUTES 11 SECONDS WEST, A DISTANCE OF 725.00 FEET TO THE TRUE POINT OF BEGINNING.

SURPRISE RETAIL
JN 05-1538

**Proposed**
**C-2**

## LEGAL DESCRIPTION

**COMMERCIAL PARCEL**

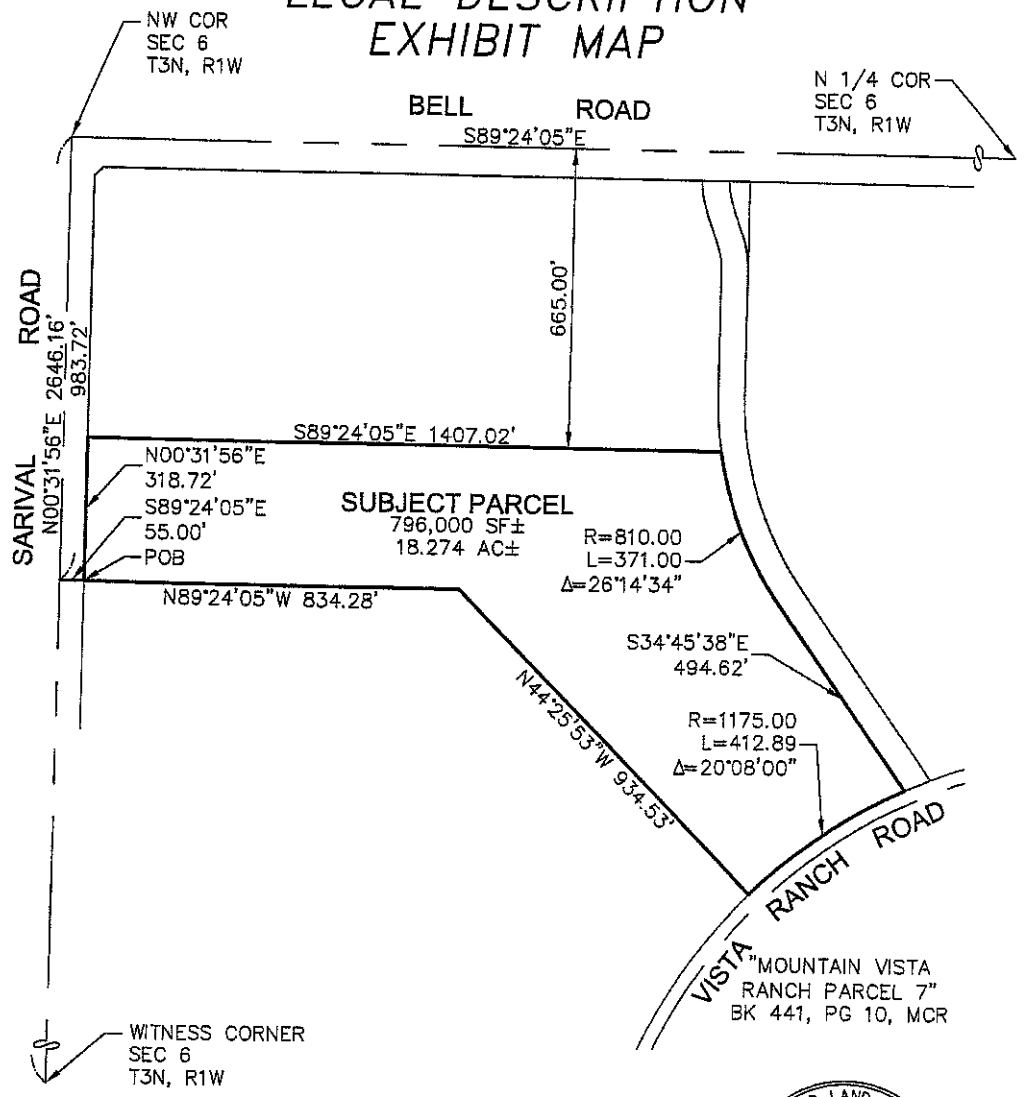
THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT NORTHWEST CORNER OF SAID SECTION 6;
THENCE S00°31'56"W, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 85.00 FEET;
THENCE S89°24'05"E, A DISTANCE OF 55.00 FEET TO THE **POINT OF BEGINNING;**
THENCE N45°33'55"E, A DISTANCE OF 28.27 FEET TO A POINT ON THE SOUTH 65.00 FOOT RIGHT-OF-WAY LINE OF BELL ROAD ;
THENCE S89°24'05"E, ALONG SAID SOUTH RIGHT-OF-WAY LINE, BEING PARALLEL WITH AND 65.00 FEET SOUTH OF THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1,329.73 FEET TO THE BEGINNING OF A NON-TANGENT CURVE WHOSE RADIUS BEARS N89°28'35"E A DISTANCE OF 230.00 FEET;
THENCE SOUTHERLY 74.20 FEET ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THE EAST, THROUGH A CENTRAL ANGLE OF 18°29'03";
THENCE S19°00'29"E, A DISTANCE OF 72.38 FEET TO THE BEGINNING OF A TANGENT CURVE;
THENCE SOUTHERLY 57.98 FEET ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THE WEST, HAVING A RADIUS OF 170.00 FEET, THROUGH A CENTRAL ANGLE OF 19°32'24";
THENCE S00°31'55"W, A DISTANCE OF 274.90 FEET TO THE BEGINNING OF A TANGENT CURVE;
THENCE SOUTHERLY 127.94 FEET ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THE EAST, HAVING A RADIUS OF 810.00 FEET, THROUGH A CENTRAL ANGLE OF 09°02'59";
THENCE N89°24'05"W, BEING PARALLEL WITH AND 665.00 FEET SOUTH OF THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1,407.02 FEET;
THENCE N00°31'56"E, BEING PARALLEL WITH AND 65.00 FEET EAST OF THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 580.00 FEET TO THE **POINT OF BEGINNING.**

SAID PARCEL CONTAINS 833,614 SQUARE FEET OR 19.137 ACRES, MORE OR LESS.

OLSSON ASSOCIATES
7250 NORTH 16TH STREET, SUITE 210
PHOENIX, ARIZONA 85020
(602) 748-1000

# LEGAL DESCRIPTION
# EXHIBIT MAP




OLSSON ASSOCIATES
7250 North 16th Street
Suite 210
Phoenix, AZ 85020-5282
TEL 602.748.1000
FAX 602.748.1001

PROJECT: 051538
DATE: 01-29-07
FILE: 051538_X_Legals_Res-Com

N

NTS

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
22271
CHARLES R.
PADDACK
Date Signed 1-29-07
ARIZONA U.S.A.

**Proposed**
**MF**

SURPRISE RETAIL
JN 05-1538

## LEGAL DESCRIPTION

**RESIDENTIAL PARCEL**

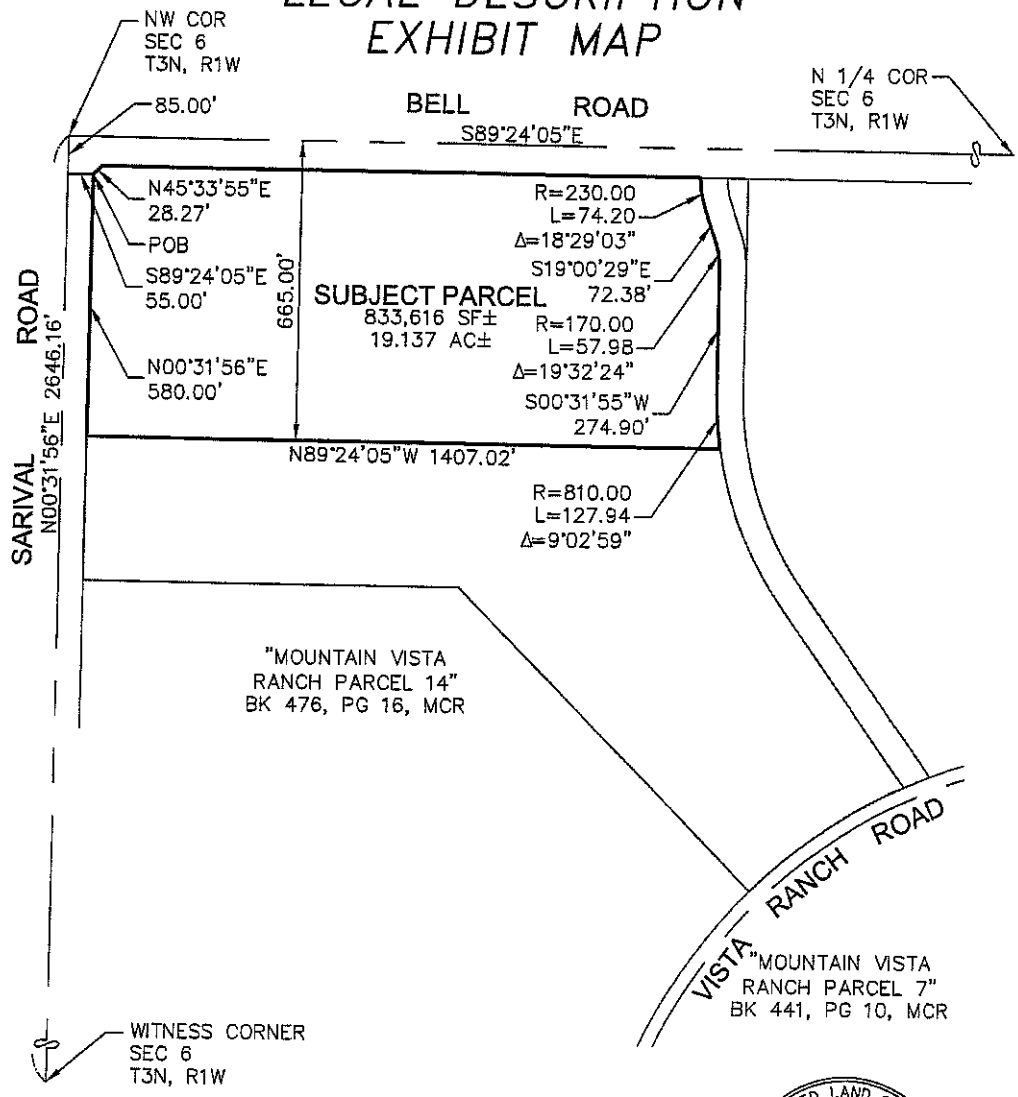
THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 3 NORTH, RANGE 1 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT NORTHWEST CORNER OF SAID SECTION 6;
THENCE S00°31'56"W, ALONG THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 983.72 FEET;
THENCE S89°24'05"E, A DISTANCE OF 55.00 FEET TO THE NORTHWEST CORNER OF MOUNTAIN VISTA RANCH PARCEL 14, A SUBDIVISION RECORDED IN BOOK 476 OF MAPS, PAGE 16 AT THE OFFICE OF THE MARICOPA COUNTY RECORDER, SAID POINT ALSO BEING THE **POINT OF BEGINNING;**
THENCE N00°31'56"E, BEING PARALLEL WITH AND 65.00 FEET EAST OF SAID WEST LINE, A DISTANCE OF 318.72 FEET;
THENCE S89°24'05"E, BEING PARALLEL WITH AND 665.00 FEET SOUTH OF THE NORTH LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 1,407.02 FEET TO THE BEGINNING OF A NON-TANGENT CURVE WHOSE RADIUS BEARS N81°28'56"E A DISTANCE OF 810.00 FEET;
THENCE SOUTHERLY 371.00 FEET ALONG THE ARC OF SAID CURVE, BEING CONCAVE TO THE EAST, THROUGH A CENTRAL ANGLE OF 26°14'34";
THENCE S34°45'38"E, A DISTANCE OF 494.62 FEET TO A POINT ON THE NORTHWESTERLY LINE OF PARCEL 7, A SUBDIVISION RECORDED IN BOOK 441 OF MAPS, PAGE 10 AT THE OFFICE OF THE MARICOPA COUNTY RECORDER, SAID POINT ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE WHOSE RADIUS BEARS S24°17'52"E A DISTANCE OF 1,175.00 FEET;
THENCE SOUTHWESTERLY 412.89 FEET ALONG THE ARC OF SAID CURVE AND SAID NORTHWESTERLY LINE, BEING CONCAVE TO THE SOUTHEAST, THROUGH A CENTRAL ANGLE OF 20°08'00";
THENCE N44°25'53"W, ALONG THE NORTHEASTERLY BOUNDARY LINE OF SAID PARCEL 14, A DISTANCE OF 934.53 FEET;
THENCE N89°24'05"W, ALONG THE NORTHERLY BOUNDARY LINE OF SAID PARCEL 14, A DISTANCE OF 834.28 FEET TO THE **POINT OF BEGINNING.**

SAID PARCEL CONTAINS 795,995 SQUARE FEET OR 18.274 ACRES, MORE OR LESS.

OLSSON ASSOCIATES
7250 NORTH 16TH STREET, SUITE 210
PHOENIX, ARIZONA 85020
(602) 748-1000

# LEGAL DESCRIPTION
# EXHIBIT MAP

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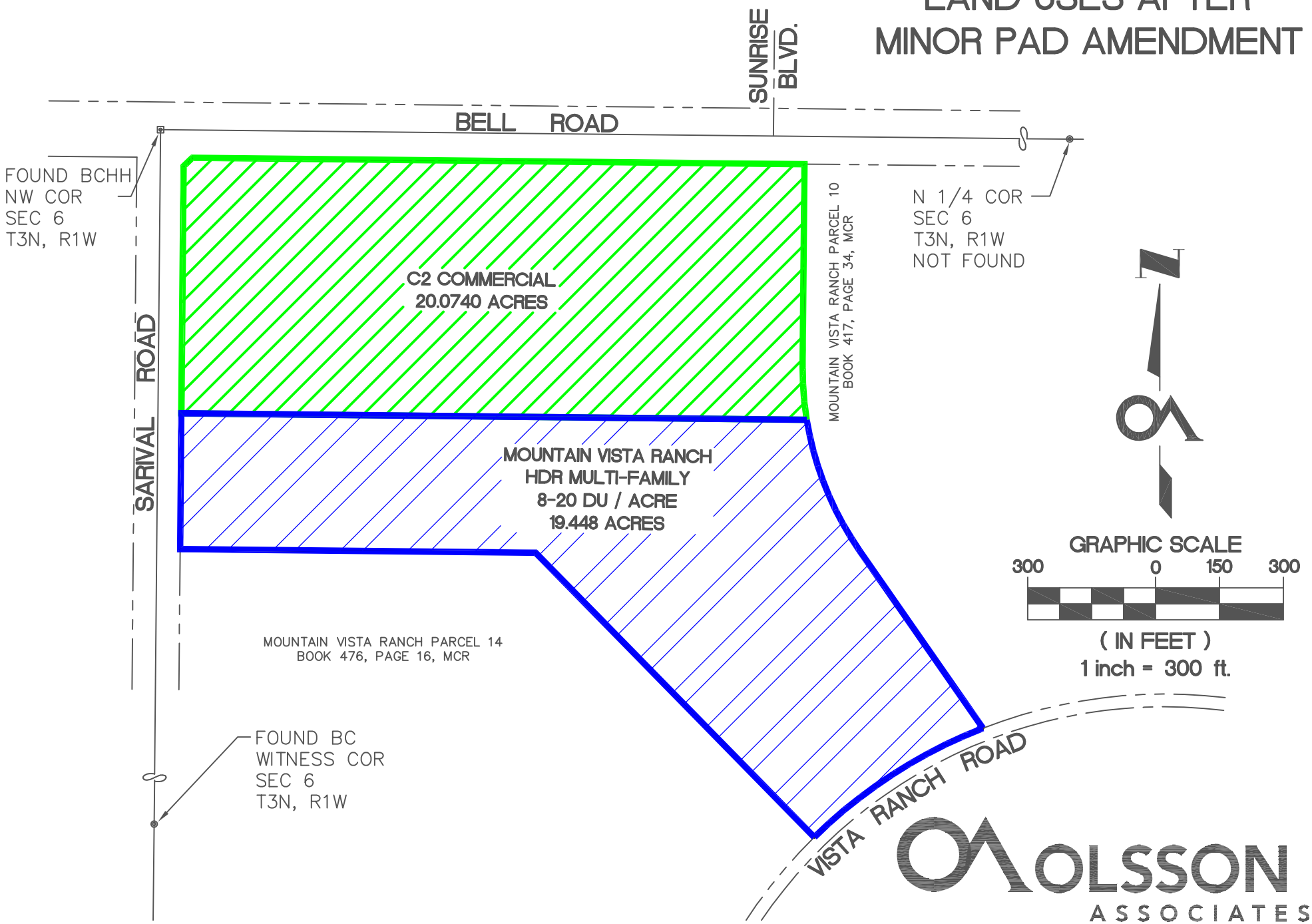
N

NTS

REGISTERED LAND SURVEYOR
CERTIFICATE NO.
22271
CHARLES R.
PADDACK
Date Signed 1-29-07
ARIZONA U.S.A.

# LAND USES AFTER MINOR PAD AMENDMENT





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