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BELL POINTE I
ZONING COMPLIANCE NARRATIVE

A PLANNED AREA DEVELOPMENT (P.A.D.) ON APPROXIMATELY 79 ACRES
LOCATED ON THE NORTH SIDE OF BELL ROAD
AND WEST OF THE BEARDSLEY CHANNEL
IN SURPRISE, ARIZONA

APPLICATION P.A.D. 01-012

DEVELOPMENT PLAN & NARRATIVE APPROVAL FOR
A P.A.D. MDR ZONED RESIDENTIAL PROPERTY

Originally Submitted February 7, 2001
Revised April 30, 2001; Revised June 29, 2001; Revised July 20, 2001;
Revised August 24, 2001; Revised August 27, 2001; Revised September 5, 2001;
Revised November 8, 2001; Revised November 21, 2001;
Revised January 8, 2002; and January 25, 2002

SUBMITTED TO:
City of Surprise Planning Department
12425 West Bell Road, Suite B-105
Surprise, Arizona 85374
(623) 583-1088

PREPARED BY:
BELL POINTE I L.L.C.
David Milne, Project Manager
914 164th Street Southeast, Suite 12
Mill Creek, Washington 98012
(425) 771-5300

and

LANDMARK ENGINEERING, INC.
7310 North 16th Street, Suite 285
Phoenix, Arizona 85020
(602) 861-2005
Mr. Grant Penland  
Planner  
City of Surprise  
12425 West Bell Road, Suite D-100  
Surprise, Arizona 85374  

Re: Bell Pointe I P.A.D. 01-012  
City of Surprise Stipulation Response Letter  

Dear Grant:  

Landmark Engineering, Inc. ("LEI"), representing the owners of the Bell Pointe I, is submitting this requested Written Response to Stipulations letter. This property is owned by Bell Pointe I, an Arizona Limited Partnership ("Owners"). The Owners have requested that LEI, the "Applicant" for the Owners in the above referenced zoning case, provide this letter as requested by the stipulation requirements. Please find below our response to the Standard Stipulations and Special Stipulations as stated in Zoning Ordinance No. 02-01, as approved by the Mayor and Council on March 28, 2002.

STANDARD STIPULATIONS:

a. The Owner understands that major changes to this Planned Area Development with regard to use and intensity, must be processed as a revised application with approval by the City Council upon recommendation of the Planning and Zoning Commission and that minor changes to this Planned Area Development may be administratively approved by the City Manager and the Community Development Director;

b. The Owner understands and will have the Applicant submit a Written Response to Stipulations and five (5) copies of the revised P.A.D. Said submission will be submitted under one (1) transmittal package;

SPECIAL STIPULATIONS:

c. The Owner will submit a preliminary and full set of landscape construction drawings for review and approval by the Community Development Director prior to final plat approval for any part of this development;

d. The Owner understands that lot layouts indicated within the Planned Area Development documents are not considered approved with the approval of this document, and are considered as conceptual only;
e. The Owner understands that all infrastructure improvements are to occur pursuant to Section 16.20 of the Surprise Municipal Code with final plans subject to the approval of the City of Surprise Water Services Department, Engineering Department, and the Community Development Director;

f. The Owner understands that a City of Surprise sewer line extension fee will be assessed in the amount of $410.00 per residential unit upon building permit issuance for the entire Bell Pointe I development;

g. The Owner understands that the sewer system improvements necessary to service the property are to be sized, located and constructed pursuant to the direction of the Water Services Director, and may be oversized to accommodate future development within the property (Bell Pointe II) as well as the existing commercial development (Riverboat Acres);

h. The Owner and/or designated Homebuilder will provide new residential home product information (i.e., colored elevations and materials sample information) and related materials prior to the issuance of residential building permits, subject to review and approval by the Community Development Director;

i. The Owner understands that all items to which the P.A.D. commits within the Design Guidelines compliance section of the P.A.D. document are hereby stipulated;

j. The Owner understands that by submitting the P.A.D. plan, the Owner agrees and approves in writing to the open space designated in the approved PAD plan;

k. The Owner understands that the street cross-sections provided in the P.A.D. are conceptual and the finalized design must follow City of Surprise requirements, utilizing curb-separated sidewalks or meandering sidewalks, subject to the review and approval of the Community Development Director;

l. The Owner understands that the designs for wall details and entry monument signs provided in the P.A.D. are conceptual and the finalized designs will be reviewed through the appropriate landscape review and permitting procedure;

m. The Owner and/or Developer will see to it that homebuilders try to de-emphasize the garage as the dominant architectural feature of the dwelling-front for this development. The Owner understands that recessed, detached, and side-loaded garages, covered porches and entries, etc. should be emphasized features on floor plans to achieve a home product mix;

n. The Owner, developer, or any successor, will create a Street Light Improvement District to maintain street lighting in the subdivision prior to the issuance of a Certificate of Occupancy for any residence;

o. The Owner and/or Developer will comply with the noise attenuation standards adopted by the City;

p. The Owner and/or Developer will see to it that the retention areas are designed using a stair-stepped effect, in order to keep the active use areas out of the basins;

q. The Owner and/or Developer will see to it that all openings in the view fencing leading to open areas, located adjacent to the Beardsley Canal, are closed off with keyed gates;

r. The Owner and/or Developer will see to it that all saguaros and trees viable for transplanting are transplanted and reused on the property;
s. The Applicant has amended Section 7.8-A of the PAD Zoning Compliance Narrative Book to provide 3 distinct roofing types;

t. The Owner and/or Developer will provide 2 points of access to the property on established public roadways;

u. The Owner and/or Developer understands that the auto court cluster concept will not be utilized on the property; however, this will not affect the overall density for the property;

v. The Owner and/or Developer will provide a larger open space buffer along Bell Road that is compatible with the sloping southwest property corner, and will explore the idea of including a frontage road that runs parallel to Bell Road along the property;

w. The Owner and/or Developer will include notification in the public report that the property is in the vicinity of a military airport and is subject to overflights;

x. The Owner and/or Developer will shield all future lighting on-site from adjacent properties;

y. The Owner and/or Developer will see to it that trees are planted and maintained at a height not to exceed 8 feet within the open space area between the property and Arizona Traditions;

z. The Owner and/or Developer will see to it that two story homes are not built in the first row of lots nearest the property line shared with Arizona Traditions, unless the developer includes substantial separation between the property and Arizona Traditions, and can show that the views from Arizona Traditions are not obstructed;

aa. The Owner and/or Developer will see to it that a deceleration lane is constructed on east bound and west bound Bell Road at the main access into the property; and

bb. The Owner and/or Developer will conduct a meeting with the Arizona Traditions homeowners prior to submitting a Preliminary Plat.

LEI and the Owner trust that this Written Response to Stipulations and the submittal of the attached five (5) copies of the revised P.A.D. Zoning Compliance Narrative Book, reflecting the Standard and Special Stipulations, meet the zoning ordinance stipulations and complete all requirements of LEI and the Owner outlined in the zoning ordinance.

Sincerely,

LANDMARK ENGINEERING, INC.

Gary R. Claybaugh
Vice President

cc: Michael Zipprich; Bell Pointe Development
Attachments: Five (5) copies of the revised P.A.D. Zoning Compliance Narrative Book
LETTER OF TRANSMITTAL

To: City of Surprise P&Z
    12425 W Bell Rd Suite B-205
    Surprise, AZ  85374

Job No. 20085

Date: Tuesday, July 30, 2002

Attn: Scott Phillips

Re: Bell Pointe I

WE ARE SENDING YOU THE ATTACHED ITEMS (via): Rush More

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<td>7/29/02</td>
<td>3</td>
<td>Bell Pointe I Stipulation Response Letter</td>
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<td>5</td>
<td>1/25/02</td>
<td>Multiple</td>
<td>Revised PaD Zoning Compliance Narrative Book</td>
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THESE ARE BEING TRANSMITTED (as checked below):

☐ For Approval   ☐ Returned for Corrections

☒ For Your Use   ☐ For Review and Comment

☒ As Requested

REMARKS:

This submittal completes the zoning process for Bell Pointe I.

Thank you,

Sharane Schacht

Received by: __________________________  From: Sharane Schacht
CITY OF SURPRISE
COUNCIL AGENDA ACTION FORM

Meeting Type: Regular Meeting  Time Scheduled: March 28, 2002

If Special submit date  time

Submitting Department: Planning and Zoning  Contact Person: Phil Testa

Consent Regular  Requesting Action Report Only

Type of Document Needing Approval (Check all that apply):

- Public Hearing  - Resolution  First Reading/Ordinance
- Agreement  - Emergency Clause  Final Reading/Ordinance
- Special Consideration  - Intergovernmental Agreement
- Grant  - Submission  Acceptance
- Liquor/Bingo License Application

Council Priority (Check Appropriate Areas):

- Education  - Public Fitness  Neighborhood Revitalization
- Job Creation  - Quality Service Delivery  Employment Infrastructure
- Public Safety  - Housing Rehabilitation  Work Force Preparation
- Transportation  - Human Service Needs  Parks, Recreation & Library
- City Elections  - Community Activities  Subdivision Infrastructure Acceptance

Regular Agenda Wording: Discussion, consideration and action to approve moving Ordinance No. 02-01 to a Final Reading; An Ordinance approving the Planned Area Development PAD01-12 for a property to be known as Bell Pointe I consisting of changing the zoning from R1-43 (Single Family Residential) to P.A.D. Subject site is located north of Bell Road, east of the Trilby Wash, west of the Beardsley Canal.

Staff Recommendation: Approve  Fiscal Impact: No  If yes: Budget code: Available:

Background Info: The Planning and Zoning Commission recommended approval of this application on February 5, 2002, subject to recommended stipulations.

List Attachments as follows: Ordinance/Staff Report/Supporting Documentation.

Signatures of Submitting Officers (Sign Legibly):

[Signature]
Department Head

[Signature]
Supervisor

[Signature]
Budget Authorization

[Signature]
City Manager/Designee

Distribution After Council Action: Council Action:

Motion/Second  Shafer  Vukanovich  Villanueva  Cox  Montoya

Results:

For  Against  Passed  Failed  Deny  Continue
CITY OF SURPRISE
COUNCIL AGENDA ACTION FORM

________________________ Smith
________________________ Allen
Tabled
Absent
Other

City Clerk: Originals – Rova

fax opc + dns
ORDINANCE NO. 02-01

AN ORDINANCE APPROVING THE PLANNED AREA DEVELOPMENT PAD01-12 FOR A PROPERTY TO BE KNOWN AS BELL POINTE I CONSISTING OF CHANGING THE ZONING FROM R1-43 (SINGLE FAMILY RESIDENTIAL) TO P.A.D. SUBJECT SITE IS LOCATED NORTH OF BELL ROAD, EAST OF THE TRILBY WASH, WEST OF THE BEARDSLEY CANAL.

WHEREAS, this Ordinance has been properly noticed for public hearing and the necessary hearings and opportunity for public input have been completed; and

WHEREAS, changes have occurred in the vicinity of Section 34 of Township 4 North, Range 2 West of the Gila and Salt River Base and Meridian, which require that the zoning of a parcel of land in that area be changed; and

WHEREAS, rezoning of the subject property will not cause traffic congestion or depreciate surrounding property values and, at the same time is in harmony with the purposes and intent of the zoning ordinance, the plan for the area, and the Surprise General Plan 2020; and

WHEREAS, the Planning and Zoning Commission has recommended approval of this rezone application.

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

Section 1. This Ordinance is not of a general and permanent nature and shall not be codified.
Section 2. The property described in Exhibit A is rezoned from R1-43 (Single Family Residential) to Planned Area Development (PAD) with Preliminary Development Plan.

Section 3. The development plan for the property described on Exhibit A, entitled "BELL POINTE I," Date stamped January 29, 2002, as application PAD01-12, a copy of which is on file in the Community Development Department, is approved.

Section 4. All present and future owners of the property described on Exhibit A shall develop the property only in accordance with the requirements of the BELL POINTE I PAD, and in compliance with the Stipulations contained in Exhibit B.

Section 5. This ordinance shall become effective thirty-one (31) days after formal passage by the council.

PASSED AND ADOPTED THIS 28 day of March, 2002

[Signature]
Mayor

ATTEST: APPROVED AS TO FORM:

[Signature]
City Clerk

[Signature]
City Attorney

YEAS: Mayor Shafer, Councilmembers: Cox, Montoya, Villanueva.
Absent: Vice-Mayor Allen and Councilman Smith

NEAS: Councilman Vukanovich
EXHIBIT "A"

PARCEL NO. 1:
The South 25 acres of the following described property, the North boundary of which 25 acres shall be parallel to the South boundary of the following described property:

A parcel of land situated in the Southwest quarter of Section 34, Township 4 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and lying West of the Beardsley Canal, more fully described as follows:

COMMENCING at the South quarter corner of said Section 34;

thence North 89 degrees 42 minutes 20 seconds West along the South line of said Section 34, a distance of 754.20 feet to a point on the Westerly rights-of-way line of the Beardsley Canal and the True Point of Beginning;

Thence continuing North 89 degrees 42 minutes 20 seconds West along the South line of said Section 34, a distance of 744.90 feet;

Thence North 00 degrees 21 minutes 02 seconds East, a distance of 999.74 feet;

Thence South 89 degrees 42 minutes 20 seconds East, a distance of 499.70 feet;

Thence North 00 degrees 21 minutes 02 seconds East, a distance of 1113.05 feet;

Thence South 89 degrees 43 minutes 13 seconds East a distance of 999.40 feet;

Thence South 00 degrees 21 minutes 02 seconds West a distance of 422.99 feet to a point on the Westerly rights-of-way line of the Beardsley Canal;

Thence South 25 degrees 48 minutes 48 seconds West along the canal rights-of-way line, a distance of 1403.12 feet to the point of a tangent curve concave Southeasterly which has a central angle of 07 degrees 29 minutes 59 seconds and a radius of 1502.14 feet;

Thence along the arc of said curve a distance of 196.62 feet to a point on a tangent line;

Thence South 18 degrees 190 minutes 49 seconds West, a distance of 253.78 feet to the True Point of Beginning;

EXCEPT one-half of all mineral rights as reserved in Deed recorded in Docket 10510, Page 179.

PARCEL NO. 2:
BEGINNING at the Northwest corner of Section 3, Township 3 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Thence South 89 degrees 55 minutes 30 seconds East a distance of 1135.87 feet to the True Point of Beginning;

-continued-
Commitment No. 01-04584

EXHIBIT "A" -continued-

Thence continuing South 89 degrees 55 minutes 30 seconds East, a distance of 744.90 feet;

Thence South 18 degrees 05 minutes 37 seconds West, a distance of 69.85 feet;

Thence North 87 degrees 58 minutes 05 seconds West, a distance of 723.50 feet;

Thence North 00 degrees 13 minutes 10 seconds West, a distance of 41.72 feet to the True Point of Beginning;

EXCEPT all minerals, oil, gas and other hydrocarbon substances below a depth of 100 feet below the surface of said premises, as reserved by the Santa Fe Land Improvement Company, a California corporation, in instrument recorded in Book 412 of Deeds, Page 558.

PARCEL NO. 3:

The West half of Section 34, Township 4 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT those portions for TRILBY WASH, shown as Parcels 10C and 10F in Condemnation Cause 84171 in the Superior Court of Maricopa County, Arizona and shown on Map in Book 63 of Maps, Page 11;

EXCEPT the South 2113.60 feet thereof; and also

EXCEPTING from said Parcel No. 3, the following described land:

A portion of the East half of the Northwest quarter of Section 34, Township 4 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more fully described as follows:

COMMENCING at the South quarter corner;

Thence North 00 degrees 21 minutes 02 seconds East along the North-South mid-section line, a distance of 3375.82 feet to the True Point of Beginning;

Thence North 89 degrees 43 minutes 13 seconds West, a distance of 592.82 feet;

Thence North 28 degrees 36 minutes 30 seconds East, a distance of 1252.15 feet;

Thence South 00 degrees 21 minutes 02 seconds West, a distance of 1102.19 feet to the True Point of Beginning;

TOGETHER WITH an Easement for ingress, egress and utilities, and other rights as set forth in Easement Agreement dated April 20, 1989 and recorded at Document No. 89-189526.

-continued-
Commitment No. 01-04584

EXHIBIT "A" -continued-

PARCEL NO. 4:

BEGINNING at the Northwest corner of Section 3, Township 3 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Thence South 89 degrees 55 minutes 30 seconds East, a distance of 599.67 feet to the True Point of Beginning;

Thence continuing South 89 degrees 55 minutes 30 seconds East a distance of 536.20 feet;

Thence South 60 degrees 13 minutes 10 seconds East a distance of 41.72 feet;

Thence North 87 degrees 58 minutes 05 seconds West a distance of 543.85 feet;

thence North 17 degrees 09 minutes 38 seconds East a distance of 24.22 feet to the True Point of Beginning;

EXCEPT all minerals, oil, gas and other hydrocarbon substances below a depth of 100 feet below the surface of said premises, as reserved by the Santa Fe Land Improvement Company, a California corporation, in instrument recorded in Book 412 of Deeds, Page 558.

TOGETHER WITH an Easement for ingress, egress and public utilities, as set forth in Easement dated October 2, 1992 and recorded at Document No. 92-0637164, as amended by instrument recorded at Document No. 94-56344.

PARCEL NO. 5:

The South 2113.60 feet of the following described property:

The West half of Section 34, Township 4 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT those portions for TRILBY WASH, shown as Parcels 10C and 10F in Condemnation Cause 84171 in the Superior Court of Maricopa County, Arizona, and as shown on Map in Book 53 of Maps, Page 31;

EXCEPT the South 1000 feet of the East 1500 feet of the Southwest quarter of said Section 34; and

EXCEPT the North 1113.60 feet of the South 2113.60 feet of the East 100 feet of the Southwest quarter of said Section 34;

TOGETHER WITH an Easement for ingress, egress and utilities, and other rights as set forth in Easement Agreement dated April 20, 1989 and recorded at Document No. 89-189526.
EXHIBIT B TO ORDINANCE #02-01

STANDARD STIPULATIONS:

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

b) The Applicant shall submit a written response to the stipulations and incorporate them into the final PAD document. The response and 5 copies of the final PAD shall be under one transmittal package;

SPECIAL STIPULATIONS:

c) The applicant shall submit a preliminary and full set of landscape construction drawings for review and approval by the Community Development Director prior to final plat approval for any part of this development;

d) Lot layouts indicated within the Planned Area Development documents shall not be considered approved with the approval of this document, and shall be considered as conceptual only;

e) All infrastructure improvements shall occur pursuant to section 16.20 of the Surprise Municipal Code with final plans subject to the approval of the City of Surprise Water Services Department, Engineering Department, and the Community Development Director;

f) A City of Surprise sewer line extension fee shall be assessed in the amount of $410.00 per residential unit upon building permit issuance for the entire Bell Pointe I development;

g) Notwithstanding the language contained within the PAD document, the sewer system improvements necessary to service the property shall be sized, located and constructed pursuant to the direction of the Water Services Director, and may be oversized to accommodate future development within the property (Bell Pointe II) as well as the existing commercial development (Riverboat Acres);

h) The applicant shall provide new residential home product information (i.e., colored elevations and materials sample information) and related materials prior to the issuance of residential building permits, subject to review and approval by the Community Development Director;
EXHIBIT B TO ORDINANCE #02-01

i) All items to which the P.A.D. commits within the Design Guidelines compliance section of the P.A.D. document are hereby stipulated;

j) By its submittal of the P.A.D. plan, the applicant - as landowner - agrees and approves in writing to the open space designated in the approved PAD plan;

k) The street cross-sections provided in the P.A.D. are conceptual and the finalized design must follow City of Surprise requirements, utilizing curb-separated sidewalks or meandering sidewalks, subject to the review and approval of the Community Development Director;

l) The designs for wall details and entry monument signs provided in the P.A.D. are conceptual and the finalized designs shall be reviewed through the appropriate landscape review and permitting procedure;

m) Homebuilders shall try to de-emphasize the garage as the dominant architectural feature of the dwelling-front for this development. Recessed, detached, and side-loaded garages, covered porches and entries, etc. should be emphasized features on floor plans to achieve a home product mix;

n) The developer, or any successor, shall create a Street Light Improvement District to maintain street lighting in the subdivision prior to the issuance of a Certificate of Occupancy for any residence;

o) Because the property is located within the vicinity of a military airport, the applicant shall comply with the noise attenuation standards adopted by the City;

p) The retention areas shall be designed using a stair-stepped effect, in order to keep the active use areas out of the basins;

q) All openings in the view fencing leading to open areas, located adjacent to the Beardsley Canal, shall be closed off with keyed gates;

r) The developer shall transplant and reuse all saguaros and trees viable for transplanting that are located on the property;

s) The developer shall amend section 7.8-A of the PAD to provide 3 distinct roofing types;

l) The developer shall provide 2 points of access to the property on established public roadways;
EXHIBIT B TO ORDINANCE #02-01

u) The auto cluster concept shall not be utilized on the property; however, this shall not affect the overall density for the property;

v) The developer shall provide a large open space buffer along Bell Road that is compatible with the sloping southwest property corner, and shall explore the idea of including a frontage road that runs parallel to Bell Road along the property;

w) Applicant shall include notification in the public report that the property is in the vicinity of a military airport and is subject to overflights;

x) The applicant shall shield all future lighting on-site from adjacent properties;

y) Trees shall be planted and maintained at a height not to exceed 8 feet within the open space area between the property and Arizona Traditions;

z) Two story homes shall not be built in the first row of lots nearest the property line shared with Arizona Traditions, unless developer includes substantial separation between the property and Arizona Traditions, and can show that the views from Arizona Traditions are not obstructed; and

aa) A deceleration lane shall be constructed on both east bound and west bound Bell Rd at the main access into the property;

bb) Applicant shall conduct a meeting with the Arizona Traditions homeowners prior to submitting a preliminary plat.
REPORT TO THE PLANNING AND ZONING COMMISSION
AND THE CITY COUNCIL
PREPARED BY THE COMMUNITY DEVELOPMENT DEPARTMENT

CASE NO.: PAD01-12 (Bell Pointe I, Planned Area Development)
STIPULATIONS: a through w
PREPARED BY: Grant Penland, Planner I @ 623.875.4307

Planning & Zoning Commission Hearing Date: February 5, 2002
City Council Hearing Date: February 28, 2002

APPLICANT:
David Milne
David Alan Ltd.
11757 East Cortez Drive
Scottsdale, AZ 85259
Phone: (602) 758-8292

PROPERTY OWNER:
Bell Road 187 Limited Partnership
8800 North Gainey Center Drive
Scottsdale, AZ 85258

REQUEST:
Approval of a rezone of 78.9 acres from R1-43 to P.A.D.

SITE LOCATION:
Subject site is located north of Bell Road, east of the Trilby Wash, west of the Beardsley Canal, within the southwest quarter of Section 34, Township 4 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

SITE SIZE:
78.9 gross acres

CONFORMANCE TO ADOPTED LAND USE PLANS:

GENERAL PLAN:
If approved, the subject property would be in conformance with the Surprise General Plan 2020. Please also refer to the attached General Plan Policy Checklist.

DEVELOPMENT PLAN:
The Bell Pointe I P.A.D. is the proposed development plan.
COMMENTING JURISDICTIONS:

- Town of Buckeye: No comments were received.
- City of El Mirage: No comments were received.
- City of Peoria: No comments were received.
- Maricopa County: No comments were received.
- Dysart Unified School District: No comments were received.
- Maricopa Water District: No comments were received.
- Luke Air Force Base: No comments were received.

DEPARTMENTAL REVIEW:

The Engineering Department has reviewed this application and has no additional comments.

The Fire Department has reviewed this application and has no additional comments.

The Public Works Department has reviewed this application and has no additional comments.

The Water Services Department has reviewed this application and has no additional comments.

STAFF RECOMMENDATION:

Staff recommends that the Planning and Zoning Commission recommend approval of the Planned Area Development for Bell Pointe I, (PAD01-12), subject to the stipulations listed under "Recommendations."

EXISTING AND SURROUNDING ZONING:

1. ON-SITE: R1-43
   NORTH: R1-43
   EAST: P.A.D. (Arizona Traditions); R1-43; & C-2
   SOUTH: P.A.D. (Surprise Farms, designated R1-5 & C-2)
   WEST: R1-43

EXISTING AND SURROUNDING LAND USE:

2. ON-SITE: Vacant Land
   NORTH: Vacant Land, Trilby Wash
   EAST: Beardsley Canal, Vacant Land, Single Family Homes, RiverBoat Acres
   SOUTH: Bell Road, Vacant Land
   WEST: Vacant Land, Trilby Wash
ADJACENT ROAD STATUS

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<th>Right of Way</th>
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EXISTING UTILITIES AND SERVICES STATUS:

6. WATER Arizona-American Water Company
7. SEWER City of Surprise
8. FIRE PROTECTION The Surprise Fire Department currently has a fire station located at 15616 North Hollyhock Street. The second fire station is in operation at 18600 Reems Road near the intersection of Reems and Mountain View Boulevard.
9. POLICE PROTECTION The Surprise Police Department currently has a station located at 12425 W. Bell Road and a substation located at 18600 Reems Road.

100 YEAR ASSURED WATER SUPPLY CERTIFICATION:

10. A Certificate of Assured Water Supply must be obtained for lots within this subdivision prior to final plat recordation.

FINANCIAL ASSURANCE FOR COMPLETION OF INFRASTRUCTURE:

11. To be required upon platting process.

SCHOOL DISTRICT POSITION:

12. A school district position letter has not been received with regard to the Bell Pointe P.A.D.

STREET LIGHT IMPROVEMENT DISTRICT:

13. To be required upon platting process.
PLAN ANALYSIS:

PROPOSAL

14. The applicant has submitted with this application a P.A.D. document entitled "Bell Pointe I P.A.D.," dated January 29, 2002. The document includes several sections setting forth the development standards, guidelines, and general characteristics to be proposed within this master planned community.

15. The applicant is proposing to develop the 78.9 acres as three Medium Density Residential single-family cluster-type subdivisions with gross densities ranging from 5.0 to 5.5 dwelling units per acre. The land use proposed on the site is medium density residential.

HISTORY

16. This parcel of land is currently undeveloped desert land. The site contains minimal native vegetation with no natural washes or streams.

PROPOSED LAND USES/PERCENTAGES

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<td>2A</td>
<td>Medium Density Residential</td>
<td>19.6</td>
<td>5.0</td>
<td>98</td>
</tr>
<tr>
<td>2B</td>
<td>Medium Density Residential</td>
<td>14.3</td>
<td>5.91</td>
<td>73</td>
</tr>
<tr>
<td>3</td>
<td>Medium Density Residential</td>
<td>26.0</td>
<td>5.3</td>
<td>138</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>78.9</td>
<td>5.2</td>
<td>413</td>
</tr>
</tbody>
</table>

17. The City of Surprise Single Family Residential Design Guidelines includes a requirement for a minimum of 10 percent of open space. The applicant has provided a minimum of 15 percent of the total project for open space areas.
### PROPOSED LOT SIZES

<table>
<thead>
<tr>
<th>PARCEL</th>
<th>CONCEPTUAL YIELD (DWELLING UNITS)</th>
<th>TYPE OF DWELLING UNIT</th>
<th>MINIMUM LOT SIZE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>104</td>
<td>Detached 4-Pack Cluster</td>
<td>40' x 50' x 90'</td>
</tr>
<tr>
<td>2A</td>
<td>98</td>
<td>Single Family Detached Cluster</td>
<td>45' x 105'; 50' x 105'</td>
</tr>
<tr>
<td>2B</td>
<td>73</td>
<td>Single Family Detached Cluster</td>
<td>45' x 100'; 50' x 100'</td>
</tr>
<tr>
<td>3</td>
<td>138</td>
<td>Single Family Detached Cluster</td>
<td>52' x 105'; 52' x 110'</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>413</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

18. The Bell Pointe I development is a residential project to be developed under a P.A.D./Medium Density Residential designation. The development is proposing a combination of more traditional single-family homes and a cluster-housing format utilizing a common court-drive. Following the direction of the General Plan 2020, the developer is proposing to offer this unique, diverse subdivision mix rather than providing high density, multi-family products throughout the overall development.

19. The adopted Single Family Residential Design Guidelines do not address this type of development and the proposed blending of single family and 4-pack cluster projects. The densities allowed within a Medium Density Residential project cannot fit within established lot mix criteria of the Single Family Residential Design Guidelines. The density projected for this P.A.D. (5.2 dwelling units per acre) is greater than the established maximum allowable of the SFR Design Guidelines (4.5 dwelling units/acre).

20. The Bell Pointe I development will be developed to generally follow the SFR Design Guidelines and the diversity requirement therein. The more traditional detached single-family cluster housing parcels will be planned to follow the land uses and housing diversity reflected in the established design criteria of the P.A.D. document. Pages 48 through 57 of the P.A.D. book include a detailed analysis of Design Guideline compliance.

#### DEVELOPMENT STANDARDS

21. The Bell Pointe I P.A.D. creates standards of development for the Medium Density Residential project. The development and design standards include, but are not limited to: entry and perimeter wall features, street features, greenbelts,
view corridors, housing product variation, and pavement treatment. Pages 44 through 47 of the P.A.D. book include a detailed description of these standards of development.

EXISTING SITE CONDITIONS:

22. This property slopes gradually from the northwest to the southeast. The site is bordered on the west by the Trilby Wash basin. The site is separated from the Trilby wash by an earthen levee.

COMPLIANCE WITH THE GENERAL PLAN

23. The Surprise General Plan 2020 calls for a "Medium Density Residential" land use designation across the entire property. MDR is designated as 5-8 dwelling units per acre within the General Plan. The proposed overall gross density of the project is 5.2 dwelling units per acre.

24. The draft land use plan indicates that the property is to be a medium density residential development. Additionally, the master open space and recreation plan indicates linear open spaces and park areas, comprising a minimum of 15 percent of the overall land area. The proposed Bell Pointe I is in full compliance with land use plan within the Surprise General Plan 2020.

BELL POINTE I DESIGN ELEMENTS:

25. As previously stated, Bell Pointe I will be developed to generally follow the Single Family Residential Design Guidelines. Pages 48 through 57 of the P.A.D. book include a detailed analysis of Design Guideline compliance. Staff has been working with the applicant in order to determine that each of the items claimed for points on the guidelines are adequately justified. Staff urges the Commission and Council to closely review the Design Guideline compliance section to see if these items meet the intent of the Guidelines as approved by Commission and Council.

26. Because the Bell Pointe I P.A.D. book sets forth a complete Design Guideline analysis, the staff report will not go through each point. However, staff believes that there are several significant elements that must be noted that have been included within this development.

a) Open space: Bell Pointe I includes a minimum of 15 percent of open space, which exceeds the minimum requirements of the Guidelines. Additionally, these open spaces, as indicated in the landscaping section of the P.A.D., include active recreational opportunities, passive opportunities, and aesthetic enhancements to the streetscapes.

b) A trail system: The trail system connects the open space areas.
c) Specific Landscaping Theme - The landscaping theme is oriented towards creating enhanced entries, transition areas, and roadways throughout the development.

27. Also included within the community are significant design amenities that improve the quality and the look of the subdivision, and provide the long-term benefits that people look for in a neighborhood. Such features include: open space areas at major entries, street trees separating the sidewalk and the street along the collector, multiple trail systems throughout the development, open space buffers along arterials and collectors, and unique wall features on the exterior of the project.

AMENITIES PACKAGE

28. The landscape exhibits provide examples of the design elements to be used throughout the Bell Pointe I P.A.D. including an open space plan, conceptual entry features, amenity packages, trail systems, etc. The trail system is shown to be integrated throughout the proposed development connecting open space areas, and encouraging neighborhood interaction.

29. The development also features a unique emergency vehicle access and multi-modal trail along the eastern boundary that will connect to the overall trail system. The emergency access/trail system will be a 50-foot wide open space tract with a 20-foot wide roadway, serving as both a second point of emergency access for the development as well as a multi-modal trail.

AESTHETIC CONSIDERATIONS:

30. With preliminary design, as well as the exhibits shown in the P.A.D. document, the applicant has clearly expressed a desire to create a project with a pedestrian-friendly environment.

31. Elements such as gently meandering or detached sidewalks, trees planted to separate the roadways from the sidewalks, and significant buffers adjacent to arterial roads are all incorporated for purposes of enhancing the aesthetics of the development. Several other elements are shown and listed throughout the P.A.D. document.

INFRASTRUCTURE IMPROVEMENTS:

32. With this development, Bell Road will be developed at the width as required by the City Engineering department. Additionally, all internal roads will be developed to their full required right-of-way.
33. The water lines for the site will be designed to connect with the water service in Bell Road and then loop in with the water lines in the Arizona Traditions Development. A development agreement is being completed between the applicant and Arizona-American Water Company, addressing water service to the Bell Pointe I development.

34. The development proposes a connection to an existing sewer line in Bell Road which will serve the entire property.

PHASING:

35. The subdivision tracts within the development may be constructed in more than one phase. A phasing plan is provided with the P.A.D. The first phase of development will provide for the construction of the off-site sewer and water lines in Bell Road, the on-site water and sewer infrastructure, as well as the half right-of-way construction of Bell Road. Additionally, the construction of the sixty-foot collector road and twenty-foot emergency access road will be completed as part of the initial phase of development.

NOISE:

36. This property is not located within the noise contours of the 1997-revised AICUZ as adopted by the City of Surprise in March of 1998, nor is the subject property within any noise contours as defined by the 1998 MAG JLUS. However, this property is subject to overflights from Luke Air Force Base, therefore appropriate noise attenuation will be required in the homes as they are constructed.

CASE HISTORY:

37. The Bell Pointe I Planned Area Development application was first brought forward to the Planning and Zoning Commission on December 18, 2001. At the request of the Commission, a workshop was held on January 22, 2002 to discuss concerns established at the first Commission meeting.

38. Several amendments are included in the revised P.A.D. document:
   - The street cross sections on page 19, as well as the updated plan exhibits, demonstrate the utilization of curb-separated sidewalks.
   - The provision of adequate driveway parking is included in the table and footnotes of sections 7.1, 7.3, and 7.5 (pages 28, 34, and 39).
   - Additional language regarding cul-de-sacs has been included in section 7.7D (page 44).
   - The accommodation of additional storage space for the residential units is included in the table and footnotes of sections 7.1, 7.3, and 7.5 (pages 28, 34, and 39), as well as section 8.6 (page 47).
A cross-section exhibit of the Beardsley Canal and Trilby Wash has been included for pictorial illustration on page 64.

CONCLUSION:

39. The subject request is consistent with the City of Surprise General Plan 2020. Additionally, the applicant will make all necessary infrastructure improvements in order to accommodate the proposed development on site.

Attachment
1. General Plan Policy Checklist
2. P.A.D. book and Supporting Documentation
## GENERAL PLAN POLICY CHECKLIST
### PLANNED AREA DEVELOPMENT APPLICATION

<table>
<thead>
<tr>
<th>ITEMS*</th>
<th>COMMENTS: (If applicable, state how issue was addressed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. LAND USE:</td>
<td></td>
</tr>
<tr>
<td>a. Locate higher density/intense residential land uses &amp; transportation dependent uses near major roadway corridors to promote an efficient transportation system. Page 27</td>
<td>The development is located directly adjacent to Bell Road.</td>
</tr>
<tr>
<td>b. Does the project involve cluster development? Encourage clustering for preservation of natural open space within residential neighborhoods. Page 28</td>
<td>This project utilizes clustered housing to allow for a greater amount of open space.</td>
</tr>
<tr>
<td>c. Use building envelopes that provide for natural buffers between buildings in order to protect sensitive landforms, vegetation and/or wildlife corridors. Page 28</td>
<td>N/A - This project does not include any sensitive landforms, vegetation or wildlife corridors.</td>
</tr>
<tr>
<td>d. Locate regionally oriented retail and service uses or other high intensity employment uses along major roadways with proper access, transitioning to lower intensity uses buffered adequately from residential uses. Page 29</td>
<td>N/A - There are no commercial elements in this project.</td>
</tr>
<tr>
<td>e. Require private developers to design and locate supportive commercial sites in close proximity to population centers. Page 29</td>
<td>N/A - There are no commercial elements in this project.</td>
</tr>
<tr>
<td>f. Are planned trails and functional open space indicated as neighborhood connections? Page 29</td>
<td>Trails are planned within the Bell Pointe I project. Open space corridors are designed to be able to be connected with regional trail systems.</td>
</tr>
<tr>
<td>g. Is the project located near any of the following areas - Daimler-Chrysler, Volvo, NW Valley Landfill, White Tank Mountains, Surprise Center, Luke AFB? If so, analyze policies that pertain to each individual location. (see pages 28, 29, 30, 96, 111, 146).</td>
<td>N/A - This project is not located near any of the listed areas.</td>
</tr>
<tr>
<td>h. Is the project located near a designated &quot;Gateway Area&quot;? Is it a mixed use? Page 26</td>
<td>N/A - This project is not located near a designated &quot;Gateway Area.&quot;</td>
</tr>
</tbody>
</table>

*These are just examples of policies considered in the development review process. It is the responsibility of the applicant to make sure that the proposed project complies with all relevant City policies and regulations.*
<table>
<thead>
<tr>
<th>ITEMS</th>
<th>COMMENTS: (If applicable, state how issue was addressed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. LAND USE (cont.):</td>
<td></td>
</tr>
<tr>
<td>i. Discourage strip commercial developments and free standing pads except where expressly permitted. Page 29</td>
<td>N/A - There are no commercial elements in this project.</td>
</tr>
<tr>
<td>2. TRANSPORTATION:</td>
<td></td>
</tr>
<tr>
<td>a. Provide service coordination that can ensure that transportation services connect as efficiently as possible, minimizing wait times. Page 62</td>
<td>As previously stated, development is directly adjacent to the Major Arterial, Bell Road</td>
</tr>
<tr>
<td>b. Bicycle &amp; pedestrian facilities should be incorporated into the planning, design and operation of transportation systems. Page 62</td>
<td>Bicycle lanes are proposed in the street system and pedestrian trails will be located throughout the development.</td>
</tr>
<tr>
<td>c. Require pedestrian circulation plans to be submitted, along with vehicular circulation plans, as part of the review process. Page 63</td>
<td>Overall Circulation plans have been included in the Bell Pointe I P.A.D. document. Additional circulation plans will be required upon platting processes.</td>
</tr>
<tr>
<td>d. Encourage walkways near roads, but separate them from the curb whenever possible or provide a bike lane as a buffer. Page 63</td>
<td>Street cross-sections will be approved per with the City of Surprise requirements to provide safe, navigable roadways.</td>
</tr>
<tr>
<td>e. Provide adequate bicycle storage at all major employment centers, commercial centers, and transit centers. Page 63</td>
<td>N/A - There are no commercial elements in this project.</td>
</tr>
<tr>
<td>f. Promote the use of traffic calming techniques in pedestrian areas to make vehicular speed limits self-enforcing. All traffic calming techniques will be evaluated by and will require the approval of the City Engineer. Page 64</td>
<td>Street cross-sections will be approved per with the City of Surprise requirements to provide safe, navigable roadways.</td>
</tr>
<tr>
<td>3. ECONOMIC DEVELOPMENT:</td>
<td></td>
</tr>
<tr>
<td>a. Avoid placing non-compatible uses adjacent to designated employment and commercial areas that will make future development of these uses difficult/unappealing (e.g. sf homes abutting a business park without buffering). Page 94</td>
<td>The entire development incorporates well-blended residential uses.</td>
</tr>
<tr>
<td>b. Maintain employment and commercial related land uses as prescribed in each Special Planning Area. Page 96</td>
<td>N/A - There are no commercial elements in this project.</td>
</tr>
<tr>
<td>ITEMS</td>
<td>COMMENTS: (If applicable, state how issue was addressed)</td>
</tr>
<tr>
<td>-------</td>
<td>--------------------------------------------------------</td>
</tr>
<tr>
<td>4. HOUSING:</td>
<td>The proposed development will contain trail systems linking the residential subdivisions. Clustering of residences is utilized to minimize the overall effect on the natural environment.</td>
</tr>
<tr>
<td>a. Locate residential areas that are appropriately sited and protected from incompatible uses yet integrated through both pedestrian and vehicular linkages. Appropriately site these areas with minimal adverse impact on the natural environment. Page 99</td>
<td></td>
</tr>
<tr>
<td>b. New developments within or next to existing residential areas should enhance or contribute to the character or qualities of that area. Page 99</td>
<td>The proposed development will compliment the adjacent Arizona Traditions development. However, the developments will not be connected, as the Arizona Traditions Development is a gated community. Local streets will also provide sidewalks separated from the roadways to promote safe, pleasurable pedestrian travel.</td>
</tr>
<tr>
<td>c. Encourage developers to cooperate and communicate with residents and homeowners' associations during the development review process prior to the official public hearings. Page 99 (Refer to Citizen Participation Ordinance).</td>
<td>A neighborhood meeting was held with neighboring property owners to discuss the project pursuant to the recently adopted Community Outreach ordinance.</td>
</tr>
<tr>
<td>d. Housing developments should be adequately provided with community facilities and services. Desirable community facilities and services include: parks with tot lots, benches, larger retention areas with ramada's, shade trees etc. Page 99</td>
<td>The Bell Pointe I project will contain a trail system with shade trees, active recreation areas, ramada with benches and picnic tables, turf play areas, and a tot-lot.</td>
</tr>
<tr>
<td>e. Promote the following qualities: durable materials in construction that are compatible with the area's climatic and energy factors, encourage exterior detail and positive site-design features, utilization of open spaces, creation of a pedestrian environment, buffers between density transitions, minimize through or overflow vehicular traffic. Page 99</td>
<td>Large open space buffers are utilized which include pedestrian trails. Collector streets will also provide sidewalks separated from the roadways to promote safe, pleasurable pedestrian travel. The internal street configuration dissuades cut-through vehicle traffic.</td>
</tr>
</tbody>
</table>
5. OPEN SPACE AND RECREATION:
   a. Define a park as a tract of land that contains a mix of active and passive recreation facilities potentially including tot lots, defined and improved play field and/or sport court areas, and picnic/seating/shade areas that are landscaped/hardscaped in a pleasing manner. Parks should generally be located in the center of their service area and can be developed jointly with schools & serve as retention basins for storm water. Page 109

<p>| | There are two designated active open space areas proposed which will include items such as: shade trees, barbeque, ramada with benches and picnic tables, turf play areas, and a tot-lot. |</p>
<table>
<thead>
<tr>
<th>ITEMS</th>
<th>COMMENTS: (If applicable, state how issue was addressed)</th>
</tr>
</thead>
<tbody>
<tr>
<td>5. OPEN SPACE AND RECREATION (cont.):</td>
<td>Over 11 acres of open space is included in the Bell Pointe I project. The projected population of this project is approximately 1239 residents. The Bell Pointe I project exceeds the standard.</td>
</tr>
<tr>
<td>b. Strive to achieve an open space standard of six acres per 1000 residents. Establish a standard of six acres of parkland per 1000 population. Pages 109 &amp; 111.</td>
<td>An urban park site of approximately 120 acres is proposed to the south of the Bell Pointe I Development.</td>
</tr>
<tr>
<td>c. Review the Open Space and Recreation Element in the city's consideration of development proposals to determine the need for new parks and their requirements generated by the proposed project. Page 109</td>
<td>The Bell Pointe I Development has a net acreage of approximately 74 acres. This project includes a minimum of 15% of total open space.</td>
</tr>
<tr>
<td>d. Increase the amount of park and open space identified in the city's development agreements to total 13 percent (equally divided between parks &amp; open space areas) of the net project area. Page 109</td>
<td>The open space amenities will be developed in the first phase of the Bell Pointe I Development.</td>
</tr>
<tr>
<td>e. Neighborhood or school parks proposed as an amenity in a subdivision shall be developed in conjunction with the first phase. Page 110</td>
<td>N/A - There are no natural washes traversing the site.</td>
</tr>
<tr>
<td>f. Utilize natural washes as part of the trail system. Protect 10% slope areas and Palo Verde-Saguaro vegetation areas as open space. Page 111 for both.</td>
<td>N/A - There are no ridge/crestline, steep-sloped (more than 10%) or Palo Verde-Saguaro vegetation areas within the site.</td>
</tr>
<tr>
<td>g. Protect ridge/crestline, steep-sloped (more than 10%) and Palo Verde-Saguaro vegetation areas as open space through the use of density transfer or purchase of development rights, acquisition, donation, or other acceptable methods. Page 111</td>
<td>N/A - There are no 100-year floodplains within the site.</td>
</tr>
<tr>
<td>h. Discourage development within 100-year floodplains, encourage dedication of a continuous 25 foot min. setback on both sides. Development within 100 feet of floodplains will require a hydrology study to determine setbacks greater than 25 feet. Page 111</td>
<td></td>
</tr>
<tr>
<td>ITEMS</td>
<td>COMMENTS:</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------</td>
</tr>
<tr>
<td>5. OPEN SPACE AND RECREATION (cont.):</td>
<td>N/A - There are no natural drainage channels within the site.</td>
</tr>
<tr>
<td>i. Ensure that natural drainage channels are protected and used as a</td>
<td></td>
</tr>
<tr>
<td>connected trails system to link open space, parks, schools etc.</td>
<td></td>
</tr>
<tr>
<td>Page 111</td>
<td></td>
</tr>
<tr>
<td>j. Development near floodplains (i.e. within 100 feet) will require</td>
<td>N/A - There are no floodplains within the site.</td>
</tr>
<tr>
<td>a hydrology study to determine appropriate setbacks greater than</td>
<td></td>
</tr>
<tr>
<td>25 feet. Page 111</td>
<td></td>
</tr>
<tr>
<td>6. PUBLIC SERVICES/COST OF DEVELOPMENT:</td>
<td>Drainage facilities will be constructed by the developer of the Bell</td>
</tr>
<tr>
<td>a. Require developers to construct and pay for drainage facilities</td>
<td>Pointe I project.</td>
</tr>
<tr>
<td>when their need precedes or exceeds the need of the city. Page</td>
<td></td>
</tr>
<tr>
<td>122</td>
<td></td>
</tr>
<tr>
<td>b. Ensure that major drainage channels are designed to convey the</td>
<td>The drainage and retention facilities will be designed to the City of</td>
</tr>
<tr>
<td>100-year storm, that local streets can accommodate a 10-year</td>
<td>Surprise standards.</td>
</tr>
<tr>
<td>storm, that collector streets can carry 10-year storm flows</td>
<td></td>
</tr>
<tr>
<td>between curbs, and 50-year storm flows between property lines.</td>
<td></td>
</tr>
<tr>
<td>Ensure that arterials and major arterials are designed to carry</td>
<td></td>
</tr>
<tr>
<td>10-year storm flows with one dry lane in each direction, and that</td>
<td></td>
</tr>
<tr>
<td>retention/detention basins on all new developments can store</td>
<td></td>
</tr>
<tr>
<td>water from a 100-year 2-hour storm event. Page 122, #s 7 thru 11.</td>
<td></td>
</tr>
<tr>
<td>c. Require private developers to install all public utilities &amp;</td>
<td>Drainage facilities will be constructed by the developer of the Bell</td>
</tr>
<tr>
<td>facilities to state and municipal standards, as required. Page</td>
<td>Pointe I project.</td>
</tr>
<tr>
<td>123</td>
<td>The drainage and retention facilities will be designed to the City of</td>
</tr>
<tr>
<td>d. When evaluating the development proposal, all indirect costs</td>
<td>Surprise standards.</td>
</tr>
<tr>
<td>shall be considered (e.g. recreation programs, public safety).</td>
<td></td>
</tr>
<tr>
<td>Page 124</td>
<td>N/A - Costs for development are considered within standard development</td>
</tr>
<tr>
<td>e. All developers requesting project approval must work with the</td>
<td>impact fees.</td>
</tr>
<tr>
<td>local school district to determine impact on the school system</td>
<td></td>
</tr>
<tr>
<td>and strategies to address impact. Page 125</td>
<td></td>
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<td></td>
<td></td>
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<td>---</td>
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</tr>
<tr>
<td>f. Channel growth in areas that have existing infrastructure. Page 125</td>
<td>The Bell Pointe I project intends to utilize existing infrastructure that is adjacent to the site.</td>
</tr>
<tr>
<td>ITEMS</td>
<td>COMMENTS: (If applicable, state how issue was addressed)</td>
</tr>
<tr>
<td>-------</td>
<td>--------------------------------------------------------</td>
</tr>
<tr>
<td>7. ENVIRONMENTAL PLANNING/WATER RESOURCES:</td>
<td></td>
</tr>
<tr>
<td>a. Require development to provide the equivalent of 3,000 gallons per minute of well capacity and a 1,000,000-gallon water supply facility for every square mile of land developed. Page 143</td>
<td>The project is within the Citizens Utilities Service Area. A will serve letter will be required upon the platting process.</td>
</tr>
<tr>
<td>b. Utilize tank farm water supply facilities wherever possible. They will have multiple storage tanks and service large pressure zone defined areas. Page 143</td>
<td>N/A - Citizens Utilities is the designated water provider.</td>
</tr>
<tr>
<td>c. Require sixteen-inch and larger &quot;plant-to-plant&quot; water lines that connect the common water supply facilities in a defined service area. This provides the ability to serve uninterrupted water throughout an entire service area even when one or more facilities is out of service. Require 12-inch &quot;looping&quot; water lines that provide multiple paths of water flow to ensure continuous pressured service during heavy demand and emergency conditions. Page 143, #'s 11 &amp; 12</td>
<td>The developer of the Bell Pointe I will design and build all on-site and off-site water lines will be designed and constructed per the Citizens Utility Engineering Department Standards.</td>
</tr>
<tr>
<td>d. Ensure that all roadways are paved and maintained to reduce particulates in the air. Page 143</td>
<td>All streets in the Bell Pointe I project will be paved to the City of Surprise standards and maintained by the City.</td>
</tr>
<tr>
<td>e. Avoid development in flood prone areas and limit grading practices that contribute to flooding and erosion. Page 144</td>
<td>N/A - There are no floodplains within the site.</td>
</tr>
<tr>
<td>f. Encourage water conservation in all new development through the utilization of drought tolerant plant materials, efficient irrigation system (drip/low flow), and through water conserving fixtures in all new residential and commercial construction. Page 144</td>
<td>The landscaping of the Bell Pointe I project will contain drought tolerant plants and drip irrigation.</td>
</tr>
<tr>
<td>g. Ensure noise mitigation along all high-volume roadways (e.g., SR 303, Grand Avenue, Sun Valley Parkway). Page 146</td>
<td>The proposed development is utilizing a significant buffer along Bell Road/Sun Valley Parkway.</td>
</tr>
</tbody>
</table>
Kerry William Rose

January 17, 2002

VIA FAXSIMILE

Mr. Scott Phillips
Planning Manager
CITY OF SURPRISE
12425 West Bell Road, Suite D-100
Surprise, AZ 85374

Re: Proposed Bell Pointe II P.A.D. MDR Project
Planned Area Development PAD 01-013
Zoning Processing/P & Z Commission Workshop Presentation

Dear Scott:

The above-referenced case has been under review and processing for P.A.D. MDR zoning since it was submitted on February 7, 2001. It has been brought to my attention that the Planning and Zoning Commission has requested that the zoning case for my Bell Pointe II parcels be jointly presented at a P&Z workshop that has been scheduled for January 22, 2002. I understand that this special workshop has been scheduled for the commissioners to better understand the proposed MDR Residential Cluster uses being proposed for the adjacent 79-acre Bell Pointe I property and also for my 27-acre Bell Pointe II project.

While my separate 27 acres have been land planned to reflect similar MDR land uses and to blend in with the projected lot and road design of Bell Pointe I, we are still finalizing the type of cluster housing designs that I want to have reflected in my project. I anticipate submitting my zoning narrative/P.A.D. Plan package for presentation to the P&Z Commission in the very near future.

My intent is to structure my land use design, Zoning Narrative and my P.A.D. MDR Development Plan to mirror the MDR design guideline format established by the Community Development Department for the Bell Pointe I development. I do not have a problem with the Bell Pointe I zoning case moving forward, provided that:

P. O. Box 15681, Phoenix, Arizona 85060
Telephone (602) 956-5389 Facsimile (602) 224-0805
Mr. Scott Phillips  
January 17, 2002  
Page 2

(i) The landowner and applicant for Bell Pointe I deliver to the City and to me written confirmation that they are in support of my MDR proposal at 5-8 DU/AC.

(ii) The planning staff, the P&Z Commission and, ultimately, the City ensure that public access as shown on the Bell Pointe I plans is available to my 19.5-acre and 7.5-acre parcels;

(iii) The collector street that borders the west side of my 19.5-acre parcel will be in the location shown on the Bell Pointe I plans, with a 30-foot half street on the western border of my 19.5-acre parcel, and with the collector street providing access to my 7.5-acre parcel at its southern boundary; and

(iv) The 20-foot emergency access on the eastern boundary of my 19.5-acre parcel, if required, as shown on the Bell Pointe I plans:

(a) be allowed to also be utilized by me for open space and/or trail (if a trail or open space are required); and/or

(b) be allowed to be moved by me elsewhere on my property or other surrounding property by using future internal residential streets.

I trust that this letter clarifies my position on the above-referenced zoning case. If you have any questions or points of clarification, please give me a call.

Sincerely,

Kerry William Rose

cc: Mr. Gary R. Claybaugh  
Vice President  
LANDMARK ENGINEERING, INC.  
7310 North 16th Street, Suite 285  
Phoenix, AZ 85020
Memorandum

To: Grant Penland

From: Doug Helbig, Fire Marshal

CC: File

Date: January 30, 2002

Re: Bell Pointe I (PAD 01-012)

The fire department has no objection to the Bell Pointe I PAD 01-012 project from going forward as agreed. However, as a matter of clarification, the fire department does not in agreement, at this time, to include a means of secondary access for AZ Traditions through the Bell Pointe I project.

Thank you.

Doug Helbig
October 30, 2001

David Mline
Davis Allen, Ltd.
Cavalier/Evergreen Group LLC
914 164th SE #12
Mill Creek, WA 98012

Dear David:

This letter will serve to document that notice of the Neighborhood Meeting for the Bell Pointe I Project hearing was posted at the Arizona Traditions Community Center. This meeting took place in the Travel Class Room at the Community Center on 10/23/01 at 1:00 p.m.

Sincerely,

[Signature]

John Lockett
Vice President
Active Adult Operations

JFL/jib
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BELL POINTE I

1.0 PROJECT INTRODUCTION

This is a formal request to seek zoning and to develop a master planned community to be known as BELL POINTE I. The community will be developed on five (5) contiguous land parcels in the western portion of the City of Surprise (the "City"). BELL POINTE I consists of approximately seventy-nine (79) acres and is located on the north side of Bell Road and on the west side of the Beardsley Canal (the "Site"). The Site is located within the planning area of the City. The property is presently zoned R1-43 in the City.

1.1 ZONING REQUEST

This Zoning Compliance Narrative ("Narrative Book") and the attached Conceptual P.A.D. Development Plan ("Land Use Zoning Plan") are the two major elements of our zoning request seeking to change the Site's R1-43 zoning to Planned Area Development (P.A.D) under a Medium Density Residential (MDR) designation. The Narrative Book and the Land Use Zoning Plan for BELL POINTE I have been prepared to reflect the PAD MDR zoning designation and development guidelines that the developer and homebuilders will comply with when building this master planned community. This development will be constructed as a medium density residential community that is characteristic of the single-family and multi-family uses the City is striving to bring to this area under General Plan 2020. The Land Use Zoning Plan is shown in Section 4.1.

The City of Surprise General Plan 2020 ("2020 Plan") depicts the Site with a MDR land use area. This MDR use allows development to occur within a range of density of five (5) to eight (8) dwelling units per acre (du/ac) with a target density of 6.5 du/ac.

1.2 PROJECT SUMMARY

The proposed BELL POINTE I community is a unique blending of potentially three different types of detached cluster homes to be built under the MDR zoning classification. These blended uses offer housing design variety in one small master planned community with all residential development inter-connected with an extensive trail system. This trail system gives the ability to safely move between the individual subdivisions to the various active recreation areas. It also allows the residents to access the expanding trails systems being planned and designed within the western portions of the City of Surprise. The proposed BELL POINTE I community will include:

- Three (3) Medium Density Residential (MDR) single-family cluster subdivisions with gross densities that range from 5.0 to 5.5 residential du/ac. The overall gross density is projected to be 5.2 du/ac.
- Two (2) internal active recreation areas and numerous contiguous open space corridors.
- Pedestrian and bicycle trails in each residential subdivision connecting to a master Development Trail System with access to the active recreation areas;
- A unique emergency access and pedestrian bicycle trail beginning at Bell Road and interconnecting the internal streets with the Development Trail System.
- A third active recreation corridor consisting of a unique jogging and cardiovascular exercise trail along the full length of the western side of the community with access to the City of Surprise Pedestrian Trail System.
Landmark Engineering, Inc. ("LEI") has teamed up with the property Managing Partner to land plan the project, provide zoning coordination, and to design and engineer BELL POINTE I. This residential cluster development will create a wonderful living environment featuring landscaped open space and a trail system inter-linking the overall project. The landscaping will include theme walls, a lush master open space entry into the community, a development trail system and diverse active recreation areas. These integrated, private open space/retention areas and the master open space are approximately 3.5 percent of the overall development. An additional approximate 11.5 percent of private open space/retention areas are projected to be developed within the three (3) residential subdivisions proposed for the community. The overall open space areas represent approximately 15 percent of the land area of the Site.

The designated open space tracts will be dedicated and maintained by a master homeowners association (the "HOA"). A Conceptual Landscape Plan is shown in Section 11.8 and the Open Space, Trail System, Active Recreation Area Exhibit is shown in Section 6.5.

In addition, BELL POINTE I will provide the cluster home building community with the opportunity to showcase their homes on a minimum of three (3) different lot configurations with open space courtyards. Each model type will have a variety of elevations, rooflines and colors. This variety of lots, homes, and elevations will create diversity within the Site, and add to the character of this development as well as the existing and proposed neighboring subdivisions in Arizona Traditions to the east.
1.3 PROJECT TEAM

MANAGING PARTNERSHIP

Bell Pointe I L.L.C.

Attn: David Milne, Project Manager
914 164th Street, S.E., Suite 112
Mill Creek, Washington 98012
(425) 771-5300
503-75-046 [Parcels E, M & Q]
502-01-005 [Parcels L & N]

ENGINEER/PLANNING

Landmark Engineering, Inc.
Contact: Gary R. Claybaugh
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Phoenix, Arizona 85020
(602) 861-2005

SURVEYOR

United Engineering Group
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(480) 705-5372

ATTORNEY

Earl, Curley & Lagarde, P.C.
Contact: Michael Curley
3101 North Central Avenue, Suite 100
Phoenix, Arizona 85012
(602) 265-0094

LANDSCAPE ARCHITECT

Pinnacle Design
Contact: Bill Francis
4343 East Camelback Road
Phoenix, Arizona 85018
(602) 952-8585

1.4 LOCATION OF THE PROJECT

The physical location of BELL POINTE I development is shown on a Project Location Map presented on page 4.
2.0 PROPERTY DESCRIPTION

BELL POINTE I is a proposed master planned residential community consisting of approximately 79 acres, located on the north side of Bell Road, west of the Beardsley Canal. The property is located within the city limits of Surprise. A description of the Site, its conditions, and the surrounding area are presented in the following sections.

2.1 LEGAL DESCRIPTION

The proposed master planned community is comprised of approximately five (5) contiguous parcels of land. These parcels are located in portions of Section 34, Township 4 North, Range 2 West; G&SRB&M; Maricopa County, Arizona. The Site is located on the north side of Bell Road and west of the Beardsley Canal in Surprise (Maricopa County), Arizona. Legal descriptions for the five parcels are included with this report as Appendix "A". A map showing the project location and the area around the Site is presented in Section 1.4.

2.2 MANAGING PARTNERSHIP

The approximate 79 acres contained in the Site will be owned and developed by Bell Pointe I L.L.C. This portion of the project consists of the following parcels:

503-75-046 [Parcels E, M & Q]
502-01-005 [Parcels L & N]

2.3 CONTROL

The development of BELL POINTE I is under the control of the Project Manager of Bell Pointe I L.L.C., Mr. David Milne (the "Project Manager").

2.4 APPLICANT'S INTEREST

BELL POINTE I is located in a fast developing area within the incorporated city limits of the western portion of Surprise, Arizona. Based on the proposed and existing residential developments to the east and south of the Site, this overall area of the city is projected to experience substantial new growth of diverse residential communities. The applicant (i.e., the Project Manager) is interested in developing a single-family cluster oriented master planned community under the Planned Area Development Zone P.A.D. District of the City of Surprise Municipal Code; Section 17.28.140 (the "Municipal Code").
BELL POINTE I

2.5 AREA DESCRIPTION

The existing land use within a half mile radius of the Site may be characterized as a mixture of newly platted master planned communities, existing residential uses, and undeveloped land.

North: The Site is bound on the north by Trilby Wash and an earthen levee. The land further north is undeveloped.

East: The southeastern portion of the Site abuts the Beardsley Canal. The land use east of the Beardsley Canal is a small commercial type of development. The land to the east of this small development is the Arizona Traditions residential development. The remaining northeastern portion of the Site is adjacent to a future development phase of Arizona Traditions.

South: The Site fronts to the south by Bell Road, a four-lane paved road. The adjoining property to the south is an undeveloped parcel of land owned by the Maricopa Water District. The land parcel to the southeast is a future development phase of an approved PAD zoned development named Surprise Farms. This development is approved for 7,000 homes.

West: The Site is immediately bound on the west by Trilby Wash and an earthen levee. The land further west is undeveloped.

2.6 EXISTING SITE CONDITIONS

The Site contains a total acreage of approximately 79 gross acres. The Site is undeveloped desert. The Site is presently zoned R1-43, Single Family Residential Zone.

2.6.1 Topographic Contours

The Site is undeveloped desert that gently slopes to the east, southeast. The high point of the Site is along the western property line of the Site at approximately 1,339 feet above mean sea level (MSL). The low point of the Site, the southeast corner adjacent to the Beardsley Canal, is approximately 1,330 feet above MSL. Elevation and topographic information was derived from a Topographic Survey completed by Consulting Land Surveyors on January 7, 1998. Appendix B shows the topographic contours for the Site.

2.6.2 Vegetation and Wildlife

The Site has natural desert vegetation consisting of native grasses, scrubs and a few mesquite and Palo Verde trees. The Site does not contain any significant native vegetation, except a portion in the southeast corner along the Beardsley Canal near Bell Road. This area contains a large stand of desert trees and scrubs. The Site has minimal wildlife. The wildlife species most likely to be found on the Site include jackrabbits, skunks, coyotes, mourning doves, quail and songbirds. A copy of a Phase I Environmental Site Assessment covering the Site will be provided to the City.
2.6.3 Streams and Ponding Areas

The Site does not contain any natural washes or streams.

2.6.4 Existing Drainage Patterns

The Maricopa County, Arizona and Incorporated Areas Flood Insurance Rate Map (FIRM); Panel Numbers 04013C1140 F, effective date December 3, 1993, indicates that the Site falls within Flood Zone X. The Zone X designation means the Site is located in areas of 500-year flooding; and 100-year flooding with average depths less than one foot or with drainage areas less than one square mile; and areas protected by levees from 100-year flooding. Appendix C shows the location of the flood zone designation for the Site.

The Site is adjacent on the west to the Trilby Wash basin. The Site is separated from the Trilby Wash basin by an earthen levee.

Based on meetings with the City Engineering Department, a countywide storm water retention policy has been implemented and all new developments in this area are required to retain 100-year, 2-hour duration design storm on-site.

2.6.5 Private Irrigation System

The Beardsley Canal is located on the southeastern edge of the Site. It is owned and maintained by the Maricopa Water District (MWD). There are no other MWD delivery ditches or private irrigation systems on the Site.

2.6.6 Utilities

Water: The Site is located in the water service area of Citizens Water Resources (i.e., Citizens Utility). Citizens Utility is working with the Managing Partner to participate in the establishment of a loop water system that will serve the Site. The water lines for the Site will be designed to connect with the Citizens Utility water service in Bell Road and then loop with the proposed Citizens Utility water lines in Arizona Traditions. A Development Agreement between Citizens Utility and the Managing Partner will address the water service to BELL POINTE I. A copy of the agreement will be provided to the City upon its completion. A copy of the Preliminary Water Report is on file with the City of Surprise Engineering Department.

Sewer: The Site is located in the sewer collection system area of the City. It is anticipated that the existing 8-inch sewer line located on the north side of Bell Road at the southwest corner of Arizona Traditions will serve the Site. See Section 10.2 below for additional information on the finalization of sewer service to the Site. A copy of the Preliminary Sewer Report is on file with the City of Surprise Engineering Department.
BELL POINTE I

Electric: The Site is located in the service area of Arizona Public Service (APS). Electric service for the area containing the Site is being provided from overhead electric lines located in public utility easements along the north side of Bell Road. All electric service for this development will be underground.

Gas: The Site is located in an area serviced by Southwest Gas Company. There is a 4-inch gas distribution line in Bell Road. This gas line provides service to the immediate area of the Site. All gas service, if constructed for this development, will be underground.

Telephone: The Site is located in an area that is serviced by U.S. West Communications (Qwest). Telephone service in this area exists in Bell Road. All telephone service for this development will be underground.

Cable: The Site is not in an area presently serviced by a cable TV company. However, Cox Communications presently services the Arizona Traditions development to the east. Cox has stated that they intend to upgrade or extend service to the Site as the area develops. All cable service, if constructed for this development, will be underground.

2.7 LUKE AIR FORCE BASE NOISE LEVELS

No portion of the Site lies within the 1997 revised AICUZ noise contour lines. Additionally, no portion of the Site lies within any noise contour lines as defined by the 1988 MAG JLUS.
BELL POINTE I

3.0 PLANNING CONCEPTS & PHILOSOPHY

The Conceptual P.A.D. Development Plan for BELL POINTE I has been designed to follow certain planning concepts that have been established in the City of Surprise General Plan 2020. The Planning Concepts and Philosophy are addressed in the following sub-sections.

3.1 CONSISTENCY WITH THE CITY OF SURPRISE GENERAL PLAN

BELL POINTE I has been thoughtfully planned and engineered to be in compliance with the City of Surprise General Plan 2020 including Section 4.1.4 "Land Use Goals, Objective, and Policies". Several of the component areas of Section 4.1.4 are complemented by the proposed development.

These areas include:

Objective: Promote a compatible mix of land uses throughout the planning area.

COMPLIANCE BY BELL POINTE I

Policy 2: Major Activity Centers - The Site meets the intent of this policy with the location of this diverse residential development in close proximity to the new Surprise Center, the new downtown of the City of Surprise. In addition, the new spring training facility for the Cactus League is also nearby this new community. Both of these active centers are approximately five (5) miles to the east.

Development Activity Centers - In addition, within the development all three (3) Active Recreation Areas are linked to all residential subdivisions by both a Development Trail System as well as the connecting Neighborhood Trail System.

Buffering – Even though the land uses to the east and south are similar residential uses, the land use to the southeast is commercial in use. All three of the adjacent land uses have been buffered with a well landscaped open space corridor.

Policy 3: The Site is in compliance with the General Plan 2020 designated zoning of MDR as the overall land use for this area. In addition, the proposed diversity of residential land uses will reduce the overall density designated for this selected location.

Policy 4: The higher density residential land uses are located adjacent to Bell Road, a major arterial within the City of Surprise. This allows the traffic from the higher intense areas of this development to flow onto this arterial and not affect the residential neighborhoods in the balance of the project.

Objective: Practice comprehensive development master planning that evaluates areas and incorporates a mix of compatible land uses.

COMPLIANCE BY BELL POINTE I

Policy 2: The Site promotes clustering and is abutting the earthen levee of the Trilby Wash Basin. This allows the preservation and use of the area at the base of the levee. This development will coordinate with the Maricopa County Flood Control District to develop one of the first sections of the regional trail system in this area. At the same time this trail system area will be preserved as natural open space.
BELL POINTE I

Objective: Preserve the natural environment and scenic resources within the planning area by ensuring compatible development that protects environmentally sensitive areas.

COMPLIANCE BY BELL POINTE I

Policy 5: The Site is being developed with the encouragement of clustering to create and/or preserve natural open space. As stated in Policy 2 above, the preservation and use of the area at the base of the levee is vital to protecting environmentally sensitive areas. This use of this natural open space will promote openness within the housing developments.

Objective: Strengthen existing neighborhoods and ensure compatible development.

COMPLIANCE BY BELL POINTE I

Policy 2: The Site has been master planned to connect neighborhoods through a series of planned trails and functional open space. All residential subdivisions and the active recreation areas are connected and inter-linked by both a Development Trail System as well as the connecting Neighborhood Trail System.

3.2 DEVELOPMENT THEME AND VALUE TO COMMUNITY

BELL POINTE I has been created with a consistent project theme throughout the master planned community. This project theme has been planned to place this project in compliance with the City of Surprise General Plan 2020, specifically 4.9.4 "Community Design Goals, Objectives and Policies". This project will be in compliance with the following Objectives and Policies of Section 4.9.4.

Objective: To develop a comprehensive, thematic design theme for the City of Surprise.

COMPLIANCE BY BELL POINTE I

Policy 1: Section 5.0 of this Zoning Narrative outlines the adoption of comprehensive design guidelines for the detached single family homes in Bell Pointe I.

Objective: Regulate the appearance of the future built and revitalized environment through landscaping materials and their placement on private property, public rights-of-ways and facilities, and parks and open space.

COMPLIANCE BY BELL POINTE I

Policy 2: The Conceptual Landscaping Plan presented in Section 11.8 reflects signage and monumentation standards for both the primary and “emergency” entryway into this development. In addition, Section 9.5.1 of this Zoning Narrative outlines the specific streetscape design guidelines for the detached single-family homes in BELL POINTE I.
BELL POINTE I

Objective: Develop a well-designed graphic identity and incorporate this into a hierarchy of community gateways, activity nodes, and directional signage in the city.

COMPLIANCE BY BELL POINTE I

Policy 2: The Conceptual Landscaping Plan shown in Section 11.8 reflects a comprehensive signage/monumentation package for the primary and "emergency" entryway into this development and the active recreation areas.

Objective: Promote opportunities for social interaction through gathering places, non-vehicular circulation facilities, and linkages to parks, schools and public open space.

COMPLIANCE BY BELL POINTE I

Policy 2: A Trail Master Plan is presented in Section 6.5. In addition, the design of the trails is shown on the Conceptual Landscaping Plan in Section 11.8. Both reflect the opportunities for social interaction with the interconnection of the subdivisions within this master planned community.

3.3 PLANNING CONCEPTS FOR DEVELOPMENT

BELL POINTE I has been created to adhere to both the designated Medium Density Residential Land Use in the 2020 Plan and with the Single Family Residential Design Guidelines. The Developer will follow the housing design parameters of the new SFR Design Guidelines adopted under Ordinance No. 00-01 and will establish compliance parameters for the homes developed in this project. In addition, this MDR residential development will be developed following the lot and setback standards established in this Zoning Compliance Narrative Book.
BELL POINTE I

4.0 CONCEPTUAL P.A.D. DEVELOPMENT PLAN & LAND USE SUMMARY

The Conceptual P.A.D. Development Plan (Land Use Zoning Plan) for BELL POINTE I depicts the overall Site, describes the land use, recreational design and reflects the development intent of the project. The Land Use Zoning Plan includes:

- The three (3) land parcels of the Site are proposed to be build with types of residential cluster land uses designed to meet the overall intent of the 2020 Plan for the area containing the Site.

  - Approximately 19.0 acres of this community will be developed with a detached Auto Court cluster configuration with common useable open space at a gross density of 5.5 du/ac under a P.A.D. Medium Density Residential (MDR) designation. These homes will be developed to be in general compliance with the City of Surprise Single Family Residential Development Guidelines and the MDR zoning standards established by this Zoning Compliance Narrative Book. [Parcel 1].

  - Approximately 59.9 acres will be developed with 4-Pack and/or Zero Lot Line detached cluster homes having common useable open space at a gross density of 5.2 du/ac under a P.A.D. Medium Density Residential (MDR) designation. These homes will be developed to be in general compliance with the City of Surprise Single Family Residential Development Guidelines and the MDR zoning standards established by this Zoning Compliance Narrative Book. [Parcels 2A, 2B and 3]

The overall project containing 79 gross acres of three residential developments, a development trail system, and approximately fifteen (15) percent open space with two (2) active recreation areas will be developed with a gross density of 5.2 du/ac. Again, the 2020 Plan stipulates that the designated Medium Density Residential Land Use has a land use density of 5 to 8 du/ac.

4.1 CONCEPTUAL P.A.D. DEVELOPMENT PLAN

The Conceptual P.A.D. Development Plan for Bell Pointe I is presented on page 13.
4.2 EQUIVALENT RESIDENTIAL ZONING

The proposed residential uses for BELL POINTE I will be detached cluster residential dwelling units built in accordance with the approved Land Use Zoning Plan and to conform to the City’s MDR land use designation. The three (3) potential residential cluster uses will be designed and developed under the current Municipal Code Section 17.28.040 provisions for R1-5 and R-2 zoning designations, unless specifically amended.

Also, the proposed 4-Pack and the Zero Lot Line residential use will be designed and developed in general compliance with the City of Surprise Single Family Residential Design Guidelines ("SFR Design Guidelines") adopted on January 13, 2000, unless specifically amended (see Section 4.0).

The City’s R1-5 and R-2 zoning designations have been designated as the most equivalent zoning districts to the BELL POINTE I MDR land use category. The proposed land use designations are also in compliance with the MDR land use classification shown in the 2020 Plan. The zoning designations are as follows:

R1-5 = MDR (4-Pack and Zero Lot Line Detached Cluster)
R-2 = MDR (Detached Auto Court Cluster)

4.3 PARCEL USE AND DESCRIPTION

The following sections describe the type of residential use proposed for each land parcel.

4.3.1 Parcel 1 - Detached Auto Court Cluster

Parcel 1 is proposed to be developed as a combination single and two story residential cluster project. This parcel is located on Bell Road at the southeast corner of the overall development. It is also south and east of the 4-Pack detached subdivisions. Each detached residential unit in this Auto Court cluster subdivision has been designed with a variety of elevations combined with front or side, two car garages on a common courtyard driveway. The homes may be built with a “zero lot line”, but will maintain a minimum of five (5) feet of separation between the homes. In addition, use and benefit easements may be used to allow easier movement into the rear yards of all lots. The development has a small residential detached atmosphere with well placed open space and pocket parks. This project will also provide pedestrian access throughout the development to neighborhood and community amenities. This subdivision is designated on the Land Use Zoning Plan for this land use and is labeled as “Detached Auto Court Cluster”. This residential area is designed to provide a safe neighborhood for young families, single working people and active retirees.

4.3.2 Parcels 2A and 2B - 4-Pack Detached Cluster Lots

These parcels are proposed to be developed with the "streetscape" look of a more of a traditional single-family detached lot subdivision with multiple open space areas. However, the homes and the lots are designed to blend side entry and recessed entry, two car garages with shared common driveways. These subdivisions have been established on the western portion of the MDR area of the BELL POINTE I project. These two (2) sections of this land parcel have been designated on the Land Use Zoning Plan for this land use and are labeled as “4-Pack Clusters”. 

BELL POINTE I ~ P.A.D. MDR Zoning Compliance Narrative [Dated 01/25/02]
BELL POINTE I

The purpose of this area of the project is to provide a blending of a cluster development with a more traditional look of single family residential with larger back yards for new and growing families.

4.3.3 Parcel 3 - Detached Zero Lot Line Cluster

Parcel 3 is proposed to be developed as a combination single and two story residential cluster project. This parcel is located northeast of the 4-Pack detached subdivisions. This parcel again is proposed to be developed with the "streetscape" look of a more of a traditional single-family detached lot subdivision with multiple open space areas. The homes are to be designed to blend side entry, recessed and rear entry, two car garages. There are no shared common driveways in this portion of the development. The homes will be built with a "zero lot line", but the design of the adjacent homes allows that a minimum of five (5) feet of separation will be maintained between the homes. The development has a small residential detached atmosphere with well placed open space and pocket parks. This project will also provide pedestrian access throughout the development to neighborhood and community amenities. This land parcel has been designated on the Land Use Zoning Plan for this land use and is labeled as "Zero Lot Line Clusters".

The purpose of this area of the development is to again provide a blending of more traditional looking cluster development with larger back yards for new and growing families. In addition, an open space buffer will be placed adjacent to the future phase of the Arizona Traditions housing development that is contiguous to the northeastern portion of BELL POINTE I. These designated areas will be designed with the lots similar in size to the type of lots proposed in the Arizona Traditions.

4.4 LOT SIZE

The Land Use Zoning Plan for the Site has three (3) MDR residential development parcels. All parcels will be developed under the standards established in this Zoning Compliance Narrative Book, and also being in general conformance with the Design Guidelines. The Land Use Plan for the Site reflects that the cluster subdivisions will have a set minimum lot width with the potential for four (4) different lot widths within the residential subdivisions. All subdivisions will be developed under the standards designated in Section 4.0 of this Zoning Compliance Narrative Book. The use of varying lot widths will provide a mix of the types of homes to be built. The P.A.D. MDR designated lots will have a lot depth that varies from 90 feet to 110 feet. The P.A.D. MDR lot widths will be 40 to 52 feet.
4.4.1 Lot Data Table

<table>
<thead>
<tr>
<th>PARCEL</th>
<th>CONCEPTUAL YIELD (DWELLING UNITS)</th>
<th>TYPE OF DWELLING UNIT</th>
<th>MINIMUM LOT SIZE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>104</td>
<td>Auto Court Detached Cluster</td>
<td>40'/50' x 90'</td>
</tr>
<tr>
<td>2A</td>
<td>98</td>
<td>4-Pack Detached Cluster</td>
<td>45' x 105'; 50' x 105'</td>
</tr>
<tr>
<td>2B</td>
<td>73</td>
<td>4-Pack Detached Cluster</td>
<td>45' x 100'; 50' x 100'</td>
</tr>
<tr>
<td>3</td>
<td>138</td>
<td>Zero Lot Line Detached Cluster</td>
<td>52' x 105'/110'</td>
</tr>
<tr>
<td>TOTAL</td>
<td>413</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

4.5 DENSITY

The Land Use Zoning Plan proposed that the gross density of the overall MDR zoning area of BELL POINTE I will be **5.2 residential du/ac**.

The gross density of the Detached Auto Court Cluster portion of this development will be **5.5 residential du/ac**. The gross density of the Single-Family Cluster portion of this project will be **5.2 residential du/ac**.

4.6 LAND USE ZONING PLAN RECAP TABLE

<table>
<thead>
<tr>
<th>PARCEL</th>
<th>LAND USE TYPE</th>
<th>GROSS ACREAGE</th>
<th>GROSS DENSITY</th>
<th>PROPOSED DWELLING UNITS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Medium Density Residential</td>
<td>19.0</td>
<td>5.5</td>
<td>104</td>
</tr>
<tr>
<td>2A</td>
<td>Medium Density Residential</td>
<td>19.6</td>
<td>5.0</td>
<td>98</td>
</tr>
<tr>
<td>2B</td>
<td>Medium Density Residential</td>
<td>14.3</td>
<td>5.1</td>
<td>73</td>
</tr>
<tr>
<td>3</td>
<td>Medium Density Residential</td>
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<td>5.3</td>
<td>138</td>
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<tr>
<td>TOTAL</td>
<td></td>
<td><strong>78.9</strong></td>
<td><strong>5.2</strong></td>
<td><strong>413</strong></td>
</tr>
</tbody>
</table>
4.7 DEVELOPMENT DIVERSITY

The various sub-sections of Section 4.0 depict the three (3) proposed types of P.A.D. MDR detached Residential Cluster uses for BELL POINTE I. This section and the proposed Conceptual P.A.D. Development Plan propose that certain parcels will be developed with a particular designated Residential Cluster use. The design requirements and setback criteria for each proposed Residential Cluster use is specifically outlined in Section 7.0.

In order to provide flexibility to the homebuilding community the ability to offer development diversity in Bell Pointe I is paramount and warranted. As long as the cluster design requirements and parameters established by the acceptance of this Zoning Compliance Narrative Book are met for a designated Land Parcel in Bell Pointe I, any of the three (3) proposed types of Residential Cluster uses may be built on that Land Parcel. In addition, a similar Residential Cluster use may be substituted for the three (3) proposed types of Residential Cluster uses, if the proposed use meets all cluster design requirements and parameters established by the acceptance of this Zoning Compliance Narrative Book.

- Either of these proposed variations in Residential Cluster land use will only be allowed through administrative approval of the Community Development Director.
5.0 RIGHTS-OF WAY AND ACCESS

The following sections outline the rights-of-way and access design issues for BELL POINTE I.

5.1 ROAD CIRCULATION

Bell Road provides primary access to BELL POINTE I. This residential development will be primarily served by a 60-foot right-of-way in the north-central portion of this master planned community. In addition, a unique 50-foot wide open space tract with a 20-foot wide emergency access roadway will also provide each subdivision in this development with secondary, emergency access. A summary of each road is presented in the sections below.

5.1.1 Arterial Street

Bell Road, the southern arterial street of this project, is a public right-of-way. Bell Road has been established as a major arterial road with a 130-foot right-of-way in the 2020 Plan or Engineering Department guidelines. This public street will be designed to meet the approvals of the City of Surprise Engineering Department and the Fire Department. A Street Design Plan is attached in Section 5.4 below.

5.1.2 Collector Streets

Based on discussions with the Surprise Engineering Department, the collector road for this development will be designed as a split 80-foot entry right-of-way with an entry median that transitions to a 60-foot right-of-way in the north-central portion of this master planned community. This proposed collector would be a landscaped 2-lane road with center turn lane. This road will be designed with an off-street parking roundabout that transitions to a 50-foot right-of-way that serves Parcel 3 and an adjacent residential subdivision in Bell Pointe II. Both of these public streets will be designed to meet the approvals of the City of Surprise Engineering Department and the Fire Department. A Street Design Plan is attached in Section 5.4 below.

5.2 CITY OF SURPRISE NEW STREET CROSS-SECTIONS

The subdivisions proposed to be built in BELL POINTE I will be designed based on new street cross sections that promote tree-lined roadways. Two street rights-of-way, one public and one private, are proposed to be utilized in the design of this development. Both of these new rights-of-way will be designed to following the new design standards that are being finalized by the City of Surprise Engineering Department. Section 5.4 below reflects these new street cross-sections. The following sections outlined the types of road proposed to be built in this development.
5.2.1 Auto Court Cluster Residential Streets

All internal residential streets in the Auto Court Detached Cluster Subdivision are to be designed with the flexibility to be either public or private streets. Either street cross-section that is to be utilized will be designed to the designated design parameters set aside in Street Design Plan presented in Section 5.4, as approved by the City of Surprise Engineering Department and the Fire Department during the Preliminary Plat review of this development.

5.2.2 Detached Cluster Streets

All internal residential streets in the 4-Pack Detached Cluster Subdivisions are to be designed with the flexibility to be either public or private streets. Either street cross-section that is to be utilized will be designed to the designated design parameters set aside in the Street Design Plan presented in Section 5.4, as approved by the City of Surprise Engineering Department and the Fire Department during the Preliminary Plat review of this development.

5.2.3 Zero Lot Line Detached Cluster Streets

All internal residential streets in the Zero Lot Line Detached Cluster Subdivision are to be designed with the flexibility to be either public or private streets. Either street cross-section that is to be utilized will be designed to the designated design parameters set aside in the Street Design Plan presented in Section 5.4, as approved by the City of Surprise Engineering Department and the Fire Department during the Preliminary Plat review of this development.

5.3 EMERGENCY ACCESS

A unique 20-foot wide emergency access/trail system and roadway surrounded by a 50-foot wide open space tract will also provide each subdivision in this development with secondary, emergency access. The Emergency Access Roadway will connect to existing residential streets and will designed with the flexibility to be approved with optional surfaces (i.e., all or portions of asphalt and decomposed granite or rock). The roadway will also be designed to meet the approvals of the City of Surprise Engineering Department and the Fire Department. It will be placed at the southeast corner of the Site, connecting Parcel 1 to Bell Road, and will also serve as a multi-purpose trail for Bell Pointe I. The proposed cross-section is shown in the Street Design Plan presented in Section 5.4.

5.4 TYPICAL STREET/EMERGENCY ROADWAY SECTIONS

The typical street and emergency access roadway cross-sections are presented on the next page.
5.5 TRAFFIC ANALYSIS

A traffic study is currently being prepared for the City for the Site. Based on discussions with the City of Surprise Engineering Department, the traffic study will be submitted to the Engineering Department with the Preliminary Plat for the BELL POINTE I project.

5.6 BELL ROAD IMPROVEMENTS

The possible need for other improvements to the existing Bell Road right-of-way along the frontage of Bell Pointe I has not been established. These possible additional improvements may include a left turn lane from eastbound Bell Road and a deceleration lane for westbound Bell Road. Based on the Traffic Study referenced in Section 5.3 above, and the City Engineering Department’s requirements, the need for any additional Bell Road improvement will be determined.

5.7 TRAFFIC SIGNAL

The need for a future traffic signal at the intersection of Bell Road and the Bell Pointe I entry road has not been established. Based on the Traffic Study referenced in Section 5.3 above, and the City Engineering Department’s requirements, the need for a traffic signal will be determined.

5.8 BUS BAYS

Public bus routes have not been established for the portion of the City containing the BELL POINTE I development. Therefore, bus bays will not be included as part of the public facilities provided within BELL POINTE I.

5.9 TEMPORARY ROUNDABOUT

A temporary roundabout will be proposed for the northern portion of Phase 1 of this development. This roundabout will be aligned between Parcels 1 and 2A and 2B at the northwest corner of Parcel 1. This traffic feature will provide full access to all proposed residential units in the first phase of this development.
6.0 OPEN SPACE, RECREATION AND TRAILS

The following sections review the amenities that are being proposed for BELL POINTE I.

6.1 OPEN SPACE DESIGNATIONS

The BELL POINTE I Master Planned Community will have two (2) separately delineated, but fully integrated, open space areas. They are designated as the Master Open Space and the Residential Open Space. Each of these open space areas and their components will be outlined below.

The developer will create and record a set of Covenants, Conditions, and Restrictions (CC&R's) establishing a master homeowners association (the "HOA") which will be responsible for the maintenance of the landscaping of the open space areas and designated rights-of-ways. The HOA will be created by the developer and governed by a recorded set of CC&R's.

6.2 MASTER OPEN SPACE AND TRAILS

The Master Open Space is a continuous common open space that links the three (3) residential land parcels in three primary locations. The Master Open Space contains approximately 5.3 acres utilized for pedestrian and bicycle trails, active recreation and surface water retention areas. This Master Open Space is shown in Cross-Section form on the Conceptual Landscape Plan in Section 11.8 and on the Open Space, Trail System, Active Recreation Area Exhibit in Section 6.5.

The following six (6) sub-sections outline the various features of the Master Open Space.

6.2.1 Entry Feature Open Space

A wide, entry corridor of landscaping will be provided along the frontage of Bell Road. This corridor will be staggered and will vary from approximately 35 feet to 65 feet wide along the frontage of this arterial street serving this development.

A landscaped entry median will be located within the right-of-way of the entry collector road into the development. These entry design features are presented in the Conceptual Landscape Plan shown in Section 11.8.

6.2.2 Surface Water Retention Areas

Additional areas within the Master Open Space will be part of an integrated retention basin design that will handle the surface water retention for the development as a whole. These retention basins will be sized for a 100-year, 2-hour storm. These common areas may also be utilized for recreation purposes and pedestrian access.
6.2.3 Active Open Space

There are two (2) proposed common area open space tracts that have been designed to provide additional active recreational uses for the residents of BELL POINTE I. These active recreation areas are known as BPI South and BPI North. A colored rendering of the Conceptual Landscaping Plan showing the location and proposed design of these active open spaces is included in Section 11.8.

- **BPI South** is an active turf and DG area that is proposed to have the turf portion with active recreation activities such as a sand volleyball court. The turf area can also be utilized for field sports (e.g., soccer, etc.). This active recreation area contains approximately 1.3 acres. The eastern portion of BPI South has been designed to provide a dual use as retention area for a portion of the community. This landscaped open space area is also proposed to contain a ramada with BBQ, park benches and picnic tables. A meandering Neighborhood Trail will provide pedestrian and bicycle access to and through this active recreation area from all adjacent subdivisions. A colored rendering of the Conceptual Landscaping Plan showing the location and uses in BPI South is included in Section 11.8.

- **BPI North** is an active turf and DG area that is at the confluence of a Neighborhood Trail System. This recreation open space area contains approximately 1.6 acres. Besides the trail system, this landscaped active recreation area is proposed to contain a physical conditioning station inter-linked with the trail system. The area will have a turf play area, park benches and picnic tables. A second designated portion of this active area is proposed to have a tot-lot play area. This area will have designated play equipment for younger age groups. A colored rendering of the Conceptual Landscaping Plan showing the location and uses in BPI North is included in Section 11.8.

6.2.4 Development Trail System

A designated trail system is proposed along the perimeter and through the center of BELL POINTE I (the "Development Trail System"). Pedestrian and bicycle access and use have been designed from the eastern property line of the development through the project and connecting to the western property lines.

The Development Trail System will link all designated neighborhood trails designed for each of the residential developments in BELL POINTE I. This system will provide access to the active open spaces. The Development Trail System will utilize an eight (8) foot meandering path within the open space areas of the Master Open Space. The open space areas will be a minimum of twenty-five (25) feet wide between the subdivisions and a minimum of fifteen (15) feet wide adjacent to the internal road rights-of-ways. A colored rendering of the Conceptual Landscaping Plan showing the proposed design of the Development Trail System is included in Section 11.8.
6.2.5 Emergency Access Roadway/Trail System

A unique, dual purpose, emergency access roadway/designated trail system is proposed along portions of the eastern perimeter of BELL POINTE I. This open space corridor will be utilized for access of emergency vehicles, if needed, from Bell Road into the overall development. This corridor will be used to interconnect the proposed private and/or public residential streets to create secondary access to each subdivision within the project (the "Emergency Access/Trail System"). The connections to each private street will be designed as a 20-foot wide, thickened edge paved "roadway/trail" surrounded by a 50-foot wide landscaped open space. This roadway will provide secondary, backup access for emergency vehicles. Pedestrians and/or bicyclists will be able to use this paved roadway to access other trails within the project. The corridor may also have additional uses of buffering landscaping and/or surface water retention. The Emergency Access/Trail System will link each of the subdivisions to the Development Trail System.

- The Emergency Access/Trail System will tie into the meandering Development Trail System at several different locations within the development. The open space areas on both sides of the 20 foot wide paved trail will be each approximately fifteen (15) feet wide. A colored rendering of the Conceptual Landscaping Plan showing the proposed design of the Emergency Access/Trail System is included in Section 11.8.

6.2.6 Regional Trail Corridor

The Master Open Space will be linked to an area located adjacent to the western property line of BELL POINTE I. This area is a separate designated trail easement corridor containing approximately 6.4 acres (the "Regional Trail Corridor"). The Regional Trail Corridor will be utilized as an additional trail corridor for pedestrian and bicycle access along the western portion of BELL POINTE I. The Development Trails in the project will provide access to the Regional Trail Corridor. The Development Trails will also link the Regional Trail Corridor to the future City of Surprise Pedestrian Overpass on Bell Road. This overpass will link to additional trails leading to the proposed regional park west of the Beardsley Canal and to the proposed West Park Community Park in the Surprise Farms Master Planned Community. The Land Use Zoning Plan reflects the physical location of the Regional Trail Corridor. The Open Space; Trail System; Active Recreation Area Exhibit presented in Section 6.5 also shows the location and proposed design of this potential trail easement.

- Discussions have been initiated with the Maricopa County Flood Control District (MCFCD), the owner of the land west of BELL POINTE I. The developer is coordinating with MCFCD to obtain the use of this designated land to improve and create a linear trail that will be accessible by both the Development Trails and the Neighborhood Trails. It is proposed that if the developer is successful with obtaining the trail easement, the common western perimeter solid fence may not be constructed but replaced with offset view fencing offered along the rear property lines of the subdivisions. This expanded Regional Trail Corridor, if acceptable to MCFCD, will further enhance this area and be an asset to BELL POINTE I, the City of Surprise, and potentially to the Arizona Traditions development to the east.

- Depending on the final structure of the MCFCD easement, the master HOA may be responsible for the maintenance of the landscaping and trails in the Regional Trail Corridor.
6.3 RESIDENTIAL OPEN SPACE AND TRAILS

In addition to the Master Open Space, each of the MDR residential land parcels will have integrated and linked open space areas (the "Residential Open Space"). The Residential Open Space will provide approximately 7.3 acres utilized for pedestrian and bicycle access trails, potential additional active recreation purposes, and surface water retention. The Land Use Zoning Plan reflects the location of the Residential Open Space. The following three (3) sub-sections outline the various features of the Residential Open Space.

6.3.1 Neighborhood Trail System

Pedestrian and bicycle access from each of the residential land parcels to the active recreation areas and the Development Trail System will be provided via a designated trail system within BELL POINTE I (the "Neighborhood Trail System"). The Neighborhood Trail System will link these residential areas with meandering trails within designated areas of the Master Open Space and Residential Open Space corridors. The meandering trail for the Neighborhood Trail System will be a minimum of four (4) feet in width in order to link any sidewalks to the Development Trails. The open space corridors containing this Neighborhood Trail System will be a minimum of ten (10) feet in width. Additional trail linkages may be provided in the Residential Open Space areas of the residential land parcels. The Land Use Zoning Plan reflects the location of the Neighborhood Trail System. A colored rendering of the Conceptual Landscaping Plan showing the design of the Neighborhood Trails is included in Section 11.8.

6.3.2 Open Space Areas & Pocket Parks

Each proposed subdivision will be designed with additional open space that can provide additional active recreational uses for the residents of that proposed subdivision within BELL POINTE I. The individual homebuilders of this subdivision will have the design ability to utilize these "Pocket Park" areas to establish additional active recreation areas.

6.3.3 Surface Water Retention Areas

Additional areas within the Residential Open Space will be part of an integrated retention basin design that will handle the surface water retention for each of the residential land parcels and the development as a whole. These retention basins will be sized for a 100-year, 2-hour storm. These common areas will also be utilized for recreation purposes and pedestrian access.
BELL POINTE I

6.4 TOTAL OPEN SPACE

The projected Master Open Space and the Residential Open Space will, when combined, contain a minimum of 15% of the overall gross acreage of this P.A.D. master planned community. These areas have been designed to be centralized in the development and have continuity and flow between the three (3) subdivision parcels and the active open spaces.

6.5 PROPOSED OPEN SPACE; TRAIL SYSTEM; ACTIVE RECREATION AREA DESIGN

The proposed location of the open space, trails and active recreation areas are presented on the next page.
7.0 RESIDENTIAL PARCEL DESIGN CRITERIA

BELL POINTE I is a proposed Planned Area Development Medium Density Residential (PAD/MDR) project. The residential subdivisions will be land planned to generally follow the housing design parameters of the new SFR Design Guidelines adopted under Ordinance No. 00-01. In addition, this PAD/MDR residential development will be developed following the lot and setback standards established in this section of the Zoning Compliance Narrative Book.

7.1 DETACHED AUTO COURT CLUSTER LOT AND SETBACK DESIGN STANDARDS

The residential lot and setback standards to be followed for a Detached Auto Court Cluster Residential Subdivision, are as follows:

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>BELL POINTE I AUTO COURT CLUSTER STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Width</td>
<td>40 feet (^1)</td>
</tr>
<tr>
<td>Minimum Lot Depth</td>
<td>90 feet</td>
</tr>
<tr>
<td><strong>Perimeter Subdivision Setbacks:</strong></td>
<td></td>
</tr>
<tr>
<td>Minimum Subdivision Perimeter</td>
<td>Street (Front, Rear or Side): 10 feet</td>
</tr>
<tr>
<td>Building Setbacks(^1)</td>
<td>Property Line (Rear): 10 ft. (1 story), 10 ft. (2 story)</td>
</tr>
<tr>
<td></td>
<td>Property Line (Side): 10 ft. (1 story), 10 ft. (2 story)</td>
</tr>
<tr>
<td><strong>Perimeter Auto Court Module Setbacks:</strong></td>
<td></td>
</tr>
<tr>
<td>Minimum Perimeter Setbacks</td>
<td>Street Side: 10 feet (^2)</td>
</tr>
<tr>
<td>For Auto Court Cluster Module</td>
<td>Adjacent Module: (Rear): 10 ft.</td>
</tr>
<tr>
<td></td>
<td>Adjacent Module: (Side): 5 ft.</td>
</tr>
<tr>
<td><strong>Interior Courtyard Lot Setbacks/Requirements:</strong></td>
<td></td>
</tr>
<tr>
<td>Front Yard Setback – Garage Side</td>
<td>5 foot minimum (^1, 4, 5)</td>
</tr>
<tr>
<td>Front Yard Setback – Garage Forward</td>
<td>18 foot minimum (^1, 4, 5)</td>
</tr>
<tr>
<td>Minimum Rear Setback</td>
<td>20 feet</td>
</tr>
<tr>
<td>Minimum Side Setback</td>
<td>None (^3)</td>
</tr>
<tr>
<td>Minimum Street Side yard Setback</td>
<td>10 feet (^2)</td>
</tr>
<tr>
<td>Minimum Distance Between Buildings on Adjacent Lots</td>
<td>5 feet (^3)</td>
</tr>
<tr>
<td>Maximum Structure Height</td>
<td>30 feet</td>
</tr>
</tbody>
</table>
Footnotes:

1. Minimum lot width is measured at the center of the lot. Front setbacks are measured from front lot line. The property line for the "interior street side" of each proposed Auto Court module is at the back of the detached sidewalk.

2. Addition width may be added to the street side yard landscaping setback for certain Auto Court modules.

3. Where the "zero lot line" concept is not used in the home design, a five (5) foot wide (minimum width) side yard will be designed. Where "zero lot line" concept is used in the home design, Use and Benefit Easements may be utilized to allow easier access between the structures on the lots.

4. The front of each interior lot is determined as the narrowest portion of the lot facing the Auto Court Driveway. Lots that "front" on each other have the garage at the front of the unit. This garage is a side entry garage. The front setback for the garage forward is measured from property line of the interior lot. Portions of the front of each lot may include a Use and Benefit Easement to permit the flow of vehicular traffic, parking and/or the placement of utilities between the structures on the lots.

5. The driveway parking depth requirement of 18' to the garage face of a unit is measured from property line of the interior lot.

6. A standard two-car garage is the minimum garage requirement for this development. The dimensions of this garage will be a minimum of 20 feet x 20 feet. In addition, a designated storage area of approximately 80 square feet will be placed within (or attached to) the garage. The acceptance of the final design will be completed by a design review by the City of Surprise.

7. Non-foundation home features will be allowed to encroach two (2) feet into the side yard setback, but no closer than three (3) feet from the property line.
7.2 CONCEPTUAL AUTO COURT DETACHED CLUSTER LOT/HOME DESIGN AND VIEW

A conceptual plan view of a potential lot design and the potential elevations for a typical detached Auto Court cluster subdivision is presented in three (3) exhibits shown on the following 3 pages.
BELL POINTE I

7.3 4-PACK DETACHED CLUSTER LOT AND SETBACK DESIGN STANDARDS

The residential lot and setback standards to be followed for a 4-Pack Detached Cluster Residential Subdivision, are as follows:

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>BELL POINTE I 4-PACK DETACHED CLUSTER STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Width</td>
<td>45 feet&lt;sup&gt;1&lt;/sup&gt;</td>
</tr>
<tr>
<td>Minimum Lot Depth</td>
<td>100 feet&lt;sup&gt;1&lt;/sup&gt;</td>
</tr>
<tr>
<td>Minimum Subdivision Perimeter</td>
<td>Street (Front, Rear or Side): 10 feet</td>
</tr>
<tr>
<td>Building Setbacks</td>
<td>(including the landscape buffer)&lt;sup&gt;2&lt;/sup&gt;</td>
</tr>
<tr>
<td></td>
<td>Property Line (Rear): 10 ft. (1 story), 10 ft. (2 story)</td>
</tr>
<tr>
<td></td>
<td>Property Line (Side): 10 ft. (1 story), 10 ft. (2 story)</td>
</tr>
<tr>
<td>Front Yard Setback – House Forward</td>
<td>12 foot minimum</td>
</tr>
<tr>
<td>Front Yard Setback – Garage Forward</td>
<td>18 foot minimum&lt;sup&gt;1&lt;/sup&gt;</td>
</tr>
<tr>
<td>Front Yard Setback – Side Entry Garage</td>
<td>12 foot minimum</td>
</tr>
<tr>
<td>Front Yard Setback – Stagger</td>
<td>None</td>
</tr>
<tr>
<td>Rear Yard Setback – Front Load Rear Garage</td>
<td>10 foot minimum</td>
</tr>
<tr>
<td>Minimum Rear Setback</td>
<td>10 feet</td>
</tr>
<tr>
<td>Minimum Side Setback</td>
<td>None&lt;sup&gt;2,3,4&lt;/sup&gt;</td>
</tr>
<tr>
<td>Minimum Street Side yard Setback</td>
<td>13 feet&lt;sup&gt;2&lt;/sup&gt;</td>
</tr>
<tr>
<td>Minimum Distance Between Buildings on Adjacent Lots</td>
<td>8 feet&lt;sup&gt;2&lt;/sup&gt;</td>
</tr>
<tr>
<td>Maximum Structure Height</td>
<td>30 feet</td>
</tr>
</tbody>
</table>

Footnotes:

1. Minimum lot width and depth are measured at the center of the lot. Front setbacks are measured from front lot line. The lot line for the front of each lot is at the back of curb. The garage forward setback is measured from the back of the sidewalk.

2. Street side yard setbacks on lots shall include adjacent landscape tracts. In addition, to any landscape tract (a minimum of 8 feet wide), a five (5) foot wide (minimum width) side yard setback will still be designed on the lot.

3. Where the “zero lot line” concept is not used in the home design, a five (5) foot wide (minimum width) side yard will be designed. Where “zero lot line” concept is used in the home design, Use and Benefit Easements and/or Share Driveway Easements may be utilized to allow easier access between the structures on the lots.

4. A standard two-car garage is the minimum garage requirement for this development. The dimensions of this garage will be a minimum of 20 feet x 20 feet. In addition, a designated storage area of approximately 80 square feet will be placed within (or attached to) the garage. The acceptance of the final design will be completed by a design review by the City.

5. Non-foundation home features will be allowed to encroach two (2) feet into the side yard setback, but no closer than three (3) feet from the property line.
7.4 4-PACK DETACHED CLUSTER CONCEPTUAL LOT/HOME DESIGN AND VIEW

A conceptual plan view of a potential lot design and the potential elevations for a typical 4-Pack detached cluster subdivision is presented in three (3) exhibits shown on the following 3 pages.
7.5 ZERO LOT LINE DETACHED CLUSTER LOT AND SETBACK DESIGN STANDARDS

The residential lot and setback standards to be followed for a Zero Lot Line Detached Cluster Residential Subdivision, are as follows:

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>BELL POINTE I ZERO LOT LINE DETACHED CLUSTER STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Width</td>
<td>52 feet ¹</td>
</tr>
<tr>
<td>Minimum Lot Depth</td>
<td>105 feet ¹</td>
</tr>
<tr>
<td>Minimum Subdivision Perimeter</td>
<td>Street (Front, Rear or Side): 10 feet (including the landscape buffer) ²</td>
</tr>
<tr>
<td>Building Setbacks</td>
<td>Property Line (Rear): 10 ft. (1 story), 10 ft. (2 story)</td>
</tr>
<tr>
<td></td>
<td>Property Line (Side): 10 ft. (1 story), 10 ft. (2 story)</td>
</tr>
<tr>
<td>Front Yard Setback – House Forward</td>
<td>12 foot minimum</td>
</tr>
<tr>
<td>Front Yard Setback – Garage Forward</td>
<td>18 foot minimum ¹</td>
</tr>
<tr>
<td>Front Yard Setback – Side Entry Garage</td>
<td>12 foot minimum</td>
</tr>
<tr>
<td>Front Yard Setback – Stagger</td>
<td>None</td>
</tr>
<tr>
<td>Rear Yard Setback – Front Load Rear Garage</td>
<td>10 foot minimum</td>
</tr>
<tr>
<td>Minimum Rear Setback</td>
<td>10 feet</td>
</tr>
<tr>
<td>Minimum Side Setback</td>
<td>None ², ³, ⁴</td>
</tr>
<tr>
<td>Minimum Street Side yard Setback</td>
<td>13 feet ²</td>
</tr>
<tr>
<td>Minimum Distance Between Buildings on Adjacent Lots</td>
<td>8 feet ²</td>
</tr>
<tr>
<td>Maximum Structure Height</td>
<td>30 feet</td>
</tr>
</tbody>
</table>

Footnotes:

1. Minimum lot width and depth are measured at the center of the lot. Front setbacks are measured from front lot line. The lot line for the front of each lot is at the back of curb. The garage forward setback is measured from the back of the sidewalk.

2. Street side yard setbacks on lots shall include adjacent landscape tracts. In addition, to any landscape tract (a minimum of 12 feet wide), a five (5) foot wide (minimum width) side yard setback will still be designed on the lot.

3. Where the “zero lot line” concept is used in the home design, a five (5) foot wide (minimum width) separation from the adjacent structure will be designed.

4. A standard two-car garage is the minimum garage requirement for this development. The dimensions of this garage will be a minimum of 20 feet x 20 feet. In addition, a designated storage area of approximately 80 square feet will be placed within (or attached to) the garage. The acceptance of the final design will be completed by a design review by the City of Surprise.

5. Non-foundation home features will be allowed to encroach two (2) feet into the side yard setback, but no closer than three (3) feet from the property line.
7.6 ZERO LOT LINE DETACHED CLUSTER CONCEPTUAL LOT/HOME DESIGN AND VIEW

A conceptual plan view of a potential lot design, and the potential side entry garage and recessed garage for a typical Zero Lot Line detached cluster subdivision is presented in three (3) exhibits shown on the following 3 pages.
7.7 PAD/MDR SUBDIVISION DEVELOPMENT STANDARDS

The following is a list of the subdivision development standards to be followed during the development of any PAD/MDR subdivision in BELL POINTE I.

A. **Subdivision Entry:** The primary entrance into any residential subdivision will have monument signage, special decorative landscaping and enhanced wall detail.

B. **Staggered Perimeter Wall:** A perimeter wall will be constructed along the Bell Road frontage of BELL POINTE I. This perimeter wall will contain staggered or offset sections and/or other breaks to relieve the linear character of this wall.

C. **Open Space:** Landscaped open spaces will be designed and constructed to be visible from the residential streets. The HOA will maintain the open space and retention areas to the same standard as the Master Open Space areas.

D. **Street Features:** Any residential subdivision in BELL POINTE I will provide at least two (2) cul-de-sacs (or other street feature such as a knuckle or single-loaded street) with a feature such as a landscaped island, an adjacent open space corridor, access to common open space, etc.

E. **Corner Landscape Tracts:** All corner lots will be constructed with an eight (8)-foot wide landscaped tract between the property line of the lot and the abutting street right of way. Such landscape tracts will be conveyed to the HOA to maintain the same standard as the other tracts and common areas maintained by said association.

F. **Greenbelts:** Storm water retention areas will be designed and constructed to meander through any MDR subdivision as a greenbelt. The HOA will maintain the retention areas to the same standard as other tracts and common areas.

G. **Views:** View corridors will be incorporated into open space areas throughout the development as a means to take advantage of the surrounding mountain views. View fences will be utilized for houses that abut these view corridors so that the open space and mountain views are visible from the houses.

H. **Trails:** Paths and trails shall be installed separate from roadways, and to connect the open space areas within any residential subdivision with the Master Open Space. These paths and trails will enable bicyclists and pedestrians to travel throughout the development.

7.8 PAD/MDR SUBDIVISION HOUSING DESIGN STANDARDS

The following is a list of the subdivision housing design standards to be followed during the development of any residential subdivision in BELL POINTE I.

A. **Housing Product Variation:** Houses constructed in a residential subdivision will have a minimum of three (3) distinctly different floor plans, and a minimum of two (2) elevations for each floor plan.
BELL POINTE I

B. **Adjacent Elevations and Color Schemes:** Homebuilders in any residential subdivision of BELL POINTE I shall strive that no homes in the development will have the same elevation or color scheme on adjoining lots.

C. **Enhanced Design Features:** Design features such as covered front entries, covered front porches, enhanced door and window details with greater variation of window design, different window styles and colors, tile inlays and recesses, structural pop outs, roof overhangs, gabled roof features over windows, parapet walls with cap features, etc., will be incorporated into the floor plans.

D. **Roof Types:** At least three (3) distinct roofing types, including colors, textures, and component shapes, (e.g. barrel tile and flat concrete tile) will be installed.

E. **Pavement Treatment:** Decorative flat work pavement treatments, such as salt finished concrete, colored concrete, or bomanite will be installed on at least twenty-five (25) percent of all lots built in the residential subdivision.
8.0 DESIGN CRITERIA

The following eight (8) sub-sections provide information on the engineering and architectural design guidelines to be followed during construction of the subdivisions in the Site. The criteria outlined in these sub-sections have been established to follow the design guidelines of the Development Guide and existing P.A.D. and R1-5 and R-2 design guidelines. The purpose of these sub-sections is to establish housing development criteria to complement the SFR Design Guidelines.

8.1 ARCHITECTURAL STYLE

It is projected that a minimum of two (2) homebuilders, each with a different housing product, will be constructing the residential subdivisions within BELL POINTE I. The proposed 4-Pack Cluster, the Auto Court Cluster, and the Zero Lot Line Cluster homes in BELL POINTE I will vary in architectural style with a predominate accent toward a southwestern design.

8.2 SQUARE FOOTAGE OF HOMES

The homes to be constructed in each of the subdivisions within BELL POINTE I will consist of both single story and two (2) story homes. The development will be a mix of the proposed detached cluster homes. The square footage of the homes will vary with each homebuilder.

8.3 HOUSE ELEVATIONS

The number of house elevations will vary in each of the subdivisions within BELL POINTE I according to the housing product mix offered by the homebuilder. Each subdivision will have a minimum of three (3) house plans with a minimum of three (3) distinct elevations offered for each plan built within each subdivision. Each elevation will have its distinctiveness derived through varying projections, window designs, and roof profiles.

The homebuilders will be encouraged to vary the homes built so that the same house plan with the same or similar front elevation will not be placed on adjacent lots or directly across the street from one another. In addition, one (1) house plan presented to the city for each proposed subdivision will promote some type of recessed garage treatment to the elevation to provide variety in the streetscape design of the development. All homes shall be designed and constructed with the goal of providing a diverse housing mix in the residential subdivisions.

8.4 ROOFING

The homes in each subdivision will be constructed with tile roofs. A minimum of two (2) styles of roof tiles will be offered in each subdivision. No composition shingles will be permitted on homes in this development.
8.5 FENCING

Side and rear yards of each home in BELL POINTE I will have a concrete block fence that will be a maximum of six (6) feet in height.

8.6 GARAGES

The homes in each subdivision will have a minimum of a two (2) car garage. The garages may vary between front, side and garages placed in the rear of the home. The dimensions of the garages will be a minimum of 20 feet by 20 feet. In addition, a designated storage area of approximately 80 square feet will be placed within (or attached to) the garage. The acceptance of the final design will be completed by a design review by the City of Surprise.

8.7 COLOR COMBINATIONS PER SUBDIVISION

The homes in each subdivision in BELL POINTE I will have coordinated exterior colors. The fascia and exterior of the homes will be painted in different, varying colors. The homebuilders will offer a minimum of two (2) housing colors for each subdivision.

In order to vary and coordinate the exterior color combinations, a minimum of four (4) different fascia colors will be offered in combination with the minimum of two (2) different exterior color schemes for the homes.

A minimum of two (2) colors of roof tile will be offered in BELL POINTE I by the homebuilders.

8.8 HOUSE PRODUCT DESIGN GUIDELINES AND PROVISIONS

Unless specifically amended by the Land Use Zoning Plan and/or the Development Agreement referenced herein, all provisions of the City of Surprise Municipal Code, Section 16.20.030, Streets; Single Family Residential zone (R1-5), 17.28.040; Multifamily Residential zone (R-2), 17.28.050; P.A.D. zone, 17.28.140; and the SFR Design Guidelines as stated in Section 6.0 shall apply to BELL POINTE I.

8.9 TEMPORARY FACILITIES/CONDITIONAL PERMITTED USES

Installation or construction and operation of development-related facilities, including, but not limited to, one or more contractor’s storage yards, temporary construction trailers, temporary sales office buildings, model home complexes and appurtenant parking facilities will be allowed in BELL POINTE I under the following provision.

- Temporary permitted uses, including model home complexes, will be allowed through administrative approval of the Community Development Director.
BELL POINTE I

9.0 SINGLE FAMILY RESIDENTIAL COMPLIANCE WITH DESIGN GUIDELINES

The BELL POINTE I Master Planned Community is a residential project to be developed under P.A.D. MDR zoning. However, portions of this proposed development are being designed with the concept of single-family detached subdivisions with a cluster-housing format. The overall community has been planned to also offer smaller cluster home projects including the Auto Court module type of housing product using a common driveway. This cluster product will be blended with the more traditional single-family home look in the 4-Pack and Zero Lot Line cluster areas. All housing products will be designed under the housing standards outlined in Sections 7.0 and 8.0 herein. Rather than offer higher density projects throughout the overall development, as allowed by General Plan 2020, this blending creates a more desirable mix of housing types for prospective buyers. It also allows the developer to offer a more diverse, marketable subdivision mix to today's homebuilding community.

This blending of 4-Pack, Auto Court and Zero Lot Line cluster projects under the densities/lots sizes allowed under MDR land use establishes a development that cannot fit lot mix criteria of the new SFR Design Guidelines. The density projected for this P.A.D. MDR development (i.e., 5.2 dwelling units per acre) is already greater than the maximum allowable under the SFR Design Guidelines (i.e., maximum of 4.5 du./ac.).

However, this does not mean this development will be designed and developed outside of the diversity requirements of the SFR Design Guidelines. The cluster housing, designed to have a more traditional single-family detached subdivision concept (i.e., projected to be built in three (3) of the land parcels), will also be developed to generally follow the SFR Design Guidelines. These proposed subdivisions and the homes to be constructed will be planned to follow the land uses and housing diversity reflected in the summaries listed below for Design List B, Design List C and Design List D. The point values and the design criteria goals that are to be achieved are listed in the following sections. Prior to the approval of the Preliminary Plat for each parcel within the Site, each applicant and/or Developer will be required to identify specific or equivalent achievement with the compliance options listed for Design List B, Design List C and/or Design List D.

9.1 AUTO COURT, 4-PACK AND ZERO LINE LINE CLUSTER LOT MIX SUMMARY

<table>
<thead>
<tr>
<th>Parcel</th>
<th>SFD Guideline Lot Category</th>
<th>Typical Lot Size</th>
<th>Gross Acres</th>
<th>No. of Lots/Units</th>
<th>Density</th>
<th>% of Overall Lots</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>N/A</td>
<td>40' x 90'</td>
<td>19.0</td>
<td>104</td>
<td>5.5</td>
<td>33%</td>
</tr>
<tr>
<td>2A</td>
<td>N/A</td>
<td>45/50' x 100'</td>
<td>19.6</td>
<td>98</td>
<td>5.0</td>
<td>20%</td>
</tr>
<tr>
<td>2B</td>
<td>N/A</td>
<td>45/50' x 105'</td>
<td>14.3</td>
<td>73</td>
<td>5.1</td>
<td>16%</td>
</tr>
<tr>
<td></td>
<td>Sub-Total</td>
<td></td>
<td>33.9</td>
<td>171</td>
<td>5.0</td>
<td>36%</td>
</tr>
<tr>
<td>3</td>
<td>N/A</td>
<td>52' x 105'/110'</td>
<td>26.0</td>
<td>138</td>
<td>5.3</td>
<td>31%</td>
</tr>
<tr>
<td></td>
<td><strong>TOTALS:</strong></td>
<td></td>
<td><strong>78.9</strong></td>
<td><strong>413</strong></td>
<td><strong>5.2</strong></td>
<td><strong>100%</strong></td>
</tr>
</tbody>
</table>
9.2  BASE PERMITTED DENSITY

The proposed density for the proposed detached cluster subdivisions in BELL POINTE I is greater than the maximum of 4.5 dwelling units per acre for LDR type single family subdivisions. The proposed density of 5.2 dwelling units per acre places this development within the permitted density ranges allowed for MDR land uses.

9.3  DEVELOPMENT STANDARDS: DESIGN LIST - A

The P.A.D. MDR single-family detached cluster subdivisions to be developed in BELL POINTE I will generally follow the SFR Design Guidelines. Unless specifically amended in Section 9.3.1, the proposed P.A.D. MDR 4-Pack and Zero Lot Line detached cluster subdivisions in BELL POINTE I will be constructed following the below listed twelve (12) minimum required standards that are proposed in Design List – A of the SFR Design Guidelines.

9.3.1 Design List - A Compliance Items

The following is a list of items that will be included as additional subdivision standards for the development of the P.A.D. MDR 4-Pack and Zero Lot Line detached cluster subdivisions in BELL POINTE I.

A.  Front Setbacks:  These lots will maintain this setback as per the requirements listed in Sections 7.2 and 7.3 above. Those standards include a minimum front setback of ten (10) feet, as measured from the property line, to any part of the house or other structure other than a garage. The front setback for a front entry garage will be no less than eighteen (18) feet to the face of a garage door, measured from the property line.

B.  Side Setbacks:  These lots maintain a minimum side setback as listed in Sections 7.2 and 7.3 above.

C.  Corner Side Setbacks:  These corner lots maintain a side setback as listed in Sections 7.2 and 7.3 above. All houses located on corner lots will maintain a setback of thirteen (13) feet on the side abutting the street. This setback can be achieved with a combination of landscaped open space tracts and side-yard portions of the corner lot. If a landscaped tract is utilized, the corner side setback will be measured from the right-of-way line not the property line. If a landscaped tract is not designed adjacent to a corner lot, setback of thirteen (13) feet will be measured from the property line.

D.  Rear Setbacks:  These lots will maintain this setback as per the requirements listed in Sections 7.2 and 7.3 above. The rear setback of any part of a home or other structure which does not back up to an arterial street will be ten (10) feet measured from the property line. A non-structural architectural feature such as a fireplace, bay windows, pop-out, or patio cover may encroach into the rear setback, provided that a patio cover may not encroach more than ten (10) feet into the rear setback.
E. Setbacks for a House or Other Structure Which Abuts an Arterial Street: Notwithstanding subsections A-D, the following setback requirements will be applied to all houses or structures that abut an arterial street.

1. A non-structural element such as a fireplace, bay window, pop out, or patio cover may encroach into a rear setback, provided that a patio cover may not extend to a point closer than ten (10) feet from the rear property line for a single-story or two-story house or structure.

2. A landscaped tract will be constructed for both arterial streets adjacent to BELL POINTE I between the rear property lines of adjacent lots which abut an arterial street in the rear, and the right-of-way of the arterial street. Therefore, the rear setbacks established in subsection D of this section shall apply to the subdivisions developed within this project. The average width of such landscape tract will be no less than fifteen (15) feet. The narrowest part of the landscape tract will be ten (10) feet or greater in width. No less than fifty (50) percent of the landscape tract, as measured along the lineal boundary between the tract and the adjacent lots, will be fifteen (15) feet in width or greater.

F. Project Entry: The Developer of BELL POINTE I will construct features that provide a sense of arrival to the neighborhood such as monument signage, special decorative landscaping, specialty pavement, enhanced fence wall detail, and immediate accessibility to open space/trail system, etc., at points where the BELL POINTE I residential development may be entered from an arterial street.

G. Staggered Perimeter Wall: A wall will be constructed along the perimeter of BELL POINTE I abutting the arterial street. This perimeter wall will contain staggered or offset sections and/or breaks to relieve the linear character of this wall.

H. Adjacent Elevations and Color Schemes: Homebuilders in each MDR subdivision of BELL POINTE I will be required to diligently plan their development in a manner that will ensure none of the homes will have the same elevation or color scheme as those built in the respective developments.

I. Adjacent Roof Lines: If two or more houses or structures abut an arterial street in the rear, then the rear elevations of such houses or structures will be geometrically varied. No more than two adjacent houses or structures will have the same roof line.

J. Percentage Of Lot Sizes: All of the lots in this Planned Community are to be developed under MDR land uses. All of the detached lots in the subdivisions are less than 70 feet wide.

K. Housing Product Variation: Houses constructed on these lots will have a minimum of three (3) distinctly different floor plans, and a minimum of three (3) elevations for each floor plan. In addition, each floor plan will have, as an option on one elevation, a front porch or a courtyard that is at least five (5) feet deep and eight (8) feet wide.

L. Required Open Space: No less than ten (10) percent of the Gross Acreage of this project will be open space.

BEL POINTE I will provide approximately 15 percent open space to be in compliance with sub-sections L1, L2, L4, and L6 of this requirement.
9.4 DESIGN LIST – B ADDITIONAL SUBDIVISION STANDARDS

The smallest P.A.D. MDR 4-Pack or Zero Lot Line detached cluster lot in BELL POINTE I is 45 feet wide. These lots will be designed to comply with the standards and setback requirement listed in Sections 7.2 and 7.3 above.

Table 9.4 and Sub-Section 9.4.1 show that the MDR 4-Pack and Zero Lot Line subdivisions to be built in BELL POINTE I are to be constructed to achieve a point value of 34 points.

### TABLE 9.4

<table>
<thead>
<tr>
<th>DESIGN OPTIONS</th>
<th>POTENTIAL POINT VALUES</th>
<th>BELL POINTE I POINT VALUES</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>B</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>C</td>
<td>3</td>
<td>-</td>
</tr>
<tr>
<td>D</td>
<td>3</td>
<td>-</td>
</tr>
<tr>
<td>E</td>
<td>2</td>
<td>-</td>
</tr>
<tr>
<td>F</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>G</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>H</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>I(1)</td>
<td>2</td>
<td>-</td>
</tr>
<tr>
<td>I(2)</td>
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<td>-</td>
</tr>
<tr>
<td>I(3)</td>
<td>4</td>
<td>-</td>
</tr>
<tr>
<td>I(4) Double</td>
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<td>-</td>
</tr>
<tr>
<td>J</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>K</td>
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<td>4</td>
</tr>
<tr>
<td>L 2 Per/Max 6</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>M 2 Per/Max 6</td>
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<td>N 6</td>
<td></td>
<td>6</td>
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<tr>
<td>O 2</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>P 2 Per/Max 10</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>Q 6</td>
<td></td>
<td>6</td>
</tr>
<tr>
<td>R 8</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>S 1-4</td>
<td></td>
<td>2</td>
</tr>
</tbody>
</table>

**TOTAL POINTS:** 34
9.4.1 Design List - B Compliance Items

The following is a list of Design List - B compliance items that will be part of the additional subdivision standards to be followed during the development of the P.A.D. MDR 4-Pack and Zero Lot Line detached cluster subdivisions in BELL POINTE I.

A. Each of these subdivisions will provide at least three (3) cul-de-sacs (or other street feature such as a knuckle or single-loaded street) with a feature such as a landscaped island, access to common open space, etc. (1 Pt.)

B. Option Two. All corner lots will be constructed with an eight (8)-foot wide landscaped tract between the property line of the lot and the abutting street right of way. Such landscape tracts will be conveyed to the HOA to maintain the same standard as the other tracts and common areas maintained by said association. (2 Pt.)

F. Storm water retention areas will be designed and constructed to meander throughout the BELL POINTE I subdivisions as a greenbelt. The HOA will maintain the retention areas to the same standard as other tracts and common areas. (4 Pt.)

G. Landscaped open spaces will be designed and constructed to be visible from both residential and arterial streets. The HOA will maintain the retention areas to the same standard as other tracts and common areas. (2 Pt.)

H. Along the arterial street, a minimum six hundred (600) feet of open space per mile will be provided as measured along the linear boundary between the residential portion of the development and the adjacent arterial street right of way. The open space will be visible from the arterial street and maintained by the HOA. (3 Pt.)

J. View corridors will be incorporated into open space areas throughout the development as a means to take advantage of the surrounding mountain views. View fences will be utilized for houses that abut these view corridors so that the open space and mountain views are visible from the houses. The HOA will maintain the open space areas to the same standard as other tracts and common areas. (4 Pt.)

K. The BELL POINTE I project is so designed that, at T intersections, no residential lot is centered directly across from the end of a street that dead ends at the intersection (the stem of the "T"). In place of these lots will be one (1) or a combination of the following: 1) a landscaped open space area at least as wide as the paved portion of the stem of the T intersection; 2) a side yard boundary between two Residential Building Lots; or 3) the back of a Residential Building Lot, buffered from the street by an eight (8) foot wide landscaped area installed by the Developer. All of the above listed options will be maintained by the HOA to the same standard as other tracts and common areas. (4 Pt.)

N. Paths and trails shall be installed separate from roadways and to connect all open space areas and arterial roadways. These paths and trails will enable bicyclists and pedestrians to travel throughout the development. (6 Pt.)
Q. On perimeter walls, provide berms, tree lines, hedgerows, and/or other similar means of breaking up the linear nature of the perimeter walls. Such features must be in addition to open space areas along the perimeter and enhanced architectural features on the wall itself. (6 Pt.)

S. BELL POINTE I qualifies for additional points due to the following elements that help create a unique neighborhood environment:

1. Pedestrian and bicycle access from the west side of the development to the Bell Road corridor and the proposed future Pedestrian Overpass will be provided via a local development trail system within BELL POINTE I. This trail system will link these areas with meandering trails within designated open space corridors. The meandering trails for the development trail system will be eight (8) feet in width. The open space corridors will be a minimum of twenty (20) feet in width when located between land parcels and ten (10) feet wide adjacent to any internal rights-of-ways. (2 Pt.)
BELL POINTE I

9.5 DESIGN LIST - C ADDITIONAL HOME STANDARDS

The 4-Pack and Zero Lot Line detached cluster subdivisions in BELL POINTE I will be designed to be in compliance with the P.A.D MDR zoning classification. The homes in these subdivisions will be designed and constructed to generally comply with requirements of DESIGN LIST – C: “Additional Home Standards” of the SFR Design Guidelines.

Table 9.5 and Sub-Section 9.5.1 show that homes to be built in the MDR 4-Pack and Zero Lot Line subdivisions are to be constructed to achieve a point value of 15 points.

TABLE 9.5

DESIGN LIST - C ADDITIONAL HOME STANDARDS
[SFR Design Guidelines; Ordinance No. 00-01]

<table>
<thead>
<tr>
<th>DESIGN OPTIONS</th>
<th>POTENTIAL POINT VALUE</th>
<th>POINT VALUE BELL POINTE I</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>B</td>
<td>1.5</td>
<td>2</td>
</tr>
<tr>
<td>C</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>D</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>E</td>
<td>5</td>
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<tr>
<td>F</td>
<td>2</td>
<td>0</td>
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<td>G</td>
<td>2</td>
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<td>H</td>
<td>2</td>
<td>-</td>
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<tr>
<td>I</td>
<td>3</td>
<td>3</td>
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<td>J</td>
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<tr>
<td>K</td>
<td>2</td>
<td>2</td>
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<td>M</td>
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<tr>
<td>N</td>
<td>4</td>
<td>-</td>
</tr>
<tr>
<td>O</td>
<td>1.4</td>
<td>-</td>
</tr>
</tbody>
</table>

TOTAL POINTS: 17
9.5.1 Design List - C Compliance Items

The following is a list of the Design List - C compliance items that will be part of the additional housing standards to be followed during the construction of the homes in the P.A.D. MDR 4-Pack and Zero Lot Line detached cluster subdivisions in BELL POINTE I.

A. The homebuilders of these subdivisions of BELL POINTE I shall plan so that no homes in the development will have the same elevation on adjoining lots. They shall also plan to prohibit the same rear elevation on more than two (2) consecutive adjoining houses visible from an arterial street. (2 Pt.)

B. Floor plans will be utilized that de-emphasize garage fronts as the most prominent architectural feature of the dwelling front by incorporating side access garages, in line garages, L-shaped floor plans, etc. (2 Pt.)

C. Design features such as covered front entries, covered front porches, enhanced door and window details, roof overhangs, parapet walls with cap features, etc., will be incorporated into a minimum of three (3) floor plans. (3 Pt.)

D. At least three (3) distinct roofing types, including colors, textures, and component shapes, (e.g. barrel tile and flat concrete tile) will be installed. (1 Pt.)

G. All front architectural treatments, (including all fascia treatments such as stone veneer, tile insets, and recesses) will be extended along the sides of the house for six (6) feet or to the side yard fence return, whichever is less. (2 Pt.)

I. Window treatments on houses will be embellished by the addition of architectural features to enhance the elevations (e.g. sturdy synthetic wood substitutes, greater variation of window design, different window styles and colors, tile inlays and recesses, structural pop outs, gabled roof features over windows, etc). Such features will be added to the front and rear elevation of all houses and to the sides of all houses which abut an arterial street on the side. (3 Pt.)

K. Decorative flat work pavement treatments, such as salt finished concrete, colored concrete, or bomanite will be installed on at least twenty-five (25) percent of these lots. (2 Pt.).
BELL POINTE I

9.6 DESIGN LIST – D ADDITIONAL AMENITIES

BELL POINTE I will provide a diverse amenity package for its residents that has been designed to comply with the requirements of DESIGN LIST - D “Additional Amenities” of the SFR Design Guidelines.

Table 9.6 and Sub-Section 9.6.1 show that the P.A.D. MDR 4-Pack and Zero Lot Line detached cluster subdivisions to be built in BELL POINTE I are to be constructed to achieve a point value of 22 points.

### TABLE 9.6

**DESIGN LIST D – AMENITY PACKAGE OPTIONS**

[SFR Design Guidelines; Ordinance No. 00-01]

<table>
<thead>
<tr>
<th>DESIGN OPTIONS</th>
<th>POTENTIAL POINT VALUE</th>
<th>POINT VALUE BELL POINTE I</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>B</td>
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<tr>
<td>C</td>
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<tr>
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<td>H</td>
<td>2-10</td>
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<td>I</td>
<td>4</td>
<td>-</td>
</tr>
<tr>
<td>J</td>
<td>2-5</td>
<td>-</td>
</tr>
</tbody>
</table>

**TOTAL POINTS:** 22

9.6.1 Design List - D Compliance Items

The following is a list of the Design List - D compliance items that will be part of the additional amenities to be included during the development of BELL POINTE I.

A. A trail system connecting all open space areas within the BELL POINTE I project will be provided to create pedestrian linkages with surrounding residential developments. Along the overall BELL POINTE I trail system, rest areas will be constructed at every quarter (1/4) mile. Each rest area will consist of a seating area that accommodates at least four (4) persons and a shade area comprised of an architectural shade structure, mature landscaping, or a combination of both. The HOA will maintain the trail system to the same standard as other common areas. (4 Pt.)

C. Active outdoor recreational facilities for adults such as sport courts, tennis courts, volleyball courts, and other similar recreational facilities will be constructed and conveyed to the HOA. The HOA will maintain these recreational facilities to the same standard as other common areas. (4 Pt.)
E. A large open space corridor with a width of seventy-five (75) feet will be constructed along the western boundary of this development. This corridor will be landscaped with mature trees and other plants listed on the City approved plant list. View corridors and a trail system will also be provided in this corridor. Lots in the subdivisions proposed in this development, which back up to this corridor on at least one side, will be constructed with view fences to create view corridors. These view fences will be constructed completely of wrought iron and masonry, and comply with the City ordinance relating to swimming pool enclosures. Pedestrian and bicycle access to this corridor will be restricted by gates. (4 Pts.)

H. A minimum of ten (10) percent of the gross acreage of BELL POINTE I is required to be designated open space. BELL POINTE I shall provide open space in excess of the required ten (10) percent by providing a minimum of approximately fifteen (15) percent open space. For each one (1) percent of open space provided over the required ten (10) percent, two (2) points from Design List D shall be awarded to the development. The HOA will maintain the excess open space to the same standard as other common areas. (10 Pts.)

9.7 SFR GUIDELINE POINT VALUES

Based on the options listed in the three (3) Design Lists, the proposed BELL POINTE I Master Planned Community qualifies for a minimum overall total of seventy-one (71) points.

TABLE 9.7

<table>
<thead>
<tr>
<th>DESIGN LIST</th>
<th>LOT CATEGORY A MINIMUM POINT REQUIREMENT</th>
<th>BELL POINTE I POINT VALUES ACHIEVED</th>
</tr>
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<tbody>
<tr>
<td>B</td>
<td>36</td>
<td>34</td>
</tr>
<tr>
<td>C</td>
<td>14</td>
<td>15</td>
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<tr>
<td>D</td>
<td>18</td>
<td>22</td>
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<tr>
<td>TOTAL POINTS:</td>
<td>68</td>
<td>71</td>
</tr>
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</table>
10.0 INFRASTRUCTURE IMPROVEMENTS

The following eight (8) sub-sections provide information regarding the engineering design and infrastructure improvements for the Site.

10.1 WATER LINES

The Site is located in the water franchise service area of Citizens Utility. The Developer is coordinating with the engineering department of Citizens Utility to design a water system to service the project. All on-site and off-site water lines and/or water storage and distribution facilities will be designed and built per the Citizens Utility Engineering Department and the approved Development Agreement with the Utility Company. A copy of the Preliminary Water Report will be submitted to the City of Surprise Engineering Department with the initial Preliminary Plat for this project.

10.2 SANITARY SEWERS

The Site is located in the sewer collection system of the City. The Developer is coordinating with the Engineering Department at the City to design a sewer system to service this project. It is anticipated that the existing 8-inch sewer line located on the north side of Bell Road at the southwest corner of Arizona Traditions will service the Site. Agreement must be reached between the Developer and the City for the proposed sewer alignment to this designated 8-inch sewer line, or an acceptable alternative proposed by the Developer. A copy of the Preliminary Sewer Report will be submitted to the City of Surprise Engineering Department with the initial Preliminary Plat for this project.

10.3 STORM SEWERS

Storm sewers are not proposed or needed for this development.

10.4 UTILITIES

All electric, gas, telephone and cable television utilities will be placed underground.

10.5 IRRIGATION

The irrigation system on the east side of the Site is an irrigation service delivery canal, the Beardsley Canal, owned by the Maricopa Water District (MWD). MWD will continue to maintain and service this canal. There are no other private irrigation systems or MWD service ditches on the Site which will need to be taken out of service prior to construction of the Site.
10.6 PROPOSED SURFACE DRAINAGE PATTERNS

Historical drainage flow for the Site is southeasterly. The Beardsley Canal runs along the southeastern boundary line of the Site and prohibits further drainage to the east. Because the western boundary line of the Site backs onto the earthen levee of the McMicken Dam (Trilby Wash), off-site drainage does not enter the Site from the north or west.

On-site runoff will be routed through the Site by utilizing the streets, open space and drainage easements. This on-site drainage will be directed into several grass lined retention basins designed to handle the drainage from the development’s three (3) parcels. A drainage report will be prepared for the Land Use Zoning Plan. The report will be submitted to the City of Surprise Engineer for review and approval prior to final plat approval for the first subdivision to be developed. The retention basins will be sized for a 100-year, 2-hour storm per the Drainage Design Manual for Maricopa County, Volume I, Hydrology, published by the Flood Control District of Maricopa County.

The retention basins for the subdivision parcels in the Site will provide one (1) foot of freeboard. The basins will provide flow through for all basin overflows without ponding in the streets of the various subdivisions. The retention basins will be constructed with 6:1 minimum side slopes adjacent to the street rights-of-ways and will be constructed with 4:1 minimum side slopes adjacent to the lots. All cross sections for this retention basin and the adjacent streets will be shown in the Preliminary Drainage Report to be submitted with the Preliminary Plat for this development.

10.7 PROJECT MASTER CC&R’s

The developer will create and record a set of Covenants, Conditions, and Restrictions (CC&R’s) establishing the HOA that will be responsible for the maintenance of the perimeter theme walls, signage, and landscaping in all common areas and right-of-ways.

A Preliminary Draft of the CC&R’s for BELL POINTE I will be submitted to the City as part of the Preliminary Plat submittal package.

10.8 DEVELOPMENT AGREEMENT

Based on a decision by the City Attorney of the City of Surprise, a Development Agreement for BELL POINTE I will not be required.
BELL POINTE I

11.0 CONCEPTUAL LANDSCAPING, WALL AND MONUMENTATION PLAN

A conceptual landscape plan has been designed for BELL POINTE I and this colored rendering is attached in Section 11.8. A summary of the design criteria for the walls, entry monumentation and landscaping are presented in the following five (5) sub-sections.

11.1 CONCEPTUAL SUBDIVISION THEME AND PERIMETER WALL

BELL POINTE I will have a perimeter theme wall on Bell Road and along the split entry road and then continuing on the sixty (60) foot portion of the interior collector. This wall will be decoratively designed and built to meet current City standards. The theme wall will be staggered to create a visually pleasing streetscape along both exterior and interior roads.

The staggering of the theme wall will be accomplished with an "offset wall treatment" that will be placed approximately every one hundred (100) to two hundred (200) feet along the length of the wall along each road. The offset wall treatment will protrude from the theme wall approximately two (2) feet and will have a pilaster on each side that will be constructed of split face block. Pictorial renderings of this offset wall and the proposed locations are presented at the end of this section.

The theme wall will be designed to contain both vertical and horizontal movement in its architecture. The wall will be constructed with 8" by 8" by 16" CMU Block with two (2) colors of paint over block. The color of the theme wall will be desert hues. The 2' by 2' columns of the theme wall will be maximum of six (6) feet tall and will be constructed with 2' 0" by 2' 0" CMU Block. A flat, solid block concrete cap, colored to match the wall will be placed on each column. The theme wall will have columns at wall ends and will be spaced a minimum of an average lot width with a maximum of a two hundred (200) feet spacing.

A standard, maximum 6-foot tall subdivision perimeter wall or builder wall, colored in desert hues, will be provided along the western, northern and eastern portions of the development.

The theme wall and the perimeter wall for BELL POINTE I will be maintained by the HOA. Pictorial renderings of these walls and the proposed locations are presented in the Conceptual Landscape Plan shown in Section 11.8.

11.2 CONCEPTUAL SUBDIVISION WALLS

A standard six (6) foot tall subdivision wall, colored in desert hues, will be provided for the side and rear lot lines within each subdivision of this development. The common lot line walls within these subdivisions will be maintained by the individual property Managing Partners not the HOA.
11.3 CONCEPTUAL SUBDIVISION AND PERIMETER VIEW WALLS

A modified six (6) foot tall subdivision view wall, colored in desert hues, will potentially be provided along portions of the common eastern property line of the Site and the adjacent future phase of Arizona Traditions. This same subdivision view wall will potentially be provided along portions of the common western property line of the Site adjacent to the proposed Regional Trail System. A similar view wall will potentially be offered for the lots backing onto designated open space areas within the Site.

A landscaped open space area will separate these subdivision view walls from the common boundary property line with the adjacent property. Pictorial exhibits of these view walls and the proposed locations are presented in the Conceptual Landscape Plan shown in Section 11.8 and in a View Wall Exhibit shown in Section 11.9.

11.4 RIGHT-OF-WAY AND OPEN SPACE LANDSCAPING

Landscaping will be provided along the frontage of Bell Road, the arterial street serving this development, and along both sides of the eighty (80) foot wide entry road feature and the balance of the sixty (60) foot collector road within the project. The landscaping of the arterial and collector roads will be located in portions of the rights-of-way and additional open space tracts of the Site. A minimum of an additional ten (10) foot wide open space tract has been added for expanded landscaping along both sides of the frontage of the sixty (60) foot collector road in this development.

A landscaped median will also be located at the entry of this development within the eighty (80) foot wide entry road. A second landscaped median will also be located at the transition point between the 60-foot collector and the 50-foot collector. Pictorial renderings of the conceptual landscaping for this median and the areas along the theme wall are presented in the Conceptual Landscape Plan.

Landscaping will also be provided in the open space/retention basin tracts within the Site. The landscaping will, at a minimum, fulfill the requirements identified in the provisions of Municipal Code Section 17.36.060. Plant information and pictorial renderings of the conceptual landscaping in the open space areas will be presented in the Construction Drawings to be submitted to the City for final approval.

11.5 SIGNAGE AND ENTRY MONUMENTATION

Primary signage and entry monumentation will be placed at the entrance on Bell Road. Additional secondary signage may be placed at two (2) intersection locations on the sixty (60) foot collector road. A pictorial rendering of the conceptual signage and monumentation is presented in the Conceptual Landscaping Plans.
11.6 RESIDENTIAL HOME LANDSCAPING

Landscaping shall be provided in the front yards of the single-family homes in each of the BELL POINTE I subdivisions by the homebuyer. To enhance and screen the streetscape of the lots the front yards shall be landscaped with a combination of trees, shrubs and ground cover. The ground cover for the front yards may be turf, decomposed granite or other natural rock material. An approved organic material to provide a neat, dust-free appearance must cover all bare earth. Rocks and boulders, railroad ties and other decorative materials may be used to supplement and create imaginative landscaping designs compatible with the southwest character of the development. The creative use of lighting is encouraged. Artificially colored rock yards are not acceptable in any of the subdivisions.

The front yards of all single-family homes must be landscaped and the trees along the street planted within ninety (90) days of the completion of construction of the home in any subdivision. Plant materials may be selected from the approved Arizona Department of Water Resources (ADWR) plant list.

11.7 WALLS AND LANDSCAPING DESIGN

The theme walls, the interior subdivision walls and the landscaping for the development will be designed and constructed in full compliance with the P.A.D. District of the Municipal Code, Section 17.28.140. An expanded breakdown of the landscaping design elements is presented in Section 6.0.

11.8 CONCEPTUAL LANDSCAPE PLAN

The Conceptual Landscape Plan for this development is presented on page 63.

11.9 CONCEPTUAL VIEW WALL LOCATION DETAIL

The Conceptual View Wall Location exhibit for this development is presented on page 64.
BELL POINTE

4' NEIGHBORHOOD TRAIL TYP.

8' DEVELOPMENT TRAIL TYP.

8' REGIONAL TRAIL TYP.

20' EMERGENCY ACCESS TRAIL, TYP.

TYPICAL TRAIL ENLARGEMENTS

SCALE: 1" = 20'-0"
BELL POINTE I

The construction of the collector road will be completed under the Option proposal. Similar means of paved access and emergency (all weather) access will be provided, as necessary and appropriate, in conjunction with the development of subsequent phases of BELL POINTE I.

12.2 CONCEPTUAL PHASING PLAN

The potential Phasing Plan for this development is presented on page 68.
BELLE POINTE I
ZONING COMPLIANCE NARRATIVE

A PLANNED AREA DEVELOPMENT (P.A.D.) ON APPROXIMATELY 140 ACRES
LOCATED ON THE NORTH SIDE OF BELL ROAD
AND WEST OF THE BEARDSLEY CANAL
IN SURPRISE, ARIZONA

APPLICATION P.A.D. 01-912

DEVELOPMENT PLAN & NARRATIVE APPROVAL FOR
A P.A.D. MDR ZONED RESIDENTIAL PROPERTY

Originally Submitted February 7, 2001
Revised April 30, 2001; Revised June 29, 2001; Revised July 20, 2001
Revised August 24, 2001; Revised August 27, 2001; Revised September 5, 2001
Revised November 8, 2001; Revised November 21, 2001
Revised January 8, 2002; and January 25, 2002

Minor Amendment to P.A.D. Amendment Narrative February 18, 2003

SUBMITTED TO:

City of Surprise Planning Department
12425 West Bell Road, Suite B-105
Surprise, Arizona 85374
(623) 583-1088

PREPARED BY:

BELLE POINTE I L.L.C.
David Milne, Project Manager
914 164th Street Southeast, Suite 12
Mill Creek, Washington 98012
(425) 771-5300

and

LANDMARK ENGINEERING, INC.
7310 North 16th Street, Suite 285
Phoenix, Arizona 85020
(602) 861-2005
APPLICATION NO. PADA 03-069
1st ADDENDUM
BELL POINTE I
MINOR AMENDMENT TO P.A.D.
AMENDMENT NARRATIVE
FEBRUARY 18, 2003

The Bell Pointe I Planned Area Development, located within the right-of-ways of Bell Road, Union Hills Road, 187th Avenue and Citrus Road (179th Avenue) was approved by the City of Surprise City Council on January 25, 2002. This is the first addendum to the original P.A.D.

The overall project is comprised of single family-residential uses and open space, which includes right-of-way landscaping, a project-wide Trail System Corridor and a park sites.

This request is for a minor amendment to the approved P.A.D. Plan to allow the setback requirement for any housing product to include 2-foot front yard encroachment allowance for non-living-space housing features such as porches. Living area setbacks shall remain 12 feet in the front and 10 feet in the rear from the property line.

Additionally, this minor amendment requests that corner lot setbacks be measured from the back of curb, rather than the property line. This change is to accommodate the change in boundary line locations due to the decision to use public streets. The physical locations of the housing products have not changed, such that the original intent of this requirement is still accomplished.

These changes are not considered major and will be a minor amendment subject to approval by the Community Development Director and the City Manager.

APPROVED

Community Development Director

APPROVED

City Manager
1.1 2-PACK DETACHED Z-LOT AND SETBACK DESIGN STANDARDS

The residential lot and setback standards to be followed for a 2-Pack Detached Z-Lot Residential Subdivision are as follows:

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>BELL POINTE 1 2-PACK DETACHED Z-LOT STANDARDS</th>
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</thead>
<tbody>
<tr>
<td>Minimum Lot Width</td>
<td>39/49 feet&lt;sup&gt;1,2&lt;/sup&gt;</td>
</tr>
<tr>
<td>Minimum Lot Depth</td>
<td>85 feet&lt;sup&gt;1&lt;/sup&gt;</td>
</tr>
<tr>
<td>Minimum Subdivision Perimeter Building Setbacks</td>
<td>Street (Front, Rear or Side): 10 feet Property Line (Rear): 10 ft. (1story), 10 ft. (2 story)&lt;sup&gt;3&lt;/sup&gt; Property Line (Side): 10 ft. (1story), 10 ft. (2 story)</td>
</tr>
<tr>
<td>Front Yard Setback – Front Porch</td>
<td>10 foot minimum&lt;sup&gt;1&lt;/sup&gt;</td>
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<tr>
<td>Front Yard Setback – Living Area</td>
<td>12 foot minimum&lt;sup&gt;1&lt;/sup&gt;</td>
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<tr>
<td>Front Yard Setback – Garage</td>
<td>18 foot minimum&lt;sup&gt;1,3&lt;/sup&gt;</td>
</tr>
<tr>
<td>Rear Yard Setback – Rear Patio</td>
<td>5 foot minimum&lt;sup&gt;2&lt;/sup&gt;</td>
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<td>Rear Yard Setback – Living Area</td>
<td>10 foot minimum&lt;sup&gt;3&lt;/sup&gt;</td>
</tr>
<tr>
<td>Minimum Side Setback</td>
<td>5 foot minimum&lt;sup&gt;2&lt;/sup&gt;</td>
</tr>
<tr>
<td>Minimum Distance Between Buildings on Adjacent Lots</td>
<td>10 feet</td>
</tr>
<tr>
<td>Maximum Structure Height</td>
<td>30 feet</td>
</tr>
</tbody>
</table>

Footnotes:

1. Minimum lot width and depth are measured at the center of the lot. Front setbacks are measured from front lot line. The lot line for the front of each lot is at the back of sidewalk. The garage forward setback is measured from the back of the sidewalk.

2. Z-lot widths vary from 39- to 49-feet from front to rear. A 10-foot jog near the center of the lot reverses the widths of adjacent lots, which together are 88-feet wide. Lots that are narrower toward the front have a garage rear design, where lots that are wider toward the front have the garage nearer to the street.

3. Rear patios will be allowed to encroach five (5) feet into the rear setback, but no closer than five (5) feet from the property line.

4. A standard two-car garage is the minimum garage requirement for this development. The dimensions of this garage will be a minimum of 20 feet x 20 feet. In additions, a designated storage area of approximately 80 square feet will be place within (or attached to) the garage. The acceptance of the final design will be completed by a design review by the City.

5. Non-foundation home features will be allowed to encroach two (2) feet into the side yard setback, but no closer than three (3) feet from the property line.
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BELL POINTE I

1.0 PROJECT INTRODUCTION

This is a formal request to seek zoning and to develop a master planned community to be known as BELL POINTE I. The community will be developed on five (5) contiguous land parcels in the western portion of the City of Surprise (the "City"). BELL POINTE I consists of approximately seventy-nine (79) acres and is located on the north side of Bell Road and on the west side of the Beardsley Canal (the "Site"). The Site is located within the planning area of the City. The property is presently zoned R1-43 in the City.

1.1 ZONING REQUEST

This Zoning Compliance Narrative ("Narrative Book") and the attached Conceptual P.A.D. Development Plan ("Land Use Zoning Plan") are the two major elements of our zoning request seeking to change the Site's R1-43 zoning to Planned Area Development (P.A.D) under a Medium Density Residential (MDR) designation. The Narrative Book and the Land Use Zoning Plan for BELL POINTE I have been prepared to reflect the PAD MDR zoning designation and development guidelines that the developer and homebuilders will comply with when building this master planned community. This development will be constructed as a medium density residential community that is characteristic of the single-family and multi-family uses the City is striving to bring to this area under General Plan 2020. The Land Use Zoning Plan is shown in Section 4.1.

The City of Surprise General Plan 2020 ("2020 Plan") depicts the Site with a MDR land use area. This MDR use allows development to occur within a range of density of five (5) to eight (8) dwelling units per acre (du/ac) with a target density of 6.5 du/ac.

1.2 PROJECT SUMMARY

The proposed BELL POINTE I community is a unique blending of potentially three different types of detached cluster homes to be built under the MDR zoning classification. These blended uses offer housing design variety in one small master planned community with all residential development inter-connected with an extensive trail system. This trail system gives the ability to safely move between the individual subdivisions to the various active recreation areas. It also allows the residents to access the expanding trails systems being planned and designed within the western portions of the City of Surprise. The proposed BELL POINTE I community will include:

- Three (3) Medium Density Residential (MDR) single-family cluster subdivisions with gross densities that range from 5.0 to 5.5 residential du/ac. The overall gross density is projected to be 5.2 du/ac.
- Two (2) internal active recreation areas and numerous contiguous open space corridors.
- Pedestrian and bicycle trails in each residential subdivision connecting to a master Development Trail System with access to the active recreation areas;
- A unique emergency access and pedestrian bicycle trail beginning at Bell Road and interconnecting the internal streets with the Development Trail System.
- A third active recreation corridor consisting of a unique jogging and cardiovascular exercise trail along the full length of the western side of the community with access to the City of Surprise Pedestrian Trail System.
BELL POINTE I

Landmark Engineering, Inc. ("LEI") has teamed up with the property Managing Partner to land plan the project, provide zoning coordination, and to design and engineer BELL POINTE I. This residential cluster development will create a wonderful living environment featuring landscaped open space and a trail system inter-linking the overall project. The landscaping will include theme walls, a lush master open space entry into the community, a development trail system and diverse active recreation areas. These integrated, private open space/retention areas and the master open space are approximately 3.5 percent of the overall development. An additional approximate 11.5 percent of private open space/retention areas are projected to be developed within the three (3) residential subdivisions proposed for the community. The overall open space areas represent approximately 15 percent of the land area of the Site.

The designated open space tracts will be dedicated and maintained by a master homeowners association (the "HOA"). A Conceptual Landscape Plan is shown in Section 11.8 and the Open Space, Trail System, Active Recreation Area Exhibit is shown in Section 6.5.

In addition, BELL POINTE I will provide the cluster home building community with the opportunity to showcase their homes on a minimum of three (3) different lot configurations with open space courtyards. Each model type will have a variety of elevations, rooflines and colors. This variety of lots, homes, and elevations will create diversity within the Site, and add to the character of this development as well as the existing and proposed neighboring subdivisions in Arizona Traditions to the east.
1.3 PROJECT TEAM

MANAGING PARTNERSHIP

Bell Pointe I L.L.C.

Attn: David Milne, Project Manager
914 164th Street, S.E., Suite 112
Mill Creek, Washington 98012
(425) 771-5300

503-75-046 [Parcels E, M & Q]
502-01-005 [Parcels L & N]

ENGINEER/PLANNING

Landmark Engineering, Inc.
Contact: Gary R. Claybaugh
7310 North 16th Street, Suite 285
Phoenix, Arizona 85020
(602) 861-2005

SURVEYOR

United Engineering Group
Contact: Scott Lenz
10201 South 51st Street, Suite 265
Phoenix, Arizona 85044
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ATTORNEY

Earl, Curley & Lagarde, P.C.
Contact: Michael Curley
3101 North Central Avenue, Suite 100
Phoenix, Arizona 85012
(602) 265-0094

LANDSCAPE ARCHITECT

Pinnacle Design
Contact: Bill Francis
4343 East Camelback Road
Phoenix, Arizona 85018
(602) 952-8585

1.4 LOCATION OF THE PROJECT

The physical location of BELL POINTE I development is shown on a Project Location Map presented on page 4.
2.0 PROPERTY DESCRIPTION

BELL POINTE I is a proposed master planned residential community consisting of approximately 79 acres, located on the north side of Bell Road, west of the Beardsley Canal. The property is located within the city limits of Surprise. A description of the Site, its conditions, and the surrounding area are presented in the following sections.

2.1 LEGAL DESCRIPTION

The proposed master planned community is comprised of approximately five (5) contiguous parcels of land. These parcels are located in portions of Section 34, Township 4 North, Range 2 West; G&SRB&M; Maricopa County, Arizona. The Site is located on the north side of Bell Road and west of the Beardsley Canal in Surprise (Maricopa County), Arizona. Legal descriptions for the five parcels are included with this report as Appendix "A". A map showing the project location and the area around the Site is presented in Section 1.4.

2.2 MANAGING PARTNERSHIP

The approximate 79 acres contained in the Site will be owned and developed by Bell Pointe I L.L.C. This portion of the project consists of the following parcels:

503-75-046 [Parcels E, M & Q]
502-01-005 [Parcels L & N]

2.3 CONTROL

The development of BELL POINTE I is under the control of the Project Manager of Bell Pointe I L.L.C., Mr. David Milne (the "Project Manager").

2.4 APPLICANT'S INTEREST

BELL POINTE I is located in a fast developing area within the incorporated city limits of the western portion of Surprise, Arizona. Based on the proposed and existing residential developments to the east and south of the Site, this overall area of the city is projected to experience substantial new growth of diverse residential communities. The applicant (i.e., the Project Manager) is interested in developing a single-family cluster oriented master planned community under the Planned Area Development Zone P.A.D. District of the City of Surprise Municipal Code; Section 17.28.140 (the "Municipal Code").
2.5 AREA DESCRIPTION

The existing land use within a half mile radius of the Site may be characterized as a mixture of newly platted master planned communities, existing residential uses, and undeveloped land.

North: The Site is bound on the north by Trilby Wash and an earthen levee. The land further north is undeveloped.

East: The southeastern portion of the Site abuts the Beardsley Canal. The land use east of the Beardsley Canal is a small commercial type of development. The land to the east of this small development is the Arizona Traditions residential development. The remaining northeastern portion of the Site is adjacent to a future development phase of Arizona Traditions.

South: The Site fronts to the south by Bell Road, a four-lane paved road. The adjoining property to the south is an undeveloped parcel of land owned by the Maricopa Water District. The land parcel to the southeast is a future development phase of an approved PAD zoned development named Surprise Farms. This development is approved for 7,000 homes.

West: The Site is immediately bound on the west by Trilby Wash and an earthen levee. The land further west is undeveloped.

2.6 EXISTING SITE CONDITIONS

The Site contains a total acreage of approximately 79 gross acres. The Site is undeveloped desert. The Site is presently zoned R1-43, Single Family Residential Zone.

2.6.1 Topographic Contours

The Site is undeveloped desert that gently slopes to the east, southeast. The high point of the Site is along the western property line of the Site at approximately 1,339 feet above mean sea level (MSL). The low point of the Site, the southeast corner adjacent to the Beardsley Canal, is approximately 1,330 feet above MSL. Elevation and topographic information was derived from a Topographic Survey completed by Consulting Land Surveyors on January 7, 1998. Appendix B shows the topographic contours for the Site.

2.6.2 Vegetation and Wildlife

The Site has natural desert vegetation consisting of native grasses, scrubs and a few mesquite and Palo Verde trees. The Site does not contain any significant native vegetation, except a portion in the southeast corner along the Beardsley Canal near Bell Road. This area contains a large stand of desert trees and scrubs. The Site has minimal wildlife. The wildlife species most likely to be found on the Site include jackrabbits, skunks, coyotes, mourning doves, quail and songbirds. A copy of a Phase I Environmental Site Assessment covering the Site will be provided to the City.
2.6.3 Streams and Ponding Areas

The Site does not contain any natural washes or streams.

2.6.4 Existing Drainage Patterns

The Maricopa County, Arizona and Incorporated Areas Flood Insurance Rate Map (FIRM); Panel Numbers 04013C1140 F, effective date December 3, 1993, indicates that the Site falls within Flood Zone X. The Zone X designation means the Site is located in areas of 500-year flooding; and 100-year flooding with average depths less than one foot or with drainage areas less than one square mile; and areas protected by levees from 100-year flooding. Appendix C shows the location of the flood zone designation for the Site.

The Site is adjacent on the west to the Trilby Wash basin. The Site is separated from the Trilby Wash basin by an earthen levee.

Based on meetings with the City Engineering Department, a countywide storm water retention policy has been implemented and all new developments in this area are required to retain 100-year, 2-hour duration design storm on-site.

2.6.5 Private Irrigation System

The Beardsley Canal is located on the southeastern edge of the Site. It is owned and maintained by the Maricopa Water District (MWD). There are no other MWD delivery ditches or private irrigation systems on the Site.

2.6.6 Utilities

Water: The Site is located in the water service area of Citizens Water Resources (i.e., Citizens Utility). Citizens Utility is working with the Managing Partner to participate in the establishment of a loop water system that will serve the Site. The water lines for the Site will be designed to connect with the Citizens Utility water service in Bell Road and then loop with the proposed Citizens Utility water lines in Arizona Traditions. A Development Agreement between Citizens Utility and the Managing Partner will address the water service to BELL POINTE I. A copy of the agreement will be provided to the City upon its completion. A copy of the Preliminary Water Report is on file with the City of Surprise Engineering Department.

Sewer: The Site is located in the sewer collection system area of the City. It is anticipated that the existing 8-inch sewer line located on the north side of Bell Road at the southwest corner of Arizona Traditions will serve the Site. See Section 10.2 below for additional information on the finalization of sewer service to the Site. A copy of the Preliminary Sewer Report is on file with the City of Surprise Engineering Department.
BELL POINTE I

Electric: The Site is located in the service area of Arizona Public Service (APS). Electric service for the area containing the Site is being provided from overhead electric lines located in public utility easements along the north side of Bell Road. All electric service for this development will be underground.

Gas: The Site is located in an area serviced by Southwest Gas Company. There is a 4-inch gas distribution line in Bell Road. This gas line provides service to the immediate area of the Site. All gas service, if constructed for this development, will be underground.

Telephone: The Site is located in an area that is serviced by U.S. West Communications (Qwest). Telephone service in this area exists in Bell Road. All telephone service for this development will be underground.

Cable: The Site is not in an area presently serviced by a cable TV company. However, Cox Communications presently services the Arizona Traditions development to the east. Cox has stated that they intend to upgrade or extend service to the Site as the area develops. All cable service, if constructed for this development, will be underground.

2.7 LUKE AIR FORCE BASE NOISE LEVELS

No portion of the Site lies within the 1997 revised AlCUZ noise contour lines. Additionally, no portion of the Site lies within any noise contour lines as defined by the 1988 MAG JUS.
3.0 PLANNING CONCEPTS & PHILOSOPHY

The Conceptual P.A.D. Development Plan for BELL POINTE I has been designed to follow certain planning concepts that have been established in the City of Surprise General Plan 2020. The Planning Concepts and Philosophy are addressed in the following sub-sections.

3.1 CONSISTENCY WITH THE CITY OF SURPRISE GENERAL PLAN

BELL POINTE I has been thoughtfully planned and engineered to be in compliance with the City of Surprise General Plan 2020 including Section 4.1.4 "Land Use Goals, Objective, and Policies". Several of the component areas of Section 4.1.4 are complemented by the proposed development.

These areas include:

Objective: Promote a compatible mix of land uses throughout the planning area.

COMPLIANCE BY BELL POINTE I

Policy 2: Major Activity Centers - The Site meets the intent of this policy with the location of this diverse residential development in close proximity to the new Surprise Center, the new downtown of the City of Surprise. In addition, the new spring training facility for the Cactus League is also nearby this new community. Both of these active centers are approximately five (5) miles to the east.

Development Activity Centers - In addition, within the development all three (3) Active Recreation Areas are linked to all residential subdivisions by both a Development Trail System as well as the connecting Neighborhood Trail System.

Buffering – Even though the land uses to the east and south are similar residential uses, the land use to the southeast is commercial in use. All three of the adjacent land uses have been buffered with a well landscaped open space corridor.

Policy 3: The Site is in compliance with the General Plan 2020 designated zoning of MDR as the overall land use for this area. In addition, the proposed diversity of residential land uses will reduce the overall density designated for this selected location.

Policy 4: The higher density residential land uses are located adjacent to Bell Road, a major arterial within the City of Surprise. This allows the traffic from the higher intense areas of this development to flow onto this arterial and not affect the residential neighborhoods in the balance of the project.

Objective: Practice comprehensive development master planning that evaluates areas and incorporates a mix of compatible land uses.

COMPLIANCE BY BELL POINTE I

Policy 2: The Site promotes clustering and is abutting the earthen levee of the Trilby Wash Basin. This allows the preservation and use of the area at the base of the levee. This development will coordinate with the Maricopa County Flood Control District to develop one of the first sections of the regional trail system in this area. At the same time this trail system area will be preserved as natural open space.
BELL POINTE I

Objective: Preserve the natural environment and scenic resources within the planning area by ensuring compatible development that protects environmentally sensitive areas.

COMPLIANCE BY BELL POINTE I

Policy 5: The Site is being developed with the encouragement of clustering to create and/or preserve natural open space. As stated in Policy 2 above, the preservation and use of the area at the base of the levee is vital to protecting environmentally sensitive areas. This use of this natural open space will promote openness within the housing developments.

Objective: Strengthen existing neighborhoods and ensure compatible development.

COMPLIANCE BY BELL POINTE I

Policy 2: The Site has been master planned to connect neighborhoods through a series of planned trails and functional open space. All residential subdivisions and the active recreation areas are connected and inter-linked by both a Development Trail System as well as the connecting Neighborhood Trail System.

3.2 DEVELOPMENT THEME AND VALUE TO COMMUNITY

BELL POINTE I has been created with a consistent project theme throughout the master planned community. This project theme has been planned to place this project in compliance with the City of Surprise General Plan 2020, specifically 4.9.4 "Community Design Goals, Objectives and Policies". This project will be in compliance with the following Objectives and Policies of Section 4.9.4.

Objective: To develop a comprehensive, thematic design theme for the City of Surprise.

COMPLIANCE BY BELL POINTE I

Policy 1: Section 5.0 of this Zoning Narrative outlines the adoption of comprehensive design guidelines for the detached single family homes in Bell Pointe I.

Objective: Regulate the appearance of the future built and revitalized environment through landscaping materials and their placement on private property, public rights-of-ways and facilities, and parks and open space.

COMPLIANCE BY BELL POINTE I

Policy 2: The Conceptual Landscaping Plan presented in Section 11.8 reflects signage and monumentation standards for both the primary and “emergency” entryway into this development. In addition, Section 9.5.1 of this Zoning Narrative outlines the specific streetscape design guidelines for the detached single-family homes in BELL POINTE I.
BELL POINTE I

Objective: Develop a well-designed graphic identity and incorporate this into a hierarchy of community gateways, activity nodes, and directional signage in the city.

COMPLIANCE BY BELL POINTE I

Policy 2: The Conceptual Landscaping Plan shown in Section 11.8 reflects a comprehensive signage/monumentation package for the primary and “emergency” entryway into this development and the active recreation areas.

Objective: Promote opportunities for social interaction through gathering places, non-vehicular circulation facilities, and linkages to parks, schools and public open space.

COMPLIANCE BY BELL POINTE I

Policy 2: A Trail Master Plan is presented in Section 6.5. In addition, the design of the trails is shown on the Conceptual Landscaping Plan in Section 11.8. Both reflect the opportunities for social interaction with the interconnection of the subdivisions within this master planned community.

3.3 PLANNING CONCEPTS FOR DEVELOPMENT

BELL POINTE I has been created to adhere to both the designated Medium Density Residential Land Use in the 2020 Plan and with the Single Family Residential Design Guidelines. The Developer will follow the housing design parameters of the new SFR Design Guidelines adopted under Ordinance No. 00-01 and will establish compliance parameters for the homes developed in this project. In addition, this MDR residential development will be developed following the lot and setback standards established in this Zoning Compliance Narrative Book.
4.0 CONCEPTUAL P.A.D. DEVELOPMENT PLAN & LAND USE SUMMARY

The Conceptual P.A.D. Development Plan (Land Use Zoning Plan) for BELL POINTE I depicts the overall site, describes the land use, recreational design and reflects the development intent of the project. The Land Use Zoning Plan includes:

- The three (3) land parcels of the Site are proposed to be build with types of residential cluster land uses designed to meet the overall intent of the 2020 Plan for the area containing the Site.

- Approximately 19.0 acres of this community will be developed with a detached Auto Court cluster configuration with common useable open space at a gross density of 5.5 du/ac under a P.A.D. Medium Density Residential (MDR) designation. These homes will be developed to be in general compliance with the City of Surprise Single Family Residential Development Guidelines and the MDR zoning standards established by this Zoning Compliance Narrative Book. [Parcel 1].

- Approximately 59.9 acres will be developed with 4-Pack and/or Zero Lot Line detached cluster homes having common useable open space at a gross density of 5.2 du/ac under a P.A.D. Medium Density Residential (MDR) designation. These homes will be developed to be in general compliance with the City of Surprise Single Family Residential Development Guidelines and the MDR zoning standards established by this Zoning Compliance Narrative Book. [Parcels 2A, 2B and 3]

The overall project containing 79 gross acres of three residential developments, a development trail system, and approximately fifteen (15) percent open space with two (2) active recreation areas will be developed with a gross density of 5.2 du/ac. Again, the 2020 Plan stipulates that the designated Medium Density Residential Land Use has a land use density of 5 to 8 du/ac.

4.1 CONCEPTUAL P.A.D. DEVELOPMENT PLAN

The Conceptual P.A.D. Development Plan for Bell Pointe I is presented on page 13.
4.2 EQUIVALENT RESIDENTIAL ZONING

The proposed residential uses for BELL POINTE I will be detached cluster residential dwelling units built in accordance with the approved Land Use Zoning Plan and to conform to the City’s MDR land use designation. The three (3) potential residential cluster uses will be designed and developed under the current Municipal Code Section 17.28.040 provisions for R1-5 and R-2 zoning designations, unless specifically amended.

Also, the proposed 4-Pack and the Zero Lot Line residential use will be designed and developed in general compliance with the City of Surprise Single Family Residential Design Guidelines ("SFR Design Guidelines") adopted on January 13, 2000, unless specifically amended (see Section 4.0).

The City’s R1-5 and R-2 zoning designations have been designated as the most equivalent zoning districts to the BELL POINTE I MDR land use category. The proposed land use designations are also in compliance with the MDR land use classification shown in the 2020 Plan. The zoning designations are as follows:

R1-5 = MDR (4-Pack and Zero Lot Line Detached Cluster)
R-2 = MDR (Detached Auto Court Cluster)

4.3 PARCEL USE AND DESCRIPTION

The following sections describe the type of residential use proposed for each land parcel.

4.3.1 Parcel 1 - Detached Auto Court Cluster

Parcel 1 is proposed to be developed as a combination single and two story residential cluster project. This parcel is located on Bell Road at the southeast corner of the overall development. It is also south and east of the 4-Pack detached subdivisions. Each detached residential unit in this Auto Court cluster subdivision has been designed with a variety of elevations combined with front or side, two car garages on a common courtyard driveway. The homes may be built with a “zero lot line”, but will maintain a minimum of five (5) feet of separation between the homes. In addition, use and benefit easements may be used to allow easier movement into the rear yards of all lots. The development has a small residential detached atmosphere with well placed open space and pocket parks. This project will also provide pedestrian access throughout the development to neighborhood and community amenities. This subdivision is designated on the Land Use Zoning Plan for this land use and is labeled as “Detached Auto Court Cluster”. This residential area is designed to provide a safe neighborhood for young families, single working people and active retirees.

4.3.2 Parcels 2A and 2B - 4-Pack Detached Cluster Lots

These parcels are proposed to be developed with the "streetscape" look of a more of a traditional single-family detached lot subdivision with multiple open space areas. However, the homes and the lots are designed to blend side entry and recessed entry, two car garages with shared common driveways. These subdivisions have been established on the western portion of the MDR area of the BELL POINTE I project. These two (2) sections of this land parcel have been designated on the Land Use Zoning Plan for this land use and are labeled as “4-Pack Clusters”.

BELL POINTE I – P.A.D. MDR Zoning Compliance Narrative [Dated 01/25/02]
BELL POINTE I

The purpose of this area of the project is to provide a blending of a cluster development with a more traditional look of single family residential with larger back yards for new and growing families.

4.3.3 Parcel 3 - Detached Zero Lot Line Cluster

Parcel 3 is proposed to be developed as a combination single and two story residential cluster project. This parcel is located northeast of the 4-Pack detached subdivisions. This parcel again is proposed to be developed with the "streetscape" look of a more of a traditional single-family detached lot subdivision with multiple open space areas. The homes are to be designed to blend side entry, recessed and rear entry, two car garages. There are no shared common driveways in this portion of the development. The homes will be built with a “zero lot line”, but the design of the adjacent homes allows that a minimum of five (5) feet of separation will be maintained between the homes. The development has a small residential detached atmosphere with well placed open space and pocket parks. This project will also provide pedestrian access throughout the development to neighborhood and community amenities. This land parcel has been designated on the Land Use Zoning Plan for this land use and is labeled as “Zero Lot Line Clusters”.

The purpose of this area of the development is to again provide a blending of more traditional looking cluster development with larger back yards for new and growing families. In addition, an open space buffer will be placed adjacent to the future phase of the Arizona Traditions housing development that is contiguous to the northeastern portion of BELL POINTE I. These designated areas will be designed with the lots similar in size to the type of lots proposed in the Arizona Traditions.

4.4 LOT SIZE

The Land Use Zoning Plan for the Site has three (3) MDR residential development parcels. All parcels will be developed under the standards established in this Zoning Compliance Narrative Book, and also being in general conformance with the Design Guidelines. The Land Use Plan for the Site reflects that the cluster subdivisions will have a set minimum lot width with the potential for four (4) different lot widths within the residential subdivisions. All subdivisions will be developed under the standards designated in Section 4.0 of this Zoning Compliance Narrative Book. The use of varying lot widths will provide a mix of the types of homes to be built. The P.A.D. MDR designated lots will have a lot depth that varies from 90 feet to 110 feet. The P.A.D. MDR lot widths will be 40 to 52 feet.
4.4.1 Lot Data Table

<table>
<thead>
<tr>
<th>PARCEL</th>
<th>CONCEPTUAL YIELD (DWELLING UNITS)</th>
<th>TYPE OF DWELLING UNIT</th>
<th>MINIMUM LOT SIZE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>104</td>
<td>Auto Court Detached Cluster</td>
<td>40'/50' x 90'</td>
</tr>
<tr>
<td>2A</td>
<td>98</td>
<td>4-Pack Detached Cluster</td>
<td>45' x 105'; 50' x 105'</td>
</tr>
<tr>
<td>2B</td>
<td>73</td>
<td>4-Pack Detached Cluster</td>
<td>45' x 100'; 50' x 100'</td>
</tr>
<tr>
<td>3</td>
<td>138</td>
<td>Zero Lot Line Detached Cluster</td>
<td>52' x 105'/110'</td>
</tr>
<tr>
<td>TOTAL</td>
<td>413</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

4.5 DENSITY

The Land Use Zoning Plan proposed that the gross density of the overall MDR zoning area of BELL POINTE I will be 5.2 residential du/ac.

The gross density of the Detached Auto Court Cluster portion of this development will be 5.5 residential du/ac. The gross density of the Single-Family Cluster portion of this project will be 5.2 residential du/ac.

4.6 LAND USE ZONING PLAN RECAP TABLE

<table>
<thead>
<tr>
<th>PARCEL</th>
<th>LAND USE TYPE</th>
<th>GROSS ACREAGE</th>
<th>GROSS DENSITY</th>
<th>PROPOSED DWELLING UNITS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Medium Density Residential</td>
<td>19.0</td>
<td>5.5</td>
<td>104</td>
</tr>
<tr>
<td>2A</td>
<td>Medium Density Residential</td>
<td>19.6</td>
<td>5.0</td>
<td>98</td>
</tr>
<tr>
<td>2B</td>
<td>Medium Density Residential</td>
<td>14.3</td>
<td>5.1</td>
<td>73</td>
</tr>
<tr>
<td>3</td>
<td>Medium Density Residential</td>
<td>26.0</td>
<td>5.3</td>
<td>138</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>78.9</td>
<td>5.2</td>
<td>413</td>
</tr>
</tbody>
</table>
4.7 DEVELOPMENT DIVERSITY

The various sub-sections of Section 4.0 depict the three (3) proposed types of P.A.D. MDR detached Residential Cluster uses for BELL POINTE I. This section and the proposed Conceptual P.A.D. Development Plan propose that certain parcels will be developed with a particular designated Residential Cluster use. The design requirements and setback criteria for each proposed Residential Cluster use is specifically outlined in Section 7.0.

In order to provide flexibility to the homebuilding community the ability to offer development diversity in Bell Pointe I is paramount and warranted. As long as the cluster design requirements and parameters established by the acceptance of this Zoning Compliance Narrative Book are met for a designated Land Parcel in Bell Pointe I, any of the three (3) proposed types of Residential Cluster uses may be built on that Land Parcel. In addition, a similar Residential Cluster use may be substituted for the three (3) proposed types of Residential Cluster uses, if the proposed use meets all cluster design requirements and parameters established by the acceptance of this Zoning Compliance Narrative Book.

?? Either of these proposed variations in Residential Cluster land use will only be allowed through administrative approval of the Community Development Director.
5.0 RIGHTS-OF WAY AND ACCESS

The following sections outline the rights-of-way and access design issues for BELL POINTE I.

5.1 ROAD CIRCULATION

Bell Road provides primary access to BELL POINTE I. This residential development will be primarily served by a 60-foot right-of-way in the north-central portion of this master planned community. In addition, a unique 50-foot wide open space tract with a 20-foot wide emergency access roadway will also provide each subdivision in this development with secondary, emergency access. A summary of each road is presented in the sections below.

5.1.1 Arterial Street

Bell Road, the southern arterial street of this project, is a public right-of-way. Bell Road has been established as a major arterial road with a 130-foot right-of-way in the 2020 Plan or Engineering Department guidelines. This public street will be designed to meet the approvals of the City of Surprise Engineering Department and the Fire Department. A Street Design Plan is attached in Section 5.4 below.

5.1.2 Collector Streets

Based on discussions with the Surprise Engineering Department, the collector road for this development will be designed as a split 80-foot entry right-of-way with an entry median that transitions to a 60-foot right-of-way in the north-central portion of this master planned community. This proposed collector would be a landscaped 2-lane road with center turn lane. This road will be designed with an off-street parking roundabout that transitions to a 50-foot right-of-way that serves Parcel 3 and an adjacent residential subdivision in Bell Pointe II. Both of these public streets will be designed to meet the approvals of the City of Surprise Engineering Department and the Fire Department. A Street Design Plan is attached in Section 5.4 below.

5.2 CITY OF SURPRISE NEW STREET CROSS-SECTIONS

The subdivisions proposed to be built in BELL POINTE I will be designed based on new street cross sections that promote tree-lined roadways. Two street rights-of-way, one public and one private, are proposed to be utilized in the design of this development. Both of these new rights-of-way will be designed to following the new design standards that are being finalized by the City of Surprise Engineering Department. Section 5.4 below reflects these new street cross-sections. The following sections outlined the types of road proposed to be built in this development.
BELL POINTE I

5.2.1 Auto Court Cluster Residential Streets

All internal residential streets in the Auto Court Detached Cluster Subdivision are to be designed with the flexibility to be either public or private streets. Either street cross-section that is to be utilized will be designed to the designated design parameters set aside in Street Design Plan presented in Section 5.4, as approved by the City of Surprise Engineering Department and the Fire Department during the Preliminary Plat review of this development.

5.2.2 Detached Cluster Streets

All internal residential streets in the 4-Pack Detached Cluster Subdivisions are to be designed with the flexibility to be either public or private streets. Either street cross-section that is to be utilized will be designed to the designated design parameters set aside in the Street Design Plan presented in Section 5.4, as approved by the City of Surprise Engineering Department and the Fire Department during the Preliminary Plat review of this development.

5.2.3 Zero Lot Line Detached Cluster Streets

All internal residential streets in the Zero Lot Line Detached Cluster Subdivision are to be designed with the flexibility to be either public or private streets. Either street cross-section that is to be utilized will be designed to the designated design parameters set aside in the Street Design Plan presented in Section 5.4, as approved by the City of Surprise Engineering Department and the Fire Department during the Preliminary Plat review of this development.

5.3 EMERGENCY ACCESS

A unique 20-foot wide emergency access/trail system and roadway surrounded by a 50-foot wide open space tract will also provide each subdivision in this development with secondary, emergency access. The Emergency Access Roadway will connect to existing residential streets and will be designed with the flexibility to be approved with optional surfaces (i.e., all or portions of asphalt and decomposed granite or rock). The roadway will also be designed to meet the approvals of the City of Surprise Engineering Department and the Fire Department. It will be placed at the southeast corner of the Site, connecting Parcel 1 to Bell Road, and will also serve as a multi-purpose trail for Bell Pointe I. The proposed cross-section is shown in the Street Design Plan presented in Section 5.4.

5.4 TYPICAL STREET/EMERGENCY ROADWAY SECTIONS

The typical street and emergency access roadway cross-sections are presented on the next page.
BELL POINTE I

5.5 TRAFFIC ANALYSIS

A traffic study is currently being prepared for the City for the Site. Based on discussions with the City of Surprise Engineering Department, the traffic study will be submitted to the Engineering Department with the Preliminary Plat for the BELL POINTE I project.

5.6 BELL ROAD IMPROVEMENTS

The possible need for other improvements to the existing Bell Road right-of-way along the frontage of Bell Pointe I has not been established. These possible additional improvements may include a left turn lane from eastbound Bell Road and a deceleration lane for westbound Bell Road. Based on the Traffic Study referenced in Section 5.3 above, and the City Engineering Department’s requirements, the need for any additional Bell Road improvement will be determined.

5.7 TRAFFIC SIGNAL

The need for a future traffic signal at the intersection of Bell Road and the Bell Pointe I entry road has not been established. Based on the Traffic Study referenced in Section 5.3 above, and the City Engineering Department’s requirements, the need for a traffic signal will be determined.

5.8 BUS BAYS

Public bus routes have not been established for the portion of the City containing the BELL POINTE I development. Therefore, bus bays will not be included as part of the public facilities provided within BELL POINTE I.

5.9 TEMPORARY ROUNDBOUGHT

A temporary roundabout will be proposed for the northern portion of Phase 1 of this development. This roundabout will be aligned between Parcels 1 and 2A and 2B at the northwest corner of Parcel 1. This traffic feature will provide full access to all proposed residential units in the first phase of this development.
6.0 OPEN SPACE, RECREATION AND TRAILS

The following sections review the amenities that are being proposed for BELL POINTE I

6.1 OPEN SPACE DESIGNATIONS

The BELL POINTE I Master Planned Community will have two (2) separately delineated, but fully integrated, open space areas. They are designated as the Master Open Space and the Residential Open Space. Each of these open space areas and their components will be outlined below.

The developer will create and record a set of Covenants, Conditions, and Restrictions (CC&R’s) establishing a master homeowners association (the "HOA") which will be responsible for the maintenance of the landscaping of the open space areas and designated rights-of-ways. The HOA will be created by the developer and governed by a recorded set of CC&R’s.

6.2 MASTER OPEN SPACE AND TRAILS

The Master Open Space is a continuous common open space that links the three (3) residential land parcels in three primary locations. The Master Open Space contains approximately 5.3 acres utilized for pedestrian and bicycle trails, active recreation and surface water retention areas. This Master Open Space is shown in Cross-Section form on the Conceptual Landscape Plan in Section 11.8 and on the Open Space, Trail System, Active Recreation Area Exhibit in Section 6.5.

The following six (6) sub-sections outline the various features of the Master Open Space.

6.2.1 Entry Feature Open Space

A wide, entry corridor of landscaping will be provided along the frontage of Bell Road. This corridor will be staggered and will vary from approximately 35 feet to 65 feet wide along the frontage of this arterial street serving this development.

A landscaped entry median will be located within the right-of-way of the entry collector road into the development. These entry design features are presented in the Conceptual Landscape Plan shown in Section 11.8.

6.2.2 Surface Water Retention Areas

Additional areas within the Master Open Space will be part of an integrated retention basin design that will handle the surface water retention for the development as a whole. These retention basins will be sized for a 100-year, 2-hour storm. These common areas may also be utilized for recreation purposes and pedestrian access.
6.2.3 Active Open Space

There are two (2) proposed common area open space tracts that have been designed to provide additional active recreational uses for the residents of BELL POINTE I. These active recreation areas are known as BPI South and BPI North. A colored rendering of the Conceptual Landscaping Plan showing the location and proposed design of these active open spaces is included in Section 11.8.

**BPI South** is an active turf and DG area that is proposed to have the turf portion with active recreation activities such as a sand volleyball court. The turf area can also be utilized for field sports (e.g., soccer, etc.). This active recreation area contains approximately 1.3 acres. The eastern portion of BPI South has been designed to provide a dual use as retention area for a portion of the community. This landscaped open space area is also proposed to contain a ramada with BBQ, park benches and picnic tables. A meandering Neighborhood Trail will provide pedestrian and bicycle access to and through this active recreation area from all adjacent subdivisions. A colored rendering of the Conceptual Landscaping Plan showing the location and uses in BPI South is included in Section 11.8.

**BPI North** is an active turf and DG area that is at the confluence of a Neighborhood Trail System. This recreation open space area contains approximately 1.6 acres. Besides the trail system, this landscaped active recreation area is proposed to contain a physical conditioning station inter-linked with the trail system. The area will have a turf play area, park benches and picnic tables. A second designated portion of this active area is proposed to have a tot-lot play area. This area will have designated play equipment for younger age groups. A colored rendering of the Conceptual Landscaping Plan showing the location and uses in BPI North is included in Section 11.8.

6.2.4 Development Trail System

A designated trail system is proposed along the perimeter and through the center of BELL POINTE I (the "Development Trail System"). Pedestrian and bicycle access and use have been designed from the eastern property line of the development through the project and connecting to the western property lines.

The Development Trail System will link all designated neighborhood trails designed for each of the residential developments in BELL POINTE I. This system will provide access to the active open spaces. The Development Trail System will utilize an eight (8) foot meandering path within the open space areas of the Master Open Space. The open space areas will be a minimum of twenty-five (25) feet wide between the subdivisions and a minimum of fifteen (15) feet wide adjacent to the internal road rights-of-ways. A colored rendering of the Conceptual Landscaping Plan showing the proposed design of the Development Trail System is included in Section 11.8.
6.2.5 Emergency Access Roadway/Trail System

A unique, dual purpose, emergency access roadway/designated trail system is proposed along portions of the eastern perimeter of BELL POINTE I. This open space corridor will be utilized for access of emergency vehicles, if needed, from Bell Road into the overall development. This corridor will be used to interconnect the proposed private and/or public residential streets to create secondary access to each subdivision within the project (the "Emergency Access/Trail System"). The connections to each private street will be designed as a 20-foot wide, thickened edge paved "roadway/trail" surrounded by a 50-foot wide landscaped open space. This roadway will provide secondary, backup access for emergency vehicles. Pedestrians and/or bicyclists will be able to use this paved roadway to access other trails within the project. The corridor may also have additional uses of buffering landscaping and/or surface water retention. The Emergency Access/Trail System will link each of the subdivisions to the Development Trail System.

?? The Emergency Access/Trail System will tie into the meandering Development Trail System at several different locations within the development. The open space areas on both sides of the 20 foot wide paved trail will be each approximately fifteen (15) feet wide. A colored rendering of the Conceptual Landscaping Plan showing the proposed design of the Emergency Access/Trail System is included in Section 11.8.

6.2.6 Regional Trail Corridor

The Master Open Space will be linked to an area located adjacent to the western property line of BELL POINTE I. This area is a separate designated trail easement corridor containing approximately 6.4 acres (the "Regional Trail Corridor"). The Regional Trail Corridor will be utilized as an additional trail corridor for pedestrian and bicycle access along the western portion of BELL POINTE I. The Development Trails in the project will provide access to the Regional Trail Corridor. The Development Trails will also link the Regional Trail Corridor to the future City of Surprise Pedestrian Overpass on Bell Road. This overpass will link to additional trails leading to the proposed regional park west of the Beardsley Canal and to the proposed West Park Community Park in the Surprise Farms Master Planned Community. The Land Use Zoning Plan reflects the physical location of the Regional Trail Corridor. The Open Space; Trail System; Active Recreation Area Exhibit presented in Section 6.5 also shows the location and proposed design of this potential trail easement.

?? Discussions have been initiated with the Maricopa County Flood Control District (MCFCD), the owner of the land west of BELL POINTE I. The developer is coordinating with MCFCD to obtain the use of this designated land to improve and create a linear trail that will be accessible by both the Development Trails and the Neighborhood Trails. It is proposed that if the developer is successful in obtaining the trail easement, the common western perimeter solid fence may not be constructed but replaced with offset view fencing offered along the rear property lines of the subdivisions. This expanded Regional Trail Corridor, if acceptable to MCFCD, will further enhance this area and be an asset to BELL POINTE I, the City of Surprise, and potentially to the Arizona Traditions development to the east.

?? Depending on the final structure of the MCFCD easement, the master HOA may be responsible for the maintenance of the landscaping and trails in the Regional Trail Corridor.
6.3 RESIDENTIAL OPEN SPACE AND TRAILS

In addition to the Master Open Space, each of the MDR residential land parcels will have integrated and linked open space areas (the "Residential Open Space"). The Residential Open Space will provide approximately 7.3 acres utilized for pedestrian and bicycle access trails, potential additional active recreation purposes, and surface water retention. The Land Use Zoning Plan reflects the location of the Residential Open Space. The following three (3) sub-sections outline the various features of the Residential Open Space.

6.3.1 Neighborhood Trail System

Pedestrian and bicycle access from each of the residential land parcels to the active recreation areas and the Development Trail System will be provided via a designated trail system within BELL POINTE I (the "Neighborhood Trail System"). The Neighborhood Trail System will link these residential areas with meandering trails within designated areas of the Master Open Space and Residential Open Space corridors. The meandering trail for the Neighborhood Trail System will be a minimum of four (4) feet in width in order to link any sidewalks to the Development Trails. The open space corridors containing this Neighborhood Trail System will be a minimum of ten (10) feet in width. Additional trail linkages may be provided in the Residential Open Space areas of the residential land parcels. The Land Use Zoning Plan reflects the location of the Neighborhood Trail System. A colored rendering of the Conceptual Landscaping Plan showing the design of the Neighborhood Trails is included in Section 11.8.

6.3.2 Open Space Areas & Pocket Parks

Each proposed subdivision will be designed with additional open space that can provide additional active recreational uses for the residents of that proposed subdivision within BELL POINTE I. The individual homebuilders of this subdivision will have the design ability to utilize these "Pocket Park" areas to establish additional active recreation areas.

6.3.3 Surface Water Retention Areas

Additional areas within the Residential Open Space will be part of an integrated retention basin design that will handle the surface water retention for each of the residential land parcels and the development as a whole. These retention basins will be sized for a 100-year, 2-hour storm. These common areas will also be utilized for recreation purposes and pedestrian access.
6.4 TOTAL OPEN SPACE

The projected Master Open Space and the Residential Open Space will, when combined, contain a minimum of 15% of the overall gross acreage of this P.A.D. master planned community. These areas have been designed to be centralized in the development and have continuity and flow between the three (3) subdivision parcels and the active open spaces.

6.5 PROPOSED OPEN SPACE; TRAIL SYSTEM; ACTIVE RECREATION AREA DESIGN

The proposed location of the open space, trails and active recreation areas are presented on the next page.
BELL POINTE I

7.0 RESIDENTIAL PARCEL DESIGN CRITERIA

BELL POINTE I is a proposed Planned Area Development Medium Density Residential (PAD/MDR) project. The residential subdivisions will be land planned to generally follow the housing design parameters of the new SFR Design Guidelines adopted under Ordinance No. 00-01. In addition, this PAD/MDR residential development will be developed following the lot and setback standards established in this section of the Zoning Compliance Narrative Book.

7.1 DETACHED AUTO COURT CLUSTER LOT AND SETBACK DESIGN STANDARDS

The residential lot and setback standards to be followed for a Detached Auto Court Cluster Residential Subdivision, are as follows:

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>BELL POINTE I AUTO COURT CLUSTER STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Width</td>
<td>40 feet$^1$</td>
</tr>
<tr>
<td>Minimum Lot Depth</td>
<td>90 feet</td>
</tr>
<tr>
<td>Perimeter Subdivision Setbacks:</td>
<td></td>
</tr>
<tr>
<td>Minimum Subdivision Perimeter Building Setbacks</td>
<td>Street (Front, Rear or Side): 10 feet Property Line (Rear): 10 ft. (1 story), 10 ft. (2 story) Property Line (Side): 10 ft. (1 story), 10 ft. (2 story)</td>
</tr>
<tr>
<td>Perimeter Auto Court Module Setbacks:</td>
<td>Street Side: 10 feet$^2$ Adjacent Module: (Rear): 10 ft. Adjacent Module: (Side): 5 ft.</td>
</tr>
<tr>
<td>Interior Courtyard Lot Setbacks/Requirements:</td>
<td></td>
</tr>
<tr>
<td>Front Yard Setback – Garage Side</td>
<td>5 foot minimum$^{1,4,5}$</td>
</tr>
<tr>
<td>Front Yard Setback – Garage Forward</td>
<td>18 foot minimum$^{1,4,5}$</td>
</tr>
<tr>
<td>Minimum Rear Setback</td>
<td>20 feet</td>
</tr>
<tr>
<td>Minimum Side Setback</td>
<td>None$^3$</td>
</tr>
<tr>
<td>Minimum Street Side yard Setback</td>
<td>10 feet$^3$</td>
</tr>
<tr>
<td>Minimum Distance Between Buildings on Adjacent Lots</td>
<td>5 feet$^3$</td>
</tr>
<tr>
<td>Maximum Structure Height</td>
<td>30 feet</td>
</tr>
</tbody>
</table>
Footnotes:

1. Minimum lot width is measured at the center of the lot. Front setbacks are measured from front lot line. The property line for the “interior street side” of each proposed Auto Court module is at the back of the detached sidewalk.

2. Addition width may be added to the street side yard landscaping setback for certain Auto Court modules.

3. Where the “zero lot line” concept is not used in the home design, a five (5) foot wide (minimum width) side yard will be designed. Where “zero lot line” concept is used in the home design, Use and Benefit Easements may be utilized to allow easier access between the structures on the lots.

4. The front of each interior lot is determined as the narrowest portion of the lot facing the Auto Court Driveway. Lots that "front" on each other have the garage at the front of the unit. This garage is a side entry garage. The front setback for the garage forward is measured from property line of the interior lot. Portions of the front of each lot may include a Use and Benefit Easement to permit the flow of vehicular traffic, parking and/or the placement of utilities between the structures on the lots.

5. The driveway parking depth requirement of 18' to the garage face of a unit is measured from property line of the interior lot.

6. A standard two-car garage is the minimum garage requirement for this development. The dimensions of this garage will be a minimum of 20 feet x 20 feet. In addition, a designated storage area of approximately 80 square feet will be placed within (or attached to) the garage. The acceptance of the final design will be completed by a design review by the City of Surprise.

7. Non-foundation home features will be allowed to encroach two (2) feet into the side yard setback, but no closer than three (3) feet from the property line.
7.2 CONCEPTUAL AUTO COURT DETACHED CLUSTER LOT/HOME DESIGN AND VIEW

A conceptual plan view of a potential lot design and the potential elevations for a typical detached Auto Court cluster subdivision is presented in three (3) exhibits shown on the following 3 pages.
### BELL POINTE I

#### 7.3 4-PACK DETACHED CLUSTER LOT AND SETBACK DESIGN STANDARDS

The residential lot and setback standards to be followed for a 4-Pack Detached Cluster Residential Subdivision, are as follows:

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>BELL POINTE I 4-PACK DETACHED CLUSTER STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Width</td>
<td>45 feet (^1)</td>
</tr>
<tr>
<td>Minimum Lot Depth</td>
<td>100 feet (^1)</td>
</tr>
<tr>
<td>Minimum Subdivision Perimeter Building Setbacks</td>
<td>Street (Front, Rear or Side): 10 feet (including the landscape buffer) (^2) Property Line (Rear): 10 ft. (1 story), 10 ft. (2 story) Property Line (Side): 10 ft. (1 story), 10 ft. (2 story)</td>
</tr>
<tr>
<td>Front Yard Setback – House Forward</td>
<td>12 foot minimum</td>
</tr>
<tr>
<td>Front Yard Setback – Garage Forward</td>
<td>18 foot minimum (^1)</td>
</tr>
<tr>
<td>Front Yard Setback – Side Entry Garage</td>
<td>12 foot minimum</td>
</tr>
<tr>
<td>Front Yard Setback – Stagger</td>
<td>None</td>
</tr>
<tr>
<td>Rear Yard Setback – Front Load Rear Garage</td>
<td>10 foot minimum</td>
</tr>
<tr>
<td>Minimum Rear Setback</td>
<td>10 feet</td>
</tr>
<tr>
<td>Minimum Side Setback</td>
<td>None (^2,3,4)</td>
</tr>
<tr>
<td>Minimum Street Side yard Setback</td>
<td>13 feet (^2)</td>
</tr>
<tr>
<td>Minimum Distance Between Buildings on Adjacent Lots</td>
<td>8 feet (^2)</td>
</tr>
<tr>
<td>Maximum Structure Height</td>
<td>30 feet</td>
</tr>
</tbody>
</table>

Footnotes:

1. Minimum lot width and depth are measured at the center of the lot. Front setbacks are measured from front lot line. The lot line for the front of each lot is at the back of curb. The garage forward setback is measured from the back of the sidewalk.

2. Street side yard setbacks on lots shall include adjacent landscape tracts. In addition, to any landscape tract (a minimum of 8 feet wide), a five (5) foot wide (minimum width) side yard setback will still be designed on the lot.

3. Where the “zero lot line” concept is not used in the home design, a five (5) foot wide (minimum width) side yard will be designed. Where “zero lot line” concept is used in the home design, Use and Benefit Easements and/or Share Driveway Easements may be utilized to allow easier access between the structures on the lots.

4. A standard two-car garage is the minimum garage requirement for this development. The dimensions of this garage will be a minimum of 20 feet x 20 feet. In addition, a designated storage area of approximately 80 square feet will be placed within (or attached to) the garage. The acceptance of the final design will be completed by a design review by the City.

5. Non-foundation home features will be allowed to encroach two (2) feet into the side yard setback, but no closer than three (3) feet from the property line.
7.4 4-PACK DETACHED CLUSTER CONCEPTUAL LOT/HOME DESIGN AND VIEW

A conceptual plan view of a potential lot design and the potential elevations for a typical 4-Pack detached cluster subdivision is presented in three (3) exhibits shown on the following 3 pages.
7.5 ZERO LOT LINE DETACHED CLUSTER LOT AND SETBACK DESIGN STANDARDS

The residential lot and setback standards to be followed for a Zero Lot Line Detached Cluster Residential Subdivision, are as follows:

<table>
<thead>
<tr>
<th>DESCRIPTION</th>
<th>BELL POINTE I ZERO LOT LINE DETACHED CLUSTER STANDARDS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Width</td>
<td>52 feet ¹</td>
</tr>
<tr>
<td>Minimum Lot Depth</td>
<td>105 feet ¹</td>
</tr>
<tr>
<td>Minimum Subdivision Perimeter Building Setbacks</td>
<td>Street (Front, Rear or Side): 10 feet</td>
</tr>
<tr>
<td></td>
<td>(including the landscape buffer) ²</td>
</tr>
<tr>
<td></td>
<td>Property Line (Rear): 10 ft. (1 story), 10 ft. (2 story)</td>
</tr>
<tr>
<td></td>
<td>Property Line (Side): 10 ft. (1 story), 10 ft. (2 story)</td>
</tr>
<tr>
<td>Front Yard Setback – House Forward</td>
<td>12 foot minimum</td>
</tr>
<tr>
<td>Front Yard Setback – Garage Forward</td>
<td>18 foot minimum ¹</td>
</tr>
<tr>
<td>Front Yard Setback – Side Entry Garage</td>
<td>12 foot minimum</td>
</tr>
<tr>
<td>Front Yard Setback – Stagger</td>
<td>None</td>
</tr>
<tr>
<td>Rear Yard Setback – Front Load Rear Garage</td>
<td>10 foot minimum</td>
</tr>
<tr>
<td>Minimum Rear Setback</td>
<td>10 feet</td>
</tr>
<tr>
<td>Minimum Side Setback</td>
<td>None ², ³, ⁴</td>
</tr>
<tr>
<td>Minimum Street Side yard Setback</td>
<td>13 feet ²</td>
</tr>
<tr>
<td>Minimum Distance Between Buildings on Adjacent Lots</td>
<td>8 feet ²</td>
</tr>
<tr>
<td>Maximum Structure Height</td>
<td>30 feet</td>
</tr>
</tbody>
</table>

Footnotes:

1. Minimum lot width and depth are measured at the center of the lot. Front setbacks are measured from front lot line. The lot line for the front of each lot is at the back of curb. The garage forward setback is measured from the back of the sidewalk.

2. Street side yard setbacks on lots shall include adjacent landscape tracts. In addition, to any landscape tract (a minimum of 12 feet wide), a five (5) foot wide (minimum width) side yard setback will still be designed on the lot.

3. Where the “zero lot line” concept is used in the home design, a five (5) foot wide (minimum width) separation from the adjacent structure will be designed.

4. A standard two-car garage is the minimum garage requirement for this development. The dimensions of this garage will be a minimum of 20 feet x 20 feet. In addition, a designated storage area of approximately 80 square feet will be placed within (or attached to) the garage. The acceptance of the final design will be completed by a design review by the City of Surprise.

5. Non-foundation home features will be allowed to encroach two (2) feet into the side yard setback, but no closer than three (3) feet from the property line.
7.6 ZERO LOT LINE DETACHED CLUSTER CONCEPTUAL LOT/HOME DESIGN AND VIEW

A conceptual plan view of a potential lot design, and the potential side entry garage and recessed garage for a typical Zero Lot Line detached cluster subdivision is presented in three (3) exhibits shown on the following 3 pages.
7.7 PAD/MDR SUBDIVISION DEVELOPMENT STANDARDS

The following is a list of the subdivision development standards to be followed during the development of any PAD/MDR subdivision in BELL POINTE I.

A. **Subdivision Entry:** The primary entrance into any residential subdivision will have monument signage, special decorative landscaping and enhanced wall detail.

B. **Staggered Perimeter Wall:** A perimeter wall will be constructed along the Bell Road frontage of BELL POINTE I. This perimeter wall will contain staggered or offset sections and/or other breaks to relieve the linear character of this wall.

C. **Open Space:** Landscaped open spaces will be designed and constructed to be visible from the residential streets. The HOA will maintain the open space and retention areas to the same standard as the Master Open Space areas.

D. **Street Features:** Any residential subdivision in BELL POINTE I will provide at least two (2) cul-de-sacs (or other street feature such as a knuckle or single-loaded street) with a feature such as a landscaped island, an adjacent open space corridor, access to common open space, etc.

E. **Corner Landscape Tracts:** All corner lots will be constructed with an eight (8)-foot wide landscaped tract between the property line of the lot and the abutting street right of way. Such landscape tracts will be conveyed to the HOA to maintain the same standard as the other tracts and common areas maintained by said association.

F. **Greenbelts:** Storm water retention areas will be designed and constructed to meander through any MDR subdivision as a greenbelt. The HOA will maintain the retention areas to the same standard as other tracts and common areas.

G. **Views:** View corridors will be incorporated into open space areas throughout the development as a means to take advantage of the surrounding mountain views. View fences will be utilized for houses that abut these view corridors so that the open space and mountain views are visible from the houses.

H. **Trails:** Paths and trails shall be installed separate from roadways, and to connect the open space areas within any residential subdivision with the Master Open Space. These paths and trails will enable bicyclists and pedestrians to travel throughout the development.

7.8 PAD/MDR SUBDIVISION HOUSING DESIGN STANDARDS

The following is a list of the subdivision housing design standards to be followed during the development of any residential subdivision in BELL POINTE I.

A. **Housing Product Variation:** Houses constructed in a residential subdivision will have a minimum of three (3) distinctly different floor plans, and a minimum of two (2) elevations for each floor plan.
B. **Adjacent Elevations and Color Schemes:** Homebuilders in any residential subdivision of BELL POINTE I shall strive that no homes in the development will have the same elevation or color scheme on adjoining lots.

C. **Enhanced Design Features:** Design features such as covered front entries, covered front porches, enhanced door and window details with greater variation of window design, different window styles and colors, tile inlays and recesses, structural pop outs, roof overhangs, gabled roof features over windows, parapet walls with cap features, etc., will be incorporated into the floor plans.

D. **Roof Types:** At least three (3) distinct roofing types, including colors, textures, and component shapes, (e.g. barrel tile and flat concrete tile) will be installed.

E. **Pavement Treatment:** Decorative flat work pavement treatments, such as salt finished concrete, colored concrete, or bomanite will be installed on at least twenty-five (25) percent of all lots built in the residential subdivision.
8.0 DESIGN CRITERIA

The following eight (8) sub-sections provide information on the engineering and architectural design guidelines to be followed during construction of the subdivisions in the Site. The criteria outlined in these sub-sections have been established to follow the design guidelines of the Development Guide and existing P.A.D. and R1-5 and R-2 design guidelines. The purpose of these sub-sections is to establish housing development criteria to complement the SFR Design Guidelines.

8.1 ARCHITECTURAL STYLE

It is projected that a minimum of two (2) homebuilders, each with a different housing product, will be constructing the residential subdivisions within BELL POINTE I. The proposed 4-Pack Cluster, the Auto Court Cluster, and the Zero Lot Line Cluster homes in BELL POINTE I will vary in architectural style with a predominate accent toward a southwestern design.

8.2 SQUARE FOOTAGE OF HOMES

The homes to be constructed in each of the subdivisions within BELL POINTE I will consist of both single story and two (2) story homes. The development will be a mix of the proposed detached cluster homes. The square footage of the homes will vary with each homebuilder.

8.3 HOUSE ELEVATIONS

The number of house elevations will vary in each of the subdivisions within BELL POINTE I according to the housing product mix offered by the homebuilder. Each subdivision will have a minimum of three (3) house plans with a minimum of three (3) distinct elevations offered for each plan built within each subdivision. Each elevation will have its distinctiveness derived through varying projections, window designs, and roof profiles.

The homebuilders will be encouraged to vary the homes built so that the same house plan with the same or similar front elevation will not be placed on adjacent lots or directly across the street from one another. In addition, one (1) house plan presented to the city for each proposed subdivision will promote some type of recessed garage treatment to the elevation to provide variety in the streetscape design of the development. All homes shall be designed and constructed with the goal of providing a diverse housing mix in the residential subdivisions.

8.4 ROOFING

The homes in each subdivision will be constructed with tile roofs. A minimum of two (2) styles of roof tiles will be offered in each subdivision. No composition shingles will be permitted on homes in this development.
8.5 FENCING

Side and rear yards of each home in BELL POINTE I will have a concrete block fence that will be a maximum of six (6) feet in height.

8.6 GARAGES

The homes in each subdivision will have a minimum of a two (2) car garage. The garages may vary between front, side and garages placed in the rear of the home. The dimensions of the garages will be a minimum of 20 feet by 20 feet. In addition, a designated storage area of approximately 80 square feet will be placed within (or attached to) the garage. The acceptance of the final design will be completed by a design review by the City of Surprise.

8.7 COLOR COMBINATIONS PER SUBDIVISION

The homes in each subdivision in BELL POINTE I will have coordinated exterior colors. The fascia and exterior of the homes will be painted in different, varying colors. The homebuilders will offer a minimum of two (2) housing colors for each subdivision.

In order to vary and coordinate the exterior color combinations, a minimum of four (4) different fascia colors will be offered in combination with the minimum of two (2) different exterior color schemes for the homes.

A minimum of two (2) colors of roof tile will be offered in BELL POINTE I by the homebuilders.

8.8 HOUSE PRODUCT DESIGN GUIDELINES AND PROVISIONS

Unless specifically amended by the Land Use Zoning Plan and/or the Development Agreement referenced herein, all provisions of the City of Surprise Municipal Code, Section 16.20.030, Streets; Single Family Residential zone (R1-5), 17.28.040; Multifamily Residential zone (R-2), 17.28.050; P.A.D. zone, 17.28.140; and the SFR Design Guidelines as stated in Section 6.0 shall apply to BELL POINTE I.

8.9 TEMPORARY FACILITIES/CONDITIONAL PERMITTED USES

Installation or construction and operation of development-related facilities, including, but not limited to, one or more contractor’s storage yards, temporary construction trailers, temporary sales office buildings, model home complexes and appurtenant parking facilities will be allowed in BELL POINTE I under the following provision.

?? Temporary permitted uses, including model home complexes, will be allowed through administrative approval of the Community Development Director.
9.0 SINGLE FAMILY RESIDENTIAL COMPLIANCE WITH DESIGN GUIDELINES

The BELLE POINTE I Master Planned Community is a residential project to be developed under P.A.D. MDR zoning. However, portions of this proposed development are being designed with the concept of single-family detached subdivisions with a cluster-housing format. The overall community has been planned to also offer smaller cluster home projects including the Auto Court module type of housing product using a common driveway. This cluster product will be blended with the more traditional single-family home look in the 4-Pack and Zero Lot Line cluster areas. All housing products will be designed under the housing standards outlined in Sections 7.0 and 8.0 herein. Rather than offer higher density projects throughout the overall development, as allowed by General Plan 2020, this blending creates a more desirable mix of housing types for prospective buyers. It also allows the developer to offer a more diverse, marketable subdivision mix to today’s homebuilding community.

This blending of 4-Pack, Auto Court and Zero Lot Line cluster projects under the densities/lots sizes allowed under MDR land use establishes a development that cannot fit lot mix criteria of the new SFR Design Guidelines. The density projected for this P.A.D. MDR development (i.e., 5.2 dwelling units per acre) is already greater than the maximum allowable under the SFR Design Guidelines (i.e., maximum of 4.5 du./ac.).

However, this does not mean this development will be designed and developed outside of the diversity requirements of the SFR Design Guidelines. The cluster housing, designed to have a more traditional single-family detached subdivision concept (i.e., projected to be built in three (3) of the land parcels), will also be developed to generally follow the SFR Design Guidelines. These proposed subdivisions and the homes to be constructed will be planned to follow the land uses and housing diversity reflected in the summaries listed below for Design List B, Design List C and Design List D. The point values and the design criteria goals that are to be achieved are listed in the following sections. Prior to the approval of the Preliminary Plat for each parcel within the Site, each applicant and/or Developer will be required to identify specific or equivalent achievement with the compliance options listed for Design List B, Design List C and/or Design List D.

9.1 AUTO COURT, 4-PACK AND ZERO LINE LINE CLUSTER LOT MIX SUMMARY

<table>
<thead>
<tr>
<th>Parcel</th>
<th>SFD Guideline Lot Category</th>
<th>Typical Lot Size</th>
<th>Gross Acres</th>
<th>No. of Lots/Units</th>
<th>Density</th>
<th>% of Overall Lots</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>N/A</td>
<td>40' x 90'</td>
<td>19.0</td>
<td>104</td>
<td>5.5</td>
<td>33%</td>
</tr>
<tr>
<td>2A</td>
<td>N/A</td>
<td>45'/50' x 100'</td>
<td>19.6</td>
<td>98</td>
<td>5.0</td>
<td>20%</td>
</tr>
<tr>
<td>2B</td>
<td>N/A</td>
<td>45'/50' x 105'</td>
<td>14.3</td>
<td>73</td>
<td>5.1</td>
<td>16%</td>
</tr>
<tr>
<td>Sub-Total:</td>
<td></td>
<td></td>
<td>33.9</td>
<td>171</td>
<td>5.0</td>
<td>36%</td>
</tr>
<tr>
<td>3</td>
<td>N/A</td>
<td>52' x 105'/110'</td>
<td>26.0</td>
<td>138</td>
<td>5.3</td>
<td>31%</td>
</tr>
<tr>
<td>TOTALS:</td>
<td></td>
<td></td>
<td>78.9</td>
<td>413</td>
<td>5.2</td>
<td>100%</td>
</tr>
</tbody>
</table>
9.2 BASE PERMITTED DENSITY

The proposed density for the proposed detached cluster subdivisions in BELL POINTE I is greater than the maximum of 4.5 dwelling units per acre for LDR type single family subdivisions. The proposed density of 5.2 dwelling units per acre places this development within the permitted density ranges allowed for MDR land uses.

9.3 DEVELOPMENT STANDARDS: DESIGN LIST - A

The P.A.D. MDR single-family detached cluster subdivisions to be developed in BELL POINTE I will generally follow the SFR Design Guidelines. Unless specifically amended in Section 9.3.1, the proposed P.A.D. MDR 4-Pack and Zero Lot Line detached cluster subdivisions in BELL POINTE I will be constructed following the below listed twelve (12) minimum required standards that are proposed in Design List - A of the SFR Design Guidelines.

9.3.1 Design List - A Compliance Items

The following is a list of items that will be included as additional subdivision standards for the development of the P.A.D. MDR 4-Pack and Zero Lot Line detached cluster subdivisions in BELL POINTE I.

A. Front Setbacks: These lots will maintain this setback as per the requirements listed in Sections 7.2 and 7.3 above. Those standards include a minimum front setback of ten (10) feet, as measured from the property line, to any part of the house or other structure other than a garage. The front setback for a front entry garage will be no less than eighteen (18) feet to the face of a garage door, measured from the property line.

B. Side Setbacks: These lots maintain a minimum side setback as listed in Sections 7.2 and 7.3 above.

C. Corner Side Setbacks: These corner lots maintain a side setback as listed in Sections 7.2 and 7.3 above. All houses located on corner lots will maintain a setback of thirteen (13) feet on the side abutting the street. This setback can be achieved with a combination of landscaped open space tracts and side-yard portions of the corner lot. If a landscaped tract is utilized, the corner side setback will be measured from the right-of-way line not the property line. If a landscaped tract is not designed adjacent to a corner lot, setback of thirteen (13) feet will be measured from the property line.

D. Rear Setbacks: These lots will maintain this setback as per the requirements listed in Sections 7.2 and 7.3 above. The rear setback of any part of a home or other structure which does not back up to an arterial street will be ten (10) feet measured from the property line. A non-structural architectural feature such as a fireplace, bay windows, pop-out, or patio cover may encroach into the rear setback, provided that a patio cover may not encroach more than ten (10) feet into the rear setback.
E. **Setbacks for a House or Other Structure Which Abuts an Arterial Street:** Notwithstanding subsections A-D, the following setback requirements will be applied to all houses or structures that abut an arterial street.

1. A non-structural element such as a fireplace, bay window, pop out, or patio cover may encroach into a rear setback, provided that a patio cover may not extend to a point closer than ten (10) feet from the rear property line for a single-story or two-story house or structure.

2. A landscaped tract will be constructed for both arterial streets adjacent to BELL POINTE I between the rear property lines of adjacent lots which abut an arterial street in the rear, and the right-of-way of the arterial street. Therefore, the rear setbacks established in subsection D of this section shall apply to the subdivisions developed within this project. The average width of such landscape tract will be no less than fifteen (15) feet. The narrowest part of the landscape tract will be ten (10) feet or greater in width. No less than fifty (50) percent of the landscape tract, as measured along the linear boundary between the tract and the adjacent lots, will be fifteen (15) feet in width or greater.

F. **Project Entry:** The Developer of BELL POINTE I will construct features that provide a sense of arrival to the neighborhood such as monument signage, special decorative landscaping, specialty pavement, enhanced fence wall detail, and immediate accessibility to open space/trail system, etc., at points where the BELL POINTE I residential development may be entered from an arterial street.

G. **Staggered Perimeter Wall:** A wall will be constructed along the perimeter of BELL POINTE I abutting the arterial street. This perimeter wall will contain staggered or offset sections and/or other breaks to relieve the linear character of this wall.

H. **Adjacent Elevations and Color Schemes:** Homebuilders in each MDR subdivision of BELL POINTE I will be required to diligently plan their development in a manner that will ensure none of the homes will have the same elevation or color scheme as those built in the respective developments.

I. **Adjacent Roof Lines:** If two or more houses or structures abut an arterial street in the rear, then the rear elevations of such houses or structures will be geometrically varied. No more than two adjacent houses or structures will have the same roof line.

J. **Percentage Of Lot Sizes:** All of the lots in this Planned Community are to be developed under MDR land uses. All of the detached lots in the subdivisions are less than 70 feet wide.

K. **Housing Product Variation:** Houses constructed on these lots will have a minimum of three (3) distinctly different floor plans, and a minimum of three (3) elevations for each floor plan. In addition, each floor plan will have, as an option on one elevation, a front porch or a courtyard that is at least five (5) feet deep and eight (8) feet wide.

L. **Required Open Space:** No less than ten (10) percent of the Gross Acreage of this project will be open space. BELL POINTE I will provide approximately 15 percent open space to be in compliance with sub-sections L1, L2, L4, and L6 of this requirement.
BELL POINTE I

9.4 DESIGN LIST – B ADDITIONAL SUBDIVISION STANDARDS

The smallest P.A.D. MDR 4-Pack or Zero Lot Line detached cluster lot in BELL POINTE I is 45 feet wide. These lots will be designed to comply with the standards and setback requirement listed in Sections 7.2 and 7.3 above.

Table 9.4 and Sub-Section 9.4.1 show that the MDR 4-Pack and Zero Lot Line subdivisions to be built in BELL POINTE I are to be constructed to achieve a point value of 34 points.

**TABLE 9.4**

DESIGN LIST – B ADDITIONAL SUBDIVISION STANDARDS  
[SFR Design Guidelines; Ordinance No. 00-01]

<table>
<thead>
<tr>
<th>DESIGN OPTIONS</th>
<th>POTENTIAL POINT VALUES</th>
<th>BELL POINTE I POINT VALUES</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>B</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>C</td>
<td>3</td>
<td>-</td>
</tr>
<tr>
<td>D</td>
<td>3</td>
<td>-</td>
</tr>
<tr>
<td>E</td>
<td>2</td>
<td>-</td>
</tr>
<tr>
<td>F</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>G</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>H</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>I(1)</td>
<td>2</td>
<td>-</td>
</tr>
<tr>
<td>I(2)</td>
<td>2</td>
<td>-</td>
</tr>
<tr>
<td>I(3)</td>
<td>4</td>
<td>-</td>
</tr>
<tr>
<td>I(4)</td>
<td>Double</td>
<td>-</td>
</tr>
<tr>
<td>J</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>K</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>L</td>
<td>2 Per/Max 6</td>
<td>-</td>
</tr>
<tr>
<td>M</td>
<td>2 Per/Max 6</td>
<td>-</td>
</tr>
<tr>
<td>N</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>O</td>
<td>2</td>
<td>-</td>
</tr>
<tr>
<td>P</td>
<td>2 Per/Max 10</td>
<td>-</td>
</tr>
<tr>
<td>Q</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>R</td>
<td>8</td>
<td>-</td>
</tr>
<tr>
<td>S¹</td>
<td>1-4</td>
<td>2</td>
</tr>
</tbody>
</table>

**TOTAL POINTS:** 34
9.4.1 Design List - B Compliance Items

The following is a list of Design List - B compliance items that will be part of the additional subdivision standards to be followed during the development of the P.A.D. MDR 4-Pack and Zero Lot Line detached cluster subdivisions in BELL POINTE I.

A. Each of these subdivisions will provide at least three (3) cul-de-sacs (or other street feature such as a knuckle or single-loaded street) with a feature such as a landscaped island, access to common open space, etc. (1 Pt.)

B. Option Two. All corner lots will be constructed with an eight (8)-foot wide landscaped tract between the property line of the lot and the abutting street right of way. Such landscape tracts will be conveyed to the HOA to maintain the same standard as the other tracts and common areas maintained by said association. (2 Pt.)

F. Storm water retention areas will be designed and constructed to meander throughout the BELL POINTE I subdivisions as a greenbelt. The HOA will maintain the retention areas to the same standard as other tracts and common areas. (4 Pt.)

G. Landscaped open spaces will be designed and constructed to be visible from both residential and arterial streets. The HOA will maintain the retention areas to the same standard as other tracts and common areas. (2 Pt.)

H. Along the arterial street, a minimum six hundred (600) feet of open space per mile will be provided as measured along the linear boundary between the residential portion of the development and the adjacent arterial street right of way. The open space will be visible from the arterial street and maintained by the HOA. (3 Pt.)

J. View corridors will be incorporated into open space areas throughout the development as a means to take advantage of the surrounding mountain views. View fences will be utilized for houses that abut these view corridors so that the open space and mountain views are visible from the houses. The HOA will maintain the open space areas to the same standard as other tracts and common areas. (4 Pt.)

K. The BELL POINTE I project is so designed that, at T intersections, no residential lot is centered directly across from the end of a street that dead ends at the intersection (the stem of the “T”). In place of these lots will be one (1) or a combination of the following: 1) a landscaped open space area at least as wide as the paved portion of the stem of the T intersection; 2) a side yard boundary between two Residential Building Lots; or 3) the back of a Residential Building Lot, buffered from the street by an eight (8) foot wide landscaped area installed by the Developer. All of the above listed options will be maintained by the HOA to the same standard as other tracts and common areas. (4 Pt.)

N. Paths and trails shall be installed separate from roadways and to connect all open space areas and arterial roadways. These paths and trails will enable bicyclists and pedestrians to travel throughout the development. (6 Pt.)
Q. On perimeter walls, provide berms, tree lines, hedgerows, and/or other similar means of breaking up the linear nature of the perimeter walls. Such features must be in addition to open space areas along the perimeter and enhanced architectural features on the wall itself. (6 Pt.)

S. BELL POINTE I qualifies for additional points due to the following elements that help create a unique neighborhood environment:
   1. Pedestrian and bicycle access from the west side of the development to the Bell Road corridor and the proposed future Pedestrian Overpass will be provided via a local development trail system within BELL POINTE I. This trail system will link these areas with meandering trails within designated open space corridors. The meandering trails for the development trail system will be eight (8) feet in width. The open space corridors will be a minimum of twenty (20) feet in width when located between land parcels and ten (10) feet wide adjacent to any internal rights-of-ways. (2 Pt.)
BELL POINTE I

9.5 DESIGN LIST - C ADDITIONAL HOME STANDARDS

The 4-Pack and Zero Lot Line detached cluster subdivisions in BELL POINTE I will be designed to be in compliance with the P.A.D MDR zoning classification. The homes in these subdivisions will be designed and constructed to generally comply with requirements of DESIGN LIST – C: “Additional Home Standards” of the SFR Design Guidelines.

Table 9.5 and Sub-Section 9.5.1 show that homes to be built in the MDR 4-Pack and Zero Lot Line subdivisions are to be constructed to achieve a point value of 15 points.

TABLE 9.5

DESIGN LIST - C ADDITIONAL HOME STANDARDS
[SFR Design Guidelines; Ordinance No. 00-01]

<table>
<thead>
<tr>
<th>DESIGN OPTIONS</th>
<th>POTENTIAL POINT VALUE</th>
<th>POINT VALUE BELL POINTE I</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>B</td>
<td>1-5</td>
<td>2</td>
</tr>
<tr>
<td>C</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>D</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>E</td>
<td>5</td>
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<td>F</td>
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<td>0</td>
</tr>
<tr>
<td>G</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>H</td>
<td>2</td>
<td>-</td>
</tr>
<tr>
<td>I</td>
<td>3</td>
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</tr>
<tr>
<td>J</td>
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<td>-</td>
</tr>
<tr>
<td>K</td>
<td>2</td>
<td>2</td>
</tr>
<tr>
<td>L</td>
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<td>M</td>
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</tr>
<tr>
<td>N</td>
<td>4</td>
<td>-</td>
</tr>
<tr>
<td>O</td>
<td>1-4</td>
<td>-</td>
</tr>
</tbody>
</table>

**TOTAL POINTS:** 17
9.5.1 Design List - C Compliance Items

The following is a list of the Design List - C compliance items that will be part of the additional housing standards to be followed during the construction of the homes in the P.A.D. MDR 4-Pack and Zero Lot Line detached cluster subdivisions in BELL POINTE I.

A. The homebuilders of these subdivisions of BELL POINTE I shall plan so that no homes in the development will have the same elevation on adjoining lots. They shall also plan to prohibit the same rear elevation on more than two (2) consecutive adjoining houses visible from an arterial street. (2 Pt.)

B. Floor plans will be utilized that de-emphasize garage fronts as the most prominent architectural feature of the dwelling front by incorporating side access garages, in line garages, L-shaped floor plans, etc. (2 Pt.)

C. Design features such as covered front entries, covered front porches, enhanced door and window details, roof overhangs, parapet walls with cap features, etc., will be incorporated into a minimum of three (3) floor plans. (3 Pt.)

D. At least three (3) distinct roofing types, including colors, textures, and component shapes, (e.g. barrel tile and flat concrete tile) will be installed. (1 Pt.)

G. All front architectural treatments, (including all fascia treatments such as stone veneer, tile insets, and recesses) will be extended along the sides of the house for six (6) feet or to the side yard fence return, whichever is less. (2 Pt.)

I. Window treatments on houses will be embellished by the addition of architectural features to enhance the elevations (e.g. sturdy synthetic wood substitutes, greater variation of window design, different window styles and colors, tile inlays and recesses, structural pop outs, gabled roof features over windows, etc). Such features will be added to the front and rear elevation of all houses and to the sides of all houses which abut an arterial street on the side. (3 Pt.)

K. Decorative flat work pavement treatments, such as salt finished concrete, colored concrete, or bomanite will be installed on at least twenty-five (25) percent of these lots. (2 Pt.)
9.6 DESIGN LIST – D ADDITIONAL AMENITIES

BELL POINTE I will provide a diverse amenity package for its residents that has been designed to comply with the requirements of DESIGN LIST - D “Additional Amenities” of the SFR Design Guidelines.

Table 9.6 and Sub-Section 9.6.1 show that the P.A.D. MDR 4-Pack and Zero Lot Line detached cluster subdivisions to be built in BELL POINTE I are to be constructed to achieve a point value of 22 points.

**TABLE 9.6**

**DESIGN LIST D – AMENITY PACKAGE OPTIONS**

[SFR Design Guidelines; Ordinance No. 00-01]

<table>
<thead>
<tr>
<th>DESIGN OPTIONS</th>
<th>POTENTIAL POINT VALUE</th>
<th>POINT VALUE BELL POINTE I</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>B</td>
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</tr>
<tr>
<td>C</td>
<td>4</td>
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<tr>
<td>D</td>
<td>6</td>
<td>-</td>
</tr>
<tr>
<td>E</td>
<td>4-12</td>
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<td>G</td>
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<td>I</td>
<td>4</td>
<td>-</td>
</tr>
<tr>
<td>J</td>
<td>2-5</td>
<td>-</td>
</tr>
</tbody>
</table>

**TOTAL POINTS:** 22

9.6.1 Design List - D Compliance Items

The following is a list of the Design List - D compliance items that will be part of the additional amenities to be included during the development of BELL POINTE I.

A. A trail system connecting all open space areas within the BELL POINTE I project will be provided to create pedestrian linkages with surrounding residential developments. Along the overall BELL POINTE I trail system, rest areas will be constructed at every quarter (1/4) mile. Each rest area will consist of a seating area that accommodates at least four (4) persons and a shade area comprised of an architectural shade structure, mature landscaping, or a combination of both. The HOA will maintain the trail system to the same standard as other common areas. (4 Pt.)

C. Active outdoor recreational facilities for adults such as sport courts, tennis courts, volleyball courts, and other similar recreational facilities will be constructed and conveyed to the HOA. The HOA will maintain these recreational facilities to the same standard as other common areas. (4 Pt.)
E. A large open space corridor with a width of seventy-five (75) feet will be constructed along the western boundary of this development. This corridor will be landscaped with mature trees and other plants listed on the City approved plant list. View corridors and a trail system will also be provided in this corridor. Lots in the subdivisions proposed in this development, which back up to this corridor on at least one side, will be constructed with view fences to create view corridors. These view fences will be constructed completely of wrought iron and masonry, and comply with the City ordinance relating to swimming pool enclosures. Pedestrian and bicycle access to this corridor will be restricted by gates. (4 Pt.)

H. A minimum of ten (10) percent of the gross acreage of BELL POINTE I is required to be designated open space. BELL POINTE I shall provide open space in excess of the required ten (10) percent by providing a minimum of approximately fifteen (15) percent open space. For each one (1) percent of open space provided over the required ten (10) percent, two (2) points from Design List D shall be awarded to the development. The HOA will maintain the excess open space to the same standard as other common areas. (10 Pt.)

9.7 SFR GUIDELINE POINT VALUES

Based on the options listed in the three (3) Design Lists, the proposed BELL POINTE I Master Planned Community qualifies for a minimum overall total of seventy-one (71) points.

TABLE 9.7

DESIGN LIST RECAP SHEET
[SFR Design Guidelines; Ordinance No. 00-01]

<table>
<thead>
<tr>
<th>DESIGN LIST</th>
<th>LOT CATEGORY A MINIMUM POINT REQUIREMENT</th>
<th>BELL POINTE I POINT VALUES ACHIEVED</th>
</tr>
</thead>
<tbody>
<tr>
<td>B</td>
<td>36</td>
<td>34</td>
</tr>
<tr>
<td>C</td>
<td>14</td>
<td>15</td>
</tr>
<tr>
<td>D</td>
<td>18</td>
<td>22</td>
</tr>
<tr>
<td>TOTAL POINTS:</td>
<td>68</td>
<td>71</td>
</tr>
</tbody>
</table>
BELL POINTE I

10.0 INFRASTRUCTURE IMPROVEMENTS

The following eight (8) sub-sections provide information regarding the engineering design and infrastructure improvements for the Site.

10.1 WATER LINES

The Site is located in the water franchise service area of Citizens Utility. The Developer is coordinating with the engineering department of Citizens Utility to design a water system to service the project. All on-site and off-site water lines and/or water storage and distribution facilities will be designed and built per the Citizens Utility Engineering Department and the approved Development Agreement with the Utility Company. A copy of the Preliminary Water Report will be submitted to the City of Surprise Engineering Department with the initial Preliminary Plat for this project.

10.2 SANITARY SEWERS

The Site is located in the sewer collection system of the City. The Developer is coordinating with the Engineering Department at the City to design a sewer system to service this project. It is anticipated that the existing 8-inch sewer line located on the north side of Bell Road at the southwest corner of Arizona Traditions will service the Site. Agreement must be reached between the Developer and the City for the proposed sewer alignment to this designated 8-inch sewer line, or an acceptable alternative proposed by the Developer. A copy of the Preliminary Sewer Report will be submitted to the City of Surprise Engineering Department with the initial Preliminary Plat for this project.

10.3 STORM SEWERS

Storm sewers are not proposed or needed for this development.

10.4 UTILITIES

All electric, gas, telephone and cable television utilities will be placed underground.

10.5 IRRIGATION

The irrigation system on the east side of the Site is an irrigation service delivery canal, the Beardsley Canal, owned by the Maricopa Water District (MWD). MWD will continue to maintain and service this canal. There are no other private irrigation systems or MWD service ditches on the Site which will need to be taken out of service prior to construction of the Site.
10.6 PROPOSED SURFACE DRAINAGE PATTERNS

Historical drainage flow for the Site is southeasterly. The Beardsley Canal runs along the southeastern boundary line of the Site and prohibits further drainage to the east. Because the western boundary line of the Site backs onto the earthen levee of the McMicken Dam (Trilby Wash), off-site drainage does not enter the Site from the north or west.

On-site runoff will be routed through the Site by utilizing the streets, open space and drainage easements. This on-site drainage will be directed into several grass lined retention basins designed to handle the drainage from the development's three (3) parcels. A drainage report will be prepared for the Land Use Zoning Plan. The report will be submitted to the City of Surprise Engineer for review and approval prior to final plat approval for the first subdivision to be developed. The retention basins will be sized for a 100-year, 2-hour storm per the Drainage Design Manual for Maricopa County, Volume I, Hydrology, published by the Flood Control District of Maricopa County.

The retention basins for the subdivision parcels in the Site will provide one (1) foot of freeboard. The basins will provide flow through for all basin overflows without ponding in the streets of the various subdivisions. The retention basins will be constructed with 6:1 minimum side slopes adjacent to the street rights-of-ways and will be constructed with 4:1 minimum side slopes adjacent to the lots. All cross sections for this retention basin and the adjacent streets will be shown in the Preliminary Drainage Report to be submitted with the Preliminary Plat for this development.

10.7 PROJECT MASTER CC&R’s

The developer will create and record a set of Covenants, Conditions, and Restrictions (CC&R’s) establishing the HOA that will be responsible for the maintenance of the perimeter theme walls, signage, and landscaping in all common areas and right-of-ways.

A Preliminary Draft of the CC&R’s for BELL POINTE I will be submitted to the City as part of the Preliminary Plat submittal package.

10.8 DEVELOPMENT AGREEMENT

Based on a decision by the City Attorney of the City of Surprise, a Development Agreement for BELL POINTE I will not be required.
11.0 CONCEPTUAL LANDSCAPING, WALL AND MONUMENTATION PLAN

A conceptual landscape plan has been designed for BELL POINTE I and this colored rendering is attached in Section 11.8. A summary of the design criteria for the walls, entry monumentation and landscaping are presented in the following five (5) sub-sections.

11.1 CONCEPTUAL SUBDIVISION THEME AND PERIMETER WALL

BELL POINTE I will have a perimeter theme wall on Bell Road and along the split entry road and then continuing on the sixty (60) foot portion of the interior collector. This wall will be decoratively designed and built to meet current City standards. The theme wall will be staggered to create a visually pleasing streetscape along both exterior and interior roads.

The staggering of the theme wall will be accomplished with an "offset wall treatment" that will be placed approximately every one hundred (100) to two hundred (200) feet along the length of the wall along each road. The offset wall treatment will protrude from the theme wall approximately two (2) feet and will have a pilaster on each side that will be constructed of split face block. Pictorial renderings of this offset wall and the proposed locations are presented at the end of this section.

The theme wall will be designed to contain both vertical and horizontal movement in its architecture. The wall will be constructed with 8" by 8" by 16" CMU Block with two (2) colors of paint over block. The color of the theme wall will be desert hues. The 2' by 2' columns of the theme wall will be maximum of six (6) feet tall and will be constructed with 2' 0" by 2' 0" CMU Block. A flat, solid block concrete cap, colored to match the wall will be placed on each column. The theme wall will have columns at wall ends and will be spaced a minimum of an average lot width with a maximum of a two hundred (200) feet spacing.

A standard, maximum 6-foot tall subdivision perimeter wall or builder wall, colored in desert hues, will be provided along the western, northern and eastern portions of the development.

The theme wall and the perimeter wall for BELL POINTE I will be maintained by the HOA. Pictorial renderings of these walls and the proposed locations are presented in the Conceptual Landscape Plan shown in Section 11.8.

11.2 CONCEPTUAL SUBDIVISION WALLS

A standard six (6) foot tall subdivision wall, colored in desert hues, will be provided for the side and rear lot lines within each subdivision of this development. The common lot line walls within these subdivisions will be maintained by the individual property Managing Partners not the HOA.
11.3 CONCEPTUAL SUBDIVISION AND PERIMETER VIEW WALLS

A modified six (6) foot tall subdivision view wall, colored in desert hues, will potentially be provided along portions of the common eastern property line of the Site and the adjacent future phase of Arizona Traditions. This same subdivision view wall will potentially be provided along portions of the common western property line of the Site adjacent to the proposed Regional Trail System. A similar view wall will potentially be offered for the lots backing onto designated open space areas within the Site.

A landscaped open space area will separate these subdivision view walls from the common boundary property line with the adjacent property. Pictorial exhibits of these view walls and the proposed locations are presented in the Conceptual Landscape Plan shown in Section 11.8 and in a View Wall Exhibit shown in Section 11.9.

11.4 RIGHT-OF-WAY AND OPEN SPACE LANDSCAPING

Landscaping will be provided along the frontage of Bell Road, the arterial street serving this development, and along both sides of the eighty (80) foot wide entry road feature and the balance of the sixty (60) foot collector road within the project. The landscaping of the arterial and collector roads will be located in portions of the rights-of-way and additional open space tracts of the Site. A minimum of an additional ten (10) foot wide open space tract has been added for expanded landscaping along both sides of the frontage of the sixty (60) foot collector road in this development.

A landscaped median will also be located at the entry of this development within the eighty (80) foot wide entry road. A second landscaped median will also be located at the transition point between the 60-foot collector and the 50-foot collector. Pictorial renderings of the conceptual landscaping for this median and the areas along the theme wall are presented in the Conceptual Landscape Plan.

Landscaping will also be provided in the open space/retention basin tracts within the Site. The landscaping will, at a minimum, fulfill the requirements identified in the provisions of Municipal Code Section 17.36.060. Plant information and pictorial renderings of the conceptual landscaping in the open space areas will be presented in the Construction Drawings to be submitted to the City for final approval.

11.5 SIGNAGE AND ENTRY MONUMENTATION

Primary signage and entry monumentation will be placed at the entrance on Bell Road. Additional secondary signage may be placed at two (2) intersection locations on the sixty (60) foot collector road. A pictorial rendering of the conceptual signage and monumentation is presented in the Conceptual Landscaping Plans.
11.6 RESIDENTIAL HOME LANDSCAPING

Landscaping shall be provided in the front yards of the single-family homes in each of the BELL POINTE I subdivisions by the homebuyer. To enhance and screen the streetscape of the lots the front yards shall be landscaped with a combination of trees, shrubs and ground cover. The ground cover for the front yards may be turf, decomposed granite or other natural rock material. An approved organic material to provide a neat, dust-free appearance must cover all bare earth. Rocks and boulders, railroad ties and other decorative materials may be used to supplement and create imaginative landscaping designs compatible with the southwest character of the development. The creative use of lighting is encouraged. Artificially colored rock yards are not acceptable in any of the subdivisions.

The front yards of all single-family homes must be landscaped and the trees along the street planted within ninety (90) days of the completion of construction of the home in any subdivision. Plant materials may be selected from the approved Arizona Department of Water Resources (ADWR) plant list.

11.7 WALLS AND LANDSCAPING DESIGN

The theme walls, the interior subdivision walls and the landscaping for the development will be designed and constructed in full compliance with the P.A.D. District of the Municipal Code, Section 17.28.140. An expanded breakdown of the landscaping design elements is presented in Section 6.0.

11.8 CONCEPTUAL LANDSCAPE PLAN

The Conceptual Landscape Plan for this development is presented on page 63.

11.9 CONCEPTUAL VIEW WALL LOCATION DETAIL

The Conceptual View Wall Location exhibit for this development is presented on page 64.
BELL POINTE

ENTRY MONUMENT SIGNAGE ELEVATION

SCALE: 1/8" = 1'0"
- **Bell Pointe**

**Typical Trail Enlargements**

- **4' Neighborhood Trail TYP.**
- **8' Development Trail TYP.**
- **8' Regional Trail TYP.**
- **20' Emergency Access Trail, TYP.**

_Scale: 1" = 20'-0"_
**VIEW WALL**

- Scale: 1/4" = 1'0"

**PERIMETER WALL**

- Scale: 1/4" = 1'0"

**THEME WALL**

- Scale: 1/4" = 1'0"

**THEME WALL (PLAN VIEW)**

- Scale: 1/4" = 1'0"

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**BELL POINTE WALL DETAILS**

- Scale: 1/4" = 1'0"
12.0 PHASING

BELL POINTE I contains three (3) subdivision tracts that may be developed by at least two (2) separate homebuilders.

Each of the three (3) subdivision tracts may have homes constructed in more than one phase. A Conceptual Phasing Plan (the "Phasing Plan") for the proposed phasing of the subdivision tracts and their estimated time schedules are included in this section.

The Phasing Plan sets forth the intended times for the beginning and completion of the proposed infrastructure and for each phase within the designated subdivisions. Construction in any phase may be commenced prior to the time shown on the Phasing Plan. Commencement of construction of a phase prior to or within the time designated on the Phasing Plan for commencement of that phase shall satisfy the current Municipal Code, Section 17.36.060.

The City of Surprise Community Development Director may administratively approve extensions of time for up to two (2) years to commence construction on any phase. Extensions of time greater than two (2) years may be approved by the City when deemed necessary. This extension process will be completed through either the minor changes or major changes processes for amendments to the Land Use Zoning Plan approval as found in the Municipal Code Section 17.36.060.

12.1 PHASE 1 (INFRASTRUCTURE)

Phase 1 provides for the construction of the off-site sewer line in Bell Road, from the proposed entrance into BELL POINTE I east to the existing sewer line alignment determined by the City. The "on-site" sewer infrastructure will also be constructed north in the proposed collector right-of-way to a point within the development that will service all proposed subdivisions.

Phase 1 will provide for the construction of the off-site water line to be built from the southern entry point of the development east to a point designated by Citizens Utility in Bell Road. The on-site water infrastructure will also be constructed north in the proposed collector right-of-way to a point that will service all proposed subdivisions.

Phase 1 will then provide for any additional half (1/2) right-of-way construction of Bell Road, west from the existing constructed right-of-way in the Arizona Traditions development. This phase also provides for the right-of-way construction of the sixty (60) foot collector road in the development and the twenty (20) foot emergency access road. The Master Developer reserves the right to construct this collector under two different phasing options.

Option 1: The collector will be completely constructed from Bell Road northerly to a designated area at the northwest corner of Parcel 3.

Option 2: The collector will be partially constructed northerly from Bell Road. The road segment will be constructed to the designated temporary turnaround or roundabout for the full frontage of designated, adjacent Land Parcels scheduled for development. This staggered construction option of potentially two (2) street segments would be coordinated and approved by the City of Surprise Engineering Department.
The construction of the collector road will be completed under the Option proposal. Similar means of paved access and emergency (all weather) access will be provided, as necessary and appropriate, in conjunction with the development of subsequent phases of BELL POINTE I.

12.2 CONCEPTUAL PHASING PLAN

The potential Phasing Plan for this development is presented on page 68.
APPENDIX A
Bell Pointe I
P.A.D. MDR Zoning Compliance Narrative
Legal Description [Alta Survey] (Reduced)
A.L.T.A./A.C.S.M. LAND TITLE SURVEY
OF
A PORTION OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 4 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, AND
A PORTION OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 3 NORTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN,
MARICOPA COUNTY, ARIZONA.

PARCELS 2 AND 4 DETAIL

LEGEND

- PLAT LINE
- SURVEYED RADIUS OR DISTANCE
- RECORD SURVEYED OR DISTANCE PER BOOK 85 OF MAPS, PAGE 81
- RECORD RADIUS OR DISTANCE PER BOOK 85 OF MAPS, PAGE 81
- PLAT NUMBER
- ASSOCIATE'S PANEL NUMBER
- P.O.S.
- RESTRINGED LINING POC
- ASPHALT
- CONCRETE

TOTAL: 15.0000
APPENDIX B
Bell Pointe I
P.A.D. MDR Zoning Compliance Narrative
Topographic Map (Reduced)
APPENDIX C
Bell Pointe I
P.A.D. MDR Zoning Compliance Narrative
Flood Zone Delineation Map (Reduced)
16.20.030 Streets
17.28.040 Single-family Residential Zone (R1-5)
17.28.050 Multi-family Residential Zone (R-2)
17.28.140 Planned Area Development Zone (P.A.D.)
17.36.060 Procedure for Planned Area Development (P.A.D.)
17.36.070 Procedure for Appeals to board of Adjustment
17.40.010 Violations and Penalties
16.20.030 Streets.

A. General Requirements.

1. Frontage on Improved Streets. No subdivision shall be approved unless the area to be subdivided shall have frontage on, and access from, an existing street and unless such street is:
   a. A street shown upon a plat approved by the city council and recorded in the county recorder’s office. Such street or highway must be suitably improved as required by the highway rules, regulations, specifications or orders, or be secured by a performance bond, required under these subdivision regulations, with the width and right-of-way required by these subdivision regulations or the comprehensive development guide. Wherever the area to be subdivided is to utilize existing road frontage, such road shall be suitably improved as provided herein above.

2. Grading and Improvement Plan. Roads shall be graded and improved and conform to the city construction standards and specifications and shall be approved as to design and specifications by the city engineer, in accordance with the construction plans required to be submitted prior to final plat approval.

3. Topography and Arrangement.
   a. Roads shall be related appropriately to the topography. Local roads shall be curved wherever possible to avoid conformity of lot appearance. All streets shall be arranged so as to obtain as many as possible of the building sites at, or above, the grades of the streets. Grades of streets shall conform as closely as possible to the original topography. Specific standards are contained in the design standards of these regulations.
   b. All streets shall be properly integrated with the existing and proposed system of thoroughfares and dedicated rights-of-way as established in the comprehensive development guide.
   c. Local streets shall be laid out to conform as much as possible to the topography, to discourage use by through traffic, to permit efficient drainage and utility systems, and to require the minimum number of streets necessary to provide convenient and safe access to property.
   d. Proposed streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions, or unless in the opinion of the city council, such extension is not necessary or desirable for the coordination of the layout of the subdivision with the existing layout or the most advantageous future development of adjacent tracts.

4. Blocks.
   a. Blocks shall have sufficient width to provide for two tiers of lots of appropriate depths. Exceptions to this prescribed block width shall be permitted in blocks adjacent to major streets, railroads, waterways or parks.
   b. The lengths, widths and shapes of blocks shall be such as are appropriate for the locality and the type of development contemplated. The maximum length of blocks, measured along the center line of the street, and between intersecting street center lines, shall be one thousand five hundred feet. Minimum block length shall be two hundred feet. The maximum length of cul-de-sac streets shall be six hundred feet, measured from the intersection of right-of-way lines to extreme depth of the turning circle right-of-way along the street center line. With the approval of the city council, the maximum block length may be exceeded along an arterial or major collector street, if the adjoining lots do not have direct access onto the arterial or major collector street. All other exceptions to these standards require a variance, as provided in Chapter 16.16.
   c. In long blocks the city council may require the reservation of an easement through the block to accommodate utilities, drainage facilities, emergency access, or pedestrian traffic.

5. Access to Arterial Streets. Where a subdivision borders on or contains an existing or proposed arterial street, the city may require that access to such streets be limited by one of the following means:
   a. The subdivision of lots so that the lots back onto the arterial street and front onto a parallel local street; no direct access shall be provided from the arterial street;
   b. A series of cul-de-sacs, U-shaped streets, or short loops entered from and designed generally at right angles to such a parallel street, with the rear lines of their terminal lots backing onto the arterial street;
   c. A marginal access or service road (separated from the arterial street by a planting or landscaped strip and having access thereto at suitable points).

6. Street Names. Street names shall be sufficiently different in sound and in spelling from other street names in the city so as not to cause confusion. A street which exists or is planned as a continuation of an existing street shall bear the same name.

7. Street Names and Regulatory Signs. The applicant shall deposit with the city at the time of final subdivision approval an amount equal to the cost of each street sign required by the city engineer at all road intersections. The city shall install all street signs before issuance of certificates of occupancy for any residence on the streets approved. Street name signs are to be placed at all intersections within or abutting the subdivision, the type and location of which are to be approved by the city engineer.

8. Street Lights. Installation of street lights shall be required in accordance with design and specification standards
approved by the city engineer. Lighting on local and collector streets shall maintain a minimum of .4 lumens at any given point along the street right-of-way while .7 lumens shall be maintained along arterial streets. In addition, light standards shall be spaced such that each intersection is provided at least one light standard.

9. Construction of Streets and Dead-End Streets.

a. Construction of Streets. The arrangement of streets shall provide for the continuation of principal streets between adjacent properties when such continuation is necessary for convenient movement of traffic, effective fire protection, for efficient provision of utilities, and where such continuation is in accordance with the city comprehensive development guide. If the adjacent property is undeveloped and the street must be a dead-end street temporarily, the right-of-way shall be extended to the property line. A temporary T or L-shaped turnabout shall be provided on all temporary dead-end streets, with the notation on the subdivision plat that land outside the normal street right-of-way shall revert to abutters whenever the street is continued. The city may limit the length of temporary dead-end streets in accordance with the design standards of these regulations.

b. Dead-End Streets (Permanent). Where a street does not extend to the boundary of the subdivision and its continuation is not required by the city for access to adjoining property, its terminus shall normally not be nearer to such boundary than fifty feet. However, the city may require the reservation of an appropriate easement to accommodate drainage facilities, pedestrian traffic or utilities. A cul-de-sac shall be provided at the end of a permanent dead-end street in accordance with construction standards and specifications.

For greater convenience to traffic and more effective police and fire protection, permanent dead-end streets shall, in general, be limited in length in accordance with the design standards of these regulations.

B. Design Standards.

1. General. In order to provide for streets of suitable location, width and improvement to accommodate prospective traffic and afford satisfactory access to police, fire protection, sanitation and street-maintenance equipment, and to coordinate streets so as to compose a convenient system and avoid undue hardships to adjoining properties, Table 1 sets forth design standards for streets.

<table>
<thead>
<tr>
<th>TABLE 1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Design Standards for Streets</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Improvement</th>
<th>Dimensions in Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Minimum Width of Right-of-Way</strong></td>
<td></td>
</tr>
<tr>
<td>Local</td>
<td>50</td>
</tr>
<tr>
<td>Minor collector</td>
<td>60</td>
</tr>
<tr>
<td>Major collector</td>
<td>80</td>
</tr>
<tr>
<td>Minor arterial</td>
<td>110</td>
</tr>
<tr>
<td>Major arterial</td>
<td></td>
</tr>
<tr>
<td>Multi-lane roadway</td>
<td>130</td>
</tr>
<tr>
<td>Parkway</td>
<td>150</td>
</tr>
<tr>
<td>Principal arterial</td>
<td>300</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Minimum Pavement Width (defined as face of curb to face of curb)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Local</td>
<td>28-24</td>
</tr>
<tr>
<td>Minor/major collector</td>
<td>44-64</td>
</tr>
<tr>
<td>Minor arterial</td>
<td>68</td>
</tr>
<tr>
<td>Major arterial</td>
<td></td>
</tr>
<tr>
<td>Multi-lane roadway</td>
<td>92</td>
</tr>
<tr>
<td>Parkway</td>
<td>102</td>
</tr>
<tr>
<td>Principal arterial</td>
<td>112</td>
</tr>
</tbody>
</table>

Minimum Radius of Curve
Local 100
Collector 100
Minor arterial 300
Principal arterial 500

Minimum Length of Tangents Between Reverse Curves

Local 150
Collector 150
Minor arterial 250
Principal arterial 350

Minimum Sight Distance

Local 200
Collector 240
Minor arterial 275
Principal arterial 300

Minimum Turn-Around (local streets only)

Right-of-way diameter 110
Pavement 100

Maximum Block Length 1500
Permanent Cul-de-Sac 600
Temporary Cul-de-Sac 200

Minimum Block Length 200

2. Street Surfacing and Improvements. After sewer and water utilities have been installed by the developer, the applicant shall construct curbs and gutters and shall surface or cause to be surfaced roadways to the widths prescribed in this title. Said surfacing shall be of such character as is suitable for the expected traffic and in harmony with similar improvements in the surrounding areas. Types of pavement shall be as determined by the city engineer. Adequate provision shall be made for culverts, drains and bridges.

All street pavements, shoulders, drainage improvements and structures, curbs, turnarounds and sidewalks shall conform to the Uniform Standard Details Specifications adopted by the city council and shall be incorporated into the construction plans required to be submitted by the developer for plat approval.

3. Railroads and Limited Access Highways. Railroad rights-of-way and limited access highways where so located as to affect the subdivision of adjoining lands shall be treated as follows:

a. In residential districts a buffer strip at least twenty-five feet in depth in addition to the normal depth of the lot required in the district shall be provided adjacent to the railroad right-of-way or limited access highway. This strip shall be part of the platted lots and shall be designated on the plat; "This strip is reserved for screening. The placement of structures, except for street signs and lighting, hereon is prohibited."

b. In districts zoned for business, commercial or industrial uses, the nearest street extending parallel or approximately parallel to the railroad shall, wherever practicable, be at a sufficient distance therefrom to ensure suitable depth for commercial or industrial sites.

c. Streets parallel to the railroad when intersecting a street which crosses the railroad at grade shall, to the extent practicable, be a distance of at least one hundred fifty feet from the railroad right-of-way. Such distance shall be determined with due consideration of the minimum distance required for future separation of grades by means of appropriate approach gradients.

4. Intersections.
a. Streets shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two new streets at an angle of less than seventy-five degrees shall not be acceptable. An oblique street should be curved approaching an intersection and should be approximately at right angles for at least one hundred feet therefrom. Not more than two streets shall intersect at any one point unless specifically approved by the planning and zoning commission.

5. Widening and Realignment of Existing Streets. Where a subdivision borders an existing narrow street or when the comprehensive development guide or zoning ordinance indicates plans for realignment or widening a street that would require the use of some of the land in the subdivision, the applicant shall be required to improve and dedicate at his/her expense such areas for widening or realignment of such streets. Such streets shall be improved and dedicated by the applicant at his/her own expense to the full width as required by these subdivision regulations. Land reserved for any road purposes may not be counted in satisfying yard requirements of the zoning ordinance, whether the land is to be dedicated to the municipality in fee simple or as an easement. (Ord. 96-3 §§2, 3, 1996; Ord. 86-7 §11-1105(C), 1986)
17.28.040 Single-family residential zone (R1-5).

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

B. Principally Permitted Uses. See Section 17.24.020(A).

C. Conditionally Permitted Uses. See Section 17.24.020(B).

D. Permitted Accessory Uses. See Section 17.24.020(C).

E. Lot Area and Lot Dimensions.

1. Required lot area:

<table>
<thead>
<tr>
<th>Use</th>
<th>Minimum Lot Area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family dwelling units and model homes</td>
<td>See Chapter 17.28, Article II.</td>
</tr>
</tbody>
</table>

Other permitted uses, except model homes

Minimum area to be determined by building area, parking requirements and required setbacks.

2. Required lot dimensions:

<table>
<thead>
<tr>
<th>Use</th>
<th>Minimum Lot Width</th>
<th>Minimum Lot Depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family dwelling units and model homes</td>
<td>See Chapter 17.28, Article II.</td>
<td></td>
</tr>
</tbody>
</table>

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

F. Setbacks, Yards and Heights.

1. Minimum setbacks from property line:
<table>
<thead>
<tr>
<th>Interior Use</th>
<th>Corner</th>
<th>Rear</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family dwelling units and model homes</td>
<td>See Chapter 17.28, Article II.</td>
<td></td>
</tr>
<tr>
<td>Schools, civic, cultural and religious institutions (including their accessory use structures)</td>
<td>50'</td>
<td>50'</td>
</tr>
<tr>
<td>Structures accessory to single-family residences</td>
<td>20'</td>
<td>3'</td>
</tr>
<tr>
<td>Structures for all other principal, conditional or accessory uses, except model homes</td>
<td>20'</td>
<td>10'</td>
</tr>
</tbody>
</table>

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

2. **Maximum building height**: thirty feet.

G. **Encroachment into Required Front and Side Yard Setbacks.** See Chapter 17.28, Article II and Section 17.32.070. In the event of a conflict between the provisions of Chapter 17.28, Article II and those of Section 17.32.070, the provisions of Chapter 17.28, Article II shall apply.

H. **Additional Building and Performance Standards.** Development of any parcel of land within this district shall be subject to all applicable requirements of Chapter 17.28, Article II and Chapter 17.32. In the event of a conflict between the provisions of Chapter 17.28, Article II and those of Chapter 17.32, the provisions of Chapter 17.28, Article II shall apply.

I. **Relationship to Overlay Zones.** Any property located in the R1-5 zone and the F-1, F-2 and/or AR overlay zones must also comply with the regulations of the overlay zones.

J. **Compliance with the requirements of Chapter 17.28, Article II** is mandatory. (Ord. 00-01 §4, 2,000: Ord. 97-16 §9, 1997; Ord. 86-6 §7-704, 1986)
17.28.050 Multifamily residential zone (R-2).

A. Purpose. The purpose of the R-2 multifamily residential zone is to provide for medium density housing in multiple-family structures and directly related complementary uses. The R-2 zone is designed to allow economical use of land while creating an attractive, functional and safe residential environment.

B. Principally Permitted Uses. See Section 17.24.020(A).

C. Conditionally Permitted Uses. See Section 17.24.020(B).

D. Permitted Accessory Uses. See Section 17.24.020(C).

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

This document requires Adobe Acrobat Reader.

F. Schedule of Allowances. The minimum areas per unit in subsection E of this section may be adjusted according to the following, except allowance shall not be made for two-family or three-family dwellings.

1. For each parking stall in or under the residence, or otherwise completely underground, subtract four hundred square feet from the total minimum lot area.

2. For each unit with a balcony or patio greater than forty square feet, subtract one hundred square feet from the outdoor living area.

G. Setbacks, Yards, and Heights.

1. Minimum setbacks from property line:

<table>
<thead>
<tr>
<th>Use</th>
<th>Interior</th>
<th>Corner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Front</td>
<td>Side</td>
<td>Side</td>
</tr>
<tr>
<td>Two-family dwelling structure</td>
<td>20'</td>
<td>10'</td>
</tr>
<tr>
<td>Three-family dwelling structure</td>
<td>20'</td>
<td>10'</td>
</tr>
<tr>
<td>Four-family dwelling structure</td>
<td>20'</td>
<td>15'</td>
</tr>
<tr>
<td>Townhouse cluster structure</td>
<td>20'</td>
<td>15'</td>
</tr>
<tr>
<td>Schools, civic, cultural and religious institutions (including their accessory use structures)</td>
<td>50'</td>
<td>50'</td>
</tr>
<tr>
<td>Structures accessory to two-family dwelling structures</td>
<td>20'</td>
<td>3'</td>
</tr>
<tr>
<td>Structures for all other principal or conditional uses</td>
<td>20'</td>
<td>10'</td>
</tr>
</tbody>
</table>

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

H. Multifamily Accessory Buildings.

1. Accessory buildings shall observe the same setback requirements established for the multiple residence building except that accessory buildings located within the rear yard of the multiple-residence buildings may be located to within five feet of the rear or interior side property line. The city council may require common walls for accessory buildings on the same lot where common walls will eliminate unsightly and hazardous areas. Accessory buildings on the same lot shall otherwise be separated by a distance of not less than ten feet.

2. Exteriors of accessory buildings shall have an exterior finish compatible to the main structure. Compatibility shall be determined by the city based on type and use of building materials.

I. Distance Between Buildings. When two or more principal buildings are located on one lot, the minimum separation between any two adjacent principal buildings shall be a distance not less than an amount equal to the height of the taller of the two buildings or twenty feet, whichever is greater when developed as a planned area development. For major and minor site plans, building separation shall be the sum of two interior side yard setbacks.

J. Additional Building and Performance Standards. Development of any parcel of land within this district shall be subject to all applicable requirements of Chapter 17.32 of this title.

K. Relationship to Overlay Zones. Any property located in the R-2 zone as well as the F-1, F-2, or AR overlay zones must comply with the regulations of the overlay zones. (Ord. 97-16 §10, 1997; Ord. 86-6 §7-705, 1986)
17.28.140 Planned area development zone--P.A.D.

A. Purpose.

1. As an alternative to conventional zoning and development approaches and processes, the planned area development (P.A.D.) procedures and regulations are set forth in order that the public health, safety and general welfare be furthered in an era of increasing urbanization; to encourage innovations in residential, commercial and industrial development so that greater opportunities for better housing, recreation, shopping and employment, conveniently located, may extend to all citizens and residents of Surprise; to reflect changes in the technology of land development; to encourage a more creative approach in the utilization of land in order to accomplish a more efficient, aesthetic and desirable development which may be characterized by special features of the geography, topography, size or shape of a particular property, and to provide a compatible and stable environment, in harmony with that of the surrounding area.

2. The P.A.D. may include any development having one or more principal uses or structures on a single parcel of ground or contiguous parcels. The P.A.D. shall consist of a harmonious selection of uses and groupings of buildings, parking areas, circulation and open spaces, and shall be designed as an integrated unit, in such a manner as to constitute a safe, efficient and convenient urban area.

B. General Requirements and Standards.

1. Ownership. The tract shall be a development of land under unified control at the time of application and planned and scheduled to be developed as a whole.

2. Conformance with Comprehensive Development Guide. The land use and design of the proposed P.A.D. shall be consistent with the city comprehensive development guide.

3. P.A.D. Regulations.

a. The minimum total P.A.D. shall be no less than five acres unless the applicant can show that the minimum P.A.D. requirements should be waived because the waiver would be in the public interest and that one or both of the following conditions exist:

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

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

4. Uses in a P.A.D. Any use may be allowed in a P.A.D., provided it is consistent with the Comprehensive Development Guide.

5. Residential Density in P.A.D.s.

a. Residential development in a P.A.D. may provide for a variety of housing types allowed in any one of the basic residential zoning districts. In addition, the number of dwelling units allowed may be flexible relative to the number of dwelling units per acre that would otherwise be permitted by the zoning regulations applicable to the site. However, the total number of dwelling units and the resulting density allowed in a P.A.D. shall be consistent with the land use plan of the city's comprehensive development guide.

b. In determining the reasonableness of the densities in a P.A.D., the planning and zoning commission and city council shall consider increased efficiency in the provision of public facilities and services based, in part, upon:

i. The location, amount and proposed use of common open space;

ii. The location, design and type of dwelling units;

iii. The physical characteristics of the site;

iv. Particular distinctiveness and excellence in siting, design and landscaping.

6. Front, Rear and Side Yard Building Setback Regulations.

a. Front and rear yard setbacks shall be established by the city council at the time of approval of the final subdivision plat and shall be clearly identified on the final subdivision plat.

b. Unless a common wall or zero lot line is approved by the city council, there shall be a minimum separation between structures on adjoining residential lots of ten feet.

c. There shall be a side yard setback of not less than twenty feet from the curb line on any lot which adjoins a public or private street.

d. Commercial building setbacks shall be a minimum of thirty-five feet or such greater distance as may be equal to the maximum height of the building.

7. More than One Building per Lot. More than one building may be placed on one platted or recorded lot in any P.A.D. Areas for single-family detached dwellings or other housing types providing privately owned lots must
comply with the city’s subdivision ordinance in all respects not specifically noted in this section as appropriate variances or waivers.

8. One Housing Type not Inconsistent with Intent. A P.A.D. which only involves one housing type such as all detached or all attached units shall not be considered inconsistent with the stated purposes and objectives of this section and shall not be the sole basis for denial or approval.

9. Architectural Style, Appearance. Architectural style of buildings shall not solely be a basis for denial or approval of a plan. However, the overall appearance and compatibility of individual buildings to other site elements or to surrounding development will be primary considerations during P.A.D. review by the planning and zoning commission and council.


a. Any P.A.D. plan proposed to be constructed in phases shall include full details relating thereto, and the city council may approve or modify where necessary any such proposals.

b. The phasing shall include the time for beginning and completion of each phase. Such timing may be modified by the city on the showing of good cause by the developer.

c. The land owner or developer shall make such easements, covenants, and other arrangements and shall furnish such financial guarantees as may be determined by the city to be reasonably required to assure performance in accordance with the plan and to protect the public.

11. Streets, Utilities, Services and Public Facilities. The uniqueness of each proposal for a P.A.D. may allow specifications and standards for streets, utilities and services to be subject to minor modifications of the specifications and standards established in this and other city ordinances governing their construction. The city may, therefore, waive or modify the specifications or standards where it is found that they are not required in the interests of the residents of the P.A.D. or the city. The plans and profiles of all streets, utilities and services shall be reviewed, modified if necessary, and approved by the city prior to the final approval of the P.A.D. All P.A.D.s shall be served by public or community water and sewer systems.

12. Open Space Provision. At least seven percent of the total P.A.D. area shall be set aside for public and/or private open space and recreational use. The city shall determine what portion of the seven percent shall be private and what shall be public.

13. Operating and Maintenance Requirements for Planned Area Development Common Facilities. In the event that certain land areas or structures are provided within the P.A.D. for private recreational use or as service facilities, the owner of such land and buildings shall establish an arrangement to assure the city of a continued standard of maintenance. These common areas may be placed under the ownership of one of the following, depending which is more appropriate:

a. Dedicated to public where a communitywide use would be anticipated;

b. Landlord control;

c. Landowners association, provided all of the following conditions are met:

i. The landowners association must be established prior to any sale.

ii. Membership must be mandatory for each owner and any successive buyer.

iii. The open space restrictions must be permanent or tied to a long-term agreement (e.g., ninety-nine years).

iv. The association must be responsible for liability insurance and the maintenance of recreational, service and other facilities as deemed necessary by the city.

v. Landowners must pay their pro rata share of the cost and the assessment levied by the association can become a lien on the property in accordance with Arizona statutes.

vi. The association must be required to adjust its assessment to meet changing needs.

vii. The association must be required to, at minimum, adjust its assessment on an annual basis by a percentage not less than the previous year’s increase in the consumer price index.

14. Building Height and Setbacks. Maximum building height: thirty-five feet; provided, however, that a building may exceed thirty-five feet in height if the entire portion of the building which exceeds thirty-five feet is so constructed that it cannot be used or occupied by humans for any purpose, and if the planning and zoning commission approves the extension above thirty-five feet prior to the commencement of construction. In determining whether to approve a height extension, the planning and zoning commission shall consider whether the proposed extension will pose an unreasonable risk of injury to persons or property in light of the city's fire fighting equipment and capabilities. In general, a building's setback from property adjacent to the P.A.D. site shall approximate its height.

15. Landscaping. Landscaping and/or fencing shall be provided according to a plan approved by the city and shall include a detailed planting list with sizes indicated.

16. Utilities. All utilities, including electricity and telephone, shall be installed underground.

17. Notwithstanding any other provision of this section, Chapter 17.28, Article II shall apply to all property within the planned area development zone which has a land use designation of R1-5 or R1-8, and compliance with Chapter 17.28, Article II is mandatory. In the event of a conflict between the provisions of this section and those of Chapter 17.28, Article II, the provisions of Chapter 17.28, Article II shall govern and control. (Ord. 00-01 §5, 2000; Ord. 97-16 §16(part), 1997; Ord. 94-5 §5, 1994; Ord. 91-7, 1991; Ord. 86-6 §7-711, 1986)
17.36.060 Procedure for planned area development (P.A.D.).

A. Generally. Any development proposal which meets the requirements of Section 17.28.110, planned area development, shall be reviewed according to the provisions of this section. All P.A.D. applications shall be reviewed and approved by the planning and zoning commission and city council prior to any physical development on the subject property.

B. Application.
1. The applicant is encouraged to meet with appropriate city staff prior to making application for P.A.D. approval to discuss the development concept, the review and approval process, and the submittal requirements.
2. The applicant shall obtain the necessary application forms from the community development director. Application forms properly completed and accompanied by the required fee shall be submitted to the community development director. Concept plan exhibits shall accompany the application. The concept plan shall be submitted at least seven days prior to meeting with city staff.

C. Concept Plan.
1. Submittal Requirements. The concept plan shall indicate proposed land uses, general circulation patterns, property boundaries, existing land uses on adjacent properties, special site conditions or problems. A computation table showing proposed land use allocations in acres and percent of total site area shall be included on the concept plan.

D. Preliminary Development Plan.
1. Submittal Requirements. Based upon comments received regarding the concept plan, the applicant shall prepare a preliminary development plan. A preliminary development plan shall be submitted at least twenty-one days prior to the hearing by the planning and zoning commission. The following information shall be submitted to the community development director:
   a. Legal description of property and indication of gross area;
   b. Nature of the applicant’s interest in the land to be developed;
   c. A generalized location map showing surrounding land use and traffic circulation patterns;
   d. Site conditions: An analysis of the existing site conditions which indicates at a minimum:
      i. Topographic contours with intervals of no more than two feet, to a distance of one hundred feet beyond the property boundary,
      ii. Location and extent of major vegetative cover (if any),
      iii. Location and extent of perennial or intermittent streams and water ponding areas,
      iv. Existing drainage patterns,
   v. Other information considered relevant by the applicant or city staff;
   e. Proposed allocations of land use expressed as a percentage of the total area, as well as in acres. Uses to be indicated include:
      i. Arterial streets,
      ii. Open space (public),
      iii. Open space (private),
      iv. Residential (if appropriate),
   v. A stratification of residential uses in terms of single-family detached units, patio homes, townhouses, garden apartments, etc.,
   vi. Commercial (if appropriate),
   vii. Industrial (if appropriate),
   f. A land use plan at a scale not smaller than one inch equals one hundred feet, indicating land uses, acres and development densities of each land use and the most nearly equivalent zoning categories; all arterial and collector street circulation elements, pedestrian and/or bicycle circulation elements, exact perimeter locations of any/all arterial streets and major collector streets; open spaces; and recreational areas;
   g. Plans indicating the approximate alignment and sizing of water lines, sanitary sewers and storm sewers (if any), as well as easements for all utilities, if necessary. Also indicated should be proposed surface drainage patterns;
   h. A preliminary plat of the proposed development if land subdivision is proposed;
   i. Conceptual architectural renderings indicating the elevations and exterior wall finishes of proposed buildings types;
j. Conceptual landscaping plans, indicating landscaping theme character of the development;

k. A traffic analysis report, if deemed necessary by the city;

l. Phasing plan, if development is to take more than one year.


a. Notice of Hearing. The commission shall hold a public hearing on the preliminary development plan. A notice of the time, date, place and purpose of the hearing shall be published in the official newspaper of the city at least fifteen days prior to the date of the hearing.

A similar notice shall be mailed at least seven days before the day of the hearing to each owner of property situated wholly or partly within two hundred feet of the property to which the P.A.D. relates. The community development director shall be responsible for placing and mailing such notices. For purposes of giving mailed notice, the community development director shall require the applicant to furnish the names and addresses of all property owners within two hundred feet of the property.

b. Review. In considering applications for P.A.D. approval, the commission shall consider the following:

i. Interrelationship with the plan elements to conditions both on and off the property,

ii. Conformance to the comprehensive development guide,

iii. The impact of the plan on the existing and anticipated traffic and parking conditions,

iv. The adequacy of the plan with respect to land use,

v. Pedestrian and vehicular ingress and egress,

vi. Architectural design,

vii. Landscaping,

viii. Provisions for utilities,

ix. Site drainage,

x. Open space and/or public land dedications,

xi. Grading,

xii. Other related matters.

The commission shall consider oral or written statements from the applicant, the public, city staff or its own members. It may question the applicant and approve, disapprove or table the preliminary development plan. The application may not be tabled for more than two regular meetings of the commission.

If the commission shall determine by motion that the proposed preliminary development plan will not be detrimental to the health, safety or welfare of the community, will not cause traffic congestion or depreciate surrounding property values and, at the same time, is in harmony with the purposes and intent of this title, the plan for the area, and the comprehensive development guide, the commission may recommend granting preliminary development plan approval, along with necessary conditions and safeguards, including provisions, as applicable, for public land dedications.

The commission shall notify the city council, in writing, of its recommendation.

3. City Council Consideration and Hearing.

a. Consideration and Hearing. The city council, after receipt of the report and recommendation of the planning and zoning commission, may consider the P.A.D. request. If requested in writing by any member of the public or the town council, the council shall hold a public hearing on the request. A notice of the time, place and purpose of the hearing shall be published in the official newspaper of the city at least fifteen days prior to the date of the hearing.

A preliminary development plan which has been recommended for denial by the commission shall not be reviewed by the council except upon written request by the applicant and shall require a public hearing.

b. Review and Approval. In its deliberations on the preliminary development plan, the council shall consider oral or written statements from the applicant, city staff, the public and its own members. The council's review shall encompass the same spectrum of considerations as did the commission's. The city council may approve the preliminary development plan, deny the request, or table the request. The application may not be tabled for more than two meetings in succession.

Conditions may be applied to the approval and/or periodic review of the approval may be required. Approvals, if granted, shall be for a particular development, not for a particular applicant.

c. Public Protests Against P.A.D. If there is written protest against the preliminary development plan signed by the owners of twenty percent or more of the property within one hundred fifty feet of the proposed P.A.D., the preliminary development plan shall not be approved except upon affirmative vote of three-fourths of all members of the city council. If the above protest requirements are not met, approval may be by majority vote of the membership of the city council.

d. Duration of P.A.D. Zoning. Approval of a P.A.D. rezoning request shall be conditioned upon the start of construction beginning within one year of the date of approval action taken by the city council. If, at the expiration of this period, the start of construction has not begun, the property shall revert to its former zoning classification without council or commission action.

In the case of a proposed phased development, start of construction for the first phase must commence within one year, with the remaining phases commencing according to the approved phasing plan.
The city may authorize extensions when deemed necessary.

E. Final Development Plan.

1. Approval. Final P.A.D. development plan approval and the issuance of a development permit for any portion of a P.A.D. shall occur only when:
   a. A reproducible copy of the approved preliminary development plan with appropriate signatures is received.
   b. The design and construction specifications for all utilities, property and street improvements have been approved by the city engineer.
   c. A site plan, subject to the requirements of Section 17.36.040 of this chapter, for the specific portion of the P.A.D. in question has been submitted and has been approved by the planning and zoning commission, as in conformance with the preliminary development plan. (Upon approval of the site plan, a reproducible copy shall be submitted.)
   d. Architectural elevations of the buildings, with materials lists, are submitted and approved by the planning and zoning commission.
   e. A landscaping plan is submitted and approved by the planning and zoning commission.
   f. A performance bond, cash escrow agreement or other acceptable instrument has been deposited with the city in an amount as set by the city council based upon the city engineer’s recommendation. This financial guarantee shall be used to ensure the full completion, as specified, of:
      i. Public and private streets and utilities;
      ii. Landscaping; and
      iii. Privately owned and maintained recreational facilities.
   g. Any land dedication agreements made as part of the preliminary development plan approval are fulfilled.

2. Platting Requirements. All applicants for a planned area development permit shall be required to file with Maricopa County a final plat of said planned area development complying with all of the requirements of the subdivision ordinance of the city, except to the extent that the council may give specific permission to the effect that the specific portions of the subdivision ordinance need not be complied with. Such required plats shall contain on their face a cross-reference to the P.A.D. development plan.

F. Method of Withdrawing an Application for P.A.D. Approval. Any application for a planned area development permit may be withdrawn by the applicant at any time prior to filing the final plat upon written notification to the community development director and/ or city clerk. The P.A.D. shall be null and void upon receipt of such notice by the city.

G. Amendments to P.A.D. Approval.

1. Minor Changes. Minor changes in the location and placement of buildings may be authorized by the community development director and city engineer where unforeseen circumstances such as engineering requirements dictate such change. When in question, the community development director and the city engineer may determine whether the changes shall be classified as minor or major, or may refer the question to the planning and zoning commission, if they deem it necessary.

2. Major Changes. Major changes, such as alterations in structural types, in the shapes and arrangements of lots and blocks, in the allocation of open space or other land uses which increase density and/or intensity of the project, and all other changes which significantly affect the overall design or intent of the project shall be referred to the planning and zoning commission, after which the commission shall consider and shall either approve or deny the changes in the final development plan. If such changes are authorized, the developer shall submit a revised plan showing the authorized changes. Requirements of Section 17.36.040C and D shall apply to requests for major changes.

H. Denial of P.A.D. Approval. If an application for planned area development approval is denied at either the preliminary development plan or final development plan stage, a new application for a P.A.D. approval by the same applicant on the same site or portion of the site cannot be filed prior to ninety days after the date of denial. (Ord. 86-6 §9-906, 1986)
17.36.070 Procedure for appeals to board of adjustment.

A. Application for Appeal. Any aggrieved person or any officer or department of the city affected by a decision of an administrative officer, pertaining to this title, may appeal to the board of adjustment by filing an application with the zoning administrator. The application shall state the name and address (or city office) of the applicant and the reasons for filing the appeal. The application shall be made within twenty-one days of the date of the decision which is being appealed. The zoning administrator shall then transmit to the board the complete record of the action for which the appeal is made. Appeals to the board may be made only in conjunction with an action.

B. Stay of Proceedings. An appeal to the board stays all proceedings in furtherance of the action appealed unless the officer from whom the appeal is taken certifies to the board that by reason of facts stated in the certificate of stay, the stay would, in his opinion, cause imminent peril to life or property. In such cases, proceedings shall not be stayed other than by a restraining order granted by the superior court on notice to the zoning administrator and with due cause shown.

C. Notice of Hearing.

1. No appeal may be granted by the board until a public hearing has been held on the application. A notice of time, date, place and purpose of the hearing shall be published in the official newspaper of the city at least fifteen days prior to the date of the hearing.

2. If the appeal relates to a decision on a specific site, a similar notice shall be posted in conspicuous places close to the site affected and shall be mailed at least seven days prior to the date of the hearing to each owner of the property situated within two hundred feet of the property to which the appeal relates. The community development director shall be responsible for mailing such notice. For the purpose of giving mailed notice, the board may require the applicant to furnish the names and addresses of all property owners within two hundred feet of the property. The failure to receive notice by individual property owners will not necessarily invalidate the proceedings.

D. Review and Decision by the Board. Within forty-five days of the date of application, but no sooner than fifteen days from the date of public notice, the board shall hear and decide arguments for appeal to the decision in question. The board shall consider oral or written statements from the appellant, his/her agent or attorney, the public and city staff members. The board shall also study the record of the action from which the appeal is taken. The board may, by three-fourths majority of the entire board, approve an appeal or by simple majority, table the appeal. If tabled, the board shall make a decision on the appeal at its next regularly scheduled meeting. The board may impose such conditions and safeguards on its decision as it deems necessary to satisfactorily correct the situation in question, but it shall not attempt to infringe upon matters not specifically contained in the appeal.

E. Notice of Board Decision. The board shall issue a written notice of its decision to all concerned parties and to the community development director and the city clerk, who shall notify the city council and make official record of the decision. The notice shall state the facts of the matter as determined by the board, the reasons for its decision, and any conditions applied to the decision. (Ord. 86-6 §9-907, 1986)
17.40.010 Violations and penalties.

A. No person shall locate, erect, construct, reconstruct, enlarge, change, maintain or use any building or structure, or use any land in violation of this title.

B. The zoning administrator shall order, in writing, the correction of any violation. Such order shall state the nature of the violation, the title provision violated, and the time by which the violation must be corrected. After such order has been served, no work shall proceed on any structure or tract of land covered by such an order except to correct such violation or to comply with the order.

C. Decisions of the zoning administrator may be appealed to the board of adjustment in accordance with Section 17.36.070 of this title.

D. In addition to or in lieu of the procedures outlined above, this title shall be enforceable in a court of proper jurisdiction, and any or all appropriate remedies at law or in equity shall be available for the enforcement thereof.

E. Any and all persons who shall violate any of the provisions of this title or fail to comply therewith, or who shall fail to comply with any lawful order or regulation made thereunder, shall severally for each and every violation and noncompliance respectively, forfeit and pay a fine of not less than fifty dollars nor more than seven hundred fifty dollars and/or be imprisoned not to exceed the time of four months for each offense, said violation a class two misdemeanor under the Criminal Code of the laws of the state of Arizona. In addition the costs of any such action may be imposed at the discretion of the court. The imposition of one penalty for any violation of this title shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations and defects within a reasonable time; and each day that the prohibited condition is not corrected or remedied shall constitute a separate offense; and the court shall impose a fine on a per diem basis for each day that the violation is maintained. Application of the above penalty shall not be held to preclude the forced removal of prohibited conditions.

F. This title shall not be construed to hold the city, its community development director, zoning administrator, city engineer or any other city official responsible for any damage to persons or property by reason of any inspection or reinspection authorized herein or the failure to so inspect or reinspect or by reason of the issuance to a building permit as herein required. (Ord. 86-6 §10-1001, 1986)
APPENDIX D
Bell Pointe I
P.A.D. MDR Zoning Compliance Narrative
City Of Surprise Municipal Code Reference Documents
REPORT TO THE PLANNING AND ZONING COMMISSION
AND THE CITY COUNCIL
PREPARED BY THE COMMUNITY DEVELOPMENT DEPARTMENT

CASE NO.: PAD01-12
STIPULATIONS: a through w
PREPARED BY: Grant Penland, Planner I @ 623.875.4307

Planning & Zoning Commission Hearing Date: February 5, 2002
City Council Hearing Date: February 28, 2002

APPLICANT:
David Milne
David Alan Ltd.
11757 East Cortez Drive
Scottsdale, AZ 85259
Phone: (602) 758-8292

PROPERTY OWNER:
Bell Road 187 Limited Partnership
8800 North Galney Center Drive
Scottsdale, AZ 85258

REQUEST:
Approval of a rezone of 78.9 acres from R1-43 to P.A.D.

SITE LOCATION:
Subject site is located north of Bell Road, east of the Trilby Wash, west of the Beardsley Canal, within the southwest quarter of Section 34, Township 4 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

SITE SIZE:
78.9 gross acres

CONFORMANCE TO ADOPTED LAND USE PLANS:

GENERAL PLAN:
If approved, the subject property would be in conformance with the Surprise General Plan 2020. Please also refer to the attached General Plan Policy Checklist.

DEVELOPMENT PLAN:
The Bell Pointe I P.A.D. is the proposed development plan.
COMMENTING JURISDICTIONS:

Town of Buckeye: No comments were received.
City of EL Mirage: No comments were received.
City of Peoria: No comments were received.
Maricopa County: No comments were received.
Dysart Unified School District: No comments were received.
Maricopa Water District: No comments were received.
Luke Air Force Base: No comments were received.

DEPARTMENTAL REVIEW:

The Engineering Department has reviewed this application and has no additional comments.

The Fire Department has reviewed this application and has no additional comments.

The Public Works Department has reviewed this application and has no additional comments.

The Water Services Department has reviewed this application and has no additional comments.

STAFF RECOMMENDATION:

Staff recommends that the Planning and Zoning Commission recommend approval of the Planned Area Development for Bell Pointe I, (PAD01-12), subject to the stipulations listed under "Recommendations."

EXISTING AND SURROUNDING ZONING:

1. ON-SITE: R1-43
   NORTH: R1-43
   EAST: P.A.D. (Arizona Traditions); R1-43; & C-2
   SOUTH: P.A.D. (Surprise Farms, designated R1-5 & C-2)
   WEST: R1-43

EXISTING AND SURROUNDING LAND USE:

2. ON-SITE: Vacant Land
   NORTH: Vacant Land, Trilby Wash
   EAST: Beardsley Canal, Vacant Land, Single Family Homes, RiverBoat Acres
   SOUTH: Bell Road, Vacant Land
   WEST: Vacant Land, Trilby Wash
ADJACENT ROAD STATUS

<table>
<thead>
<tr>
<th>Street Name</th>
<th>Right of Way</th>
<th>Pavement Width</th>
<th>Landscaping</th>
<th># of Lanes in each direction</th>
<th>Sidewalks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bell Road</td>
<td>130 feet</td>
<td>75 feet</td>
<td>Sides, median</td>
<td>3 Lanes</td>
<td>6 foot, both sides</td>
</tr>
</tbody>
</table>

EXISTING UTILITIES AND SERVICES STATUS:

6. WATER Arizona-American Water Company
7. SEWER City of Surprise
8. FIRE PROTECTION The Surprise Fire Department currently has a fire station located at 15616 North Hollyhock Street. The second fire station is in operation at 18600 Reems Road near the intersection of Reems and Mountain View Boulevard.
9. POLICE PROTECTION The Surprise Police Department currently has a station located at 12425 W. Bell Road and a substation located at 18600 Reems Road.

100 YEAR ASSURED WATER SUPPLY CERTIFICATION:
10. A Certificate of Assured Water Supply must be obtained for lots within this subdivision prior to final plat recordation.

FINANCIAL ASSURANCE FOR COMPLETION OF INFRASTRUCTURE:

11. To be required upon platting process.

SCHOOL DISTRICT POSITION:

12. A school district position letter has not been received with regard to the Bell Pointe I P.A.D.

STREET LIGHT IMPROVEMENT DISTRICT:

13. To be required upon platting process.
PLAN ANALYSIS:

PROPOSAL

14. The applicant has submitted with this application a P.A.D. document entitled "Bell Pointe I P.A.D.," dated January 29, 2002. The document includes several sections setting forth the development standards, guidelines, and general characteristics to be proposed within this master planned community.

15. The applicant is proposing to develop the 78.9 acres as three Medium Density Residential single-family cluster-type subdivisions with gross densities ranging from 5.0 to 5.5 dwelling units per acre. The land use proposed on the site is medium density residential.

HISTORY

16. This parcel of land is currently undeveloped desert land. The site contains minimal native vegetation with no natural washes or streams.

PROPOSED LAND USES/PERCENTAGES

<table>
<thead>
<tr>
<th>PARCEL</th>
<th>LAND USE TYPE</th>
<th>GROSS ACREAGE</th>
<th>GROSS DENSITY</th>
<th>PROPOSED DWELLING UNITS</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Medium Density</td>
<td>19.0</td>
<td>5.5</td>
<td>104</td>
</tr>
<tr>
<td></td>
<td>Residential</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2A</td>
<td>Medium Density</td>
<td>19.6</td>
<td>5.0</td>
<td>98</td>
</tr>
<tr>
<td></td>
<td>Residential</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2B</td>
<td>Medium Density</td>
<td>14.3</td>
<td>5.91</td>
<td>73</td>
</tr>
<tr>
<td></td>
<td>Residential</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Medium Density</td>
<td>26.0</td>
<td>5.3</td>
<td>138</td>
</tr>
<tr>
<td></td>
<td>Residential</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
<td>78.9</td>
<td>5.2</td>
<td>413</td>
</tr>
</tbody>
</table>

17. The City of Surprise Single Family Residential Design Guidelines includes a requirement for a minimum of 10 percent of open space. The applicant has provided a minimum of 15 percent of the total project for open space areas.
PROPOSED LOT SIZES

<table>
<thead>
<tr>
<th>PARCEL</th>
<th>CONCEPTUAL YIELD (DWELLING UNITS)</th>
<th>TYPE OF DWELLING UNIT</th>
<th>MINIMUM LOT SIZE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>104</td>
<td>Detached 4-Pack Cluster</td>
<td>40' x 50' x 90'</td>
</tr>
<tr>
<td>2A</td>
<td>98</td>
<td>Single Family Detached Cluster</td>
<td>45' x 105'; 50' x 105'</td>
</tr>
<tr>
<td>2B</td>
<td>73</td>
<td>Single Family Detached Cluster</td>
<td>45' x 100'; 50' x 100'</td>
</tr>
<tr>
<td>3</td>
<td>138</td>
<td>Single Family Detached Cluster</td>
<td>52' x 105'; 52' x 110'</td>
</tr>
<tr>
<td>TOTAL</td>
<td>413</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

18. The Bell Pointe I development is a residential project to be developed under a P.A.D./Medium Density Residential designation. The development is proposing a combination of more traditional single-family homes and a cluster-housing format utilizing a common court-drive. Following the direction of the General Plan 2020, the developer is proposing to offer this unique, diverse subdivision mix rather than providing high density, multi-family products throughout the overall development.

19. The adopted Single Family Residential Design Guidelines do not address this type of development and the proposed blending of single family and 4-pack cluster projects. The densities allowed within a Medium Density Residential project cannot fit within established lot mix criteria of the Single Family Residential Design Guidelines. The density projected for this P.A.D. (5.2 dwelling units per acre) is greater than the established maximum allowable of the SFR Design Guidelines (4.5 dwelling units/acre).

20. The Bell Pointe I development will be developed to generally follow the SFR Design Guidelines and the diversity requirement therein. The more traditional detached single-family cluster housing parcels will be planned to follow the land uses and housing diversity reflected in the established design criteria of the P.A.D. document. Pages 48 through 57 of the P.A.D. book include a detailed analysis of Design Guideline compliance.

DEVELOPMENT STANDARDS

21. The Bell Pointe I P.A.D. creates standards of development for the Medium Density Residential project. The development and design standards include, but are not limited to: entry and perimeter wall features, street features, greenbelts,
view corridors, housing product variation, and pavement treatment. Pages 44 through 47 of the P.A.D. book include a detailed description of these standards of development.

EXISTING SITE CONDITIONS:

22. This property slopes gradually from the northwest to the southeast. The site is bordered on the west by the Trilby Wash basin. The site is separated from the Trilby wash by an earthen levee.

COMPLIANCE WITH THE GENERAL PLAN

23. The Surprise General Plan 2020 calls for a "Medium Density Residential" land use designation across the entire property. MDR is designated as 5-8 dwelling units per acre within the General Plan. The proposed overall gross density of the project is 5.2 dwelling units per acre.

24. The draft land use plan indicates that the property is to be a medium density residential development. Additionally, the master open space and recreation plan indicates linear open spaces and park areas, comprising a minimum of 15 percent of the overall land area. The proposed Bell Pointe I is in full compliance with land use plan within the Surprise General Plan 2020.

BELL POINTE I DESIGN ELEMENTS:

25. As previously stated, Bell Pointe I will be developed to generally follow the Single Family Residential Design Guidelines. Pages 48 through 57 of the P.A.D. book include a detailed analysis of Design Guideline compliance. Staff has been working with the applicant in order to determine that each of the items claimed for points on the guidelines are adequately justified. Staff urges the Commission and Council to closely review the Design Guideline compliance section to see if these items meet the intent of the Guidelines as approved by Commission and Council.

26. Because the Bell Pointe I P.A.D. book sets forth a complete Design Guideline analysis, the staff report will not go through each point. However, staff believes that there are several significant elements that must be noted that have been included within this development.

a) Open space: Bell Pointe I includes a minimum of 15 percent of open space, which exceeds the minimum requirements of the Guidelines. Additionally, these open spaces, as indicated in the landscaping section of the P.A.D., include active recreational opportunities, passive opportunities, and aesthetic enhancements to the streetscapes.

b) A trail system: The trail system connects the open space areas.
c) Specific Landscaping Theme - The landscaping theme is oriented towards creating enhanced entries, transition areas, and roadways throughout the development.

27. Also included within the community are significant design amenities that improve the quality and the look of the subdivision, and provide the long-term benefits that people look for in a neighborhood. Such features include: open space areas at major entries, street trees separating the sidewalk and the street along the collector, multiple trail systems throughout the development, open space buffers along arterials and collectors, and unique wall features on the exterior of the project.

AMENITIES PACKAGE

28. The landscape exhibits provide examples of the design elements to be used throughout the Bell Pointe P.A.D. including an open space plan, conceptual entry features, amenity packages, trail systems, etc. The trail system is shown to be integrated throughout the proposed development connecting open space areas, and encouraging neighborhood interaction.

29. The development also features a unique emergency vehicle access and multi-modal trail along the eastern boundary that will connect to the overall trail system. The emergency access/trail system will be a 50-foot wide open space tract with a 20-foot wide roadway, serving as both a second point of emergency access for the development as well as a multi-modal trail.

AESTHETIC CONSIDERATIONS:

30. With preliminary design, as well as the exhibits shown in the P.A.D. document, the applicant has clearly expressed a desire to create a project with a pedestrian-friendly environment.

31. Elements such as gently meandering or detached sidewalks, trees planted to separate the roadways from the sidewalks, and significant buffers adjacent to arterial roads are all incorporated for purposes of enhancing the aesthetics of the development. Several other elements are shown and listed throughout the P.A.D. document.

INFRASTRUCTURE IMPROVEMENTS:

32. With this development, Bell Road will be developed at the width as required by the City Engineering department. Additionally, all internal roads will be developed to their full required right-of-way.
33. The water lines for the site will be designed to connect with the water service in Bell Road and then loop in with the water lines in the Arizona Traditions Development. A development agreement is being completed between the applicant and Arizona-American Water Company, addressing water service to the Bell Pointe I development.

34. The development proposes a connection to an existing sewer line in Bell Road which will serve the entire property.

PHASING:

35. The subdivision tracts within the development may be constructed in more than one phase. A phasing plan is provided with the P.A.D. The first phase of development will provide for the construction of the off-site sewer and water lines in Bell Road, the on-site water and sewer infrastructure, as well as the half right-of-way construction of Bell Road. Additionally, the construction of the sixty-foot collector road and twenty-foot emergency access road will be completed as part of the initial phase of development.

NOISE:

36. This property is not located within the noise contours of the 1997-revised AICUZ as adopted by the City of Surprise in March of 1998, nor is the subject property within any noise contours as defined by the 1988 MAG JLUS. However, this property is subject to overflights from Luke Air Force Base, therefore appropriate noise attenuation will be required in the homes as they are constructed.

CASE HISTORY:

37. The Bell Pointe I Planned Area Development application was first brought forward to the Planning and Zoning Commission on December 18, 2001. At the request of the Commission, a workshop was held on January 22, 2002 to discuss concerns established at the first Commission meeting.

38. Several amendments are included in the revised P.A.D. document:
   - The street cross sections on page 19, as well as the updated plan exhibits, demonstrate the utilization of curb-separated sidewalks.
   - The provision of adequate driveway parking is included in the table and footnotes of sections 7.1, 7.3, and 7.5 (pages 28, 34, and 39).
   - Additional language regarding cul-de-sacs has been included in section 7.7D (page 44).
   - The accommodation of additional storage space for the residential units is included in the table and footnotes of sections 7.1, 7.3, and 7.5 (pages 28, 34, and 39), as well as section 8.6 (page 47).
A cross-section exhibit of the Beardsley Canal and Triby Wash has been included for pictorial illustration on page 64.

CONCLUSION:

39. The subject request is consistent with the City of Surprise General Plan 2020. Additionally, the applicant will make all necessary infrastructure improvements in order to accommodate the proposed development on site.

Attachment
1. General Plan Policy Checklist
2. P.A.D. book and Supporting Documentation
# General Plan Policy Checklist
## Planned Area Development Application

<table>
<thead>
<tr>
<th>Items</th>
<th>Comments: (If applicable, state how issue was addressed)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1. Land Use:</strong></td>
<td></td>
</tr>
<tr>
<td>a. Locate higher density/intense residential land uses &amp; transportation dependent uses near major roadway corridors to promote an efficient transportation system. Page 27</td>
<td>The development is located directly adjacent to Bell Road.</td>
</tr>
<tr>
<td>b. Does the project involve cluster development? Encourage clustering for preservation of natural open space within residential neighborhoods. Page 28</td>
<td>This project utilizes clustered housing to allow for a greater amount of open space.</td>
</tr>
<tr>
<td>c. Use building envelopes that provide for natural buffers between buildings in order to protect sensitive landforms, vegetation and/or wildlife corridors. Page 28</td>
<td>N/A - This project does not include any sensitive landforms, vegetation or wildlife corridors.</td>
</tr>
<tr>
<td>d. Locate regionally oriented retail and service uses or other high intensity employment uses along major roadways with proper access, transitioning to lower intensity uses buffered adequately from residential uses. Page 29</td>
<td>N/A - There are no commercial elements in this project.</td>
</tr>
<tr>
<td>e. Require private developers to design and locate supportive commercial sites in close proximity to population centers. Page 29</td>
<td>N/A - There are no commercial elements in this project.</td>
</tr>
<tr>
<td>f. Are planned trails and functional open space indicated as neighborhood connections? Page 29</td>
<td>Trails are planned within the Bell Pointe I project. Open space corridors are designed to be able to be connected with regional trail systems.</td>
</tr>
<tr>
<td>g. Is the project located near any of the following areas - Daimler-Chrysler, Volvo, NW Valley Landfill, White Tank Mountains, Surprise Center, Luke AFB? If so, analyze policies that pertain to each individual location, (see pages 28, 29, 30, 96, 111, 146).</td>
<td>N/A - This project is not located near any of the listed areas.</td>
</tr>
<tr>
<td>h. Is the project located near a designated &quot;Gateway Area&quot;? Is it a mixed use? Page 28</td>
<td>N/A - This project is not located near a designated &quot;Gateway Area.&quot;</td>
</tr>
</tbody>
</table>

*These are just examples of policies considered in the development review process. It is the responsibility of the applicant to make sure that the proposed project complies with all relevant City policies and regulations.*
# GENERAL PLAN POLICY CHECKLIST

**PLANNED AREA DEVELOPMENT APPLICATION**

| ITEMS | COMMENTS:  

*(If applicable, state how issue was addressed)* |
|-------|-------------------------------------------------|
| **1. LAND USE (cont.):**  
  i. Discourage strip commercial developments and free standing pads except where expressly permitted. Page 29 | N/A - There are no commercial elements in this project. |
| **2. TRANSPORTATION:**  
  a. Provide service coordination that can ensure that transportation services connect as efficiently as possible, minimizing wait times. Page 62 | As previously stated, development is directly adjacent to the Major Arterial, Bell Road. |
  b. Bicycle & pedestrian facilities should be incorporated into the planning, design and operation of transportation systems. Page 62 | Bicycle lanes are proposed in the street system and pedestrian trails will be located throughout the development. |
  c. Require pedestrian circulation plans to be submitted, along with vehicular circulation plans, as part of the review process. Page 63 | Overall circulation plans have been included in the Bell Pointe I P.A.D. document. Additional circulation plans will be required upon platting processes. |
  d. Encourage walkways near roads, but separate them from the curb whenever possible or provide a bike lane as a buffer. Page 63 | Street cross-sections will be approved per with the City of Surprise requirements to provide safe, navigable roadways. |
  e. Provide adequate bicycle storage at all major employment centers, commercial centers, and transit centers. Page 63 | N/A - There are no commercial elements in this project. |
  f. Promote the use of traffic calming techniques in pedestrian areas to make vehicular speed limits self-enforcing. All traffic calming techniques will be evaluated by and will require the approval of the City Engineer. Page 84 | Street cross-sections will be approved per with the City of Surprise requirements to provide safe, navigable roadways. |
| **3. ECONOMIC DEVELOPMENT:**  
  a. Avoid placing non-compatible uses adjacent to designated employment and commercial areas that will make future development of these uses difficult/unappealing (e.g. sf homes abutting a business park without buffering). Page 64 | The entire development incorporates well-blended residential uses. |
  b. Maintain employment and commercial related land uses as prescribed in each Special Planning Area. Page 98 | N/A - There are no commercial elements in this project. |
| ITEMS | COMMENTS:  
(If applicable, state how issue was addressed) |
|-------|------------------------------------------------|
| 4. HOUSING:  
a. Locate residential areas that are appropriately sited and protected from incompatible uses yet integrated through both pedestrian and vehicular linkages. Appropriately site these areas with minimal adverse impact on the natural environment. Page 99 | The proposed development will contain trail systems linking the residential subdivisions. Clustering of residences is utilized to minimize the overall effect on the natural environment. |
| b. New developments within or next to existing residential areas should enhance or contribute to the character or qualities of that area. Page 99 | The proposed development will compliment the adjacent Arizona Traditions development. However, the developments will not be connected, as the Arizona Traditions Development is a gated community. Local streets will also provide sidewalks separated from the roadways to promote safe, pleasant pedestrian travel. |
| c. Encourage developers to cooperate and communicate with residents and homeowners' associations during the development review process prior to the official public hearings. Page 99 (Refer to Citizen Participation Ordinance). | A neighborhood meeting was held with neighboring property owners to discuss the project pursuant to the recently adopted Community Outreach ordinance. |
| d. Housing developments should be adequately provided with community facilities and services. Desirable community facilities and services include: parks with tot lots, benches, larger retention areas with ramada's, shade trees etc. Page 99 | The Bell Pointe I project will contain a trail system with shade trees, active recreation areas, ramada with benches and picnic tables, turf play areas, and a tot-lot. |
| e. Promote the following qualities: durable materials in construction that are compatible with the area's climatic and energy factors, encourage exterior detail and positive site-design features, utilization of open spaces, creation of a pedestrian environment, buffers between density transitions, minimize through or overflow vehicular traffic. Page 99 | Large open space buffers are utilized which include pedestrian trails. Collector streets will also provide sidewalks separated from the roadways to promote safe, pleasurable pedestrian travel. The internal street configuration dissuades cut-through vehicle traffic. |
5. OPEN SPACE AND RECREATION:

a. Define a park as a tract of land that contains a mix of active and passive recreation facilities potentially including tot lots, defined and improved play field and/or sport court areas, and picnic/seating/shade areas that are landscaped/hardscaped in a pleasing manner. Parks should generally be located in the center of their service area and can be developed jointly with schools & serve as retention basins for storm water. Page 109

There are two designated active open space areas proposed which will include items such as: shade trees, barbeque, ramada with benches and picnic tables, turf play areas, and a tot-lot.
<table>
<thead>
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<th>ITEMS</th>
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<tr>
<td>5. OPEN SPACE AND RECREATION (cont.):</td>
</tr>
<tr>
<td>b. Strive to achieve an open space standard of six acres per 1000 residents. Establish a standard of six acres of parkland per 1000 population. Pages 109 &amp; 111.</td>
</tr>
<tr>
<td>c. Review the Open Space and Recreation Element in the city's consideration of development proposals to determine the need for new parks and their requirements generated by the proposed project. Page 109</td>
</tr>
<tr>
<td>d. Increase the amount of park and open space identified in the city's development agreements to total 13 percent (equally divided between parks &amp; open space areas) of the net project area. Page 109</td>
</tr>
<tr>
<td>e. Neighborhood or school parks proposed as an amenity in a subdivision shall be developed in conjunction with the first phase. Page 110</td>
</tr>
<tr>
<td>f. Utilize natural washes as part of the trail system. Protect 10% slope areas and Palo Verde-Saguaro vegetation areas as open space. Page 111 for both.</td>
</tr>
<tr>
<td>g. Protect ridge/crestline, steep-sloped (more than 10%) and Palo Verde-Saguaro vegetation areas as open space through the use of density transfer or purchase of development rights, acquisition, donation, or other acceptable methods. Page 111</td>
</tr>
<tr>
<td>h. Discourage development within 100-year floodplains, encourage dedication of a continuous 25 foot min. setback on both sides. Development within 100 feet of floodplains will require a hydrology study to determine setbacks greater than 25 feet. Page 111</td>
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<tr>
<td>COMMENTS:</td>
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<tr>
<td>(If applicable, state how issue was addressed)</td>
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<tr>
<td>Over 11 acres of open space is included in the Bell Pointe I project. The projected population of this project is approximately 1239 residents. The Bell Pointe I project exceeds the standard.</td>
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<tr>
<td>An urban park site of approximately 120 acres is proposed to the south of the Bell Pointe I Development.</td>
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<tr>
<td>The Bell Pointe I Development has a net acreage of approximately 74 acres. This project includes a minimum of 15% of total open space.</td>
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<td>The open space amenities will be developed in the first phase of the Bell Pointe I Development.</td>
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<tr>
<td>N/A - There are no natural washes traversing the site.</td>
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<tr>
<td>N/A - There are no ridge/crestline, steep-sloped (more than 10%) or Palo Verde-Saguaro vegetation areas within the site.</td>
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<tr>
<td>N/A - There are no 100-year floodplains within the site.</td>
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<td>ITEMS</td>
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<tr>
<td>5. OPEN SPACE AND RECREATION (cont.):</td>
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<tr>
<td>j. Development near floodplains (i.e., within 100 feet) will require a hydrology study to determine appropriate setbacks greater than 25 feet. Page 111</td>
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<tr>
<td>6. PUBLIC SERVICES/COST OF DEVELOPMENT:</td>
</tr>
<tr>
<td>a. Require developers to construct and pay for drainage facilities when their need precedes or exceeds the need of the city. Page 122</td>
</tr>
<tr>
<td>b. Ensure that major drainage channels are designed to convey the 100-year storm, that local streets can accommodate a 10-year storm, that collector streets can carry 10-year storm flows between curbs, and 50-year storm flows between property lines. Ensure that arterials and major arterials are designed to carry 10-year storm flows with one dry lane in each direction, and that retention/detention basins on all new developments can store water from a 100-year 2-hour storm event. Page 122, #7 thru 11.</td>
</tr>
<tr>
<td>c. Require private developers to install all public utilities &amp; facilities to state and municipal standards, as required. Page 123</td>
</tr>
<tr>
<td>d. When evaluating the development proposal, all indirect costs shall be considered (e.g., recreation programs, public safety). Page 124</td>
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<tr>
<td>e. All developers requesting project approval must work with the local school district to determine impact on the school system and strategies to address impact. Page 125</td>
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<tr>
<td>1. Channel growth in areas that have existing infrastructure. Page 125</td>
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<td>ITEMS</td>
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<td>----------------------------------------------------------------------</td>
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<tr>
<td>7. ENVIRONMENTAL PLANNING/WATER RESOURCES:</td>
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<tr>
<td>a. Require development to provide the equivalent of 3,000 gallons</td>
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<td>per minute of well capacity and a 1,000,000-gallon water supply</td>
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<td>facility for every square mile of land developed. Page 143</td>
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<td>b. Utilize tank farm water supply facilities wherever possible. They</td>
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<tr>
<td>will have multiple storage tanks and service large pressure zone</td>
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<td>defined areas. Page 143</td>
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<tr>
<td>c. Require sixteen-inch and larger &quot;plant-to-plant&quot; water lines</td>
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<td>that connect the common water supply facilities in a defined service</td>
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<td>area. This provides the ability to serve uninterrupted water</td>
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<td>throughout an entire service area even when one or more facilities</td>
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<tr>
<td>are out of service. Require 12-inch &quot;looping&quot; water lines that</td>
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<tr>
<td>provide multiple paths of water flow to ensure continuous</td>
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<td>pressured service during heavy demand and emergency conditions. Page</td>
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<tr>
<td>143, #s 11 &amp; 12</td>
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<tr>
<td>d. Ensure that all roadways are paved and maintained to reduce</td>
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<td>particulates in the air.</td>
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<td>Page 143</td>
</tr>
<tr>
<td>e. Avoid development in flood prone areas and limit grading</td>
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<td>practices that contribute to flooding and erosion. Page 144</td>
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<tr>
<td>f. Encourage water conservation in all new development through the</td>
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<td>utilization of drought tolerant plant materials, efficient irrigation</td>
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<td>system (drip/flow flow), and through water conserving fixtures in all</td>
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<td>new residential and commercial construction. Page 144</td>
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<tr>
<td>g. Ensure noise mitigation along high-volume roadways (e.g., SR 303,</td>
</tr>
<tr>
<td>Grand Avenue, Sun Valley Parkway). Page 146</td>
</tr>
</tbody>
</table>
January 17, 2002

VIA FACSIMILE

Mr. Scott Phillips
Planning Manager
CITY OF SURPRISE
12425 West Bell Road, Suite D-100
Surprise, AZ 85374

Re: Proposed Bell Pointe II P.A.D. MDR Project
   Planned Area Development PAD 01-013
   Zoning Processing/P&Z Commission Workshop Presentation

Dear Scott:

The above-referenced case has been under review and processing for P.A.D. MDR zoning since it was submitted on February 7, 2001. It has been brought to my attention that the Planning and Zoning Commission has requested that the zoning case for my Bell Pointe II parcels be jointly presented at a P&Z workshop that has been scheduled for January 22, 2002. I understand that this special workshop has been scheduled for the commissioners to better understand the proposed MDR Residential Cluster uses being proposed for the adjacent 79-acre Bell Pointe I property and also for my 27-acre Bell Pointe II project.

While my separate 27 acres have been land planned to reflect similar MDR land uses and to blend in with the projected lot and road design of Bell Pointe I, we are still finalizing the type of cluster housing designs that I want to have reflected in my project. I anticipate submitting my zoning narrative/P.A.D. Plan package for presentation to the P&Z Commission in the very near future.

My intent is to structure my land use design, Zoning Narrative and my P.A.D. MDR Development Plan to mirror the MDR design guideline format established by the Community Development Department for the Bell Pointe I development. I do not have a problem with the Bell Pointe I zoning case moving forward, provided that:

P. O. Box 15681, Phoenix, Arizona 85060
Telephone (602) 956-5389
Facsimile (602) 224-0805
Mr. Scott Phillips  
January 17, 2002  
Page 2

(i) The landowner and applicant for Bell Pointe I deliver to the City and to me written confirmation that they are in support of my MBR proposal at 5-8 DU/AC.

(ii) The planning staff, the P&Z Commission and, ultimately, the City ensure that public access as shown on the Bell Pointe I plans is available to my 19.5-acre and 7.5-acre parcels;

(iii) The collector street that borders the west side of my 19.5-acre parcel will be in the location shown on the Bell Pointe I plans, with a 30-foot half street on the western border of my 19.5-acre parcel, and with the collector street providing access to my 7.5-acre parcel at its southern boundary; and

(iv) The 20-foot emergency access on the eastern boundary of my 19.5-acre parcel, if required, as shown on the Bell Pointe I plans:

(a) be allowed to also be utilized by me for open space and/or trail (if a trail or open space are required); and/or

(b) be allowed to be moved by me elsewhere on my property or other surrounding property by using future internal residential streets.

I trust that this letter clarifies my position on the above-referenced zoning case. If you have any questions or points of clarification, please give me a call.

Sincerely,

[Signature]

Kerry William Rose

cc: Mr. Gary R. Claybaugh  
Vice President  
LANDMARK ENGINEERING, INC.  
7310 North 16th Street, Suite 285  
Phoenix, AZ 85020.
Memorandum

To: Grant Penland
From: Doug Helbig, Fire Marshal
CC: File
Date: January 30, 2002
Re: Bell Pointe I (PAD 01-012)

The fire department has no objection to the Bell Pointe I PAD 01-012 project from going forward as agreed. However, as a matter of clarification, the fire department does not in agreement, at this time, to include a means of secondary access for AZ Traditions through the Bell Pointe I project.

Thank you.

Doug Helbig
October 30, 2001

David Milne
Davis Allen, Ltd.
Cavalier/Evergreen Group LLC
314 184th SE #12
Mill Creek, WA 98012

Dear David:

This letter will serve to document that notice of the Neighborhood Meeting for the Bell Pointe I Project hearing was posted at the Arizona Traditions Community Center. This meeting took place in the Travel Class Room at the Community Center on 10/23/01 at 1:00 p.m.

Sincerely,

John Lockett
Vice President
Active Adult Operations

JFL/Jlb
BELL POINTE I

APPENDIX E
Bell Pointe I
P.A.D. MDR Zoning Compliance Narrative
City Of Surprise Staff Report With Stipulations
CITY OF SURPRISE
COUNCIL AGENDA ACTION FORM

Meeting Type: Regular Meeting  Time Scheduled: March 28, 2002
If Special submit date time

Submitting Department: Planning and Zoning  Contact Person: Phil Testa
Consent [ ] Regular [ ] Requesting Action [ ] Report Only [ ]

Type of Document Needing Approval (Check all that apply):
[ ] Public Hearing   [ ] Resolution   [ ] First Reading/Ordinance
[ ] Agreement  [ ] Emergency Clause [ ] Final Reading/Ordinance
[ ] Special Consideration  [ ] Intergovernmental Agreement
[ ] Grant   [ ] Submission   [ ] Acceptance
[ ] Liquor/Bingo License Application

Council Priority (Check Appropriate Areas):
[ ] Education   [ ] Public Fitness   [ ] Neighborhood Revitalization
[ ] Job Creation   [ ] Quality Service Delivery   [ ] Employment Infrastructure
[ ] Public Safety   [ ] Housing Rehabilitation   [ ] Work Force Preparation
[ ] Transportation   [ ] Human Service Needs   [ ] Parks, Recreation & Library
[ ] City Elections   [ ] Community Activities   [ ] Subdivision Infrastructure Acceptance

Regular Agenda Wording: Discussion, consideration and action to approve moving Ordinance No. 02-01 to a Final Reading; An Ordinance approving the Planned Area Development PAD01-12 for a property to be known as Bell Pointe I consisting of changing the zoning from R1-43 (Single Family Residential) to P.A.D. Subject site is located north of Bell Road, east of the Trilby Wash, west of the Beardsley Canal.

Staff Recommendation: Approve  Fiscal Impact: No  If yes: Budget code: Available:

Background Info: The Planning and Zoning Commission recommended approval of this application on February 5, 2002, subject to recommended stipulations.

List Attachments as Follows: Ordinance/Staff Report/Supporting Documentation.

Signatures of Submitting Officers (Sign Legibly):

[Signature]
Department Head

[Signature]
Supervisor

[Signature]
Budget Authorization

[Signature]
City Manager/Designee

Distribution After Council Action: Council Action:

[Signature] [Signature]
Motion/Second

Shafer
Vukanovich
Villanueva
Cox
Montoya

Results:

For [ ] Against [ ] Passed [ ] Failed [ ] Deny [ ] Continue [ ]

Vukanovich [Signature]
CITY OF SURPRISE
COUNCIL AGENDA ACTION FORM

Smith
Allen

Tabled
Absent
Other

City Clerk: Originals - Kona

DPC & DNS
ORDINANCE NO. 02-01

AN ORDINANCE APPROVING THE PLANNED AREA DEVELOPMENT PAD01-12 FOR A PROPERTY TO BE KNOWN AS BELL POINTE I CONSISTING OF CHANGING THE ZONING FROM R1-43 (SINGLE FAMILY RESIDENTIAL) TO P.A.D. SUBJECT SITE IS LOCATED NORTH OF BELL ROAD, EAST OF THE TRILBY WASH, WEST OF THE BEARDSLEY CANAL.

WHEREAS, this Ordinance has been properly noticed for public hearing and the necessary hearings and opportunity for public input have been completed; and

WHEREAS, changes have occurred in the vicinity of Section 34 of Township 4 North, Range 2 West of the Gila and Salt River Base and Meridian, which require that the zoning of a parcel of land in that area be changed; and

WHEREAS, rezoning of the subject property will not cause traffic congestion or depreciate surrounding property values and, at the same time is in harmony with the purposes and intent of the zoning ordinance, the plan for the area, and the Surprise General Plan 2020; and

WHEREAS, the Planning and Zoning Commission has recommended approval of this rezone application.

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

Section 1. This Ordinance is not of a general and permanent nature and shall not be codified.
Section 2. The property described in Exhibit A is rezoned from R1-43 (Single Family Residential) to Planned Area Development (PAD) with Preliminary Development Plan.

Section 3. The development plan for the property described on Exhibit A, entitled “BELLE POINTE I,” Date stamped January 29, 2002, as application PAD01-12, a copy of which is on file in the Community Development Department, is approved.

Section 4. All present and future owners of the property described on Exhibit A shall develop the property only in accordance with the requirements of the BELL POINTE I PAD, and in compliance with the Stipulations contained in Exhibit B.

Section 5. This ordinance shall become effective thirty-one (31) days after formal passage by the council.

PASSED AND ADOPTED THIS 28 day of March, 2002

[Signature]
Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

YEAS: Mayor Shafer, Councilmembers: Cox, Montoya, Villanueva.
Absent: Vice-Mayor Allen and Councilman: Smith

NEAS: Councilman Vukanovic
Commitment No. 01-04584

EXHIBIT A

PARCEL NO. 1:

The South 25 acres of the following described property, the North boundary of which 25 acres shall be parallel to the South boundary of the following described property:

A parcel of land situated in the Southwest quarter of Section 34, Township 4 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, and lying West of the Beardsley Canal, more fully described as follows:

COMMENCING at the South quarter corner of said Section 34;

Thence North 89 degrees 42 minutes 20 seconds West along the South line of said Section 34, a distance of 754.80 feet to a point on the Westerly rights-of-way line of the Beardsley Canal and the True Point of Beginning;

Thence continuing North 89 degrees 42 minutes 20 seconds West along the South line of said Section 34, a distance of 744.30 feet;

Thence North 00 degrees 21 minutes 02 seconds East, a distance of 999.74 feet;

Thence South 89 degrees 42 minutes 20 seconds East, a distance of 499.70 feet;

Thence North 00 degrees 21 minutes 02 seconds East, a distance of 1113.05 feet;

Thence South 89 degrees 43 minutes 13 seconds East a distance of 999.40 feet;

Thence South 00 degrees 21 minutes 02 seconds West a distance of 422.99 feet to a point on the Westerly rights-of-way line of the Beardsley Canal;

Thence South 25 degrees 48 minutes 48 seconds West along the canal rights-of-way line, a distance of 1403.12 feet to the point of a tangent curve concave Southeasterly which has a central angle of 07 degrees 29 minutes 39 seconds and a radius of 1502.14 feet;

Thence along the arc of said curve a distance of 196.62 feet to a point on a tangent line;

Thence South 18 degrees 196 minutes 49 seconds West, a distance of 253.78 feet to the True Point of Beginning;

EXCEPT one-half of all mineral rights as reserved in Deed recorded in Docket 10510, Page 179.

PARCEL NO. 2:

BEGINNING at the Northwest corner of Section 3, Township 3 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Thence South 89 degrees 55 minutes 30 seconds East a distance of 1135.87 feet to the True Point of Beginning;

-continued-
Commitment No. 01-04584

EXHIBIT "A" -continued-

Thence continuing South 89 degrees 55 minutes 30 seconds East, a distance of 744.90 feet;

Thence South 18 degrees 05 minutes 37 seconds West, a distance of 69.85 feet;

Thence North 87 degrees 58 minutes 05 seconds West, a distance of 723.50 feet;

Thence North 00 degrees 13 minutes 10 seconds West, a distance of 41.72 feet to the True Point of Beginning;

EXCEPT all minerals, oil, gas and other hydrocarbon substances below a depth of 100 feet below the surface of said premises, as reserved by the Santa Fe Land Improvement Company, a California corporation, in instrument recorded in Book 412 of Deeds, Page 558.

PARCEL NO. 3:

The West half of Section 34, Township 4 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT those portions for TRILBY WASH, shown as Parcels 10C and 10F in Condemnation Cause 84171 in the Superior Court of Maricopa County, Arizona and shown on Map in Book 63 of Maps, Page 31;

EXCEPT the South 2113.60 feet thereof; and also

EXCEPTING from said Parcel No. 3, the following described land:

A portion of the East half of the Northwest quarter of Section 34, Township 4 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, more fully described as follows:

COMMENCING at the South quarter corner;

Thence North 00 degrees 21 minutes 02 seconds East along the North-South midsection line, a distance of 3375.82 feet to the True Point of Beginning;

Thence North 89 degrees 43 minutes 13 seconds West, a distance of 592.82 feet;

Thence North 28 degrees 36 minutes 30 seconds East, a distance of 1252.15 feet;

Thence South 00 degrees 21 minutes 02 seconds West, a distance of 1102.19 feet to the True Point of Beginning;

TOGETHER WITH an Easement for ingress, egress and utilities, and other rights as set forth in Easement Agreement dated April 20, 1989 and recorded at Document No. 89-149525.

-continued-

EXHIBIT A TO ORDINANCE NO. 02-01
Commitment No. 01-04584

EXHIBIT "A" -continued-

PARCEL NO. 4:

BEGINNING at the Northwest corner of Section 3, Township 3 North, Range 3 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

Thence South 89 degrees 55 minutes 30 seconds East, a distance of 599.67 feet to the True Point of Beginning;

Thence continuing South 89 degrees 55 minutes 30 seconds East a distance of 536.20 feet;

Thence South 00 degrees 13 minutes 10 seconds East a distance of 41.72 feet;

Thence North 87 degrees 58 minutes 05 seconds West a distance of 543.85 feet;

Thence North 17 degrees 09 minutes 38 seconds East a distance of 24.22 feet to the True Point of Beginning;

EXCEPT all minerals, oil, gas and other hydrocarbon substances below a depth of 100 feet below the surface of said premises, as reserved by the Santa Fe Land Improvement Company, a California corporation, in instrument recorded in Book 412 of Deeds, Page 559.

TOGETHER WITH an Easement for ingress, egress and public utilities, as set forth in Easement dated October 2, 1992 and recorded at Document No. 92-0637164, as amended by instrument recorded at Document No. 94-56344.

PARCEL NO. 5:

The South 2113.60 feet of the following described property:

The West half of Section 34, Township 4 North, Range 2 West of the Gila and Salt River Base and Meridian, Maricopa County, Arizona;

EXCEPT those portions for TRILBY WASH, shown as Parcels 10C and 10F in Condemnation Cause 84171 in the Superior Court of Maricopa County, Arizona, and as shown on Map in Book 53 of Maps, Page 11;

EXCEPT the South 1000 feet of the East 1500 feet of the Southwest quarter of said Section 34; and

EXCEPT the North 1113.60 feet of the South 2113.60 feet of the East 100 feet of the Southwest quarter of said Section 34;

TOGETHER WITH an Easement for ingress, egress and utilities, and other rights as set forth in Easement Agreement dated April 20, 1989 and recorded at Document No. 85-199526.
EXHIBIT B TO ORDINANCE #02-01

STANDARD STIPULATIONS:

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

b) The Applicant shall submit a written response to the stipulations and incorporate them into the final PAD document. The response and 5 copies of the final PAD shall be under one transmittal package;

SPECIAL STIPULATIONS:

c) The applicant shall submit a preliminary and full set of landscape construction drawings for review and approval by the Community Development Director prior to final plat approval for any part of this development;

d) Lot layouts indicated within the Planned Area Development documents shall not be considered approved with the approval of this document, and shall be considered as conceptual only;

e) All infrastructure improvements shall occur pursuant to section 16.20 of the Surprise Municipal Code with final plans subject to the approval of the City of Surprise Water Services Department, Engineering Department, and the Community Development Director;

f) A City of Surprise sewer line extension fee shall be assessed in the amount of $410.00 per residential unit upon building permit issuance for the entire Bell Pointe I development;

g) Notwithstanding the language contained within the PAD document, the sewer system improvements necessary to service the property shall be sized, located and constructed pursuant to the direction of the Water Services Director, and may be oversized to accommodate future development within the property (Bell Pointe II) as well as the existing commercial development (Riverboat Acres);

h) The applicant shall provide new residential home product information (i.e., colored elevations and materials sample information) and related materials prior to the issuance of residential building permits, subject to review and approval by the Community Development Director;
EXHIBIT B TO ORDINANCE #02-01

i) All items to which the P.A.D. commits within the Design Guidelines compliance section of the P.A.D. document are hereby stipulated;

j) By its submittal of the P.A.D. plan, the applicant - as landowner - agrees and approves in writing to the open space designated in the approved PAD plan;

k) The street cross-sections provided in the P.A.D. are conceptual and the finalized design must follow City of Surprise requirements, utilizing curb-separated sidewalks or meandering sidewalks, subject to the review and approval of the Community Development Director;

l) The designs for wall details and entry monument signs provided in the P.A.D. are conceptual and the finalized designs shall be reviewed through the appropriate landscape review and permitting procedure;

m) Homebuilders shall try to de-emphasize the garage as the dominant architectural feature of the dwelling-front for this development. Recessed, detached, and side-loaded garages, covered porches and entries, etc. should be emphasized features on floor plans to achieve a home product mix;

n) The developer, or any successor, shall create a Street Light Improvement District to maintain street lighting in the subdivision prior to the issuance of a Certificate of Occupancy for any residence;

o) Because the property is located within the vicinity of a military airport, the applicant shall comply with the noise attenuation standards adopted by the City;

p) The retention areas shall be designed using a stair-stepped effect, in order to keep the active use areas out of the basins;

q) All openings in the view fencing leading to open areas, located adjacent to the Beardsley Canal, shall be closed off with keyed gates;

r) The developer shall transplant and reuse all saguaros and trees viable for transplanting that are located on the property;

s) The developer shall amend section 7.8-A of the PAD to provide 3 distinct roofing types;

t) The developer shall provide 2 points of access to the property on established public roadways;
EXHIBIT B TO ORDINANCE #02-01

u) The auto cluster concept shall not be utilized on the property; however, this shall not affect the overall density for the property;

v) The developer shall provide a large open space buffer along Bell Road that is compatible with the sloping southwest property corner, and shall explore the idea of including a frontage road that runs parallel to Bell Road along the property;

w) Applicant shall include notification in the public report that the property is in the vicinity of a military airport and is subject to overflights;

x) The applicant shall shield all future lighting on-site from adjacent properties;

y) Trees shall be planted and maintained at a height not to exceed 8 feet within the open space area between the property and Arizona Traditions;

z) Two story homes shall not be built in the first row of lots nearest the property line shared with Arizona Traditions, unless developer includes substantial separation between the property and Arizona Traditions, and can show that the views from Arizona Traditions are not obstructed; and

aa) A deceleration lane shall be constructed on both east bound and west bound Bell Rd at the main access into the property;

bb) Applicant shall conduct a meeting with the Arizona Traditions homeowners prior to submitting a preliminary plat.
APPENDIX F
Bell Pointe I
P.A.D. MDR Zoning Compliance Narrative
City Of Surprise Zoning Ordinance 02-01
APPENDIX G
Bell Pointe I
P.A.D. MDR Zoning Compliance Narrative
Conceptual P.A.D. Development Plan (Full Size Approved Version)