

STIPULATIONS FOR CASE 1-II-2003

Outline

Section 1.0 Applicability

This application is to establish an Infill Incentive Plan for the Scottsdale Waterfront project area. SCOTTSDALE WATERFRONT (THE "OWNER") has a development plan that proposes both residential and non-residential uses onsite.

- 1.1 Infill District
- 1.2 Amendments
- 1.3 City Code References

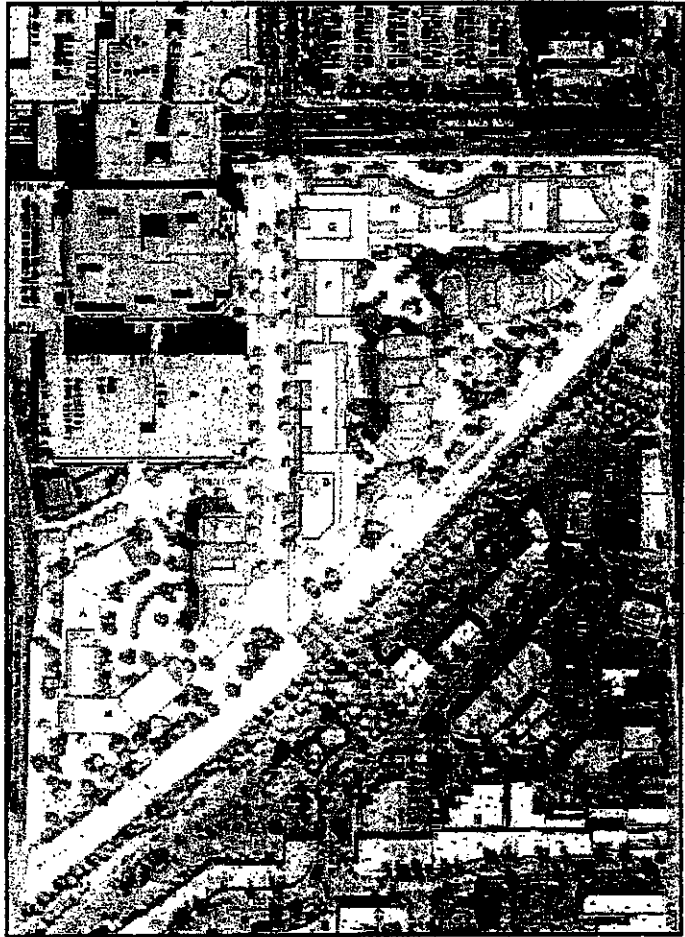
Section 2.0 Development and Design Standards

These stipulations apply only to development within the Infill Incentive District as defined in Ordinance 3527.

- 2.1 Conformance to Character
- 2.2 Conformance to Amended Development Standards
- 2.3 Sequence of Stipulation Performance
- 2.4 Master Plans
- 2.5 Development Site Stipulations

SECTION 3.0 DEVELOPMENT REVIEW BOARD STIPULATIONS

- 3.1 ARCHITECTURE
- 3.2 SITE DESIGN
- 3.3 SIGNAGE
- 3.4 LANDSCAPE DESIGN
- 3.5 LIGHTING DESIGN



APPROVED *B*
DATE *2/6/06*

STIPULATIONS FOR CASE 1-II-2003

NOTE: CHANGES MADE BY STAFF AFTER THE PLANNING COMMISSION HEARING ARE NOTED IN STRIKETHROUGHS AND CAPS.

1.0 APPLICABILITY

In the event of a conflict between the stipulations for case 1-II-2003 and the Development Agreement (Agreement 2003-164 COS) as approved by City Council, the language in the Development Agreement shall take precedence.

1.1 INFILL DISTRICT

Ordinance 3527 approves Case No. 1-II-2003 and establishes the Scottsdale Waterfront Infill Incentive District (the "Waterfront District") subject to these stipulations and the Amended Development Standards described in the project narrative dated ~~8/6/2003~~ APPROVED IN THAT ORDINANCE. The stipulations previously applicable to the property within the Waterfront District, adopted as part of zoning case 43-ZN-1995, are hereby superceded and replaced by the above. The Waterfront District is subject to the Infill Incentive Plan approved by City Council in Ordinance 3527. The following documents, on file in the Planning and Development Services Department, make up the Infill Incentive Plan EXHIBITS CONTROL for the development of property within the Waterfront District (the "Scottsdale Waterfront DEVELOPMENT PLAN Project"):

EXHIBITS:

- ~~A. Project narrative dated 8/6/2003~~
- A. Site plan dated ~~8/7/2003~~ 9/22/2003
- B. Preliminary Landscape CONCEPT Plan dated ~~9/5/2003~~ 9/22/2003
- ~~B. Open Space Plan dated 8/8/2003~~
- C. Elevations dated ~~8/20/2003~~ 9/22/2003
- D. Parking Plan dated ~~9/5/2003~~ 9/22/2003
- E. Circulation Plan dated ~~9/5/2003~~ 9/22/2003
- F. BUILDING HEIGHT EXHIBIT DATED 10/1/2003

1.2 AMENDMENTS & ADDITIONAL MODIFICATIONS

- a. As an incentive for development of the Waterfront District, development approval procedures are hereby expedited and modified as provided in these stipulations. The authority for determining design and construction improvements shall be as follows:
 1. The City Council shall act as the governing authority on the design and construction of improvements that serve the Camelback Parcel (approximately 7 acres, located east of Marshall Way). Except as allowed by Section 1.2.b, any significant modifications, as determined by the Planning and Development Services General Manager or designee, to the character, elevations, site plan, and improvements submitted by the Master Developer OWNER for the Camelback Parcel shall return to subsequent public hearings before the City Council.
 2. The Development Review Board shall act as the governing authority for the design and improvements of the Goldwater Parcel (approximately 4 acres, located west of Marshall Way) of the Scottsdale Waterfront Project.

- b. The Planning & Development Services General Manager shall have the authority to approve additional modifications to the Property Development Standards, Downtown Design Guidelines, and Distribution and Types of Uses as long as the requested modifications meet the criteria set forth in the following sections:
1. Amended Development Standards: The amended development standards, approved by the City Council and described in the project narrative dated 8/6/2003 may only be modified as described below:
 - a) Modifications shall not exceed a ten (10) percent and shall be limited to the following amended development standards:
 - (i) Front Yard Setbacks for both Camelback Rd and Marshall Way,
 - (ii) Building Lines,
 - (iii) Spacing Between Buildings.
 - b) Modifications shall not exceed A twenty-five (25) percent increase and shall be limited to the following amended development standards:
 - (i) Number of Dwelling Units: Total number of dwelling units proposed is 366 dwelling units. The maximum number of dwelling units allowed under this provision would be 457 dwelling units. The minimum number of dwelling units allowed is 225, UNLESS BUILDINGS A AND B ON THE GOLDWATER PARCEL ARE DEVELOPED AS OFFICE USES.
 - c) Modifications may not be made to increase the following amended development standards:
 - (i) Floor Area Ratio
 - (ii) Gross Floor Area
 - (iii) Large Walls –Vertical Dimension
 - (iv) Large Walls –Horizontal Dimension
 - (v) Encroachments Beyond Inclined Stepback PlanE
 - (vi) Building Height
 - (vii) Exception to Height Limits
 - (viii) Private Outdoor Living Space
 2. Distribution and Types of Uses: The proposed distribution of residential units and non-residential uses are specified in the ~~Infill-Incentive~~ DEVELOPMENT Plan. Any redistribution of the total number of residential units, and amount of non-residential uses shall be allowed within the Waterfront Infill Incentive District, as necessary. Additional modifications to the approved number of units and amount of non-residential square footage shall not exceed the total gross floor area proposed (932,500 sq ft). If the developer OWNER desires to increase the gross floor area from the proposed amount (932,500 sq ft) to the maximum allowed gross floor area in the amended development standards (or 1,100,000 sq ft), additional information such as revised traffic studies may be required by the Planning and Development Services AND TRANSPORTATION General ManagerS or designeeS.

3. Downtown Design Guidelines: Modifications to the Downtown Design Guidelines shall be consistent with the stated Goals for Type 2 uses.

Any proposed significant changes to the amended development standards, downtown guidelines, and distribution and types of uses, as determined by the Planning and Development Services General Manager, or designee, shall be subject to subsequent public hearings before the Planning Commission and City Council.

1.3 CITY CODE REFERENCES

References made in these stipulations to specific sections of the Zoning Ordinance of the City of Scottsdale and City Code shall be deemed to mean the City Zoning Ordinance or City Code in effect on the date of approval of the Infill Incentive Plan and to any subsequent renumbering or reordering of those provisions.

2.0 DEVELOPMENT AND DESIGN STANDARDS

2.1 CONFORMANCE TO CHARACTER

The overall character of the development shall generally conform to the ~~project narrative~~ ELEVATIONS AND CHARACTER RENDERINGS, dated 9/22/2003 ~~8/6/2003~~. Development of the Property shall be generally consistent with the site plan as set forth in Schedule EXHIBIT A "Site Plan", dated 9/22/2003 ~~8/7/2003~~, which achieves the following objectives:

- A. Activate the Arizona Canal east-west as a regionally linked public amenity,
- B. Activate Marshall Way through land use and design, as a pedestrian retail experience and connection to other downtown Scottsdale districts,
- C. Urban design and architecture should embody upscale, southwestern character,
- D. Site development SHOULD contribute to building a positive sense of place downtown with the inclusion of art and cultural components; unique and pedestrian-oriented urban design and architecture; and public gathering or special event spaces that promote tourism and social gatherings,
- E. Enhance mobility downtown by supporting alternate modes of transportation focusing on pedestrian-oriented urban design and advancing the downtown trolley,
- F. Development should stand the test of time through the use of upscale, quality materials.

2.2 CONFORMANCE TO AMENDED DEVELOPMENT STANDARDS

Development shall conform to the amended development standards approved in Ordinance No. 3527, unless modified through Section 1.2.b.

2.3 SEQUENCE OF STIPULATION PERFORMANCE

Stipulations included in the Infill DEVELOPMENT Plan concern the planning required for the design and construction of the infrastructure necessary to serve the site as it is developed. The sequence and content of this required planning is more fully described herein, but the general hierarchy of planning is as follows:

A. MASTER PLANS

The elevations, site plan, CIRCULATION PLAN, LANDSCAPE CONCEPT PLAN, CHARACTER RENDERINGS, ELEVATIONS and improvements submitted by the Master Developer OWNER for the Camelback Parcel (approximately 7 acres, located east of Marshall Way) shall act as the ENTITLED master CONCEPT plans for the entire Waterfront Property, ~~subject to City Council approval. Notwithstanding, the Master Developer OWNER may, but shall not be required to, submit Master Plans to the Development Review Board for additional phases~~ ALL GOLDWATER PARCEL DESIGN AND IMPROVEMENTS.

B. DEVELOPMENT SITE PLANNING

The developer OWNER shall complete a detailed site plan and elevation development application to the Development Review Board for ALL future phases of this project ~~LOCATED ON THE GOLDWATER PARCEL IMPROVEMENTS. Exception: The CAMELBACK PARCEL first and second phases of buildings and improvements (including site plan, landscape, civil, and similar improvements) shall only require approval of the City Council.~~

C. SUBDIVISION PLAT

The developer OWNER shall file a subdivision plat for City Council approval as required by state law, that includes the dedications for ANY public rights-of-way, EASEMENTS FOR WATER, WASTEWATER, DRAINAGE IMPROVEMENTS AND PUBLIC utilities INFRASTRUCTURE, AND THE CONSTRUCTION OF PUBLIC IMPROVEMENTS and infrastructure improvements BY JANUARY 15, 2004. ~~DECEMBER 1, 2003 prior to sale of any lot or parcel, or prior to issuance of a building permit for any Phase.~~ As an incentive for development in the Waterfront District, the developer OWNER may file such plat as a COMBINED PRELIMINARY AND final plat, subject only to City Council approval.

~~D. TIMING OF DEDICATION AND INFRASTRUCTURE IMPROVEMENTS~~

~~—Dedication of any public rights of way, easements for water, wastewater, drainage improvements and public utilities infrastructure, and the construction of public improvements and infrastructure will occur as specified within this document.~~

2.4 MASTER PLANS

The Master Developer OWNER shall prepare and receive approval for the following master plans before any additional Development Review Board application or improvement plans are submitted, except where specifically addressed in Sections 2.4.A through 2.4.E:

- A. Master Design Concept Plan
- B. Master Circulation Plan
- C. Master Drainage Plan
- D. Master Water Plan
- E. Master Wastewater Plan

A. MASTER DESIGN CONCEPT PLAN

1. MASTER DESIGN CONCEPT PLAN. The Master Design Concept Plan ~~approved as part of this application to the City Council~~ shall apply to the entire site in regards to the following:

- a. Open space design concepts for open space areas, including location, size and dimensions, plant and landscape character, open space corridors, and integration of drainage plans.
 - b. Overall streetscape concepts, which incorporates right-of-way destinations DESIGNATIONS, easements, street side design concepts, plant and landscape materials.
 - c. Typical outdoor lighting plan for streetlights and concepts and general specifications for exterior lighting.
 - d. General design and architectural themes assuring overall design compatibility of all buildings and structures within the site.
 - e. General signage/graphic concepts for development signs, including locations and typical design concepts.
 - f. PUBLIC ART MASTER PLAN
2. MASTER DESIGN CONCEPT PLAN APPROVAL. Any proposed significant changes to the Master Design Concept Plan, as determined by the Planning and Development Services General Manager or designee, shall be subject to subsequent public hearings before the City Council.

B. MASTER CIRCULATION PLAN

A Master Circulation Plan shall be prepared in accordance with the City's design procedures and criteria by a registered engineer who is licensed in the State of Arizona.

1. The Master Circulation Plan shall include at a minimum the following components:
 - a) Access considerations including driveway locations, proposed median break locations, vehicle storage lengths, any required auxiliary lanes to accommodate site generated trips. Appropriate signing and striping for safe egress and ingress movements shall be included for major intersections.
 - b) Conceptual intersection lane configurations based on total PM and AM peak hour volumes with the proposed development.
 - c) Plans for phasing the improvements or plans for interim improvements necessary to accommodate the site development and tie into other planned construction improvements within the study area.
 - d) Required right-of-way dedications for all arterial, collector, or local streets within or abutting each parcel.
 - e) On-site circulation that identifies emergency and service vehicle access, internal street cross sections, and parking structure access points.
 - f) Location of transit facilities to include bus stop locations on the surrounding arterial streets and trolley stop locations on the internal streets.

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2. MASTER CIRCULATION PLAN APPROVAL: The Master Circulation Plan must be accepted by the Transportation ~~Planning~~ Department GENERAL MANAGER before any improvement plan submittal will be processed.

C. MASTER DRAINAGE PLAN

A Master Drainage Plan shall be prepared in accordance with the City's design procedures and criteria by a registered engineer who is licensed in the State of Arizona. ~~The Master Drainage Plan shall include:~~

1. The Master Drainage Plan shall include:
 - a. Maps showing watersheds draining onto and through the Scottsdale Waterfront Project and area included along the north side of the Arizona Canal and proposed Marshall Way, with estimates of peak flows for 10, 50, and 100-year flood events at concentration points entering the Scottsdale Waterfront Project
 - b. Estimated peak flows and volumes of on-site runoff at concentration points exiting the Scottsdale Waterfront Project and area included along the north side of the Arizona Canal and proposed Marshall Way for both developed and existing conditions for the 10, 50, and 100-year flood events
 - c. Location and estimated size of all proposed drainage facilities for both Waterfront and area included along the north side of the Arizona Canal and proposed Marshall Way, including channels, storm drains, etc.
 - d. Include a complete description of requirements relating to project phasing.
 - e. Identify the timing and parties responsible for construction of all stormwater management facilities.
2. MASTER DRAINAGE REPORT APPROVAL. Before the improvement plan submittal to the Plan Review and Permit Services Division, the ~~Master Developer~~ OWNER shall have obtained approval of the Master Drainage Plan by the Stormwater Management Division and Planning and Development Services GENERAL MANAGER staff. Portions of this plan will also require the approval of the County Flood Control District which will be administered by the Stormwater Management Division.

D. MASTER WATER PLAN

A Master Water Plan shall be prepared in accordance with the City's design procedures and criteria by a registered engineer who is licensed in the State of Arizona. The report and plan shall conform to the draft Water and Wastewater Report Guidelines available through the City Water Resources Department.

1. The Master Water Plan shall include:

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- a. A description of water system requirements for the Scottsdale Waterfront Project and the phasing of such requirements.
 - b. A discussion of the timing of and parties responsible for construction of all water facilities.
 - c. The conceptual location and size of all necessary water system components, including both on and off-site lines needed to serve the development, and an analysis of the impact of the proposed development on the existing system with water demand generation factors based upon land use.
 - d. Compliance with the adopted City's Integrated Water Master Plan.
 - e. A preliminary plan of the Scottsdale Waterfront Project showing development sites and right-of-ways, contours and benchmarks, existing utilities and fire hydrants within 400 feet of the proposed development, any features such as watercourses and drainage facilities that may influence the location of underground utilities, a general layout of the proposed water mains, and any required water facilities.
 - f. Water lines located within rights-of-ways will ~~be~~BE owned and maintained by the City. Onsite water lines shall be master metered and privately owned and maintained with backflow prevention in accordance with the City Code.
2. MASTER WATER PLAN APPROVAL. Before the submittal of any basis of design reports (see the Development Site stipulations) to the Plan Review and Permit Services Division, the ~~Master Developer~~ OWNER shall have obtained approval from the PLANNING AND DEVELOPMENT SERVICES GENERAL MANAGER AND City Water Resources Department of the Master Water Plan.

E. MASTER WASTEWATER PLAN

1. MASTER WASTEWATER PLAN. The Master Wastewater Plan shall conform to the draft Water and Wastewater Report Guidelines available through the City Water Resources Department and shall include:
 - a. A description of the wastewater system requirements for the Scottsdale Waterfront Project and the phasing of such requirements.
 - b. A discussion of the timing of and parties responsible for construction of all wastewater facilities.
 - c. The conceptual location, size, type and capacity of the necessary wastewater collection components needed to serve the Scottsdale Waterfront Project, and a preliminary analysis of the impact of the proposed development on the existing system with wastewater demand generation factors based upon land use.

- d. The wastewater collection system for the Scottsdale Waterfront Project will tie directly to the existing 15-inch trunk sewer in Goldwater Boulevard.
 - e. The calculations necessary to substantiate the selection of the size, type, and capacity of the wastewater system.
 - f. Compliance with the adopted City's Wastewater System Master Plan for the respective area.
 - g. Estimated peak flow from all contributions upstream of the proposed development that may flow through the on-site system shall be assessed for impacts to the entire system.
 - h. Wastewater lines located in rights-of-ways, or tracts/easements acceptable to the City, will be owned and maintained by the City. Onsite wastewater lines shall be privately owned and maintained in accordance with the City Code.
2. MASTER WASTEWATER PLAN APPROVAL. Before the submittal of any basis of design reports (see the Development Site stipulations) to the Plan Review and Permit Services Division, the ~~Master Developer~~ OWNER shall have obtained approval from the PLANNING AND DEVELOPMENT SERVICES GENERAL MANAGER AND City Water Resources Department of the Master Wastewater Plan.

2.5 DEVELOPMENT SITE STIPULATIONS

The construction plan submittal shall be in conformance with the development site stipulations within Section 2.5. Any necessary clarification, interpretation, or minor modifications of the stipulations shall require approval by the Planning and Development Services General Manager and the respective Department General Manager.

A. PLANNING / DEVELOPMENT

1. PHASING. The phasing of the buildings and improvements for the Waterfront Project shall be in conformance ~~to~~ WITH the improvement schedule listed in the Development Agreement (Agreement number 2003-164-COS), as approved by City Council.
2. BUILDING HEIGHT. THE Building Height shall NOT EXCEED AN ELEVATION OF 1430.71 AS REFERENCED IN EXHIBIT F. ~~be measured from the established elevation of 1283.0.~~

B. CIRCULATION

1. STREET CONSTRUCTION. Before any certificate of occupancy is issued for the site, the ~~developer~~ OWNER, at its expense, shall dedicate the following right-of-way BY ~~DECEMBER 1, 2003~~ JANUARY 15, 2004 and construct the following street improvements, in conformance with the Design Standards and Policies Manual:

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Street Name/Type	Dedications	Improvements	Notes
Camelback Road Major Arterial	55' half (existing varies)	Construction of third eastbound lane	A
Marshall Way	5' additional (30' existing)	Change to on-street parking	B, C
Montecito Avenue	5' additional (30' existing)	Change to on-street parking	B C
Scottsdale Road Major Arterial	Existing	Existing	D
Internal Streets	Private	20' min. width	E

- A. The developer shall be responsible for constructing the third eastbound lane on Camelback Road from Marshall Way to Scottsdale Road. The design shall be consistent with the existing cross section west of Marshall Way and shall provide the necessary transitions to the existing cross section east of Scottsdale Road. THE OWNER SHALL DEDICATE ALL RIGHT-OF-WAY NECESSARY TO BRING THE SOUTH SIDE OF CAMELBACK ROAD TO A CONSISTENT HALF STREET STANDARD OF 55 FEET (CURRENTLY HALF STREET OF CAMELBACK ROAD VARIES AND IS NOT A CONSISTENT 55 FEET). The developer OWNER shall construct a minimum 10-foot wide sidewalk along the site frontage. The developer OWNER shall dedicate any additional easements required for auxiliary lanes, public utilities, and transit facilities as determined by City staff.
- B. The developer shall be responsible for modifying the existing street improvements to provide on-street parking as shown on the submitted site plan dated August 7, 2003. The Transportation Department staff shall approve the dimensions of the revised cross section. The developer OWNER shall dedicate an additional five feet of right-of-way ALONG THE EAST SIDE OF MARSHALL WAY AND ADDITIONAL RIGHT-OF-WAY AS DETERMINED BY CITY STAFF FOR THE PLANNED CUL-DE-SAC/PEDESTRIAN PLAZA IN CONFORMANCE WITH THE CITY'S MARSHALL WAY IMPROVEMENT PLANS if necessary to contain the proposed cross section. The developer OWNER shall construct a minimum 10-foot wide sidewalk along the site frontage.
- C. The Marshall Way cross section at the intersection with Camelback Road shall be designed to align with the existing lanes on the north side of the intersection, as determined by City staff. THE DEVELOPER OWNER SHALL BE RESPONSIBLE FOR MODIFYING THE EXISTING STREET IMPROVEMENTS TO PROVIDE ON-STREET PARKING AS SHOWN ON THE SUBMITTED SITE PLAN DATED SEPTEMBER 22 AUGUST 7, 2003. THE TRANSPORTATIONS DEPARTMENT GENERAL MANAGER STAFF SHALL APPROVE THE DIMENSIONS OF THE REVISED CROSS SECTION.
- D. The developer OWNER shall construct a minimum 10-foot wide sidewalk or separate pedestrian facility on Scottsdale Road along the

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site frontage ~~and across~~ TO the Arizona Canal as approved by City Staff.

- E. Internal Streets (on-site) shall be private. The minimum width shall be 20 feet measured to edge of pavement or face of curb.
2. ACCESS RESTRICTIONS. Before any certificate of occupancy is issued for the site, the developer OWNER, at its expense, shall dedicate the necessary right-of-way ~~BY DECEMBER 1 2003~~ JANUARY 15, 2004, as determined by City staff, and construct the following access to the site. Access to the site shall conform to the following restrictions (distances measured to the driveway or street centerlines):
- A. Camelback Road - There shall be a maximum of one site driveway from Camelback Road (or separate ingress and egress), located a minimum distance of 200 feet from Marshall Way and Scottsdale Road. The driveway shall be restricted to right-in, right-out access only (no median opening). The developer OWNER shall dedicate a one-foot wide vehicular non-access easement along the site frontage on this street except at the approved driveway entrance.
 - B. Scottsdale Road - There shall be no direct site access to Scottsdale Road. The developer OWNER shall dedicate a one-foot wide vehicular non-access easement along the site frontage on this street.
 - C. Marshall Way - Site driveways shall be permitted at minimum 120-foot intervals. There shall be no driveways located within 150 feet of Camelback Road (measured to the street curb line).
 - D. Montecito Avenue - Site driveways shall be permitted at minimum 100-foot intervals. The western site driveway shall align with the existing driveway to the north. There shall be no driveways located within 150 feet of Goldwater Boulevard (measured to the street curb line).
- ~~3. MEDIAN RECONSTRUCTION. Before any certificate of occupancy is issued for the site, the developer, at its expense, shall reconstruct the existing median on Camelback Road to remove the existing median opening between Marshall Way and Scottsdale Road. Before any certificate of occupancy is issued for the site, the developer, at its expense, shall reconstruct the existing median on Camelback Road to provide two eastbound to northbound left turn lanes at the intersection with Scottsdale Road. These improvements shall be done to the satisfaction of City staff and in conformance with City design standards and policies.~~
- ~~4.3. AUXILIARY LANE CONSTRUCTION. Before any certificate of occupancy, the developer, at its expense, shall construct or extend the auxiliary lanes at the following locations in conformance with the Design Standards and Policies Manual:~~

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- a. ~~Camelback Road~~—The developer shall extend the left turn lane for westbound traffic at the Marshall Way intersection as determined by the approved traffic impact study for the development.
 - b. ~~Goldwater Boulevard~~—The developer shall extend the left turn lane for southbound traffic at the Montecito Avenue intersection as determined by the approved traffic impact study for the development. The Transportation General Manager may waive this requirement if determined to be unfeasible or unnecessary.
 - c. ~~Marshall Way~~—The developer shall provide a minimum 110 foot left turn lane for northbound traffic approaching the Camelback Road intersection.
- 5 4. 3. EASEMENT REQUIREMENTS. Before any final plan approval, the ~~developer~~OWNER shall dedicate public access easements over any sidewalk along public streets that extend outside of the public right-of-way or that connect these sidewalks to public facilities on the site. The dedications shall be in a form acceptable to City staff.
- 6 5.4. PEDESTRIAN-MASTER CIRCULATION PLAN. Prior to any improvement plan submittal, the ~~developer~~OWNER shall submit a Pedestrian-MASTER Circulation Plan for the site, which shall be subject to City staff approval. This plan shall indicate the location and width of all sidewalks, and pedestrian AND EQUESTRIAN pathways. The plan shall provide pedestrian connections from the PUBLIC RIGHTS-OF-WAY adjacent streets to the site buildings.
- 7 6.5. PARKING MASTER PLAN. A parking master plan shall be submitted as part of this case, 1-II-2003, and approved by the City Council. As part of the approval, the City Council authorizes a twenty (20) percent reduction for non-residential LAND uses parking requirements. TOTAL AMOUNT OF PARKING REQUIRED FOR RETAIL, RESTAURANT, AND OFFICE PER THE ORDINANCE IS 657, AND THE TOTAL AMOUNT OF PARKING PROPOSED FOR THESE USES IS 748 SPACES.
8. TRANSIT FACILITIES. Before any certificate of occupancy is issued for the site, the developer shall construct a bus pullout on Camelback Road between Marshall Way and Scottsdale Road. Before any certificate of occupancy is issued for the site, the developer shall provide a bus bay and pad for future stop facilities on Scottsdale Road just south of Camelback Road. The design and location of these facilities shall be subject to City staff approval before any final plan approval.
- 9 7. TRAFFIC SIGNAL PARTICIPATION. Before any certificate of occupancy is issued for the site, the developer shall be responsible for 100 percent of the design and construction costs, as determined by City staff, for the following traffic signal improvements:
- a. ~~Installation of a left turn arrow for southbound traffic at the intersection of Goldwater Boulevard and Montecito Avenue.~~
 - b. ~~Any traffic signal modification associated with the installation of dual left turns for eastbound traffic at the intersection of~~

~~Camelback Road and Scottsdale Road:~~

- ~~e. Any traffic signal modifications required by the street modifications proposed for Marshall Way at the its intersection with Camelback Road;~~
- ~~d. Any traffic signal modifications required by the street improvements for Camelback Road at the intersections of Marshall Way and Scottsdale Road;~~

~~10~~ 8.6. CONFORMANCE TO DEVELOPMENT SUBMITTAL. The primary street system within the property shall be in conformance with the submitted site plan unless modified by the approved Master Circulation Plan. If the Planning and Development Services General Manager and Transportation General Manager determine that the plans are not in conformance, approval shall be required through a subsequent public hearing.

~~11~~ 9.7. PRIVATE STREET CONSTRUCTION. Private streets shall conform to the following requirements:

a. No internal private streets shall be incorporated into the City's public street system at a future date unless they are constructed, inspected, maintained and approved in conformance with the City's public street standards.

~~12~~~~10~~ 8. MULTI-USE TRAIL. Before any certificate of occupancy is issued for the site, the ~~developer~~OWNER shall construct a minimum 8-foot wide multi-use trail along the Scottsdale Road frontage. The trail shall be contained within a minimum 15 foot wide public access easement, which the ~~developer~~OWNER shall dedicate to the City BY ~~DECEMBER 1, 2003~~JANUARY 15, 2004 within twelve (12) months of City Council approval. The alignment of the trail AND WIDTH shall be subject to approval by the City's COMMUNITY SERVICES GENERAL MANAGER OR DESIGNEE Equestrian Coordinator prior to dedication. The trail shall be designed in conformance with the Design Standards and Policies Manual - Landscaping and Parks.

C. DRAINAGE AND FLOOD CONTROL

1. Site drainage design shall preserve the functionality and capacity of the Indian Bend Wash side drain adjacent to the Arizona Canal which will be approved by the Flood Control District of Maricopa County prior to any connection to the side drain.
2. Site drainage facilities shall, at a minimum, have an inlet and conveyance capacity that is equal to the capacity of the existing side drain inlets.
3. The capacity of existing inlets shall be calculated based on conditions that existed prior to fill placement that resulted in the FIRM conditional revision 10/23/03 effective date. LETTER OF MAP REVISION ISSUED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY WITH AN EFFECTIVE DATE OF 12/29/2000.
4. Stormwater storage requirements may SHALL be waived for this site PROVIDED THAT:-

- a. ~~STORM WATER STORAGE REQUIREMENT:~~ The developer/OWNER shall submit to the Current Planning Division a Request for Waiver Review form, which shall:
 - (i) Include a supportive argument that demonstrates historical flow through the site will be maintained, and that storm water runoff exiting this site has a safe place to flow.
 - (ii) Include an estimate for payment in-lieu of on-site storm water storage, subject to City staff approval.
- b. APPROVED WAIVER. Before the improvement plan submittal to the Plan Review and Permit Services Division, the developer/OWNER shall have obtained the waiver approval from the Floodplain Administrator and the Planning and Development Services GENERAL MANAGER staff.

D. **WATER**

1. BASIS OF DESIGN REPORT (WATER). With each phase of development within Scottsdale Waterfront Project, the developer/OWNER shall submit to the Plan Review and Permit Services Division a Water Basis of Design Report. The report shall conform to the Master Water Plan for Scottsdale Waterfront Project, and the draft Water and Wastewater Report Guidelines available from the City Water Resources Department. Generally, the basis of design report and plan shall:
 - a. Identify the location, size, condition, and availability of existing water lines and water related facilities such as valves, service lines, fire hydrants, etc.
 - b. Evaluate the project's water demands and their impact on the existing water system.
 - c. Determine the need for any additional water lines and water related facilities to support the proposed development.
 - d. Conform to the City's Integrated Water Master Plan.
 - e. Identify the timing of and parties responsible for construction of all water facilities.
2. APPROVED BASIS OF DESIGN REPORT. Before improvement plan submittal to the Plan Review and Permit Services Division, the developer/OWNER shall have obtained approval of the Water Basis of Design Report from the City Water Resources Department.
3. NEW WATER FACILITIES. Before the issuance of letters of acceptance by the Inspection Services Division for a development site, the developer/OWNER shall construct all water lines and related facilities necessary to serve such development site.

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4. WATERLINE EASEMENTS. Before the issuance of a building permit for any development site within Scottsdale Waterfront Project, the ~~developer~~OWNER shall dedicate to the City, in conformance with the Scottsdale Revised Code and the Design Standards and Policies Manual, all water easements necessary to serve such development site.

E. WASTEWATER

1. BASIS OF DESIGN REPORT (WASTEWATER). With each phase of development within Scottsdale Waterfront Project, the ~~developer~~OWNER shall submit to the Plan Review and Permit Services Division a Wastewater Basis of Design Report. The report shall conform to the Master Wastewater Plan for Scottsdale Waterfront Project, and the draft Water and Wastewater Report Guidelines available from the City Water Resources Department. Generally, the basis of design report and plan shall:
 - a. Identify the location of, size, condition, and availability of existing sanitary sewer lines and wastewater-related facilities.
 - b. Evaluate the project's wastewater demands and their impact on the existing wastewater system.
 - c. Determine the need for any additional wastewater lines and related facilities to support the proposed development.
 - d. Conform to the City's Wastewater System Master Plan.
 - e. Identify the timing of and parties responsible for construction of all wastewater facilities.
2. APPROVED BASIS OF DESIGN REPORT. Before improvement plan submittal to the Plan Review and Permit Services Division, the ~~developer~~OWNER shall have obtained approval of the Wastewater Basis of Design Report from the City Water Resources Department
3. NEW WASTEWATER FACILITIES. Before the issuance of letters of acceptance by the Inspection Services Division for a development site within Scottsdale Waterfront Project I, the ~~developer~~OWNER shall provide all sanitary sewer lines and wastewater-related facilities necessary to serve such development site.
4. SANITARY SEWER EASEMENTS. Before the issuance of any building permit for a development site within Scottsdale Waterfront Project I, the ~~developer~~OWNER shall dedicate to the City, in conformance with the Scottsdale Revised Code and the Design Standards and Policies Manual, all sewer easements necessary to serve such development site.

3.0 ~~DESIGN REVIEW~~ DEVELOPMENT REVIEW BOARD STIPULATIONS

STIPULATIONS WITHIN SECTION 3.0 APPLY ONLY TO THE CAMELBACK PARCEL IMPROVEMENTS. PRIOR TO THE FINAL PLANS SUBMITTAL, THE ~~DEVELOPER~~OWNER SHALL PROVIDE STAFF WITH A MASTER DESIGN CONCEPT PLAN (MDCP) AND RELATED DETAILED PLANS. THESE PLANS SHALL INCLUDE, AT A MINIMUM, ALL ITEMS OUTLINED WITHIN

APPENDIX B
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SECTION 3, TO THE SATISFACTION OF THE PLANNING AND DEVELOPMENT SERVICES
GENERAL MANAGER OR DESIGNEE.**3.1 ARCHITECTURE**

- A. PROVIDE CONDUIT WITHIN PARKING STRUCTURES FOR EMERGENCY SERVICE COMMUNICATIONS AND MONITORING EQUIPMENT.
- B. ELEVATIONS SHALL BE PROVIDED FOR EACH SIDE OF ALL BUILDINGS.
- C. THE LOCATION AND DESIGN DETAILS OF PRIMARY AND SECONDARY STRUCTURES, SHADE FEATURES, SITE WALLS, RAISED PLANTERS AND MONUMENTS.
- D. PROVIDE TYPICAL BUILDING WALL SECTIONS THAT ILLUSTRATE THE HORIZONTAL RELIEF OF THE WALL SURFACE ASSOCIATED WITH RECESSED OPENING (SILL, LINTEL, AND JAMB DETAILS) INCLUDING ANY ASSOCIATED CHANGES IN WALL MATERIAL, COLOR AND TEXTURE.
- E. SAMPLE BOARDS AND PHOTOGRAPHS TO COMMUNICATE MATERIAL, COLOR AND TEXTURAL TREATMENTS FOR ALL EXTERIOR WALL AND ROOF SURFACES.
- F. DESIGN STANDARDS AND GUIDELINES FOR EXTERIOR STOREFRONT TENANT IMPROVEMENTS.

3.2. SITE DESIGN

- A. THE LOCATION, EXTENT, COLOR, MATERIAL AND DESIGN FOR ALL SPECIALLY PAVED AREAS.
- B. LOCATION, QUANTITY AND DESIGN DETAILS ON ALL STREET FURNITURE SUCH AS BENCHES, LAMPS, TRASH RECEPTACLES, POTS (PLANT CONTAINERS), PLANTER BOXES, BOLLARDS, ARCHITECTURAL RAILINGS, GATES, WATER FEATURES, DRINKING FOUNTAINS, KIOSKS, ETC...
- C. THE APPROXIMATE LOCATION AND EXTENT OF ALL ABOVE GROUND UTILITY FACILITIES/CABINETS, ELECTRICAL SERVICE ENTRANCE SECTIONS, WATER AND GAS METERS, AND METHODS OF SCREENING.

3.3. SIGNAGE

- A. TYPICAL DESIGNS FOR SITE DIRECTIONAL AND PUBLIC GUIDE SIGNS, INTERPRETIVE SIGNAGE, BANNERS AND ANY ANTICIPATED SEASONAL DECORATIONS AND/OR HOLIDAY/EVENT LIGHTING.
- B. INCLUDE DESIGN STANDARDS AND GUIDELINES FOR PROJECT AND TENANT SIGNAGE AS PART OF A COMPREHENSIVE SIGN PROGRAM SUBMITTAL.

3.4. LANDSCAPE DESIGN

- A. LANDSCAPE PLAN WHICH INDICATE TYPE, SIZE AND LOCATIONS OF TREES, SHRUBS, AND GROUNDCOVERS. PROVIDE TYPICAL CONSTRUCTION/PLANTING

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DETAILS OF ALL PLANTING AREAS THAT ARE LOCATED ABOVE ANY PARKING STRUCTURES.

3.5. LIGHTING DESIGN

- A. EXTERIOR LIGHTING PLAN INCLUDING ARCHITECTURAL AND LANDSCAPE LIGHTING CONCEPTS.
- B. INCLUDE MANUFACTURER'S CUTSHEETS FOR ALL EXTERIOR BUILDING MOUNTED, LANDSCAPE, AND SITE LIGHTING.
- C. PHOTOMETRIC PLANS SHALL BE PROVIDE WHICH INCLUDE THE HORIZONTAL READINGS ACROSS THE ENTIRE SITE AND VERTICAL READINGS AT THE PROPERTY LINE.