



Surprise Commerce Center I & II

Amendment	Case Number	Approval Date	Approval Doc.	Page
Original PAD	PAD05-164	10/25/05	Ord05-51	2
Land Addition	PADA07-132	12/4/07		37

Surprise Commerce Center I & II

Planned Area Development

15.46 – Acre Parcel

NWC Foxfire Drive and Dysart Road
Surprise, Arizona

Prepared for the
City of Surprise, Arizona

**CITY OF SURPRISE
PLANNING AND ZONING DEPARTMENT
APPROVED**

THIS APPROVAL IS NOT TO BE CONSTRUED AS AN APPROVAL OF ANY VIOLATION OF THE SURPRISE MUNICIPAL CODE, 2000 INT'L. BUILDING, PLUMBING, MECHANICAL AND NATIONAL ELECTRICAL CODES.

Case No.: PAD05-144
P&Z Comm. Approval: 10-4-05
City Council Approval: _____
B.O.A. Approval: _____
Stipulations: A-F

April 18th, 2005
July 8th, 2005
Revised August 5th, 2005

RECEIVED

AUG 09 2005

COMMUNITY DEVELOPMENT

SURPRISE COMMERCE CENTER I & II
PLANNED AREA DEVELOPMENT

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SURPRISE COMMERCE CENTER I & II
PLANNED AREA DEVELOPMENT

EXHIBITS

1. Vicinity Map
ALTA Survey w/ Existing Zoning
2. Legal Description – (11 acre parcel)
3. Context Plan w/ Aerial
Conformance to Surprise General Plan
4. General Development Plan & Circulation
5. Preliminary Parcel Map – Reference Only
6. Site Photographs
7. Building Elevation Photographs
8. Conceptual Landscape w/ Setback Detail
Colored Conceptual Landscape Plan
Photograph of Existing Streetscape for Surprise Commerce

A. Introduction

This General Development Plan provides a project overview of the Planned Area Development (PAD), proposed by RDB Management and Construction (RDB), for the combination of two parcels totaling an approximate 15.4 acres of land located one block northeast of Grand Ave and Bell Road in Surprise, Arizona (Property). *Refer to Exhibit '1'* for the location of this subject property. This General Development Plan is intended to provide the City of Surprise Planning and Building Division with the information necessary to review and approve the request PAD for this property.

1. Site Ownership

11 acre parcel is owned by Grand Ave & Bell Rd Property Partnership
4.4 acre parcel is owned by Buttrum Surprise Commerce Center LLC

2. Site Data

The sites for this proposed project is located one block north of Bell Road on Foxfire Drive in Surprise, Arizona, as shown on the location map enclosed as *Exhibit "1"*. *Refer to Exhibit '1'* for a copy of ALTA Survey.

3. Legal Description

Surprise Commerce II – See Exhibit "2"

Surprise Commerce I - Lot four (4), Resubdivision of Sun City West – Commerce Park, according to the plat of record in the Office of the County Recorder of Maricopa County, Arizona in Book 536 of Maps, Page 27.

4. Existing Site Conditions / Topography

The Surprise Commerce Center consists of two 32,000 SF buildings with ample parking that rests on 4.4 acres of the existing site. The remaining 11 acres of the site is currently vacant with no existing structures on-site. Concrete lined drainage channel owned by Maricopa Flood Control borders the north and east property lines. Foxfire Road is a paved two lane road that currently dead ends at a cul-de-sac. Dysart Road is scheduled to be improved north of Bell Road. The site topography of the site is fairly level with only a slight but even grade sloping to the southeast.

5. Surrounding Land Uses

- North: There is a 60' wide parcel with an approximate 12' wide channel owned by Maricopa County Flood Control that separates the subject property from the residential property. The land area along the north side of the channel is a fully developed residential community (zoned R1-7) under Sun City West jurisdiction.
- West: The land area to the directly adjacent to the Property, is undeveloped at this time (zoned C-3), and is further defined by Grand Ave which is approximately 2500' west of the subject Property. Various commercial businesses are currently operating within the Park, such as RV Storage, Lumber yard, general automotive repair, etc.
- South: Foxfire Drive forms the southern boundary of the Property is further defined by Bell Road which is approximately 1130' south of the subject property. The land area directly south of Foxfire Drive, which is currently vacant, is part of the Grand Ave & Bell Road Partnership and is intended for Commercial Development.
- East: There is an 80' wide parcel owned by Maricopa Department of Transportation that separates the subject property from the residential property. The land area along the east side of the channel is a fully developed residential community (zoned R1-7) under Sun City West jurisdiction.

Refer to Exhibit '3', for additional information regarding land uses and zoning.

B. Objectives / Development Goals

Rezone to PAD (Planned Area Development)

The Sun City West – Commerce Park is currently zoned General Commercial – C-3, *refer to Exhibit '1'*. RDB intends to revise the uses at the existing Surprise Commerce Center and the proposed expansion Surprise Commerce Center II that totals 15.4 acres to PAD for an integrated mixed use that includes a combination of Commercial, Business and Light Industrial uses in conformance with the Surprise General Plan 2020. This land use plan provides flexibility for future employment and retail used based on demand within the marketplace.

C. Conformance with City of Surprise's General Plan 2020

The City of Surprise General Plan has designated this property Employment. Under the Employment designation are land uses related to professional offices, service uses, office/warehouse, and/or manufacturing-type industrial uses. The overall intent of this designation is to locate employment uses and generate jobs for Surprise. The proposed PAD zoning request is consistent with the intent and the existing General Plan Land Use designation.

D. General Development Plan

1. Project Description

In accordance with the General Plan, this project is designed to offer a mix of commercial and light industrial activities as provided within the Planned Area Development. The purpose of the proposed PAD is to allow for a wide variety of employment uses that are not typically included in the current C-3 zoning district.

The land plan takes advantage of the site's proximity and will provide a well designed multi-tenant complex that will provide many employment opportunities for local residents allowing shorter commute times as well as provide added tax revenue for the City of Surprise.

All structures and improvements designated within this PAD will be designed and constructed by RDB Management and Construction. RDB will maintain the buildings and lease suites to future tenants.

2. Land Use Plan

The General Development Plan is enclosed as *Exhibit '4'*. The land uses are organized to promote compatibility with surrounding land uses, provide appropriate transitions between the *business, commercial and light industrial users*, and provide efficient access and circulation throughout project. This Mixed Use designation allows for the existing C-3 uses with limited I-1. The project is designed with minimal vehicular penetration points in order to safely and conveniently move traffic into and out of the project.

Land Use Summary

PAD – Mixed Use	Surprise Commerce I	4.4 Ac.
PAD – Mixed Use	Surprise Commerce II	11.0 Ac.
<hr/>		
Net Development Area		15.4 Ac.

E. DEVELOPMENT STANDARDS

RDB Management and Construction is proposing a multi-tenant project on the undeveloped 11 acres as an expansion to the existing Surprise Commerce Center.

The intended uses for the existing and proposed project are for a smaller tenant base with more service-oriented activities that includes; office, warehousing, light manufacturing and light automotive repair or detailing (Refer to Section 1a for a complete list of permitted uses). ***The proposed uses will all be conducted completely indoors.***

The proposed expansion will consist of four buildings, identical to the existing project that is approximately 33,000 square feet for each building. Each building will allow a maximum of twelve suites at approximately 2,600 to 3,200 square feet minimum per suite.

1. Proposed - Commerce Park (CP)

1a. Permitted Uses

- 1) Offices for professional, administrative, clerical and sales services including trade schools and business colleges.
- 2) Research Laboratories.
- 3) Medical and dental laboratories.
- 4) Medical, dental or health office buildings and clinics.
- 5) Health care, health club, day care, nursery schools, dance studio and commercial recreation.
- 6) Schools
- 7) Church and/or Places of worship
- 8) Community center or meeting hall
- 9) Equipment rental
- 10) Barber shop and beauty salons.
- 11) Appliance sales, services, and repair
- 12) Business and office machine sales, service and repair shop
- 13) Veterinary clinics with indoor boarding of animals
- 14) Print and/or sign manufacturing
- 15) Banks and other savings and lending institutions.
- 16) Bakery for on-site sales
- 17) Game rooms, pool halls, video arcades
- 18) Music and instrument sales, service and repair shop
- 19) Mail order catalog store
- 20) Exterminator shop
- 21) Temporary construction offices incidental to construction project only for the duration of such project

- 22) Radio and television broadcasting stations and studios
- 23) Travel agency
- 24) Retail establishments such as, but not limited too:
 - Antique shop
 - Apparel and accessory store
 - Art supply
 - Book and stationary store
 - Clothing and costume rental shop
 - Florist
 - Furniture store
 - Hardware store
 - Hunting and fishing supply store
 - Leather goods and luggage store
 - Lock and key shop
 - Monument sales and engraving
 - Office supply and equipment store
 - Paint and wallpaper store
 - Photographic equipment and supply store
 - Sporting and athletic goods store
 - Upholstery shop
- 25) Public buildings
- 26) Radio or television sales, service and repair
- 27) Wholesaling including irrigation, landscape material sales provided all supplies and equipment are in a completely enclosed building.
- 28) Warehousing and distribution, excluding dead vehicle storage, trucking companies, and moving storage companies.
- 29) Light manufacturing, fabrication, processing, packaging, cleaning or assembly of finished or unfinished products composed of pre-manufactured or natural products or materials provided that all processes are conducted indoors.
- 30) Automobile repair including body and fender shops, motor vehicle, boat or trailer assembly provided that all service activities are conducted indoors.
- 31) Automobile, boat, recreational vehicle sales, service, rental and/or repair.
- 32) Auto supply store
- 33) Tire sales, repair and mounting
- 34) Custom millwork (woodworking, manufacturing)

Any additional C-3 uses permitted in the Surprise Municipal Code

1b. Prohibited Uses

- 1) Adult bookstores, adult live entertainment, adult theaters.
- 2) Auto salvage and wrecking yards.
- 3) Cement and paving material mixing plant
- 4) Cesspool or septic tank servicing and equipment yard.
- 5) Extraction of sand, gravel, oil, gas, and other mining operations.
- 6) Foundry, refining, smelting, or alloying.
- 7) Metals crushing, recycling or collection facility.
- 8) Sewage disposal or treatment plant.
- 9) Tanneries, meat packing, smoking plants, slaughter houses.

1c. Maximum Building Height

Maximum building height shall be thirty-five (35) feet.

1d. Minimum Yard Requirements

All building set backs, landscape buffers, and screening requirements shall conform with Chapter 17 of the Surprise Zoning Ordinance.

Front:	35'
Corner Side	25'
Interior Side and Rear	15'
Residential zone boundary	40' *

* In Title 17 of the Surprise Municipal Code, a 45' building setback is required between commercial/industrial zones to residential zones. RDB is proposing a 40' building setback based upon the unique site conditions of the proposed project. An existing 60' wide Maricopa Flood Control channel separates the residential properties along the north from the proposed project.

1e. Outdoor Storage of Materials

Outdoor storage may only occur in the rear yard areas where visibility of stockpiled material is screened from public view. Outdoor storage may only include materials considered incidental to the primary business activity. These areas shall be screened and enclosed by an 8' masonry wall painted to match the primary structure.

F. Architecture

The proposed building architecture for Surprise Commerce Center II will be identical to the existing Surprise Commerce Center that incorporates several architectural features that include painted masonry walls, varied building height and wall planes, arched front entry and window recesses, over concrete slabs, storefront window and door systems along the front and various side elevations. The mechanical units will be located on the roof and will be fully screened with a minimum of three to four feet of parapet. The main electrical service will be located within an enclosed room at each building, which will connect to individual panels within the suites. *Refer to Exhibit "7" for Building Elevation Photographs.*

G. Landscaping

The streetscape and perimeter landscaping is a key component to the visual appearance of the existing Surprise Commerce Center and proposed Surprise Commerce Center II. The landscape is designed in conformance the City of Surprise Zoning Ordinance and Planning and Design Guidelines. The streetscape for Surprise II will be carried over from the existing Surprise Commerce Center that includes lush landscaping, sidewalks, with three foot decorative block screen walls. *Refer to Exhibit "8" for Conceptual Landscaping.*

H. Noise Buffering Techniques

RDB has put great consideration into minimizing potential noise factors that many potentially be of a disturbance to adjacent residential property owners.

Buildings - The expansion project consists of four multi-tenant buildings that do not allow for any exterior yard space therefore all business activities shall be conducted completely indoors. The buildings are constructed of masonry walls that carry an average STC rating of 45.

Site - The existing site conditions have a 60' wide Maricopa Flood Control channel that separates the residential from the proposed project creating a more than generous buffer. Along the north property line RDB has provided an additional 40' building setback totaling (with channel width) 100' from the residential properties. (Note: that each residential property along the channel has an existing 6-8 foot high masonry site wall to assist in filtering noise and visibility to adjacent properties. *Refer to Exhibit "6" Photos 9-10*). Within the proposed RDB 40' building setback the following will be provided for substantial noise reduction; an 8' high masonry site wall, 10' wide landscape buffer lined with 36" box trees (30-50' at full height), and a 30' wide drive aisle for adequate on-site circulation.

I. **Infrastructure / Utilities** (for proposed Surprise Commerce II)

1. **Access / Circulation**

The primary access to the property is via Bell Road, a designated major arterial one block south of the property. 134th Drive which intersects with Bell Road that runs north and connects to Foxfire Drive. Foxfire Drive which borders the southern boundary of the Property currently terminates at a cul-de-sac however, will be extended (by GABRPP) in the near future to Dysart Road to allow adequate circulation and help relieve the restricted access conditions on 134th Drive.

Refer to Exhibit "4"

2. **Street Improvements**

Grand Ave & Bell Rd Property Partnership (GABRPP) is currently undergoing the Re-plat process for 59 acres in which full street improvements for the extension of Foxfire Drive and Dysart road will be constructed per City of Surprise standards and coordinated with RDB for the proposed development on locations of drive approaches and so forth. *Refer to Exhibit "5"* for a Preliminary Parcel Map that illustrates the street layout.

3. **Drainage**

The PAD site has slight, even slope to the southeast. The proposed project site is subject to minimal offsite drainage flows. On-site retention basins approved in Site Plan Review will accommodate all storm water drainage. Drainage will be designed to accommodate 100-year, two-hour storm events.

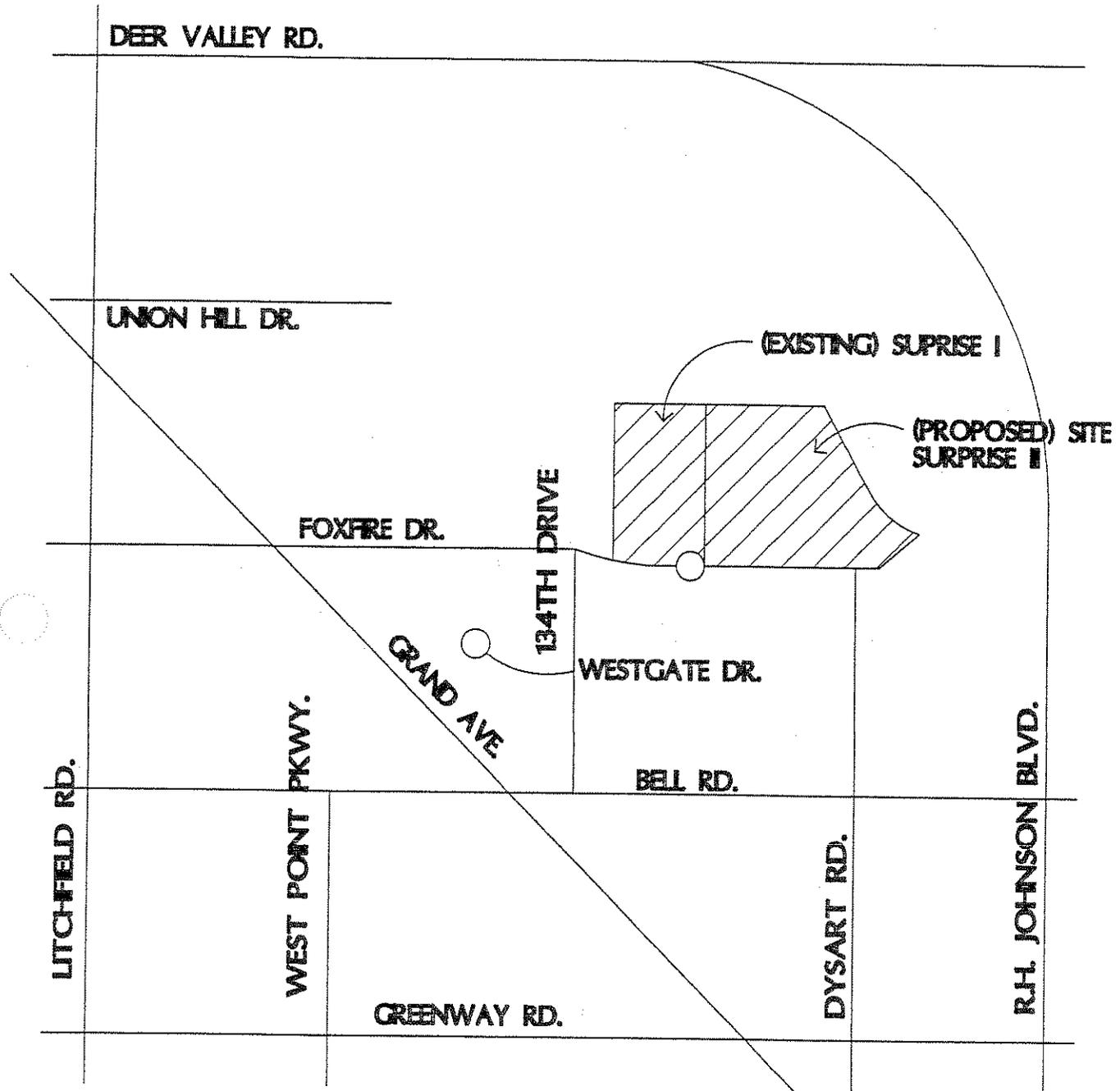
4. **Services**

Water Service.....	Arizona American Water Services
Sewer Service.....	Arizona American Water Services
Electrical Service.....	Arizona Public Service (APS)
Telephone Service.....	Qwest Communications
Fire and Emergency.....	City of Surprise
Police.....	City of Surprise

J. **Phasing**

The 11 acre site and building shells shall be built and completed in one phase.

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100



SURPRISE COMMERCE CENTER II
SURPRISE, AZ

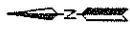


VICINITY MAP
 EXHIBIT 1



Management & Construction

107 W. Wilcox Dr., Phoenix, AZ 85027
 T: 623.780.7929 F: 623.798.3050



LEGEND

- FOUND BRASS CAP IN HAND HOLE
- FOUND BRASS CAP FLUSH
- SET 1/2" REBAR HAS #3/8" OR AS NOTED
- FIRE HYDRANT
- WATER VALVE
- FIRE DEPARTMENT CONNECTION
- POWER POLE
- CITY ANCHOR
- TELEPHONE JUNCTION BOX
- MANHOLE WITH COVER
- GAS VALVE
- SIGN
- ELECTRIC RAIL BOX
- STORM DRAIN MANHOLE
- CTRD. MAZT
- TELEPHONE MANHOLE
- CONCRETE
- ASPHALT
- BOUNDARY LINE
- SECTION LINE
- EASEMENT LINE
- ONE - OVERHEAD ELECTRIC
- TWO - MEASURED
- RECORD

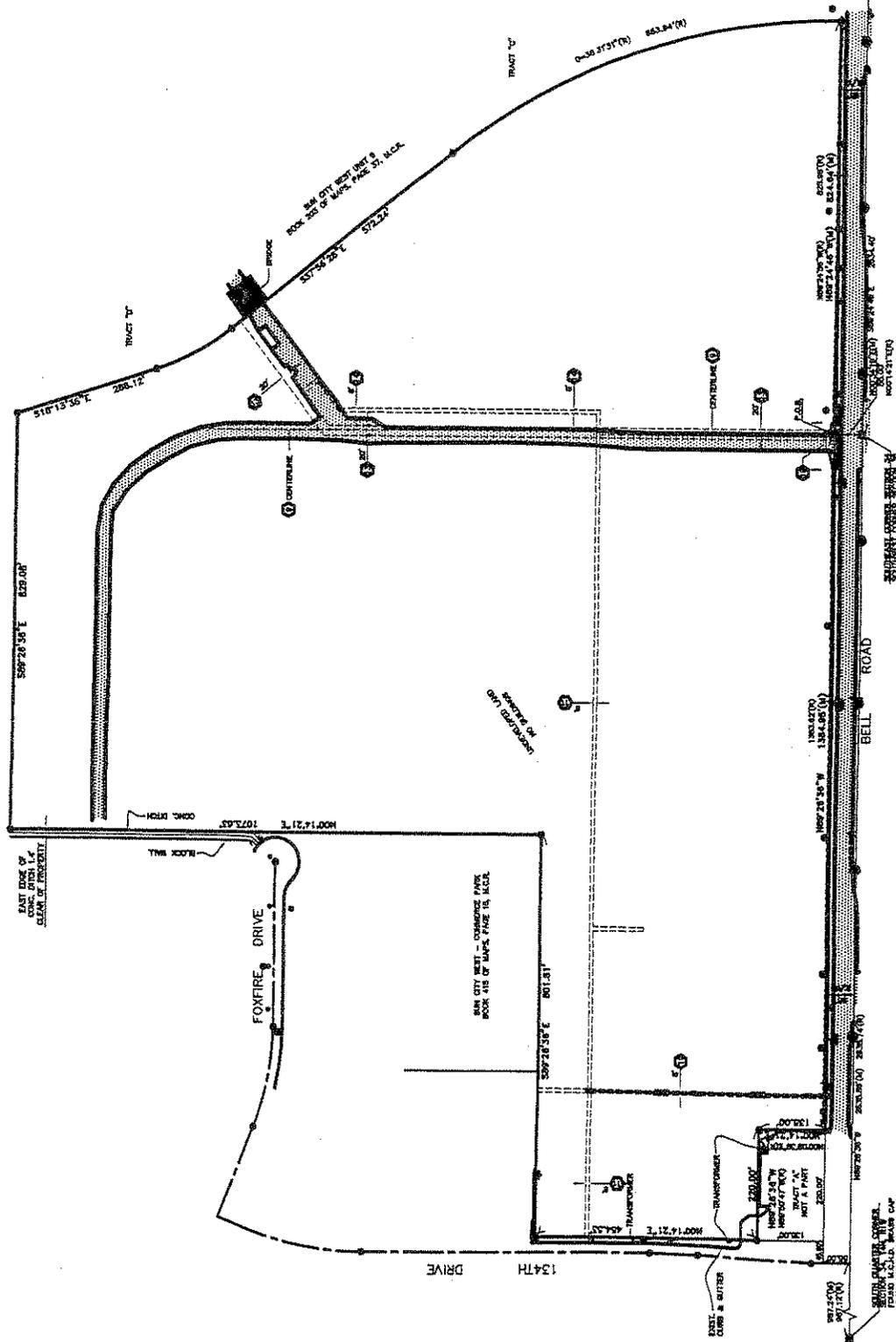
BELL ROAD & DYSART ROAD
PHOENIX, ARIZONA

ALTA/ACSM LAND TITLE SURVEY

DATE: 09/29/04
SCALE: 1"=100'
ISSUED: KOO
REV. CORRECTED DIMENSIONS ON 3/20/11
1-03-03

APPROVED: KOO
DWG. NO. 2
SHT. 2 OF 2

EXHIBIT 1



1

2

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LEGAL DESCRIPTION:

THAT PORTION OF THE SOUTHEAST QUARTER OF SECTION 34 AND THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 4 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBES AS FOLLOWS:

COMMENCING AT A MARICOPA COUNTY HIGHWAY DEPARTMENT BRASS CAP IN HAND HOLE ACCEPTED AS THE SOUTH QUARTER CORNER OF SAID SECTION 34 WHICH A MARICOPA COUNTY HIGHWAY DEPARTMENT BRASS CAP IN HAND HOLE ACCEPTED AS THE SOUTHEAST CORNER THEREOF BEARS SOUTH 89 DEGREES 26 MINUTES 36 SECONDS EAST A DISTANCE OF 2635.86 FEET;

THENCE ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER SOUTH 89 DEGREES 26 MINUTES 36 SECONDS WEST A DISTANCE OF 1833.04 FEET;

THENCE LEAVING SAID SOUTH LINE, NORTH 00 DEGREES 14 MINUTES 21 SECONDS EAST A DISTANCE OF 1215.07 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 00 DEGREES 14 MINUTES 21 SECONDS EAST A DISTANCE OF 503.08 FEET;

THENCE SOUTH 89 DEGREES 26 MINUTES 36 SECONDS EAST A DISTANCE OF 829.08 FEET;

THENCE SOUTH 18 DEGREES 13 MINUTES 38 SECONDS EAST A DISTANCE OF 288.12 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 505.00 FEET;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 19 DEGREES 42 MINUTES 50 SECONDS AN ARC LENGTH OF 173.76 FEET TO A POINT OF NON-TANGENCY;

THENCE SOUTH 04 DEGREES 20 MINUTES 04 SECONDS WEST A DISTANCE OF 200.88 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 70.00 FEET TO THE CENTER OF WHICH BEARS SOUTH 44 DEGREES 30 MINUTES 06 SECONDS WEST;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 70 DEGREES 23 MINUTES 47 SECONDS AN ARC LENGTH OF 86.01 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 25.00 FEET;

THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 26 DEGREES 29 MINUTES 41 SECONDS AN ARC LENGTH OF 11.56 FEET;

THENCE NORTH 89 DEGREES 24 MINUTES 00 SECONDS WEST A DISTANCE OF 730.82 FEET TO THE POINT OF BEGINNING.

3

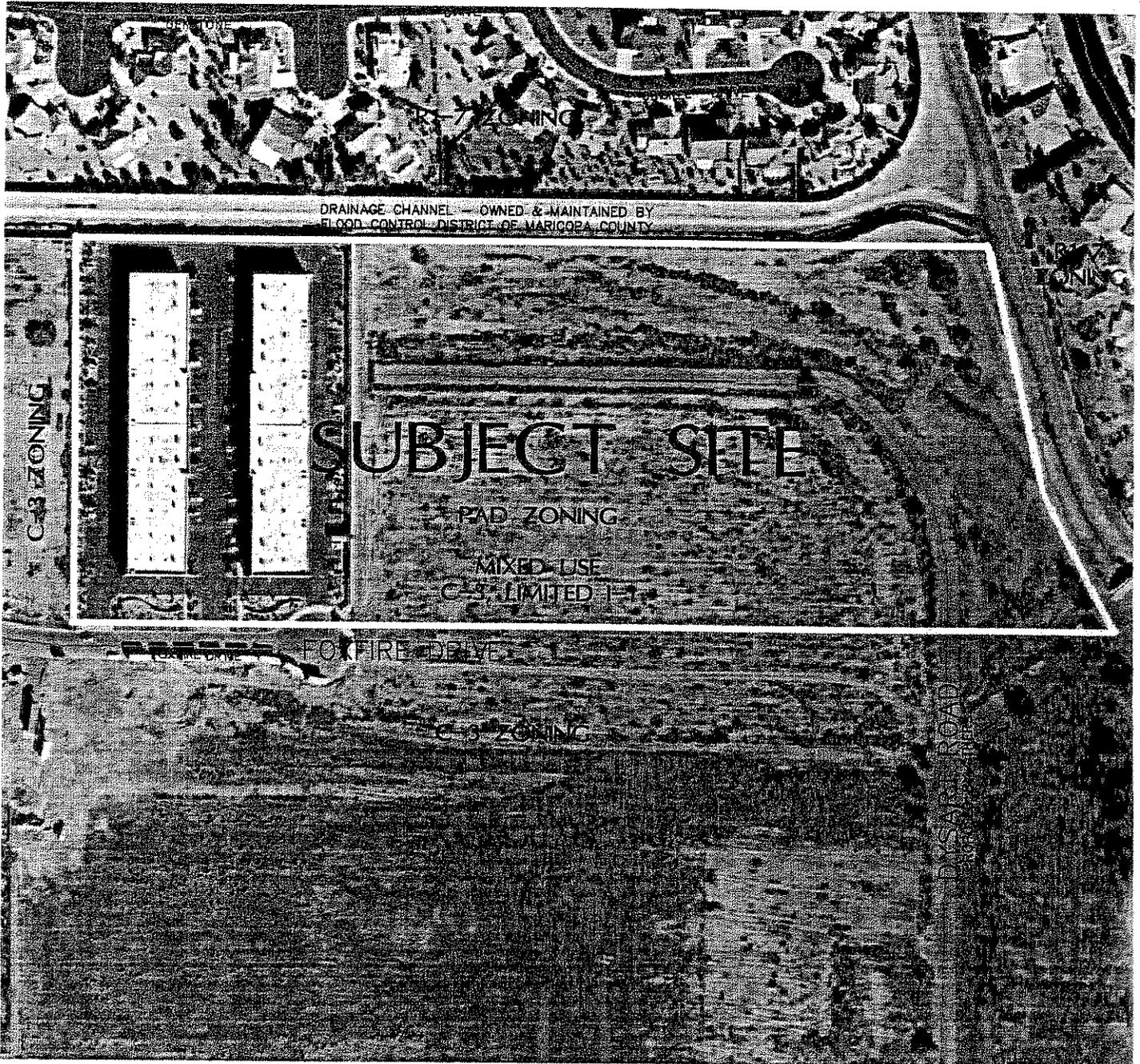
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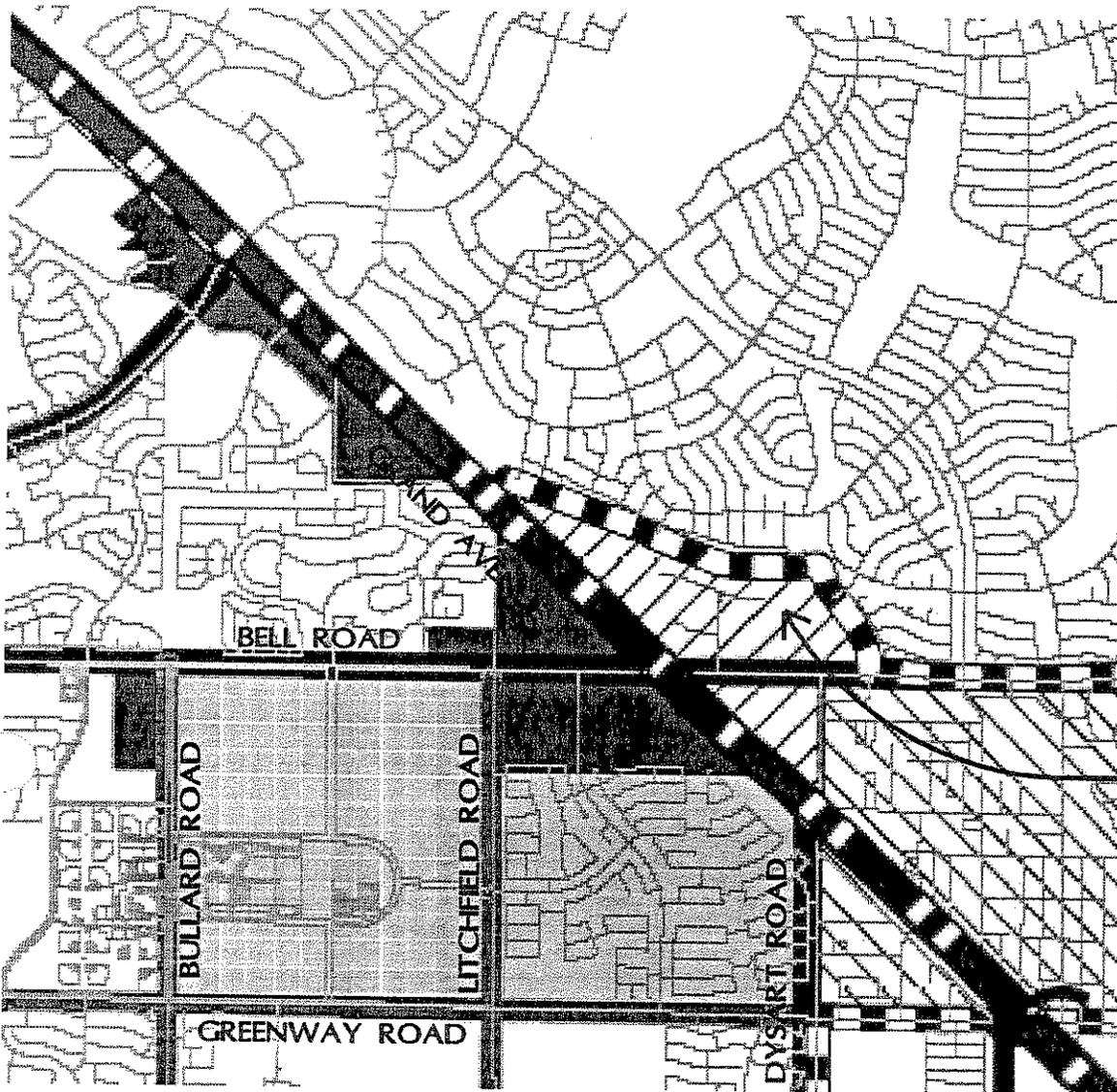
SURPRISE COMMERCE CENTER I & II
 SURPRISE, AZ



CONTEXT PLAN
 LAND USE PLAN
 EXHIBIT 3

RDB

Management & Construction



Land Use Classification

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

Street Classification

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

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

SUBJECT SITE

SURPRISE COMMERCE CENTER I & II
SURPRISE, AZ



CONFORMANCE TO GENERAL PLAN

LAND USE DESIGNATION: EMPLOYMENT

EXHIBIT 3

1617 W. Williams Dr., Phoenix, AZ 85027
 T: 623.760.2929 F: 623.298.2050

RDB Management & Construction

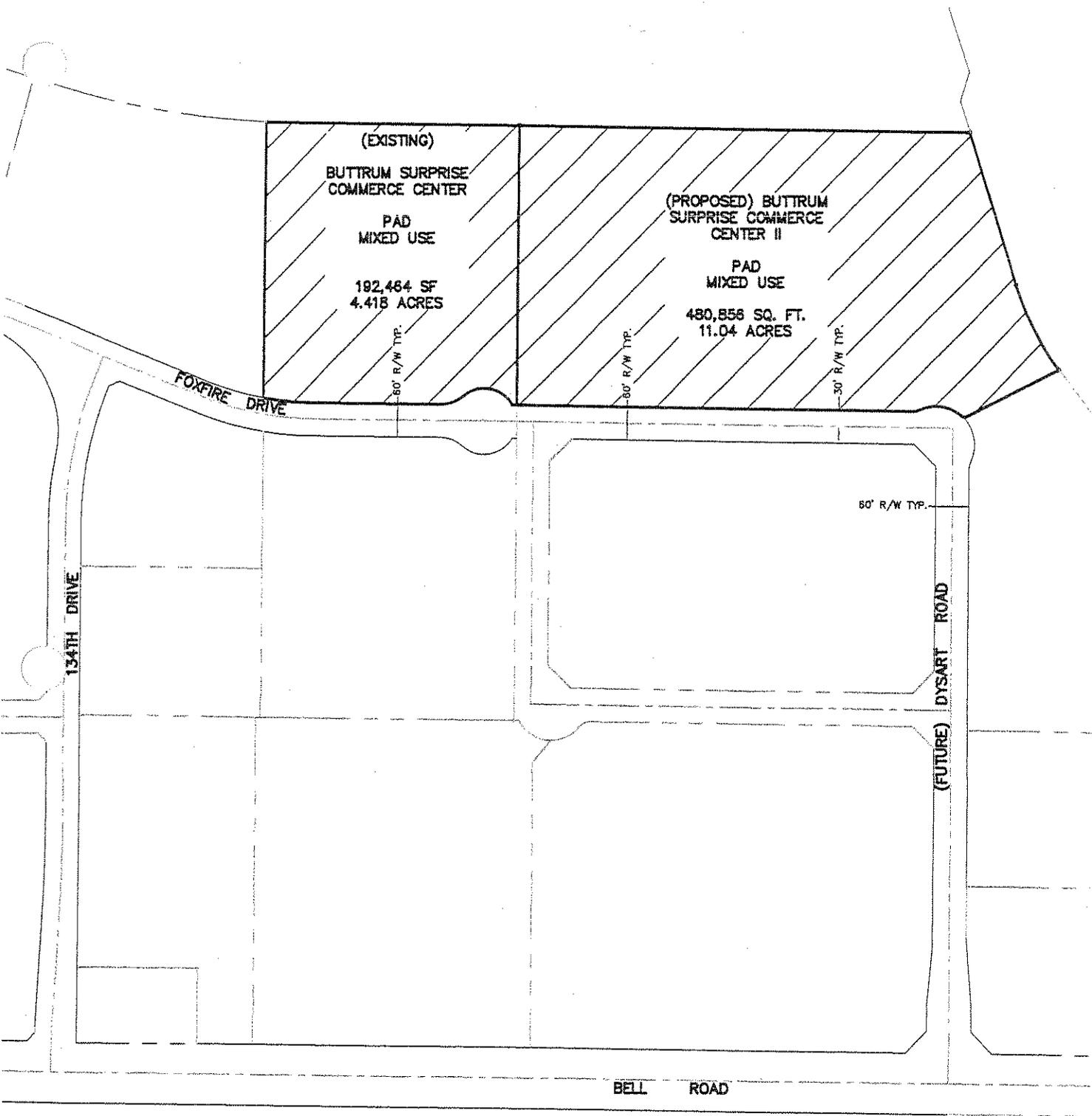
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SITE DATA SUMMARY

SURPRISE I	194,464 SF	4.42 AC
SURPRISE II	480,856 SF	11.04 AC
TOTAL	673,320 SF	15.46 AC

LAND USE SUMMARY

PAD	15.46 AC
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SURPRISE COMMERCE CENTER II
SURPRISE, AZ



**GENERAL DEVELOPMENT
 PLAN
 AND CIRCULATION
 EXHIBIT 4**



Management & Construction

5

6

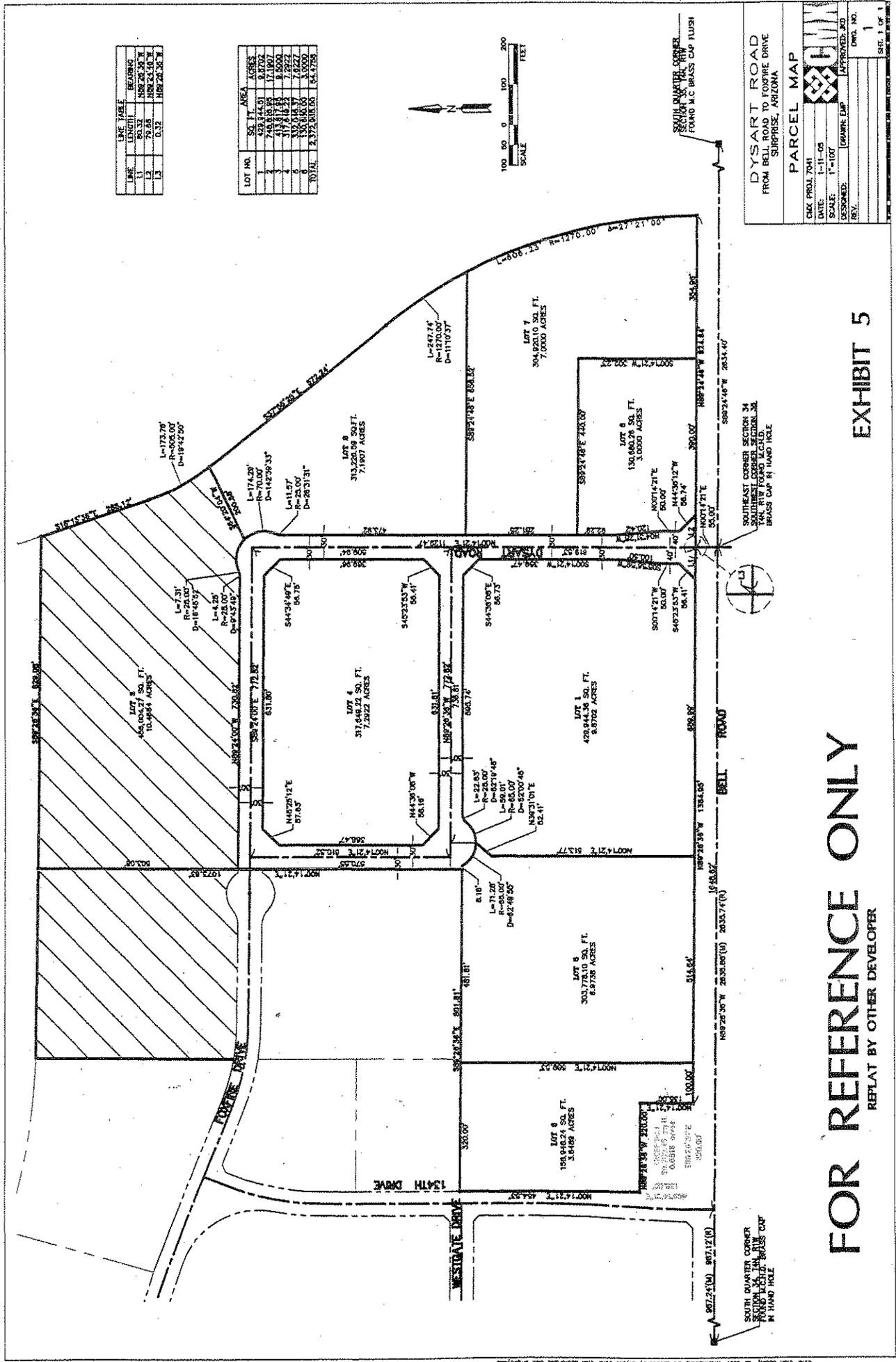
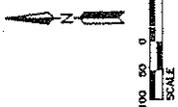
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LINE	FAIR	BEARING	LENGTH
L1	50.37	N89°24'48"W	50.37
L2	70.85	N88°24'48"W	70.85
L3	0.12	N88°24'48"W	0.12

LOT NO.	SQ. FT. AREA	ACRES
1	428,144.01	9.7002
2	740,818.59	17.0007
3	113,811.54	2.5900
4	317,462.22	7.2922
5	110,418.27	2.5222
6	156,645.00	3.5900
7	304,925.10	7.0000
8	313,226.09	7.1907
9	130,660.74	3.0000
10	454,000.00	10.4004
TOTAL	2,372,208.00	54.1788



DYSART ROAD
FROM BELL ROAD TO FOYRE DRIVE
SURPRISE, ARIZONA

PARCEL MAP

CHECKED: 7/04
DATE: 1-11-05
SCALE: 1"=100'
DESIGNED: [Signature]
REV. [Signature]

DRAWN: EMP
APPROVED: AD
DWA. NO. 1
SHT. 1 OF 1

FOR REFERENCE ONLY
REPLAT BY OTHER DEVELOPER

EXHIBIT 5

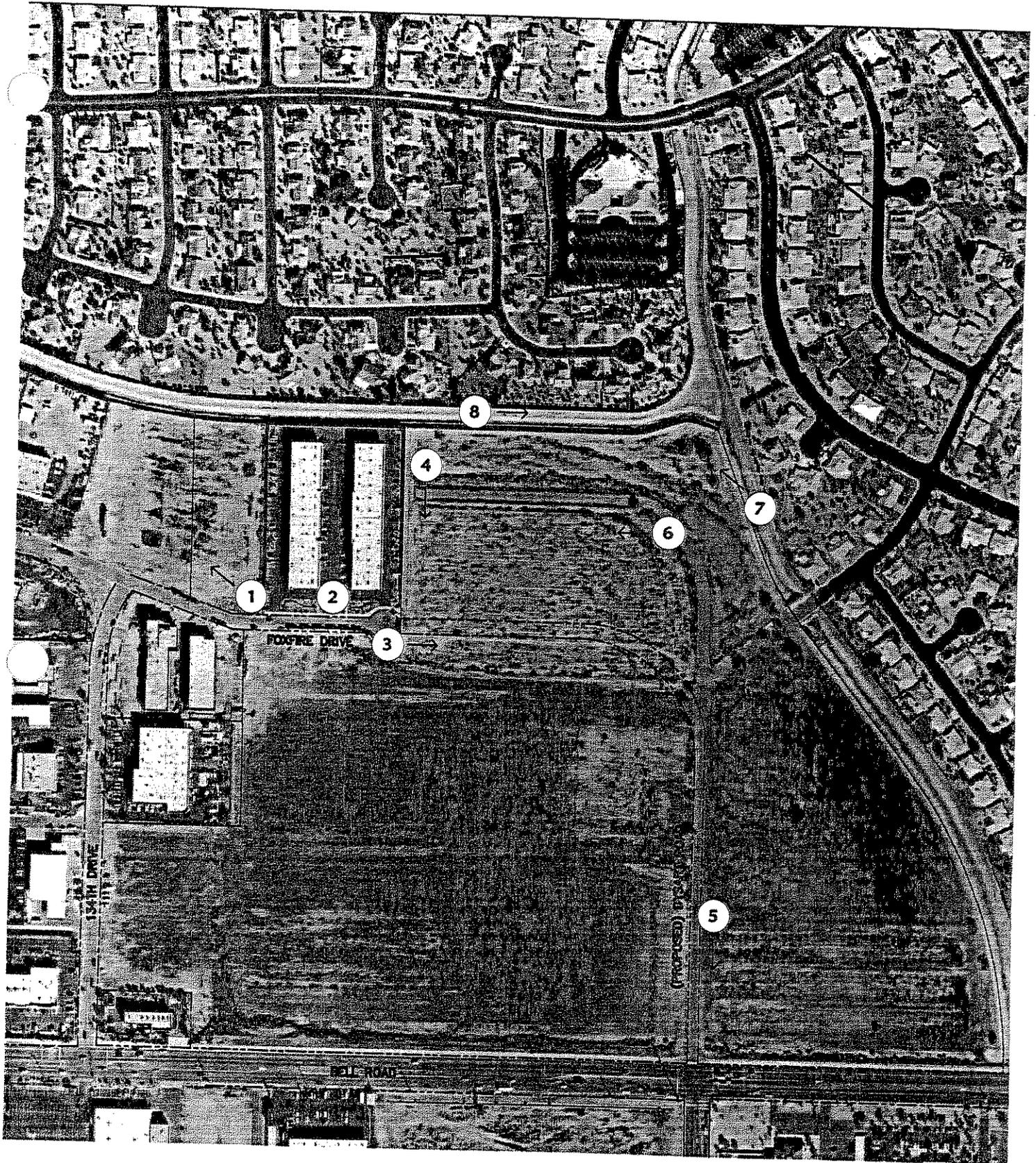
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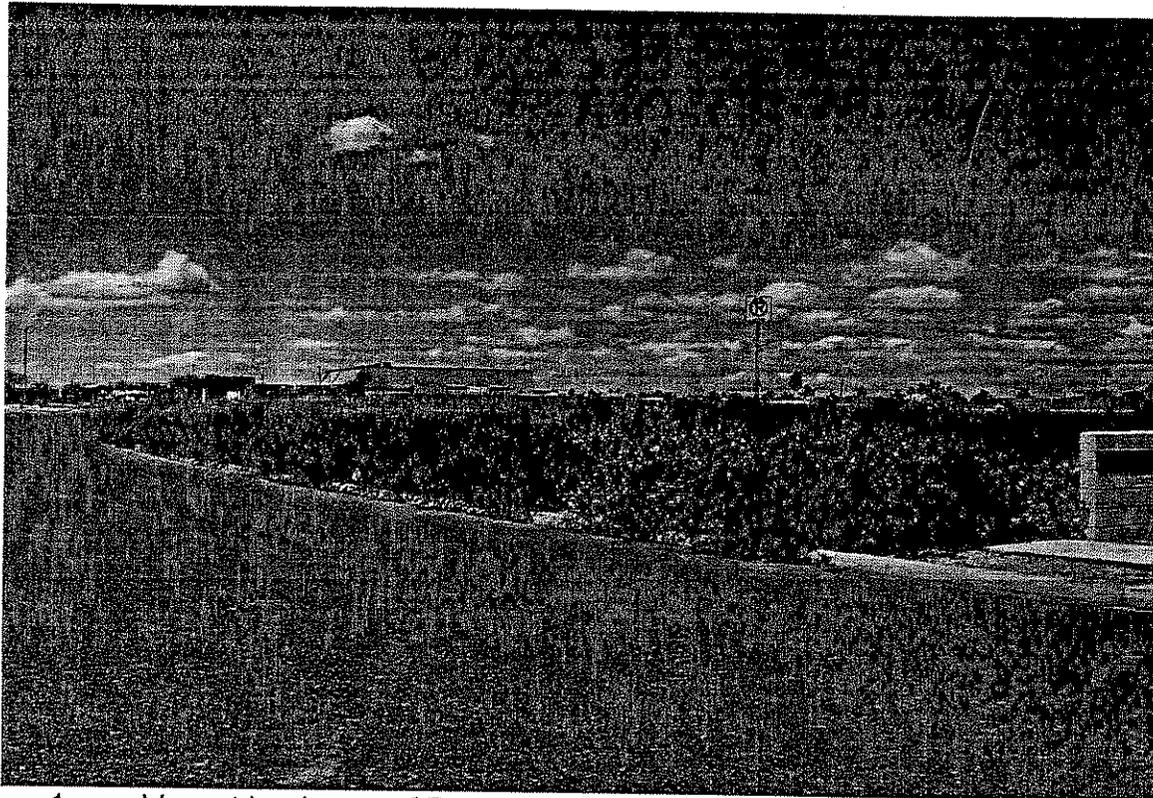
SURPRISE COMMERCE CENTER II
SURPRISE, AZ



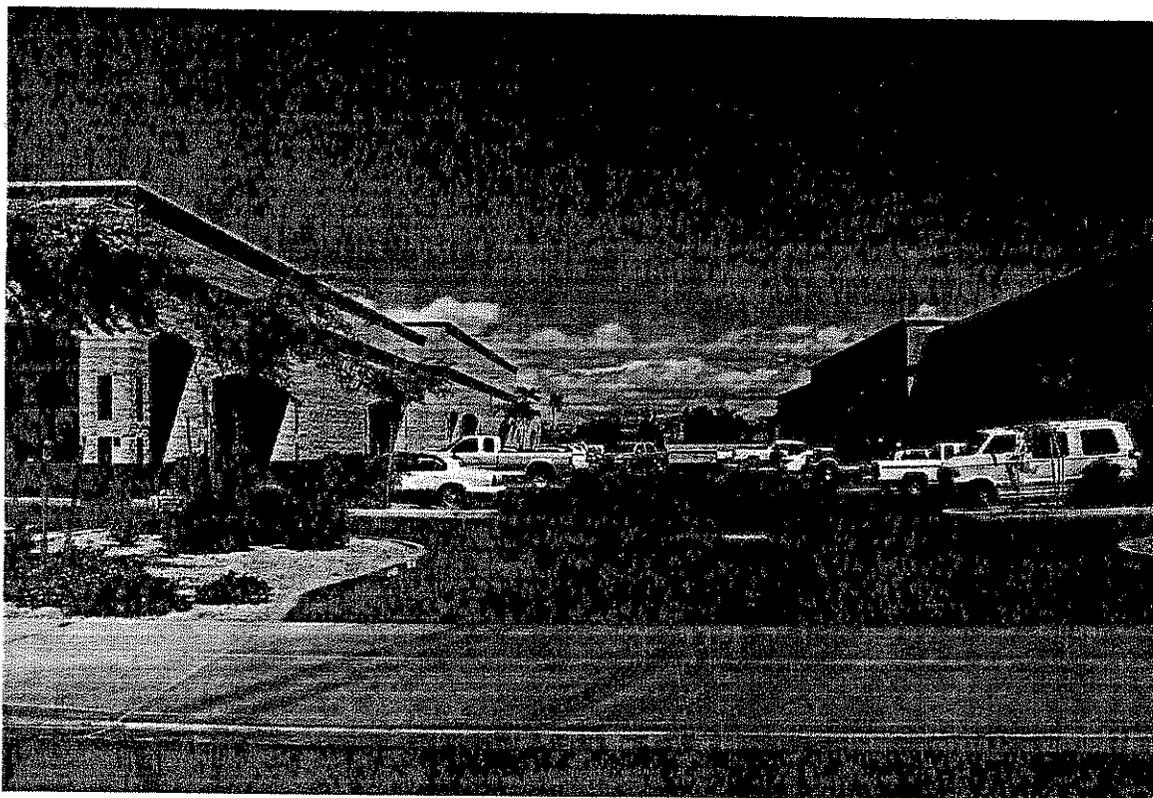
SITE PHOTOGRAPHS
EXHIBIT 6

RDF

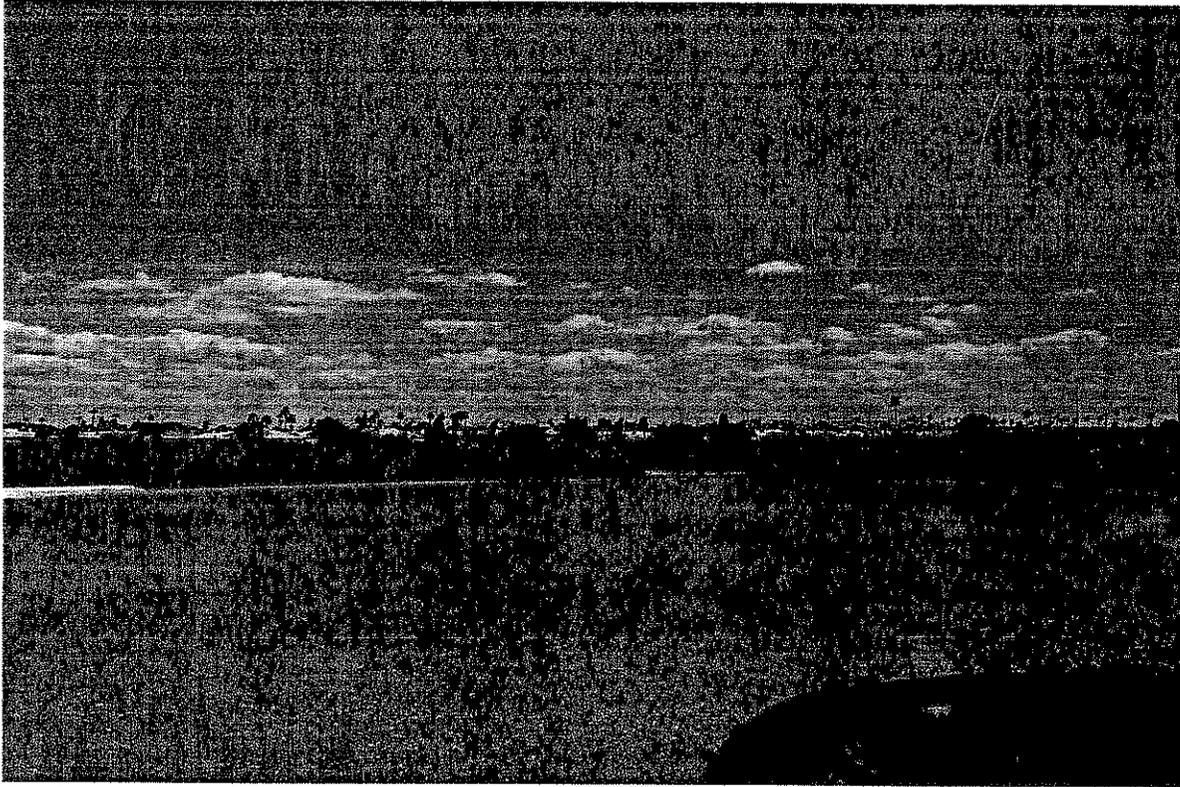
Management & Construction



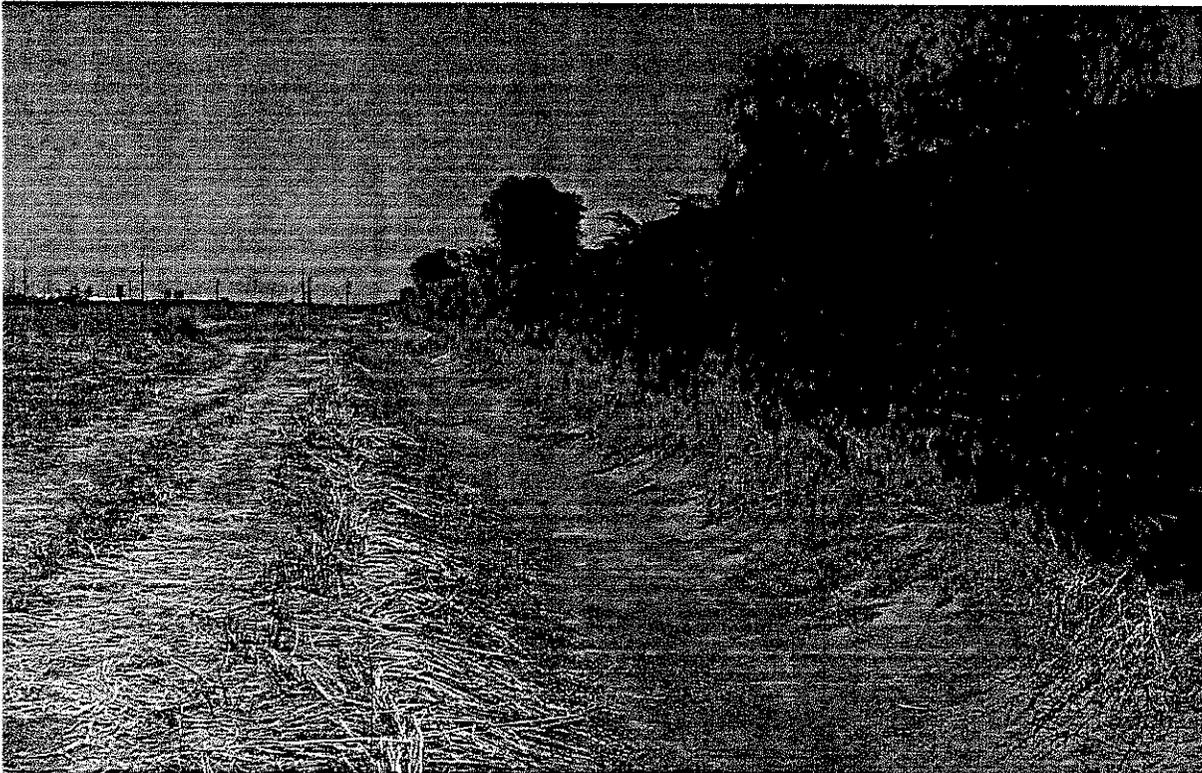
1. Vacant land west of Property.



2. Surprise Commerce Center I - 4.4 acres of Property.

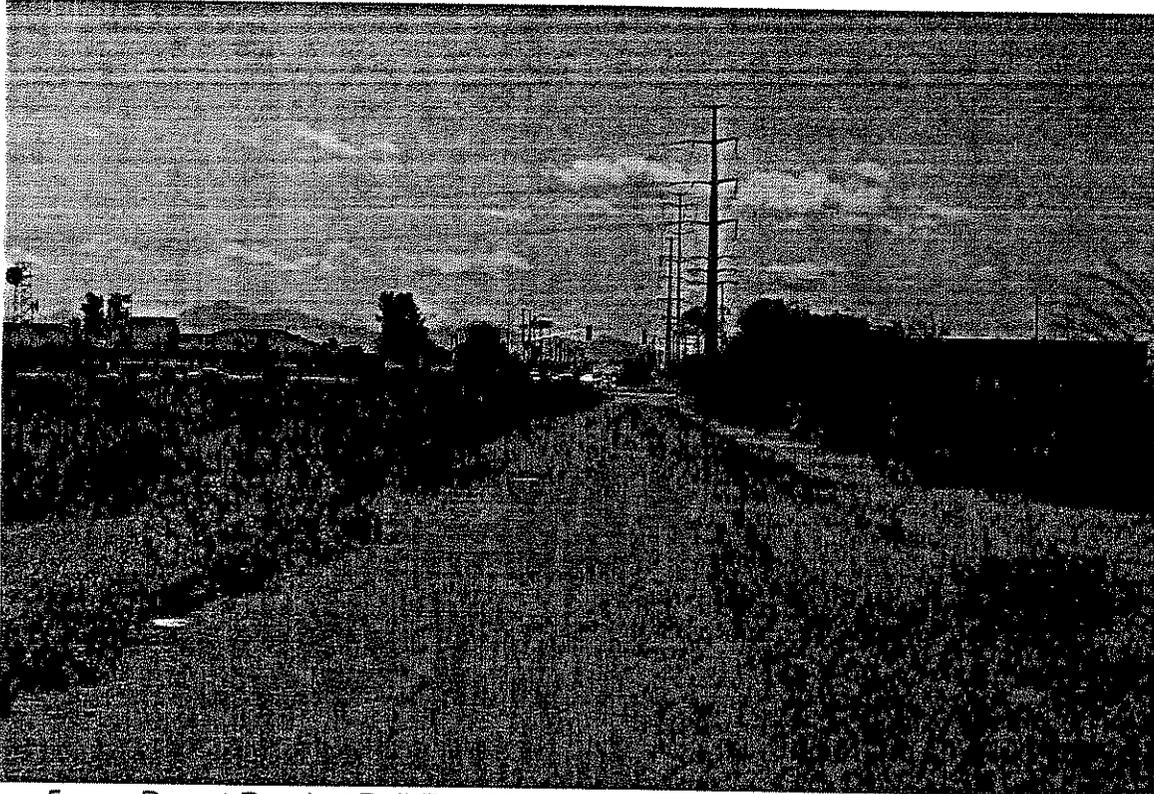


3. Cul-de-sac & proposed extension of Foxfire Drive

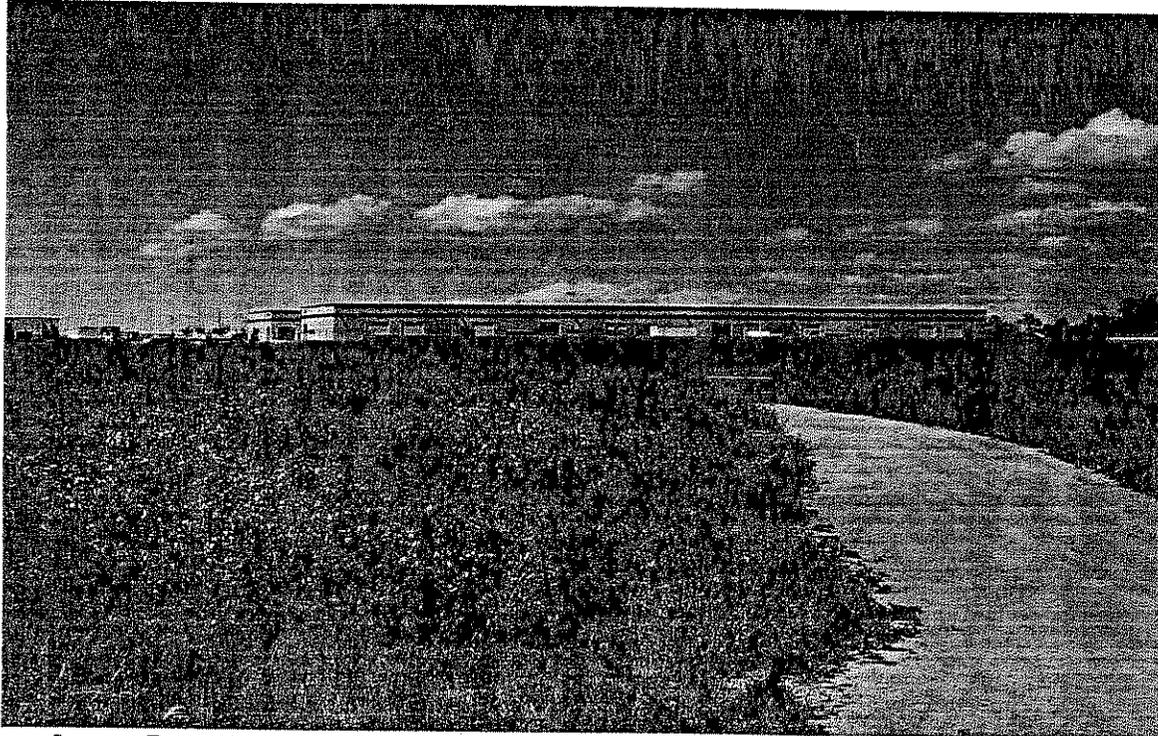


4. Channel for Foxfire Drive storm water run-off.

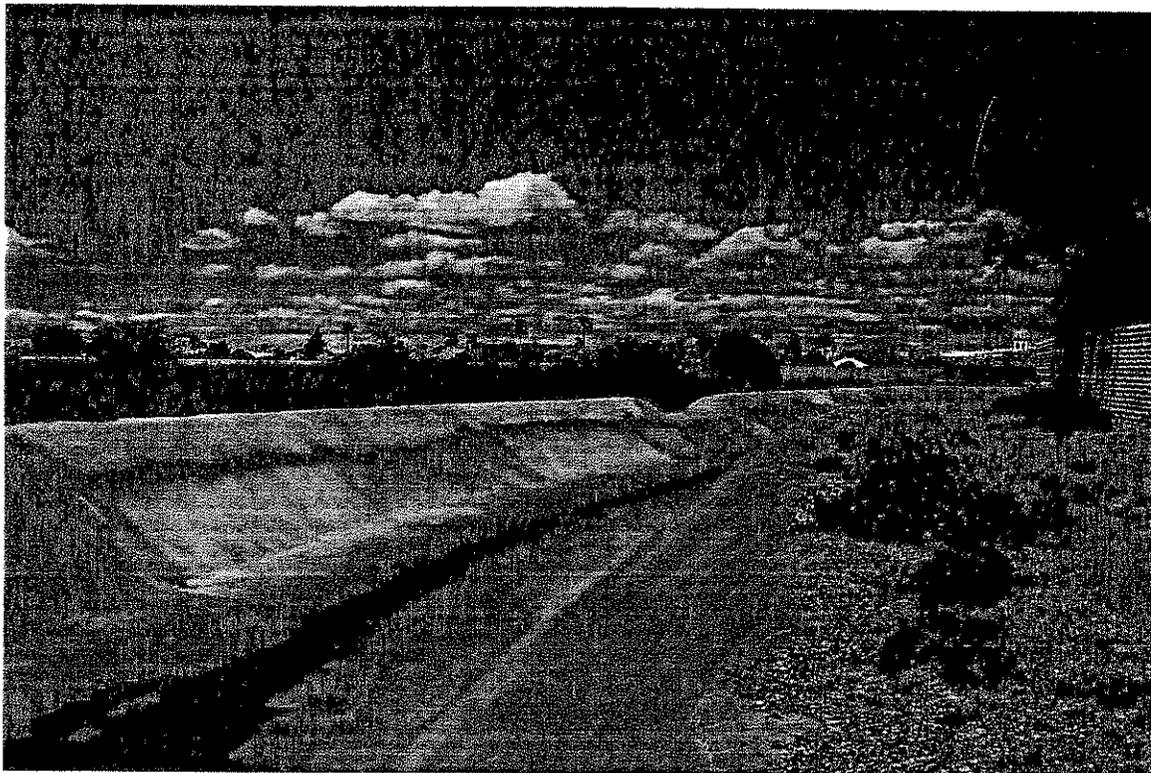
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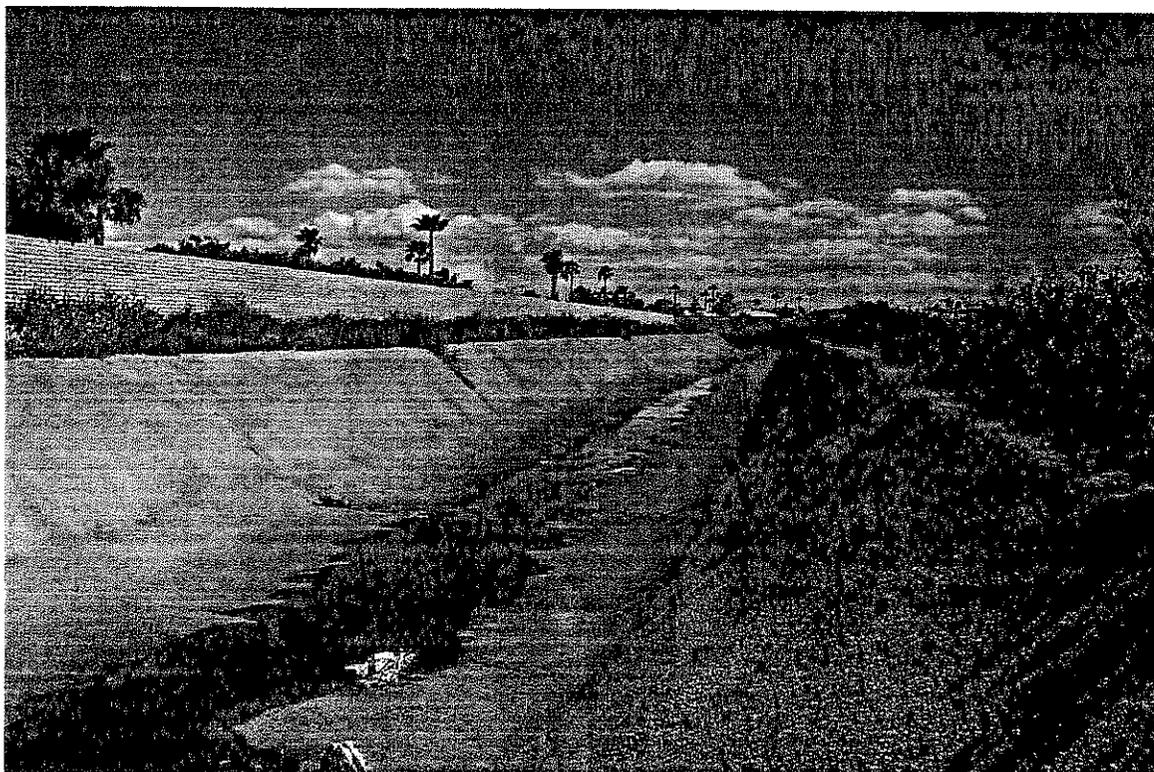
5. Dysart Road at Bell Road intersection currently gated from public access



6. Remaining 11 acres for proposed extension of Surprise Commerce I
(shown in distance)



7. Drainage channel along eastern property line.

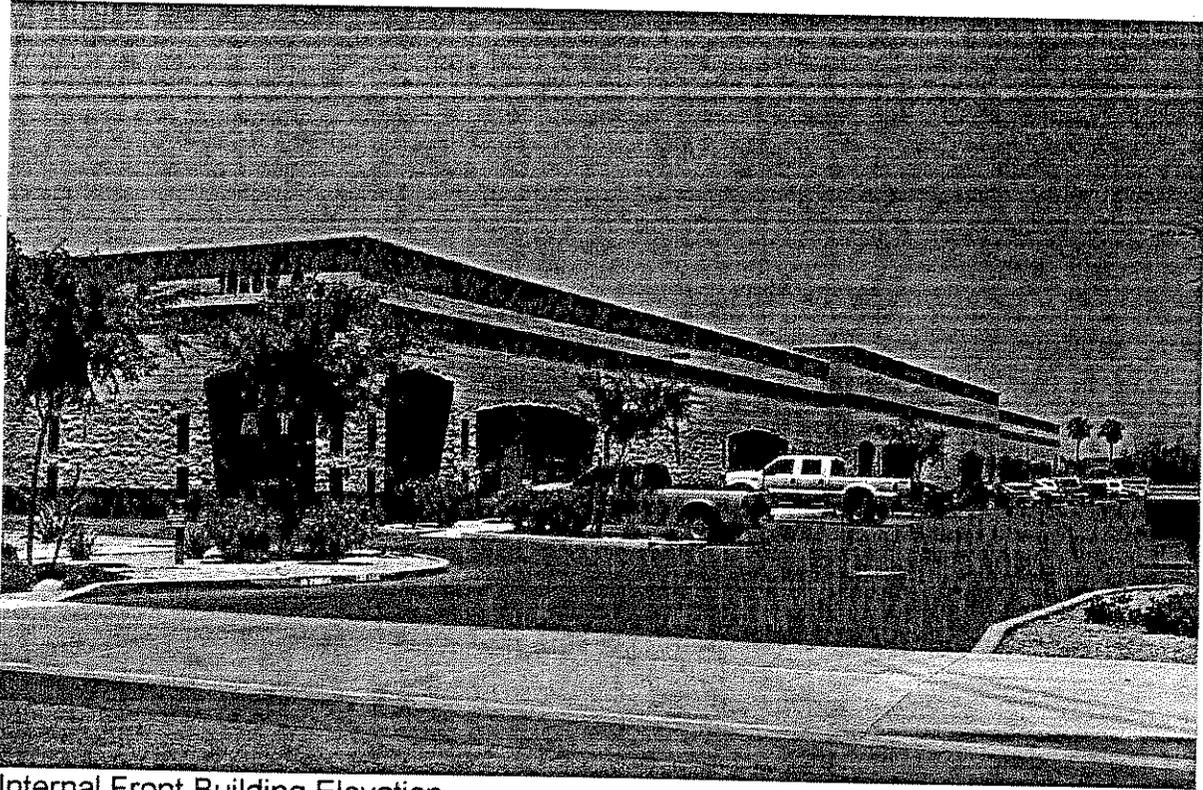


8. Maricopa Flood - 60' wide drainage channel along north property line

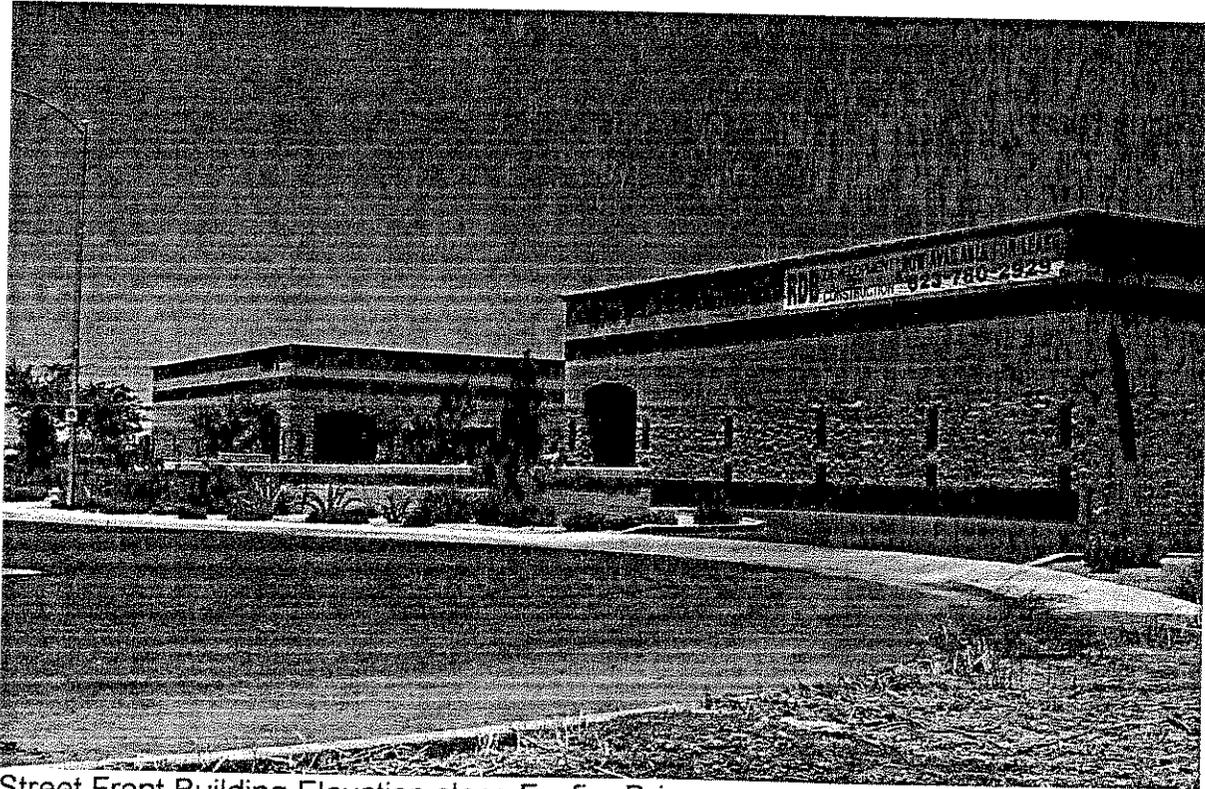
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EXHIBIT 7

Surprise Commerce Center I & II
Planned Area Development



Internal Front Building Elevation

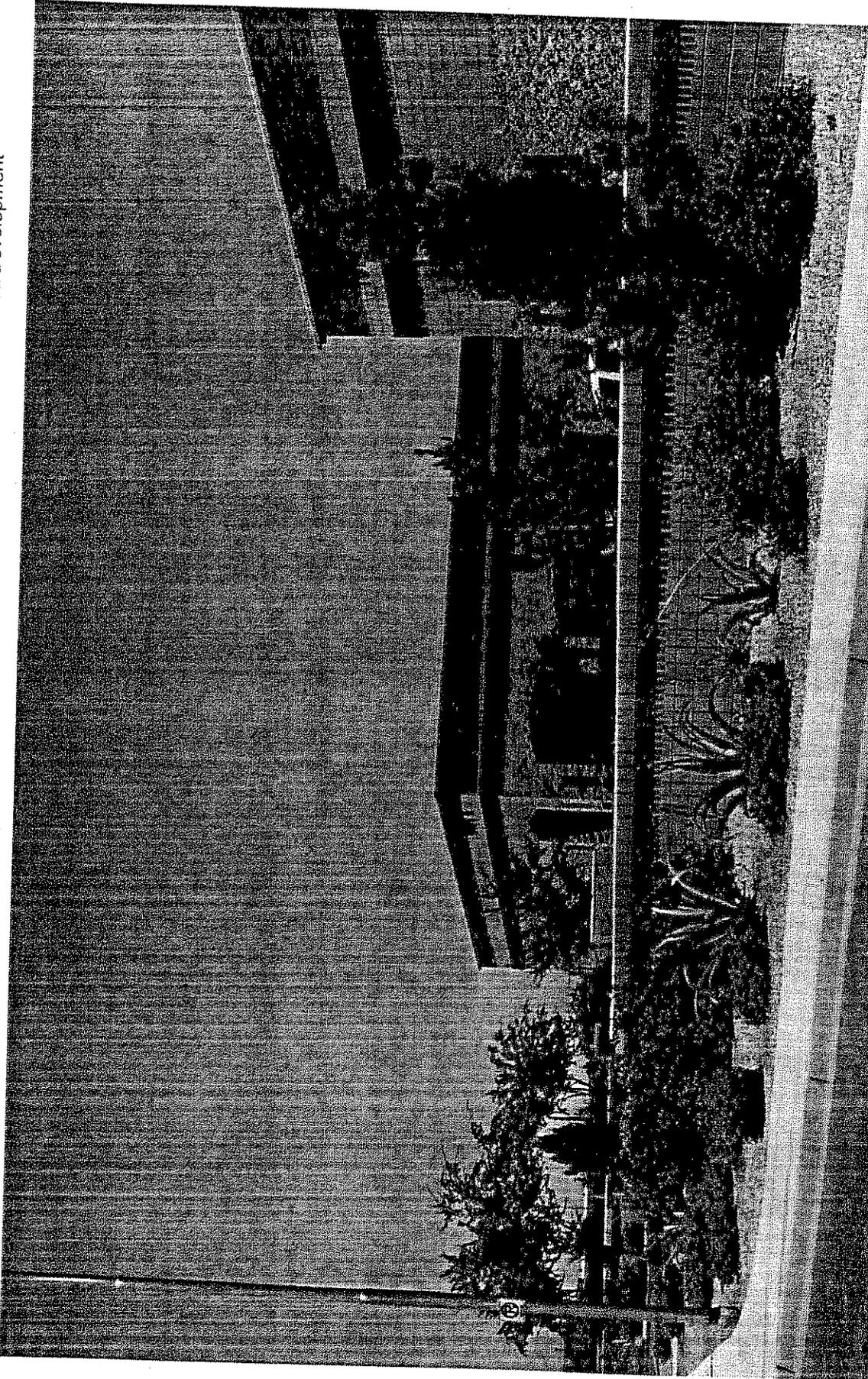


Street Front Building Elevation along Foxfire Drive



EXHIBIT 6

**Surprise Commerce Center I & II
Planned Area Development**



1. Landscaped Streetscape along the existing Surprise Commerce to be carried over along the expansion project to maintain consistency.



A Planned Area Development Overlay for:

Crossroads at Surprise
N.E.C. of Bell Road and 134th Drive
Surprise, Arizona

Case Numbers:
SP06-454 Final TAC

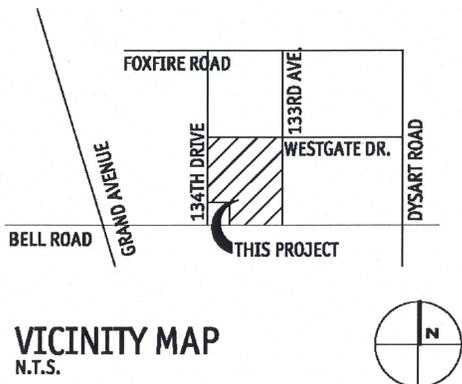
Lot 5 of the Bell & Dysart Commerce Park

Owner

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Prepared for the City of Surprise – Planning & Zoning Commission

Original Creation Date: March 1st, 2007

Revision Date: August 1, 2007



Request for Approval of an +/- 10 Acres Planned Area Development – P.A.D.

**Crossroads at Surprise - N.E.C. of Bell Road and 134th Drive, Surprise, Arizona
Lot 5 of the Bell & Dysart Commerce Park**

Case Numbers: SP06-454 Final TAC

Project Overview

Crossroads at Surprise is a commercial retail/showroom/office/industrial development located at the northeast corner of 134th Drive and Bell Road in Surprise, Arizona. This application by Dysart Bell Property Investors, LLC on behalf of the Crossroads at Surprise development, proposes a community commercial development and light industrial development under the Planned Area Development (P.A.D.) overlay process to support the existing C-3 Zoning Uses with additional uses as defined in this report.

Request to waive 160 acres minimum requirement for P.A.D. per Ordinance 17.28.140(B)(3)a

This P.A.D. Overlay will provide for the uses consistent per the 'Employment' designation of the City of Surprise General Plan 2020 by offering land use and business to generate a solid base of employment and services to the City of Surprise and its residents.

Approval of the waiver to allow this approximate 10 acres P.A.D. is requested to allow the Commercial Development to create the Overlay in conformance with Zoning Ordinance 17.28.140(B)(3)a. Under Section A, (3)a, the ordinance allows for the approval of a planned area development less than 160 acres if the waiver would be in the public interest and that one or both of the following conditions exist;

i. Unusual physical features of the property itself or of the surrounding neighborhood are such that development under the standard provisions of the residential districts would not be appropriate to conserve a physical or terrain feature of importance to the neighborhood or community.

This site in itself is restricted in size by the existing developed commercial properties to the west and north along with Bell Road immediately bounding the site's southern boundary. This area is zoned C-3 and the P.A.D. will allow for the continued sustainability for the surrounding residences and businesses through this process. The owner has contacted all adjacent property owners and presented parcels the opportunity to add said parcel's into this P.A.D. (to increase acreage of the P.A.D.), but each adjacent owner has respectfully declined (see attached letters) as they are currently fully developed and operational. As mentioned in subsection i. above, development under the standard provisions of the residential districts would not be appropriate to conserve a physical or terrain feature.

ii. The property is adjacent to or across the street from property that has been developed under the provisions of this section and will contribute to the amenities of the neighborhood.

This development is located within the Bell & Dysart Commerce Park and located near an existing P.A.D. named Surprise Commerce Center I & II. The Surprise City Council unanimously approved the Surprise Commerce Center P.A.D. in 2005 with recommendations of approval from both the City Planning staff and Planning & Zoning Commission. While the Surprise Commerce Center pre-dates the 160 acre standard, the policy issues that justified the P.A.D. are the same on this infill site less than six hundred feet to the south. More specifically, the flexibility provided by the P.A.D. enhances the ability of Crossroads at Surprise to meet the intent of the City's General Plan to provide business and employment opportunities in this area. By precedent of the Surprise Commerce Center's existence and success, the Crossroads at Surprise is continuing this model to incorporate the additional approved uses under the Surprise Commerce Center I & II Planned Area Development.

Summary

This Planned Area Development meets the intent of the Ordinance and the General Plan. This Development is under unified control and is proposed to be developed as a whole. All land uses and design meet the intent of the General Plan and will 'provide for a harmonious selection of uses and groupings to further enhance the area and offer a safe, efficient and convenient area.'

Approval of the waiver to the minimum acreage requirement of 160 acres will allow this development to offer the same services, uses and amenities as previously approved P.A.D's within this commercial and industrial area. All uses are in conformance with the General Plan and consistent to the area.

Sincerely,



Steven Nevala
Cawley Architects, Inc.

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ATTACHMENTS

Excerpted Zoning Use Matrix
Architectural Renderings
Site Photographs

A. PURPOSE OF REQUEST

Crossroads at Surprise is a commercial retail/showroom/office/industrial development located at the northeast corner of 134th Drive and Bell Road in Surprise, Arizona. This application by Dysart Bell Property Investors, LLC on behalf of the Crossroads at Surprise development proposes a community commercial development and light industrial development under the Planned Area Development (P.A.D.) overlay process to support the existing C-3 Zoning Uses with additional uses as defined in this report.

This P.A.D. Overlay will provide for the uses consistent per the 'Employment' designation of the City of Surprise General Plan 2020 by offering land uses to generate a solid base of employment and services to the City of Surprise and its residents.

This development guide is intended to establish the development standards for the property and to provide the City of Surprise with the information necessary to review and approve the requested P.A.D. Overlay designation for this property.

1. Site Ownership / Control

This site is owned and under the control of Dysart Bell Property Investors, LLC, 670 East Encinas Avenue, Gilbert, Arizona 85234.

2. Site Data

This site consists of +/- 10.451 Acres (+/-455,238 S.F.) and is one continuous property.

2. Legal Description

This property is legally described as Lot 5 of the Bell Dysart Commerce Park as recorded with the Maricopa County Recorder.

4. Applicant's Interest

The Applicant's interest is to provide this project with just and equal uses as typified within the C-3 Zoning provisions and the inclusion of additional uses by this P.A.D. Overlay. The Applicant believes this P.A.D. Overlay will offer residents, companies and individuals in Surprise a strong and successful commercial development that benefits the City and residents through sustainable, logical commercial and industrial uses.

5. Existing Site Conditions

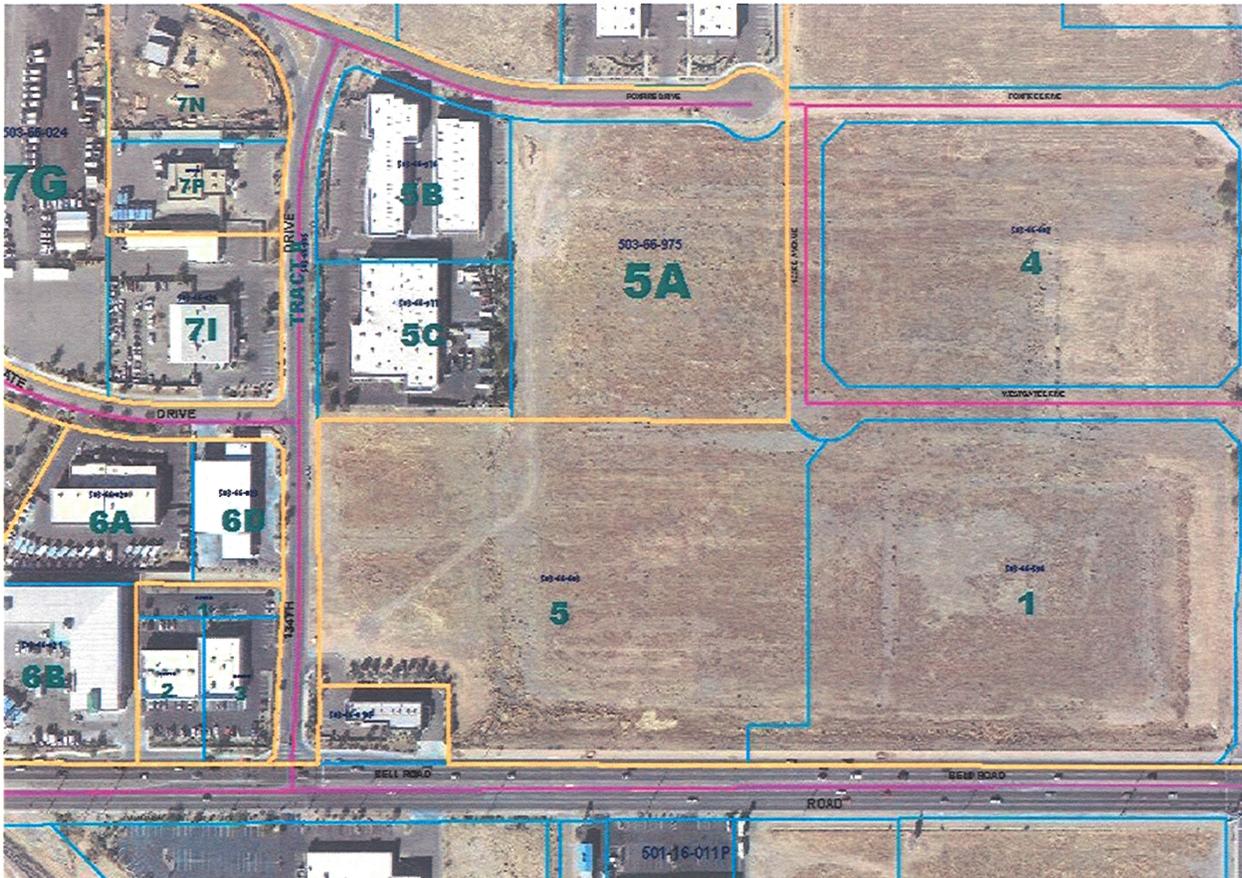
Historically, this site is in an undisturbed natural state, with no visible signs of structures on the property. There is currently a 8'-0" wide electrical easement that enters the site from Bell Road and heads north to a point and then runs east. This easement has overhead lines with poles currently. It is noted on the Final Plat to be abandoned under separate instrument. Also attached is the Phase I Environmental Report for review. The southwest corner of the site abuts a 'Big-O Tires' store which currently has drive access from Bell Road and 134th Drive. The properties to the north and west have historically been and currently are utilized for Industrial Storage / Warehouse.

B. DEVELOPMENT GOALS

The development goals for this project are designed to offer a thorough and consistent Land Use Plan for Lot 5 of the Bell & Dysart Commerce Park. With the implementation of these uses by this P.A.D. Overlay this development will offer 'Employment' and 'Economic' benefit to the community by the inclusion of the uses denoted in Section E of this report.

C. GENERALIZED LOCATION MAP

1. General Aerial Overview



D. LAND USE PLAN

1. Surprise General Plan Conformance

Crossroads at Surprise is located in the 'Employment' land use designation as listed in the City of Surprise General Plan 2020.

2. Acres and Development Densities

This site consists of +/- 10.451 Acres (+/-455,238 S.F.) and is one continuous parcel. This site maintains an approximate 30.9% lot coverage with a total of 17.1% landscape lot coverage.

3. Arterial and Collector Street Information

This property is bounded on the south and the west by two streets, Bell Road (major arterial) across the south frontage and 134th Drive (minor collector) on the west frontage.

Both Streets are fully improved (or shall be fully improved prior to this project's completion) with no additional work being proposed by this project, except for one new drive entry (on 134th Drive), and pedestrian connections occurring on both Bell Road and 134th Drive.

4. Pedestrian and Bicycle Circulation

A complete pedestrian and bicycle circulation route is provided with this development. Crossroads at Surprise provides two new connections to both Bell Road and 134th Drive. An additional connection is provided to the currently undeveloped C-3 parcel to the east. Bicycle parking has been provided at convenient locations throughout the project.

5. Open Space

This project provides open space areas as defined by the City of Surprise Ordinance and Design Guidelines in relation to the Landscape and Building Setbacks and throughout the site and along all perimeter property lines.

6. Surrounding Land Use Table

Surrounding Parcels	Zoning	Designation and Use
North	C-3	2 Parcels, One Vacant, One Developed Industrial Site
East	C-3	1 Parcel, Currently Undeveloped
South*	I-1	Developed Industrial Sites
West*	C-3	Existing Developed Commercial Sites

*South & West property lines front directly on Bell Road & 134th Drive. Subject sites are located across each respective Street.

E. DEVELOPMENT STANDARDS – C-3 ZONING WITH P.A.D. OVERLAY USES

Crossroads at Surprise will offer commercial retail/showroom/office/industrial development for multi tenant/use projects that are inclusive of all C-3 Zoning uses as permitted by the Zoning Use Matrix (17.24.020) for Principally Permitted Uses and including said uses which fall under the Administrative Permitted Uses (17.24.020 B.) and Conditionally Permitted Uses (17.24.020 C.) pursuant to approval by the City of Surprise code and approval process.

Note: No use shall emit or produce sound/smell in levels or amplification greater than the surrounding area and uses, either mechanically or physically. Sound attenuation may be required for certain uses listed below. All uses shall occur either completely indoors and for outside storage, no item may extend higher than the height of the yard screen wall and within a fully screened yard.

1 Permitted Uses.

1. All uses as defined per 17.28.090(A)(B)(C)(D), General Commercial Zone (C-3)
2. All Principally Permitted Uses per 17.24.020(C)(A), General Commercial Zone (C-3)
3. All Administrative Permitted Uses per 17.24.020(C)(B), General Commercial Zone (C-3)
4. All Conditionally Permitted Uses 17.24.020(C)(C), General Commercial Zone (C-3)
5. Those accessory uses permitted under Section 17.28.070(D)
6. All Principally Permitted Uses per 17.28.080(B), Community Commercial (C-2)

The following uses are permitted by and included in this P.A.D. overlay.

7. Automobile and motor sports wholesaling, retailing, rental and leasing
8. Sale and distribution of pre-packaged petroleum products
9. Sales, storage and distribution of stone and related building materials
10. House movers, moving and storage
11. Business, technical and vocational schools
12. Indoor recreational facilities
13. Electronic instruments and devices, assembling and manufacturing
14. Exterminator shops
15. Temporary construction offices incidental to construction projects only for duration of project

16. Farming, landscaping and agricultural supplies and equipment, wholesaling and storage, fully enclosed within building or equal or less than height of yard screen wall
17. Industrial, scientific or business research, development and testing laboratories and offices
18. Light Manufacturing, compounding, assembling or treatment of articles of merchandise from the following previously prepared materials: bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, rubber, leather, paper, plastics, precious or semi-precious metals or stones, shell, straw, textiles, tobacco, wood, wool and yarn
19. Light Manufacturing, compounding, processing, packaging, bottling or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceutical, soap, toiletries, beverages and food products, and other personal articles and household goods
20. Light Manufacturing, fabrication or assembly, including contractor's facilities, of building materials and construction equipment; acoustical materials, air conditioners, heating and ventilating equipment, bolts, cement and concrete products, ceramics, decorative metals and wrought iron, doors, drills, fences, fire escapes, hardware and machine tools, insulation, lumber yards, machines, nuts, plaster, plastics, plumbing supplies and sewer pipes, pumps, scaffolds, screens, screws, tile, welding equipment, windows; or other similar items
21. Manufacturing of clay, concrete, synthetic, cast stone, plastic and pumice stone products
22. Manufacturing of instruments, toys, novelties, rubber and metal stamps, cameras, photographic equipment, business and household machines and appliances
23. Motion picture studios
24. Spraying supplies equipment wholesaling, retailing and storage
25. Motor vehicle assembling and repairing, including body shops
26. Boxes or cabinets, manufacturing
27. Custom millwork, woodworking/manufacturing

2. Prohibited Uses

1. Adult Bookstores, adult live entertainment, adult theaters
2. Auto Salvage and Wrecking Yards
3. Cement and Paving Material Mixing Plant
4. Cesspool or Septic Tank Servicing and Equipment Yard
5. Extraction of Sand, Gravel, Oil, Gas and other Mining Operations
6. Foundry, Refining, Smelting or Alloying
7. Metals Crushing, Recycling or Collection Facility

- 8. Sewage Disposal or Treatment Plant
- 9. Tanneries, Meat Packing, Smoking Plants, Slaughter Houses
- 10. Daycare Centers
- 11. Charter Schools
- 12. Convenience Food Stores
- 13. Tattoo parlors and body piercing salons
- 14. Hotel or motel
- 15. Laundromat, self service
- 16. Liquor Store
- 17. Park & Ride lot
- 18. Private club, fraternity or lodge

3. Maximum Building Height

Maximum Building Height shall be 35-0" as defined by the City of Surprise Zoning Ordinance Chapter 17, Section 17.28.090(F)(2).

4. Minimum Yard Requirements.

Minimum Yard Requirements shall be as defined by the City of Surprise Zoning Ordinance Chapter 17, Section 17.28.090(F)(2) as listed below as annotated.

Setbacks	Feet (Ordinance)	Feet (Modified by this P.A.D.)
a. Building Setbacks		
i. Front	35	No change complies with ordinance
ii. Interior Side and Rear	15	No change complies with ordinance
iii. Corner Side	25	Not Applicable
iv. Residential Zone Boundary	45	Not Applicable
b. Parking Lots		
i. Front	4	No change complies with ordinance
ii. Interior Side and Rear	3	Reduced to 0 Feet - Provides for Common Drive Aisles at Future Property Lines
iii. Corner Side	4	Not Applicable
iv. Residential Zone Boundary	3	Not Applicable

5. Outdoor Storage of Materials

Outdoor Storage is limited to only fully enclosed yards where material is limited by the height of the yard walls and full screening from public view. Outdoor Storage may only include materials incidental to the primary business activity.

F. DESIGN CRITERIA

1. Architecture

The Architectural Design Intent of this project complies with the Chapter 2 guidelines. Taking advantage of the multiple uses intended for this project, Buildings 'A', 'B', 'C' & 'D' offer covered entry arcades and Architectural tower elements along with canopies that provide solar relief at the entries. The tower elements feature a combination of textures with the use of E.I.F.S, stone veneers, high metal canopy features, a mixture of split face and single score block along with varying parapet heights. Aluminum storefront with clear glazing at the retail buildings and grey non reflective glazing at the industrial buildings offer identifiable and pleasing entries into each suite. Steel canopies with tension tie supports are also provided throughout. Each tenant space has been oriented to allow for wall mounted signage directly above their suite. Overall, the mass and cohesiveness of the buildings is maintained through the alternating entry features and parapet walls. The buildings are also complemented by the color palette, which consists of four colors and the use of E.I.F.S, metal canopies, split face, single score block textures and tower elements. Four sided architecture is provided and follows an identifiable and pleasing architectural pattern.

2. Parking Criteria

This project complies with Chapter 5 by its parking layout and accessibility to all service points for each building. Parking stalls and dimensions comply with City requirements. Accessible parking stalls have been provided and located to allow ease of access to any point of public entry into each building. Drive aisles are maintained per Code with obvious flow routes and access to the site. Screening and landscaping are provided as required per Ordinance.

3. Circulation

Crossroads at Surprise provides adequate on-site circulation of vehicles, pedestrians and bicyclists throughout, and to public ways. This development utilizes shared drive access to both adjacent roadways to minimize the overall number of driveways. Refuse enclosures have been located to provide a 'one pass' pick up for refuse vehicles with minimum backing movements required.

4. Screening, Lighting and Landscaping

This P.A.D. complies with the requirements of Chapter 6, per the attached Landscape Plan. The site incorporates all buffering and screening standards based on the Design Guidelines for Commercial Developments. 17% of the site is landscaped. All screening and buffering is accomplished with 3'-0" high CMU screen walls and landscaping consistent with the site and area. Lighting is designed for attractive yet efficient security site lighting. Lighting will not trespass beyond the property lines. All pole lights will be limited to 16'-0" in height. The final lighting design will provide for

safe and adequate light levels for pedestrian and vehicle movement, while accenting the site and buildings.

5. Square Footage of Buildings

Crossroads at Surprise consists of a total of eight (8) buildings as follows:

Building #	Square Footage
A	+/- 25,327
B	+/- 16,625
C	+/- 14,022
D	+/- 14,286
E	+/- 14,919
F	+/- 13,052
G	+/- 22,874
H	+/- 20,001
Total	+/-141,106 S.F.

G. PHASING

This project is to be planned to be constructed under one phase, with the option of developing in three ultimate phases as depicted by the 'Property Lines' on the Architectural Site Plan.

The three phases would be as follows, with no distinction as to order of construction of the phases.

Phase 1 – The southern portion of the project fronting along Bell Road encompassing Buildings A & B and all associated site improvements including any City required circulation or improvements that may encompass limited portions of Phase 2 and Phase 3.

Phase 2 – The north portion of the project north of Bell Road and East of Phase 3 encompassing Buildings E / F / G & H and all associated site improvements including any City required circulation or improvements that may encompass limited portions of Phase 1 and Phase 3.

Phase 3 – The western portion of the project fronting along 134th Drive encompassing Buildings C & D and all associated site improvements including any City required circulation or improvements that may encompass limited portions of Phase 1 and Phase 2.

Construction is projected to begin late 2007 with completion in 2008.

H. PROJECT TEAM / CONTACT LIST

PROJECT NAME: Crossroads at Surprise

APPLICANT/PROPERTY OWNER:
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17.28.090 General commercial zone (C-3).

A. Purpose. The purpose of the C-3 general services zone is to provide for land intensive, retail or service operations. These services should be located in concentrated service areas with good accessibility to the public but should be carefully buffered from other uses and visibility from arterial streets.

B. Principally Permitted Uses. See Section 17.24.030(A).

C. Conditionally Permitted Uses.

1. Mini-warehouses/distribution center:

a. Minimum site size shall be one acre.

b. On-site circulation, drives and parking:

i. Each mini-warehouse site shall provide a minimum of two exits.

ii. All one-way driveways shall provide for one ten-foot parking lane and one fifteen-foot travel lane. Traffic direction and parking shall be designated by signing or painting.

iii. All two-lane driveways shall provide for one ten-foot parking lane and two twelve-foot travel lanes.

iv. The parking lanes may be eliminated when the driveway does not serve storage cubicles.

v. At least one parking space for each ten storage cubicles equally distributed throughout the storage area shall be provided.

vi. All driveways, parking, loading, and circulation areas shall be paved with concrete, asphalt or asphaltic concrete.

c. Fencing and screening:

i. Fencing shall be required around the perimeter of the property and constructed of decorative concrete block or chain link fence with slats, as approved by the planning and zoning commission.

ii. All outdoor storage shall be limited to recreational vehicles and shall be screened from view from surrounding properties.

d. Setbacks: Any side of a building providing doorways to storage areas shall be set back from the property line not less than twenty-five feet side and rear yard setbacks, otherwise may be zero provided the building is of the same material and structure as the fencing. If not of the same material, the rear yard setback shall be at least fifteen feet.

e. Masonry trash enclosures shall be installed subject to the approval of the planning and zoning commission.

f. No auctions, commercial sales, garage sales or similar activities shall be conducted on the premises.

2. Recreational vehicle, mobile home and manufactured home park and overnight campground:

a. Subject to the provisions of Section 17.28.080(6).

3. Automobile service center, major, provided that:

a. All services and repairs shall be conducted entirely within an enclosed building except sales of gasoline.

b. Outdoor displays are prohibited.

c. Outdoor storage shall be screened from view.

d. Any area used for parking and/or storage shall be paved.

e. All buildings and/or structures (temporary or permanent) shall be screened from any residential zone.

- f. There shall be no manufacturing, compounding, processing or treatment of products other than that which is clearly incidental to retail or the business, and where all such completed products are sold at retail on the premises.
 - 1 Shelter care facility.
 - 2 Community correctional facility.
 - 3 Hardware and retail and retail membership stores with home garden center/outside display of merchandise.
 - a. Outdoor sales of nursery stock, lawn furniture and home garden supplies, when developed in integral relation to the complex and screened from view from any street, is permitted. Such use shall not be greater than thirty percent of the principally permitted use. A side and rear yard setback of not less than twenty-five feet each shall be maintained when the conditional use abuts any residential zone.
 - b. A side and rear yard setback not less than twenty-five feet from the adjoining residential use shall be maintained.

7. Kennels with limited outdoor use.

8. Tavern, bar or lounges:

- a. The primary public entrance to such an establishment shall be a minimum of three-hundred feet (300') from the closest single family or medium density residential lot line. The distance between a residential lot line and the primary public entrance shall not be measured by a straight line, but by the most direct route a pedestrian would walk between the public entrance and the residential lot line. The three-hundred foot (300') buffer does not apply to residential lots that are located upon the opposite side of an arterial street.
- b. Such establishment shall be located a minimum of five-hundred feet (500') from any elementary or high school. The separation between a tavern, bar or lounge and a school shall be determined by measuring the distance between the closest point on the establishment and the closest point on the property line of the school or church.

9. Massage Establishments:

- a. Such an establishment shall be located a minimum of one-thousand feet (1000') from any elementary or high school, church or other massage establishment. The separation between a massage establishment and a school or church shall be determined by measuring the distance between the closest point on the establishment and the closest point on the property line of the school or church. The separation between two massage establishments shall be determined by measuring the distance between the two closest points on each establishment, not the distance between the property lines.
- b. The primary public entrance to such an establishment shall be a minimum of three-hundred feet (300') from the closest residential lot line. The distance between a residential lot line and the primary public entrance shall not be measured by a straight line, but by the most direct route a pedestrian would walk between the public entrance and the residential lot line. The three-hundred foot (300') buffer does not apply to residential lots that are located upon the opposite side of an arterial street.
- c. The operator must be state-licensed.

10. Towed Vehicle Impound Storage Yard:

- a. All outdoor stored vehicles shall be completely screened from public view with a decorative masonry wall.
- b. The use shall not be located within 500 feet of a residential property line measured from property line to property line.

11. Animal hospital or clinic with associated kennel.

D. Permitted Accessory Uses.

- 1. Those accessory uses permitted under Section 17.28.070(D).

E. Access.

- 1 Access to general service activities shall be allowed only on arterial streets or a street specifically designed for such development.
- 2 Access points shall be located at least one hundred fifty feet from any street intersection.
- 3 Access points on the same street shall not be spaced closer than one hundred feet (as measured from centerlines). General service developments of a small scale shall be encouraged to develop common access drives and parking facilities.
- 4 General service developments which may not be able to meet the requirements of subsections (E)(2) and (3) of this section, 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:
 - a. Traffic volumes;
 - b. Turning movements;
 - c. Traffic controls;
 - d. Site design;
 - e. Site distances;
 - f. Location and alignment of other access points.

Based upon the above data, the city engineer shall determine whether a deviation from the required 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:
- 2 Maximum Building Height. The maximum height for any building in this zone shall be thirty-five feet; provided, however, that a building may exceed thirty-five feet in height if the entire portion of the building which exceeds thirty-five feet is so constructed that it cannot be used or occupied by humans for any purpose, and if the community development director approves the extension above thirty-five feet prior to the commencement of construction.

Setbacks	Feet
a. Building setbacks:	
i. Front	35
ii. Interior side and rear	15
iii. Corner side	25
iv. Residential zone boundary	45
b. Parking lots:	
i. Front	4
ii. Interior side and rear	3
iii. Corner side	4
iv. Residential zone boundary	3

G. Lot Width and Lot Area.

- 1 The minimum lot width shall be one hundred feet except that corner lots shall be one hundred fifty feet in width.

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 Chapter 17.32 of this title.

I. Relationship to Overlay Zones. Any property located in the C-3 zone as well as the F-1 or F-2 overlay zones must comply with the regulations of the overlay zones.

C. Commercial and industrial zone uses are as follows:

A. Principally permitted uses	C-1	C-2	C-3	MUPD	BP	I-1	I-2	I-3
Antique shop and store		0	0	0				
Ambulatory Services			0					
Apparel and accessory store		0	0	0				
Appliance sales, repair and services		0	0	0				
Art and craft stores		0	0	0				
Athletic clubs and commercial recreation		0	0	0				
Automobile, boat or recreational vehicle sales, service, repair and rental			0					
Automobile, auto body repair			0					
Automobile parking lot or garage (public or private)		0	0	0	0			
Auto supply store		0	0	0	0	0		
Bakery for on-site sales	0	0	0	0				
Banks and other savings and lending institutions		0	0	0				
Barber shop and beauty parlor	0	0	0	0				
Bicycle sales, service and repair shop	0	0	0	0	0			
Book and stationery store		0	0	0				
Bowling alley		0	0	0				
Building materials sales yard, including sand and gravel			0					
Bus terminals			0	0				
Business and office machine sales, service and repair shop		0	0	0				
Business, technical or vocational school			0	0	0			
Candy and ice cream store		0	0	0				

A. Principally Permitted Uses	C-1	C-2	C-3	MUPD	BP	I-1	I-2	I-3
Exterminator shop			0					
Farming, landscaping and agricultural supplies and equipment, wholesaling and storage						0	0	
Feed store, including yard			0			0		
Florist		0	0	0				
Foundry casting lightweight, nonferrous metal, not causing noxious odors or fumes							0	
Frozen food locker			0		0	0	0	
Furniture store		0	0	0	0			
Game rooms, pool halls		0	0	0				
Garden supply store			0					
Gasoline and petroleum bulk storage tanks							0	
Gift shop		0	0	0				
Golf driving range and miniature golf course			0					
Grainery, elevator storage						0	0	
Grocery store (including retail markets and produce store)		0	0	0				
Greenhouse			0					
Hardware store, no exterior storage		0	0	0				
Hobby, stamp and coin shop		0	0	0				
Hospital			0					
Hotel or motel		0	0	0				
Hunting and fishing supply store		0	0	0				
Industrial, scientific or business research, development and testing laboratories and offices				0	0	0	0	
Interior decorator's shop		0	0	0	0			
Jewelry and metal craft store		0	0	0				
Kennel (fully enclosed)		0	0			0		

A. Principally Permitted Uses	C-1	C-2	C-3	MUPD	BP	I-1	I-2	I-3
Laundromat, self service	O	O		O				
Leather goods and luggage store		O	O	O				
Liquor store		O	O	O				
Lock and key shop		O	O	O	O	O		
Lumber yard, provided that all goods and materials are screened from adjacent properties			O			O		
Mail order catalog store		O	O	O	O			
Manufacturing, compounding, assembling or treatment of articles of merchandise from the following previously prepared materials: bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, rubber, leather, paper, plastics, precious or semi-precious metals or stones, shell, straw, textiles, tobacco, wood, wool and yard						O	O	
Manufacturing, compounding, processing, packaging, bottling or treatment of such products as bakery goods, candy, cosmetics dairy products, drugs, perfumes, pharmaceutical, soap, toiletries, beverages and food products, and other personal articles and household goods						O	O	

A. Principally Permitted Uses	C-1	C-2	C-3	MUPD	BP	I-1	I-2	I-3
Manufacturing, fabrication, or assembly, including contractor's facilities, of building materials and construction equipment; acoustical materials, air conditioners, heating and ventilating equipment, bolts, cement and concrete products, ceramics, decorative metals and wrought iron, doors, drills, fences, fire escapes, hardware and machine tools, insulation, lumber yards, machines, nuts, paving and road building equipment, plaster, plastics, plumbing supplies and sewer pipes, pumps, scaffolds, screens, screws, tile, welding equipment, windows; or other similar items						O	O	
Manufacturing of brick and all clay, cinder, concrete, synthetic, cast stone, plastic and pumice stone products							O	o
Manufacturing of instruments, toys, novelties, rubber and metal stamps, cameras, photographic equipment, business and household machines and appliances						O	O	

A. Principally Permitted Uses	C-1	C-2	C-3	MUPD	BP	I-1	I-2	I-3
Manufacturing, processing and assembly of malleable metals, signs, monuments, industrial machinery and carbonic ice						○	○	
Medical, dental or health office buildings and clinics		○	○	○	○			
Medical and orthopedic appliance store		○	○	○				
Messenger or telegraph service station		○	○	○	○			
Millwork (woodworking, manufacturing)							○	
Mini-warehouse, for storage purposes without retailing unless associated with storage operation						○	○	
Mobile and manufactured home sales and service			○			○		
Monument sales and engraving shop			○		○	○		
Mortuary			○					
Museum		○	○	○				
Music and instrument sales, service and repair shop		○	○	○	○			
Music or dance studio		○	○	○				
Motion picture studios					○	○	○	
Newspaper office		○	○	○				
Newsstand	○	○	○	○	○			
Offices greater than 4,000 square feet		○	○	○	○	○	○	
Offices of not more than 4,000 square feet	○	○	○	○	○	○	○	
Office supply and office equipment store		○	○	○	○			
Optician		○	○	○	○			
Package liquor store, including drive-through		○	○					

A. Principally Permitted Uses	C-1	C-2	C-3	MUPD	BP	I-1	I-2	I-3
Packing houses, fruit or vegetable not including processing						0	0	
Paint and wallpaper store		0	0	0	0			
Park and Ride Lot		0	0		0	0	0	0
Pawn shop		0	0	0				
Pet shop including grooming		0	0	0				
Photographic equipment and supply store		0	0	0	0			
Photographic studio		0	0	0	0			
Picture frame shop		0	0	0	0			
Planing mills							0	
Plant nursery		0	0					
Plant nursery, wholesale			0					
Plating works, bulk (galvanizing)								0
Plumbing shop			0	0	0	0	0	
Printing and publishing house (including newspapers)			0	0	0	0	0	
Private club, fraternity, sorority or lodge		0	0	0				
Public buildings	0	0	0	0	0	0	0	0
Public utility plants						0	0	
Public utility service yard			0					
Radio or television sales, service and repair		0	0	0	0			
Radio and television broadcasting stations and studios, but not including transmitter towers and transmitter stations		0	0	0	0	0		
Railroad yards, shops or roundhouse							0	
Recreational vehicle repair			0			0		

C. Conditionally permitted uses	C-1	C-2	C-3	MUPD	BP	I-1	I-2	I-3
Animal hospital or clinic with associated kennel		○	○	○		○		
Asphalt mixing plant								○
Automobile parts, supplies, salvage or wrecking							○	
Automobile rental/leasing		○		○				
Automobile service stations		○						
Automobile service center, major			○					
Automobile service center, minor		○		○				
Automobile washing establishments		○		○				
Ball bearing manufacturing						○		
Boxes or cabinets, manufacturing						○		
Caretaker Residence					○	○	○	
Cement mixing plant								○
Coffee roasting						○		
Convenience food stores with not more than four gas pumps	○			○				
Convenience food restaurants		○		○				
Community correctional facility			○					
Day care center	○	○		○				
Feed (grains) manufacturing and processing						○		
Flour and grain mills, storage and elevators						○		
Fuel distributing station, gasoline (bulk plant),						○		

C. Conditionally permitted uses	C-1	C-2	C-3	MUPD	BP	I-1	I-2	I-3
Hardware stores, retail stores and retail membership stores with home garden center or outside display of merchandise		○	○					
House movers, equipment, storage or wrecking yards							○	
Kennels with limited outdoor use			○		○			
Ice manufacturing and storage						○		
Junk yards							○	
Laboratories or facilities		○		○				
Landfill, sanitary								○
Massage Establishments		○	○					
Meat packing and smoking						○		
Mining, mineral extraction								○
Mini-warehouses/distribution			○					
Outdoor recreational facility		○		○				
Paint and varnish manufacturing						○		
Permanent facilities for sale of automobiles and motorcycles		○						
Petroleum products, packaging and storage						○		
Recreational vehicle, mobile home and manufactured home park and overnight campground		○	○					

C. Conditionally permitted uses	C-1	C-2	C-3	MUPD	BP	I-1	I-2	I-3
Retail commercial operations directly related to the primary industrial use that exceed ten percent of the gross floor area					○	○		
Retail commercial operations directly related to the primary industrial use that exceeds twenty percent of the gross floor area							○	
Retail plant nursery		○						
Sand and gravel operation Septic tank, cesspool servicing or cleaning equipment yard								○
Schools	○							
Shelter care facility		○	○	○				
Stadiums				○				
Tavern, bar or lounges		○	○	○				
<i>Temporary</i> facilities for sale of automobiles, recreational vehicles, boats, mobile or manufactured homes		○						
Tire sales, repair and mounting		○						
Towed Vehicle Impound Storage Yard			○					
Truck terminals						○	○	
Video arcades	○			○				
Warehouse, Residential Storage		○						
Wood products, manufacturing, bulk						○		

D. Permitted Accessory Uses. Refer to permitted accessory uses for the specific zone classification in question.

17.28.070 Neighborhood commercial zone (C-1).

A. Purpose. The purpose of the C-1 neighborhood commercial zone is to provide for the establishment of local centers for convenient retail or service outlets that deal directly with the consumer for whom goods or services are intended. These centers are to provide services and goods primarily for the surrounding neighborhood and are not intended to draw customers from the entire community.

B. Principally Permitted Uses. See Section 17.24.030(A).

C. Conditionally Permitted Uses.

1. Convenience food stores with not more than four gas pumps.
 - a. Pump stands shall be set back not less than twenty-five feet from any street right-of-way, not less than forty feet from any nonstreet property line and not less than one hundred feet from any residential district boundary.
 - b. Interior curbs of not less than six inches in height shall be constructed to separate driving surfaces from sidewalks, landscaped areas and street rights-of-way.
2. Schools.
3. Day care center:
 - a. A minimum of seventy-five square feet of outdoor play space per child shall be provided from which at least fifty 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 fifty square feet of lot area per child shall be provided.
4. Video arcades.

D. Permitted Accessory Uses.

- 1 Business signs, consistent with Chapter 15.24 of this code;
- 2 Trash receptacles, consistent with Section 17.32.120;
- 3 Accessory buildings as per Section 17.32.050(E), F and G and as approved by the planning and zoning commission;
- 4 Temporary buildings incidental to construction work;
- 5 Temporary uses as related to seasonal or special events as further regulated under Section 17.32.170.

E. Access.

- 1 Access to commercial activities shall be allowed only from arterial streets or a street specifically designed for such development.
- 2 Access points shall be located at least one hundred fifty feet from any street intersection.
- 3 Access points on the same street shall be greater than one hundred feet apart. Commercial developments of a small scale shall be encouraged to develop common access drives and parking facilities.
- 4 Commercial development which may not be able to meet the requirements of subsections (E)(2) and (3) of this section 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:
 - a. Traffic volumes;
 - b. Turning movements;
 - c. Traffic controls;
 - d. Site design;

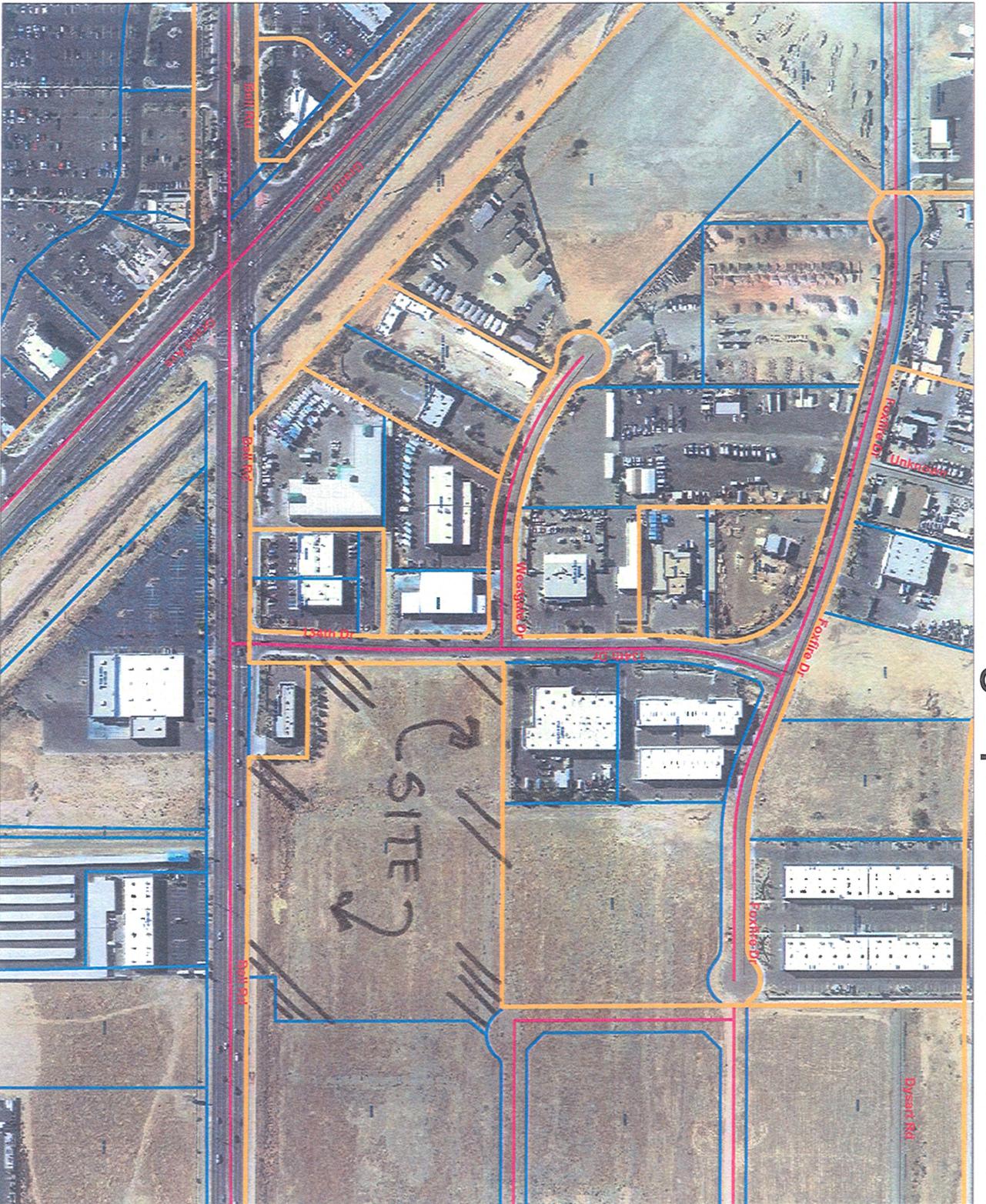




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Site Photograph



Dysart Bell Property Investors, LLC

670 E. Encinas Ave Gilbert, AZ 85234 Tel (480) 633-6800 Fax (602) 296-0114
E-mail: brentpayne@cox.net

May 23, 2007

NEC Bell & Dysart, LLC
Attn: Mr. Gary Davidson
1110 E. Missouri, #700
Phoenix, AZ 85014

RE: Crossroads at Surprise PAD

Dear Mr. Davidson:

Thank you for taking the time to review the proposed Planned Area Development ("PAD") for Crossroads at Surprise located at Lot 5 of the Bell & Dysart Commerce Park. This letter shall serve as confirmation of your intent to not participate in the expansion of our PAD to include your parcel # 503-66-604. Please feel free to contact me with any additional questions you may have about the proposed PAD.

Sincerely,


A. Brent Payne

Dysart Bell Property Investors, LLC

670 E. Encinas Ave Gilbert, AZ 85234 Tel (480) 633-6800 Fax (602) 296-0114

E-mail: brentpayne@cox.net

May 23, 2007

Grand Avenue and Bell Road Property L.P

Attn: Mr. Gary Davidson

1110 E. Missouri, #700

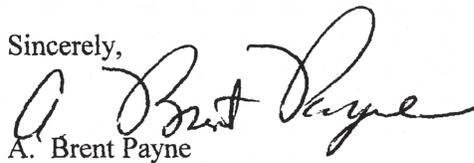
Phoenix, AZ 85014

RE: Crossroads at Surprise PAD

Dear Mr. Davidson:

Thank you for taking the time to review the proposed Planned Area Development ("PAD") for Crossroads at Surprise located at Lot 5 of the Bell & Dysart Commerce Park. This letter shall serve as confirmation of your intent to not participate in the expansion of our PAD to include your parcel # 503-66-602. Please feel free to contact me with any additional questions you may have about the proposed PAD.

Sincerely,



A. Brent Payne

Dysart Bell Property Investors, LLC

670 E. Encinas Ave Gilbert, AZ 85234 Tel (480) 633-6800 Fax (602) 296-0114
E-mail: brentpayne@cox.net

May 23, 2007

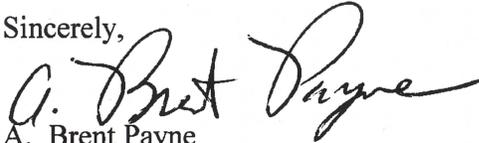
D.T. Moore Family Limited Partnership
Attn: Mr. Bob Cruse
8660 W. Bell Road
Peoria, AZ 85382

RE: Crossroads at Surprise PAD

Dear Mr. Moore:

Thanks for taking the time to review the proposed Planned Area Development ("PAD") for Crossroads at Surprise located at Lot 5 of the Bell & Dysart Commerce Park. This letter shall serve as confirmation of your intent to not participate in the expansion of our PAD to include your parcel # 503-66-593. Please feel free to contact me with any additional questions you may have about the proposed PAD.

Sincerely,


A. Brent Payne

Dysart Bell Property Investors, LLC

670 E. Encinas Ave Gilbert, AZ 85234 Tel (480) 926-6620 Fax (602) 296-0114
E-mail: mikerolson@cox.net

May 22, 2007

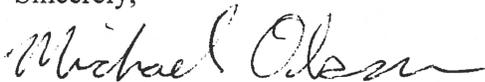
VJ Surprise LLC
Attn: Vance Marshall
4300 N. Miller Rd Ste 153
Scottsdale, AZ 85251

RE: Crossroads at Surprise PAD

Dear Mr. Marshall

Thanks for taking the time to speak with me last week and to review the proposed PAD for Crossroads at Surprise located at Lot 5 of the Bell & Dysart Commerce Park. This letter shall serve as confirmation of your intent to not participate in the expansion of our PAD to include your parcel # 503-66-975. Please feel free to contact me with any additional questions you may have about the proposed PAD.

Sincerely,



Michael Olson

Dysart Bell Property Investors, LLC

670 E. Encinas Ave Gilbert, AZ 85234 Tel (480) 926-6620 Fax (602) 296-0114
E-mail: mikerolson@cox.net

May 31, 2007

Don Dan and Dave Smith LLC
1657 E. Mallory Street
Mesa, AZ 85203

RE: Crossroads at Surprise PAD

Dear Mr. Smith

Thanks for taking the time to speak with me and review the proposed PAD for Crossroads at Surprise located at Lot 5 of the Bell & Dysart Commerce Park. This letter shall serve as confirmation of your intent to not participate in the expansion of our PAD to include your parcel # 503-66-977. Please feel free to contact me with any additional questions you may have about the proposed PAD.

Sincerely,



Michael Olson

Dysart Bell Property Investors, LLC

670 E. Encinas Ave Gilbert, AZ 85234 Tel (480) 926-6620 Fax (602) 296-0114
E-mail: mikerolson@cox.net

June 4, 2007

Michael Sommers
17126 N 134th Drive Suite 1
Surprise, AZ 85374

RE: Crossroads at Surprise PAD

Dear Mr. Sommers

Thanks for taking the time to speak with me and to review the proposed PAD for Crossroads at Surprise located at Lot 5 of the Bell & Dysart Commerce Park. This letter shall serve as confirmation of your intent to not participate in the expansion of our PAD to include your parcel # 503-66-026. Please feel free to contact me with any additional questions you may have about the proposed PAD.

Sincerely,


Michael Olson

Dysart Bell Property Investors, LLC

670 E. Encinas Ave Gilbert, AZ 85234 Tel (480) 926-6620 Fax (602) 296-0114
E-mail: mikerolson@cox.net

June 12, 2007

AKLW LLC
834 E. Mead DR
Chandler, AZ 85249

RE: Crossroads at Surprise PAD

Dear Property Owner,

This letter is in follow-up to the letter and information sent to you dated May 22, 2007 regarding the proposed PAD for Crossroads at Surprise located at Lot 5 of the Bell & Dysart Commerce Park. This letter shall serve as confirmation of your intent to not participate in the expansion of our PAD to include your parcel # 503-66-023.

Sincerely,



Michael Olson

Dysart Bell Property Investors, LLC

670 E. Encinas Ave Gilbert, AZ 85234 Tel (480) 926-6620 Fax (602) 296-0114

E-mail: mikerolson@cox.net

June 12, 2007

Amerco Real Estate Company
PO Box 29046
Phoenix, AZ 85038

RE: Crossroads at Surprise PAD

Dear Property Owner,

This letter is in follow-up to the letter and information sent to you dated May 22, 2007 regarding the proposed PAD for Crossroads at Surprise located at Lot 5 of the Bell & Dysart Commerce Park. This letter shall serve as confirmation of your intent to not participate in the expansion of our PAD to include your parcel # 503-66-054.

Sincerely,

A handwritten signature in cursive script that reads "Michael Olson".

Michael Olson

Dysart Bell Property Investors, LLC

670 E. Encinas Ave Gilbert, AZ 85234 Tel (480) 926-6620 Fax (602) 296-0114

E-mail: mikerolson@cox.net

June 12, 2007

Oroz Francisco
316 Jessie CT
Windsor, CA 95492

RE: Crossroads at Surprise PAD

Dear Property Owner,

This letter is in follow-up to the letter and information sent to you dated May 22, 2007 regarding the proposed PAD for Crossroads at Surprise located at Lot 5 of the Bell & Dysart Commerce Park. This letter shall serve as confirmation of your intent to not participate in the expansion of our PAD to include your parcel # 503-66-056.

Sincerely,



Michael Olson

Dysart Bell Property Investors, LLC

670 E. Encinas Ave Gilbert, AZ 85234 Tel (480) 633-6800 Fax (602) 296-0114
E-mail: brentpayne@cox.net

May 22, 2007

Fat Weasel Properties, LLC
Attn: Mr. Karl Gabbard
P.O. Box 130
Brandon, VT 05733

RE: Crossroads at Surprise PAD

Dear Mr. Gabbard:

Thanks for taking the time to speak with me today to review the proposed Planned Area Development ("PAD") for Crossroads at Surprise located at Lot 5 of the Bell & Dysart Commerce Park. This letter shall serve as confirmation of your intent to not participate in the expansion of our PAD to include your parcel # 503-66-010-F. Please feel free to contact me with any additional questions you may have about the proposed PAD.

Sincerely,



A. Brent Payne