



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

Tuesday, November 3, 2015 @ 6:00 PM
COUNCIL CHAMBERS

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

A. Call To Order

B. Roll Call

C. Pledge of Allegiance

D. PROCLAMATION AND COMMUNITY ACKNOWLEDGEMENTS

District Internal [Mayor will introduce the two new Youth Council Members: Riley Pollard, Youth Vice Mayor & Jada Henderson](#) None
Mayor
Wolcott

E. City Manager Report:

District Internal [Surprise Students/Teachers for Education - Parkview Elementary](#) None
Edith
Baltierrez,
Management
Analyst

F. City Attorney Report:

G. City Clerk Report:

H. Call To The Public:

INSTRUCTIONS: In order to address the City Council, you will need to fill out a Call to the Public Form available at the front counter, and then turn it in to the City Clerk before the meeting begins.

[Download the Call to the Public form](#) (PDF download requires [Adobe Acrobat Reader](#))

[Fill out the Call to the Public form online](#) If submitting form electronically, please submit to City Clerk at least one hour before the meeting start time.

The Call to the Public form is also available at the front counter.

Note: A.R.S. 38-431.01(H) - During this time members of the public may address City Council on any item not on the agenda. At the conclusion of the open call, City Council may respond to criticism, may ask staff to review the matter or may ask that the matter be put on a future agenda. No discussion or action shall take place on any item raised.

Approval of items on the Consent Agenda – all items with an asterisk (*) are considered to be routine matters and will be enacted by one motion and one roll call vote to the City Council. There will be no separate discussion on these items unless a Councilmember requests, in which event the item will be removed from the consent agenda and considered in its normal sequence on the agenda.

I. Regular City Council Meeting Agenda:

Consent Agenda:

1. District Internal [Consideration and action on the proposed 2016 Regular Work Session and Regular Council Meeting calendar.](#) None
Sherry Ann Aguilar, City Clerk
2. District 1 [Consideration and action declaring the City's intention to create the Desert Oasis Parcel L10 Sanverno Street Lighting Improvement District pursuant to A.R.S. 48-616; Resolution # 2015-85.](#) Approve
Karl Zook, Public Works Department
3. District Citywide [Consideration and action on the minutes of October 14, 2015 Special City Council Meeting and October 20, 2015 Regular City Council Work Session and Regular City Council Meeting.](#) None
Sherry Ann Aguilar, City Clerk

Regular Agenda Item - Public Hearing:

4. District 1 [Consideration and action regarding the "Preliminary Plat for Sanverno", a 93-lot, 13-tract residential subdivision in Desert Oasis, generally located on the northwest corner of 171st Avenue and Bajada Road.](#) None
Robert Kuhfuss, Community Development
5. District 4 [Consideration and action regarding proposed Zone Change from CR to IP-PUD, CR to CR-PUD, and from IP to CR-PUD for Dysart Subdivision located at the southwest corner of Bell Road and Dysart Road; Ordinance # 2015-16.](#) None
Robert Kuhfuss, Community Development

Regular Agenda Item - Non-Public Hearing:

6. District 1 [Consideration and action regarding the "Final Plat Sanverno at Desert Oasis", a 93-lot, 13-tract residential subdivision in Desert Oasis, generally located on the northwest corner of 171st Avenue and Bajada Road.](#) None
Robert Kuhfuss, Community Development
7. District 4 [Consideration and action approving the final plat entitled "Final Plat for Dysart Subdivision" for property generally located at the southwest corner of Bell Road and Dysart Road.](#) None
Robert Kuhfuss, Community Development
8. District Citywide [Consideration and action amending Surprise City Code Chapter 10 regarding Animals, vicious animals, and definitions; Ordinance # 2015-05.](#) None
Harold Brady, Police and Fire-Medical Legal Advisor
9. District Internal [Consideration and action amending Chapter 3 of the Surprise](#) None

- | | | |
|-----------------------|--|--|
| | <u>Municipal Code pertaining to the jurisdiction, powers and duties of the Personnel Appeals Board and clarifying the applicability of the whistleblower protections; Ordinance # 2015-20.</u> | Mark Schott,
Human
Resources
Director |
| 10. District 3 | <u>Consideration and action recognizing of the 1936 Ramola Plat; Resolution 2015-94.</u> | None
Eric Fitzer,
Community
Development |
| 11. District 3 | <u>Consideration and action to annex 1.06 Acres along the Cactus Road alignment between 171st Avenue and Cotton Lane; Ordinance 2015-17.</u> | None
Eric Fitzer,
Community
Development |
| 12. District Citywide | <u>Consideration and action regarding aesthetics improvements for the Bell/Grand interchange project.</u> | None
Nicole
Lance,
Deputy City
Manager |
| 13. District Internal | <u>Consideration and action pertaining to the general release agreement with former City Attorney Misty Leslie.</u> | None
Robert
Wingo,
Interim City
Attorney |

J. Other Business and Future Agenda Items:

K. Mayor/Council Reports:

L. Executive Session:

- | | | |
|-----------------------|--|--|
| 14. District Internal | <u>Consideration and action to enter Executive Session to discuss Appointed Officials Review for City Manager & City Clerk pursuant to A.R.S. 38-431.03 (A)(1).</u> | None
CM
Tande/Mayor
Wolcott |
| 15. District Internal | <u>Discussion and consultation with outside counsel to receive legal advice pertaining to the general release agreement with former City Attorney, Misty Leslie, pursuant to A.R.S. 38-431.03(A)(3).</u> | None
Interim City
Attorney,
Robert
Wingo |

For information Purposes; Upon a public majority vote of a quorum of the City Council, the Council may hold an executive session, which will not be open to the public, but for only the following purposes:

- discussion or consideration of personnel matters (A.R.S. §38-431.03 (A)(1));
- discussion or consideration of records exempt by law from public inspection (A.R.S. §38-401.03 (A) (2));
- discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03 (A)(3));
- discussion or consultation with the city's attorneys regarding the city's position regarding contracts that

are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid or resolve litigation (A.R.S. §38-431.03 (a)(4));

- discussion or consultation with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03 (A)(5)); or

- discussion, consultation or consideration for international and interstate negotiations or for negotiations by a city or town, or its designated representatives, with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city or town. A.R.S. §38-401.03 (A)(6)).

- discussing or consulting with designated representatives of the city in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03 (A)(7)).

Confidentiality Requirements Pursuant to A.R.S. §38-431.03(C)(D): Any person receiving executive session information pursuant to A.R.S. §38-431.02 shall not disclose that information except to the Attorney General or County Attorney by agreement of the City Council, or as otherwise ordered by a court of competent jurisdiction.

The council may vote to hold an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. § 38-431.03(A)(3).

M. Adjournment:

SHERRY ANN AGUILAR, CITY CLERK, MMC

POSTED: October 29, 2015 at 2:10 PM

SPECIAL NOTE: PERSONS WITH SPECIAL ACCESSIBILITY NEEDS, INCLUDING LARGE PRINT MATERIALS OR INTERPRETER, SHOULD CONTACT THE CITY CLERK'S OFFICE @ 623.222.1200 OR TTY 623.222.1002, BY NO LATER THAN 24 HOURS IN ADVANCE OF THE REGULAR SCHEDULED MEETING TIME.



CITY OF SURPRISE
Regular City Council Meeting

November 3, 2015 @ 6:00:00 PM

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

Council Meeting Date:	November 3, 2015	Contact Person:	Edith Baltierrez, Management Analyst
Submitting Department:		District:	Internal
Staff Recommendations:	None		

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

Agenda Wording:

Surprise Students/Teachers for Education - Parkview Elementary

Motion:

N/A

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

[Click to download](#)

No Attachments Available



CITY OF SURPRISE
Regular City Council Meeting

November 3, 2015 @ 6:00:00 PM

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

Council Meeting Date:	November 3, 2015	Contact Person:	Sherry Ann Aguilar, City Clerk
Submitting Department:		District:	Internal
Staff Recommendations:	None		

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

Agenda Wording:

Consideration and action on the proposed 2016 Regular Work Session and Regular Council Meeting calendar.

Motion:

I move to approve the proposed 2016 Regular Work Session and Regular Council Meeting calendar.

Background:

This request is of a routine nature and presented to Council every year in order to plan Work Sessions & Regular Meetings in advance.

Objective Analysis:

This document allows for advanced planning of work sessions and meetings throughout the year.

Policy Compliant:

This document is used as a planning tool, there is no written policy in place for approval of a calendar, however set Council Meetings are listed in the City Code as 1st and 3rd Tuesdays of each month. The Mayor is allowed to call Special Meetings when needed throughout the calendar year per City Code.

Financial Impact:

N/A

Budget Impact:

FTE Impact:

ATTACHMENTS:

Click to download

☐ [2016 Work Session and Regular Meeting Calendar](#)

CITY OF SURPRISE

PROPOSED SCHEDULE OF WORK SESSIONS

AND REGULAR MEETINGS FOR 2016

MONTH:

MEETING DATES:

TIME:

JANUARY 2016	Tuesday, January 5th, 2016	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
	Tuesday, January 19th, 2016	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
FEBRUARY 2016	Tuesday, February 2nd, 2016	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
	Tuesday, February 16th, 2016	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
MARCH 2016	Tuesday, March 1st, 2016	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
	Tuesday, March 15th, 2016	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
APRIL 2016	Tuesday, April 5th, 2016	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
	Tuesday, April 19th, 2016	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
MAY 2016	Tuesday, May 3rd, 2016	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
	Tuesday, May 17th, 2016	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
JUNE 2016	Tuesday, June 7th, 2016	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
	Tuesday, June 21st, 2016	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
JULY 2016	SUMMER BREAK – NO WORK SESSIONS OR MEETINGS THIS MONTH.	(Council may call Special Meetings during this time, and anytime during the year if necessary).
AUGUST 2016	Tuesday, August 2nd, 2016	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
	Tuesday, August 16th, 2016	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.

SEPTEMBER 2016	Tuesday, September 6th, 2016	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
	Tuesday, September 20th, 2016	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
OCTOBER 2016	Tuesday, October 4th, 2016	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
	Tuesday, October 18th, 2016	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
NOVEMBER 2016	Tuesday, November 1st, 2016	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
	Tuesday, November 15th, 2016	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
DECEMBER 2016	Tuesday, December 6th, 2016	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.
	Tuesday, December 20th, 2016	WORK SESSION – 4:00 P.M. REGULAR MEETING – 6:00 P.M.

2016 CITY HOLIDAY CLOSURES

FRIDAY, JANUARY 1ST – NEW YEAR’S DAY

MONDAY, JANUARY 18TH – MARTIN LUTHER KING DAY

MONDAY, FEBRUARY 15TH – PRESIDENT’S DAY

MONDAY, MAY 30TH – MEMORIAL DAY

MONDAY, JULY 4TH – INDEPENDENCE DAY

MONDAY, SEPTEMBER 5TH – LABOR DAY

FRIDAY, NOVEMBER 11TH – VETERAN’S DAY

THURSDAY & FRIDAY, NOVEMBER 24TH & 25TH – THANKSGIVING

CHRISTMAS DAY FALLS ON SUNDAY, CITY HALL OFFICES CLOSED ON MONDAY, DECEMBER 26TH

**** Arizona League of Cities and Towns Conference will be held:**

August 23-26, 2016 [Fairmont Princess Resort](#), Scottsdale , AZ.



CITY OF SURPRISE
Regular City Council Meeting

November 3, 2015 @ 6:00:00 PM

Back Print

Council Meeting Date: November 3, 2015 Contact Person: Karl Zook, Public Works Department
Submitting Department: District: 1
Staff Recommendations: Approve

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

Agenda Wording:

Consideration and action declaring the City's intention to create the Desert Oasis Parcel L10 Sanverno Street Lighting Improvement District pursuant to A.R.S. 48-616; Resolution # 2015-85.

Motion:

I move to approve Resolution # 2015-85.

Background:

The City has verified that the Petition for the proposed street light improvement district contains the signatures of all of the real property owners in the district, exclusive of mortgages and other lien holders.

The City has approved the street layout and facilities design. The electric rates are established by APS tariff.

The lighting improvements are more than local or ordinary public benefit and the expenses of the district will be paid for by the levy and collection of equal apportionment taxes based on the number and classification of properties within the district.

Objective Analysis:

A SLID is a neighborhood partnership and very common practice in which property owners in a defined area agree to pay the costs to operate and maintain their immediate area's street lights through a property tax. All new developments in the City of Surprise require a SLID. This action will create a SLID boundary for the Desert Oasis Parcel L10 Sanverno development.

Policy Compliant:

Surprise Municipal Code requires that street lighting that serves a defined area be paid for through revenues obtained from the specific area being served by such street lighting. In these instances, a Street Light Improvement District (SLID) is formed. The city strives to assure that residents are subject to only one SLID and that the boundaries of each SLID accurately reflect the service area. This item is

consistent with these objectives.

Financial Impact:

Any financial impact on the City is anticipated to be minimal, as the Developer and District will be bearing the costs and expenses of the District and street light improvement facilities.

Budget Impact:

Funding was not included as part of the FY2016 adopted budget. A separate fund will be created to track revenue and expenses once the city starts receiving electric bills from APS for this particular SLID. If the SLID incurs expenses during FY2016, staff will return to request a budget amendment to appropriate the new fund. Regardless, the city will be unable to collect property taxes for this SLID until FY2017, at the earliest.

FTE Impact:

This action does not change the full time equivalent count.

ATTACHMENTS:

Click to download

- ☐ [Resolution 2015-85](#)
 - ☐ [Sanverno SLID Petition](#)
 - ☐ [Council Map](#)
-

RESOLUTION # 2015-85

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, DECLARING ITS INTENTION TO ESTABLISH A STREET LIGHT IMPROVEMENT DISTRICT TO PURCHASE ENERGY FOR LIGHTING THE PUBLIC STREETS AND PARKS IN THE AREA WITHIN THE CORPORATE LIMITS OF THE CITY OF SURPRISE, ARIZONA DESCRIBED ON EXHIBIT A, ATTACHED HERETO; DECLARING SUCH IMPROVEMENTS TO BE OF MORE THAN LOCAL OR ORDINARY PUBLIC BENEFIT AND THAT THE EXPENSES THEREOF BE PAID FOR BY THE LEVY AND COLLECTION OF EQUAL APPORTIONMENT OF TAXES BASED ON THE NUMBER AND CLASSIFICATION OF PROPERTIES WITHIN THE DISTRICT TO BE KNOWN AS "CITY OF SURPRISE, ARIZONA, DESERT OASIS PARCEL L10 SANVERNO LIGHTING IMPROVEMENT DISTRICT"; AND ORDERING THAT SUCH IMPROVEMENTS BE PROVIDED FOR UNDER THE PROVISIONS OF SECTION 48-572, ARIZONA REVISED STATUTES.

WHEREAS, the owners, exclusive of mortgagees and other lienholders, of all of the real property (hereinafter referred to as "Petitioner") in the hereinafter described District, acting pursuant to the provisions of Sections 48-615(A) and 48-617(A), Arizona Revised Statutes, have petitioned the Mayor and Council of the City of Surprise, Arizona (hereinafter referred to as "City"), to adopt a resolution of intention (hereinafter referred to as "Resolution") ordering the purchase of energy for the lighting of the public streets and parks (hereinafter referred to as "Improvements") for the real property legally described in Exhibit A (such area hereinafter referred to as the "District") with such boundaries as shown in the map in Exhibit B attached hereto pursuant to the provisions of Section 48-576, Arizona Revised Statutes, giving the City immediate jurisdiction to order the Improvements pursuant to the provisions of Section 48-581, Arizona Revised Statutes, without the necessity of the publications or posting of this Resolution provided for in Sections 48-578, Arizona Revised Statutes;

WHEREAS, the City has verified that Petitioner is the owner, exclusive of mortgagees and other lienholders, of all of the real property included within the boundaries of the District, and;

WHEREAS, the Mayor and Council of the City hereby find and determine that they have jurisdiction to adopt this Resolution to order the Improvements pursuant to the provisions of Section 48-576, Arizona Revised Statutes, and have immediate jurisdiction to adopt this Resolution ordering the Improvements pursuant to the provisions of Section 48-581, Arizona Revised Statutes without the necessity of publications and posting of this Resolution as provided for in Section 48-578, Arizona Revised Statutes;

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

Section 1. The City, after verifying ownership of the real property included within the boundaries of the District, hereby finds the Petitioner is the owner, exclusive of

mortgagees and other lienholders, of all of the real property included within the boundaries of the District.

Section 2. The name of the District shall be "CITY OF SURPRISE, ARIZONA, DESERT OASIS PARCEL L10 SANVERNO LIGHTING IMPROVEMENT DISTRICT."

Section 3. The District is formed, and shall exist, pursuant to the provisions of Title 48, Chapter 4, Article 2, Arizona Revised Statutes, and Section 48-616, Arizona Revised Statutes.

Section 4. The public interest or convenience requires, and it is the intention of the Mayor and Council of the City to order the Improvements as so described above.

Section 5. The Improvements, in the opinion of the Mayor and Council of the City, are of more than local or ordinary public benefit and are of special benefit to the respective lots, pieces and parcels of real property in the District, and the Mayor and Council of the City hereby make and order the expense of the Improvements payable from the levying and collection of an equal apportionment of taxes based on the number and classification of properties within the District to be known and designated as "City of Surprise, Arizona Desert Oasis Parcel L10 Sanverno Lighting Improvement District" and hereby declare that the District is as legally described on Exhibit A attached hereto with the boundaries as shown in the map in Exhibit B attached hereto. Any public street or alley within the District shall be omitted from the assessment. Any lot belonging to the United States, the State, a county, city, school district or political subdivision or institution of the state or county within the District shall be omitted from the assessment.

Section 6. The Superintendent of Streets or equivalent of the City shall not be required to post or cause to be posted notices of the Resolution of Intention. The Clerk of the City shall certify to the passage of this Resolution of Intention but shall not be required to cause the same to be published in a newspaper published and of general circulation in the City.

Section 7. The Mayor and Council of the City shall make annual statements and estimates of the expenses of the district, which shall be provided for by the levy and collection of equal apportionment of taxes based on the number and classification of properties within the District; shall publish notice thereof; shall have hearings thereon; and shall adopt them at the times and in the manner provided for incorporated cities and towns by the applicable portions of Section 42-17101, et seq., 42-17152, Arizona Revised Statutes. The Mayor and Council of the City shall, on or before the third Monday in August of each year, fix, levy and assess the amount to be raised by an equal apportionment of taxes based on the number and classification of the properties within the District and collect, as Maricopa County, Arizona (the "County") taxes are collected, the amounts shown by the statements and estimates as adopted by the Mayor and Council of the City. All statutes providing for the levy and collection of State of Arizona and County taxes, shall be applicable to District taxes as provided to be levied under Section 48-616, Arizona Revised Statutes.

Section 8. The District shall not be authorized to issue bonds and no assessment for District purposes against the property within the District shall exceed

One Dollar and Twenty Cents (\$1.20) per each hundred dollars of taxable valuation thereof in any year.

Section 9. The District shall not engage in any activity other than as provided in Section 48-616, Arizona Revised Statutes, i.e., contracting for and purchasing of energy for street and public park lighting.

Section 10. The formation of the District shall not be considered as preventing the subsequent establishment of improvement districts for any other purpose authorized by law, including improvement districts for the purpose of construction street lighting facilities within any part or all of the same territory as the District.

Section 11. The type of lighting facilities to be installed in the District and the locations thereof shall consist of those lighting facilities and locations described in the petition submitted by Petitioner, or as may be approved by the City.

Section 12. The rate to be paid for purchasing the energy for the District shall be the rate described in the petition submitted by Petitioner, or as may be approved by the Arizona Public Service Company.

Section 13. Any resolutions or parts of resolutions in conflict with the provisions of this Resolution are hereby repealed.

APPROVED AND ADOPTED this __day of _____, 2015.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Misty Leslie, City Attorney

EXHIBIT A



**Legal Description
Street Light Improvement District
Sanverno at Desert Oasis
Surprise, Arizona**

Job No. 15-108

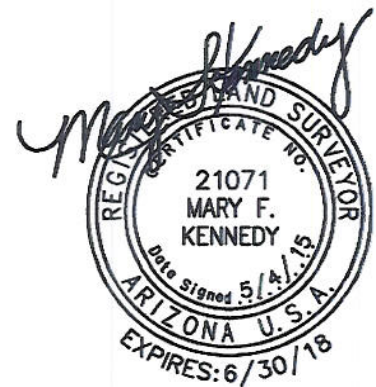
May 4, 2015

A portion of the east half of Section 35, Township 5 North, Range 2 West, of the Gila and Salt River Meridian, Maricopa County, Arizona, described as follows:

COMMENCING at a 2 inch brass cap stamped "RLS 37171 2007" for the southeast corner of said Section 35, from which a 2 inch brass cap stamped "2007 RLS 37---" (last digits unreadable) for the east quarter corner of said Section 35 bears North 0 degrees 04 minutes 08 seconds East, (an assumed bearing) a distance of 2,475.27 feet; thence North 0 degrees 04 minutes 08 seconds East, 1619.52 feet along the east line of the southeast quarter of said Section 35 to the intersection with the centerline of West Bajada Road according to that Map of Dedication for West Bajada Road recorded in Book 1014 at Page 25, Official Records of Maricopa County Recorder, and the POINT OF BEGINNING;

thence North 89 degrees 55 minutes 49 seconds West, 772.73 feet along said centerline to the beginning of a curve, concave northeast, having a radius of 500.00 feet; thence northwesterly 220.32 feet along the arc of said curve to the right and said centerline through a central angle of 25 degrees 14 minutes 47 seconds; thence North 64 degrees 41 minutes 02 seconds West, 61.01 feet along said centerline to the intersection of West Bajada Road with North 173 rd Avenue according to that Map of Dedication for Desert Oasis at Surprise Lancer Parcel - Phase 1, recorded in Book 819 at Page 49, Official Records of Maricopa County Recorder; thence North 0 degrees 16 minutes 21 seconds East, 1122.23 feet along said centerline; thence South 89 degrees 43 minutes 39 seconds East, 25.00 feet to a point on the east right of way line of said 173 rd Avenue; thence South 89 degrees 43 minutes 39 seconds East, 957.08 feet to a point on the west right of way line of 171 st Avenue according to said Map of Dedication for Desert Oasis at Surprise Lancer Parcel - Phase 1; thence South 89 degrees 56 minutes 55 seconds East, 55.00 feet to a point on the centerline of said 171 st Avenue; thence South 0 degrees 03 minutes 05 seconds West, 336.80 feet along said centerline; thence South 0 degrees 04 minutes 08 seconds West, 855.75 feet along said centerline to the POINT OF BEGINNING.

Containing an area of 1,234,406 square feet or 28.3381 acres, more or less.



EPS Group, Inc. • 2045 S. Vineyard, Suite 101 • Mesa, AZ 85210
Tel (480) 503-2250 • Fax (480) 503-2258

S:\Projects\2015\15-108\Legal Survey\Legals\15108 LD SLID.docx



EXHIBIT B

NORTHEAST CORNER
SECTION 35, T.5N, R.2W
FOUND 2" MARICOPA COUNTY
ALUMINUM CAP STAMPED
"2002 RLS 21782"

DESERT OASIS PARCEL L11
BOOK 939, PG 37, M.C.R.
S89°43'39"E 957.08'

S89°43'39"E 25.00'

S89°56'55"E 55.00'

CENTERLINE

25' R/W
PER BOOK 819 PG
49, M.C.R.

EAST 1/4 CORNER
SECTION 35, T.5N, R.2W
FOUND 2" BRASS CAP
STAMPED "2007 RLS# 37---"
LAST DIGITS NOT READABLE

55' R/W PER
BOOK 819 PG
49, M.C.R.

N. 173rd AVENUE
N00°16'21"E 1122.23'



SANVERNO AT
DESERT OASIS

CENTERLINE

N. 171st AVENUE

S00°03'05"W 336.80'

S00°04'08"W 855.75'

N00°04'08"E 2475.27'

1619.52'

N64°41'02"W 61.01'

R=500.00'

L=220.32'

D=25°14'47"

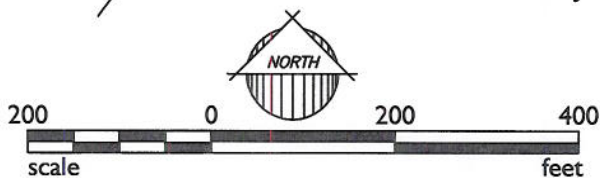
CENTERLINE

50' R/W
PER BOOK 1014 PG
25, M.C.R.

POINT OF
BEGINNING

N89°55'49"W 772.73'
W. BAJADA ROAD

SOUTHEAST CORNER
SECTION 35, T.5N, R.2W
FOUND 2" BRASS CAP
STAMPED "RLS37174 2007"



15-108

EXHIBIT

Street Light Improvement District
Sanverno at Desert Oasis



2045 S. Vineyard Ave.
Ste. 101 Mesa, AZ 85210
T: 480.503.2250 | F: 480.503.2258
www.epsgroupinc.com

STREET LIGHT IMPROVEMENT DISTRICT PETITION

TO THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE:

We, the undersigned, are all or a majority of the real property owners, exclusive of mortgagees and other lienholders, within the district named below. We petition the City Council of the City of Surprise, Arizona, to establish a street light improvement district under Arizona Revised Statutes (A.R.S.) §48-571 to 48-622, and any amendments, and specifically A.R.S. §48-615 to 48-617, to purchase electricity for lighting the public streets and/or parks within the district whose boundaries and area is described in Exhibits A and B attached hereto. This petition includes a charge for maintaining the lighting facilities.

It is hereby requested that, in compliance with the Arizona Revised Statutes, the City Council adopt a Resolution of Intention to order the proposed improvements, and that unless protests are received pursuant to A.R.S. §48-579 sufficient to bar further proceedings, the City Council proceed with the improvements petitioned for herein.

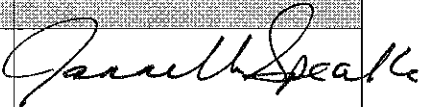
Expenses of the District shall be paid by the levy and collection of an equal apportionment of taxes based on the number and classification of properties within the District.

Public convenience, necessity and welfare will be promoted by the establishment of the District and the real property within the District will be benefited by the District. Additional street lighting facilities may be installed and included in the District, at no investment cost to the District, as directed by the City and as approved by Arizona Public Service and the City Engineer.

WHEREFORE, we respectfully ask that this Petition be properly filed and that the Mayor and Council of the City adopt the Resolution and take such other action as is proper, necessary and appropriate to form the District and to fulfill the purposes for which the District is organized, as the Mayor and Council believe is proper and necessary.

The name of the proposed street light improvements district shall be:
Sanverno

PETITIONERS: Please print and sign your name

PRINT BUSINESS/ PETITIONER'S NAME	ADDRESS OF PROPERTY OWNED WITHIN DISTRICT	ASSESSOR PARCEL #	SIGNATURE
KB Home Phoenix, Inc Jannelle Speake, Agent	17130 W Straight Arrow Ln 17133 W Buckhorn Tr	503-51-021A 503-51-019W	



**RATE SCHEDULE E-58
CLASSIFIED SERVICE
STREET LIGHTING SERVICE**

AVAILABILITY

This rate schedule is available in those portions of cities, towns and unincorporated communities in which Company does a general retail electric business and where Company has installed a multiple or series street lighting system of adequate capacity for the service to be rendered.

APPLICATION

This rate schedule is applicable to service for lighting public streets, alleys, thoroughfares, public parks and playgrounds from dusk to dawn by use of Company's facilities where such service for the entire area is contracted for from the Company by the city, town, other governmental agencies, or a responsible individual for unincorporated communities. Dusk is defined as the time between sunset and full night when a photocontrol senses the lack of sufficient sunlight and turns on the lights. Dawn is defined as the time between full night and sunrise when a photocontrol senses sufficient sunlight to turn off lights.

RATES

The bill shall be computed at the following rates for each type of standard facility and/or service utilized to provide street lighting, plus any adjustments incorporated in this schedule:

I. FIXTURES (Includes Mounting Arm, if Applicable)

	Lumen	Watts	kWh	RATES	
				Investment by Company	Investment by Others
A. Acorn	9,500 HPS	100	41	\$ 27.06	\$9.22
	16,000 HPS	150	69	30.04	11.65
	6000 IND	85	29	17.87	4.77
B. Architectural	9,500 HPS	100	41	15.38	7.34
	16,000 HPS	150	69	17.96	9.82
	30,000 HPS	250	99	21.31	12.60
	50,000 HPS	400	153	26.29	18.13
	14,000 MH	175	72	21.51	11.79
	21,000 MH	250	101	24.42	14.54
	36,000 MH	400	159	30.54	20.00
	8,000 LPS	55	30	22.35	9.82
	13,500 LPS	90	50	26.36	11.84
	22,500 LPS	135	72	30.11	14.45
	33,000 LPS	180	90	36.22	17.02
	6,200 IND	85	29	9.40	3.65
	8,400 IND	100	34	9.93	4.05
	10,200 IND	120	41	10.91	4.63
	13,000 IND	150	52	12.05	5.50
	20,500 IND	200	69	13.72	6.84
	22,500 IND	265	91	16.37	8.62
	5,800 LED	94	32	16.53	4.79
	7,400 LED	127	44	18.96	5.89
	12,300 LED	203	70	23.66	8.22



RATE SCHEDULE E-58
CLASSIFIED SERVICE
STREET LIGHTING SERVICE

I. FIXTURES (Includes Mounting Arm, if Applicable) (cont):

				RATES	
	Lumen	Watts	kWh	Investment by Company	Investment by Others
B. Architectural	9,200 LED	139	48	\$23.77	\$6.78
	13,620 LED	202	70	26.45	8.58
	6,400 LED	89	31	16.61	4.73
C. Cobra/Roadway	5,800 HPS	70	29	8.73	5.16
	9,500 HPS	100	41	10.28	6.32
	16,000 HPS	150	69	12.87	8.82
	30,000 HPS	250	99	15.52	11.46
	50,000 HPS	400	153	21.06	16.37
	14,000 MH	175	72	14.97	10.20
	21,000 MH	250	101	17.49	12.69
	36,000 MH	400	159	23.03	17.63
	8,000 FL	100	38	17.20	5.04
	6,200 IND	75	26	9.78	3.50
	6,400 IND	85	29	8.33	3.51
	8,000 IND	88	30	9.72	3.75
	8,400 IND	100	34	9.01	3.93
	10,200 IND	120	41	9.69	4.47
	13,000 IND	150	52	10.67	5.32
	15,250 IND	200	69	12.87	6.73
	22,500 IND	250	86	17.22	8.41
	Gray/Bronze 3,500 IND	55	19	9.75	3.03
	6,000 LED	95	33	15.83	4.76
	8,700 LED	142	49	17.80	6.06
	9,600 LED	157	54	18.94	6.54
	11,600 B-LED	181	62	17.67	6.90
	Gray/Bronze 3,300 LED	43	15	8.36	2.59
	Gray/Bronze 5,300 LED	67	23	9.70	3.29
	Gray/Bronze 8,300 LED	106	37	12.58	4.59
	Gray/Bronze 10,500 LED	130	45	14.00	5.29
	Gray/Bronze 20,000 LED	258	89	24.33	9.54
D. Decorative	9,500 HPS	100	41	37.09	11.11
	16,000 HPS	150	69	36.88	12.41
	30,000 HPS	250	99	42.46	16.02
E. Flood	30,000 HPS	250	99	20.61	12.81
	50,000 HPS	400	153	25.56	17.77
	21,000 MH	250	101	22.00	13.53
	36,000 MH	400	159	26.82	18.35



**RATE SCHEDULE E-58
CLASSIFIED SERVICE
STREET LIGHTING SERVICE**

I. FIXTURES (Includes Mounting Arm, if Applicable) (cont):

					Rates	
					Investment By Company	Investment By Others
		Lumens	Watts	kWh		
F. Post Top	Colonial Gray	8,000 FL	100	38	\$18.54	\$5.23
		9,500 HPS	100	41	10.60	6.65
	Colonial Black	9,500 HPS	100	41	12.21	6.88
	Decorative Transit	9,500 HPS	100	41	32.47	10.24
	Copper Square	6,000 IND	85	29	17.52	4.72
	Gray/Black	8,000 IND	88	30	13.80	4.29
	Gray/Black	4,350 LED	86	30	12.52	4.12
G. FROZEN						
	4,000 INC	295	103		\$9.78	\$5.47
	7,000 MV	175	73		12.67	7.27
	11,000 MV	250	96		15.87	9.68
	20,000 MV	400	150		24.92	14.12

NOTES:

1. Investment by Company. These rates are applicable where the Company provides the initial investment to purchase and install all facilities necessary for street lighting service. The Company will own, operate, and maintain the street lighting system.
2. Investment by Others. These rates are applicable in those instances where the requesting entity or individual purchases and installs the street lighting facilities at their own expense and in accordance with Company specifications. These rates will also apply in the instance where the customer provides a non-refundable advance to the Company to cover the Company's cost of purchasing and installing the street lighting system. The Company retains ownership of the street lighting system and provides operation and maintenance for all facilities.
3. Listed kWhs reflect the assigned monthly energy usage for each type of fixture and are used to determine any applicable transmission, system benefit, distribution, energy, and adjustment charges.
4. HPS = High Pressure Sodium
5. MH = Metal Halide
6. LPS = Low Pressure Sodium
7. FL = Fluorescent
8. INC = Incandescent. Incandescent lighting charges are applicable and available only to those customers being served and those installations in service on November 1, 1986.
9. MV = Mercury Vapor. Mercury Vapor lighting charges are applicable and available only to those customers being served and those installation in service on November 1, 1986 in accordance with A.R.S. §49-1104(A).
10. LED = Light Emitting Diode
11. IND = Induction



RATE SCHEDULE E-58
CLASSIFIED SERVICE
STREET LIGHTING SERVICE

II. POLES

			RATES		
			Height	Investment by Company	Investment by Others
A. Anchor Base Mounted (Flush)	Round Steel	1 Simplex Adapter	12 ft.	\$12.17	\$1.68
			22 ft.	13.70	1.88
			25 ft.	14.82	2.05
			30 ft.	17.03	2.34
			32 ft.	17.89	2.37
		2 Simplex Adapters	12 ft.	12.98	1.79
			22 ft.	14.91	2.06
			25 ft.	15.55	2.14
			30 ft.	18.07	2.49
			32 ft.	19.28	2.66
	Square Steel	5"	13 ft.	13.95	1.92
			15 ft.	12.47	1.72
			23 ft.	14.79	2.03
			25 ft.	16.26	2.23
			28 ft.	18.05	2.48
			32 ft.	17.95	2.47
	Concrete		12 ft.	41.58	5.73
Fiberglass		12 ft.	35.21	4.85	
Decorative Transit Pedestrian	4"	16 ft.	34.33	4.73	
Decorative Transit	6"	30 ft.	66.28	9.13	
Hinged Poles	Square	15 ft.	13.20	1.08	
	Round	19 ft.	11.93	.97	
B. Anchor Base Mounted (Pedestal)	Round Steel	1 Simplex Adapter	12 ft.	11.71	1.61
			22 ft.	13.24	1.82
			25 ft.	14.35	1.98
			30 ft.	16.58	2.29
			32 ft.	17.41	2.40
		2 Simplex Adapters	12 ft.	12.51	1.72
			22 ft.	13.97	1.92
			25 ft.	15.08	2.07
			30 ft.	17.61	2.42
			32 ft.	18.81	2.59
		3 Bolt Arm	32 ft.	21.62	2.97
		Square Steel	5"	13 ft.	13.50
	15 ft.			13.80	1.89
	23 ft.			14.32	1.98
	25 ft.			15.80	2.19
	28 ft.			17.56	2.42
	32 ft.			18.23	2.50



**RATE SCHEDULE E-58
CLASSIFIED SERVICE
STREET LIGHTING SERVICE**

II POLES (cont)

			RATES		
			Investment by Company	Investment by Others	
			Height		
C. Direct Bury	Round Steel		19 ft.	\$18.42	\$2.54
			30 ft.	14.38	2.66
			38 ft.	17.55	2.73
		Self Support	40 ft.	21.62	3.42
		Stepped	25 ft.	49.72	4.06
			32 ft.	52.36	4.27
			49 ft.	64.99	8.96
	Square Steel	4"	34 ft.	15.87	2.75
		5"	20 ft.	15.07	2.49
			30 ft.	15.71	2.59
			38 ft.	17.05	2.96
		8"	28 ft.	28.45	2.32
			32 ft.	29.74	2.43
	Decorative Transit	41 ft 6 in	20.47	3.01	
	Decorative Transit	47 ft.	25.50	3.75	
	Steel Distribution Pole (for lighting only)	35 ft.	23.54	3.10	
D. Post Top	Decorative Transit Anchor Base	16 ft.	35.07	4.82	
	Gray Steel/Fiberglass	23 ft.	12.16	2.00	
	Black Steel	23 ft.	13.41	2.21	
E. Existing distribution pole suitable for streetlight use			1.48	--	
F. FROZEN	Wood Poles	30 ft.	\$8.95	\$1.55	
		35 ft.	8.95	1.48	

NOTE: The monthly rate for all new poles includes up to 300 feet of overhead secondary wire, or up to 300 feet of underground secondary wire if the customer provides earthwork and conduit (excluding the underground to overhead transition).

III. ANCHOR BASE

		RATES		
			Investment by Company	Investment by Others
		Height		
A. Flush		4 ft.	\$9.91	\$1.36
		6 ft.	11.82	2.05
B. Pedestal		8 ft.	13.54	2.36
	For 32' Round Steel Pole only	4 ft. 6"	9.39	1.63



**RATE SCHEDULE E-58
CLASSIFIED SERVICE
STREET LIGHTING SERVICE**

IV. CHARGES FOR OPTIONAL OR ADDITIONAL EQUIPMENT

		RATES
		Company Owned
Underground Circuit Charges:		
a. Per foot of cable, installed under paving		\$0.15716
b. Per foot of cable, not installed under paving		0.05589

V. DETERMINATION OF RATES FOR NEW EQUIPMENT

Monthly rates for new lighting fixtures, poles and other equipment not included in Sections I, II, or III above shall be determined by the Company using the following method:

Step 1 Determination of Charges for each Charge Type							Monthly Fixed Charge Rate
Charge Type	Monthly Charge	=	Cost Inputs	x	PV Factor	x	
1	Carrying Cost (fixtures)	=	Equipment Cost (installed)	x	NA	x	1.533%
2	Carrying Cost (poles)	=	Equipment Cost (installed)	x	NA	x	1.449%
3	Fixture Replacement Cost	=	Equipment Cost (installed)	x	0.132	x	1.533%
4	Pole, Anchor Replacement Cost	=	Equipment Cost (installed)	x	0.082	x	1.449%
5	Lighting O&M	=	O&M Cost (lifecycle)	x	0.381	x	1.533%
Charge Type	Monthly Charge	=	kWh Input	x	\$/kWh		
6	Generation	=	kWh per month	x	0.04023		
7	T&D, RCS, SB	=	kWh per month	x	0.03516		

Step 2 Determination of Total Monthly Charge	
The total monthly charge shall be the summation of the charges for each applicable charge type	
	Charge
	e
<u>Equipment</u>	<u>Type</u>
Fixture - IBC	1,5,6,7
Fixture - IBO	3,5,6,7
Pole, Anchor Base - IBC	2
Pole, Anchor Base - IBO	4



**RATE SCHEDULE E-58
CLASSIFIED SERVICE
STREET LIGHTING SERVICE**

TRIP CHARGE

When Company is not the responsible party contracted for the regular maintenance of a street lighting system owned by a city, town or other governmental entity, a \$100.00 trip charge per light will be charged when Customer requests a disconnect and/or reconnect of service in order to accommodate the maintenance activities of the Customer or its designee(s) on their street light equipment. The trip charge will also apply when Customer request disconnect or reconnect for non-maintenance purposes.

ADJUSTMENTS

1. The bill is subject to the Renewable Energy Standard as set forth in the Company's Adjustment Schedule REAC-1 pursuant to Arizona Corporation Commission Decision No. 70313.
2. The bill is subject to the Power Supply Adjustment factor as set forth in the Company's Adjustment Schedule PSA-1 pursuant to Arizona Corporation Commission Decision No. 67744 Arizona Corporation Commission Decision No. 69663, and Arizona Corporation Commission No. 71448, and 73183.
3. The bill is subject to the Transmission Cost Adjustment factor as set forth in the Company's Adjustment Schedule TCA-1 pursuant to Arizona Corporation Commission Decision No. 67744.
4. The bill is subject to the Environmental Improvement Surcharge as set forth in the Company's Adjustment Schedule EIS pursuant to Arizona Corporation Commission Decision No. 69663 and Arizona Corporation Commission Decision No. 73183.
5. Direct Access customers returning to Standard Offer service may be subject to a Returning Customer Direct Access Charge as set forth in the Company's Adjustment Schedule RCDAC-1 pursuant to Arizona Corporation Commission Decision No. 67744.
6. The bill is subject to the Demand Side Management Adjustment Charge as set forth in the Company's Adjustment Schedule DSMAC-1 pursuant to Arizona Corporation Commission Decision No. 71448.
7. The bill is subject to the applicable proportionate part of any taxes or governmental impositions which are or may in the future be assessed on the basis of gross revenues of APS and/or the price or revenue from the electric energy or service sold and/or the volume of energy generated or purchased for sale and/or sold hereunder.

SPECIAL PROVISIONS

1. Street lighting facilities installed under this rate schedule are of the type currently being furnished by Company as standard at the time service is initially requested. Standard facilities are those listed in the Company's Transmission and Distribution Construction Standards book.
2. The Company cannot guarantee that streetlighting facilities will always operate as intended. Therefore, the customer will be responsible for notifying the Company when the streetlighting facilities are not operating as intended. The Company will use reasonable efforts to complete normal maintenance (replacement of lamps, photocontrols or fixtures) within ten (10) working days from notification by customer; however, if the maintenance requires cable replacement or repairs, the Company shall use reasonable efforts to complete said repairs within twenty (20) working days.
3. The customer's bill will not be reduced due to lamp, photocontrol or cable repair or replacement outages.



**RATE SCHEDULE E-58
CLASSIFIED SERVICE
STREET LIGHTING SERVICE**

SPECIAL PROVISIONS (cont')

4. Lighting equipment which is not specified in this rate schedule will be billed at the rates corresponding to the most similar equipment, as determined by the Company.

NON-STANDARD FACILITIES

Non-standard facilities (non-standard being defined as any facility not listed in the Company's Transmission and Distribution Construction Standards book) do not qualify for this rate schedule. At the Company's discretion, such facilities may be served under another of the Company's rate schedules.

EXTENSION OF STREET LIGHTING SYSTEM

The Company will extend its standard street lighting system up to a distance of 300 feet for each additional lighting installation without cost at the request of the customer. When the extension is underground the customer will provide earthwork as specified in of the Company's Service Schedule 3, Conditions Governing Extensions of Electric Distribution Lines and Services; or, at the applicant's request, the Company will provide such earthwork and the applicant will be required to pay a non-refundable contribution in aid of construction equal to the cost of such earthwork. Any additional extension required (over and above the first 300 feet) will be provided by Company for a contribution in aid of construction equal to the cost of the additional extension.

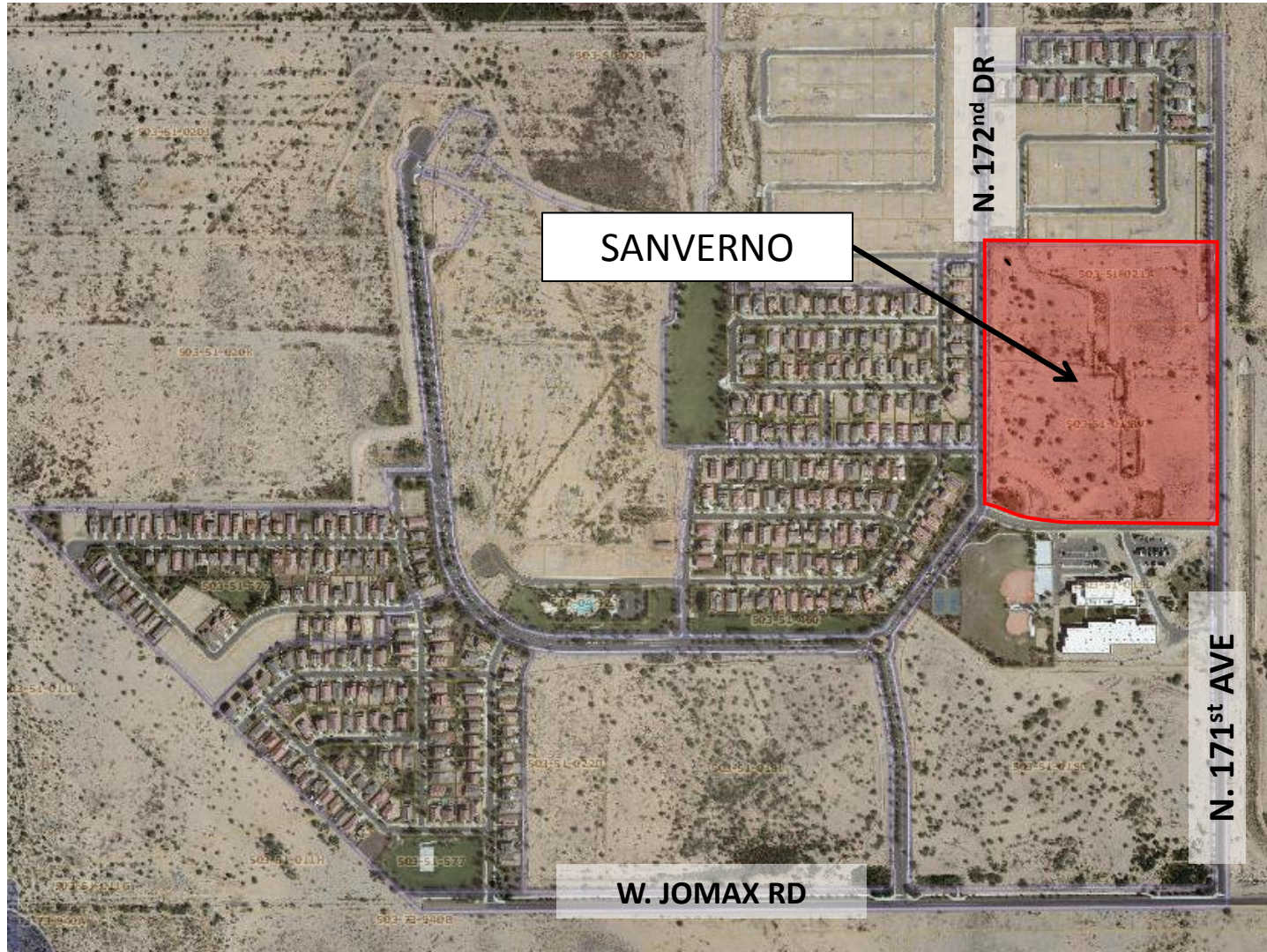
Extensions to isolated areas requiring a substantial extension of the electric distribution system, as opposed to an extension of the street lighting system, will require a special study to determine the terms and conditions under which the Company will undertake such an extension.

TERMS AND CONDITIONS

Service under this rate schedule is subject to the Company's Schedule 1, Terms and Conditions for Standard Offer and Direct Access Services and the Company's Schedule 10, Terms and Conditions for Direct Access. These schedules have provisions that may affect the customer's bill. In addition, service may be subject to special terms and conditions as provided for in a customer contract or service agreement.

Desert Oasis Parcel L10

Sanverno





CITY OF SURPRISE
Regular City Council Meeting

November 3, 2015 @ 6:00:00 PM

Back Print

Council Meeting Date:	November 3, 2015	Contact Person:	Sherry Ann Aguilar, City Clerk
Submitting Department:		District:	Citywide
Staff Recommendations:	None		

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

Agenda Wording:

Consideration and action on the minutes of October 14, 2015 Special City Council Meeting and October 20, 2015 Regular City Council Work Session and Regular City Council Meeting.

Motion:

I move to approve the meeting minutes.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

Click to download

- ☐ [Oct 14 SPCMTG](#)
- ☐ [Oct 20 WKS](#)
- ☐ [Oct 20 REGMTG](#)

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

Wednesday, October 14, 2015 @ 04:30 PM

Call to Order

Roll Call

Mayor Wolcott called the **Special City Council Meeting** to order at 04:30 PM at Surprise City Hall Council Chamber, 16000 North Civic Center Plaza Surprise, Arizona 85374, on **Wednesday, October 14, 2015**. Also in attendance with Mayor Wolcott were Vice Mayor Williams, Council Member Winters, Council Member Biundo, Council Member Villanueva, Council Member Hall, and Council Member Tande.

Staff City Manager, Bob Wingenroth, City Attorney, Misty Leslie, and City Clerk,
Present: Sherry Ann Aguilar.

Call to the Public

Special City Council Meeting Agenda

Regular Agenda Items-Non-Public Hearing

1. **Consideration and action to enter into an Executive Session for legal advice and to consider its position and instruct its attorneys regarding its position pertaining to pending litigation - APPROVED**

Council Member Villanueva made the motion to recess the Special Meeting and enter into executive session at 4:33 PM. Council Member Tande seconded the motion. Six yes votes. Motion carried.

Special City Council Meeting Minutes – October 14, 2015 – Page 2

Executive Session

Discussion and consultation with the City Attorney for legal advice: and to consider its position and instruct its attorneys regarding its position pertaining to pending litigation: City of Surprise v. Surprise Center Development Company: Ariz. Rev. Stat. Section 38-431(A)(1)(3) & (4).

Adjournment

Council Member Hall made the motion to adjourn the Special City Council Meeting of October 14, 2015 at 5:44 PM. Council Member Tande seconded the motion. Six yes votes. Motion carried.

Sharon R. Wolcott, Mayor

ATTEST:

Sherry Ann Aguilar, City Clerk

CERTIFICATION:

I, Sherry Ann Aguilar, City Clerk for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are the true and correct minutes of the Special City Council Meeting of **Wednesday, October 14, 2015.**

Sherry Ann Aguilar, City Clerk

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

Tuesday, October 20, 2015 @ 04:00 PM

Call to Order

Roll Call

Mayor Wolcott called the **Regular City Council Work Session** to order at 04:00 PM at Surprise City Hall, Council Chamber 16000 North Civic Center Plaza Surprise, Arizona 85374, on **Tuesday, October 20, 2015**. Also in attendance with Mayor Wolcott were Council Member Winters, Council Member Biundo, Council Member Villanueva, Council Member Hall, and Council Member Tande.

Staff City Manager, Bob Wingenroth, City Attorney, Misty Leslie, and City Clerk,
Present: Sherry Ann Aguilar.

Pledge of Allegiance

Regular Agenda Item - Non-Public Hearing

[1 – Discussion regarding the proposed Neighborhood Grant Pilot Program for FY16 - REMOVED FROM AGENDA](#)

Vice Mayor Williams asked Mayor Wolcott to pull the item since he was unable to attend the 4:00 PM Work Session.

[2 – Community Development staff and consultant will provide an update to the city initiated General Plan 2035 Major Amendment. The presentation will focus on the Land Use Element, the foundation piece for this Major General Plan Amendment - NO ACTION](#)

City Planner, Joshua Mike gave an overview of the powerpoint presentation relating to the city initiated General Plan 2035 Major Amendment.

Regular City Council Work Session Minutes – October 20, 2015 – Page 2

Consultant, Kevin Goodwin with Michael Baker continued the presentation. Focusing on the land use section of the plan including Character Area Description and Surprise Character Area Approach.

Mayor Wolcott questioned how certain types of development will be addressed.

Council Member Tande inquired about the following: is there a mechanism in place; Council policy related to tall office buildings and communicating this to staff.

Economic Development Director, Eric Fitzer clarified that we have identified certain types of planning areas, putting design principles in the plan, gearing up over the next year with character area approach.

Council Member Villanueva referred to the Heritage Overlay in the OTS and asked if this is part of the future plans for the OTS.

Mayor Wolcott clarified that the overlay will not occur until the General Plan overlay occurs. She spoke of the Transit Overlay and Grand Avenue Corridor.

Rural Development Type
Suburban Development Type
Urban Development Type - Neighborhood Character Area
Industrial Development Type
Open Space - Character Area
Community Commercial
Public Facility Development Type
Character Sub Areas

Council Member Biundo stated that it is important to integrate fire/medical, police and public works into this process.

Mayor Wolcott: General Plan amendment and zoning code, what happens and I want to make sure we don't drop the ball on this.

Staff is looking for Council approval in December, policy document that will launch into a full zoning ordinance.

Mayor Wolcott commented that we have a vision and that there is a lot of land that sat around for a long time undeveloped.

Regular City Council Work Session Minutes – October 20, 2015 – Page 3

Leo Mankiewicz: I took a bunch of notes and some questions were answered. He spoke of the character approach; open areas and zone. High quality design that is built in to the plan today. City of Phoenix is doing good with Village Plans they have in place. Are we going to create more big box models or are we going to show them more creativity.

3 – Presentation and discussion related to City transportation projects update - NO ACTION

Mr. Bob Hazlett (AZMAG) conducted the powerpoint presentation on the US 60 Grand Avenue Compass Project. Grand Avenue is over 100 years old, a lot older than most of our freeways and Grand connect so many of our surrounding cities. Four alternatives are being proposed as part of the Compass Project.

Regional Transportation Plan
Grand Avenue Expressway
Commuter Rail
Other High Capacity Projects
Systems Planning & Implementation - Zoning Overlay District

Mayor Wolcott: Study limits in Phoenix to the 303? Yes

Council Member Villanueva: Any plans on Grand to the 101, 8 or 9 lights along this area.

Council Member Winters - Good presentation, please explain why commuter rail over light rail?

Mr. Hazlett: Station spacing, roughly half mile to a mile apart.

Council Member Tande: 100 million projects between loop 303 and loop 101. Any of those projects funded currently?

Mr. Hazlett: Yes, next renewal of the next sales tax approval.

Mayor Wolcott: Stations for light rail.

Karl Zook, gave a City transportation update.

Regular City Council Work Session Minutes – October 20, 2015 – Page 4

Bid Projects:

Waddell Median/Litchfield Rd.
Reems Road/Peoria to Cactus
Bullard Avenue
Peoria to Cholla
Citrus Rd.
Sarival Rd.
Cactus Road/Litchfield Alignment
Cactus Rd/175th to Cotton Lane - Roadway dedication
Peoria Avenue - Several projects
Reems Road to Sarival Avenue
Bell Road Sidewalk
Bullard Avenue Project
Task Force Implementation
Safe Route to School Study
Cactus Road - Marley Park
Big project coming up - Greenway Road, Bullard to Litchfield Rd. - Bid process
Open House to present these projects out to the public.

Council Member Hall: Give us a hard copy of the report with map, date starts, completion, etc.

Council Member Winters: Really happy to see the Bell Road Sidewalk Project. When should this be done?

Mr. Zook: Before Thanksgiving.

Council Member Villanueva: What about the dips on Dysart Road and Greenway Road?

Mr. Zook: we are reviewing a proposal right now, contract shortly. Draining issues to polish up.

Council Member Tande: That was a long list of projects. Appreciate all of the hard work going on. The residents will really appreciate this.

Mayor Wolcott: I love this Bell Road sidewalk project, it's so much more accessible for the public.

Executive Session

Regular City Council Work Session Minutes – October 20, 2015 – Page 5

Adjournment

Council Member Winters made the motion to adjourn the Regular City Council Work Session of October 20, 2015 at 5:29 PM. Council Member Hall seconded the motion. Six yes votes. Motion carried.

Sharon R. Wolcott, Mayor

ATTEST:

Sherry Ann Aguilar, City Clerk

CERTIFICATION:

I, Sherry Ann Aguilar, City Clerk for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are the true and correct minutes of the Regular City Council Work Session of **Tuesday, October 20, 2015.**

Sherry Ann Aguilar, City Clerk

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

Tuesday, October 20, 2015 @ 06:00 PM

Call to Order

Roll Call

Mayor Wolcott called the **Regular City Council Meeting** to order at 06:00 PM Surprise City Hall Council Chamber 16000 North Civic Center Plaza Surprise, Arizona 85374, on **Tuesday, October 20, 2015**. Also in attendance with Mayor Wolcott were Vice Mayor Williams, Council Member Winters, Council Member Biundo, Council Member Villanueva, Council Member Hall, and Council Member Tande.

Staff City Manager, Bob Wingenroth, City Attorney, Misty Leslie, and City Clerk,
Present: Sherry Ann Aguilar.

Pledge of Allegiance

Proclamation and Community Acknowledgements

Eric Bennett, long-time Surprise resident and teacher at Shadow Ridge High School, Gold medal recipient.

Mayor Wolcott read aloud a proclamation in support of Eric Bennett, a City resident received a silver medal for Archery.

City Manager Report

Surprise Students/Teachers for Education

Paul Bernardo commented that the students from Marley Park Elementary would lead the Pledge of Allegiance.

City Attorney Report

Regular City Council Meeting Minutes – October 20, 2015 – Page 2

City Clerk Report

Voter Outreach Update

City Clerk Aguilar reported on early voting at City Hall through October 30, 2015.

Call to the Public

Pam Hilinski - Spoke regarding City Attorney issue

Mike Woodard - Important decisions to be made, important to the City. He asked Council to look past the obstacles.

Joanna Mankiewicz - Simply request that you all work together.

Consent Agenda

1 – Consideration and action adopting a Title VI plan for the City's transit obligations related to receipt and use of Federal Funds for transit services; Resolution # 2015-98 - APPROVED

2 – Consideration and action authorizing the City Manager to execute an Intergovernmental Agreement with the Arizona Department of Transportation for the Reems Rd. Intelligent Transportation System enhancements; Resolution # 2015-80 - APPROVED

3 – Consideration and action accepting the State of Arizona, Department of Homeland Security grant in the amount of \$50,000 in support of the Urban Area Security Initiative (UASI) program and to amend the FY2016 budget by reallocating appropriations of \$10,000 within the grants and contingency fund for the purposes of adjusting the budget authority related to the grant; Resolution # 2015-97 - APPROVED

4 – Consideration and action accepting the Tohono O'odham Nation grant in the amount of \$50,000 supporting the Surprise Fire-Medical Department's compressor replacement and to amend the FY16 budget by reallocating appropriations of \$50,000 within the grants and contingency fund for receipt of the grant funding; Resolution # 2015-96 - APPROVED

5 – Consideration and action approving a final plat entitled "Final Plat for Kreibich-Phillips Estates", property generally located east of 163rd Avenue and south of the Skinner Road alignment - APPROVED

Regular City Council Meeting Minutes – October 20, 2015 – Page 3

Item #5 was removed from the consent agenda by Council Member Winters for discussion.

Council Member Winters made the motion to approve the Final Plat for Kreibich-Phillips Estates. Council Member Tande seconded the motion. Seven yes votes. Motion carried.

6 – Consideration and action amending the fiscal year 2016 budget by reallocating appropriations of \$130,000 from the Community and Recreation Services Donation Fund General Operations #29999 to the Surprise Farms Capital Improvement Project #21417; Resolution #2015-104 - APPROVED

Item #6 was removed from the consent agenda by Council Member Hall for discussion.

Council Member Winters made the motion to approve Resolution 2015-104. Council Member Tande seconded the motion. Seven yes votes. Motion carried.

7 – Consideration and the minutes of October 6, 2015 Regular Work Session and Regular City Council Meeting - APPROVED

Vice Mayor Williams made the motion to approve the consent agenda, excluding items 5 and 6. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

Regular Agenda Item - Public Hearing

8 – Consideration and action amending Surprise Municipal Code, Chapter 122, Surprise Unified Development Code, Section 122-112, Wireless Communications, to allow Wireless Telecommunication Facilities to conform to federal regulations and current technology (this is a Zoning Text Amendment); Ordinance 2015-15 - APPROVED

City Planner, Hobart Wingard conducted the powerpoint presentation on this item.

Council Member Tande inquired about abandonment of cell tower if the owner walks away.

Mr. Wingard commented that the landowner would be responsible as part of the lease agreement.

Council Member Villanueva asked if the palm tree is real.

Regular City Council Meeting Minutes – October 20, 2015 – Page 4

Staff discussed disguised towers.

No public comments were made.

Council Member Biundo made the motion to approve Ordinance 2015-15. Council Member Hall seconded the motion. Seven yes votes. Motion carried.

9 – Consideration and action regarding proposed Zone Change from CR to IP-PUD, CR to CR-PUD, and from IP to CR-PUD for Dysart Subdivision located at the southwest corner of Bell Road and Dysart Road; Ordinance 2015-16 - CONTINUED TO NOVEMBER 3, 2015 REGULAR COUNCIL MEETING

Community Development Director, Eric Fitzer asked for a continuation of this item.

Margie Murr - Spoke of reducing the city attorney to a legal clerk; it is foolishness; referred to city manager; the ordinance; referred to Council Members Villanueva and Biundo and Bell and Grand.

Vice Mayor Williams made the motion to continue item #9 to the November 3, 2015 Regular Council Meeting. Council Member Winters seconded the motion. Seven yes votes. Motion carried.

Regular Agenda Item - Non-Public Hearing

10 – Discussion regarding the amendments to the Surprise Municipal Code relating to the new reporting authority for the City Attorney - NO ACTION

Attorney Andrew McGuire discussed all of the sections of the proposed ordinance to place the City Attorney under the City Manager authority.

Council Member Biundo: 2 major concerns regarding the draft ordinance. He commented on several sections of the City code and ordinance and passed out a copy of the e-mail that I wrote to Attorney McGuire.

Attorney McGuire - Addressed each of Council Member Biundo's concerns. ARS Title 9 covers all cities & towns that are general law cities. In Arizona it is illegal to delegate your authority.

Council Member Biundo - In regards to your last comments, I don't disagree with what you said, how many non-charter cities in Arizona have City Physicians. I don't think this forum is the place to negotiate individual items.

Regular City Council Meeting Minutes – October 20, 2015 – Page 5

Attorney McGuire - Changes to the City code need to be made in public, if you want additional changes made, then I will be happy to bring back another draft.

Council Member Hall - Thank you for getting the document to us, I would like to give some general feedback, concerns with sections 2, 3 & 4. They give the City Manager responsibility without authority. Read a section of the email from Mayor Wolcott to a constituent. I take offense to the Mayors comments that I have violated the open meeting law.

Council Member Winters - Why don't we use the City code from the City of Phoenix, they have been doing it this way for years.

Attorney McGuire - Phoenix is a charter City.

Council Member Tande - I agree with Mr. McGuire, legislative agenda to change the statute for City Physician.

Vice Mayor Williams - I appreciate the vision of our colleagues, but I just can't see the end result. What does this look like in 5 or 10 years? This could change periodically over the years. The current process has functioned.

Council Member Villanueva - I have a lot to say, I disagree because there are many issues that is going on and the City Manager is not aware of that the Attorney is aware of. I am not going to put up with someone claiming that we have broken the open meeting law.

Mayor Wolcott apologized for comments made in an email to a resident.

Mayor Wolcott commented that she does not support the requested changes.

Public Comments:

Leo Mankiewicz - The theme for tonight's meeting is "boy we really better know what we are doing". I voted to appoint this City Attorney so I resent what is going on. This is no good reason for changing what is not broken. You got a good solid opinion from an attorney, I am sure Misty understood it.

Ken Wright - I think that the comment made tonight that the City Manager should know everything that is going on in the City. Rumors and other small issues shouldn't be taken to the City Manager. I hope that there has been plenty of clarification tonight. If you don't like the laws, then you should run for state office and change the law.

Regular City Council Meeting Minutes – October 20, 2015 – Page 6

Mike Planeta - Thanked Attorney McGuire for making it clear that this should stay the way it is. Addressed the e-mail from Mayor Wolcott. You all represent us the voters. I don't know why this has come about.

11 – Consideration and action to retain outside counsel to provide a second and alternative draft ordinance regarding the realignment of reporting of the City Attorney - APPROVED

Council Member Biundo clarified his position on the City Attorney issue.

Mayor Wolcott commented on council makes the appointment at this time and interview the potential appointees.

Council Member Biundo disagreed.

Vice Mayor Williams is all for more information but is 20-40 hours enough time to gather information.

Council Member Biundo made the motion of recommending hiring Mr. Simms as a second opinion and bring an opinion forward for the November 3rd, 2015 Council Meeting along with the ordinance drafted by Attorney McGuire. Council Member Winters seconded the motion. Five yes votes, two no votes (Wolcott and Tande). Motion carried.

12 – Discussion and possible action on a recommendation to the Arizona Department of Transportation (ADOT) and the Maricopa Association of Governments (MAG) on whether or not to move forward with the Bell/Grand Intersection Project - FIVE YES VOTES NOT TO CANCEL THE PROJECT

MAG Director, Eric Anderson conducted powerpoint presentation.

Brock Barnhart of ADOT continued on with the presentation and explained the funding mechanisms and process of how projects are decided.

Steve Ocean, Engineer continued the presentation to show drawings of finished overpass.

Council Member Hall - I appreciate your time and I know you have worked hard on this. What is the projected cost of this project?

The cost is 52 million dollars.

Regular City Council Meeting Minutes – October 20, 2015 – Page 7

Council Member Hall - What is the definition of "fail"?

Fail is a subjected term, looking at delay, we could calculate the delayed times, cost analysis on this type of facility. 2005, this was ADOT that came up with this.

Council Member Hall - I am more concerned about Bell Road over Grand Avenue, Bell Road is Surprise.

Major construction will take place to not interfere with spring training and the holidays.

Vice Mayor Williams - timelines.

Construction begins in February.

Council Member Biundo - I have never been clear where the final go or no go lies? Who finally says go or no go?

The MAG Regional Policy Board does.

Council Member Winters - I have a lot of concerns about this project, loss of sales tax revenue and issues with access to our businesses.

Council Member Villanueva - questioned the bridge at Deer Valley Road.

Council Member Tande - I Like the idea of helping our businesses and working with ADOT.

Mayor Wolcott commented about surveys she has been doing in various communities and at her church.

Morgan Ives - Bank of America, access and visibility is an issue, with this project moving forward, we are concerned about damages to the banks property. A retail site is only as good as its access. We have it today, it is easy to get in and out of right now. The business will be compromised. I would love to have the opportunity to fully understand the project completely.

Leo Mankiewicz - Interesting questions and I think all of my questions are answered. We should go forward with the project, growth will be happening in the far north valley.

Paula Forster - Spoke in opposition of the overpass, it is just an excuse to have commuter rail. Get the rail here and get the cars off the road, the businesses will die at this intersection.

Mike Woodard - What are you going to do about West Point? Where is the traffic going to go when you close Bell Road. It's a lot of money, we met with these people 3 years ago, they expressed concerns then, and the City didn't listen and here we are. I agree that we need to go under Bell Road, it will be quicker and less problems.

Mike Planeta - A lot of my questions were answered, I am concerned why this even came up. We have been working on this since 2003. I avoid Bell & Grand during rush hour and this will improve traffic dramatically. Our City is going to be bigger in a few years, it is important to get this project done.

Bernard Pauluch - 11 years in Sun City Grand opposes the Bell Grand Bridge. Respectfully request that Mayor and Council directly involved in the planning or financing request that all activities be terminated immediately.

Frank Diaz - 2 years ago I was a part of a group to bring this overpass to Surprise. At that time we were told that Bell Road would not be closed down but down to 2 lanes. Concerned with detours that are being proposed, people are going to find alternate routes to get to the shopping center through West Point Neighborhood.

Mr. Barnhart addressed the issue of closing Bell compared to 2 lanes.

Council Member Hall made the motion to cancel the project. Council Member Villanueva seconded the motion. Five no votes, two yes votes (Villanueva and Hall). Motion carried not to cancel.

13 – The Council shall hear and discuss a presentation regarding potential options for aesthetic improvements on the Bell/Grand interchange project - THE ADOT VERSION IS THE PREFERRED CONCEPT

Deputy City Manager, Nicole Lance reported on this item.

Council Member Tande - Will there be LED lighting?

Council Member Biundo - We are on public record that no City funds would be used for enhancements on this project.

Council Member Villanueva - Questioned funds that have already been spent on the artist to date. No services have been rendered according to City Manager, Bob Wingenroth.

Mayor Wolcott commented that Ms. Lance has some general guidance from Council.

Ms. Leslie commented that the direction would be to go with ADOT.

Mayor Wolcott commented on lighting.

Council Member Biundo requested to bring this item to closure with an official vote.

14 – Consideration and action approving the final plat entitled "Final Plat for Dysart Subdivision" for property generally located at the southwest corner of Bell Road and Dysart Road - CONTINUED TO THE NOVEMBER 3, 2015 REGULAR COUNCIL MEETING

Vice Mayor Williams made the motion to continued item 14 to the November 3, 2015 Regular City Council Meeting. Council Member Winters seconded the motion. Seven yes votes. Motion carried.

15 – Consideration and action regarding appointment of David Farago to fill the Arts & Cultural Advisory Commission vacancy with a term expiration of June 30, 2016, and Bruce Hertzog to fill the vacancy on the Disability Advisory Commission with a term expiration of June 30, 2016 - APPROVED

Council Member Winters commented that the Selection Committee brought these two candidates forward for approval.

Council Member Villanueva made the motion to approve the appointment of David Farago and Bruce Hertzog. Council Member Biundo seconded the motion. Seven yes votes. Motion carried.

City Clerk Aguilar administered the Oath of Office.

16 – Consideration and action on the Committee on Community Outreach, Partnerships & Grants recommendations for Surprise Community Outreach Program funding for FY16 - APPROVED

Assistant to the Council, Jodi Tas presented this item.

Regular City Council Meeting Minutes – October 20, 2015 – Page 10

Mayor Wolcott - Would like to redraft the 1% for the Arts.

Council Member Biundo - Arts 1% only above ground capital projects.

Vice Mayor Williams made the motion to approve the Committee's recommendation. Council Member Villanueva seconded the motion. Seven yes votes. Motion carried.

17 – Consideration and action recognizing of the 1936 Ramola Plat; Resolution #2015-94 - CONTINUED TO THE NOVEMBER 3, 2015 REGULAR CITY COUNCIL MEETING

Assistant City Manager, Rick Buss commented that the applicant has requested a two week continuance.

Paul Gilbert - requested additional time to gather the final signatures.

Vice Mayor Williams made the motion to continue item #17 (Resolution 2015-94) to the November 3, 2015 Regular City Council Meeting. Council Member Tande seconded the motion. Seven yes votes.

18 – Consideration and action to annex 1.06 Acres along the Cactus Road alignment between 171st Avenue and Cotton Lane; Ordinance 2015-17 - CONTINUED TO THE NOVEMBER 3, 2015 REGULAR CITY COUNCIL MEETING

Vice Mayor Williams made the motion to continue item #18 (Ordinance 2015-17) to the November 3, 2015 Regular City Council Meeting. Council Member Biundo seconded the motion. Seven yes votes. Motion carried.

Other Business

Vice Mayor Williams: Discuss applicants for grant opportunities

Mayor Wolcott: Discuss Interim Appointment of City Attorney

City Manager Wingenroth shared a few words regarding Misty Leslie.

Council Member Tande: Ms. Leslie will be missed especially her intelligence, creativity and her challenging council to do better

Mayor/Council Reports:

Mayor and Council attended and/or reported on the following:

Council Member Winters: Surprise Farms, Surprise Farms III Block Party

Council Member Tande: getting excited about all the good things happening in the city, IRIS,

Council Member Villanueva: Thanked Mr. Coronado and staff for the Fiesta and for the luncheon in honor of Roy.

Vice Mayor Williams: thanked Misty Leslie and Jodi Tas

Executive Session**Adjournment**

Council Member Hall made the motion to adjourn the Regular City Council Meeting of October 20, 2015 at 10:41 PM. Council Member Biundo seconded the motion. Seven yes votes. Motion carried.

Sharon R. Wolcott, Mayor

ATTEST:

Sherry Ann Aguilar, City Clerk

CERTIFICATION:

I, Sherry Ann Aguilar, City Clerk for the City of Surprise, Maricopa County, Arizona, do hereby verify that these are the true and correct minutes of the Regular City Council Meeting of **Tuesday, October 20, 2015.**

Sherry Ann Aguilar, City Clerk



CITY OF SURPRISE
Regular City Council Meeting

November 3, 2015 @ 6:00:00 PM

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

Council Meeting Date:	November 3, 2015	Contact Person:	Robert Kuhfuss, Community Development
Submitting Department:		District:	1
Staff Recommendations:	None		

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

Agenda Wording:

Consideration and action regarding the "Final Plat Sanverno at Desert Oasis", a 93-lot, 13-tract residential subdivision in Desert Oasis, generally located on the northwest corner of 171st Avenue and Bajada Road.

Motion:

Motion to approve the "Final Plat Sanverno at Desert Oasis".

Background:

The subject proposal involves a Final Plat for a 93-lot, 13-tract single-family residential subdivision located within the Desert Oasis community. The PAD for Desert Oasis was approved in September of 2000, with significant platting activity occurring since. The subject Final Plat is scheduled along with a Preliminary Plat under the same case number.

Objective Analysis:

The proposed subdivision is well designed and meets the requirements of the Desert Oasis PAD and the SUDC. The amenities included will provide small-scale recreational opportunities for the residents of the community. Once developed, the population base generated by the subdivision contribute to the local school enrollment, while providing incentive for much needed retail services in the area. The subject Final Plat is consistent with the related Preliminary Plat also scheduled for City Council action this date.

Policy Compliant:

The Surprise General Plan 2035 shows the subject property as lying within the Low Density Residential Land Use Category, which supports residential development at densities of between 3 and 5 DU/Ac. At 3.28 DU/Ac, the subject Final Plat meets this density requirement. Staff notes the project lies within Village 5, which does not have an approved Village Plan; however, the Land Use Element of the General Plan is currently being updated and the proposed project is consistent with the update.

Financial Impact:

All activity related to ongoing development of the City of Surprise has an economic and fiscal impact on the city and the region.

Budget Impact:

There is no anticipated budget impact related to this item.

FTE Impact:

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

ATTACHMENTS:

Click to download

- ☐ [00 - FS15-190 - Sanverno - Staff Report](#)
 - ☐ [01 - FS15-190 - Sanverno - Vicinity Map](#)
 - ☐ [02 - FS15-190 - Sanverno - Case Map](#)
 - ☐ [03 - FS15-190 - Sanverno - Final Plat](#)
 - ☐ [04 - FS15-190 - Sanverno - Luke AFB Comments](#)
 - ☐ [00 - FS15-190 - Sanverno - Presentation](#)
-

FINAL PLAT

REPORT TO THE CITY COUNCIL

Case:	FS15-190
Project Name:	Sanverno
Council District:	1
Meeting Date:	November 3, 2015
Planner:	Robert H. Kuhfuss, AICP
Owner:	KB Homes Phoenix, Inc.
Applicant:	Daniel Auxier, PE, of EPS Group, Inc., on behalf of KB Homes Phoenix, Inc.
Request:	93-lot, 13-tract Final Plat Plat
Site Location:	West of 171 st Avenue approximately 1/3 mile north of Jomax Road in Desert Oasis
Site Size:	28.34 acres (approx.)
Density:	3.28 DU/Ac
General Plan Conformance:	The proposal is consistent with the Surprise General Plan 2035
Support/Opposition:	None known
Findings:	• The proposed Final Plat is consistent with the Surprise General Plan 2035. • The proposed Final Plat is consistent with the Desert Oasis PAD. • The proposed Final Plat is consistent with the related Preliminary Plat. • The reviewing agencies have indicated no objections to the request. • The Planning and Zoning Commission recommended approval of the related Preliminary Plat.
Actions:	Should the Council wish to approve the related Preliminary Plat the Council may also wish to approve the subject Final Plat as presented.

42 **PROJECT DESCRIPTION:**

43
44 Dan Auxier, of EPS Group, Inc. on behalf of KB Homes Phoenix, Inc., seeks approval of a 93-lot, 13-
45 tract Final Plat located within the Desert Oasis community. The site is located west of 171st Avenue
46 and north of Jomax Road on a currently vacant land. The subject property consists of two parcels,
47 which were excepted from previous platting activity in the area. Immediately to the north of the
48 subject site is Desert Oasis Parcel L11, a 64-lot single-family residential subdivision, while
49 immediately to the west is Desert Oasis Parcel 14A, a 68-lot single-family residential subdivision and
50 Desert Oasis Parcel 14B, a 75-lot single-family residential subdivision. All three subdivisions are
51 similar to the subject proposal, but accommodate slightly larger lots. To the south of the property
52 lies Desert Oasis Elementary School, while the land to the east is currently vacant, fallow farm land
53 and native desert.

54
55 **REVIEWING AGENCIES:**

56
57 **Luke Air Force Base (LAFB):** LAFB indicates no objections to the request, but advises the applicant
58 review sound attenuation requirements and engage in a strong notification program with respect
59 to the air base and its operations. The project is also located well outside of the noise contours for
60 Luke AFB Aux. 1 and meets the Graduated Density Concept.

61
62 **SUMMARY:**

63
64 The proposed subdivision is well designed and meets the requirements of the Desert Oasis PAD and
65 the SUDC. The amenities included will provide small-scale recreational opportunities for the
66 residents of the community. Once developed, the population base generated by the subdivision
67 contribute to the local school enrollment, while providing incentive for much needed retail services
68 in the area. The subject Final Plat is consistent with the related Preliminary Plat also scheduled for
69 City Council action this date.

70
71 **FINDINGS:**

- 72
73 • The proposed Final Plat is consistent with the Surprise General Plan 2035.
74 • The proposed Final Plat is consistent with the Desert Oasis PAD.
75 • The proposed Final Plat is consistent with the related Preliminary Plat.
76 • The reviewing agencies have indicated no objections to the request.
77 • The Planning and Zoning Commission recommended approval of the related Preliminary Plat.

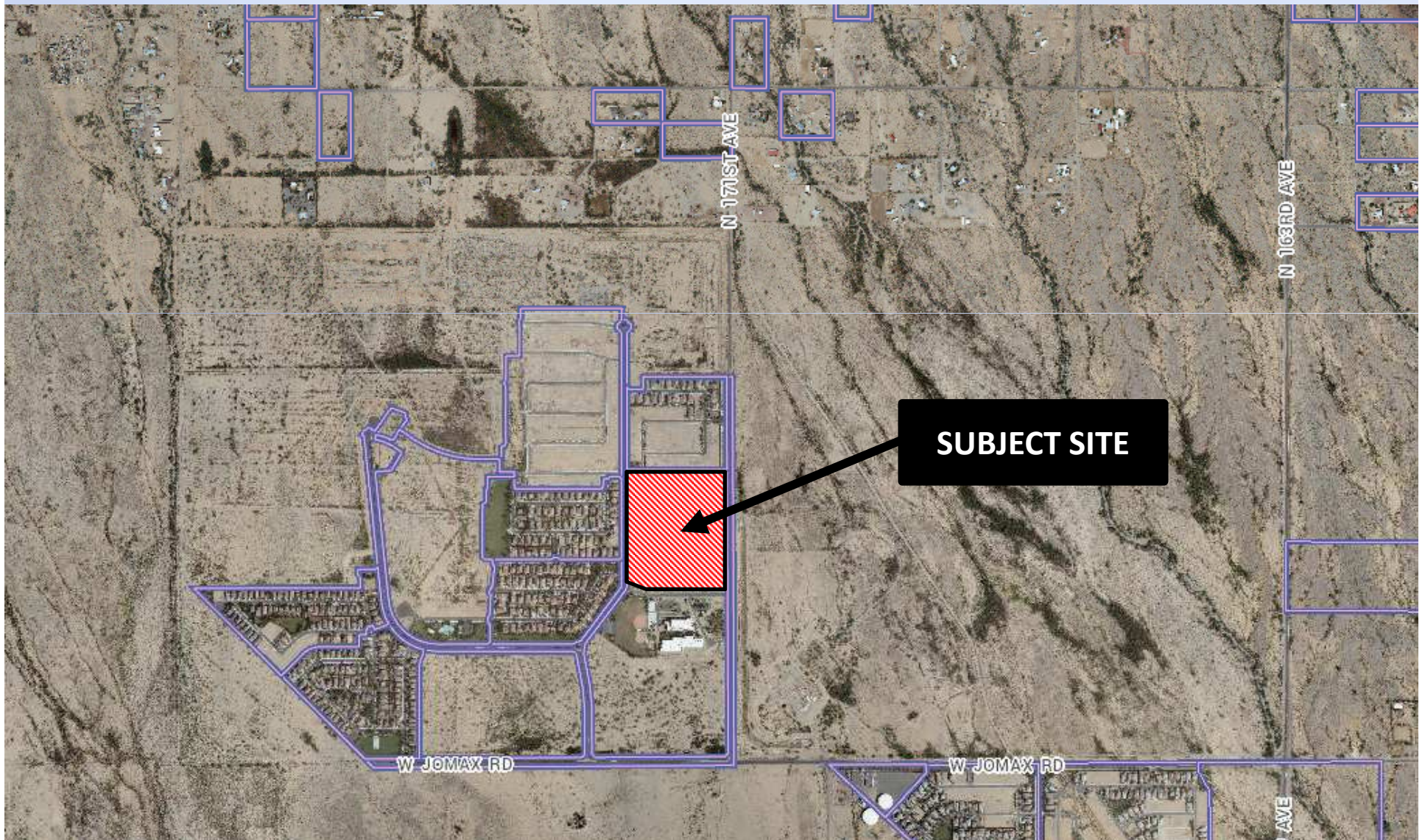
78
79 **Attachments:**

- 80
81 01 – Vicinity Map (1 page)
82 02 – Case Map (1 page)
83 03 – Final Plat (3 pages)
84 04 – Luke AFB comments (1 page)

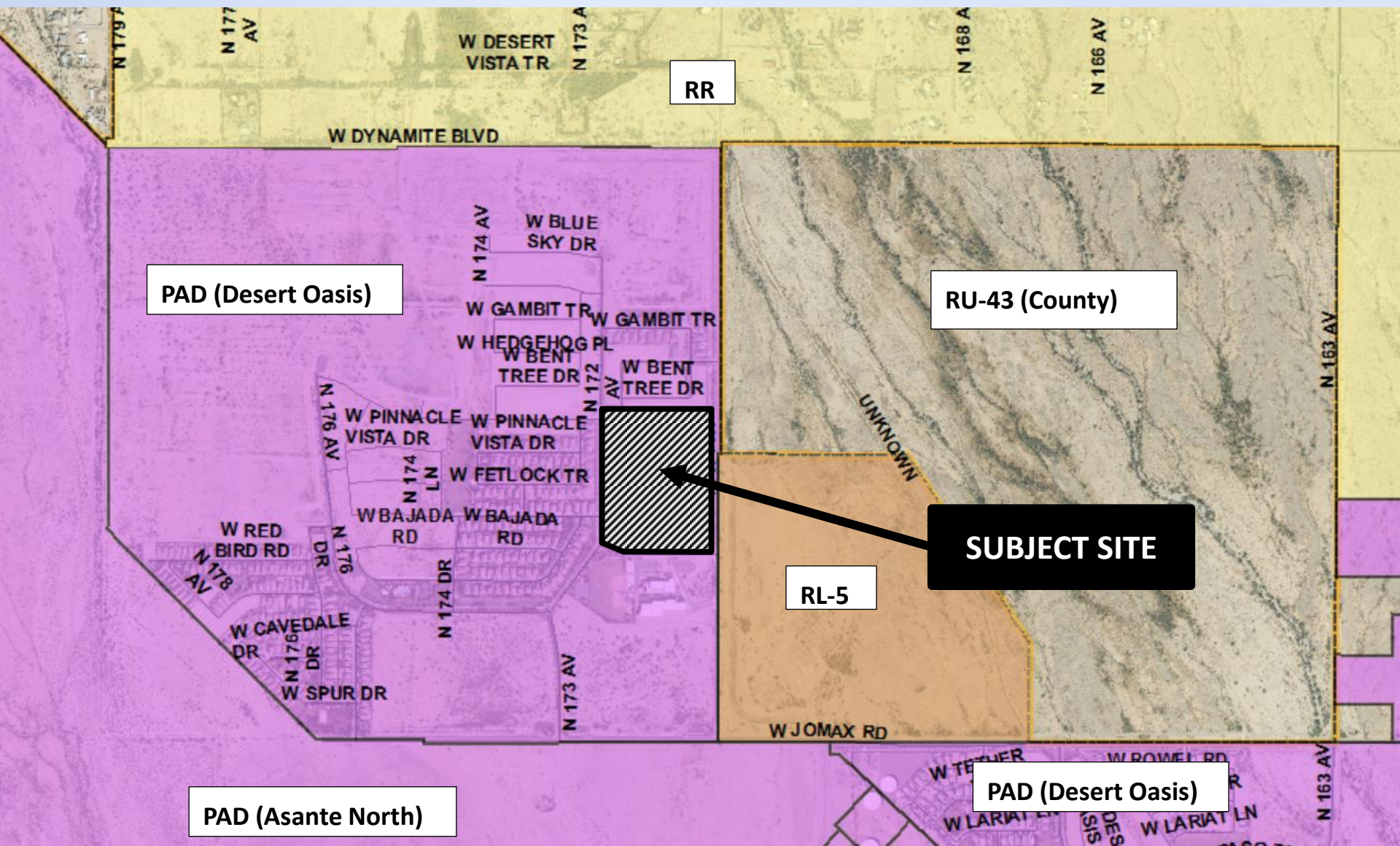
FS15-190 Sanverno



Vicinity Map



Final Plat Case Map



DEDICATION

STATE OF ARIZONA
SS
COUNTY OF MARICOPA

KNOW ALL PERSONS BY THESE PRESENTS: THAT KB HOME PHOENIX INC., AN ARIZONA CORPORATION, ("OWNER"), HAS SUBDIVIDED UNDER THE NAME SANVERNO AT DESERT OASIS, A SUBDIVISION OF A PORTION OF THE EAST HALF OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN AND PLATTED HEREON AND DOES HEREBY PUBLISH THIS PLAT AS AND FOR THE PLAT OF SANVERNO AT DESERT OASIS AND DECLARES THAT THIS PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT, TRACT, STREET, AND EASEMENT CONSTITUTING SAME, AND THAT EACH LOT, TRACT, STREET, AND EASEMENT SHALL BE KNOWN BY THE NUMBER, LETTER, AND/OR NAME GIVEN TO EACH RESPECTIVELY AS SHOWN ON THIS PLAT.

OWNER HEREBY DEDICATES TO THE CITY OF SURPRISE FEE TITLE TO ALL PUBLIC RIGHTS-OF-WAY AS SHOWN ON THE PLAT.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE AN EXCLUSIVE EASEMENT OVER, UPON AND ACROSS ALL WATER AND SEWER LINES, MANHOLES, FIRE HYDRANTS AND WATER METERS AS SHOWN ON THE PLAT FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING THE WATER AND SEWER LINES, MANHOLES, FIRE HYDRANTS AND WATER METERS.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A CROSS ACCESS EASEMENT ACROSS THE ENTIRE PLAT FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS FOR EMERGENCY AND TRASH COLLECTION VEHICLES.

OWNER HEREBY GRANTS TO THE PUBLIC A NON-EXCLUSIVE EASEMENT OVER, UPON AND ACROSS THE AREAS DESIGNATED AS PUBLIC UTILITY EASEMENTS AS SHOWN ON THE PLAT FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING PUBLIC UTILITIES

OWNER HEREBY GRANTS TO THE PUBLIC AN EASEMENT FOR RECREATION OVER, UPON, AND ACROSS THOSE AREAS DESIGNATED AS RECREATION TRAILS OR AREAS FOR THE PURPOSE OF ALLOWING THE PUBLIC ACCESS TO THE TRAIL SYSTEM.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A NON-EXCLUSIVE EASEMENT OVER, UPON AND ACROSS THE AREAS DESIGNATED AS SIGHT VISIBILITY TRIANGLES FOR THE PURPOSE OF ENSURING THAT THESE AREAS REMAIN FREE OF SIGHT VISIBILITY OBSTRUCTIONS.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A NON-EXCLUSIVE EASEMENT OVER, UPON AND ACROSS TRACT "M" AS SHOWN ON THE PLAT FOR DRAINAGE PURPOSES.

OWNER HEREBY GRANTS TO THE ULTIMATE OWNER OF EACH PARCEL CREATED BY THIS PLAT AN EASEMENT OVER, UPON AND ACROSS THE ENTIRE PLAT FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS TO EACH PARCEL CREATED BY THIS PLAT.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL NON-EXCLUSIVE PEDESTRIAN ACCESS AND SIDEWALK CONSTRUCTION AND MAINTENANCE EASEMENT OVER, UPON AND ACROSS THE AREAS DESIGNATED AS SIDEWALK EASEMENT AS SHOWN ON THE PLAT.

OWNER HEREBY GRANTS TO THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE ("USAF") AN AVIGATION EASEMENT OVER AND ACROSS THIS PLAT AND EVERY LOT AND PARCEL THEREOF, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT OF FLIGHT OF AIRCRAFT OVER THIS PLAT, TOGETHER WITH ITS ATTENDANT NOISE, VIBRATIONS, FUMES, DUST, FUEL AND LUBRICANT PARTICLES, AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, OR OPERATING AT OR ON LUKE AIR FORCE BASE AND AUXILIARY FIELD.

KB HOME PHOENIX INC., AN ARIZONA CORPORATION ("OWNER") DOES HEREBY (1) RELEASE AND DISCHARGE THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE, OF AND FROM ANY LIABILITY FOR ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY THAT MAY ARISE AT ANY TIME IN THE FUTURE OVER, OR IN CONNECTION WITH THE AREAS LOCATED WITHIN THE NEWLY DEDICATED RIGHT-OF-WAY AS DEPICTED ON THIS PLAT UNTIL SUCH TIME THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT-OF-WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS AND PARKS SHALL BE THE RESPONSIBILITY OF THE OWNER OR THE ASSOCIATION FORMED BY THE OWNER.

THE MAINTENANCE OF LANDSCAPING WITHIN THE ADJACENT PUBLIC RIGHTS-OF-WAY, INCLUDING LANDSCAPED MEDIANS WITHIN COLLECTORS AND LOCAL STREETS AND LANDSCAPED AREAS BETWEEN THE CURB AND THE DETACHED SIDEWALK, SHALL BE THE RESPONSIBILITY OF THE ADJACENT PROPERTY OWNER OR THE PROPERTY ASSOCIATION FORMED BY THE ADJACENT PROPERTY.

LANDSCAPING MAINTENANCE WITHIN THE MEDIANS WITHIN THE PUBLIC RIGHT-OF-WAY WITHIN ANY ARTERIAL OR PARKWAY STREET CLASSIFICATION SHALL BE RESPONSIBILITY OF THE CITY OF SURPRISE AFTER ACCEPTANCE.

ALL IMPROVEMENTS, FOR STREETS AND PUBLIC UTILITIES OWNED AND OPERATED BY THE CITY, INSTALLED OR CONSTRUCTED BY OWNER WITHIN THE PUBLIC RIGHTS-OF-WAY, THE EASEMENTS, OR ANY TRACTS OR PARCELS HEREBY DEDICATED TO THE CITY OF SURPRISE SHALL BE DEEMED TO HAVE BEEN DEDICATED BY OWNER TO THE CITY UPON THEIR COMPLETION; HOWEVER, SUCH TRANSFER SHALL NOT OCCUR UNTIL THE CITY COUNCIL FOR THE CITY OF SURPRISE MANIFESTS ITS ACCEPTANCE BY SEPARATE FORMAL COUNCIL ACTION.

THE EASEMENTS GRANTED WITHIN THIS DEDICATION ARE PERMANENT AND PERPETUAL AND SHALL RUN WITH THE LAND AND BE BINDING UPON OWNER AND ITS HEIRS, ASSIGNS, AND SUCCESSORS IN INTEREST TO THIS PLAT OR ANY PARCEL OR LOT THEREOF.

IN WITNESS WHEREOF, OWNER HAS HEREUNTO CAUSED ITS CORPORATE NAME TO BE SIGNED AND ITS CORPORATE SEAL TO BE AFFIXED BY THE UNDERSIGNED, DULY AUTHORIZED OFFICER THIS ____ DAY OF _____

BY: KB HOME PHOENIX INC., AN ARIZONA CORPORATION

BY: _____

ITS _____

ACKNOWLEDGMENT

STATE OF ARIZONA)
) S.S.
COUNTY OF MARICOPA)

ON THIS ____ DAY OF _____, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, PERSONALLY APPEARED _____ WHO ACKNOWLEDGED SELF TO BE _____ OF KB HOME PHOENIX INC., AN ARIZONA CORPORATION, AND BEING DULY AUTHORIZED SO TO DO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

IN WITNESS WHEREOF, I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

BY: _____ NOTARY PUBLIC _____ DATE _____

MY COMMISSION EXPIRES:

FINAL PLAT
SANVERNO AT DESERT OASIS

BEING A PORTION OF THE EAST HALF OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

PUBLIC NOTICE

THE LOTS DEPICTED ON THIS PLAT ARE LOCATED WITHIN THE VICINITY OF LUKE AIR FORCE BASE AND MAY BE SUBJECT TO OVERFLIGHTS BY JET AIRCRAFT. ALL STRUCTURES WITHIN THIS PLAT SHALL BE CONSTRUCTED IN COMPLIANCE WITH THE SOUND ATTENUATION STANDARDS ADOPTED BY THE CITY OF SURPRISE. A MAP DEPICTING THE MOST CURRENT ADOPTED MAG NOISE CONTOURS IN RELATION TO THIS PLAT SHALL BE DISPLAYED IN ALL SALES OFFICES. ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE CITY OF SURPRISE COMMUNITY DEVELOPMENT DEPARTMENT.

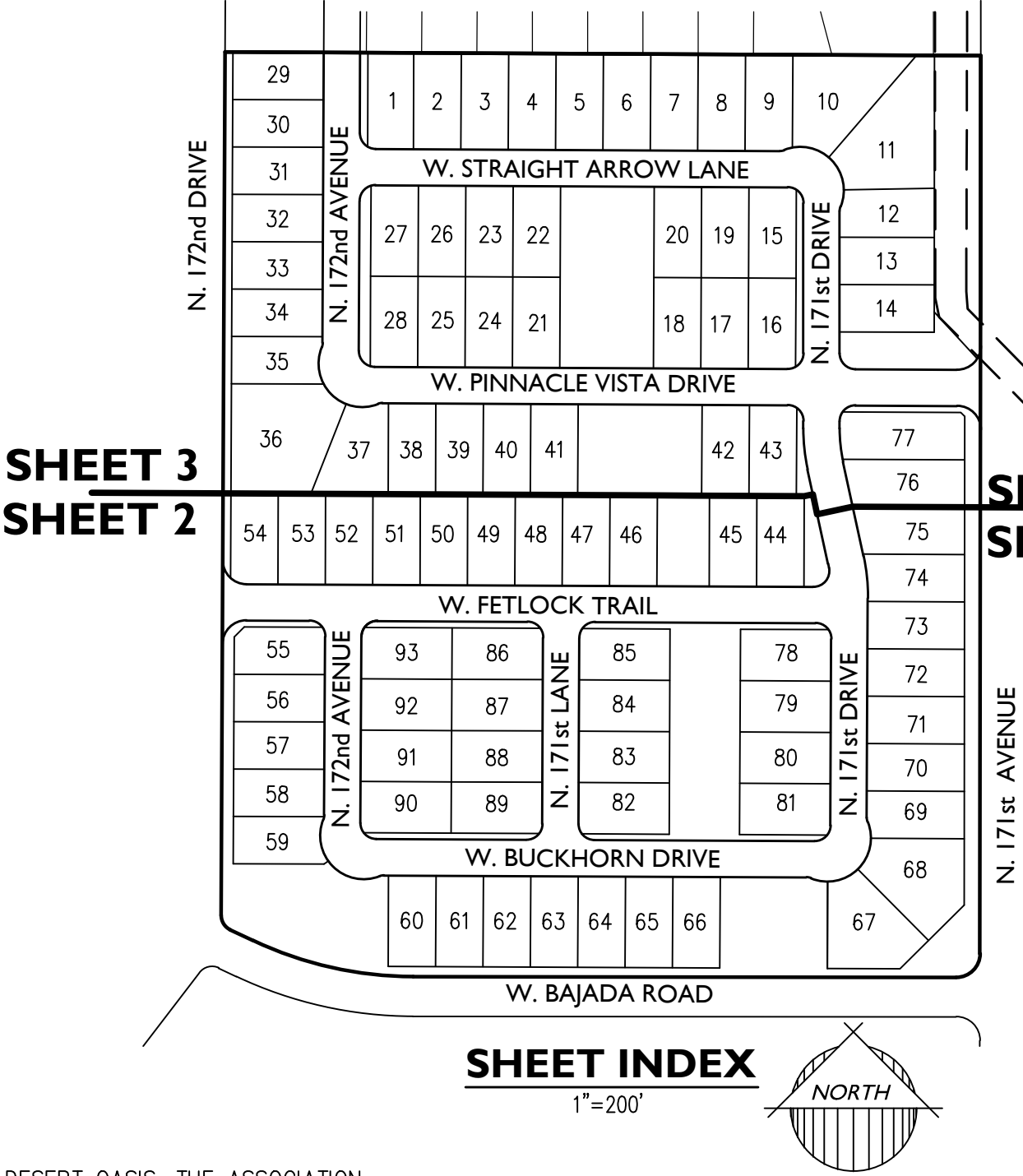
RELEASE OF LIABILITY

KB HOME PHOENIX INC., AN ARIZONA CORPORATION, ("OWNER") DOES HEREBY (1) RELEASE AND DISCHARGE THE USAF AND THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE, OF AND FROM ANY LIABILITY FOR ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY THAT MAY ARISE AT ANY TIME IN THE FUTURE OVER, OR IN CONNECTION WITH AIRCRAFT OVERFLIGHTS FROM AIRCRAFT UTILIZING LUKE AIR FORCE BASE, WHETHER SUCH DAMAGE SHALL ORIGINATE FROM NOISE, VIBRATION, FUMES, DUST, FUEL AND LUBRICANT PARTICLES, AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, OR OPERATING AT OR ON LUKE AIR FORCE BASE. THIS INSTRUMENT SHALL RUN WITH THE LAND AND BE BINDING UPON OWNER AND ITS HEIRS, ASSIGNS, AND SUCCESSORS IN INTEREST TO THIS PLAT OR ANY PARCEL OR LOT THEREOF. THIS INSTRUMENT DOES NOT RELEASE THE USAF FROM LIABILITY FOR DAMAGE OR INJURY TO PERSON OR PROPERTY CAUSED BY FALLING AIRCRAFT OR FALLING PHYSICAL OBJECTS FROM AIRCRAFT, EXCEPT AS STATED HEREIN WITH RESPECT TO NOISE, FUMES, DUST, FUEL, AND LUBRICANT PARTICLES.

OWNER HEREBY FURTHER AGREES TO INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE FROM ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY THAT MAY ARISE IN CONNECTION WITH THE USE OF THE SIDEWALKS LOCATED WITHIN THE RIGHT-OF-WAY.

GENERAL NOTES

- A HOMEOWNERS' ASSOCIATION SHALL BE ESTABLISHED FOR SANVERNO AT DESERT OASIS. THE ASSOCIATION WILL ACCEPT OWNERSHIP AND MAINTENANCE RESPONSIBILITIES OF ALL TRACTS, WHICH ARE PLATTED AS COMMON AREA FOR THE USE AND ENJOYMENT OF THE ASSOCIATION OF MEMBERS AND OTHERS, AS MORE FULLY IDENTIFIED AND SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE PROPERTY.
- THE CITY OF SURPRISE IS NOT RESPONSIBLE FOR, AND WILL NOT ACCEPT, THE MAINTENANCE OF ANY PRIVATE UTILITIES, PRIVATE STREETS, PRIVATE FACILITIES AND PRIVATE LANDSCAPE AREAS WITHIN THE PROJECT.
- EXCEPT FOR CONSTRUCTION AND IMPROVEMENTS BY GOVERNMENTAL ENTITIES AND CERTIFIED PUBLIC UTILITIES, CONSTRUCTION AND IMPROVEMENTS WITHIN PUBLIC UTILITY EASEMENTS SHALL BE LIMITED TO ONLY THE FOLLOWING:
 - A. REMOVABLE WOOD, WIRE OR SECTION TYPE FENCING, SIDEWALKS, DRIVEWAYS, PAVING, GRASS AND LANDSCAPING.
 - B. CONSTRUCTION, STRUCTURES OR BUILDINGS EXPRESSLY APPROVED IN WRITING BY ALL PUBLIC UTILITIES WHICH USE OR SHALL USE THE PUBLIC UTILITY EASEMENT.
- ALL PUBLIC UTILITIES SHALL BE INSTALLED UNDERGROUND AS REQUIRED BY THE ARIZONA CORPORATION COMMISSION GENERAL ORDER R(42)33.
- ELECTRICAL LINES ARE TO BE CONSTRUCTED AS REQUIRED BY THE ARIZONA CORPORATION COMMISSION GENERAL ORDER R-14-2-133.
- COMMUNICATION LINES ARE TO BE CONSTRUCTED AS REQUIRED BY THE ARIZONA CORPORATION COMMISSION GENERAL ORDER R-14-2-133.
- SIGHT VISIBILITY EASEMENTS MUST BE CLEAR OF LANDSCAPING, SIGNS, OR OTHER VISIBILITY OBSTRUCTIONS BETWEEN 2.5-FEET AND 7-FEET IN HEIGHT AND 6-INCHES MAXIMUM WIDTH OR DIAMETER.
- SPRINKLERS ARE REQUIRED IN ALL ONE AND TWO FAMILY DWELLINGS BUILT IN AREAS WHICH DO NOT HAVE AN ADEQUATE WATER SUPPLY.
- THE PROPERTY OWNER AT THE TIME WHEN CITY OF SURPRISE WATER, AND/OR SEWER INFRASTRUCTURE IS AVAILABLE AT THE PROPERTY, SHALL BE REQUIRED TO CONNECT IN ACCORDANCE WITH SURPRISE MUNICIPAL CODE AND PAY ALL APPLICABLE FEES. ANY OWNER OF THE PROPERTY SHALL NOTIFY PROSPECTIVE BUYERS AND THE PUBLIC OF THIS NOTE, AND SALES CONTRACT, REPORT SHALL CONTAIN SUCH NOTE.
- THE PROPERTY OWNERS, OR ANY SUBSEQUENT OWNERS SHALL NOT PROCEED WITH ANY ON SITE GRADING OR EXCAVATION WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
- THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF THE CITY OF SURPRISE WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT A.R.S. § 45-576.
- THE PROPERTY IS LOCATED WITHIN AN AREA HAVING FLOOD ZONE "X," BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 04013C1210L, WITH A DATE OF IDENTIFICATION OF OCTOBER 16, 2013, FOR COMMUNITY NO. 040053, IN MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.
- IN ACCORDANCE WITH ARS § 9-461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN COMPLIANCE WITH THE SURPRISE GENERAL PLAN.
- PURSUANT TO A.R.S. § 42-11102, THE CITY OF SURPRISE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA, IS EXEMPT FROM ALL TAXES AND ASSESSMENTS BASED ON ASSESSED VALUE EXCEPT FOR SPECIAL DISTRICTS #14751 AND 14710, WHEN APPLICABLE.
- SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS IN THE DOCUMENT RECORDED AS 2005-480530 OF OFFICIAL RECORDS; ASSIGNMENT OF DECLARANT'S RIGHTS RECORDED AS 2005-480531 OF OFFICIAL RECORDS; DECLARATION OF ANNEXATION RECORDED AS 2005-480534 OF OFFICIAL RECORDS, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A REFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN, TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE TITLE 42, SECTION 3604(C), OF THE UNITED STATES CODES.
- SUBJECT TO THE TERMS, CONDITIONS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "PRE-ANNEXATION DEVELOPMENT AGREEMENT" RECORDED NOVEMBER 02, 2000 AS 2000-0844394 OF OFFICIAL RECORDS.
- SUBJECT TO THE TERMS, CONDITIONS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "AGREEMENT" RECORDED FEBRUARY 26, 1987 AS 87-117172 OF OFFICIAL RECORDS.
- SUBJECT TO THE TERMS, CONDITIONS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "NON-EXCLUSIVE ASSIGNMENT OF PROJECT DOCUMENTS PLATS, PLANS AND CONTRACTS" RECORDED JULY 02, 2004 AS 2004-769803 OF OFFICIAL RECORDS.
- SUBJECT TO THE TERMS, CONDITIONS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "EXCESS WATER CAPACITY AGREEMENT" RECORDED JULY 02, 2004 AS 2004-769804 OF OFFICIAL RECORDS.
- SUBJECT TO THE TERMS, CONDITIONS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "DECLARATION OF EASEMENT" RECORDED APRIL 14, 2005 AS 2005-480536 OF OFFICIAL RECORDS.
- SUBJECT TO THE TERMS, CONDITIONS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "MEMORANDUM OF AGREEMENT" RECORDED APRIL 14, 2005 AS 2005-480537 OF OFFICIAL RECORDS.
- SUBJECT TO THE TERMS, CONDITIONS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "TEMPORARY ACCESS AND CONSTRUCTION EASEMENT" RECORDED APRIL 25, 2007 AS 2007-0478369 OF OFFICIAL RECORDS. (BLANKET IN NATURE)
- SUBJECT TO THE TERMS, CONDITIONS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "DRAINAGE EASEMENT" RECORDED AUGUST 19, 2009 AS 2009-0769492 OF OFFICIAL RECORDS. (OFF SITE EASEMENT BENEFITS THIS PROPERTY)
- SUBJECT TO ALL MATTERS AS SET FORTH IN PESTICIDE RESTRICTIVE COVENANT, RECORDED SEPTEMBER 19, 2007 AS 2007- 1038050 OF OFFICIAL RECORDS.
- DEVELOPMENT STANDARDS FOR THIS SUBDIVISION ARE PER CITY OF SURPRISE PAD99-129 OR AS SUBSEQUENTLY AMENDED.



OWNER:

KB HOME PHOENIX INC., AN ARIZONA CORPORATION
10429 SOUTH 51ST STREET, SUITE 100
PHOENIX, AZ 85044
CONTACT: JANNELLE SPEAKE

ENGINEER:

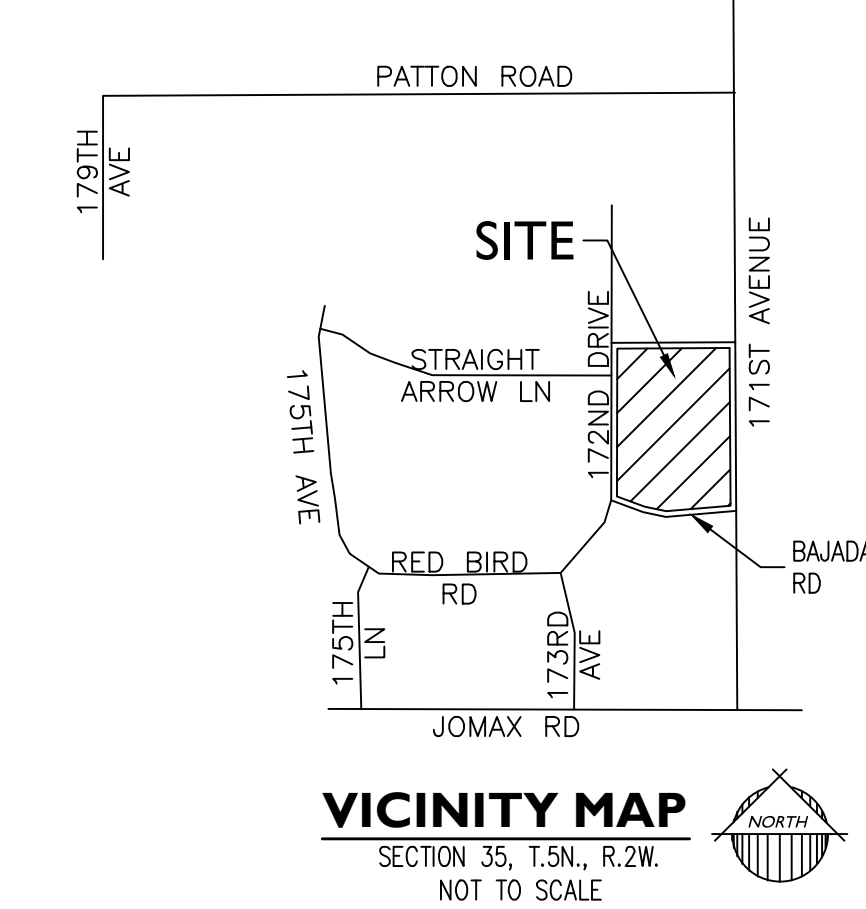
CONSULTANT:
EPS GROUP, INC.
2045 S. VINEYARD, SUITE 101
MESA, AZ 85210
TEL: (480)-503-2250
FAX: (480)-503-2258
CONTACT: DAN "OX" AUXIER, PE

SHEET INDEX

- SHEET 1: COVER SHEET
SHEET 2: PLAN SHEET
TYPICAL LOT DIMENSIONS AND BUILDING SETBACKS
LOT AREA TABLE
LINE AND CURVE TABLES

BASIS OF BEARINGS

EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 35, T.5N, R.2W., AS SHOWN ON THE FINAL PLAT FOR DESERT OASIS PARCEL L11, BOOK 939, PAGE 37, MARICOPA COUNTY RECORDS. THE BEARING OF WHICH IS: N00°04'08"E



AREA SUMMARY TABLE		
DESCRIPTION	AREA (SF)	AREA (ACRES)
LOTS (1-93)	698,502 S.F.	16.0354 AC.
TRACTS A THROUGH M	201,886 S.F.	4.6347 AC.
NEW RIGHT OF WAY	215,710 S.F.	4.9520 AC.
TOTAL AREA	1,116,099 S.F.	25.6221 AC.

TRACT USE TABLE			
TRACT	USE	AREA (SF)	AREA (AC)
A	LANDSCAPE, OPEN SPACE, RETENTION, PUBLIC UTILITIES, RECREATION TRAIL, SEWER EASEMENT	71,989	1.6526
B	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES	1,699	0.0390
C	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES	1,699	0.0390
D	LANDSCAPE, OPEN SPACE, RECREATION TRAILS, RETENTION, PUBLIC UTILITIES	27,984	0.6424
E	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES	3,885	0.0892
F	LANDSCAPE, OPEN SPACE, AMENITIES, RECREATION TRAILS, RETENTION, PUBLIC UTILITIES	25,666	0.5892
G	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES	6,595	0.1514
H	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES	3,191	0.0733
I	LANDSCAPE, OPENS SPACE, ENTRY MONUMENT, PUBLIC UTILITIES	7,870	0.1807
J	LANDSCAPE, OPEN SPACE, RETENTION, RECREATION TRAILS, PUBLIC UTILITIES	27,307	0.6269
K	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES	1,943	0.0446
L	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES	1,146	0.0263
M	LANDSCAPE, OPEN SPACE, DRAINAGE EASEMENT, PUBLIC UTILITIES	20,913	0.4801

APPROVALS

CITY OF SURPRISE ENGINEER APPROVAL

DATA ON THIS PLAT REVIEWED AND APPROVED THIS ____ DAY OF _____,

BY THE CITY ENGINEER OF SURPRISE, ARIZONA.

APPROVED _____ CITY ENGINEER _____ DATE _____

CITY OF SURPRISE COUNCIL APPROVAL

APPROVED BY THE CITY COUNCIL OF THE CITY OF SURPRISE, ARIZONA, THIS ____ DAY OF _____,

_____, _____

_____, _____ MAYOR _____ DATE _____

ATTEST: _____ CITY CLERK _____ DATE _____

CERTIFICATION

I, MARY KENNEDY, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA; THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UNDER MY DIRECTION DURING THE MONTH OF APRIL 2015; THAT THE SURVEY IS TRUE AND CORRECT AS SHOWN; THAT ALL MONUMENTS ACTUALLY EXIST OR WILL BE SET AS SHOWN; THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

LAND SURVEYOR:
MARY KENNEDY, R.L.S.
EPS GROUP, INC.
2045 S. VINEYARD AVENUE STE 101
MESA, AZ 85210

PREPARED: MAY 4, 2015
JOB NO. 15-108
SCALE: 1"=40'
SHEET: 1 OF 3 SHEETS

Project:

Revisions:

Call at least two full working days before final review or printing.

ARIZONA 611

Design:

Drawn by:

21071 MARY F. KENNEDY

Job No.

15-108

BSOI

Sheet No.

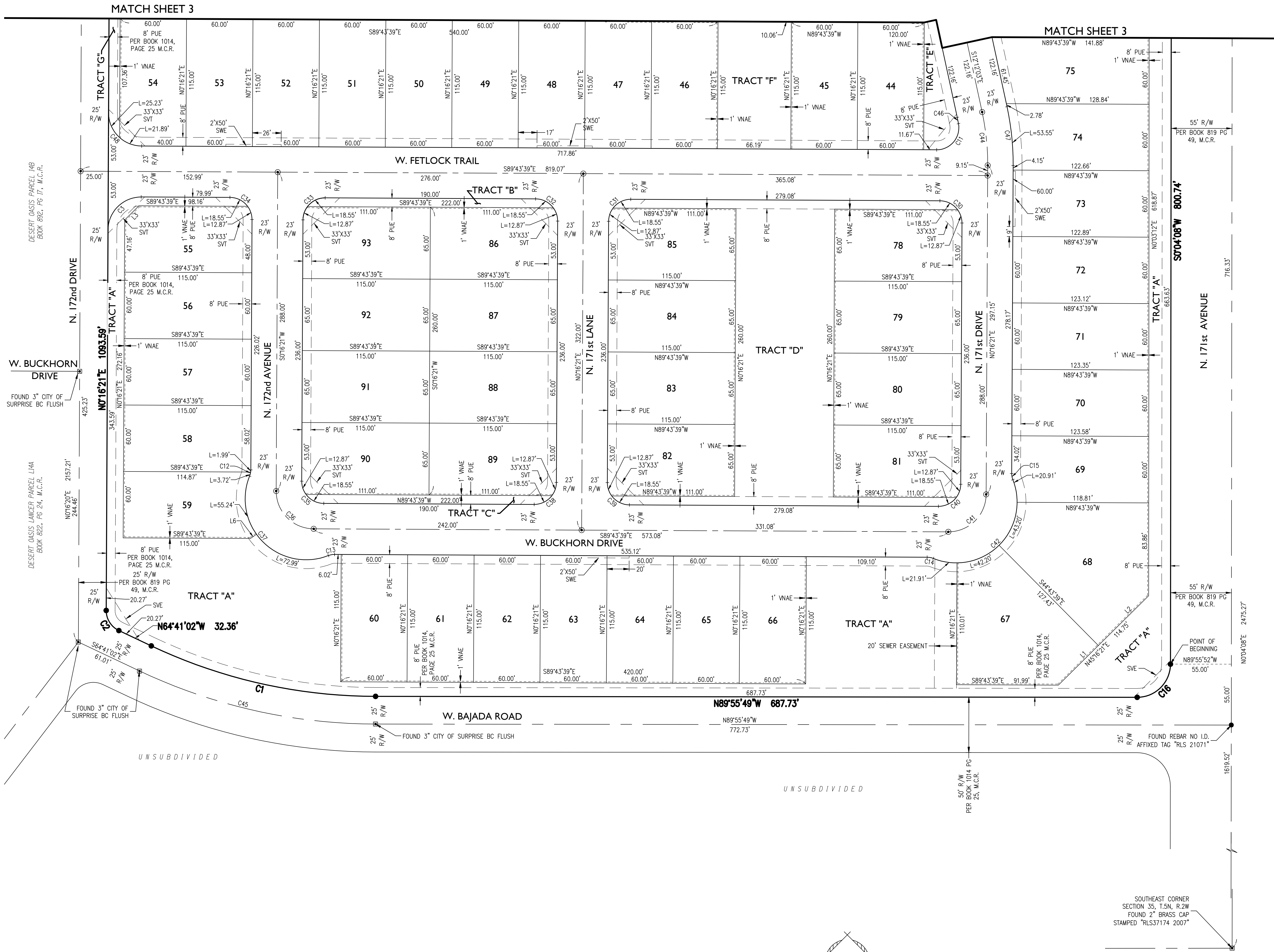
1 of 3

2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T:480.503.2250 F:480.503.2258
www.epsgroupinc.com

EPS GROUP

Sanverno at Desert Oasis
Surprise, Arizona

Final Plat



LOT AREA TABLE		
LOT NO.	S.F.	ACRES
LOT: 1	7067	0.1622
LOT: 2	7320	0.1680
LOT: 3	7320	0.1680
LOT: 4	7320	0.1680
LOT: 5	7320	0.1680
LOT: 6	7320	0.1680
LOT: 7	7320	0.1680
LOT: 8	7320	0.1680
LOT: 9	7289	0.1673
LOT: 10	12720	0.2920
LOT: 11	14960	0.3434
LOT: 12	7253	0.1665
LOT: 13	7200	0.1653
LOT: 14	7200	0.1653
LOT: 15	6887	0.1581
LOT: 16	6890	0.1582
LOT: 17	6900	0.1584
LOT: 18	6900	0.1584
LOT: 19	6900	0.1584
LOT: 20	6900	0.1584
LOT: 21	6900	0.1584
LOT: 22	6900	0.1584
LOT: 23	6900	0.1584
LOT: 24	6900	0.1584
LOT: 25	6900	0.1584
LOT: 26	6900	0.1584
LOT: 27	6899	0.1584
LOT: 28	6899	0.1584
LOT: 29	6900	0.1584
LOT: 30	6900	0.1584
LOT: 31	6900	0.1584
LOT: 32	6900	0.1584
LOT: 33	6900	0.1584
LOT: 34	6900	0.1584
LOT: 35	6748	0.1549
LOT: 36	17234	0.3956
LOT: 37	8546	0.1962
LOT: 38	6900	0.1584
LOT: 39	6900	0.1584
LOT: 40	6900	0.1584
LOT: 41	6900	0.1584
LOT: 42	6900	0.1584
LOT: 43	6885	0.1581
LOT: 44	6900	0.1584
LOT: 45	6900	0.1584
LOT: 46	6900	0.1584
LOT: 47	6900	0.1584
LOT: 48	6900	0.1584
LOT: 49	6900	0.1584
LOT: 50	6900	0.1584
LOT: 51	6900	0.1584
LOT: 52	6900	0.1584
LOT: 53	6900	0.1584
LOT: 54	6852	0.1573
LOT: 55	6802	0.1562
LOT: 56	6900	0.1584
LOT: 57	6900	0.1584
LOT: 58	6900	0.1584
LOT: 59	6778	0.1556
LOT: 60	6900	0.1584
LOT: 61	6900	0.1584
LOT: 62	6900	0.1584
LOT: 63	6900	0.1584
LOT: 64	6900	0.1584
LOT: 65	6900	0.1584
LOT: 66	6900	0.1584
LOT: 67	11018	0.2529
LOT: 68	11922	0.2737
LOT: 69	7344	0.1686
LOT: 70	7408	0.1701
LOT: 71	7394	0.1697
LOT: 72	7380	0.1694
LOT: 73	7366	0.1691
LOT: 74	7472	0.1715
LOT: 75	8122	0.1864
LOT: 76	8904	0.2044
LOT: 77	9446	0.2169
LOT: 78	7460	0.1713
LOT: 79	7475	0.1716
LOT: 80	7475	0.1716
LOT: 81	7460	0.1713
LOT: 82	7460	0.1713
LOT: 83	7475	0.1716
LOT: 84	7475	0.1716
LOT: 85	7460	0.1713
LOT: 86	7460	0.1713
LOT: 87	7475	0.1716
LOT: 88	7475	0.1716
LOT: 89	7460	0.1713
LOT: 90	7460	0.1713
LOT: 91	7475	0.1716
LOT: 92	7475	0.1716
LOT: 93	7460	0.1713

2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T: 480.503.2250 | F: 480.503.2258
www.epsgroupinc.com

Sanverno at Desert Oasis
Surprise, Arizona

Project:

Revisions:

Call at least two full working days before you begin excavation.
ARIZONA
Equal Housing Opportunity
In Maricopa County: (602)263-1100

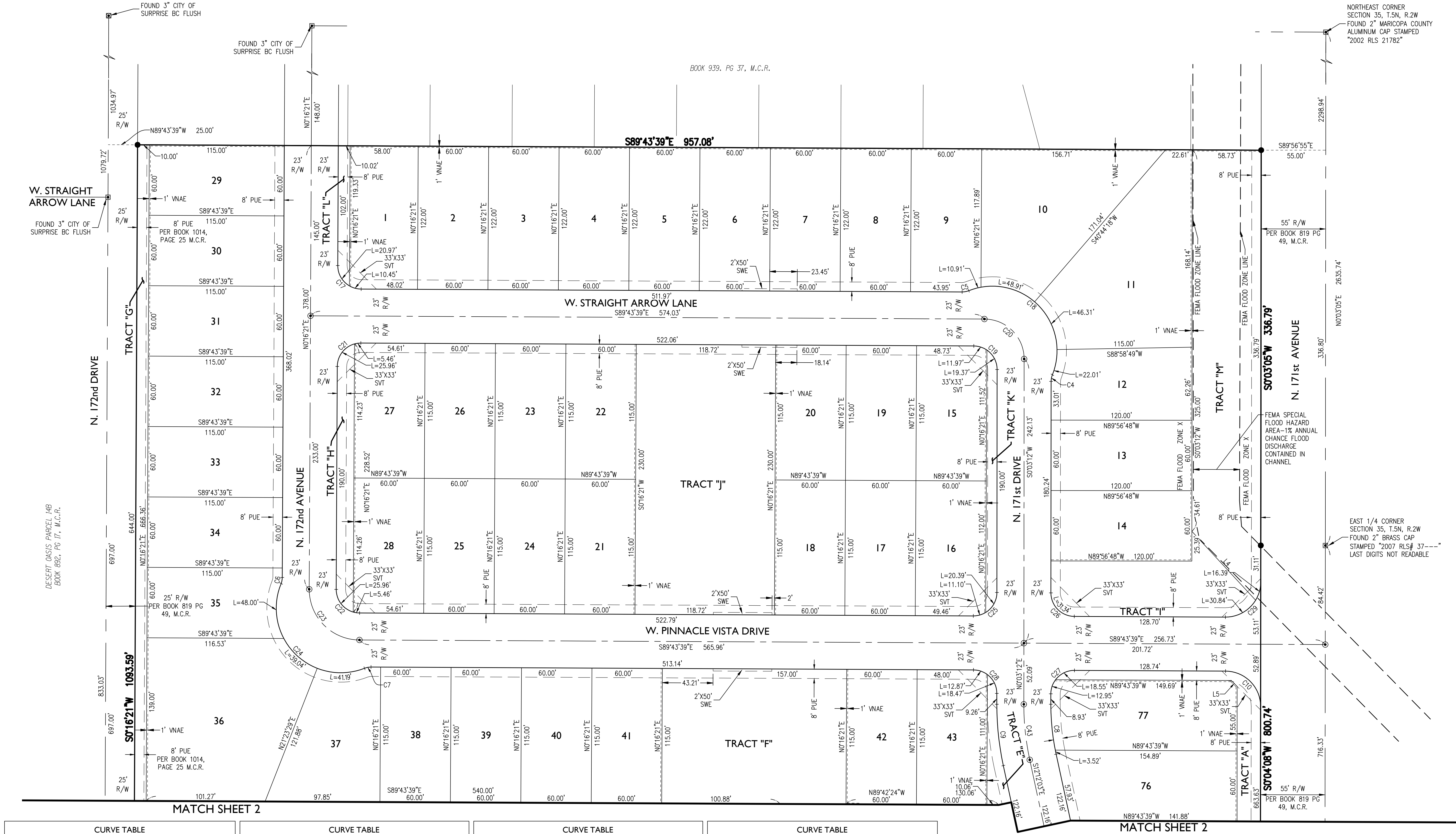
Designer:
Drawn by: MK

21071
MARY F.
KENNEDY
EXPIRES: 6/30/16

Job No.
15-108

BS02

Sheet No.
2
of 3



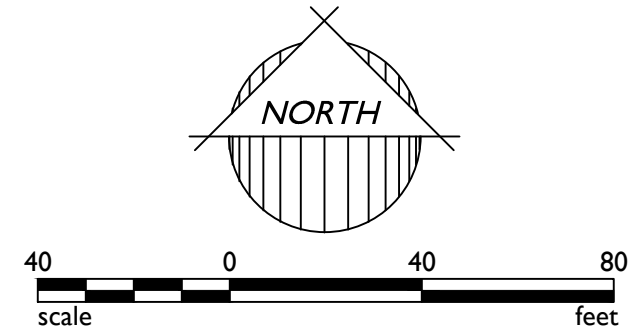
CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C1	209.30'	475.00'	25°14'47"	106.38'	207.61'	N77°18'26"W
C2	22.67'	20.00'	64°57'23"	12.73'	21.48'	N32°12'21"W
C3	47.12'	30.00'	90°00'00"	30.00'	42.43'	S45°16'21"W
C4	5.72'	15.00'	21°51'29"	2.90'	5.69'	S10°58'57"W
C5	5.72'	15.00'	21°51'24"	2.90'	5.69'	N79°20'39"E
C6	5.70'	15.00'	21°47'27"	2.89'	5.67'	N11°10'04"E
C7	5.70'	15.00'	21°47'27"	2.89'	5.67'	S79°22'38"W
C8	39.26'	200.00'	11°14'47"	19.69'	39.19'	S05°34'11"E
C9	52.61'	246.00'	12°15'15"	26.41'	52.51'	S06°04'26"E
C10	47.02'	30.00'	89°47'46"	29.89'	42.35'	N44°49'46"W
C11	35.20'	20.00'	100°50'23"	24.19'	30.83'	N39°51'09"E
C12	3.72'	15.00'	14°11'55"	1.87'	3.71'	N14°57'36"E
C13	5.70'	15.00'	21°47'12"	2.89'	5.67'	S79°22'45"W

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C14	5.70'	15.00'	21°47'12"	2.89'	5.67'	N78°50'03"W
C15	5.70'	15.00'	21°47'12"	2.89'	5.67'	S10°37'15"E
C16	47.12'	30.00'	90°00'03"	30.00'	42.43'	S45°04'09"W
C17	31.42'	20.00'	90°00'00"	20.00'	28.28'	S44°43'39"E
C18	128.15'	55.00'	133°29'44"	128.00'	101.07'	N44°50'11"W
C19	31.34'	20.00'	89°46'51"	19.92'	28.23'	N44°50'13"W
C20	53.28'	34.00'	89°46'51"	33.87'	47.99'	N44°50'13"W
C21	31.42'	20.00'	90°00'00"	20.00'	28.28'	S45°16'21"W
C22	31.42'	20.00'	90°00'00"	20.00'	28.28'	S44°43'39"E
C23	67.54'	43.00'	90°00'00"	43.00'	60.81'	S44°43'39"E
C24	128.23'	55.00'	133°34'54"	128.27'	101.10'	S44°43'39"E
C25	31.49'	20.00'	90°13'09"	20.08'	28.34'	N45°09'47"E
C26	31.34'	20.00'	89°46'51"	19.92'	28.23'	S44°50'14"E

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C27	31.49'	20.00'	90°13'09"	20.08'	28.34'	S45°09'46"W
C28	31.34'	20.00'	89°46'51"	19.92'	28.23'	N44°50'13"W
C29	47.23'	30.00'	90°12'13"	30.11'	42.50'	N45°10'14"E
C30	31.42'	20.00'	90°00'00"	20.00'	28.28'	N44°43'39"W
C31	31.42'	20.00'	90°00'00"	20.00'	28.28'	S45°16'21"W
C32	31.42'	20.00'	90°00'00"	20.00'	28.28'	N44°43'39"W
C33	31.42'	20.00'	90°00'00"	20.00'	28.28'	S45°16'21"W
C34	31.42'	20.00'	90°00'00"	20.00'	28.28'	N44°43'39"W
C35	31.42'	20.00'	90°00'00"	20.00'	28.28'	S44°43'39"E
C36	53.41'	34.00'	90°00'00"	34.00'	48.08'	S44°43'39"E
C37	128.22'	55.00'	133°34'25"	128.24'	101.09'	S44°43'39"E
C38	31.42'	20.00'	90°00'00"	20.00'	28.28'	N45°16'21"E
C39	31.42'	20.00'	90°00'00"	20.00'	28.28'	S44°43'39"E

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG
C40	31.42'	20.00'	90°00'00"	20.00'	28.28'	N45°16'21"E
C41	53.41'	34.00'	90°00'00"	34.00'	48.08'	N45°16'21"E
C42	128.22'	55.00'	133°34'25"	128.24'	101.09'	N45°16'21"E
C43	47.69'	223.00'	12°15'15"	23.94'	47.60'	S06°04'26"E
C44	48.55'	223.00'	12°28'24"	24.37'	48.45'	N05°57'51"W
C45	220.32'	500.00'	25°14'47"	111.98'	218.54'	S77°18'26"E
C46	5.70'	200.00'	1°38'01"	2.85'	5.70'	N11°23'03"W
C47	53.55'	246.00'	12°28'24"	26.88'	53.45'	N05°57'51"W
C48	47.12'	30.00'	90°00'00"	30.00'	42.43'	S44°43'39"E

LINE TABLE		
LINE	BEARING	LENGTH
L1	N45°16'21"E	50.92'
L2	N45°16'21"E	63.83'
L3	S45°16'21"W	18.16'
L4	S42°44'51"E	80.01'
L5	N44°50'14"W	7.08'
L6	S54°31'07"W	6.61'



2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

Sanverno at Desert Oasis

Surprise, Arizona

Project:

Revisions:

Call us at least two full working days before you begin excavation.

DESIGNER:
DRAWN BY: MK

21071
MARY F.
KENNEDY
REGISTERED PROFESSIONAL ENGINEER
EXPIRES: 6/30/16

Job No.
15-108

BS03

Sheet No.
3
of 3



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

18 May 2015

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

Ms. Deborah Perry
City of Surprise Planning Department
16000 North Civic Center Plaza
Surprise AZ 85374

Re: FS15-190; San Verno @ Desert Oasis Parcel L-10

Dear Ms. Perry

Thank you for the opportunity to provide comments on the Preliminary Plat and Final Plat Approval Application for San Verno @ Desert Oasis Parcel L-10. This parcel is located on 27 acres at the northwest corner of 171st Avenue and Bajada Road. The proposal is to build 88 residential dwelling units (du), resulting in a gross residential density of 3.8 du/acre. Parcel L-10 is located approximately 2 miles outside the Luke AFB Auxiliary Field #1 2004 65 Ldn, "high noise or accident potential zone." as defined by A.R.S. § 28-8461, and outside the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461.

Luke AFB follows the guidelines for the Graduated Density Concept (GDC). The GDC proposes, in the absence of a more restrictive state, county or municipal general or comprehensive plan, graduating densities away from the 65 Ldn as follows: a maximum of 2 du/acre from the 65 Ldn to 1/2 mile, a maximum of 4 du/acre from 1/2 to 1 mile and a maximum of 6 du/acre from 1 to 3 miles. The above density of 3.8du/acre meets these guidelines.

Even though San Verno @ Desert Oasis will be located outside the "vicinity of a military airport," it will be subjected to approximately 13,000 flight operations per year, with some as low as 1,500 feet above ground level. We recommend you review the sound attenuation requirements found in A.R.S. § 28-8482. In addition, a strong notification program on the part of the applicant is essential to inform potential residents about Luke AFB operations. We also recommend a review of the Luke AFB web site at <http://www.luke.af.mil>, Community Interests and Community Initiatives links, for further information.

If there are any questions, please contact my Community Planner, Ms. Barbara Plante, at (623) 856-9981.

Sincerely

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

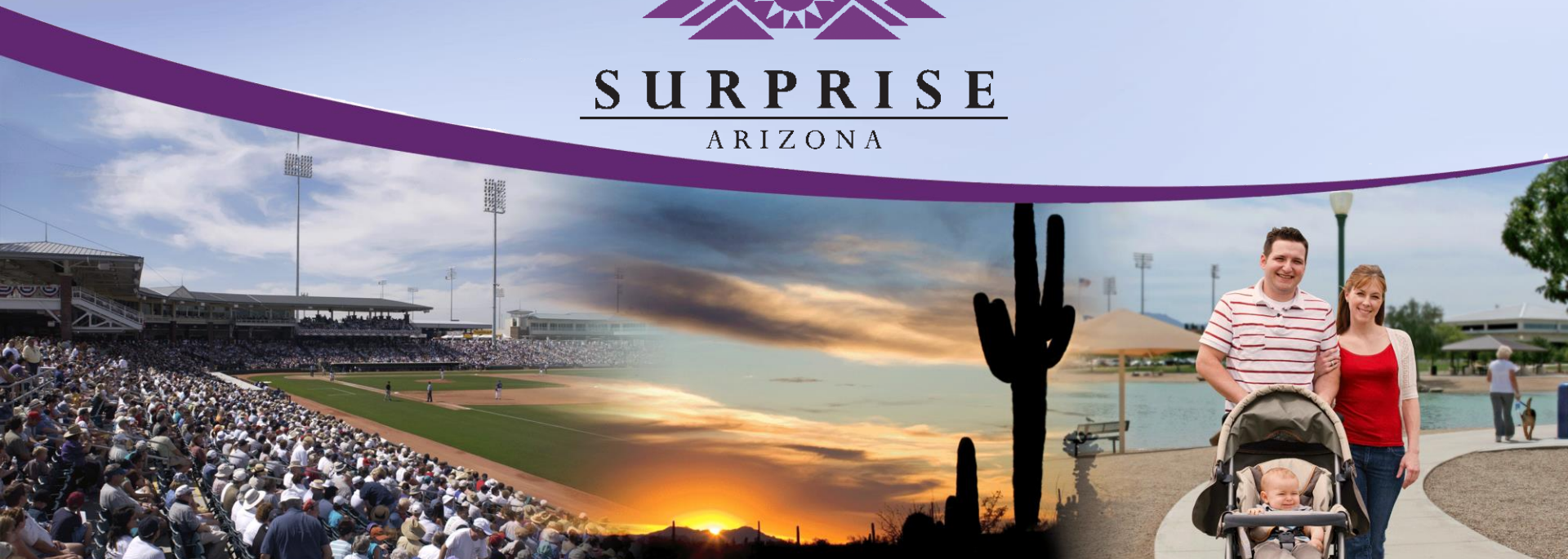
JAMES R. MITCHELL

cc:

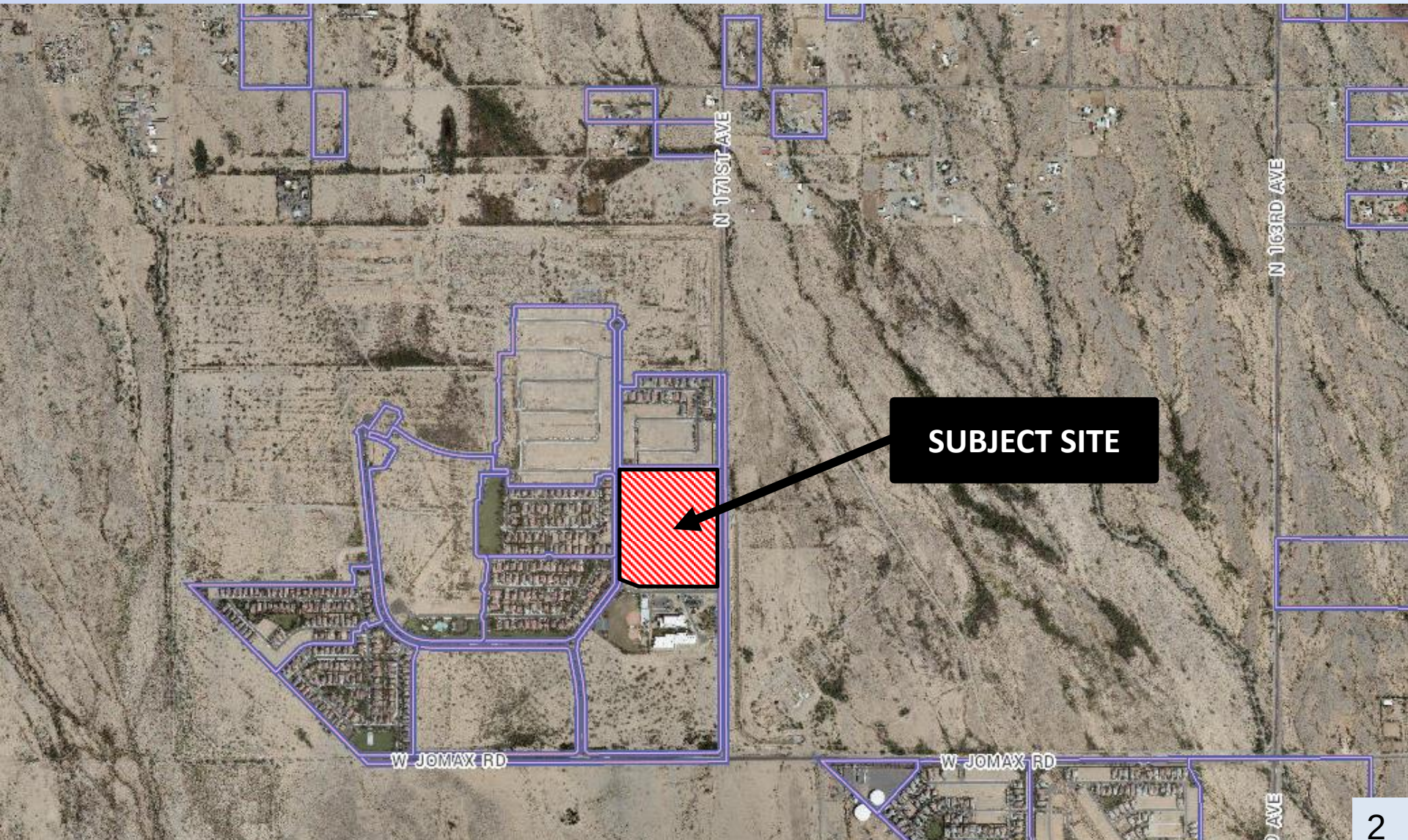
Ms. Cindy L. Calderon, GS-13, General and Environmental Law Attorney, 56th Fighter Wing

FS15-190 Sanverno at Desert Oasis Preliminary and Final Plat City Council Regular Session

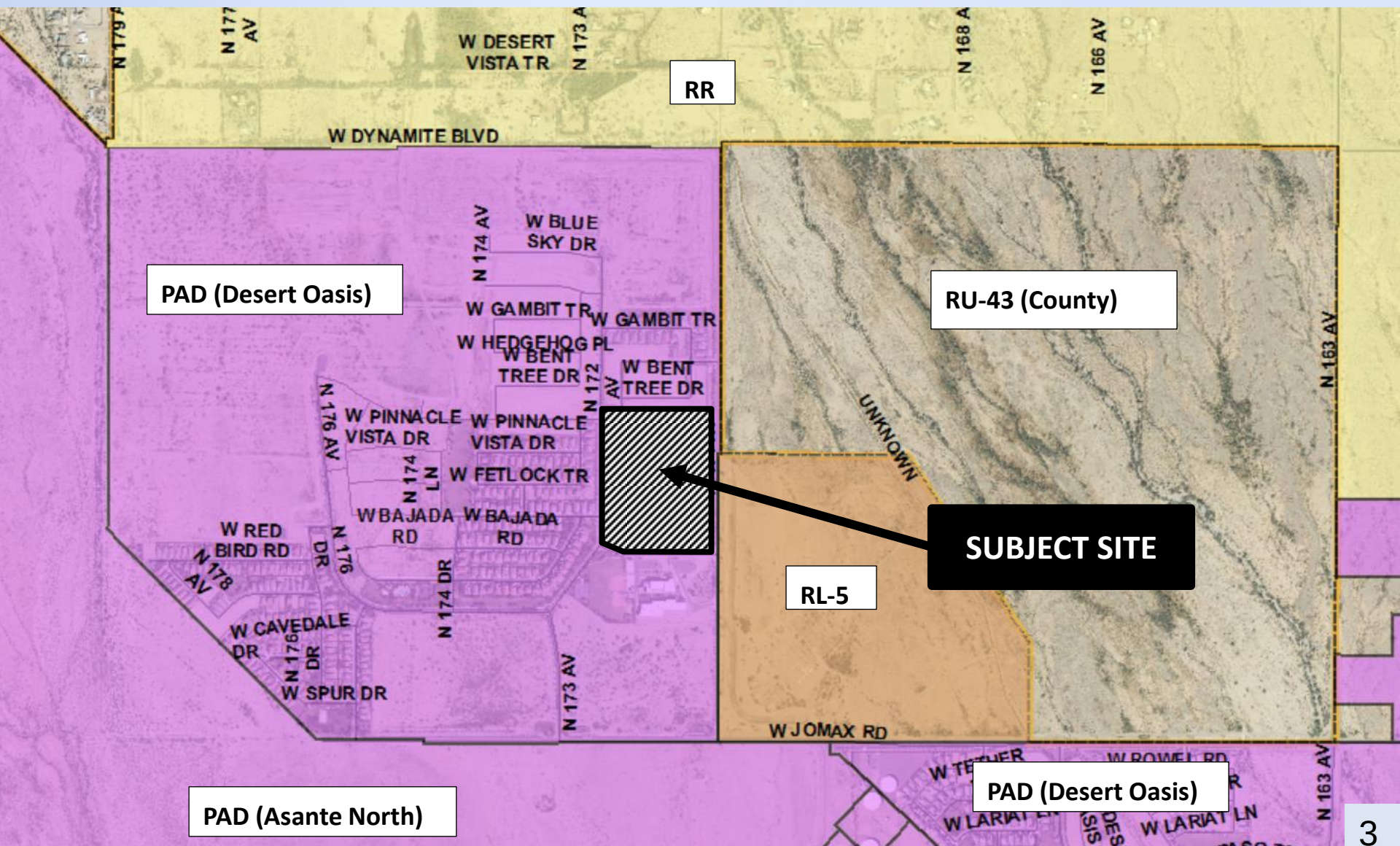
November 03, 2015



Vicinity Map



Case Map



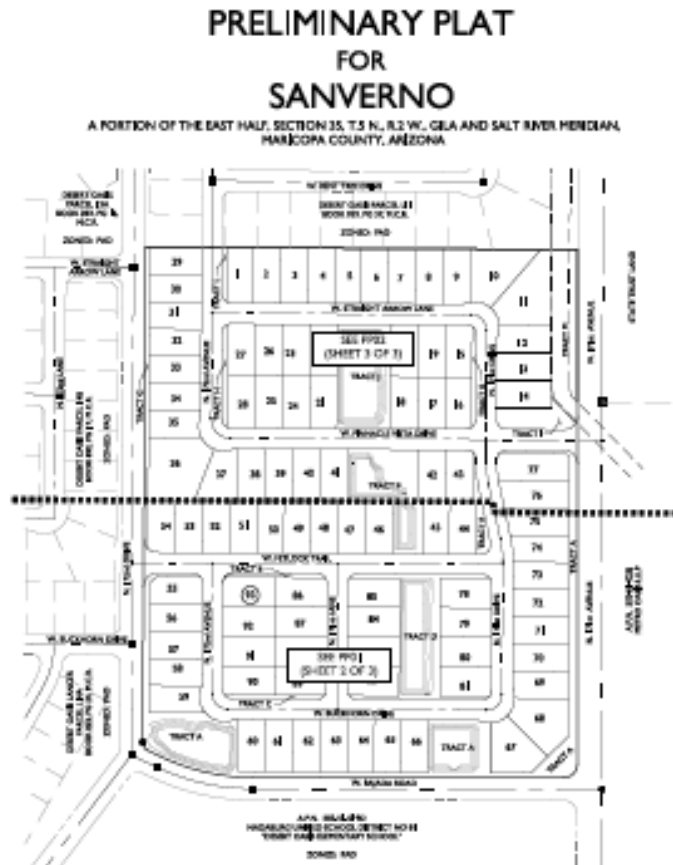
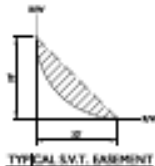
PRELIMINARY PLAT

FS15-190 Sanverno at Desert Oasis

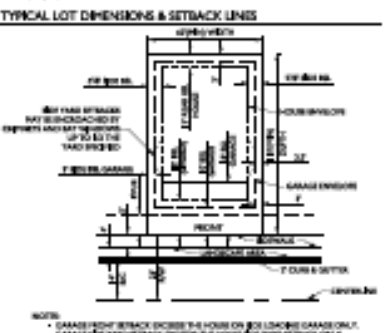


15 | 08

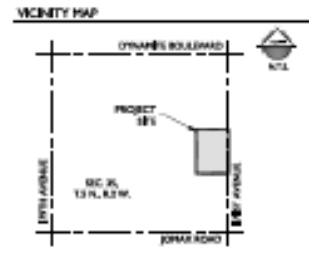
LOT AREA TABLE		LOT AREA TABLE		LOT AREA TABLE	
LOT #	AREA (SQ. FT.)	LOT #	AREA (SQ. FT.)	LOT #	AREA (SQ. FT.)
1	7,560	11	4,380	21	4,380
2	7,560	12	4,380	22	4,380
3	7,560	13	4,380	23	4,380
4	7,560	14	4,380	24	4,380
5	7,560	15	4,380	25	4,380
6	7,560	16	4,380	26	4,380
7	7,560	17	4,380	27	4,380
8	7,560	18	4,380	28	4,380
9	7,560	19	4,380	29	4,380
10	7,560	20	4,380	30	4,380
11	4,380	31	4,380	41	4,380
12	4,380	32	4,380	42	4,380
13	4,380	33	4,380	43	4,380
14	4,380	34	4,380	44	4,380
15	4,380	35	4,380	45	4,380
16	4,380	36	4,380	46	4,380
17	4,380	37	4,380	47	4,380
18	4,380	38	4,380	48	4,380
19	4,380	39	4,380	49	4,380
20	4,380	40	4,380	50	4,380
21	4,380	41	4,380	51	4,380
22	4,380	42	4,380	52	4,380
23	4,380	43	4,380	53	4,380
24	4,380	44	4,380	54	4,380
25	4,380	45	4,380	55	4,380
26	4,380	46	4,380	56	4,380
27	4,380	47	4,380	57	4,380
28	4,380	48	4,380	58	4,380
29	4,380	49	4,380	59	4,380
30	4,380	50	4,380	60	4,380
31	4,380	51	4,380	61	4,380
32	4,380	52	4,380	62	4,380
33	4,380	53	4,380	63	4,380
34	4,380	54	4,380	64	4,380
35	4,380	55	4,380	65	4,380
36	4,380	56	4,380	66	4,380
37	4,380	57	4,380	67	4,380
38	4,380	58	4,380	68	4,380
39	4,380	59	4,380	69	4,380
40	4,380	60	4,380	70	4,380
41	4,380	61	4,380	71	4,380
42	4,380	62	4,380	72	4,380
43	4,380	63	4,380	73	4,380
44	4,380	64	4,380	74	4,380
45	4,380	65	4,380	75	4,380
46	4,380	66	4,380	76	4,380
47	4,380	67	4,380	77	4,380
48	4,380	68	4,380	78	4,380
49	4,380	69	4,380	79	4,380
50	4,380	70	4,380	80	4,380
51	4,380	71	4,380	81	4,380
52	4,380	72	4,380	82	4,380
53	4,380	73	4,380	83	4,380
54	4,380	74	4,380	84	4,380
55	4,380	75	4,380	85	4,380
56	4,380	76	4,380	86	4,380
57	4,380	77	4,380	87	4,380
58	4,380	78	4,380	88	4,380
59	4,380	79	4,380	89	4,380
60	4,380	80	4,380	90	4,380
61	4,380	81	4,380	91	4,380
62	4,380	82	4,380	92	4,380
63	4,380	83	4,380	93	4,380
64	4,380	84	4,380	94	4,380
65	4,380	85	4,380	95	4,380
66	4,380	86	4,380	96	4,380
67	4,380	87	4,380	97	4,380
68	4,380	88	4,380	98	4,380
69	4,380	89	4,380	99	4,380
70	4,380	90	4,380	100	4,380



TRACT LIST TABLE			
TRACT	USE	AREA (SQ. FT.)	AREA (SQ. FT.)
A	LANDSCAPE ORNAMENTAL PLANTING, RETENTION, BIODIVERSITY, BIODIVERSITY, BIODIVERSITY	1,000	1,000
B	LANDSCAPE ORNAMENTAL PLANTING, RETENTION, BIODIVERSITY, BIODIVERSITY, BIODIVERSITY	1,000	1,000
C	LANDSCAPE ORNAMENTAL PLANTING, RETENTION, BIODIVERSITY, BIODIVERSITY, BIODIVERSITY	1,000	1,000
D	LANDSCAPE ORNAMENTAL PLANTING, RETENTION, BIODIVERSITY, BIODIVERSITY, BIODIVERSITY	1,000	1,000
E	LANDSCAPE ORNAMENTAL PLANTING, RETENTION, BIODIVERSITY, BIODIVERSITY, BIODIVERSITY	1,000	1,000
F	LANDSCAPE ORNAMENTAL PLANTING, RETENTION, BIODIVERSITY, BIODIVERSITY, BIODIVERSITY	1,000	1,000
G	LANDSCAPE ORNAMENTAL PLANTING, RETENTION, BIODIVERSITY, BIODIVERSITY, BIODIVERSITY	1,000	1,000
H	LANDSCAPE ORNAMENTAL PLANTING, RETENTION, BIODIVERSITY, BIODIVERSITY, BIODIVERSITY	1,000	1,000
I	LANDSCAPE ORNAMENTAL PLANTING, RETENTION, BIODIVERSITY, BIODIVERSITY, BIODIVERSITY	1,000	1,000
J	LANDSCAPE ORNAMENTAL PLANTING, RETENTION, BIODIVERSITY, BIODIVERSITY, BIODIVERSITY	1,000	1,000
K	LANDSCAPE ORNAMENTAL PLANTING, RETENTION, BIODIVERSITY, BIODIVERSITY, BIODIVERSITY	1,000	1,000
L	LANDSCAPE ORNAMENTAL PLANTING, RETENTION, BIODIVERSITY, BIODIVERSITY, BIODIVERSITY	1,000	1,000
M	LANDSCAPE ORNAMENTAL PLANTING, RETENTION, BIODIVERSITY, BIODIVERSITY, BIODIVERSITY	1,000	1,000
N	LANDSCAPE ORNAMENTAL PLANTING, RETENTION, BIODIVERSITY, BIODIVERSITY, BIODIVERSITY	1,000	1,000
O	LANDSCAPE ORNAMENTAL PLANTING, RETENTION, BIODIVERSITY, BIODIVERSITY, BIODIVERSITY	1,000	1,000
P	LANDSCAPE ORNAMENTAL PLANTING, RETENTION, BIODIVERSITY, BIODIVERSITY, BIODIVERSITY	1,000	1,000
Q	LANDSCAPE ORNAMENTAL PLANTING, RETENTION, BIODIVERSITY, BIODIVERSITY, BIODIVERSITY	1,000	1,000
R	LANDSCAPE ORNAMENTAL PLANTING, RETENTION, BIODIVERSITY, BIODIVERSITY, BIODIVERSITY	1,000	1,000
S	LANDSCAPE ORNAMENTAL PLANTING, RETENTION, BIODIVERSITY, BIODIVERSITY, BIODIVERSITY	1,000	1,000
T	LANDSCAPE ORNAMENTAL PLANTING, RETENTION, BIODIVERSITY, BIODIVERSITY, BIODIVERSITY	1,000	1,000
U	LANDSCAPE ORNAMENTAL PLANTING, RETENTION, BIODIVERSITY, BIODIVERSITY, BIODIVERSITY	1,000	1,000
V	LANDSCAPE ORNAMENTAL PLANTING, RETENTION, BIODIVERSITY, BIODIVERSITY, BIODIVERSITY	1,000	1,000
W	LANDSCAPE ORNAMENTAL PLANTING, RETENTION, BIODIVERSITY, BIODIVERSITY, BIODIVERSITY	1,000	1,000
X	LANDSCAPE ORNAMENTAL PLANTING, RETENTION, BIODIVERSITY, BIODIVERSITY, BIODIVERSITY	1,000	1,000
Y	LANDSCAPE ORNAMENTAL PLANTING, RETENTION, BIODIVERSITY, BIODIVERSITY, BIODIVERSITY	1,000	1,000
Z	LANDSCAPE ORNAMENTAL PLANTING, RETENTION, BIODIVERSITY, BIODIVERSITY, BIODIVERSITY	1,000	1,000



SINGLE FAMILY DEVELOPMENT STANDARDS		
LOT CATEGORY	MINIMUM LOT AREA (SQ. FT.)	MINIMUM LOT WIDTH (FEET)
1	10,000	100
2	15,000	150
3	20,000	200
4	25,000	250
5	30,000	300
6	35,000	350
7	40,000	400
8	45,000	450
9	50,000	500
10	55,000	550
11	60,000	600
12	65,000	650
13	70,000	700
14	75,000	750
15	80,000	800
16	85,000	850
17	90,000	900
18	95,000	950
19	100,000	1,000
20	105,000	1,050
21	110,000	1,100
22	115,000	1,150
23	120,000	1,200
24	125,000	1,250
25	130,000	1,300
26	135,000	1,350
27	140,000	1,400
28	145,000	1,450
29	150,000	1,500
30	155,000	1,550
31	160,000	1,600
32	165,000	1,650
33	170,000	1,700
34	175,000	1,750
35	180,000	1,800
36	185,000	1,850
37	190,000	1,900
38	195,000	1,950
39	200,000	2,000
40	205,000	2,050
41	210,000	2,100
42	215,000	2,150
43	220,000	2,200
44	225,000	2,250
45	230,000	2,300
46	235,000	2,350
47	240,000	2,400
48	245,000	2,450
49	250,000	2,500
50	255,000	2,550
51	260,000	2,600
52	265,000	2,650
53	270,000	2,700
54	275,000	2,750
55	280,000	2,800
56	285,000	2,850
57	290,000	2,900
58	295,000	2,950
59	300,000	3,000
60	305,000	3,050
61	310,000	3,100
62	315,000	3,150
63	320,000	3,200
64	325,000	3,250
65	330,000	3,300
66	335,000	3,350
67	340,000	3,400
68	345,000	3,450
69	350,000	3,500
70	355,000	3,550
71	360,000	3,600
72	365,000	3,650
73	370,000	3,700
74	375,000	3,750
75	380,000	3,800
76	385,000	3,850
77	390,000	3,900
78	395,000	3,950
79	400,000	4,000
80	405,000	4,050
81	410,000	4,100
82	415,000	4,150
83	420,000	4,200
84	425,000	4,250
85	430,000	4,300
86	435,000	4,350
87	440,000	4,400
88	445,000	4,450
89	450,000	4,500
90	455,000	4,550
91	460,000	4,600
92	465,000	4,650
93	470,000	4,700
94	475,000	4,750
95	480,000	4,800
96	485,000	4,850
97	490,000	4,900
98	495,000	4,950
99	500,000	5,000
100	505,000	5,050

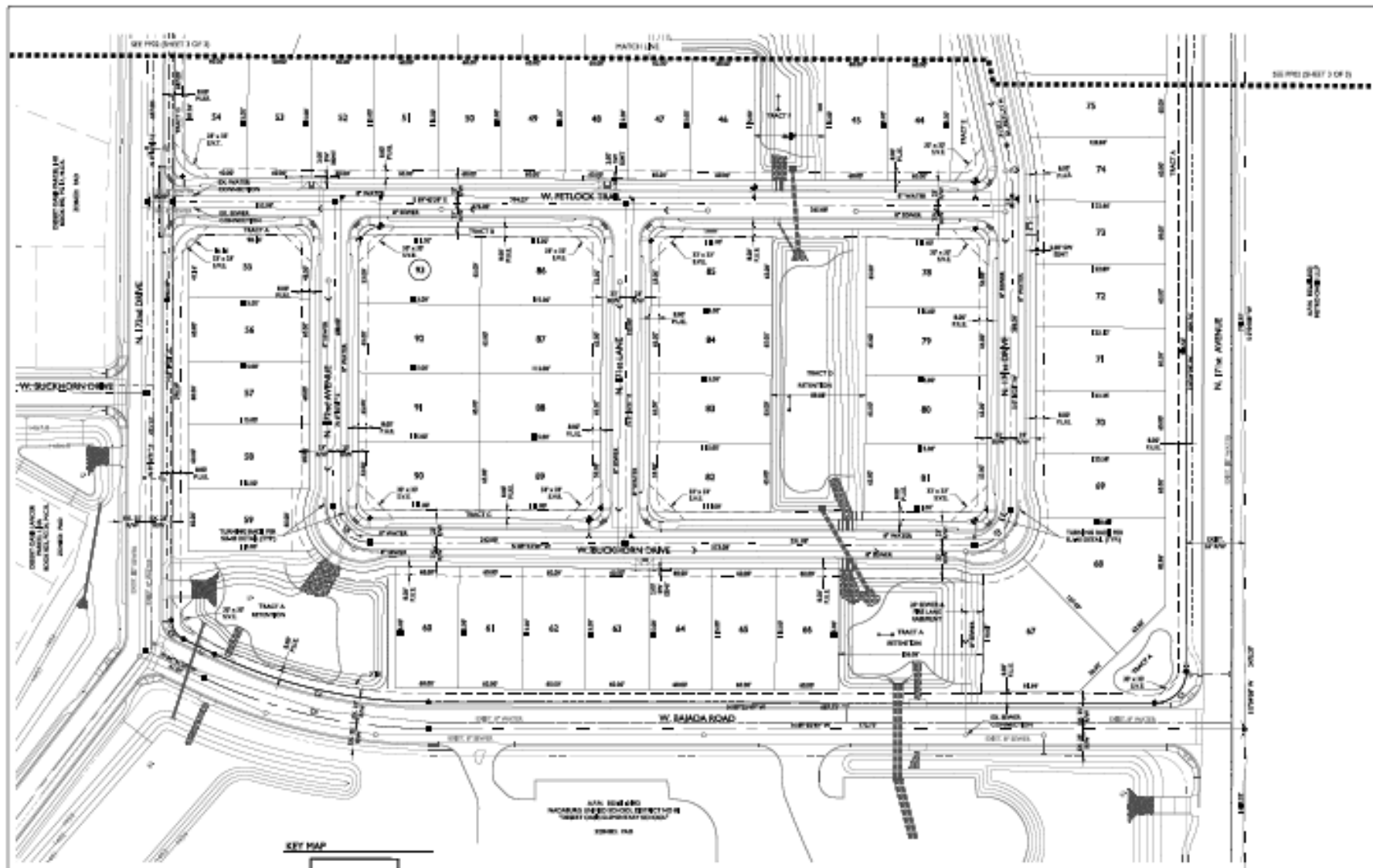


PROJECT TEAM	
OWNER:	MR. HENDERSON
DESIGNER:	MR. HENDERSON
CONTRACTOR:	MR. HENDERSON
ENGINEER:	MR. HENDERSON
ARCHITECT:	MR. HENDERSON
LANDSCAPE ARCHITECT:	MR. HENDERSON
PLANNING:	MR. HENDERSON
ENVIRONMENTAL:	MR. HENDERSON
SOILS:	MR. HENDERSON
WATER:	MR. HENDERSON
WIND:	MR. HENDERSON
SEISMOLOGY:	MR. HENDERSON
NOISE:	MR. HENDERSON
TRAFFIC:	MR. HENDERSON
UTILITY:	MR. HENDERSON
LEGAL:	MR. HENDERSON
TITLE:	MR. HENDERSON
RECORDING:	MR. HENDERSON
MARKETING:	MR. HENDERSON
SALES:	MR. HENDERSON
FINANCIAL:	MR. HENDERSON
ACCOUNTING:	MR. HENDERSON
ADMINISTRATIVE:	MR. HENDERSON
OPERATIONS:	MR. HENDERSON
MAINTENANCE:	MR. HENDERSON
SECURITY:	MR. HENDERSON
IT:	MR. HENDERSON
TRAINING:	MR. HENDERSON
DEVELOPMENT:	MR. HENDERSON
RESEARCH:	MR. HENDERSON
ANALYSIS:	MR. HENDERSON
DESIGN:	MR. HENDERSON
CONSTRUCTION:	MR. HENDERSON
OPERATION:	MR. HENDERSON
MAINTENANCE:	MR. HENDERSON
SECURITY:	MR. HENDERSON
IT:	MR. HENDERSON
TRAINING:	MR. HENDERSON
DEVELOPMENT:	MR. HENDERSON
RESEARCH:	MR. HENDERSON
ANALYSIS:	MR. HENDERSON
DESIGN:	MR. HENDERSON
CONSTRUCTION:	MR. HENDERSON
OPERATION:	MR. HENDERSON
MAINTENANCE:	MR. HENDERSON
SECURITY:	MR. HENDERSON
IT:	MR. HENDERSON
TRAINING:	MR. HENDERSON
DEVELOPMENT:	MR. HENDERSON
RESEARCH:	MR. HENDERSON
ANALYSIS:	MR. HENDERSON
DESIGN:	MR. HENDERSON
CONSTRUCTION:	MR. HENDERSON
OPERATION:	MR. HENDERSON
MAINTENANCE:	MR. HENDERSON
SECURITY:	MR. HENDERSON
IT:	MR. HENDERSON
TRAINING:	MR. HENDERSON
DEVELOPMENT:	MR. HENDERSON
RESEARCH:	MR. HENDERSON
ANALYSIS:	MR. HENDERSON
DESIGN:	MR. HENDERSON
CONSTRUCTION:	MR. HENDERSON
OPERATION:	MR. HENDERSON
MAINTENANCE:	MR. HENDERSON
SECURITY:	MR. HENDERSON
IT:	MR. HENDERSON
TRAINING:	MR. HENDERSON
DEVELOPMENT:	MR. HENDERSON
RESEARCH:	MR. HENDERSON
ANALYSIS:	MR. HENDERSON
DESIGN:	MR. HENDERSON
CONSTRUCTION:	MR. HENDERSON
OPERATION:	MR. HENDERSON
MAINTENANCE:	MR. HENDERSON
SECURITY:	MR. HENDERSON
IT:	MR. HENDERSON
TRAINING:	MR. HENDERSON
DEVELOPMENT:	MR. HENDERSON
RESEARCH:	MR. HENDERSON
ANALYSIS:	MR. HENDERSON
DESIGN:	MR. HENDERSON
CONSTRUCTION:	MR. HENDERSON
OPERATION:	MR. HENDERSON
MAINTENANCE:	MR. HENDERSON
SECURITY:	MR. HENDERSON
IT:	MR. HENDERSON
TRAINING:	MR. HENDERSON
DEVELOPMENT:	MR. HENDERSON
RESEARCH:	MR. HENDERSON
ANALYSIS:	MR. HENDERSON
DESIGN:	MR. HENDERSON
CONSTRUCTION:	MR. HENDERSON
OPERATION:	MR. HENDERSON
MAINTENANCE:	MR. HENDERSON
SECURITY:	MR. HENDERSON
IT:	MR. HENDERSON
TRAINING:	MR. HENDERSON
DEVELOPMENT:	MR. HENDERSON
RESEARCH:	MR. HENDERSON
ANALYSIS:	MR. HENDERSON
DESIGN:	MR. HENDERSON
CONSTRUCTION:	MR. HENDERSON
OPERATION:	MR. HENDERSON
MAINTENANCE:	MR. HENDERSON
SECURITY:	MR. HENDERSON
IT:	MR. HENDERSON
TRAINING:	MR. HENDERSON
DEVELOPMENT:	MR. HENDERSON
RESEARCH:	MR. HENDERSON
ANALYSIS:	MR. HENDERSON
DESIGN:	MR. HENDERSON
CONSTRUCTION:	MR. HENDERSON
OPERATION:	MR. HENDERSON
MAINTENANCE:	MR. HENDERSON
SECURITY:	MR. HENDERSON
IT:	MR. HENDERSON
TRAINING:	MR. HENDERSON
DEVELOPMENT:	MR. HENDERSON
RESEARCH:	MR. HENDERSON
ANALYSIS:	MR. HENDERSON
DESIGN:	MR. HENDERSON
CONSTRUCTION:	MR. HENDERSON
OPERATION:	MR. HENDERSON
MAINTENANCE:	MR. HENDERSON
SECURITY:	MR. HENDERSON
IT:	MR. HENDERSON
TRAINING:	MR. HENDERSON
DEVELOPMENT:	MR. HENDERSON
RESEARCH:	MR. HENDERSON
ANALYSIS:	

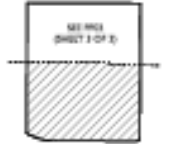
FS15-190 Sanverno at Desert Oasis



15-108



KEY MAP



LOT	AREA	PERCENT
1	1.12	100.00
2	1.12	100.00
3	1.12	100.00

LOT	AREA	PERCENT	LOT	AREA	PERCENT
1	1.12	100.00	1	1.12	100.00
2	1.12	100.00	2	1.12	100.00
3	1.12	100.00	3	1.12	100.00
4	1.12	100.00	4	1.12	100.00
5	1.12	100.00	5	1.12	100.00
6	1.12	100.00	6	1.12	100.00
7	1.12	100.00	7	1.12	100.00
8	1.12	100.00	8	1.12	100.00
9	1.12	100.00	9	1.12	100.00
10	1.12	100.00	10	1.12	100.00
11	1.12	100.00	11	1.12	100.00
12	1.12	100.00	12	1.12	100.00
13	1.12	100.00	13	1.12	100.00
14	1.12	100.00	14	1.12	100.00
15	1.12	100.00	15	1.12	100.00
16	1.12	100.00	16	1.12	100.00
17	1.12	100.00	17	1.12	100.00
18	1.12	100.00	18	1.12	100.00
19	1.12	100.00	19	1.12	100.00
20	1.12	100.00	20	1.12	100.00
21	1.12	100.00	21	1.12	100.00
22	1.12	100.00	22	1.12	100.00
23	1.12	100.00	23	1.12	100.00
24	1.12	100.00	24	1.12	100.00
25	1.12	100.00	25	1.12	100.00
26	1.12	100.00	26	1.12	100.00
27	1.12	100.00	27	1.12	100.00
28	1.12	100.00	28	1.12	100.00
29	1.12	100.00	29	1.12	100.00
30	1.12	100.00	30	1.12	100.00
31	1.12	100.00	31	1.12	100.00
32	1.12	100.00	32	1.12	100.00
33	1.12	100.00	33	1.12	100.00
34	1.12	100.00	34	1.12	100.00
35	1.12	100.00	35	1.12	100.00
36	1.12	100.00	36	1.12	100.00
37	1.12	100.00	37	1.12	100.00
38	1.12	100.00	38	1.12	100.00
39	1.12	100.00	39	1.12	100.00
40	1.12	100.00	40	1.12	100.00
41	1.12	100.00	41	1.12	100.00
42	1.12	100.00	42	1.12	100.00
43	1.12	100.00	43	1.12	100.00
44	1.12	100.00	44	1.12	100.00
45	1.12	100.00	45	1.12	100.00
46	1.12	100.00	46	1.12	100.00
47	1.12	100.00	47	1.12	100.00
48	1.12	100.00	48	1.12	100.00
49	1.12	100.00	49	1.12	100.00
50	1.12	100.00	50	1.12	100.00
51	1.12	100.00	51	1.12	100.00
52	1.12	100.00	52	1.12	100.00
53	1.12	100.00	53	1.12	100.00
54	1.12	100.00	54	1.12	100.00
55	1.12	100.00	55	1.12	100.00
56	1.12	100.00	56	1.12	100.00
57	1.12	100.00	57	1.12	100.00
58	1.12	100.00	58	1.12	100.00
59	1.12	100.00	59	1.12	100.00
60	1.12	100.00	60	1.12	100.00
61	1.12	100.00	61	1.12	100.00
62	1.12	100.00	62	1.12	100.00
63	1.12	100.00	63	1.12	100.00
64	1.12	100.00	64	1.12	100.00
65	1.12	100.00	65	1.12	100.00
66	1.12	100.00	66	1.12	100.00
67	1.12	100.00	67	1.12	100.00
68	1.12	100.00	68	1.12	100.00
69	1.12	100.00	69	1.12	100.00
70	1.12	100.00	70	1.12	100.00
71	1.12	100.00	71	1.12	100.00
72	1.12	100.00	72	1.12	100.00
73	1.12	100.00	73	1.12	100.00
74	1.12	100.00	74	1.12	100.00
75	1.12	100.00	75	1.12	100.00
76	1.12	100.00	76	1.12	100.00
77	1.12	100.00	77	1.12	100.00
78	1.12	100.00	78	1.12	100.00
79	1.12	100.00	79	1.12	100.00
80	1.12	100.00	80	1.12	100.00

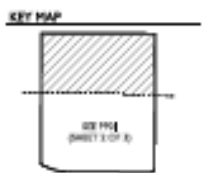
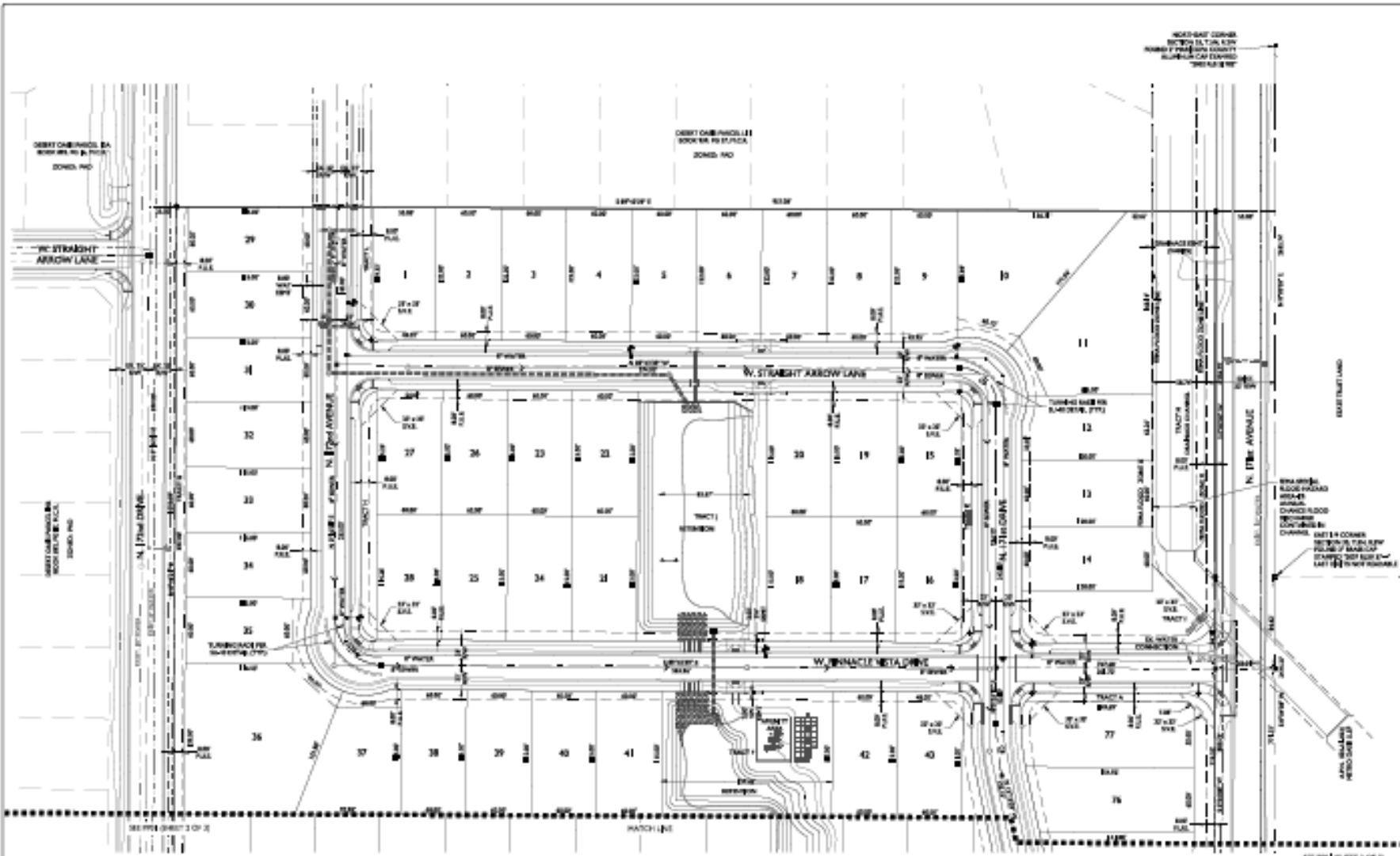
SANVERNO
PRELIMINARY PLAT

15-108

FS15-155 Sanverno at Desert Oasis



15-108



CURVE TABLE					CURVE TABLE				
CURVE	LENGTH	ANGLE	CHORD	DELTA	CURVE	LENGTH	ANGLE	CHORD	DELTA
C1	47.47'	33.00°	46.42'	107°00'00"	C6	15.44'	45.00°	46.00'	107°00'00"
C2	28.02'	47.50°	26.47'	107°00'00"	C7	46.03'	33.00°	46.00'	107°00'00"
C3	33.67'	33.00°	33.46'	107°00'00"	C8	16.89'	33.00°	47.00'	107°00'00"
C4	26.62'	36.00°	26.47'	107°00'00"	C9	13.38'	36.00°	47.00'	107°00'00"
C5	15.44'	45.00°	46.00'	107°00'00"	C10	47.47'	33.00°	46.00'	107°00'00"

2008 S. VINCENT BLVD. SUITE 101
MESA, AZ 85205
TEL: 480-991-1111
WWW.EPSGROUP.COM

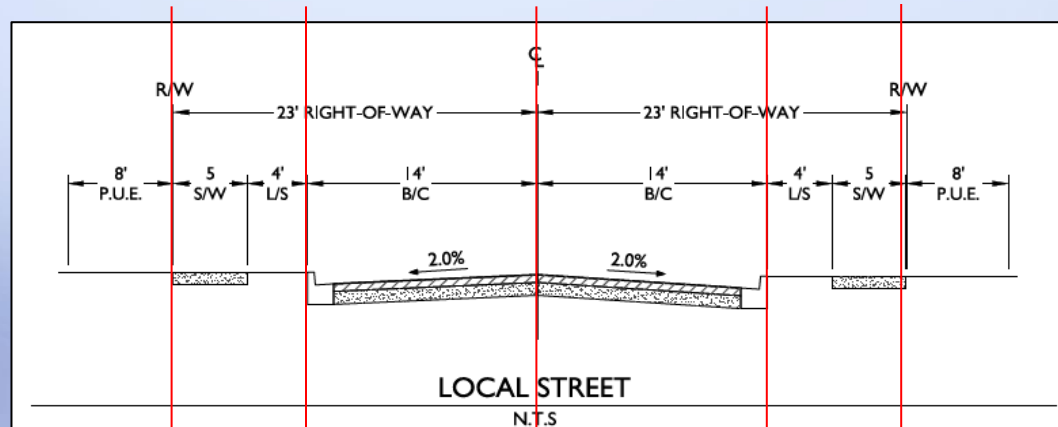
SANVERNO
ARIZONA

PRELIMINARY PLAT

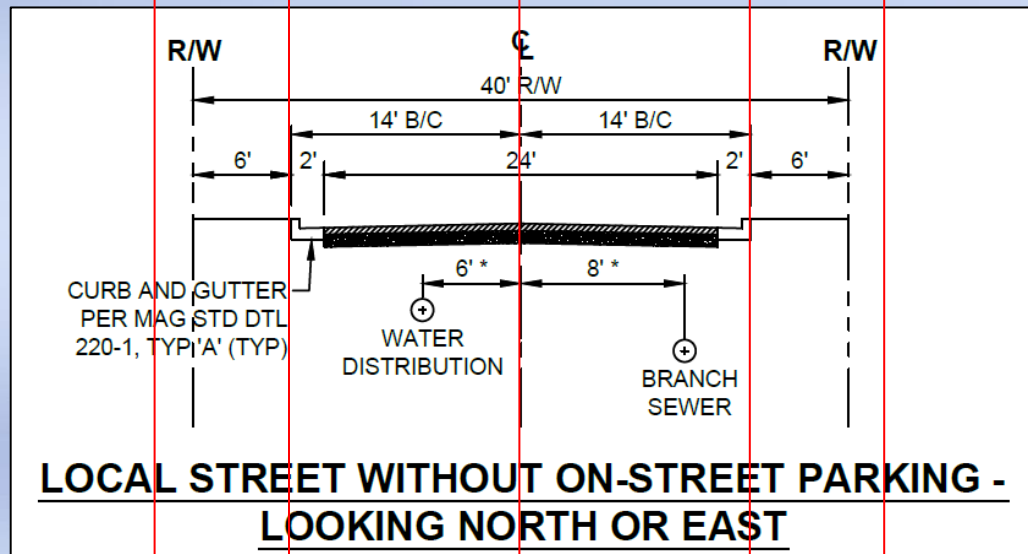
15-108
PP02

7

Proposed Street Cross-Section

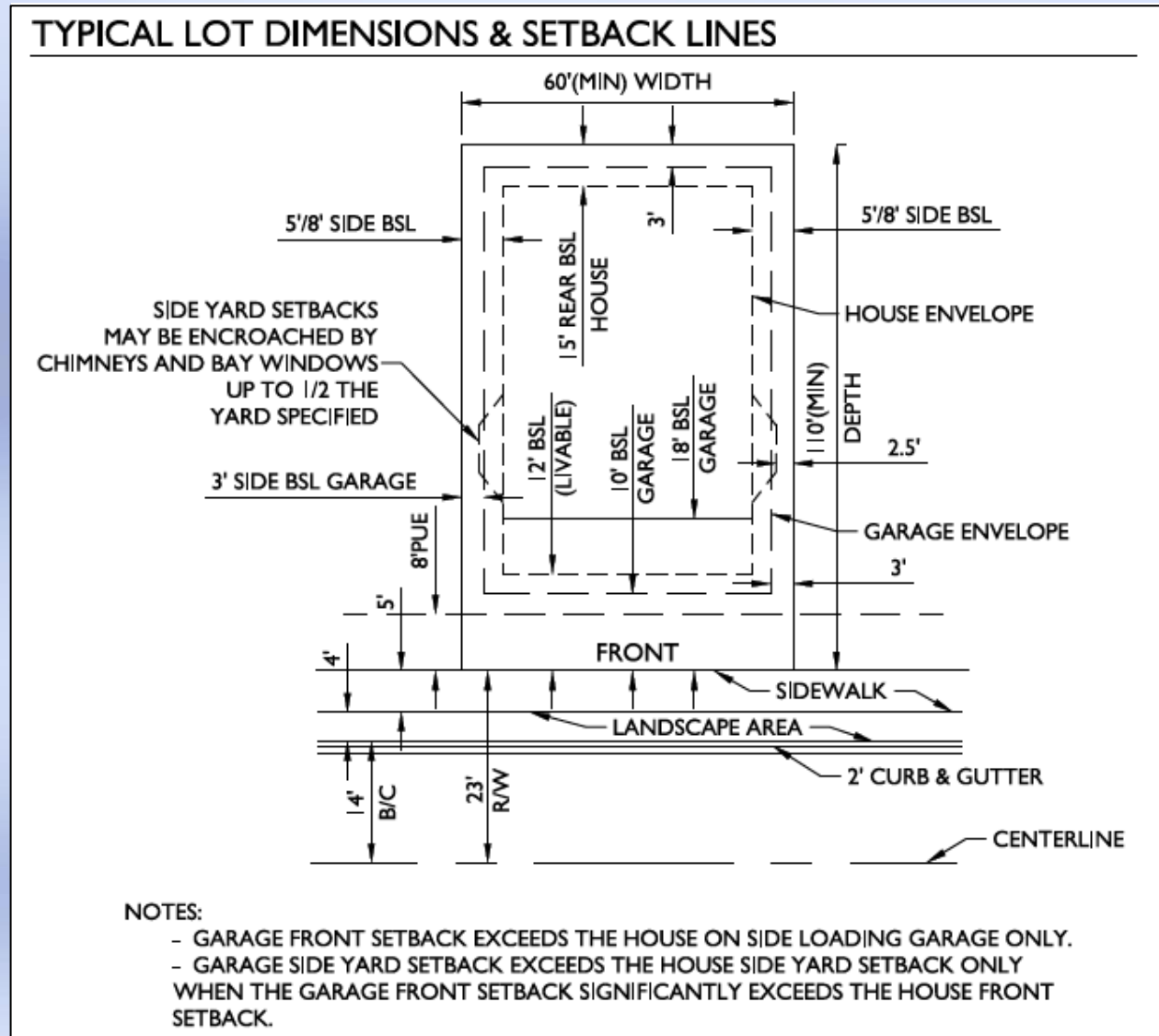


Cross-section per PAD



Cross-section per Surprise EDS 3-07

Development Standards



Development Standards

SINGLE FAMILY DEVELOPMENT STANDARDS

LOT CATEGORY	C	<u>GENERAL NOTES</u>
WIDTH RANGE	58'-62'	1. THE DEVELOPMENT STANDARDS FOR THE LDR LOTS MEET OR SURPASS THE MINIMUM STANDARDS FOR THE DESIGN GUIDELINES WITH THE EXCEPTION OF GARAGE SIDE AND REAR YARD SETBACKS.
MINIMUM WIDTH	60'	
MIN. LOT AREA (S.F.)	6,600	
MIN. LOT DEPTH	110'	2. THE SMALLER SIDE AND REAR YARD FOR GARAGE ALLOW THE TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND) OPTION OF REAR YARD GARAGES.
FRONT SETBACK LIVABLE ¹²	12'	
FRONT SETBACK GARAGE	10'	
REAR SETBACK HOUSE	15'	3. "GRANNY FLATS" SHALL BE ALLOWED OVER REAR DETACHED GARAGES.
REAR SETBACK GARAGE ¹³	3'	
SIDE SETBACK HOUSE ¹⁴	5'8"	
SIDE SETBACK GARAGE ¹⁵	3'	
STREET SIDE HOUSE ¹⁷	10'	
STREET SIDE GARAGE ¹⁸	5'	
BUILDING COVERAGE ¹⁹	40%	
AVERAGE DENSITY	3.9	

FOOTNOTES

¹² GARAGE FRONT SETBACK MAY BE LESS THAN LIVABLE AREA AS SIDE-LOADED GARAGE ONLY. OTHERWISE, MINIMUM OF 18' BEHIND SIDEWALK.

¹³ ALLEY OR STREET ACCESS.

¹⁴ SIDE YARD ENCROACHMENT UP TO ½ SIDE SETBACK FOR BAY WINDOWS AND CHIMNEYS.

¹⁵ REAR INTERIOR LOT GARAGE.

¹⁶ VARIES WITH HOUSING PRODUCT. SEE DESIGN GUIDELINES.

¹⁷ LANDSCAPE BUFFER TRACTS CAN REDUCE STREET SIDE YARD REQUIREMENT BY THE WIDTH OF TRACT, UP TO 5 FEET.

¹⁸ REAR OR RECESSED FRONT ACCESS ONLY. SIDE STREET ACCESS SAME AS FRONT SETBACK.

¹⁹ BASEMENTS, "GRANNY FLATS" AND ATTIC LOFTS ARE ENCOURAGED FOR THE EXPANSION OF LIVABLE AND STORAGE SPACE AND THE REDUCTION OF ENERGY AND LAND CONSUMPTION.

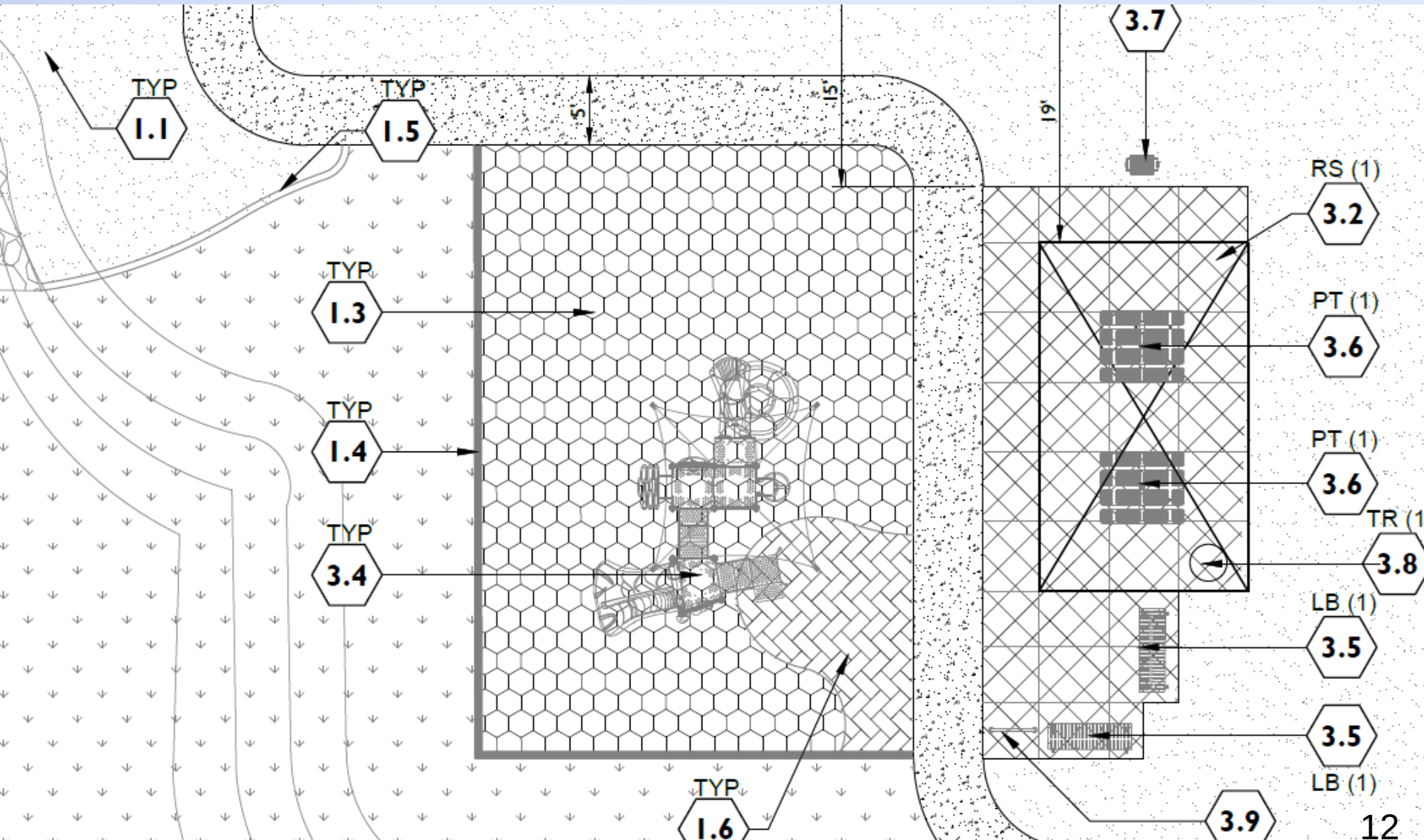
NOTE: ADDITIONAL SETBACKS MAY BE REQUIRED BY THE BUILDING CODE

Landscaping



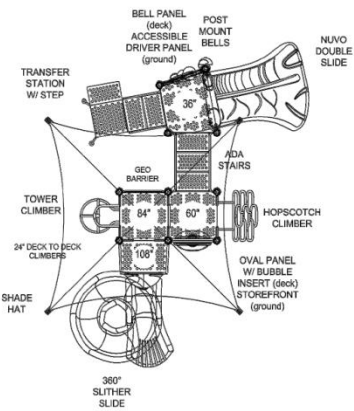
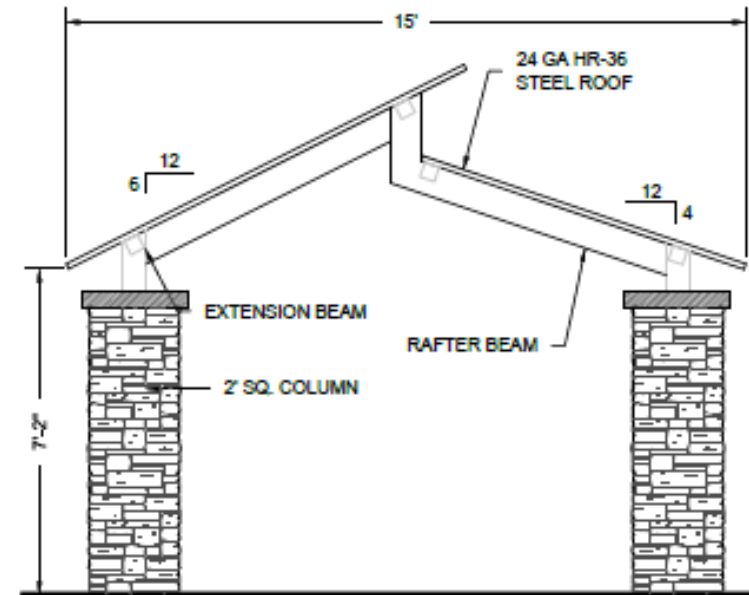
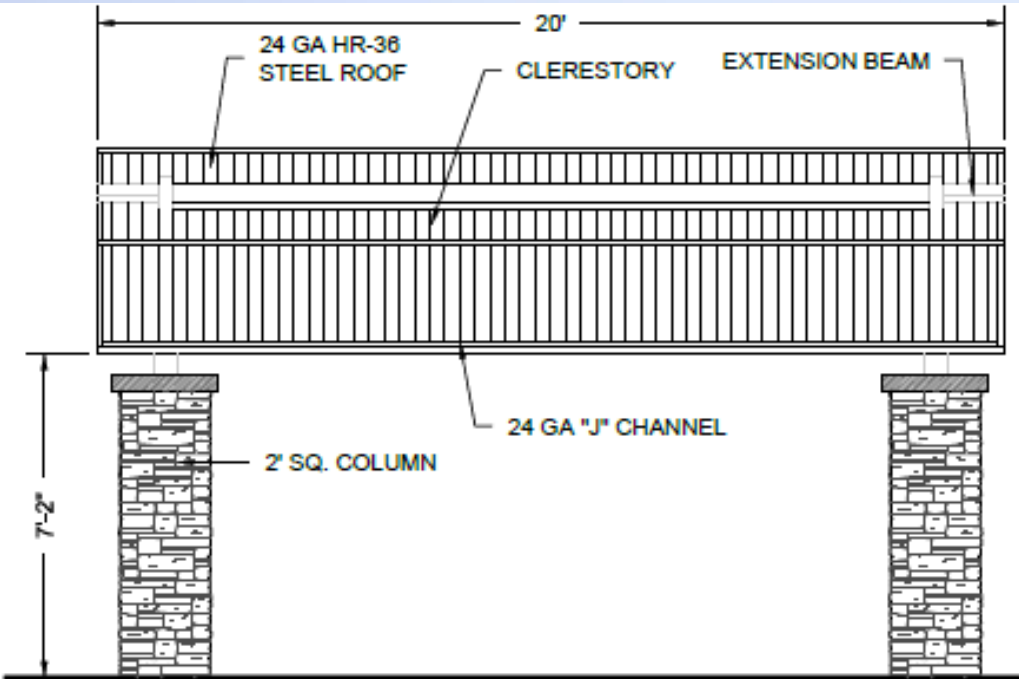
FS15-190 Sanverno at Desert Oasis

Amenities

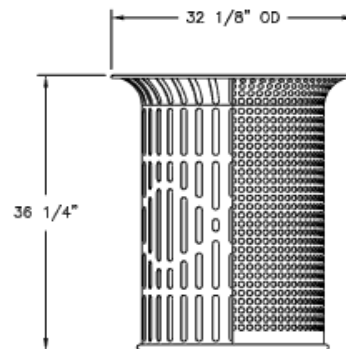
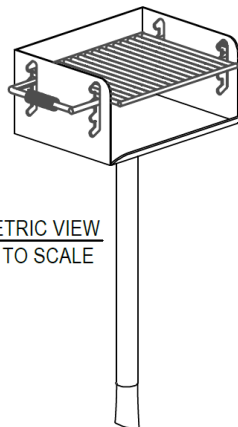


FS15-190 Sanverno at Desert Oasis

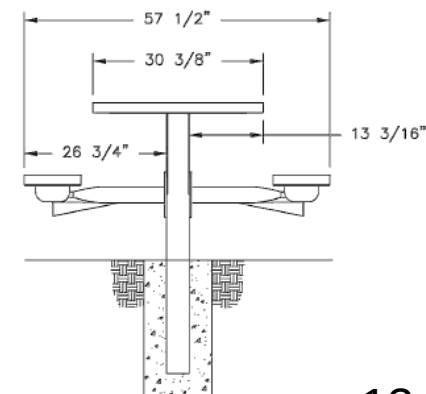
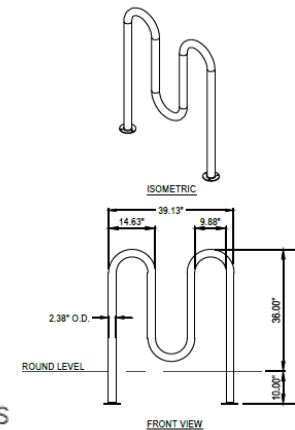
Amenities



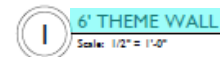
ISOMETRIC VIEW
NOT TO SCALE



FLARE RECEPTACLE DIMENSIONS



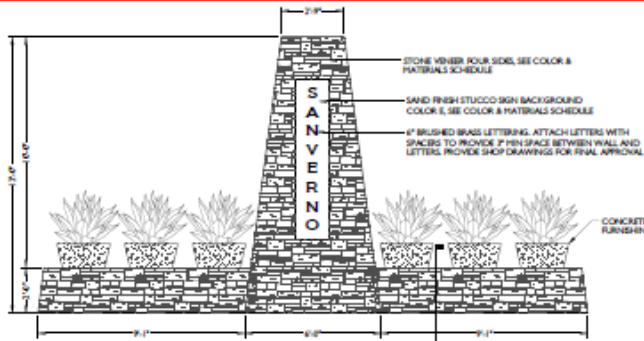
The site plan shows a rectangular building footprint with a central courtyard area. The building is surrounded by parking spaces, some of which are marked with 'TYP 2.1' and 'TYP 2.2'. The plan includes labels for surrounding streets: W 10th Avenue to the north, W 11th Avenue to the south, W 12th Avenue to the east, and W 13th Avenue to the west. The building is oriented with its long side facing W 10th Avenue. The plan also shows the building's setbacks from the surrounding streets and the location of the building's entrance and exits. The building is shown with a red outline, and the parking spaces are shown with a grey hatched pattern. The surrounding streets are shown with dashed lines and labels. The plan includes a north arrow in the top right corner.



SYMBOL	ITEM
	DECORATIVE COLUMN 'TYPE A'
	6'-0" THEME WALL
	6'-0" BUILDER WALL (FENCE BLOCK STAIN TO MATCH WOODED ACRE 'DE6130')
	EXISTING WALL TO REMAIN (STAIN TO MATCH WOODED ACRE 'DE6130')

FS15-190 Sanverno at Desert Oasis

Primary Entry Monument

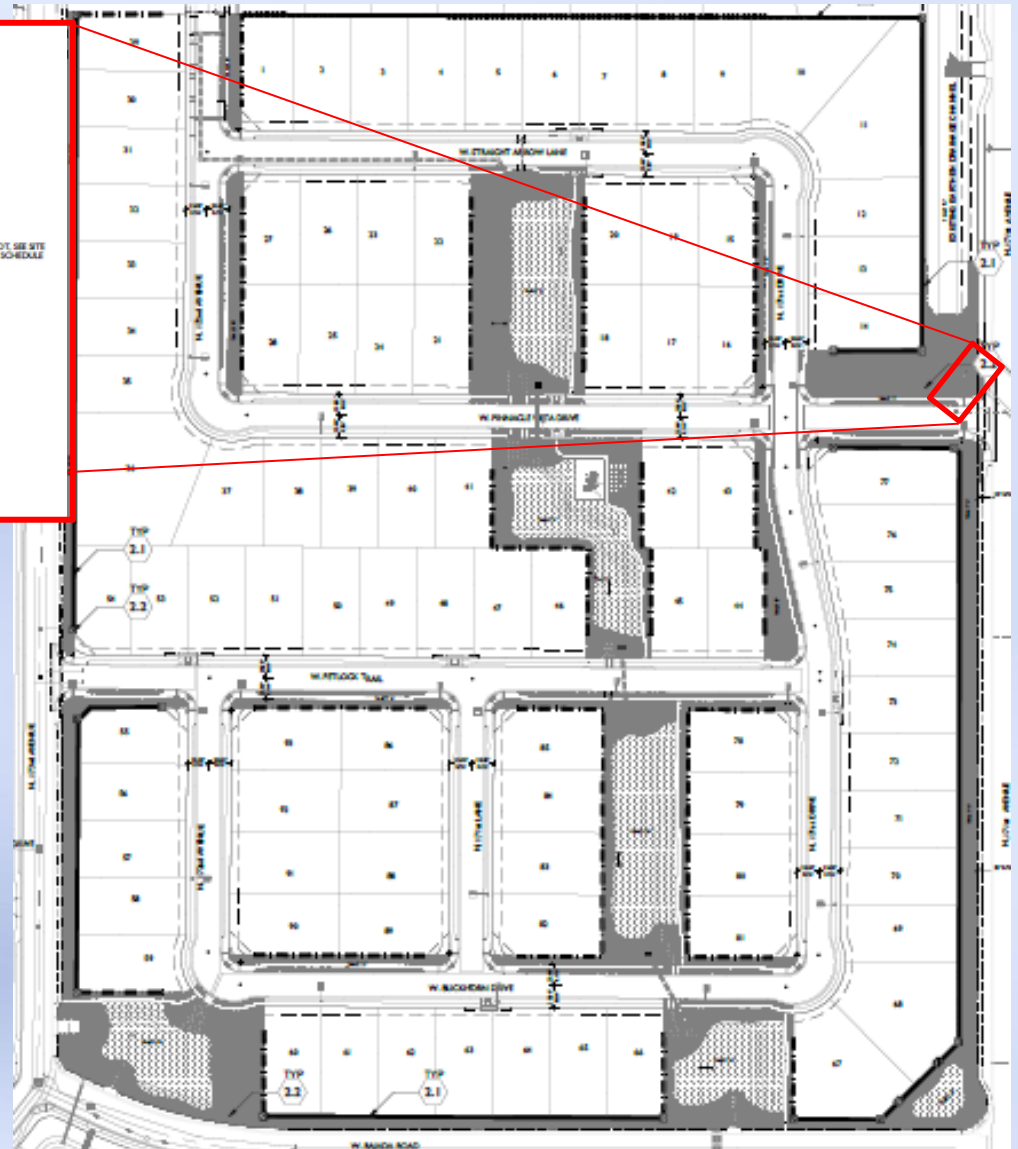


ELEVATION

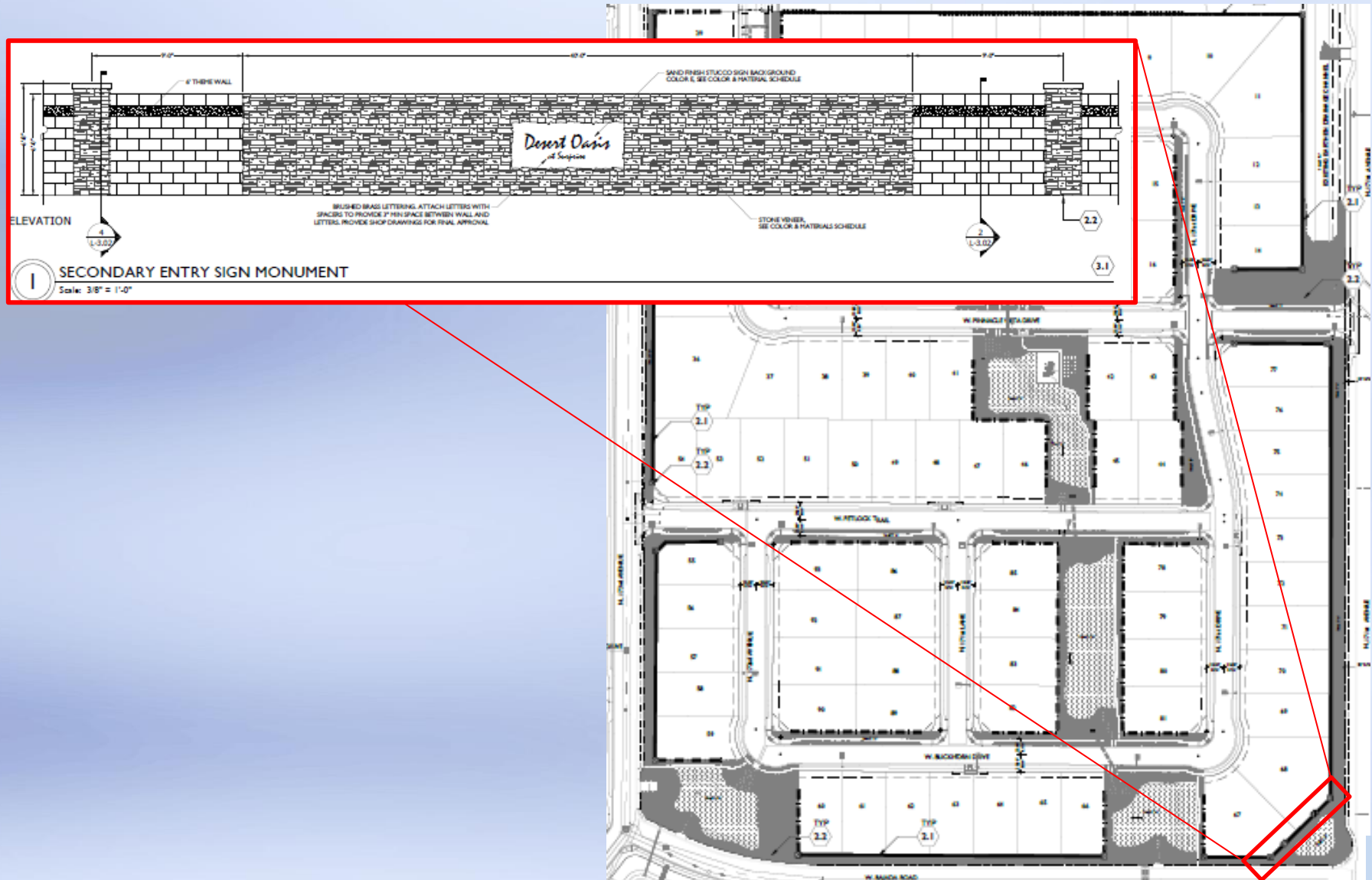
PRIMARY ENTRY MONUMENT

Scale: 3/8" = 1'-0"

3.0



Secondary Entry Monument



FINAL PLAT

FS15-190 Sanverno at Desert Oasis



FINAL PLAT SANVERNO AT DESERT OASIS

BEING A PORTION OF THE EAST HALF OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

DEDICATION

STATE OF ARIZONA
COUNTY OF MARICOPA

KNOW ALL PERSONS BY THESE PRESENTS, THAT KB HOME PHOENIX INC., AN ARIZONA CORPORATION, ("OWNER"), HAS SUBDIVIDED UNDER THE NAME SANVERNO AT DESERT OASIS, A SUBDIVISION OF A PORTION OF THE EAST HALF OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, AS SHOWN AND PLATTED HEREON AND DOES HEREBY PUBLISH THIS PLAT AS AND FOR THE PLAT OF SANVERNO AT DESERT OASIS AND DECLARES THAT THIS PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT, TRACT, STREET, AND EASEMENT CONSTITUTING SAME, AND THAT EACH LOT, TRACT, STREET, AND EASEMENT SHALL BE KNOWN BY THE NUMBER, LETTER, AND/OR NAME GIVEN TO EACH RESPECTIVELY AS SHOWN ON THIS PLAT.

OWNER HEREBY DEDICATES TO THE CITY OF SURPRISE THE FOLLOWING PUBLIC RIGHTS-OF-WAY AS SHOWN ON THE PLAT:

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE AN EXCLUSIVE EASEMENT OVER, UPON AND ACROSS ALL WATER AND SEWER LINES, MANHOLES, FIRE HYDRANTS AND WATER METERS AS SHOWN ON THE PLAT FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING THE WATER AND SEWER LINES, MANHOLES, FIRE HYDRANTS AND WATER METERS.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A CROSS EASEMENT ACROSS THE ENTIRE PLAT FOR THE PURPOSE OF PROVIDING CONTIGUOUS AND UNINTERRUPTED INGRESS AND EGRESS FOR EMERGENCY AND TRASH COLLECTION VEHICLES.

OWNER HEREBY GRANTS TO THE PUBLIC A NON-EXCLUSIVE EASEMENT OVER, UPON AND ACROSS THE AREAS DESIGNATED AS PUBLIC UTILITY EASEMENTS AS SHOWN ON THE PLAT FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING PUBLIC UTILITIES.

OWNER HEREBY GRANTS TO THE PUBLIC AN EASEMENT FOR RECREATION OVER, UPON AND ACROSS THOSE AREAS DESIGNATED AS RECREATION TRAILS OR AREAS FOR THE PURPOSE OF ALLOWING THE PUBLIC ACCESS TO THE TRAIL SYSTEM.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A NON-EXCLUSIVE EASEMENT OVER, UPON AND ACROSS THE AREAS DESIGNATED AS SIGHT VISIBILITY TRIANGLES FOR THE PURPOSE OF ENSURING THAT THESE AREAS REMAIN FREE OF SIGHT VISIBILITY OBSTRUCTIONS.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A NON-EXCLUSIVE EASEMENT OVER, UPON AND ACROSS TRACT "M" AS SHOWN ON THE PLAT FOR DRAINAGE PURPOSES.

OWNER HEREBY GRANTS TO THE ULTIMATE OWNER OF EACH PARCEL, CREATED BY THIS PLAT AN EASEMENT OVER, UPON AND ACROSS THE ENTIRE PLAT FOR THE PURPOSE OF PROVIDING CONTIGUOUS AND UNINTERRUPTED INGRESS AND EGRESS TO EACH PARCEL, CREATED BY THIS PLAT.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A PERPETUAL NON-EXCLUSIVE PEDESTRIAN ACCESS AND SIDEWALK CONSTRUCTION AND MAINTENANCE EASEMENT OVER, UPON AND ACROSS THE AREAS DESIGNATED AS SIDEWALK EASEMENTS AS SHOWN ON THE PLAT.

OWNER HEREBY GRANTS TO THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE, ("USAF") AN AVIATION EASEMENT OVER AND ACROSS THIS PLAT AND EVERY LOT AND PARCEL, HEREOF, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT OF FLIGHT OF AIRCRAFT OVER THIS PLAT, TOGETHER WITH ITS ATTENDANT NOISE, VIBRATION, FUMES, DUST, FUEL, AND LUBRICANT PARTICLES; AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, OR OPERATING AT OR ON LUNGE AIR FORCE BASE AND AUXILIARY FIELD.

KB HOME PHOENIX INC., AN ARIZONA CORPORATION ("OWNER") DOES HEREBY (1) RELEASE AND DISCHARGE THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE, OF AND FROM ANY LIABILITY FOR ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY THAT MAY ARISE AT ANY TIME IN THE FUTURE, OVER, OR IN CONNECTION WITH THE AREAS LOCATED WITHIN THE NOW DEDICATED RIGHT-OF-WAY AS DESIGNATED ON THIS PLAT UNTIL, SUCH TIME THAT THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREAS WITHIN ANY RIGHT-OF-WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

THE MAINTENANCE OF LANDSCAPING WITHIN THE OPEN SPACES, LANDSCAPED TRACTS, RETENTION BASINS AND PARKS SHALL BE THE RESPONSIBILITY OF THE OWNER OR THE ASSOCIATION FORMED BY THE OWNER.

THE MAINTENANCE OF LANDSCAPING WITHIN THE ADJACENT PUBLIC RIGHTS-OF-WAY, INCLUDING LANDSCAPED MEDIANS WITHIN COLLECTORS AND LOCAL STREETS AND LANDSCAPED AREAS BETWEEN THE CURB AND THE DETACHED SIDEWALK, SHALL BE THE RESPONSIBILITY OF THE ADJACENT PROPERTY OWNER OR THE PROPERTY ASSOCIATION FORMED BY THE ADJACENT PROPERTY.

LANDSCAPING MAINTENANCE WITHIN THE MEDIANS WITHIN THE PUBLIC RIGHT-OF-WAY WITHIN ANY ADJACENT OR PARKWAY STREET CLASSIFICATION SHALL BE RESPONSIBILITY OF THE CITY OF SURPRISE AFTER ACCEPTANCE.

ALL IMPROVEMENTS, FOR STREETS AND PUBLIC UTILITIES OWNED AND OPERATED BY THE CITY, INSTALLED OR CONSTRUCTED BY OWNER WITHIN THE PUBLIC RIGHTS-OF-WAY, THE EASEMENTS, OR ANY TRACTS OR PARCELS HEREBY DEDICATED TO THE CITY OF SURPRISE SHALL BE DEEMED TO HAVE BEEN DEDICATED BY OWNER TO THE CITY UPON THEIR COMPLETION. HOWEVER, SUCH TRANSFER SHALL NOT OCCUR UNTIL THE CITY COUNCIL FOR THE CITY OF SURPRISE HEREBY ACCEPTS ITS ACCEPTANCE BY SEPARATE FORMAL COUNCIL ACTION.

THE EASEMENTS GRANTED WITHIN THIS DEDICATION ARE PERMANENT AND PERPETUAL AND SHALL RUN WITH THE LAND AND BE BINDING UPON OWNER AND ITS HEIRS, ASSIGNS, AND SUCCESSORS IN INTEREST TO THIS PLAT OR ANY PARCEL OR LOT THEREOF.

IN WITNESS WHEREOF, I HERETOBY SET MY CORPORATE SEAL TO BE SIGNED AND ITS CORPORATE SEAL TO BE ATTACHED BY THE UNDERSIGNED, DULY AUTHORIZED OFFICER THIS _____ DAY OF _____.

BY: KB HOME PHOENIX INC., AN ARIZONA CORPORATION

BY:

ITS:

ACKNOWLEDGMENT

STATE OF ARIZONA

COUNTY OF MARICOPA

ON THIS _____ DAY OF _____, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC PERSONALLY APPEARED _____ WHO ACKNOWLEDGED SELF TO BE _____ OF KB HOME PHOENIX INC., AN ARIZONA CORPORATION, AND BEING DULY AUTHORIZED SO TO DO, EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES HEREIN CONTAINED.

IN WITNESS WHEREOF, I HERETOBY SET MY HAND AND OFFICIAL SEAL.

BY:

NOTARY PUBLIC

DATE

MY COMMISSION EXPIRES:

PUBLIC NOTICE

THE LOTS DEPICTED ON THIS PLAT ARE LOCATED WITHIN THE VICINITY OF LUNGE AIR FORCE BASE AND MAY BE SUBJECT TO OVERFLIGHTS BY JET AIRCRAFT. ALL STRUCTURES WITHIN THIS PLAT SHALL BE CONSTRUCTED IN COMPLIANCE WITH THE SOUND ATTENUATION STANDARDS ADOPTED BY THE CITY OF SURPRISE. A MAP DEPICTING THE MOST CURRENT ADOPTED MAP NOISE CONTOURS IN RELATION TO THIS PLAT SHALL BE DISPLAYED IN ALL SALES OFFICES. ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE CITY OF SURPRISE COMMUNITY DEVELOPMENT DEPARTMENT.

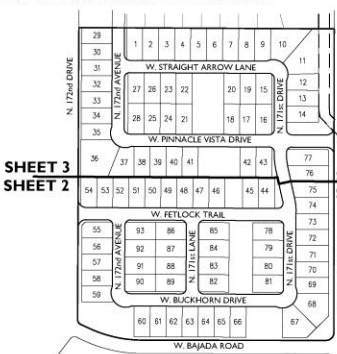
RELEASE OF LIABILITY

KB HOME PHOENIX INC., AN ARIZONA CORPORATION, ("OWNER") DOES HEREBY (1) RELEASE AND DISCHARGE THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE, OF AND FROM ANY LIABILITY FOR ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY THAT MAY ARISE AT ANY TIME IN THE FUTURE, OVER, OR IN CONNECTION WITH THE AREAS LOCATED WITHIN THE NOW DEDICATED RIGHT-OF-WAY AS DESIGNATED ON THIS PLAT UNTIL, SUCH TIME THAT THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREAS WITHIN ANY RIGHT-OF-WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER OR SUBSEQUENT ADJACENT OWNERS WITHIN THE BOUNDARY OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

OWNER HEREBY FURTHER AGREES TO INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE FROM ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY THAT MAY ARISE IN CONNECTION WITH THE USE OF THE SIDEWALKS LOCATED WITHIN THE RIGHT-OF-WAY.

GENERAL NOTES

- A HOMEOWNERS' ASSOCIATION SHALL BE ESTABLISHED FOR SANVERNO AT DESERT OASIS. THE ASSOCIATION WILL ACCEPT OWNERSHIP AND MAINTENANCE RESPONSIBILITIES OF ALL TRACTS, WHICH ARE PLATTED AS COMMON AREA FOR THE USE AND ENJOYMENT OF THE ASSOCIATION OF MEMBERS AND OTHERS, AS MORE FULLY DEFINED AND SET FORTH IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE PROPERTY.
- THE CITY OF SURPRISE IS NOT RESPONSIBLE FOR, AND WILL NOT ACCEPT, THE MAINTENANCE OF ANY PRIVATE UTILITIES, PRIVATE STREETS, PRIVATE FACILITIES AND PRIVATE LANDSCAPE AREAS WITHIN THE PLAT.
- EXCEPT FOR CONSTRUCTION AND IMPROVEMENTS BY GOVERNMENTAL ENTITIES AND CERTIFIED PUBLIC UTILITIES, CONSTRUCTION AND IMPROVEMENTS WITHIN PUBLIC UTILITY EASEMENTS SHALL BE LIMITED TO ONLY THE FOLLOWING:
 - A. REMOVABLE MOULDED WIRE OR SECTION TYPE FENCING, SIDEWALKS, DRIVEWAYS, PAVING, GRASS AND LANDSCAPING.
 - B. CONSTRUCTION, STRUCTURES OR BUILDINGS EXPRESSLY APPROVED IN WRITING BY ALL PUBLIC UTILITIES WHICH USE OR SHALL USE THE PUBLIC UTILITY EASEMENT.
- ALL PUBLIC UTILITIES SHALL BE INSTALLED UNDERGROUND AS REQUIRED BY THE ARIZONA CORPORATION COMMISSION GENERAL ORDER R40233.
- ELECTRICAL LINES ARE TO BE CONSTRUCTED AS REQUIRED BY THE ARIZONA CORPORATION COMMISSION GENERAL ORDER R-14-1-133.
- COMMUNICATION LINES ARE TO BE CONSTRUCTED AS REQUIRED BY THE ARIZONA CORPORATION COMMISSION GENERAL ORDER R-14-1-133.
- SIGHT VISIBILITY EASEMENTS MUST BE CLEAR OF LANDSCAPING, SIGNS, OR OTHER VISIBILITY OBSTRUCTIONS BETWEEN 2.5- FEET AND 7- FEET IN HEIGHT AND 6- INCHES MAXIMUM BUILT IN OR DIAMETER.
- SIDEWALKS ARE REQUIRED FOR ALL ONE AND TWO FAMILY DETACHED BUILT IN AREAS WHICH DO NOT HAVE AN ADJACENT WATER FEATURE.
- THE PROPERTY OWNER OF THE TIME WHEN CITY OF SURPRISE WATER AND/OR SEWER INFRASTRUCTURE IS AVAILABLE AT THE PROPERTY SHALL BE REQUIRED TO CONNECT IN ACCORDANCE WITH SURPRISE MUNICIPAL CODE AND PAY ALL APPLICABLE FEES. ANY OWNER OF THE PROPERTY SHALL NOTIFY PROSPECTIVE BUYERS AND THE PUBLIC OF THIS NOTE, AND SALES CONTRACT, REPORT SHALL CONTAIN SUCH NOTICE.
- THE PROPERTY OWNER, OR ANY SUBSEQUENT OWNERS SHALL NOT PROCEED WITH ANY ON SITE GRADING OR EXCAVATION WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.
- THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SUPPLY AREA OF THE CITY OF SURPRISE. WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SERVICE PURSUANT A.R.S. § 45-576.
- THE PROPERTY IS LOCATED WITHIN AN AREA HAVING 100% 20% 7-7-7 BY THE FEDERAL INVENTORY MANAGEMENT AGENCY, ON FLOOD INSURANCE RATE MAP NO. 44012C120L, WITH A DATE OF IDENTIFICATION OF OCTOBER 16, 2013, FOR COMMUNITY NO. 440303, IN MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE PROPERTY IN WHICH SAID PROPERTY IS SITUATED.
- IN ACCORDANCE WITH A.R.S. § 9-451.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
- PURSUANT TO A.R.S. § 42-1102, THE CITY OF SURPRISE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA, IS EXEMPT FROM ALL TAXES AND ASSESSMENTS BASED ON ASSESSED VALUE EXCEPT FOR SPECIAL DISTRICTS PLAT 1470, WHEN APPLICABLE.
- SUBJECT TO COVENANTS, CONDITIONS AND RESTRICTIONS IN THE DOCUMENT RECORDED AS 2005-480530 OF OFFICIAL RECORDS, ASSIGNMENT OF DECLARANT'S RIGHTS RECORDED AS 2005-480531 OF OFFICIAL RECORDS, DECLARATION OF ANNEXATION RECORDED AS 2005-480532 OF OFFICIAL RECORDS, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INCLUDING A REFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN, THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLETS TITLE 42, SECTION 3604(C), OF THE UNITED STATES CODES.
- SUBJECT TO THE TERMS, CONDITIONS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "PRE-ANNEXATION DEVELOPMENT AGREEMENT" RECORDED NOVEMBER 02, 2005 AS 2005-0844394 OF OFFICIAL RECORDS.
- SUBJECT TO THE TERMS, CONDITIONS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "AGREEMENT" RECORDED FEBRUARY 26, 1987 AS 87-11772 OF OFFICIAL RECORDS.
- SUBJECT TO THE TERMS, CONDITIONS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "NON-EXCLUSIVE ASSIGNMENT OF PROJECT DOCUMENTS PLATS, PLANS AND CONTRACTS" RECORDED JULY 02, 2004 AS 2004-769803 OF OFFICIAL RECORDS.
- SUBJECT TO THE TERMS, CONDITIONS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "EXCESS WATER CAPACITY AGREEMENT" RECORDED JULY 02, 2004 AS 2004-769804 OF OFFICIAL RECORDS.
- SUBJECT TO THE TERMS, CONDITIONS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "DECLARATION OF EASEMENT" RECORDED JULY 02, 2004 AS 2004-769805 OF OFFICIAL RECORDS.
- SUBJECT TO THE TERMS, CONDITIONS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "MEMORANDUM OF AGREEMENT" RECORDED APRIL 14, 2005 AS 2005-480537 OF OFFICIAL RECORDS.
- SUBJECT TO THE TERMS, CONDITIONS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "TEMPORARY ACCESS AND CONSTRUCTION EASEMENT" RECORDED APRIL 25, 2007 AS 2007-0478369 OF OFFICIAL RECORDS, (BLANKET IN NATURE).
- SUBJECT TO THE TERMS, CONDITIONS AND PROVISIONS CONTAINED IN THE DOCUMENT ENTITLED "FRANAGE EASEMENT" RECORDED AUGUST 18, 2009 AS 2009-0789492 OF OFFICIAL RECORDS, (OFF SITE EASEMENT BENEFITS THIS PROPERTY).
- SUBJECT TO ALL MATTERS AS SET FORTH IN PESTICIDE RESTRICTIVE COVENANT, RECORDED SEPTEMBER 19, 2007 AS 2007-1038502 OF OFFICIAL RECORDS.
- DEVELOPMENT STANDARDS FOR THIS SUBDIVISION ARE PER CITY OF SURPRISE PAD99-129 OR AS SUBSEQUENTLY AMENDED.



SHEET INDEX

1"-200'

LEGEND

- BE FOUND BRASS CAP AS NOTED
- SET BRASS CAP AT COMPLETION OF CONSTRUCTION
- SET 1/2" REBAR WITH CAP STAMPED "THIS 2101"
- BRASS CAP OTHERWISE
- BRASS CAP IN A HAND HOLE
- MARICOPA COUNTY RECORDER
- PUBLIC UTILITY EASEMENT
- RIGHT-OF-WAY
- 33' X 33' SIGHT VISIBILITY TRIANGLE EASEMENT
- SIDEWALK
- VEHICULAR NON-ACCESS EASEMENT

LEGAL DESCRIPTION

A PORTION OF THE EAST HALF OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 2 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT A 2 INCH BRASS CAP STAMPED "THIS 37171-2007 FOR THE SOUTHWEST CORNER OF SAID SECTION 35, FROM WHICH A 2 INCH BRASS CAP STAMPED "2007 RUS 371-2007" (LAST DIGITS UNREADABLE) FOR THE EAST QUARTER CORNER OF SAID SECTION 35 BEARS NORTH 8 DEGREES 54 MINUTES 08 SECONDS EAST, (AN ASSUMED BEARING) A DISTANCE OF 2,425.27 FEET; THENCE NORTH 0 DEGREES 04 MINUTES 08 SECONDS EAST, 1074.52 FEET ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 35, THENCE NORTH 89 DEGREES 55 MINUTES 52 SECONDS WEST, 55.00 FEET TO THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF WEST BAJADA ROAD WITH THE WEST RIGHT OF WAY LINE OF 171ST AVENUE, ACCORDING TO THAT MAP OF DEDICATION FOR WEST BAJADA ROAD, RECORDED IN BOOK 104 AT PAGE 25, OFFICIAL RECORDS OF MARICOPA COUNTY RECORDER, AND THE POINT OF BEGINNING, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHWEST, FROM WHICH THE RADIUS POINT BEARS NORTH 89 DEGREES 55 MINUTES 52 SECONDS WEST A DISTANCE OF 30.00 FEET;

THENCE SOUTHWESTERLY 4712 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT AND THE NORTH RIGHT OF WAY LINE OF SAID WEST BAJADA ROAD THROUGH A CENTRAL ANGLE OF 90 DEGREES 00 MINUTES 03 SECONDS; THENCE NORTH 89 DEGREES 55 MINUTES 52 SECONDS WEST, 487.23 FEET ALONG THE NORTH RIGHT OF WAY LINE OF WEST BAJADA ROAD TO THE BEGINNING OF A CURVE, CONCAVE NORTHEAST, HAVING A RADIUS OF 473.00 FEET; THENCE SOUTHWESTERLY 209.30 FEET ALONG THE ARC OF SAID CURVE TO THE RIGHT AND THE NORTH RIGHT OF WAY LINE OF WEST BAJADA ROAD THROUGH A CENTRAL ANGLE OF 25 DEGREES 14 MINUTES 47 SECONDS; THENCE NORTH 64 DEGREES 41 MINUTES 02 SECONDS WEST, 32.36 FEET ALONG THE NORTH RIGHT OF WAY LINE OF WEST BAJADA ROAD TO THE BEGINNING OF A CURVE, CONCAVE NORTHEAST, HAVING A RADIUS OF 20.00 FEET; THENCE NORTHWESTERLY 226.67 FEET ALONG THE NORTH RIGHT OF WAY LINE OF WEST BAJADA ROAD TO THE BEGINNING OF A CURVE, CONCAVE NORTHEAST, HAVING A RADIUS OF 64 DEGREES 57 MINUTES 23 SECONDS TO A POINT ON THE EAST RIGHT OF WAY LINE OF 173RD AVENUE, ACCORDING TO THAT MAP OF DEDICATION FOR DESERT OASIS, RECORDED FOR DESERT OASIS PARCELS 87B AT PAGE 49, OFFICIAL RECORDS OF MARICOPA COUNTY RECORDER; THENCE NORTH 89 DEGREES 55 MINUTES 52 SECONDS WEST, 55.00 FEET TO THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF WEST BAJADA ROAD WITH THE WEST RIGHT OF WAY LINE OF 171ST AVENUE, ACCORDING TO THAT MAP OF DEDICATION; THENCE SOUTH 0 DEGREES 04 MINUTES 08 SECONDS EAST, 1074.52 FEET ALONG SAID WEST RIGHT OF WAY LINE OF 171ST AVENUE, THENCE SOUTH 0 DEGREES 04 MINUTES 08 SECONDS WEST, 800.74 FEET ALONG SAID WEST RIGHT OF WAY LINE OF 171ST AVENUE TO THE POINT OF BEGINNING.

OWNER:

KB HOME PHOENIX INC., AN ARIZONA CORPORATION
10429 SOUTH 51ST STREET, SUITE 100
PHOENIX, AZ 85044
CONTACT: JANELLE SPEAKE

ENGINEER:

CONSULTANT:
EPS GROUP, INC.
2045 S. VINEYARD, SUITE 101
MESA, AZ 85201
TEL: (480) 503-2250
FAX: (480) 503-2258
CONTACT: DAN "DOC" AUNIER, PE

SHEET INDEX

SHEET 1: COVER SHEET
PLAN SHEET
TYPICAL LOT DIMENSIONS AND BUILDING SETBACKS
LOT AREA TABLE
PLAN SHEET
LINE AND CURVE TABLES

BASIS OF BEARINGS

EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 35, 1/4, 1/4, 1/4, AS SHOWN ON THE FINAL PLAT FOR DESERT OASIS PARCEL 111, BOOK 103, PAGE 32, MARICOPA COUNTY RECORDS, IS THE BEARING OF WHICH IS:

N00°04'00"E

TRACT USE TABLE

TRACT	USE	AREA (SQ)	AREA (AC)
A	LANDSCAPE, OPEN SPACE, RETENTION, PUBLIC UTILITIES, RECREATION TRAIL, SEWER EASEMENT	75,989	1,6526
B	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES	1,699	0.3390
C	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES	1,699	0.3390
D	LANDSCAPE, OPEN SPACE, RECREATION TRAILS, RETENTION, PUBLIC UTILITIES	27,384	0.6424
E	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES	3,885	0.0892
F	LANDSCAPE, OPEN SPACE, AMENITIES, RECREATION TRAILS, RETENTION, PUBLIC UTILITIES	25,666	0.5892
G	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES	6,595	0.1514
H	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES	3,191	0.0733
I	LANDSCAPE, OPEN SPACE, ENTRY MONUMENT, PUBLIC UTILITIES	7,870	0.1807
J	LANDSCAPE, OPEN SPACE, RETENTION, RECREATION TRAILS, PUBLIC UTILITIES	27,207	0.6269
K	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES	1,943	0.0446
L	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES	1,146	0.0263
M	LANDSCAPE, OPEN SPACE, DRAINAGE EASEMENT, PUBLIC UTILITIES	20,913	0.4801

APPROVALS

CITY OF SURPRISE, ENGINEER APPROVAL

DATE ON THIS PLAT REVIEWED AND APPROVED THIS _____ DAY OF _____

BY THE CITY ENGINEER OF SURPRISE, ARIZONA

APPROVED: _____ CITY ENGINEER _____ DATE _____

CITY OF SURPRISE, COUNCIL APPROVAL

APPROVED BY THE CITY COUNCIL OF THE CITY OF SURPRISE, ARIZONA, THIS _____ DAY OF _____

_____ MAYOR _____ DATE _____

ATTEST: _____ CITY CLERK _____ DATE _____



VICINITY MAP

SECTION 35, T.5N, R.2W, NOT TO SCALE

AREA SUMMARY TABLE

DESCRIPTION	AREA (SQ)	AREA (ACRES)
LOTS (1-100)	698,502 S.F.	16,0354 AC.
TRACTS A THROUGH M	201,086 S.F.	4,6347 AC.
NEW RIGHT OF WAY	25,710 S.F.	4,8520 AC.
TOTAL AREA	1,116,099 S.F.	25,6221 AC.

TRACT USE TABLE

TRACT	USE	AREA (SQ)	AREA (AC)
A	LANDSCAPE, OPEN SPACE, RETENTION, PUBLIC UTILITIES, RECREATION TRAIL, SEWER EASEMENT	75,989	1,6526
B	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES	1,699	0.3390
C	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES	1,699	0.3390
D	LANDSCAPE, OPEN SPACE, RECREATION TRAILS, RETENTION, PUBLIC UTILITIES	27,384	0.6424
E	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES	3,885	0.0892
F	LANDSCAPE, OPEN SPACE, AMENITIES, RECREATION TRAILS, RETENTION, PUBLIC UTILITIES	25,666	0.5892
G	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES	6,595	0.1514
H	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES	3,191	0.0733
I	LANDSCAPE, OPEN SPACE, ENTRY MONUMENT, PUBLIC UTILITIES	7,870	0.1807
J	LANDSCAPE, OPEN SPACE, RETENTION, RECREATION TRAILS, PUBLIC UTILITIES	27,207	0.6269
K	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES	1,943	0.0446
L	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES	1,146	0.0263
M	LANDSCAPE, OPEN SPACE, DRAINAGE EASEMENT, PUBLIC UTILITIES	20,913	0.4801

APPROVALS

CITY OF SURPRISE, ENGINEER APPROVAL

DATE ON THIS PLAT REVIEWED AND APPROVED THIS _____ DAY OF _____

BY THE CITY ENGINEER OF SURPRISE, ARIZONA

APPROVED: _____ CITY ENGINEER _____ DATE _____

CITY OF SURPRISE, COUNCIL APPROVAL

APPROVED BY THE CITY COUNCIL OF THE CITY OF SURPRISE, ARIZONA, THIS _____ DAY OF _____

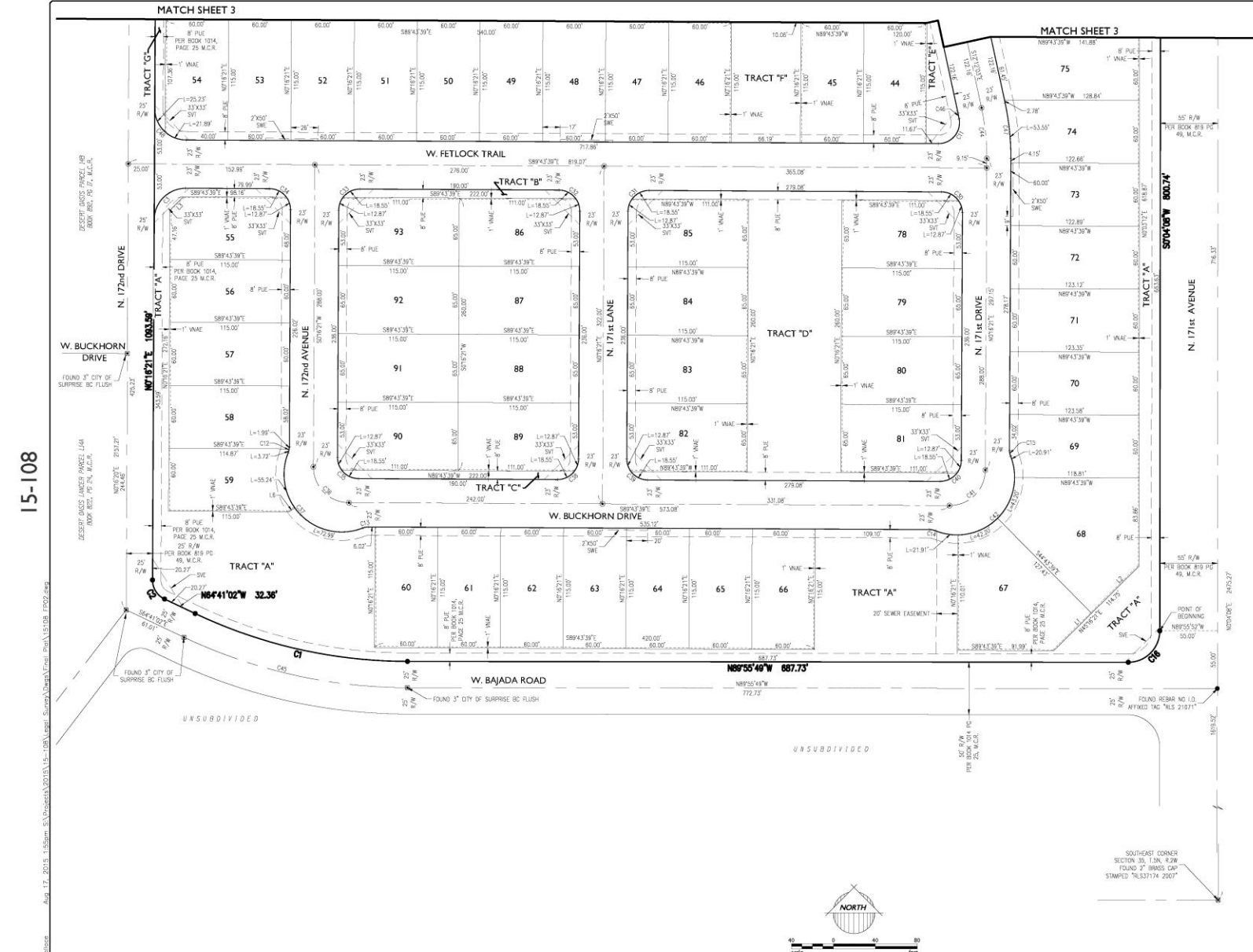
_____ MAYOR _____ DATE _____

ATTEST: _____ CITY CLERK _____ DATE _____

CERTIFICATION

I, MARY KENNEDY, HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN THE STATE OF ARIZONA

FS15-190 Sanverno at Desert Oasis



LOT AREA TABLE	
LOT NO.	S.F. ACRES
LOT 1	7067 0.1622
LOT 2	7320 0.1640
LOT 3	7330 0.1640
LOT 4	7320 0.1640
LOT 5	7320 0.1640
LOT 6	7320 0.1640
LOT 7	7320 0.1640
LOT 8	7320 0.1640
LOT 9	7289 0.1603
LOT 10	3220 0.2007
LOT 11	14960 0.3434
LOT 12	7253 0.1605
LOT 13	7200 0.1618
LOT 14	7200 0.1603
LOT 15	6887 0.1581
LOT 16	6890 0.1584
LOT 17	6900 0.1584
LOT 18	6900 0.1584
LOT 19	6900 0.1584
LOT 20	6900 0.1584
LOT 21	6900 0.1584
LOT 22	6900 0.1584
LOT 23	6900 0.1584
LOT 24	6900 0.1584
LOT 25	6900 0.1584
LOT 26	6900 0.1584
LOT 27	6889 0.1584
LOT 28	6889 0.1584
LOT 29	6900 0.1584
LOT 30	6900 0.1584
LOT 31	6900 0.1584
LOT 32	6900 0.1584
LOT 33	6900 0.1584
LOT 34	6900 0.1584
LOT 35	6748 0.1549
LOT 36	17234 0.3966
LOT 37	8546 0.1962
LOT 38	6900 0.1584
LOT 39	6900 0.1584
LOT 40	6900 0.1584
LOT 41	6900 0.1584
LOT 42	6900 0.1584
LOT 43	6885 0.1581
LOT 44	6900 0.1584
LOT 45	6900 0.1584
LOT 46	6900 0.1584
LOT 47	6900 0.1584
LOT 48	6900 0.1584
LOT 49	6900 0.1584
LOT 50	6900 0.1584
LOT 51	6900 0.1584
LOT 52	6900 0.1584
LOT 53	6900 0.1584
LOT 54	6832 0.1573
LOT 55	6802 0.1562
LOT 56	6900 0.1584
LOT 57	6900 0.1584
LOT 58	6900 0.1584
LOT 59	6779 0.1556
LOT 60	6900 0.1584
LOT 61	6900 0.1584
LOT 62	6900 0.1584
LOT 63	13122 0.2717
LOT 64	7944 0.1846
LOT 65	7944 0.1846
LOT 66	7944 0.1846
LOT 67	7944 0.1846
LOT 68	7944 0.1846
LOT 69	7944 0.1846
LOT 70	7944 0.1846
LOT 71	7944 0.1846
LOT 72	7944 0.1846
LOT 73	7944 0.1846
LOT 74	7944 0.1846
LOT 75	8122 0.1844
LOT 76	8904 0.2044
LOT 77	9446 0.2169
LOT 78	7460 0.1713
LOT 79	7475 0.1716
LOT 80	7475 0.1716
LOT 81	7460 0.1713
LOT 82	7460 0.1713
LOT 83	7475 0.1716
LOT 84	7475 0.1716
LOT 85	7460 0.1713
LOT 86	7460 0.1713
LOT 87	7475 0.1716
LOT 88	7475 0.1716
LOT 89	7460 0.1713
LOT 90	7475 0.1716
LOT 91	7475 0.1716
LOT 92	7475 0.1716
LOT 93	7460 0.1713

2045 S. Wengard Ave. Suite 101
Mesa, AZ 85210
T:480.953.2255 | F:480.953.2258
WWW.EPSGROUP.COM

EPS GROUP

Sanverno at Desert Oasis
Surprise, Arizona

Final Plat

Project:

Drawn by:

Checked by:

Approved by:

Stamp:

Job No: **15-108**

BS02

Sheet No: **19**

FS15-190 Sanverno at Desert Oasis

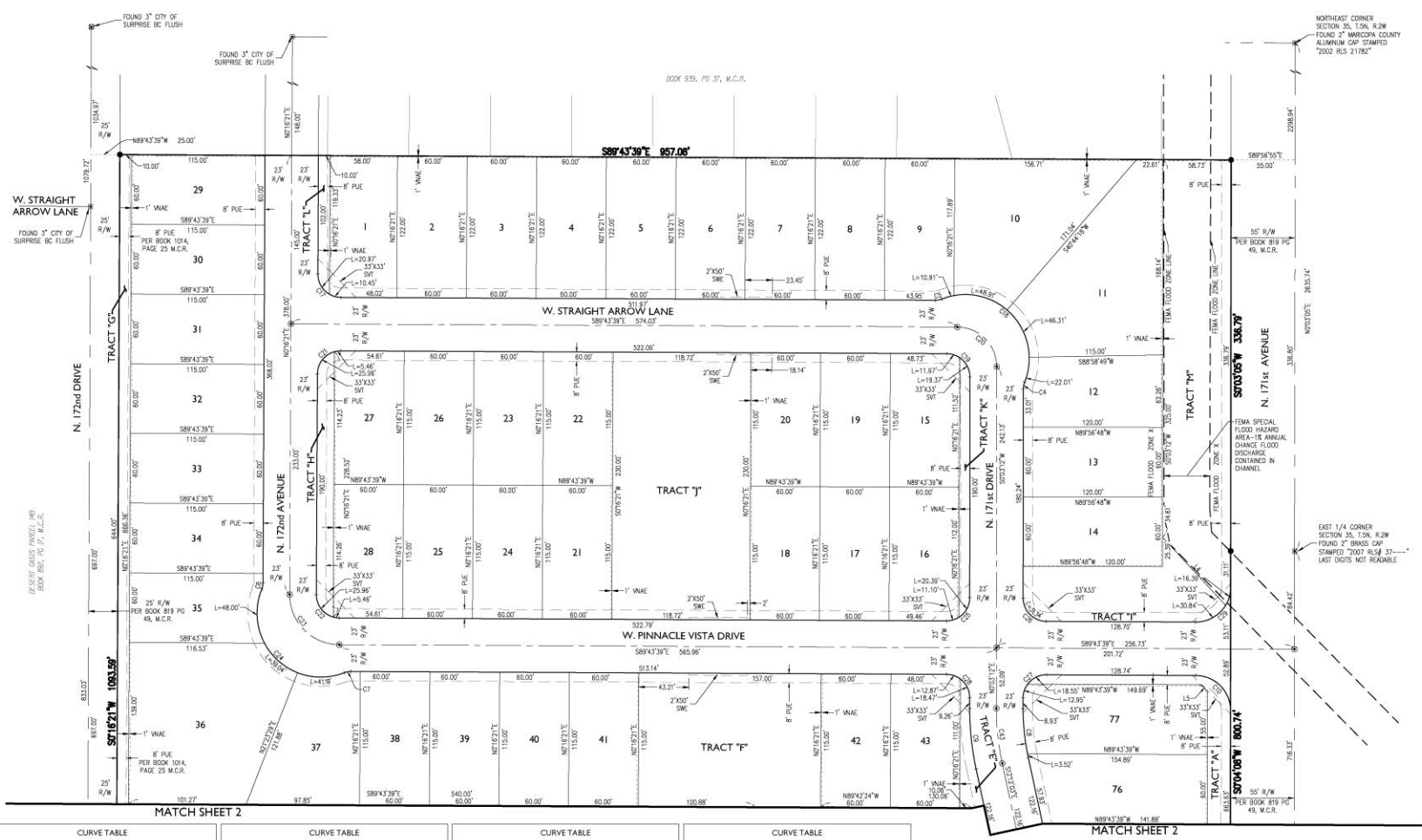


Sanverno at Desert Oasis
Final Plat

Project: Sanverno at Desert Oasis
Revisions:
Drawn by: [Signature]
Checked by: [Signature]
2019
15-108
BS03
Sheet No.

15-108

Aug 17, 2015 1:55pm S:\Projects\2015\15-108\Legal_Sanverno\Drawn\Drawn\15108.FPD,efg



CURVE TABLE									
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BEG	CHORD END	CHORD BEG	CHORD END
C1	229.37	475.00	207.43	106.36	207.61	N71°26'26"	N71°26'26"		
C2	22.87	20.00	64°53'23"	12.73	21.46	N32°21'27"	N32°21'27"		
C3	47.12	30.00	90°00'00"	30.00	42.43	S45°16'21"	S45°16'21"		
C4	5.72	15.00	21°51'29"	2.89	5.69	N1°38'29"	N1°38'29"		
C5	5.72	15.00	21°51'29"	2.89	5.69	N1°38'29"	N1°38'29"		
C6	5.70	15.00	21°47'21"	2.89	5.67	N1°40'04"	N1°40'04"		
C7	5.70	15.00	21°47'21"	2.89	5.67	S79°22'38"	S79°22'38"		
C8	36.26	200.00	11°44'41"	19.69	39.18	S50°24'11"	S50°24'11"		
C9	52.61	246.00	12°15'15"	26.41	52.51	S50°04'26"	S50°04'26"		
C10	47.02	30.00	89°47'40"	29.89	42.35	N44°49'46"	N44°49'46"		
C11	35.20	20.00	100°50'33"	24.18	35.83	N39°19'09"	N39°19'09"		
C12	3.72	15.00	14°11'50"	1.87	3.71	N45°49'36"	N45°49'36"		
C13	5.70	15.00	21°47'12"	2.89	5.67	S79°22'45"	S79°22'45"		
C14	5.70	15.00	21°47'12"	2.89	5.67	S79°22'45"	S79°22'45"		
C15	5.70	15.00	21°47'12"	2.89	5.67	S79°22'45"	S79°22'45"		
C16	47.12	30.00	90°00'00"	30.00	42.43	S45°16'21"	S45°16'21"		
C17	31.42	20.00	90°00'00"	20.00	28.28	S44°43'39"	S44°43'39"		
C18	128.15	55.00	133°29'44"	128.00	101.27	N44°50'13"	N44°50'13"		
C19	31.34	20.00	89°45'51"	19.82	28.23	N44°50'13"	N44°50'13"		
C20	53.38	34.00	89°45'51"	33.67	47.99	N44°50'13"	N44°50'13"		
C21	31.42	20.00	90°00'00"	20.00	28.28	S45°16'21"	S45°16'21"		
C22	31.42	20.00	90°00'00"	20.00	28.28	S44°43'39"	S44°43'39"		
C23	67.54	43.00	90°00'00"	43.00	60.81	S44°43'39"	S44°43'39"		
C24	128.23	55.00	133°34'34"	128.27	101.10	S44°43'39"	S44°43'39"		
C25	31.49	20.00	90°13'08"	20.08	28.34	N45°09'47"	N45°09'47"		
C26	31.34	20.00	89°45'51"	19.82	28.23	S44°50'14"	S44°50'14"		
C27	31.49	20.00	90°13'08"	20.08	28.34	S44°50'14"	S44°50'14"		
C28	31.34	20.00	89°46'01"	19.82	28.23	N44°50'13"	N44°50'13"		
C29	47.23	30.00	90°17'13"	30.11	42.50	N45°01'14"	N45°01'14"		
C30	31.42	20.00	90°00'00"	20.00	28.28	N44°43'39"	N44°43'39"		
C31	31.42	20.00	90°00'00"	20.00	28.28	N44°43'39"	N44°43'39"		
C32	31.42	20.00	90°00'00"	20.00	28.28	S45°16'21"	S45°16'21"		
C33	31.42	20.00	90°00'00"	20.00	28.28	S45°16'21"	S45°16'21"		
C34	31.42	20.00	90°00'00"	20.00	28.28	N44°43'39"	N44°43'39"		
C35	31.42	20.00	90°00'00"	20.00	28.28	S44°43'39"	S44°43'39"		
C36	53.41	34.00	90°00'00"	34.00	48.08	S44°43'39"	S44°43'39"		
C37	128.23	55.00	133°34'29"	128.24	101.09	S44°43'39"	S44°43'39"		
C38	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C39	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C40	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C41	53.41	34.00	90°00'00"	34.00	48.08	N45°16'21"	N45°16'21"		
C42	128.22	55.00	133°34'25"	128.24	101.09	N45°16'21"	N45°16'21"		
C43	47.69	223.00	12°15'15"	23.94	47.60	S00°04'26"	S00°04'26"		
C44	48.15	223.00	12°28'24"	24.37	48.45	N05°15'51"	N05°15'51"		
C45	220.32	500.00	25°14'41"	111.98	218.54	S77°19'28"	S77°19'28"		
C46	5.70	200.00	1°38'01"	2.85	5.70	N12°03'07"	N12°03'07"		
C47	53.55	246.00	12°28'24"	26.88	53.45	N05°15'51"	N05°15'51"		
C48	47.12	30.00	90°00'00"	30.00	42.43	S44°43'39"	S44°43'39"		

CURVE TABLE									
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BEG	CHORD END	CHORD BEG	CHORD END
C49	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C50	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C51	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C52	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C53	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C54	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C55	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C56	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C57	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C58	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C59	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		

CURVE TABLE									
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BEG	CHORD END	CHORD BEG	CHORD END
C60	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C61	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C62	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C63	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C64	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C65	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C66	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C67	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C68	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C69	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		

CURVE TABLE									
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BEG	CHORD END	CHORD BEG	CHORD END
C70	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C71	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C72	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C73	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C74	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C75	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C76	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C77	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C78	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C79	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		

CURVE TABLE									
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BEG	CHORD END	CHORD BEG	CHORD END
C80	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C81	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C82	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C83	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C84	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C85	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C86	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C87	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C88	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C89	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		

CURVE TABLE									
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BEG	CHORD END	CHORD BEG	CHORD END
C90	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C91	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C92	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C93	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C94	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C95	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C96	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C97	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C98	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C99	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		

CURVE TABLE									
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BEG	CHORD END	CHORD BEG	CHORD END
C100	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C101	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C102	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C103	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C104	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C105	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C106	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C107	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C108	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C109	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		

CURVE TABLE									
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BEG	CHORD END	CHORD BEG	CHORD END
C110	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C111	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C112	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C113	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C114	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C115	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C116	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C117	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C118	31.42	20.00	90°00'00"	20.00	28.28	N45°16'21"	N45°16'21"		
C119	31.42	20.00	9						

RECOMMENDATIONS:

**Planning and Zoning Commission
recommended approval of the Preliminary Plat**

**If the City Council approves the Preliminary
Plat, the Council is free to also approve the
related Final Plat**

Questions or Comments?





CITY OF SURPRISE
Regular City Council Meeting

November 3, 2015 @ 6:00:00 PM

Back Print

Council Meeting Date:	November 3, 2015	Contact Person:	Robert Kuhfuss, Community Development
Submitting Department:		District:	4
Staff Recommendations:	None		

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

Agenda Wording:

Consideration and action approving the final plat entitled "Final Plat for Dysart Subdivision" for property generally located at the southwest corner of Bell Road and Dysart Road.

Motion:

I move to approve the "Final Plat for the Dysart Subdivision".

Background:

The owner's agent met with staff to discuss the possibility of rezoning the property to accommodate a proposed automotive body repair facility in addition to future commercial uses as yet to be determined. These meetings were followed by a formal submittal to change the zoning of the property, in addition to a Master Site Plan and Final Plat. The approval of the proposed Final Plat anticipates the prior approval of the related Zone Change.

Objective Analysis:

The proposed Final Plat will allow the creation of one industrially zoned lot and two commercially zoned lots. Together with related Zone Change and Master Site Plan, the Final Plat will provide the mechanism needed to allow the owner to bring this otherwise vacant property to market, while providing for reciprocal cross-access, which will in turn allow it to be developed in a manner that is consistent with the goals and policies of the General Plan.

Policy Compliant:

The proposed Final Plat advances the goals and policies of the Surprise General Plan and the City Council's Strategic Plan.

Financial Impact:

All activity related to ongoing development of the City of Surprise has an economic and fiscal impact on the city and the region.

Budget Impact:

There is no anticipated budget impact related to this item.

FTE Impact:

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

ATTACHMENTS:

Click to download

- ☐ [00 - FS15-155 Dysart Subdivision - Caliber Collision - Final Plat - Staff Report](#)
 - ☐ [01 - FS15-155 - Dysart Subdivision - Caliber Collision - Final Plat - Vicinity Map](#)
 - ☐ [02 - FS15-155 - Dysart Subdivision - Caliber Collision - Final Plat - Case Map](#)
 - ☐ [03 - FS15-155 - Dysart Subdivision - Caliber Collision - Final Plat](#)
 - ☐ [04 - FS15-155 - Dysart Subdivision - Caliber Collision - Final Plat - ADOT Comments](#)
 - ☐ [05 - FS15-155 - Dysart Subdivision - Caliber Collision - Final Plat - MWD Comments](#)
 - ☐ [06 - FS15-155 - Dysart Subdivision - Caliber Collision - Final Plat - LUKE AFB Comments](#)
 - ☐ [FS15-155 - Dysart Subdivision - Caliber Collision - Presentation](#)
-

FINAL PLAT

REPORT TO THE CITY COUNCIL

Case: FS15-155

Project Name: Dysart Subdivision Final Plat

Council District: 4

Meeting Date: November 3, 2015 (Continued from October 20, 2015)

Planner: Robert H. Kuhfuss, AICP

Owner: Farhad and Kathryn Shokoohl

Applicant: Len Swartz, PE, of Ollson Associates, on behalf of Cross Development and Farhad and Kathryn Shokoohl

Request: Final Plat in the IP-PUD and CR-PUD zoning districts

Site Location: Southwest corner of Bell Road and Dysart Road

Site Size: 8.30 acres (approx.)

Density: N/A

General Plan Conformance: The proposal is consistent with the Surprise General Plan 2035

Support/Opposition: One (1) individual expressed concerns over the related rezone during the October 6, 2015 City Council Regular Work Session. A second individual expressed opposition at the October 20, 2015 City Council Regular Session.

Findings:

- The proposed Final Plat demonstrates compliance with the proposed zoning.
- The reviewing agencies have indicated no objections to the request.

Actions: Should the Council wish to approve the related Zone Change the Council may also wish to approve the related Final Plat as presented.

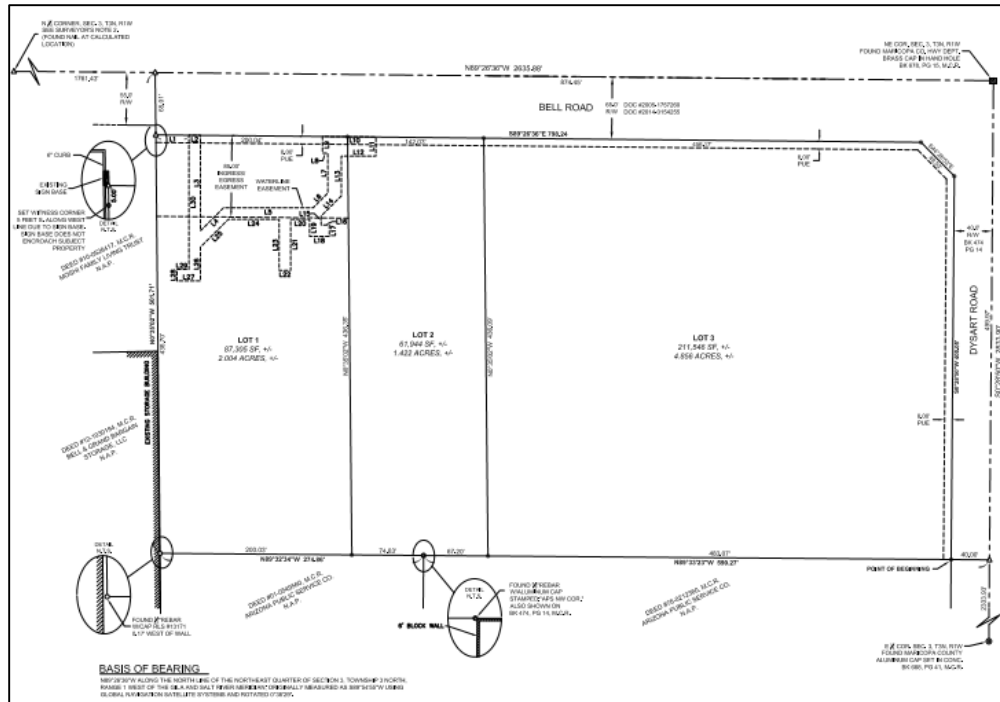
40 **PROJECT DESCRIPTION:**

41
42 Len Swartz, PE, of Ollson Associates, on behalf of Cross Development and Farhad and Kathryn
43 Shokoohl, seeks approval of three separate but related requests:
44

- 45 • A Zone Change from CR to IP-PUD, from CR to CR-PUD, and from IP to CR-PUD (discussed
46 under separate cover);
 - 47 • A Major Site Plan in these newly established districts (approved by the Planning and Zoning
48 Commission on October 1, 2015);
 - 49 • A three-lot Final Plat (the subject request).
- 50

51 The Zone Change and Major Site Plan were heard by the Planning and Zoning Commission on
52 October 1, 2015. The Commission recommended approval of the Zone Change to the City Council
53 and approved the Major Site Plan contingent upon the City Council's subsequent approval of the
54 Zone Change, and a requirement to "box-in" two exposed parapets. The Zone Change was
55 originally scheduled for the October 6, 2015 City Council meeting, but was continued at that
56 meeting to October 20, 2015. The Zone Change is discussed under separate cover; however,
57 assuming the Council is comfortable with approving the Zone Change, the Council may choose to
58 approve the subject Final Plat.
59

60 The layout of the proposed subdivision is shown below, with the actual Final Plat included in the
61 attachments. Essentially, Caliber Collision will acquire Lot 1, while Lots 2 and 3 will remain
62 undeveloped until such time as buyers are found. The entire plat will provide for reciprocal cross-
63 access. The common boundary between Lots 1 and 2 will be coincident with the zone boundary
64 between the IP-PUD and CR-PUD zoning districts.



SUMMARY:

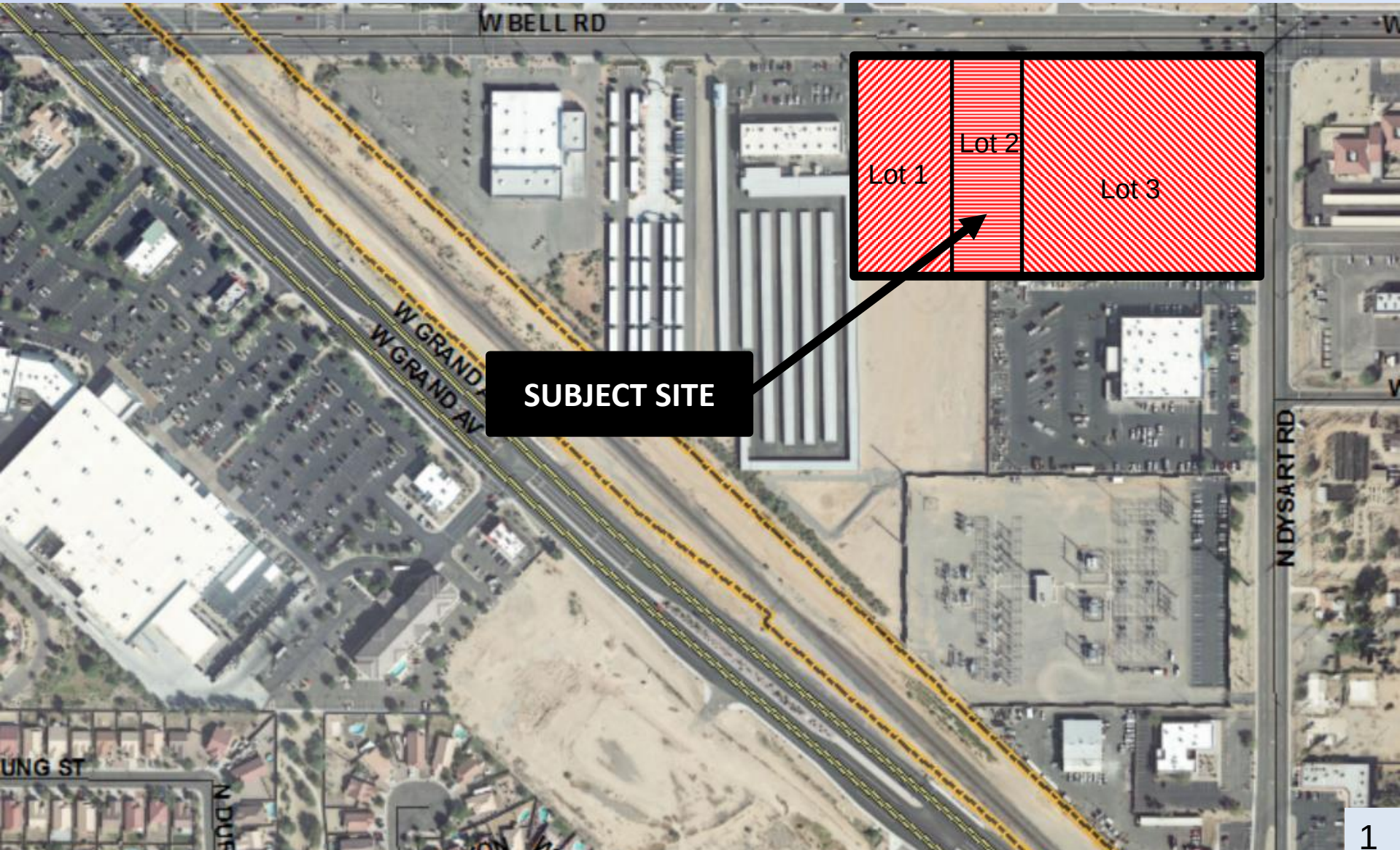
Staff believes the proposed Final Plat, in conjunction with the related Zone Change and the approved Master Site Plan, will provide the mechanism needed to allow the owner to bring the property to market, while providing for reciprocal cross-access, which will in turn allow it to be developed in a manner that is consistent with the goals and policies of the General Plan.

Attachments:

- 01 – Vicinity Map (1 page)
- 02 – Final Plat Case Map (1 page)
- 03 – Final Plat (2 pages)
- 04 – ADOT comments (1 page)
- 05 – MWD comments (1 page)
- 06 – Luke AFB comments (1 page)

[illegible]

Final Plat Case Map



W. BELL RD.

BNSF R.R.

W. GRAND AVE. (U.S. 60)

SUBJECT PROPERTY

N. DYSART RD.

VICINITY MAP

A PORTION OF THE N.E. $\frac{1}{4}$ OF SEC. 3, T3N, R1W
(NOT TO SCALE)

[illegible]

THAT FARHAD K. SHOKOOHI AND KATHRYN A. SHOKOOHI N.A.P., ("OWNER"), HAS SUBDIVIDED UNDER THE NAME "DYSART SUBDIVISION", A SUBDIVISION LOCATED IN A PORTION OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 3 NORTH AND RANGE 1 WEST OF THE GLA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA AS SHOWN AND PLATTED HEREON AND DOES HEREBY PUBLISH THIS PLAT AS AND FOR THE PLAT OF "DYSART SUBDIVISION" AND DECLARES THAT THIS PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT, TRACT, STREET, AND EASEMENT CONSTITUTING SAME, AND THAT EACH LOT, TRACT, STREET, AND EASEMENT SHALL BE KNOWN BY THE NUMBER, LETTER AND/OR NAME GIVEN TO EACH RESPECTIVELY AS SHOWN ON THIS PLAT.

OWNER HEREBY GRANTS TO THE PUBLIC A NON-EXCLUSIVE EASEMENT OVER, UPON AND ACROSS THE AREAS DESIGNATED AS PUBLIC UTILITY EASEMENTS AS SHOWN ON THE PLAT FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING PUBLIC UTILITIES.

OWNER HEREBY GRANTS TO THE ULTIMATE OWNER OF LOT 1 CREATED BY THIS PLAT, A CROSS ACCESS EASEMENT OVER, UPON AND ACROSS THE ENTIRE PLAT FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS TO EACH PARCEL CREATED BY THIS PLAT.

OWNER HEREBY GRANTS TO THE MOSHI FAMILY LIVING TRUST, AND IT'S SUCCESSOR'S AND ASSIGNS, A CROSS ACCESS EASEMENT OVER, UPON AND ACROSS THE NORTH 85 FEET OF LOT 1 FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS TO AND FROM IT'S WEST ADJOINING PROPERTY DESCRIBED IN THE DEED RECORDED IN DOCUMENT NO. 2010-0528417 OF OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA.

OWNER DOES HEREBY (1) RELEASE AND DISCHARGE THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE, OF AND FROM ANY LIABILITY FOR ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY THAT MAY ARISE AT ANY TIME IN THE FUTURE OVER, OR IN CONNECTION WITH THE AREAS LOCATED WITHIN THE NEWLY DEDICATED RIGHT-OF-WAY AS DEPICTED ON THIS FINAL PLAT UNTIL SUCH TIME THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT-OF-WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNERS/OR SUBSEQUENT ADJACENT OWNERS WITH THE BOUNDARY OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

BY: _____ DATE: _____

NAME: _____ TITLE: _____

STATE OF ARIZONA)
) SS
COUNTY OF MARICOPA)

IN WITNESS WHEREOF, I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC _____ DATE _____

MY COMMISSION EXPIRES:

, 20

DATA ON THIS PLAT REVIEWED AND APPROVED THIS ____ DAY OF _____, 20____. BY THE CITY ENGINEER OF SURPRISE, ARIZONA

CITY ENGINEER

APPROVED BY THE CITY COUNCIL OF THE CITY OF SURPRISE, ARIZONA, THIS _____ DAY OF _____, 20____

MAYOR

ATTEST:

CITY CLERK

DATE _____

THE LOTS DEPICTED ON THIS PLAT ARE LOCATED WITHIN THE VICINITY OF LUKE AIR FORCE BASE AND MAY BE SUBJECT TO OVERFLIGHTS BY JET AIRCRAFT. ALL STRUCTURES WITHIN THIS PLAT SHALL BE CONSTRUCTED IN COMPLIANCE WITH THE SOUND ATTENUATION STANDARDS ADOPTED BY THE CITY OF SURPRISE. A MAP DEPICTING THE MOST CURRENT ADOPTED MAG NOISE CONTOURS IN RELATION TO THIS PLAT SHALL BE DISPLAYED IN ALL SALES OFFICES. ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE CITY OF SURPRISE COMMUNITY DEVELOPMENT DEPARTMENT.

FAHAD K. SHOKOOHI AND KATHRYN A. SHOKOOHI ("OWNERS") DO HEREBY (1) RELEASE AND DISCHARGE THE USAF AND THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE, OF AND FROM ANY LIABILITY FOR ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY THAT MAY ARISE AT ANY TIME IN THE FUTURE OVER, OR IN CONNECTION WITH AIRCRAFT OVERFLIGHTS FROM AIRCRAFT UTILIZING LUKE AIR FORCE BASE, WHETHER SUCH DAMAGE SHALL ORIGINATE FROM NOISE, VIBRATION, FUMES, DUST, FUEL AND LUBRICANT PARTICLES,

AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, OR OPERATING AT OR ON LUKE AIR FORCE BASE. THIS INSTRUMENT SHALL RUN WITH THE LAND AND BE BINDING UPON OWNER AND ITS HEIRS, ASSIGNS, AND SUCCESSORS IN INTEREST TO THIS PLAT OR ANY PARCEL OR LOT THEREOF. THIS INSTRUMENT DOES NOT RELEASE THE USAF FROM LIABILITY FOR DAMAGE OR INJURY TO PERSON OR PROPERTY CAUSED BY FALLING AIRCRAFT OR FALLING PHYSICAL OBJECTS FROM AIRCRAFT, EXCEPT AS STATED HEREIN WITH RESPECT TO NOISE, FUMES, DUST, FUEL, AND LUBRICANT PARTICLES.

(PARENT PARCEL)

THAT PART OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT A MCDOT BRASS CAP IN HAND HOLE AT THE NORTHEAST CORNER OF SAID SECTION 3, FROM WHICH A MARICOPA COUNTY ALUMINUM CAP SET IN CONCRETE AT THE EAST QUARTER CORNER OF SAID SECTION 3, BEARS S00°28'50"W, A DISTANCE OF 2833.90 FEET;

THENCE S00°28'50"W, ALONG THE EAST LINE OF SECTION 3, A DISTANCE OF 499.97 FEET;

THENCE DEPARTING FROM SAID EAST LINE, N89°33'23"W, A DISTANCE OF 40.00 FEET TO THE WESTERLY RIGHT-OF-WAY OF DYSART ROAD, AS SHOWN IN BOOK 474 OF MAPS, PAGE 14, MARICOPA COUNTY RECORDS, BEING THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED PART;

THENCE N89°33'23"W, ALONG THE NORTHERLY LINE OF THE PROPERTY DESCRIBED IN DEED #78-0212360, MARICOPA COUNTY RECORDS, A DISTANCE OF 550.27 FEET TO THE NORTHWEST CORNER OF SAID PROPERTY DESCRIBED IN DEED #78-0212360;

THENCE N89°32'34"W, ALONG THE NORTHERLY LINE OF THE PROPERTY DESCRIBED IN DEED #01-0549560, MARICOPA COUNTY RECORDS, A DISTANCE OF 274.86 FEET TO THE NORTHWEST CORNER OF SAID PROPERTY DESCRIBED IN DEED #01-0549560;

THENCE N00°35'02"W, ALONG THE WEST LINE OF THE PROPERTY DESCRIBED IN DEED #98-0059073, MARICOPA COUNTY RECORDS, A DISTANCE OF 436.70 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF BELL ROAD AS DESCRIBED IN DEED #14-0154255, MARICOPA COUNTY RECORDS;

THENCE S89°26'36"E, ALONG SAID SOUTHERLY RIGHT-OF-WAY, A DISTANCE OF 798.24 FEET;

THENCE S44°28'53"E, A DISTANCE OF 49.53 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF SAID DYSART ROAD;

THENCE S00°28'50"W, ALONG SAID WESTERLY RIGHT-OF-WAY OF DYSART ROAD, A DISTANCE OF 400.05 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 8.282 ACRES MORE OR LESS.

CROSS DEVELOPMENT, LLC
5317 INVERRARY DRIVE
PLANO, TEXAS
CONTACT: KEVIN MCKIBBEN (972) 398-6644

1. PURSUANT TO A.R.S. § 42-11102, THE CITY OF SURPRISE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA, IS EXEMPT FROM ALL TAXES AND ASSESSMENTS BASED ON ASSESSED VALUE EXCEPT FOR SPECIAL DISTRICTS #14751 AND 14710, WHEN APPLICABLE.
2. IN ACCORDANCE WITH ARS § 9-461.07, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
3. MAINTENANCE OF DRAINAGE FACILITIES SHALL BE THE RESPONSIBILITY OF THE PRESENT OWNERS AND/OR OWNER'S ASSOCIATION.
4. MAINTENANCE OF LANDSCAPING WITHIN THE ADJACENT PUBLIC RIGHT-OF-WAY, INCLUDING LANDSCAPED AREAS BETWEEN THE CURB AND THE DETACHED SIDEWALK, SHALL BE THE RESPONSIBILITY OF THE ADJACENT PROPERTY OWNER OR THE PROPERTY ASSOCIATION FORMED BY THE ADJACENT PROPERTY.
5. LANDSCAPE MAINTENANCE WITHIN THE MEDIANS WITHIN THE PUBLIC RIGHT-OF-WAY WITHIN ANY ARTERIAL OR PARKWAY STREET CLASSIFICATION SHALL BE RESPONSIBILITY OF THE CITY OF SURPRISE AFTER ACCEPTANCE.
6. THE PROPERTY OWNERS OR ANY SUBSEQUENT OWNERS SHALL NOT PROCEED WITH ANY ONSITE GRADING OR EXCAVATION WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.

THIS PROPERTY IS LOCATED WITHIN AN AREA HAVING A FLOOD ZONE DESIGNATION 'ZONE X', BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP (FIRM) NO. 04013C1240L, WITH AN IDENTIFICATION DATE OF OCTOBER 16, 2013, FOR COMMUNITY NO. 0400533 MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.

1. DOC #98-0059073, M.C.R.
2. DOC #14-0072900 M.C.R.
3. DOC #78-0212360, M.C.R.
4. DOC #01-0549560, M.C.R.
5. DOC #12-1030194, M.C.R.
6. DOC #10-0528417, M.C.R.
7. DEED #15-0000165, M.C.R.
8. DEED #15-0000165, M.C.R.
9. RECORD OF SURVEY, BOOK 474 OF MAPS, PAGE 14, RECORDS OF MARICOPA COUNTY, ARIZONA.
10. GDACS SECTION 3, T3N, R1W, BOOK 688, PAGE 41, RECORDS OF MARICOPA COUNTY, ARIZONA.
11. GDACS SECTION 34, T4N, R1W, BOOK 678, PAGE 15, RECORDS OF MARICOPA COUNTY, ARIZONA.
12. FINAL PLAT, BOOK 1039 OF MAPS, PAGE 42, RECORDS OF MARICOPA COUNTY, ARIZONA.

THIS IS TO CERTIFY THAT THE SURVEY AND SUBDIVISION OF THE PREMISES DESCRIBED AND PLATTED HEREON WAS MADE UNDER MY DIRECTION DURING THE MONTH OF APRIL 2015, THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN, THAT THE MONUMENTS SHOWN ACTUALLY EXIST OR WERE SET AS SHOWN, THAT THEIR POSITIONS ARE CORRECTLY SHOWN, AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THIS SURVEY TO BE RETRACED. FOR AND ON BEHALF OF OLSSON ASSOCIATES, INC.

R. REECE HENRY, RLS # 49097

OLSSON[®]
ASSOCIATES

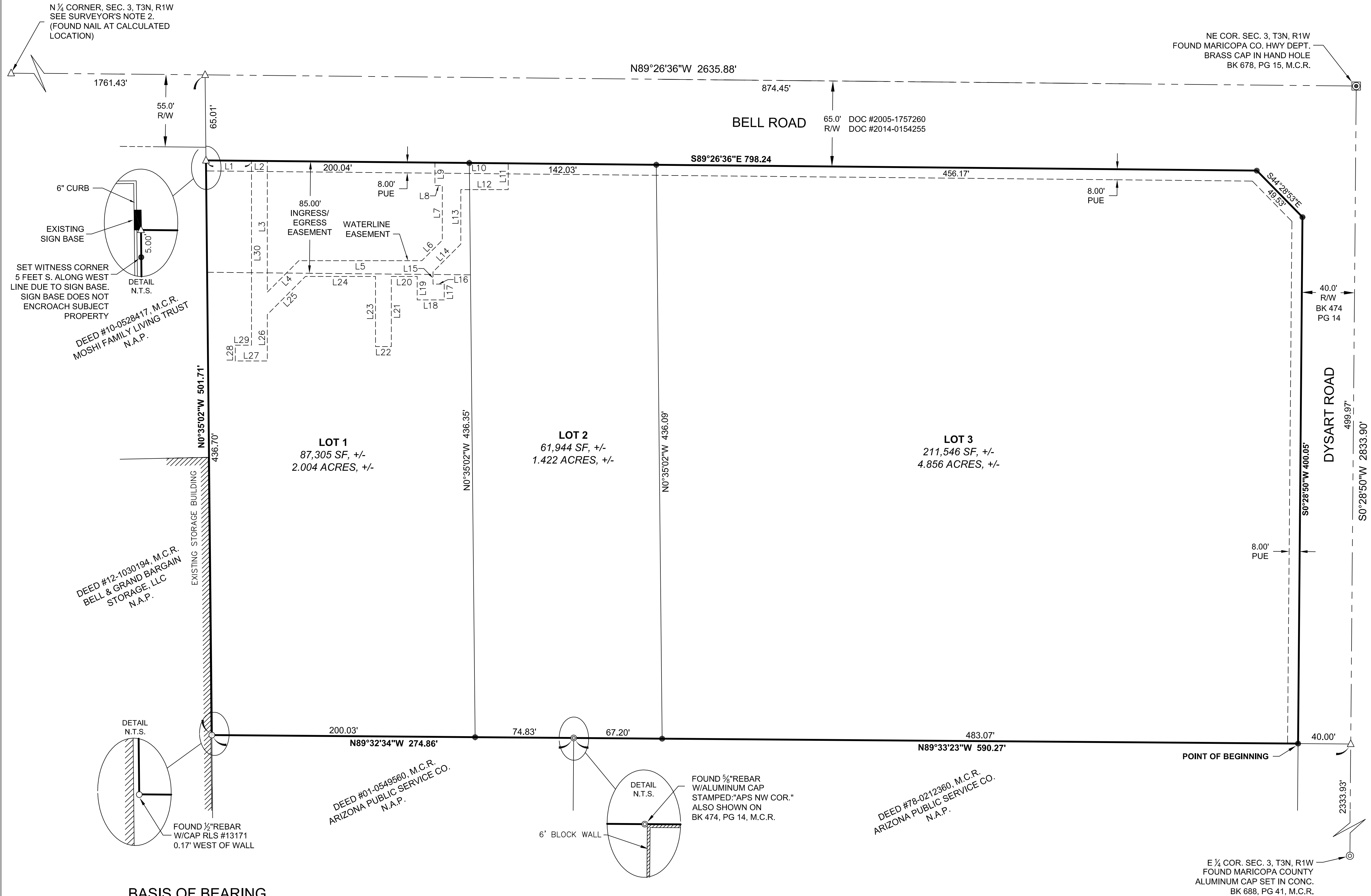
7250 N 16TH STREET SUITE 210
Phoenix AZ 85020

drawn by: _____	RRH	FINAL PLAT FOR DYSART SUBDIVISION A PORTION OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA	REV. NO. DATE REVISIONS DESCRIPTION
checked by: _____	GT		
QA/QC by: _____	RRH		
project no.: _____	RRH		
drawing no.: _____	014-3159		
date: _____	FINAL PLAT 06.12.2015	SURPRISE, ARIZONA 2015	REVISIONS

SHEET

1 OF 2

A PORTION OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 3 NORTH, RANGE 1 WEST OF
THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA



BASIS OF BEARING

N89°26'36"W ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 3 NORTH RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN; ORIGINALLY MEASURED AS S89°54'55"W USING GLOBAL NAVIGATION SATELLITE SYSTEMS AND ROTATED 0°38'29".

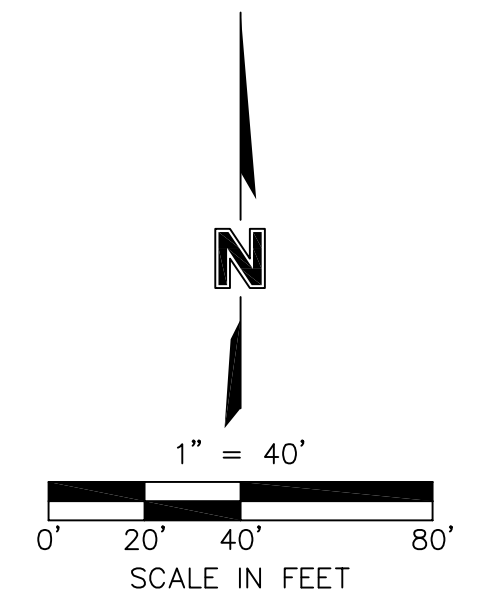
SURVEYOR'S NOTES:

1. ALL DISTANCES REPORTED ON THIS SURVEY ARE TO THE MONUMENTS FOUND OR SET UNLESS OTHERWISE NOTED.
2. A SEARCH FOR THE NORTH $\frac{1}{4}$ CORNER OF SECTION 3, T3N, R1W, RESULTED IN FINDING THE LOCATION (CALCULATED USING GDACS BK 678, PG 15, M.C.R.) PAVED OVER WITH ASPHALT; A NAIL WAS FOUND DRIVEN INTO THE ASPHALT PAVEMENT AT THE CALCULATED POSITION. THE NORTHEAST CORNER OF SAID SECTION 3 WAS FOUND CONSISTENT WITH SAID GDACS PLAT. THE EAST QUARTER CORNER OF SAID SECTION 3 WAS FOUND CONSISTENT WITH GDACS PLAT BK 688, PG 41, M.C.R. BASED ON THE CONSISTENT FINDINGS OF THE NORTHEAST CORNER & EAST $\frac{1}{4}$ CORNER, THE NORTH $\frac{1}{4}$ CORNER IS HELD AT THE CALCULATED LOCATION PER GDACS PLAT BK 678, PG 15, M.C.R.

PARENT PARCEL & LOTS

PARENT PARCEL = 360,795 SQ.FT. +/-, OR 8.282 ACRES +/-

LOT 1 = 87,305 SQ.FT. +/-, OR 2.004 ACRES +/-
 LOT 2 = 61,944 SQ.FT. +/-, OR 1.422 ACRES +/-
 LOT 3 = 211,546 SQ.FT. +/-, OR 4.856 ACRES +/-



LEGEND

- = SET REBAR W/CAP 49097
 ○ = FOUND CORNER AS NOTED
 △ = CALCULATED CORNER, NOTHING SET
 ◎ = REBAR W/ ALUMINUM CAP
 ⊙ = ALUMINUM CAP FLUSH
 ⊕ = BRASS CAP FLUSH
 ⊗ = BRASS CAP IN HAND HOLE
 _____ = SUBJECT PROPERTY BOUNDARY
 _____ = CALCULATED LINES OR TIES
 _____ - - - = SECTION LINE
 _____ - - - - - = RIGHT-OF-WAY (R/W)
 _____ - - - - - = EASEMENT LINE
 MCR = MARICOPA COUNTY RECORDS
 R/W = PUBLIC RIGHT-OF-WAY
 PUE = PUBLIC UTILITIES EASEMENT
 NAP = NOT A PART OF THIS SURVEY

WATERLINE EASEMENT LINE TABLE		
LINE #	DIRECTION	LENGTH
L1	S89°26'36"E	34.62'
L2	S89°26'36"E	12.00'
L3	S0°00'04"W	99.68'
L4	N45°00'04"E	33.81'
L5	S89°59'56"E	93.46'
L6	N45°00'04"E	21.93'
L7	N0°00'04"E	41.63'
L8	N89°59'56"W	5.54'
L9	N0°00'04"E	17.40'
L10	S89°26'36"E	55.60'
L11	S0°00'13"W	20.00'
L12	N89°59'47"W	35.96'
L13	S0°02'57"W	41.40'
L14	S45°00'04"W	29.82'
L15	S0°00'04"W	9.29'
L16	S89°59'56"E	8.49'
L17	S0°00'04"W	12.00'
L18	N89°59'56"W	20.49'
L19	N0°00'04"E	17.77'
L20	N89°59'56"W	19.66'
L21	S0°00'04"W	53.22'
L22	N89°59'57"W	12.00'
L23	N0°00'01"E	53.22'
L24	N89°59'56"W	53.32'
L25	S45°00'04"W	40.84'
L26	S0°00'04"W	35.27'
L27	N89°59'56"W	24.39'
L28	N0°00'04"E	12.00'
L29	S89°59'56"E	12.39'
L30	N0°00'04"E	140.04'

WOLSSON[®]
ASSOCIATES



FINAL PLAT FOR DYARSAT SUBDIVISION		NO.	DATE	REVISIONS DESCRIPTION
A PORTION OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA				
SURPRISE, ARIZONA		2015	REVISIONS	

Drawn by:	RRH
Checked by:	GT
Approved by:	RRH
QA/QC by:	RRH
Project no.:	014-3199
Drawing no.:	ALTA
Date:	06.12.2015

SHEET
2 OF 2

From: Bob Patoni
Sent: Wednesday, April 22, 2015 10:41 AM
To: 'Deborah.Perry@surprizeaz.gov'; 'lswartz@olssonassociates.com'
Cc: Vanessa Nunez
Subject: FW: FS15-155 Caliber Collision, Bell Rd East of Grand Ave

RE: FS15-155
Caliber Collision
Bell Road, East of Grand Avenue

Attention: Deborah Perry and Len Swartz

Thank you for your notice of rezoning and final plat application for the above-referenced proposed development.

ADOT is neutral regarding the proposed rezoning of the parcels cited in your rezoning package. However, the above-described project is in very close proximity to ADOT's planned US60 Bell Road Traffic Interchange, a grade-separated improvement that will have Bell Road elevated via a bridge over Grand Avenue. The Traffic Interchange is in design stage and is planned for construction in late 2015. We would recommend that the principals to your project familiarize themselves with the aspects of the US60 Bell Road Traffic Interchange project. For further information, please contact me at the below contact information.

Bob Patoni
Right of Way Project Coordinator

205 S. 17th Ave. MD: 612E
Phoenix, AZ 85007
602-712-6126
WWW.AZDOT.GOV



Deborah,

Thank you for providing the submittal for Caliber Collision (FS15-155).

Maricopa Water District (MWD) has reviewed this submittal and determined this lies outside the current boundaries of MWD.

Thank again,

Debbie Trasancos

Property & Contracts Specialist

Maricopa Water District

14825 W. Grand Ave.

Surprise, AZ 85374

623/546-8266

fax 623/584-2536

debbiet@mwdaz.com



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

27 April 2015

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

Ms. Deborah Perry
City of Surprise Planning Department
16000 North Civic Center Plaza
Surprise AZ 85374

Re: FS15-155; Caliber Collision

Dear Ms. Perry

Thank you for the opportunity to comment on the Rezone, Final Plat, & Site Plan application for Caliber Collision located on 9.9 acres at the SWC of Bell and Dysart Roads in Surprise AZ. The project is comprised of new construction for a 14,000 square foot building which will house office, mechanic shop, parts sales, detailing and painting booth. The request is also to rezone 200 feet of parcel 501-16-001V from C-3 (Regional Commercial) to I-1 (Light Industrial) and to rezone parcel 501-16-001K from I-1 to C-3. The site is located approximately 1.7 miles outside the 1988 JLUS 65 Ldn, "high noise or accident potential zone" as identified by A.R.S. § 28-8461 and is within the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461.

As described, this request will not negatively impact the flying operations at Luke AFB. Since the site is located within the "territory in the vicinity of a military airport," it will be subjected to noise from approximately 165 over flights a day, with some as low as 1,500 feet above ground level. We recommend you review the sound attenuation requirements found in A.R.S. § 28-8482. In addition, a strong notification program on the part of the applicant is essential to inform the tenant about Luke AFB operations. We also recommend a review of the Luke AFB web site at <http://www.luke.af.mil>, Community Interests and Community Initiatives links, for further information.

If there are any questions, please contact my Community Planner, Ms. Barbara Plante, at (623) 856-9981.

Sincerely

A handwritten signature in dark ink, appearing to read "JA Mitchell", is written over the word "Sincerely". Below the signature, the word "For" is written in a smaller, cursive script.

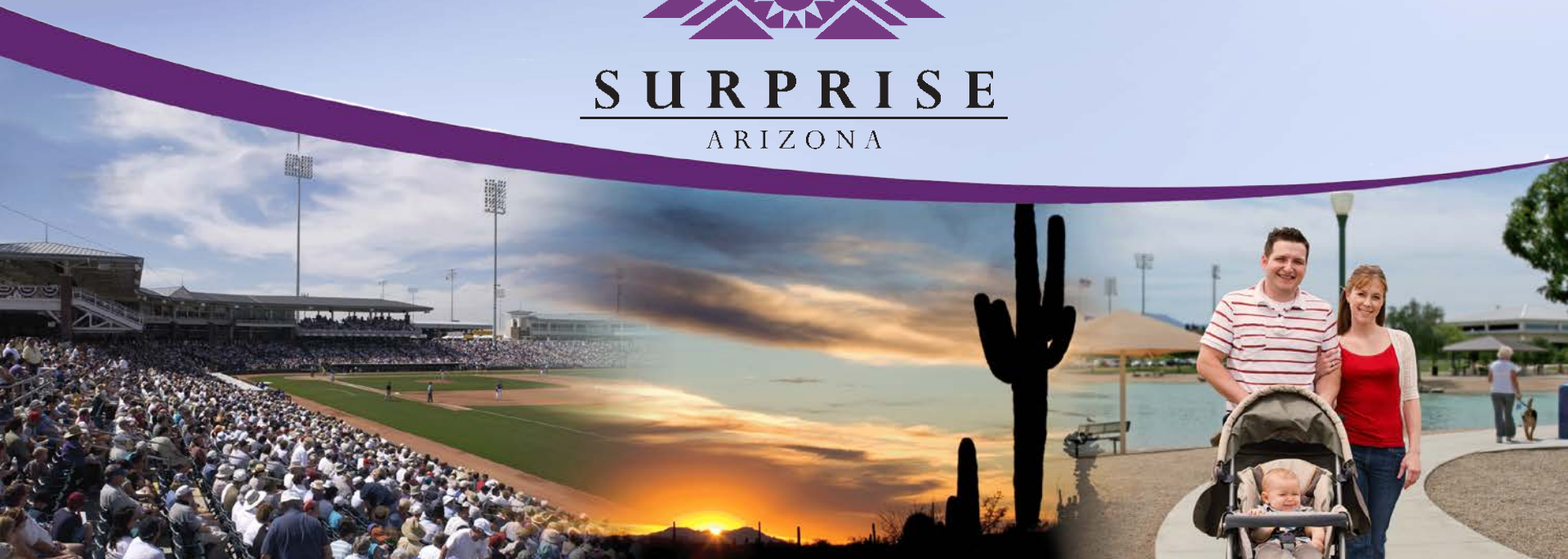
JAMES R. MITCHELL

cc:

Colonel Jeremy T. Sloane, Vice Commander, 56th Fighter Wing
Ms. Cindy L. Calderon, GS-13, General and Environmental Law Attorney, 56th Fighter Wing

FS15-155 Dysart Subdivision Zone Change and Final Plat City Council Regular Session

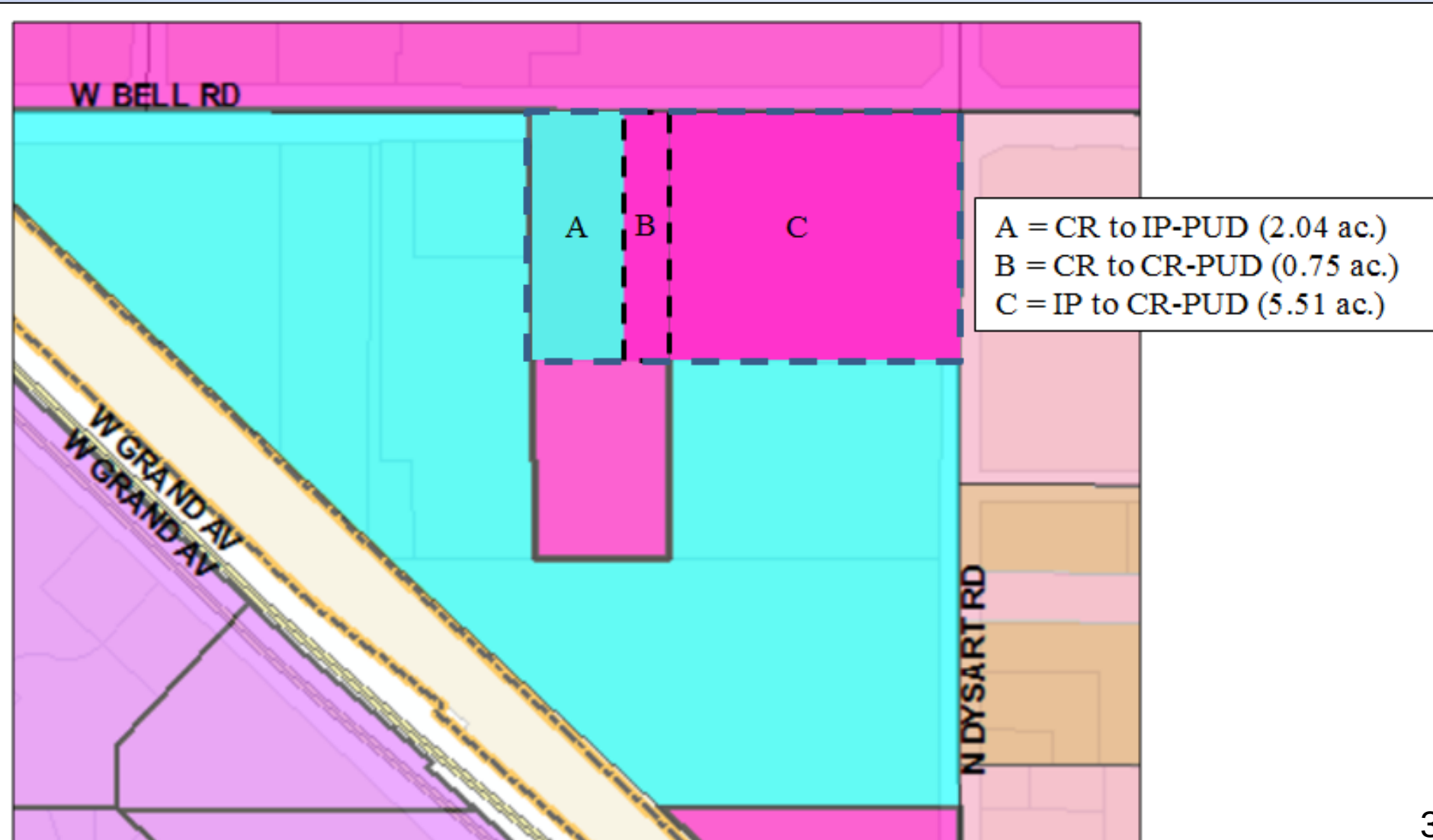
November 03, 2015



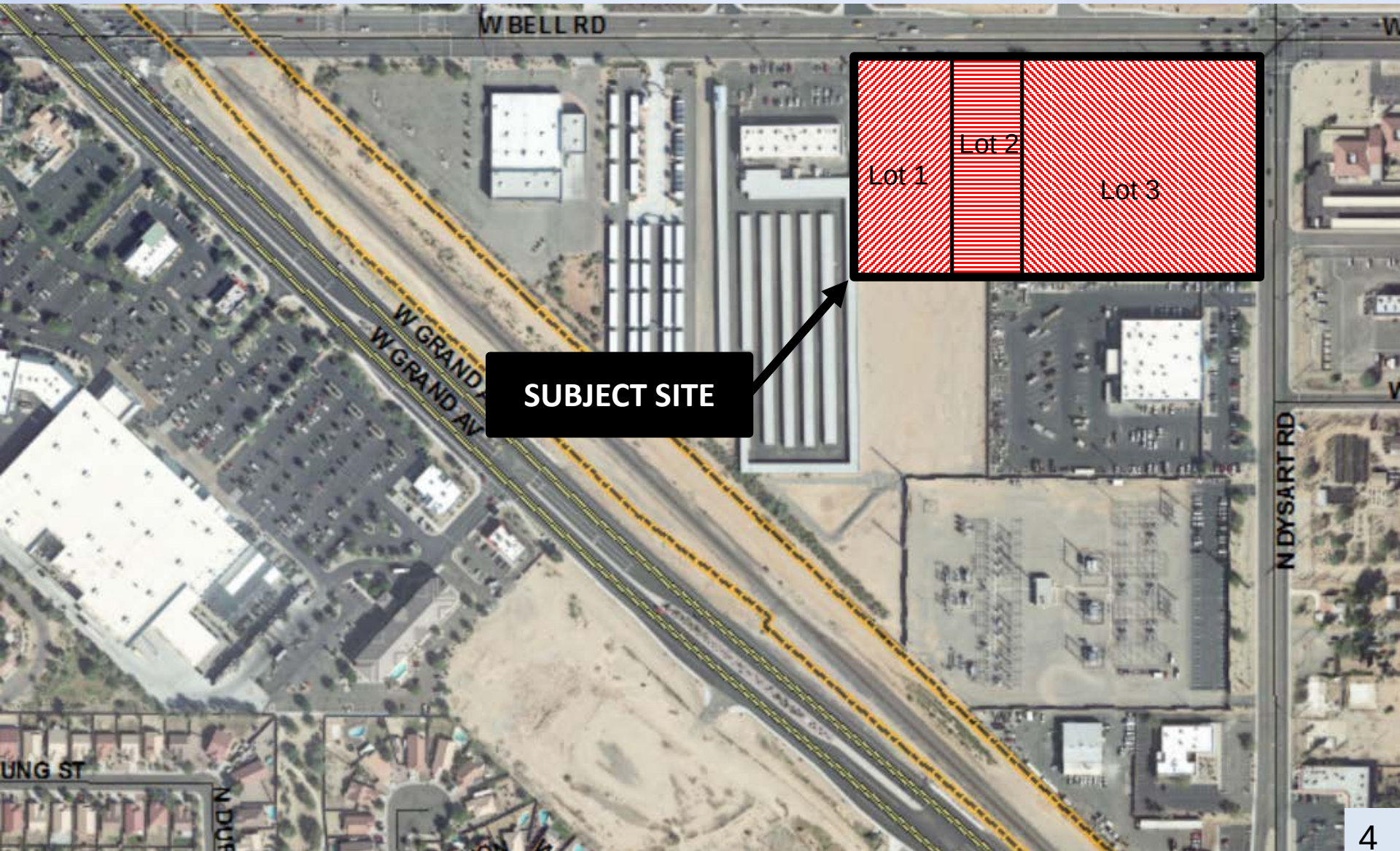
Vicinity Map



Zoning Case Map



Final Plat Case Map

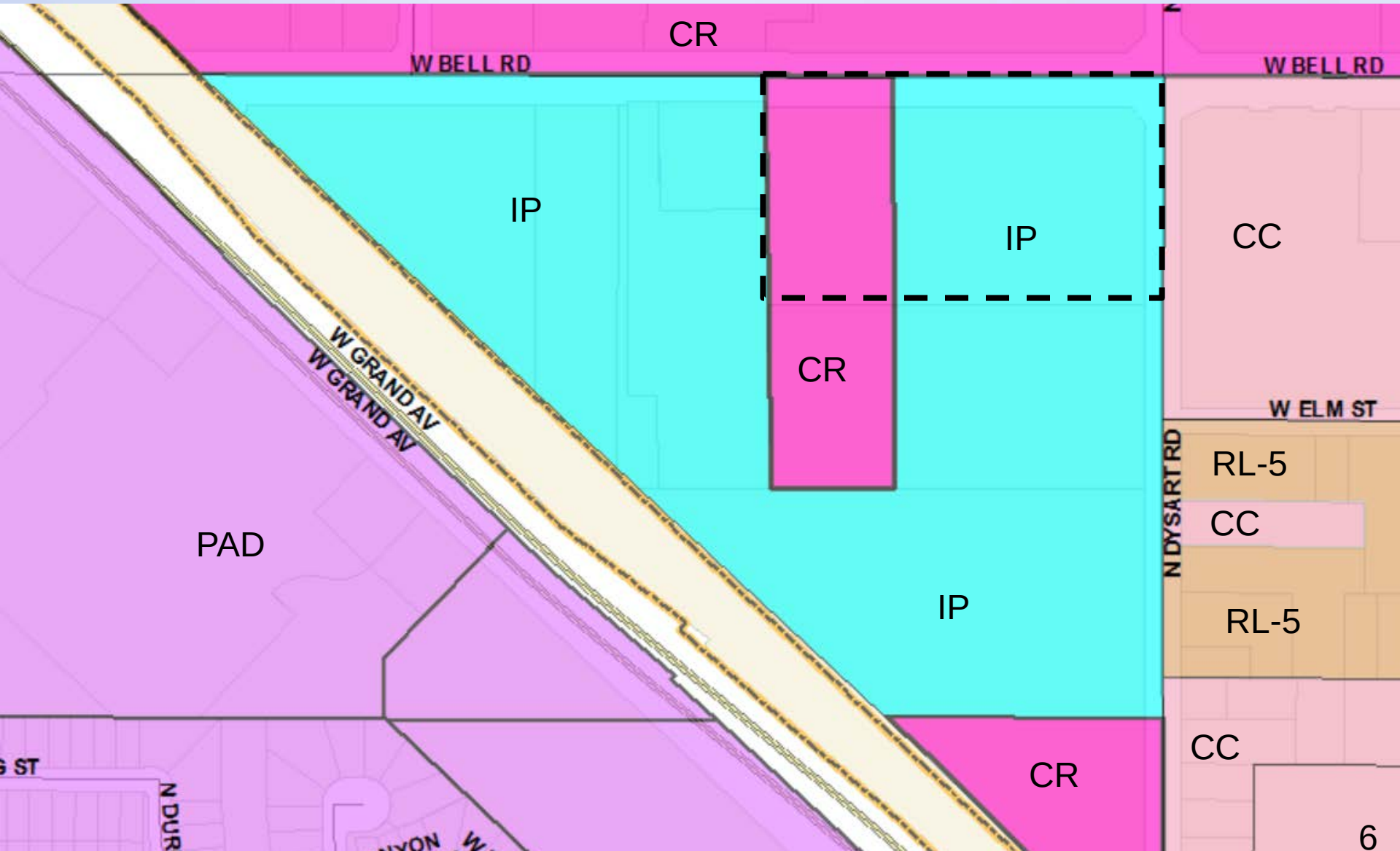


An aerial photograph of a commercial and industrial area. A central area is outlined with a dashed black box and labeled "SUBJECT SITE". Surrounding this site are several other facilities, each labeled with a black box and an arrow pointing to the corresponding location on the map. The labels include: "Used Car Sales" (top left), "S&S Tire" (top left, below Used Car Sales), "Distribution Center" (left), "Park & Ride" (left, below Distribution Center), "Self Storage" (bottom left), "Cobalt" (top right), "County Facility" (right), "APS Operations Facility" (bottom right), and "APS Switchyard" (bottom right, below APS Operations Facility). The map shows various streets, including W Bell Rd, W Westgate Dr, W Elm St, W Young St, W Cottonwood St, W Post Dr, W Market St, W Foxfire Dr, W Wildwood Dr, W Lundberg St, W Desert Sage Dr, W Amy Dr, W Tasha Dr, N 132nd Ln, N 1st St, N 2nd St, N 3rd St, N 4th St, N 5th St, N 6th St, N 7th St, N 8th St, N 9th St, N 10th St, N 11th St, N 12th St, N 13th St, N 14th St, N 15th St, N 16th St, N 17th St, N 18th St, N 19th St, N 20th St, N 21st St, N 22nd St, N 23rd St, N 24th St, N 25th St, N 26th St, N 27th St, N 28th St, N 29th St, N 30th St, N 31st St, N 32nd St, N 33rd St, N 34th St, N 35th St, N 36th St, N 37th St, N 38th St, N 39th St, N 40th St, N 41st St, N 42nd St, N 43rd St, N 44th St, N 45th St, N 46th St, N 47th St, N 48th St, N 49th St, N 50th St, N 51st St, N 52nd St, N 53rd St, N 54th St, N 55th St, N 56th St, N 57th St, N 58th St, N 59th St, N 60th St, N 61st St, N 62nd St, N 63rd St, N 64th St, N 65th St, N 66th St, N 67th St, N 68th St, N 69th St, N 70th St, N 71st St, N 72nd St, N 73rd St, N 74th St, N 75th St, N 76th St, N 77th St, N 78th St, N 79th St, N 80th St, N 81st St, N 82nd St, N 83rd St, N 84th St, N 85th St, N 86th St, N 87th St, N 88th St, N 89th St, N 90th St, N 91st St, N 92nd St, N 93rd St, N 94th St, N 95th St, N 96th St, N 97th St, N 98th St, N 99th St, N 100th St, N 101st St, N 102nd St, N 103rd St, N 104th St, N 105th St, N 106th St, N 107th St, N 108th St, N 109th St, N 110th St, N 111th St, N 112th St, N 113th St, N 114th St, N 115th St, N 116th St, N 117th St, N 118th St, N 119th St, N 120th St, N 121st St, N 122nd St, N 123rd St, N 124th St, N 125th St, N 126th St, N 127th St, N 128th St, N 129th St, N 130th St, N 131st St, N 132nd St, N 133rd St, N 134th St, N 135th St, N 136th St, N 137th St, N 138th St, N 139th St, N 140th St, N 141st St, N 142nd St, N 143rd St, N 144th St, N 145th St, N 146th St, N 147th St, N 148th St, N 149th St, N 150th St, N 151st St, N 152nd St, N 153rd St, N 154th St, N 155th St, N 156th St, N 157th St, N 158th St, N 159th St, N 160th St, N 161st St, N 162nd St, N 163rd St, N 164th St, N 165th St, N 166th St, N 167th St, N 168th St, N 169th St, N 170th St, N 171st St, N 172nd St, N 173rd St, N 174th St, N 175th St, N 176th St, N 177th St, N 178th St, N 179th St, N 180th St, N 181st St, N 182nd St, N 183rd St, N 184th St, N 185th St, N 186th St, N 187th St, N 188th St, N 189th St, N 190th St, N 191st St, N 192nd St, N 193rd St, N 194th St, N 195th St, N 196th St, N 197th St, N 198th St, N 199th St, N 200th St, N 201st St, N 202nd St, N 203rd St, N 204th St, N 205th St, N 206th St, N 207th St, N 208th St, N 209th St, N 210th St, N 211st St, N 212nd St, N 213rd St, N 214th St, N 215th St, N 216th St, N 217th St, N 218th St, N 219th St, N 220th St, N 221st St, N 222nd St, N 223rd St, N 224th St, N 225th St, N 226th St, N 227th St, N 228th St, N 229th St, N 230th St, N 231st St, N 232nd St, N 233rd St, N 234th St, N 235th St, N 236th St, N 237th St, N 238th St, N 239th St, N 240th St, N 241st St, N 242nd St, N 243rd St, N 244th St, N 245th St, N 246th St, N 247th St, N 248th St, N 249th St, N 250th St, N 251st St, N 252nd St, N 253rd St, N 254th St, N 255th St, N 256th St, N 257th St, N 258th St, N 259th St, N 260th St, N 261st St, N 262nd St, N 263rd St, N 264th St, N 265th St, N 266th St, N 267th St, N 268th St, N 269th St, N 270th St, N 271st St, N 272nd St, N 273rd St, N 274th St, N 275th St, N 276th St, N 277th St, N 278th St, N 279th St, N 280th St, N 281st St, N 282nd St, N 283rd St, N 284th St, N 285th St, N 286th St, N 287th St, N 288th St, N 289th St, N 290th St, N 291st St, N 292nd St, N 293rd St, N 294th St, N 295th St, N 296th St, N 297th St, N 298th St, N 299th St, N 300th St, N 301st St, N 302nd St, N 303rd St, N 304th St, N 305th St, N 306th St, N 307th St, N 308th St, N 309th St, N 310th St, N 311st St, N 312nd St, N 313rd St, N 314th St, N 315th St, N 316th St, N 317th St, N 318th St, N 319th St, N 320th St, N 321st St, N 322nd St, N 323rd St, N 324th St, N 325th St, N 326th St, N 327th St, N 328th St, N 329th St, N 330th St, N 331st St, N 332nd St, N 333rd St, N 334th St, N 335th St, N 336th St, N 337th St, N 338th St, N 339th St, N 340th St, N 341st St, N 342nd St, N 343rd St, N 344th St, N 345th St, N 346th St, N 347th St, N 348th St, N 349th St, N 350th St, N 351st St, N 352nd St, N 353rd St, N 354th St, N 355th St, N 356th St, N 357th St, N 358th St, N 359th St, N 360th St, N 361st St, N 362nd St, N 363rd St, N 364th St, N 365th St, N 366th St, N 367th St, N 368th St, N 369th St, N 370th St, N 371st St, N 372nd St, N 373rd St, N 374th St, N 375th St, N 376th St, N 377th St, N 378th St, N 379th St, N 380th St, N 381st St, N 382nd St, N 383rd St, N 384th St, N 385th St, N 386th St, N 387th St, N 388th St, N 389th St, N 390th St, N 391st St, N 392nd St, N 393rd St, N 394th St, N 395th St, N 396th St, N 397th St, N 398th St, N 399th St, N 400th St, N 401st St, N 402nd St, N 403rd St, N 404th St, N 405th St, N 406th St, N 407th St, N 408th St, N 409th St, N 410th St, N 411st St, N 412nd St, N 413rd St, N 414th St, N 415th St, N 416th St, N 417th St, N 418th St, N 419th St, N 420th St, N 421st St, N 422nd St, N 423rd St, N 424th St, N 425th St, N 426th St, N 427th St, N 428th St, N 429th St, N 430th St, N 431st St, N 432nd St, N 433rd St, N 434th St, N 435th St, N 436th St, N 437th St, N 438th St, N 439th St, N 440th St, N 441st St, N 442nd St, N 443rd St, N 444th St, N 445th St, N 446th St, N 447th St, N 448th St, N 449th St, N 450th St, N 451st St, N 452nd St, N 453rd St, N 454th St, N 455th St, N 456th St, N 457th St, N 458th St, N 459th St, N 460th St, N 461st St, N 462nd St, N 463rd St, N 464th St, N 465th St, N 466th St, N 467th St, N 468th St, N 469th St, N 470th St, N 471st St, N 472nd St, N 473rd St, N 474th St, N 475th St, N 476th St, N 477th St, N 478th St, N 479th St, N 480th St, N 481st St, N 482nd St, N 483rd St, N 484th St, N 485th St, N 486th St, N 487th St, N 488th St, N 489th St, N 490th St, N 491st St, N 492nd St, N 493rd St, N 494th St, N 49

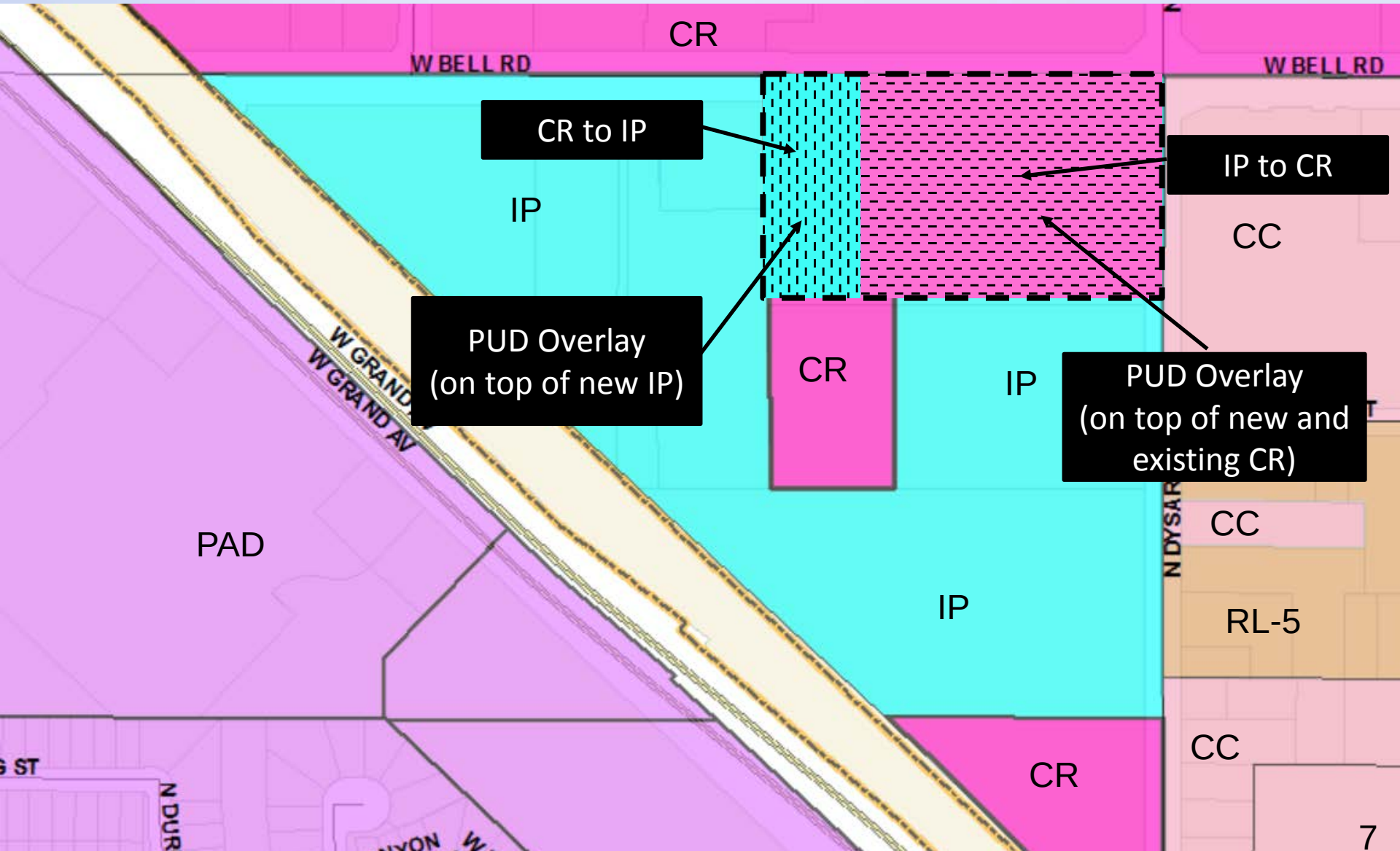
FS15-155 Dysart Subdivision



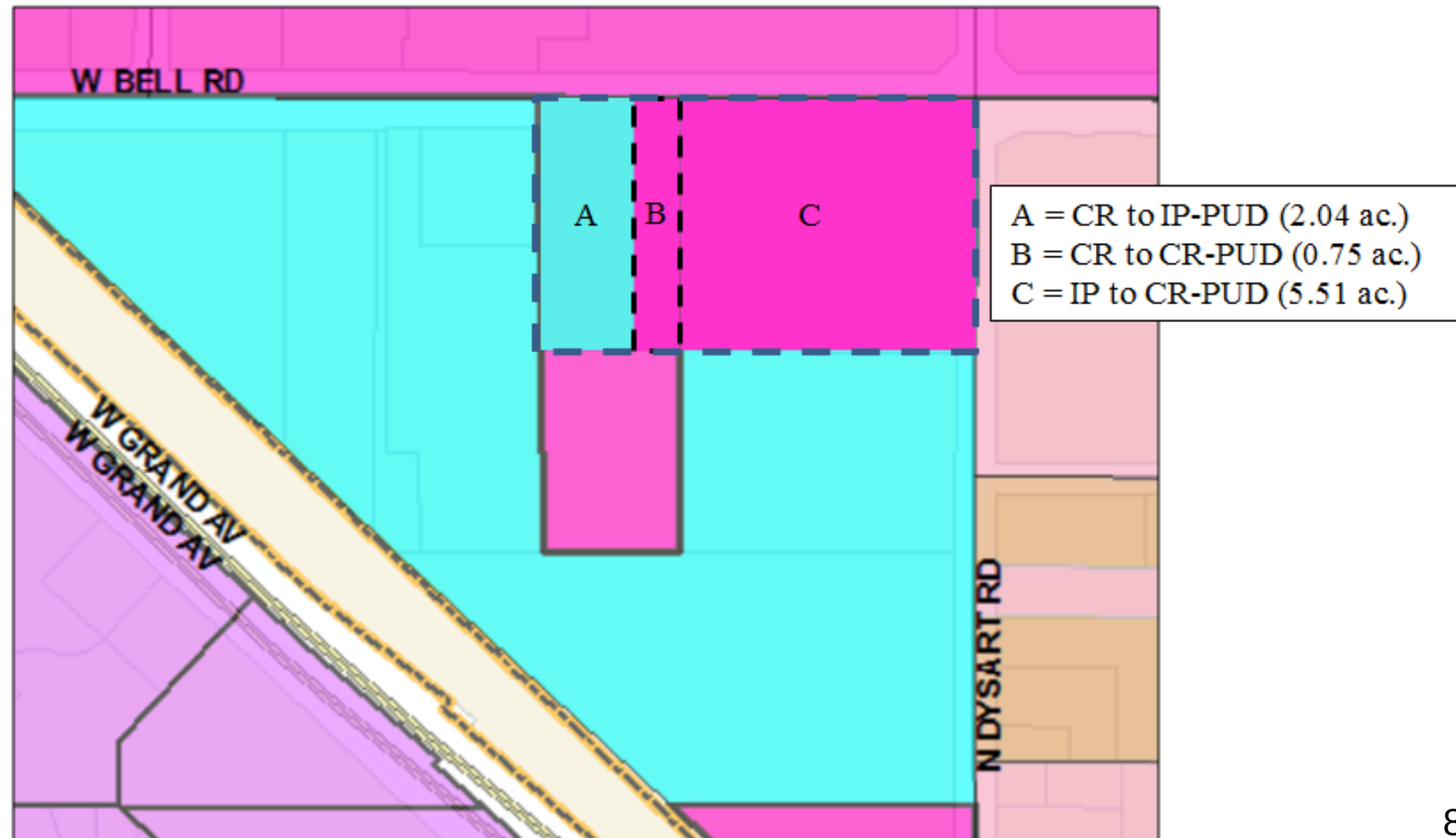
Current Zoning



Proposed Zoning

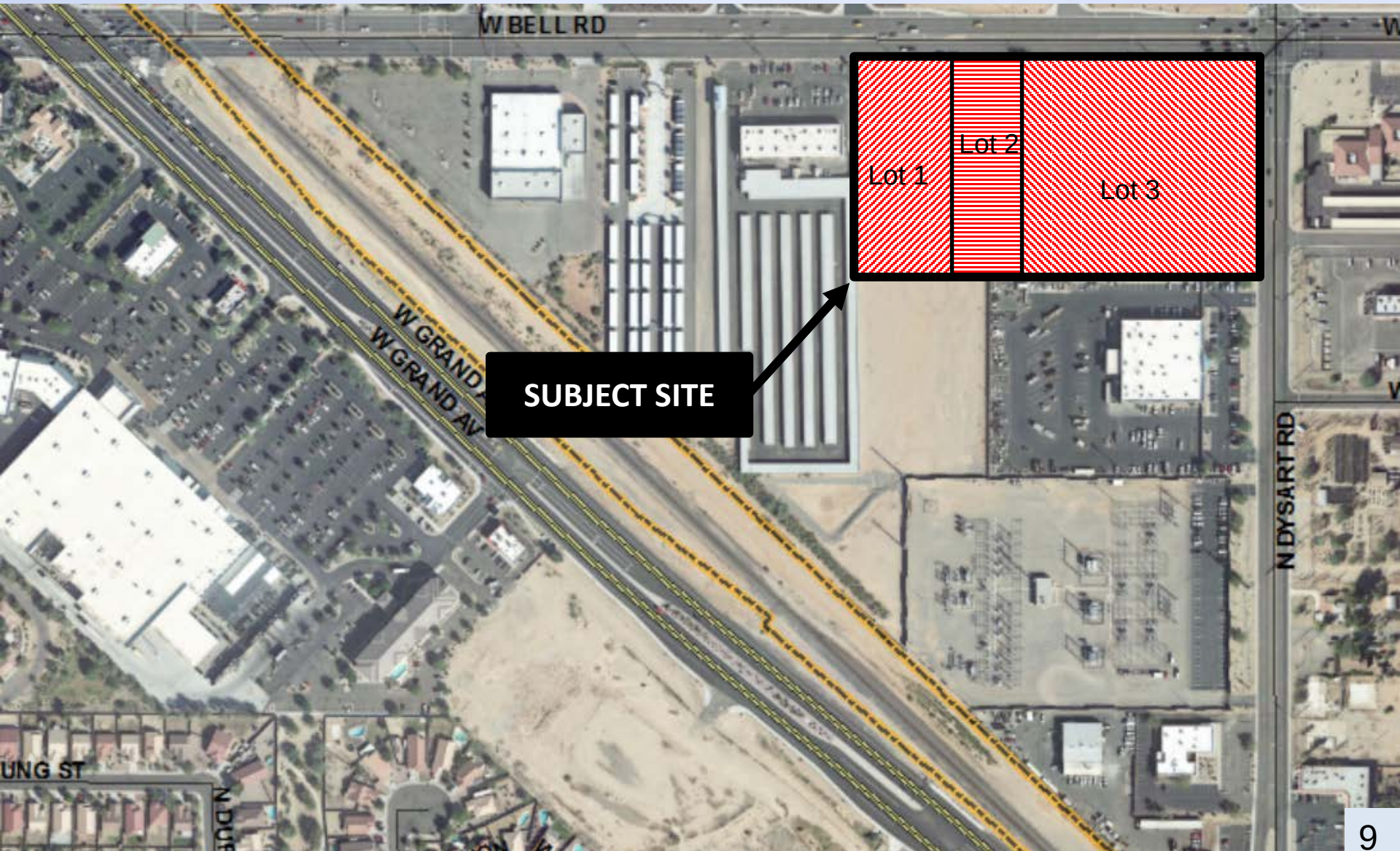


Zoning Case Map



FS15-155 Dysart Subdivision

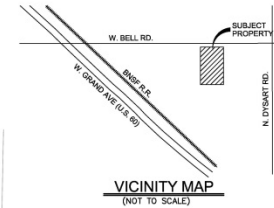
Master Site Plan (approved by P&Z on 10/01/15)



IP-PUDCK-PUD DEVELOPMENT STANDARDS TABLE FOR DYSART SUBDIVISION (CASE F815-16)						
Development Standard	IP-PUD			CR to CR-PUD		
	Base Zoning	IP-PUD	SUDC Reference	Base Zoning	CR Overlay	SUDC Reference
Interior Side Yard	15'	15'	122-360(c)(2)	24'	15'	122-360(c)(2)
Landscape	45'	45'-77'	1360(b)(10)	45'	45'	1360(b)(10)
Maximum (Area)	1.375 of CFA ¹	1.180 SF of CFA ¹	122-133(b)			122-133(b)
Setback	0.5' per 1' linear foot of elevation	0.6' per 1' linear foot of elevation	122(b)(3)(g)	1' linear foot of elevation	1' linear foot of elevation	122(b)(3)(g)
Sign Area						

Footnotes:

1. Adjacent to Commercial or Industrial zoning district.
2. Includes driveway access from street and architectural encroachment allowed.
3. Limited driveway encroachment from the street to accommodate shared access allowed per site plan.
4. Based on Automotive Repair and Service use. 1' other than automotive Repair and Service, City of Surprise.



OWNER/DEVELOPER
CROSS DEVELOPMENT, LLC
5317 INVERRARY DRIVE
PLANO, TEXAS
PHONE: (502) 748-1000
CONTACT: KEVIN MCKIBBEN

ENGINEER
OLSSON ASSOCIATES
7250 NORTH 16TH STREET, SUITE 210
PHOENIX, ARIZONA 85020
PHONE: (602) 746-1000
FAX: (602) 746-1001
CONTACT: LEN SWARTZ

ARCHITECT
CROSS ARCHITECTS
1255 W. 15TH STREET
SUITE #125
PLANO, TEXAS 75075
PHONE: (972) 396-6844
CONTACT: SHAWN OFFUTT

OLSSON
ASSOCIATES



EXP. 06/30/17
SSON ASSOCIATES ASSUME
RESPONSIBILITY FOR
EXISTING UTILITY LOCATIONS
(HORIZONTAL OR VERTICAL). T
EXISTING UTILITIES SHOWN ON
DRAWING HAVE BEEN
OBTAINED FROM THE BEST
AVAILABLE INFORMATION. IT I
HOWEVER THE RESPONSIBILI
THE CONTRACTOR TO FIEL
VERIFY THE LOCATION OF ALL
ILITIES PRIOR TO THE
INMENCEMENT OF ANY
INSTRUCTION ACTIVITIES.

REVISIONS DESCRIPTION
CITY COMMENTS
CITY COMMENTS

		COPIES
--	--	--------

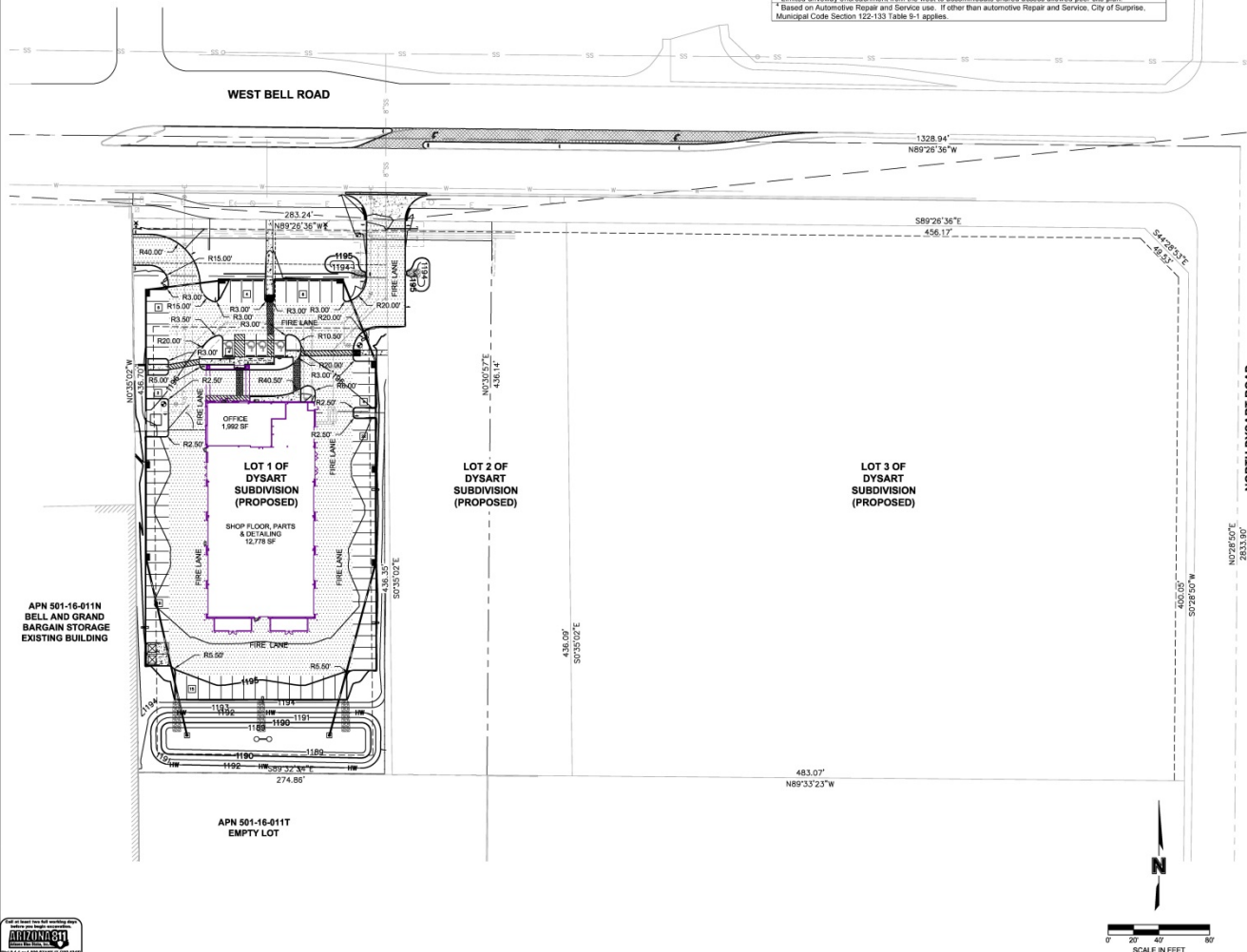
CONSTRUCTION PLANS
OVERALL SITE PLAN

CALIBER COLLISION
BELL ROAD AND DYSART ROAD

SURFACE ADJUSTMENT

own by:	SS
checked by:	EW
approved by:	LS
QC by:	PV
act no.:	014-3199

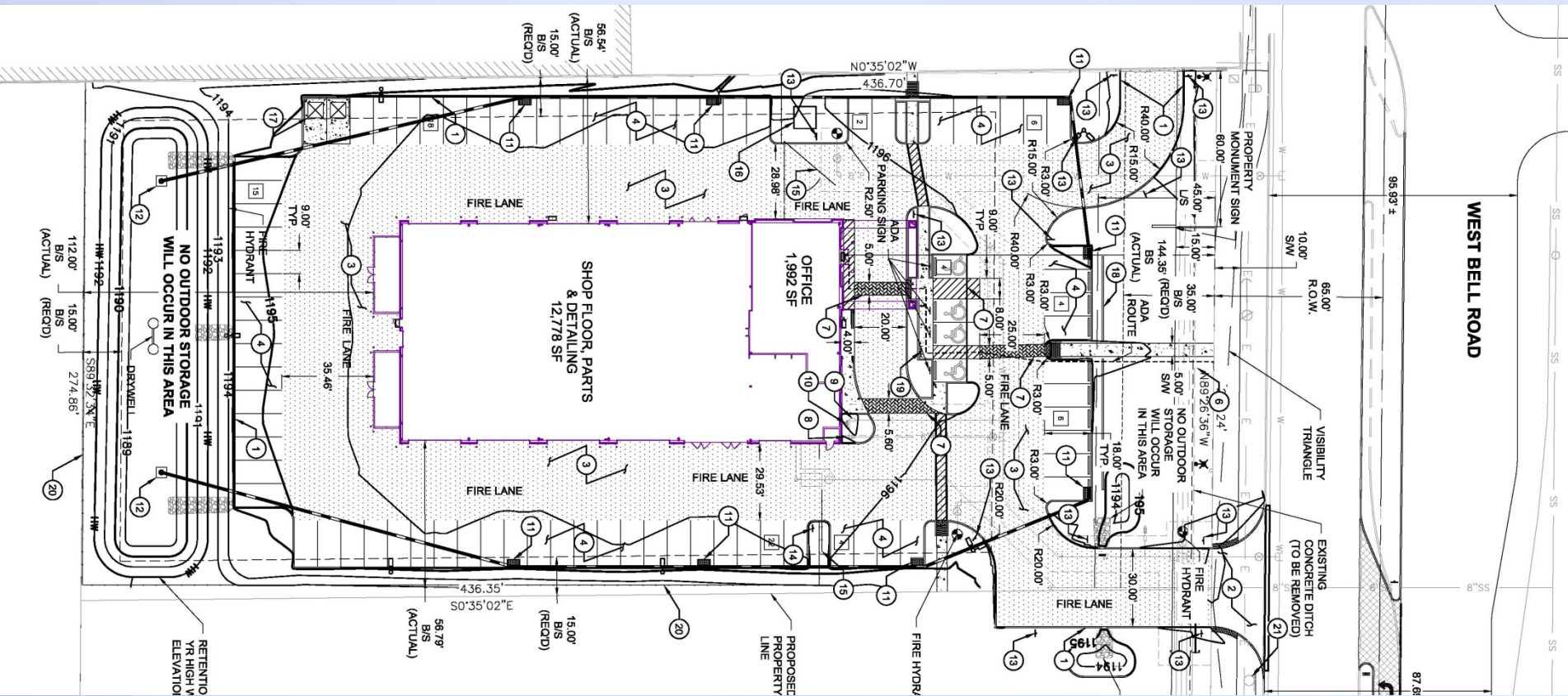
SHE
C10



THIS PLAN IS NOT FOR CONSTRUCTION

FS15-155 Dysart Subdivision

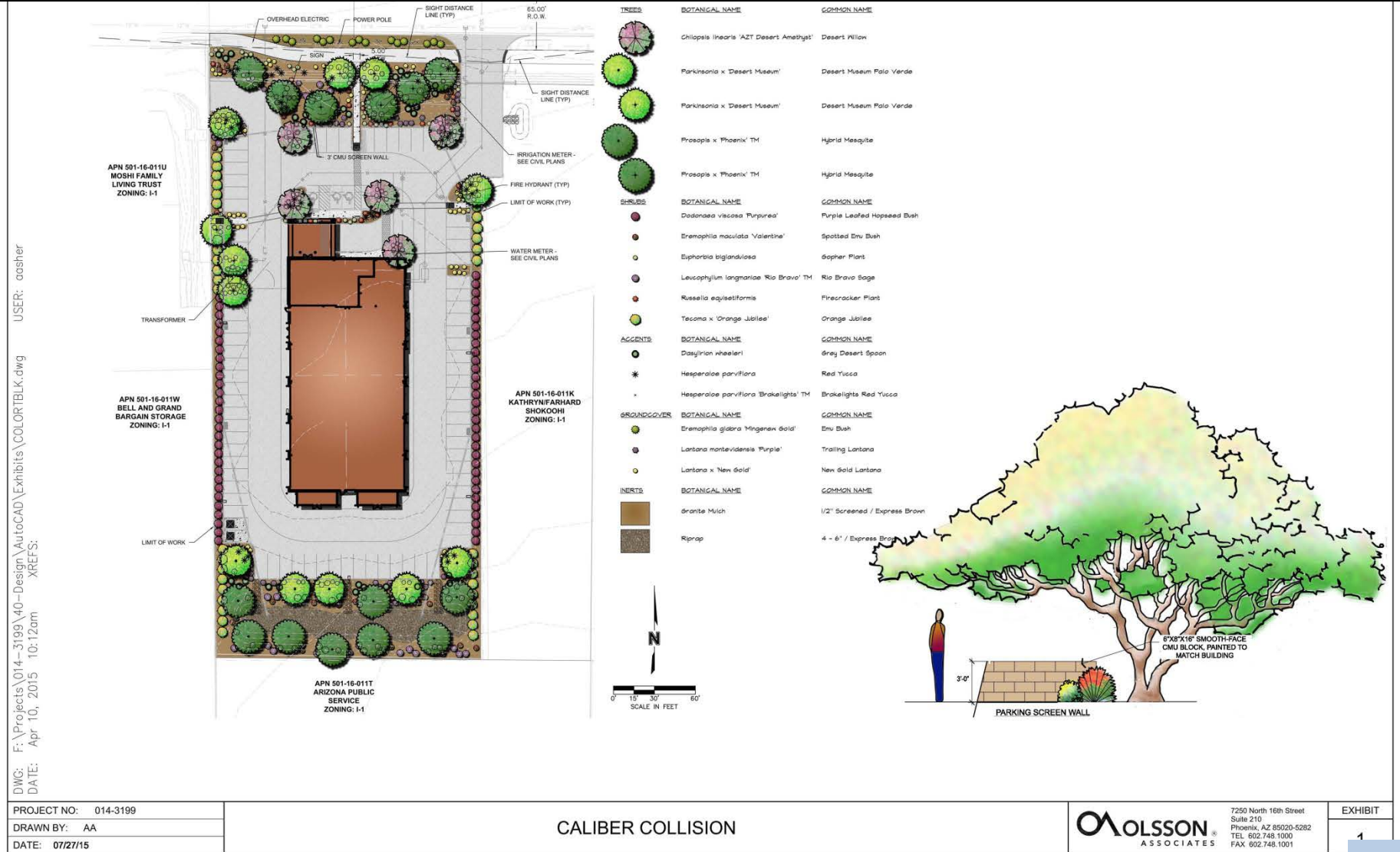
Master Site Plan (approved by P&Z on 10/01/15)



FS15-155 Dysart Subdivision



Landscape Plan (approved by P&Z on 10/01/15)



DWG: F:\Projects\014-3199\40-Design\AutoCAD\Exhibits\COLORBLK.dwg
DATE: Apr 10, 2015 10:12am
XREFS:
USER: oasher

PROJECT NO:	014-3199
DRAWN BY:	AA
DATE:	07/27/15

CALIBER COLLISION

	7250 North 16th Street Suite 210 Phoenix, AZ 85020-5282 TEL: 602.748.1000 FAX: 602.748.1001	EXHIBIT
		1

Proposed Development Standards

IP PUD/CR PUD DEVELOPMENT STANDARDS TABLE FOR DYSART SUBDIVISION (CASE FS15-155)
 Shaded cells indicate development standard that is less restrictive than the base zoning district.
 All other provisions of the IP and CR zoning districts apply.

Development Standard	IP – IP PUD			CR – CR PUD		
	Base Zoning	PUD Overlay	SUDC Reference	Base Zoning	PUD Overlay	SUDC Reference
Interior Side Setback	15'	15'	122-36(c)(2)b, Table 5-11	24'	15' ¹	122-36(c)(2)c, Table 5-12
Landscape Setback (Arterial)	45' ³	45' ^{2,3}	122- 136(b)(18)(h)	45' ³	45' ²	122- 136(b)(18)(h)
Maximum Parking Allowed	1:375 SF of GFA ⁵	1:180 SF of GFA ⁴	122-133(e)	As specified in Table 9-1	As specified in Table 9-1	122-133(e)
Secondary Wall Sign Area	0.5 SF per 1 linear foot of elevation	0.6 SF per 1 linear foot of elevation	113-129(a)(3)(a)	0.5 SF per 1 linear foot of elevation	0.5 SF per 1 linear foot of elevation	113-129(a)(3)(a)

Footnotes:

¹ Adjacent to Commercial or Industrial zoning districts.

² 10' limited driveway access encroachment from street and architectural encroachment allowed per 122-136(b)(18)(h), Table 10-4.

³ Limited driveway encroachment from the west to accommodate shared access allowed per site plan.

⁴ Based on Automotive Repair and Service use. If other than Automotive Repair and Service, Table 9-1 applies.

Deviation to Landscape Setback



Proposed Development Standards

IP PUD/CR PUD DEVELOPMENT STANDARDS TABLE FOR DYSART SUBDIVISION (CASE FS15-155)
 Shaded cells indicate development standard that is less restrictive than the base zoning district.
 All other provisions of the IP and CR zoning districts apply.

Development Standard	IP – IP PUD			CR – CR PUD		
	Base Zoning	PUD Overlay	SUDC Reference	Base Zoning	PUD Overlay	SUDC Reference
Interior Side Setback	15'	15'	122-36(c)(2)b, Table 5-11	24'	15' ¹	122-36(c)(2)c, Table 5-12
Landscape Setback (Arterial)	45' ³	45' ^{2,3}	122- 136(b)(18)(h)	45' ³	45' ²	122- 136(b)(18)(h)
Maximum Parking Allowed	1:375 SF of GFA ⁵	1:180 SF of GFA ⁴	122-133(e)	As specified in Table 9-1	As specified in Table 9-1	122-133(e)
Secondary Wall Sign Area	0.5 SF per 1 linear foot of elevation	0.6 SF per 1 linear foot of elevation	113-129(a)(3)(a)	0.5 SF per 1 linear foot of elevation	0.5 SF per 1 linear foot of elevation	113-129(a)(3)(a)

Footnotes:

¹ Adjacent to Commercial or Industrial zoning districts.

² 10' limited driveway access encroachment from street and architectural encroachment allowed per 122-136(b)(18)(h), Table 10-4.

³ Limited driveway encroachment from the west to accommodate shared access allowed per site plan.

⁴ Based on Automotive Repair and Service use. If other than Automotive Repair and Service, Table 9-1 applies.

Deviation to Parking Standard

LOT 1 PARKING TABLE:
MINIMUM SPACES REQUIRED: 14,770 SF GROSS FLOOR AREA X 1:500 = 30 (BASED ON AUTO REPAIR AND SERVICE USE)
MAXIMUM SPACES REQUIRED: 14,770 SF GROSS FLOOR AREA X 1:180 = 82 (BASED ON AMENDED DEVELOPMENT STANDARD)
SPACES PROVIDED: 78 STANDARD + 4 ACCESSIBLE = 82 TOTAL
4 BICYCLE SPACES PROVIDED

Required Parking per SUDC:

Minimum = 1 space per 500 SF GFA = $14,770 \text{ SF} / 500 = 30$ spaces

Maximum = 1 space per 375 SF GFA = $14,770 \text{ SF} / 375 = 40$ spaces

Proposed Maximum:

Maximum = 1 space per 180 SF GFA = $14,770 \text{ SF} / 180 = 82$ spaces *

* Caveat that approved maximum ratio only applies if use remains automotive repair and service. Otherwise, Table 9-1 of SUDC applies.

Proposed Development Standards

IP PUD/CR PUD DEVELOPMENT STANDARDS TABLE FOR DYSART SUBDIVISION (CASE FS15-155)
 Shaded cells indicate development standard that is less restrictive than the base zoning district.
 All other provisions of the IP and CR zoning districts apply.

Development Standard	IP – IP PUD			CR – CR PUD		
	Base Zoning	PUD Overlay	SUDC Reference	Base Zoning	PUD Overlay	SUDC Reference
Interior Side Setback	15'	15'	122-36(c)(2)b, Table 5-11	24'	15' ¹	122-36(c)(2)c, Table 5-12
Landscape Setback (Arterial)	45' ³	45' ^{2,3}	122- 136(b)(18)(h)	45' ³	45' ²	122- 136(b)(18)(h)
Maximum Parking Allowed	1:375 SF of GFA ⁵	1:180 SF of GFA ⁴	122-133(e)	As specified in Table 9-1	As specified in Table 9-1	122-133(e)
Secondary Wall Sign Area	0.5 SF per 1 linear foot of elevation	0.6 SF per 1 linear foot of elevation	113-129(a)(3)(a)	0.5 SF per 1 linear foot of elevation	0.5 SF per 1 linear foot of elevation	113-129(a)(3)(a)

Footnotes:

¹ Adjacent to Commercial or Industrial zoning districts.

² 10' limited driveway access encroachment from street and architectural encroachment allowed per 122-136(b)(18)(h), Table 10-4.

³ Limited driveway encroachment from the west to accommodate shared access allowed per site plan.

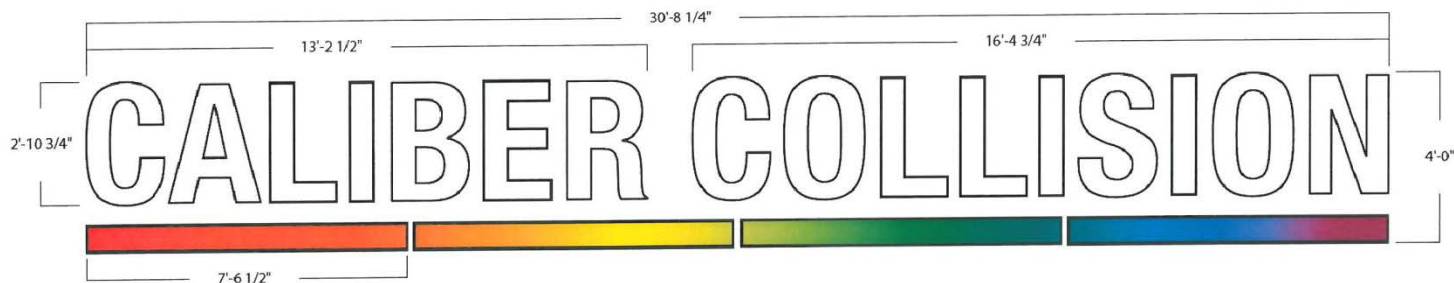
⁴ Based on Automotive Repair and Service use. If other than Automotive Repair and Service, Table 9-1 applies.

FS15-155 Dysart Subdivision

Proposed Signage (West)



B CHANNEL LETTERS
1 9/16" = 26'-0"



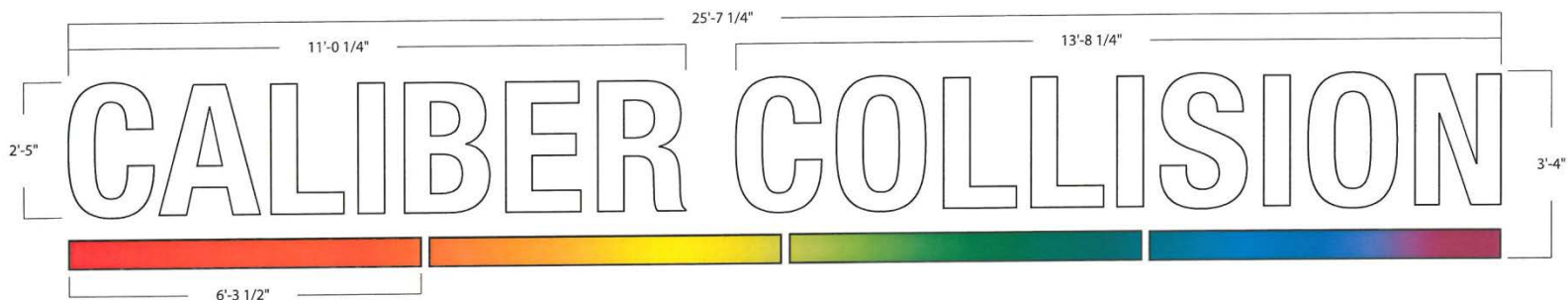
B CHANNEL LETTERS
3/8" = 1'-0"

104.76 SF Allowed if at 0.5 SF / LF
125.71 SF allowed if at 0.6 SF/LF
122.45 SF Proposed

Proposed Signage (North)



A CHANNEL LETTERS
3/32" = 1'-0"

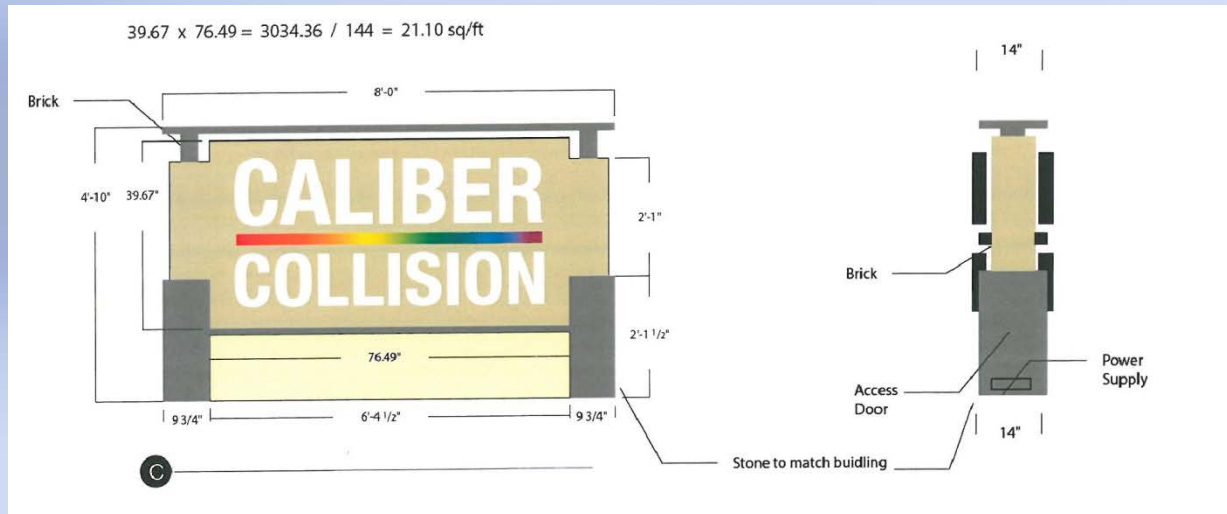


A CHANNEL LETTERS
1/2" = 1'-0"

86.75 SF Allowed
85.35 SF Proposed

FS15-155 Dysart Subdivision

Proposed Signage (Monument)



Proposed Development Standards

IP PUD/CR PUD DEVELOPMENT STANDARDS TABLE FOR DYSART SUBDIVISION (CASE FS15-155)
 Shaded cells indicate development standard that is less restrictive than the base zoning district.
 All other provisions of the IP and CR zoning districts apply.

Development Standard	IP – IP PUD			CR – CR PUD		
	Base Zoning	PUD Overlay	SUDC Reference	Base Zoning	PUD Overlay	SUDC Reference
Interior Side Setback	15'	15'	122-36(c)(2)b, Table 5-11	24'	15' ¹	122-36(c)(2)c, Table 5-12
Landscape Setback (Arterial)	45' ³	45' ^{2,3}	122- 136(b)(18)(h)	45' ³	45' ²	122- 136(b)(18)(h)
Maximum Parking Allowed	1:375 SF of GFA ⁵	1:180 SF of GFA ⁴	122-133(e)	As specified in Table 9-1	As specified in Table 9-1	122-133(e)
Secondary Wall Sign Area	0.5 SF per 1 linear foot of elevation	0.6 SF per 1 linear foot of elevation	113-129(a)(3)(a)	0.5 SF per 1 linear foot of elevation	0.5 SF per 1 linear foot of elevation	113-129(a)(3)(a)

Footnotes:

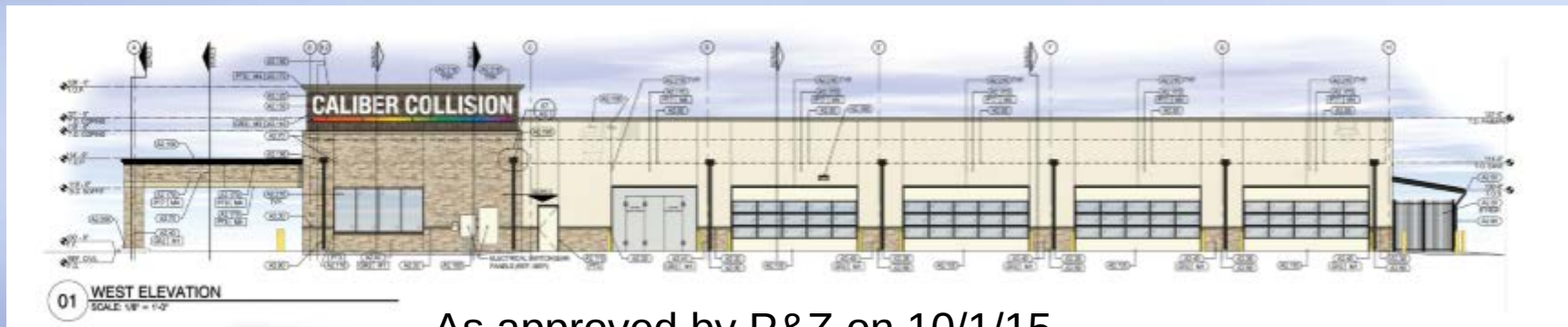
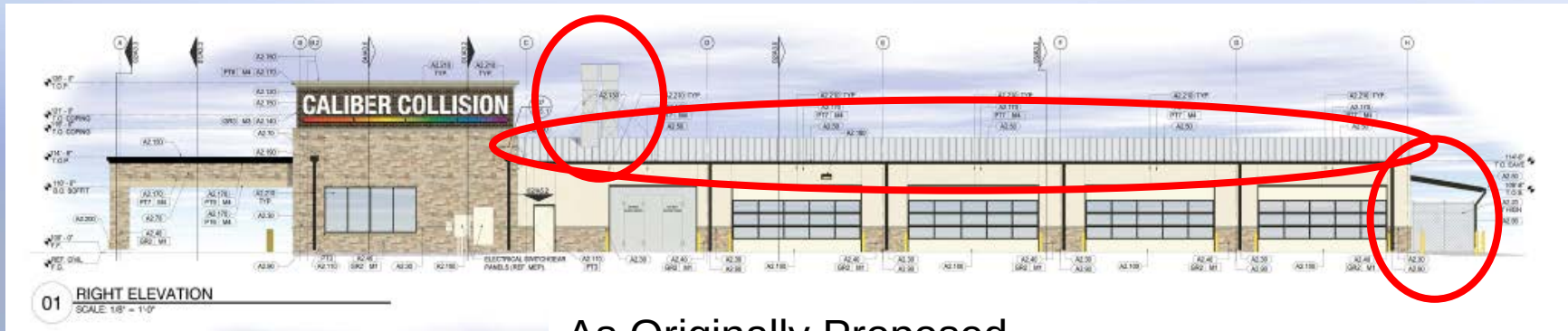
¹ Adjacent to Commercial or Industrial zoning districts.

² 10' limited driveway access encroachment from street and architectural encroachment allowed per 122-136(b)(18)(h), Table 10-4.

³ Limited driveway encroachment from the west to accommodate shared access allowed per site plan.

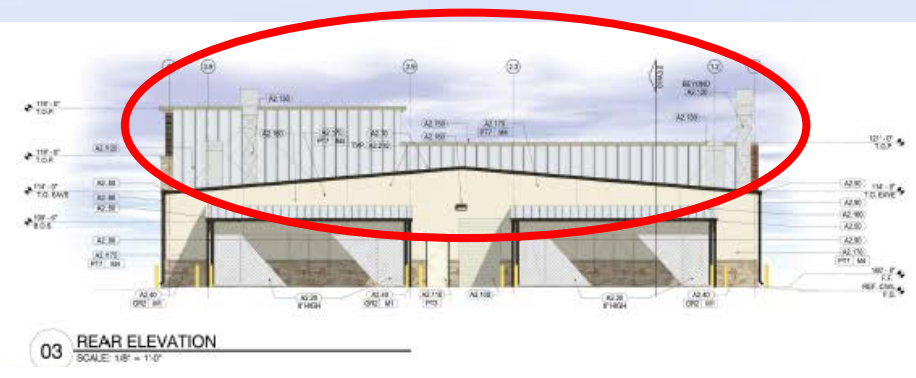
⁴ Based on Automotive Repair and Service use. If other than Automotive Repair and Service, Table 9-1 applies.

Elevations - West

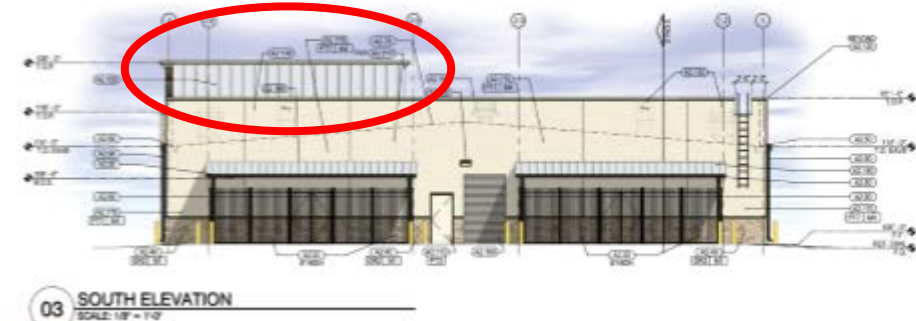


FS15-155 Dysart Subdivision

Elevations – North and South



As Originally Proposed



As approved by P&Z on 10/1/15*

* Includes stipulation requiring the boxing in of the exposed parapet

Elevations - East



As Originally Proposed

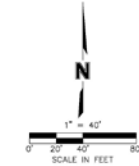


As approved by P&Z on 10/1/15*

* Includes stipulation requiring the boxing in of the exposed parapet

A PORTION OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 3 NORTH, RANGE 1 WEST OF
THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

A PORTION OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 3 NORTH, RANGE 1 WEST OF
THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA



- = SET REBAR W/CAP #5057
- = FOUND CORNER AS NOTED
- △ = CALCULATED CORNER, NOTHING SET
- = REBAR W/ ALUMINUM CAP
- ⊙ = ALUMINUM CAP FLUSH
- ⊖ = BRASS CAP FLUSH
- ⊕ = BRASS CAP IN HAND HOLE
- = SUBJECT PROPERTY BOUNDARY
- = CALCULATED LINES OR TIES
- = SECTION LINE
- = RIGHT-OF-WAY (RW)
- = EASEMENT LINE
- M/C = MISSOURI COUNTY RECORDS
- R/W = PUBLIC RIGHT-OF-WAY
- PUE = PUBLIC UTILITIES EASEMENT
- NAP = NOT A PART OF THIS SURVEY

LINE #	DIRECTION	LENGTH
L1	S89°26'36"E	34.62
L2	S89°26'36"E	12.00
L3	S00°04'W	99.68
L4	N45°00'04"E	33.81
L5	S89°59'56"E	93.38
L6	N45°00'04"E	21.93
L7	N0°00'04"E	41.83
L8	N89°59'56"W	5.54
L9	N0°00'04"E	17.40
L10	S89°26'36"E	55.60
L11	S00°13'W	20.00
L12	N89°59'47"W	35.96
L13	S00°23'W	41.80
L14	S45°00'04"W	29.82
L15	S00°04'W	9.29
L16	S89°59'56"E	8.49
L17	S00°04'W	12.00
L18	N89°59'56"E	20.49
L19	N0°00'04"E	17.77
L20	N89°59'56"E	19.66
L21	S00°04'W	53.22
L22	N89°59'57"W	12.00
L23	N0°00'01"E	5.22
L24	N89°59'56"E	53.38
L25	S45°00'04"W	40.84
L26	S00°04'W	35.27
L27	N89°59'56"W	24.39
L28	N0°00'04"E	12.00
L29	N89°59'56"E	12.39
L30	N0°00'04"E	140.04

N89°26'36"W ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN; ORIGINALLY MEASURED AS S89°54'55"W USING GLOBAL NAVIGATION SATELLITE SYSTEMS AND ROTATED 0°38'29".

1. ALL DISTANCES REPORTED ON THIS SURVEY ARE TO THE MONUMENTS FOUND OR SET UNLESS OTHERWISE NOTED.

2. A SEARCH FOR THE NORTH 1/4 CORNER OF SECTION 3, T3N, R1W, RESULTED IN FINDING THE LOCATION CALCULATED USING GDACS PLAT # 678, PG 15, M.C.R. 1. A HOLE WAS FOUND WITH ASPHALT TIE BAR DRIVEN INTO THE ASPHALT PAVEMENT AT THE CALCULATED POSITION THE NORTHEAST CORNER OF SAID SECTION 3 WAS FOUND CONSISTENT WITH SAID GDACS PLAT. THE EAST QUARTER CORNER OF SAID SECTION 3 WAS FOUND CONSISTENT WITH GDACS PLAT # 668, PG 14, M.C.R. 1. BASED ON THE CONSISTENT FINDINGS OF THE EAST QUARTER CORNER, EAST 1/4 CORNER, THE NORTH 1/4 CORNER IS BELIEVED AT THE CALCULATED LOCATION PER GDACS PLAT # 678, PG 15, M.C.R.

PARENT PARCEL = 360,795 SQ.FT. +/-, OR 8.282 ACRES +/-
 LOT 1 = 87,305 SQ.FT. +/-, OR 2.004 ACRES +/-
 LOT 2 = 61,944 SQ.FT. +/-, OR 1.422 ACRES +/-
 LOT 3 = 211,546 SQ.FT. +/-, OR 4.856 ACRES +/-

LOT 1 = 87,305 SQ. FT. +/-, OR 2.004 ACRES +/-
 LOT 2 = 61,944 SQ. FT. +/-, OR 1.422 ACRES +/-
 LOT 3 = 211,546 SQ. FT. +/-, OR 4.856 ACRES +/-

NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 12N, RANGE 10E, MARICOPA COUNTY, ARIZONA

Drawn by:	FOR
Checked by:	C
Approved by:	FOR
AVQC by:	FOR
Project no.:	014-311
Revision no.:	A

Citizen Outreach

- Outreach meeting on July 21, 2015
- One phone inquiry
- Two items of opposition

Commission Recommendation:

- Zone Change:
 - ✓ **Approve** subject to stipulations “a” through “d”

Questions or Comments?



CITY OF SURPRISE
Regular City Council Meeting

November 3, 2015 @ 6:00:00 PM

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

Council Meeting Date:	November 3, 2015	Contact Person:	Harold Brady, Police and Fire-Medical Legal Advisor
Submitting Department:		District:	Citywide
Staff Recommendations:	None		

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

Agenda Wording:

Consideration and action amending Surprise City Code Chapter 10 regarding Animals, vicious animals, and definitions; Ordinance # 2015-05.

Motion:

I move to adopt Ordinance 2015-05.

Background:

As part of the review and update of the Surprise City Code, the City Attorney's Office has been soliciting input on Chapter 10 from the Police Department, City Prosecutor and Code Enforcement. Many suggested changes are being brought forward in an attempt to provide better due process for animal owners as well as improve the processing of pending violations. One of the key issues is the definition of when an animal is "at large".

Objective Analysis:

Normal City practice in these matters is to investigate possible animal violations of our Code and prosecute when the circumstances warrant prosecution, either criminally or civilly. These changes are intended to enhance the current City practices and to provide due process for dealing with possible vicious animals. They are intended to place those current practices into the ordinance so the public can be aware of those practices. However, one change of note is that the definition of when an animal is at large is being changed. Presently, an animal can be in the owner's presence, but not on a leash, within a gated community and is not considered at large. The recommended ordinance change will treat gated communities and other communities exactly the same: the animal is considered to be at large when it is off the owner's property and not in a structure (e.g., cage) or on a leash.

Policy Compliant:

There are no current city-wide policies relative to handling of animals. However, current policies for handling animals promulgated by the departments have been consulted and these changes are intended to be consistent with, and potentially enhance, those policies.

Financial Impact:

Additional operational costs for the police department, city prosecutor, and city court may occur as a result of this Code change. Such changes would be considered ongoing, but anticipated to be insignificant and irregular.

Budget Impact:

Additional operational costs for the police department, city prosecutor, and city court may occur as a result of this Code change. Such changes would be considered ongoing, but anticipated to be insignificant and irregular and not require additional budget monies.

FTE Impact:

No FTE Impact.

ATTACHMENTS:

Click to download

- ☐ [Chapter 10 Animals City Code Presentation](#)
 - ☐ [Ordinance 2015-05](#)
-

S.C.C. CHAPTER 10 AMENDMENTS

Animals Chapter



Chapter 10 Amendments

- 10-19 Changes include the definitions of “controlled”, “enclosure”, “owner” and “vicious” which were presented at Work Session.
- Definition of “at large” was changed deleting the exemption for under the owner’s “control” on the owner’s property (direction given at Work Session).

Changes (continued)

- 10-24 New licensing violations
- 10-26 Additional regulations for animals declared vicious
- 10-27 Due process procedures for finding an animal to be vicious
- 10-56 Cost recovery for impounded animals

Changes (continued)

- 10-79 Improved due process for the owner of a suspected barking dog; Work Session change so only one person needs to complain
- 10-90 Animal cruelty penalties
- 10-91.a Authority to seize and impound animals who appear abused
- 10-91.b to 10.91.f; 10-92 Due process for owner of an animal seized and impounded as possibly abused



Questions or Comments?



ORDINANCE 2015-05

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING CHAPTER 10 ANIMALS, ARTICLE II ANIMAL CONTROL AND ARTICLE III LIVESTOCK, FOWL, RODENTS AND REPTILES.

WHEREAS, the City desires to allow individuals to keep animals within the City, subject to reasonable regulations;

WHEREAS, the City also desires to provide reasonable protection for the public from the safety risks, noise, health risks and other negative results of keeping animals within the City;

WHEREAS, the City desires to improve the process for handling animals that are suspected of being either abused, at large or vicious; and,

WHEREAS, the City desires to improve its enforcement procedures relative to dogs and vaccinations, and,

WHEREAS, the City desires to punish those persons who might fail to follow or ignore reasonable regulations upon the keeping of animals.

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

Section 1. Chapter 10, Article II, Animal Control, of the Surprise Municipal Code is hereby amended as set forth in Attachment A, incorporated herein by reference.

Section 2. This ordinance shall be effective at the time and in the manner prescribed by law.

PASSED AND ADOPTED this _____ day of _____, 2015.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Misty Leslie, City Attorney

ATTACHMENT A

DIVISION 1. – GENERALLY

There are no changes to Sections 10-21, 10-22 and 10-25.

Sec. 10-19. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Animal means any animal of a species that is susceptible to rabies, except man.

At large means, any dog that is not confined within an enclosure on the owner's or custodian's property, or secured so that the dog is confined entirely on the owner's or custodian's property, or restrained and controlled with a leash. ~~The requirement to secure a dog or control a dog with a leash shall not apply within private, gated communities; in such cases, dogs shall only be required to be under the owner's or custodian's control.~~

CONTROLLED MEANS THE OWNER DIRECTS AND SUPERVISES THE ANIMAL'S BEHAVIOR SO THAT THE ANIMAL DOES NOT HARM, BITE OR ATTACK ANY PERSON OR ANIMAL.

County means Maricopa County Animal Care and Control.

Custodian means the person whom an owner has entrusted with keeping, maintaining and controlling his animal, or a person who keeps, harbors or maintains an animal.

Disturbance means a disturbance caused by an animal, which is distressing or loud or unusual and disturbs the peace or quiet of any place, neighborhood, family or persons in the city for an unreasonable amount of time, and is documented by an enforcement agent.

Enclosure means ~~a fence or structure of at least six feet in height, suitable to prevent the entry of young children, and suitable to confine a vicious animal. Such enclosures shall be securely locked and designed with secure side, top and bottom and shall be designed to prevent the animal from escaping.~~ EITHER BEING KEPT WITHIN A CAGE, WITHIN A FENCED YARD OR WITHIN A RESIDENTIAL STRUCTURE IN WHICH ALL THE DOORS AND WINDOWS ARE CLOSED, SUITABLE TO BOTH PREVENT THE ANIMAL FROM ESCAPING AND PREVENT THE ENTRY OF YOUNG CHILDREN.

Enforcement agent means that person, whether employed by the city or otherwise provided for, who is responsible for the enforcement of this chapter.

Impound means the act of taking or receiving into custody by the enforcement agent any animal for the purpose of confinement in an authorized pound in accordance with the provisions of this chapter.

Kennel means an enclosed, controlled area, inaccessible to other animals, in which a person keeps, harbors or maintains five or more dogs under controlled conditions.

Leash means a chain, rope or strap, made of leather, fabric or other material, that is:

- (1) Not more than six feet in length;
- (2) Capable of being fastened to a collar or harness of a dog and used to lead, restrain and control the dog; ~~and~~
- (3) Of sufficient strength for those purposes;-AND;
- (4) THE LEASH MAY BE LONGER THAN SIX FEET IN LENGTH IF THE DOG IS RESTRAINED ON, AND DOES NOT LEAVE, THE OWNER'S PROPERTY.

Livestock means cattle, horses, sheep, goats, swine, mules and asses.

Owner means the person who most recently purchased, adopted or otherwise legally acquired an animal OR ANY PERSON KEEPING AN ANIMAL OTHER THAN LIVESTOCK FOR MORE THAN SIX CONSECUTIVE DAYS.

Pound means any establishment authorized for the confinement, maintenance, safekeeping and control of animals that come into the custody of the enforcement agent in the performance of his official duties.

Rabies quarantine area means any area in which a state of emergency has been declared to exist due to the occurrence of rabies in animals in or adjacent to this area.

Repetitious disturbance means a disturbance that occurs on more than two occasions and takes place over a period of **15** days.

Vaccination means the administration of an antirabies vaccine to animals by a veterinarian or in authorized pounds by employees trained by a veterinarian.

Veterinarian means any veterinarian licensed to practice in this state, or any veterinarian employed in this state by a governmental agency.

Veterinary hospital means any establishment operated by a veterinarian licensed to practice in this state that provides clinical facilities and houses animals or birds for dental, medical or surgical treatment. A veterinary hospital may have adjacent to it, in conjunction with it, or as an integral part of it, pens, stalls, cages or kennels for quarantine, observation or boarding.

~~Vicious means an animal having a propensity to bite, attack, chase or otherwise endanger the safety of any human being or other animal without provocation either on public or private property. ANY ANIMAL THAT EITHER:~~

a. HAS ATTACKED WITHOUT REASONABLE PROVOCATION, CAUSED INJURY OR OTHERWISE ENDANGERED THE SAFETY OF HUMAN BEINGS OR OTHER DOMESTIC ANIMALS; OR

b. APPROACHES PEOPLE IN A "VICIOUS OR TERRORIZING MANNER"; OR

c. IS IN THE CARE OF A CUSTODIAN OR OWNED PRIMARILY OR IN PART FOR THE PURPOSE OF ANIMAL FIGHTING OR ANY ANIMAL TRAINED FOR FIGHTING.

VICIOUS OR TERRORIZING MANNER MEANS WHEN AN ANIMAL EXHIBITS CONDUCT WHICH INCLUDES, BUT IS NOT LIMITED TO, GROWLING, SHOWING TEETH, SNAPPING, BITING, CHARGING, CIRCLING, CORNERING A PERSON OR CREATING A REASONABLE FEAR OF IMMINENT ATTACK.

Sec. 10-20. - Powers and duties of enforcement agent.

(a) The enforcement agent shall:

(1) Enforce the provisions of this article and the regulations promulgated hereunder.

(2) Issue citations for the violation of the provisions of this article and the regulations promulgated hereunder.

(3) Be responsible for declaring a rabies quarantine area within the area of jurisdiction. When a quarantine area has been declared, the enforcement agent shall meet with the state veterinarian and representatives from the department of health services and the game and fish department to implement an emergency program for the control of rabies within area. Any regulations restricting or involving movement of livestock within the area shall be subject to approval by the state veterinarian.

(b) The enforcement agent is authorized to use whatever force reasonably necessary to remove animals that are being confined within a motor vehicle or enclosed space when it appears that the animal's life or health is endangered by extreme heat or lack of ventilation within the vehicle or enclosed space. The enforcement agent or the enforcement agent's employer shall not be liable for damages to property caused by such removal.

(c) The enforcement agent is authorized to go on private property in order to enforce this article or to take up any animal which is found at large or to take up any dog found without required vaccination, licensing, or identification tags; however, the enforcement agent may not enter a private structure for this purpose without a valid warrant or the consent of an occupant. The enforcement agent at his discretion may remove the animal for placement at the pound. In the judgment of the enforcement

agent, if any dog at large or other animal that is dangerous or fierce and a threat to the public's safety cannot be safely impounded, it may be slain.

(d) The enforcement agent may designate deputies.

(e) OTHER DUTIES AND AUTHORITY AS OTHERWISE GRANTED IN THIS CHAPTER OR IN STATE LAW.

Sec. 10-23. - Vaccinations.

A. Any person keeping, harboring or maintaining a dog over the age of three months within the city for a period in excess of 30 consecutive days shall have **A CURRENT RABIES VACCINATION**. ~~the dog vaccinated pursuant to county procedures.~~

State Law reference— Vaccination of dogs, A.R.S. § 11-1010.

Sec. 10-24. - Dog licensing.

(a) Any person keeping, harboring or maintaining a dog over the age of three months within the city for a period in excess of 30 consecutive days shall license the dog with the county.

(b) Dogs over the age of three months shall wear a collar or harness to which is attached a valid license tag. Dogs used for control of livestock, dogs used or trained for hunting, dogs exhibited or trained at a kennel club event, DOGS USED BY LAW ENFORCEMENT OR THE FIRE-MEDICAL SERVICE, or dogs engaged in races approved by the state racing commission, while being transported to and from such events, need not wear a collar or harness with a valid license attached; provided that they are properly vaccinated, licensed and controlled.

(c) IT IS UNLAWFUL TO:

1. FAIL TO OBTAIN A LICENSE FOR A DOG, REQUIRED TO BE LICENSED, WITHIN 15 DAYS AFTER RECEIVING WRITTEN NOTIFICATION FROM AN ENFORCEMENT AGENT TO DO SO;
2. ALTER, COUNTERFEIT OR ATTEMPT TO COUNTERFEIT A LICENSE FOR A DOG;
3. TO REMOVE FROM A DOG A VALID LICENSE TAG;
4. TO PLACE UPON A DOG A LICENSE TAG WHICH IS EITHER NOT VALID OR WAS ISSUED TO ANOTHER DOG.

State Law reference— County dog license **AND DISPLAY OF LICENSE**, A.R.S. § 11-1008; ~~display of license, A.R.S. § 11-1102.~~

Sec. 10-26. - Keeping of a vicious animal.

(a) No person shall keep or maintain any animal which has been found to be vicious pursuant to SECTION 10-58 OR SECTION 10-27, unless such animal is at all times kept in an enclosure.

(b) All owners or custodians of any animal found to be vicious, shall display, in a prominent place on the premises where the vicious animal is confined, a clearly visible sign in accordance with the following requirements:

(1) The sign must have the following dimensions:

- a. Eight and one-half-inch by 11-inch sign with red letters on a white background;
- b. The first three words "Declared Vicious Animal" must be at least two inches in height and the sign shall read as follows:

DECLARED VICIOUS ANIMAL CITY OF SURPRISE POLICE DEPARTMENT

(2) The sign must be displayed at the entrance of the enclosure where the animal is kept.

(3) In the event enforcement agents find that an enclosure has more than one entrance, the enforcement agents may require a sign at each entrance.

(c) IF AN ANIMAL FOUND VICIOUS IS ALLOWED OUT OF AN ENCLOSURE, IT SHALL BE SECURELY MUZZLED AND RESTRAINED ON A LEASH, AND BE UNDER THE DIRECT CONTROL AND SUPERVISION OF THE ADULT OWNER AND/OR CUSTODIAN OF THE VICIOUS ANIMAL; the only times that a vicious animal may be allowed out of an enclosure is:

(1) If it is necessary for the owner or custodian to obtain veterinary care for the vicious animal; or

(2) To comply with the order of a court of competent jurisdiction;

(d) Any animal, other than a dog, which has been found to be a vicious animal and is not confined to an enclosure shall be impounded by the enforcement agent having jurisdiction in such area and shall be turned over to a licensed veterinarian for destruction by lethal injection.

(e) Any dog that has been found vicious may be confined in an alternative enclosure only with the written approval of the chief of police or his designee.

(f) AN OWNER OF AN ANIMAL FOUND VICIOUS SHALL OBTAIN PUBLIC LIABILITY INSURANCE IN A SINGLE INCIDENT AMOUNT OF AT LEAST ONE HUNDRED THOUSAND DOLLARS FOR BODILY INJURY OR DEATH OF ANY PERSON OR FOR DAMAGE TO PROPERTY CAUSED BY THE VICIOUS ANIMAL.

(g) AN OWNER OF AN ANIMAL FOUND VICIOUS SHALL HAVE THE ANIMAL SPAYED OR NEUTERED WITHIN 30 DAYS OF THE FINAL DETERMINATION OF VICIOUSNESS.

State Law reference— Biting animals, A.R.S. § 11-1014.

SEC. 10-27 – VICIOUSNESS DETERMINATION.

(a) ANY PERSON HAVING REASONABLE GROUNDS TO BELIEVE AN ANIMAL IS VICIOUS AS DEFINED IN SECTION 10-19 MAY PETITION A CITY MAGISTRATE FOR A DETERMINATION THAT THE ANIMAL IS VICIOUS.

(b) ANY TIME AFTER THE PETITION IS FILED, THE COURT MAY, IF IT FINDS THERE ARE REASONABLE GROUNDS TO BELIEVE THE ANIMAL POSES A RISK OF INJURY TO ANY PERSON, ORDER THE ANIMAL BE IMPOUNDED WITH WHATEVER TERMS THE COURT DEEMS NECESSARY TO PROTECT PUBLIC SAFETY.

(c) THE ENFORCEMENT AGENT OR A PEACE OFFICER SHALL SERVE THE PETITION ON THE OWNER OF THE ANIMAL EITHER BY PERSONAL **SERVICE** ON THE OWNER OR BY LEAVING A COPY OF THE ORDER WITH A PERSON OF SUITABLE DISCRETION AT THE OWNER'S RESIDENCE OR PLACE OF BUSINESS. PROOF OF SERVICE SHALL BE FILED WITH THE COURT.

(d) AFTER NOTICE IS GIVEN TO THE OWNER OF THE ANIMAL, THE COURT SHALL CONDUCT AN INFORMAL PUBLIC HEARING. ORAL AND DOCUMENTARY EVIDENCE MAY BE TAKEN FROM ANY INTERESTED PARTY AND CONSIDERED BY THE COURT IN THE DETERMINATION OF WHETHER THE ANIMAL IS VICIOUS. ANY OWNER WHO FAILS TO APPEAR AFTER NOTICE MAY BE DEEMED TO HAVE WAIVED ANY RIGHT TO INTRODUCE EVIDENCE. THE VICIOUSNESS DETERMINATION WILL BE MADE USING A PREPONDERANCE OF THE EVIDENCE STANDARD.

(e) A VICIOUSNESS DETERMINATION MAY BE CONDUCTED IN CONJUNCTION WITH AND AS PART OF ANY CRIMINAL PROCEEDING FOR ANY VIOLATION OF THIS CHAPTER OR STATE STATUTE IF VICIOUSNESS IS ALLEGED IN THE COMPLAINT.

(f) ANY FEE FOR FILING A PETITION OR FEES FOR SERVICE OF HEARING NOTICES PURSUANT TO THIS SECTION MAY BE DEFERRED OR WAIVED IN THE COURT'S DISCRETION.

(g) UPON FINDING THAT AN ANIMAL IS VICIOUS, THE COURT MAY ORDER THAT THE ANIMAL BE DESTROYED OR THE COURT MAY PERMIT THE ANIMAL TO LIVE PROVIDED THE OWNER FOLLOWS THE REQUIREMENTS OF SECTION 10-26.

State Law reference— Assault; vicious animals, A.R.S. § 13-1208.

DIVISION 2. - RUNNING AT LARGE AND IMPOUNDMENT

There are no changes to Section 10-57 and 10-60.

Sec. 10-56. - Running at large.

(a) No person shall intentionally, recklessly or negligently allow a dog that the person keeps, harbors or maintains to be at large.

(b) Any dog at large shall be subject to apprehension and impoundment by the enforcement agent.

(c) A dog shall not be considered at large while off leash in a designated dog exercise area or dog park; provided, the dog is accompanied by and under the control of the owner or custodian of the dog. Additionally, the owner or custodian of the dog shall at all times have a leash of not more than six feet in length in his possession.

(d) A PERSON SHALL BE RESPONSIBLE FOR, IN ADDITION TO ANY FINES OR PENALTIES, THE COST OF HOUSING, CARING FOR, AND TREATING AN ANIMAL THAT WAS PROPERLY SEIZED AND IMPOUNDED PURSUANT TO THIS SECTION IF EITHER:

- (1) THE COURT FINDS THAT THE PERSON INTENTIONALLY, RECKLESSLY, OR NEGLIGENTLY ALLOWED A DOG THAT THE PERSON KEEPS, HARBORS OR MAINTAINS TO HAVE BEEN AT LARGE, OR
- (2) THE PERSON PLEADS GUILTY TO A CRIMINAL CITATION OR RESPONSIBLE TO A CIVIL CITATION CHARGING THE PERSON WITH HAVING INTENTIONALLY, RECKLESSLY OR NEGLIGENTLY ALLOWING A DOG THAT THE PERSON KEEPS, HARBORS OR MAINTAINS TO HAVE BEEN AT LARGE.

State Law reference— Dogs at large, A.R.S. § 11-1012.

Sec. 10-58. - Bites; confinement of animal; reporting.

(a) ~~Any unlicensed dog or any cat that bites any person shall be confined and quarantined at the expense of the owner or custodian in an authorized pound, or at the owner's or custodian's request in a veterinary hospital for a period of not less than ten days. A dog properly licensed pursuant to this article~~ AN ANIMAL that bites any person may be confined and quarantined at the home of the owner or custodian or wherever the ~~dog~~ ANIMAL is harbored and maintained with the consent of and in a manner prescribed by the enforcement agent.

(b) LIVESTOCK SHALL BE CONFINED AND QUARANTINED FOR THE 14-DAY PERIOD IN A MANNER REGULATED BY THE STATE LIVESTOCK BOARD. Any animal other than LIVESTOCK, a dog or cat that bites any person shall be confined and quarantined in an authorized pound or, upon the request of and at the expense of the owner or custodian, at a veterinary hospital for a period of not less than 14 days; ~~provided that livestock shall be confined and quarantined for the 14-day period in a manner regulated by the state livestock board.~~ If the animal is a caged rodent, it may be confined and quarantined at the home of the owner or custodian or where it is

harbored or maintained, for the required period of time, with the consent of and in a manner prescribed by the enforcement agent.

(c) Any wild animal that bites any person may be killed and submitted to the enforcement agent for transmission to an appropriate diagnostic laboratory.

(d) Whenever an animal bites any person, the incident shall be reported to the enforcement agent immediately by any person having direct knowledge.

(e) The enforcement agent may destroy any animal confined and quarantined pursuant to this section prior to the termination of the minimum confinement period for laboratory examination for rabies if:

(1) Such animal clearly shows clinical signs of rabies;

(2) The owner of such animal consents to its destruction;

(3) A justice of the peace or city magistrate has ordered the animal's destruction. Such order may only be issued after notice to the owner, if any, and a hearing at which the animal was declared vicious.

(f) Any animal subject to A LAW REQUIRING THE ANIMAL TO BE licensed ~~under this article~~ found without a tag identifying its owner shall be deemed unowned.

Sec. 10-59. - Impoundment procedures for animals (nonlivestock).

(a) All animals (nonlivestock) impounded shall be kept and maintained at the pound in accordance with the pound's terms and conditions (impoundment period), unless claimed by the owner or custodian. All animals impounded shall be given proper care and maintenance.

(b) Any animal may be reclaimed by its owner or custodian; provided that the person reclaiming the animal furnishes proof of right to do so and pays all pound fees and city capture fees.

(1) Pound fees shall include any and all fees assessed by the entity operating the pound;

(2) City capture fees for each animal impounded are as established by resolution including, but not limited to, costs of food, water, veterinary care, shelter and capture.

~~(c) If the animal is not claimed within the impoundment period, the enforcement agent shall take possession and may place the animal for sale or may dispose of the animal in a humane manner. Any person may purchase an animal put up for sale upon expiration of the impoundment period; provided, such person pays all pound fees and complies with licensing and vaccination provisions of this article, if necessary. If such animal is to be used for medical research, no license or vaccination shall be required.~~

~~(d) The enforcement agent may destroy impounded sick or injured animals whenever such destruction is necessary to prevent such animal from suffering or to prevent the spread of disease.~~

State Law reference— County animal pounds, A.R.S. § 11-1013.

DIVISION 3. - MISCELLANEOUS RESTRICTIONS AND ENFORCEMENT

There are no changes to Section 10-80, 10-81, 10-82 and 10-83.

Sec. 10-79. - Unreasonable dog barking.

(a) No person shall allow a dog that the person keeps, harbors or maintains to bark OR HOWL in a manner that is a repetitious OR UNWARRANTED disturbance ~~or unreasonably~~ SO AS TO disturbs the peace and quiet of another person.

(b) In the event that enforcement agents are called to investigate a ~~first or second~~ disturbance, they may issue a citation IF THE DISTURBANCE IS VERIFIED THROUGH INDEPENDENT MEANS SUCH AS ENFORCEMENT AGENT OBSERVATION, OTHER NEIGHBOR COMPLAINTS, AUDIO RECORDINGS, VIDEO RECORDINGS, LOGBOOK, OR OTHER EVIDENCE, THE ENFORCEMENT AGENT THEN MAY ISSUE A CIVIL OR CRIMINAL CITATION PURSUANT TO SECTION 2-235 that may result in punishment or penalty pursuant to section 10-22 OR SECTION 2-238. A CIVIL CITATION WILL BE ISSUED FOR A FIRST VIOLATION OF THIS SECTION. THE ENFORCEMENT AGENT MAY ISSUE A CIVIL OR CRIMINAL CITATION FOR A SECOND OR SUBSEQUENT VIOLATION AT THE AGENT'S DISCRETION.

(c) NO CIVIL OR CRIMINAL CITATION UNDER THIS SECTION WILL BE ISSUED UNLESS THERE IS AT LEAST ONE COMPLAINANT, BESIDES THE ENFORCEMENT AGENT, WILLING TO AID IN PROSECUTION AND APPEAR IN COURT TO TESTIFY IF REQUIRED.

DIVISION 4. ANIMAL CRUELTY AND SEIZURE

This Division is new as are all sections contained therein.

SEC. 10-90. ANIMAL CRUELTY.

(a) IT SHALL BE UNLAWFUL FOR A PERSON TO INTENTIONALLY, KNOWINGLY OR RECKLESSLY CAUSE PHYSICAL INJURY OR DEATH TO AN ANIMAL, INFLECT NEEDLESS SUFFERING UPON AN ANIMAL, OR CAUSE AN ANIMAL UNDER THE PERSON'S CUSTODY AND CONTROL TO HARM ANOTHER ANIMAL.

(b) THIS DIVISION SHALL NOT PROHIBIT OR RESTRICT ANY ANIMAL ACTIVITY INVOLVING THE POSSESSION, TRAINING, EXHIBITION OR USE OF AN ANIMAL IN THE OTHERWISE LAWFUL PURSUITS OF HUNTING, RANCHING, FARMING, RODEOS, SHOWS AND SECURITY SERVICES.

SEC. 10-91. AUTHORITY TO REMOVE, IMPOUND AND FORFEIT ANIMALS; COST OF CARE.

(a) A PEACE OFFICER OR ENFORCEMENT AGENT IS HEREBY AUTHORIZED AND EMPOWERED TO SEIZE AND IMPOUND AN ANIMAL UNDER ANY OF THE FOLLOWING CIRCUMSTANCES:

(1) ON PROCESS ISSUED PURSUANT TO THE PROVISIONS OF A.R.S. TITLE 13, INCLUDING A SEARCH WARRANT.

(2) IF THE PEACE OFFICER OR ENFORCEMENT AGENT HAS REASONABLE GROUNDS TO BELIEVE ANY OF THE FOLLOWING:

A. THAT A VIOLATION OF EITHER SECTIONS 10-56, 10-58 OR 10-90 HAS OCCURRED;

B. THAT AN ANIMAL IS IN DISTRESS CAUSED BY MISTREATMENT, LACK OF FOOD OR WATER, RESTRAINT, RESTRICTION OF MOVEMENT, CONFINEMENT, LACK OF SUFFICIENT EXERCISE SPACE, CONSTRICTIVE GEAR, INJURY, ILLNESS, PHYSICAL IMPAIRMENT OR PARASITES;

C. THAT AN ANIMAL'S WELL-BEING IS THREATENED BY A DANGEROUS CONDITION OR CIRCUMSTANCE;

D. THAT SEIZURE IS NECESSARY TO PROTECT THE HEALTH OR SAFETY OF THE ANIMAL OR THE HEALTH OR SAFETY OF OTHER ANIMALS; OR

E. THAT AN ANIMAL IS VICIOUS OR DESTRUCTIVE AND MAY BE A DANGER TO THE SAFETY OF ANY PERSON OR OTHER ANIMAL.

(b) NOTHING IN THIS SECTION SHALL BE CONSTRUED TO PROHIBIT THE ATTORNEY FOR THE STATE, AFTER SEIZURE OF AN ANIMAL BY A PEACE OFFICER OR ENFORCEMENT AGENT, FROM TAKING POSSESSION OF AND KEEPING THE ANIMAL WHEN THE ATTORNEY DEEMS THE ANIMAL TO BE OF EVIDENTIARY VALUE IN ANY CRIMINAL PROSECUTION RELATING TO THE CONDITION OF THE ANIMAL. IF THE ATTORNEY FOR THE STATE INTENDS TO TAKE POSSESSION OF AND RETAIN AN ANIMAL AS EVIDENCE IN ANY CRIMINAL PROSECUTION, THE ATTORNEY SHALL PROMPTLY PROVIDE WRITTEN NOTICE OF THIS INTENT TO TAKE POSSESSION TO THE POLICE DEPARTMENT AND TO THE OWNER OR CUSTODIAN OF THE ANIMAL.

(c) THE CITY MAY CONTRACT WITH ANY PERSON, AGENCY OR SHELTER, INCLUDING VOLUNTEERS, TO HOUSE, CARE FOR AND TREAT AN ANIMAL THAT HAS BEEN SEIZED AND IMPOUNDED PURSUANT TO THE PROVISIONS OF THIS SECTION.

(d) THE OWNER OR CUSTODIAN OF AN ANIMAL PROPERLY SEIZED UNDER THIS SECTION IS LIABLE FOR THE COST OF HOUSING, CARING FOR AND TREATING THE ANIMAL. THE OWNER OR CUSTODIAN SHALL POST WITH

THE COURT A BOND IN THE FORM OF CASH OR A SURETY'S UNDERTAKING TO DEFRAY SOME OF THE COSTS OF HOUSING OF, CARING FOR AND TREATING THE ANIMAL; UNLESS THE SEIZURE OR IMPOUNDMENT OF AN ANIMAL IS FOR EVIDENTIARY PURPOSES, SUPPORTED BY A WRITTEN NOTICE OF INTENT AS REQUIRED BY SUBSECTION (B), OR THE COURT DETERMINES AT A POST-SEIZURE HEARING THAT THE SEIZURE OR IMPOUNDMENT WAS NOT JUSTIFIED, THE BOND SHALL BE IN THE AMOUNT OF \$50.00 PER ANIMAL. THE OWNER OR CUSTODIAN SHALL POST THE BOND WITHIN TEN DAYS OF THE DATE OF THE NOTICE PROVIDED UNDER SECTION 10-92. IF THE OWNER OR CUSTODIAN FAILS TO POST THE BOND WITHIN THE SPECIFIED TIME OR NEVER APPEARS IN THE POST-SEIZURE HEARING, THE OWNER OR CUSTODIAN SHALL BE DEEMED TO HAVE ABANDONED THE ANIMAL. THE ANIMAL MAY THEN BE PLACED FOR ADOPTION THROUGH MARICOPA COUNTY ANIMAL CARE AND CONTROL, AN ANIMAL WELFARE ORGANIZATION, AN ANIMAL SHELTER, A SUITABLE HOME OR HUMANELY DESTROYED.

- (e) UPON FORFEITURE OF AN ANIMAL, THE COURT SHALL FORFEIT THE BOND TO PAY THE EXPENSES INCURRED IN THE HOUSING OF, CARING FOR AND TREATING THE ANIMAL. IF THE BOND EXCEEDS THE EXPENSES, THE COURT SHALL EXONERATE THE BOND AMOUNT AND ORDER THE SECURITY RETURNED TO THE OWNER OR CUSTODIAN ONLY TO THE EXTENT THE BOND EXCEEDS THE EXPENSES INCURRED IN THE HOUSING OF, CARING FOR AND TREATMENT OF THE ANIMAL. THE COURT SHALL ORDER THE BOND EXONERATED AND THE SECURITY RETURNED TO THE OWNER OR CUSTODIAN IF AT THE CONCLUSION OF THE CASE THE ANIMAL IS NOT FORFEITED UNDER THIS CHAPTER.
- (f) IF THE OWNER OF THE ANIMAL EITHER PLEADS GUILTY TO CRIMINAL CHARGES OR RESPONSIBLE TO THE CIVIL CHARGES ARISING PURSUANT TO SECTION 10-90, THE OWNER MAY HAVE THE ANIMAL RETURNED UPON THE PAYMENT INCURRED IN THE HOUSING OF, CARING FOR AND TREATMENT OF THE ANIMAL. THE ANIMAL SHALL NOT BE RETURNED WITHOUT THIS PAYMENT BEING MADE IN FULL.

State Law reference— Animal seizure, A.R.S. § 13-4281.

SEC. 10-92. POST-SEIZURE HEARINGS.

- (a) POST-SEIZURE HEARINGS OF ANIMALS PURSUANT TO THIS DIVISION ARE TO BE HELD BEFORE A CITY MAGISTRATE. THE BURDEN OF PROOF IN THE

SEIZURE HEARING SHALL BE BY A PREPONDERANCE OF THE EVIDENCE. THE FORMAL RULES OF EVIDENCE SHALL NOT APPLY AND RELIABLE HEARSAY SHALL BE ADMISSIBLE. IF THE CITY SHOWS BY A PREPONDERANCE OF THE EVIDENCE THAT THE ANIMAL WAS BEING ABUSED OR NEGLECTED, THEN:

1. THE COURT SHALL ORDER THE ANIMAL TO BE FORFEITED TO THE CITY TO BE PLACED FOR ADOPTION THROUGH MARICOPA COUNTY ANIMAL CARE AND CONTROL, AN ANIMAL WELFARE ORGANIZATION, AN ANIMAL SHELTER, A SUITABLE HOME OR HUMANELY DESTROYED IF THE COURT FINDS FROM A PREPONDERANCE OF THE EVIDENCE THAT A VIOLATION OF SECTION 10-90 HAS OCCURRED OR IF THE COURT FINDS THAT THE ANIMAL WILL SUFFER NEEDLESSLY IF HUMANE DESTRUCTION IS DELAYED.
2. THE COURT SHALL ORDER THE OWNER TO PAY THE COSTS OF BOARDING BY THE CITY, IMPOUNDMENT BY THE COUNTY AND, IF NECESSARY, HUMANE DESTRUCTION.

(b) WHENEVER A PEACE OFFICER OR ENFORCEMENT AGENT SEIZES OR IMPOUNDS AN ANIMAL BASED ON A REASONABLE BELIEF THAT A VIOLATION OF SECTION 10-90 HAS OCCURRED OR THAT PROMPT ACTION IS REQUIRED TO PROTECT THE HEALTH OR SAFETY OF THE ANIMAL OR THE HEALTH AND SAFETY OF OTHER ANIMALS, THE OWNER OR CUSTODIAN OF THE ANIMAL MAY REQUEST A POST-SEIZURE HEARING TO DETERMINE THE VALIDITY OF THE SEIZURE OR IMPOUNDMENT OR BOTH. THE POST-SEIZURE HEARING SHALL BE COMMENCED AS FOLLOWS:

- (1) IF THE OWNER IS KNOWN, THE OWNER MAY SIGN A STATEMENT PERMANENTLY RELINQUISHING OWNERSHIP OF THE ANIMAL TO THE PEACE OFFICER OR ENFORCEMENT AGENT. THE STATEMENT SHALL INDICATE THAT THE ANIMAL WILL BE EITHER PLACED FOR ADOPTION, THROUGH MARICOPA COUNTY ANIMAL CARE AND CONTROL, AN ANIMAL WELFARE ORGANIZATION, AN ANIMAL SHELTER, A SUITABLE HOME OR HUMANELY DESTROYED ACCORDING TO LAW.
- (2) IF THE OWNER'S OR CUSTODIAN'S WHEREABOUTS CANNOT BE DETERMINED, THE NOTICE SHALL BE MAILED TO THE OWNER OR KEEPER'S LAST KNOWN ADDRESS BY REGISTERED OR CERTIFIED MAIL, RETURN RECEIPT REQUESTED.
- (3) THE POLICE DEPARTMENT OR CITY PROSECUTOR, WITHIN 48 HOURS, EXCLUDING WEEKENDS AND CITY HOLIDAYS, OF THE SEIZURE OR IMPOUNDMENT, SHALL CAUSE A NOTICE TO BE AFFIXED TO A CONSPICUOUS PLACE WHERE THE ANIMAL WAS SITUATED OR

PERSONALLY DELIVER A NOTICE OF THE SEIZURE OR IMPOUNDMENT, OR BOTH, TO THE OWNER OR CUSTODIAN, IF KNOWN OR ASCERTAINABLE AFTER REASONABLE INVESTIGATION. THE NOTICE SHALL INCLUDE THE FOLLOWING:

- A. THE NAME, BUSINESS ADDRESS AND TELEPHONE NUMBER OF THE PERSON PROVIDING THE NOTICE.
- B. A DESCRIPTION OF THE ANIMAL SEIZED, INCLUDING IDENTIFICATION UPON THE ANIMAL IF ANY.
- C. THE AUTHORITY AND PURPOSE FOR THE SEIZURE, OR IMPOUNDMENT, INCLUDING THE TIME, PLACE AND CIRCUMSTANCES UNDER WHICH THE ANIMAL WAS SEIZED.
- D. A STATEMENT THAT, IN ORDER TO RECEIVE A POST-SEIZURE HEARING, THE OWNER OR PERSON AUTHORIZED TO KEEP THE ANIMAL, OR HIS OR HER AGENT, SHALL REQUEST THE HEARING BY SIGNING AND RETURNING TO THE COURT AN ENCLOSED DECLARATION OF OWNERSHIP OR RIGHT TO KEEP THE ANIMAL WITHIN TEN DAYS, INCLUDING WEEKENDS AND CITY HOLIDAYS, OF THE DATE OF THE NOTICE. THE DECLARATION MUST BE RETURNED BY PERSONAL DELIVERY OR BY MAIL. THE DECLARATION WILL BE DEEMED RECEIVED AT THE TIME IT IS PERSONALLY SERVED OR, IF MAILED, UPON RECEIPT.
- E. A STATEMENT THAT THE OWNER OR CUSTODIAN IS RESPONSIBLE FOR THE COST OF HOUSING, CARING FOR AND TREATING THE ANIMAL THAT WAS PROPERLY SEIZED AND IMPOUNDED.
- F. A STATEMENT THAT THE OWNER IS REQUIRED TO POST A BOND WITH THE COURT TO DEFRAY THE EXPENSES OF HOUSING, CARING FOR AND TREATING THE ANIMAL THAT HAS BEEN PROPERLY SEIZED AND IMPOUNDED.
- G. A WARNING THAT IF THE OWNER OR CUSTODIAN FAILS TO POST THE BOND WITHIN TEN DAYS OF THE SEIZURE, INCLUDING WEEKENDS AND HOLIDAYS, THE ANIMAL WILL BE DEEMED ABANDONED AND WILL BE PLACED FOR ADOPTION THROUGH MARICOPA COUNTY ANIMAL CARE AND CONTROL, AN ANIMAL WELFARE ORGANIZATION, AN ANIMAL SHELTER, A SUITABLE HOME OR HUMANELY EUTHANIZED ACCORDING TO LAW.
- H. A WARNING THAT IF THE OWNER OR CUSTODIAN FAILS TO APPEAR AT THE HEARING, THE COURT SHALL ORDER THE ANIMAL FORFEITED TO THE CITY TO BE PLACED FOR ADOPTION THROUGH MARICOPA COUNTY ANIMAL CARE AND CONTROL, AN ANIMAL WELFARE ORGANIZATION, AN ANIMAL SHELTER, A SUITABLE HOME OR HUMANELY DESTROYED ACCORDING TO LAW.
- I. A WARNING THAT THIS CIVIL HEARING IS SEPARATE AND DISTINCT FROM ANY ANIMAL CRUELTY PROSECUTION, THAT ANYTHING THE PERSON TESTIFIES TO AT THE HEARING MAY BE USED AGAINST THEM IN THE CRIMINAL PROSECUTION, THAT THEY ARE NOT

ENTITLED TO A PUBLIC DEFENDER, THAT IF THEY WISH TO BE REPRESENTED BY AN ATTORNEY AT THE SEIZURE HEARING THEY MUST RETAIN AN ATTORNEY AND THAT NO CONTINUANCES OF THE HEARING WILL BE GRANTED TO SECURE AN ATTORNEY.

- (4) THE COURT SHALL CONDUCT THE POST-SEIZURE HEARING WITHIN 15 DAYS OF THE COURT'S RECEIPT OF THE REQUEST, EXCLUDING WEEKENDS AND CITY HOLIDAYS.
 - (5) FAILURE OF THE OWNER OR CUSTODIAN, OR THE OWNER'S OR CUSTODIAN'S AGENT, TO REQUEST OR TO ATTEND A SCHEDULED HEARING SHALL RESULT IN A FORFEITURE OF ANY RIGHT TO A POST-SEIZURE HEARING AND THE ANIMAL SHALL BE ABANDONED AND WILL BE EITHER PLACED UP FOR ADOPTION THROUGH +MARICOPA COUNTY ANIMAL CARE AND CONTROL, AN ANIMAL WELFARE ORGANIZATION, AN ANIMAL SHELTER, A SUITABLE HOME OR HUMANELY DESTROYED ACCORDING TO LAW.
 - (6) IF THE OWNER IS KNOWN, THE OWNER MAY SIGN A STATEMENT PERMANENTLY RELINQUISHING OWNERSHIP OF THE ANIMAL TO THE PEACE OFFICER OR ENFORCEMENT AGENT. THE STATEMENT SHALL INDICATE THAT THE ANIMAL WILL BE EITHER PLACED FOR ADOPTION, THROUGH MARICOPA COUNTY ANIMAL CARE AND CONTROL, AN ANIMAL WELFARE ORGANIZATION, AN ANIMAL SHELTER, A SUITABLE HOME OR HUMANELY DESTROYED ACCORDING TO LAW.
- c. IN THE EVENT OF THE ACQUITTAL OR FINAL DISCHARGE WITHOUT A CONVICTION OF A PERSON WHO WAS CHARGED UNDER THIS DIVISION, THE COURT SHALL, UPON DEMAND, DIRECT THE RELEASE OF SEIZED OR IMPOUNDED ANIMALS THAT HAVE NOT BEEN FORFEITED UPON A SHOWING OF PROOF OF OWNERSHIP. ANY QUESTIONS REGARDING OWNERSHIP SHALL BE DETERMINED IN A SEPARATE HEARING BY THE COURT AND THE COURT SHALL HEAR TESTIMONY FROM ANY PERSONS WHO MAY ASSIST IN DETERMINING OWNERSHIP OF THE ANIMAL. IF THE OWNER IS DETERMINED TO BE UNKNOWN OR THE OWNER IS PROHIBITED FROM POSSESSING THE ANIMAL OR UNABLE TO RETAIN POSSESSION OF THE ANIMAL FOR ANY REASON, THE COURT SHALL ORDER THE ANIMAL RELEASED FOR PLACEMENT WITH MARICOPA COUNTY ANIMAL CARE AND CONTROL, AN ANIMAL WELFARE ORGANIZATION, AN ANIMAL SHELTER, A SUITABLE HOME OR HUMANELY EUTHANIZED ACCORDING TO LAW. THIS SUBSECTION SHALL NOT BE CONSTRUED TO CAUSE THE RELEASE OF AN ANIMAL

SEIZED OR IMPOUNDED PURSUANT TO ANY OTHER LOCAL, STATE OR FEDERAL LAW OR REGULATION.

d. IT IS UNLAWFUL FOR A PERSON TO FAIL TO:

- 1) PRODUCE THE ANIMAL AT THE TIME OF THE HEARING IF THE ANIMAL WAS NOT INITIALLY SEIZED,
- 2) MAKE ARRANGEMENTS WITH AND ALLOW THE POLICE DEPARTMENT TO VIEW THE ANIMAL UPON REQUEST, OR
- 3) PROVIDE VERIFICATION THAT THE ANIMAL HAS BEEN HUMANELY DESTROYED.

State Law reference— Animal seizure, A.R.S. § 13-4281.

ARTICLE III. - LIVESTOCK, FOWL, RODENTS AND REPTILES

Sections 10-110, 10-111, 10-112, 10-115, 10-116, 10-117, 10-118, and 10-119 were not changed.

Sec. 10-113. - Livestock, fowl and rodents.

~~Livestock, fowl and rodents~~ shall be allowed provided not less than one-half acre of lot area is provided for ~~every~~ EACH animal. FOWL AND RODENTS SHALL BE ALLOWED PROVIDED ~~and~~ not less than one-half acre of lot area is provided for 25 rodents, or 25 fowl, or a combination of 25 rodents AND ~~or~~ fowl.

Sec. 10-114. - Enclosures—Specifications.

All enclosures referred to in this article shall be so constructed as to prevent any animal, fowl or rodent enclosed therein from escaping and wandering upon property not within the enclosure. All ~~animals~~ fowl and rodents, ~~except dogs and cats,~~ shall be kept in an enclosure at least 80 feet or more from any residence, school, hotel, restaurant or building containing sleeping or dining accommodations.

Sec. 10-120. - Penalty for violation.

Except as otherwise provided in this article, every person who violates any provision of this article is guilty of a class 1 misdemeanor; HOWEVER, ANY VIOLATION MAY ALSO BE TREATED AS A CIVIL VIOLATION AT THE DISCRETION OF THE ENFORCEMENT AGENT OR PROSECUTOR.



CITY OF SURPRISE
Regular City Council Meeting

November 3, 2015 @ 6:00:00 PM

Back Print

Council Meeting Date:	November 3, 2015	Contact Person:	Mark Schott, Human Resources Director
Submitting Department:		District:	Internal
Staff Recommendations:	None		

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

Agenda Wording:

Consideration and action amending Chapter 3 of the Surprise Municipal Code pertaining to the jurisdiction, powers and duties of the Personnel Appeals Board and clarifying the applicability of the whistleblower protections; Ordinance # 2015-20.

Motion:

I move to approve Ordinance # 2015-20.

Background:

Municipal Code (Sec. 3-41) was established in 2008 which created a Personnel Appeals Board (PAB) to serve as a neutral body to review under certain parameters the disciplinary actions of classified employees. Over time the application of the processes for the PAB have identified the lack of certain necessary procedural practices. Additionally since first enacted governing state statutes have been added or amended. The proposed changes will better align the municipal code with state statutes.

In 2012 the Whistleblower Protection Article (VIII) was added to municipal code to encourage the reporting of matters of public concern by providing protection for public employees who report improper government action. The application of the processes designed within this article has also identified areas in which improvements to the current language can be made to provide clear applicability of the protections afforded in this section of code.

Objective Analysis:

This action will allow the amendment of the applicable sections of Chapter 3 of the Municipal Code providing clarity in process and application. Not amending these sections may leave continued ambiguity in the language.

Policy Compliant:

This action is compliant with City and Council Policy.

Financial Impact:

This item does not have a financial impact.

Budget Impact:

This item does not have a budget impact.

FTE Impact:

This item does not impact the number of FTE.

ATTACHMENTS:

Click to download

- ☐ [Chapter 3](#)
 - ☐ [Ordinance 2015-20](#)
-

Chapter 3 - PERSONNEL

ARTICLE I. - GENERAL PROVISIONS

Sec. 3-1. - Purpose.

- (a) The general purpose of this chapter is to establish the general policies of the city with regard to personnel in order to maintain an effective and responsive work force.
- (b) All personnel activities are based on merit principles as defined by the city.
- (c) This chapter is not intended to serve as a contract of employment or to guarantee permanent employment to an employee. No individual or representative of the city has the authority to make any agreement to the contrary.
- (d) This chapter applies to city employees, not to individuals who perform work for the city on a contractual basis, volunteers, or to the mayor or members of city council.
- (e) This chapter may only be amended, revised or deleted by legislative action of the city council.

(Ord. No. 08-42, § 1(Exh. A), 9-25-08)

Sec. 3-2. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Appointed official means an employee of the city appointed by the mayor and city council, including the city manager, city attorney, presiding judge, associate judges and city clerk.

Classification means a grouping of one or more positions that involve similar duties and responsibilities requiring similar qualifications, and which can properly be described by a common job title and description.

Classification plan means the alphabetically arranged compilation of classification specifications for employees consisting of broadly defined classes with position descriptions, a reclassification process, a position change (upgrade/downgrade) process, and a process for the development of new job classes.

Classification specification means a written description that reflects the specific type and level of duties and responsibilities of the class, and necessary requirements. A classification specification is not meant to be all inclusive, but rather to serve as a guide for such activities as recruitment, selection, compensation and determining training needs.

Compensation means payments to employees for work performed. Compensation includes but is not limited to salary, merit pay, premium pay, paid leave, health insurance and other paid benefits.

Compensation plan means the compensation structure of the city.

Corrective action means all supervisory actions, including nondisciplinary and disciplinary action as defined herein, which are designed and intended to be used in a progressive manner to improve an employee's performance.

Demotion means the movement of an employee from a position currently held to another position in a lower classification and salary range.

Discipline or disciplinary action means the act of suspending, demoting, or terminating an employee, when such is designed and intended to be used by supervisors to improve an employee's performance.

Employee means a person working for the city for compensation who occupies a position subject to selection, promotion, demotion, or termination.

Hiring official means the city manager or designee responsible for the hiring and discipline of any employee.

Introductory period of employment means a specific period of time, commencing on date of hire in a classified employment position, for an employee to demonstrate the requisite job knowledge, skill, and ability and other qualities required of position incumbents.

Non-disciplinary action means those corrective actions including but is not limited to coaching, undocumented counseling, documented oral counseling and written reprimands.

Primary residency means home in which a person lives or will live most of the time, whether owned or rented.

Promotion means the movement of an employee from a position currently held to another position in a higher classification and salary range.

Promotional trial period means a specific period of time, commencing upon promotion to a classified employment position, for the promoted employee to demonstrate the requisite job knowledge, skill, and ability and other qualities required of position incumbents.

Reclassification means the process by which the classification of a specific position or group of positions is changed because the position(s) has undergone a significant change in the type, difficulty, or degree of responsibility entailed in the work performed.

Reduction in force means a reduction in the number of employees in the classified work force, generally due to a lack of funds, a lack of work or the need to abolish (permanently delete from the organization) a position or positions due to a lack of continued need for such position(s).

Relative means spouse, domestic partner, child (including step, in-laws, and foster), sibling (including step, in-laws, and foster), parent (including step, in-laws, and foster), grandparent, uncle, aunt, niece, and nephew.

Resignation means a separation from service initiated by the employee through formal notice.

Transfer means the movement of an employee from one position to another vacant position within the same or similar classification.

(Ord. No. 08-42, § 1(Exh. A), 9-25-08; Ord. No. 09-20, § 2, 5-14-09)

Sec. 3-3. - Responsibilities of city manager.

The city manager, or his designee, is authorized to and shall be responsible for:

- (1) Establishing city-wide employee policies and procedures to implement this chapter and facilitate the effective management of city personnel; and
- (2) Administering the personnel system of the city.

(Ord. No. 08-42, § 1(Exh. A), 9-25-08)

Sec. 3-4. - Equal employment opportunity.

- (a) The City of Surprise is an equal opportunity employer. No employee of the city shall discriminate against any employee or applicant for employment with regard to recruitment, application, testing, appointment, assignment, performance evaluation, training, working conditions, promotion, demotion, corrective action, lay-off, termination, retirement, or any other aspect of employment on the basis of race, color, creed, religion, sex, national origin, age, or disability.

- (b) Complaints alleging illegal discrimination, including sexual harassment, may be filed with any appointed official.

(Ord. No. 08-42, § 1(Exh. A), 9-25-08)

Sec. 3-5. - Personnel files.

- (a) All personnel files of employees are the property of the city. No employee or other person may obtain or possess personnel records maintained by the city except as specifically stated herein. Access to an employee's personnel file shall be limited to:
 - (1) The employee;
 - (2) Any individual who has written authorization from the employee;
 - (3) Appointed officials;
 - (4) The employee's supervisor and department director;
 - (5) The city manager and all management employees in the employee's chain of command in the performance of their official duties, including responding to court orders or subpoenas;
 - (6) Employees or agents of vendors providing employee benefits, when necessary to determine eligibility or otherwise administer benefits to the employee; and
 - (7) Attorneys or authorized staff members of the city attorney's office, or legal counsel representing the city, when necessary to provide legal advice or representation to the city.
- (b) In addition to the provisions of subsection (a), above, when documents contained in an employee's personnel file are requested pursuant to the provisions of A.R.S. Tit. 39, any relevant documents will be individually reviewed and the request responded to accordingly, as required by applicable state and federal laws and regulations.

(Ord. No. 08-42, § 1(Exh. A), 9-25-08)

Secs. 3-6—3-14. - Reserved.

Sec. 3-15. - Categories of employment.

- (a) Employment categories. All employment positions with the city fall into one of the following defined employment categories:
 - (1) Appointed officials. Positions whose incumbents are appointed by and serve pursuant to the terms of an employment contract with the mayor and city council. Appointed officials include:
 - a. City manager;
 - b. City attorney;
 - c. City clerk;
 - d. Presiding judge;
 - e. Associate judges.
 - (2) Nonclassified employees. Employee positions not included in the classified service are nonclassified employees. Persons in nonclassified positions are at-will employees and serve at the discretion of their hiring official. Nonclassified positions include:
 - a. Assistant and deputy city managers;
 - b. Executive administrative assistants;

- c. All employees in the office of the city manager;
 - d. All department director/assistant department director positions;
 - e. All division and other manager positions;
 - f. All employees in the city attorney's office/legal department;
 - g. Classified employees in their introductory period of employment;
 - h. All employees meeting the definition of supervisor per city policy;
 - i. Fire and police cadets; and
 - j. Part-time, intermittent, temporary, seasonal, and intern employees;
 - k. All employees in the mayor or council office;
 - l. All employees in the human resources department.
- (3) Classified employees. Employee positions with the city other than those designated as nonclassified or appointed officials are classified employees.
- (b) Scheduling categories. All employment positions with the city fall into one of the following defined scheduling categories:
- (1) Full-time. A position scheduled to work at least 32 hours per week on a regularly scheduled basis.
 - (2) Part-time. A position scheduled to work less than 32 hours per week on a regularly scheduled basis.
- (c) Duration categories. All employment positions with the city fall into one of the following defined duration categories:
- (1) Regular—A position requiring a regular schedule of at least 26 bi-weekly pay periods (27 in certain years) in a calendar year.
 - (2) Temporary—A position in which an employee works on a full or part-time basis for a fixed period of time.
 - (3) Seasonal—A position requiring a full or part-time schedule for a portion of a calendar year performing work limited to a specific season or period of the year.
 - (4) Intermittent—A position requiring a full or part-time schedule on a recurring, noncontinuous basis.
 - (5) Intern—A position requiring a full-time schedule which is related to the course of study of a student who is currently enrolled at a recognized post-secondary educational institution. Such employment is limited in duration as specified in advance and for the purpose of working on a specific project(s) or task(s) generally related to the education program.

(Ord. No. 08-42, § 1(Exh. A), 9-25-08; Ord. No. 2011-10, § 1, 6-28-2011)

Sec. 3-16. - Secondary employment.

Employees may engage in employment other than their job with the city provided they are in compliance with the following conditions:

- (1) Secondary employment shall not constitute a conflict of interest, or the appearance of a conflict of interest, with city duties and responsibilities.
- (2) Secondary employment shall not be inconsistent or incompatible with city duties and responsibilities, working hours, overtime obligations or emergency assignments.

(Ord. No. 08-42, § 1(Exh. A), 9-25-08)

Sec. 3-17. - Severability.

Should any article, paragraph, section, clause, or phrase of this chapter or the application of it to a particular set of persons or circumstances be declared unconstitutional or invalid for any reason, the remainder of the chapter will not be affected, it being the intent that the provisions of this chapter are severable.

(Ord. No. 08-42, § 1(Exh. A), 9-25-08)

Sec. 3-18. - Conflicts.

- (a) In the event of a conflict with other city ordinances or municipal code provisions, employee policies or employee guidelines, the provisions of this chapter shall govern.
- (b) A memorandum of understanding shall not contradict this chapter.
- (c) The determination of whether a conflict or contradiction exists under this section shall be determined by obtaining a legal opinion from a retired superior or appellate court judge, the cost of which will be paid by the city.

(Ord. No. 2011-10, § 2, 6-28-2011)

Sec. 3-19. - Reserved.

ARTICLE II. - CLASSIFICATION AND COMPENSATION

Sec. 3-20. - Classification and compensation plan.

- (a) The city manager shall establish and maintain a classification and compensation plan for all city positions.
- (b) The city manager shall maintain copies of current job class specifications for each city position. All positions in the same class should be sufficiently alike to permit use of a single descriptive title, the same qualification requirements, the same method of evaluation for competence and the same salary range.
- (c) A position may be reclassified or changed on the basis of change in the duties and responsibilities or qualifications for the position. A position may be changed due to changes in the workload of a city department or division due to environmental changes beyond the department's or division's control, which shift service obligations from one classification to another. Reclassifications and position changes require approval of the city manager.
- (d) The compensation plan shall set forth all titles, number of classifications and pay ranges for all city positions and shall be reviewed and amended as necessary by the city manager. The plan for nonexempt certified fire personnel shall contain pay steps.
- (e) The compensation plan shall contain guidelines for pay increases for employees.
- (f) The city manager has the authority to make adjustments to the procedural components of the compensation plan at any time during the year.

- (g) The city manager may temporarily assign an employee to a vacant position in a higher classification. Temporarily upgraded employees may receive a salary increase as set forth in the compensation plan.
- (h) The city manager shall establish guidelines for salary increases for all employees. All step and merit pay increases are subject to approval of the annual budget.
- (i) Compensation levels shall be based on the internal value and relationships of all jobs and market salary data for benchmark classifications compiled through periodic salary surveys, with job rates of pay grades and any premium pays established at the 75th percentile of the defined labor market.
- (j) All city employees, including nonclassified, classified and appointed officials, shall be eligible to receive an annual adjustment in pay to reflect changes in the cost of living. Such adjustment shall be based upon the Phoenix/Mesa CPI or most locally available CPI, subject to council approval of the annual budget.

(Ord. No. 08-42, § 1(Exh. A), 9-25-08)

Sec. 3-21. - Work days, workweeks, and work schedules.

The city manager shall establish the standard work day, work week, starting and ending times and work schedules for each department in the city in consideration of current and anticipated workloads, public service needs and other factors.

(Ord. No. 08-42, § 1(Exh. A), 9-25-08)

Sec. 3-22. - Premium pay.

- (a) The city shall pay overtime compensation in accordance with the Fair Labor Standards Act (FLSA). Employees, who are exempt from the payment of overtime, as provided by the FLSA, will not be eligible for or paid overtime compensation. The city manager, in consultation with the city attorney's office, will determine the FLSA exemption status of all city job classifications.
- (b) The categories of premium pay, including but not limited to compensatory time, call-back pay, standby pay, longevity pay, and other premium pay shall be determined by the city manager.

(Ord. No. 08-42, § 1(Exh. A), 9-25-08)

Sec. 3-23. - Performance management.

Employee compensation shall, when practicable, be tied directly to performance and the attainment of predetermined goals. Evaluations shall measure an employee's accomplishment of these goals. Employees' performance shall be reviewed periodically, as determined by the city manager. Performance evaluations of appointed officials shall be conducted by the city council.

(Ord. No. 08-42, § 1(Exh. A), 9-25-08)

Secs. 3-24—3-29. - Reserved.

ARTICLE III. - EMPLOYMENT

Sec. 3-30. - Employee recruitment, selection and examination.

- (a) Employee recruitments shall be conducted to meet current and projected organizational needs of the city and shall be subject to budget approval by city council.
- (b) The selection and promotion of candidates to positions with the city shall be based solely on the applicant or employee meeting the minimum job-related qualifications and possessing the knowledge, skills and ability to perform the essential functions of the position as ascertained through job-related selection methods. Any examination process utilized to determine merit and fitness may include written or verbal testing or skill assessment.
- (c) Initial city employment, and promotions or transfers to certain job classifications, as designated by the city manager, shall be subject to background checks, a drug and alcohol screening, or both. Those individuals who are found to have significant adverse background information, or who test positive for either drugs or alcohol, shall not be hired, promoted or transferred, as applicable; and/or may receive corrective action where appropriate.
- (d) The city will comply with all applicable state and federal laws, rules and regulations that may relate to the collection and dissemination of the background information and use of drug testing which is the subject of this section.
- (e) Every current or prospective city employee, contract employee, volunteer, or licensee whose employment or other relationship with the city falls into one of the following categories shall submit a full set of fingerprints pursuant to A.R.S. § 41-1750, forward those fingerprints to the department of public safety for the purpose of seeking criminal history record information on such person. The state and federal criminal records checks shall be made pursuant to the provisions in A.R.S. § 41-1750 and Public Law (PL) 92-544. The Arizona Department of Public Safety is authorized to exchange this fingerprint data with the Federal Bureau of Investigation. Such information shall be used only for the purpose of evaluating the fitness of the person applying for employment. The city manager may require the person submitting the fingerprints to pay a fee in an amount necessary to pay the costs incurred by the city in obtaining the person's fingerprints and criminal history information:
 - (1) Persons with access to money;
 - (2) Persons with access to city records;
 - (3) Persons with access to court records;
 - (4) Persons involved with the acquisition and/or disposition of city property;
 - (5) Persons who may come into contact with minor children;
 - (6) Persons with access to drugs or medical supplies;
 - (7) Persons with access to emergency equipment used for public safety purposes.

(Ord. No. 08-42, § 1(Exh. A), 9-25-08; Ord. No. 2014-04, § 2(Exh. A), 2-25-2014)

Sec. 3-31. - Introductory and promotional trial periods of employment.

Every newly hired and newly promoted classified employee shall be required to successfully complete a trial period. A classified employee must, in the opinion of the employee's department director, satisfactorily complete the introductory/promotional trial period in order to continue in the position.

(Ord. No. 08-42, § 1(Exh. A), 9-25-08)

Sec. 3-32. - Reduction in force.

The city manager shall determine when and for what reasons it is necessary to reduce the number of employees in the classified service, which departments, divisions, classifications and positions will be affected, and the actual number of employees to be reduced (laid-off).

(Ord. No. 08-42, § 1(Exh. A), 9-25-08)

Sec. 3-33. - Political activity.

- (a) The city shall not use its personnel, equipment, materials, buildings or other resources for the purpose of influencing the outcomes of elections. Nothing in this section precludes the city from reporting on official actions of the governing body or as otherwise allowable by law.
- (b) Employees shall not use the authority of their positions to influence the vote or political activities of any subordinate employee.
- (c) Nothing contained in this section shall be construed as denying the civil and political liberties of any employee as guaranteed by the United States and Arizona Constitutions.

(Ord. No. 08-42, § 1(Exh. A), 9-25-08)

Sec. 3-34. - Nepotism.

No person shall be eligible to be selected, promoted, or transferred into an employment position with the city which would result in the person supervising or being supervised (immediate supervisor or in direct chain of command) by a relative.

(Ord. No. 08-42, § 1(Exh. A), 9-25-08)

Sec. 3-35. - Reserved.

Editor's note— Ord. No. 2010-21, § 1, adopted Sept. 9, 2010, repealed § 3-35, which pertained to residency requirement and derived from Ord. No. 09-20, § 1, adopted May 14, 2009.

Secs. 3-36—3-39. - Reserved.

ARTICLE IV. - CORRECTIVE ACTION AND APPEALS

Sec. 3-40. - Corrective action.

- (a) Classified employees may only be disciplined for just cause.
- (b) Nonclassified employees serve at the discretion of the city manager.
- (c) Classified employees who suffer disciplinary actions of suspension without pay of more than 24 hours, demotion and termination are eligible to appeal such disciplinary action to the personnel appeals board, in accordance with this chapter and the policies and procedures adopted by the city manager.

(Ord. No. 08-42, § 1(Exh. A), 9-25-08)

Sec. 3-41. - Personnel appeals board.

- (a) Generally. Unless otherwise delineated within this section, the personnel appeals board ~~will~~shall operate under the generally applicable bylaws contained in section 2-295.
- (b) Purpose statement. The purpose of the personnel appeals board is to serve as a neutral fact finding body to review disciplinary actions of classified employees in the city service when such consists of suspensions of more than 24 hours, demotions, or terminations, and to assure that such employees were provided adequate procedural safeguards related to such disciplinary action.
- (c) Jurisdiction. The jurisdiction of the personnel appeals board will extend only to timely eligible appeals of disciplinary action by classified employees asserting a deficiency in one or more of the elements set forth in Section (h) below. The personnel appeals board will not hear or decide any other matter. If jurisdiction is in controversy, the city manager or city manager's designee will decide whether the personnel appeals board has jurisdiction to hear an appeal.
- (d) Composition and quorum. The personnel appeals board ~~will~~shall consist of seven members who ~~will~~shall be citizens of the city, representing, insofar as possible, different professions or occupations. Members of the board shall hold no other municipal office or municipal employment for this or any other city during their service on the board. Insofar as possible, appointment of members ~~will~~shall be made so as to constitute equal representation of all areas within the city. Each member ~~will~~shall serve staggered terms of four years. In order to create staggered terms, three members ~~will~~shall be selected to serve an initial term of two years, and four members shall be selected to serve an initial term of four years. Thereafter, each appointment ~~will~~shall be for a full four-year term. Five members ~~will~~shall constitute a quorum for the transaction of business.
- (e) Selection and appointment. Selection and appointment of the personnel appeals board ~~will~~shall conform to section 2-296.
- (f) Meetings. The personnel appeals board ~~will~~shall meet within eight working days of an appeal to the board, filed pursuant to Chapter 3 of this Code, to schedule all necessary hearings in the matter as deemed appropriate by the board. For purposes of this paragraph, working days means days on which City Hall is open for business.
- (g) Hearings. A hearing on the matter ~~will~~shall be conducted on items appealed pursuant to Chapter 3 of this Code by a panel consisting of five members of the board who ~~will~~shall serve as hearing officers. The hearing officers ~~will~~shall consist of the chairman, or designee in the chairman's absence, who ~~will~~shall preside over the hearing and four other members who ~~will~~shall serve on rotation.
- (h) Powers and duties.
 - (1) The personnel appeals board ~~will~~shall review timely filed eligible appeals by employees in the classified service to assure by a preponderance of evidence that:
 - a. The employee knew or reasonably should have known that the employee's conduct could lead to disciplinary action;
 - b. The disciplinary action is the result of job performance, violation of law, violation of established city policy or procedure, and/or a violation of established department policy or procedure;
 - c. ~~Management conducted a fair and objective investigation in accordance with city policy and the law;~~
 - d. The investigation produced sufficient evidence or proof to reasonably support the failure of performance or violation as alleged;
 - e. If the appellee is a classified sworn law enforcement employee, the disciplinary action taken was consistent with disciplinary action for similar or comparable conduct, or was otherwise reasonable under the circumstances, is not excessive and is reasonably related to the seriousness of the offense and the officer's service record.

(2) The board has the power to examine witnesses under oath, and each member of the board has the power to administer oaths to witnesses.

(3) The determination of the board ~~will shall~~ be in writing.

(4) The board ~~will shall~~ have the authority to sustain or overturn the disciplinary action appealed.

(h) Personnel board procedures. The personnel appeals board ~~will shall~~ establish the rules and procedures which will be applicable to appeal hearings. These may include rules and procedures relating to continuances of a hearing, the order and method of presenting witnesses and evidence, the length of time to be permitted for a presentation or portion of a presentation, the examination of witnesses and any other procedural matters pertaining to appeal hearings. The board may change or modify appeal hearing procedures when there is good cause to do so and the change is in the best interest of the purpose of the hearing.

(i) The city manager ~~will shall~~ assist the personnel appeals board to fulfill its obligations under this chapter.

(Ord. No. 08-42, § 1(Exh. A), 9-25-08; Ord. No. 2011-04, § 1, 2-22-2011)

Secs. 3-42—3-49. - Reserved.

ARTICLE V. - HOLIDAYS AND LEAVES OF ABSENCE

Sec. 3-50. - Holidays.

(a) Holidays. The City of Surprise will observe the following holidays each fiscal year:

(1) New Year's Day, January 1.

(2) Martin Luther King, Jr. Day, third Monday in January.

(3) Presidents' Day, third Monday in February.

(4) Memorial Day, last Monday in May.

(5) Independence Day, July 4.

(6) Labor Day, first Monday in September.

(7) Veteran's Day, November 11.

(8) Thanksgiving Day, fourth Thursday in November.

(9) Day after Thanksgiving, fourth Friday in November

(10) Christmas Day, December 25.

(11) Floating holiday, scheduled at the discretion of the employee during the fiscal year.

(b) Holidays falling on a day City Hall is closed will be observed on the nearest business day. Holidays falling on Saturday will be observed on the business day preceding the holiday.

(c) Certain employees may be required to work on a holiday.

(Ord. No. 08-42, § 1(Exh. A), 9-25-08; Ord. No. 2011-06, § 1, 2-22-2011)

Sec. 3-51. - Leaves of absence.

The city manager shall establish policies and procedures for employee leaves of absence, including but not limited to leave to accommodate paid time off, military leave, bereavement leave and any other leave required by law and/or the city manager deems appropriate.

(Ord. No. 08-42, § 1(Exh. A), 9-25-08)

Secs. 3-52—3-59. - Reserved.

ARTICLE VI. - BENEFITS

Sec. 3-60. - Reimbursement for job-related expenses.

The city manager shall establish policies and procedures for the reimbursement of employees for expenses incurred while performing city business, including but not limited to, education reimbursement, vehicle expense reimbursement, cell phones, certifications and licenses, travel, and uniforms.

(Ord. No. 08-42, § 1(Exh. A), 9-25-08)

Sec. 3-61. - Employee benefits.

The city manager shall establish policies and procedures for employee benefits. City paid benefits shall be approved by council as part of the annual budget.

(Ord. No. 08-42, § 1(Exh. A), 9-25-08)

Sec. 3-62. - Reserved.

Editor's note— Ord. No. 2014-08, § 1, adopted June 3, 2014, repealed § 3-62, which pertained to retirement and derived from Ord. No. 08-42, § 1(Exh. A), adopted Sept. 25, 2008.

Sec. 3-63. - Employee recognition.

The city manager shall establish employee recognition programs and awards as appropriate to incentivize and recognize excellent performance.

(Ord. No. 08-42, § 1(Exh. A), 9-25-08)

Secs. 3-64—3-69. - Reserved.

ARTICLE VII. - MEET AND CONFER

Sec. 3-70. - Employee representation.

(a) Employees of the City of Surprise have the right to form, join and be represented by employee organizations to the extent and in the manner set forth in this chapter.

- (b) Each employee organization seeking recognition as the authorized representative of an eligible employee group shall file with the city manager the following:
 - (1) The name and address of the organization.
 - (2) A copy of its charter, constitution and by-laws.
 - (3) The names, titles, addresses and telephone numbers of its duly elected officers.
 - (4) A statement that membership in such organization is not denied because of race, creed, color, sex, national origin, ancestry, religion or age.
 - (5) A petition requesting designation as the authorized representative of an eligible employee group satisfying the requirements of this chapter.
- (c) Any employee organization that successfully becomes the authorized representative of an eligible employee group under this chapter shall keep such designation unless decertified.
- (d) Any employee organization recognized as the authorized representative of an eligible employee group on July 1, 2011, and who has satisfied the requirements of subsections (b)(1)—(4) shall be deemed to have already satisfied the petition and election requirements of this article.

(Ord. No. 2011-10, § 3(Exh. A), 6-28-2011)

Sec. 3-71. - Eligible employee groups.

- (a) There shall be three employee groups eligible for representation:
 - (1) All police officers in classifications up to and including sergeants, civilian dispatchers and civilian support staff.
 - (2) Firefighters up to and including the rank of Captain.
 - (3) All other city employees not otherwise covered or excepted by this section.
- (b) The following employees shall not be members of any represented groups:
 - (1) Appointed officials;
 - (2) Non-classified employees.

(Ord. No. 2011-10, § 3(Exh. A), 6-28-2011)

Sec. 3-72. - Petition to represent eligible employee group.

- (a) Each petition submitted to the city manager under this chapter shall contain:
 - (1) The name of the eligible employee group.
 - (2) The name of the employee organization.
 - (3) The printed name and dated signature of greater than 30 percent of employees in the applicable eligible employee group supporting the petition. No signature on a petition shall bear a date greater than 90 days in advance of submittal. If an eligible employee signs more than one petition, then the latest dated signature shall be considered valid.
- (b) Petitions to designate a representative organization shall be filed between August 1 and August 30.
- (c) Within 30 days from receiving a petition filed under this section, the city manager shall verify that 30 percent of the eligible employee group signed the petition. The city manager shall then promptly post conspicuous notice of receipt of such petition and set an election.

(Ord. No. 2011-10, § 3(Exh. A), 6-28-2011)

Sec. 3-73. - Election and decertification of representative group.

- (a) Once a petition has been filed with the city manager calling for a representation election, other organizations may seek to be placed on the ballot. To do so the organization must comply with the filing requirements contained in section 3-70—3-72 within ten days after the city manager has posted the notice of receipt of the original petition.
- (b) A secret ballot election shall be conducted among the employees in the eligible employee group within 40 days of the posting of the original written notice.
- (c) Each employee eligible to vote shall be provided the opportunity to choose the employee organization he/she wishes to represent him/her from among those on the ballot, or to choose "none." An organization shall not be listed on the ballot unless it has complied with sections 3-70—3-72 of this chapter.
- (d) To be certified as an authorized representative, an employee organization must receive an affirmative vote of the majority of employees in the eligible employee group. In an election involving three or more employee organizations, where none of the employee organizations receive a majority of the votes, a run-off election shall be conducted between the employee organization receiving the largest number of votes and the choice of "none".
- (e) An employee organization receiving a sufficient number of votes shall be designated as the exclusive representative for all employees in that employee group.
- (f) Election disputes shall be resolved utilizing the process contained in section 3-18(c).
- (g) Elections shall be administered by the city clerk.
- (h) After an employee organization has been the authorized representative of an eligible employee group for at least one year (12 months), any member of the employee group can initiate an election to decertify the representation by submitting a petition in accordance with section 3-72.

(Ord. No. 2011-10, § 3(Exh. A), 6-28-2011)

Sec. 3-74. - Rights of employees and employee organizations.

- (a) Employees have the right to participate on behalf of, or engage in activities on behalf of, an employee organization and have the right to refrain from such activity. Employees shall be free from any interference, restraint, or coercion by any employee, supervisor, or manager for or against employee organizations.
- (b) There can be only one authorized representative employee organization for each eligible employee group for purposes of meeting and conferring. An authorized representative employee organization must equally and fairly represent all employees in the eligible employee group and shall provide to them the same voting rights and eligibility to hold office in the employee organization.
- (c) Employees and employee organizations shall have no rights expressed or implied beyond those specified in this chapter. Nothing in this article prohibits any employee from exercising any rights the employee may have consistent with personnel rules and regulations or any city manager directive adopted by the city manager pursuant to this chapter.
- (d) Employee organizations shall have the right to bi-weekly dues deductions if properly authorized by the members of the organization. Dues deductions from payroll must be authorized by each individual employee and may be withdrawn by the employee at any time, pursuant to personnel rules and regulations established by the city manager.

- (e) Solicitation of members or dues, or internal employee organization business, shall be conducted only during non-duty hours and in non-working areas, and shall not interfere with city business or employee's work.

(Ord. No. 2011-10, § 3(Exh. A), 6-28-2011)

Sec. 3-75 - City management rights.

- (a) It is the right of city management to determine the purpose of each of its departments, and to set standards of service to be offered to the public, and to exercise control and discretion over its organization and operations.
- (b) City management has and will continue to retain, whether exercised or not, the unilateral and exclusive right to operate, administer, and manage its municipal services and work force performing those services. The exclusive rights of city management shall include the right:
 - (1) To determine the organization and structure of city operations, its purpose and mission;
 - (2) To exercise control and discretion over city organization and operations, including the location, type and number of physical facilities, equipment, programs and work to be performed;
 - (3) To determine the goals, objectives, programs, services, methods, means and personnel by which the city services are provided, including to add, delete, modify, or suspend certain programs and functions;
 - (4) To manage, train, and direct employees including the right to select, hire, promote, transfer, assign, evaluate, lay off, reprimand, suspend, discharge or otherwise correct employees in accordance with Article IV of this chapter;
 - (5) To determine work methods, the size and composition and duties of the work force, and organizational structure;
 - (6) To establish and revise work schedules, hours of operation, overtime and work locations;
 - (7) To promulgate and enforce rules and regulations;
 - (8) To determine the need for current and additional positions, the duties to be included in all classifications and the standards of quality and performance to be maintained;
 - (9) To determine and establish the qualifications for employment positions;
 - (10) To maintain security of personnel and financial records and other important data or information;
 - (11) To adopt, create and manage the city budget;
 - (12) To relieve employees from duty because of lack of work, lack of funds, reorganization, job abolishment or other legitimate reason; and
 - (13) To evaluate and judge the skill, ability and efficiency and general work performance of employees and volunteers.
 - (14) The enumeration of the above rights is illustrative only and is not to be construed as being all-inclusive.
- (c) City management has the right to take all necessary actions to maintain uninterrupted service to the community.
- (d) Except as otherwise stated in this chapter, all rights not specifically given employee organizations are reserved to city management. The rights of city management are not subjugated or diminished in any way by any expressed or implied duty or obligation under this chapter. Retained management rights are not subject to any grievance procedure, or to any other appeal, breach or complaint process.

- (e) City management for purposes of this chapter means the city council and city manager consistent with the council/manager form of government and subject to the Chapter 2 of this Code.

(Ord. No. 2011-10, § 3(Exh. A), 6-28-2011)

Sec. 3-76. - Prohibited activity.

- (a) City management, employee organizations, and their representative(s) shall not:
 - (1) Discriminate against an employee with regard to membership in an employee organization because of race, color, religion, creed, age, disability, sex or national origin;
 - (2) Discriminate against an employee because he/she has chosen not to form, join or assist an employee organization;
 - (3) Discriminate in regard to hiring, or any term or condition of employment in order to encourage or discourage membership in an employee organization;
 - (4) Except as authorized by city management, use city time, property or equipment for employee organization business;
 - (5) Obstruct, restrain or coerce any person in the exercise of any right or obligation provided by the provisions of this chapter;
 - (6) Obstruct, restrain, threaten or coerce any person for the purpose of gaining a concession;
 - (7) Disclose or discuss any matters concerning the meet and confer proposal with the news media until the conclusion of the meet and confer process.
 - (8) Refuse or fail to comply with any provision of this article;
- (b) No employee or employee organization shall cause, instigate, encourage, support, threaten or participate in a strike, slowdown, sickout, or work disruption of any type. The employer shall not cause, instigate or engage in any employee lockout.
- (c) The city council hereby declares it to be in the best interest of the City of Surprise, and to assure productive negotiations and maintain cooperation between the parties, that any documents or other records created or prepared during or in furtherance of the meet and confer process be kept confidential and not subject to public disclosure until the completion of the meet and confer process. The meet and confer process shall be complete when all items contained in an employee association proposal are resolved by agreement or action by city council.
- (d) Any party who believes that the provisions of this section have been violated shall notify the party alleged to have violated this section of the alleged violation and allow an opportunity to correct any violation. In the event any member of the employee organization violates the obligations of this section, upon notice, the employee organization shall immediately disavow the prohibited action and shall endeavor in good faith to cause such employees to immediately cease the prohibited activity or, alternatively, accept the responsibility for the prohibited activity. The existence of a violation shall be determined in accordance with section 3-18(c) by a preponderance of the evidence.
- (e) Any employee organization that violates this section, or whose members on behalf of such organization violate this section, shall automatically be decertified as the authorized representative and shall be barred from serving as the authorized representative of any unit of employees for a period of not less than two years.
- (f) Violations of this section by the city manager, or on behalf of the city manager, shall be referred to city council.

(Ord. No. 2011-10, § 3(Exh. A), 6-28-2011)

Sec. 3-77. - Meeting and conferring.

(a) Topics subject to meet and confer.

- (1) The meet and confer process encompasses wages, hours, benefits and working conditions of employment, which may include: direct monetary compensation; paid time off; leaves of absence; employment benefits; professional employment growth incentives; hours of work; rest and meal periods; call-in/call-back; health and safety; additional or supplemental training; retirement incentives; and items mutually agreed upon by the employee organization and the city manager.
- (2) The meet and confer process shall not include any rights reserved to city management including, but not limited to, processes or procedures related to any facet of the hiring, promotion, corrective action, transfer or discharge of employees.

(b) Initiating the meet and confer.

- (1) An authorized representative employee organization wishing to engage city management in a formal meet and confer process under this section shall submit a proposal to the city manager by October 1 of each year. After this date no new issues can be introduced by the employee organization during the meet and confer process for the same year.
- (2) Upon receiving a proposal from an authorized representative employee organization, the city manager shall submit a written response to the proposal to the employee organization by October 31.
- (3) Representatives of the city manager and the designated employee organization shall begin "meeting and conferring" at mutually agreed upon locations and times for the purpose of discussion and consideration relating to the proposal submitted under this section. Meetings shall take place as mutually agreed until an agreement is reached or March 1, whichever is later.

(c) Meeting rules.

- (1) No more than three representatives from the city manager's office and each authorized representative employee organization shall participate in the meet & confer meetings.
- (2) The parties shall have the duty to meet and confer in good faith. Good faith shall mean to meet with an open mind and with a sincere desire to reach agreement. The duty to meet and confer in good faith does not require any party to agree to a proposal or make a concession.
- (3) The city manager and authorized representative employee organization may establish mutually agreeable rules applicable to the meeting and conferring process not inconsistent with this chapter.

(d) Resulting agreement.

(1) Memorandum of understanding.

- a. On or before March 1, all areas of agreement shall be documented in a memorandum of understanding (MOU) prepared in article format. Areas in dispute shall be submitted to the process established under subsection (2) of this section.
- b. The MOU shall apply to the upcoming fiscal year, unless a longer period is agreed upon, subject to approval of the budget by city council, and may not be modified by the city manager without written agreement from the authorized representative employee association. Items agreed upon in any prior MOU cannot be reduced or diminished without an agreement of the parties.
- c. If the city manager seeks to modify an MOU, but is unable to resolve the matter with the authorized representative employee association after 30 days, the city manager shall submit the dispute to the process established under subsection (2) of this section.

(2) Items in dispute.

- a. All items in dispute shall be submitted to a mediator.
- b. Mediation must include, at a minimum, the submission of a written position statement from each party and one in person meeting. The position statement shall be limited to 1,000 words for each item in dispute, and must be submitted to the mediator within 15 days of selection. The submission shall not include any attachments or exhibits except where agreed to by the parties or when requested by the mediator. The mediator shall make a separate written recommendation to resolve each item in dispute and deliver such to the parties within 30 days of the submission of the position statements.
- c. The parties may accept the recommendations of the mediator, in which case the recommendation becomes part of the MOU, or otherwise reach an agreement on the item in dispute. If the parties do not accept the recommendations of the mediator or otherwise agree, the recommendations will be submitted to city council for consideration and action at the first regular council meeting after the recommendation is made.
- d. For purposes of this section, the mediator shall be selected by mutual agreement of the parties from a list of mediators maintained by American Arbitration Association.

(Ord. No. 2011-10, § 3(Exh. A), 6-28-2011)

Sec. 3-78. - Breach of a memorandum of understanding.

- (a) If either party claims that the memorandum of understanding (MOU) has been breached:
 - (1) Within 90 days of the alleged breach, the party alleging the breach shall give written notice to the party who has allegedly breached the memorandum of understanding. The notice shall specify the provision(s) breached and the facts and evidence demonstrating or supporting the breach and the proposed remedy.
 - (2) A written response to the alleged breach shall be submitted to the party alleging the breach within ten days of the written notice.
 - (3) Within 14 days of the written notice, the parties shall meet and attempt to resolve the matter. Any resolution of the matter shall be reduced to writing and become part of the MOU.
- (b) If the alleged breach of an MOU is not resolved within 30 days of the original written notice of the alleged breach, the parties shall submit the item/s as an item in dispute pursuant to section 3-77(d).

(Ord. No. 2011-10, § 3(Exh. A), 6-28-2011)

Sec. 3-79. - Reserved.

ARTICLE VIII. - WHISTLEBLOWER PROTECTION

Sec. 3-80. - Purpose.

The purpose of this article is to encourage reporting of matters of public concern by providing protection for public employees who report or participate in a proceeding connected with reporting an improper governmental action.

(Ord. No. 2012-05, § 1, 2-14-2012)

Sec. 3-81. - Definitions.

The following words and phrases, whenever used in this article ~~will~~shall have the meaning ascribed in this section, unless the context clearly indicates a different meaning:

Good faith belief means an honest and reasonable belief based on personal knowledge. An employee does not have a "good faith belief" if the facts upon which the report of improper government action under this article is based are (1) alleged without regard for their truth or falsity, (2) with willful ignorance of their falsity, or (3) without direct knowledge.

Improper governmental action means action that:

- ~~(1) — Violates federal, state or municipal law, regulations or ordinances; and~~
- ~~(12)~~ Creates a danger to public health or safety; or
- ~~(23)~~ Constitutes gross mismanagement or a substantial waste of public funds; or
- ~~(34)~~ Constitutes a clear abuse of authority.

Improper governmental action does not include actions taken by the city manager or city manager's designee pursuant to authority granted in articles II through VII of this chapter.

Retaliation means any action that may dissuade a reasonable person from reporting or participating in an investigation of improper governmental action.

(Ord. No. 2012-05, § 1, 2-14-2012)

Sec. 3-82. - Procedures for reporting improper government action.

- (a) The city manager ~~will~~shall make available an external third-party to receive and investigate reports of improper governmental action. Whenever possible, concerns regarding improper governmental action should be addressed at the lowest level possible. An employee of the city may report the existence of an improper governmental action to the employee's supervisor or hiring authority, unless such person is the person whom the employee believes is committing the improper governmental action. Alternatively, the employee may report the improper governmental action to the human resources director, city manager, or city attorney.
- (b) Reports of improper governmental action ~~will~~shall be in writing, stating in detail the factual basis for the employee's good faith belief that improper governmental action has occurred. Upon receipt, the recipient of the report ~~will~~shall take prompt action to investigate the report of improper governmental action.
- (c) The findings of the investigation ~~will~~shall be in writing, ~~a summary of which must be provided to the reporting employee within 45 calendar days of receipt of the written report of improper governmental action, unless good cause exists to extend the time for investigation.~~

(Ord. No. 2012-05, § 1, 2-14-2012)

Sec. 3-83. - Prohibition against retaliation.

~~Any retaliatory action~~Retaliation against any employee who, under a good faith belief, reports, ~~or whose reporting is imminent,~~ improper governmental action or participates in an investigation into improper governmental action is strictly prohibited. ~~Retaliation, for purposes of this section, means any action that negatively impacts the terms or conditions of the reporting employee's employment, or that would reasonably dissuade a person from reporting or participating in an investigation into improper governmental action. Nothing in this section prohibits the city from taking corrective action against any employee unrelated to a good faith report of improper governmental action, consistent with this chapter.~~

~~Discipline under this section shall be in accordance with Chapter 3 of the Surprise Municipal Code. For purposes of this section, employee includes any relative of the reporting employee who is also an employee of the City of Surprise.~~

(Ord. No. 2012-05, § 1, 2-14-2012)

Sec. 3-84. - Relation to other laws.

The protection and penalties provided in this article are in addition to other rights, obligations and protections afforded employees under law. Nothing in this article is intended to repeal, or is to be construed as repealing, any other provision of the Surprise Municipal Code.

(Ord. No. 2012-05, § 1, 2-14-2012)

Sec. 3-85. - Confidentiality.

The City of Surprise declares that it is in the best interests of the public to keep confidential the identity of a reporting employee until the investigation is complete. An investigation under this article is complete upon the investigator's submission of the written findings as to the reporting employee the summary of investigation required by section 3-82(c).

(Ord. No. 2012-05, § 1, 2-14-2012)

Sec. 3-86. Limitations to protection.

(a) Nothing in this Article prohibits the city from taking corrective action against an employee:

1. For conduct unrelated to that employee's report or imminent report of improper governmental action;
2. When the improper governmental action is the direct result of conduct by the employee seeking protection;
3. When that employee is involved in, to a degree greater than mere knowledge, the improper governmental action; or
4. For a report or imminent report made without a good faith belief.

Sec. 3-87. Violation.

(a) An employee found to have retaliated against a reporting employee will be subject to disciplinary corrective action in accordance with Chapter 3 of this Code. . The presumptive corrective action is termination, unless mitigating circumstances are found.

(b) An employee found to have made a report without a good faith belief will be subject to disciplinary corrective action in accordance with Chapter 3 of this Code.

Sec. 3-8~~6~~⁶. - Annual report.

The city manager ~~will~~^{shall} provide an annual report to the city council which ~~will~~^{shall} include the following:

- (1) The number of reports received under this article;

- (2) The nature of each report;
- (3) The number of investigations conducted;
- (4) A summary of findings or recommendations resulting from such investigations;
- (5) A summary of corrective action taken as a result of reports made under this article;
- (6) The number and amount of administrative penalties imposed as a result of reports made under this article; and
- (7) The number of reports found to be without merit.

(Ord. No. 2012-05, § 1, 2-14-2012)

ORDINANCE 2015-20

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, AMENDING THE SURPRISE MUNICIPAL CODE CHAPTER 3, ARTICLE IV, SECTION 3-41, PERSONNEL APPEALS BOARD, AND ARTICLE VIII, WHISTLEBLOWER PROTECTION.

WHEREAS, city code provisions providing for the powers and duties of the Personnel Appeals Board and establishing the City's Whistleblower Protection Policy were last revised in 2011 and 2012, respectively;

WHEREAS, since said revisions, the daily practical application of both has identified areas of deficiency, needed clarification, and redundancy;

WHEREAS, similarly, federal and state law continue to evolve and therefore necessitate amendments, from time to time, to ensure continued harmony between city code and prevailing law.

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

Section 1. Surprise Municipal Code Chapter 3, Article IV, Section 3-41, Personnel appeals Board and Article VIII, Whistleblower Protection are hereby amended as set forth in Exhibit A.

Section 2. This ordinance will be effective 30 days from the date the Ordinance is approved.

PASSED AND ADOPTED this ____ day of _____, 2015.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Misty Leslie, City Attorney

EXHIBIT A

Sec. 3-41. - Personnel appeals board.

- (a) Generally. Unless otherwise delineated within this section, the personnel appeals board ~~will~~shall operate under the generally applicable bylaws contained in section 2-295.
- (b) Purpose statement. The purpose of the personnel appeals board is to serve as a neutral fact finding body to review disciplinary actions of classified employees in the city service when such consists of suspensions of more than 24 hours, demotions, or terminations, and to assure that such employees were provided adequate procedural safeguards related to such disciplinary action.
- (c) Jurisdiction. The jurisdiction of the personnel appeals board will extend only to timely eligible appeals of disciplinary action by classified employees asserting a deficiency in one or more of the elements set forth in Section (h) below. The personnel appeals board will not hear or decide any other matter. If jurisdiction is in controversy, the city manager or city manager's designee will decide whether the personnel appeals board has jurisdiction to hear an appeal.
- (~~de~~) Composition and quorum. The personnel appeals board ~~will~~shall consist of seven members who ~~will~~shall be citizens of the city, representing, insofar as possible, different professions or occupations. Members of the board shall hold no other municipal office or municipal employment for this or any other city during their service on the board. Insofar as possible, appointment of members ~~will~~shall be made so as to constitute equal representation of all areas within the city. Each member ~~will~~shall serve staggered terms of four years. In order to create staggered terms, three members ~~will~~shall be selected to serve an initial term of two years, and four members shall be selected to serve an initial term of four years. Thereafter, each appointment ~~will~~shall be for a full four-year term. Five members ~~will~~shall constitute a quorum for the transaction of business.
- (~~ee~~) Selection and appointment. Selection and appointment of the personnel appeals board ~~will~~shall conform to section 2-296.
- (~~fe~~) Meetings. The personnel appeals board ~~will~~shall meet within eight working days of an appeal to the board, filed pursuant to Chapter 3 of this Code, to schedule all necessary hearings in the matter as deemed appropriate by the board. For purposes of this paragraph, working days means days on which City Hall is open for business.
- (~~gf~~) Hearings. A hearing on the matter ~~will~~shall be conducted on items appealed pursuant to Chapter 3 of this Code by a panel consisting of five members of the board who ~~will~~shall serve as hearing officers. The hearing officers ~~will~~shall consist of the chairman, or designee in the chairman's absence, who ~~will~~shall preside over the hearing and four other members who ~~will~~shall serve on rotation.
- (~~hg~~) Powers and duties.
 - (1) The personnel appeals board ~~will~~shall review timely filed eligible appeals by employees in the classified service to assure by a preponderance of evidence that:
 - a. The employee knew or reasonably should have known that the employee's conduct could lead to disciplinary action;
 - b. The disciplinary action is the result of job performance, violation of law, violation of established city policy or procedure, and/or a violation of established department policy or procedure;
 - c. ~~Management conducted a fair and objective investigation in accordance with city policy and the law;~~
 - d-c. The investigation produced sufficient evidence or proof to reasonably support the failure of performance or violation as alleged;

~~e.d. If the appellee is a classified sworn law enforcement employee, the disciplinary action taken was consistent with disciplinary action for similar or comparable conduct, or was otherwise reasonable under the circumstances, is not excessive and is reasonably related to the seriousness of the offense and the officer's service record.~~

- (2) The board has the power to examine witnesses under oath, and each member of the board has the power to administer oaths to witnesses.
- (3) The determination of the board ~~will~~shall be in writing.
- (4) The board ~~will~~shall have the authority to sustain or overturn the disciplinary action appealed.
- (i) Personnel board procedures. The personnel appeals board ~~will~~shall establish the rules and procedures which will be applicable to appeal hearings. These may include rules and procedures relating to continuances of a hearing, the order and method of presenting witnesses and evidence, the length of time to be permitted for a presentation or portion of a presentation, the examination of witnesses and any other procedural matters pertaining to appeal hearings. The board may change or modify appeal hearing procedures when there is good cause to do so and the change is in the best interest of the purpose of the hearing.
- (ii) The city manager ~~will~~shall assist the personnel appeals board to fulfill its obligations under this chapter.

(Ord. No. 08-42, § 1(Exh. A), 9-25-08; Ord. No. 2011-04, § 1, 2-22-2011)

ARTICLE VIII. - WHISTLEBLOWER PROTECTION

Sec. 3-80. - Purpose.

The purpose of this article is to encourage reporting of matters of public concern by providing protection for public employees who report or participate in a proceeding connected with reporting an improper governmental action.

(Ord. No. 2012-05, § 1, 2-14-2012)

Sec. 3-81. - Definitions.

The following words and phrases, whenever used in this article ~~will~~shall have the meaning ascribed in this section, unless the context clearly indicates a different meaning:

Good faith belief means an honest and reasonable belief based on personal knowledge. An employee does not have a "good faith belief" if the facts upon which the report of improper government action under this article is based are (1) alleged without regard for their truth or falsity, (2) with willful ignorance of their falsity, or (3) without direct knowledge.

Improper governmental action means action that:

- ~~(1) Violates federal, state or municipal law, regulations or ordinances; and~~
- ~~(2)~~ Creates a danger to public health or safety; or
- ~~(3)~~ Constitutes gross mismanagement or a substantial waste of public funds; or
- ~~(4)~~ Constitutes a clear abuse of authority.

Improper governmental action does not include actions taken by the city manager or city manager's designee pursuant to authority granted in articles II through VII of this chapter.

Retaliation means any action that may dissuade a reasonable person from reporting or participating in an investigation of improper governmental action.

(Ord. No. 2012-05, § 1, 2-14-2012)

Sec. 3-82. - Procedures for reporting improper government action.

- (a) The city manager ~~will~~shall make available an external third-party to receive and investigate reports of improper governmental action. Whenever possible, concerns regarding improper governmental action should be addressed at the lowest level possible. An employee of the city may report the existence of an improper governmental action to the employee's supervisor or hiring authority, unless such person is the person whom the employee believes is committing the improper governmental action. Alternatively, the employee may report the improper governmental action to the human resources director, city manager, or city attorney.
- (b) Reports of improper governmental action ~~will~~shall be in writing, stating in detail the factual basis for the employee's good faith belief that improper governmental action has occurred. Upon receipt, the recipient of the report ~~will~~shall take prompt action to investigate the report of improper governmental action.
- (c) The findings of the investigation ~~will~~shall be in writing, ~~a summary of which must be provided to the reporting employee within 45 calendar days of receipt of the written report of improper governmental action, unless good cause exists to extend the time for investigation.~~

(Ord. No. 2012-05, § 1, 2-14-2012)

Sec. 3-83. - Prohibition against retaliation.

~~Any retaliatory action~~Retaliation against any employee who, under a good faith belief, reports, ~~or whose reporting is imminent,~~ improper governmental action or participates in an investigation into improper governmental action is strictly prohibited. ~~Retaliation, for purposes of this section, means any action that negatively impacts the terms or conditions of the reporting employee's employment, or that would reasonably dissuade a person from reporting or participating in an investigation into improper governmental action. Nothing in this section prohibits the city from taking corrective action against any employee unrelated to a good faith report of improper governmental action, consistent with this chapter. Discipline under this section shall be in accordance with Chapter 3 of the Surprise Municipal Code. For purposes of this section, employee includes any relative of the reporting employee who is also an employee of the City of Surprise.~~

(Ord. No. 2012-05, § 1, 2-14-2012)

Sec. 3-84. - Relation to other laws.

The protection and penalties provided in this article are in addition to other rights, obligations and protections afforded employees under law. Nothing in this article is intended to repeal, or is to be construed as repealing, any other provision of the Surprise Municipal Code.

(Ord. No. 2012-05, § 1, 2-14-2012)

Sec. 3-85. - Confidentiality.

The City of Surprise declares that it is in the best interests of the public to keep confidential the identity of a reporting employee until the investigation is complete. An investigation under this article is complete upon the investigator's submission of the written findings as to the reporting employee the summary of investigation required by section 3-82(c).

(Ord. No. 2012-05, § 1, 2-14-2012)

Sec. 3-86. Limitations to protection.

(a) Nothing in this Article prohibits the city from taking corrective action against an employee:

1. For conduct unrelated to that employee's report or imminent report of improper governmental action;
2. When the improper governmental action is the direct result of conduct by the employee seeking protection;
3. When that employee is involved in, to a degree greater than mere knowledge, the improper governmental action; or
4. For a report or imminent report made without a good faith belief.

Sec. 3-87. Violation.

(a) An employee found to have retaliated against a reporting employee will be subject to disciplinary corrective action in accordance with Chapter 3 of this Code. . The presumptive corrective action is termination, unless mitigating circumstances are found.

(b) An employee found to have made a report without a good faith belief will be subject to disciplinary corrective action in accordance with Chapter 3 of this Code.

Sec. 3-886. - Annual report.

The city manager willshall provide an annual report to the city council which willshall include the following:

- (1) The number of reports received under this article;
- (2) The nature of each report;
- (3) The number of investigations conducted;
- (4) A summary of findings or recommendations resulting from such investigations;
- (5) A summary of corrective action taken as a result of reports made under this article;
- (6) The number and amount of administrative penalties imposed as a result of reports made under this article; and
- (7) The number of reports found to be without merit.

(Ord. No. 2012-05, § 1, 2-14-2012)



CITY OF SURPRISE
Regular City Council Meeting

November 3, 2015 @ 6:00:00 PM

Back Print

Council Meeting Date:	November 3, 2015	Contact Person:	Eric Fitzer, Community Development
Submitting Department:		District:	3
Staff Recommendations:	None		

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

Agenda Wording:

Consideration and action recognizing of the 1936 Ramola Plat; Resolution 2015-94.

Motion:

I move to approve Resolution 2015-94.

Background:

Staff, in an effort to improve safety and connectivity in the community, attempted to obtain Rights-of-Way donations for Cactus Road between Cotton Lane and 175th Avenue. The reason for this request is that currently this section of Cactus Road is unpaved. The City has budgeted \$500,000 to pave two lanes within this section of Cactus Road. Staff has been able to obtain Rights-of-Way donations from all but two property owners; which have been unwilling to grant such right-of-way. As such staff through research has determined that Right-of-Way does exist on Cactus Road per the 1936 Ramola Plat. As such staff is requesting that the City Council recognize the aforementioned plat so that the City may annex the public roadway pursuant to A.R.S. Section 9-471(N) which allows for an alternative annexation method for county roadways.

Objective Analysis:

The proposed annexation will provide a safe transportation option and improve connectivity.

Policy Compliant:

The proposal is policy compliant by providing safe transportation connectivity within the community.

Financial Impact:

The financial impact associated with the annexation process is expected to be minimal. However, the annexation would allow for the continuation of the Cactus Road (175th Avenue to Cotton Lane) capital improvement project within the Transportation Improvement Fund. The total phase I project cost is anticipated to be \$295,000. Ongoing operating costs are expected to be minimal.

Budget Impact:

Any expenses related to the annexation process would be budgeted in the operating budget of the Community Development Department within the General Fund. The amended FY2016 budget for the Cactus Road (175th Avenue to Cotton Lane) capital improvement project is \$272,300. Any additional operating costs related to the Cactus Road project are expected to be absorbed by the Public Works Department once the project has been completed.

FTE Impact:

This item will not have any impact on current staff levels.

ATTACHMENTS:

Click to download

- ☐ [FS15-366 Ramola Plat Resolution 2015-94 CC Staff Report 102015](#)
 - ☐ [FS15-366 - Ramola Plat - Plat](#)
 - ☐ [FS15-366 - Ramola Plat - Presentation](#)
 - ☐ [RESOLUTION 2015-94](#)
-

REPORT TO THE CITY COUNCIL

Case: FS15-366

Project Name: Ramola Plat Resolution # 2015-94

Council District: 3 – Mesquite

Meeting Date: November 3, 2015 (continued from October 20, 2015)

Planner: Eric Fitzer

Owner: Maricopa County

Applicant: City of Surprise

Request: The City of Surprise Community Development Department requests consideration and action to recognize the 1936 Ramola Plat.

Site Location: East of 171st Avenue and West of Cotton Lane within Maricopa County

Site Size: 640 acres (approx.)

Density: N/A

General Plan Conformance: The proposal is consistent with the Surprise General Plan 2035

Support/Opposition: None known

Staff Recommendation: Staff recommends the City Council **recognize** FS15-366 the 1936 Ramola Plat Resolution# 2015-94.

PROJECT DESCRIPTION:

The City of Surprise proposes to recognize the 1936 Ramola plat which sets forth public roadway dedications in Section 14, Township 3 North, Range 2 West. The public roadways dedicated by the plat include Cactus Road; Citrus Road; Waddell Road; and Cotton Lane. As of this time other dedications have occurred for Citrus Road and portions of Waddell; Cotton and Cactus. That being said the City of Surprise has a pending Annexation of the Cactus Road public roadway as dedicated by the Ramola Plat pursuant to A.R.S. § 9-471(N), which is as follows:

39
40 *As an alternative to the procedures established in this section, a county right-of-way*
41 *or roadway may be transferred to an adjacent city or town by mutual consent of the*
42 *governing bodies of the county and city or town if the property transferred is*
43 *adjacent to the receiving city or town and if the city or town and county each*
44 *approve the proposed transfer as a published agenda item at a regular public*
45 *meeting of their governing bodies. A transfer of property made pursuant to this*
46 *subsection shall be treated by the receiving city or town as if the transferred property*
47 *was newly annexed territory.*
48

49 Therefore the City of Surprise as an alternative to the standard procedures established for
50 annexation, is proposing to annex Cactus Road a county roadway, established by the 1936 Ramola
51 Plat. Per the statute no taxable real property may be annexed to an adjacent city or town by mutual
52 consent of the governing bodies of the county and city.
53

54 **BACKGROUND:**
55

56 Staff in an effort to improve safety and connectivity in the community attempted to obtain Rights-
57 of-Way donations for Cactus Road between Cotton Land and 175th Avenue. The reason for this
58 request is that currently this section of Cactus Road is unpaved. The City has budgeted and the City
59 will obtain \$276,889 of in lieu fees from the developer of Zanjero Trails per the final plat stipulation
60 "a" as approved by Council 2013 for a total potential project cost of \$549,189 to pave two lanes
61 within this section of Cactus Road. Staff has been able to obtain Rights-of-Way donations from all
62 but two property owners; which have been unwilling to grant such right-of-way. As such staff
63 through research has determined that Right-of-Way does exist on Cactus road via the 1936 Ramola
64 Plat.
65

66 Staff recommends that the Ramola plat be recognized by the City Council. If the plat is recognized
67 and the Annexation approved the ordinance will also be placed on a Maricopa County Board of
68 Supervisors agenda for the County Board approval of the ROW annexation.
69

70 **RECOMMENDATION:**
71

72 Based on the information above, staff recommends the City Council **recognize** FS15-366 the Ramola
73 Plat Resolution 2015-94.
74

75 **Attachments:**
76

77 01 – Resolution 2015-94
78 02 – 1936 Ramola Plat

UNOFFICIAL DOCUMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT THE ARIZONA CITRUS LAND CO., THE OWNER OF EACH AND EVERY PARCELS OF LAND WITHIN THE SUBDIVISION OF UNIT 23 OF ROMOLA GRAPE FRUIT UNIT, BEING A SUBDIVISION OF SECTION 14, TOWNSHIP 3 SOUTH OF RANGE 2 WEST, GIL AND SALT RIVER BASIN AND MERIDIAN, HAS FILED THE ACCOMPANYING PLAT OF A REPLAT OF SAID SUBDIVISION, AND BY THE FILING OF SAID REPLAT HAS HEREBY DEDICATED TO THE PUBLIC FOR GENERAL USE AS PUBLIC HIGHWAYS, THOSE PORTIONS OF SAID PREMISES SHOWN AS LOTS OR TRACTS ON THE ACCOMPANYING PLAT; SUBJECT, HOWEVER, TO THE RIGHT WHICH IS HEREBY GRANTED TO MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NO. 1 TO CONSTRUCT, OPERATE AND MAINTAIN WITHIN AND ACROSS THE AREAS SO DEDICATED IRRIGATION DITCHES, DRAIN DITCHES, LATERALS AND SUBLATERALS AND TRIBUTARIES THEREOF, INCLUDING DITCH LINES, DITCH VAYS, CATCHMENTS AND APPURTENANCES, AND SUCH OTHER DITCHES AND MEANS FOR DEVELOPING, DELIVERING OR CONVEYING WATER AS MAY BE FOUND DESIRABLE OR NECESSARY; SUBJECT ALSO TO THE RIGHT TO CONSTRUCT, OPERATE AND MAINTAIN ALONG THE PROPERTY LINES, WITHIN THE AREAS SO DEDICATED AS ROADS OR STREETS, TELEPHONE, TELEPHONE AND POWER LINES, AND GAS AND WATER LINES, PROVIDED THAT ALL ROADS, STREETS, TRAILWAYS, OR OTHER DEDICATIONS TO THE PUBLIC USE UPON OR ACROSS THE PREMISES SHOWN ON THE ACCOMPANYING PLAT HERETOBY MADE OR OFFERED TO BE MADE FOR OR TO THE PUBLIC USE BY ANY INDIVIDUAL OR PLATS HERETOFORE MADE OR FILED IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, OR ELSEWHERE, AND NOT SHOWN ON THE ACCOMPANYING PLAT, ARE HEREBY REVOKED, WITHDRAWN AND CANCELLED, AND DECLARED OF NO FORCE OR EFFECT.

IN WITNESS WHEREOF, SAID ARIZONA CITRUS LAND CO. HAS CAUSED ITS SIGNATURE TO BE HERETO AFFIXED THIS 30TH DAY OF MARCH, 1936.

ATTEST:
ARIZONA CITRUS LAND CO.
BY *[Signature]* PRESIDENT

SECRETARY
STATE OF ARIZONA
COUNTY OF MARICOPA

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 30TH DAY OF MARCH, 1936, BY D. E. WALDELL, AS PRESIDENT, AND SCOTT L. LIBBY, JR., AS SECRETARY OF ARIZONA CITRUS LAND CO.

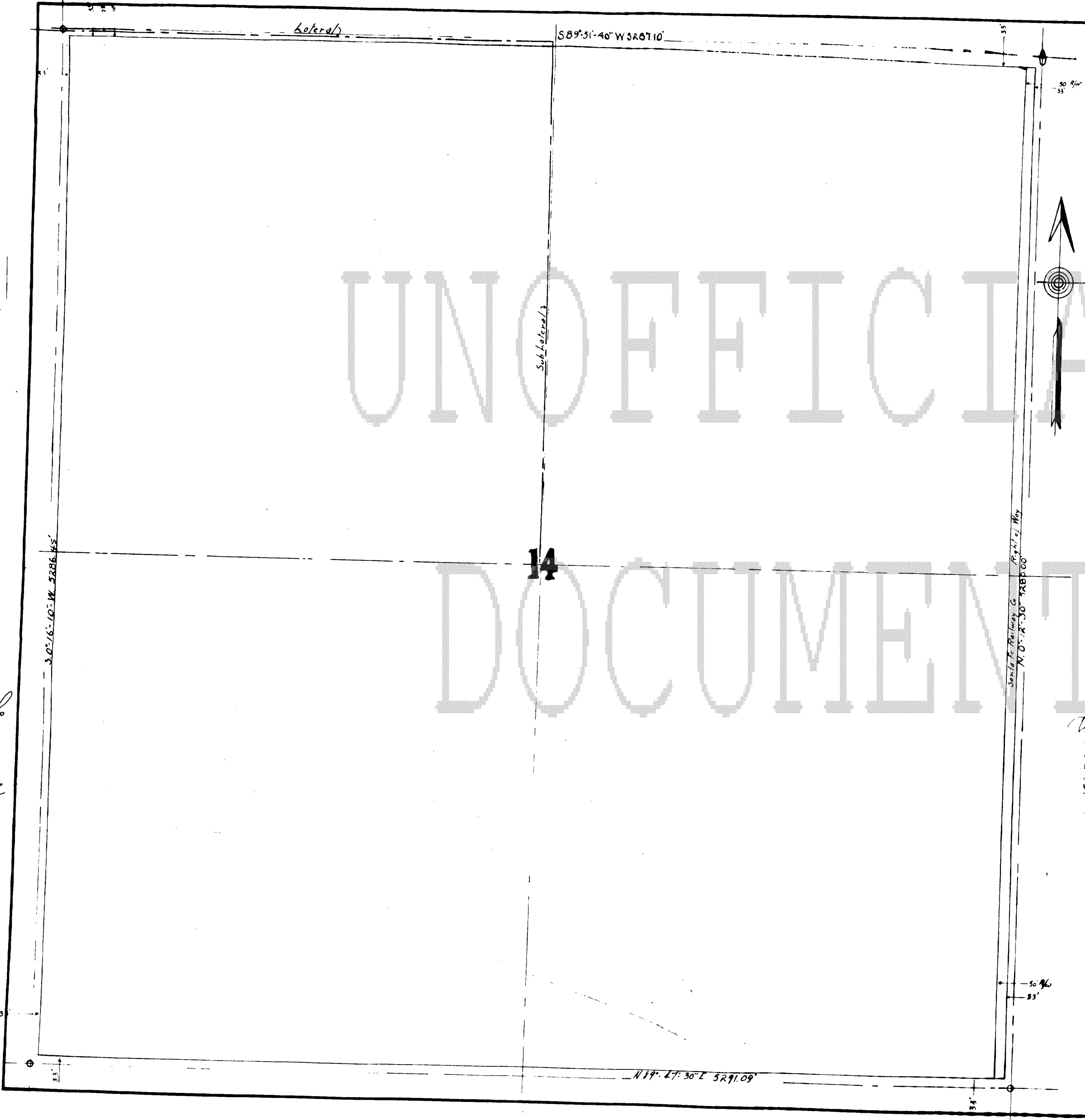
MY COMMISSION EXPIRES JANUARY 31, 1940.
12367 INDEX.

[Signatures and stamps]

REPLAT FOR VACATING

SUBDIVISION
UNIT NUMBER 23
ROMOLA OF ARIZONA
GRAPE FRUIT UNIT
Being a subdivision of
Section 14, T3N R2W 48 S.R. 8 Am.
Maricopa County, Arizona
Date March 28, 1936 Scale 1"=400'

Book 24
Page 21

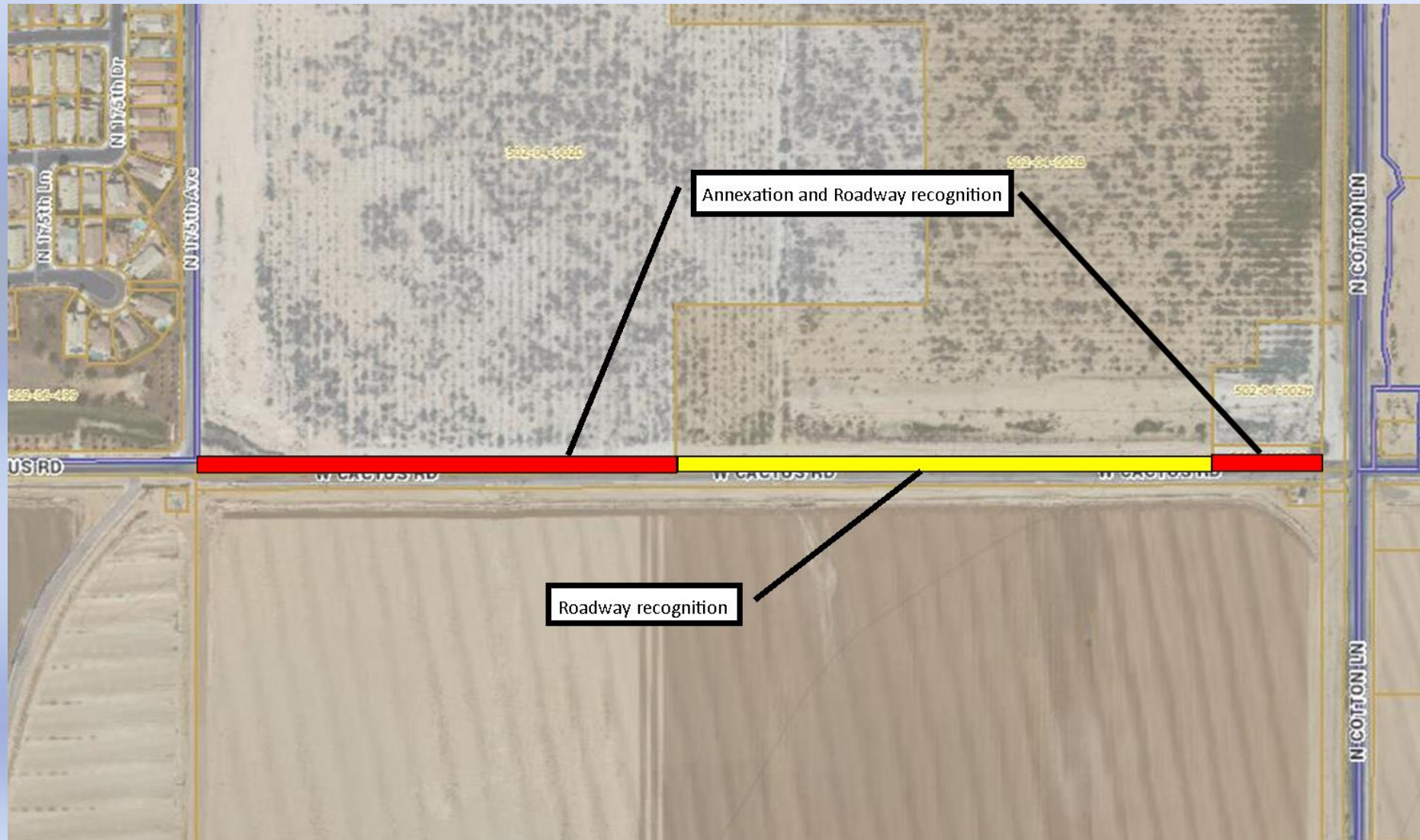


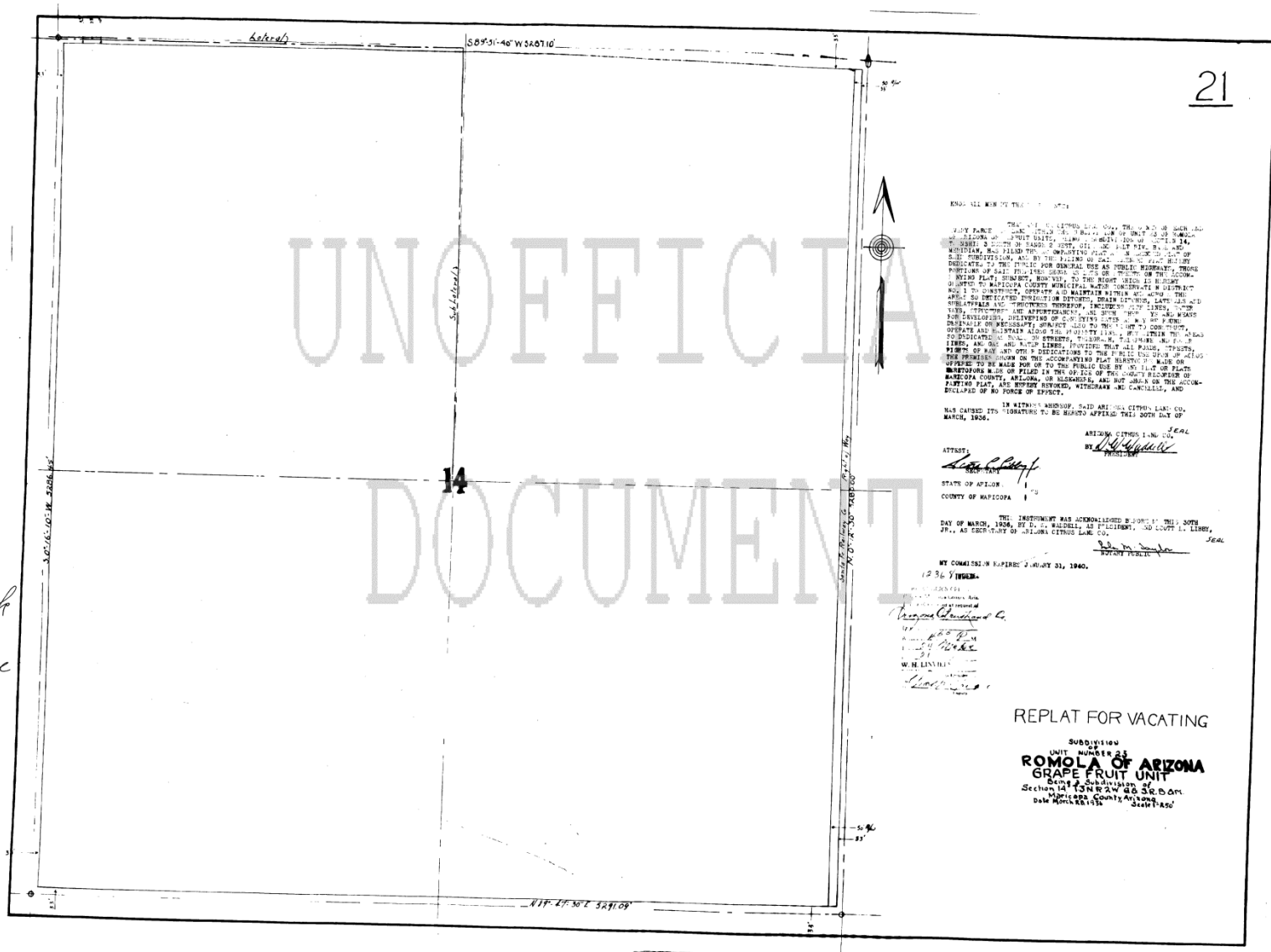
FS15-366 Ramola Plat Resolution 2015-94 and Cotton Road Roadway Annexation Ordinance 2015-17

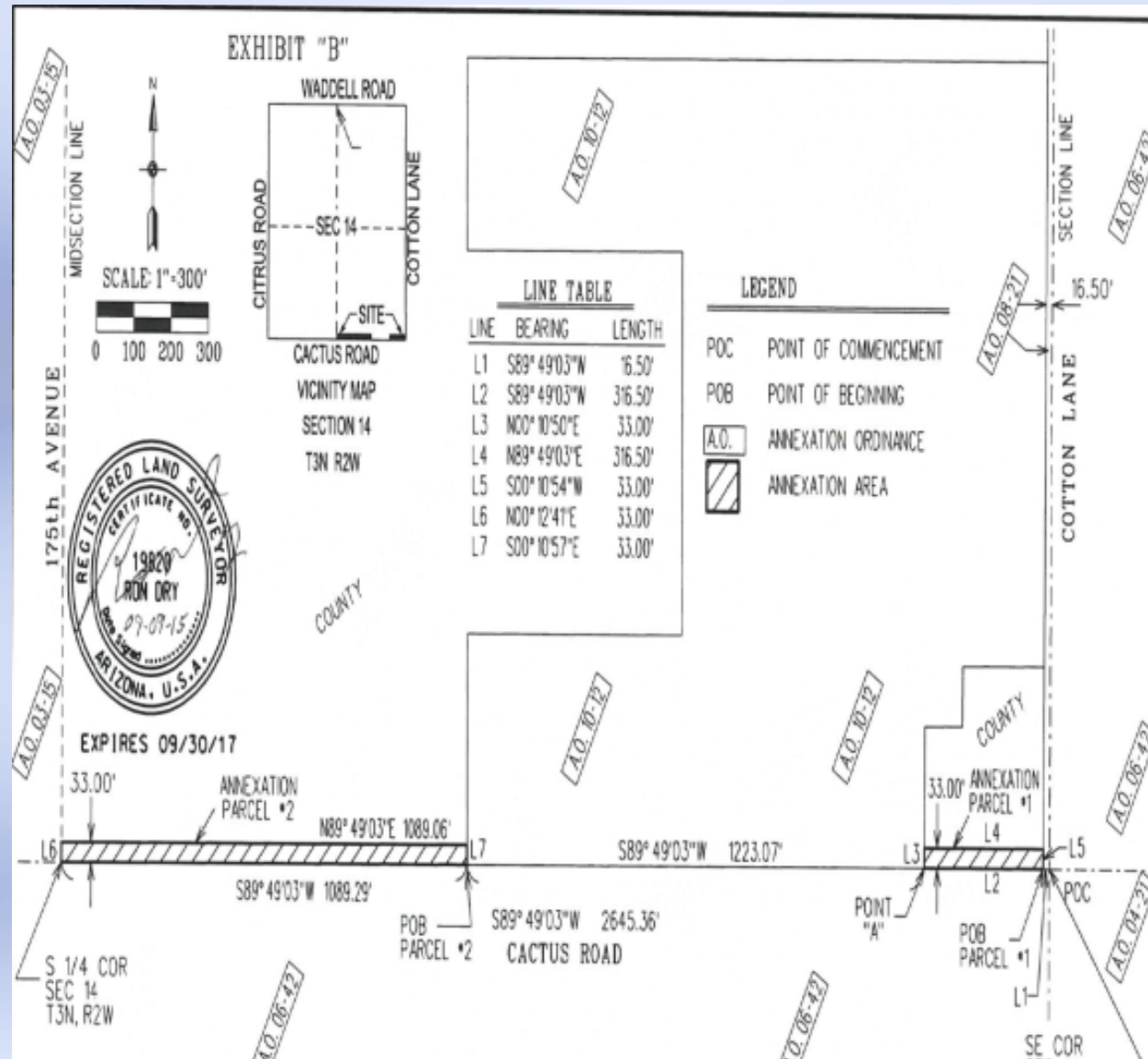
November 3, 2015



Site







Questions or Comments?



RESOLUTION # 2015-94

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, TO ACCEPT A DEDICATION OF PUBLIC RIGHT-OF-WAY ON CACTUS ROAD BETWEEN COTTON LANE AND 175TH AVENUE.

WHEREAS, the City has the power to establish and maintain public streets pursuant to Ariz. Rev. Stat. § 9-276 and now intends to connect the pavement on Cactus Road between Cotton Lane and 175th Avenue;

WHEREAS, the City may accept a dedication of land for streets by resolution of the City Council pursuant to SMC § 122-118;

WHEREAS, upon filing a map or plat, the fee of a street is vested in the City pursuant to Ariz. Rev. Stat. § 9-254;

WHEREAS, owners of property along Cactus Road have dedicated different segments of right-of-way either to the public in general or specifically to the City of Surprise, either by deed or by plat;

WHEREAS, the City of Surprise desires to accept the dedication of public right-of-way contained within the real property described in Exhibit A and depicted on Exhibit B, and to maintain the right-of-way as a public road;

WHEREAS, the plat attached as Exhibit C ("Romola Plat"), which was recorded with the Maricopa County Recorder's Office as document number 19290024768, dedicates a public right-of-way along Cactus Road that includes the real property described in Exhibit A;

WHEREAS, the deed attached as Exhibit D, which was recorded with the Maricopa County Recorder's Office as document number 19300004990, conveyed property adjacent to Cactus Road, including the real property described in Exhibit A, and maintained that the real property was subject to a dedicated public right-of-way along Cactus Road;

WHEREAS, the plat attached as Exhibit E, which was recorded with the Maricopa County Recorder's Office as document number 19360015438, vacated the previously recorded plat but maintained that the real property is subject to a dedicated public right-of-way along Cactus Road;

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

Section 1. The City of Surprise accepts the dedication of public right-of-way of the real property described in the attached Exhibit A, and depicted in Exhibit B, which are incorporated by this reference.

APPROVED AND ADOPTED this ____ day of _____, 2015.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Misty Leslie, City Attorney

Exhibit A

[Description of Public Right-of-Way]

EXHIBIT "A"

DESCRIPTION

RIGHT OF WAY ACQUISITION

A portion of the southeast quarter of Section 14, Township 3 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona described as follows:

COMMENCING at the southeast corner of said Section 14 from which the south quarter corner of said Section 14 lies South 89°49'03" West 2645.36 feet;

Thence along the south line of said southeast quarter South 89°49'03" West 33.00 feet to the POINT OF BEGINNING;

Thence continuing along said south line South 89°49'03" West 2612.36 feet to the south quarter corner of said Section 14;

Thence departing said south line along the west line of said southeast quarter North 00°12'41" East 33.00 feet;

Thence on a line parallel with and 33.00 feet north of the aforesaid south line North 89°49'03" East 2612.84 feet;

Thence South 00°10'54" West 33.00 feet to the POINT OF BEGINNING.

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

End of description

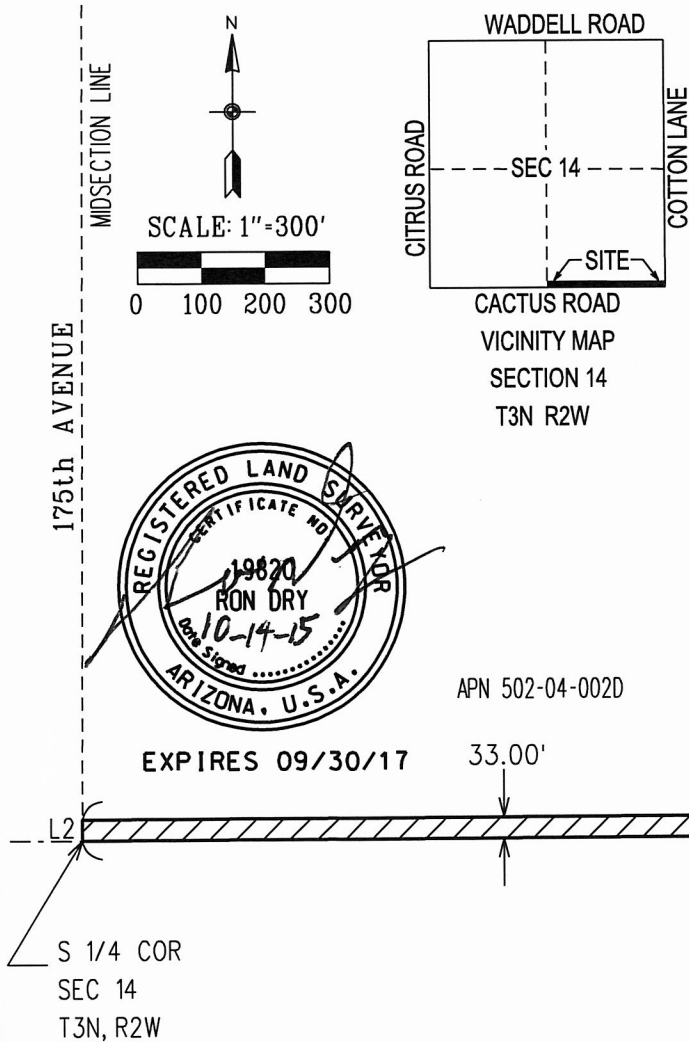


EXPIRES 09-30-2017

Exhibit B

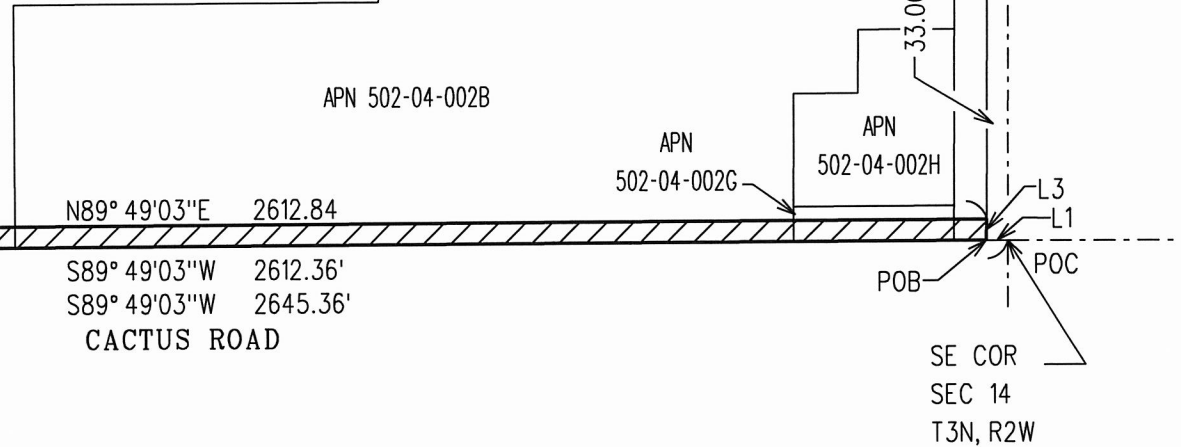
[Surveyed Plan of Public Right-of-Way]

EXHIBIT "B"



LINE TABLE		
LINE	BEARING	LENGTH
L1	S89° 49'03"W	33.00'
L2	N00° 12'41"E	33.00'
L3	S00° 10'54"W	33.00'

LEGEND	
POC	POINT OF COMMENCEMENT
POB	POINT OF BEGINNING
M.C.R.	MARICOPA COUNTY RECORDER
APN	ASSESSOR PARCEL NUMBER
	RIGHT OF WAY AREA



BASIS OF BEARINGS

Maricopa County Low Distortion Projection
 Linear unit: International foot
 Geodetic Datum: NAD 1983
 Projection type: Lambert Conformal Conic (single parallel)
 Latitude of origin: 33° 15'00"N
 Central meridian: 112° 15'00" W
 False northing: 1,500,000.000 ift
 False Easting: 2,500,000.000 ift
 Standard parallel scale: 1.000045 (exact)



CITY OF SURPRISE
 LAND SURVEY DEPARTMENT
 16000 N. CIVIC CENTER PLAZA
 SURPRISE AZ. 85374

ROAD RIGHT OF WAY ACQUISITION

PROJECT # 15028

DRAWN BY RCD

DATE 10-05-15

SHEET 1 OF 1

Exhibit C

[Plat, Doc. No. 19290024768]

W 02 12 1-30' 52800'

THAT JOHN R. SHADON AND DONALD W. MADDALE ARE THE OWNERS OF SECTION 14, 12 TO 15TH ST, NORTH, BARBER ST, EAST, OF THE 21LA AND 3RD AVENUE, IN THE CITY OF ALBUQUERQUE, BERNALILLO COUNTY, ARIZONA, AND HAVE CAUSED THE SAID PROPERTY TO BE SURVEYED, SUB-DIVIDED AND PLATTED AS SHOWN ON THE ACCOMPANYING LOT, EACH SAID PLOT 363 SHALL BE SUBJECT TO BE KNOWN AS UNIT NO. 1 OF BLOCK OF ALBUQUERQUE, ARIZONA, TRAFFIC UNIT, AND AS BECAUSE OF THE FACT THAT SAID PLOT 363, ON THE LOCATION AND GIVES THE RESIDENTS NO OBSTRUCTIONS OF EACH PARK, ALCOCK, STREET, HIGHWAY OR ALLEY CONSTITUTING SAID UNIT NO. 2 OF BLOCK OF ALBUQUERQUE, TRAFFIC UNIT, AND THE EACH LOT OF BLOCK IS DESIGNATED AS BLOCK, AS SHOWN UPON THE ACCOMPANYING PLOT.

THIRTY-THREE FEET OF EACH SIDE OF ALL SECTION LINES, AS PL. THREE IS HEREBY DEDICATED TO THE PUBLIC FOR ITS GENERAL USE AS PUBLIC HIGHWAYS, SUBJECT, HOWEVER, TO THE FACT THAT SUCH DEDICATION IS LIMITED TO SAN JOAQUIN COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NO. 1 TO CONSTRUCT, OPERATE AND MAINTAIN WITHIN AND ACROSS THE AREAS HEREBY DEDICATED, AS WELL AS WITHIN AND ACROSS ALL OTHER LAIDS, ROADWAYS, STREETS AND HIGHWAYS SEEN ON THIS PLAT, IRRIGATION DITCHES, DRAIN DITCHES, LATERALS AND SUB-LATERALS AND STRUCTURES THEREON INCLUDING PIPE LINES, LATERALS, STRUCTURES AND APPURTENANCES AND SUCH OTHER LAIDS AND MEMBS OF DEVELOPING, DEVELOPING OR CONTINUING WATER AS MAY BE FOUND DESIRABLE OR NECESSARY. SUGGEST THE RIGHT TO CONSTRUCT, OPERATE AND MAINTAIN SUCH PROPERTY LINES BE SAID SIXTY SIX FOOT ROAD AND WITHIN ALL OTHER AREAS SEEN ON THIS PLAT, A STREET OR ROADWAYS, AS WELL AS ACROSS PRIVATELY PROPERTY LINES, TELEPHONE, TELEPHONE, POWER LINES, AS WELL AS GAS AND WATER LINES. THE STREETS AND ROADWAYS SEEN UPON THIS PLAT OTHER THAN THE ROADWAYS HEREBY DEDICATED TO THE PUBLIC FOR ITS GENERAL USE ARE DEDICATED AND SET ASIDE AS ROADWAYS FOR THE USE OF PROPERTY OWNERS TRAVELING THEREON AS A MEANS OF BUSINESS AND ACCESS TO AND FROM THE PUBLIC AREAS NOT UNLAWFULLY ACCESSIBLE TO SUCH PROPERTY OWNERS. THESE PUBLIC AREAS IN SUCH PROPERTY OWNERS TO BE A PART OF SAID DEDICATION OF THE STREETS AND ROADWAYS, AND WITH THE LIMIT HEREON ALL SUCH PROPERTY OWNERS TO BE IN THE HEREON, OCCUPY AND ENJOY SUCH AREAS UNTIL SUCH PERIOD AS THE DEED MAY EXIST FOR ROADWAYS THEREON.

IN WITNESS WHEREOF THE ONES HAVE AFFIXED THEIR SIGNATURES
HEREON THIS 28th DAY OF MARCH, 1949.

John R. Branton
Stella W. Wessel

STATE OF ARIZONA
COUNTY OF MARICOPA

THIS INSTRUMENT WAS SIGNED AND DELIVERED BEFORE ME THIS 15 DAY OF March, 1940, BY JOHN H. BRADDOCK AND DONALD J. WALKER.

BY 202193104 KOF JACS

July 14, 1931

I HEREBY CERTIFY THAT THE SUBDIVISIONS OF THE PROPERTY DESCRIBED AND PLATTED HEREON WAS SURVEYED AND PLATTED UNDER MY DIRECTION IN THE MONTH OF March 1929.

13042

RECORDER'S OFFICE
Phoenix, Maricopa County, Arizona
Filed and Recorded at request of

Rosola Inc

1
24 MAR 30 1929

at 9:18 a.

Week 20 of May

Page 457

J. K. Ward

Agency Secretary

By James E. [Signature] Deputy

DD

70

6

1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 26

Section

21

Journal of Management Education 30(6)

**SUBDIVISION
OF
IT NUMBER 2**

UNIT NUMBER 23
ROMOLA OF ARIZONA
GRAPE FRUIT UNIT

Being a Subdivision of
Section 14 T.3N.R.2W G.4 S.R.B.4M.
Maricopa County, Arizona
Date March 8, 1929

Date March 8, 1928

APR 21 AM 45

Exhibit D

[Quit-claim Deed, Doc. No. 19300004990]

and consideration therein expressed.

My commission will expire July 14, 1930.

Given under my hand and seal of office, this 18th day of June, A. D. 1930.

(SEAL)

J. J. Barkley, Notary Public.

STATE OF ARIZONA
County of Yavapai ss.

Before me, the undersigned, a Notary Public in and for the County of Yavapai, State of Arizona, on this day personally appeared EARL W. PHILLIPS and MARY PHILLIPS, his wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

My commission expires MY COMMISSION EXPIRES JUNE 23rd, 1931.

Given under my hand and seal of office this 19th day of June, A. D. 1930

(SEAL)

P. H. Miller, Notary Public.

Filed and recorded at request of Donald H. Simpson, Jun 23 1930 at 9:00 A. M.

J. K. Ward, County Recorder.
By Irene Kohl, Deputy.

#25631 COMPARED
READ TO M. L.
READ BY L. B. G.

k k k l d d k k k k l k k l k k k k k k k k k

QUIT-CLAIM DEED

DEEDS 247 to 376

KNOW ALL MEN BY THESE PRESENTS: That BEARDSLEY LAND AND INVESTMENT COMPANY, a corporation, organized and existing under and by virtue of the laws of the State of Arizona, grantor herein, for and in consideration of Ten (\$10.00) Dollars and other good and valuable considerations in hand paid to it by ARIZONA CITRUS LAND COMPANY, a corporation, organized and existing under and by virtue of the laws of the State of Arizona, grantee herein, has remised, released and quitclaimed, and by these presents does remise, release and quitclaim unto the said grantee, all of those certain premises, situate in the County of Maricopa, State of Arizona, described by reference to the United States Survey thereof and by reference to certain platted subdivisions known as Romola of Arizona Grapefruit Units, according to the map or plats thereof, recorded in the office of the County Recorder of Maricopa County, respectively, as follows:

In Township Four North, Range One West of the Gila and Salt River Base and Meridian, County of Maricopa, State of Arizona.

All of Section Nineteen; the North Half and the Southwest Quarter of Section Twenty; all of Section Twenty-one; all of Section Twenty-two; all of Section Twenty-three; all of Section Twenty-four; all of Section Twenty-five; all of Section Twenty-six; the Southeast Quarter, the Southwest Quarter, and the East Half of the Northeast Quarter of Section Twenty-seven; the Southeast Quarter, the Southwest Quarter; the Northwest Quarter and the West Half of the Northeast Quarter of Section Twenty-eight; all of Section Twenty-nine; all of Section Thirty; all of Section Thirty-one; all of Section Thirty-two; the North Half of Section Thirty-four; and all of Section Thirty-five;

In Township Four North, Range Two West of the Gila and Salt River Base and Meridian, said County and State.

All of Section Twenty-four; all of Section Twenty-five; the East Half of Section Twenty-six; the East Half of Section Thirty-four; all of Section Thirty-five; and all of Section Thirty-six;

In Township Three North, Range One West of the Gila and Salt River Base and Meridian, said County and State:

All of Section Six; the West Half of Section Seven; all of Section Eighteen; and all of Section Thirty-one;

In Township Three North, Range Two West of the Gila and Salt River Base and Meridian, said County and State;

All of Section One; all of Section Two; all of Section Three; the East Half of Section Four; the East Half of Section Nine; all of Section Ten; all of Section Eleven, being Unit No. 19 as recorded on April 22, 1929, in Book 21 of Maps, at Page 8 thereof; all of Section Twelve; all of Section Thirteen; all of Section Fourteen, being Unit No. 23; as recorded on March 30, 1929, in Book 20 of Maps at Page 45 thereof; all of Section Fifteen, being Unit No. 22 as recorded on April 22, 1929, in Book 21 of Maps at Page 9 thereof; the East Half of Section Twenty-one, being Unit No. 26, as recorded on December 10, 1929, in Book 22 of Maps at Page 16 thereof; all of Section Twenty-two, being Unit No. 27 as recorded on December 2, 1929, in Book 22 of Maps at Page 13 thereof; The East half and the Southwest Quarter and the Northeast Quarter of Northwest Quarter, Section Twenty-three; all of Section Twenty-six, being Unit No. 33 as recorded on December 10, 1929, in Book 22 of Maps at Page 15 thereof; all of Section Twenty-seven, being Unit No. 32 as recorded on July 16, 1928, in Book 19 of Maps at Page 20 thereof; the East Half of Section Twenty-eight; the East Half of Section Thirty-three, being Unit No. 36 as recorded on February 24, 1928, in Book 18 of Maps at Page 12 thereof; all of Section Thirty-four, being Unit No. 37 as recorded on February 24, 1928, in Book 18 of Maps at Page 13 thereof.

In Township Two North, Range Two West of the Gila and Salt River Base and Meridian, said County and State.

All of Section Two, being Unit No. 43, as recorded on May 3, 1928, in Book 18 of Maps, at Page 41 thereof; all of Section Three, being Unit No. 42, as recorded on May 2, 1928, in Book 18 of Maps at Page 40 thereof; the East Half of Section Four, being Unit No. 41 as recorded on May 3, 1928, in Book 18 of Maps at Page 39 thereof; East Half of Section Nine, being Unit No. 45, as recorded on July 16, 1928, in Book 19 of Maps at Page 22 thereof; all of Section Ten, being Unit No. 46, as recorded on June 21, 1928, in Book 19 of Maps at Page 7 thereof; all of Section Eleven, being amended Unit No. 47, as recorded on December 18, 1929, in Book 22 of Maps at Page 17 thereof; all of Section Fourteen, being Unit No. 50, as recorded on June 5, 1928, in Book 18 of Maps, at Page 51, thereof; all of Section Fifteen, being Unit No. 49, as recorded on July 16, 1928, in Book 19 of Maps, at Page 23 thereof; the East Half of Section Twenty-one; all of Section Twenty-two; all of Section Twenty-three, being Unit No. 52, as recorded on July 16, 1928, in Book 19 of Maps at Page 24 thereof; all of Section Twenty-six; all of Section Twenty-seven; the East Half of Section Twenty-eight; the East Half of Section Thirty-three; the East Half and the Northwest Quarter of Section Thirty-four; and all of Section Thirty-five.

There is expressly excepted and excluded therefrom all of the following pieces or parcels which prior to April 23, 1930, were conveyed by Beardsley Land and Investment Company, a corporation, to Romola Inc., a corporation, as the same are described in the hereinabove mentioned recorded plats of Romola of Arizona Grapefruit Units, to-wit:

Unit	Block No.
43	4653 CDE
43	4654 ABCDE
43	4655 ABCDE
43	4656 ABCDE
43	4657 ABCDE
43	4658 ABCDE
43	4662 ABCDE
43	4694 ABCDE
43	4695 DE
37	4029 ABC
37	3966 B
42	4523 A
46	5003 E
43	4706 ABC
42	4562 AB
42	4612 ABCD
Unit	Block No.
43	4644 ABCD
43	4645 ABCDE
43	4674 ABCD
43	4646 ABC
32	3405 ABC
43	4754 E
43	4755 ABCDE
52	5662 ABCDE
43	4723 ABCDE
42	4604 B
42	4613 B
43	4744 BDE
43	4710 CDE
37	4053 ABCDE
37	4054 ABCDE
43	4743 ABCDE
46	4955 E
37	4049 A
43	4685 A
52	5663 D
43	4652 ABC

Unofficial Document

There is further excepted and excluded from the hereinabove described premises the North Half of the Northwest Quarter and the North Half of the North Half of the South Half of the Northwest Quarter of Section Twenty-six, township Three North, Range Two West of the Gila and Salt River Base and Meridian, containing one hundred acres more or less, which have heretofore been deeded by Beardsley Land and Investment Company to John R. Brandon.

There is further excepted and excluded from the hereinabove described premises the Northwest Quarter of the Northeast Quarter; the Northeast Quarter of the Northeast Quarter except the Easterly eighty three feet thereof; the North Half of the North Half of the South Half of the Northeast Quarter except the Easterly Eighty three feet thereof, all in Section Twenty-six, Township Three North, Range Two West, containing 98.11 acres, more or less, which have heretofore been conveyed by Beardsley Land and Investment Company to Donald W. Waddell.

There is further excepted and excluded from the premises hereinabove described that certain piece or parcel of land heretofore conveyed by Beardsley Land and Investment Company to Union Oil Company, a corporation, described by metes and bounds as follows, to wit:

Beginning at the East Quarter corner of Section Twenty Nine, Township Four North, Range One West, Gila and Salt River Base and Meridian; thence North Seventy-eight degrees Thirty-five minutes West 1684.2 feet to a point on the Northwesterly right of way line of Atchison, Topeka and Santa Fe Railway Company's Wye track, distant westerly Twenty-five feet measured radially from the center line of said wye track and being the true point of beginning of the herein described parcel; thence North Forty-four degrees sixteen minutes west 130.36 feet to a point; thence South Forty-five degrees Forty-four minutes west two hundred feet to a point; thence South Forty-four degrees Sixteen minutes east One hundred fifty feet more or less to a point on aforesaid northwesterly railway right of way line, distant Twenty-five feet measured at right angles from center line of wye track; thence along said Northwesterly right of way line on the following courses and distances; North Forty-four degrees Forty-five minutes East six feet to the point of a curve; thence on a curve to the left concave to the West, having a radius of 1181.57 feet for a distance of 73.89 feet to a point; thence North Forty-two degrees 09 minutes East Fifteen feet to the point of a curve; thence on a curve to the left concave to the West having a radius of 578.8 feet for a distance of 106.60 feet more or less to the true point of beginning, containing 0.65 acres more or less.

SUBJECT TO:

- (a) All rights of way and easements of record and legally in force at the date hereof.
- (b) The lien of that certain mortgage dated January 20, 1928, from Beardsley Land and Investment Company to C. W. Jones of Los Angeles, California, recorded in the office of the County Recorder of Maricopa County, Arizona, in Book 209 of Mortgages, at pag 188 thereof.
- (c) The terms of that certain contract dated February 23, 1929, between Beardsley Land and Investment Company and Romola Incorporated, made in lieu of and in substitution for all contracts theretofore existing between Beardsley Land and Investment Company and Alexander Hursh, giving said Romola Incorporated the option to purchase certain land hereinabove mentioned.
- (d) The terms of that certain trust indenture dated February 25, 1929, wherein The Beardsley Land and Investment Company is named Trustor, and The United States National Bank of Los Angeles, is named Trustee, made pursuant to the contract mentioned in the foregoing paragraph.
- (e) The terms of a certain deed from Beardsley Land and Investment Company to The United States National Bank of Los Angeles conveying certain of the above-described lands in trust pursuant to the purposes of the contract hereinabove in Paragraph (c) mentioned, and of the trust indenture hereinabove in Paragraph (d) mentioned.
- (f) The obligation of Beardsley Land and Investment Company to convey to Romola Incorporated two hundred and eighty acres of land in exchange for six hundred and twenty-three shares of capital stock of Beardsley Land and Investment Company, incurred pursuant to resolution adopted by the board of directors of Beardsley Land and Investment Company on July 6, 1929.

(h) The terms of that certain assignment dated March 26, 1929, from Beardsley Land and Investment Company to Santa Fe Land & Improvement Company of certain moneys accrued and to accrue from certain specified contracts of sale of Romola Incorporated to what is known as "The well drilling fund."

(1) The obligation of Beardsley Land and Investment Company to Santa Fe Land & Improvement Company made for the purpose of protecting the latter from loss or liability by reason of its agreement of February 21, 1929, with National Surety Company, whereby Santa Fe Land & Improvement Company agreed to protect National Surety Company from loss by reason of its execution of the supersedeas bond on behalf of appellee in Cause No. 2782 now pending in The Superior Court of the State of Arizona, wherein Maricopa County Municipal Water Conservation District No. 1, Beardsley Land and Investment Company and Carl Pleasant, deceased, are appellants, and Southwest Cotton Company and Valley Ranch Company are appellees.

(k) To certain existing leases upon portions of the property hereinabove described and subject to that certain agreement heretofore made by the grantor with C. B. McDonald under the terms of which commissions are payable to said C. B. McDonald as follows: One Dollar per acre per annum when the rental received under certain leases amounts to Eleven Dollars per acre per annum, and Two Dollars per acre per annum when said rental amounts to Twenty Dollars per acre per annum, and not otherwise.

IN WITNESS WHEREOF, Beardsley Land and Investment Company, grantor, has caused its corporate name to be signed and its corporate seal to be affixed, and the same to be attested by the signatures of its President and Secretary thereunto duly authorized, this 6th day of June, 1930.

BEARDSLEY LAND AND INVESTMENT COMPANY,
By Robert O. Beardsley, Its President.

Before me Nina Weems, a Notary Public in and for said Maricopa County, State of Arizona, on this day personally appeared Robert O Beardsley and P H Hayes known to me to be the persons whose names are subscribed to the foregoing instrument as President and Secretary, respectively, of BEARDSLEY LAND AND INVESTMENT COMPANY, a corporation, named as grantor in the foregoing instrument, and as such President and Secretary, acknowledged to me that they executed the same for said corporation, for the purposes and consideration therein expressed, as its free act and deed, and by each of them voluntarily executed.

Unofficial Document

GIVEN under my hand and seal of office this 6 day of June, 1930.

Filed and recorded at request of Ellinwood & Ross, Jun 23 1930 at 10:05 A. M.

#25666 COMPARED
READ T. L. B. G
READ BY M. L

[illegible]

WARRANTY DEED

That BEARDSLEY LAND AND INVESTMENT COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Arizona, grantor, for and in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable considerations in hand paid to it by ARIZONA CITRUS LAND COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Arizona, grantee, receipt whereof is hereby expressly acknowledged, has granted, sold and conveyed, and by these presents does grant, sell and convey unto said Arizona Citrus Land Company all of the following described real estate situate in the County of Maricopa, State of Arizona, to-wit:

The Northwest Quarter of the Northwest Quarter of the Southeast Quarter; the Northeast Quarter of the Northwest Quarter of the Southeast Quarter; the Southeast Quarter of the Northwest Quarter of the Southeast Quarter; the Southwest of the Northwest Quarter of the Southeast Quarter; and the Southwest Quarter of the Southeast Quarter, all in Section Twenty, Township Four North, Range One West of the Gila and Salt River Base and Meridian;

The Northwest Quarter of the Northwest Quarter; the Southwest Quarter of the Northwest Quarter; the North Half of the Southeast Quarter of the Northwest Quarter; the Southwest Quarter of the Southeast Quarter of the Northwest Quarter; the Southeast Quarter of the Southeast Quarter of the Northwest Quarter; all in Section Twenty Three, Township Three North, Range Two West of the Gila and Salt River Base and Meridian.

The Northwest Quarter of the Southwest Quarter of the Southwest Quarter, the Northeast Quarter of the Southwest Quarter, the Southwest Quarter of the Southwest Quarter, and the Southeast Quarter of the Southwest Quarter, all in Section Thirty-four, Township 2 North, Range Two West of the Gila and Salt River Base and Meridian.

1. All State, county and district taxes.
2. All easements and rights of way of record in force and effect at the date hereof.
3. All liabilities and obligations imposed upon the hereinabove described premises by inclusion thereof within boundaries of Maricopa County Municipal Water Conservation District No. 1.
4. All school district, irrigation district, county and state bond issues.

Exhibit E

[Vacated Plat, Doc. No. 19360015438]

UNOFFICIAL DOCUMENT

KNOW ALL MEN BY THESE PRESENTS:

THAT THE ARIZONA CITRUS LAND CO., THE OWNER OF EACH AND EVERY PARCELS OF LAND WITHIN THE SUBDIVISION OF UNIT 23 OF ROMOLA OF ARIZONA GRAPE FRUIT UNIT, BEING A SUBDIVISION OF SECTION 14, TOWNSHIP 3 SOUTH OF RANGE 2 WEST, GIL AND SALT RIVER BASIN AND MERIDIAN, HAS FILED THE ACCOMPANYING PLAT OF A REPLAT PLAT OF SAID SUBDIVISION, AND BY THE FILING OF SAID REPLAT PLAT HEREBY DEDICATES TO THE PUBLIC FOR GENERAL USE AS PUBLIC HIGHWAYS, THOSE PORTIONS OF SAID PREMISES SHOWN AS LOTS OR TRACTS ON THE ACCOMPANYING PLAT; SUBJECT, HOWEVER, TO THE RIGHT WHICH IS HEREBY GRANTED TO MARICOPA COUNTY MUNICIPAL WATER CONSERVATION DISTRICT NO. 1 TO CONSTRUCT, OPERATE AND MAINTAIN WITHIN AND ACROSS THE AREAS SO DEDICATED IRRIGATION DITCHES, DRAIN DITCHES, LATERALS AND SUBLATERALS AND TRIBUTARIES THEREOF, INCLUDING DITCH LINES, DITCH VAYS, CATCHMENTS AND APPURTENANCES, AND SUCH OTHER DITCHES AND MEANS FOR DEVELOPING, DELIVERING OR CONVEYING WATER AS MAY BE FOUND DESIRABLE OR NECESSARY; SUBJECT ALSO TO THE RIGHT TO CONSTRUCT, OPERATE AND MAINTAIN ALONG THE PROPERTY LINES, WITHIN THE AREAS SO DEDICATED AS ROADS OR STREETS, TELEPHONE, TELEPHONE AND POWER LINES, AND GAS AND WATER LINES, PROVIDED THAT ALL ROADS, STREETS, TRAILWAYS, OR OTHER DEDICATIONS TO THE PUBLIC USE UPON OR ACROSS THE PREMISES SHOWN ON THE ACCOMPANYING PLAT HERETOBY MADE OR OFFERED TO BE MADE FOR OR TO THE PUBLIC USE BY ANY PLAT OR PLATS HERETOFORE MADE OR FILED IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY, ARIZONA, OR ELSEWHERE, AND NOT SHOWN ON THE ACCOMPANYING PLAT, ARE HEREBY REVOKED, WITHDRAWN AND CANCELLED, AND DECLARED OF NO FORCE OR EFFECT.

IN WITNESS WHEREOF, SAID ARIZONA CITRUS LAND CO. HAS CAUSED ITS SIGNATURE TO BE HERETO AFFIXED THIS 30TH DAY OF MARCH, 1936.

ATTEST:
SECRETARY
STATES OF ARIZONA
COUNTY OF MARICOPA

ARIZONA CITRUS LAND CO.
BY *[Signature]*
PRESIDENT

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 30TH DAY OF MARCH, 1936, BY D. E. WALDELL, AS PRESIDENT, AND SCOTT L. LIBBY, JR., AS SECRETARY OF ARIZONA CITRUS LAND CO.

[Signature]
NOTARY PUBLIC

MY COMMISSION EXPIRES JANUARY 31, 1940.

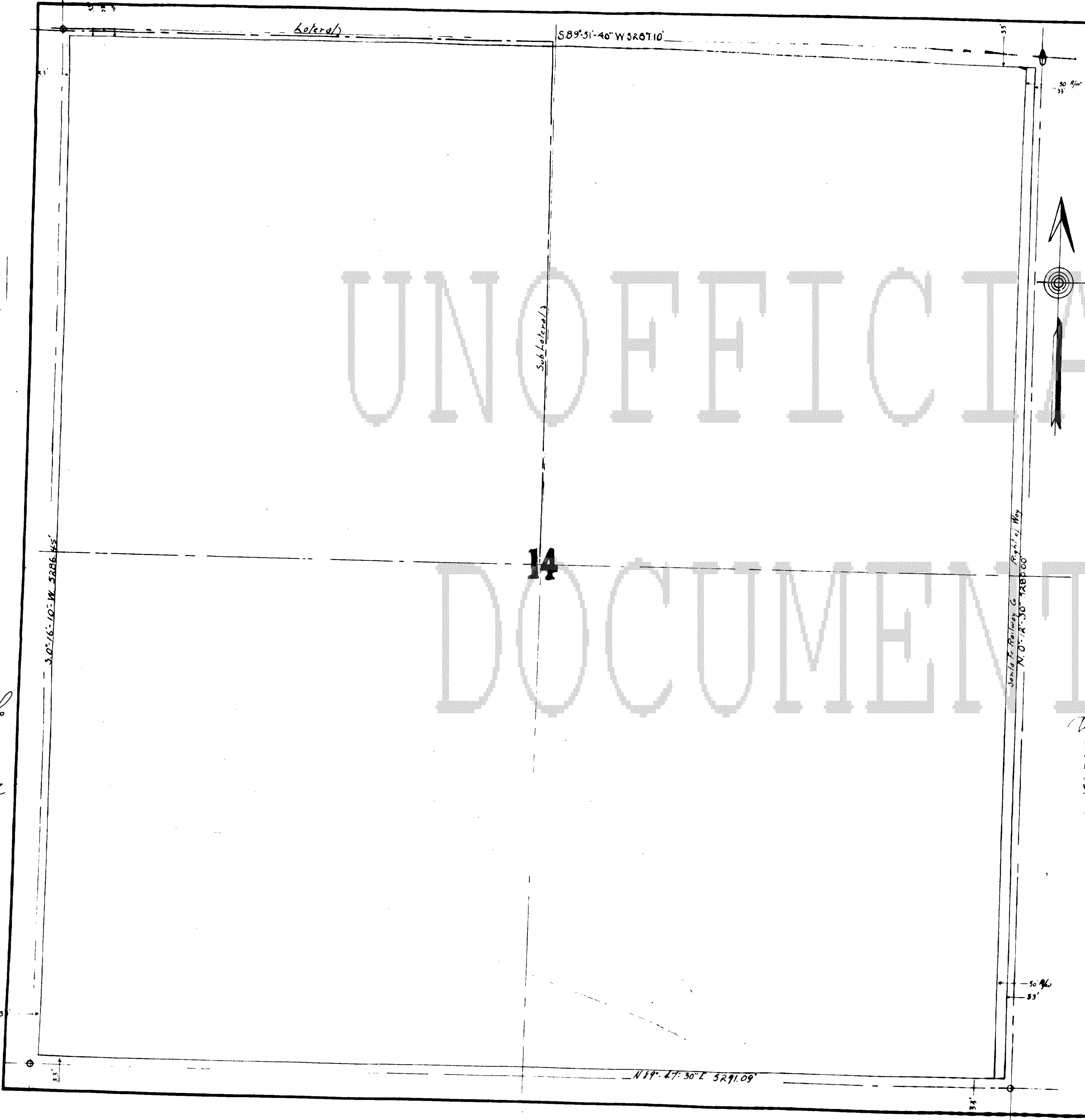
12367 INDEX.

[Signatures and stamps]

REPLAT FOR VACATING

SUBDIVISION
UNIT NUMBER 23
ROMOLA OF ARIZONA
GRAPE FRUIT UNIT
Being a subdivision of
Section 14, T3N R2W 48 SR. B. 10m.
Maricopa County, Arizona
Date March 28, 1936 Scale 1"=40'

Book
24
Page
21





CITY OF SURPRISE
Regular City Council Meeting

November 3, 2015 @ 6:00:00 PM

Back Print

Council Meeting Date:	November 3, 2015	Contact Person:	Eric Fitzer, Community Development
Submitting Department:		District:	3
Staff Recommendations:	None		

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

Agenda Wording:

Consideration and action to annex 1.06 Acres along the Cactus Road alignment between 171st Avenue and Cotton Lane; Ordinance 2015-17.

Motion:

I move to approve Ordinance 2015-17.

Background:

Staff in an effort to improve safety and connectivity in the community attempted to obtain Rights-of-Way donations for Cactus Road between Cotton Lane and 175th Avenue. The reason for this request is that currently this section of Cactus Road is unpaved. The City has budgeted \$500,000 to pave two lanes within this section of Cactus Road. Staff has been able to obtain Rights-of-Way donations from all but two property owners; which have been unwilling to grant such right-of-way. As such staff through research has determined that Right-of-Way does exist on Cactus road.

Pursuant to A.R.S. Section 9-471(H) (1), the proposed annexation territory conforms with contiguity requirements. Pursuant to A.R.S Section 9-471(A) (6), it has been determined that no part of the territory for which filing shall be made is already subject to an earlier filing

Objective Analysis:

The proposed annexation will provide a safe transportation option and improve connectivity.

Policy Compliant:

The proposal is policy compliant by providing safe transportation connectivity within the community.

Financial Impact:

The financial impact associated with the annexation process is expected to be minimal. However, the

annexation would allow for the continuation of the Cactus Road (175th Avenue to Cotton Lane) capital improvement project within the Transportation Improvement Fund. The total phase I project cost is anticipated to be \$295,000. Ongoing operating costs are expected to be minimal.

Budget Impact:

Any expenses related to the annexation process would be budgeted in the operating budget of the Community Development Department within the General Fund. The amended FY2016 budget for the Cactus Road (175th Avenue to Cotton Lane) capital improvement project is \$272,300. Any additional operating costs related to the Cactus Road project are expected to be absorbed by the Public Works Department once the project has been completed.

FTE Impact:

This item will not have any impact on current staff levels.

ATTACHMENTS:

Click to download

- ☐ [FS15-366 Cactus Public Roadway Annexation Ordinance 2015-17 CC Staff Report 102015](#)
 - ☐ [Ordinance 2015-17 Revised](#)
 - ☐ [FS15-366 - Cactus Road - ROW Annexation - Legal Description](#)
 - ☐ [FS15-366 - Cactus Road - ROW Annexation - Plat](#)
 - ☐ [Annexation Impact Analysis](#)
 - ☐ [FS15-366 - Cactus Road - ROW Annexation - Presentation](#)
-

ANNEXATION

REPORT TO THE CITY COUNCIL

1 **Case:** **FS15-366**
2
3 **Project Name:** Cactus Road Public Roadway Annexation Ordinance# 2015-17
4
5 **Council District:** 3 – Mesquite
6
7 **Meeting Date:** **October 20, 2015**
8
9 **Planner:** Eric Fitzer
10
11
12 **Owner:** Maricopa County
13
14 **Applicant:** City of Surprise
15
16 **Request:** The City of Surprise Community Development Department requests
17 consideration and action of the annexation of a County Public
18 Roadway into the City of Surprise pursuant to A.R.S § 9-471 (N).
19
20 **Site Location:** East of 171st Avenue and West of Cotton Lane within Maricopa
21 County
22
23 **Site Size:** 1.06 acres (approx.)
24
25 **Density:** N/A
26
27 **General Plan Conformance:** The proposal is consistent with the Surprise General Plan 2035
28
29 **Support/Opposition:** None known
30
31 **Staff Recommendation:** Staff recommends the City Council **approve** FS15-366 Cactus Road
32 Public Roadway Annexation Ordinance# 2015-17.

33 **PROJECT DESCRIPTION:**

34
35 Pursuant to A.R.S. § 9-471(N), which is as follows:

36
37 *As an alternative to the procedures established in this section, a county right-of-way*
38 *or roadway may be transferred to an adjacent city or town by mutual consent of the*
39 *governing bodies of the county and city or town if the property transferred is*
40 *adjacent to the receiving city or town and if the city or town and county each*
41 *approve the proposed transfer as a published agenda item at a regular public*
42 *meeting of their governing bodies. A transfer of property made pursuant to this*
43 *subsection shall be treated by the receiving city or town as if the transferred property*
44 *was newly annexed territory.*
45

46 Therefore the City of Surprise as an alternative to the standard procedures established for
47 annexation, is proposing to annex Cactus Road a county roadway, established by the 1936 Ramola
48 Plat. Per the statute no taxable real property may be annexed to an adjacent city or town by mutual
49 consent of the governing bodies of the county and city. The property proposed to be annexed is
50 adjacent to the City of Surprise corporate limits for the entire length of the annexation.
51

52 **BACKGROUND:**

53
54 Staff in an effort to improve safety and connectivity in the community attempted to obtain Rights-
55 of-Way donations for Cactus Road between Cotton Land and 175th Avenue. The reason for this
56 request is that currently this section of Cactus Road is unpaved. The City has budgeted \$272,300
57 and the City will obtain \$276,889 of in lieu fees from the developer of Zanjero Trails per the final
58 plat stipulation "a" as approved by Council 2013 for a total potential project cost of \$549,189 to
59 pave two lanes within this section of Cactus Road. Staff has been able to obtain Rights-of-Way
60 donations from all but two property owners; which have been unwilling to grant such right-of-way.
61 As such staff through research has determined that Right-of-Way does exist on Cactus road.
62

63 Pursuant to A.R.S. Section 9-471(H) (1), the proposed annexation territory conforms with contiguity
64 requirements. Pursuant to A.R.S Section 9-471(A) (6), it has been determined that no part of the
65 territory for which filing shall be made is already subject to an earlier filing
66

67 Staff recommends that Cactus Road between 175th Avenue and Cotton Lane that is Maricopa
68 County roadway, per ARS Section 9-471 N., be annexed into the city to facilitate the construction
69 and maintenance of the same. The ordinance will also be placed on a Maricopa County Board of
70 Supervisors agenda for the County Board approval of the ROW annexation.
71

72 **RECOMMENDATION:**

73
74 Based on the information above, staff recommends the City Council **approve** FS15-366 Annexation
75 of the Cactus Road Public roadway Ordinance 2015-17.

76
77
78
79
80
81
82
83

Attachments:

- 01 – Ordinance 2015-17
- 03 – Annexation Legal Description
- 02 – 1936 Ramola Plat

ORDINANCE 2015-17

AN ORDINANCE OF THE CITY OF SURPRISE, ARIZONA, EXTENDING AND INCREASING THE CORPORATE LIMITS OF THE CITY OF SURPRISE, ARIZONA MARICOPA COUNTY, STATE OF ARIZONA PURSUANT TO THE PROVISIONS OF ARIZONA REVISED STATUTES § 9-471 AND AMENDMENTS THERETO, BY ANNEXING CERTAIN ROADWAY CONTIGUOUS TO THE EXISTING CITY LIMITS OF THE CITY OF SURPRISE.

WHEREAS, Arizona law establishes a simplified procedure for annexing roadway in A.R.S. § 9-471 (N);

WHEREAS, the real property described in Exhibit A, attached hereto and incorporated herein by reference, and as illustrated on the map attached hereto as Exhibit B, which is likewise incorporated herein, is right-of-way (hereafter "right-of-way") dedicated to the public and located in Maricopa County; and

WHEREAS, the City of Surprise, Arizona is desirous of extending and increasing the corporate limits of the City of Surprise, Arizona to include the right-of-way; and

WHEREAS, the right-of-way is adjacent to the existing corporate limits of the City of Surprise, Arizona for the entire length of the proposed annexation; and

WHEREAS, through this Ordinance, the Mayor and Council is requesting the governing body of Maricopa County, Arizona to give its mutual consent to the annexation of this right-of-way located within Maricopa County, Arizona; and

WHEREAS, by adoption of this ordinance, it is the intent and desire of the Mayor and Council of the City of Surprise, Arizona, to annex the right-of-way to the City of Surprise, Arizona, and to give their mutual consent thereto;

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

SECTION 1. That, subject to the concurrence of the Board of Supervisors of Maricopa County, Arizona, the territory in the Maricopa County right-of-way as described in Exhibits A and B attached hereto is hereby annexed to the City of Surprise, Arizona, and that the present corporate limits of the City of Surprise, Arizona are hereby extended and increased to include the Maricopa County right-of-way described in Exhibits A and B attached hereto, all of which such right-of-way is contiguous for the entire length thereof to the present corporate limits of the City of Surprise, Arizona.

SECTION 2. That a copy of this Ordinance, together with an accurate map of the territory hereby annexed, be forthwith filed and recorded in the office of the County Recorder of Maricopa County, Arizona.

SECTION 3. The annexation herein provided for shall become effective upon the last of the following to occur:

1. The effective date of this Ordinance, in the manner prescribed by law, or
2. The date that the consent of the governing body of Maricopa County, Arizona consenting the annexation herein enacted shall become effective in the manner provided by law.

PASSED AND ADOPTED by the Mayor and Council of the City of Surprise, Arizona this _____ day of October, 2015.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Misty Leslie, City Attorney

EXHIBIT "A"

DESCRIPTION

ANNEXATION: CACTUS ROAD

ANNEXATION PARCEL #1

A portion of the Southeast quarter of Section 14, Township 3 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona described as follows:

COMMENCING at the southeast corner of said Section 14 from which the south quarter corner of said Section 14 lies South 89°49'03" West 2645.36 feet;

Thence along the south line of said southeast quarter South 89°49'03" West 16.50 feet to the southwest corner of that real property as described in the City of Surprise Annexation Ordinance # 08-21 as recorded in Book 2008-0498462, Records of said Maricopa County being also on the northerly line of that real property as described in the City of Surprise Annexation Ordinance # 06-42 as recorded in Book 2006-1354327, Records of said Maricopa County, being the POINT OF BEGINNING;

Thence continuing along said south line and said northerly line of Annexation Ordinance # 06-42 South 89°49'03" West 316.50 feet to the most southerly southeast corner of that real property as described in the City of Surprise Annexation Ordinance # 10-12 as recorded in Book 2010-0568578, Records of said Maricopa County, said corner also being designated as POINT "A" for the purposes of this description;

Thence along an east line of said Annexation Ordinance # 10-12 North 00°10'50" East 33.00 feet;

Thence North 89°49'03" East 316.50 feet to the westerly line of said Annexation Ordinance # 08-21;

Thence along said westerly line South 00°10'54" West 33.00 feet to the POINT OF BEGINNING.

Containing 10,444 square feet, more or less.

TOGETHER WITH

(description continued on page 2 of 2)



EXPIRES 09-30-2017

DESCRIPTION (continued from page 1 of 2)

ANNEXATION PARCEL #2

COMMENCING at the aforesaid POINT "A";

Thence along said south line of the southeast quarter, the south line of said Annexation Ordinance #10-12 and the northerly line of said Annexation Ordinance # 06-42 South 89°49'03" West 1223.07 feet to the most southerly southwest corner of said Annexation Ordinance # 10-12 and the POINT OF BEGINNING;

Thence continuing along said south line and said northerly line of Annexation Ordinance # 06-42 South 89°49'03" West 1089.29 feet to said south quarter corner and the southeast corner of that real property as described in the City of Surprise Annexation Ordinance # 03-15 as recorded in Book 2003-0920269, Records of said Maricopa County;

Thence along the east line of said Annexation Ordinance #03-15 North 00°12'41" East 33.00 feet;

Thence North 89°49'03" East 1089.06 feet to the west line of said Annexation Ordinance #10-12;

Thence along said west line South 00°10'57" East 33.00 feet to the POINT OF BEGINNING.

Containing 35,943 square feet, more or less.

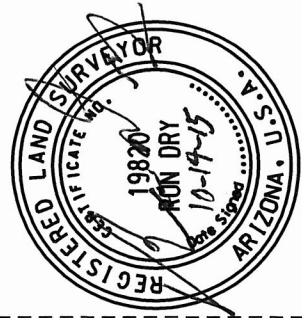
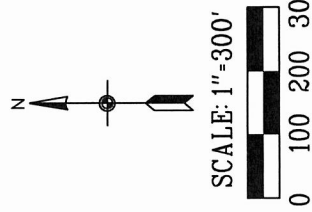
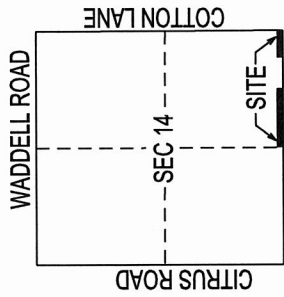
Attached is Exhibit "B" and by this reference is made a part hereof.

End of description



EXPIRES 09-30-2017

EXHIBIT "B"



EXPIRES 09/30/17

LINE TABLE		
LINE	BEARING	LENGTH
L1	S89° 49'03"W	16.50'
L2	S89° 49'03"W	316.50'
L3	N00° 10'50"E	33.00'
L4	N89° 49'03"E	316.50'
L5	S00° 10'54"W	33.00'
L6	N00° 12'41"E	33.00'
L7	S00° 10'57"E	33.00'

LEGEND

- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- A.O. ANNEXATION ORDINANCE
- ANNEXATION AREA



COUNTY

A.O. 10-12

A.O. 10-12

A.O. 06-42

A.O. 04-21

A.O. 06-42

A.O. 06-42

A.O. 03-15

SECTION LINE

COTTON LANE

16.50'

175th AVENUE

ANNEXATION PARCEL #2

33.00'

L7

S89° 49'03"W 1089.29'

N89° 49'03"E 1089.06'

S89° 49'03"W 1089.29'

POB PARCEL #2

S89° 49'03"W 2645.36'

CACTUS ROAD

S89° 49'03"W 1223.07'

POINT "A"

L3

L2

L5

POC

POB PARCEL #1

L4

L1

SE COR SEC 14 T3N, R2W

BASIS OF BEARINGS

Maricopa County Low Distortion Projection
 Linear unit: International foot
 Geodetic Datum: NAD 1983
 Projection type: Lambert Conformal Conic (single parallel)
 Latitude of origin: 33° 15' 00" N
 Central meridian: 112° 15' 00" W
 False northing: 1,500,000.000 ift
 False Easting: 2,500,000.000 ift
 Standard parallel scale: 1.000045 (exact)

CITY OF SURPRISE
 LAND SURVEY DEPARTMENT
 16000 N. CIVIC CENTER PLAZA
 SURPRISE AZ. 85374

ANNEXATION: CACTUS ROAD

PROJECT # 15028

DRAWN BY RCD

DATE 09-09-15

SHEET 1 OF 1

EXHIBIT "A"

DESCRIPTION

ANNEXATION: CACTUS ROAD

ANNEXATION PARCEL #1

A portion of the Southeast quarter of Section 14, Township 3 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona described as follows:

COMMENCING at the southeast corner of said Section 14 from which the south quarter corner of said Section 14 lies South 89°49'03" West 2645.36 feet;

Thence along the south line of said southeast quarter South 89°49'03" West 16.50 feet to the southwest corner of that real property as described in the City of Surprise Annexation Ordinance # 08-21 as recorded in Book 2008-0498462, Records of said Maricopa County being also on the northerly line of that real property as described in the City of Surprise Annexation Ordinance # 06-42 as recorded in Book 2006-1354327, Records of said Maricopa County, being the POINT OF BEGINNING;

Thence continuing along said south line and said northerly line of Annexation Ordinance # 06-42 South 89°49'03" West 316.50 feet to the most southerly southeast corner of that real property as described in the City of Surprise Annexation Ordinance # 10-12 as recorded in Book 2010-0568578, Records of said Maricopa County, said corner also being designated as POINT "A" for the purposes of this description;

Thence along an east line of said Annexation Ordinance # 10-12 North 00°10'50" East 33.00 feet;

Thence North 89°49'03" East 316.50 feet to the westerly line of said Annexation Ordinance # 08-21;

Thence along said westerly line South 00°10'54" West 33.00 feet to the POINT OF BEGINNING.

Containing 10,444 square feet, more or less.

TOGETHER WITH

(description continued on page 2 of 2)



EXPIRES 09-30-2017

DESCRIPTION (continued from page 1 of 2)

ANNEXATION PARCEL #2

COMMENCING at the aforesaid POINT "A";

Thence along said south line of the southeast quarter, the south line of said Annexation Ordinance #10-12 and the northerly line of said Annexation Ordinance # 06-42 South 89°49'03" West 1223.07 feet to the most southerly southwest corner of said Annexation Ordinance # 10-12 and the POINT OF BEGINNING;

Thence continuing along said south line and said northerly line of Annexation Ordinance # 06-42 South 89°49'03" West 1089.29 feet to said south quarter corner and the southeast corner of that real property as described in the City of Surprise Annexation Ordinance # 03-15 as recorded in Book 2003-0920269, Records of said Maricopa County;

Thence along the east line of said Annexation Ordinance #03-15 North 00°12'41" East 33.00 feet;

Thence North 89°49'03" East 1089.06 feet to the west line of said Annexation Ordinance #10-12;

Thence along said west line South 00°10'57" East 33.00 feet to the POINT OF BEGINNING.

Containing 35,943 square feet, more or less.

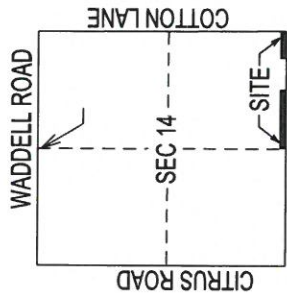
Attached is Exhibit "B" and by this reference is made a part hereof.

End of description



EXPIRES 09-30-2017

EXHIBIT "B"



EXPIRES 09/30/17

ANNEXATION
PARCEL #2

S89° 49'03"W 1089.29'
N89° 49'03"E 1089.06'

S 1/4 COR
SEC 14
T3N, R2W

POB
PARCEL #2

S89° 49'03"W 2645.36'
CACTUS ROAD

S89° 49'03"W 1223.07'

POINT
"A"

POB
PARCEL #1

SE COR
SEC 14
T3N, R2W

LINE	BEARING	LENGTH
L1	S89° 49'03"W	16.50'
L2	S89° 49'03"W	316.50'
L3	N00° 10'50"E	33.00'
L4	N89° 49'03"E	316.50'
L5	S00° 10'54"W	33.00'
L6	N00° 12'41"E	33.00'
L7	S00° 10'57"E	33.00'

LEGEND

- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- A.O. ANNEXATION ORDINANCE
- ANNEXATION AREA

BASIS OF BEARINGS

Maricopa County Low Distortion Projection
Linear unit: International foot
Geodetic Datum: NAD 1983
Projection type: Lambert Conformal Conic (single parallel)
Latitude of origin: 33° 15'00"N
Central meridian: 112° 15'00" W
False northing: 1,500,000.000 ift
False easting: 2,500,000.000 ift
Standard parallel scale: 1.000045 (exact)



CITY OF SURPRISE
LAND SURVEY DEPARTMENT
16000 N. CIVIC CENTER PLAZA
SURPRISE AZ. 85374

ANNEXATION: CACTUS ROAD

PROJECT # 15028

DRAWN BY RCD

DATE 09-09-15

SHEET 1 OF 1



Memorandum

To: Eric Fitzer, Community Development Director
From: Matt Schilz, Sr. Financial Analyst
Date: October 8, 2015
Re: FS15-366 Cactus Road Annexation Impact Analysis

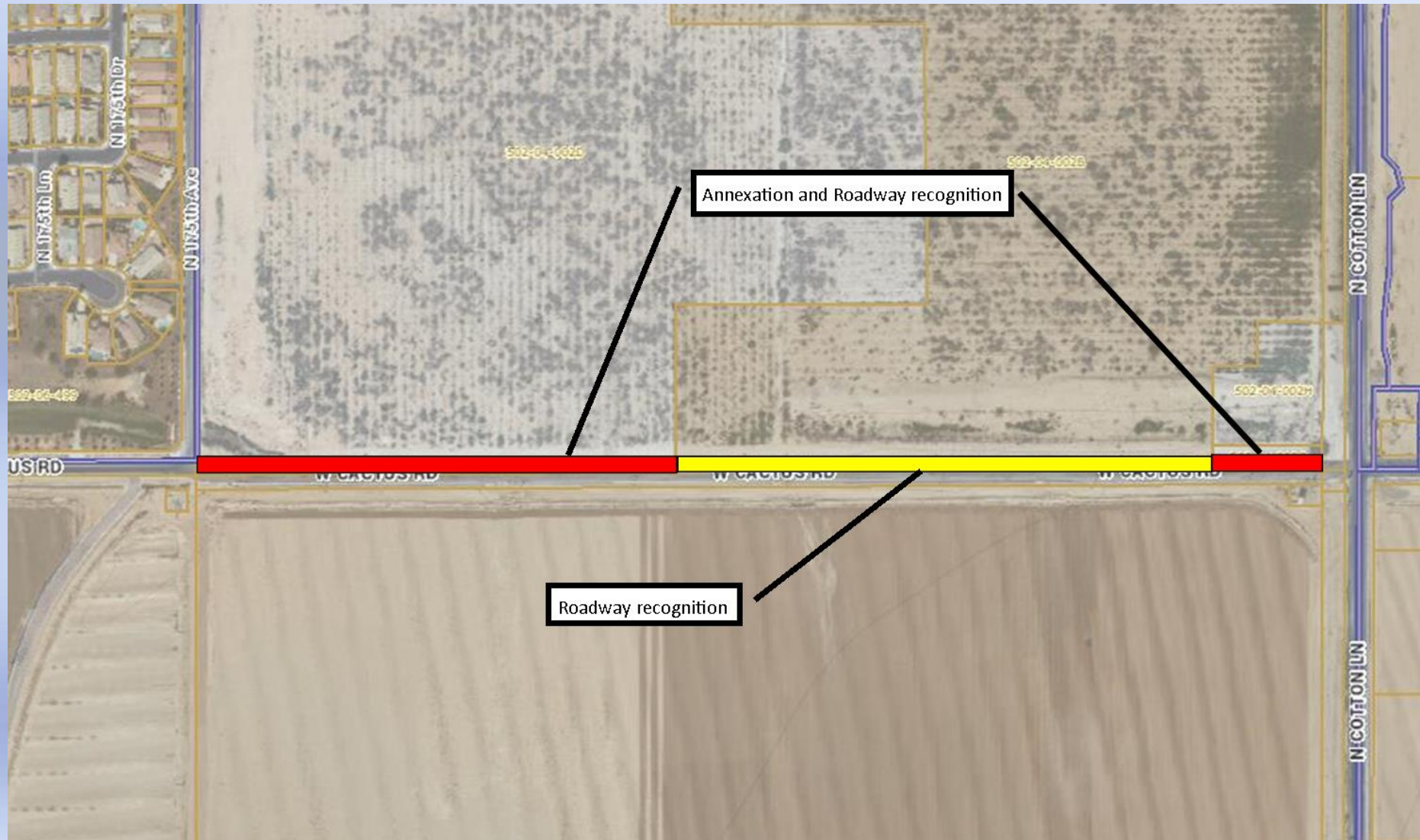
Per the Annexation Policy Manual - 2008 Revision, an annexation impact analysis has been conducted utilizing the data provided by the Community Development Department. The data provided assumes annexation of approximately 1.06 acres of right-of-way and approximately 0.25 lane miles at Cactus Road from 175th Avenue to approximately 1,100 feet east of 175th Avenue and at Cactus Road from approximately 50 feet west of Cotton Lane to approximately 300 feet west of Cotton Lane. Based on this information, the net financial impact to the city of Surprise is negative. Expenditures are estimated to be greater than revenue by approximately \$21,600 over twenty years, an average of approximately \$1,100 annually.

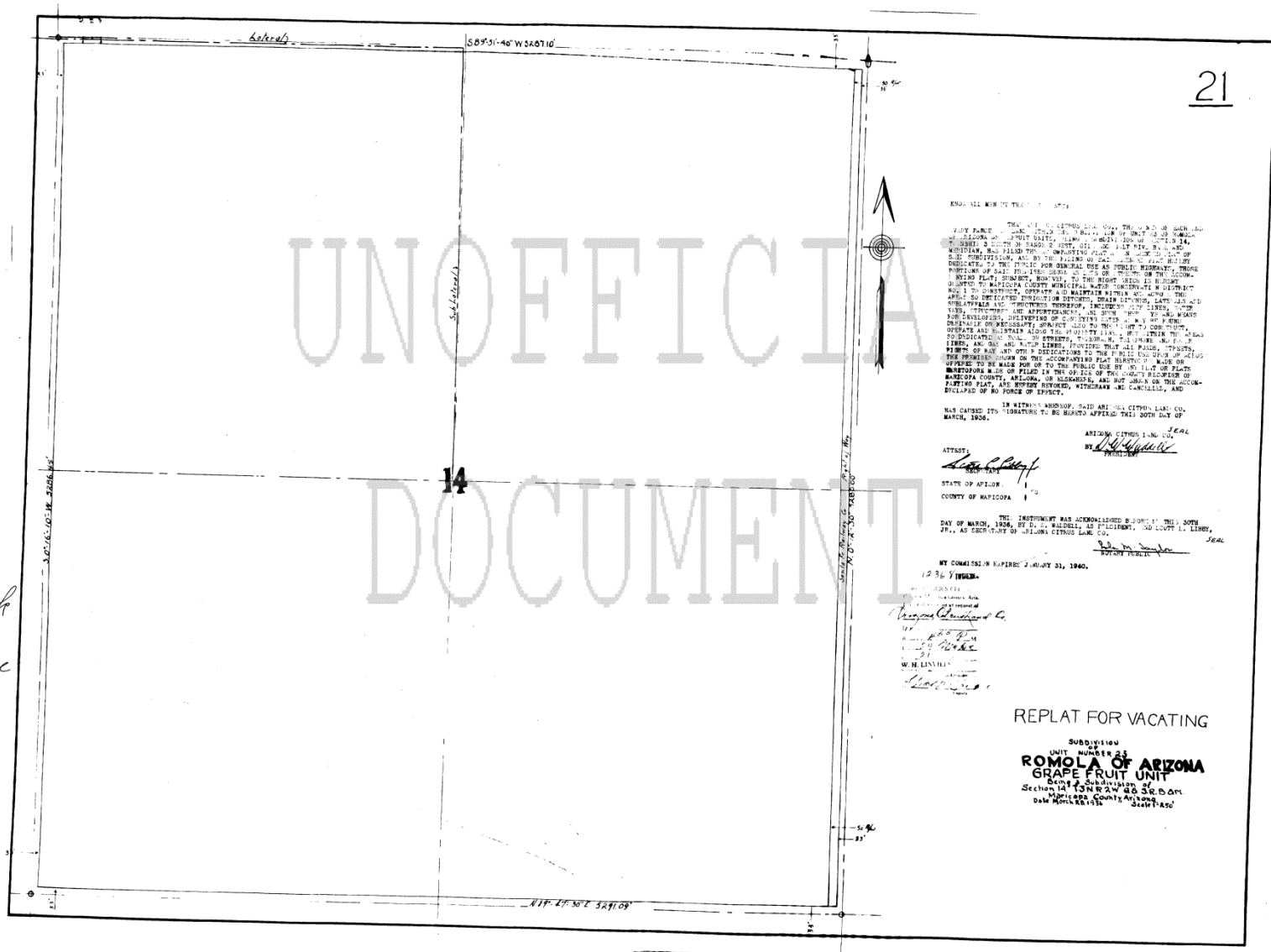
FS15-366 Ramola Plat Resolution 2015-94 and Cotton Road Roadway Annexation Ordinance 2015-17

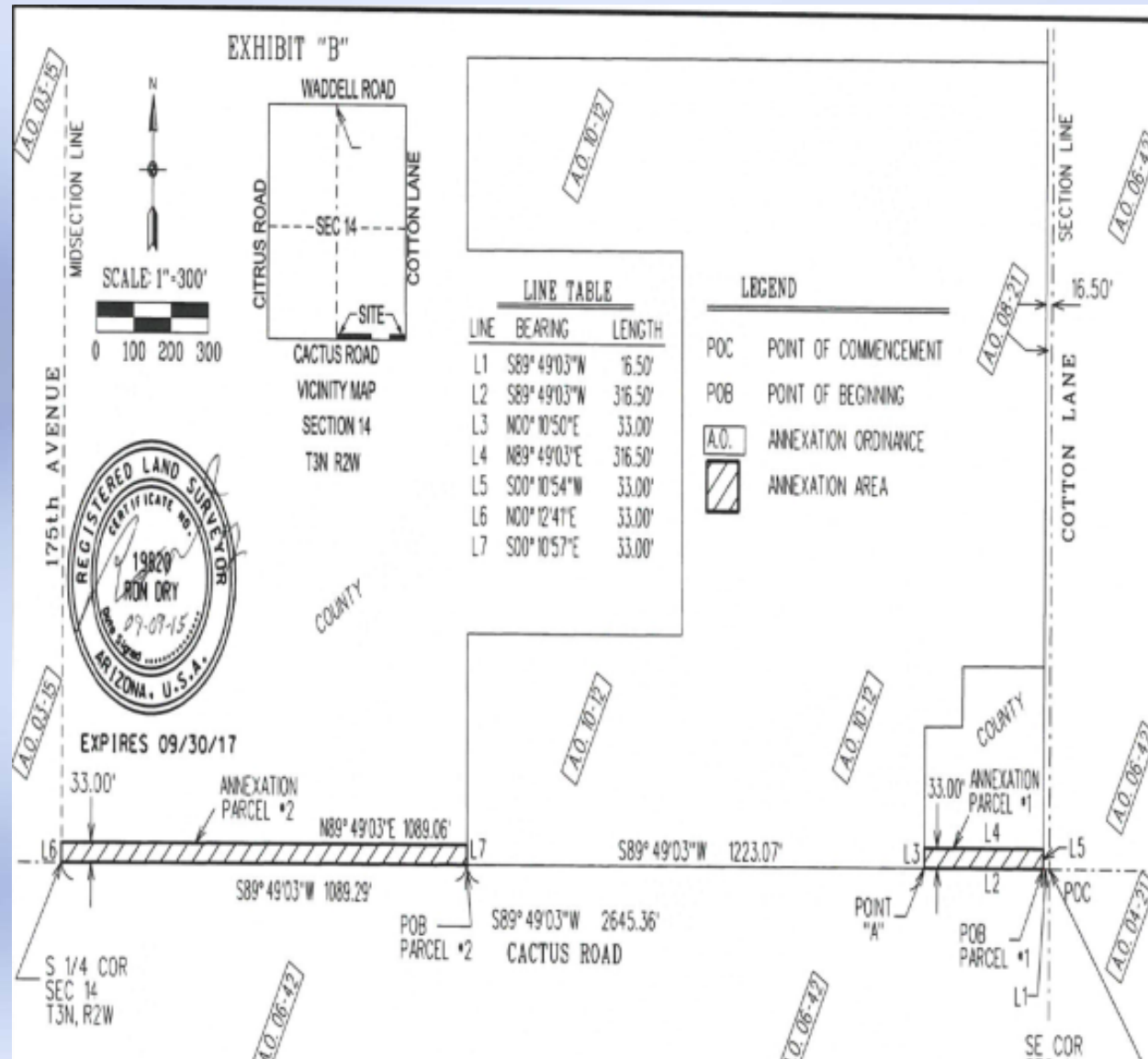
November 3, 2015



Site







Questions or Comments?





CITY OF SURPRISE
Regular City Council Meeting

November 3, 2015 @ 6:00:00 PM

Back Print

Council Meeting Date:	November 3, 2015	Contact Person:	Nicole Lance, Deputy City Manager
Submitting Department:		District:	Citywide
Staff Recommendations:	None		

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

Agenda Wording:

Consideration and action regarding aesthetics improvements for the Bell/Grand interchange project.

Motion:

Move to approve proceeding with the ADOT concept for aesthetics for the Bell/Grand interchange.

Background:

Over the preceding year, staff has been reviewing options for the aesthetics of the proposed Bell Road/Grand Avenue Interchange. Artist Meg Saligman was engaged to design an aesthetics option for the bridge. Saligman is an internationally known public artist renowned for projects such as Common Threads (1998), an iconic Philadelphia project; a fresco in Mexico City (1995); a water tower in Tanzania (2013); Once in a Millennium Moon (2000) in Shreveport, Louisiana; and Fertile Ground (2009) in Omaha, Nebraska, measuring 32,500 square feet. Other well-known works in her native city of Philadelphia include Philadelphia Muses (2000), Perspective and Perception (2014) at the Pennsylvania Academy of Fine Arts, and Passing Through (2006), seen daily by hundreds of thousands of motorists on Interstate 76.

Public outreach meetings began in early 2015 and culminated with a work session presentation to the City Council on May 19, 2015 to share the final concept with Council and the community. Since that time, staff has been reviewing budget and funding options for the proposed concept. In addition, the Arizona Department of Transportation (ADOT) has been coordinating with the City of Surprise to develop an alternative concept for the aesthetics improvement. The goal of this work session discussion is to provide staff with the direction needed to pursue the next steps for finalizing the aesthetics concept for the Bell/Grand interchange.

On October 20, 2015, the Surprise City Council discussed both the Saligman concept and the ADOT concept at their regular City Council meeting and provided direction to staff to come back with an action item relative to proceeding with the ADOT concept.

Objective Analysis:

On October 20, 2015, Council discussed two options for aesthetics improvements for the Bell/Grand interchange: Artist Meg Saligman's concept or the ADOT concept. Cost considerations for each option are summarized below in the "Financial Impact" section. Both options include positive and negative aspects for Council's consideration.

Objectively, Meg Saligman's concept is more artistic and was created with significant community input regarding the concept itself. It is a more striking addition to the interchange and may provide greater benefits from an economic development perspective in terms of aesthetics enhancement. However, this concept is significantly more costly and will also require the city to maintain it for the life of the project.

The concept developed by ADOT in conjunction with feedback from city staff requires no additional funding up front and will also be maintained by ADOT for as long as the aesthetics application is in place as installed upon completion of the project. The proposed concept includes areas which may later be modified to allow for murals or other art concepts. In the event the city pursues this option, the city will bear the cost of application/installation and maintenance of these areas. However, the concept (as shown on the attached) is not nearly as artistically striking as the Saligman concept, although it is consistent with other ADOT aesthetics improvements across the state.

Council provided direction to staff to proceed with the ADOT concept.

Policy Compliant:

Both options would be compliant with existing Council policy as it relates to procurement, any potential contingency requests, and expenditures of funds. Any future costs incurred through the completion of the aesthetics improvements will be budgeted for as needed in future years. Although there is currently no official policy relative to public art, Council has expressed a desire to integrate public art appropriately into the community when possible. Integration of an aesthetics component into the construction of the Bell/Grand interchange would be consistent with prior Council direction and discussion.

Proceeding with the ADOT concept will be consistent with all relevant policies.

Financial Impact:

As discussed at the October 20, 2015 meeting, artist Meg Saligman's concept as proposed at the May 19, 2015 Council meeting will cost a projected \$2,084,900 with additional fees on top of that for the artist's work coordinating the project. There will also be additional fees added for the up-front payment due in November for the standard ADOT mark-up on the project, an additional 46.35% on top of the \$2,084,900. Although some of the fees included in the ADOT mark-up may be eligible for reimbursement at the end of the project, that number will not be known until after the full completion of the project. According to ADOT, \$148,238.35 of the costs included in the \$2,084,900 could be "backed out" of the equation due to some of ADOT's duplicative base design elements. (On page 14 of the Saligman proposal, it is noted that "These cost estimates are a rough order of magnitude based on standard costs per square foot for the fabrication and installation of the art elements. What is not represented is the difference of these estimates over the base project [i.e. cost of MLS designed fence versus the standard fence], as those numbers are unknown at this time." The \$148,238.35 was the number given to the city by ADOT for the base project and is henceforth used for this analysis.) It is also of note that the Maricopa Association of Governments (MAG) offered to assist with \$500,000 of funding that would be allowed to be paid back to MAG over a period of 5-10 years in the event the City pursues the Saligman concept.

All aspects considered, the estimated costs of the project before artist's fees which are not known at this time and due to ADOT this Fall would be as follows:

Base cost: \$2,084,900
Less ADOT duplicate base design costs: \$1,936,662
Plus ADOT mark-up of 46.35%: \$2,834,305.

Budget Impact:

Ongoing maintenance fees for the Meg Saligman concept are not known at this time but would be borne in full by the City of Surprise.

The ADOT concept would not cost additional funds as the costs for this project are included within the existing approved project budget. Similarly, all maintenance costs for the life of the project as initially installed will be borne by ADOT.

There is no existing City of Surprise budget for the aesthetics improvement. Funding for the Saligman concept would require a general fund contingency request. There would be no budget impact for the ADOT concept.

FTE Impact:

There is no FTE impact associated with this project.

ATTACHMENTS:

Click to download

☐ [Presentation from 10-20-2015 Council Meeting](#)

Bell/Grand Aesthetics



Saligman Concept



PREFERRED CONCEPT

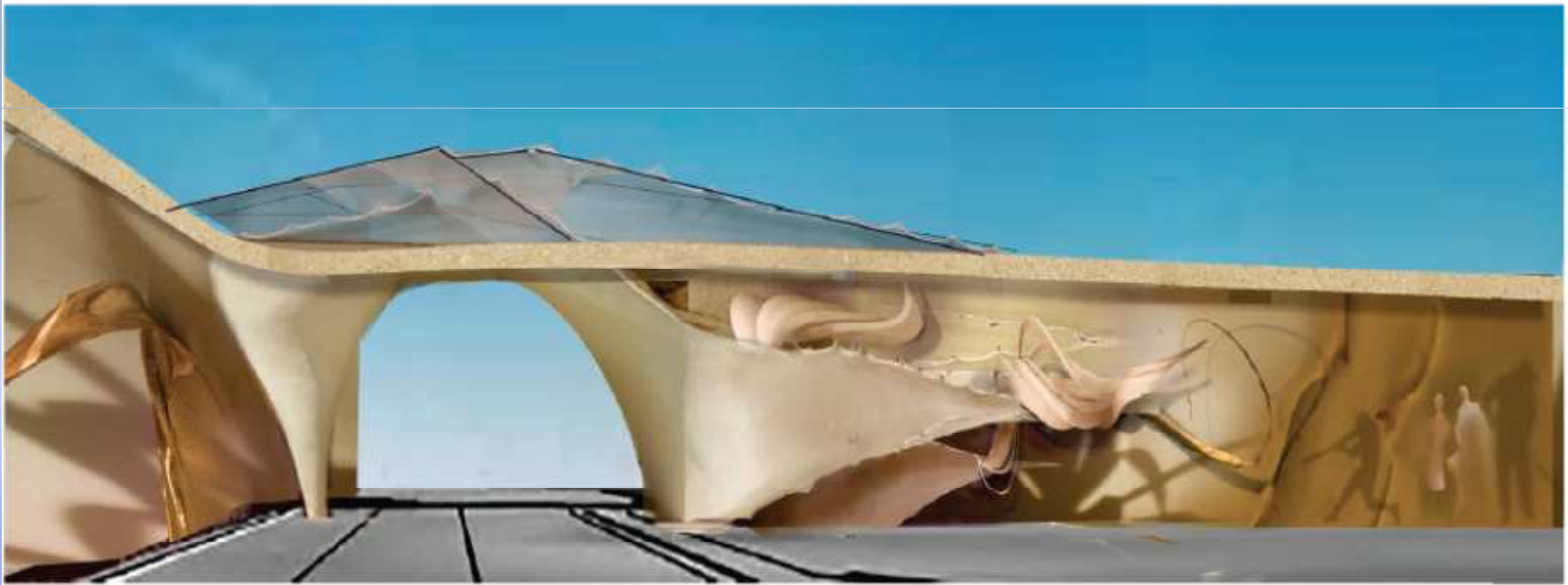
Agave

After shedding generations of leaves shortly before the end of its life, an agave goes out with a bang in a spectacular array of flowers. The older leaves print their impressions on the younger leaves as they peel away from the plant's core. Just as the agave flower is the result of the collective efforts of its parts, both old and young, the City of Surprise accomplishes amazing feats, more than what would be possible by an individual, through the cooperation of its citizens - more than what would be possible by an individual.

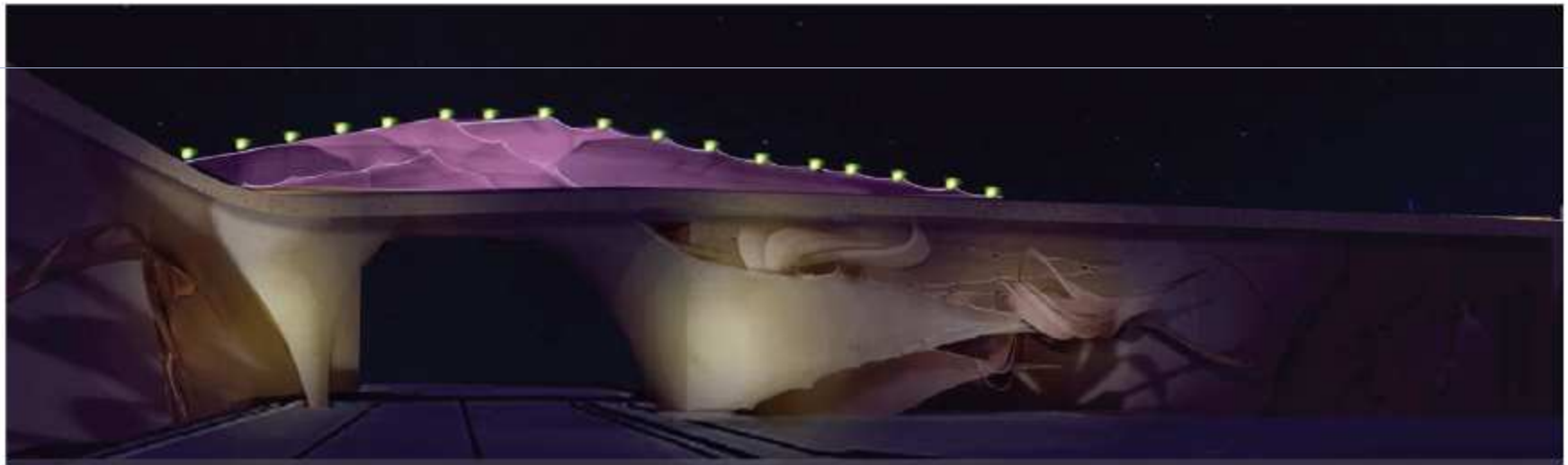
The agave plant will be used a point of reference for the design—weaving together a diversity of images and sculptural forms used to represent the community of Surprise.



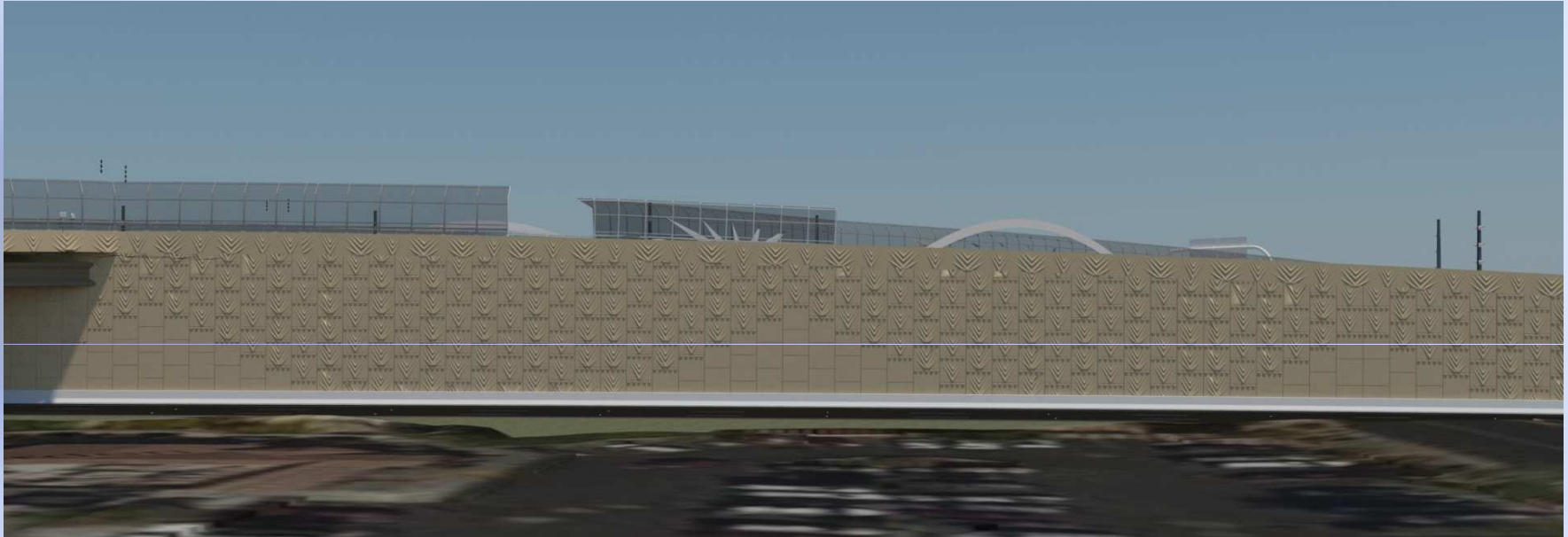
Agave Bridge - Daytime View



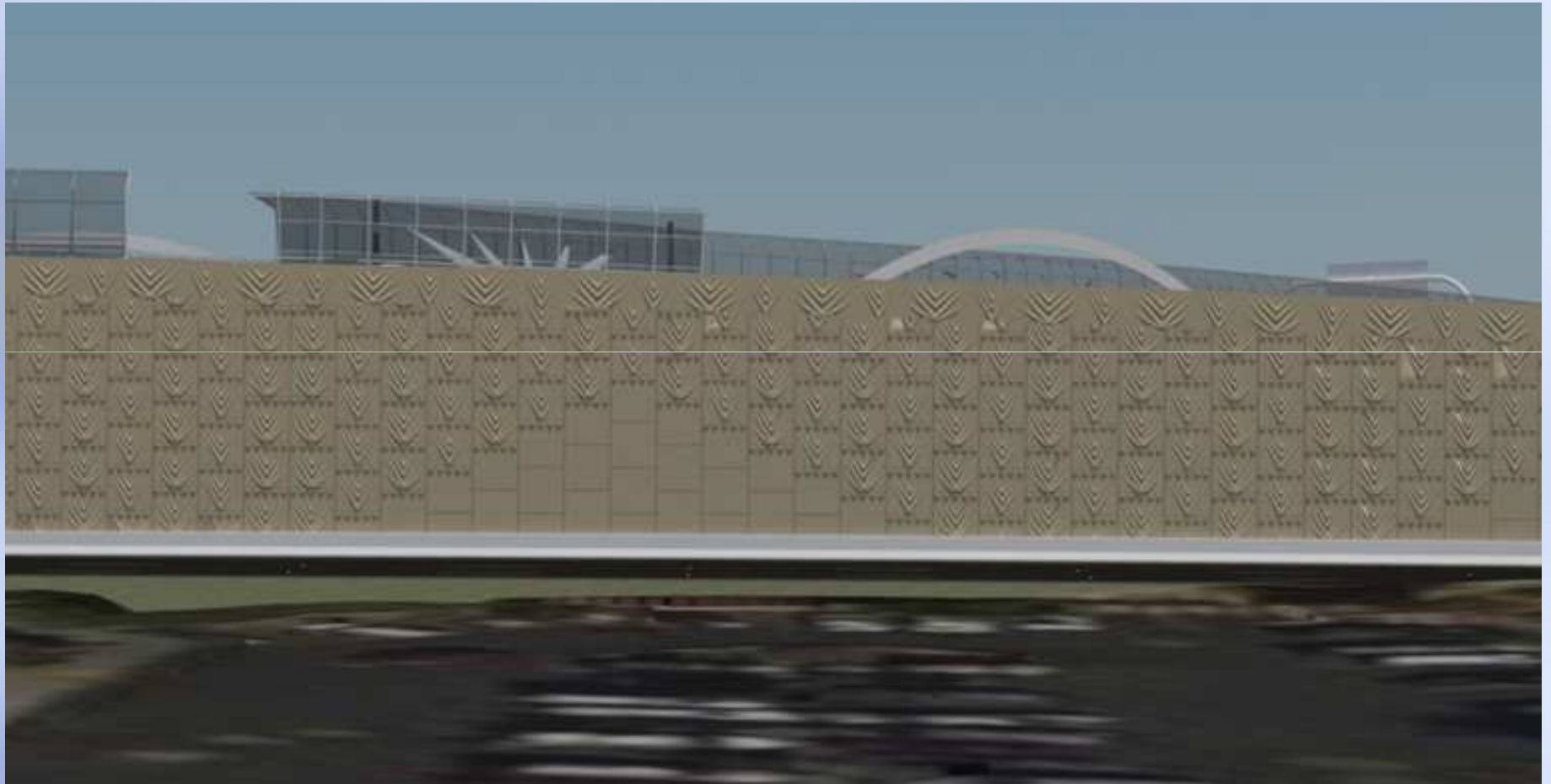
Agave Bridge - Nighttime View



ADOT/Surprise Concept



ADOT/Surprise Concept



ADOT/Surprise Concept



ADOT/Surprise Concept



ADOT/Surprise Concept



Cost Considerations

- **Saligman Concept**
 - Cost: Not to exceed \$2.84 million
 - Maintenance: To be determined; City responsibility
- **ADOT/Surprise Concept**
 - Cost: \$0
 - Maintenance: ADOT responsibility



CITY OF SURPRISE
Regular City Council Meeting

November 3, 2015 @ 6:00:00 PM

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

Council Meeting Date: November 3, 2015

Contact Person: Robert Wingo, Interim City Attorney

Submitting Department:

District: Internal

Staff Recommendations: None

Consent

Regular

Public Hearing

Report/Discussion

Agenda Wording:

Consideration and action pertaining to the general release agreement with former City Attorney Misty Leslie.

Motion:

I move to approve the general release agreement with former City Attorney Misty Leslie.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

[Click to download](#)

No Attachments Available



CITY OF SURPRISE
Regular City Council Meeting

November 3, 2015 @ 6:00:00 PM

Back Print

Council Meeting Date:	November 3, 2015	Contact Person:	Robert Kuhfuss, Community Development
Submitting Department:		District:	1
Staff Recommendations:	None		

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

Agenda Wording:

Consideration and action regarding the "Preliminary Plat for Sanverno", a 93-lot, 13-tract residential subdivision in Desert Oasis, generally located on the northwest corner of 171st Avenue and Bajada Road.

Motion:

Motion to approve the "Preliminary Plat for Sanverno".

Background:

The subject proposal involves a Preliminary Plat for a 93-lot, 13-tract single-family residential subdivision located within the Desert Oasis community. The PAD for Desert Oasis was approved in September of 2000, with significant platting activity occurring since. The subject Preliminary Plat is scheduled for the regular Planning and Zoning Commission meeting of October 15, 2015. A companion Final Plat is also scheduled for City Council on November 3, 2015.

Objective Analysis:

The proposed subdivision is well designed and meets the requirements of the Desert Oasis PAD and the SUDC. The amenities included will provide small-scale recreational opportunities for the residents of the community. Once developed, the population base generated by the subdivision contribute to the local school enrollment, while providing incentive for much needed retail services in the area.

Policy Compliant:

The Surprise General Plan 2035 shows the subject property as lying within the Low Density Residential Land Use Category, which supports residential development at densities of between 3 and 5 DU/Ac. At 3.28 DU/Ac, the subject Preliminary Plat meets this density requirement. Staff notes the project lies within Village 5, which does not have an approved Village Plan; however, the Land Use Element of the General Plan is currently being updated and the proposed project is consistent the update.

Financial Impact:

All activity related to ongoing development of the City of Surprise has an economic and fiscal impact on the city and the region.

Budget Impact:

There is no anticipated budget impact related to this item.

FTE Impact:

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

ATTACHMENTS:

Click to download

- ☐ [00 - FS15-190 - Sanverno - Preliminary Plat - Staff Report](#)
 - ☐ [01 - FS15-190 - Sanverno - Preliminary Plat - Vicinity Map](#)
 - ☐ [02 - FS15-190 - Sanverno - Preliminary Plat - Case Map](#)
 - ☐ [03 - FS15-190 - Sanverno - Preliminary Plat - Preliminary Plat](#)
 - ☐ [04 - FS15-190 - Sanverno - Preliminary Plat - Landscape Plans \(pg 1-5\)](#)
 - ☐ [04 - FS15-190 - Sanverno - Preliminary Plat - Landscape Plans \(pg 6-11\)](#)
 - ☐ [05 - FS15-190 - Sanverno - Preliminary Plat - Color Landscape Plans](#)
 - ☐ [06 - FS15-190 - Sanverno - Preliminary Plat - Luke AFB Comments](#)
 - ☐ [00 - FS15-190 - Sanverno - Preliminary Plat - Presentation](#)
-

PRELIMINARY PLAT

REPORT TO THE CITY COUNCIL

Case: **FS15-190**

Project Name: Sanverno

Council District: 1

Meeting Date: **November 3, 2015**

Planner: Robert H. Kuhfuss, AICP

Owner: KB Homes Phoenix, Inc.

Applicant: Daniel Auxier, PE, of EPS Group, Inc., on behalf of KB Homes Phoenix, Inc.

Request: 93-lot, 13-tract Preliminary Plat

Site Location: West of 171st Avenue approximately 1/3 mile north of Jomax Road in Desert Oasis

Site Size: 28.34 acres (approx.)

Density: 3.28 DU/Ac

General Plan Conformance: The proposal is consistent with the Surprise General Plan 2035

Support/Opposition: None known

Findings:

- The proposed Preliminary Plat is consistent with the Surprise General Plan 2035.
- The proposed Preliminary Plat is consistent with the Desert Oasis PAD.
- The reviewing agencies have indicated no objections to the request.

**Planning and Zoning
Commission**

Recommendation: **Approve**

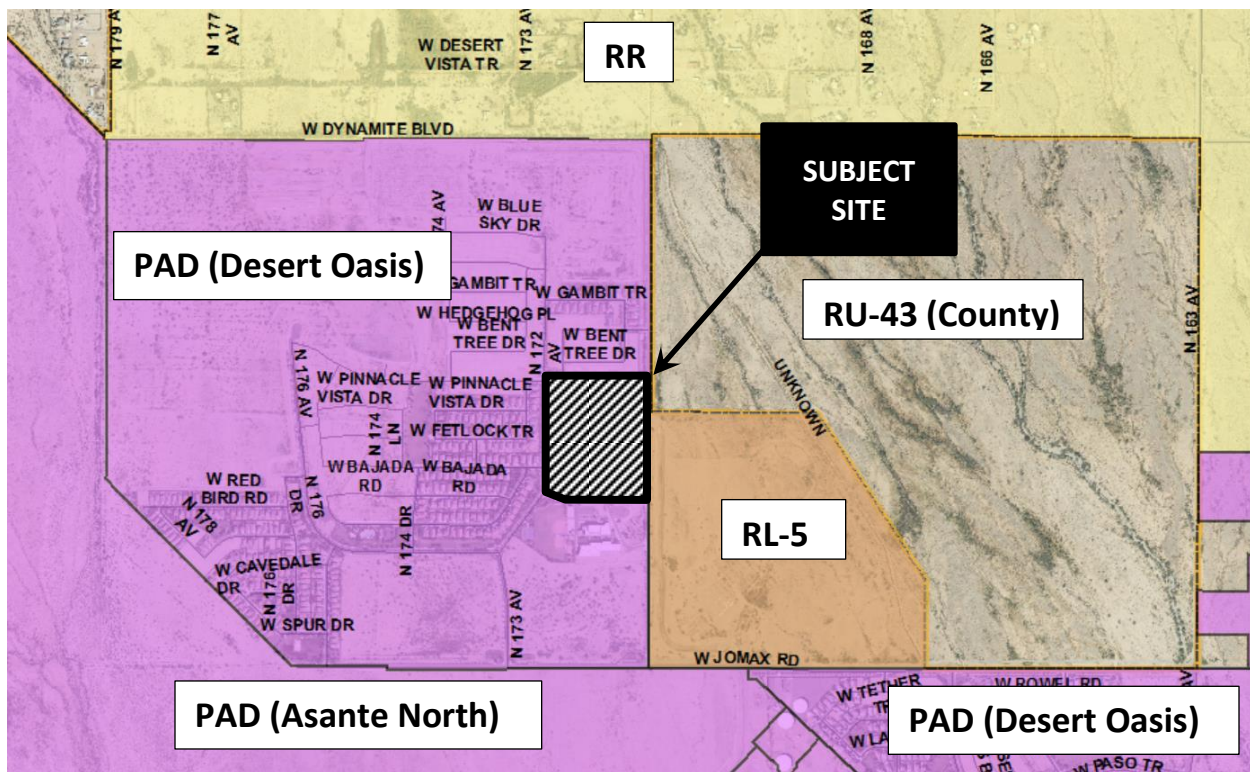
PROJECT DESCRIPTION:

Dan Auxier, of EPS Group, Inc. on behalf of KB Homes Phoenix, Inc., seeks approval of a 93-lot, 13-tract Preliminary Plat located within the Desert Oasis community. The site is located west of 171st Avenue and north of Jomax Road on a currently vacant land. The subject property consists of two parcels, which were excepted from previous platting activity in the area. Immediately to the north of the subject site is Desert Oasis Parcel L11, a 64-lot single-family residential subdivision, while immediately to the west is Desert Oasis Parcel 14A, a 68-lot single-family residential subdivision and Desert Oasis Parcel 14B, a 75-lot single-family residential subdivision. All three subdivisions are similar to the subject proposal, but accommodate slightly larger lots. To the south of the property lies Desert Oasis Elementary School, while the land to the east is currently vacant, fallow farm land and native desert.

EXISTING ZONING:

The following chart and associated map depict the existing zoning of the subject site and its surrounds.

PAD (Desert Oasis)	PAD (Desert Oasis)	RU-42 (County)
PAD (Desert Oasis)	PAD (Desert Oasis)	RL-5
PAD (Desert Oasis)	PAD (Desert Oasis)	RL-5



BACKGROUND:

September 14, 2000: The City Council approved the Desert Oasis PAD under case PAD 99-129.

April 24, 2014: Staff met with the applicant to discuss the subject project during a regularly scheduled Concept Review meeting under CR14-458.

May 5, 2015: The applicant filed a request for a Preliminary Plat and Final Plat under case FS15-190, the subject case.

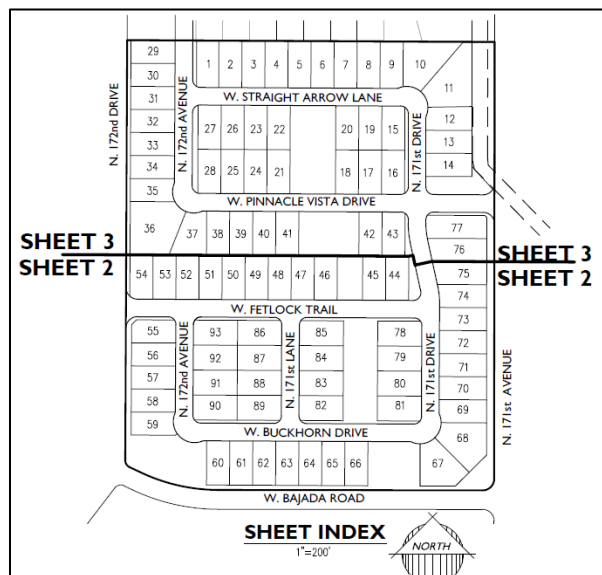
October 15, 2015: The Planning and Zoning Commission recommended the City Council approve the subject Preliminary Plat.

CITIZEN OUTREACH:

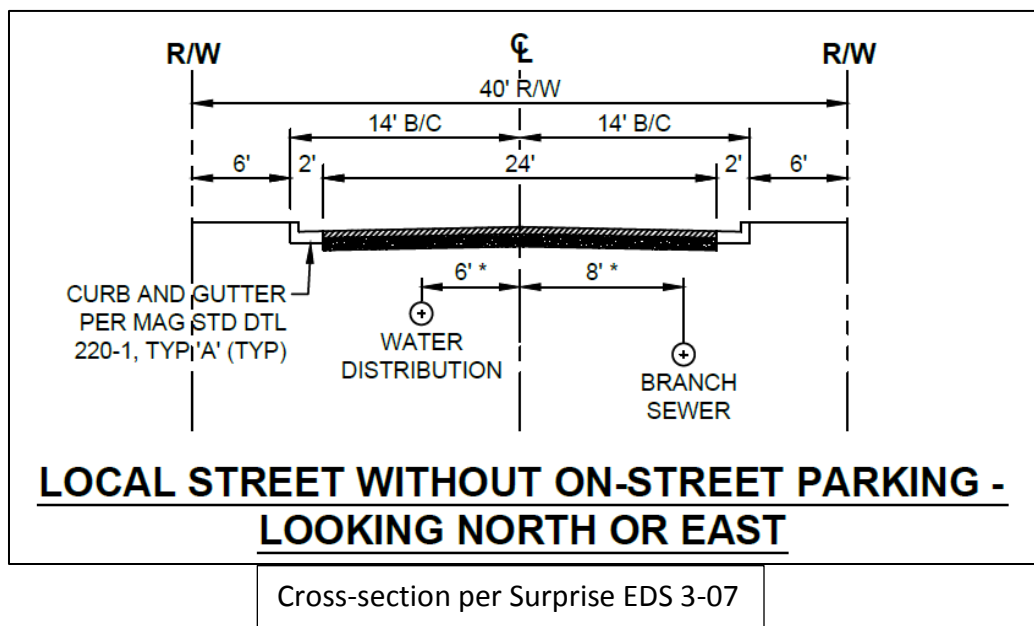
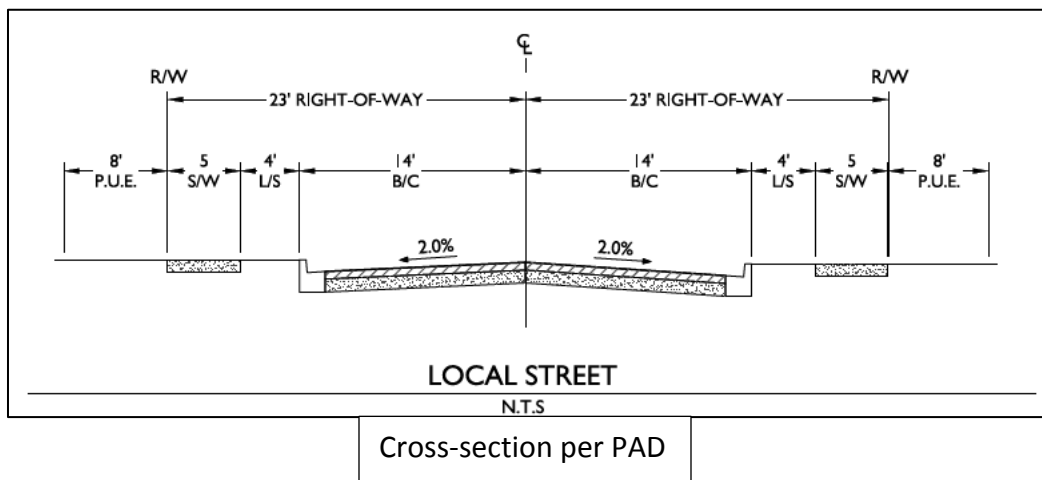
N/A

ANALYSIS AND DISCUSSION:

The proposed subdivision will include 93 single-family residential lots, which will generally be 65' wide and not less than 6,600 square feet. Each lot will be oriented to the street with no key lots present. Some of the lots will either back or side onto open space. The configuration is expressed in the following diagram, taken from the face of the Preliminary Plat document.



Since the perimeter roadways are constructed, there will be no perimeter right-of-way dedications, although the interior streets will be dedicated with the related Final Plat, which is also scheduled for City Council action on November 3, 2015. These interior streets will include a 5' detached sidewalk separated from the curb by a 4'-wide landscaping strip. The paved surface will be 28' measured back-of-curb to back-of-curb, with a total ROW width of 46', which is consistent with the Desert Oasis PAD and the existing development that has occurred within the PAD to date. While this may seem somewhat narrow, the cross-section is generally consistent with the current City of Surprise Standard 3-07 with respect to pavement width and was to calm traffic. Staff notes that the Desert Oasis CC&Rs limit overnight on-street parking, although any new CC&R declarations may not include such controls per a recent change in state law. The following two diagrams depict the Desert Oasis and City of Surprise standards.



94 The PAD includes robust development standards intended to provide flexibility and diversity. These
95 development standards are included on the Preliminary Plat document and are repeated here.

SINGLE FAMILY DEVELOPMENT STANDARDS		
LOT CATEGORY	C	GENERAL NOTES
WIDTH RANGE	58'-62'	1. THE DEVELOPMENT STANDARDS FOR THE LDR LOTS MEET OR SURPASS THE MINIMUM STANDARDS FOR THE DESIGN GUIDELINES WITH THE EXCEPTION OF GARAGE SIDE AND REAR YARD SETBACKS.
MINIMUM WIDTH	60'	
MIN. LOT AREA (S.F.)	6,600	
MIN. LOT DEPTH	110'	2. THE SMALLER SIDE AND REAR YARD FOR GARAGE ALLOW THE TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND) OPTION OF REAR YARD GARAGES.
FRONT SETBACK LIVABLE ¹²	12'	
FRONT SETBACK GARAGE	10'	
REAR SETBACK HOUSE	15'	3. "GRANNY FLATS" SHALL BE ALLOWED OVER REAR DETACHED GARAGES.
REAR SETBACK GARAGE ¹³	3'	
SIDE SETBACK HOUSE ¹⁴	5'/8'	
SIDE SETBACK GARAGE ¹⁵	3'	
STREET SIDE HOUSE ¹⁷	10'	
STREET SIDE GARAGE ¹⁸	5'	
BUILDING COVERAGE ¹⁹	40%	
AVERAGE DENSITY	3.9	

FOOTNOTES

¹² GARAGE FRONT SETBACK MAY BE LESS THAN LIVABLE AREA AS SIDE-LOADED GARAGE ONLY. OTHERWISE, MINIMUM OF 18" BEHIND SIDEWALK.

¹³ ALLEY OR STREET ACCESS.

¹⁴ SIDE YARD ENCROACHMENT UP TO 1/2 SIDE SETBACK FOR BAY WINDOWS AND CHIMNEYS.

¹⁵ REAR INTERIOR LOT GARAGE.

¹⁶ VARIES WITH HOUSING PRODUCT. SEE DESIGN GUIDELINES.

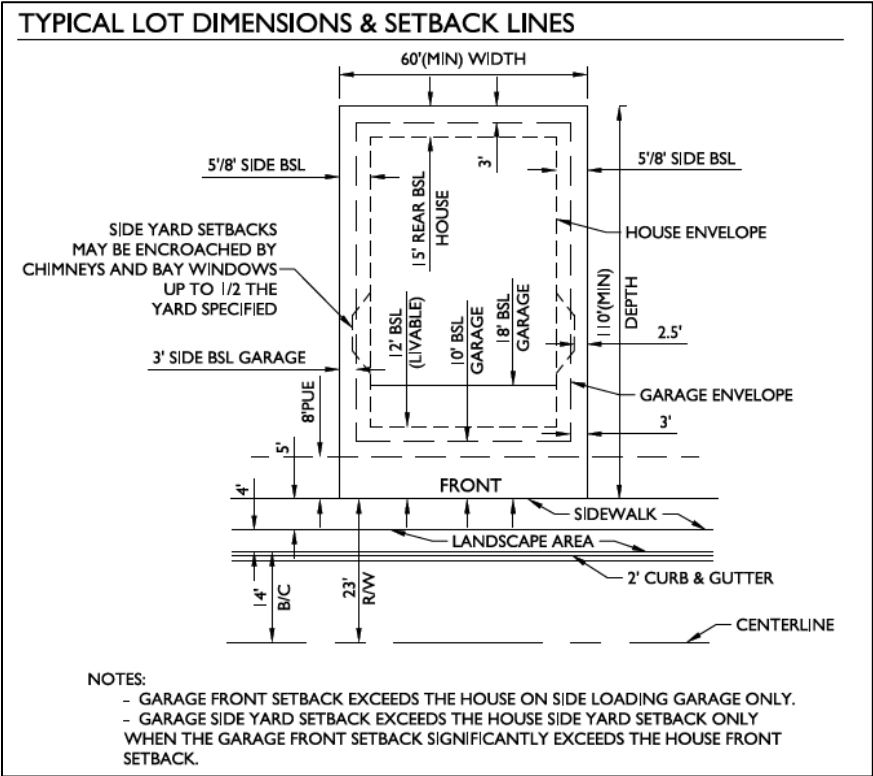
¹⁷ LANDSCAPE BUFFER TRACTS CAN REDUCE STREET SIDE YARD REQUIREMENT BY THE WIDTH OF TRACT, UP TO 5 FEET.

¹⁸ REAR OR RECESSED FRONT ACCESS ONLY. SIDE STREET ACCESS SAME AS FRONT SETBACK.

¹⁹ BASEMENTS, "GRANNY FLATS" AND ATTIC LOFTS ARE ENCOURAGED FOR THE EXPANSION OF LIVABLE AND STORAGE SPACE AND THE REDUCTION OF ENERGY AND LAND CONSUMPTION.

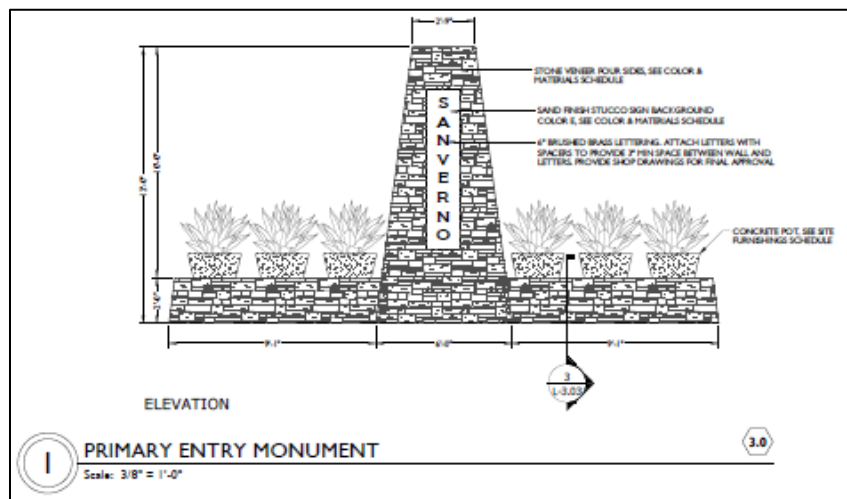
NOTE: ADDITIONAL SETBACKS MAY BE REQUIRED BY THE BUILDING CODE

96

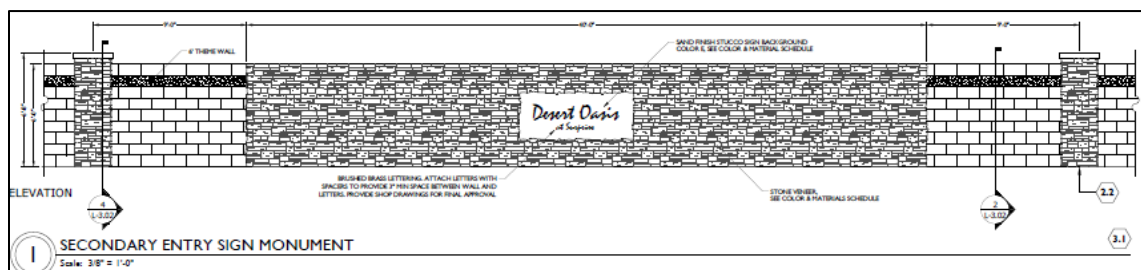


The project will be well landscaped using a plant palette consisting of native or near-native plant species consistent with the Desert Oasis PAD. The site will also be bisected by a series of open space areas, which will provide neighborhood park amenities, including a tot-lot, BBQ, and ramada meeting the aesthetic requirements of the Desert Oasis PAD. Walls within the site will be themed using smooth-face CMU with a split-face accent, punctuated by a stone veneer column with precast concrete cap.

A primary entry monument consisting of a single 12' tall, stone-faced, tapered column flanked by a short stone-faced wall and decorative pots will be located at the intersection of 171st Avenue and Pinnacle Vista Drive. This monument will bear the "Sanverno" name vertically along the column face.



A secondary monument sign consisting of an 18 sq. ft. sign panel bearing the "Desert Oasis at Surprise" name will be embedded within a segment of stone-faced wall panel at the northwest corner of 171st Avenue and Bajada Road.



UTILITY AND SERVICES TABLE:

Electric:	APS
Water:	City of Surprise
Wastewater:	City of Surprise
Refuse:	City of Surprise
Natural Gas:	SWG
Irrigation:	N/A
Schools:	Nadaburg

CONFORMANCE WITH ADOPTED PLANS:

Surprise General Plan 2035: The Surprise General Plan 2035 shows the subject property as lying within the Low Density Residential Land Use Category, which supports residential development at densities of between 3 and 5 DU/Ac. At 3.28 DU/Ac, the subject Preliminary Plat meets this density requirement. Staff notes the project lies within Village 5, which does not have an approved Village Plan; however, the Land Use Element of the General Plan is currently being updated and the proposed project is consistent the update.

REVIEWING AGENCIES:

In addition to the standard city reviewing agencies, who indicate no objections to the requests, Luke Air force Base, Maricopa Water District, and ADOT were included in the routing of this case.

Luke Air Force Base (LAFB): LAFB indicates no objections to the request, but advises the applicant review sound attenuation requirements and engage in a strong notification program with respect to the air base and its operations. The project is also located well outside of the noise contours for Luke AFB Aux. 1 and meets the Graduated Density Concept.

SUMMARY:

The proposed subdivision is well designed and meets the requirements of the Desert Oasis PAD and the SUDC. The amenities included will provide small-scale recreational opportunities for the residents of the community. Once developed, the population base generated by the subdivision contribute to the local school enrollment, while providing incentive for much needed retail services in the area.

FINDINGS:

- The proposed Preliminary Plat is consistent with the Surprise General Plan 2035.
- The proposed Preliminary Plat is consistent with the Desert Oasis PAD.
- The reviewing agencies have indicated no objections to the request.

COMMISSION RECOMMENDATION:

Based on the findings noted above, the Planning and Zoning Commission recommend **approval** of the proposed Preliminary Plat to the City Council.

Attachments:

01 – Vicinity Map (1 page)

02 – Case Map (1 page)

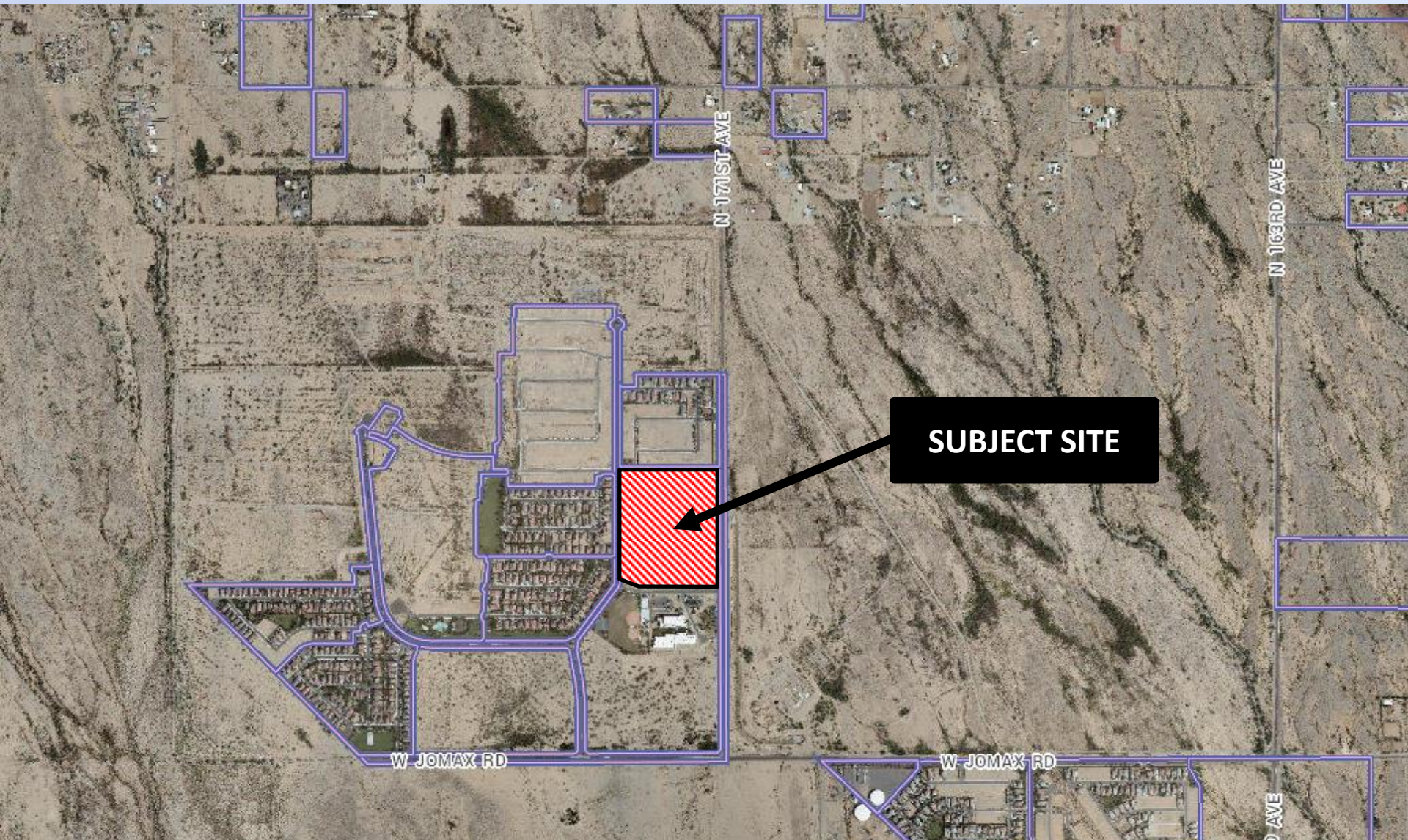
03 – Preliminary Plat (3 pages)

04 – Landscape Plans (11 pages)

05 – Landscape Plans, color version (1 page)

06 – Luke AFB comments (1 page)

Vicinity Map



RR

W DYNAMITE BLVD

W BLUE SKY DR

W GAMBIT TR

W HEDGEHOG PL

W BENT TREE DR

W PINNACLE VISTA DR

W FETLOCK TR

W BAJADA RD

W RED BIRD RD

W CAVEDALE DR

W SPUR DR

W JOMAX RD

UNKNOWN

PAD (Desert Oasis)

RU-43 (County)

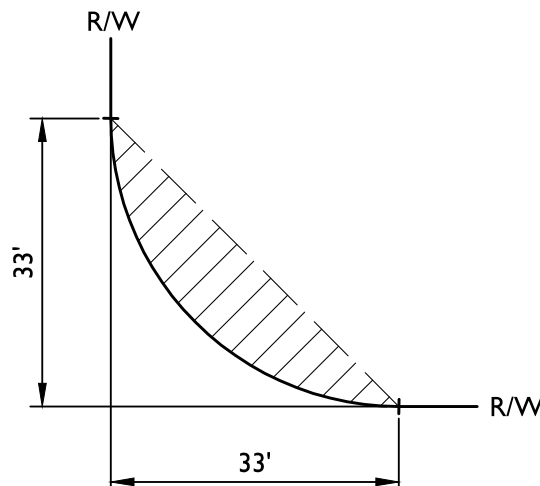
RL-5

SUBJECT SITE

PAD (Asante North)

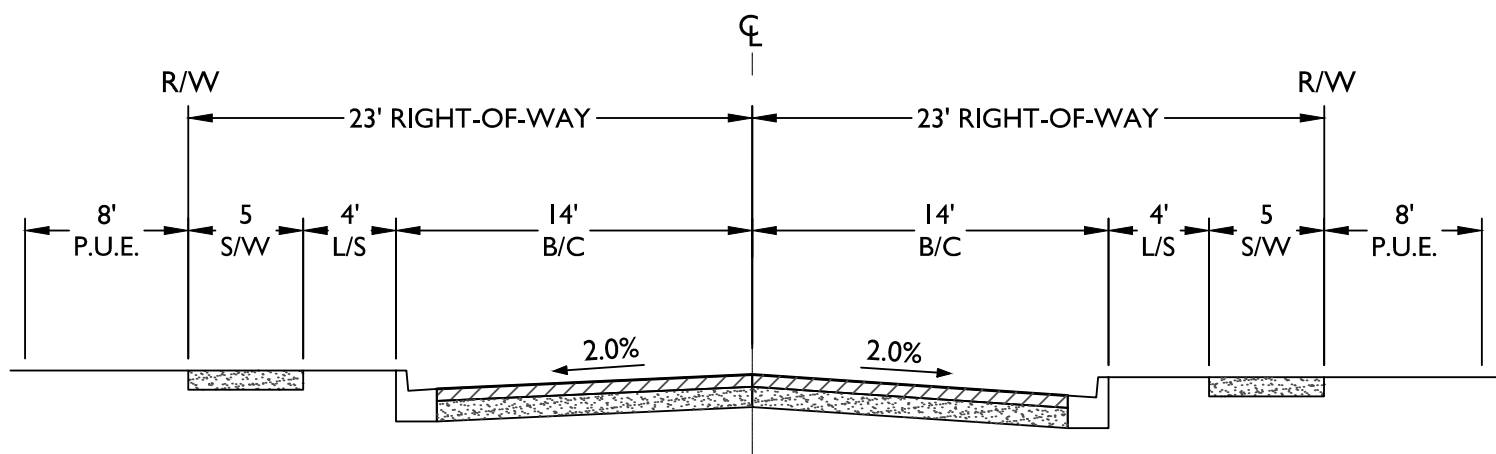
PAD (Desert Oasis)

LOT AREA TABLE		LOT AREA TABLE		LOT AREA TABLE	
LOT #	AREA (SF)	LOT #	AREA (SF)	LOT #	AREA (SF)
1	7,067	33	6,900	65	6,900
2	7,320	34	6,900	66	6,900
3	7,320	35	6,748	67	11,018
4	7,320	36	17,234	68	11,922
5	7,320	37	8,546	69	7,344
6	7,320	38	6,900	70	7,408
7	7,320	39	6,900	71	7,394
8	7,320	40	6,900	72	7,380
9	7,289	41	6,900	73	7,366
10	12,720	42	6,900	74	7,472
11	14,960	43	6,885	75	8,122
12	7,253	44	6,900	76	8,904
13	7,200	45	6,900	77	9,446
14	7,200	46	6,900	78	7,460
15	6,887	47	6,900	79	7,475
16	6,890	48	6,900	80	7,475
17	6,900	49	6,900	81	7,460
18	6,900	50	6,900	82	7,460
19	6,900	51	6,900	83	7,475
20	6,900	52	6,900	84	7,475
21	6,900	53	6,900	85	7,460
22	6,900	54	6,852	86	7,460
23	6,900	55	6,802	87	7,475
24	6,900	56	6,900	88	7,475
25	6,900	57	6,900	89	7,460
26	6,900	58	6,900	90	7,460
27	6,899	59	6,778	91	7,475
28	6,899	60	6,900	92	7,475
29	6,900	61	6,900	93	7,460
30	6,900	62	6,900	TOTAL 698,502 SF	
31	6,900	63	6,900		
32	6,900	64	6,900		



TYPICAL S.V.T. EASEMENT

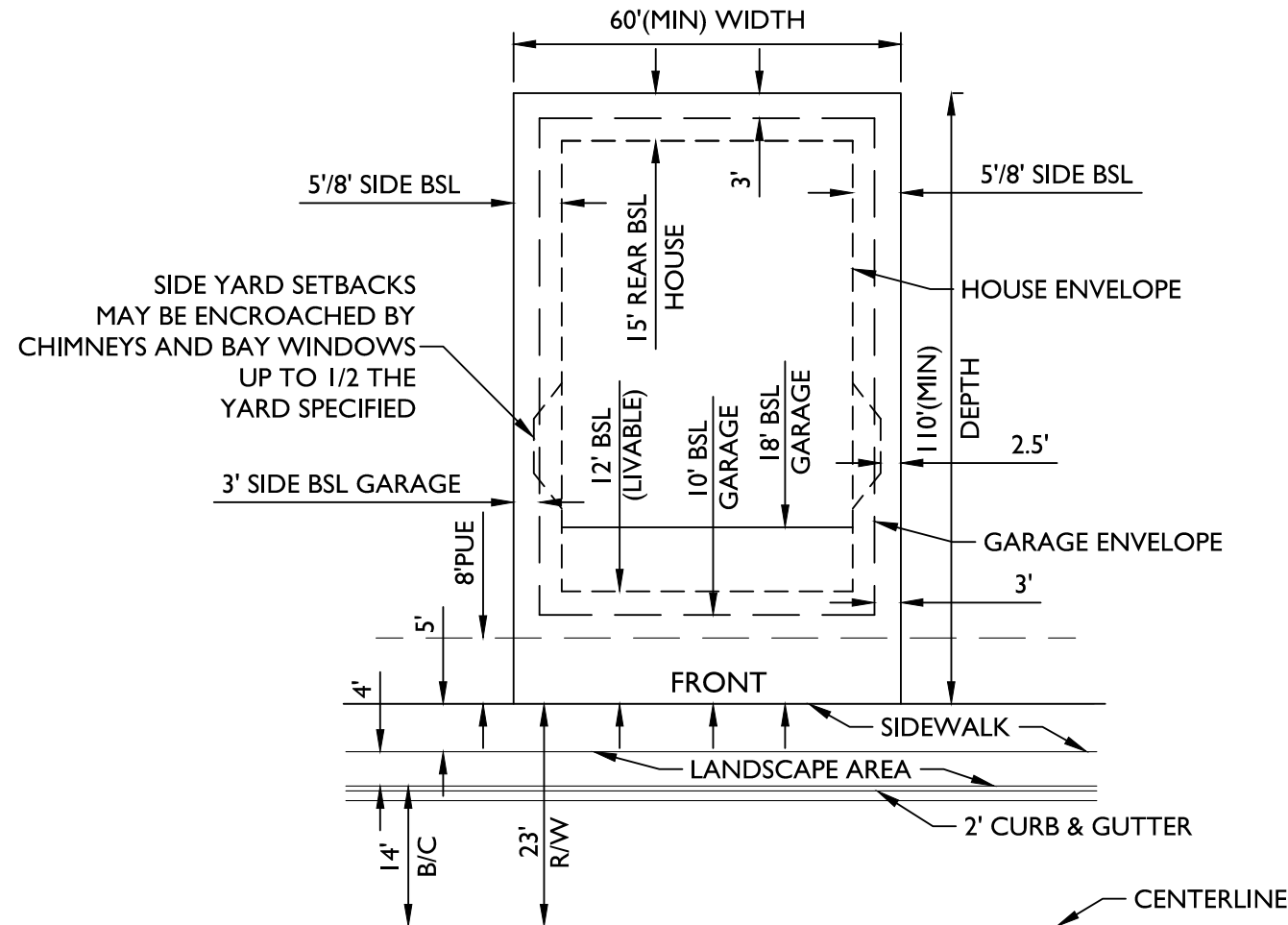
TRACT USE TABLE			
TRACT	USE	AREA (SF)	AREA (AC)
A	LANDSCAPE, OPEN SPACE, RETENTION, PUBLIC UTILITIES, RECREATION TRAIL, SEWER EASEMENT	71,989	1.6526
B	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES	1,699	0.0390
C	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES	1,699	0.0390
D	LANDSCAPE, OPEN SPACE, RECREATION TRAILS, RETENTION, PUBLIC UTILITIES	27,984	0.6424
E	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES	3,885	0.0892
F	LANDSCAPE, OPEN SPACE, AMENITIES, RECREATION TRAILS, RETENTION, PUBLIC UTILITIES	25,666	0.5892
G	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES	6,595	0.1514
H	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES	3,191	0.0733
I	LANDSCAPE, OPENS SPACE, ENTRY MONUMENT, PUBLIC UTILITIES	7,870	0.1807
J	LANDSCAPE, OPEN SPACE, RETENTION, RECREATION TRAILS, PUBLIC UTILITIES	27,307	0.6269
K	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES	1,943	0.0446
L	LANDSCAPE, OPEN SPACE, PUBLIC UTILITIES	1,146	0.0263
M	LANDSCAPE, OPEN SPACE, DRAINAGE EASEMENT, PUBLIC UTILITIES	20,913	0.4801
TOTAL TRACT AREA		201,886 SF	4.6347 AC



LOCAL STREET

N.T.S.

TYPICAL LOT DIMENSIONS & SETBACK LINES

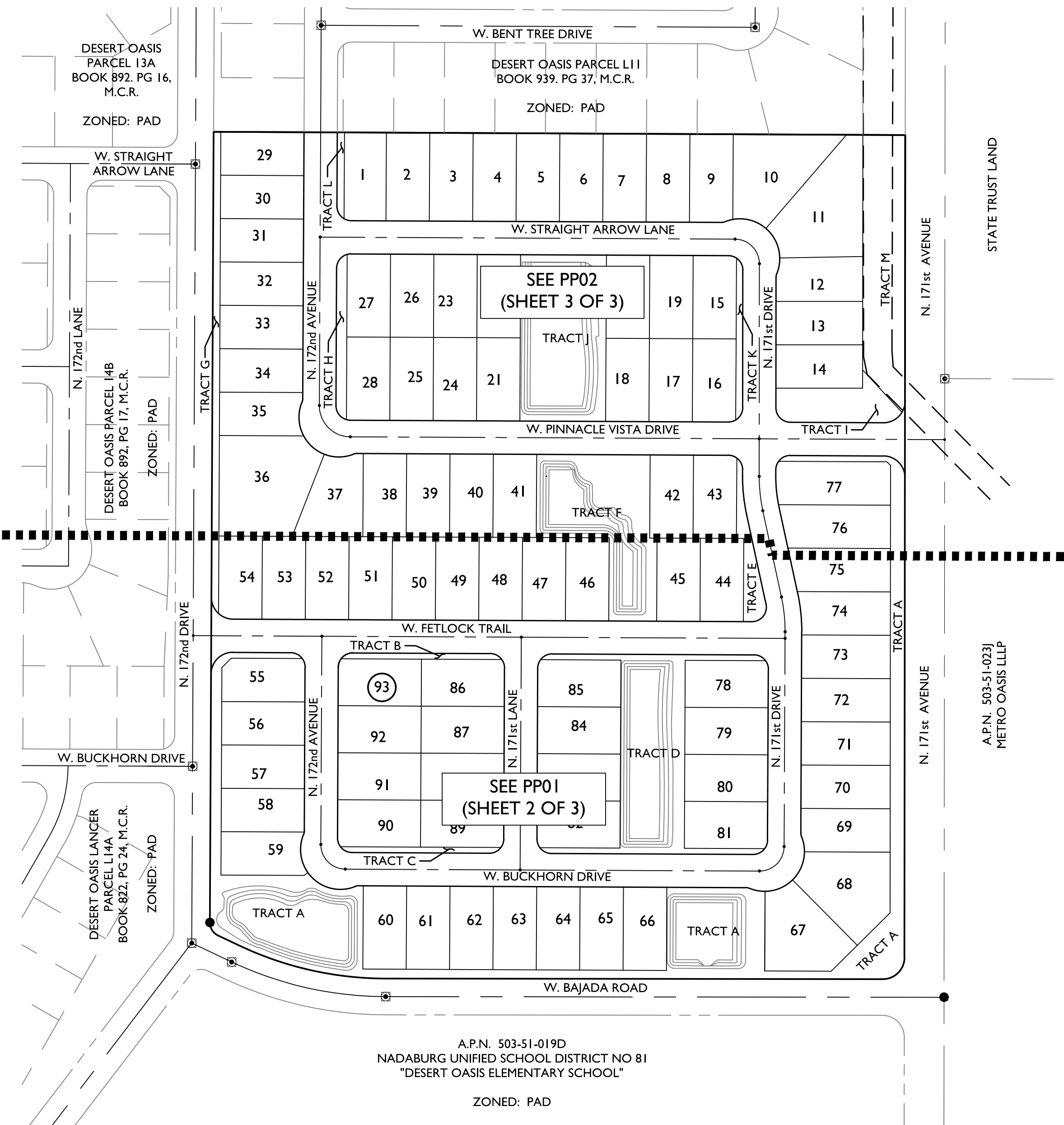


NOTES:

- GARAGE FRONT SETBACK EXCEEDS THE HOUSE ON SIDE LOADING GARAGE ONLY.
- GARAGE SIDE YARD SETBACK EXCEEDS THE HOUSE SIDE YARD SETBACK ONLY WHEN THE GARAGE FRONT SETBACK SIGNIFICANTLY EXCEEDS THE HOUSE FRONT SETBACK.

PRELIMINARY PLAT FOR SANVERNO

A PORTION OF THE EAST HALF, SECTION 35, T.5 N., R.2 W., GILA AND SALT RIVER MERIDIAN,
MARICOPA COUNTY, ARIZONA



SINGLE FAMILY DEVELOPMENT STANDARDS

LOT CATEGORY	C
WIDTH RANGE	58'-62'
MINIMUM WIDTH	60'
MIN. LOT AREA (S.F.)	6,600
MIN. LOT DEPTH	110'
FRONT SETBACK LIVABLE ¹²	12'
FRONT SETBACK GARAGE	10'
REAR SETBACK HOUSE	15'
REAR SETBACK GARAGE ¹³	3'
SIDE SETBACK HOUSE ¹⁴	5/8'
SIDE SETBACK GARAGE ¹⁵	3'
STREET SIDE HOUSE ¹⁷	10'
STREET SIDE GARAGE ¹⁸	5'
BUILDING COVERAGE ¹⁹	40%
AVERAGE DENSITY	3.9

GENERAL NOTES

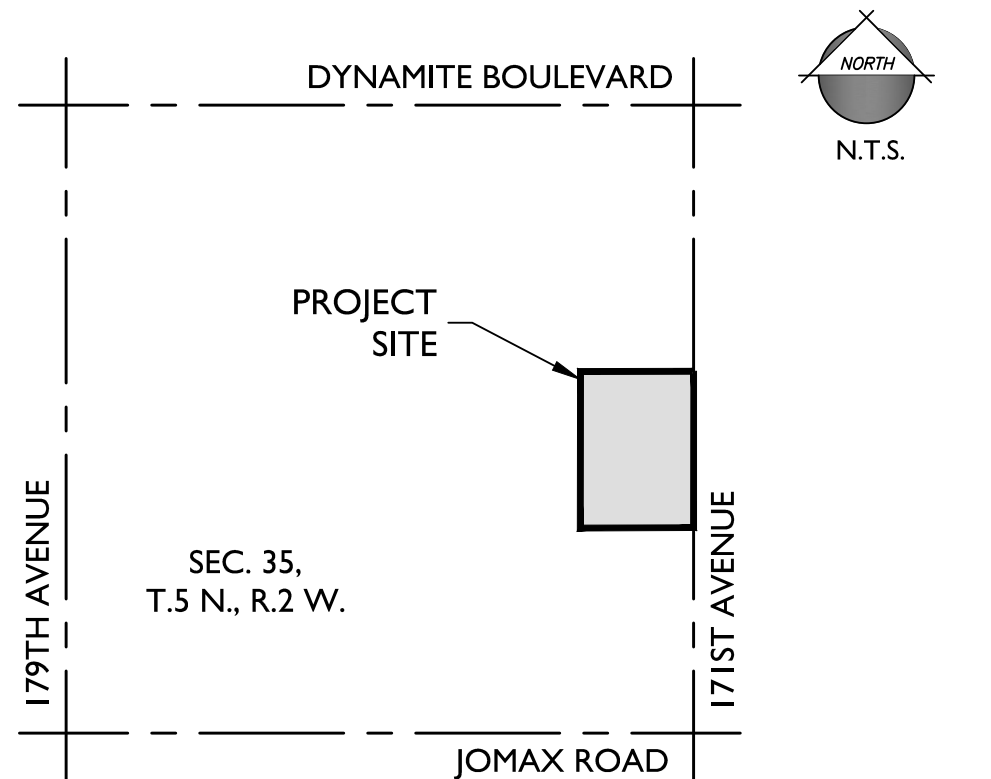
- THE DEVELOPMENT STANDARDS FOR THE LDR LOTS MEET OR SURPASS THE MINIMUM STANDARDS FOR THE DESIGN GUIDELINES WITH THE EXCEPTION OF GARAGE SIDE AND REAR YARD SETBACKS.
- THE SMALLER SIDE AND REAR YARD FOR GARAGE ALLOW THE TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND) OPTION OF REAR YARD GARAGES.
- "GRANNY FLATS" SHALL BE ALLOWED OVER REAR DETACHED GARAGES.

FOOTNOTES

- GARAGE FRONT SETBACK MAY BE LESS THAN LIVABLE AREA AS SIDE-LOADED GARAGE ONLY. OTHERWISE, MINIMUM OF 18' BEHIND SIDEWALK.
- ALLEY OR STREET ACCESS.
- SIDE YARD ENCROACHMENT UP TO 1/2 SIDE SETBACK FOR BAY WINDOWS AND CHIMNEYS.
- REAR INTERIOR LOT GARAGE.
- VARIES WITH HOUSING PRODUCT. SEE DESIGN GUIDELINES.
- LANDSCAPE BUFFER TRACTS CAN REDUCE STREET SIDE YARD REQUIREMENT BY THE WIDTH OF TRACT, UP TO 5 FEET.
- REAR OR RECESSED FRONT ACCESS ONLY. SIDE STREET ACCESS SAME AS FRONT SETBACK.
- BASEMENTS, "GRANNY FLATS" AND ATTIC LOFTS ARE ENCOURAGED FOR THE EXPANSION OF LIVABLE AND STORAGE SPACE AND THE REDUCTION OF ENERGY AND LAND CONSUMPTION.

NOTE: ADDITIONAL SETBACKS MAY BE REQUIRED BY THE BUILDING CODE

VICINITY MAP



PROJECT TEAM

DEVELOPER: KB HOMES PHOENIX INC. 10428 S. 51ST STREET, SUITE 100 PHOENIX, AZ 85044 TEL: (480)-758-3040 CONTACT: JASON JARVIS	CIVIL ENGINEER: EPS GROUP, INC. 2045 S. VINEYARD, SUITE 101 MESA, AZ 85210 TEL: (480)-503-2250 FAX: (480)-503-2258 CONTACT: DAN AUXIER, P.E.
---	--

PROJECT DATA

A.P.N. CURRENT LAND USE: EXISTING GENERAL PLAN: EXISTING ZONING:	503-51-021A; 019W VACANT / UNDEVELOPED LOW DENSITY RESIDENTIAL PLANNED AREA DEVELOPMENT (PAD)
GROSS AREA: NET AREA:	+/- 28.34 ACRES +/- 25.62 ACRES
NO. OF LOTS: LOT SIZE: GROSS DENSITY: NET DENSITY:	93 60' x 110' 3.28 DU/AC 3.63 DU/AC
OPEN SPACE: OPEN SPACE (GROSS): OPEN SPACE (NET):	4.63 AC. +/- 16.34% +/- 18.07%

GENERAL NOTES

- THIS PLAN IS NOT A CONSTRUCTION DOCUMENT.
- LOT DIMENSIONS ARE APPROXIMATE. FINAL LOT DIMENSIONS SHALL BE PER THE FINAL PLAT.
- ALL PUBLIC STREETS WILL BE CONSTRUCTED TO CITY OF SURPRISE MINIMUM STANDARDS AS MODIFIED HEREIN.
- THIS DEVELOPMENT WILL PROVIDE FOR INSTALLATION OF REQUIRED STREET LIGHTS.
- THE HOMEOWNERS' ASSOCIATION WILL BE RESPONSIBLE FOR MAINTENANCE OF ALL LANDSCAPE TRACTS.
- THE AREA PLATTED HEREON LIES WITHIN THE DOMESTIC WATER SERVICE AREA OF CITY OF SURPRISE WHICH IS DESIGNATED AS HAVING AN ASSURED WATER SUPPLY PURSUANT A.R.S. § 45-576.

DEVELOPMENT STANDARDS

THIS DEVELOPMENT SHALL CONFORM TO THE DEVELOPMENT STANDARDS APPROVED IN PAD99-129 FOR PARCEL L10 OF DESERT OASIS AT SURPRISE OR AS SUBSEQUENTLY AMENDED.

BASIS OF BEARING

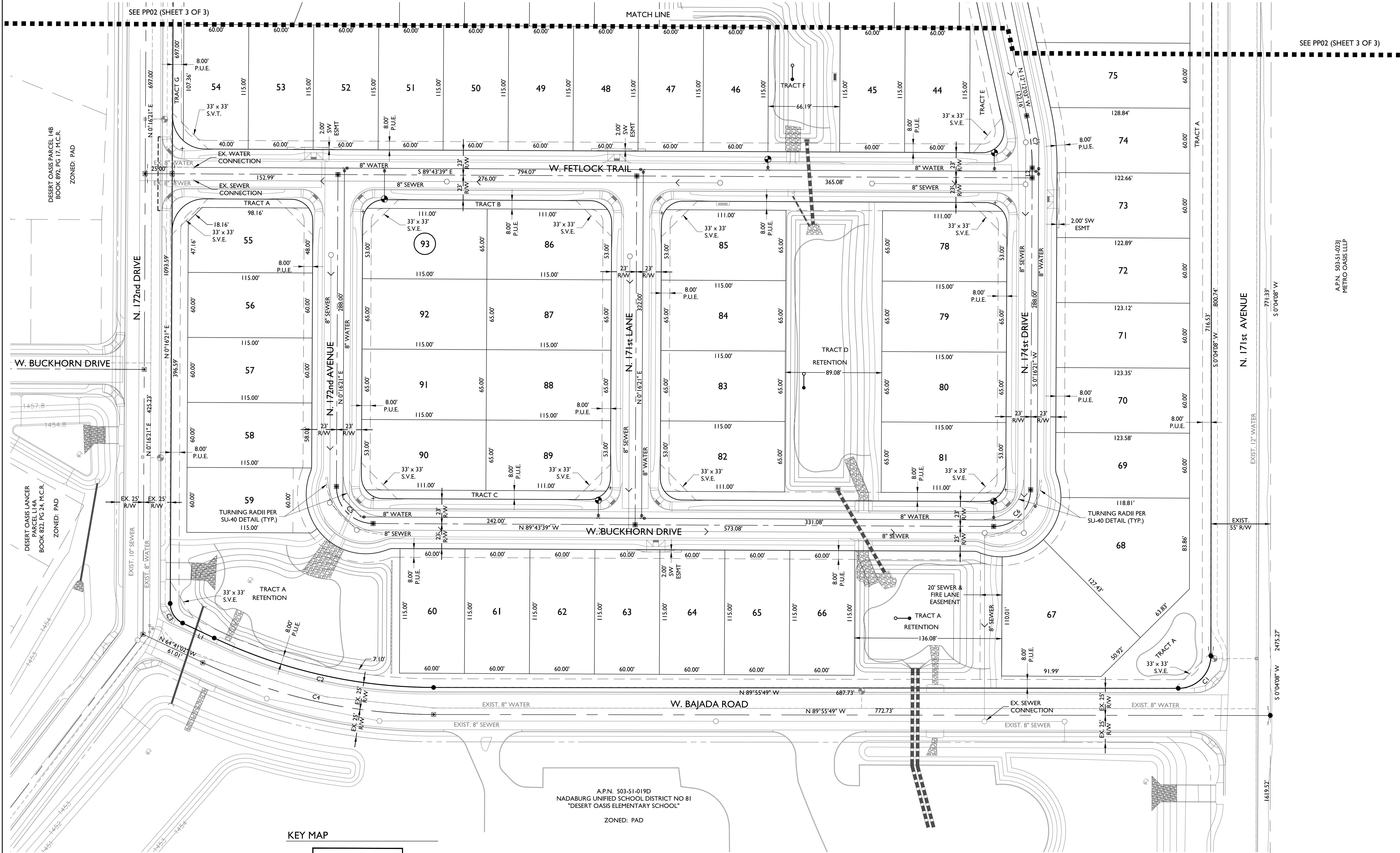
EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 35, T.5N, R.2W., AS SHOWN ON THE FINAL PLAT FOR DESERT OASIS PARCEL L11, BOOK 939, PAGE 37, MARICOPA COUNTY RECORDS. THE BEARING OF WHICH IS: N00°04'08"E

UTILITIES

WATER SEWER GAS ELECTRIC TELEPHONE CABLE TV FIRE POLICE	CITY OF SURPRISE CITY OF SURPRISE SOUTHWEST GAS ARIZONA PUBLIC SERVICE CENTURYLINK / COX CENTURYLINK / COX CITY OF SURPRISE CITY OF SURPRISE
--	---

SHEET INDEX

SHEET 1	CS01	COVERSHEET
SHEET 2	PP01	PRELIMINARY PLAT
SHEET 3	PP02	PRELIMINARY PLAT



KEY MAP

SEE PP02
(SHEET 3 OF 3)

LINE TABLE		
LINE	LENGTH	BEARING
L1	32.33'	N64°39'32"W
L2	9.15'	S00°16'21"W

CURVE TABLE					CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	DELTA	CURVE	LENGTH	RADIUS	CHORD	DELTA
C1	47.16'	29.99'	42.45'	090°05'25"	C6	53.41'	34.00'	48.08'	090°00'00"
C2	209.30'	475.00'	207.61'	025°14'47"	C7	48.55'	223.00'	48.45'	012°28'24"
C3	22.67'	20.00'	21.48'	064°57'23"	C8	47.69'	223.00'	47.60'	012°15'15"
C4	220.32'	500.00'	218.54'	025°14'47"	C9	53.28'	34.00'	47.99'	089°46'51"
C5	53.41'	34.00'	48.08'	090°00'00"	C10	67.54'	43.00'	60.81'	090°00'00"

SOUTHEAST CORNER
SECTION 35, T.5N, R.2W
FOUND 2" BRASS CAP
STAMPED "RLS37174 2007"

APN: 503-51-0231
METRO OASIS LLP

2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T: 480.503.2250 | F: 480.503.2258
www.epsgroupinc.com

Project: SANVERNO SURPRISE, AZ

Revisions:

MAY 5, 2015 - 1ST PRELIMINARY PLAT SUBMITTAL	
JULY 24, 2015 - 2ND PRELIMINARY PLAT SUBMITTAL	
AUG. 17, 2015 - 3RD PRELIMINARY PLAT SUBMITTAL	

Call it at least two business days before the begin excavation.

ARIZONA

Professional Engineer

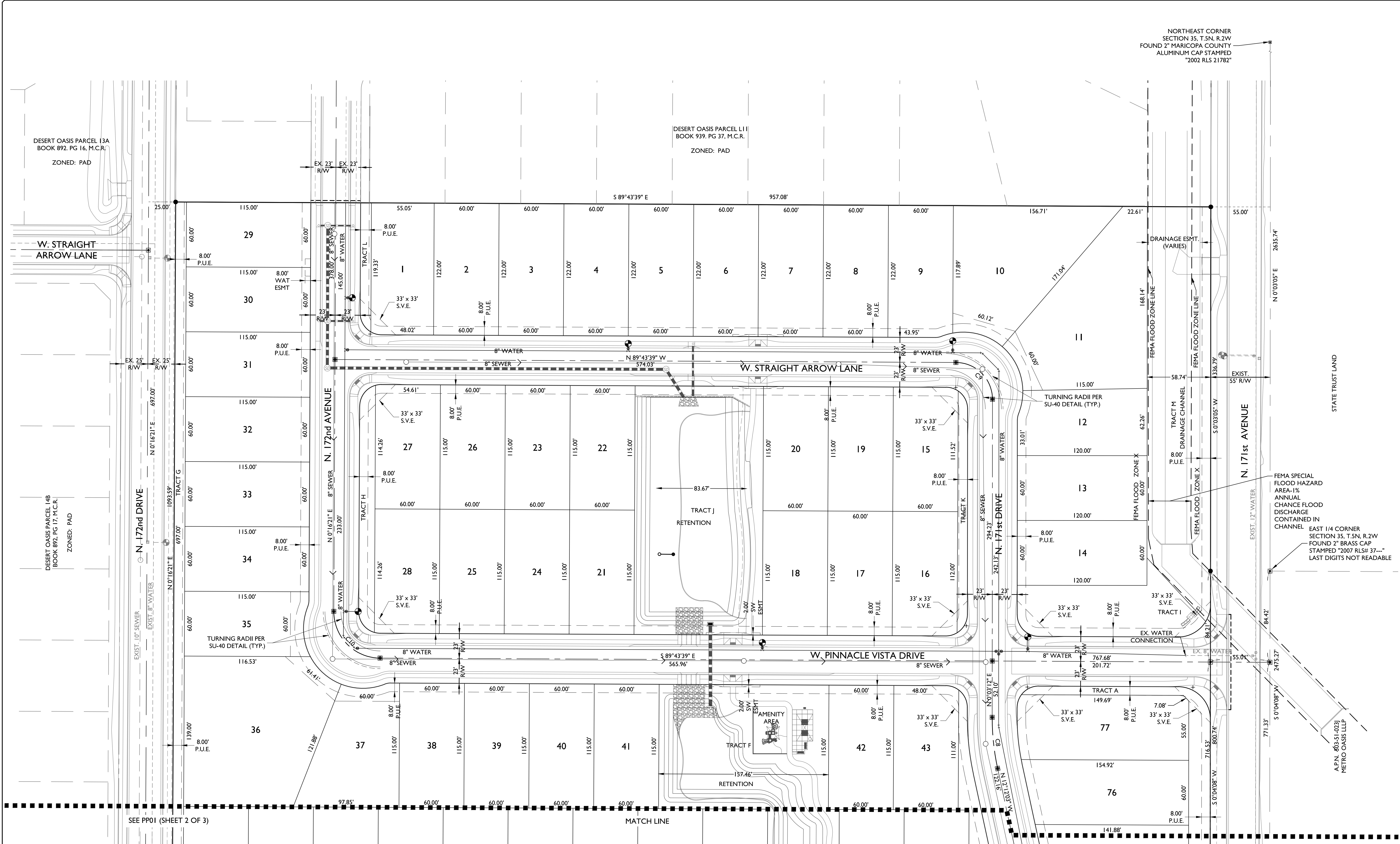
50291
DANIEL B. AUXIER
State Signed 08-17-15
TRIZONA, U.S.A.

Expires: 12/31/2015

Job No.
15-108

PP01

Sheet No.
2
of 3



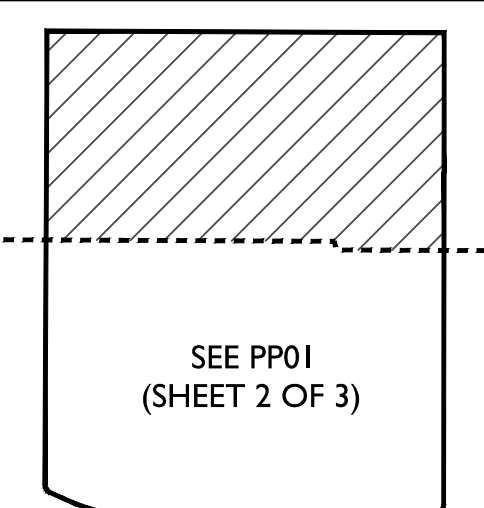
NORTHEAST CORNER
SECTION 35, T.5N, R.2W
FOUND 2" MARICOPA COUNTY
ALUMINUM CAP STAMPED
"2002 RLS 21782"

FEMA SPECIAL
FLOOD HAZARD
AREA-1%
ANNUAL
CHANCE FLOOD
DISCHARGE
CONTAINED IN
CHANNEL

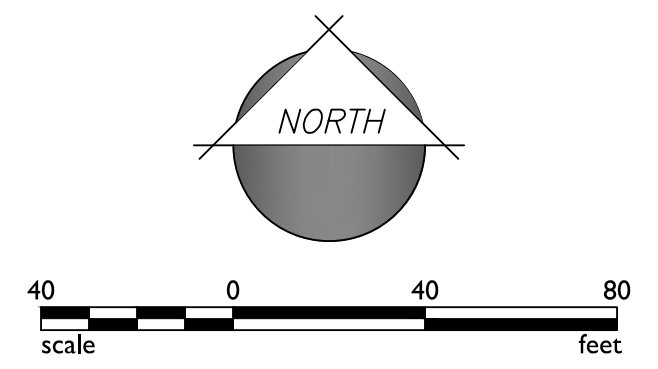
EAST 1/4 CORNER
SECTION 35, T.5N, R.2W
FOUND 2" BRASS CAP
STAMPED "2007 RLS# 37-..."
LAST DIGITS NOT READABLE

STATE TRUST LAND

KEY MAP



CURVE TABLE					CURVE TABLE				
CURVE	LENGTH	RADIUS	CHORD	DELTA	CURVE	LENGTH	RADIUS	CHORD	DELTA
C1	47.16'	29.99'	42.45'	090°05'25"	C6	53.41'	34.00'	48.08'	090°00'00"
C2	209.30'	475.00'	207.61'	025°14'47"	C7	48.55'	223.00'	48.45'	012°28'24"
C3	22.67'	20.00'	21.48'	064°57'23"	C8	47.69'	223.00'	47.60'	012°15'15"
C4	220.32'	500.00'	218.54'	025°14'47"	C9	53.28'	34.00'	47.99'	089°46'51"
C5	53.41'	34.00'	48.08'	090°00'00"	C10	67.54'	43.00'	60.81'	090°00'00"



2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T: 480.503.2250 | F: 480.503.2258
www.epsgroupinc.com

Project: **SANVERNO**
SURPRISE, AZ

Revisions:

MAY 5, 2015 - 1ST PRELIMINARY PLAT SUBMITTAL	
JULY 24, 2015 - 2ND PRELIMINARY PLAT SUBMITTAL	
AUG. 17, 2015 - 3RD PRELIMINARY PLAT SUBMITTAL	

Call at least two full working days before the design record is required.

ARIZONA 60
Dial 6-6-6 or 1-800-875-8757 (Toll Free)
In Maricopa County (800) 263-1100

Designer: **DCH**
Drawn by: **DCH**

Professional Engineer
50291
DANIEL B. AUXIER
State Signed 08-17-15
ARIZONA, U.S.A.

Expires: 12/31/2015

Job No.
15-108

PP02

Sheet No.
3 of 3

SANVERNO

(PARCEL L-10, A SUBDIVISION OF A PORTION OF SECTION 35, TOWNSHIP 5 NORTH, RANGE 2 WEST OF GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA)

SURPRISE, ARIZONA

LANDSCAPE CONSTRUCTION DOCUMENTS

SUBMITTED: May 5, 2015
RESUBMITTED: July 22, 2015
RESUBMITTED: August 14, 2015

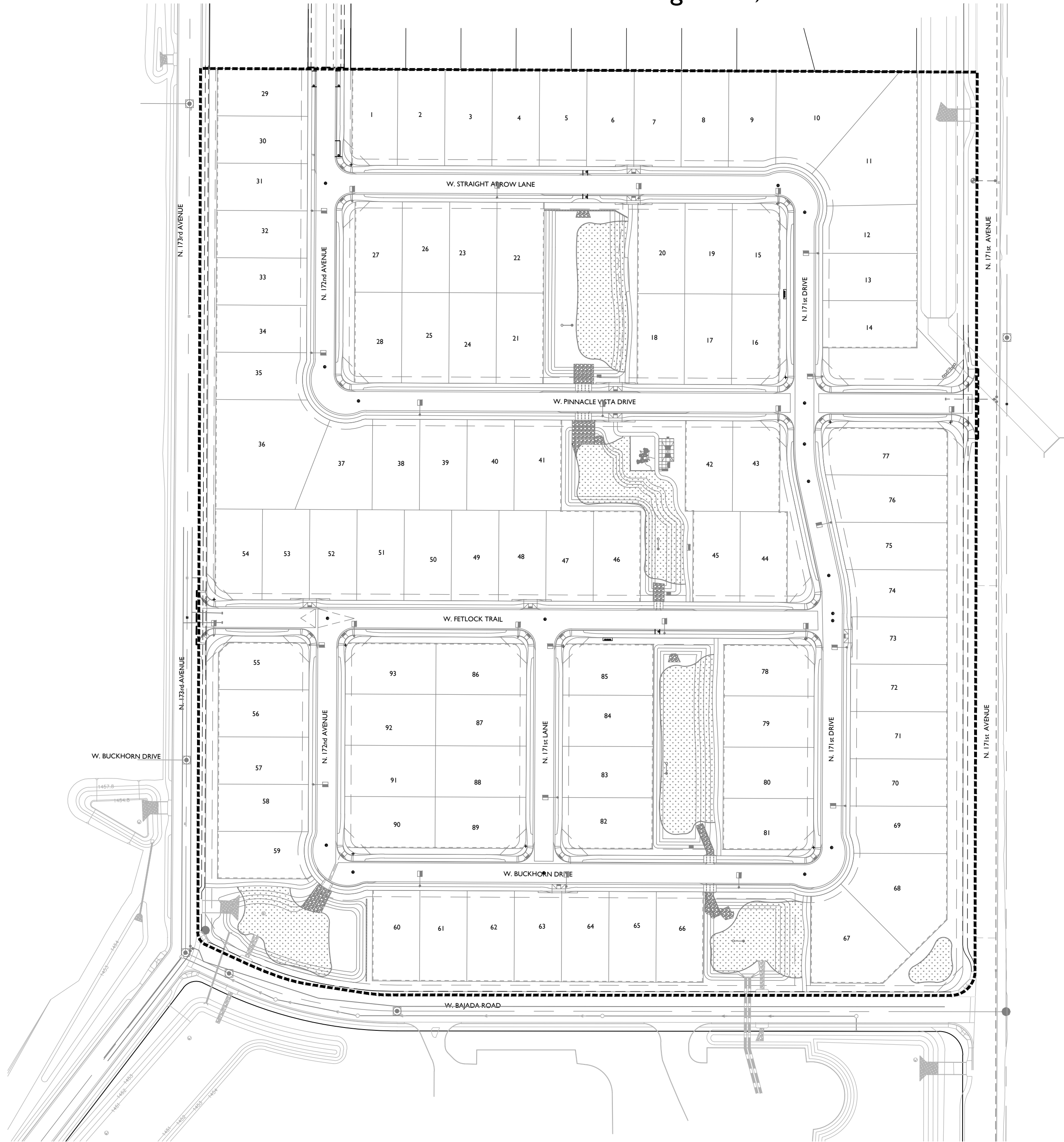
PROJECT TEAM

DEVELOPER:
KB HOME - ARIZONA DIVISION
10428 S. 51st Street, Suite 100
Phoenix, AZ 85044
Tel: (480) 758-3040
Contact: Jason Jarvis
jjarvis@kbhome.com

LANDSCAPE ARCHITECT:
EPS GROUP, INC.
2045 S. Vineyard Avenue, Suite 101
Mesa, AZ 85210
Tel: (480) 503-2250
Contact: Aliza Sabin, RLA LEED AP
aliza.sabin@epsgroupinc.com

CIVIL ENGINEER:
EPS GROUP, INC.
2045 S. Vineyard Avenue, Suite 101
Mesa, Arizona 85210
Tel: (480) 503-2250
Contact: Daniel Auxier, PE
dan.auxier@epsgroupinc.com

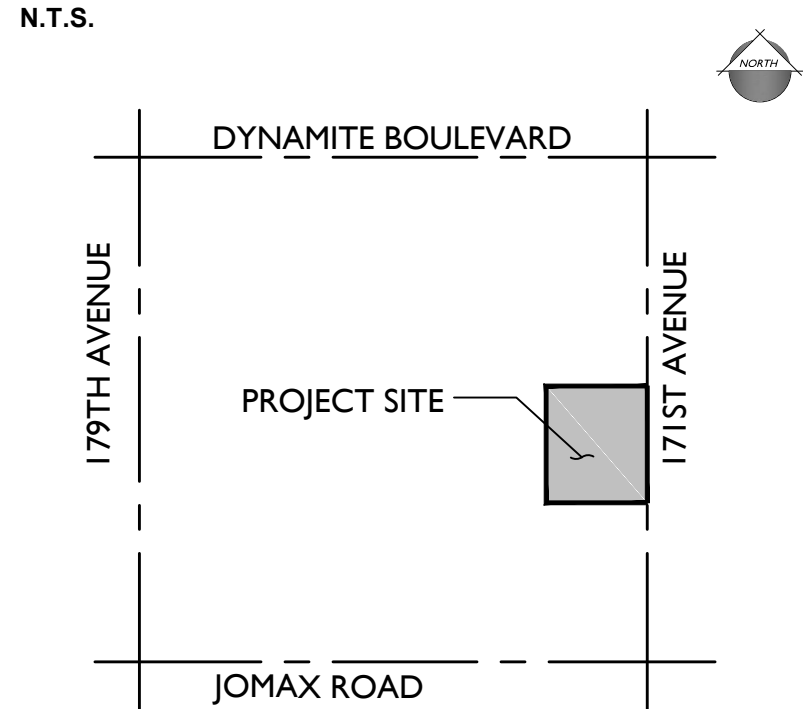
ELECTRICAL ENGINEER:
WRIGHT ENGINEERING.
165 E Chilton Drive
Chandler, Arizona 85225
Tel: (480) 503-2250
Contact: Aaron Kutchinsky, PE
aaronk@wrightengr.com

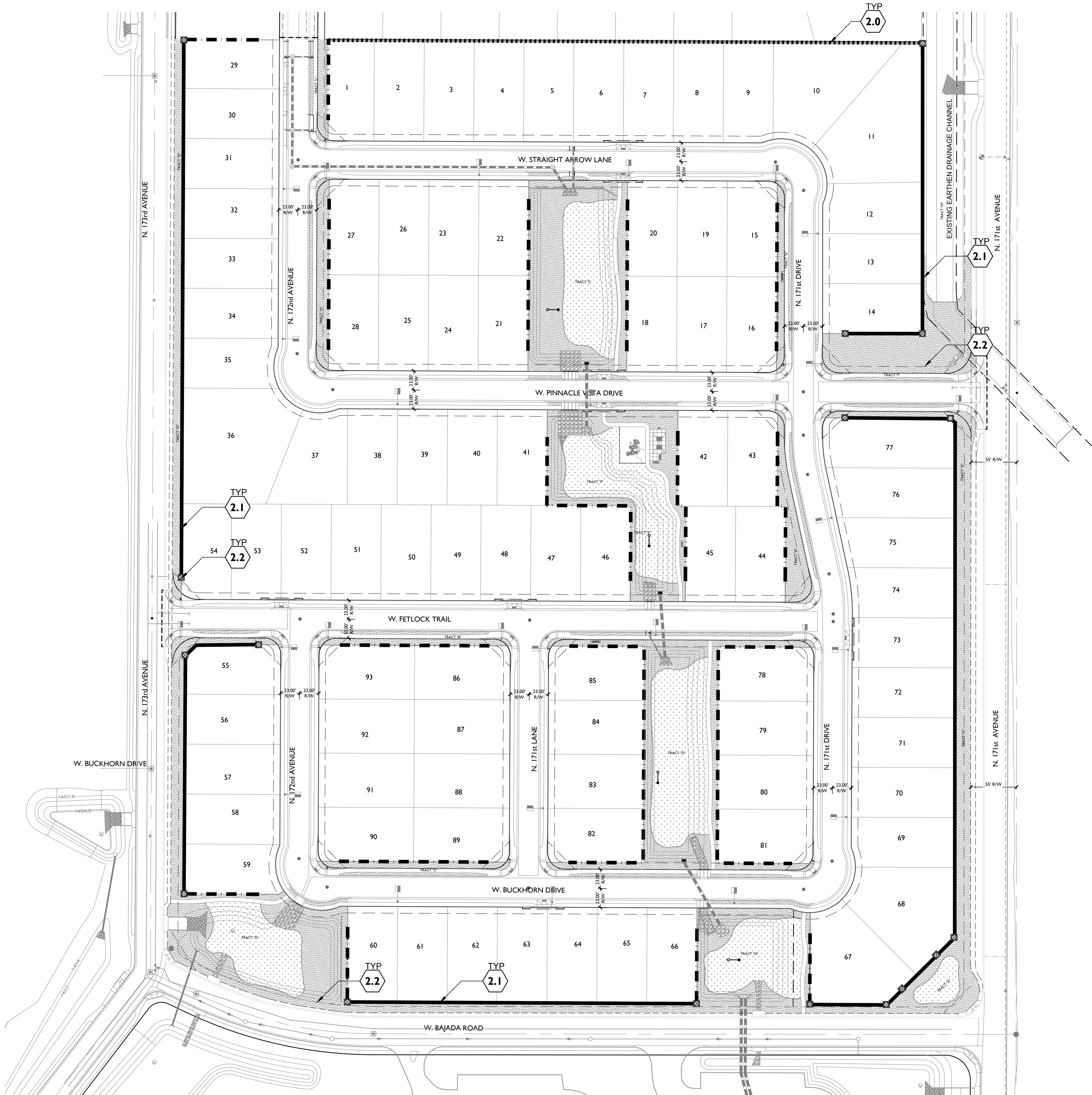


SHEET INDEX

SHEET NUMBERS	SHEET TITLE
L-CS	Cover Sheet
L-0.01 - L-0.02	General Notes & Legends
L-0.03	Landscape Specifications
L-1.01	Sheet Layout Key
L-2.00	Wall Master Plan
L-2.01 - L-2.02	Material and Wall Plan
L-2.03	Material Plan Enlargment
L-3.01 - L-3.07	Hardscape Details
L-4.01 - L-4.06	Planting Plan
L-5.01	Planting Details
L-6.00	Irrigation Specifications
L-6.01	Irrigation Master Plan
L-7.01 - L-7.06	Irrigation Plan
L-8.01	Irrigation Details
L-9.00	Pedestrian Circulation Plan

VICINITY MAP





SITE DETAIL KEYNOTES

PAGE #/DETAIL #

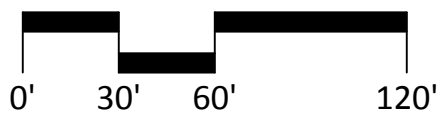
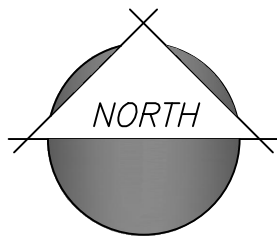
1.0	PAVEMENTS	
1.1	DECOMPOSED GRANITE MULCH	L-3.01/1
1.2	STANDARD CONCRETE PAVING	L-3.01/2,6
1.3	PLAY SAND	L-3.01/3
1.4	CONCRETE HEADER (6" x 12")	L-3.01/4
1.5	CONCRETE HEADER (EXTRUDED)	L-3.01/5
1.6	POURED IN PLACE PLAY SURFACING	L-3.01/7
2.0	WALLS / EMBANKMENTS	
2.0	EXISTING WALL	-
2.1	6' THEME WALL	L-3.02/1-2
2.2	COLUMN TYPE A	L-3.02/3-4
2.3	COLUMN SETBACK	L-3.02/5
2.4	RETAINING WALL	L-3.04/3
2.5	SITE WALL ON RETAINING WALL	L-3.04/4
3.0	MISCELLANEOUS ELEMENTS	
3.0	PRIMARY ENTRY MONUMENT	L-3.03/1-3
3.1	SECONDARY ENTRY MONUMENT	L-3.04/1
3.2	15' x 25' RAMADA	L-3.05/1-4
3.3	MAILBOX	L-3.04/2
3.4	PLAY STRUCTURE	L-3.05/5
3.5	LANDSCAPE BENCH	L-3.06/1
3.6	PICNIC TABLE	L-3.06/2
3.7	BARBEQUE GRILL	L-3.06/4
3.8	TRASH RECEPTACLE	L-3.06/3
3.9	BIKE RACK	L-3.06/5
4.0	PLANTING AND LANDSCAPE	
4.1	TREE PLANTING	L-5.01/1
4.2	TREE PLANTING ON SLOPE	L-5.01/2
4.3	TREE STAKING	L-5.01/3
4.4	SHRUB PLANTING	L-5.01/4
4.5	GROUNDCOVER PLANTING	L-5.01/5
4.6	TURF HYDROSEED PLANTING	L-5.01/6

WALLS LEGEND

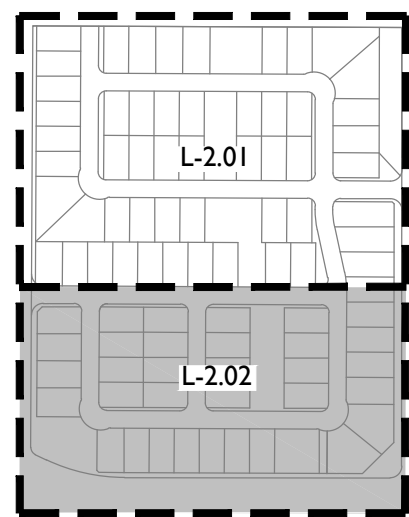
SYMBOL	ITEM
	DECORATIVE COLUMN 'TYPE A'
	6'-0" THEME WALL
	6'-0" BUILDER WALL (FENCE BLOCK STAIN TO MATCH WOODED ACRE 'DE6130')
	EXISTING WALL TO REMAIN (STAIN TO MATCH WOODED ACRE 'DE6130')

HARDSCAPE LEGEND

SYMBOL	ITEM	SIZE
	"Madison Gold" Decomposed Granite or Approved Equal	5/8" Screened 2" Depth, Min.
	Type A - Standard Gray Concrete Paving	See Civil Plan
	Type C - Decorative Paving Integral Color Concrete (Color D) Light Sandblast Finish	
	Play Area Poured-in-Place Surfacing	
	Play Area Sand	
	Landscape Mow Strip (Extruded)	6" x 6"
	Concrete Header (Cast in Place)	6" x 12"

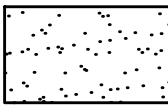
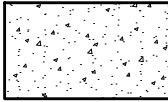
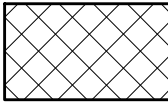
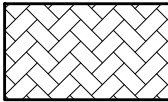
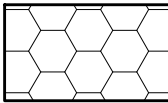
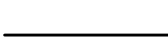


Scale: 1" = 60'-0"

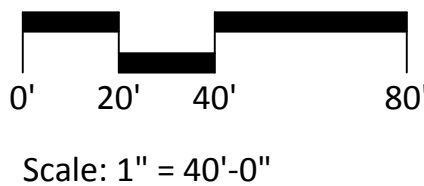
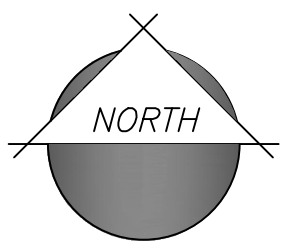


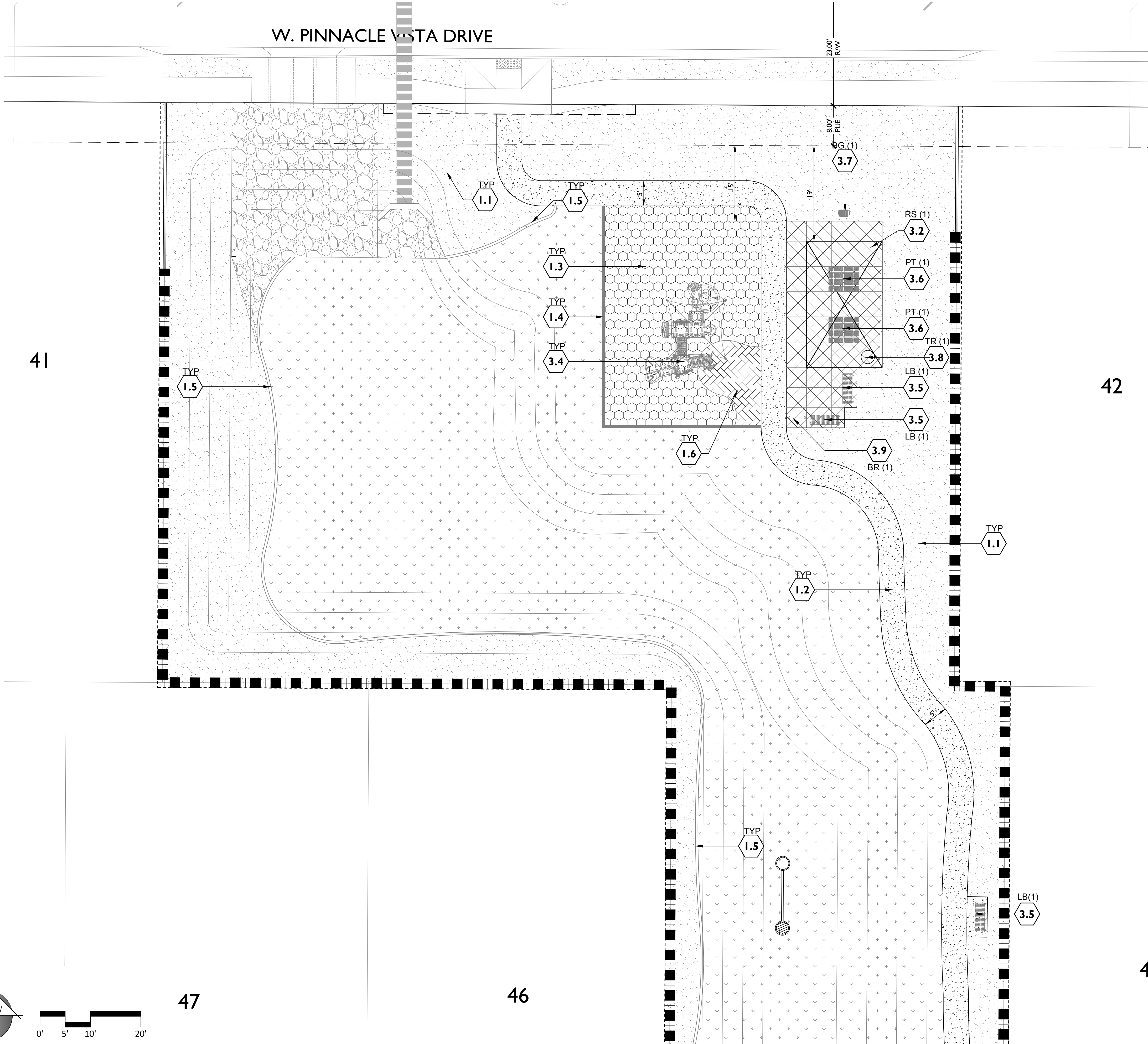
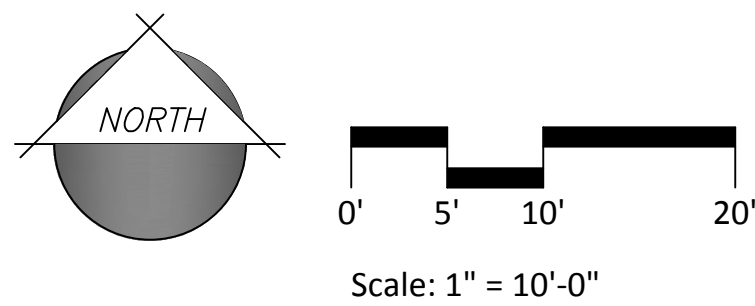
1.0	PAVEMENTS		
	1.1	DECOMPOSED GRANITE PULV	L-3.01/1
	1.2	STANDARD CONCRETE PAVING	L-3.01/2,6
	1.3	PLAY SAND	L-3.01/3
	1.4	CONCRETE HEADER (6" x 12")	L-3.01/4
	1.5	CONCRETE HEADER (EXTRUDED)	L-3.01/5
	1.6	POURED IN PLACE PLAY SURFACING	L-3.01/7
2.0	WALLS / EMBANKMENTS		
	2.0	EXISTING WALL	-
	2.1	6' THEME WALL	L-3.02/1-2
	2.2	COLUMN TYPE A	L-3.02/3-4
	2.3	COLUMN SETBACK	L-3.02/5
	2.4	RETAINING WALL	L-3.04/3
	2.5	SITE WALL ON RETAINING WALL	L-3.04/4
3.0	MISCELLANEOUS ELEMENTS		
	3.0	PRIMARY ENTRY MONUMENT	L-3.03/1-3
	3.1	SECONDARY ENTRY MONUMENT	L-3.04/1
	3.2	15' x 25' RAMADA	L-3.05/1-4
	3.3	MAILBOX	L-3.04/2
	3.4	PLAY STRUCTURE	L-3.05/5
	3.5	LANDSCAPE BENCH	L-3.06/1
	3.6	PICNIC TABLE	L-3.06/2
	3.7	BARBEQUE GRILL	L-3.06/4
	3.8	TRASH RECEPTACLE	L-3.06/3
3.9	BIKE RACK	L-3.06/5	
4.0	PLANTING AND LANDSCAPE		
	4.1	TREE PLANTING	L-5.01/1
	4.2	TREE PLANTING ON SLOPE	L-5.01/2
	4.3	TREE STAKING	L-5.01/3
	4.4	SHRUB PLANTING	L-5.01/4
	4.5	GROUNDCOVER PLANTING	L-5.01/5
	4.6	TURF HYDROSEED PLANTING	L-5.01/6

HARDSCAPE LEGEND

SYMBOL	ITEM	SIZE
	"Madison Gold" Decomposed Granite or Approved Equal	5/8" Screened 2" Depth, Min.
	Type A - Standard Gray Concrete Paving	See Civil Plan
	Type C - Decorative Paving Integral Color Concrete (Color D) Light Sandblast Finish	
	Play Area Poured-in-Place Surfacing	
	Play Area Sand	
	Landscape Mow Strip (Extruded)	6" x 6"
	Concrete Header (Cast in Place)	6" x 12"

WALLS LEGEND	
SYMBOL	ITEM
	DECORATIVE COLUMN 'TYPE A'
	6'-0" THEME WALL
	6'-0" BUILDER WALL (FENCE BLOCK STAIN TO MATCH WOODED ACRE 'DE6130')
	EXISTING WALL TO REMAIN (STAIN TO MATCH WOODED ACRE 'DE6130')





SITE DETAIL KEYNOTES

PAGE #/DETAIL #

1.0	PAVEMENTS	
1.1	DECOMPOSED GRANITE MULCH	L-3.01/1
1.2	STANDARD CONCRETE PAVING	L-3.01/2,6
1.3	PLAY SAND	L-3.01/3
1.4	CONCRETE HEADER (6" x 12")	L-3.01/4
1.5	CONCRETE HEADER (EXTRUDED)	L-3.01/5
1.6	POURED IN PLACE PLAY SURFACING	L-3.01/7
2.0	WALLS / EMBANKMENTS	
2.0	EXISTING WALL	-
2.1	6' THEME WALL	L-3.02/1-2
2.2	COLUMN TYPE A	L-3.02/3-4
2.3	COLUMN SETBACK	L-3.02/5
2.4	RETAINING WALL	L-3.04/3
2.5	SITE WALL ON RETAINING WALL	L-3.04/4
3.0	MISCELLANEOUS ELEMENTS	
3.0	PRIMARY ENTRY MONUMENT	L-3.03/1-3
3.1	SECONDARY ENTRY MONUMENT	L-3.04/1
3.2	15' x 25' RAMADA	L-3.05/1-4
3.3	MAILBOX	L-3.04/2
3.4	PLAY STRUCTURE	L-3.05/5
3.5	LANDSCAPE BENCH	L-3.06/1
3.6	PICNIC TABLE	L-3.06/2
3.7	BARBEQUE GRILL	L-3.06/4
3.8	TRASH RECEPTACLE	L-3.06/3
3.9	BIKE RACK	L-3.06/5
4.0	PLANTING AND LANDSCAPE	
4.1	TREE PLANTING	L-5.01/1
4.2	TREE PLANTING ON SLOPE	L-5.01/2
4.3	TREE STAKING	L-5.01/3
4.4	SHRUB PLANTING	L-5.01/4
4.5	GROUND COVER PLANTING	L-5.01/5
4.6	TURF HYDROSEED PLANTING	L-5.01/6

HARDSCAPE LEGEND

SYMBOL	ITEM	SIZE
	"Madison Gold" Decomposed Granite or Approved Equal	5/8" Screened 2" Depth, Min.
	Type A - Standard Gray Concrete Paving	See Civil Plan
	Type C - Decorative Paving Integral Color Concrete (Color D) Light Sandblast Finish	
	Play Area Poured-in-Place Surfacing	
	Play Area Sand	
	Landscape Mow Strip (Extruded)	6" x 6"
	Concrete Header (Cast in Place)	6" x 12"

WALLS LEGEND

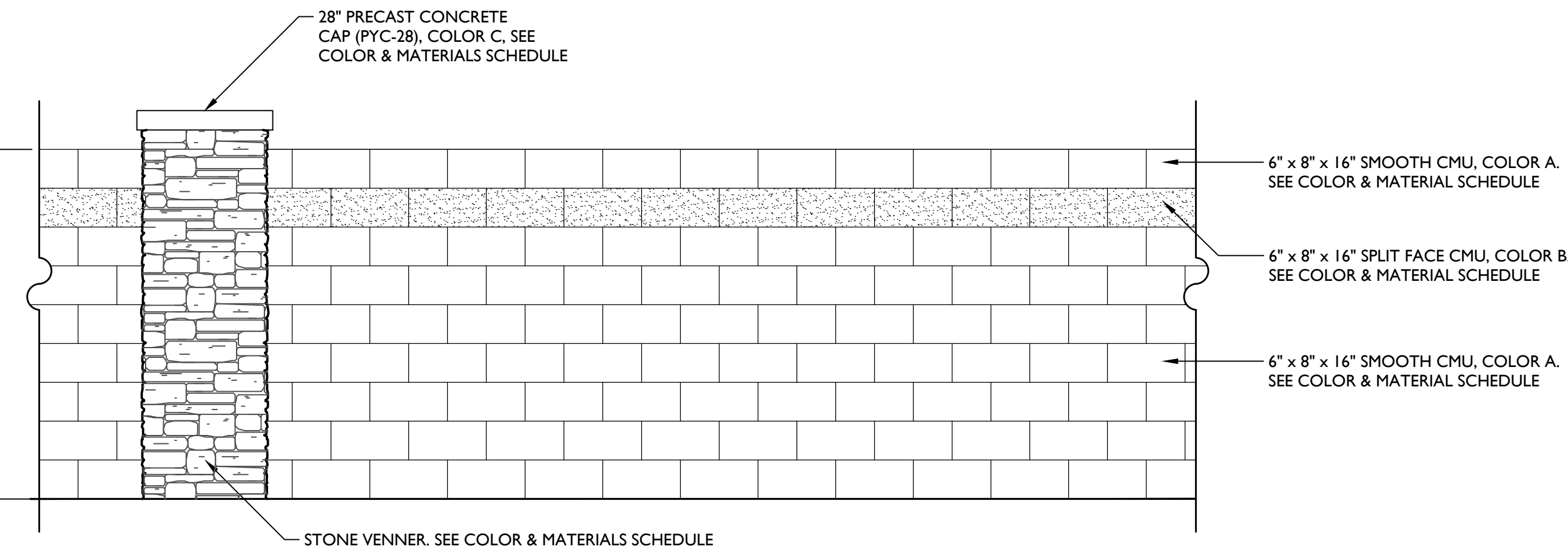
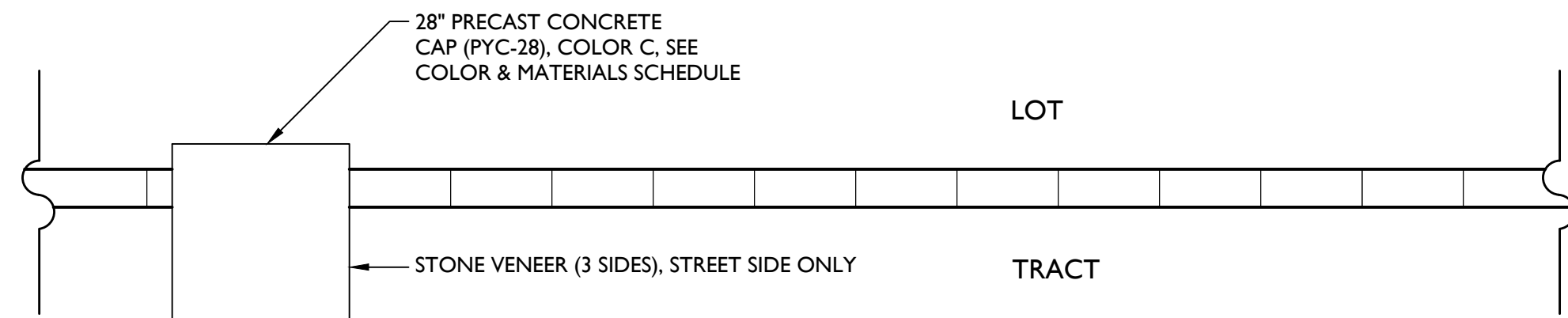
SYMBOL	ITEM
	DECORATIVE COLUMN 'TYPE A'
	6'-0" THEME WALL
	6'-0" BUILDER WALL (FENCE BLOCK STAIN TO MATCH WOODED ACRE 'DE6130')
	EXISTING WALL TO REMAIN (STAIN TO MATCH WOODED ACRE 'DE6130')

SITE FURNISHINGS SCHEDULE

ID	NAME (SERIES)	SIZE (H x W x L)	COLOR
LB	Landscape Bench by Wabash Valley Prestige Series, (Model # PP301P)	6'	Dark Bronze
TR	Trash Receptacle by Wabash Valley (Model # LR300P)	22 Gallon	Dark Bronze
BR	Bicycle Rack by Madrax (Model # CS200-C-IG-P)	3 Loop 5 Bike Capacity	Bronze
PT	Picnic Table by Wabash Valley Prestige Series, (Model # PP200D)	80" SQ.	Bronze
BG	BBQ Grill Dumor (Model # 21)	34" x 21" x 16"	Black
CP	Concret Pot: Oblique Series Planters by Phoenix Precast Products	24" Top Dim.	Brown
PS	By Playworld Systems (Model # 350-1520)	31' x 30.5'	Vanilla Plum, Limon
RS	Ramada by Classic Recreation Systems, (Northwest Model)	15' x 25'	Roof: Dark Bronze Frame: Creme (RAL 9001)
MB	Mailbox by Florence Manfactruring (Model # 1570-16) Decorative Pedestal Cover Column (Vogue Model # P114)	5'-2" x 2.5' x 1.5'	Sandstone

GENERAL NOTES:

- Location of all site furnishings to be determined in the field by Landscape Architect (Refer to the above schedule for sizes, type, quantities and color of furnishings). Refer to Landscape Plan for general location and landscape details for installation information.
- All substitutions must be submitted for approval to the Owner's Representative.

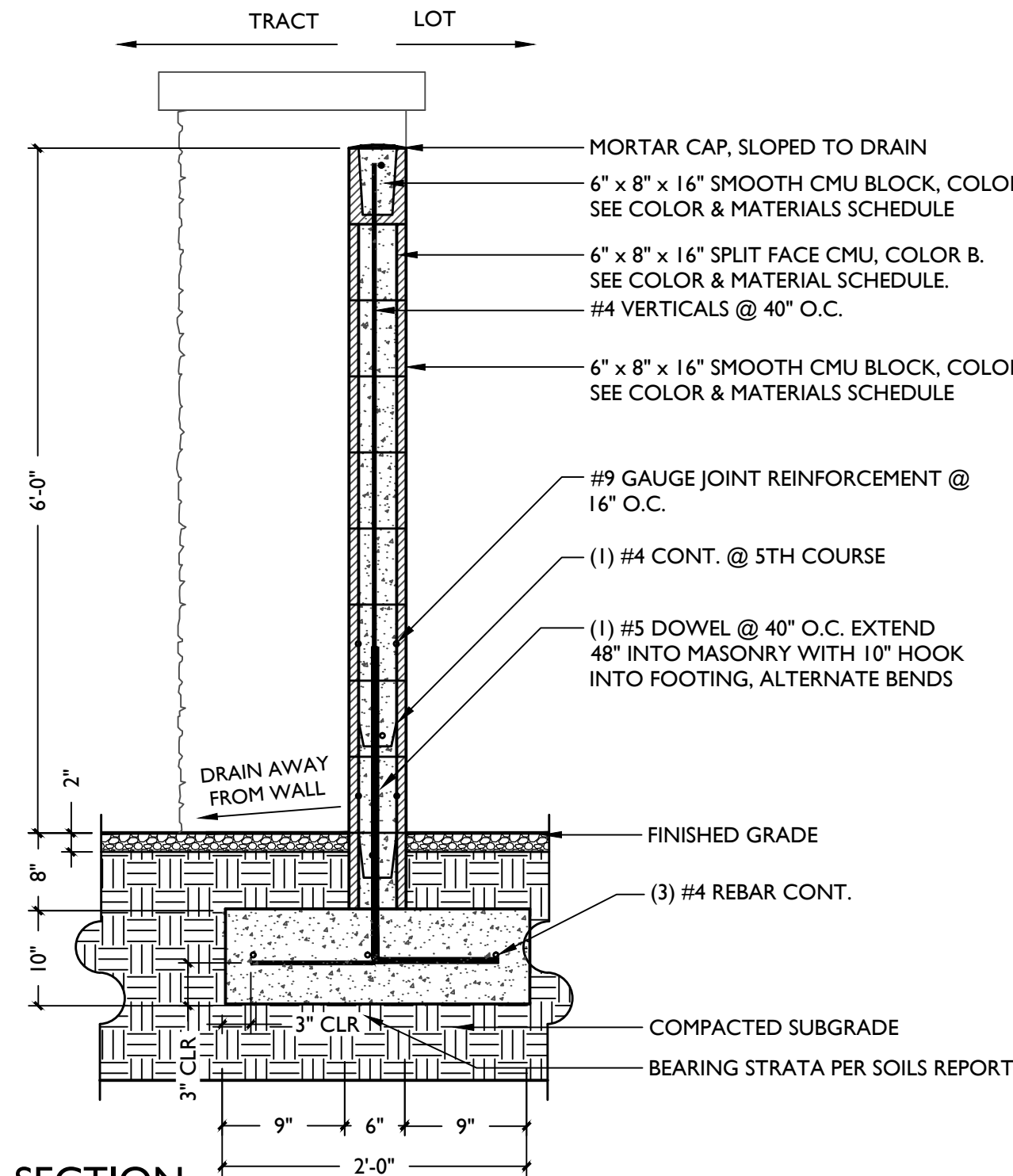
**1 6' THEME WALL**

Scale: 1/2" = 1'-0"

2.1

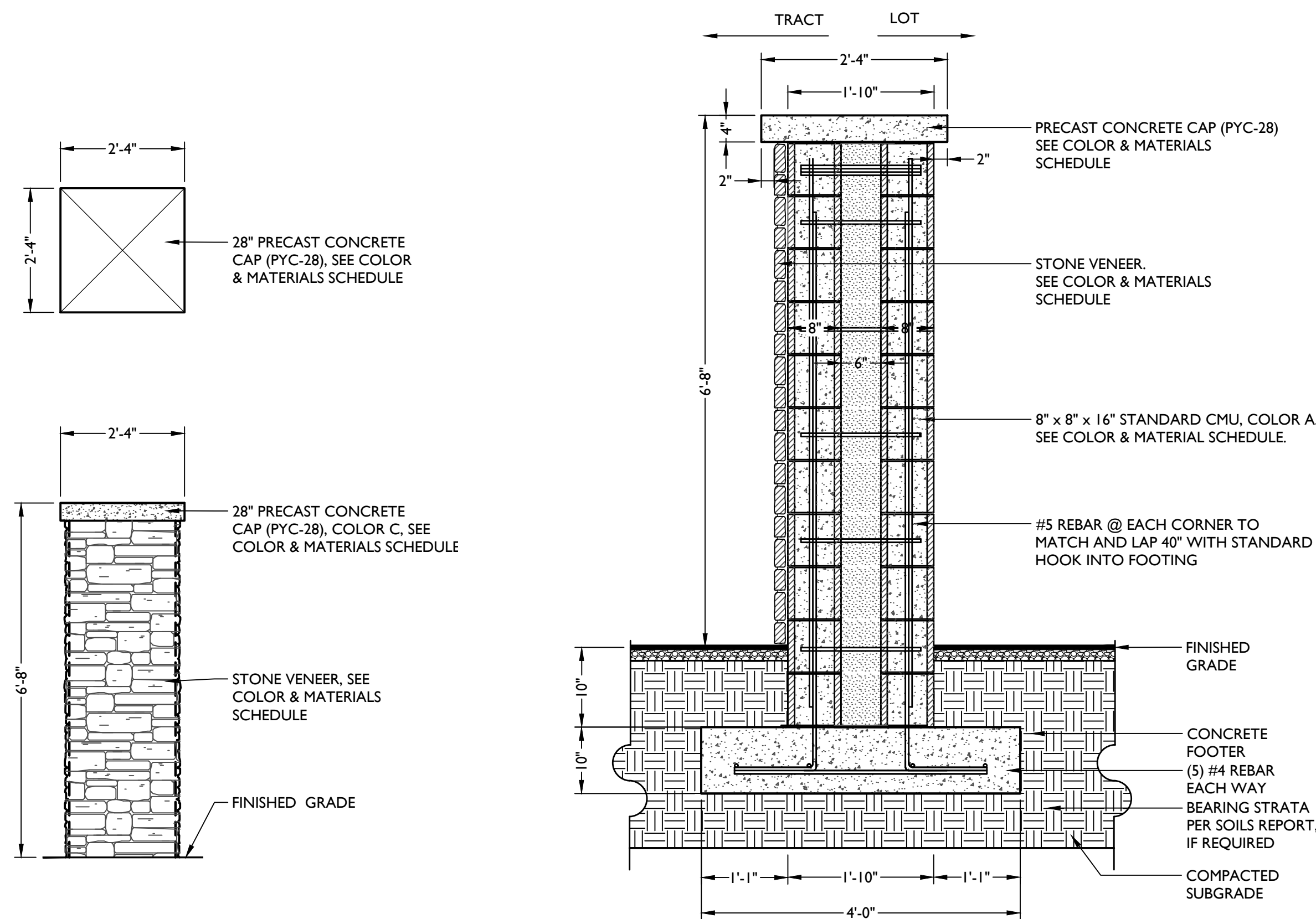
GENERAL NOTES:

1. SOLID GROUT ALL CELLS THAT CONTAIN REINFORCING.
2. HOOK ALL HORIZONTAL REBAR INTO COLUMN WITH 10" HOOK AT ALL 24" SQ. DECORATIVE COLUMN INTERSECTIONS.

**SECTION****2 6' THEME WALL SECTION**

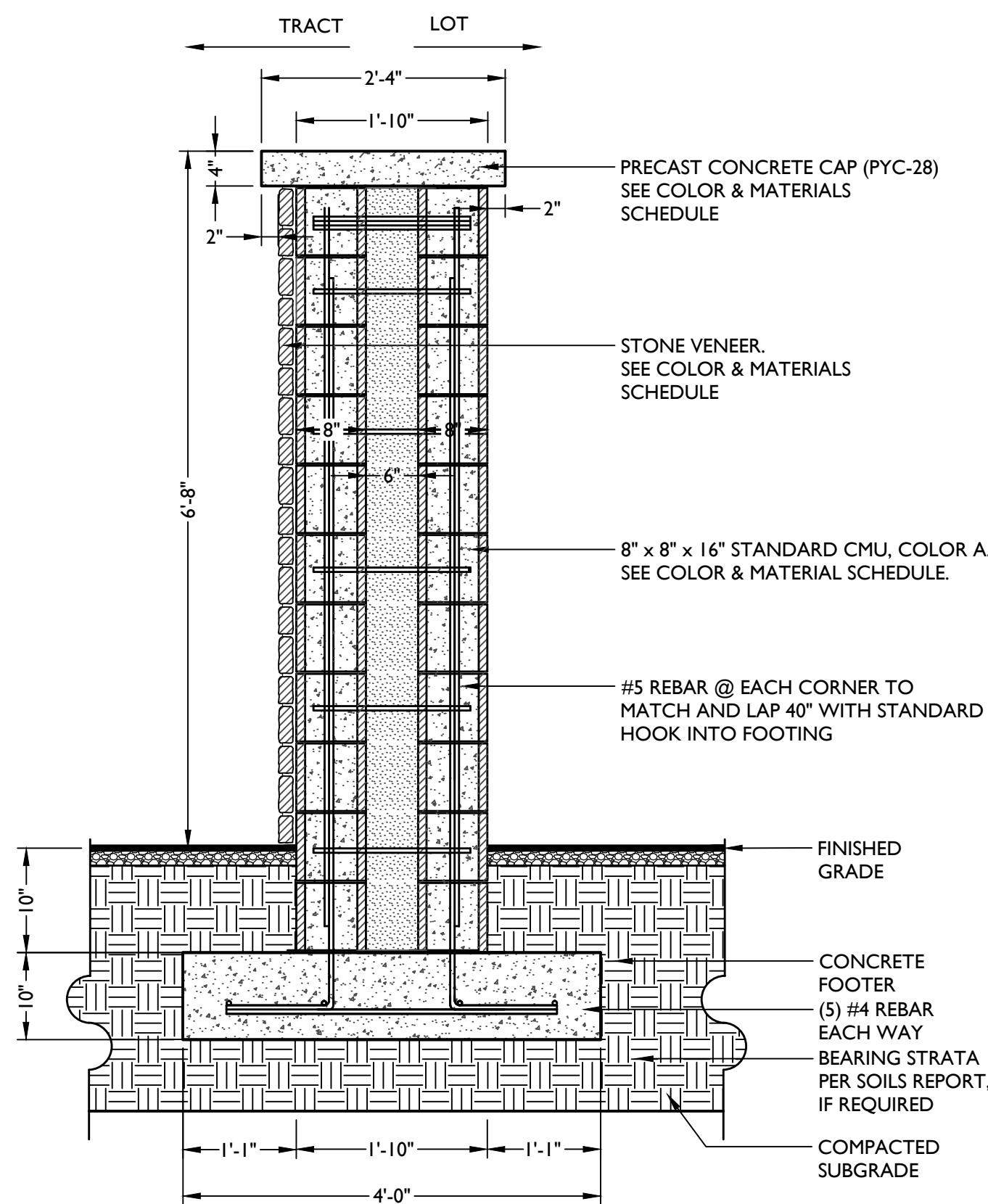
Scale: 3/4" = 1'-0"

2.1

**3 COLUMN TYPE A**

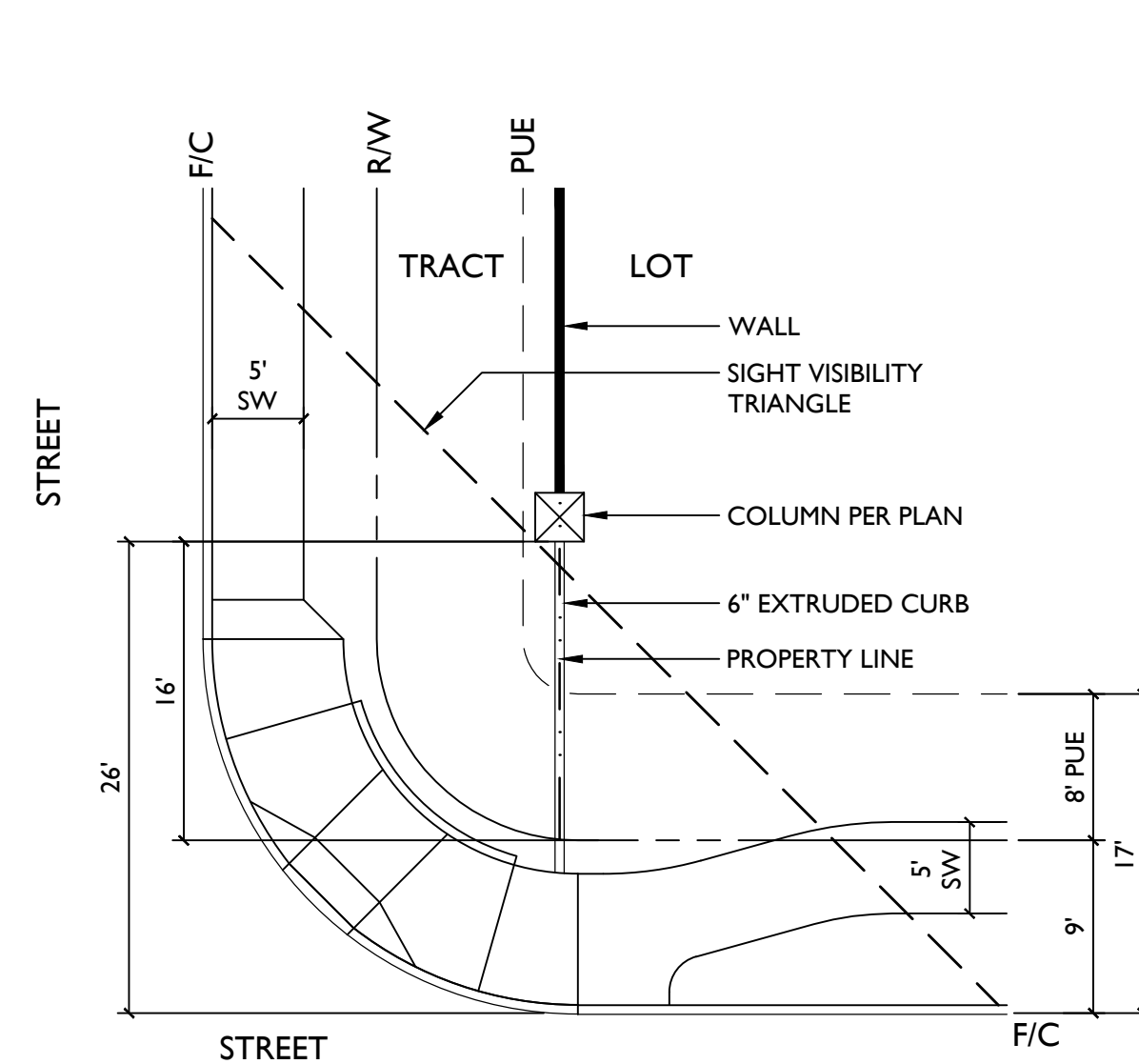
Scale: 1/2" = 1'-0"

2.2

**4 COLUMN TYPE A**

Scale: 3/4" = 1'-0"

2.2

**5 COLUMN SETBACK DETAIL**

Scale: 1" = 10'-0"

SITE DETAIL KEYNOTES

PAGE #/DETAIL #

1.0 PAVEMENTS

- | | | |
|-----|--------------------------------|------------|
| 1.1 | DECOMPOSED GRANITE MULCH | L-3.01/1 |
| 1.2 | STANDARD CONCRETE PAVING | L-3.01/2,6 |
| 1.3 | PLAY SAND | L-3.01/3 |
| 1.4 | CONCRETE HEADER (6" x 12") | L-3.01/4 |
| 1.5 | CONCRETE HEADER (EXTRUDED) | L-3.01/5 |
| 1.6 | POURED IN PLACE PLAY SURFACING | L-3.01/7 |

2.0 WALLS / EMBANKMENTS

- | | | |
|-----|-----------------------------|------------|
| 2.0 | EXISTING WALL | - |
| 2.1 | 6' THEME WALL | L-3.02/1-2 |
| 2.2 | COLUMN TYPE A | L-3.02/3-4 |
| 2.3 | COLUMN SETBACK | L-3.02/5 |
| 2.4 | RETAINING WALL | L-3.04/3 |
| 2.5 | SITE WALL ON RETAINING WALL | L-3.04/4 |

3.0 MISCELLANEOUS ELEMENTS

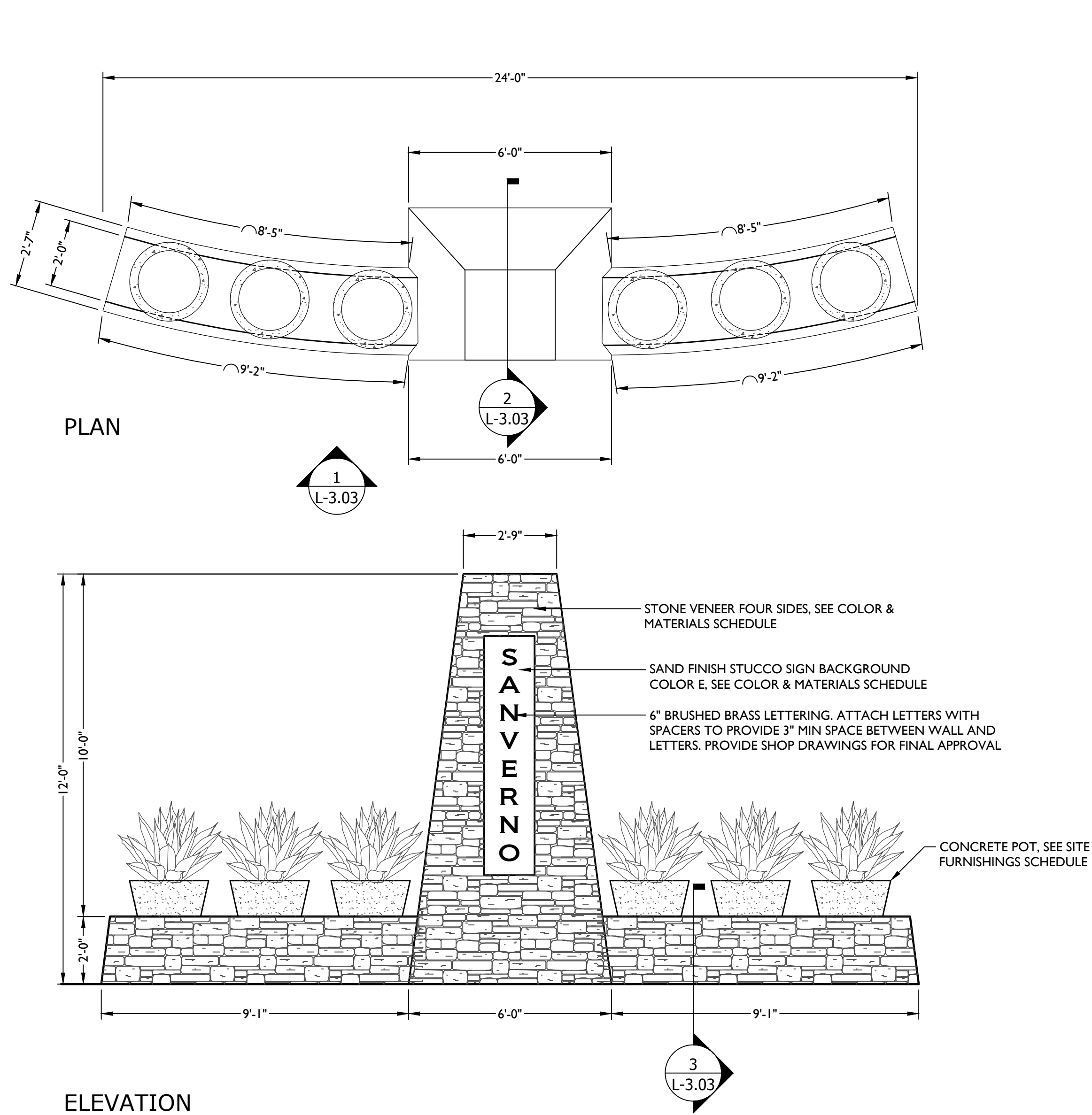
- | | | |
|-----|--------------------------|------------|
| 3.0 | PRIMARY ENTRY MONUMENT | L-3.03/1-3 |
| 3.1 | SECONDARY ENTRY MONUMENT | L-3.04/1 |
| 3.2 | 15' x 25' RAMADA | L-3.05/1-4 |
| 3.3 | MAILBOX | L-3.04/2 |
| 3.4 | PLAY STRUCTURE | L-3.05/5 |
| 3.5 | LANDSCAPE BENCH | L-3.06/1 |
| 3.6 | PICNIC TABLE | L-3.06/2 |
| 3.7 | BARBEQUE GRILL | L-3.06/4 |
| 3.8 | TRASH RECEPTACLE | L-3.06/3 |
| 3.9 | BIKE RACK | L-3.06/5 |

4.0 PLANTING AND LANDSCAPE

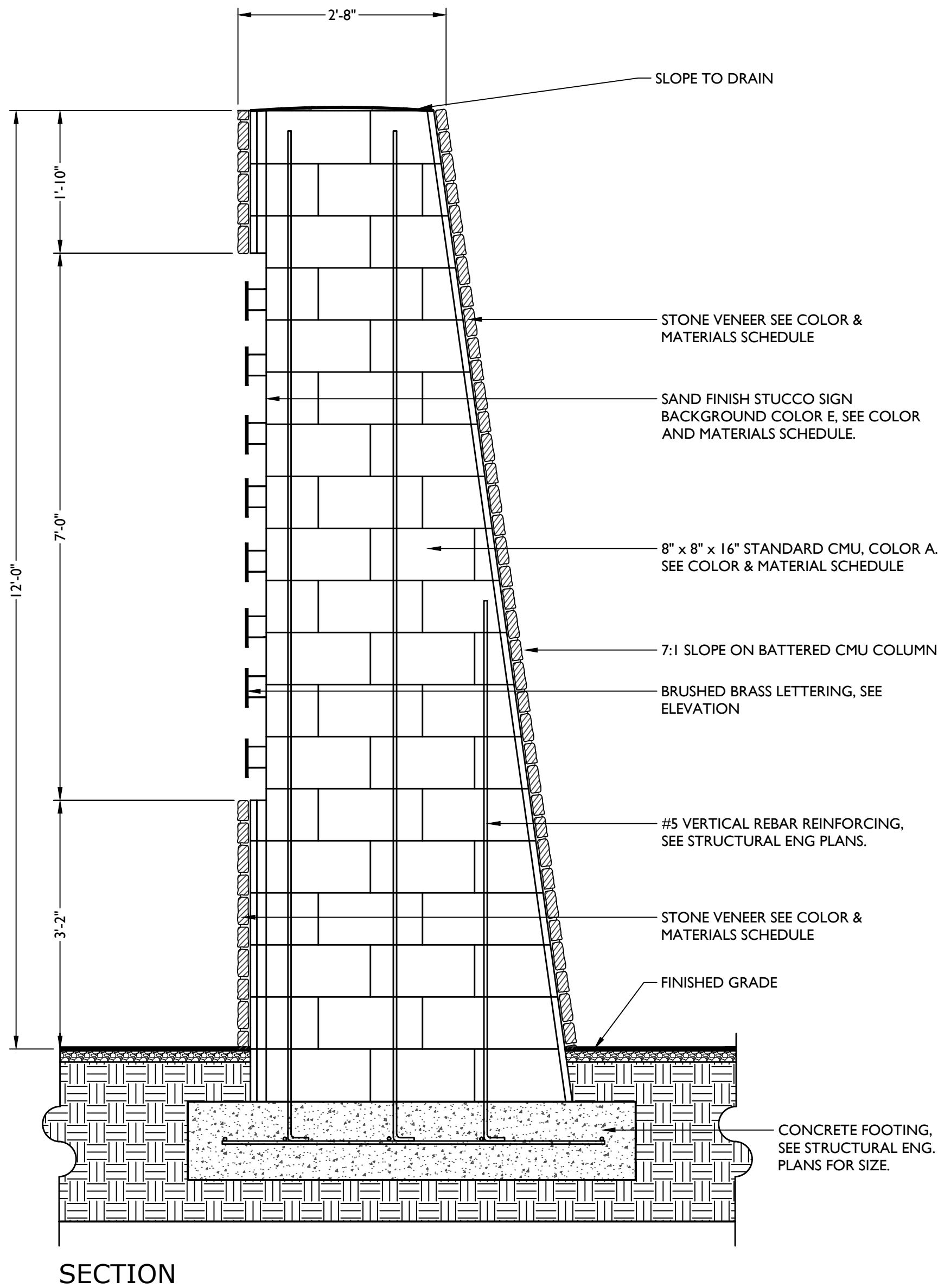
- | | | |
|-----|-------------------------|----------|
| 4.1 | TREE PLANTING | L-5.01/1 |
| 4.2 | TREE PLANTING ON SLOPE | L-5.01/2 |
| 4.3 | TREE STAKING | L-5.01/3 |
| 4.4 | SHRUB PLANTING | L-5.01/4 |
| 4.5 | GROUND COVER PLANTING | L-5.01/5 |
| 4.6 | TURF HYDROSEED PLANTING | L-5.01/6 |

COLOR & MATERIALS SCHEDULE

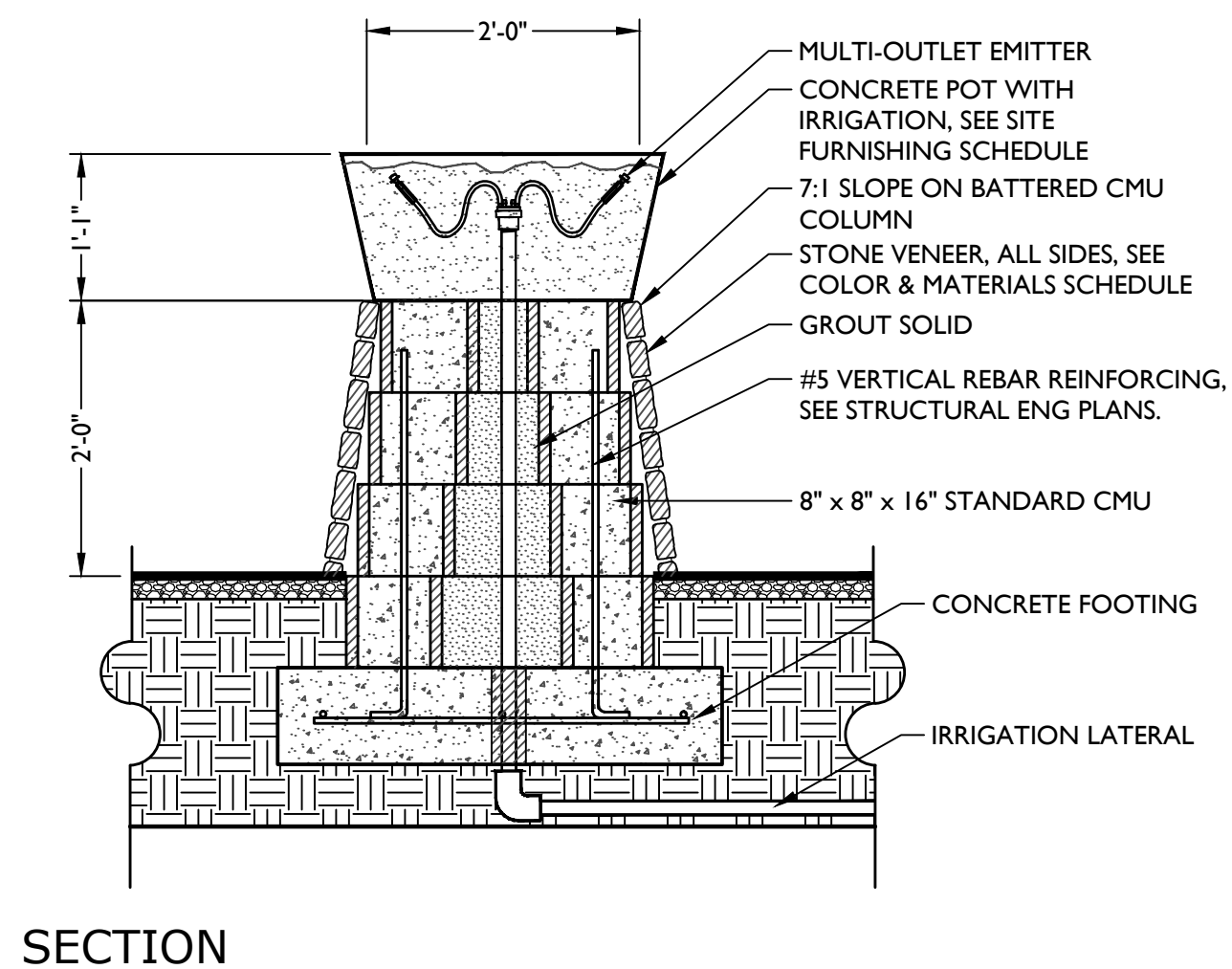
ITEM	COLOR & MANUFACTURER
COLOR A (CMU)	STANDARD CMU BLOCK STAINED TO MATCH WOODED ACRE 'DE6130' BY DUNN EDWARDS
COLOR B (CMU)	SPLIT FACE CMU BLOCK STAINED TO MATCH WOODED ACRE 'DE6130' BY DUNN EDWARDS
COLOR C (CONCRETE)	NATURAL GRAY CONCRETE
COLOR D (CONCRETE)	LIGHT SAND BLAST FINISH, INTEGRAL COLORED CONCRETE, COLOR: COCOA 6130
COLOR E (STUCCO)	SAND DUNE 'DE6128' BY DUNN EDWARDS, OR APPROVED EQUAL
PRECAST CAP	COLUMN PIER CAP (PYC-28) BY MESA PRECAST, STAINED TO MATCH COLOR: 'SW6103'
STONE VENEER	MOUNTAIN STRIP STONE BY CORONADO, DRYSTACKED LEDGESTONE. COLOR - CHABLIS W/ 1/2" MORTAR JOINTS
RAMADA ROOF	HR-36; COLOR COOL DARK BRONZE OR EQUAL
PLAY SURFACE	DOUBLE WASH MORTAR SAND. EQUAL TO 100 - 250 MICRONS IN SIZE.
PLAY SURFACE	SAFETY SURFACING, BY TOT TURF. 50% RED, 50 % BLACK
SIGN LETTERING	BRUSHED BRASS LETTERING



1 PRIMARY ENTRY MONUMENT
Scale: 3/8" = 1'-0"



2 PRIMARY ENTRY MONUMENT COLUMN SECTION
Scale: 3/4" = 1'-0"



3 MONUMENT PLANTER BENCH SECTION
Scale: 3/4" = 1'-0"

1.0	PAVEMENTS	
1.1	DECOMPOSED GRANITE MULCH	L-3.01/1
1.2	STANDARD CONCRETE PAVING	L-3.01/2,6
1.3	PLAY SAND	L-3.01/3
1.4	CONCRETE HEADER (6" x 12")	L-3.01/4
1.5	CONCRETE HEADER (EXTRUDED)	L-3.01/5
1.6	POURED IN PLACE PLAY SURFACING	L-3.01/7
2.0	WALLS / EMBANKMENTS	
2.0	EXISTING WALL	-
2.1	6' THEME WALL	L-3.02/1-2
2.2	COLUMN TYPE A	L-3.02/3-4
2.3	COLUMN SETBACK	L-3.02/5
2.4	RETAINING WALL	L-3.04/3
2.5	SITE WALL ON RETAINING WALL	L-3.04/4
3.0	MISCELLANEOUS ELEMENTS	
3.0	PRIMARY ENTRY MONUMENT	L-3.03/1-3
3.1	SECONDARY ENTRY MONUMENT	L-3.04/1
3.2	15' x 25' RAMADA	L-3.05/1-4
3.3	MAILBOX	L-3.04/2
3.4	PLAY STRUCTURE	L-3.05/5
3.5	LANDSCAPE BENCH	L-3.06/1
3.6	PICNIC TABLE	L-3.06/2
3.7	BARBEQUE GRILL	L-3.06/4
3.8	TRASH RECEPTACLE	L-3.06/3
3.9	BIKE RACK	L-3.06/5
4.0	PLANTING AND LANDSCAPE	
4.1	TREE PLANTING	L-5.01/1
4.2	TREE PLANTING ON SLOPE	L-5.01/2
4.3	TREE STAKING	L-5.01/3
4.4	SHRUB PLANTING	L-5.01/4
4.5	GROUND COVER PLANTING	L-5.01/5
4.6	TURF HYDROSEED PLANTING	L-5.01/6

COLOR & MATERIALS SCHEDULE

ITEM	COLOR & MANUFACTURER
COLOR A (CMU)	STANDARD CMU BLOCK STAINED TO MATCH WOODED ACRE 'DE6130' BY DUNN EDWARDS
COLOR B (CMU)	SPLIT FACE CMU BLOCK STAINED TO MATCH WOODED ACRE 'DE6130' BY DUNN EDWARDS
COLOR C (CONCRETE)	NATURAL GRAY CONCRETE
COLOR D (CONCRETE)	LIGHT SAND BLAST FINISH, INTEGRAL COLORED CONCRETE, COLOR: COCOA 6130
COLOR E (STUCCO)	SAND DUNE 'DE6128' BY DUNN EDWARDS, OR APPROVED EQUAL
PRECAST CAP	COLUMN PIER CAP (PYC-28) BY MESA PRECAST, STAINED TO MATCH COLOR: 'SW6103'
STONE VENEER	MOUNTAIN STRIP STONE BY CORONADO, DRYSTACKED LEDGESTONE. COLOR - CHABLIS W/ 1/2" MORTAR JOINTS
RAMADA ROOF	HR-36; COLOR COOL DARK BRONZE OR EQUAL
PLAY SURFACE	DOUBLE WASH MORTAR SAND. EQUAL TO 100 - 250 MICRONS IN SIZE.
PLAY SURFACE	SAFETY SURFACING, BY TOT TURF. 50% RED, 50 % BLACK
SIGN LETTERING	BRUSHED BRASS LETTERING

2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

EPS GROUP

Project: **SANVERNO**
Surprise, Arizona

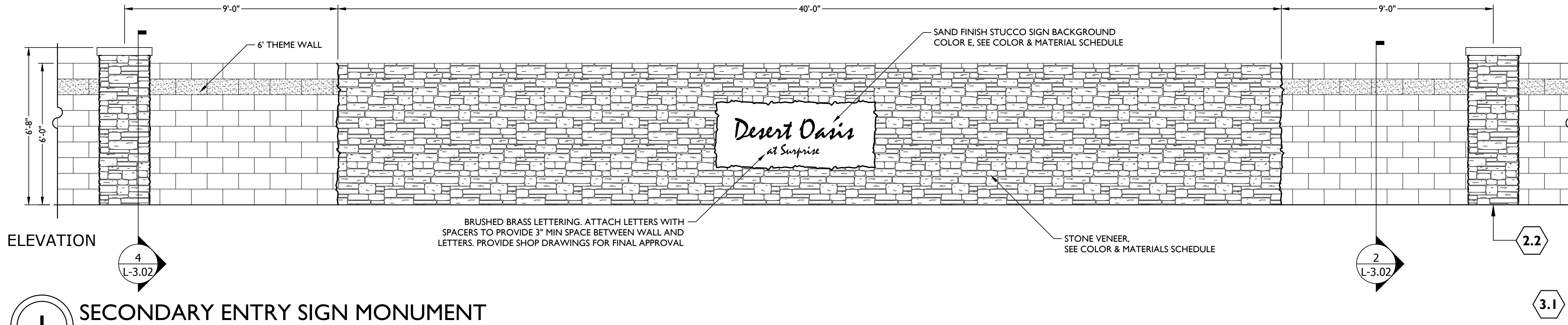
Revisions:

1ST CD SUBMITTAL - 05/05/2015	
2ND CD SUBMITTAL - 07/22/2015	
3RD CD SUBMITTAL - 08/14/2015	

Call at least two full working days before you begin excavation.

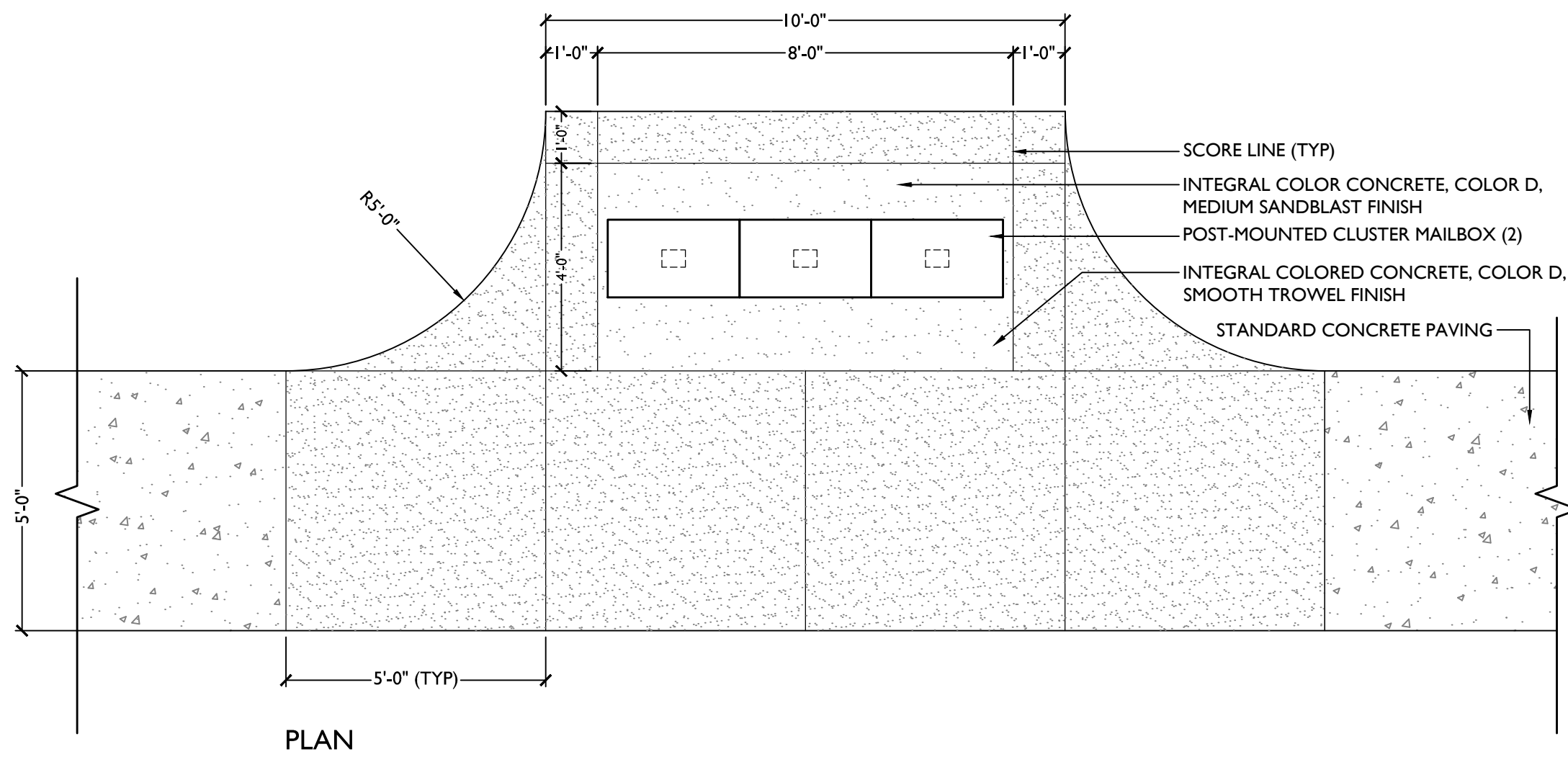
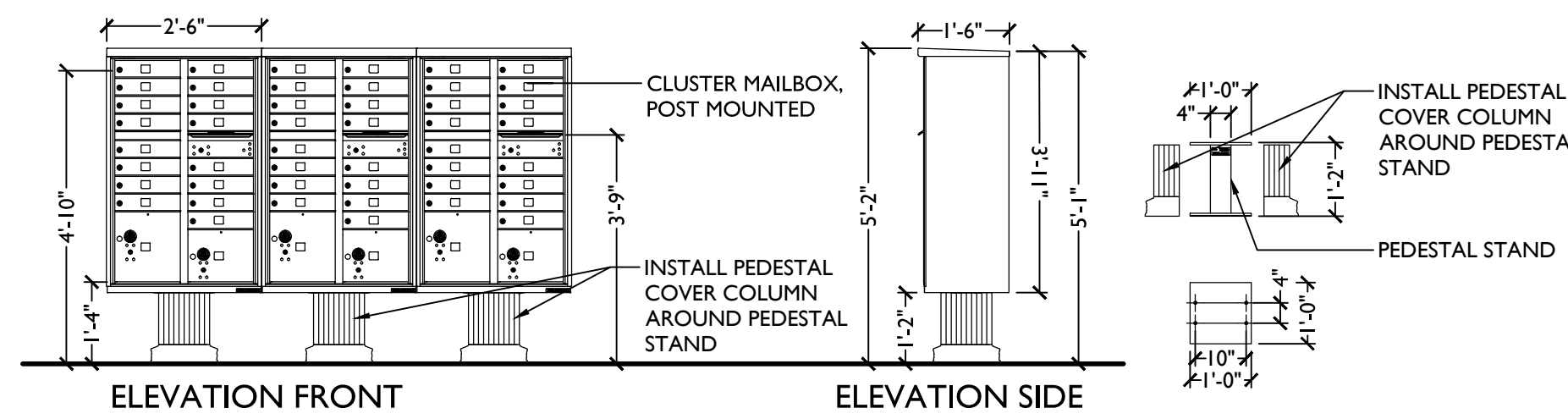
ARIZONA
REGISTERED LANDSCAPE ARCHITECT
45568
ALIZA E. SABIN
Expires 12/31/15

Job No. **15-108**
CONSTRUCTION DOCUMENTATION
Sheet No. **L-3.03**
12 of 32



1 SECONDARY ENTRY SIGN MONUMENT

Scale: 3/8" = 1'-0"

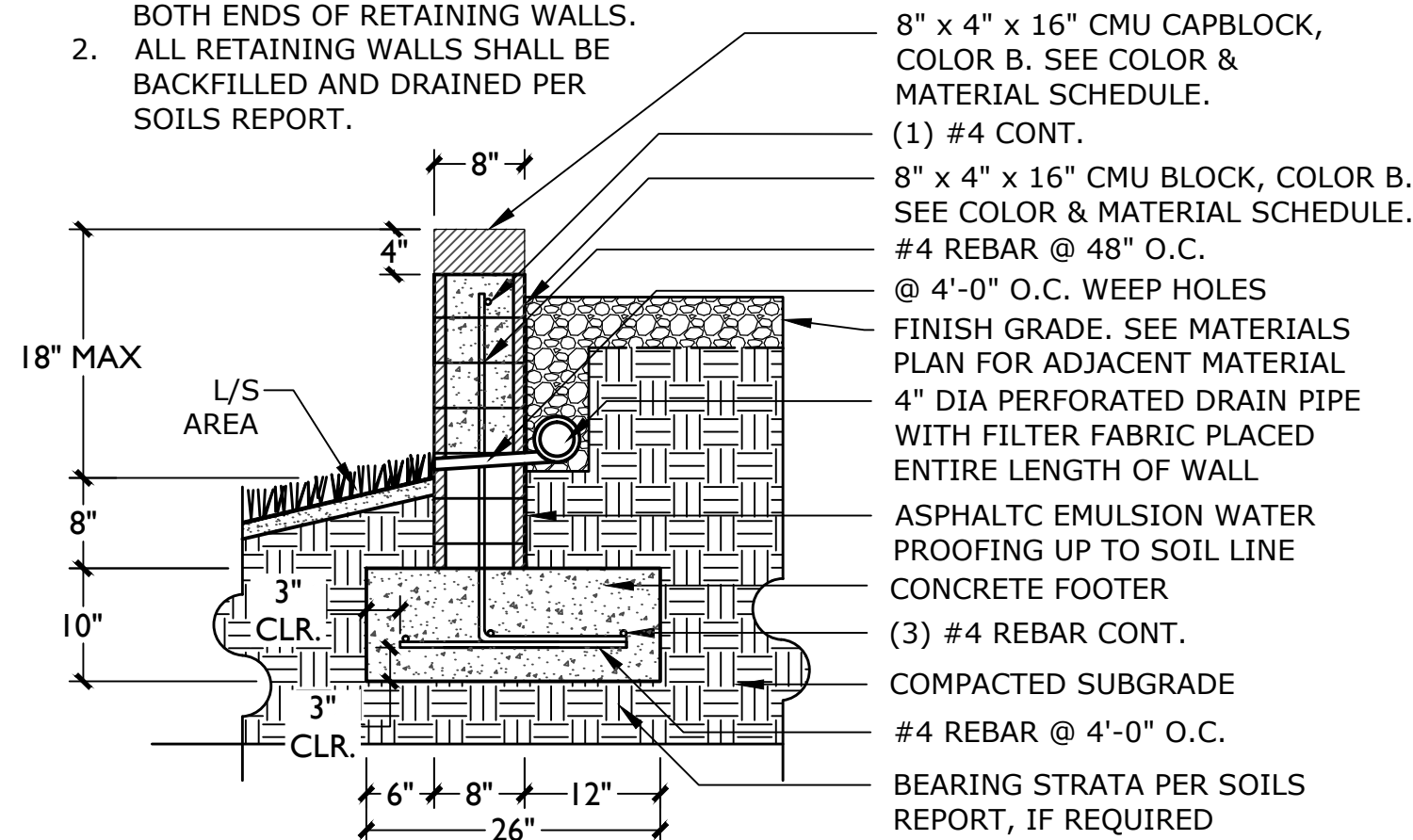


2 MAILBOX

Scale: 3/8" = 1'-0"

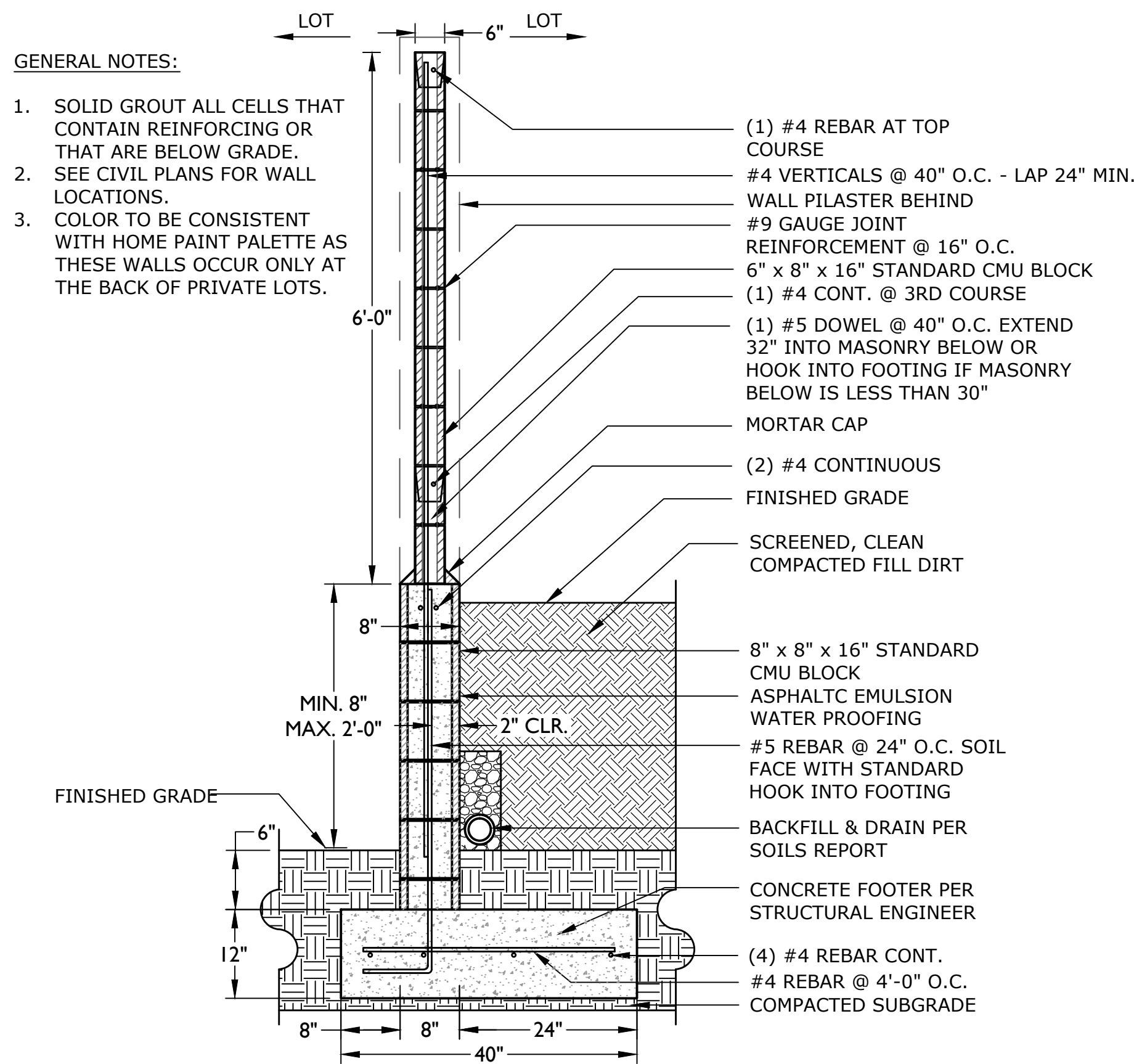
GENERAL NOTES:

1. WRAP ASSOCIATED MATERIALS AT BOTH ENDS OF RETAINING WALLS.
2. ALL RETAINING WALLS SHALL BE BACKFILLED AND DRAINED PER SOILS REPORT.



3 RETAINING WALL

Scale: 3/4" = 1'-0"



4 SITE WALL ON RETAINING WALL

Scale: 3/4" = 1'-0"

SITE DETAIL KEYNOTES

PAGE #/DETAIL #

1.0	PAVEMENTS	
1.1	DECOMPOSED GRANITE MULCH	L-3.01/1
1.2	STANDARD CONCRETE PAVING	L-3.01/2,6
1.3	PLAY SAND	L-3.01/3
1.4	CONCRETE HEADER (6" x 12")	L-3.01/4
1.5	CONCRETE HEADER (EXTRUDED)	L-3.01/5
1.6	POURED IN PLACE PLAY SURFACING	L-3.01/7
2.0	WALLS / EMBANKMENTS	
2.0	EXISTING WALL	-
2.1	6' THEME WALL	L-3.02/1-2
2.2	COLUMN TYPE A	L-3.02/3-4
2.3	COLUMN SETBACK	L-3.02/5
2.4	RETAINING WALL	L-3.04/3
2.5	SITE WALL ON RETAINING WALL	L-3.04/4
3.0	MISCELLANEOUS ELEMENTS	
3.0	PRIMARY ENTRY MONUMENT	L-3.03/1-3
3.1	SECONDARY ENTRY MONUMENT	L-3.04/1
3.2	15' x 25' RAMADA	L-3.05/1-4
3.3	MAILBOX	L-3.04/2
3.4	PLAY STRUCTURE	L-3.05/5
3.5	LANDSCAPE BENCH	L-3.06/1
3.6	PICNIC TABLE	L-3.06/2
3.7	BARBEQUE GRILL	L-3.06/4
3.8	TRASH RECEPTACLE	L-3.06/3
3.9	BIKE RACK	L-3.06/5
4.0	PLANTING AND LANDSCAPE	
4.1	TREE PLANTING	L-5.01/1
4.2	TREE PLANTING ON SLOPE	L-5.01/2
4.3	TREE STAKING	L-5.01/3
4.4	SHRUB PLANTING	L-5.01/4
4.5	GROUND COVER PLANTING	L-5.01/5
4.6	TURF HYDROSEED PLANTING	L-5.01/6

COLOR & MATERIALS SCHEDULE

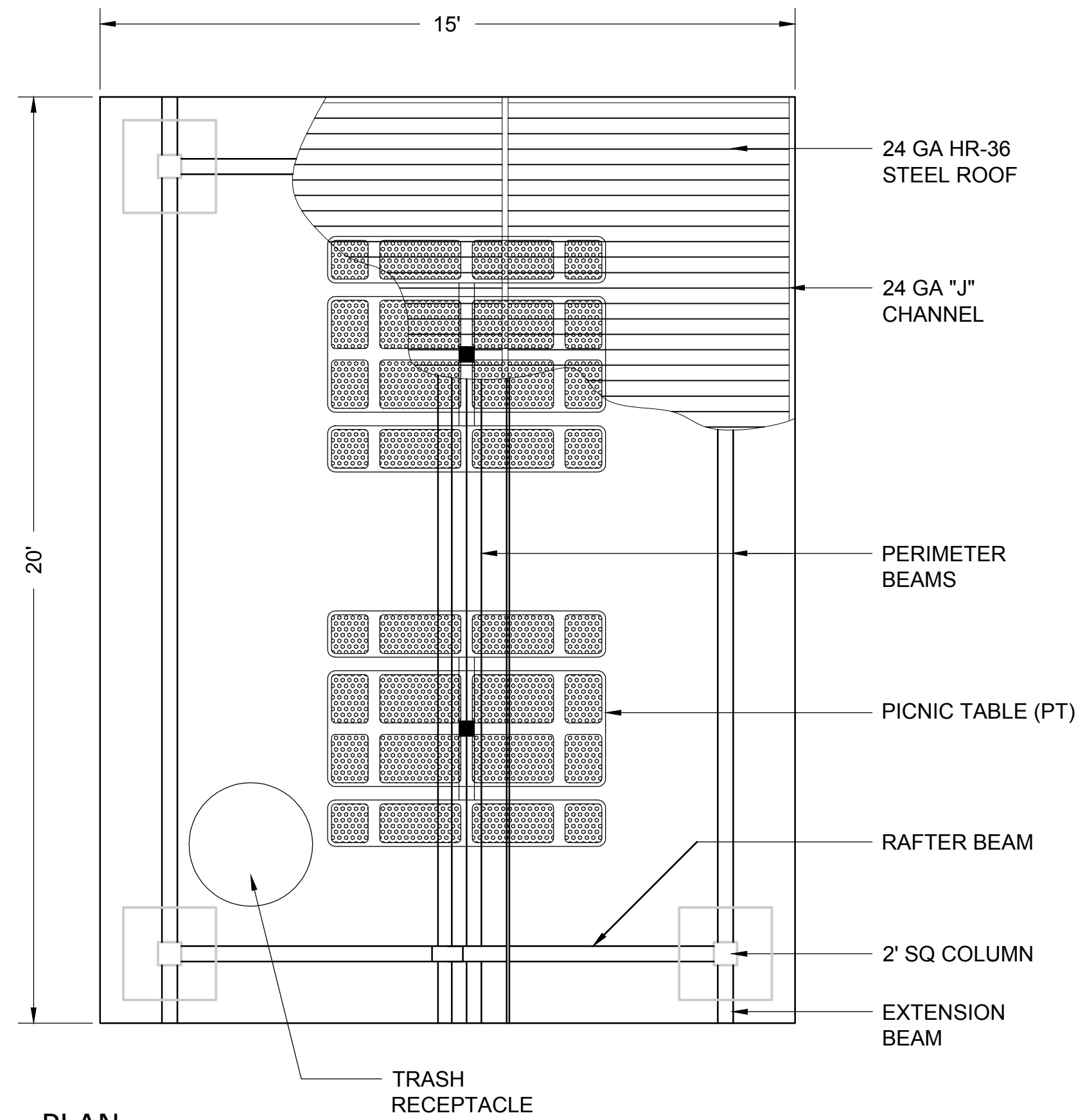
ITEM	COLOR & MANUFACTURER
COLOR A (CMU)	STANDARD CMU BLOCK STAINED TO MATCH WOODED ACRE 'DE6130' BY DUNN EDWARDS
COLOR B (CMU)	SPLIT FACE CMU BLOCK STAINED TO MATCH WOODED ACRE 'DE6130' BY DUNN EDWARDS
COLOR C (CONCRETE)	NATURAL GRAY CONCRETE
COLOR D (CONCRETE)	LIGHT SAND BLAST FINISH, INTEGRAL COLORED CONCRETE, COLOR: COCOA 6130
COLOR E (STUCCO)	SAND DUNE 'DE6128' BY DUNN EDWARDS, OR APPROVED EQUAL
PRECAST CAP	COLUMN PIER CAP (PYC-28) BY MESA PRECAST, STAINED TO MATCH COLOR: 'SW6103'
STONE VENEER	MOUNTAIN STRIP STONE BY CORONADO, DRYSTACKED LEDGESTONE. COLOR - CHABLIS W/ 1/2" MORTAR JOINTS
RAMADA ROOF	HR-36; COLOR COOL DARK BRONZE OR EQUAL
PLAY SURFACE	DOUBLE WASH MORTAR SAND. EQUAL TO 100 - 250 MICRONS IN SIZE.
PLAY SURFACE	SAFETY SURFACING, BY TOT TURF. 50% RED, 50 % BLACK
SIGN LETTERING	BRUSHED BRASS LETTERING

SITE FURNISHINGS SCHEDULE

ID	NAME (SERIES)	SIZE (H x W x L)	COLOR
LB	Landscape Bench by Wabash Valley Prestige Series, (Model # PP301P)	6'	Dark Bronze
TR	Trash Receptacle by Wabash Valley (Model # LR300P)	22 Gallon	Dark Bronze
BR	Bicycle Rack by Madrax (Model # CS200-C-IG-P)	3 Loop 5 Bike Capacity	Bronze
PT	Picnic Table by Wabash Valley Prestige Series, (Model # PP200D)	80" SQ.	Bronze
BG	BBQ Grill Dumor (Model # 21)	34" x 21" x 16"	Black
CP	Concret Pot: Oblique Series Planters by Phoenix Precast Products	24" Top Dim.	Brown
PS	By Playworld Systems (Model # 350-1520)	31' x 30.5'	Vanilla Plum, Limon
RS	Ramada by Classic Recreation Systems. (Northwest Model)	15' x 25'	Roof: Dark Bronze Frame: Creme (RAL 9001)
MB	Mailbox by Florence Manufacturing (Model # 1570-16) Decorative Pedestal Cover Column (Vogue Model # P114)	5'-2" x 2.5' x 1.5'	Sandstone

GENERAL NOTES:

1. Location of all site furnishings to be determined in the field by Landscape Architect (Refer to the above schedule for sizes, type, quantities and color of furnishings). Refer to Landscape Plan for general location and landscape details for installation information.
2. All substitutions must be submitted for approval to the Owner's Representative.

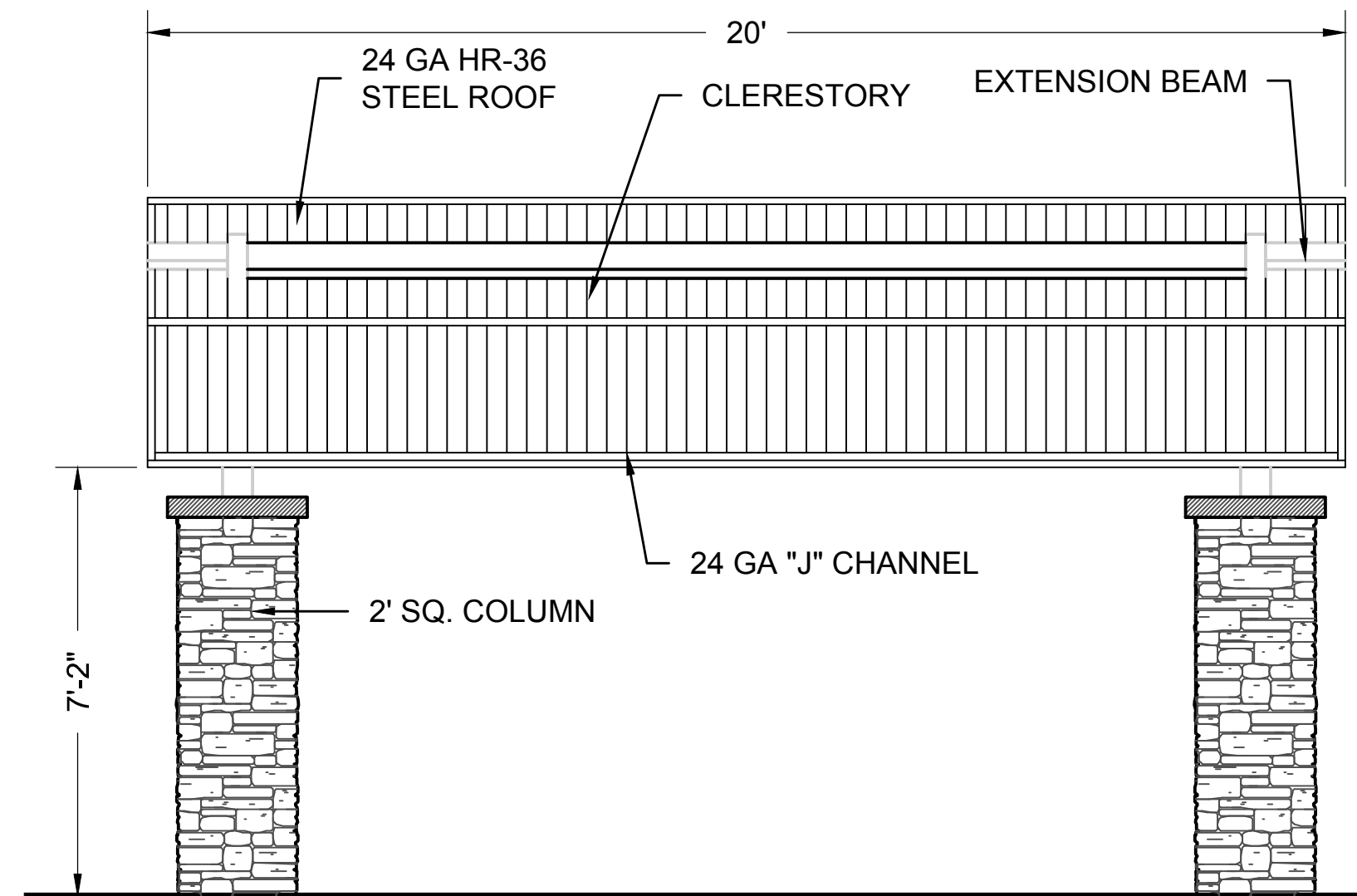


PLAN

 15' x 25' RAMADA

Scale: $\frac{3}{8}" = 1'-0"$

3.2

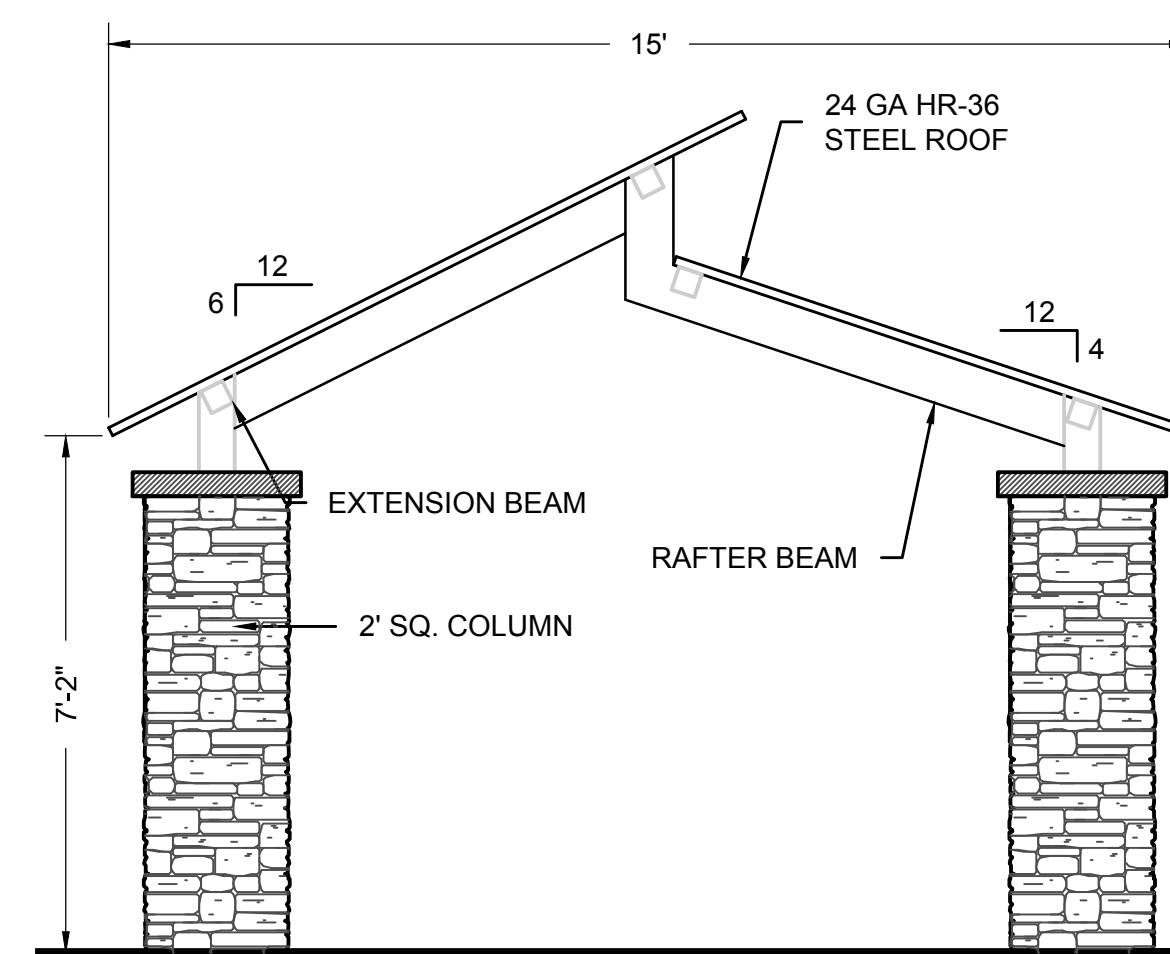


FRONT ELEVATION

15' x 25' RAMADA

Scale: $\frac{3}{8}'' = 1'-0''$

3.2



SIDE ELEVATION

15' x 25' RAMADA

Scale: $\frac{3}{8}'' = 1'-0''$

3.

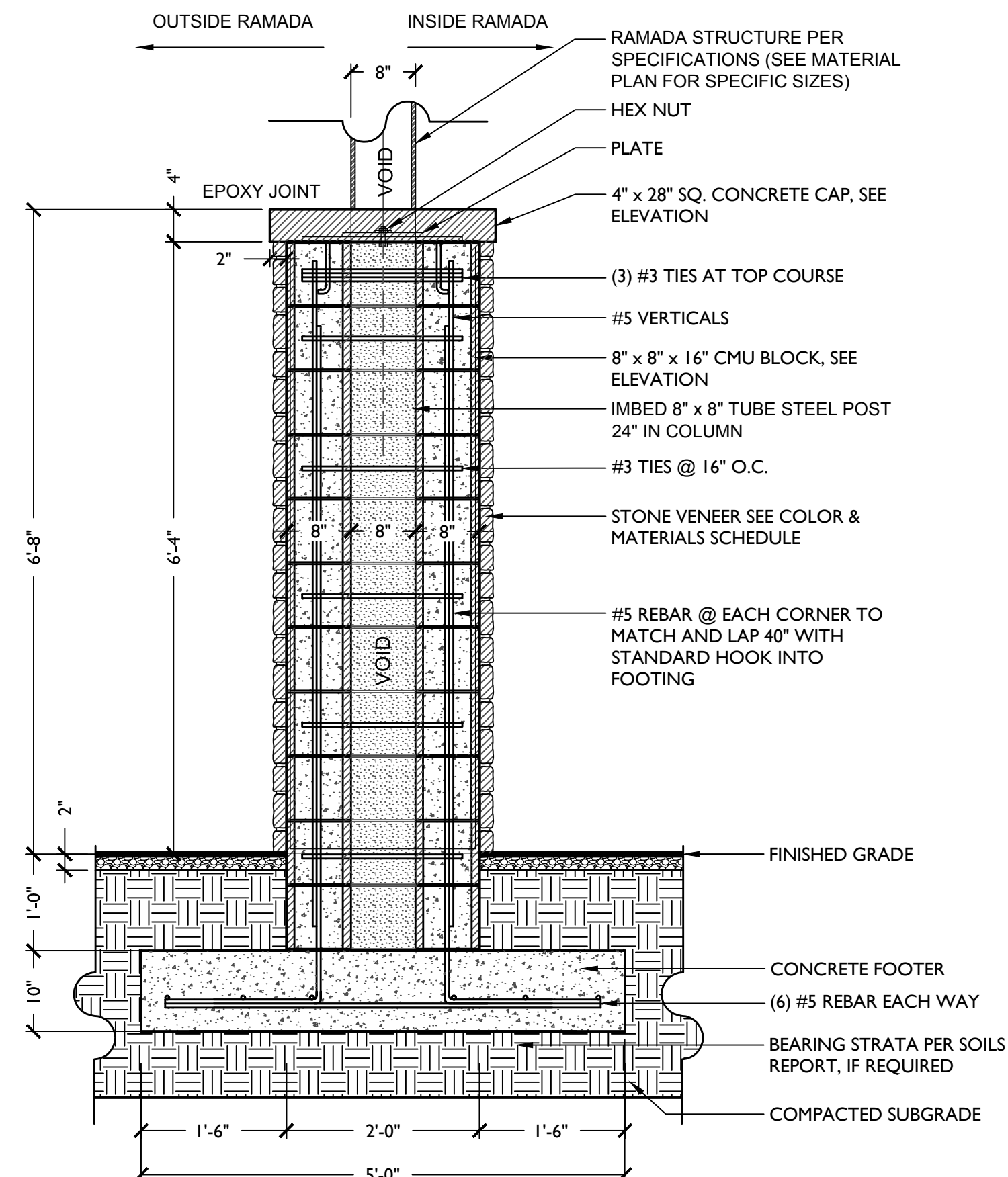
SITE DETAIL KEYNOTES		PAGE #/DETAIL #
1.0	PAVEMENTS	
1.1	DECOMPOSED GRANITE MULCH	L-3.01/1
1.2	STANDARD CONCRETE PAVING	L-3.01/2, 6
1.3	PLAY SAND	L-3.01/3
1.4	CONCRETE HEADER (6" x 12")	L-3.01/4
1.5	CONCRETE HEADER (EXTRUDED)	L-3.01/5
1.6	POURED IN PLACE PLAY SURFACING	L-3.01/7
2.0	WALLS / EMBANKMENTS	
2.0	EXISTING WALL	-
2.1	6' THEME WALL	L-3.02/1-2
2.2	COLUMN TYPE A	L-3.02/3-4
2.3	COLUMN SETBACK	L-3.02/5
2.4	RETAINING WALL	L-3.04/3
2.5	SITE WALL ON RETAINING WALL	L-3.04/4
3.0	MISCELLANEOUS ELEMENTS	
3.0	PRIMARY ENTRY MONUMENT	L-3.03/1-3
3.1	SECONDARY ENTRY MONUMENT	L-3.04/1
3.2	15' x 25' RAMADA	L-3.05/1-4
3.3	MAILBOX	L-3.04/2
3.4	PLAY STRUCTURE	L-3.05/5
3.5	LANDSCAPE BENCH	L-3.06/1
3.6	PICNIC TABLE	L-3.06/2
3.7	BARBEQUE GRILL	L-3.06/4
3.8	TRASH RECEPTACLE	L-3.06/3
3.9	BIKE RACK	L-3.06/5
4.0	PLANTING AND LANDSCAPE	
4.1	TREE PLANTING	L-5.01/1
4.2	TREE PLANTING ON SLOPE	L-5.01/2
4.3	TREE STAKING	L-5.01/3
4.4	SHRUB PLANTING	L-5.01/4
4.5	GROUNDCOVER PLANTING	L-5.01/5
4.6	TURF HYDROSEED PLANTING	L-5.01/6

SITE FURNISHINGS SCHEDULE

ID	NAME (SERIES)	SIZE (H x W x L)	COLOR
LB	Landscape Bench by Wabash Valley Prestige Series, (Model # PP301P)	6'	Dark Bronze
TR	Trash Receptacle by Wabash Valley (Model # LR300P)	22 Gallon	Dark Bronze
BR	Bicycle Rack by Madrax (Model # CS200-C-IG-P)	3 Loop 5 Bike Capacity	Bronze
PT	Picnic Table by Wabash Valley Prestige Series, (Model # PP200D)	80" SQ.	Bronze
BG	BBQ Grill Dumor (Model # 21)	34" x 21" x 16"	Black
CP	Concret Pot: Oblique Series Planters by Phoenix Precast Products	24" Top Dim.	Brown
PS	By Playworld Systems (Model # 350-1520)	31' x 30.5'	Vanilla Plum, Limon
RS	Ramada by Classic Recreation Systems. (Northwest Model)	15' x 25'	Roof: Dark Bronze Frame: Creme (RAL 9001)
MB	Mailbox by Florence Manufacturing (Model # 1570-16) Decorative Pedestal Cover Column (Vogue Model # P114)	5'-2" x 2.5' x 1.5'	Sandstone

GENERAL NOTES:

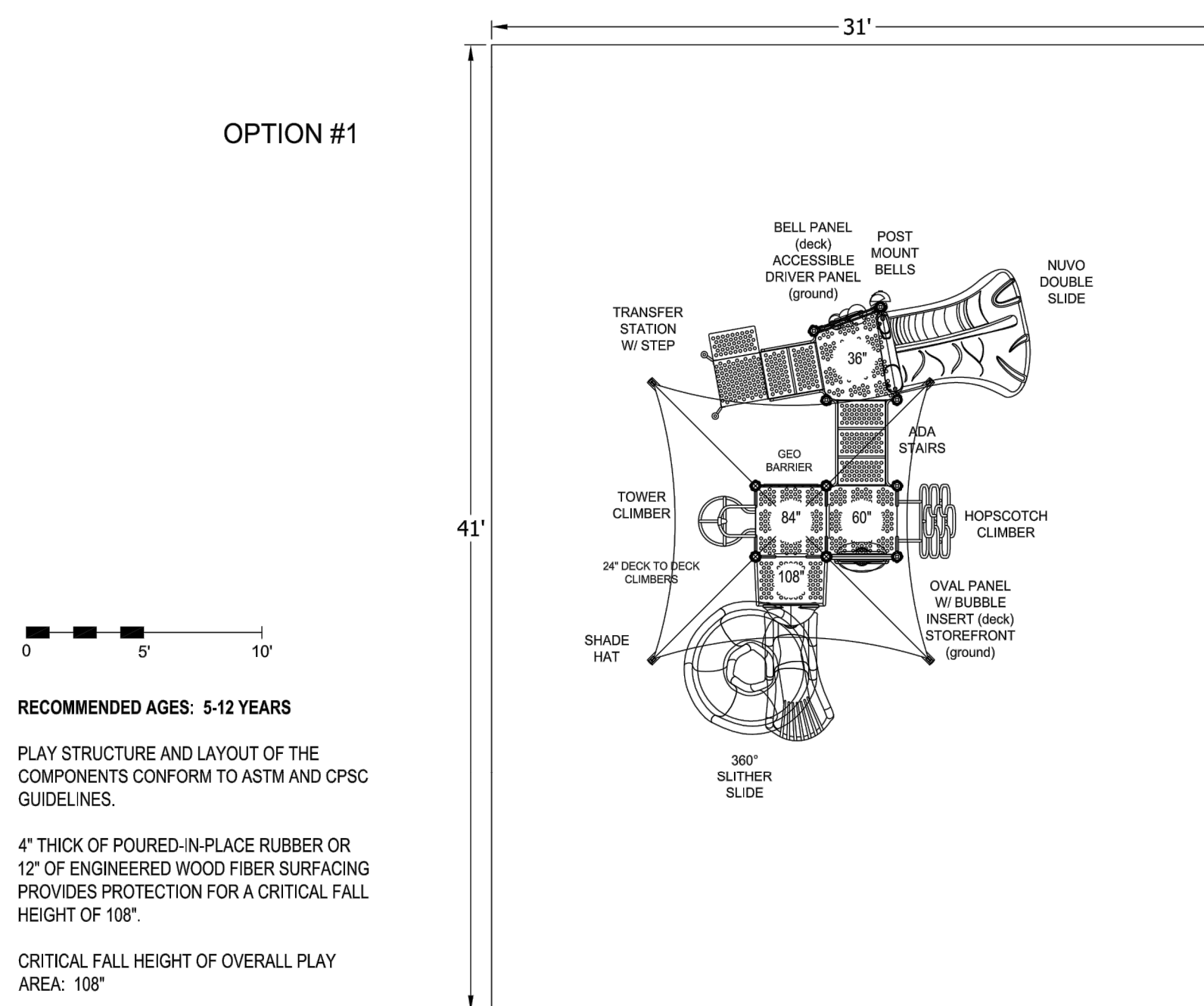
1. Location of all site furnishings to be determined in the field by Landscape Architect (Refer to the above schedule for sizes, type, quantities and color of furnishings). Refer to Landscape Plan for general location and landscape details for installation information.
2. All substitutions must be submitted for approval to the Owner's Representative.



RAMADA COLUMN

Scale: $\frac{3}{4}" = 1'-0"$

3.2



RECOMMENDED AGES: 5-12 YEARS

PLAY STRUCTURE AND LAYOUT OF THE COMPONENTS CONFORM TO ASTM AND CPSC GUIDELINES.

4" THICK OF POURED-IN-PLACE RUBBER OR
12" OF ENGINEERED WOOD FIBER SURFACING
PROVIDES PROTECTION FOR A CRITICAL FALL
HEIGHT OF 108".

CRITICAL FALL HEIGHT OF OVERALL PLAY
AREA: 108"

TOTAL ELEVATED PLAY COMPONENTS:
TOTAL ELEVATED PLAY COMPONENTS ACCESSIBLE BY RAMP:
TOTAL ELEVATED PLAY COMPONENTS ACCESSIBLE BY TRANSFER:
TOTAL ACCESSIBLE GROUND LEVEL COMPONENTS SHOWN:
TOTAL ACCESSIBLE GROUND LEVEL COMPONENTS OF DIFFERENT TYPES:

8		
0	REQUIRED:	0
5	REQUIRED:	4
3	REQUIRED:	3
3	REQUIRED:	3

2015
CHALLENGERS

SITE PLAN

DRAWING #:
A1E08ECH

DATE: _____

30-APR-15

$$1/8'' = 1'-0''$$

DRAWN BY:
Marilyn Allen



SANVERNO AT DESERT OASIS

SURPRISE, AZ



P.O. Box 8760, Mesa, AZ 85214 P: 480-892-2266
AZ ROC #157246 • www.davechang.com

3.4

BENCH WITH BACK

N.T.S.

PICNIC TABLE

N.T.S.

TRASH RECEPTACLE

N.T.S.

BARBEQUE GRILL

N.T.S.

BIKE RACK

N.T.S.

SITE DETAIL KEYNOTES		PAGE #/DETAIL #
1.0	PAVEMENTS	
1.1	DECOMPOSED GRANITE MULCH	L-3.01/1
1.2	STANDARD CONCRETE PAVING	L-3.01/2,6
1.3	PLAY SAND	L-3.01/3
1.4	CONCRETE HEADER (6" x 12")	L-3.01/4
1.5	CONCRETE HEADER (EXTRUDED)	L-3.01/5
1.6	POURED IN PLACE PLAY SURFACING	L-3.01/7
2.0	WALLS / EMBANKMENTS	
2.0	EXISTING WALL	-
2.1	6' THEME WALL	L-3.02/1-2
2.2	COLUMN TYPE A	L-3.02/3-4
2.3	COLUMN SETBACK	L-3.02/5
2.4	RETAINING WALL	L-3.04/3
2.5	SITE WALL ON RETAINING WALL	L-3.04/4
3.0	MISCELLANEOUS ELEMENTS	
3.0	PRIMARY ENTRY MONUMENT	L-3.03/1-3
3.1	SECONDARY ENTRY MONUMENT	L-3.04/1
3.2	15' x 25' RAMADA	L-3.05/1-4
3.3	MAILBOX	L-3.04/2
3.4	PLAY STRUCTURE	L-3.05/5
3.5	LANDSCAPE BENCH	L-3.06/1
3.6	PICNIC TABLE	L-3.06/2
3.7	BARBEQUE GRILL	L-3.06/4
3.8	TRASH RECEPTACLE	L-3.06/3
3.9	BIKE RACK	L-3.06/5
4.0	PLANTING AND LANDSCAPE	
4.1	TREE PLANTING	L-5.01/1
4.2	TREE PLANTING ON SLOPE	L-5.01/2
4.3	TREE STAKING	L-5.01/3
4.4	SHRUB PLANTING	L-5.01/4
4.5	GROUNDCOVER PLANTING	L-5.01/5
4.6	TURF HYDROSEED PLANTING	L-5.01/6

SITE FURNISHINGS SCHEDULE

ID	NAME (SERIES)	SIZE (H x W x L)	COLOR
LB	Landscape Bench by Wabash Valley Prestige Series, (Model # PP301P)	6'	Dark Bronze
TR	Trash Receptacle by Wabash Valley (Model # LR300P)	22 Gallon	Dark Bronze
BR	Bicycle Rack by Madrax (Model # CS200-C-IG-P)	3 Loop 5 Bike Capacity	Bronze
PT	Picnic Table by Wabash Valley Prestige Series, (Model # PP200D)	80" SQ.	Bronze
BG	BBQ Grill Dumorf (Model # 21)	34" x 21" x 16"	Black
CP	Concret Pot: Oblique Series Planters by Phoenix Precast Products	24" Top Dim.	Brown
PS	By Playworld Systems (Model # 350-1520)	31' x 30.5'	Vanilla Plum, Limon
RS	Ramada by Classic Recreation Systems. (Northwest Model)	15' x 25'	Roof: Dark Bronze Frame: Creme (RAL 9001)
MB	Mailbox by Florence Manufacturing (Model # 1570-16) Decorative Pedestal Cover Column (Vogue Model # P114)	5'-2" x 2.5' x 1.5'	Sandstone

GENERAL NOTES:

1. Location of all site furnishings to be determined in the field by Landscape Architect (Refer to the above schedule for sizes, type, quantities and color of furnishings). Refer to Landscape Plan for general location and landscape details for installation information.
2. All substitutions must be submitted for approval to the Owner's Representative.

ANOV.A
211 NORTH LINDSBERG, 2ND FLOOR
ST. LOUIS, MO 63141
PHONE: (314) 754-0855
FAX: (314) 754-0856
www.anovastainings.com

☐ SELECT DESIRED FRAME COLOR

- ☐ 1 CYCLE METAL BIKE RACK LIPSING
- ☐ 2 CYCLE METEORIC BIKE LIPSING (DOWN)
- ☐ 7 CYCLE METAL BIKE RACK LIPSING

☐ SELECT DESIRED COLOR

- ☐ BLACK
- ☐ BLUE
- ☐ BRONZE
- ☐ BROWN
- ☐ BURGUNDY
- ☐ CAMEL
- ☐ CHARCOAL
- ☐ EVERGREEN
- ☐ GRAY
- ☐ NAVY
- ☐ ORANGE
- ☐ PURPLE
- ☐ RED
- ☐ SAGE
- ☐ SILVER
- ☐ TAN
- ☐ VANILLA
- ☐ WHITE
- ☐ YELLOW

PWDR. FLUOROPOLYMER POWDER COAT
 MATERIAL: 1.2\"/>

WEIGHT WEIGHT: 47 lbs.

MATERIALS: 1\"/>

DESIGN: 1\"/>

FINISH: 1\"/>

INSTALLATION: 1\"/>

MAINTENANCE: 1\"/>

WARRANTY: 1\"/>

REPAIRS: 1\"/>

REPLACEMENT: 1\"/>

DISCOUNT: 1\"/>

SALES TAX: 1\"/>

SHIPPING: 1\"/>

INSTALLATION: 1\"/>

MAINTENANCE: 1\"/>

WARRANTY: 1\"/>

REPAIRS: 1\"/>

REPLACEMENT: 1\"/>

DISCOUNT: 1\"/>

SALES TAX: 1\"/>

SHIPPING: 1\"/>

INSTALLATION: 1\"/>

MAINTENANCE: 1\"/>

WARRANTY: 1\"/>

REPAIRS: 1\"/>

REPLACEMENT: 1\"/>

ASSEMBLY REQUIRED
 5 YEAR SATISFACTION GUARANTEE INCLUDING
 COVERS FOR RACING, RUSTING, CHIPPING AND
 CRACKING

NOTES

- INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
- ALL DIMENSIONS ARE CONSIDERED TRUE AND REFLECT MANUFACTURER'S SPECIFICATIONS.
- CONTACT OUR SALES OR PRODUCT AND COMPANY INFORMATION (314) 754-0855 (C-806066) (email: REFERENCE NUMBER 826-107)

**5 CYCLE METAL BIKE RACK WITH
 POWDER COAT FINISH AND INGROUND MOUNT**

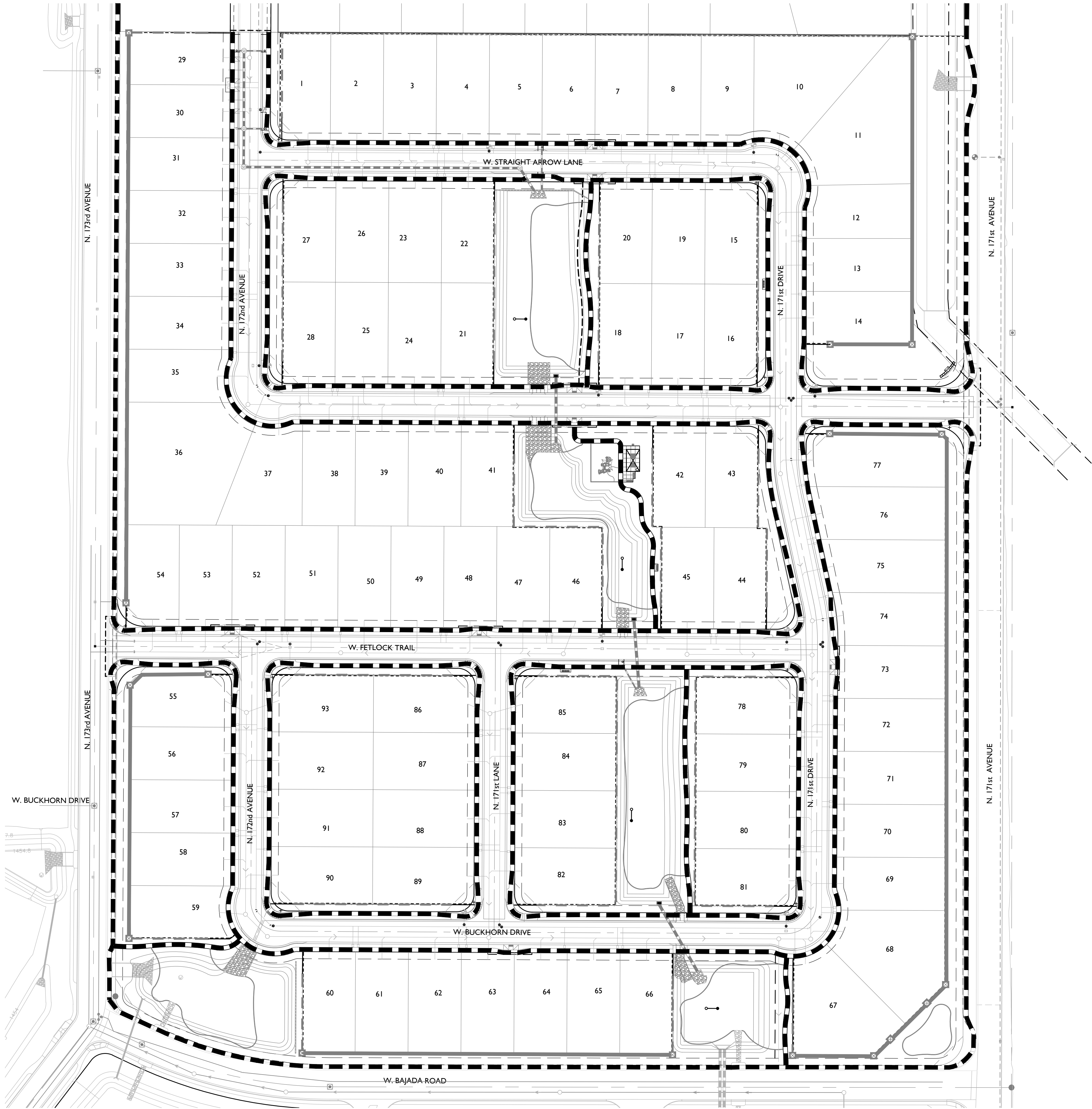
MODEL: LIPSING

202-107

DESIGNED BY: 202-107 / COPYRIGHT © 2014 ANOV.A (314) 754-0855

REVISION DATE: 08/16/2014

2045 S. Vineyard Ave., Suite 101 Mesa, AZ 85210 T: 480.503.2250 F: 480.503.2258 www.epsgroupinc.com	
	
Project: SANVERNO Surprise, Arizona	MATERIAL DETAILS
Revisions:	
1ST CD SUBMITTAL - 05/05/2015 2ND CD SUBMITTAL - 07/22/2015 3RD CD SUBMITTAL - 08/14/2015	
	
Designer: AS	Drawn by: DJ
	
EXPIRES: 12/31/15 Job No. 15-108	
CONSTRUCTION DOCUMENTATION	
Sheet No. L-3.06 15 of 32	



SITE DETAIL KEYNOTES PAGE #/DETAIL #

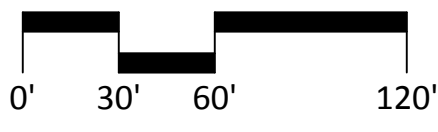
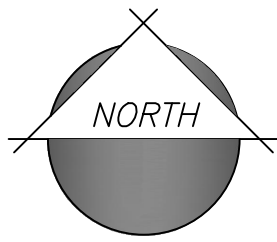
1.0	PAVEMENTS	
1.1	DECOMPOSED GRANITE MULCH	L-3.01/1
1.2	STANDARD CONCRETE PAVING	L-3.01/2,6
1.3	PLAY SAND	L-3.01/3
1.4	CONCRETE HEADER (6" x 12")	L-3.01/4
1.5	CONCRETE HEADER (EXTRUDED)	L-3.01/5
1.6	POURED IN PLACE PLAY SURFACING	L-3.01/7
2.0	WALLS / EMBANKMENTS	
2.0	EXISTING WALL	-
2.1	6' THEME WALL	L-3.02/1-2
2.2	COLUMN TYPE A	L-3.02/3-4
2.3	COLUMN SETBACK	L-3.02/5
2.4	RETAINING WALL	L-3.04/3
2.5	SITE WALL ON RETAINING WALL	L-3.04/4
3.0	MISCELLANEOUS ELEMENTS	
3.0	PRIMARY ENTRY MONUMENT	L-3.03/1-3
3.1	SECONDARY ENTRY MONUMENT	L-3.04/1
3.2	15' x 25' RAMADA	L-3.05/1-4
3.3	MAILBOX	L-3.04/2
3.4	PLAY STRUCTURE	L-3.05/5
3.5	LANDSCAPE BENCH	L-3.06/1
3.6	PICNIC TABLE	L-3.06/2
3.7	BARBEQUE GRILL	L-3.06/4
3.8	TRASH RECEPTACLE	L-3.06/3
3.9	BIKE RACK	L-3.06/5
4.0	PLANTING AND LANDSCAPE	
4.1	TREE PLANTING	L-5.01/1
4.2	TREE PLANTING ON SLOPE	L-5.01/2
4.3	TREE STAKING	L-5.01/3
4.4	SHRUB PLANTING	L-5.01/4
4.5	GROUND COVER PLANTING	L-5.01/5
4.6	TURF HYDROSEED PLANTING	L-5.01/6

HARDSCAPE LEGEND

SYMBOL	ITEM	SIZE
	"Madison Gold" Decomposed Granite or Approved Equal	5/8" Screened 2" Depth, Min.
	Type A - Standard Gray Concrete Paving	See Civil Plan
	Type C - Decorative Paving Integral Color Concrete (Color D) Light Sandblast Finish	
	Play Area Poured-in-Place Surfacing	
	Play Area Sand	
	Landscape Mow Strip (Extruded)	6" x 6"
	Concrete Header (Cast in Place)	6" x 12"

SIDEWALK LEGEND

SYMBOL	TYPE
	5' CONCRETE SIDEWALK



Scale: 1" = 60'-0"

2045 S. Vineyard Ave, Suite 101
Mesa, AZ 85210
T:480.503.2250 | F:480.503.2258
www.epsgroupinc.com

EPS
GROUP

SANVERNO
Surprise, Arizona

PEDESTRIAN CIRCULATION PLAN

Project:
1ST CD SUBMITTAL - 05/05/2015
2ND CD SUBMITTAL - 07/22/2015
3RD CD SUBMITTAL - 08/14/2015

Revisions:

Call at least two full working days before you begin excavation.
ARIZONA
Professional Engineer
Civil Engineer License No. 1192 (0348)
In Maricopa County (0022651190)

Designer: AS
Drawn by: DJ

REGISTERED LANDSCAPE ARCHITECT
CERTIFICATE NO.
45568
ALISA E. SABIN
State Signed 8-14-15
ARIZONA, U.S.A.

EXPIRES: 12/31/15
Job No.
15-108
CONSTRUCTION DOCUMENTATION
Sheet No.
L-9.00
32 of 32



PLANT LEGEND

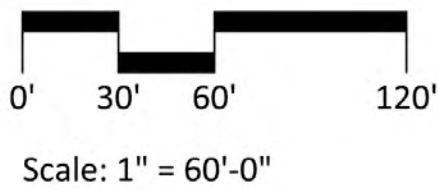
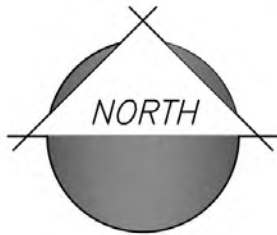
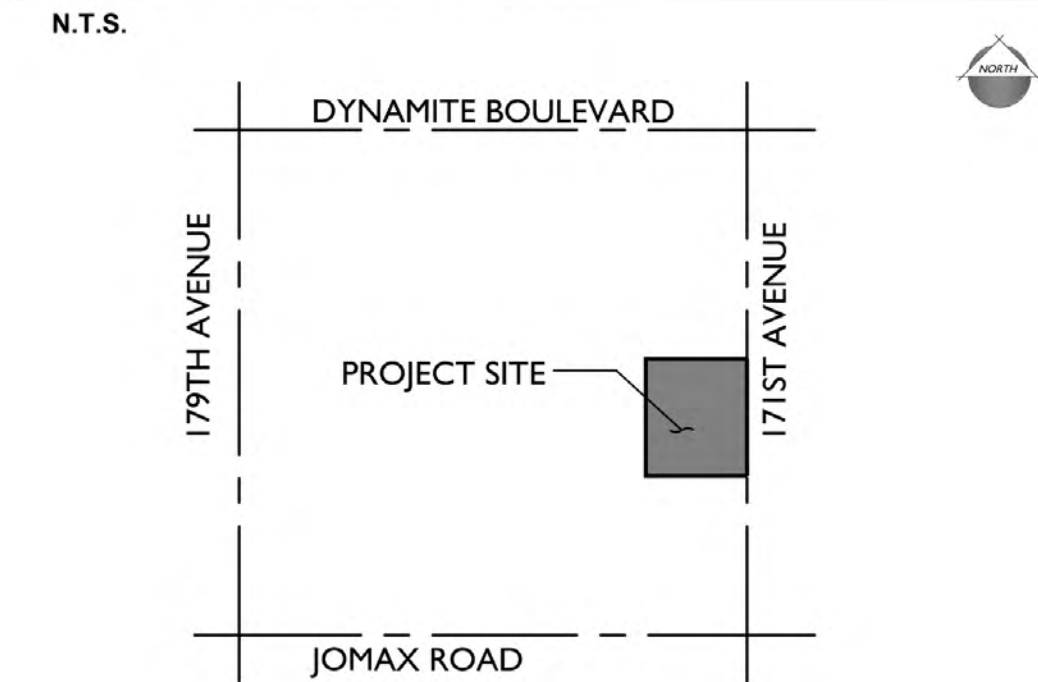
SYMBOL	SCIENTIFIC NAME	COMMON NAME	CAL
TREES			
	Acacia aneura	Mulga	2"
	Acacia salicina	Willow Acacia	2"
	Chilopsis linearis 'Art's Sedless'	Sedless Desert Willow	2"
	Dalbergia sisso	Sisso	2"
	Olneya tesota	Ironwood	2"
	Parkinsonia hybrid 'Desert Museum'	Desert Museum Palo Verde	2"
	Prosopis chilensis 'thornless'	Thornless Chilean Mesquite	2"
	Existing Tree	Varies	Varies

SYMBOL	SCIENTIFIC NAME	COMMON NAME	SIZE
SHRUBS/ACCENTS			
	Agave desmettiana	Smooth Agave	5 Gal
	Agave palmeri	Palmer's agave	5 Gal
	Caesalpinia pulcherrima	Red Bird of Paradise	5 Gal
	Dasyllirion wheeleri	Desert Spoon	5 Gal
	Hesperaloe parviflora	Red Yucca	5 Gal
	Leucophyllum langmaniae 'Rio Bravo'	Rio Bravo Sage	5 Gal
	Leucophyllum zygomphyllum 'Cimarron'	Cimarron Sage	5 Gal
	Muhlenbergia capillaris 'Regal Mist'	'Regal Mist' Muhly	5 Gal
	Ruellia peninsularis	Baja Ruellia	5 Gal
	Tecoma stans 'Gold Star'	Yellow Bells	5 Gal
	Viguiera deltoidea	Goldeneye	5 Gal
	Existing Shrub	Varies	Varies

SYMBOL	SCIENTIFIC NAME	COMMON NAME	SIZE
GROUNDCOVERS			
	Eriogonum wrightii	Wright's Buckwheat	1 Gal
	Lantana montevidensis	Trailing Purple Lantana	1 Gal
	Lantana x 'New Gold'	New Gold Lantana	1 Gal

SYMBOL	SCIENTIFIC NAME	COMMON NAME	SIZE
TURF			
	Cynodon dactylon 'Tifway 419'	Tifway 419	Hydroseed
	5/8" Screened Decomposed Granite Madison Gold or Equal, 2" Depth Min.		

VICINITY MAP





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

18 May 2015

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

Ms. Deborah Perry
City of Surprise Planning Department
16000 North Civic Center Plaza
Surprise AZ 85374

Re: FS15-190; San Verno @ Desert Oasis Parcel L-10

Dear Ms. Perry

Thank you for the opportunity to provide comments on the Preliminary Plat and Final Plat Approval Application for San Verno @ Desert Oasis Parcel L-10. This parcel is located on 27 acres at the northwest corner of 171st Avenue and Bajada Road. The proposal is to build 88 residential dwelling units (du), resulting in a gross residential density of 3.8 du/acre. Parcel L-10 is located approximately 2 miles outside the Luke AFB Auxiliary Field #1 2004 65 Ldn, "high noise or accident potential zone." as defined by A.R.S. § 28-8461, and outside the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461.

Luke AFB follows the guidelines for the Graduated Density Concept (GDC). The GDC proposes, in the absence of a more restrictive state, county or municipal general or comprehensive plan, graduating densities away from the 65 Ldn as follows: a maximum of 2 du/acre from the 65 Ldn to 1/2 mile, a maximum of 4 du/acre from 1/2 to 1 mile and a maximum of 6 du/acre from 1 to 3 miles. The above density of 3.8du/acre meets these guidelines.

Even though San Verno @ Desert Oasis will be located outside the "vicinity of a military airport," it will be subjected to approximately 13,000 flight operations per year, with some as low as 1,500 feet above ground level. We recommend you review the sound attenuation requirements found in A.R.S. § 28-8482. In addition, a strong notification program on the part of the applicant is essential to inform potential residents about Luke AFB operations. We also recommend a review of the Luke AFB web site at <http://www.luke.af.mil>, Community Interests and Community Initiatives links, for further information.

If there are any questions, please contact my Community Planner, Ms. Barbara Plante, at (623) 856-9981.

Sincerely

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

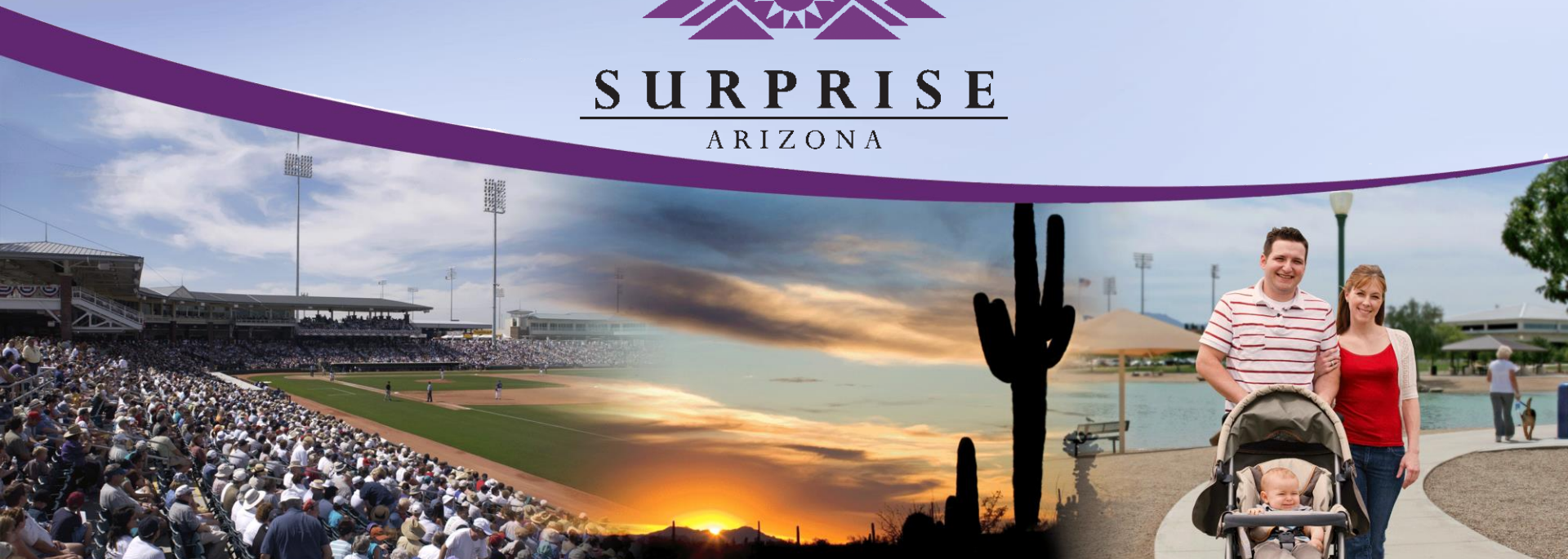
JAMES R. MITCHELL

cc:

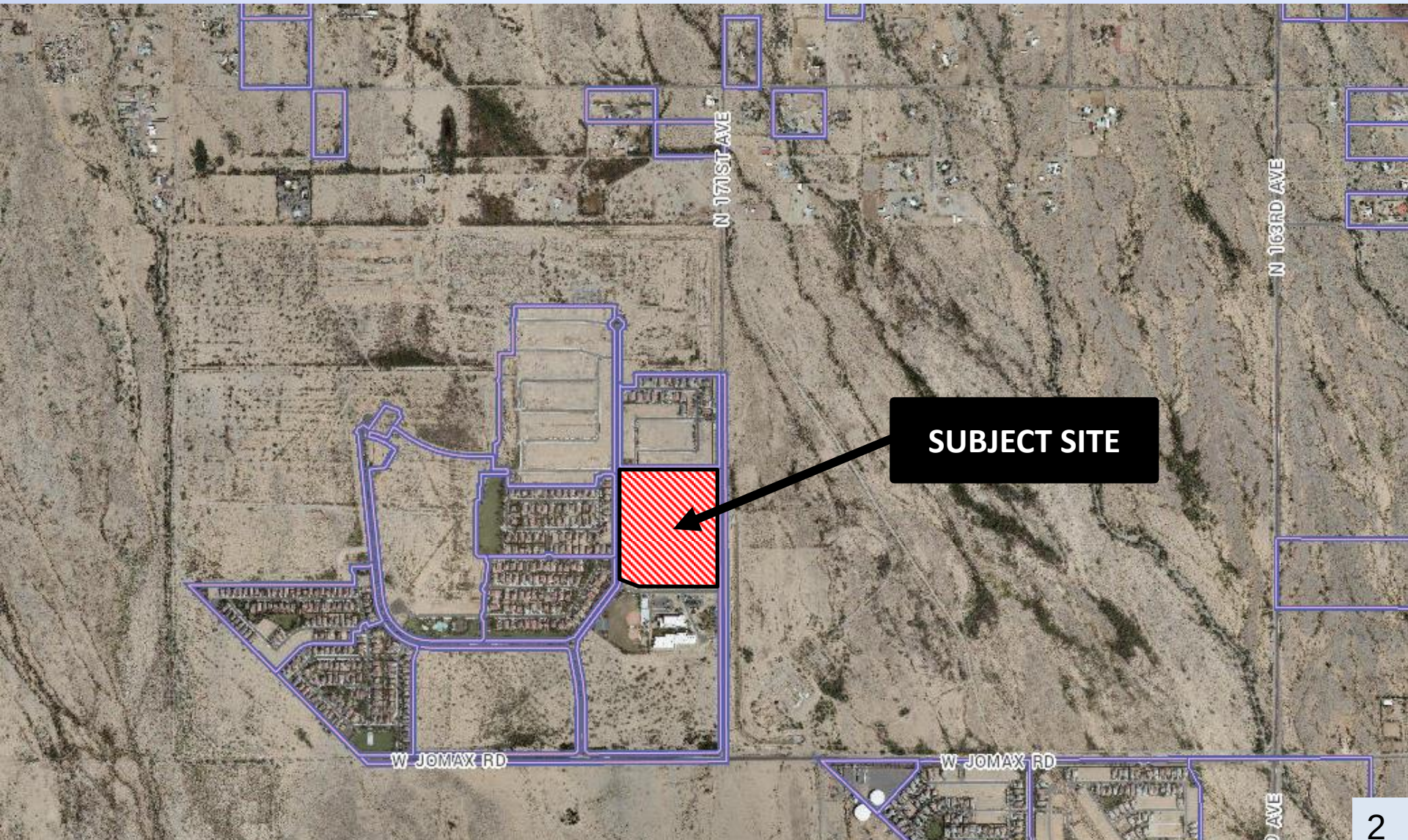
Ms. Cindy L. Calderon, GS-13, General and Environmental Law Attorney, 56th Fighter Wing

FS15-190 Sanverno at Desert Oasis Preliminary and Final Plat City Council Regular Session

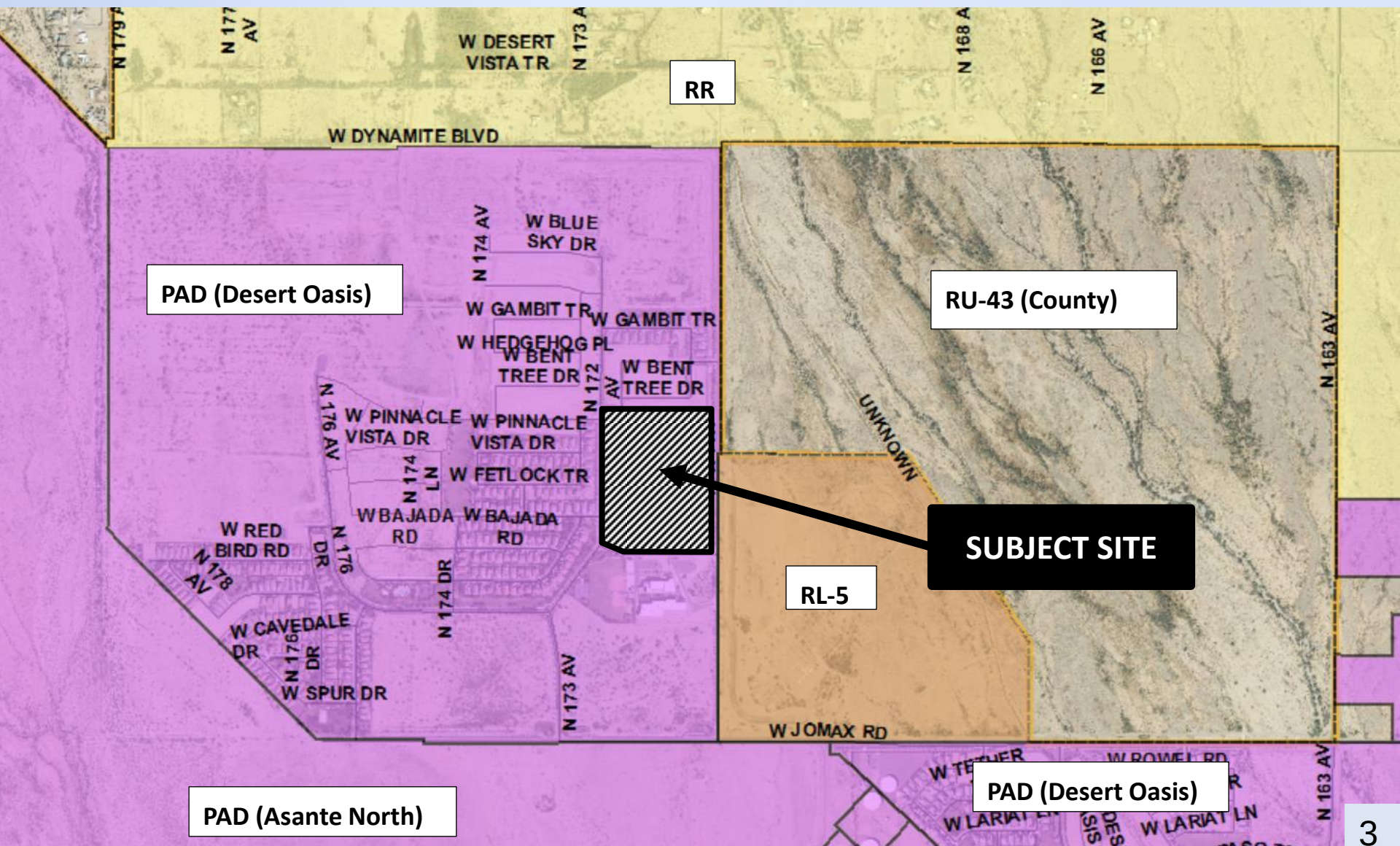
November 03, 2015



Vicinity Map



Case Map



PRELIMINARY PLAT

FS15-190 Sanverno at Desert Oasis



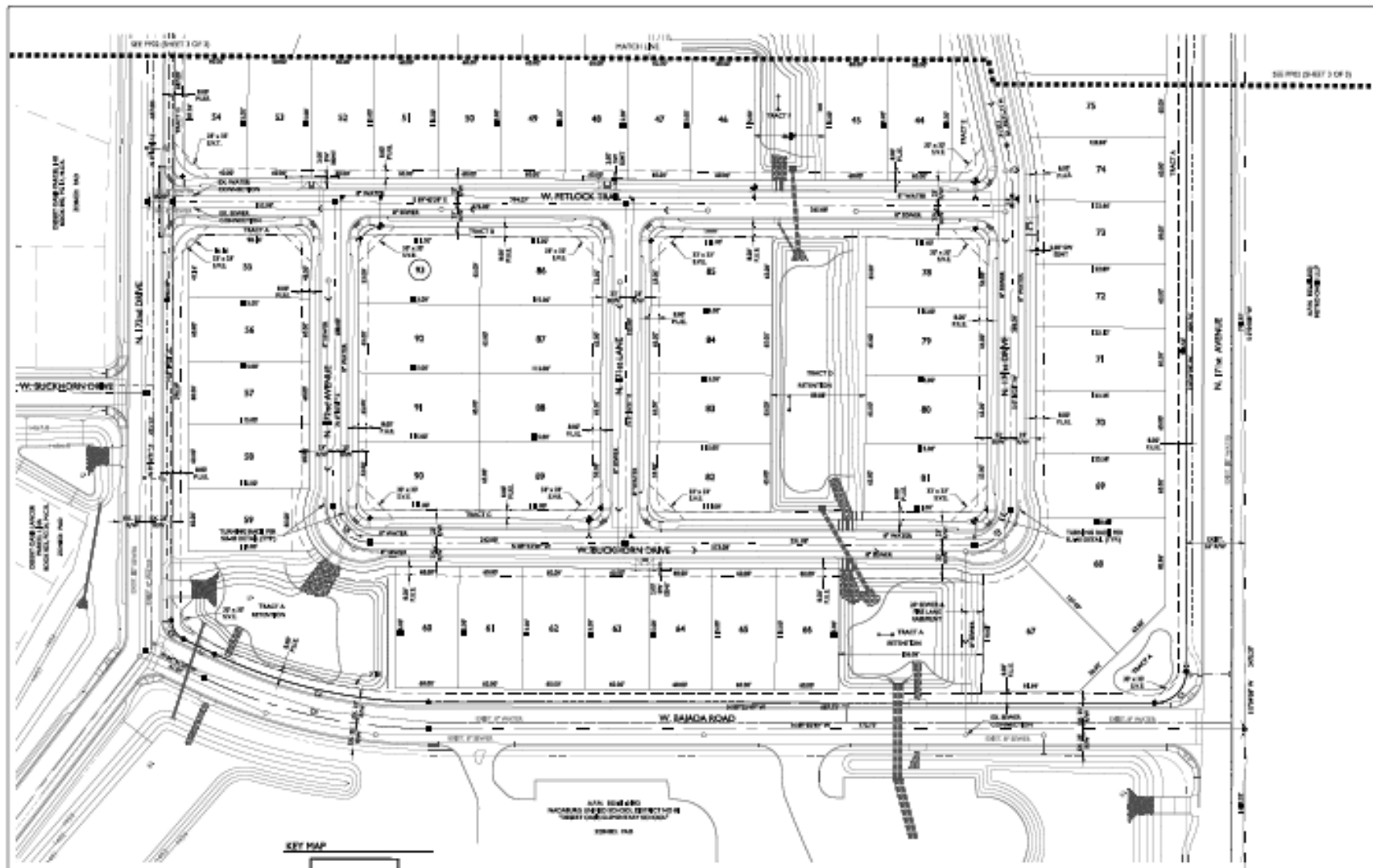
15 | 08

LOT AREA TABLE		LOT AREA TABLE		LOT AREA TABLE	
LOT #	AREA (SQ. FT.)	LOT #	AREA (SQ. FT.)	LOT #	AREA (SQ. FT.)
1	7,500	11	4,500	21	4,500
2	7,500	12	4,500	22	4,500
3	7,500	13	4,500	23	4,500
4	7,500	14	4,500	24	4,500
5	7,500	15	4,500	25	4,500
6	7,500	16	4,500	26	4,500
7	7,500	17	4,500	27	4,500
8	7,500	18	4,500	28	4,500
9	7,500	19	4,500	29	4,500
10	7,500	20	4,500	30	4,500
11	4,500	31	4,500	41	4,500
12	4,500	32	4,500	42	4,500
13	4,500	33	4,500	43	4,500
14	4,500	34	4,500	44	4,500
15	4,500	35	4,500	45	4,500
16	4,500	36	4,500	46	4,500
17	4,500	37	4,500	47	4,500
18	4,500	38	4,500	48	4,500
19	4,500	39	4,500	49	4,500
20	4,500	40	4,500	50	4,500
21	4,500	41	4,500	51	4,500
22	4,500	42	4,500	52	4,500
23	4,500	43	4,500	53	4,500
24	4,500	44	4,500	54	4,500
25	4,500	45	4,500	55	4,500
26	4,500	46	4,500	56	4,500
27	4,500	47	4,500	57	4,500
28	4,500	48	4,500	58	4,500
29	4,500	49	4,500	59	4,500
30	4,500	50	4,500	60	4,500
31	4,500	51	4,500	61	4,500
32	4,500	52	4,500	62	4,500
33	4,500	53	4,500	63	4,500
34	4,500	54	4,500	64	4,500
35	4,500	55	4,500	65	4,500
36	4,500	56	4,500	66	4,500
37	4,500	57	4,500	67	4,500
38	4,500	58	4,500	68	4,500
39	4,500	59	4,500	69	4,500
40	4,500	60	4,500	70	4,500
41	4,500	61	4,500	71	4,500
42	4,500	62	4,500	72	4,500
43	4,500	63	4,500	73	4,500
44	4,500	64	4,500	74	4,500
45	4,500	65	4,500	75	4,500
46	4,500	66	4,500	76	4,500
47	4,500	67	4,500	77	4,500
48	4,500	68	4,500	78	4,500
49	4,500	69	4,500	79	4,500
50	4,500	70	4,500	80	4,500
51	4,500	71	4,500	81	4,500
52	4,500	72	4,500	82	4,500
53	4,500	73	4,500	83	4,500
54	4,500	74	4,500	84	4,500
55	4,500	75	4,500	85	4,500
56	4,500	76	4,500	86	4,500
57	4,500	77	4,500	87	4,500
58	4,500	78	4,500	88	4,500
59	4,500	79	4,500	89	4,500
60	4,500	80	4,500	90	4,500
61	4,500	81	4,500	91	4,500
62	4,500	82	4,500	92	4,500
63	4,500	83	4,500	93	4,500
64	4,500	84	4,500	94	4,500
65	4,500	85	4,500	95	4,500
66	4,500	86	4,500	96	4,500
67	4,500	87	4,500	97	4,500
68	4,500	88	4,500	98	4,500
69	4,500	89	4,500	99	4,500
70	4,500	90	4,500	100	4,500
71	4,500	91	4,500	101	4,500
72	4,500	92	4,500	102	4,500
73	4,500	93	4,500	103	4,500
74	4,500	94	4,500	104	4,500
75	4,500	95	4,500	105	4,500
76	4,500	96	4,500	106	4,500
77	4,500	97	4,500	107	4,500
78	4,500	98	4,500	108	4,500
79	4,500	99	4,500	109	4,500
80	4,500	100	4,500	110	4,500
81	4,500	101	4,500	111	4,500
82	4,500	102	4,500	112	4,500
83	4,500	103	4,500	113	4,500
84	4,500	104	4,500	114	4,500
85	4,500	105	4,500	115	4,500
86	4,500	106	4,500	116	4,500
87	4,500	107	4,500	117	4,500
88	4,500	108	4,500	118	4,500
89	4,500	109	4,500	119	4,500
90	4,500	110	4,500	120	4,500
91	4,500	111	4,500	121	4,500
92	4,500	112	4,500	122	4,500
93	4,500	113	4,500	123	4,500
94	4,500	114	4,500	124	4,500
95	4,500	115	4,500	125	4,500
96	4,500	116	4,500	126	4,500
97	4,500	117	4,500	127	4,500
98	4,500	118	4,500	128	4,500
99	4,500	119	4,500	129	4,500
100	4,500	120	4,500	130	4,500
101	4,500	121	4,500	131	4,500
102	4,500	122	4,500	132	4,500
103	4,500	123	4,500	133	4,500
104	4,500	124	4,500	134	4,500
105	4,500	125	4,500	135	4,500
106	4,500	126	4,500	136	4,500
107	4,500	127	4,500	137	4,500
108	4,500	128	4,500	138	4,500
109	4,500	129	4,500	139	4,500
110	4,500	130	4,500	140	4,500
111	4,500	131	4,500	141	4,500
112	4,500	132	4,500	142	4,500
113	4,500	133	4,500	143	4,500
114	4,500	134	4,500	144	4,500
115	4,500	135	4,500	145	4,500
116	4,500	136	4,500	146	4,500
117	4,500	137	4,500	147	4,500
118	4,500	138	4,500	148	4,500
119	4,500	139	4,500	149	4,500
120	4,500	140	4,500	150	4,500
121	4,500	141	4,500	151	4,500
122	4,500	142	4,500	152	4,500
123	4,500	143	4,500	153	4,500
124	4,500	144	4,500	154	4,500
125	4,500	145	4,500	155	4,500
126	4,500	146	4,500	156	4,500
127	4,500	147	4,500	157	4,500
128	4,500	148	4,500	158	4,500
129	4,500	149	4,500	159	4,500
130	4,500	150	4,500	160	4,500
131	4,500	151	4,500	161	4,500
132	4,500	152	4,500	162	4,500
133	4,500	153	4,500	163	4,500
134	4,500	154	4,500	164	4,500
135	4,500	155	4,500	165	4,500
136	4,500	156	4,500	166	4,500
137	4,500	157	4,500	167	4,500
138	4,500	158	4,500	168	4,500
139	4,500	159	4,500	169	4,500
140	4,500	160	4,500	170	4,500
141	4,500	161	4,500	171	4,500
142	4,500	162	4,500	172	4,500
143	4,500	163	4,500	173	4,500
144	4,500	164	4,500	174	4,500
145	4,500	165	4,500	175	4,500
146	4,500	166	4,500	176	4,500
147	4,500	167	4,500	177	4,500
148	4,500	168	4,500	178	4,500
149	4,500	169	4,500	179	4,500
150	4,500	170	4,500	180	4,500
151	4,500	171	4,500	181	4,500
152	4,500	172	4,500	182	4,500
153	4,500	173	4,500	183	4,500
154	4,500	174	4,500	184	4,500
155	4,500	175	4,500	185	4,500
156	4,500	176	4,500	186	4,500
157	4,500	177	4,500	187	4,500
158	4,500	178	4,500	188	4,500
159	4,500	179	4,500	189	4,500
160	4,500	180	4,500	190	4,500
161	4,500	181	4,500	191	4,500
162	4,500	182	4,500	192	4,500
163	4,500	183	4,500	193	4,500
164	4,500	184	4,500	194	4,500
165	4,500	185	4,500	195	4,500
166	4,500	186	4,500	196	4,500
167	4,500	187	4,500	197	4,500
168	4,500	188	4,500	198	4,500
169	4,500	189	4,500	199	4,500
170	4,500	190	4,500	200	4,500
171	4,500	191	4,500	201	4,500
172	4,500	192	4,500	202	4,500
173	4,500	193	4,500	203	4,500
174	4,500	194	4,500	204	4,500
175	4,500	195	4,500	205	4,500
176	4,500	196	4,500	206	4,500
177	4,500	197	4,500	207	4,500
178	4,500	198	4,500	208	4,500
179	4,500	199	4,500	209	4,500
180	4,500	200	4,500	210	4,500
181	4,500	201	4,500	211	4,500
182	4,500	202	4,500	212	4,500
183	4,500	203	4,500	213	4,500
184	4,500	204	4,500	214	4,500
185	4,500	205	4,500	215	4,500
186	4,500	206	4,500	216	4,500
187	4,500	207	4,500	217	4,500
188	4,500	208	4,500	218	4,500
189	4,500	209	4,500	219	4,500
190	4,500	210	4,500	220	4,500
191	4,500	211	4,500	221	4,500
192	4,500	212	4,500	222	4,500
193	4,500	213	4,500	223	4,500
194	4,500	214	4,500	224	4,500
195	4,500	215	4,500	225	4,500
196	4,500	216	4,500	226	4,500
197	4,500	217	4,500	227	4,500
198	4,500	218	4,500	228	4,500
199	4,500	219	4,500	229	4,500
200	4,500	220	4,500	230	4,500
201	4,500	221	4,500	231	4,500
202	4,500	222	4,500	232	4,500
203	4,500	223	4,500	233	4,500
204	4,500	224	4,500	234	4,500
205	4,500	225	4,500	235	4,500
206	4,500	226	4,500	236	4,500
207	4,500	227	4,500	237	4,500
208	4,500	228	4,500	238	4,500
209	4,500	229	4,500	239	4,500
210	4,500	230	4,500	240	4,500
211	4,500	231	4,500	241	4,500
212	4,500	232	4,500	242	4,500
213	4,500	233	4,500	243	4,500

FS15-190 Sanverno at Desert Oasis



15-108



LEGEND

SYMBOL	DESCRIPTION
[Symbol]	1.0' SETBACK
[Symbol]	2.0' SETBACK
[Symbol]	3.0' SETBACK

CURVE DATA

STATION	CHORD BEARING	CHORD LENGTH	CHORD AREA	CHORD PERIMETER
1.0	115.00	100.00	100.00	100.00
2.0	115.00	100.00	100.00	100.00
3.0	115.00	100.00	100.00	100.00
4.0	115.00	100.00	100.00	100.00
5.0	115.00	100.00	100.00	100.00

NOT TO SCALE
FOR INFORMATION ONLY
DO NOT CONSIDER THIS AS A FINAL DESIGN

SANVERNO
PRELIMINARY PLAT

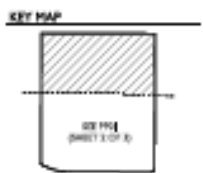
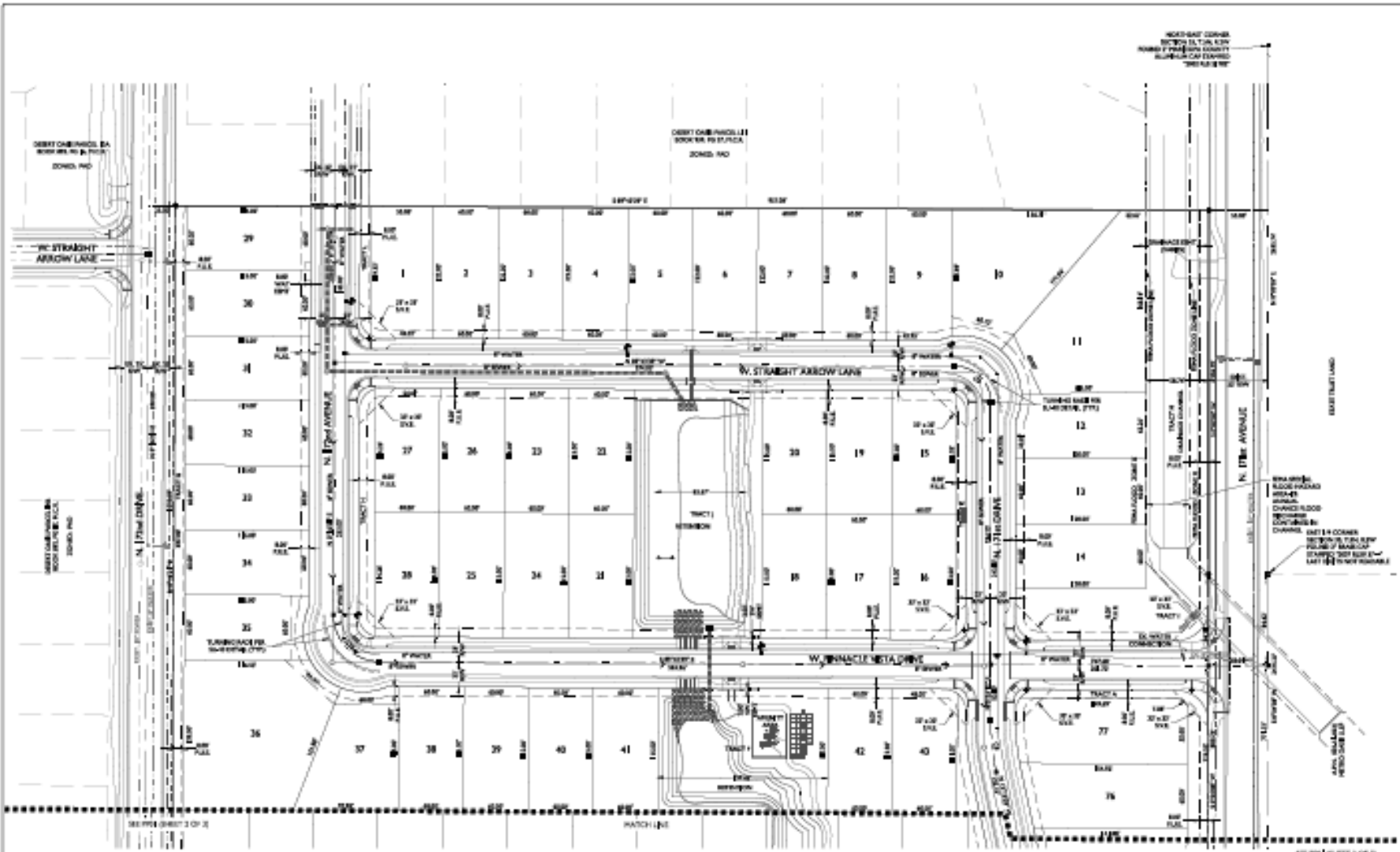
15-108

190

FS15-155 Sanverno at Desert Oasis



15-108



CURVE TABLE					CURVE TABLE				
CURVE	LENGTH	ANGLE	CHORD	DELTA	CURVE	LENGTH	ANGLE	CHORD	DELTA
C1	47.47'	33.00°	46.42'	107°00'00"	C6	15.44'	45.00°	46.00'	107°00'00"
C2	28.02'	47.50°	26.47'	107°00'00"	C7	46.03'	33.00°	46.00'	107°00'00"
C3	33.67'	33.00°	33.46'	107°00'00"	C8	16.89'	33.00°	47.00'	107°00'00"
C4	26.62'	36.00°	26.47'	107°00'00"	C9	13.38'	36.00°	47.00'	107°00'00"
C5	15.44'	45.00°	46.00'	107°00'00"	C10	47.47'	33.00°	46.00'	107°00'00"

2008 S. VANDERBILT AVE. SUITE 101
MESA, AZ 85205
TEL: 480-991-1111
WWW.EPSGROUP.COM

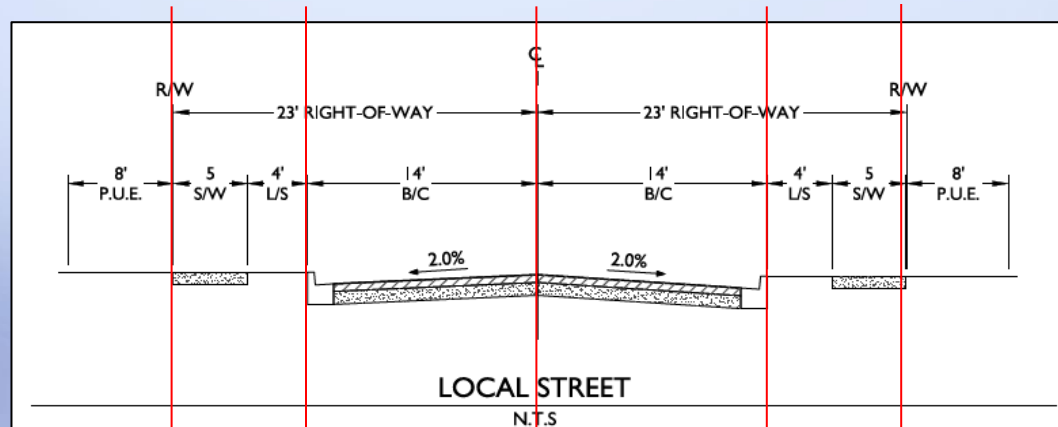
SANVERNO
ARIZONA

PRELIMINARY PLAT

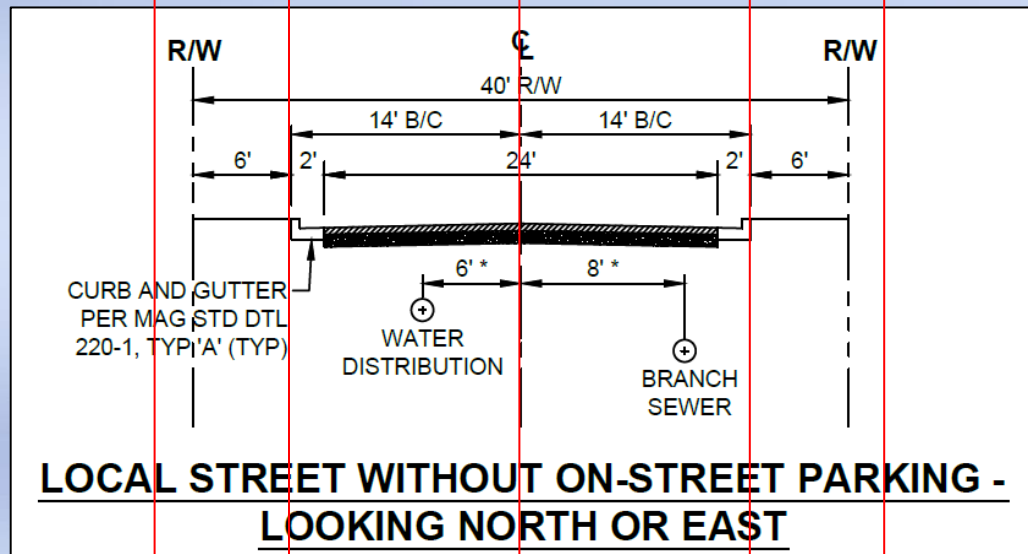
15-108
PP02

7

Proposed Street Cross-Section

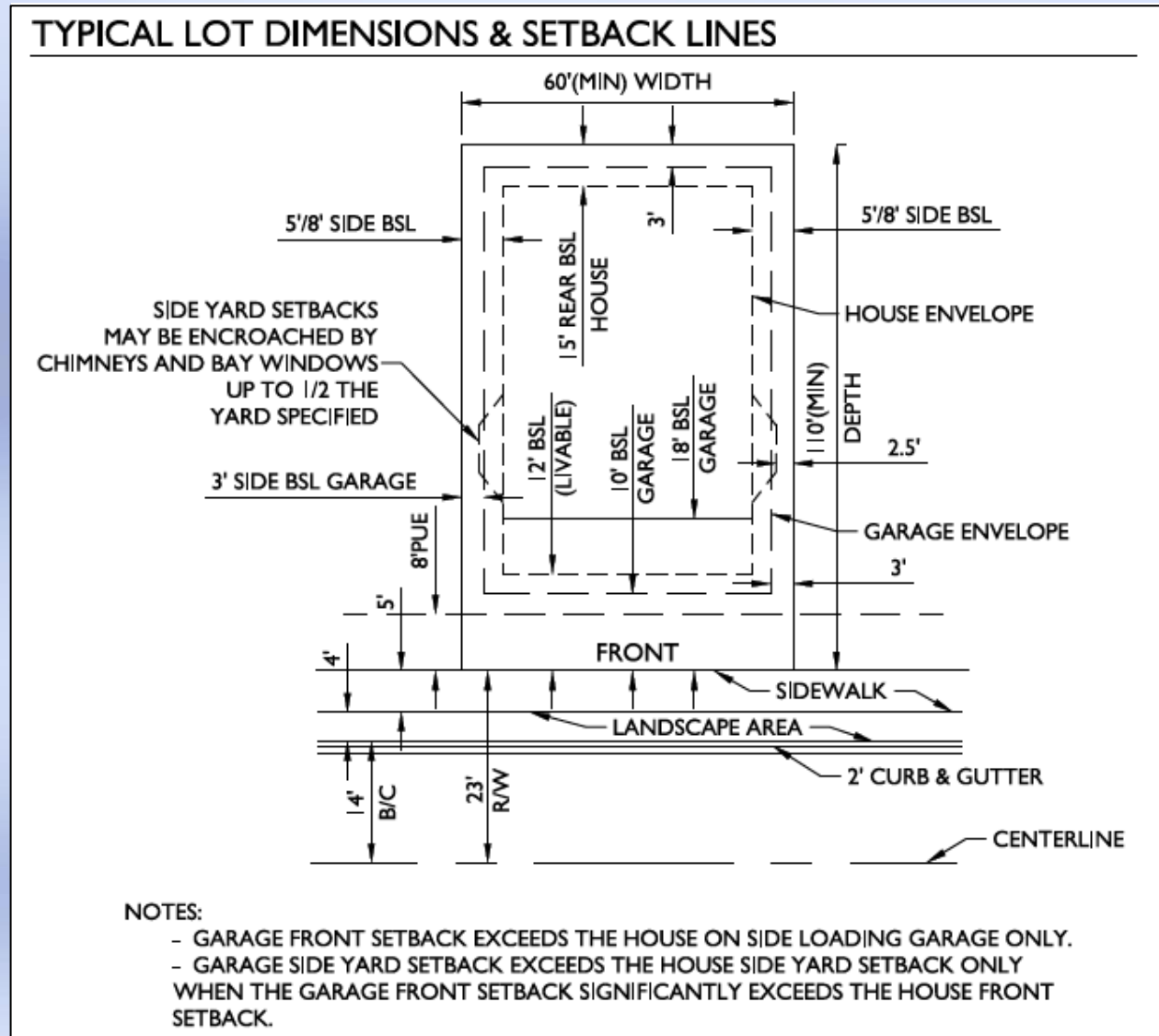


Cross-section per PAD



Cross-section per Surprise EDS 3-07

Development Standards



Development Standards

SINGLE FAMILY DEVELOPMENT STANDARDS

LOT CATEGORY	C	<u>GENERAL NOTES</u>
WIDTH RANGE	58'-62'	1. THE DEVELOPMENT STANDARDS FOR THE LDR LOTS MEET OR SURPASS THE MINIMUM STANDARDS FOR THE DESIGN GUIDELINES WITH THE EXCEPTION OF GARAGE SIDE AND REAR YARD SETBACKS.
MINIMUM WIDTH	60'	
MIN. LOT AREA (S.F.)	6,600	
MIN. LOT DEPTH	110'	2. THE SMALLER SIDE AND REAR YARD FOR GARAGE ALLOW THE TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND) OPTION OF REAR YARD GARAGES.
FRONT SETBACK LIVABLE ¹²	12'	
FRONT SETBACK GARAGE	10'	
REAR SETBACK HOUSE	15'	3. "GRANNY FLATS" SHALL BE ALLOWED OVER REAR DETACHED GARAGES.
REAR SETBACK GARAGE ¹³	3'	
SIDE SETBACK HOUSE ¹⁴	5'8"	
SIDE SETBACK GARAGE ¹⁵	3'	
STREET SIDE HOUSE ¹⁷	10'	
STREET SIDE GARAGE ¹⁸	5'	
BUILDING COVERAGE ¹⁹	40%	
AVERAGE DENSITY	3.9	

FOOTNOTES

¹² GARAGE FRONT SETBACK MAY BE LESS THAN LIVABLE AREA AS SIDE-LOADED GARAGE ONLY. OTHERWISE, MINIMUM OF 18' BEHIND SIDEWALK.

¹³ ALLEY OR STREET ACCESS.

¹⁴ SIDE YARD ENCROACHMENT UP TO ½ SIDE SETBACK FOR BAY WINDOWS AND CHIMNEYS.

¹⁵ REAR INTERIOR LOT GARAGE.

¹⁶ VARIES WITH HOUSING PRODUCT. SEE DESIGN GUIDELINES.

¹⁷ LANDSCAPE BUFFER TRACTS CAN REDUCE STREET SIDE YARD REQUIREMENT BY THE WIDTH OF TRACT, UP TO 5 FEET.

¹⁸ REAR OR RECESSED FRONT ACCESS ONLY. SIDE STREET ACCESS SAME AS FRONT SETBACK.

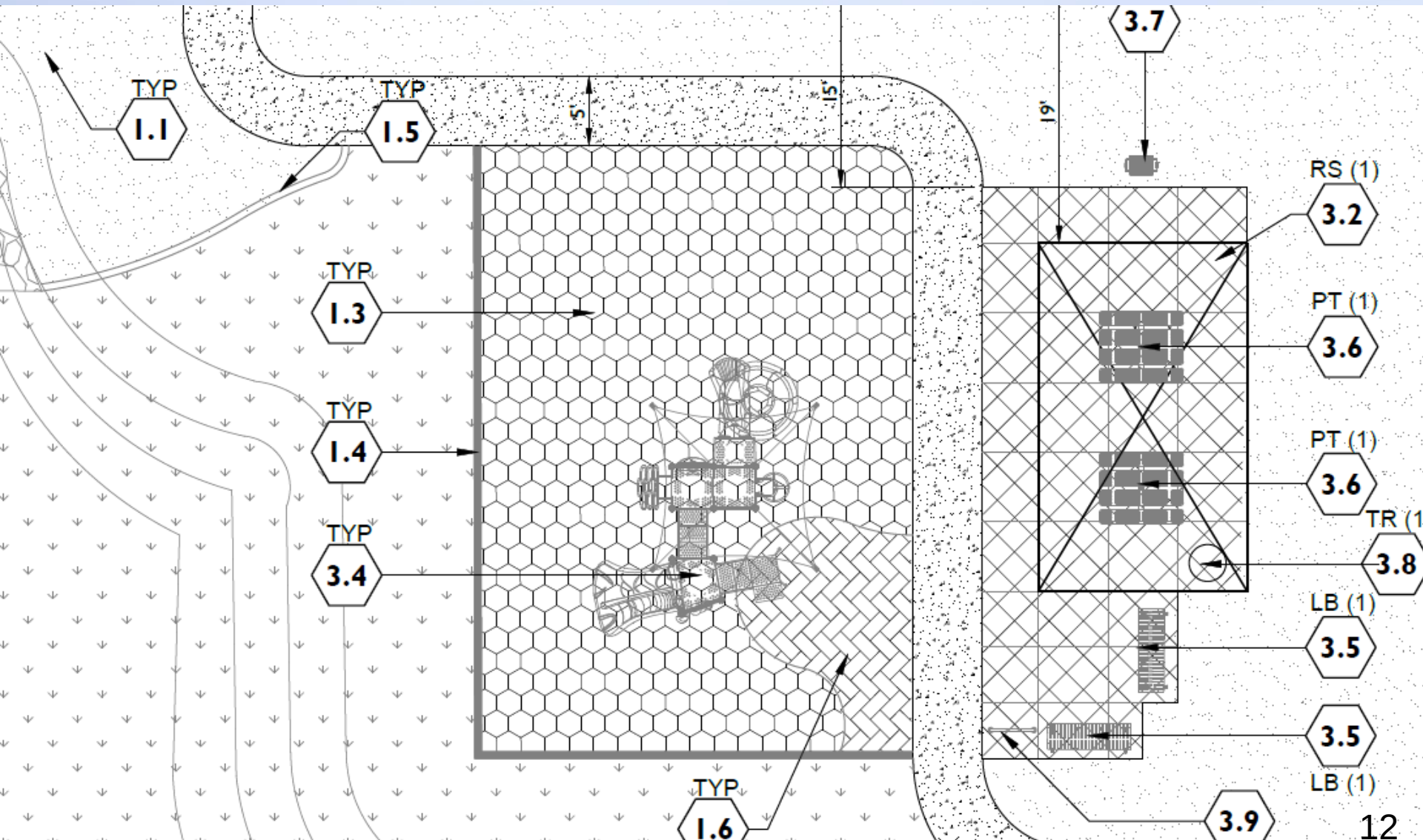
¹⁹ BASEMENTS, "GRANNY FLATS" AND ATTIC LOFTS ARE ENCOURAGED FOR THE EXPANSION OF LIVABLE AND STORAGE SPACE AND THE REDUCTION OF ENERGY AND LAND CONSUMPTION.

NOTE: ADDITIONAL SETBACKS MAY BE REQUIRED BY THE BUILDING CODE

[illegible]

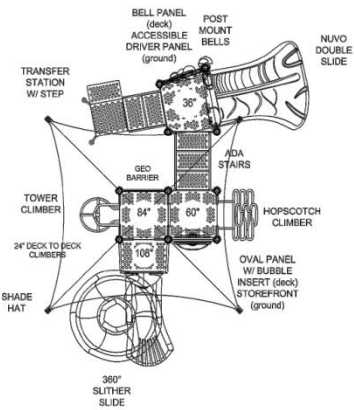
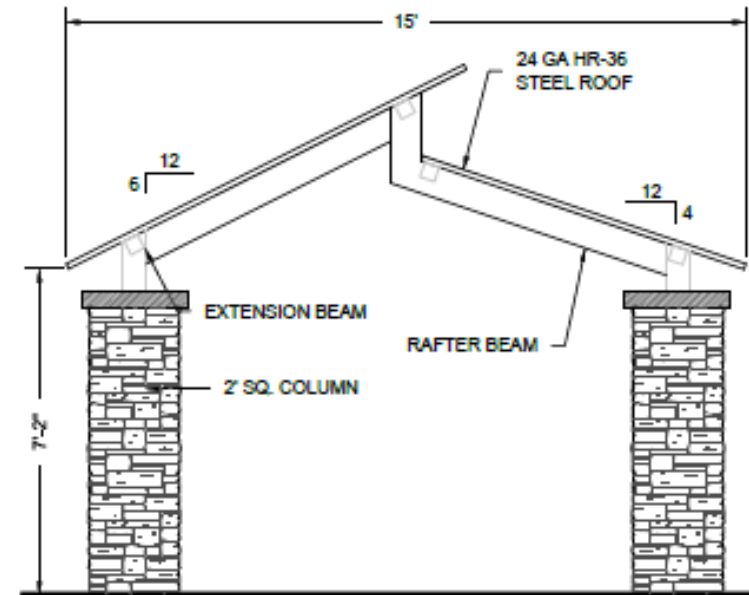
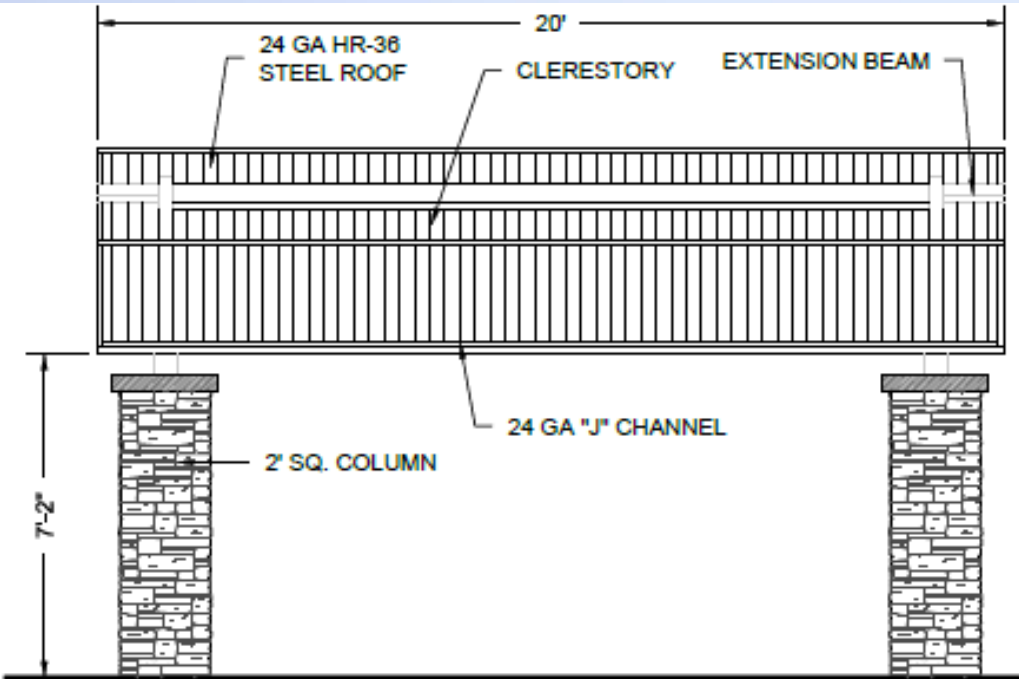
FS15-190 Sanverno at Desert Oasis

Amenities

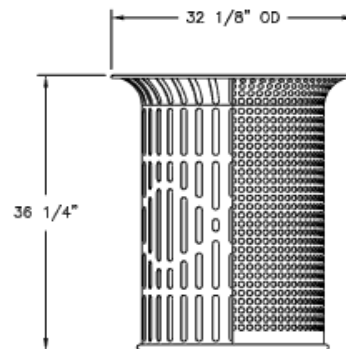
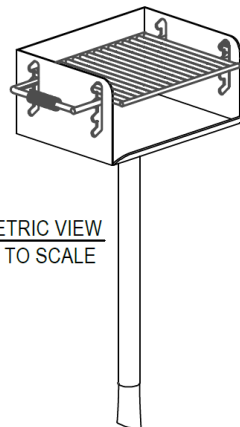


FS15-190 Sanverno at Desert Oasis

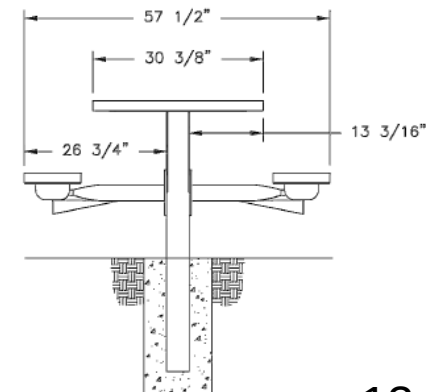
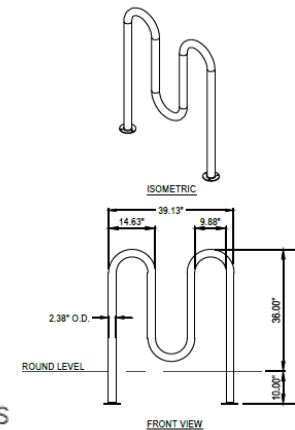
Amenities



ISOMETRIC VIEW
NOT TO SCALE

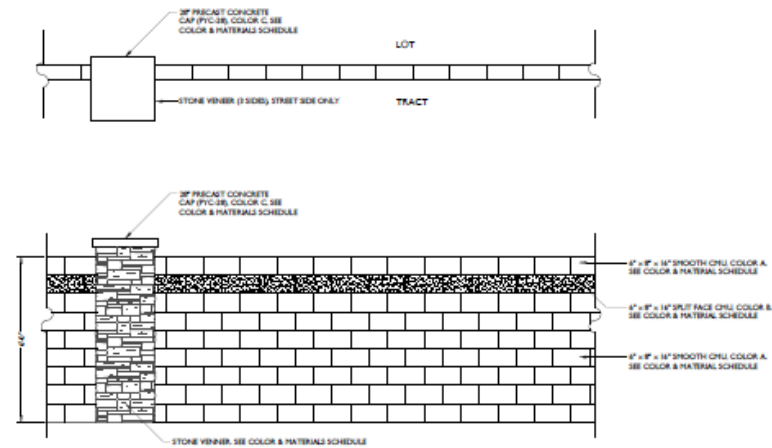
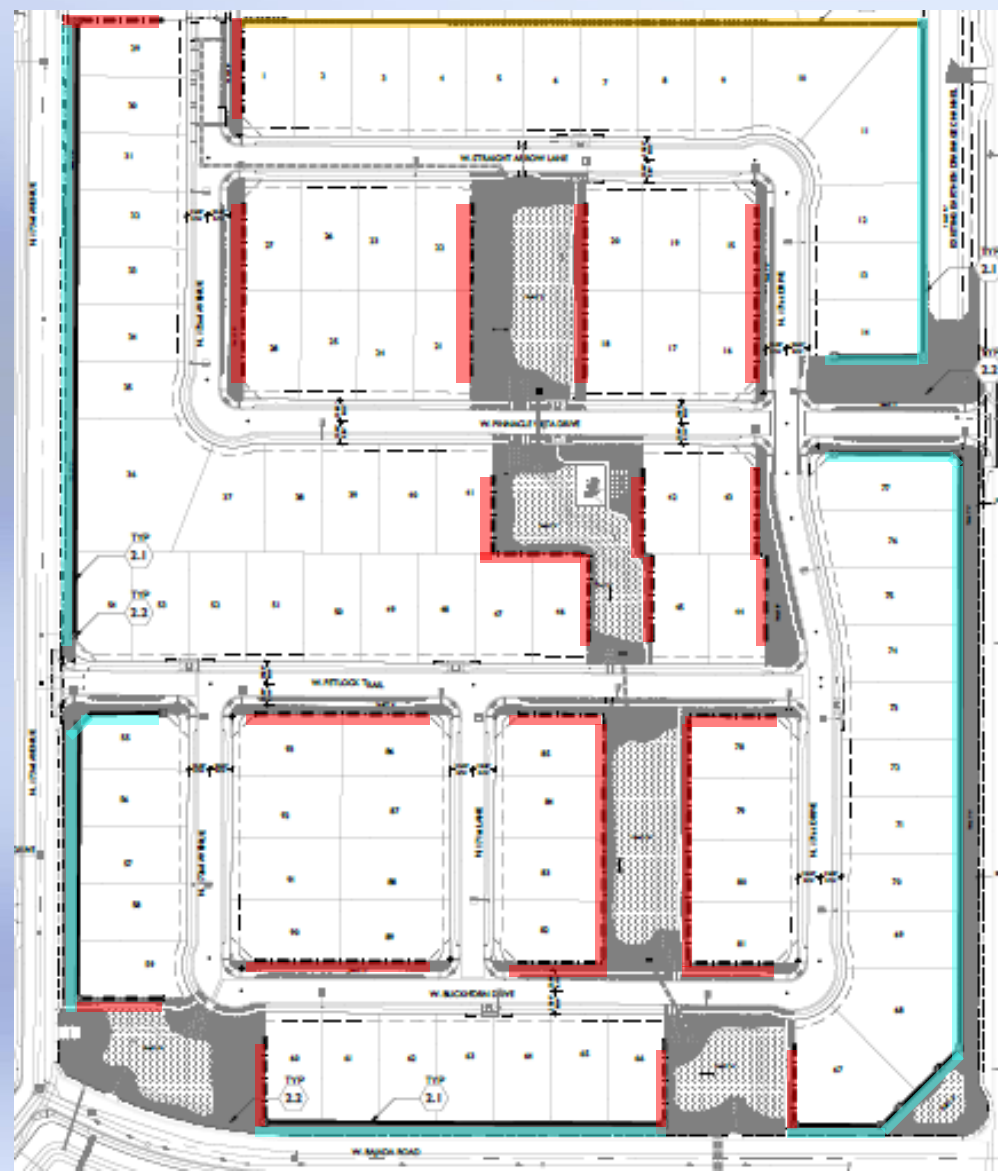


FLARE RECEPTACLE DIMENSIONS



FS15-190 Sanverno at Desert Oasis

Walls



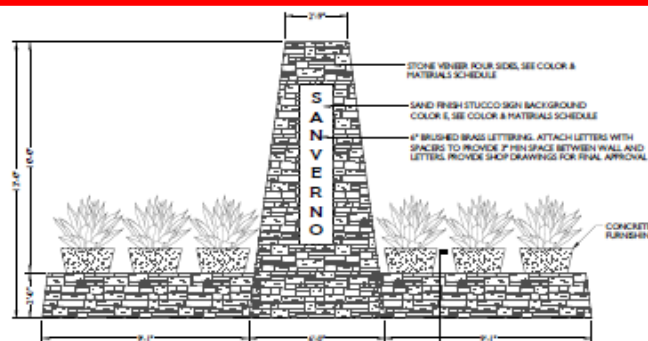
6' THEME WALL
Scale: 1/2" = 1'-0"

WALLS LEGEND

SYMBOL	ITEM
	DECORATIVE COLUMN 'TYPE A'
	6'-0" THEME WALL
	6'-0" BUILDER WALL (FENCE BLOCK STAIN TO MATCH WOODED ACRE 'DE6130')
	EXISTING WALL TO REMAIN (STAIN TO MATCH WOODED ACRE 'DE6130')

FS15-190 Sanverno at Desert Oasis

Primary Entry Monument

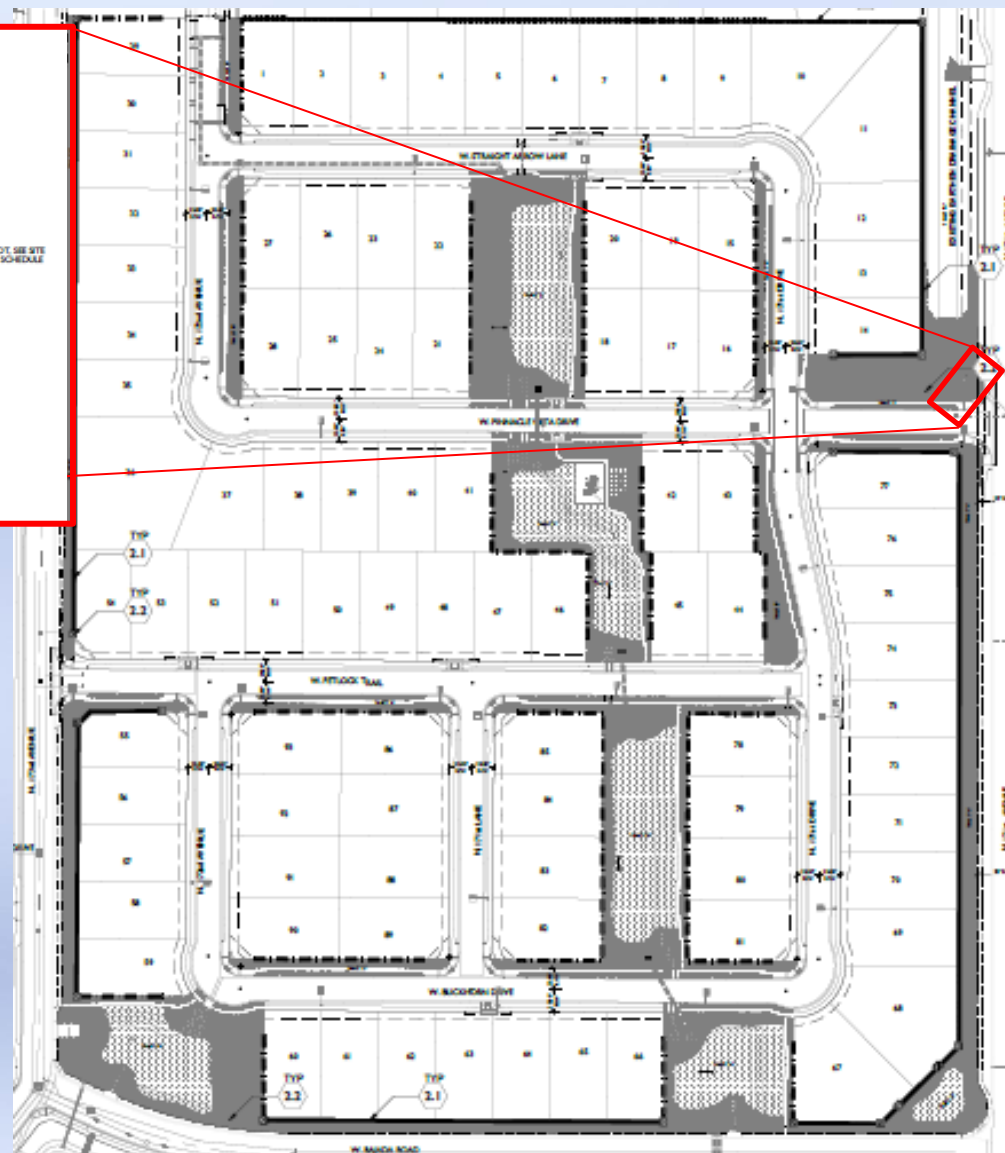


ELEVATION

PRIMARY ENTRY MONUMENT

Scale: 3/8" = 1'-0"

3.0



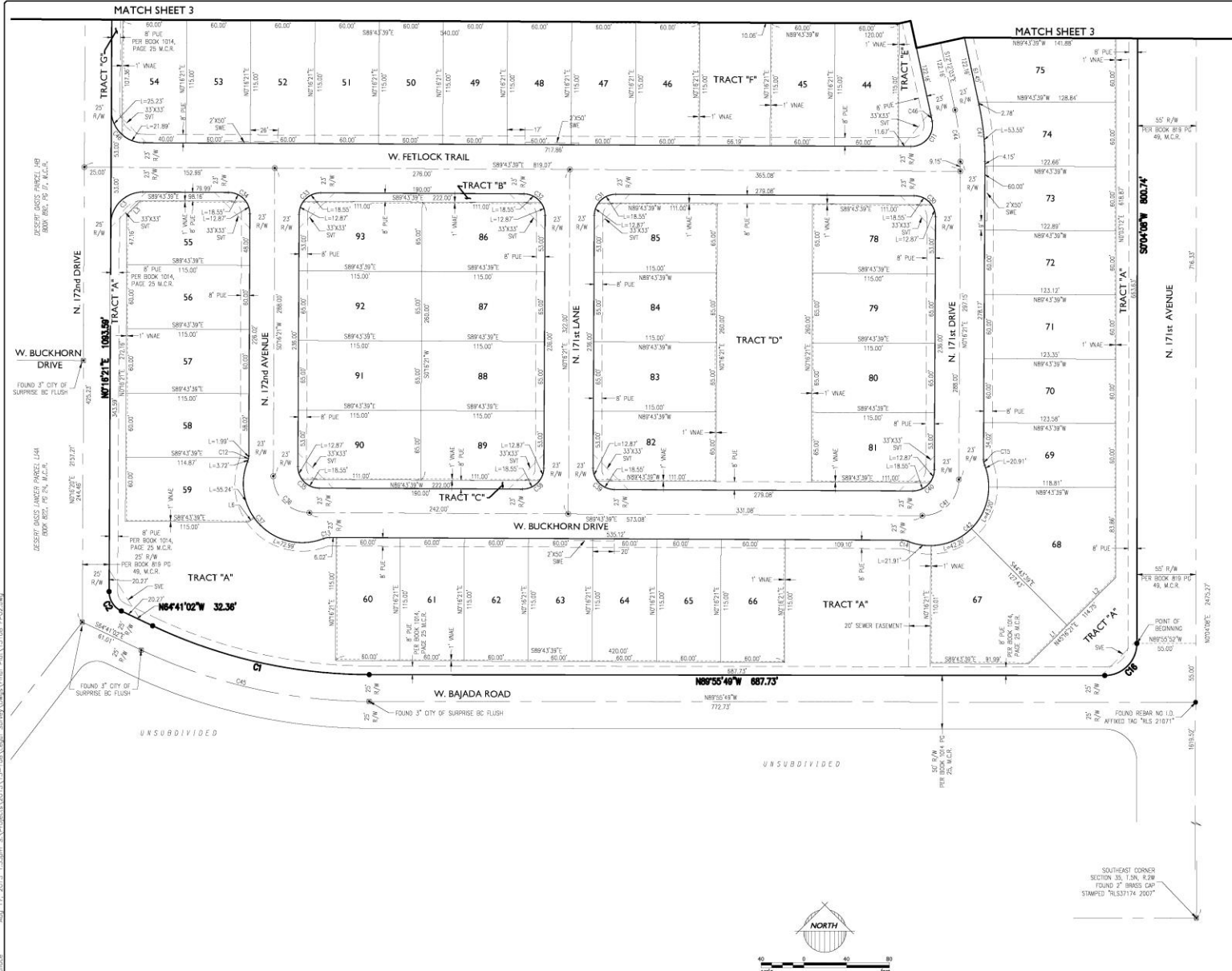
[illegible]

FINAL PLAT

FS15-190 Sanverno at Desert Oasis



15-108



LOT AREA TABLE

LOT NO.	S.F.	S.F. ACRES
LOT 1	7067	0.1622
LOT 2	7320	0.1680
LOT 3	7320	0.1680
LOT 4	7320	0.1680
LOT 5	7320	0.1680
LOT 6	7320	0.1680
LOT 7	7320	0.1680
LOT 8	7320	0.1680
LOT 9	7289	0.1673
LOT 10	3220	0.2000
LOT 11	14960	0.3434
LOT 12	7253	0.1665
LOT 13	7200	0.1661
LOT 14	7200	0.1661
LOT 15	6887	0.1581
LOT 16	6890	0.1584
LOT 17	6900	0.1584
LOT 18	6900	0.1584
LOT 19	6900	0.1584
LOT 20	6900	0.1584
LOT 21	6900	0.1584
LOT 22	6900	0.1584
LOT 23	6900	0.1584
LOT 24	6900	0.1584
LOT 25	6900	0.1584
LOT 26	6900	0.1584
LOT 27	6889	0.1584
LOT 28	6889	0.1584
LOT 29	6900	0.1584
LOT 30	6900	0.1584
LOT 31	6900	0.1584
LOT 32	6900	0.1584
LOT 33	6900	0.1584
LOT 34	6900	0.1584
LOT 35	6748	0.1549
LOT 36	17234	0.3966
LOT 37	8546	0.1962
LOT 38	6900	0.1584
LOT 39	6900	0.1584
LOT 40	6900	0.1584
LOT 41	6900	0.1584
LOT 42	6900	0.1584
LOT 43	6885	0.1581
LOT 44	6900	0.1584
LOT 45	6900	0.1584
LOT 46	6900	0.1584
LOT 47	6900	0.1584
LOT 48	6900	0.1584
LOT 49	6900	0.1584
LOT 50	6900	0.1584
LOT 51	6900	0.1584
LOT 52	6900	0.1584
LOT 53	6900	0.1584
LOT 54	6832	0.1573
LOT 55	6802	0.1562
LOT 56	6900	0.1584
LOT 57	6900	0.1584
LOT 58	6900	0.1584
LOT 59	6779	0.1556
LOT 60	6900	0.1584
LOT 61	6900	0.1584
LOT 62	6900	0.1584
LOT 63	13122	0.2717
LOT 64	7944	0.1666
LOT 65	7944	0.1666
LOT 66	7944	0.1666
LOT 67	7944	0.1666
LOT 68	7944	0.1666
LOT 69	7944	0.1666
LOT 70	7944	0.1666
LOT 71	7944	0.1666
LOT 72	7944	0.1666
LOT 73	7944	0.1666
LOT 74	7944	0.1666
LOT 75	8122	0.1844
LOT 76	8904	0.2044
LOT 77	9446	0.2169
LOT 78	7460	0.1713
LOT 79	7475	0.1716
LOT 80	7475	0.1716
LOT 81	7460	0.1713
LOT 82	7460	0.1713
LOT 83	7475	0.1716
LOT 84	7475	0.1716
LOT 85	7460	0.1713
LOT 86	7460	0.1713
LOT 87	7475	0.1716
LOT 88	7475	0.1716
LOT 89	7460	0.1713
LOT 90	7460	0.1713
LOT 91	7475	0.1716
LOT 92	7475	0.1716
LOT 93	7460	0.1713

2045 S. Wengard Ave. Suite 101
Mesa, AZ 85210
T:480.953.2255 | F:480.953.2258
WWW.EPSGROUP.COM

EPS GROUP

Sanverno at Desert Oasis
Surprise, Arizona

Final Plat

Project:
Drawn by:
Checked by:
Designed by:
Job No: **15-108**
BS02
Sheet No:

19

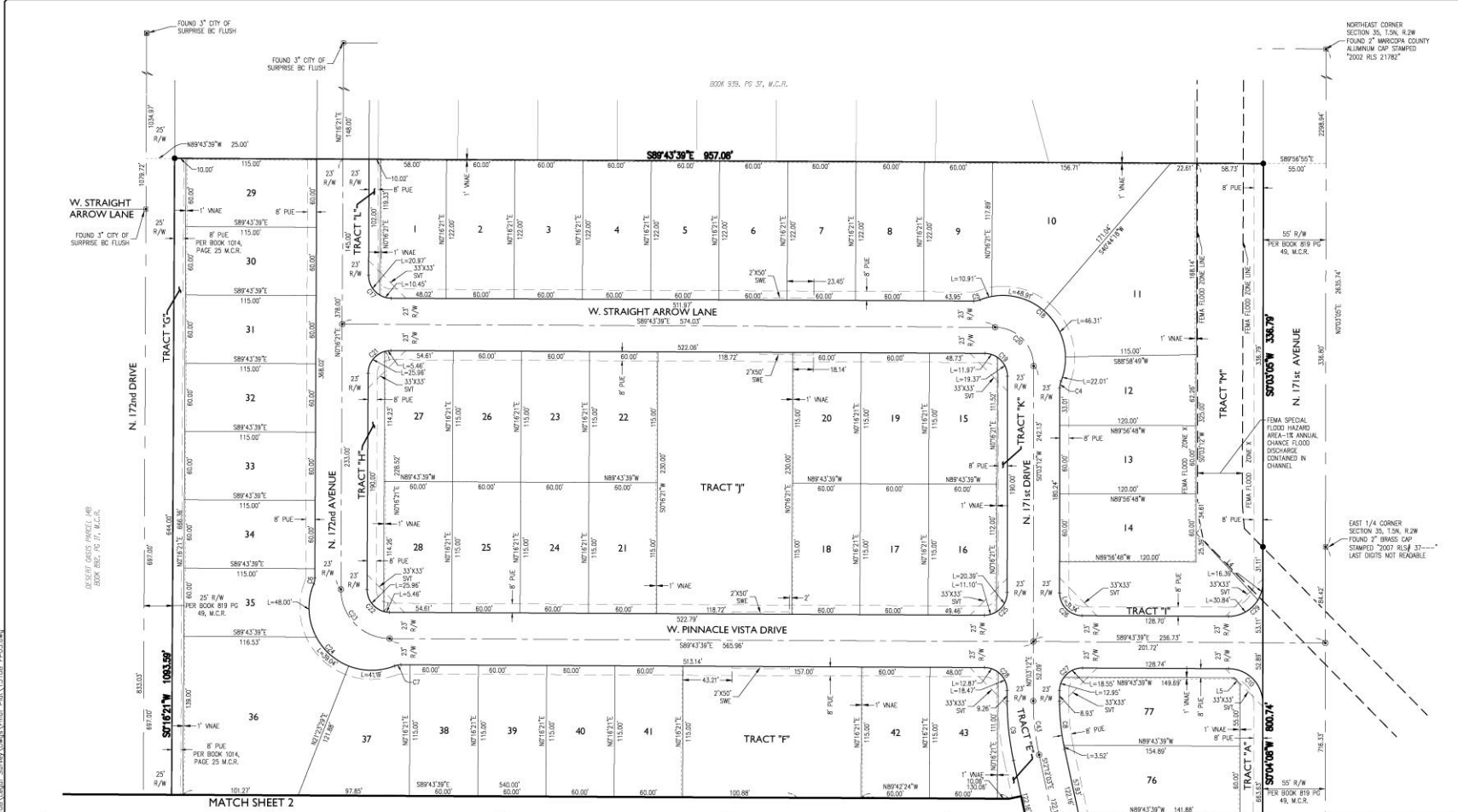
FS15-190 Sanverno at Desert Oasis



Sanverno at Desert Oasis
Final Plat

Project: Sanverno at Desert Oasis
Revisions:
Drawn by: [Signature]
Checked by: [Signature]
2015 WAT T. KONG
P.E. 47341
15-108
BS03
Sheet No.

15-108



CURVE TABLE									
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG	CURVE	LENGTH	RADIUS
C1	209.37	475.00	207.43°	106.36	207.61	N71°26'26\"	C14	5.70	15.00
C2	22.67	20.00	64°53'23\"	12.73	21.46	N32°21'27\"	C15	5.70	15.00
C3	47.12	30.00	90°00'00\"	30.00	42.43	S45°16'21\"	C16	47.12	30.00
C4	5.72	15.00	21°51'29\"	2.80	5.69	N10°36'35\"	C17	31.42	20.00
C5	5.72	15.00	21°51'24\"	2.80	5.69	N10°36'35\"	C18	128.15	55.00
C6	5.70	15.00	21°47'27\"	2.80	5.67	N10°36'35\"	C19	31.34	20.00
C7	5.70	15.00	21°47'27\"	2.80	5.67	S79°22'38\"	C20	53.38	34.00
C8	36.26	200.00	11°44'41\"	19.69	39.18	S50°34'11\"	C21	31.42	20.00
C9	52.61	246.00	12°15'15\"	26.41	52.51	S50°34'11\"	C22	31.42	20.00
C10	47.02	30.00	89°47'40\"	29.89	42.35	N44°49'46\"	C23	67.54	43.00
C11	35.20	20.00	100°50'33\"	24.18	35.83	N39°51'09\"	C24	128.23	55.00
C12	3.72	15.00	141°15'50\"	1.87	3.71	N45°49'36\"	C25	31.49	20.00
C13	5.70	15.00	21°47'12\"	2.80	5.67	S79°22'45\"	C26	31.34	20.00

CURVE TABLE									
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD	CHORD BRG	CURVE	LENGTH	RADIUS
C27	31.49	20.00	90°00'00\"	20.00	28.34	S45°04'09\"	C30	31.42	20.00
C28	31.34	20.00	89°46'51\"	19.82	28.23	S44°50'13\"	C31	31.42	20.00
C29	47.23	30.00	90°01'33\"	30.11	42.50	N45°01'14\"	C32	31.42	20.00
C30	31.42	20.00	90°00'00\"	20.00	28.28	N44°43'39\"	C33	31.42	20.00
C31	31.42	20.00	90°00'00\"	20.00	28.28	S45°16'21\"	C34	31.42	20.00
C32	31.42	20.00	90°00'00\"	20.00	28.28	S45°16'21\"	C35	31.42	20.00
C33	31.42	20.00	90°00'00\"	20.00	28.28	S44°43'39\"	C36	53.41	34.00
C34	31.42	20.00	90°00'00\"	20.00	28.28	S44°43'39\"	C37	128.23	55.00
C35	31.42	20.00	90°00'00\"	20.00	28.28	S44°43'39\"	C38	31.42	20.00
C36	53.41	34.00	90°00'00\"	34.00	48.08	S44°43'39\"	C39	31.42	20.00
C37	128.23	55.00	133°34'25\"	128.24	101.09	S44°43'39\"			
C38	31.42	20.00	90°00'00\"	20.00	28.28	N45°16'21\"			
C39	31.42	20.00	90°00'00\"	20.00	28.28	S44°43'39\"			

LINE TABLE			
LINE	BEARING	LENGTH	
L1	N45°16'21\"	50.92	
L2	N45°16'21\"	63.83	
L3	S45°16'21\"	18.16	
L4	S42°44'51\"	80.01	
L5	N45°01'14\"	7.08	
L6	S54°31'07\"	6.61	

Aug 17, 2015 1:55pm S:\Projects\2015\15-108\Legal_Sanverno\Draws\Final\15-108.FPD,efg
written

RECOMMENDATIONS:

**Planning and Zoning Commission
recommended approval of the Preliminary Plat**

**If the City Council approves the Preliminary
Plat, the Council is free to also approve the
related Final Plat**

Questions or Comments?





CITY OF SURPRISE
Regular City Council Meeting

November 3, 2015 @ 6:00:00 PM

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

Council Meeting Date:	November 3, 2015	Contact Person:	Robert Kuhfuss, Community Development
Submitting Department:		District:	4
Staff Recommendations:	None		

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

Agenda Wording:

Consideration and action regarding proposed Zone Change from CR to IP-PUD, CR to CR-PUD, and from IP to CR-PUD for Dysart Subdivision located at the southwest corner of Bell Road and Dysart Road; Ordinance # 2015-16.

Motion:

I move to approve Ordinance # 2015-16.

Background:

The owner's agent met with staff to discuss the possibility of rezoning the property to accommodate a proposed automotive body repair facility in addition to future commercial uses as yet to be determined. These meetings were followed by a formal submittal to change the zoning of the property, in addition to a Master Site Plan and Final Plat. The Planning and Zoning Commission recommended approval of the Zone Change request to the City Council subject to staff-recommended stipulations. The matter was scheduled for public hearing on October 6, 2015 but continued by the City Council to October 20, 2015.

Objective Analysis:

The proposed Zone Change will facilitate the development of the property as an automotive repair facility and other as-yet to be determined commercial uses. Together with related Final Plat and Master Site Plan, the proposed Zone Change will provide the mechanism needed to allow the owner to bring this otherwise vacant property to market, which will in turn allow it to be developed in a manner that is consistent with the goals and policies of the General Plan.

Policy Compliant:

The proposed Zone Change advances the goals and policies of the Surprise General Plan and the City Council's Strategic Plan.

Financial Impact:

All activity related to ongoing development of the City of Surprise has an economic and fiscal impact on

the city and the region.

Budget Impact:

There is no anticipated budget impact related to this item.

FTE Impact:

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

ATTACHMENTS:

Click to download

- ☐ [Ordinance 2015-16](#)
 - ☐ [FS15-155 - Dysart Subdivision - Caliber Collision - Rezone - Staff Report](#)
 - ☐ [CC01 - FS15-155 - Dysart Subdivision - Caliber Collision - Rezone - Vicinity Map](#)
 - ☐ [CC02 - FS15-155 - Dysart Subdivision - Caliber Collision - Rezone - Zone Change Case Map](#)
 - ☐ [CC03 - FS15-155 - Dysart Subdivision - Caliber Collision - Rezone - Zoning Narrative](#)
 - ☐ [CC04 - FS15-155 - Dysart Subdivision - Caliber Collision - Rezone - P&Z Commission Zone Change Staff Report](#)
 - ☐ [CC05 - FS15-155 - Dysart Subdivision - Caliber Collision - Rezone - P&Z Commission Master Site Plan Staff Report](#)
 - ☐ [CC06 - FS15-155 - Dysart Subdivision - Caliber Collision - Rezone - Site Plan \(1 & 2 of 3\)](#)
 - ☐ [CC06 - FS15-155 - Dysart Subdivision - Caliber Collision - Rezone - Site Plan \(3 of 3\)](#)
 - ☐ [CC07 - FS15-155 - Dysart Subdivision - Caliber Collision - Rezone - Landscape Rendering](#)
 - ☐ [CC08 - FS15-155 - Dysart Subdivision - Caliber Collision - Rezone - Elevation Rendering](#)
 - ☐ [CC09 - FS15-155 - Dysart Subdivision - Caliber Collision - Rezone - Sign Package](#)
 - ☐ [CC10 - FS15-155 - Dysart Subdivision - Caliber Collision - Rezone - ADOT Comments](#)
 - ☐ [CC11 - FS15-155 - Dysart Subdivision - Caliber Collision - Rezone - MWD Comments](#)
 - ☐ [CC12 - FS15-155 - Dysart Subdivision - Caliber Collision - Rezone - Luke AFB Comments](#)
 - ☐ [CC13 - FS15-155 - Dysart Subdivision - Caliber Collision - Rezone - Excerpt of the October 1 2015 P&Z Minutes](#)
 - ☐ [FS15-155 - Dysart Subdivision - Caliber Collision - Presentation](#)
-

ORDINANCE 2015-16

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF SURPRISE, ARIZONA, APPROVING A REZONE FROM CR TO IP, FROM CR TO CR AND FROM IP TO CR WITH A PLANNED UNIT DEVELOPMENT (PUD) OVERLAY FOR THE DYSART SUBDIVISION, LOCATED AT THE SOUTHWEST CORNER OF BELL ROAD AND DYSART ROAD.

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

WHEREAS, the subject site is located at the southwest corner of Bell Road and Dysart Road;

WHEREAS, the subject site is zoned as CR and IP;

WHEREAS, the Zone Change and PUD overlay district is authorized by Surprise Municipal Code §122-68;

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

WHEREAS, the proposed PUD overlay satisfies the requirements set forth in Chapter 122 of the Surprise Municipal Code;

WHEREAS, this Zone Change and PUD overlay is in harmony with the purposes and intent of the zoning ordinance and the Surprise General Plan; and

WHEREAS, on October 1, 2015, the Planning and Zoning Commission recommended approval of the application to re-zone from CR to IP-PUD and from CR to CR-PUD and PUD overlay.

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

Section 1. The parcel legally described on Exhibit A and depicted on Exhibit B, known as the “Dysart Subdivision” is rezoned from CR to IP PUD, from CR to CR PUD and from IP to CR PUD with a planned unit development (PUD) overlay, in conformance with the “Dysart Subdivision Zone Change and PUD Overlay” document, dated August 17, 2015. This re-zoning approval is subject to the following conditions:

- a. Development and use of the site shall be in substantial conformance with the project narrative entitled “Dysart Subdivision Rezone Document PUD Overlay”, prepared by Olsson Associates, consisting of 20 pages dated revised August 17, 2015 and stamped received August 17, 2015, except as modified by the following stipulations.
- b. If a Final Plat has not been recorded within one (1) year of approval of this Zone Change request by the City Council, the subject zone change may be scheduled for public hearing by the Planning and Zoning Commission and City Council for consideration of reverting the property to its former zoning per ARS § 9-462.01.E.
- c. Non-compliance with the stipulations of approval of this case will be treated as a violation in accordance with the provisions of Article XIV of the Surprise Unified Development Code.
- d. The Property owner and successors waive claim for diminution of in value if the City takes action to rescind approval of this zone change request due to non-compliance with the stipulations of approval.

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

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

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

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

SIGNATURES ON FOLLOWING PAGE

PASSED AND ADOPTED this _____ day of _____, 2015.

Sharon R. Wolcott, Mayor

Attest:

Approved as to form:

Sherry Aguilar, City Clerk

Misty Leslie, City Attorney

ZONE CHANGE

REPORT TO THE CITY COUNCIL

Case:	FS15-155
Project Name:	Dysart Subdivision Rezone
Council District:	4
Meeting Date:	November 3, 2015 (continued from October 20, 2015)
Planner:	Robert H. Kuhfuss, AICP
Owner:	Farhad and Kathryn Shokoohl
Applicant:	Len Swartz, PE, of Ollson Associates, on behalf of Cross Development and Farhad and Kathryn Shokoohl
Request:	Rezone from CR to IP-PUD (approx. 2.04 acres), from CR to CR-PUD (approx. 0.75 acres), and from IP to CR-PUD (approx. 5.51 acres)
Site Location:	Southwest corner of Bell Road and Dysart Road
Site Size:	8.30 acres (approx.)
Density:	N/A
General Plan Conformance:	The proposal is consistent with the Surprise General Plan 2035
Support/Opposition:	One (1) individual expressed concerns over the requested rezone during the October 6, 2015 City Council Regular Work Session. A second individual expressed opposition at the October 20, 2015 City Council Regular Session.
Findings:	• The proposed Zone Change is consistent with the Surprise General Plan 2035. • The reviewing agencies have indicated no objections to the request.
Alternative Actions:	Approval: Should the City Council wish to approve the proposed Zone Change, the Council may wish to include the following stipulations of approval, as recommended by the Planning and Zoning Commission on October 1, 2015:

- 43 a. Development and use of the site shall be in substantial conformance with the project
44 narrative entitled “Dysart Subdivision Rezone Document PUD Overlay”, prepared by Olsson
45 Associates, consisting of 20 pages dated revised August 17, 2015 and stamped received
46 August 17, 2015, except as modified by the following stipulations.
47
48 b. If a Final Plat has not been recorded within one (1) year of approval of this Zone Change
49 request by the City Council, the subject zone change may be scheduled for public hearing by
50 the Planning and Zoning Commission and City Council for consideration of reverting the
51 property to its former zoning per ARS § 9-462.01.E.
52
53 c. Non-compliance with the stipulations of approval of this case will be treated as a violation in
54 accordance with the provisions of Article XIV of the Surprise Unified Development Code.
55
56 d. The Property owner and successors waive claim for diminution of in value if the City takes
57 action to rescind approval of this zone change request due to non-compliance with the
58 stipulations of approval.
59

60 **Denial:** Should the Council wish to deny the requested Zone Change
61 the existing zoning will remain in place.
62

63 **PROJECT DESCRIPTION:**
64

65 Len Swartz, PE, of Ollson Associates, on behalf of Cross Development and Farhad and Kathryn
66 Shokoohl, seeks approval of three separate but related requests:
67

- 68 • A Zone Change from CR to IP-PUD, from CR to CR-PUD, and from IP to CR-PUD (the subject
69 request);
- 70 • A Major Site Plan in these newly established districts (approved by the Planning and Zoning
71 Commission on October 1, 2015);
- 72 • A three-lot Final Plat (discussed under separate cover).
73

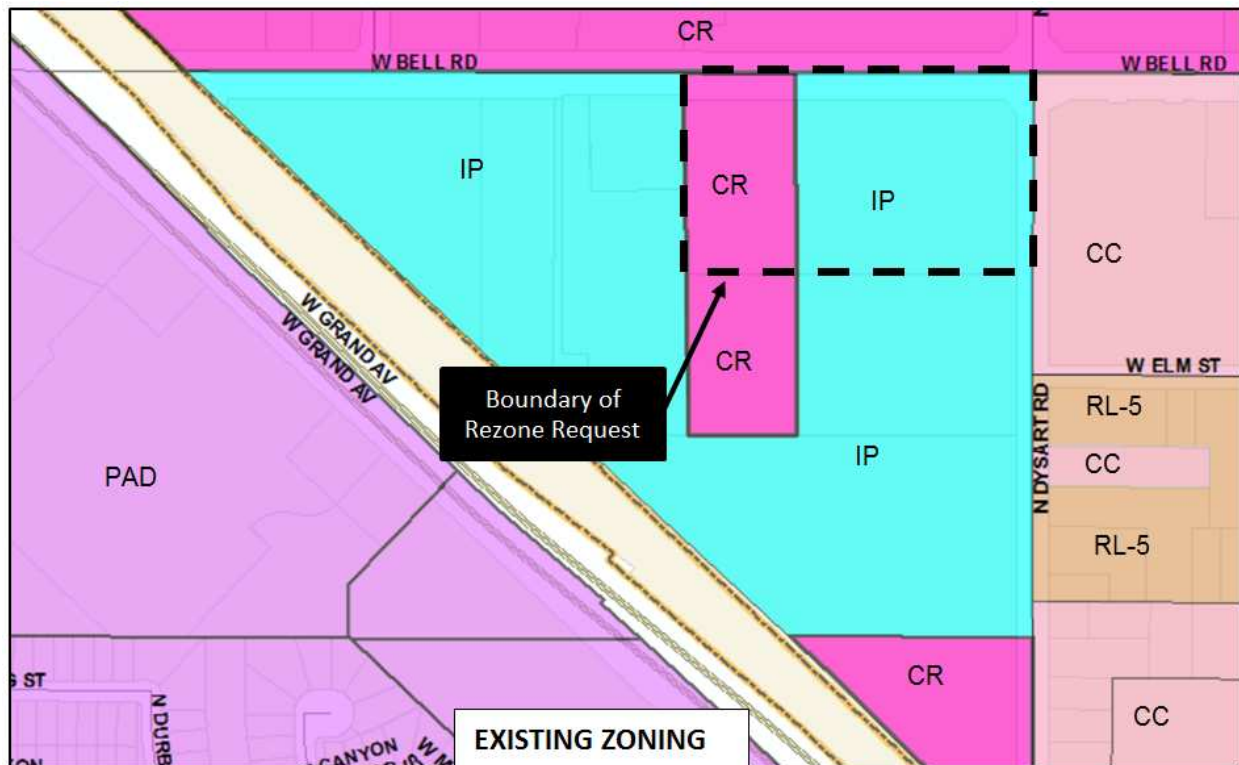
74 The Zone Change was heard by the Planning and Zoning Commission on October 1, 2015. The
75 Commission recommended approval of the Zone Change to the City Council subject to the staff-
76 recommended stipulations outlined above. The merits of the Zone Change are discussed in the
77 attached Planning and Zoning Commission Zone Change Staff Report.
78

79 The Commission also approved the related Major Site Plan subject to several staff-recommended
80 stipulations including a provision requiring the City Council’s subsequent approval of the Zone
81 Change, plus an additional requirement to “box-in” two exposed parapets. The merits of the
82 Master Site Plan are discussed in the attached Planning and Zoning Commission Master Site Plan
83 Staff Report.
84

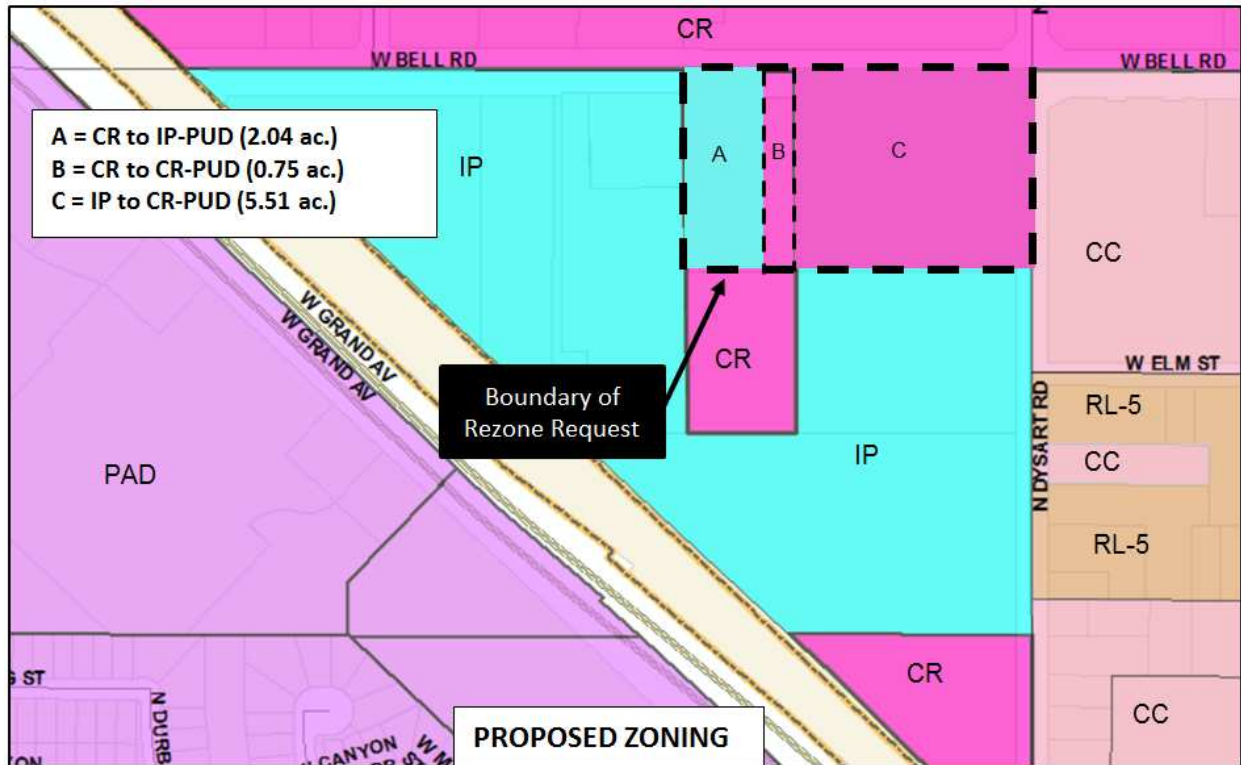
Also, for background purposes, an excerpt of the October 1, 2015 Planning and Zoning Commission draft minutes are included as an attachment to this report.

The subject Zone Change was originally scheduled for the October 6, 2015 City Council hearing, but was continued on that date to October 20, 2015. The Final Plat is discussed under separate cover; however, assuming the Council approves the subject Zone Change, the Council may choose to approve the Final Plat.

All three actions anticipate the development of a Caliber Collision Center and other as-yet to be determined commercial uses. As noted, the merits of the Zone Change are discussed in the attached staff report to the Planning and Zoning Commission; however, the following two maps express the current and proposed zoning of the property. Note that Caliber Collision will be located on the area labeled as “A” on the second map, while areas “B” and “C” on the second map will remain vacant and available for future commercial development, subject to the provisions of the SUDC in place for CR zoning as amended by the proposed PUD Overlay.



[Proposed Zoning Map on following page.]



OPPOSITION:

The applicant held a Citizen Outreach meeting on June 21, 2015, which generated no input; however, during the Call to the Public at the City Council Regular Work Session of October 6, 2015, a resident expressed opposition to the Zone Change request citing concerns over the aesthetics of the proposed facility and its potential impacts to the city's gateway image. Another individual expressed opposition to the request at the October 20, 2015 City Council Regular Session.

SUMMARY:

Staff notes there seems to be a misconception that the Caliber facility will be located on the "hard" corner of Bell Road and Dysart Road. While the requested Zone Change includes the entire 8-acre site, the Caliber facility will only occupy the westernmost 200' of that property, leaving the balance of the site vacant and available for commercial uses more in keeping with the stated vision of the City Council. Critical to the understanding of the ramifications of this case is the fact that should the subject rezone request fail, the existing zoning would remain intact and the applicant could simply renegotiate their contract with the seller to locate the collision center at the intersection of Bell Road and Dysart Road as a by-right use.

Staff believes the proposed Zone Change, in conjunction with the related Final Plat and the approved Master Site Plan, will provide the mechanism needed to allow the owner to bring the property to market, while providing for reciprocal cross-access, which will in turn allow it to be developed in a manner that is consistent with the goals and policies of the General Plan.

Attachments:

- 01 – Vicinity Map (1 page)
- 02 – Zone Change Case Map (1 page)
- 03 – Zoning Narrative (20 pages)
- 04 – Planning and Zoning Commission Zone Change Staff Report (8 pages)
- 05 – Planning and Zoning Commission Master Site Plan Staff Report (9 pages)
- 06 – Site Plan (3 pages)
- 07 – Landscape Rendering (1 page)
- 08 – Elevation Rendering (1 page)
- 09 – Sign Package (5 pages)
- 10 – ADOT comments (1 page)
- 11 – MWD comments (1 page)
- 12 – Luke AFB comments (1 page)
- 13 – Excerpt of the October 1, 2015 P&Z Minutes (2 pages)



PROJECT:
CALIBER COLLISION
SURPRISE, AZ

O	DATE
2	REVISION #1
3	REVISION #2

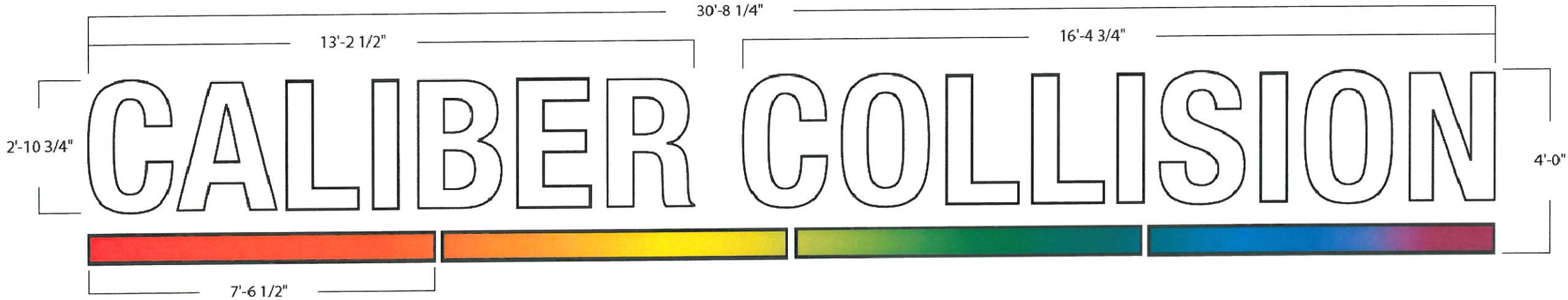
PROJ. NO.: 15053

Copyright © 2015



1. DOWNSPOUTS ARE INDICATED FOR SIZE, QUANTITY, AND APPROXIMATE LOCATION ONLY.
2. HOLLOW METAL STEEL DOORS, FRAMES, EXPOSED METAL FLASHING AND EXPOSED MISCELLANEOUS STEEL SHALL MATCH ADJACENT BUILDING COLOR UNLESS NOTED OTHERWISE. IF THERE ARE TWO ADJACENT COLORS AT THE DOOR LOCATIONS CONTRACTOR TO USE THE BASE OF THE BOTTOM FINISH FOR THE ENTIRE DOOR.
3. CONTRACTOR TO PROVIDE PLYWOOD BACKING FOR SIGNAGE AS SHOWN. PLYWOOD BACKING TO EXTEND 1'-0" BEYOND EDGES OF SIGN.
4. REFER SHEET A1.3 FOR FINISHES AND MATERIALS.





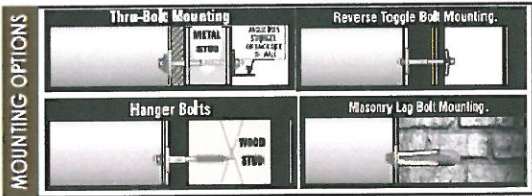
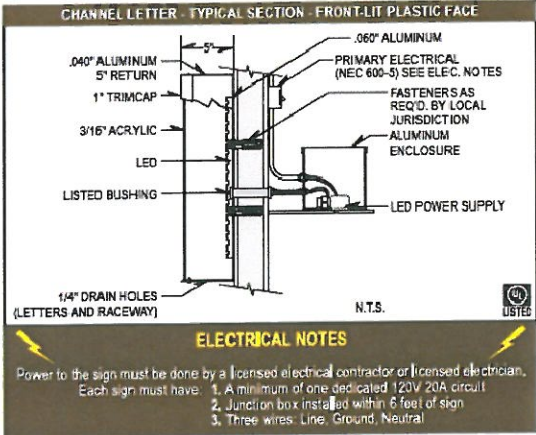
B CHANNEL LETTERS
3/8" = 1'-0"

total square footage for both channel letter signs is 208.5 sq/ft

Quantity: ONE (1)
Total Sq.Ft: 123 sq/ft
Returns: 5" Black
Trimcap: 1" Black
Face: 7328 White Plex
First-surface translucent vinyl:
• Digital Print for rainbow strip
Illumination: White LED's

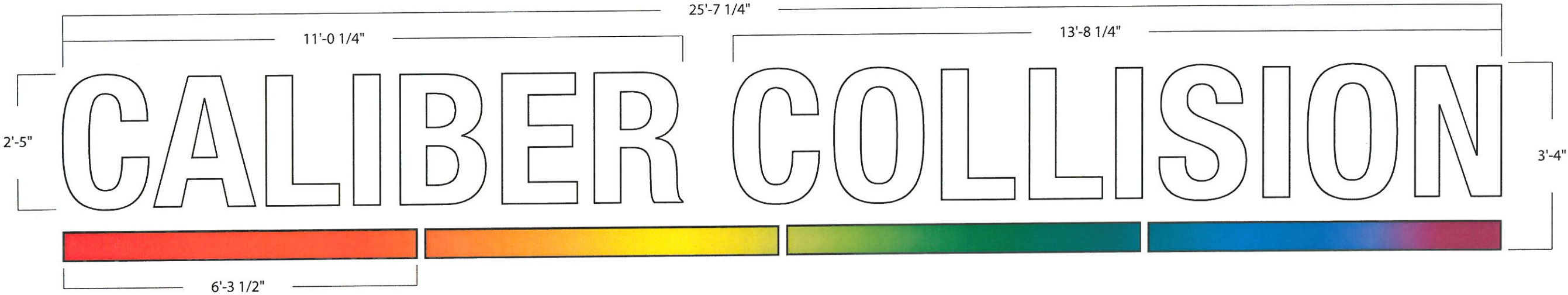
- NOTES:
- Individually Mounted Letters
 - White interiors for increased illumination
 - All paint two-stage automotive acrylic

209' 6 1/4" (linear ft) x .6 (sq ft) = 125.7 (allowed footage)



B CHANNEL LETTERS
1 9/16" = 26'-0"





A CHANNEL LETTERS
1/2" = 1'-0"

Quantity: ONE (1)
Total Sq.Ft: 85.5 sq/ft
Returns: 5" Black
Trimcap: 1" Black
Face: 7328 White Plex
First-surface translucent vinyl:
• Digital Print for rainbow strip
Illumination: White LED's

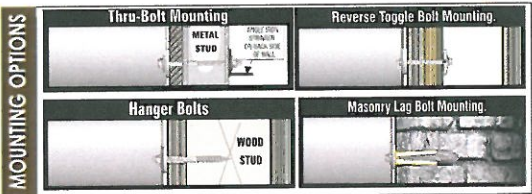
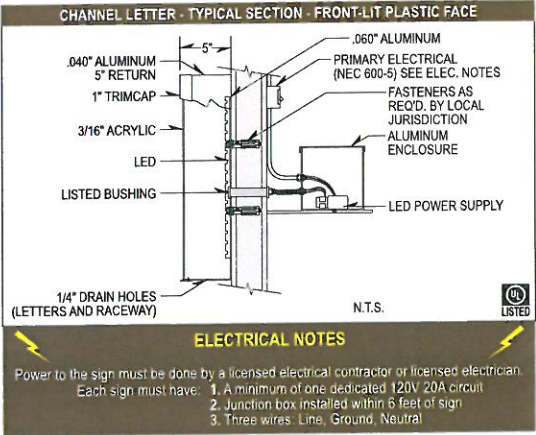
- NOTES:**
- Individually Mounted Letters
 - White interiors for increased illumination
 - All paint two-stage automotive acrylic

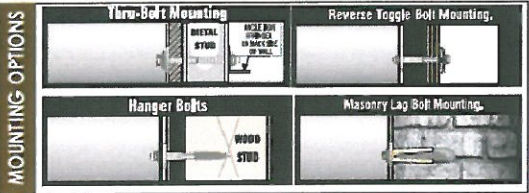
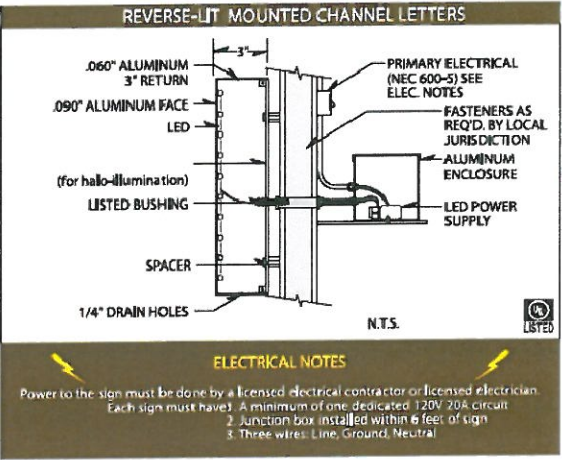
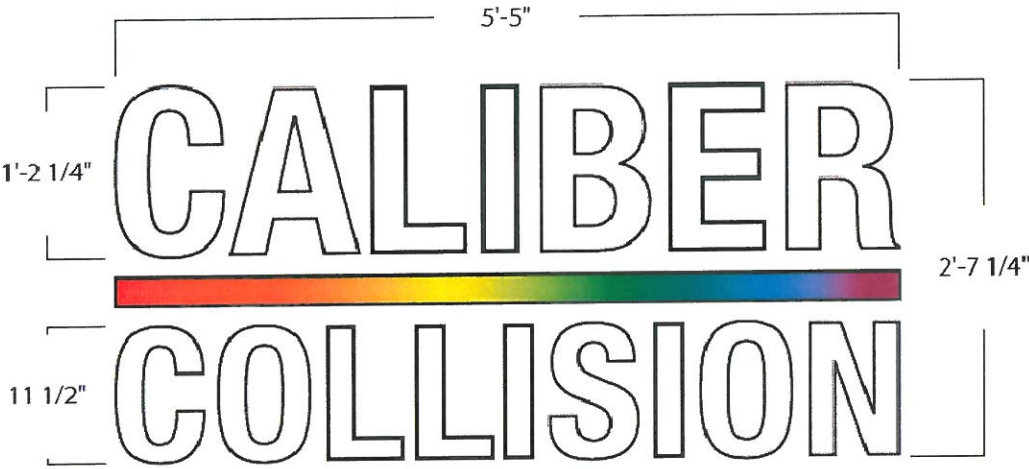
total square footage for both channel letter signs is 208.5 sq/ft



86.75(1linear ft) x 1 (sq ft) = 86.75 (allowed footage)

A CHANNEL LETTERS
3/32" = 1'-0"



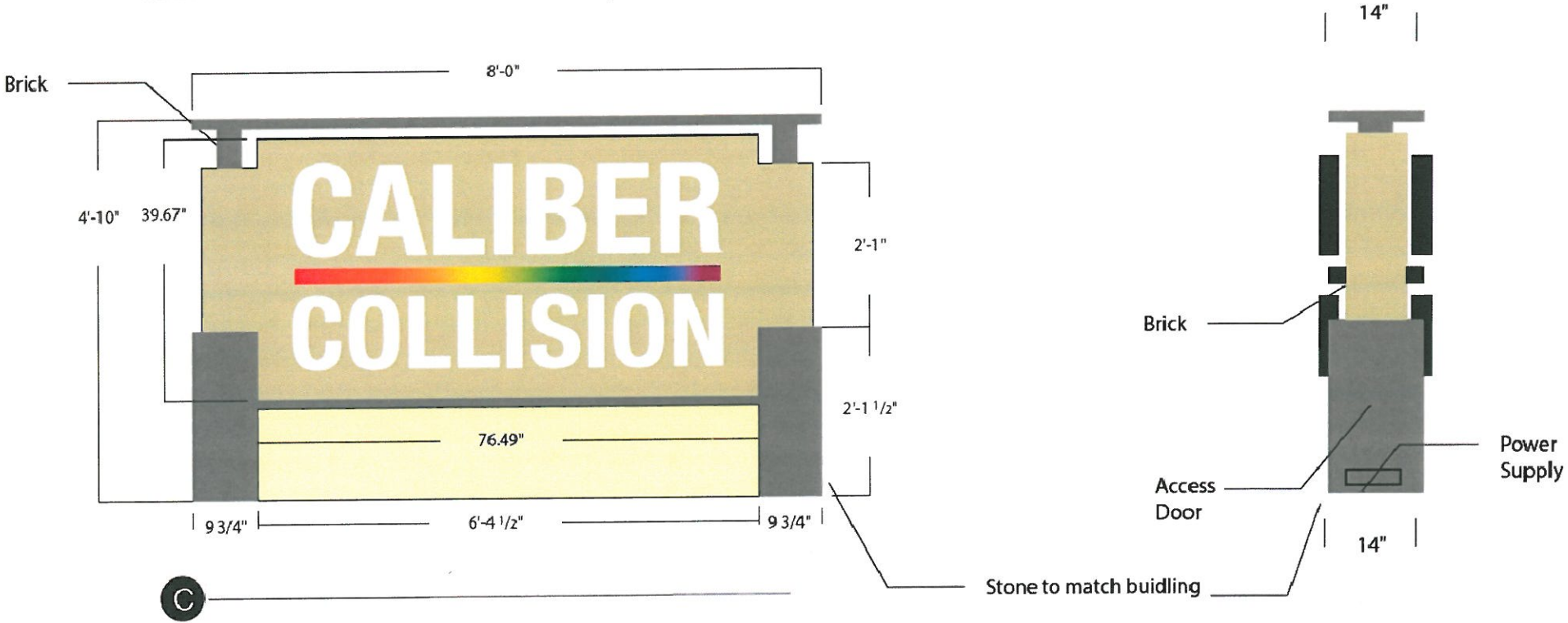


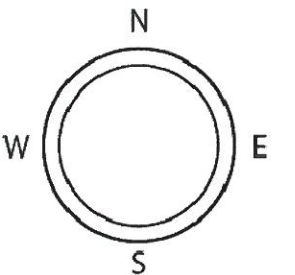
C MONUMENT SIGN
3/4" = 1'-0"

$39.67 \times 76.49 = 3034.36 / 144 = 21.10 \text{ sq/ft}$

Quantity: ONE (1)
Total Sq.Ft: 22 sq/ft
Returns: 5" Black
Trimcap: 1" Black
Face: 7328 White Plex
First-surface translucent vinyl:
• Digital Print for rainbow strip
Illumination: White LED's

- NOTES:
- Individually Mounted Reverse Letters
 - White interiors for increased illumination
 - All paint two-stage automotive acrylic
 - Fabricate and install (1) D/S illuminated cabinet
 - Flagstone base to match architect's drawings
 - Brick veneer / Hanson Century Plus V224 Velour





From: Bob Patoni
Sent: Wednesday, April 22, 2015 10:41 AM
To: 'Deborah.Perry@surprizeaz.gov'; 'lswartz@olssonassociates.com'
Cc: Vanessa Nunez
Subject: FW: FS15-155 Caliber Collision, Bell Rd East of Grand Ave

RE: FS15-155
Caliber Collision
Bell Road, East of Grand Avenue

Attention: Deborah Perry and Len Swartz

Thank you for your notice of rezoning and final plat application for the above-referenced proposed development.

ADOT is neutral regarding the proposed rezoning of the parcels cited in your rezoning package. However, the above-described project is in very close proximity to ADOT's planned US60 Bell Road Traffic Interchange, a grade-separated improvement that will have Bell Road elevated via a bridge over Grand Avenue. The Traffic Interchange is in design stage and is planned for construction in late 2015. We would recommend that the principals to your project familiarize themselves with the aspects of the US60 Bell Road Traffic Interchange project. For further information, please contact me at the below contact information.

Bob Patoni
Right of Way Project Coordinator

205 S. 17th Ave. MD: 612E
Phoenix, AZ 85007
602-712-6126
WWW.AZDOT.GOV



Intermodal Transportation

Deborah,

Thank you for providing the submittal for Caliber Collision (FS15-155).

Maricopa Water District (MWD) has reviewed this submittal and determined this lies outside the current boundaries of MWD.

Thank again,

Debbie Trasancos

Property & Contracts Specialist

Maricopa Water District

14825 W. Grand Ave.

Surprise, AZ 85374

623/546-8266

fax 623/584-2536

debbiet@mwdaz.com



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

27 April 2015

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

Ms. Deborah Perry
City of Surprise Planning Department
16000 North Civic Center Plaza
Surprise AZ 85374

Re: FS15-155; Caliber Collison

Dear Ms. Perry

Thank you for the opportunity to comment on the Rezone, Final Plat, & Site Plan application for Caliber Collison located on 9.9 acres at the SWC of Bell and Dysart Roads in Surprise AZ. The project is comprised of new construction for a 14,000 square foot building which will house office, mechanic shop, parts sales, detailing and painting booth. The request is also to rezone 200 feet of parcel 501-16-001V from C-3 (Regional Commercial) to I-1 (Light Industrial) and to rezone parcel 501-16-001K from I-1 to C-3. The site is located approximately 1.7 miles outside the 1988 JLUS 65 Ldn, "high noise or accident potential zone" as identified by A.R.S. § 28-8461 and is within the "territory in the vicinity of a military airport" also defined by A.R.S. § 28-8461.

As described, this request will not negatively impact the flying operations at Luke AFB. Since the site is located within the "territory in the vicinity of a military airport," it will be subjected to noise from approximately 165 over flights a day, with some as low as 1,500 feet above ground level. We recommend you review the sound attenuation requirements found in A.R.S. § 28-8482. In addition, a strong notification program on the part of the applicant is essential to inform the tenant about Luke AFB operations. We also recommend a review of the Luke AFB web site at <http://www.luke.af.mil>, Community Interests and Community Initiatives links, for further information.

If there are any questions, please contact my Community Planner, Ms. Barbara Plante, at (623) 856-9981.

Sincerely

A handwritten signature in dark ink, appearing to read "JA Mitchell", is written over the word "Sincerely". Below the signature, the word "For" is written in a smaller, cursive script.

JAMES R. MITCHELL

cc:

Colonel Jeremy T. Sloane, Vice Commander, 56th Fighter Wing
Ms. Cindy L. Calderon, GS-13, General and Environmental Law Attorney, 56th Fighter Wing

**EXCERPT OF THE
CITY OF SURPRISE
PLANNING AND ZONING COMMISSION**

MEETING MINUTES

Relating to Caliber Collision

October 1, 2015 / 6:00 PM

**COUNCIL CHAMBERS
16000 North Civic Center Plaza
Surprise, AZ 85374**

REGULAR AGENDA ITEMS REQUIRING A PUBLIC HEARING:

Item 3 – DISTRICT 4 – Consideration and action recommending to the Mayor and City Council approval of a Zone Change from CR to IP-PUD, CR to CR-PUD, and IP to CR-PUD for the Dysart Subdivision located on the Southwest corner of Bell and Dysart.

Robert Kuhfuss, Planner II, presented the project to the Commission. At this time he presented both items 3 and 4 to the Commission concurrently.

The Commission discussed:

- Eastern part of site reverting back to IP
- Effect of Major General Plan Amendment to this rezone proposal
- Concern regarding what type of business should be located at a gateway into the City
- Possible location of alternative site
- Existing zoning of this site in relation to permitted use
- Possible land locking of adjacent property
- Rezone of IP to CR helpful to the City
- Collision center needed in Surprise
- Employment draw in Surprise
- Possible noise concerns
- Block screening wall on west side of project
- Parapet around sign
- Shared driveway with neighboring property

Chair Somers opened the Call to the Public for both items 3 and 4.

Dori Phillips, Surprise resident, agreed with Chair Somers that the sign located at the top of the building should be boxed off and asked about how the overpass will affect this project.

Chair Somers closed the Call to the Public for both items 3 and 4.

Commissioner Keating made a motion to recommend approval to the City Council of a Zone Change for the Dysart Subdivision subject to stipulations 'a' through 'd' as listed in the staff report. Vice Chair Chapman seconded the motion. The motion passed with 4 yes votes, 1 no vote (Somers) and 2 absent (Hoyler, Ferguson).

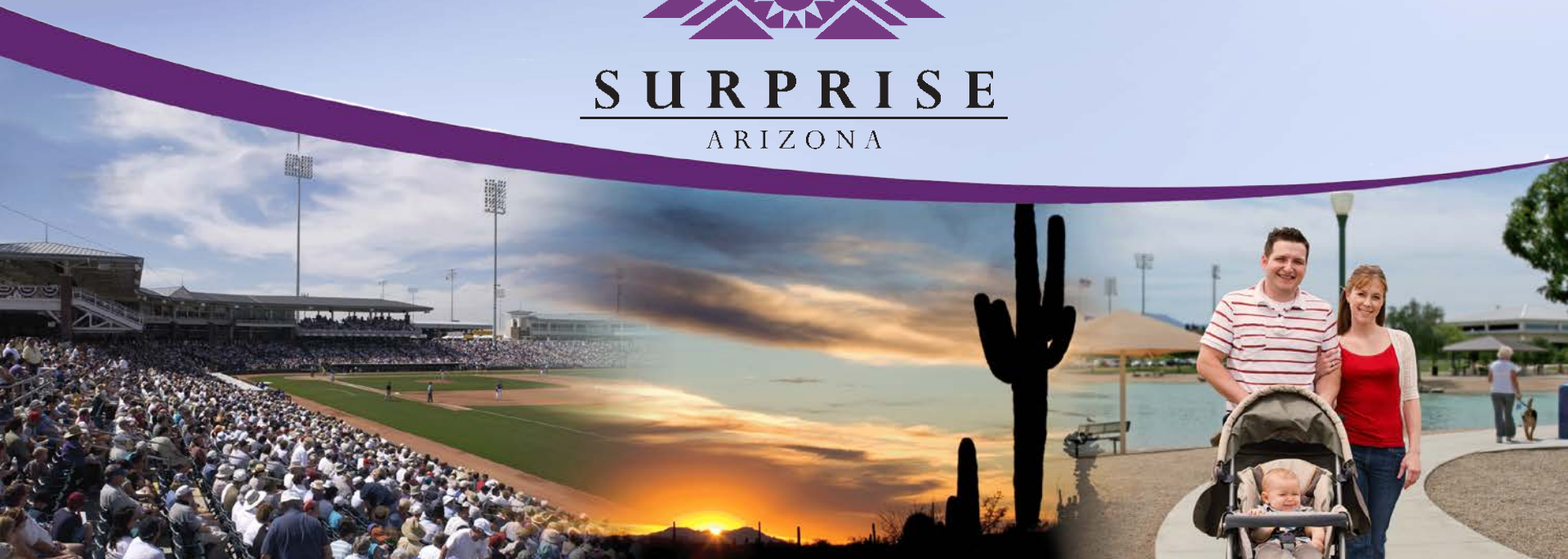
Item 4 – DISTRICT 4 – Consideration and action on a Master Site Plan for the Dysart Subdivision located on the Southwest Corner of Bell and Dysart Roads.

Robert Kuhfuss, Planner II, presented the project to the Commission concurrently with item 3 above.

Vice Chair Chapman made a motion to approve a Master Site Plan for the Dysart Subdivision subject to stipulations 'a' through 'i' as listed in the staff report and additional stipulation 'j' to add a four sided parapet wall to look like an enclosed building. Commissioner Smith seconded the motion. The motion passed with 4 yes votes, 1 no vote (Somers) and 2 absent (Hoyler, Ferguson).

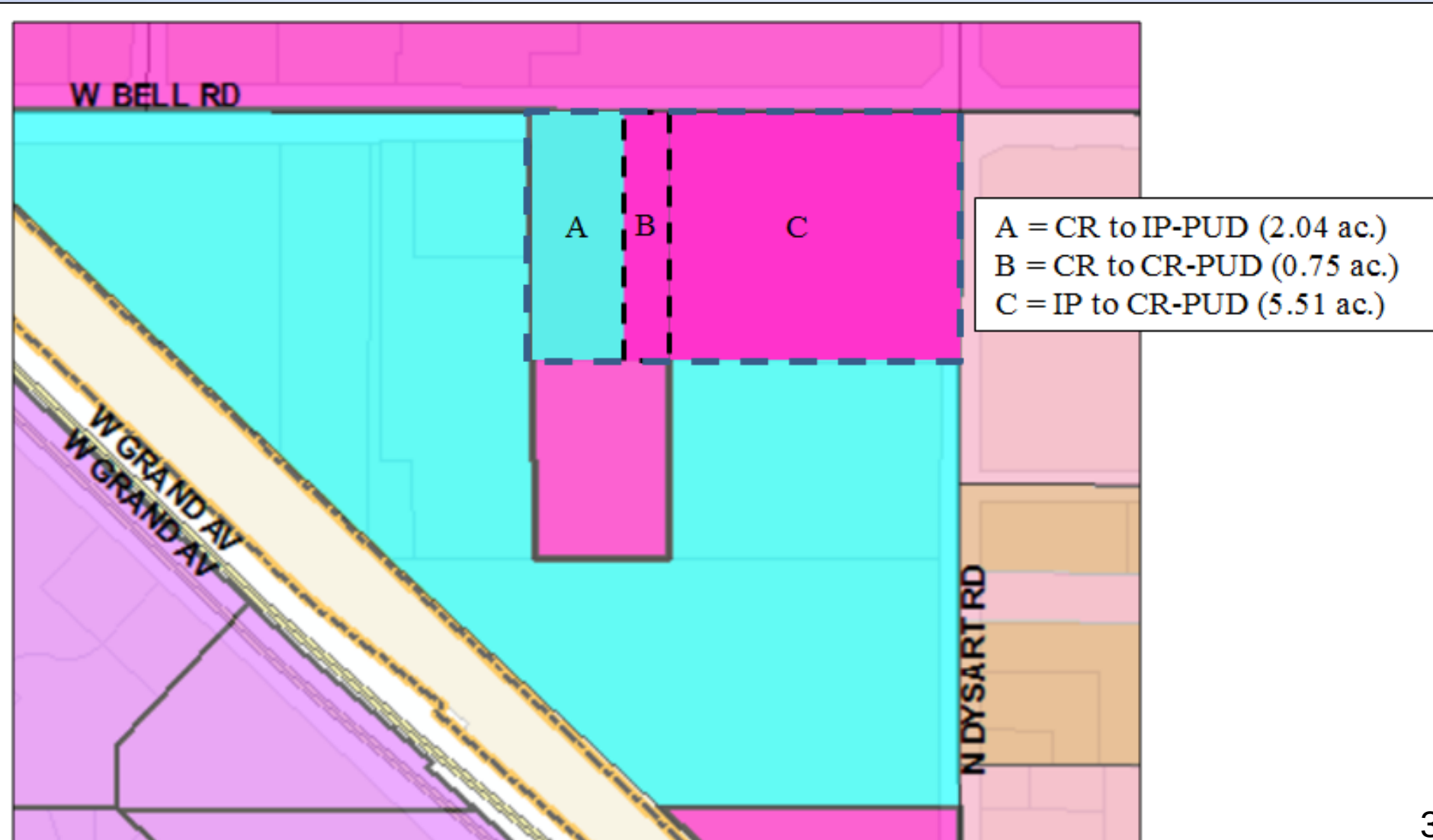
FS15-155 Dysart Subdivision Zone Change and Final Plat City Council Regular Session

November 03, 2015

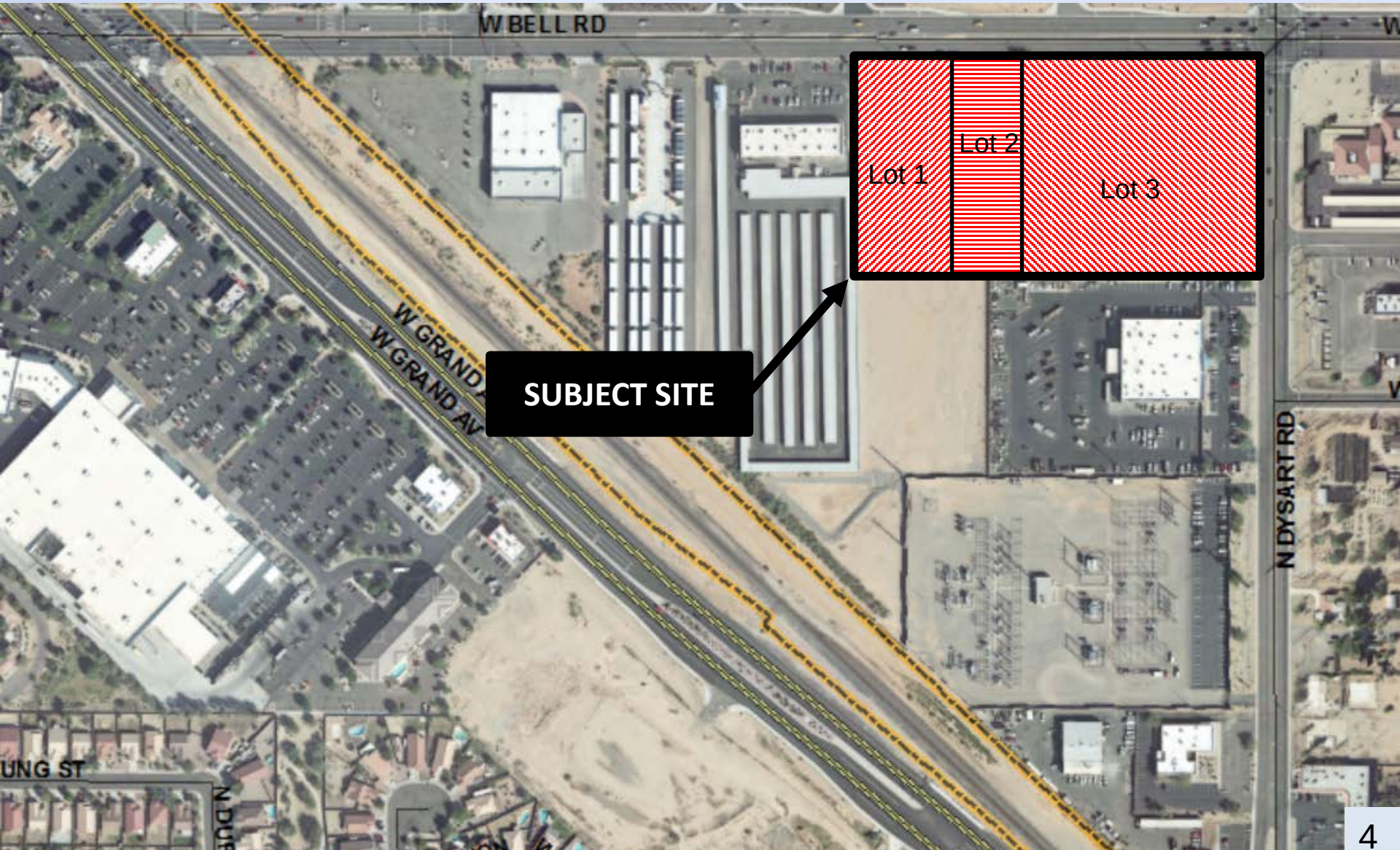


[illegible]

Zoning Case Map

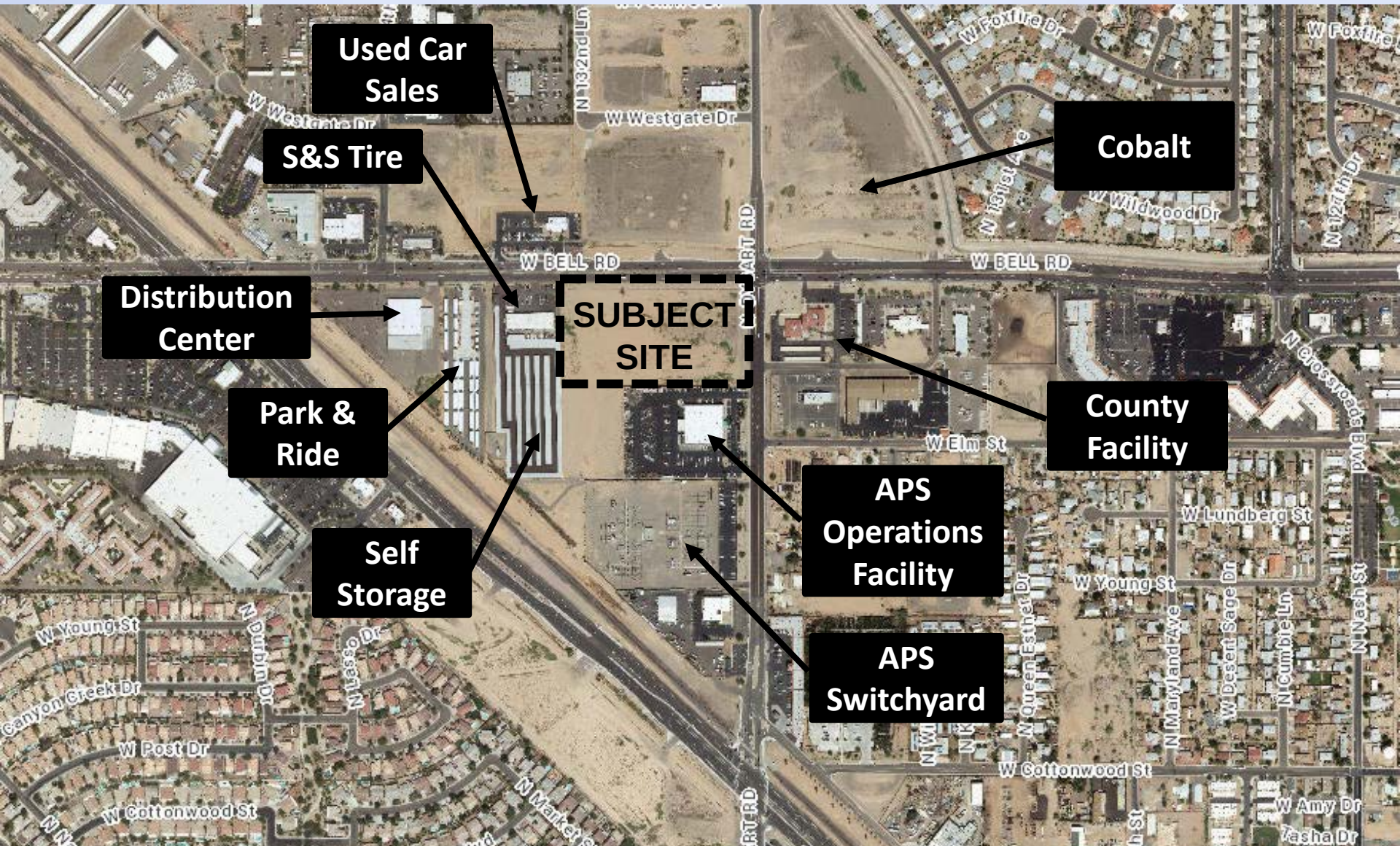


Final Plat Case Map



FS15-155 Dysart Subdivision

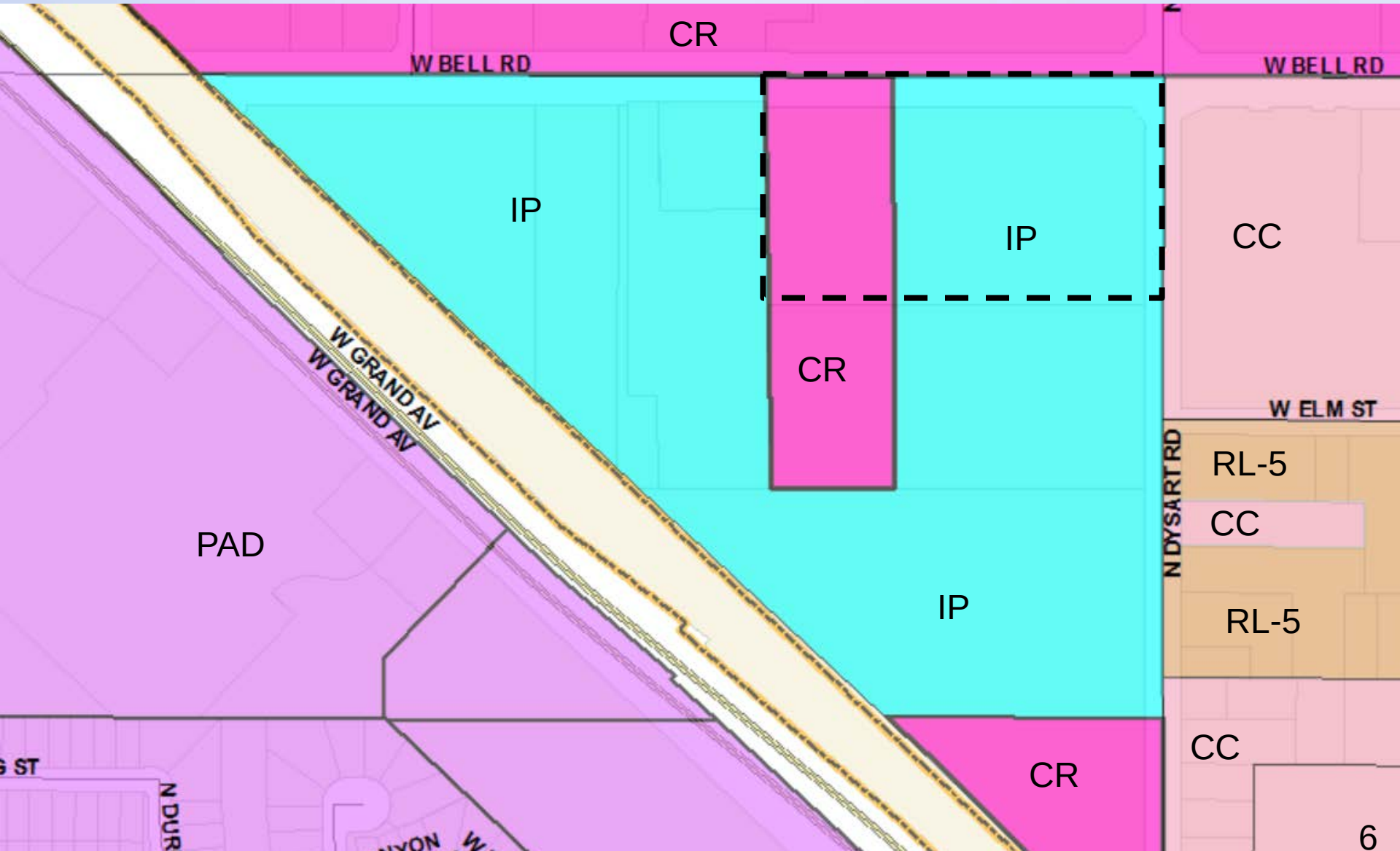
Context Map



FS15-155 Dysart Subdivision



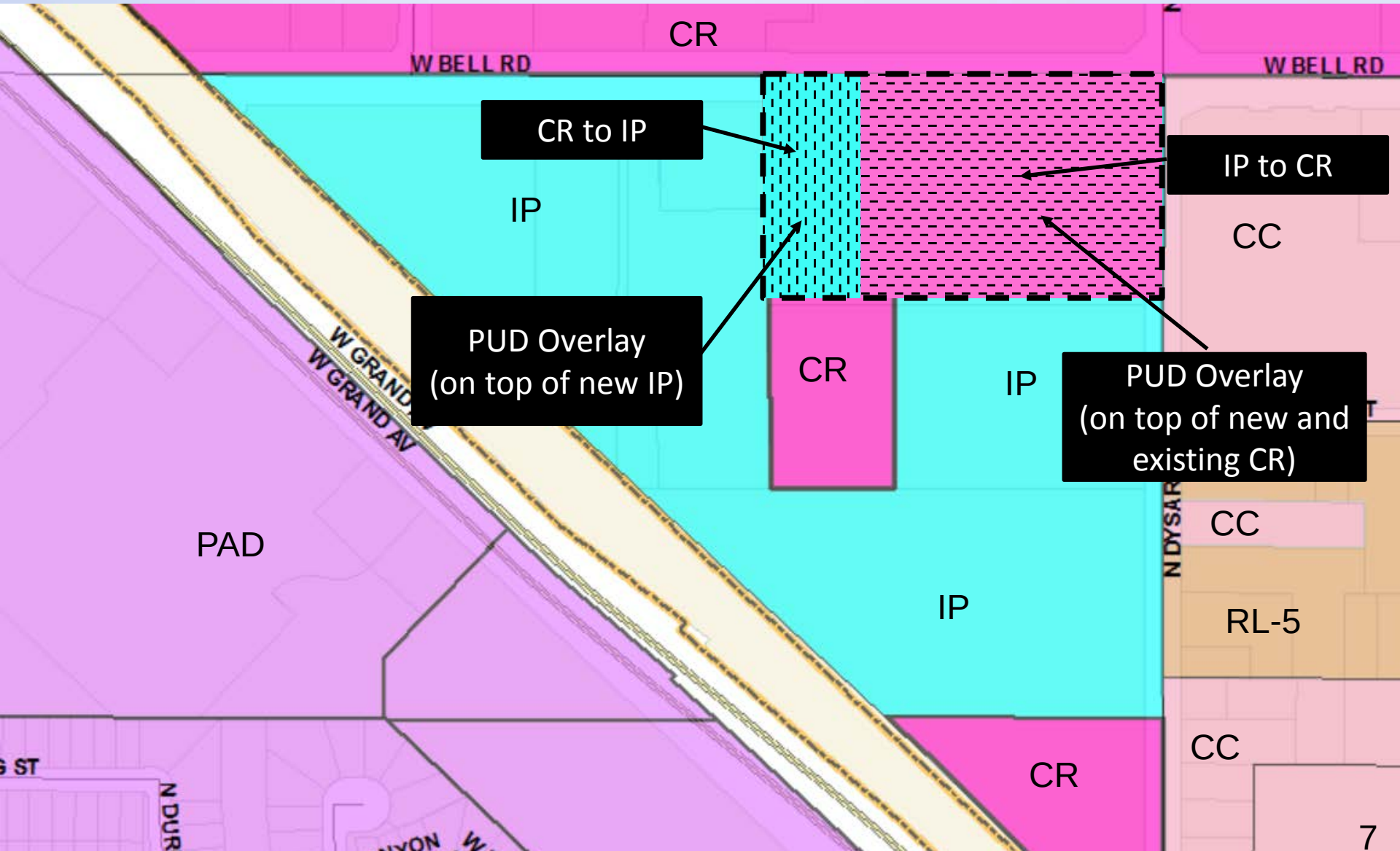
Current Zoning



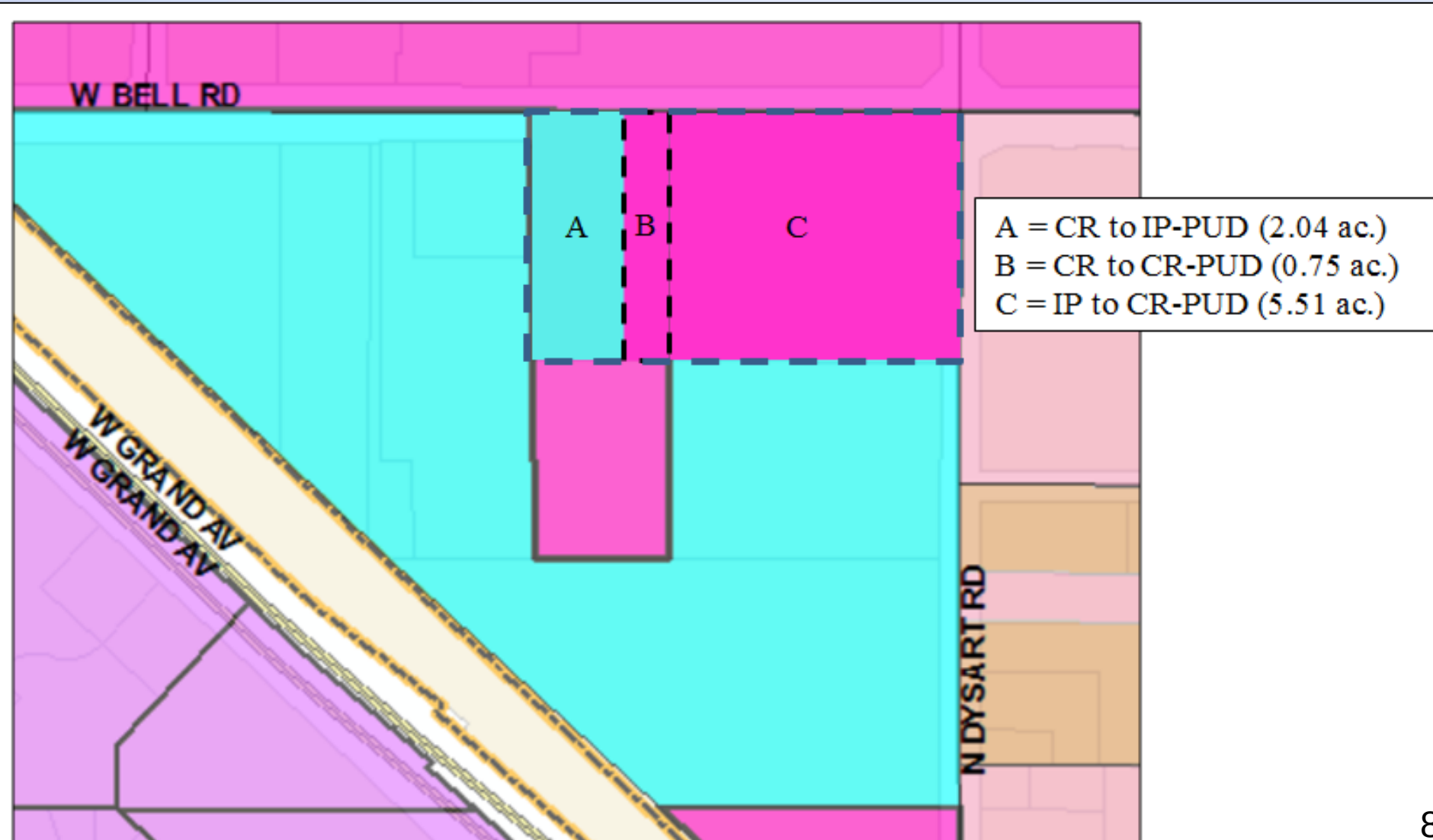
FS15-155 Dysart Subdivision



Proposed Zoning

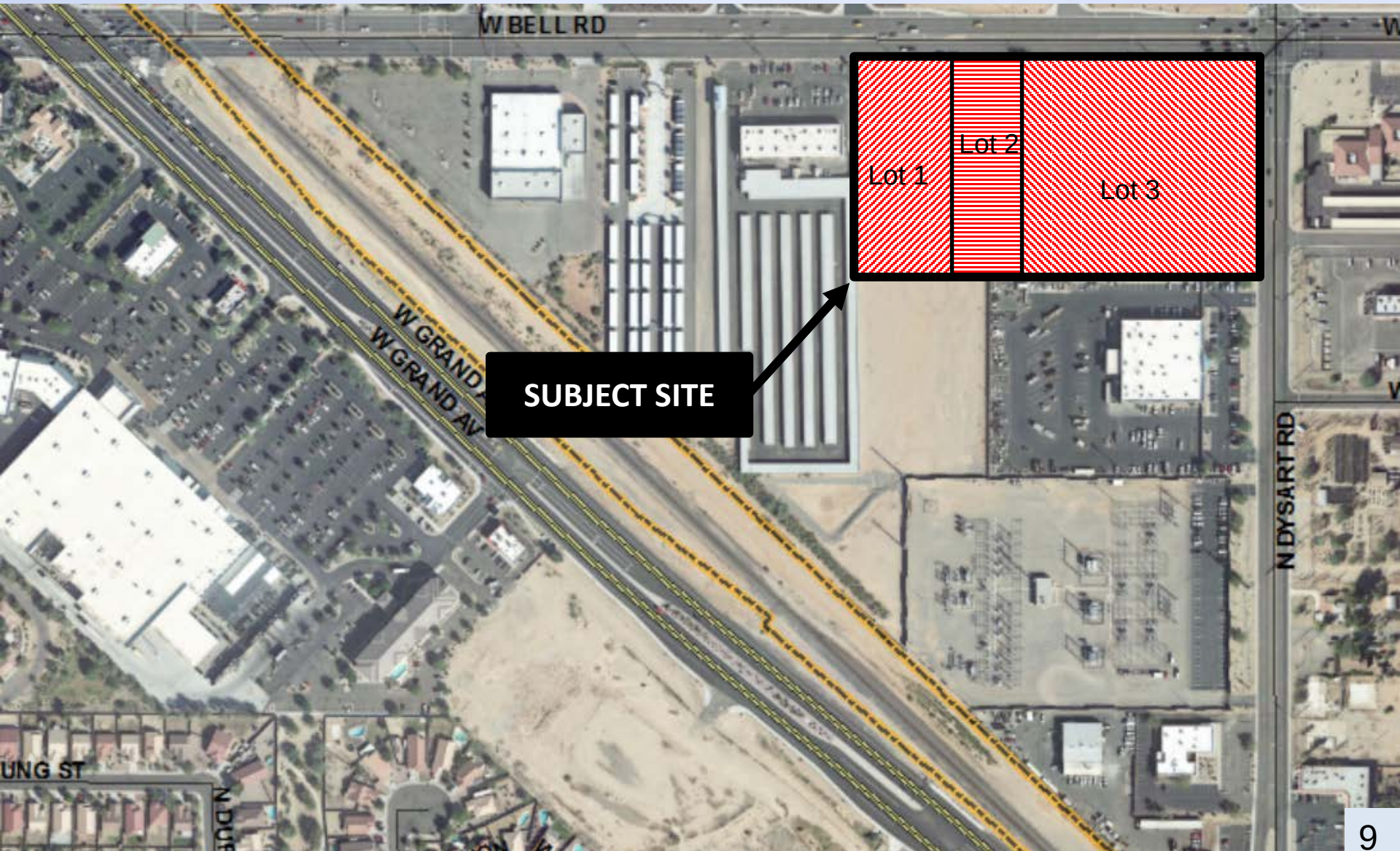


Zoning Case Map



FS15-155 Dysart Subdivision

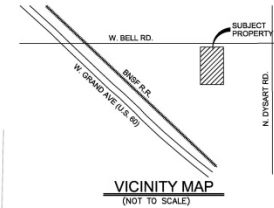
Master Site Plan (approved by P&Z on 10/01/15)



IP-PUDCK-PUD DEVELOPMENT STANDARDS TABLE FOR DYSART SUBDIVISION (CASE F815-16)						
Development Standard	IP-PUD			CR to CR-PUD		
	Base Zoning	IP-PUD	SUDC Reference	Base Zoning	CR Overlay	SUDC Reference
Interior Side Setback	15'	15'	122-360(c)(2)	24'	15'	122-360(c)(2)
Landscape	45'	45'-77'	1360(b)(8)(h)	45'	45'-77'	1360(b)(8)(h)
Maximum (Area)	1.375 of CFA ¹	1.180 SF of CFA ¹	122-133(b)			122-133(b)
Setback	0.5' per 1' linear foot of elevation	0.65' per 1' linear foot of elevation	122(b)(3)(g)	1' linear foot of elevation	1' linear foot of elevation	122(b)(3)(g)
Sign Area	0.5' per 1' linear foot of elevation	0.65' per 1' linear foot of elevation	122(b)(3)(g)	1' linear foot of elevation	1' linear foot of elevation	122(b)(3)(g)

Footnotes:

1. Adjacent to Commercial or Industrial zoning district.
2. Includes driveway access from street and architectural encroachment allowed.
3. Limited driveway encroachment from the street to accommodate shared access allowed per site plan.
4. Based on Automotive Repair and Service use. 1' other than automotive Repair and Service, City of Surprise.



OWNER/DEVELOPER
CROSS DEVELOPMENT, LLC
5317 INVERRARY DRIVE
PLANO, TEXAS
PHONE: (502) 748-1000
CONTACT: KEVIN MCKIBBEN

ENGINEER
OLSSON ASSOCIATES
7250 NORTH 16TH STREET, SUITE 210
PHOENIX, ARIZONA 85020
PHONE: (602) 746-1000
FAX: (602) 746-1001
CONTACT: LEN SWARTZ

ARCHITECT
CROSS ARCHITECTS
1255 W. 15TH STREET
SUITE #125
PLANO, TEXAS 75075
PHONE: (972) 396-6844
CONTACT: SHAWN OFFUTT

OLSSON
ASSOCIATES



SSON ASSOCIATES ASSUME
RESPONSIBILITY FOR
EXISTING UTILITY LOCATIONS
(HORIZONTAL OR VERTICAL). T
EXISTING UTILITIES SHOWN ON
DRAWING HAVE BEEN
OBTAINED FROM THE BEST
AVAILABLE INFORMATION. IT I
HOWEVER THE RESPONSIBILI
THE CONTRACTOR TO FIEL
VERIFY THE LOCATION OF ALL
ILITIES PRIOR TO THE
INMENCEMENT OF ANY
INSTRUCTION ACTIVITIES.

REVISIONS DESCRIPTION
CITY COMMENTS
CITY COMMENTS

		COPIES
--	--	--------

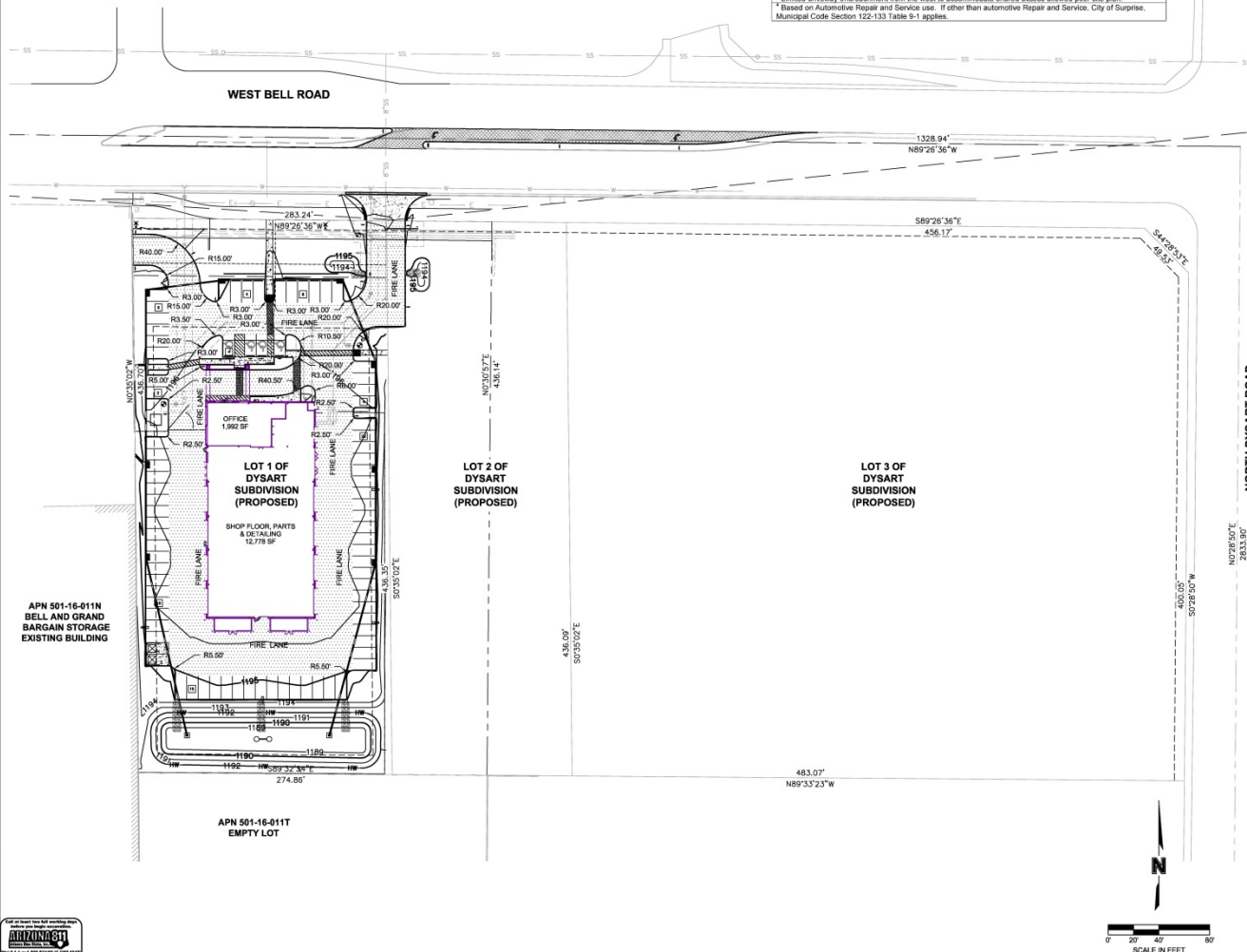
CONSTRUCTION PLANS
OVERALL SITE PLAN

CALIBER COLLISION
BELL ROAD AND DYSART ROAD

SURFACE ADJUSTMENT

Drawn by:	SS
Checked by:	EW
Approved by:	LS
QC by:	PV
Job no.:	014-3199

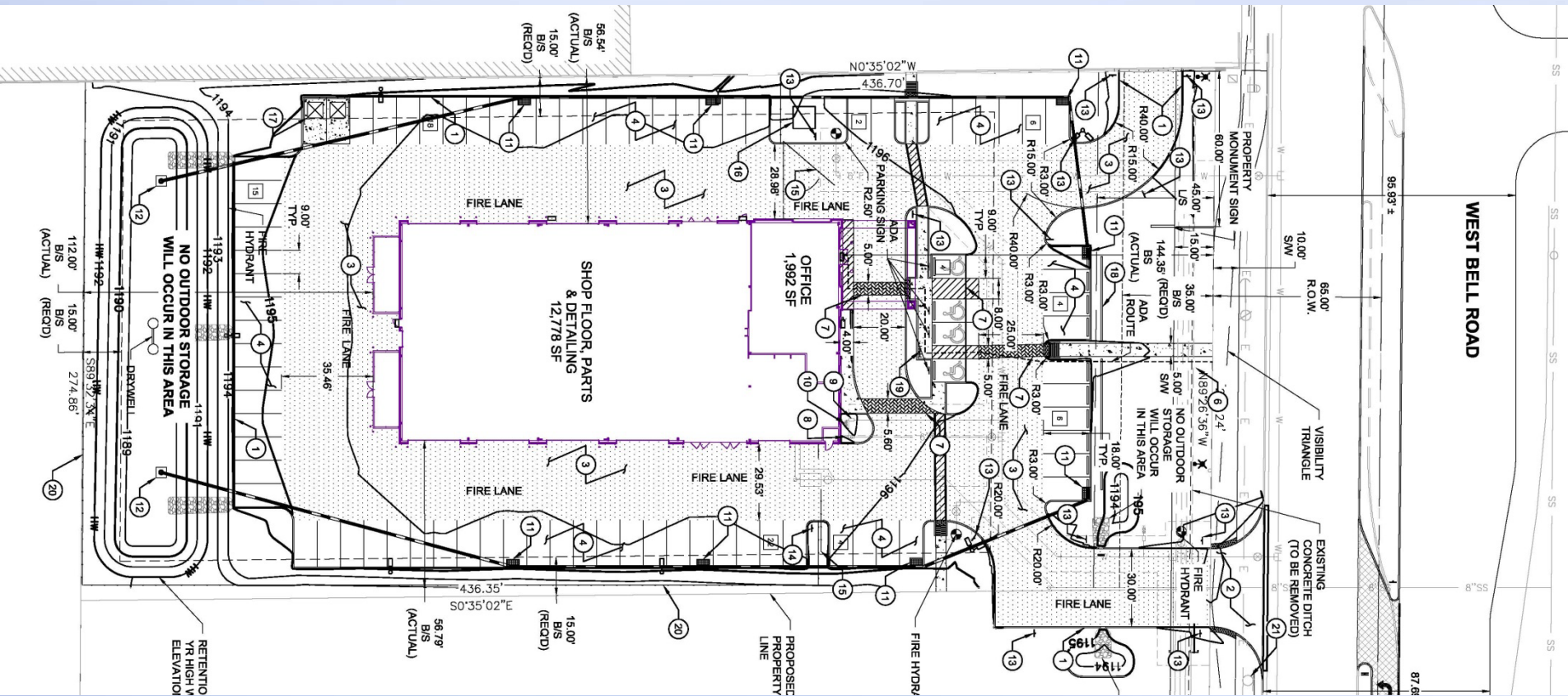
SHE
C10



THIS PLAN IS NOT FOR CONSTRUCTION

FS15-155 Dysart Subdivision

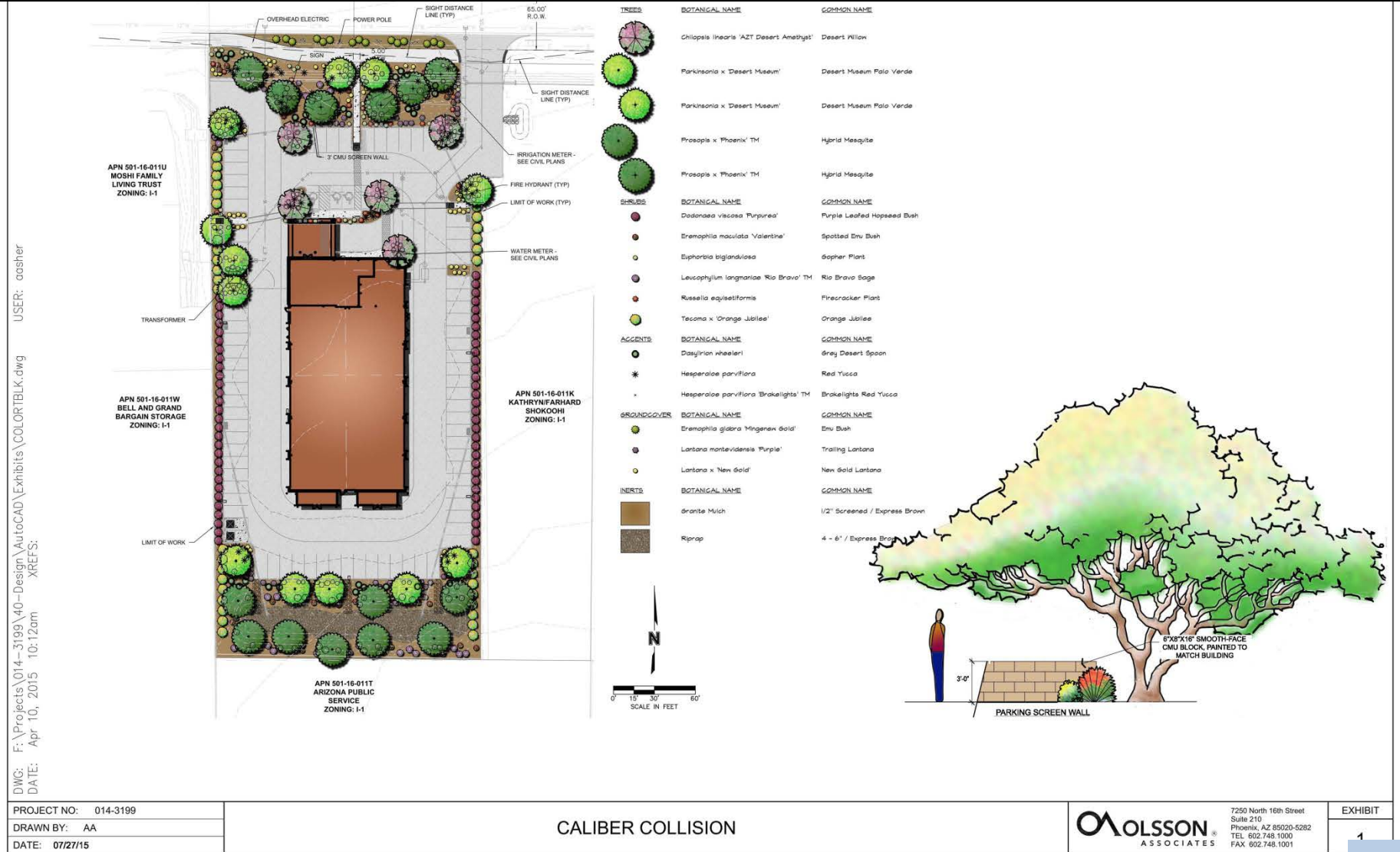
Master Site Plan (approved by P&Z on 10/01/15)



FS15-155 Dysart Subdivision



Landscape Plan (approved by P&Z on 10/01/15)



DWG: F:\Projects\014-3199\40-Design\AutoCAD\Exhibits\COLORBLK.dwg
DATE: Apr 10, 2015 10:12am
XREFS:
USER: aasher

PROJECT NO:	014-3199
DRAWN BY:	AA
DATE:	07/27/15

CALIBER COLLISION

	7250 North 16th Street Suite 210 Phoenix, AZ 85020-5282 TEL: 602.748.1000 FAX: 602.748.1001	EXHIBIT
		1

Proposed Development Standards

IP PUD/CR PUD DEVELOPMENT STANDARDS TABLE FOR DYSART SUBDIVISION (CASE FS15-155)
 Shaded cells indicate development standard that is less restrictive than the base zoning district.
 All other provisions of the IP and CR zoning districts apply.

Development Standard	IP – IP PUD			CR – CR PUD		
	Base Zoning	PUD Overlay	SUDC Reference	Base Zoning	PUD Overlay	SUDC Reference
Interior Side Setback	15'	15'	122-36(c)(2)b, Table 5-11	24'	15' ¹	122-36(c)(2)c, Table 5-12
Landscape Setback (Arterial)	45' ³	45' ^{2,3}	122- 136(b)(18)(h)	45' ³	45' ²	122- 136(b)(18)(h)
Maximum Parking Allowed	1:375 SF of GFA ⁵	1:180 SF of GFA ⁴	122-133(e)	As specified in Table 9-1	As specified in Table 9-1	122-133(e)
Secondary Wall Sign Area	0.5 SF per 1 linear foot of elevation	0.6 SF per 1 linear foot of elevation	113-129(a)(3)(a)	0.5 SF per 1 linear foot of elevation	0.5 SF per 1 linear foot of elevation	113-129(a)(3)(a)

Footnotes:

¹ Adjacent to Commercial or Industrial zoning districts.

² 10' limited driveway access encroachment from street and architectural encroachment allowed per 122-136(b)(18)(h), Table 10-4.

³ Limited driveway encroachment from the west to accommodate shared access allowed per site plan.

⁴ Based on Automotive Repair and Service use. If other than Automotive Repair and Service, Table 9-1 applies.

Deviation to Landscape Setback



Proposed Development Standards

IP PUD/CR PUD DEVELOPMENT STANDARDS TABLE FOR DYSART SUBDIVISION (CASE FS15-155)
 Shaded cells indicate development standard that is less restrictive than the base zoning district.
 All other provisions of the IP and CR zoning districts apply.

Development Standard	IP – IP PUD			CR – CR PUD		
	Base Zoning	PUD Overlay	SUDC Reference	Base Zoning	PUD Overlay	SUDC Reference
Interior Side Setback	15'	15'	122-36(c)(2)b, Table 5-11	24'	15' ¹	122-36(c)(2)c, Table 5-12
Landscape Setback (Arterial)	45' ³	45' ^{2,3}	122- 136(b)(18)(h)	45' ³	45' ²	122- 136(b)(18)(h)
Maximum Parking Allowed	1:375 SF of GFA ⁵	1:180 SF of GFA ⁴	122-133(e)	As specified in Table 9-1	As specified in Table 9-1	122-133(e)
Secondary Wall Sign Area	0.5 SF per 1 linear foot of elevation	0.6 SF per 1 linear foot of elevation	113-129(a)(3)(a)	0.5 SF per 1 linear foot of elevation	0.5 SF per 1 linear foot of elevation	113-129(a)(3)(a)

Footnotes:

¹ Adjacent to Commercial or Industrial zoning districts.

² 10' limited driveway access encroachment from street and architectural encroachment allowed per 122-136(b)(18)(h), Table 10-4.

³ Limited driveway encroachment from the west to accommodate shared access allowed per site plan.

⁴ Based on Automotive Repair and Service use. If other than Automotive Repair and Service, Table 9-1 applies.

Deviation to Parking Standard

LOT 1 PARKING TABLE:
MINIMUM SPACES REQUIRED: 14,770 SF GROSS FLOOR AREA X 1:500 = 30 (BASED ON AUTO REPAIR AND SERVICE USE)
MAXIMUM SPACES REQUIRED: 14,770 SF GROSS FLOOR AREA X 1:180 = 82 (BASED ON AMENDED DEVELOPMENT STANDARD)
SPACES PROVIDED: 78 STANDARD + 4 ACCESSIBLE = 82 TOTAL
4 BICYCLE SPACES PROVIDED

Required Parking per SUDC:

Minimum = 1 space per 500 SF GFA = $14,770 \text{ SF} / 500 = 30$ spaces

Maximum = 1 space per 375 SF GFA = $14,770 \text{ SF} / 375 = 40$ spaces

Proposed Maximum:

Maximum = 1 space per 180 SF GFA = $14,770 \text{ SF} / 180 = 82$ spaces *

* Caveat that approved maximum ratio only applies if use remains automotive repair and service. Otherwise, Table 9-1 of SUDC applies.

Proposed Development Standards

IP PUD/CR PUD DEVELOPMENT STANDARDS TABLE FOR DYSART SUBDIVISION (CASE FS15-155)
 Shaded cells indicate development standard that is less restrictive than the base zoning district.
 All other provisions of the IP and CR zoning districts apply.

Development Standard	IP – IP PUD			CR – CR PUD		
	Base Zoning	PUD Overlay	SUDC Reference	Base Zoning	PUD Overlay	SUDC Reference
Interior Side Setback	15'	15'	122-36(c)(2)b, Table 5-11	24'	15' ¹	122-36(c)(2)c, Table 5-12
Landscape Setback (Arterial)	45' ³	45' ^{2,3}	122- 136(b)(18)(h)	45' ³	45' ²	122- 136(b)(18)(h)
Maximum Parking Allowed	1:375 SF of GFA ⁵	1:180 SF of GFA ⁴	122-133(e)	As specified in Table 9-1	As specified in Table 9-1	122-133(e)
Secondary Wall Sign Area	0.5 SF per 1 linear foot of elevation	0.6 SF per 1 linear foot of elevation	113-129(a)(3)(a)	0.5 SF per 1 linear foot of elevation	0.5 SF per 1 linear foot of elevation	113-129(a)(3)(a)

Footnotes:

¹ Adjacent to Commercial or Industrial zoning districts.

² 10' limited driveway access encroachment from street and architectural encroachment allowed per 122-136(b)(18)(h), Table 10-4.

³ Limited driveway encroachment from the west to accommodate shared access allowed per site plan.

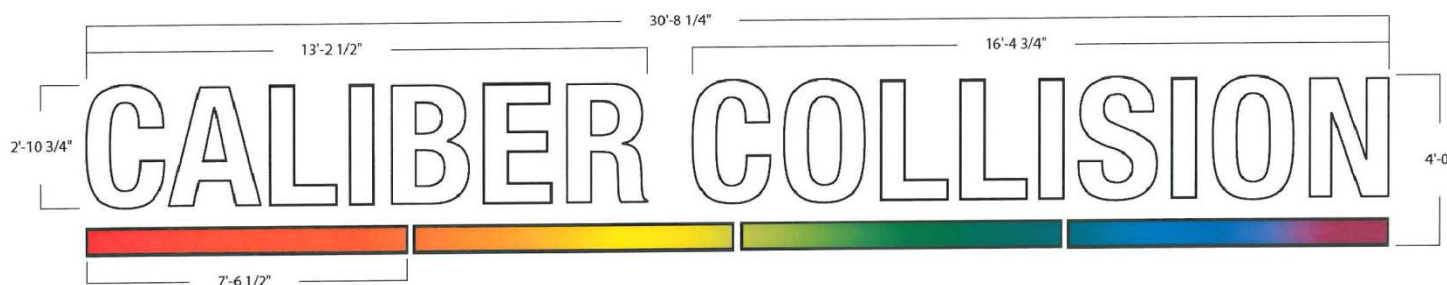
⁴ Based on Automotive Repair and Service use. If other than Automotive Repair and Service, Table 9-1 applies.

FS15-155 Dysart Subdivision

Proposed Signage (West)



B CHANNEL LETTERS
1 9/16" = 26'-0"



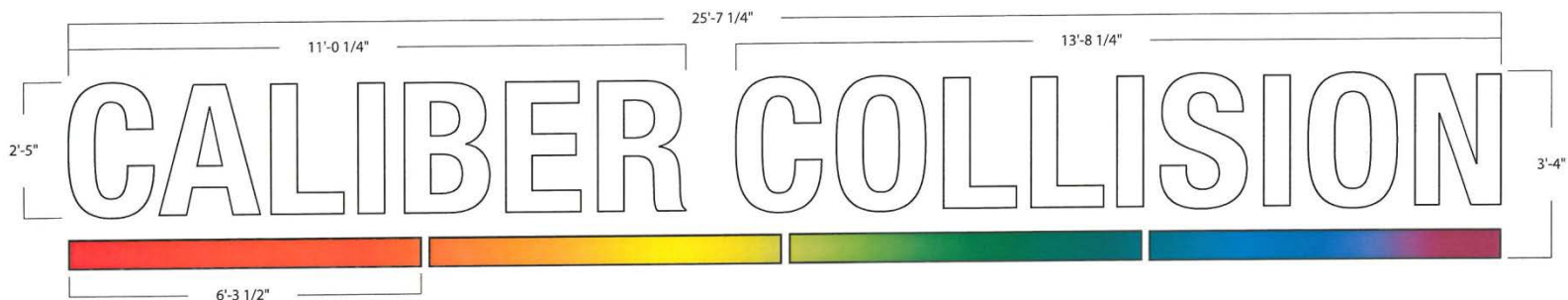
B CHANNEL LETTERS
3/8" = 1'-0"

104.76 SF Allowed if at 0.5 SF / LF
125.71 SF allowed if at 0.6 SF/LF
122.45 SF Proposed

Proposed Signage (North)



A CHANNEL LETTERS
3/32" = 1'-0"

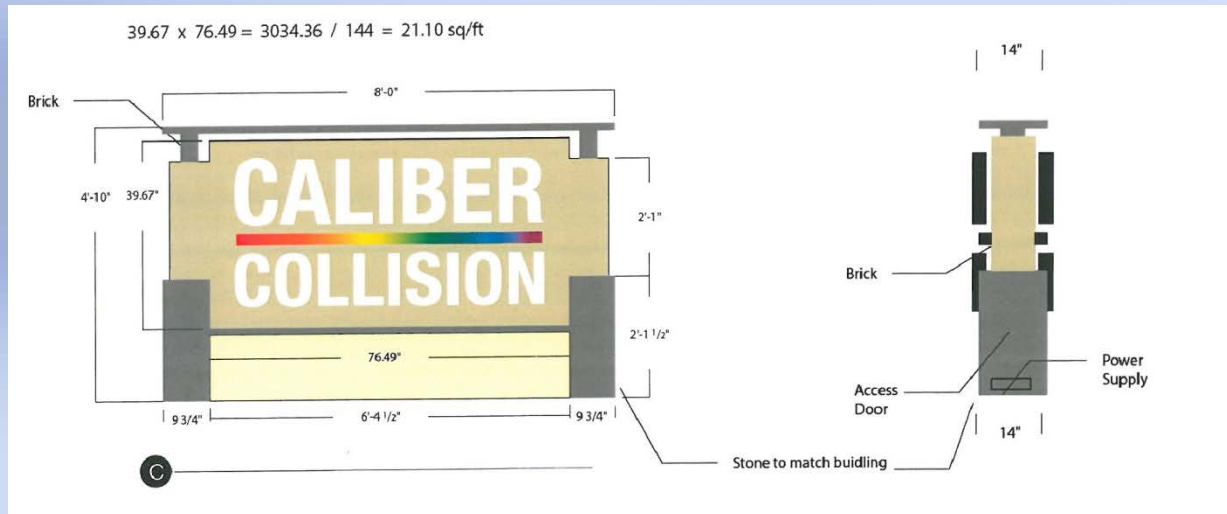


A CHANNEL LETTERS
1/2" = 1'-0"

86.75 SF Allowed
85.35 SF Proposed

FS15-155 Dysart Subdivision

Proposed Signage (Monument)



FS15-155 Dysart Subdivision

Proposed Development Standards

IP PUD/CR PUD DEVELOPMENT STANDARDS TABLE FOR DYSART SUBDIVISION (CASE FS15-155)

Shaded cells indicate development standard that is less restrictive than the base zoning district.

All other provisions of the IP and CR zoning districts apply.

Development Standard	IP – IP PUD			CR – CR PUD		
	Base Zoning	PUD Overlay	SUDC Reference	Base Zoning	PUD Overlay	SUDC Reference
Interior Side Setback	15'	15'	122-36(c)(2)b, Table 5-11	24'	15' ¹	122-36(c)(2)c, Table 5-12
Landscape Setback (Arterial)	45' ³	45' ^{2,3}	122- 136(b)(18)(h)	45' ³	45' ²	122- 136(b)(18)(h)
Maximum Parking Allowed	1:375 SF of GFA ⁵	1:180 SF of GFA ⁴	122-133(e)	As specified in Table 9-1	As specified in Table 9-1	122-133(e)
Secondary Wall Sign Area	0.5 SF per 1 linear foot of elevation	0.6 SF per 1 linear foot of elevation	113-129(a)(3)(a)	0.5 SF per 1 linear foot of elevation	0.5 SF per 1 linear foot of elevation	113-129(a)(3)(a)

Footnotes:

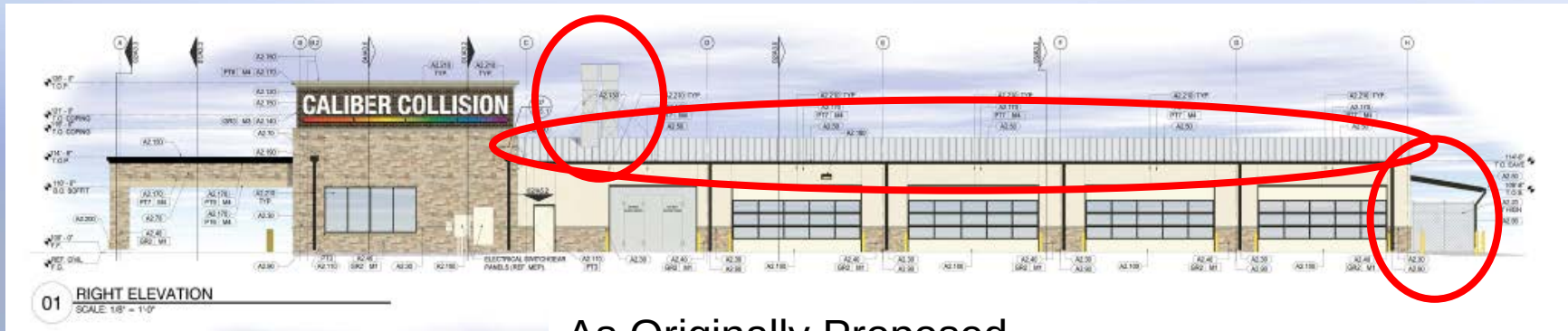
¹ Adjacent to Commercial or Industrial zoning districts.

² 10' limited driveway access encroachment from street and architectural encroachment allowed per 122-136(b)(18)(h), Table 10-4.

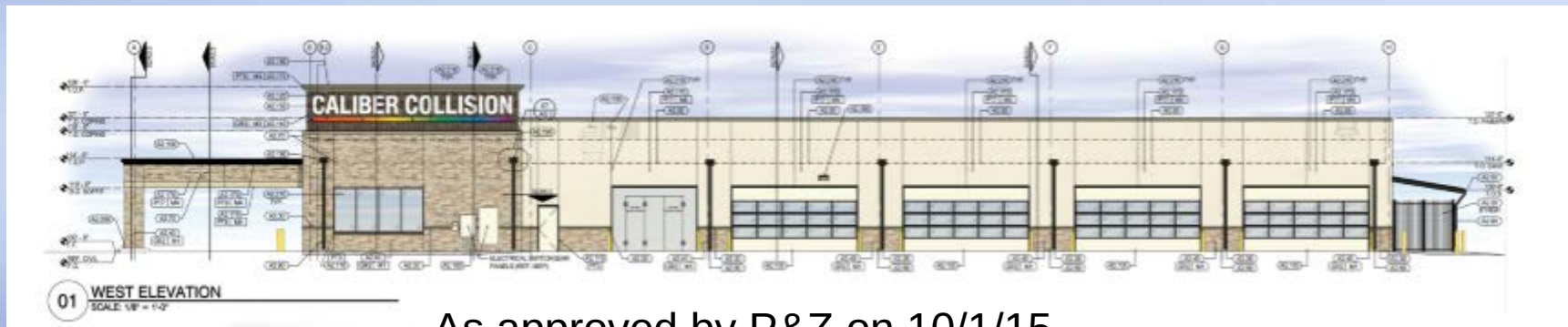
³ Limited driveway encroachment from the west to accommodate shared access allowed per site plan.

⁴ Based on Automotive Repair and Service use. If other than Automotive Repair and Service, Table 9-1 applies.

Elevations - West



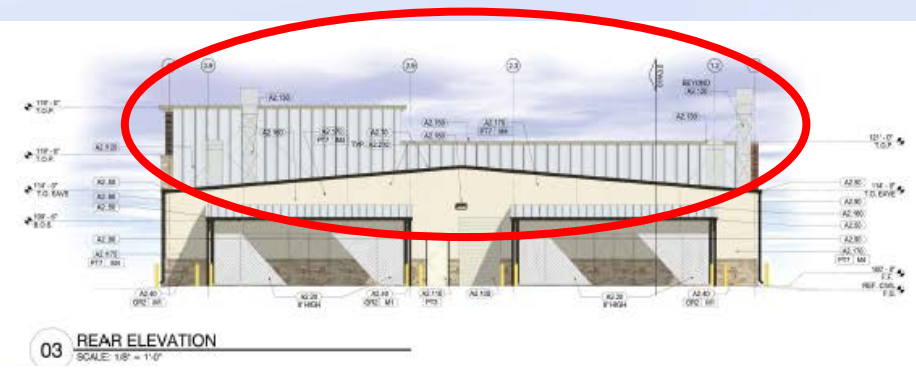
As Originally Proposed



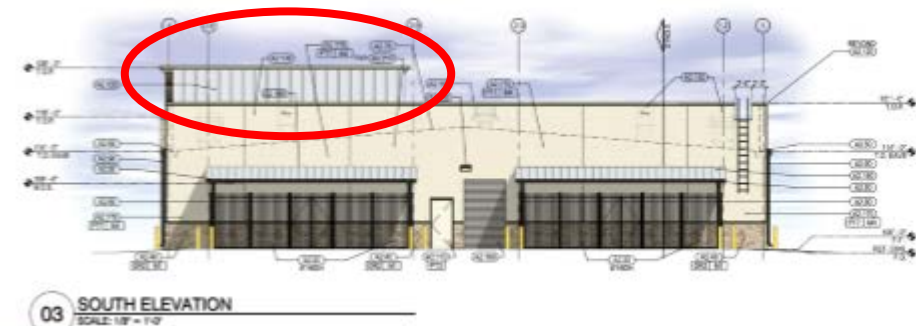
As approved by P&Z on 10/1/15

FS15-155 Dysart Subdivision

Elevations – North and South



As Originally Proposed



As approved by P&Z on 10/1/15*

* Includes stipulation requiring the boxing in of the exposed parapet

Elevations - East



As Originally Proposed



As approved by P&Z on 10/1/15*

* Includes stipulation requiring the boxing in of the exposed parapet

FS15-155 Dysart Subdivision



FINAL PLAT FOR DYRSART SUBDIVISION

A PORTION OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA

DEDICATION

STATE OF ARIZONA } ss
COUNTY OF MARICOPA }

KNOW ALL MEN BY THESE PRESENTS:

THAT FARHAD K. SHOKOCHI AND KATHRYN A. SHOKOCHI N.A.P., [OWNERS], HAS SUBDIVIDED UNDER THE NAME "DYRSART SUBDIVISION", A SUBDIVISION LOCATED IN A PORTION OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 3 NORTH AND RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA AS SHOWN AND PLATTED HEREON AND DOES HEREBY PUBLISH THIS PLAT AS AND FOR THE PLAT OF "DYRSART SUBDIVISION" AND DECLARES THAT THIS PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF EACH LOT, TRACT, STREET, AND EASEMENT CONSTITUTING SAME, AND THAT EACH LOT, TRACT, STREET, AND EASEMENT SHALL BE KNOWN BY THE NUMBER, LETTER AND/OR NAME GIVEN TO EACH RESPECTIVELY AS SHOWN ON THIS PLAT.

OWNER HEREBY GRANTS TO THE CITY OF SURPRISE A CROSS ACCESS EASEMENT ACROSS THE ENTIRE PLAT FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS FOR EMERGENCY AND TRASH COLLECTION VEHICLES.

OWNER HEREBY GRANTS TO THE PUBLIC A NON-EXCLUSIVE EASEMENT OVER, UPON AND ACROSS THE AREAS DESIGNATED AS PUBLIC UTILITY EASEMENTS AS SHOWN ON THE PLAT FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, MAINTAINING, REPAIRING, REPLACING AND UTILIZING PUBLIC UTILITIES.

OWNER HEREBY GRANTS TO EPOR WATER ARIZONA INC. AND ITS SUCCESSORS AND ASSIGNS (COLLECTIVELY, "GRANTEE") A PERPETUAL, WATERLINE EASEMENT AS DESCRIBED IN THE PLAT, TO CONSTRUCT, OPERATE, AND MAINTAIN WATER LINES AND APPURTENANT FACILITIES (COLLECTIVELY, "FACILITIES") UPON, ACROSS, OVER AND UNDER THE SURFACE OF THE EASEMENT, TOGETHER WITH THE RIGHT TO OPERATE, REPAIR, REPLACE, MAINTAIN, AND REMOVE THE FACILITIES FROM THE PREMISES; TO ADD OR TO ALTER THE FACILITIES, AND TO PROVIDE GRANTEE WITH REASONABLE INGRESS AND EGRESS TO THE FACILITIES. GRANTEE WILL HAVE UNRESTRICTED ACCESS TO THE EASEMENT FOR THE ACTIVITIES DESCRIBED ABOVE AND FORMAL NOTIFICATION OR APPROVAL BY ANY ASSOCIATION PRIOR TO ACCESSING THE EASEMENT WILL NOT BE REQUIRED. GRANTEE SHALL NOT ERECT OR CONSTRUCT OR PERMIT TO BE ERECTED OR CONSTRUCTED ANY BUILDING, STRUCTURE OR SIMILAR IMPROVEMENT WITHIN THE LIMITS OF THE EASEMENT GRANTED HEREIN. GRANTEE SHALL NOT, NOR PERMIT, THE GRABE OVER GRANTEE'S FACILITIES TO BE SUBSTANTIALLY ALTERED WITHOUT, IN EACH INSTANCE, THE PRIOR WRITTEN CONSENT OF GRANTEE. AND GRANTEE AGREES THAT NO OTHER PIPES OR CONDUITS SHALL BE PLACED WITHIN THE PREMISES SUBJECT TO THE EASEMENT GRANTED HEREIN, EXCEPT PIPES CROSSING GRANTEE'S FACILITIES AT RIGHT ANGLES. IN WHICH CASE, A MINIMUM VERTICAL DISTANCE OF TWO (2) FEET (AS MEASURED FROM THE CLOSEST POINTS ON THE OUTSIDE EDGES) SHALL BE MAINTAINED BETWEEN GRANTEE'S FACILITIES AND SUCH OTHER PIPES OR CONDUITS. UNLESS GRANTEE EXPRESSLY CONSENTS IN WRITING OTHERWISE, ANY AND ALL SEWER PIPES CROSSING THE EASEMENT GRANTED HEREIN SHALL BE LAID BELOW GRANTEE'S FACILITIES. HOWEVER, GRANTEE SHALL HAVE THE RIGHT TO CONSTRUCT AND ERECT FENCES, TO INSTALL LANDSCAPING, PARKING FACILITIES AND DRIVEWAYS, AND TO ESTABLISH OTHER USES THAT ARE NOT INCONSTITUTIVE WITH USES WITHIN THE LIMITS OF SAID EASEMENT IN A MANNER THAT WILL NOT UNREASONABLY INTERFERE WITH GRANTEE'S ACCESS TO THE FACILITIES.

OWNER HEREBY GRANTS TO THE ULTIMATE OWNER OF LOT 1 CREATED BY THIS PLAT, A CROSS ACCESS EASEMENT OVER, UPON AND ACROSS THE ENTIRE PLAT FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS TO EACH PARCEL, CREATED BY THIS PLAT.

OWNER HEREBY GRANTS TO THE ULTIMATE OWNER OF EACH PARCEL, CREATED BY THIS PLAT, A CROSS ACCESS EASEMENT OVER, UPON AND ACROSS THE NORTH 85 FEET OF LOT 1 FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS TO EACH PARCEL, CREATED BY THIS PLAT.

OWNER HEREBY GRANTS TO THE MOSH FAMILY LIVING TRUST, AND ITS SUCCESSORS AND ASSIGNS, A CROSS ACCESS EASEMENT OVER, UPON AND ACROSS THE NORTH 85 FEET OF LOT 1 FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS TO AND FROM ITS WEST ADJOINING PROPERTY DESCRIBED IN THE DEED RECORDED IN DOCUMENT NO. 2010-0526417 OF OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA.

OWNER HEREBY GRANTS TO THE UNITED STATES OF AMERICA DEPARTMENT OF THE AIR FORCE ("USAF") AN AVIGATION EASEMENT OVER AND ACROSS THIS PLAT AND EVERY LOT AND PARCEL, THEREOF, WHICH EASEMENT SHALL INCLUDE, BUT NOT BE LIMITED TO, THE RIGHT OF FLIGHT OF AIRCRAFT OVER THIS PLAT, TOGETHER WITH ITS ATTENDANT NOISE, VIBRATIONS, FUMES, DUST, FUEL, AND LUBRICANT PARTICLES, AND ALL OTHER EFFECTS THAT MAY BE CAUSED BY THE OPERATION OF AIRCRAFT LANDING AT, OR TAKING OFF FROM, OR OPERATING AT OR ON LUNGE AIR FORCE BASE AND AUXILIARY FIELD.

OWNER DOES HEREBY (1) RELEASE AND DISCHARGE THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE, OF AND FROM ANY LIABILITY FOR ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY THAT MAY ARISE AT ANY TIME IN THE FUTURE OVER, OR IN CONNECTION WITH THE AREAS LOCATED WITHIN THE NEWLY DEDICATED RIGHT-OF-WAY AS DEPICTED ON THIS FINAL PLAT UNTIL SUCH TIME THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT-OF-WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/SUBSEQUENT ADJACENT OWNERS WITH THE BOUNDARY OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

BY: FARHAD K. SHOKOCHI AND KATHRYN A. SHOKOCHI N.A.P.

BY: DATE:

NAME: TITLE:

ACKNOWLEDGEMENT

STATE OF ARIZONA } ss
COUNTY OF MARICOPA }

ON THIS DAY OF 20, BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED THE INSTRUMENT WITHIN, AND WHO EXECUTED THE FOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF, I HERETO SET MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC DATE

MY COMMISSION EXPIRES: 20

APPROVALS

DATA ON THIS PLAT REVIEWED AND APPROVED THIS DAY OF 20, BY THE CITY ENGINEER OF SURPRISE, ARIZONA.

CITY ENGINEER

APPROVED BY THE CITY COUNCIL OF THE CITY OF SURPRISE, ARIZONA, THIS DAY OF 20

MAYOR

ATTEST:

CITY CLERK

DATE

PUBLIC NOTICE

THE LOTS NOTICED ON THIS PLAT ARE LOCATED WITHIN THE VICINITY OF LUKE AIR FORCE BASE AND MAY BE SUBJECT TO OVERFLIGHTS BY JET AIRCRAFT. ALL STRUCTURES WITHIN THIS PLAT SHALL BE CONSTRUCTED IN COMPLIANCE WITH THE SOUND ATTENUATION STANDARDS ADOPTED BY THE CITY OF SURPRISE. A MAP DEPICTING THE MOST CURRENT ADOPTED MAG NOISE CONTOURS IN RELATION TO THIS PLAT SHALL BE DISPLAYED IN ALL SALES OFFICES. ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE CITY OF SURPRISE COMMUNITY DEVELOPMENT DEPARTMENT.

RELEASE OF LIABILITY

FARHAD K. SHOKOCHI AND KATHRYN A. SHOKOCHI ("OWNERS") DO HEREBY (1) RELEASE AND DISCHARGE THE USAF AND THE CITY OF SURPRISE, AND (2) INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE, OF AND FROM ANY LIABILITY FOR ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY THAT MAY ARISE AT ANY TIME IN THE FUTURE OVER, OR IN CONNECTION WITH THE AREAS LOCATED WITHIN THE NEWLY DEDICATED RIGHT-OF-WAY AS DEPICTED ON THIS FINAL PLAT UNTIL SUCH TIME THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARDS AND THOSE IMPROVEMENTS ARE APPROVED AND ACCEPTED BY THE CITY COUNCIL. THE MAINTENANCE OF THE AREA WITHIN ANY NEWLY DEDICATED RIGHT-OF-WAY AS SHOWN ON THIS PLAT SHALL BE THE RESPONSIBILITY OF THE ADJACENT OWNER/SUBSEQUENT ADJACENT OWNERS WITH THE BOUNDARY OF SAID PLAT UNTIL SUCH TIME THAT THE AREA WITHIN THE RIGHT-OF-WAY IS IMPROVED TO CITY STANDARD AND ACCEPTED BY THE CITY OF SURPRISE.

OWNER HEREBY FURTHER AGREES TO INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY OF SURPRISE FROM ANY AND ALL CLAIMS FOR DAMAGES OF ANY KIND TO PERSONS OR PROPERTY THAT MAY ARISE IN CONNECTION WITH THE USE OF THE SIDEWALKS LOCATED WITHIN THE RIGHT-OF-WAY.

LEGAL DESCRIPTION

(PARENT PARCEL)

THAT PART OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, DESCRIBED AS FOLLOWS:

COMMENCING AT A MCDOT BRASS CAP IN HAND HOLE AT THE NORTHEAST CORNER OF SAID SECTION 3, FROM WHICH A MARICOPA COUNTY ALUMINUM CAP SET IN CONCRETE AT THE EAST QUARTER CORNER OF SAID SECTION 3, BEARS S0072850W, A DISTANCE OF 2833.90 FEET;

THENCE S0072850W, ALONG THE EAST LINE OF SECTION 3, A DISTANCE OF 499.87 FEET;

THENCE DEPARTING FROM SAID EAST LINE, N89°32'22"W, A DISTANCE OF 40.00 FEET TO THE WESTERLY RIGHT-OF-WAY OF DYRSART ROAD, AS SHOWN IN BOOK 474 OF MAPS, PAGE 14, MARICOPA COUNTY RECORDS, BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PART;

THENCE N89°32'22"W, ALONG THE NORTHERLY LINE OF THE PROPERTY DESCRIBED IN DEED #78-0212360, MARICOPA COUNTY RECORDS, A DISTANCE OF 550.27 FEET TO THE NORTHWEST CORNER OF SAID PROPERTY DESCRIBED IN DEED #78-0212360;

THENCE N89°32'24"W, ALONG THE NORTHERLY LINE OF THE PROPERTY DESCRIBED IN DEED #01-0540500, MARICOPA COUNTY RECORDS, A DISTANCE OF 274.86 FEET TO THE NORTHWEST CORNER OF SAID PROPERTY DESCRIBED IN DEED #01-0540500;

THENCE S0073022"W, ALONG THE WEST LINE OF THE PROPERTY DESCRIBED IN DEED #06-0059073, MARICOPA COUNTY RECORDS, A DISTANCE OF 436.70 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF BELL ROAD AS DESCRIBED IN DEED #14-0154455, MARICOPA COUNTY RECORDS;

THENCE S89°26'36"E, ALONG SAID SOUTHERLY RIGHT-OF-WAY, A DISTANCE OF 758.34 FEET;

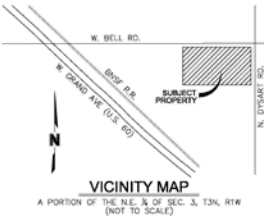
THENCE S44°29'57"E, A DISTANCE OF 49.53 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF SAID DYRSART ROAD;

THENCE S0072850W, ALONG SAID WESTERLY RIGHT-OF-WAY OF DYRSART ROAD, A DISTANCE OF 400.05 FEET TO THE POINT OF BEGINNING.

CONTAINING 8.282 ACRES MORE OR LESS.

DEVELOPER

CROSS DEVELOPMENT, LLC
5317 INVERARY DRIVE
PLANO, TEXAS
CONTACT: KEVIN MCKIBBEN (972) 396-6544



PLAT NOTES

1. PURSUANT TO A.R.S. § 42-1102, THE CITY OF SURPRISE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA, IS EXEMPT FROM ALL TAXES AND ASSESSMENTS BASED ON ASSESSED VALUE EXCEPT FOR SPECIAL DISTRICTS #4475 AND #4715, WHEN APPLICABLE.
2. IN ACCORDANCE WITH A.R.S. § 44-0172, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
3. MAINTENANCE OF DRAINAGE FACILITIES SHALL BE THE RESPONSIBILITY OF THE PRESENT OWNERS AND/OR OWNERS ASSOCIATION.
4. MAINTENANCE OF LANDSCAPING WITHIN THE ADJACENT PUBLIC RIGHT-OF-WAY, INCLUDING LANDSCAPED AREAS BETWEEN THE CURB AND THE DETACHED SIDEWALK, SHALL BE THE RESPONSIBILITY OF THE ADJACENT PROPERTY OWNER OR THE PROPERTY ASSOCIATION FORMED BY THE ADJACENT PROPERTY.
5. LANDSCAPE MAINTENANCE WITHIN THE MEDIANS WITHIN THE PUBLIC RIGHT-OF-WAY WITHIN ANY ARTERIAL OR PARKWAY STREET CLASSIFICATION SHALL BE RESPONSIBILITY OF THE CITY OF SURPRISE AFTER ACCEPTANCE.
6. THE PROPERTY OWNERS OR ANY SUBSEQUENT OWNERS SHALL NOT PROCEED WITH ANY ONSITE GRADING OR EXCAVATION WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.

FLOOD ZONE CLASSIFICATION

THIS PROPERTY IS LOCATED WITHIN AN AREA HAVING A FLOOD ZONE DESIGNATION "ZONE X", BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ON FLOOD INSURANCE RATE MAP (FIRM) NO. 04013C1246L, WITH AN IDENTIFICATION DATE OF OCTOBER 16, 2013, FOR COMMUNITY NO. 040053, MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.

REFERENCE DOCUMENTS:

1. DOC #08-0059073, M.C.R.
2. DOC #14-0072800, M.C.R.
3. DOC #78-0212360, M.C.R.
4. DOC #01-0540500, M.C.R.
5. DOC #12-0030154, M.C.R.
6. DOC #10-0026147, M.C.R.
7. DEED #15-0007165, M.C.R.
8. DEED #15-0007165, M.C.R.
9. RECORD OF SURVEY, BOOK #74 OF MAPS, PAGE 14, RECORDS OF MARICOPA COUNTY, ARIZONA.
10. GDACS SECTION 3, T3N, R1W, BOOK #68, PAGE 41, RECORDS OF MARICOPA COUNTY, ARIZONA.
11. GDACS SECTION 34, T4N, R1W, BOOK #78, PAGE 15, RECORDS OF MARICOPA COUNTY, ARIZONA.
12. FINAL PLAT, BOOK 1039 OF MAPS, PAGE 42, RECORDS OF MARICOPA COUNTY, ARIZONA.

CERTIFICATION

THIS IS TO CERTIFY THAT THE SURVEY AND SUBDIVISION OF THE PREMISES DESCRIBED AND PLATTED HEREON WAS MADE UNDER MY DIRECTION DURING THE MONTH OF APRIL 2015, THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN, THAT THE MONUMENTS SHOWN ACTUALLY EXIST OR WERE SET AS SHOWN, THAT THEIR POSITIONS ARE CORRECTLY SHOWN, AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THIS SURVEY TO BE RETRACED. FOR AND ON BEHALF OF OLSSON ASSOCIATES, INC.

R. LECHE HENRY, RLS # 49097



PLAT NOTES

1. PURSUANT TO A.R.S. § 42-1102, THE CITY OF SURPRISE, A POLITICAL SUBDIVISION OF THE STATE OF ARIZONA, IS EXEMPT FROM ALL TAXES AND ASSESSMENTS BASED ON ASSESSED VALUE EXCEPT FOR SPECIAL DISTRICTS #4475 AND #4715, WHEN APPLICABLE.
2. IN ACCORDANCE WITH A.R.S. § 44-0172, THE CITY OF SURPRISE HAS DETERMINED THAT ALL DEDICATIONS OCCURRING WITH THIS PLAT ARE IN CONFORMANCE WITH THE SURPRISE GENERAL PLAN.
3. MAINTENANCE OF DRAINAGE FACILITIES SHALL BE THE RESPONSIBILITY OF THE PRESENT OWNERS AND/OR OWNERS ASSOCIATION.
4. MAINTENANCE OF LANDSCAPING WITHIN THE ADJACENT PUBLIC RIGHT-OF-WAY, INCLUDING LANDSCAPED AREAS BETWEEN THE CURB AND THE DETACHED SIDEWALK, SHALL BE THE RESPONSIBILITY OF THE ADJACENT PROPERTY OWNER OR THE PROPERTY ASSOCIATION FORMED BY THE ADJACENT PROPERTY.
5. LANDSCAPE MAINTENANCE WITHIN THE MEDIANS WITHIN THE PUBLIC RIGHT-OF-WAY WITHIN ANY ARTERIAL OR PARKWAY STREET CLASSIFICATION SHALL BE RESPONSIBILITY OF THE CITY OF SURPRISE AFTER ACCEPTANCE.
6. THE PROPERTY OWNERS OR ANY SUBSEQUENT OWNERS SHALL NOT PROCEED WITH ANY ONSITE GRADING OR EXCAVATION WITHOUT FIRST OBTAINING A PERMIT FROM THE CITY OF SURPRISE.

FLOOD ZONE CLASSIFICATION

THIS PROPERTY IS LOCATED WITHIN AN AREA HAVING A FLOOD ZONE DESIGNATION "ZONE X", BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ON FLOOD INSURANCE RATE MAP (FIRM) NO. 04013C1246L, WITH AN IDENTIFICATION DATE OF OCTOBER 16, 2013, FOR COMMUNITY NO. 040053, MARICOPA COUNTY, STATE OF ARIZONA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.

REFERENCE DOCUMENTS:

1. DOC #08-0059073, M.C.R.
2. DOC #14-0072800, M.C.R.
3. DOC #78-0212360, M.C.R.
4. DOC #01-0540500, M.C.R.
5. DOC #12-0030154, M.C.R.
6. DOC #10-0026147, M.C.R.
7. DEED #15-0007165, M.C.R.
8. DEED #15-0007165, M.C.R.
9. RECORD OF SURVEY, BOOK #74 OF MAPS, PAGE 14, RECORDS OF MARICOPA COUNTY, ARIZONA.
10. GDACS SECTION 3, T3N, R1W, BOOK #68, PAGE 41, RECORDS OF MARICOPA COUNTY, ARIZONA.
11. GDACS SECTION 34, T4N, R1W, BOOK #78, PAGE 15, RECORDS OF MARICOPA COUNTY, ARIZONA.
12. FINAL PLAT, BOOK 1039 OF MAPS, PAGE 42, RECORDS OF MARICOPA COUNTY, ARIZONA.

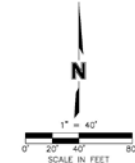
CERTIFICATION

THIS IS TO CERTIFY THAT THE SURVEY AND SUBDIVISION OF THE PREMISES DESCRIBED AND PLATTED HEREON WAS MADE UNDER MY DIRECTION DURING THE MONTH OF APRIL 2015, THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN, THAT THE MONUMENTS SHOWN ACTUALLY EXIST OR WERE SET AS SHOWN, THAT THEIR POSITIONS ARE CORRECTLY SHOWN, AND THAT SAID MONUMENTS ARE SUFFICIENT TO ENABLE THIS SURVEY TO BE RETRACED. FOR AND ON BEHALF OF OLSSON ASSOCIATES, INC.

R. LECHE HENRY, RLS # 49097



A PORTION OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 3 NORTH, RANGE 1 WEST OF
THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA



- = SET REBAR W/ CAP 45007
- = FOUND CORNER AS NOTED
- △ = CALCULATED CORNER, NOTHING SET
- = REBAR W/ ALUMINUM CAP
- ⊖ = ALUMINUM CAP FLUSH
- ⊕ = BRASS CAP FLUSH
- ⊗ = BRASS CAP IN HAND HOLE
- = SUBJECT PROPERTY BOUNDARY
- = CALCULATED LINES OR TIES
- = SECTION LINE
- = RIGHT-OF-WAY (R/W)
- = EASEMENT LINE
- M/C = MISSOURI COUNTY RECORDS
- R/W = PUBLIC RIGHT-OF-WAY
- PUE = PUBLIC UTILITIES EASEMENT
- NAP = NOT A PART OF THIS SURVEY

LINE #	DIRECTION	LENGTH
L1	S89°26'36"E	34.62
L2	S89°26'36"E	12.00
L3	S00°04'W	99.68
L4	N45°00'04"W	33.81
L5	S89°59'56"E	93.38
L6	N45°00'04"E	21.93
L7	N0°00'04"E	41.83
L8	N89°59'56"W	5.54
L9	N0°00'04"E	17.40
L10	S89°26'36"E	55.60
L11	S00°13'W	20.00
L12	N89°59'47"W	35.96
L13	S00°23'W	41.80
L14	S45°00'04"W	29.82
L15	S00°04'W	9.29
L16	S89°59'56"E	8.49
L17	S00°04'W	12.00
L18	N89°59'56"E	20.49
L19	N0°00'04"E	17.77
L20	N89°59'56"E	19.66
L21	S00°04'W	53.22
L22	N89°59'57"W	12.00
L23	N0°00'01"E	5.22
L24	N89°59'56"E	53.38
L25	S45°00'04"W	40.84
L26	S00°04'W	35.27
L27	N89°59'56"W	24.39
L28	N0°00'04"E	12.00
L29	N89°59'56"E	12.39
L30	N0°00'04"E	140.04

N89°26'36"W ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 3 NORTH, RANGE 1 WEST OF THE GILA AND SALT RIVER MERIDIAN; ORIGINALLY MEASURED AS S89°54'55"W USING GLOBAL NAVIGATION SATELLITE SYSTEMS AND ROTATED 0°38'29".

1. ALL DISTANCES REPORTED ON THIS SURVEY ARE TO THE MONUMENTS FOUND OR SET UNLESS OTHERWISE NOTED.

A SEARCH FOR THE NORTH 1/4 CORNER OF SECTION 3, T3N, RW, RESULTED IN FINDING THE LOCATION CALCULATED USING GCS PLAT 678, PG 15, M.C.R.1 PASSED OVER WITH ASPHALT. A NAIL WAS FOUND WHEN INTO THE ASPHALT PAVEMENT AT THE CALCULATED POSITION. THE NORTHEAST CORNER OF SAID SECTION 3 WAS FOUND CONSISTENT WITH SAID GAOCS PLAT. THE EAST QUARTER CORNER OF SAID SECTION 3 WAS FOUND CONSISTENT WITH GAOCS PLAT 668, PG 16, M.C.R.1. BASED ON THE CONSISTENT FINDINGS OF THE 1/4 CORNER, THE EAST 1/4 CORNER, THE NORTH 1/4 CORNER IS HELD AT THE CALCULATED LOCATION PER GAOCS PLAT 678, PG 15, M.C.R.1

PARENT PARCEL = 360,795 SQ.FT. +/-, OR 8.282 ACRES +/-
 LOT 1 = 87,305 SQ.FT. +/-, OR 2.004 ACRES +/-
 LOT 2 = 61,944 SQ.FT. +/-, OR 1.422 ACRES +/-
 LOT 3 = 211,546 SQ.FT. +/-, OR 4.856 ACRES +/-

Citizen Outreach

- Outreach meeting on July 21, 2015
- One phone inquiry
- Two items of opposition

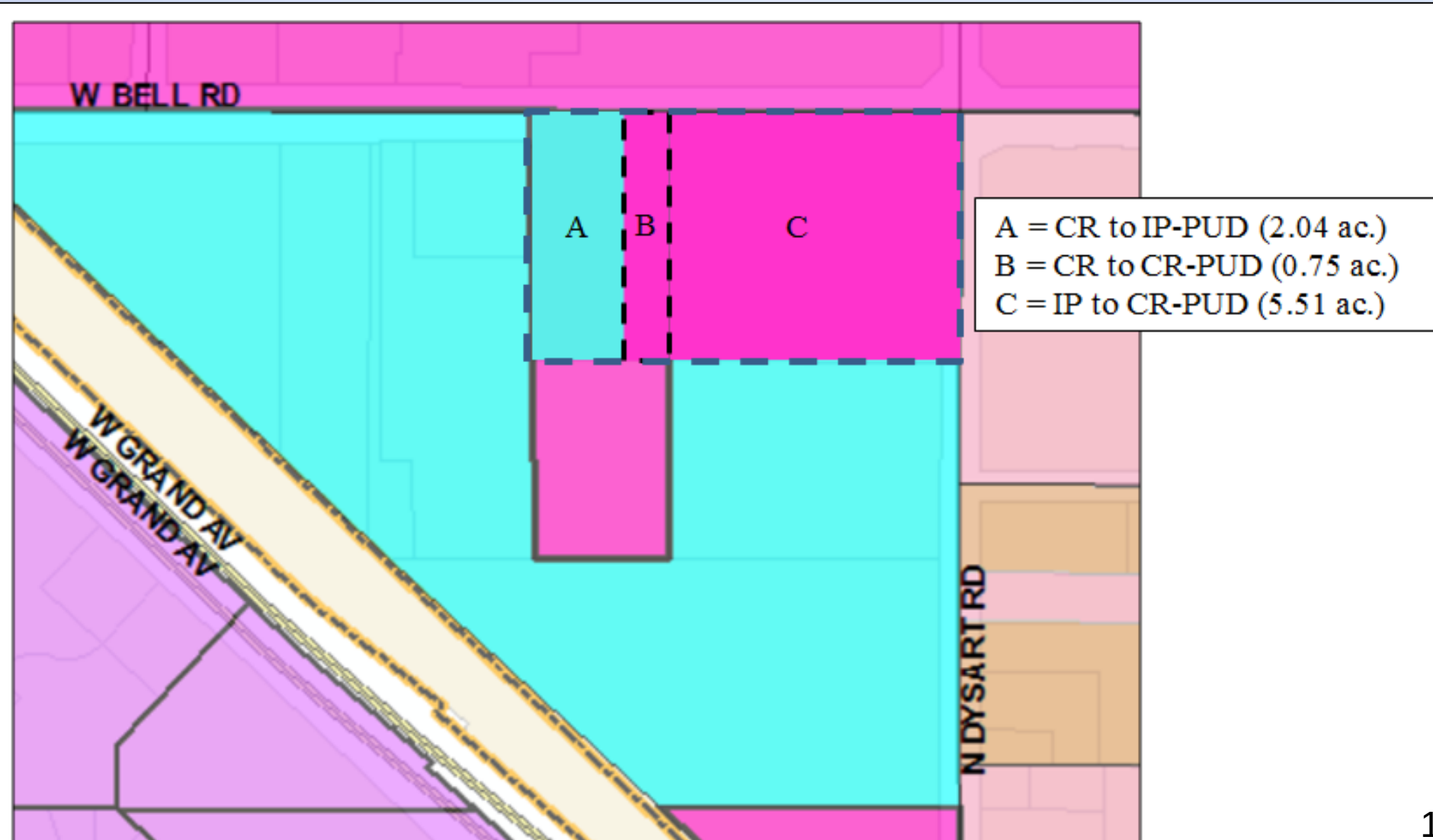
Commission Recommendation:

- Zone Change:
 - ✓ **Approve** subject to stipulations “a” through “d”

Questions or Comments?

[illegible]

Zoning Case Map





**Dysart Subdivision
Rezone Document
PUD Overlay**

**Southwest Corner of Bell and Dysart
501-16-011V and 501-16-011K**

**1st Submittal
April 10, 2015
Revision
June 26, 2015
Revision
July 24, 2015
Revision
August 17, 2015**

**Prepared by Olsson Associates
OA# 014-3199
Surprise Case # FS15-155**

Project Team

Developer
Cross Development
17430 Campbell Road, Suite 225
Dallas, TX 75252
214-422-3031
Kevin McKibben

Applicant and Engineer
Olsson Associates
7250 N 16th Street, Suite 210
Phoenix, AZ 85020
480-333-4319
Len Swartz, PE

Request:	Rezone of vacant land. From CR to IP-PUD and from IP to CR-PUD
Applicant:	Olsson Associates on behalf of Cross Development
Site Location:	Southwest corner of Bell and Dysart 501-16-011V and 501-16-011K
Existing Zoning:	CR and IP
Proposed Zoning:	IP-PUD and CR-PUD
Existing Land Use:	Vacant

TABLE OF CONTENTS

1.0	INTRODUCTION	1
2.0	SURROUNDING AREA AND EXISTING ZONING	2
3.0	PROPOSED ZONING AND PUD OVERLAY	2
3.1	SITE LAYOUT	3
3.2	LANDSCAPING.....	3
3.3	ARCHITECTURE	4
3.4	MONUMENT SIGNAGE AND WALLS	4
3.5	DEVELOPMENT STANDARDS	4
3.6	PARKING STANDARDS	4
4.0	MISCELLANEOUS	5
4.1	UTILITIES	5
4.2	GRADING AND DRAINAGE.....	5
4.3	SAFETY FACILITIES	5
5.0	CONCLUSION.....	5

FIGURE 1 – AERIAL VIEW OF SITE

TABLE 1 – REZONING REQUEST TABLE

APPENDIX 1 – SITE PLAN

APPENDIX 2 – EXISTING ZONING MAP

APPENDIX 3 – PROPOSED ZONING MAP

APPENDIX 4 – PROPOSED LAND USE MAP

APPENDIX 5 – LOT 1, CALIBER COLLISION SITE PLAN

APPENDIX 6 – LOT 1, CALIBER COLLISION LANDSCAPE PLAN

1.0 INTRODUCTION

The proposed Dysart Subdivision (the “Site”) consists of 3 lots located along the south side of Bell Road beginning at the south-west corner of Bell Road and Dysart Road. The total gross area is 10.00 acres. A total Right-of Way dedication of 1.703 acres is proposed with the development of all 3 lots, resulting in a net area of 8.297 acres for the Site.

Lot 3 is located directly on the south-west corner of Bell & Dysart Roads, with approx. 456 feet of frontage on Bell Road and approx. 400 feet of frontage on Dysart Road. Lot 3 has a net area of 4.856 acres. Lot 3 is currently vacant land, with no plans at this time for development.

Lot 2 is located to the west of Lot 3, and has approx. 142 feet of frontage along Bell Road. Lot 2 has a net area of 1.422 acres. Lot 2 is currently vacant land, and is under design by another team for an anticipated commercial use.

Lot 1 is located to the west of Lot 2, and has approx. 200 feet of frontage along Bell Road. Lot 1 has a net area of 2.004 acres. Lot 1 is currently vacant land, and is under design for a Caliber Collision Repair Shop.

Figure 1 below shows an aerial view of the property, and a copy of the Site Plan can be found in Appendix 1.



FIGURE 2 – AERIAL VIEW OF SITE

2.0 SURROUNDING AREA AND EXISTING ZONING

As previously mentioned, all 3 lots are currently vacant and undeveloped. The Site is bounded on the north by Bell Road, and on the east by Dysart Road. South of the Site is a vacant, undeveloped property toward the west, and APS's office and facility toward the east. Neighboring to the west of the Site is a shops building and storage facility.

Currently the existing western parcel, (Lot 1, and approx. ½ of Lot 2) is zoned CR and the eastern parcels, (approx. ½ of Lot 2 & Lot 3) are zoned IP.

The Existing Zoning Map can be found in Appendix 2.

3.0 PROPOSED ZONING AND PUD OVERLAY

The purpose of the PUD Overlay on the IP Portion is to address landscape setbacks, parking and signage issues. The purpose of the PUD Overlay on the CR portion is to address the side yard setback.

The proposed condition will reflect rezoning the vacant land of the western parcel, (Lot 1) from CR to IP-PUD, and the remaining vacant property, (Lots 2 & 3) will be rezoned from CR & IP to CR-PUD through this request.

See Rezoning Request Table below for the full rezoning request:

IP-PUD/CR-PUD DEVELOPMENT STANDARDS TABLE FOR DYSART SUBDIVISION (CASE FS15-155) Shaded cells indicate development standard that is less restrictive than the base zoning district. All other provisions of the IP and CR zoning districts apply.						
Development Standard	IP to IP-PUD			CR to CR-PUD		
	Base Zoning	PUD Overlay	SUDC Reference	Base Zoning	PUD Overlay	SUDC Reference
Interior Side Setback	15'	15'	122-36(c)(2)b, Table 5-11	24'	15' ¹	122-36(c)(2)c, Table 5-12
Landscape Setback (Arterial)	45' ³	45' ^{2,3}	122-136(b)(18)(h)	45' ³	45' ²	122-136(b)(18)(h)
Maximum Parking Allowed	1:375 SF of GFA ⁴	1:180 SF of GFA ⁴	122-133(e)	As specified in Table 9-1	As specified in Table 9-1	122-133(e)
Secondary Wall Sign Area	0.5 SF per 1 linear foot of elevation	0.6 SF per 1 linear foot of elevation	113-129(a)(3)(a)	0.5 SF per 1 linear foot of elevation	0.5 SF per 1 linear foot of elevation	113-129(a)(3)(a)
Footnotes:						
¹ Adjacent to Commercial or Industrial zoning districts.						
² 10' limited driveway access encroachment from street and architectural encroachment allowed.						
³ Limited driveway encroachment from the west to accommodate shared access allowed peer site plan.						
⁴ Based on Automotive Repair and Service use. If other than automotive Repair and Service, City of Surprise, Municipal Code Section 122-133 Table 9-1 applies.						

TABLE 1 – REZONING REQUEST TABLE

The proposed uses fit well with the existing land uses and surrounding neighbors. The Proposed Zoning Map can be found in Appendix 3, and the Proposed Land Use Map can be found in Appendix 4.

The proposed uses include Caliber Collision on the IP-PUD property, (Lot 1), and the remainder of the site zoned CR-PUD with anticipated commercial uses that are compatible with neighboring properties.

3.1 SITE LAYOUT

As the properties to the east develop, detailed site/construction plans for those lots will be required. Only the Caliber Collision, (Lot 1) details are included with this submittal.

Caliber Collision is the nation's largest collision repair company. They were founded in 1997 and is headquartered in Texas. Caliber participates in a number of community involvement projects including food drives, recycled rides, and veteran organizations.

Caliber is committed to health, safety and environmental protection. They use the repair processes with the highest standards and have pioneered the use of water-based versus solvent based paint to reduce VOCs. More can be found about Caliber on their web site at <http://calibercollision.com/>

The proposed Caliber Collision site, (Lot 1), is located approximately 500 feet west of Dysart Road on the south side of Bell Road. The project is comprised of a 14,770 SF building. Within the building there will be an office, mechanic shop, parts sales, detailing, and painting booth. Customers can also rent a vehicle on location when they drop off their vehicle for repairs.

The site is proposing a new right in/right out/left in drive connection to Bell Road on the eastern boundary of the site. The existing left in median cut at the western side of the Caliber project will be closed off.

The intention is for the future development to the east to tie into the newly proposed drive as well. Cross access easements will be proposed on the plat allowing for cross access and a shared drive.

Neighboring to the west is a shops building and storage facility. Caliber will extend the front drive to align with their parking lot and allow for cross access. Caliber will work with the City on obtaining cross access easements with these owners to improve fire and emergency access.

Lot 1, Caliber Collision Site Plan can be found in Appendix 5.

3.2 LANDSCAPING

A Conceptual Landscape Plan for Lot 1, Caliber Collision, can be found in Appendix 6. The street frontage will be planted with Hybrid Mesquite, Desert Museum Palo Verde and Desert Willow, interspersed with Spotted Emu Bush, Gopher Plant, Rio Bravo Sage, Firecracker Plant, Grey Desert Spoon, Red Yucca, Trailing Lantana and New Gold Lantana. Each side, north of the gates will be planted with Orange Jubilee, and south of the gates will be Purple Leafed Hopseed Bush. The rear of the property, around the retention pond will be planted primarily with Hybrid Mesquite and Desert Museum Palo Verde, interspersed with Spotted Emu Bush, Gopher Plant, Rio Bravo Sage, Firecracker Plant, Grey Desert Spoon, Red Yucca, Trailing Lantana and New Gold Lantana.

As Lots 2 & 3 develop, detailed landscaping plans for those lots will be required.

3.3 ARCHITECTURE

The proposed building for Lot 1, Caliber Collision is a 14,770 SF mixed use structure with a 'B' and a 'S1' occupancy. Within the building there will be an office, mechanic shop, parts sales, detailing, and painting booth. The exterior is stone, brick, and EIFS veneer with a max parapet height of 26'-0". The roofing material is galvalume which also includes all RTU, (Roof Top Unit), screening and backsides of the parapet.

As Lots 2 & 3 develop, detailed architectural plans for those lots will be required.

3.4 MONUMENT SIGNAGE AND WALLS

Signage

Current Surprise Municipal Code Section 113-129(a)(3) restricts the maximum aggregate sign area for any business to 0.5 square feet for each linear foot of the business wall elevation along the street frontage on which the sign is displayed.

REQUESTED DEVIATION

1. That the allowable signage be increase to 0.6 square feet of signage for each linear foot of the business wall elevation along the street frontage on which the sign is displayed.

Walls

Current Surprise Municipal Code Section 122-136(b)(2)c requires that parking areas be screened from the street by a solid wall, earthen berms or opaque hedging. A solid 3' wall has been installed approx. 4' to the north of the parking lot to provide the required screening.

3.5 DEVELOPMENT STANDARDS

Current Surprise Municipal Code 122-36(c)(2)c requires the side landscape setback to be twenty-four feet, (24ft.).

REQUESTED DEVIATION

1. That the allowable side landscape setback be reduced to fifteen feet, (15ft.) from twenty-four feet, (24ft.)

3.6 PARKING STANDARDS

Current Surprise Municipal Code Section 122-133(e), Table 9-1, requires a maximum parking ratio of one to three-hundred-seventy-five, (1:375) for "Automobile Repair and Service Structures".

REQUESTED DEVIATION

1. That the maximum parking ratio be reduced from one to three-hundred-seventy-five, (1:375) to one to one-hundred-eighty, (1:180).

4.0 MISCELLANEOUS

4.1 UTILITIES

Water and sewer will be provided by EPCOR Utilities, a private company. Electrical service is provided by APS, and Southwest Gas will provide the natural gas service. Century Link and Cox are both available for telephone/internet services.

4.2 GRADING AND DRAINAGE

Grading, drainage and retention will be designed in accordance with the Maricopa County Drainage Design Manual and City of Surprise 2012 Engineering Development Manual.

4.3 SAFETY FACILITIES

Fire and police protection for the Site will be provided by the City of Surprise.

5.0 CONCLUSION

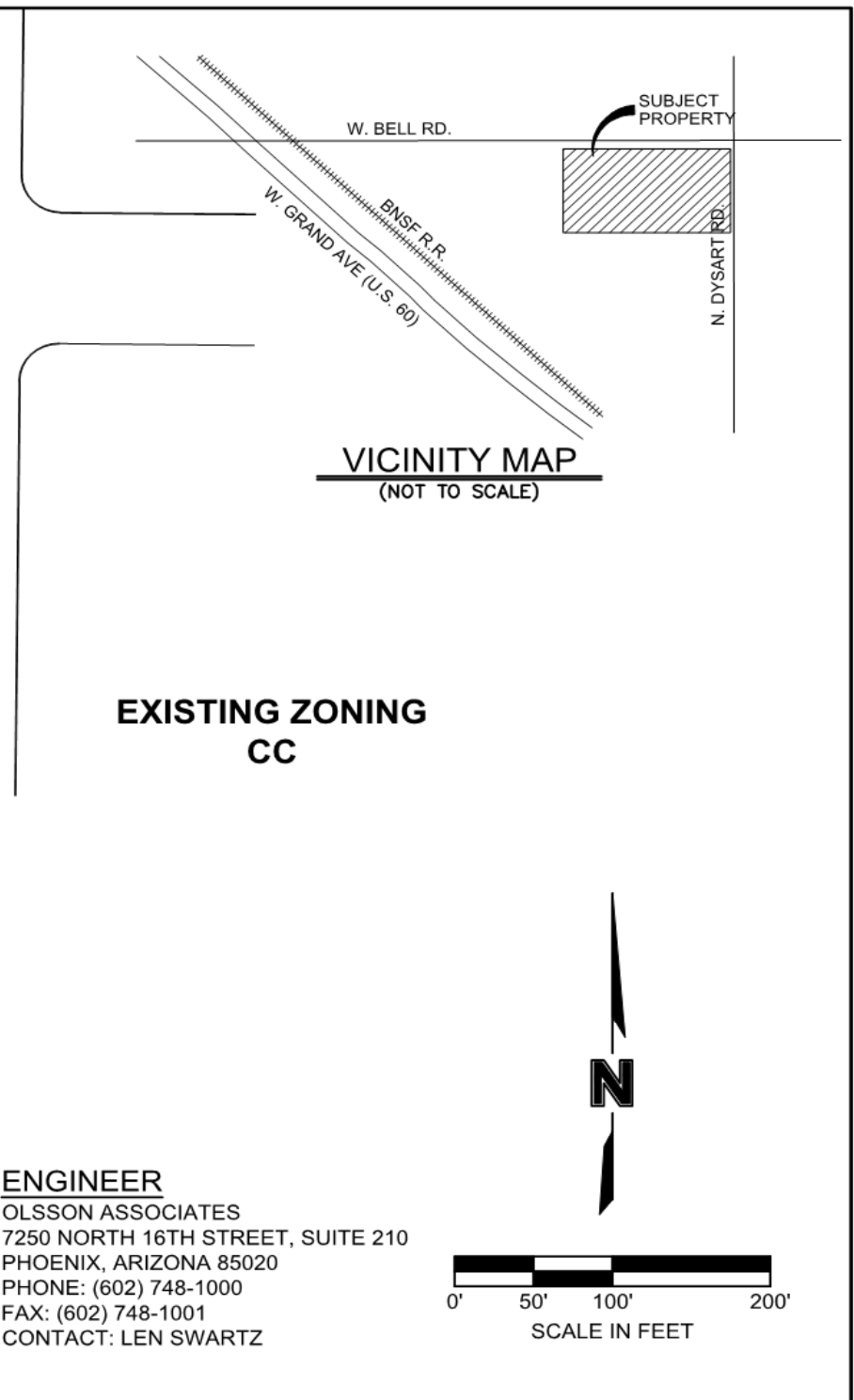
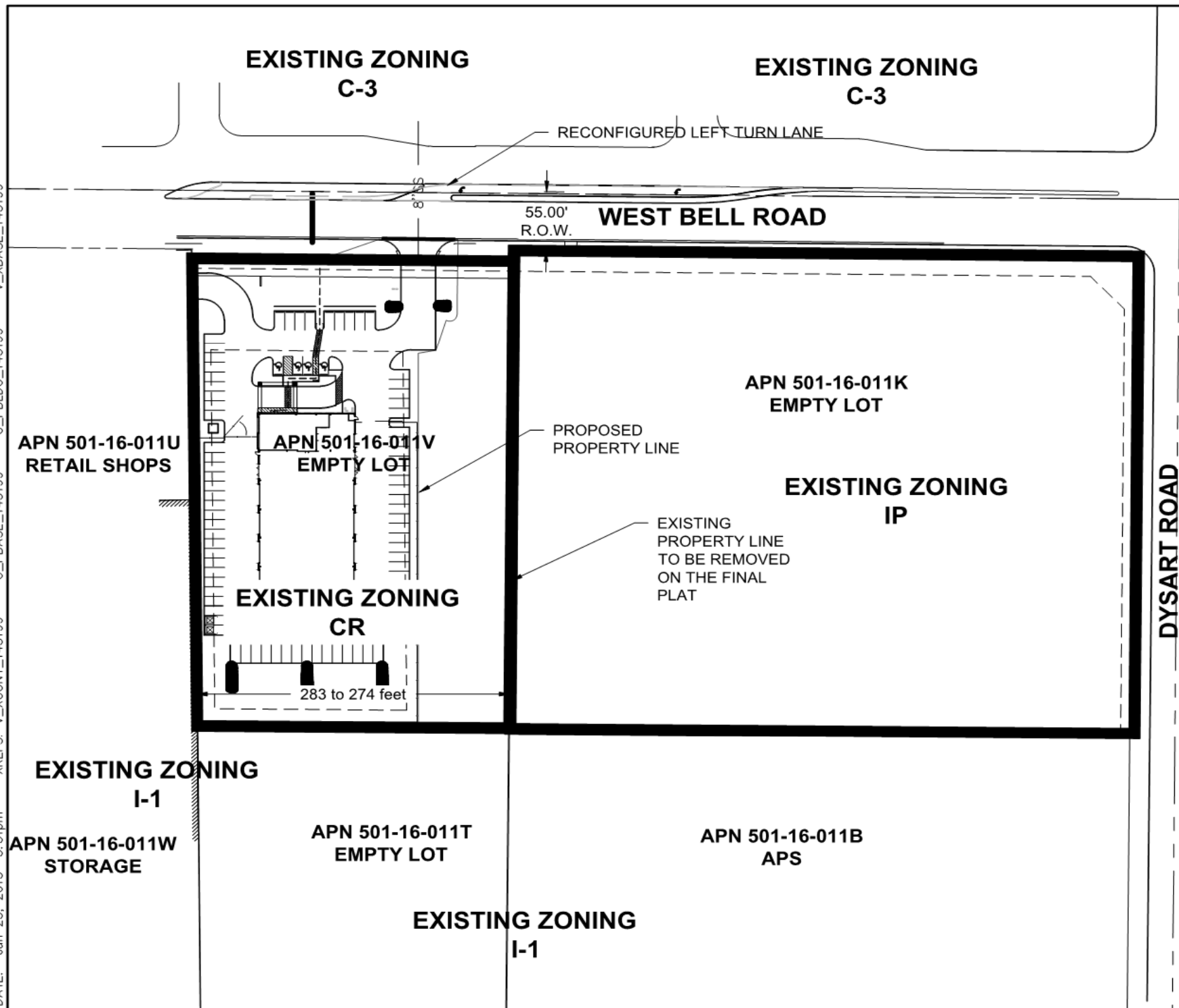
Caliber Collision, (Lot 1) is consistent with the General Plan and compatible with the surrounding area. The proposed uses for Lots 2 & 3 will be commercial, and thus will also be compatible with the surrounding area.

APPENDIX 1

SITE PLAN

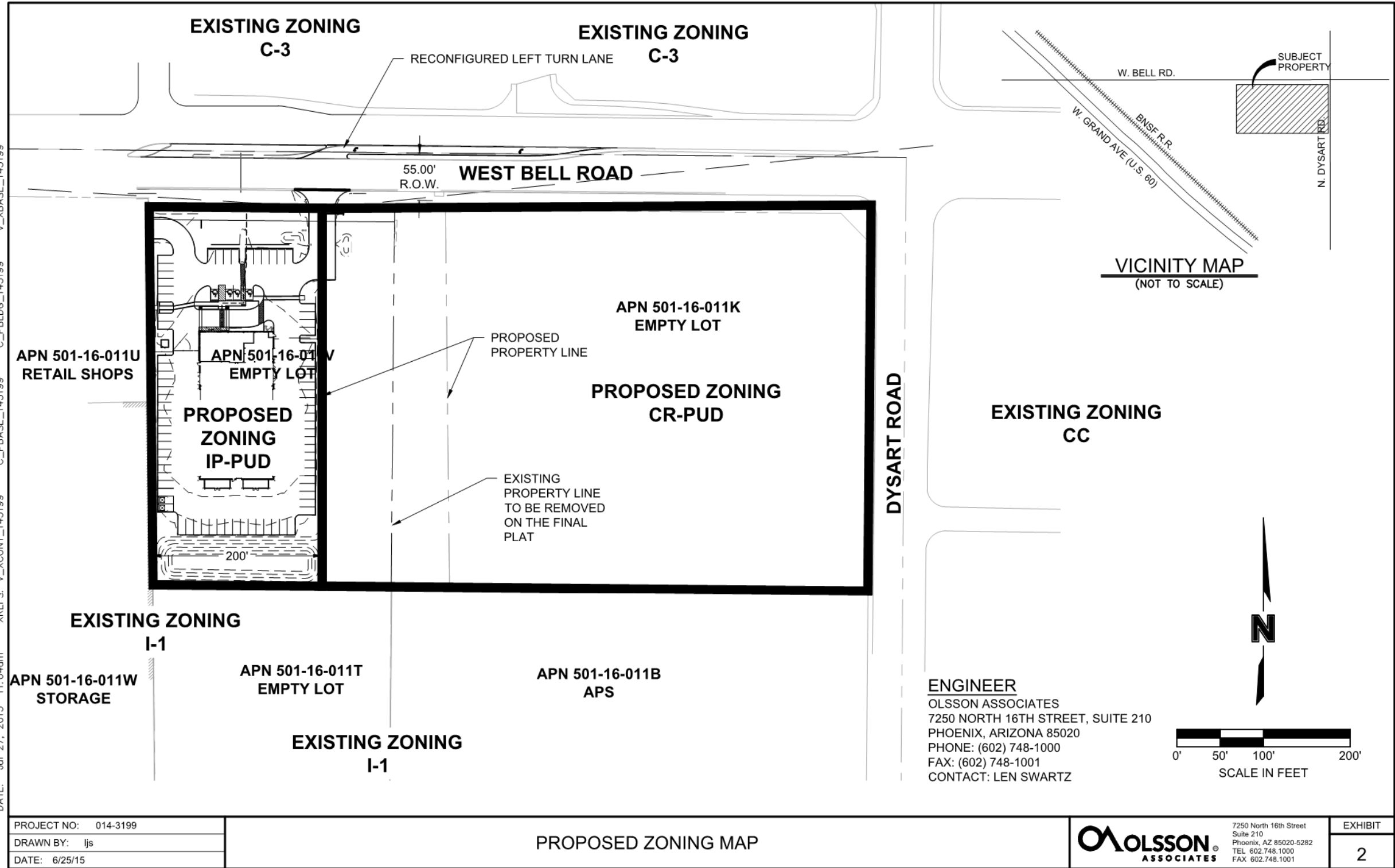
APPENDIX 2
EXISTING ZONING MAP

DWG: F:\Projects\014-3199\40-Design\Reports\C_ZON_143199.dwg
DATE: Jun 25, 2015 3:51pm
XREFS: V_XCONT_143199 C_PBASE_143199 C_PBLDG_143199 V_XBASE_143199
USER: apoge



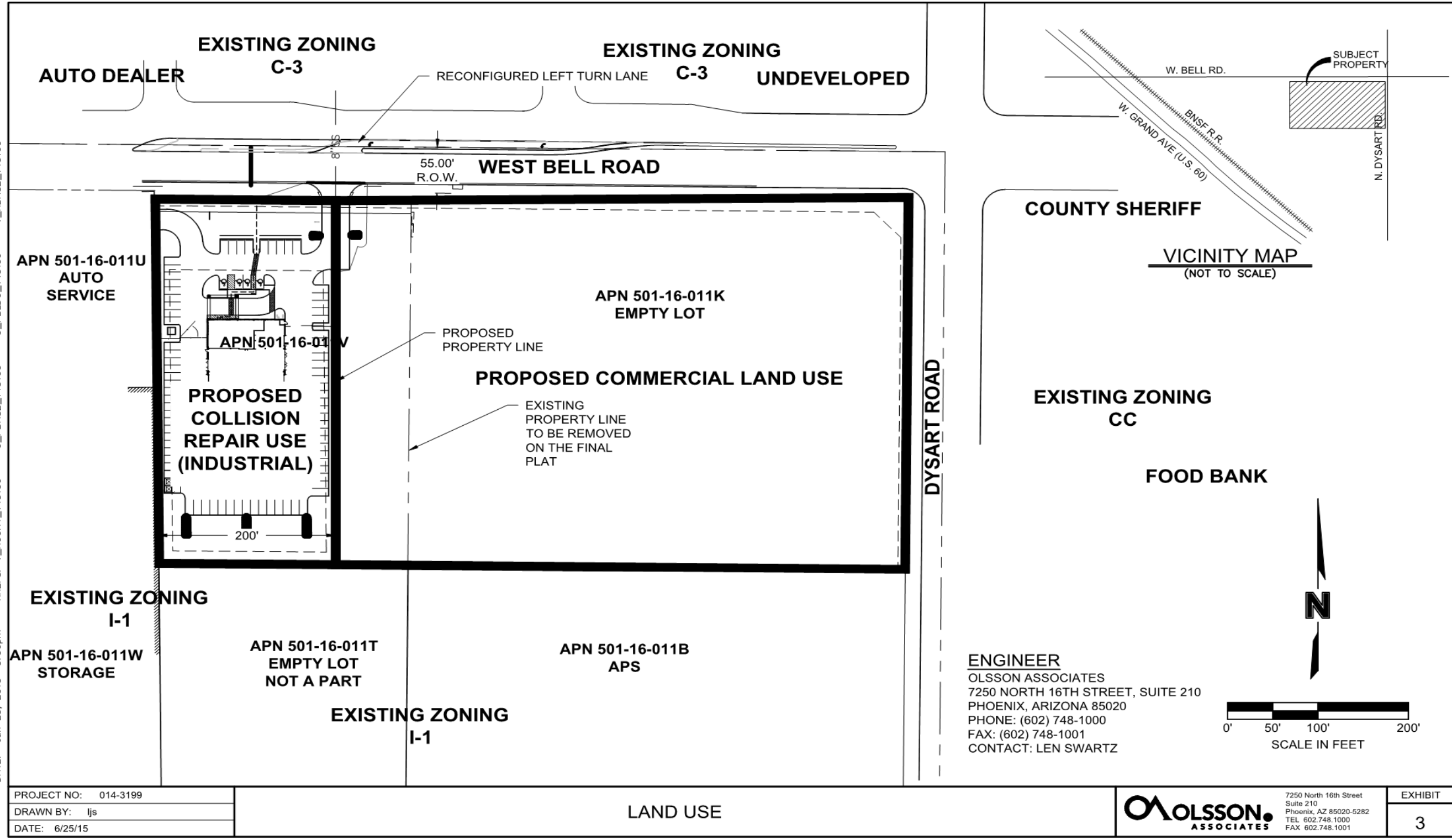
APPENDIX 3
PROPOSED ZONING MAP

DWG: F:\Projects\014-3199\40-Design\Reports\C_ZON_143199.dwg USER: opoge
DATE: Jul 27, 2015 11:04am XREFS: V_XCONT_143199 C_PBASE_143199 C_PBLDG_143199 V_XBASE_143199



APPENDIX 4
PROPOSED LAND USE MAP

DWG: F:\Projects\014-3199\40-Design\Reports\C_ZONL_143199.dwg
DATE: Jun 25, 2015 3:50pm
USER: opage
C_PBLDG_143199
C_PBASE_143199
V_XCONT_143199
V_XBASE_143199



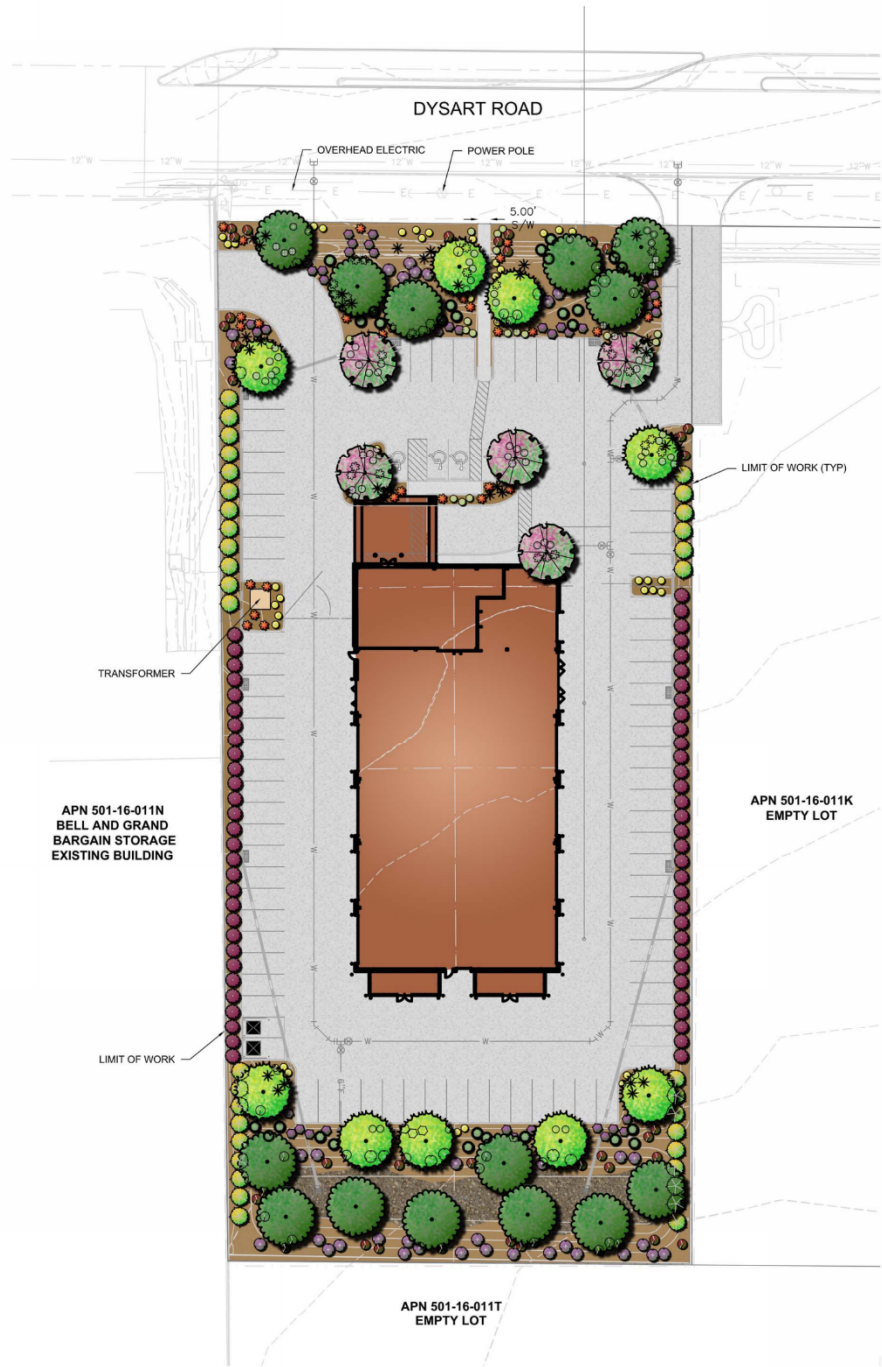
PROJECT NO: 014-3199	LAND USE	OLSSON ASSOCIATES 7250 North 16th Street Suite 210 Phoenix, AZ 85020-5282 TEL 602.748.1000 FAX 602.748.1001	EXHIBIT
DRAWN BY: ljs			3
DATE: 6/25/15			

APPENDIX 5
LOT 1, CALIBER COLLISION SITE PLAN

APPENDIX 6

LOT 1, CALIBER COLLISION LANDSCAPE PLAN

DWG: F:\Projects\014-3199\40-Design\AutoCAD\Exhibits\COLORBLK.dwg
DATE: Apr 10, 2015 10:12am
USER: aasher
XREFS:



PLANT SCHEDULE

TREES	BOTANICAL NAME	COMMON NAME
	<i>Chilopsis linearis</i> 'AZT Desert Amethyst'	Desert Willow
	<i>Parkinsonia</i> x 'Desert Museum'	Desert Museum Palo Verde
	<i>Prosopis</i> x 'Phoenix' TM	Hybrid Mesquite
SHRUBS	BOTANICAL NAME	COMMON NAME
	<i>Dodonaea viscosa</i> 'Purpurea'	Purple Leafed Hopseed Bush
	<i>Eremophila maculata</i> 'Valentine'	Spotted Emu Bush
	<i>Euphorbia biglandulosa</i>	Gopher Plant
	<i>Leucophyllum langmaniae</i> 'Rio Bravo' TM	Rio Bravo Sage
	<i>Russelia equisetiformis</i>	Firecracker Plant
	<i>Tecoma</i> x 'Orange Jubilee'	Orange Jubilee
ACCENTS	BOTANICAL NAME	COMMON NAME
	<i>Dasylinon wheeleri</i>	Gray Desert Spoon
	<i>Hesperaloe parviflora</i>	Red Yucca
GROUNDCOVER	BOTANICAL NAME	COMMON NAME
	<i>Lantana montevidensis</i> 'Purple'	Trailing Lantana
	<i>Lantana</i> x 'New Gold'	New Gold Lantana
INERTS	BOTANICAL NAME	COMMON NAME
	Granite Mulch	1/2" Screened / Express Brown
	Riprap	4 - 6" / Express Brown



PROJECT NO: 014-3199
DRAWN BY: AA
DATE: 04/10/15

CALIBER COLLISION

	7250 North 18th Street Suite 210 Phoenix, AZ 85020-5282 TEL 602.748.1000 FAX 602.748.1001	EXHIBIT
		1

ZONE CHANGE

REPORT TO THE PLANNING AND ZONING COMMISSION

Case: FS15-155

Project Name: Dysart Subdivision Rezone

Council District: 4

Meeting Date: October 1, 2015

Planner: Robert H. Kuhfuss, AICP

Owner: Farhad and Kathryn Shokoohl

Applicant: Len Swartz, PE, of Ollson Associates, on behalf of Cross Development and Farhad and Kathryn Shokoohl

Request: Rezone from CR to IP-PUD (approx. 2.04 acres), from CR to CR-PUD (approx. 0.75 acres), and from IP to CR-PUD (approx. 5.51 acres)

Site Location: Southwest corner of Bell Road and Dysart Road

Site Size: 8.30 acres (approx.)

Density: N/A

General Plan Conformance: The proposal is consistent with the Surprise General Plan 2035

Support/Opposition: None known

Staff Recommendation: Staff recommends the Commission move to recommend **approval** of the proposed Zone Change to the City Council, subject to stipulations 'a'-d'.

[Note: See related Master Site Plan request being processed under this case, but discussed under separate cover.]

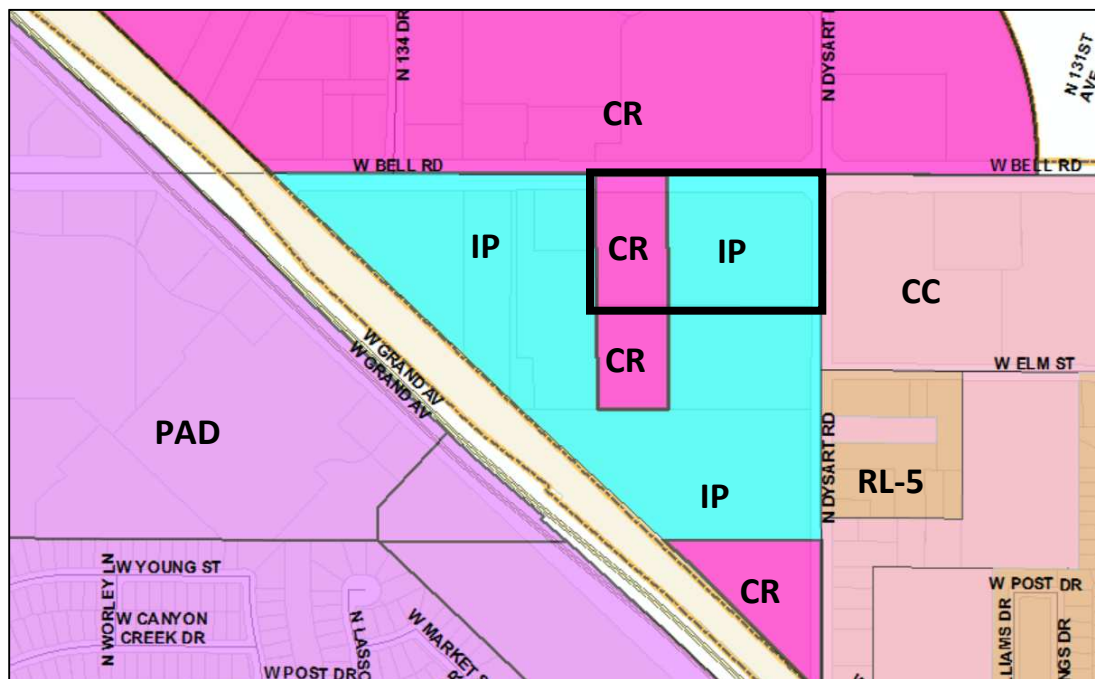
PROJECT DESCRIPTION:

Len Swartz, PE, of Ollson Associates, on behalf of Cross Development and Farhad and Kathryn Shokoohl, seeks approval of two separate but related requests. The first request involves a rezone from CR to IP-PUD (approx. 2.04 acres), from CR to CR-PUD (approx. 0.75 acres), and from IP to CR-PUD (approx. 5.51 acres). The second request involves a Major Site Plan in these newly established districts. These requests are also in conjunction with a related Final Plat, which is being processed under the same case number, but is being scheduled for City Council separately, pending the Commission's favorable action on the two requests discussed herein. All three actions anticipate the development of a Calber Collision Center and other as-yet to be determined commercial uses.

EXISTING ZONING:

The following chart and associated map depict the existing zoning of the subject site and its surrounds.

Regional Commercial (CR)	Regional Commercial (CR)	Regional Commercial (CR)
Industrial Performance (IP)	Community Commercial (CR) and Industrial Performance (IP)	Community Commercial (CC)
Industrial Performance (IP)	Regional Commercial (CR)	Community Commercial (CC)



57 **BACKGROUND:**

58
59 **December 18, 2014:** Staff met with the applicant to discuss the project during a regularly
60 scheduled Concept Review meeting under CR14-468.

61
62 **April 17, 2015:** The applicant filed a request for a Zone Change, Major Site Plan and Final Plat under
63 case FS15-155, the subject case.

64
65 **April 30, 2015:** Staff met with another entity to discuss the development of what would become
66 Lot 2 of the subject site during a regularly scheduled Concept Review meeting under CR15-165.

67
68 **June 21, 2015:** The applicant held a neighborhood outreach meeting to discuss the project.

69
70 **CITIZEN OUTREACH:**

71
72 As noted above, the applicant held a Citizen Review meeting on June 21, 2015, which generated no
73 input. Staff is not aware of any support to opposition regarding this request.

74
75 **ANALYSIS AND DISCUSSION:**

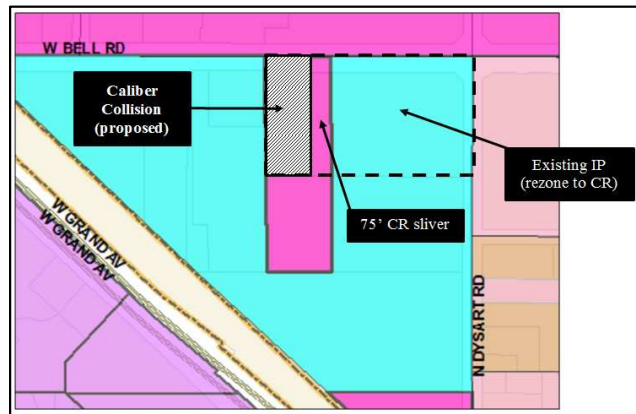
76
77 The subject property consists of two parcels, which are currently vacant except for an existing
78 billboard, which is presumed to be legal non-conforming due to its appearance in aerial
79 photography as early as 1986. The westernmost parcel is currently zoned CR and is immediately
80 north of and adjacent to another vacant CR parcel, which is owned by Arizona Public Service. The
81 easternmost parcel is currently zoned IP and is immediately north of and adjacent to another IP
82 parcel, currently developed as an APS facility. Located to the east of the subject property, across
83 Dysart Road, is an area of CC zoning, currently developed with state and county facilities. Just to
84 the west of the subject parcel is an existing tire shop located within IP zoning. The property located
85 across Bell Road from the property is currently vacant and zoned CR, while the property to the
86 northeast of the site, at the northeast corner of Dysart Road and Bell Road, is currently under
87 construction as a medical facility.

88
89 **Proposed Zoning:**

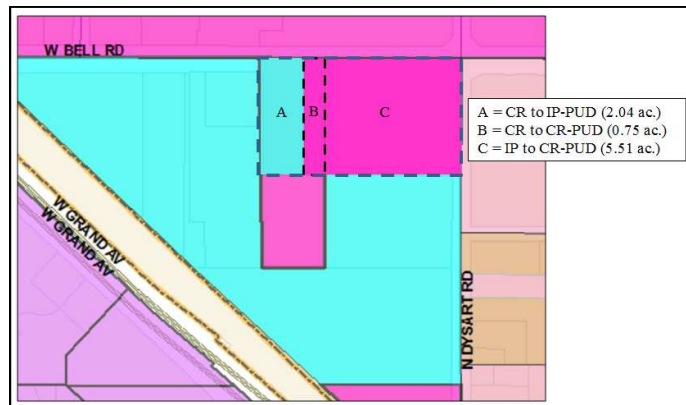
90
91 The westernmost parcel of the subject site is currently approximately 275' wide; however, Caliber
92 Collision is proposing to build a collision center on the westernmost 200' of that parcel. Since the
93 existing zoning of that parcel is CR, the collision center could be entitled through a Conditional Use
94 Permit; however, if zoned to IP, the collision center would be considered a principal, by-right use.
95 Given the proximity of the proposed use to the existing tire center, and the proximity to the existing
96 IP zoning, staff is comfortable with the concept of rezoning from CR to IP for that property.

Since Caliber Collision is only interested in acquiring and rezoning the westernmost 200' of the subject property, there will remain a 75' wide remnant property with CR zoning sandwiched in between new and existing IP zoning. In order to remove that incongruent sliver, either the sliver needs to be rezoned to IP so it is in line with the existing IP to the east, or the existing IP property should be rezoned to CR.

The following map depicts the condition that would be present if the 75' sliver remained intact.



The following map depicts the proposed zoning.



While no end users have been identified for the eastern end of the subject site, given the proximity of the subject site to the existing CC zoning to the east, rezoning the eastern end of the subject property to CR would provide an appropriate transition from the existing CC zoning to the east and the IP zoning to the west. Staff notes that this approach will create a CR island nearly completely surrounded by IP zoning; however, staff's desire would be for the owner of that parcel to ultimately seek IP zoning.

Development Standards Table:

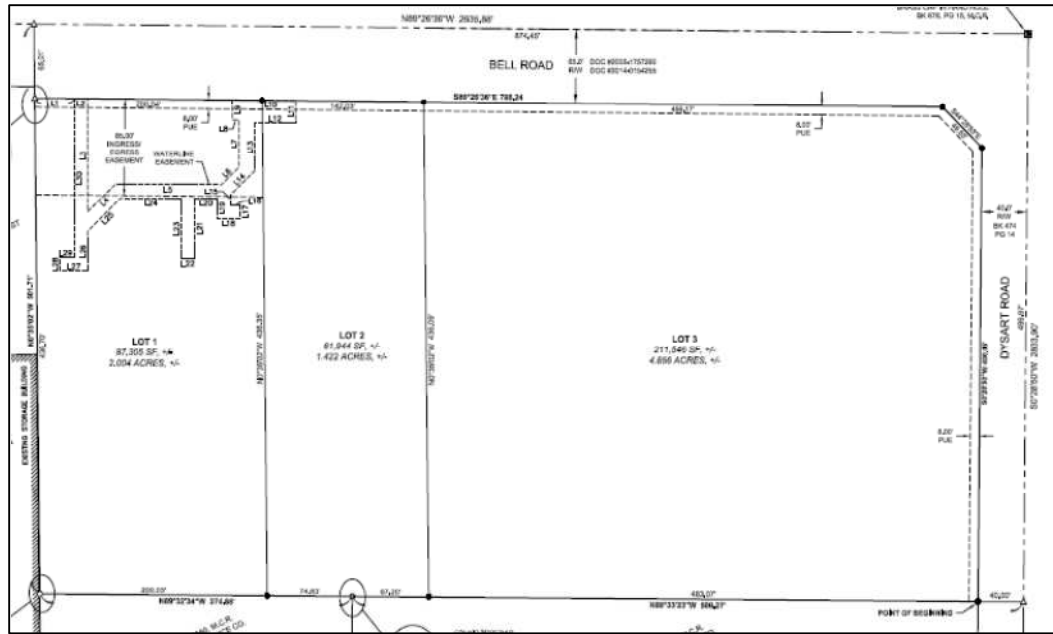
The subject rezone request also involves a PUD Overlay, which will serve to amend the development standards for the IP portion as they relate to the required landscape setback along Bell Road, the maximum allowed parking, and secondary wall sign area. The PUD overlay for the CR portion will serve to amend the development standards relating to the interior side yard setback adjacent to CR zoning. These development standards are depicted in the following table, which is included in Section 3.0 of the Project Narrative.

IP PUD/CR PUD DEVELOPMENT STANDARDS TABLE FOR DYSART SUBDIVISION (CASE FS15-155) Shaded cells indicate development standard that is less restrictive than the base zoning district. All other provisions of the IP and CR zoning districts apply.						
Development Standard	IP – IP PUD			CR – CR PUD		
	Base Zoning	PUD Overlay	SUDC Reference	Base Zoning	PUD Overlay	SUDC Reference
Interior Side Setback	15'	15'	122-36(c)(2)b, Table 5-11	24'	15' ¹	122-36(c)(2)c, Table 5-12
Landscape Setback (Arterial)	45' ³	45' ^{2,3}	122-136(b)(18)(h)	45' ³	45' ²	122-136(b)(18)(h)
Maximum Parking Allowed	1:375 SF of GFA ⁵	1:180 SF of GFA ⁴	122-133(e)	As specified in Table 9-1	As specified in Table 9-1	122-133(e)
Secondary Wall Sign Area	0.5 SF per 1 linear foot of elevation	0.6 SF per 1 linear foot of elevation	113-129(a)(3)(a)	0.5 SF per 1 linear foot of elevation	0.5 SF per 1 linear foot of elevation	113-129(a)(3)(a)
Footnotes:						
¹ Adjacent to Commercial or Industrial zoning districts.						
² 10' limited driveway access encroachment from street and architectural encroachment allowed per 122-136(b)(18)(h), Table 10-4.						
³ Limited driveway encroachment from the west to accommodate shared access allowed per site plan.						
⁴ Based on Automotive Repair and Service use. If other than Automotive Repair and Service, Table 9-1 applies.						

The IP-PUD development standards will allow the Caliber Collision facility to address the cross-access issue by allowing the driveway to encroach into the required landscape setback, while providing reasonable wall signage opportunities not currently allowed through the Municipal Code. The CR-PUD development standards came about as a result of the Concept Review for the proposed Lot 2 and are geared primarily to a decreased setback on one side to allow shade trees to be installed on the opposing side.

Staff notes that while the review of the proposed Final Plat is not within the Commission's purview, the Final Plat would serve to remove the existing lot line and create three new lots: the westernmost being the Caliber Collision site and the other two lots slated for future commercial development. The following image depicts this arrangement. The Final Plat also will provide for reciprocal cross-access throughout the plat as well as cross-access to the property to the west.

[See image on following page.]



UTILITY AND SERVICES TABLE:

Electric:	APS
Water:	EPCOR
Wastewater:	EPCOR
Refuse:	TBD
Natural Gas:	SWG
Irrigation:	N/A
Schools:	N/A

CONFORMANCE WITH ADOPTED PLANS:

Surprise General Plan 2035: The Surprise General Plan 2035 shows the subject property as lying within the Employment Land Use Category, which supports retail and light industrial uses. The proposed Zone Change and the related Major Site Plan and Final Plat, support the goals and policies of the General Plan, especially with respect to encouraging well managed and phased growth (Policy LU2.2), improving the jobs to housing ratio (Policy LU2.2), promoting a compatible mix of land uses (Policy LU3.1), encouraging sound urban design principles (Policy UD1.1), and the development of otherwise vacant infill land in the heart of the city (Policy UD1.4).

147 **REVIEWING AGENCIES:**

148
149 In addition to the standard city reviewing agencies, who indicate no objections to the requests,
150 Luke Air force Base, Maricopa Water District, and ADOT were included in the routing of this case.

151
152 **Luke Air Force Base (LAFB):** LAFB indicates no objections to the request, but advises the applicant
153 review sound attenuation requirements and engage in a strong notification program with respect
154 to the air base and its operations.

155
156 **Arizona Department of Transportation (ADOT):** ADOT indicated general neutrality regarding the
157 subject requests, but advises the project may be impacted by the Bell/Grand Overpass Project and
158 advises the applicant consult with ADOT in that regard.

159
160 **Maricopa Water District (MWD):** MWD advises the subject property lies outside of their service
161 area and offers no comment.

162
163 **SUMMARY:**

164
165 Staff believes the proposed Zone Change, Major Site Plan and Final Plat, will provide the mechanism
166 needed to allow the owner to bring the property to market, which will in turn allow it to be
167 developed in a manner that is consistent with the goals and policies of the General Plan.

168
169 **FINDINGS:**

- 170
171
 - The proposed Zone Change is consistent with the Surprise General Plan 2035.
 - The reviewing agencies have indicated no objections to the request.

172
173
174 **RECOMMENDATION:**

175
176 Based on the findings noted above, staff recommends the Commission move to recommend
177 **approval** of the proposed Zone Change under case **FS15-155** to the City Council, subject to
178 stipulations 'a' through 'd' as outlined below:

- 179
180 a. Development and use of the site shall be in substantial conformance with the project
181 narrative entitled "Dysart Subdivision Rezone Document PUD Overlay", prepared by Olsson
182 Associates, consisting of 20 pages dated revised August 17, 2015 and stamped received
183 August 17, 2015, except as modified by the following stipulations.
184
185 b. If a Final Plat has not been recorded within one (1) year of approval of this Zone Change
186 request by the City Council, the subject zone change may be scheduled for public hearing by
187 the Planning and Zoning Commission and City Council for consideration of reverting the
188 property to its former zoning per ARS § 9-462.01.E.

- 190 c. Non-compliance with the stipulations of approval of this case will be treated as a violation in
191 accordance with the provisions of Article XIV of the Surprise Unified Development Code.
192
- 193 d. The Property owner and successors waive claim for diminution of in value if the City takes
194 action to rescind approval of this zone change request due to non-compliance with the
195 stipulations of approval.
196

197 However, should the Commission wish to recommend denial of the request, the Commission
198 should make its own findings and base its decision on those alternative findings.
199

200 **Attachments:**
201

202 PZ01 – Vicinity Map (1 page)
203 PZ02 – Zone Change Case Map (1 page)
204 PZ03 – Master Site Plan Case Map (1 page)
205 PZ04 – Zoning Narrative (20 pages)
206 PZ05 – Site Plan (3 pages)
207 PZ06 – Landscape Plan (5 pages)
208 PZ07 – Landscape Rendering (1 page)
209 PZ08 – Elevations (3 pages)
210 PZ09 – Elevation Rendering (1 page)
211 PZ10 – Sign Package (5 pages)
212 PZ11 – ADOT comments (1 page)
213 PZ12 – MWD comments (1 page)
214 PZ13 – Luke AFB comments (1 page)

MAJOR SITE PLAN

REPORT TO THE PLANNING AND ZONING COMMISSION

Case: FS15-155

Project Name: Dysart Subdivision Major Site Plan

Council District: 4

Meeting Date: October 1, 2015

Planner: Robert H. Kuhfuss, AICP

Owner: Farhad and Kathryn Shokoohl

Applicant: Len Swartz, PE, of Ollson Associates, on behalf of Cross Development and Farhad and Kathryn Shokoohl

Request: Major Site Plan in the IP-PUD and CR-PUD zoning districts (approx. 8.30 acres)

Site Location: Southwest corner of Bell Road and Dysart Road

Site Size: 8.30 acres (approx.)

Density: N/A

General Plan Conformance: The proposal is consistent with the Surprise General Plan 2035

Support/Opposition: None known

Staff Recommendation: Should the Commission recommend approval of the related Zone Change, staff recommends the Commission **approve** the subject Master Site Plan subject to stipulations 'a'-'i'.

[Note: Approval of this Master Site Plan request presumes a favorable recommendation to the City Council regarding the Zone Change request being processed under this case, but discussed under separate cover.]

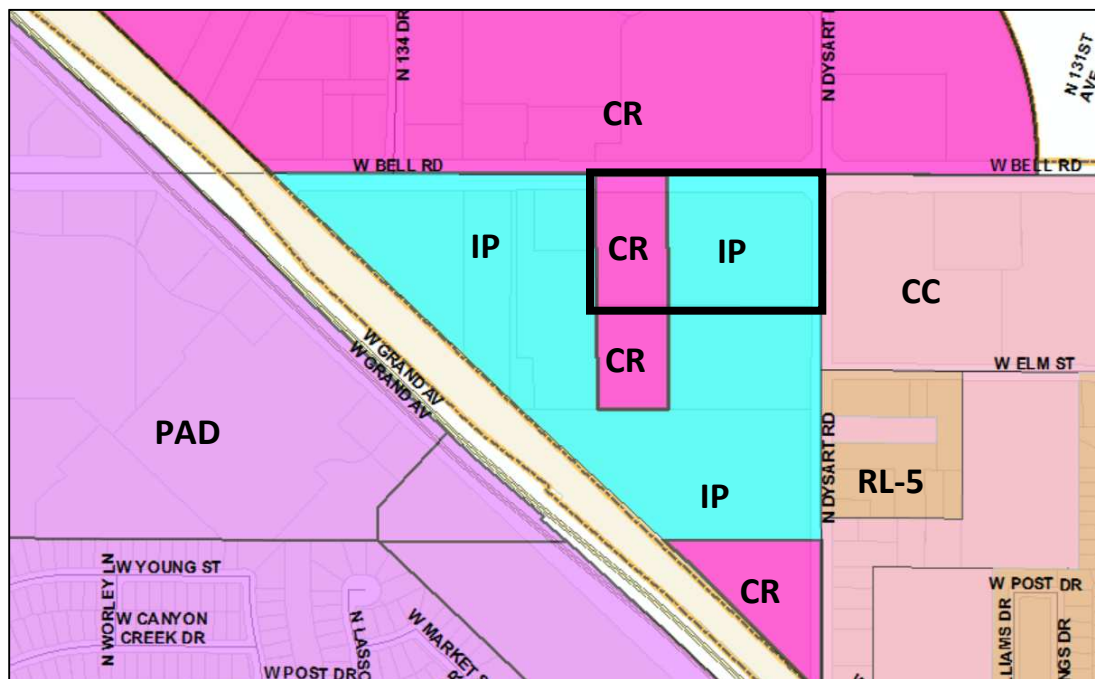
PROJECT DESCRIPTION:

Len Swartz, PE, of Ollson Associates, on behalf of Cross Development and Farhad and Kathryn Shokoohl, seeks approval of two separate but related requests. The first request involves a rezone from CR to IP-PUD (approx. 2.04 acres), from CR to CR-PUD (approx. 0.75 acres), and from IP to CR-PUD (approx. 5.51 acres). The second request involves a Major Site Plan in these newly established districts. These requests are also in conjunction with a related Final Plat, which is being processed under the same case number, but is being scheduled for City Council separately, pending the Commission's favorable action on the two requests discussed herein. All three actions anticipate the development of a Calber Collision Center and other as-yet to be determined commercial uses.

EXISTING ZONING:

The following chart and associated map depict the existing zoning of the subject site and its surrounds.

Regional Commercial (CR)	Regional Commercial (CR)	Regional Commercial (CR)
Industrial Performance (IP)	Community Commercial (CR) and Industrial Performance (IP)	Community Commercial (CC)
Industrial Performance (IP)	Regional Commercial (CR)	Community Commercial (CC)



57 **BACKGROUND:**

58
59 **December 18, 2014:** Staff met with the applicant to discuss the project during a regularly
60 scheduled Concept Review meeting under CR14-468.

61
62 **April 17, 2015:** The applicant filed a request for a Zone Change, Major Site Plan and Final Plat under
63 case FS15-155, the subject case.

64
65 **April 30, 2015:** Staff met with another entity to discuss the development of what would become
66 Lot 2 of the subject site during a regularly scheduled Concept Review meeting under CR15-165.

67
68 **June 21, 2015:** The applicant held a neighborhood outreach meeting to discuss the project.

69
70 **CITIZEN OUTREACH:**

71
72 As noted above, the applicant held a Citizen Review meeting on June 21, 2015, which generated no
73 input. Staff is not aware of any support to opposition regarding this request.

74
75 **ANALYSIS AND DISCUSSION:**

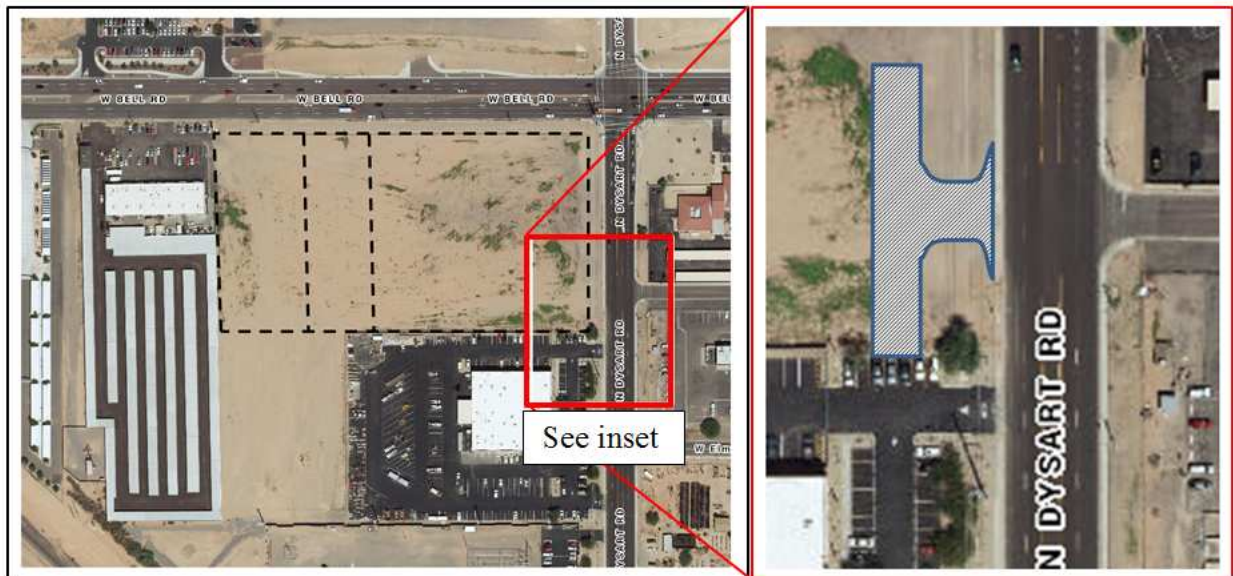
76
77 The subject property consists of two parcels, which are currently vacant except for an existing
78 billboard, which is presumed to be legal non-conforming due to its appearance in aerial
79 photography as early as 1986. The westernmost parcel is currently zoned CR and is immediately
80 north of and adjacent to another vacant CR parcel, which is owned by Arizona Public Service. The
81 easternmost parcel is currently zoned IP and is immediately north of and adjacent to another IP
82 parcel, currently developed as an APS facility. Located to the east of the subject property, across
83 Dysart Road, is an area of CC zoning, currently developed with state and county facilities. Just to
84 the west of the subject parcel is an existing tire shop located within IP zoning. The property located
85 across Bell Road from the property is currently vacant and zoned CR, while the property to the
86 northeast of the site, at the northeast corner of Dysart Road and Bell Road, is currently under
87 construction as a medical facility.

88
89 **Major Site Plan:**

90
91 The subject request includes a Major Site Plan, which consists of specific details relating to the
92 Caliber Collision Center, while providing a nearly blank slate to accommodate future commercial
93 development on the balance of the site, which will be evaluated through a Major Site Plan
94 Amendment(s) at a later date. Development Standards will be part of the Zone Change request and
95 are intended to enhance the project and overcome certain obstacles.

The site will take access from the neighboring property to the west via reciprocal cross-access easements that are established via the related Final Plat or by other instruments. Additional access will be directly from Bell Road via a driveway that will center over the common lot line between Lots 1 and 2 of the related Final Plat. This driveway entrance will accommodate right-in, right-out and left-in movements, with the developer making modifications to the median to accommodate these turning movements. These two access points will also be connected by a drive aisle that will ultimately extend the entire length of the Bell Road frontage. With the exception of the westernmost 50', a 45' wide landscape buffer will separate the drive aisle from Bell Road. A provision for this is included in the Development Standards Table.

The proposal also anticipates ultimately having a single driveway entrance along Dysart Road, which would be in direct alignment with the access drive serving the County facility across the street. While not part of this proposal, cross-access between proposed Lot 3 and the adjacent APS facility to the south will allow the city to appropriately manage access; however, staff notes that future plans for Dysart Road include a median in that area, which would ultimately render this driveway right-in/right-out only.



The main building will be situated generally in the center of the Caliber site, with parking around the entire perimeter. While most of the parking will be located behind a gate and accommodate vehicles in for repair, a number of spaces will be located to the front of the gate, with several of those spaces located between the building and the street. Generally, staff discourages this arrangement; however, since the SUDC requires a substantial landscape buffer between the parking area and the street, and the proposed arrangement is consistent with the development pattern in the immediate area, staff is willing to accept the proposed arrangement.

The site will be well landscaped using a pallet of drought-tolerant trees, shrubs and groundcovers, which will soften the appearance of the building from the street and provide shade in certain areas thereby reducing the ambient temperatures and helping to mitigate the heat island effect. Staff notes, that the City of Surprise recently completed a sidewalk project adjacent to the site, which did not anticipate any vegetative materials in the area between the curb and sidewalk; however, the applicant has agreed to extend landscaping into that area to further enhance the site.

In order to provide for enhanced pedestrian connectivity through the site, the applicant will extend crosswalks from the main building to the east and west property lines as well as to the Bell Road sidewalk using integrally colored stamped concrete. Ultimately, the internal pedestrian connection will extend through Lots 2 and 3 thereby allowing patrons of one business to access the neighboring businesses without necessarily having to access the city walk thereby reducing the amount of pedestrian cut-through traffic through the individual parking lots.

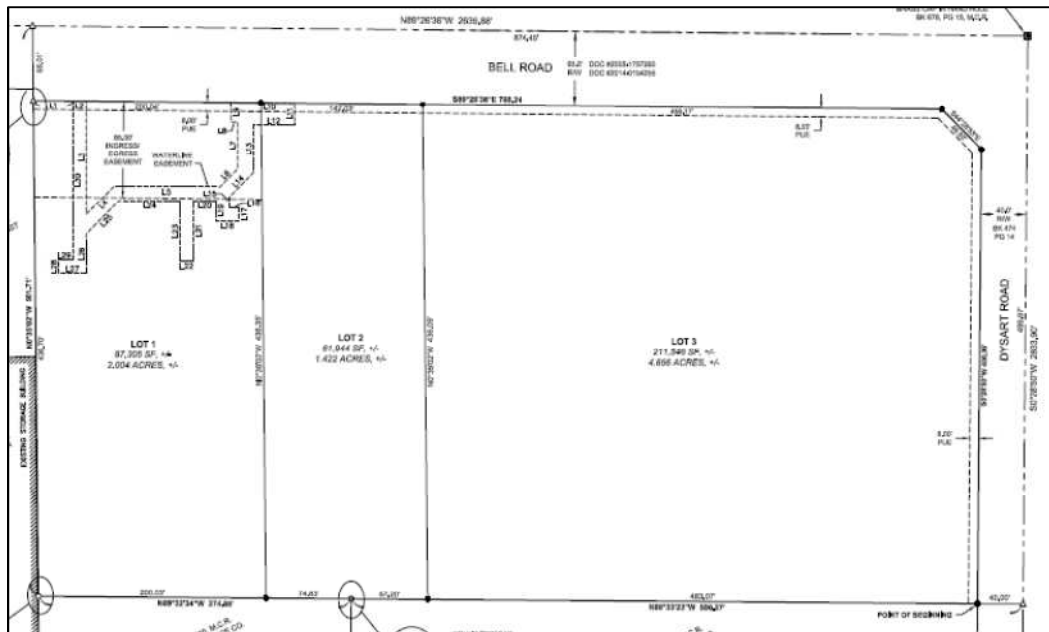
Architectural treatments of the Caliber Collision building will consist of stone veneer on the front office portion of the building and the associated drive-through canopy with red brick veneer over the balance of the north elevation. A red brick accent band will be located above the stone veneer, onto which will be affixed two wall signs. The rear portion of the building will consist of EIFS with the stone accents. A parapet wall will extend around the entire perimeter of the building, which will serve to screen any roof-mounted equipment. Staff notes that a small segment of parapet will extend above the main building and may be visible from the adjacent properties. Although this is a significant improvement over the originally proposed configuration which stopped the parapet at the rear of the office portion of the building, the Commission may wish to include a stipulation requiring the parapet to close completely or be backed using matching EIFS material.



The site will be screened by a solid CMU wall except where punctuated by the gates, which will consist of wrought iron with mesh screening material. The applicant has also removed all chain link fencing materials throughout the site in lieu of wrought iron.

Signage will consist of two wall signs mounted to the stone veneer section of the main building. The sign that faces Bell Road meets the provisions of the Surprise Municipal Code with respect to area; however, the sign facing to the west exceeds the maximum allowed area if only minimally. Staff does not object to the increased sign area, which is included in the development standards table discussed below. The applicant also proposes a monument sign along the Bell Road frontage, which meets the requirements of the Municipal Code with respect to size, location, landscaping and visibility.

Staff notes that while the review of the proposed Final Plat is not within the Commission's purview, the Final Plat would serve to remove the existing lot line and create three new lots: the westernmost being the Caliber Collision site and the other two lots slated for future commercial development. The following image depicts this arrangement. The Final Plat also will provide for reciprocal cross-access throughout the plat as well as cross-access to the property to the west.



UTILITY AND SERVICES TABLE:

Electric:	APS
Water:	EPCOR
Wastewater:	EPCOR
Refuse:	TBD
Natural Gas:	SWG
Irrigation:	N/A
Schools:	N/A

CONFORMANCE WITH ADOPTED PLANS:

Surprise General Plan 2035: The Surprise General Plan 2035 shows the subject property as lying within the Employment Land Use Category, which supports retail and light industrial uses. The proposed Zone Change and the related Major Site Plan and Final Plat, support the goals and policies of the General Plan, especially with respect to encouraging well managed and phased growth (Policy LU2.2), improving the jobs to housing ratio (Policy LU2.2), promoting a compatible mix of land uses (Policy LU3.1), encouraging sound urban design principles (Policy UD1.1), and the development of otherwise vacant infill land in the heart of the city (Policy UD1.4).

REVIEWING AGENCIES:

In addition to the standard city reviewing agencies, who indicate no objections to the requests, Luke Air force Base, Maricopa Water District, and ADOT were included in the routing of this case.

Luke Air Force Base (LAFB): LAFB indicates no objections to the request, but advises the applicant review sound attenuation requirements and engage in a strong notification program with respect to the air base and its operations.

Arizona Department of Transportation (ADOT): ADOT indicated general neutrality regarding the subject requests, but advises the project may be impacted by the Bell/Grand Overpass Project and advises the applicant consult with ADOT in that regard.

Maricopa Water District (MWD): MWD advises the subject property lies outside of their service area and offers no comment.

SUMMARY:

Staff believes the proposed Zone Change, Major Site Plan and Final Plat, will provide the mechanism needed to allow the owner to bring the property to market, which will in turn allow it to be developed in a manner that is consistent with the goals and policies of the General Plan.

197 **FINDINGS:**

- 198
- 199 • The proposed Major Site Plan demonstrates compliance with the proposed zoning.
 - 200 • The reviewing agencies have indicated no objections to the request.
- 201

202 **RECOMMENDATION:**

203

204 Based on the findings noted above, should the Commission move to recommend approval of the

205 related Zone Change, staff would then recommend the Commission **approve** the subject Major Site

206 Plan, subject to stipulations 'a' through 'i' as outlined below:

207

- 208 a. Development and use of the site shall be in substantial conformance with the project
- 209 narrative entitled "Dysart Subdivision Rezone Document PUD Overlay", prepared by Olsson
- 210 Associates, consisting of 20 pages dated revised August 17, 2015 and stamped received
- 211 August 17, 2015, except as modified by the following stipulations.
- 212
- 213 b. Development and use of the Caliber Collision site shall be in substantial conformance with
- 214 the Major Site Plan entitled "Caliber Collision Bell Road and Dysart Road", consisting of
- 215 three (3) full-size pages, prepared by Olsson Associates, stamped received August 17, 2015.
- 216
- 217 c. Landscaping of the Caliber Collision site shall be in substantial conformance with the
- 218 Landscape Plan entitled "Final Landscape Plan Caliber Collision", consisting of five (5) full-
- 219 size sheets, prepared by Olsson Associates, stamped received August 17, 2015.
- 220
- 221 d. Elevations for the Caliber Collision site shall be in substantial conformance with the
- 222 elevations entitled "Exterior Elevations Caliber Collision" and "Site Details", consisting of
- 223 three (3) full-size sheets (A2.0, SP1.1 and SP1.2), prepared by Olsson Associates, stamped
- 224 received August 17, 2015.
- 225
- 226 e. Signage for the Caliber Collision site shall be in substantial conformance with the Sign
- 227 Package entitled "Caliber Collision/Channel Letter/Surprise", consisting of five (5) 11" by 17"
- 228 sheets, prepared by Cree Industrial Arts, stamped received August 17, 2015.
- 229
- 230 f. Approval of this Major Site Plan presumes the subsequent approval of the related Final Plat
- 231 for Dysart Subdivision. If a Final Plat for Dysart Subdivision has not been recorded within
- 232 one (1) year of approval of this Major Site Plan Planning and Zoning Commission, the
- 233 subject Major Site Plan shall expire, unless an extension is approved by the Planning and
- 234 Zoning Commission.
- 235
- 236 g. Prior to development of Lots 2 and 3 of Dysart Subdivision, the applicant or subsequent
- 237 owner shall submit a request for a Major Site Plan Amendment to be reviewed and
- 238 approved as outlined in the Surprise Municipal Code.
- 239

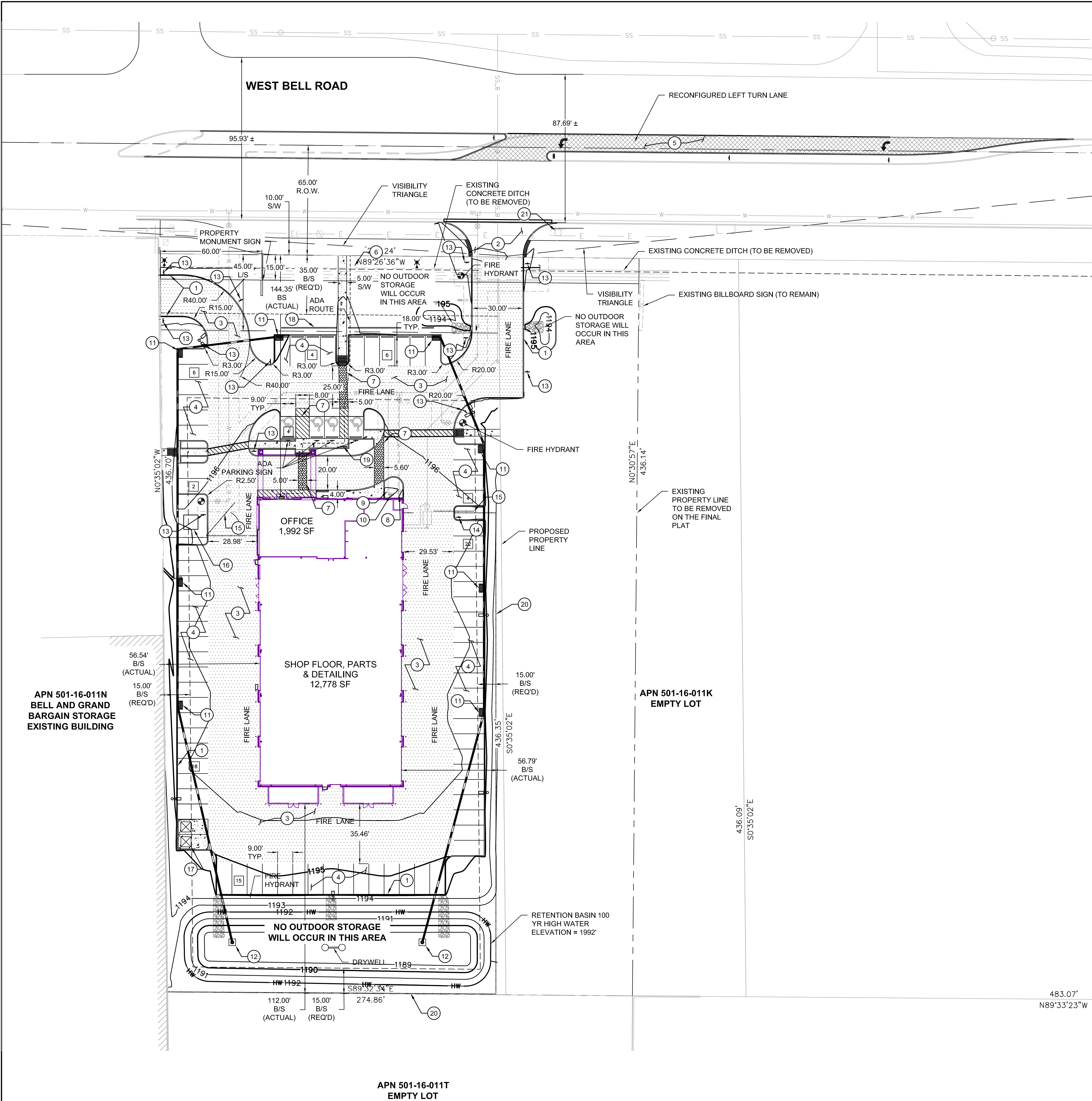
- 240 h. Non-compliance with the stipulations of approval of this case will be treated as a violation in
241 accordance with the provisions of Article XIV of the Surprise Unified Development Code.
242
- 243 i. The Property owner and successors waive claim for diminution of in value if the City takes
244 action to rescind approval of this zone change request due to non-compliance with the
245 stipulations of approval.
246

247 However, should the Commission wish to recommend denial of the request, the Commission
248 should make its own findings and base its decision on those alternative findings.
249

250 **Attachments:**
251

252 PZ01 – Vicinity Map (1 page)
253 PZ02 – Zone Change Case Map (1 page)
254 PZ03 – Master Site Plan Case Map (1 page)
255 PZ04 – Zoning Narrative (20 pages)
256 PZ05 – Site Plan (3 pages)
257 PZ06 – Landscape Plan (5 pages)
258 PZ07 – Landscape Rendering (1 page)
259 PZ08 – Elevations (3 pages)
260 PZ09 – Elevation Rendering (1 page)
261 PZ10 – Sign Package (5 pages)
262 PZ11 – ADOT comments (1 page)
263 PZ12 – MWD comments (1 page)
264 PZ13 – Luke AFB comments (1 page)

DWG: F:\Projects\014-3199\40-Design\AutoCAD\Final Plans\Sheets\100_C_SPL_143199.dwg USER: ap099
DATE: Aug 17, 2015 2:28pm XREFS: C_TBK_143199 V_XCONT_143199 C_PBLDG_143199 V_XBASE_143199



DESIGN TEAM CONTACTS
OWNER/DEVELOPER
CROSS DEVELOPMENT, LLC
5317 INVERRARY DRIVE
PLANO, TEXAS
PHONE: (602) 748-1000
CONTACT: KEVIN MCKIBBEN

ENGINEER
OLSSON ASSOCIATES
7250 NORTH 16TH STREET, SUITE 210
PHOENIX, ARIZONA 85020
PHONE: (602) 748-1000
FAX: (602) 748-1001
CONTACT: LEN SWARTZ

ARCHITECT
CROSS ARCHITECTS
1255 W. 15TH STREET
SUITE #125
PLANO, TEXAS 75075
PHONE: (972) 398-6644
CONTACT: SHAWN OFFUTT

- LEGEND:**
- HEAVY DUTY PAVEMENT (ONSITE)
 - LIGHT DUTY PAVEMENT
 - HEAVY DUTY PAVEMENT (BELL ROAD)
 - FIRE HYDRANT
 - WATERVALVE
 - CATCH BASIN
 - SEWER MANHOLE
 - CLEANOUT
 - BUBBLER
 - DRYWELL
 - SITE LIGHTING
 - STREET LIGHT
 - FIRE LANE SIGN
 - ACCESSIBLE PARKING
 - TRASH ENCLOSURE
 - WATERMAIN
 - STORM DRAIN
 - SANITARY SEWER

OWNER HEREBY GRANTS TO THE ULTIMATE OWNER OF LOT 1 CREATED BY THIS PLAT, A CROSS ACCESS EASEMENT OVER, UPON AND ACROSS THE ENTIRE PLAT FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS TO EACH PARCEL CREATED BY THIS PLAT.

OWNER HEREBY GRANTS TO THE ULTIMATE OWNER OF EACH PARCEL CREATED BY THIS PLAT, A CROSS ACCESS EASEMENT OVER, UPON AND ACROSS THE NORTH 85 FEET OF LOT 1 FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS TO EACH PARCEL CREATED BY THIS PLAT.

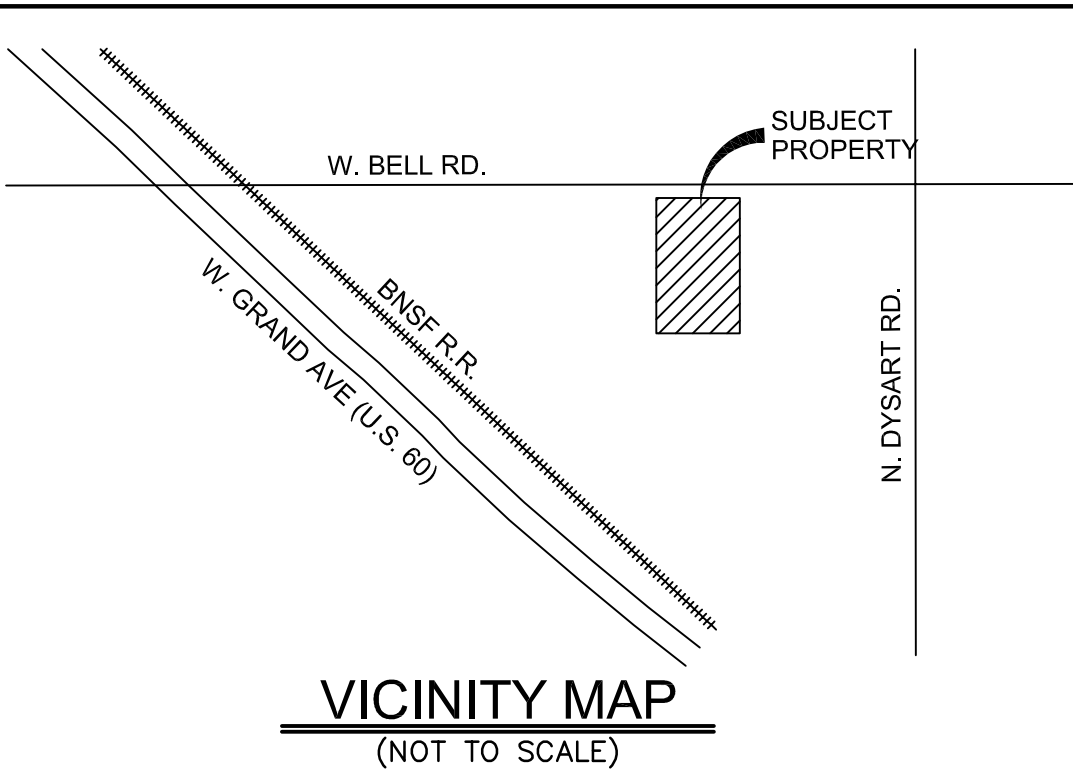
OWNER HEREBY GRANTS TO THE MOSHI FAMILY LIVING TRUST, AND IT'S SUCCESSOR'S AND ASSIGNS, A CROSS ACCESS EASEMENT OVER, UPON AND ACROSS THE NORTH 85 FEET OF LOT 1 FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS TO AND FROM IT'S WEST ADJOINING PROPERTY DESCRIBED IN THE DEED RECORDED IN DOCUMENT NO. 2010-0528417 OF OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA.



SITE CONSTRUCTION KEYNOTES

- 6" SINGLE CURB PER MAG DETAIL 222, TYPE A
- DRIVEWAY PER CITY OF SURPRISE DETAIL 3-10
- HEAVY DUTY ASPHALT PAVEMENT PER GEOTECHNICAL ENGINEERS RECOMMENDATION, 4" AC ON 12" ABC
- LIGHT DUTY ASPHALT PAVEMENT PER GEOTECHNICAL ENGINEERS RECOMMENDATION, 3" AC ON 7.5" ABC
- HEAVY DUTY ASPHALT PAVEMENT ON BELL ROAD, 5" AC ON 9" ABC, OR REPLACE IN KIND, WHICH EVER IS GRATER
- SIDEWALK PER MAG DETAIL 230
- INTEGRALLY COLORED CONCRETE. COLOR TO MATCH ARCHITECTURE
- 6" DOUBLE CHECK BACKFLOW PREVENTOR PER AWC DETAIL 320-1
- 1 1/2" METER BOX PER EPCOR STD DTL 342-2
- 1 1/2" REDUCED PRESSURE PRINCIPLE ASSEMBLY PER EPCOR STD DTL 310-1
- CATCH BASIN PER MAG STD DTL 534-1 TYPE E
- BUBBLER PER DETAIL SHEET C501
- STANDARD FIRE LANE SIGN, "FIRE LANE", PER CITY OF SURPRISE, SURPRISE FIRE DEPARTMENT-CHAPTER 1
- FIRE DEPARTMENT GATED ACCESS SIGN PER CITY OF SURPRISE, SURPRISE FIRE DEPARTMENT-CHAPTER 8
- PROPOSED GATES (SEE SHEET C501 FOR DETAILS).
- PROPOSED TRANSFORMER
- PROPOSED TRASH ENCLOSURE
- PROPOSED 36" CMU SCREEN WALL. COLOR SCHEME TO MATCH BLDG .
- PROPOSED 4 BICYCLE PARKING RACK
- SCREEN WALL (SEE SHEET C501 FOR DETAILS).
- STREET LIGHT

LOT 1 PARKING TABLE:	
MINIMUM SPACES REQUIRED: 14,770 SF GROSS FLOOR AREA X 1:500 = 30 (BASED ON AUTO REPAIR AND SERVICE USE)	
MAXIMUM SPACES REQUIRED: 14,770 SF GROSS FLOOR AREA X 1:180 = 82 (BASED ON AMENDED DEVELOPMENT STANDARD)	
SPACES PROVIDED: 78 STANDARD + 4 ACCESSIBLE = 82 TOTAL	
4 BICYCLE SPACES PROVIDED	



OLSSON ASSOCIATES
42633 ANDREA K. PAGE
Professional Engineer
ARIZONA U.S.A.
EXPIRES 06/30/17

CONSTRUCTION PLANS SITE PLAN		REVISIONS	
REV. NO.	DATE	REVISIONS DESCRIPTION	2015
A	06/25/15	CITY COMMENTS	
B	07/16/15	CITY COMMENTS	

OWNER HEREBY GRANTS TO THE ULTIMATE OWNER OF LOT 1 CREATED BY THIS PLAT, A CROSS ACCESS EASEMENT OVER, UPON AND ACROSS THE ENTIRE PLAT FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS TO EACH PARCEL CREATED BY THIS PLAT.

OWNER HEREBY GRANTS TO THE ULTIMATE OWNER OF EACH PARCEL CREATED BY THIS PLAT, A CROSS ACCESS EASEMENT OVER, UPON AND ACROSS THE NORTH 85 FEET OF LOT 1 FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS TO EACH PARCEL CREATED BY THIS PLAT.

OWNER HEREBY GRANTS TO THE MOSHI FAMILY LIVING TRUST, AND IT'S SUCCESSOR'S AND ASSIGNS, A CROSS ACCESS EASEMENT OVER, UPON AND ACROSS THE NORTH 85 FEET OF LOT 1 FOR THE PURPOSE OF PROVIDING CONTINUOUS AND UNINTERRUPTED INGRESS AND EGRESS TO AND FROM IT'S WEST ADJOINING PROPERTY DESCRIBED IN THE DEED RECORDED IN DOCUMENT NO. 2010-0528417 OF OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA.

drawn by: SS
checked by: EW
approved by: LS
QA/QC by: PV
project no.: 014-3199
drawing no.: 100_C_SPL_143199.dwg
date: 04/30/15

SHEET
C100

DWG: F:\Projects\014-3199\40-Design\AutoCAD\Final Plans\Sheets\100_C_SPL_143199.dwg USER: ap099
DATE: Aug 17, 2015 2:25pm XREFS: C_TBLK_143199 V_XCONT_143199 C_PBLDG_143199 V_XBASE_143199



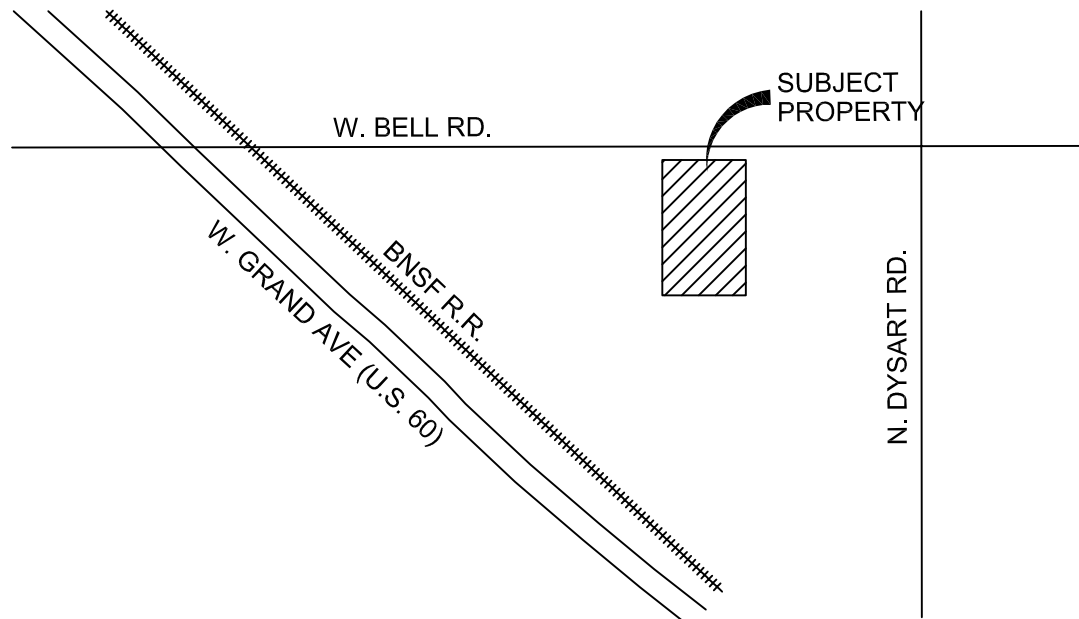
APN 501-16-011N
BELL AND GRAND
BARGAIN STORAGE
EXISTING BUILDING

APN 501-16-011T
EMPTY LOT

WEST BELL ROAD

NORTH DYSART ROAD

IP-PUD/CR-PUD DEVELOPMENT STANDARDS TABLE FOR DYSART SUBDIVISION (CASE FS15-155)					
Shaded cells indicate development standard that is less restrictive than the base zoning district.					
All other provisions of the IP and CR zoning districts apply.					
Development Standard	IP to IP-PUD		CR to CR-PUD		
	Base Zoning	PUD Overlay	PUD Reference	Base Zoning	PUD Reference
Interior Side Setback	15'	15'	122-36(c)(2)b, Table 5-11	24'	15'
Landscape Setback (Arterial)	45' ³	45' ^{2,3}	122-136(b)(18)(h)	45' ³	45' ²
Maximum Parking Allowed	1:375 SF of GFA ⁴	1:180 SF of GFA ⁴	122-133(e)	As specified in Table 9-1	As specified in Table 9-1
Secondary Wall Sign Area	0.5 SF per 1 linear foot of elevation	0.6 SF per 1 linear foot of elevation	113-129(a)(3)(a)	0.5 SF per 1 linear foot of elevation	0.5 SF per 1 linear foot of elevation
Footnotes:					
¹ Adjacent to Commercial or Industrial zoning districts.					
² 10' limited driveway access encroachment from street and architectural encroachment allowed.					
³ Limited driveway encroachment from the west to accommodate shared access allowed peer site plan.					
⁴ Based on Automotive Repair and Service use. If other than automotive Repair and Service, City of Surprise, Municipal Code Section 122-133 Table 9-1 applies.					



VICINITY MAP
(NOT TO SCALE)

DESIGN TEAM CONTACTS
OWNER/DEVELOPER
CROSS DEVELOPMENT, LLC
5317 INVERRARY DRIVE
PLANO, TEXAS
PHONE: (602) 748-1000
CONTACT: KEVIN MCKIBBEN

ENGINEER
OLSSON ASSOCIATES
7250 NORTH 16TH STREET, SUITE 210
PHOENIX, ARIZONA 85020
PHONE: (602) 748-1000
FAX: (602) 748-1001
CONTACT: LEN SWARTZ

ARCHITECT
CROSS ARCHITECTS
1255 W. 15TH STREET
SUITE #125
PLANO, TEXAS 75075
PHONE: (972) 398-6644
CONTACT: SHAWN OFFUTT

LEGEND:

- HEAVY DUTY PAVEMENT (ONSITE)
- LIGHT DUTY PAVEMENT
- HEAVY DUTY PAVEMENT (BELL ROAD)
- FIRE HYDRANT
- WATERVALVE
- CATCH BASIN
- SEWER MANHOLE
- CLEANOUT
- BUBBLER
- DRYWELL
- SITE LIGHTING
- STREET LIGHT
- FIRE LANE SIGN
- ACCESSIBLE PARKING
- TRASH ENCLOSURE
- WATERMAIN
- STORM DRAIN
- SANITARY SEWER

APN: 501-16-001V AND 501-16-011K			
	GROSS	R/W	NET
LOT 1	74,302 SF	13,003 SF	87,305 SF
	1.706 AC	0.298 AC	2.004 AC
LOT 2	52,712 SF	9,232 SF	61,944 SF
	1.210 AC	0.212 AC	1.422 AC
LOT 3	158,968 SF	52,578 SF	211,546 SF
	3.663 AC	1.193 AC	4.856 AC
TOTAL	435,608 SF	74,813 SF	360,795 SF
	10.00 AC	1.703 AC	8.297 AC
REQUIRED LANDSCAPE:			
LOT 1	15% OF PARKING AREA = 6372.44 SF		
LOT 2	15% OF PARKING AREA = TBD AT TIME OF SITE PLAN AMENDMENT		
LOT 3	15% OF PARKING AREA = TBD AT TIME OF SITE PLAN AMENDMENT		

OLSSON ASSOCIATES
REGISTERED PROFESSIONAL ENGINEER
42633 ANDREA K. PAGE
ARIZONA U.S.A.
EXPIRES 06/30/17

OLSSON ASSOCIATES ASSUMES NO RESPONSIBILITY FOR EXISTING UTILITY LOCATIONS (HORIZONTAL OR VERTICAL). THE EXISTING UTILITIES SHOWN ON THIS DRAWING HAVE BEEN PLOTTED FROM THE BEST AVAILABLE INFORMATION. IT IS HOWEVER THE RESPONSIBILITY OF THE CONTRACTOR TO FIELD VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION ACTIVITIES.

REV. NO.	DATE	REVISIONS DESCRIPTION
A	06/25/15	CITY COMMENTS
B	07/16/15	CITY COMMENTS

REV. NO.	DATE	REVISIONS DESCRIPTION
A	06/25/15	CITY COMMENTS
B	07/16/15	CITY COMMENTS

REV. NO.	DATE	REVISIONS DESCRIPTION
A	06/25/15	CITY COMMENTS
B	07/16/15	CITY COMMENTS

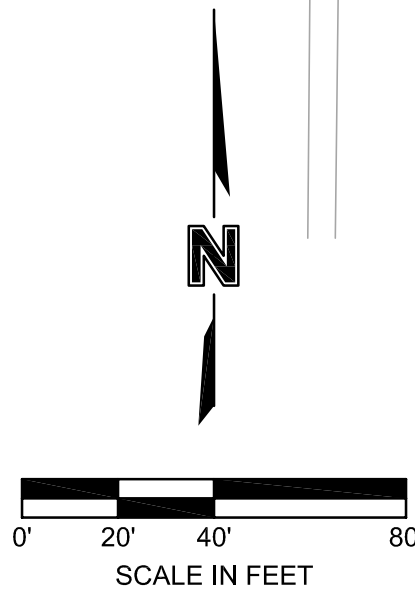
REV. NO.	DATE	REVISIONS DESCRIPTION
A	06/25/15	CITY COMMENTS
B	07/16/15	CITY COMMENTS

REV. NO.	DATE	REVISIONS DESCRIPTION
A	06/25/15	CITY COMMENTS
B	07/16/15	CITY COMMENTS

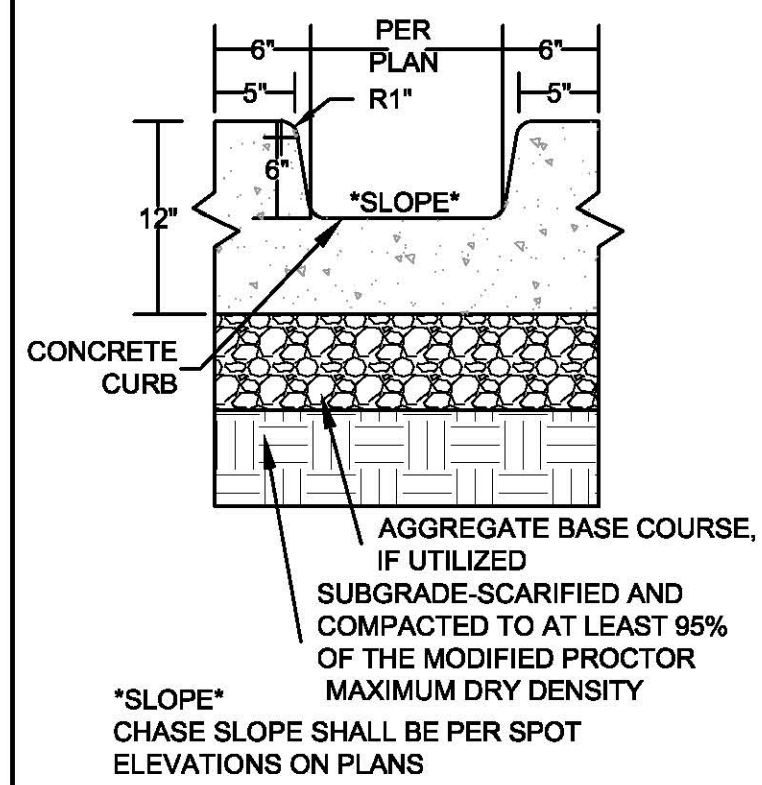
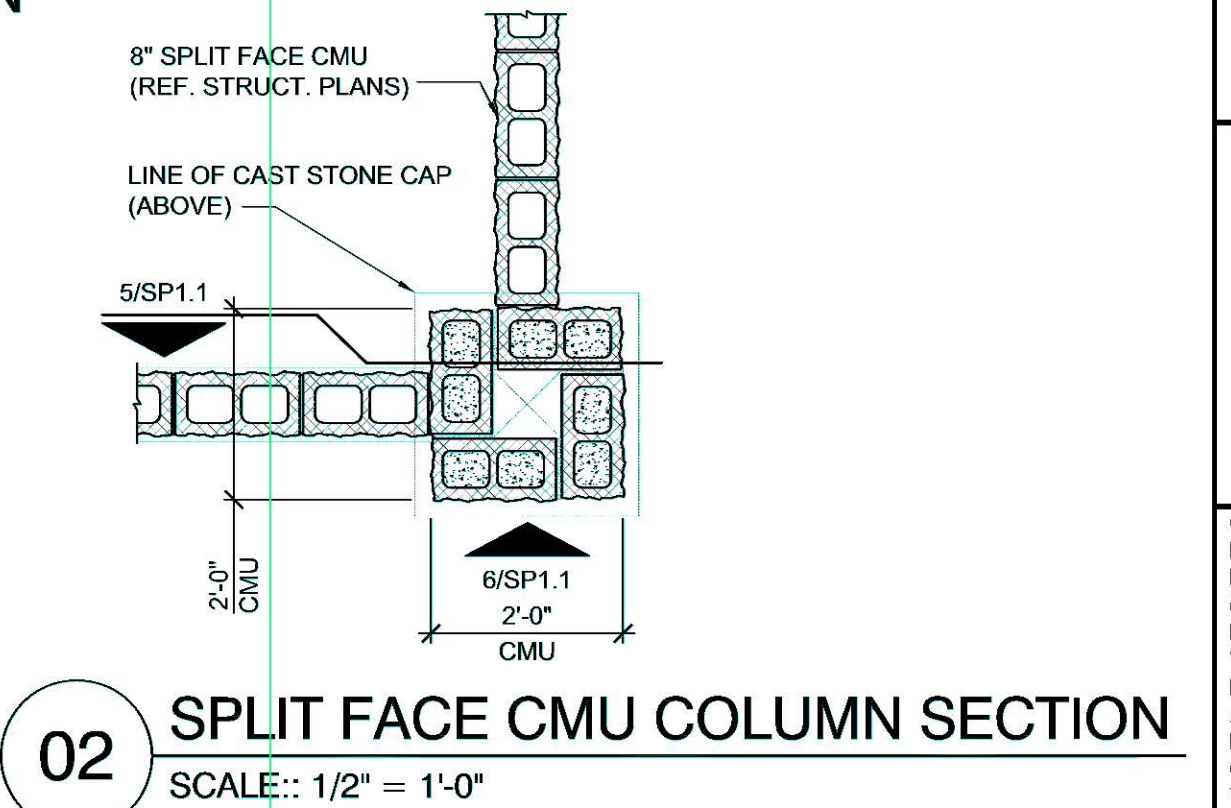
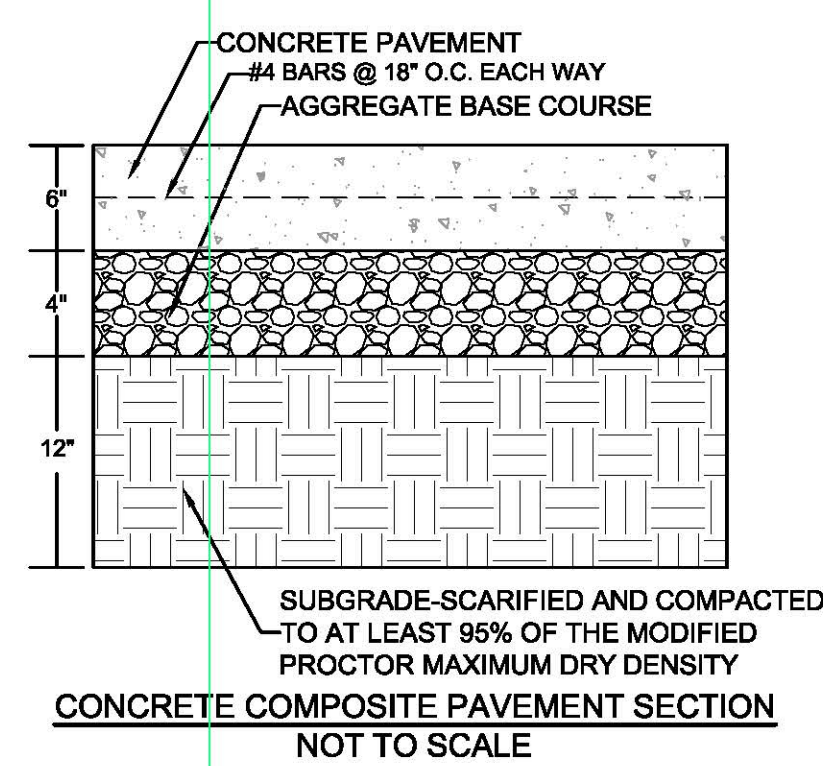
REV. NO.	DATE	REVISIONS DESCRIPTION
A	06/25/15	CITY COMMENTS
B	07/16/15	CITY COMMENTS

drawn by: SS
checked by: EW
approved by: LS
QA/QC by: PV
project no.: 014-3199
drawing no.: 100_C_SPL_143199.dwg
date: 04/30/15

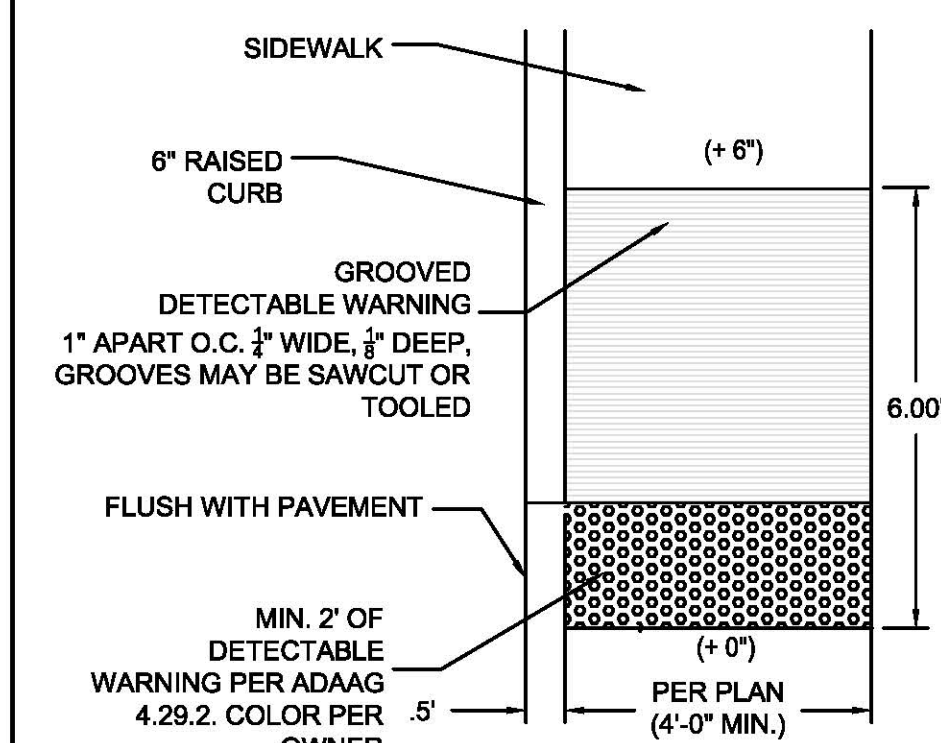
SHEET C101



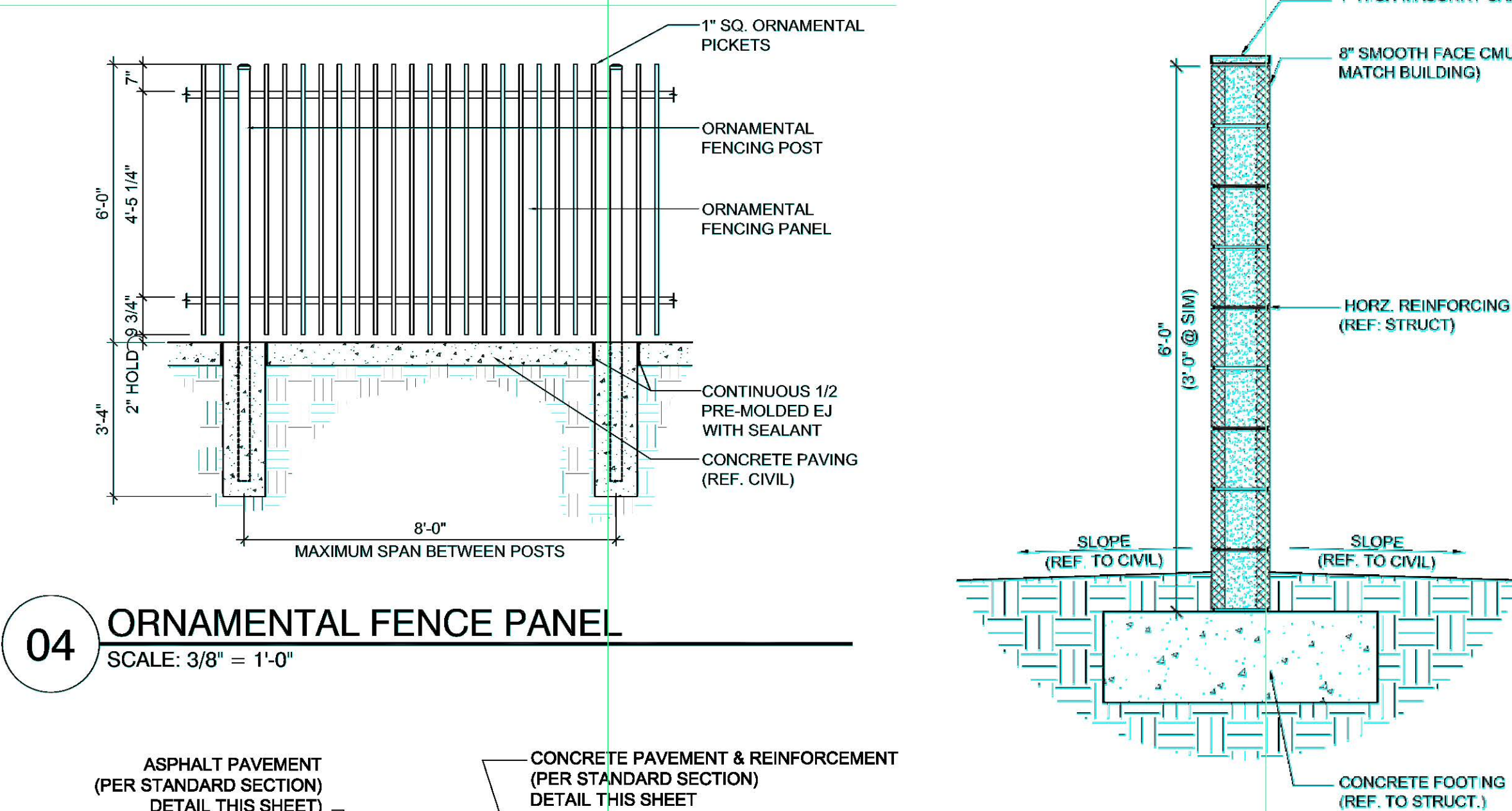
THIS PLAN IS NOT FOR CONSTRUCTION



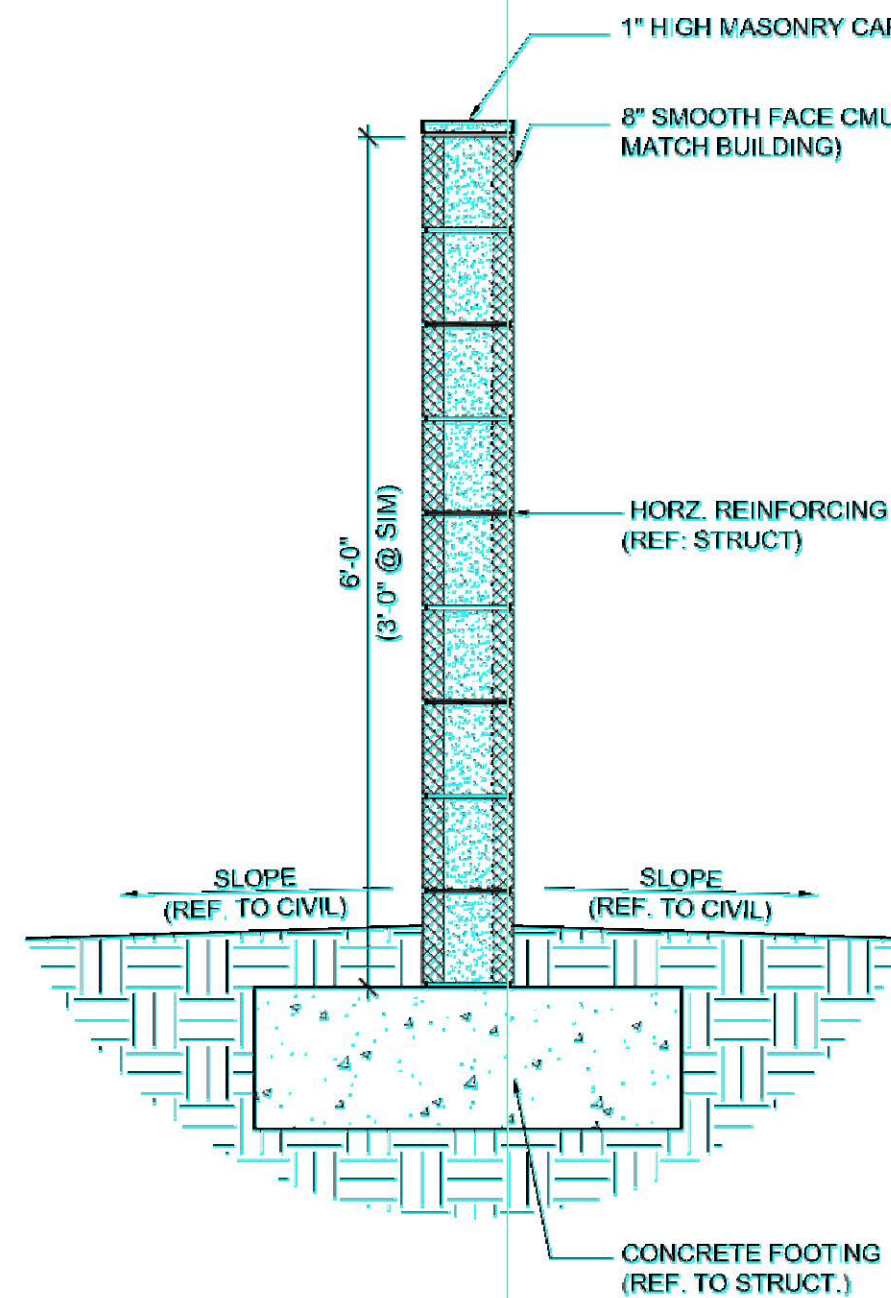
CONCRETE CURB OPENING
NOT TO SCALE



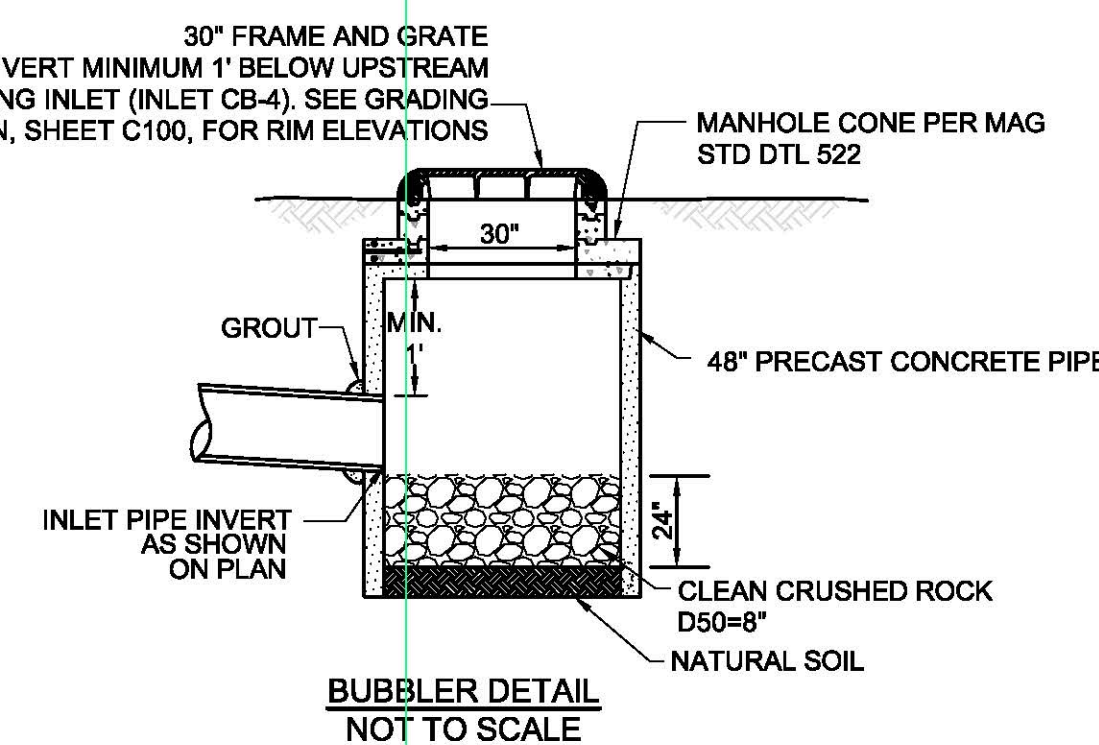
ACCESSIBLE RAMP
NOT TO SCALE



04 ORNAMENTAL FENCE PANEL
SCALE: 3/8" = 1'-0"

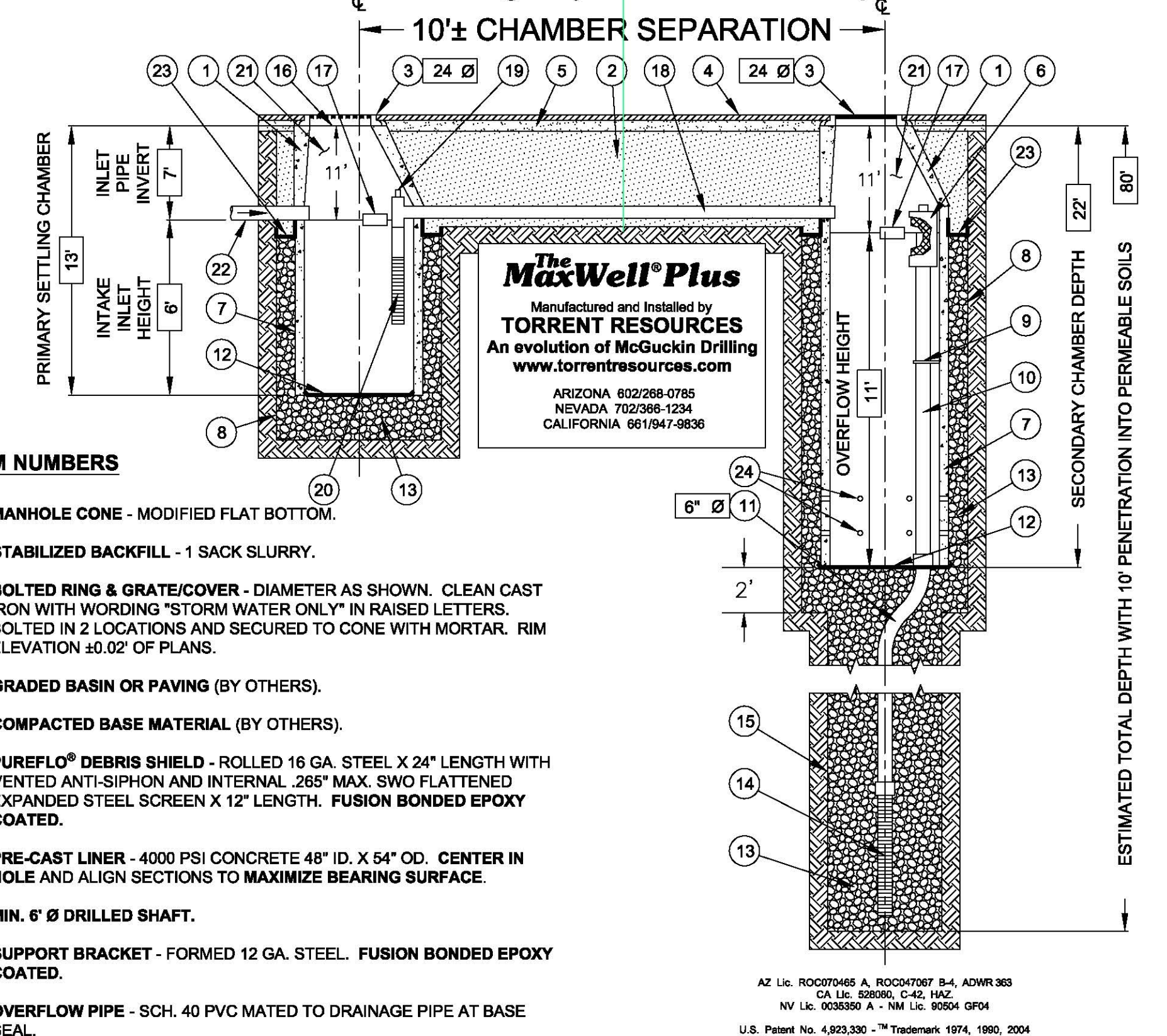


SECTION OF CMU WALL
NOT TO SCALE



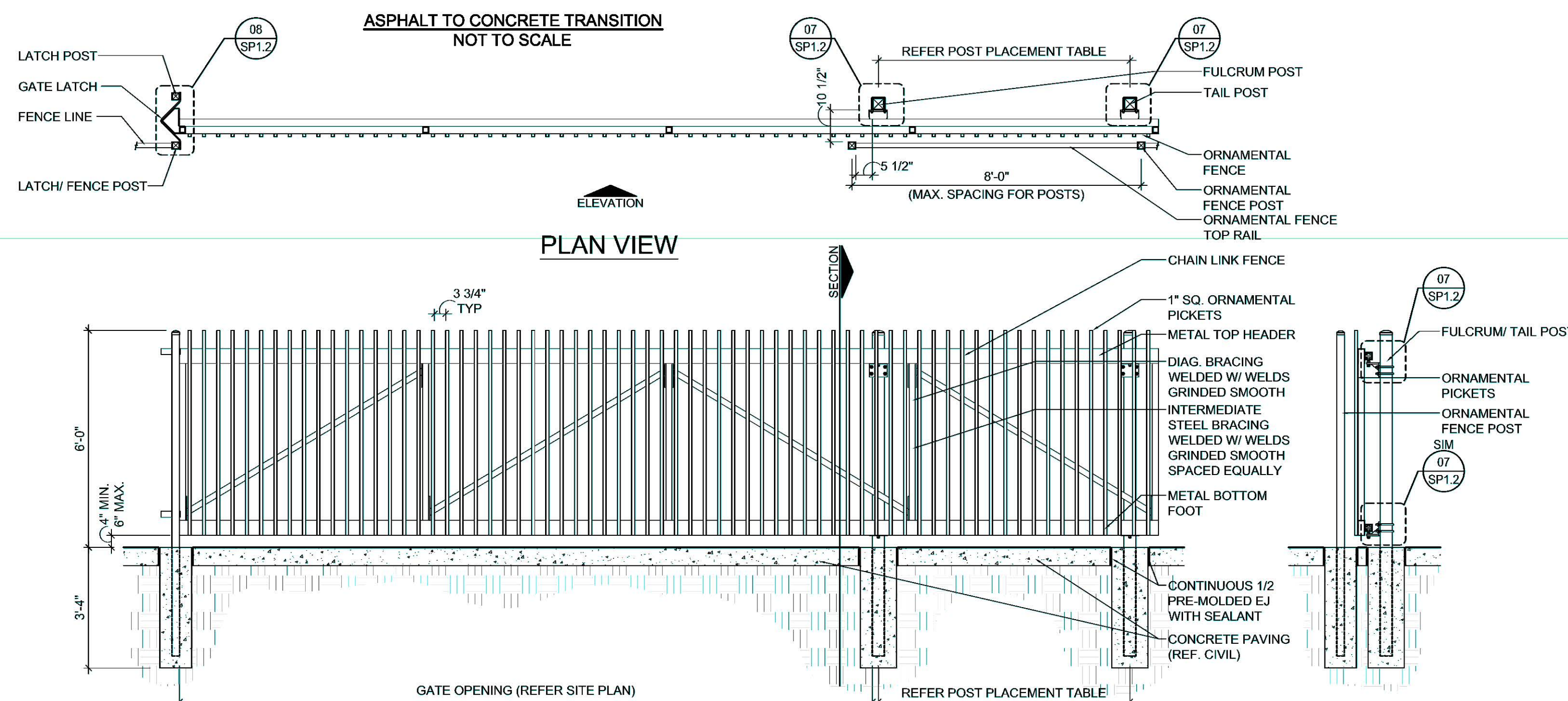
BUBBLER DETAIL
NOT TO SCALE

ABOVE GROUND BASIN DETAIL
 The MaxWell® Plus Drainage System Detail And Specifications



- ## ITEM NUMBERS

1. **MANHOLE FRAME - MODIFIED FLAT BOTTOM.**
 2. **STABILIZED BACKFILL - 1 SACK SLURRY.**
 3. **BOLTED RING & GRATE/COVER - DIAMETER AS SHOWN. CLEAN CAST IRON WITH WORDINGS "STORM WATER ONLY" IN RAISED LETTERS. BOLTED IN 2 LOCATIONS AND SECURED TO CONE WITH MORTAR. RIM ELEVATION $\pm 0.02'$ OF PLANS.**
 4. **GRADED BASIN OR PAVING (BY OTHERS).**
 5. **COMPACTED BASE MATERIAL (BY OTHERS).**
 6. **PUREFLO® DEBRIS SHIELD - ROLLED 16 GA. STEEL X 24" LENGTH WITH VENTED ANTI-SIPHON AND INTERNAL .265" MAX. SWO FLATTENED EXPANDED STEEL SCREEN X 12" LENGTH. FUSION BONDED EPOXY COATED.**
 7. **PRE-CAST LINER - 4000 PSI CONCRETE 48" ID. X 54" OD. CENTER IN HOLE AND ALIGN SECTIONS TO MAXIMIZE BEARING SURFACE.**
 8. **MIN. 6" Ø DRILLED SHAFT.**
 9. **SUPPORT BRACKET - FORMED 12 GA. STEEL. FUSION BONDED EPOXY COATED.**
 10. **OVERFLOW PIPE - SCH. 40 PVC MATED TO DRAINAGE PIPE AT BASE SEAL.**
 11. **DRAINAGE PIPE - ADS HIGHWAY GRADE WITH TRI-A COUPLER. SUSPEND PIPE DURING BACKFILL OPERATIONS TO PREVENT BUCKLING OR BREAKAGE. DIAMETER AS NOTED.**
 12. **BASE SEAL - GEOTEXTILE OR CONCRETE SLURRY.**
 13. **ROCK - WASHED, SIZED BETWEEN 3/8" AND 1-1/2" TO BEST COMPLEMENT SOIL CONDITIONS.**
 14. **FLOFAST® DRAINAGE SCREEN - SCH. 40 PVC 0.120" SLOTTED WELL SCREEN WITH 32 SLOTS PER ROW/FT. DIAMETER VARIES 120" OVERALL LENGTH WITH TRI-B COUPLER.**
 15. **MIN. 4" Ø SHAFT - DRILLED TO MAINTAIN PERMEABILITY OF DRAINAGE SOILS.**
 16. **FABRIC SEAL - U.V. RESISTANT GEOTEXTILE - TO BE REMOVED BY CUSTOMER AT PROJECT COMPLETION.**
 17. **ABSORBENT - HYDROPHOBIC PETROCHEMICAL SPONGE. MIN. 128 OZ. CAPACITY.**
 18. **CONNECTOR PIPE - 4" Ø SCH. 40 PVC.**
 19. **ANTI-SIPHON VENT WITH FLOW REGULATOR.**
 20. **INTAKE SCREEN - SCH. 40 PVC 0.120" MODIFIED SLOTTED WELL SCREEN WITH 32 SLOTS PER ROW/FT. 48" OVERALL LENGTH WITH TRI-C END CAP.**
 21. **FREEBOARD DEPTH VARIES WITH INLET PIPE ELEVATION. INCREASE PRIMARY/SECONDARY SETTLING CHAMBER DEPTHS AS NEEDED TO MAINTAIN ALL INLET PIPE ELEVATIONS ABOVE CONNECTOR PIPE OVERFLOW.**
 22. **OPTIONAL INLET PIPE (BY OTHERS).**
 23. **MOISTURE MEMBRANE - 6 MIL. PLASTIC. PLACE SECURELY AGAINST ECCENTRIC CONE AND HOLE SIDEWALL. USED IN LIEU OF SLURRY IN LANDSCAPED AREAS.**
 24. **EIGHT (8) PERFORATIONS PER FOOT, 2 ROWS MIN.**
- ESTIMATED TOTAL DEPTH WITH 10" PENETRATION
-
- 6" Ø 11" 2' 12" SI
- 15 14 13
- AZ Lic. R00070665 A R0007067 B-6 AZWR 363
CA Lic. 020800 C-42, HAZ,
NV Lic. 0033801 A - NM Lic. 90504 GPOA
U.S. Patent No. 4,923,330 - TM Trademark 1974, 1980, 2004



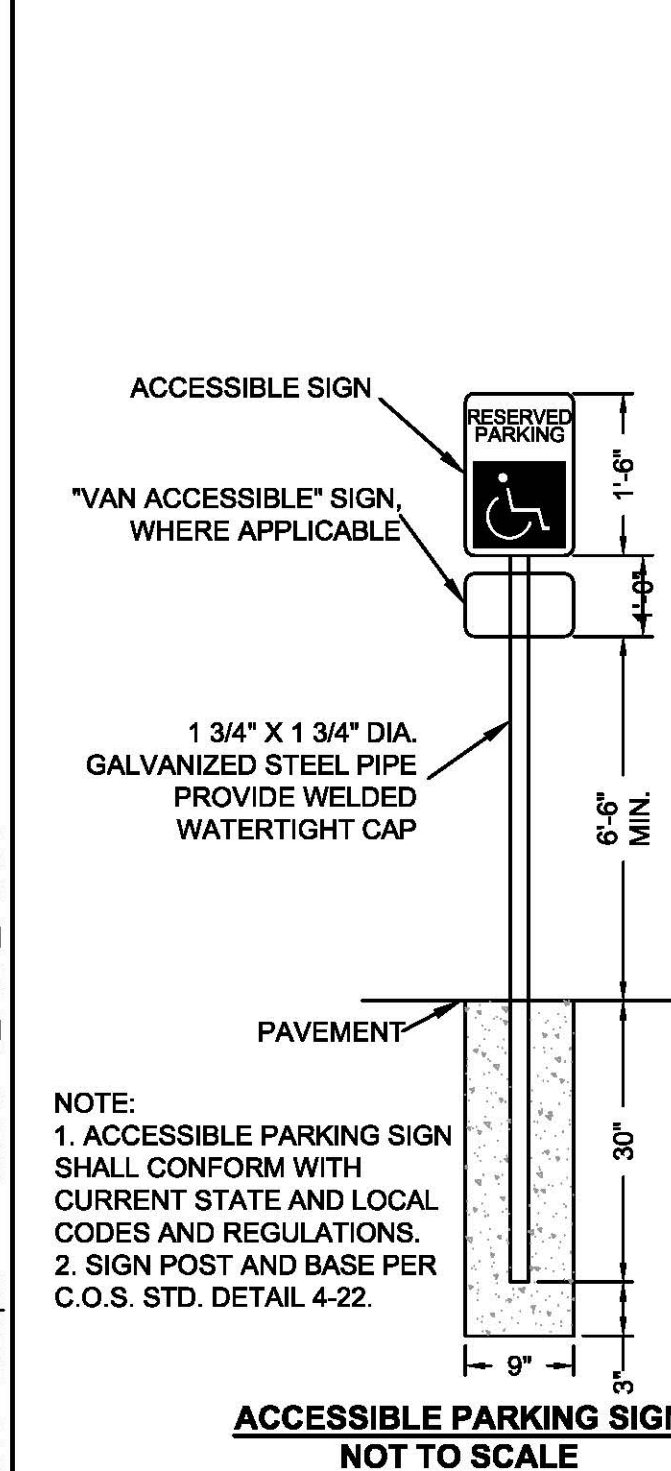
PLAN VIEW

ELEVATION

SECTION

02 CANTILEVERED ORNAMENTAL SLIDER

SCALE: $\frac{3}{8}" = 1'-0"$



NOTE:
1. ACCESSIBLE PARKING SIGN SHALL CONFORM WITH CURRENT STATE AND LOCAL CODES AND REGULATIONS.
2. SIGN POST AND BASE PER C.O.S. STD. DETAIL 4-22.

ACCESSIBLE PARKING SIGN
NOT TO SCALE

Call at least two full working days
before you begin excavation.

ARIZONA 811
Arizona One Stake, Inc.

tel 8-1-1 or 1-800-STAKE-IT (782-8348)
In Maricopa County (602) 283-1100



EXPIRES 06/30/17

SSON ASSOCIATES ASSUMES RESPONSIBILITY FOR EXISTING UTILITY LOCATIONS (HORIZONTAL OR VERTICAL). THE EXISTING UTILITIES SHOWN ON THIS DRAWING HAVE BEEN OBTAINED FROM THE BEST AVAILABLE INFORMATION. IT IS HOWEVER THE RESPONSIBILITY OF THE CONTRACTOR TO FIELD VERIFY THE LOCATION OF ALL UTILITIES PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION ACTIVITIES.

NO.		DATE	REVISIONS DESCRIPTION
A		06/25/15	CITY COMMENTS
B		07/16/15	CITY COMMENTS
			REVISIONS

2015

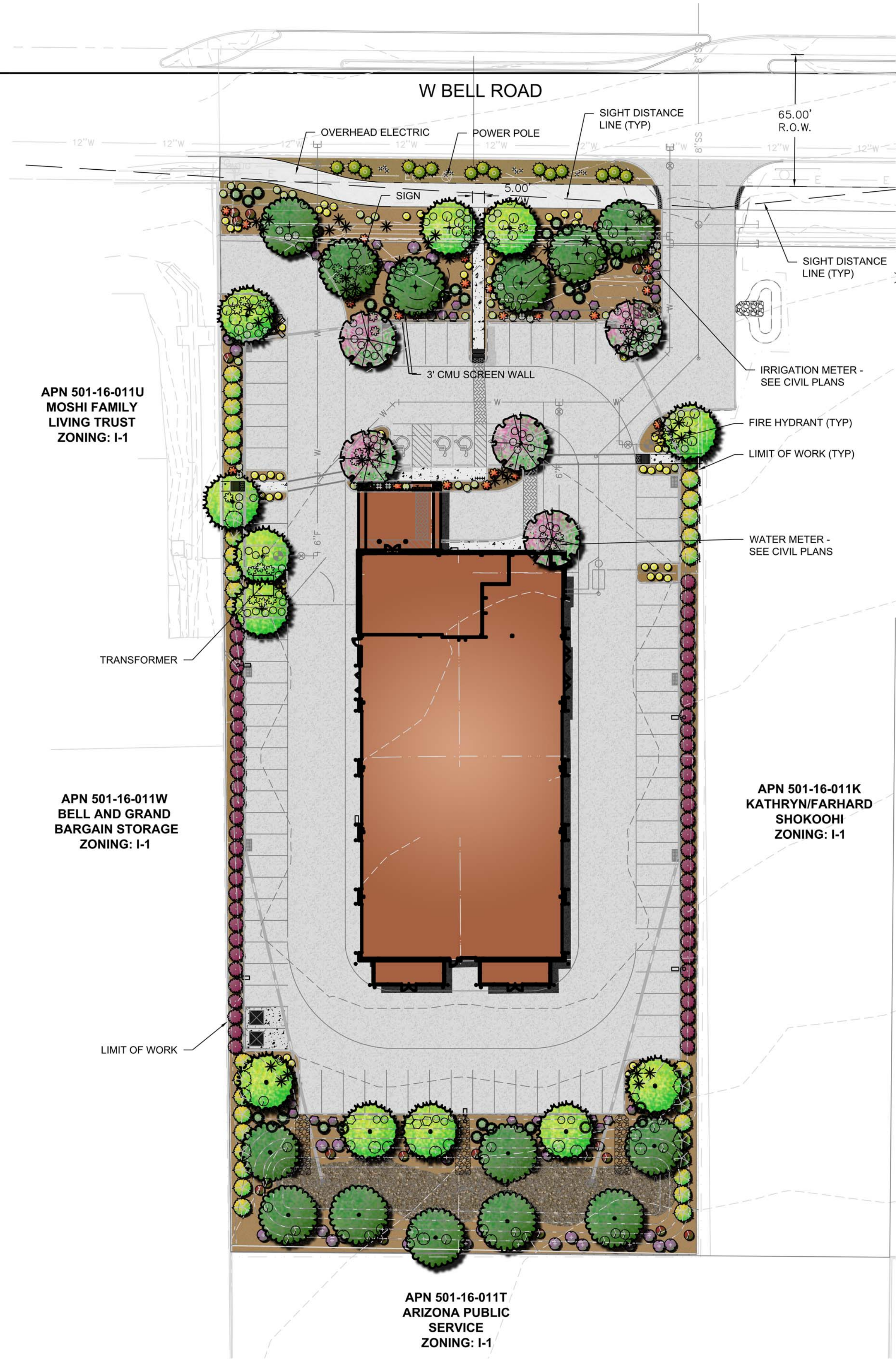
**CONSTRUCTION PLANS
DETAILS**

**CALIBER COLLISION
BELL ROAD AND DYSART ROAD
SURPRISE, ARIZONA**

Drawn by: SS
 Checked by: EW
 Approved by: LS
 QC by: PV
 Project no.: 014-3199
 Drawing no.: 501_C_DTL_143199.dwg
 Date: 04/30/15

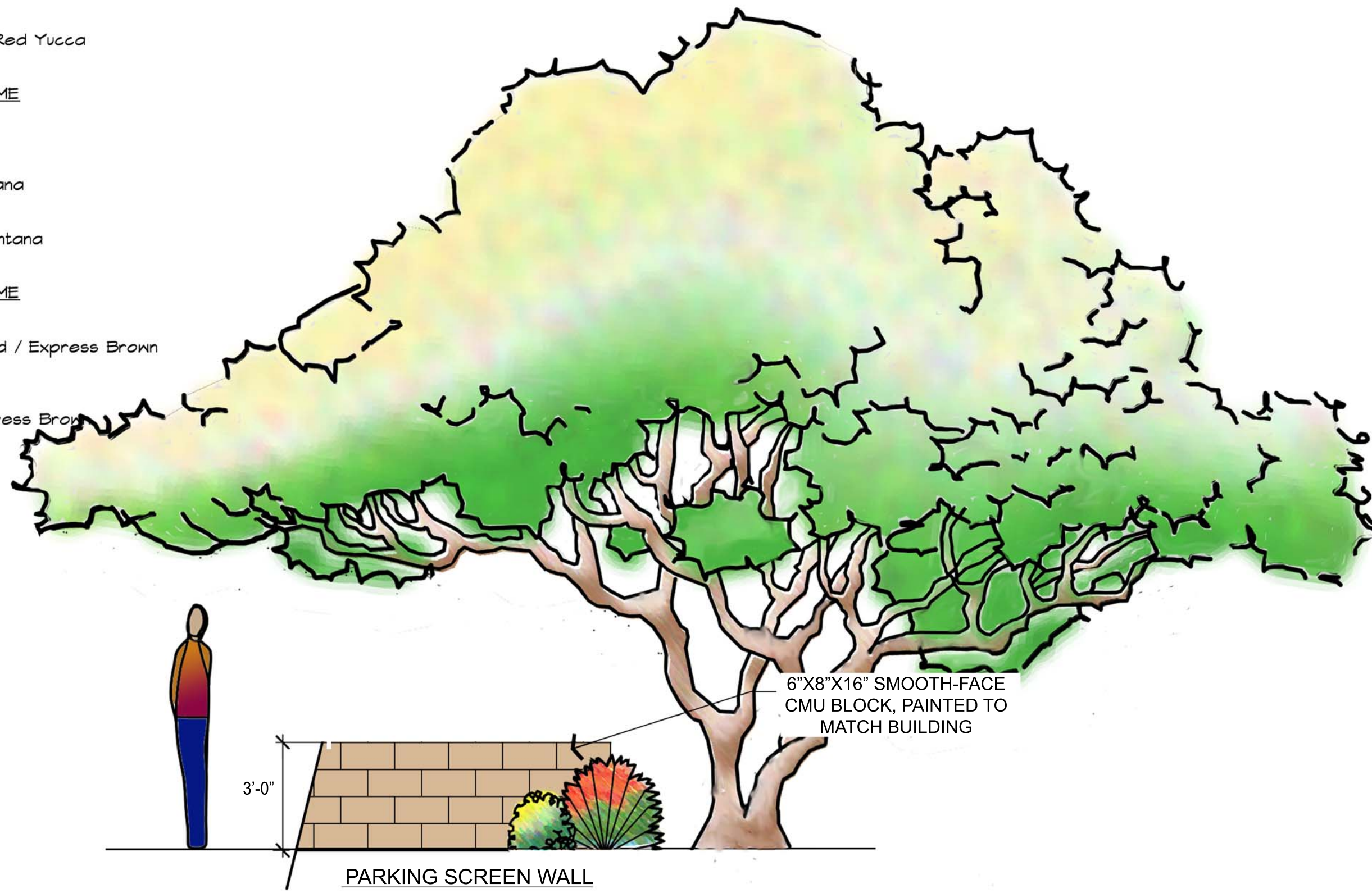
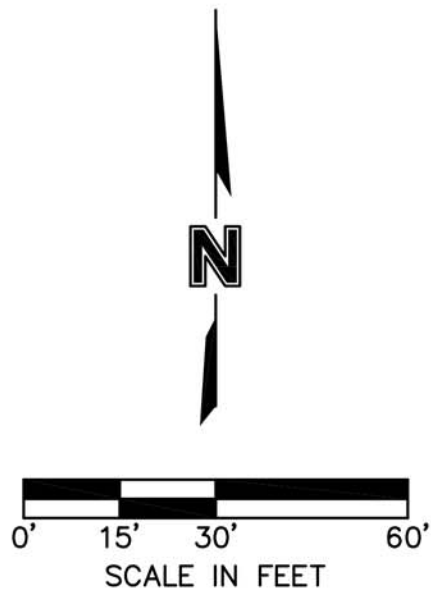
SHEET
C501

DWG: F:\Projects\014-3199\40-Design\AutoCAD\Exhibits\COLOR\BLK.dwg
DATE: Apr 10, 2015 10:12am
USER: aasher
XREFS:



PLANT SCHEDULE

TREES	BOTANICAL NAME	COMMON NAME
	<i>Chilopsis linearis</i> 'AZT Desert Amethyst'	Desert Willow
	<i>Parkinsonia</i> x 'Desert Museum'	Desert Museum Palo Verde
	<i>Parkinsonia</i> x 'Desert Museum'	Desert Museum Palo Verde
	<i>Prosopis</i> x 'Phoenix' TM	Hybrid Mesquite
	<i>Prosopis</i> x 'Phoenix' TM	Hybrid Mesquite
SHRUBS	BOTANICAL NAME	COMMON NAME
	<i>Dodonaea viscosa</i> 'Purpurea'	Purple Leaved Hopseed Bush
	<i>Eremophila maculata</i> 'Valentine'	Spotted Emu Bush
	<i>Euphorbia biglandulosa</i>	Gopher Plant
	<i>Leucophyllum langmaniae</i> 'Rio Bravo' TM	Rio Bravo Sage
	<i>Russelia equisetiformis</i>	Firecracker Plant
	<i>Tecoma</i> x 'Orange Jubilee'	Orange Jubilee
ACCENTS	BOTANICAL NAME	COMMON NAME
	<i>Dasyliirion wheeleri</i>	Grey Desert Spoon
	<i>Hesperaloe parviflora</i>	Red Yucca
	<i>Hesperaloe parviflora</i> 'Brakelights' TM	Brakelights Red Yucca
GROUNDCOVER	BOTANICAL NAME	COMMON NAME
	<i>Eremophila glabra</i> 'Mingenew Gold'	Emu Bush
	<i>Lantana montevidensis</i> 'Purple'	Trailing Lantana
	<i>Lantana</i> x 'New Gold'	New Gold Lantana
INERTS	BOTANICAL NAME	COMMON NAME
	Granite Mulch	1/2" Screened / Express Brown
	Riprap	4 - 6" / Express Brown



PROJECT NO: 014-3199
DRAWN BY: AA
DATE: 07/27/15

CALIBER COLLISION

MOLSSON
ASSOCIATES

7250 North 16th Street
Suite 210
Phoenix, AZ 85020-5282
TEL 602.748.1000
FAX 602.748.1001

EXHIBIT

1



CITY OF SURPRISE
Regular City Council Meeting

November 3, 2015 @ 6:00:00 PM

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

Council Meeting Date:	November 3, 2015	Contact Person:	CM Tande/Mayor Wolcott
Submitting Department:		District:	Internal
Staff Recommendations:	None		

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

Agenda Wording:

Consideration and action to enter Executive Session to discuss Appointed Officials Review for City Manager & City Clerk pursuant to A.R.S. 38-431.03 (A)(1).

Motion:

I move to enter into Executive Session.

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

[Click to download](#)

No Attachments Available



CITY OF SURPRISE
Regular City Council Meeting

November 3, 2015 @ 6:00:00 PM

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

Council Meeting Date: November 3, 2015

Contact Person: Interim City Attorney, Robert Wingo

Submitting Department:

District: Internal

Staff Recommendations: None

Consent

Regular

Public Hearing

Report/Discussion

Agenda Wording:

Discussion and consultation with outside counsel to receive legal advice pertaining to the general release agreement with former City Attorney, Misty Leslie, pursuant to A.R.S. 38-431.03(A)(3).

Motion:

Background:

Objective Analysis:

Policy Compliant:

Financial Impact:

Budget Impact:

FTE Impact:

ATTACHMENTS:

[Click to download](#)

No Attachments Available
