

ZONING/DEVELOPMENT

1. Development shall be in substantial conformance with the plan submitted as part of the application EXCEPT AS MODIFIED BY THE FOLLOWING STIPULATIONS. ANY PROPOSED SIGNIFICANT CHANGE, AS DETERMINED BY THE PLANNING AND COMMUNITY DEVELOPMENT ADMINISTRATOR SHALL REQUIRE APPROVAL THROUGH A SUBSEQUENT PUBLIC HEARING.

THE APPLICANT UNDERSTANDS AND AGREES THAT THE APPROVED DENSITY IS SUBJECT TO DRAINAGE, TOPOGRAPHY, AND OTHER SITE PLANNING CONCERNS WHICH WILL NEED TO BE RESOLVED AT THE TIME OF SITE PLAN APPROVAL. APPROPRIATE DESIGN SOLUTIONS TO THESE CONSTRAINTS MAY PRECLUDE ACHIEVEMENT OF THE PROPOSED DENSITY.

2. Parcel D shall be zoned C-2 but subject to the more restrictive development standards of C-0. Uses shall be limited to business and professional offices, financial services (bank, savings and loan, financial planning, brokerage, etc.) and two restaurants totalling a maximum of 20,000 gross square feet of building area. Parcel D shall be subject to a master site plan approval through the public hearing process.
3. Upon dedication of the golf course acreage to the City of Scottsdale, the golf course shall be zoned C-S. However, the maximum gross floor area attainable for affected parcels shall not be reduced by virtue of the dedication.
4. MAXIMUM DENSITIES AND DWELLING UNIT COUNTS SHALL BE AS INDICATED ON THE APPROVED DEVELOPMENT PLAN EXCEPT THAT IN NO CASE SHALL THE UNIT COUNT EXCEED 228 WITHOUT A SUBSEQUENT PUBLIC HEARING.
5. THE APPLICANT SHALL GIVE NOTICE OF THE CLOSEST DISTANCE TO THE MIDPOINT OF THE SCOTTSDALE AIRPORT RUNWAY TO THE PROPERTY OWNER AND THE SUBSEQUENT DEVELOPER SHALL PROVIDE DESIGN METHODOLOGY TO MITIGATE NOISE CREATED BY AIRPORT ACTIVITY, SUCH AS DUAL PANE WINDOWS, INCREASED INSULATION, ETC., TO BE APPROVED BY DEVELOPMENT REVIEW BOARD.
6. THE SITE PLAN SHALL ADDRESS THE RELATIONSHIP BETWEEN THE GOLF COURSE TREES AND THE SOUTHERN MOST ROW OF APARTMENTS TO MINIMIZE THE POSSIBLE INCIDENCE OF GOLF BALLS INTRUDING WITH RESIDENTIAL ACTIVITIES.
7. THE APPLICANT SHALL SUBMIT A PLAN IDENTIFYING BOTH VEHICULAR AND PEDESTRIAN CIRCULATION PROVIDING CONNECTIONS BETWEEN THIS PARCEL AND THE REMAINING COMMERCIAL OFFICE PARCELS.

ATTACHMENT A

APPROVED

10/4/94
DATE INITIALS

002400

MISCELLANEOUS

1. ALL IMPROVEMENTS ASSOCIATED WITH THE DEVELOPMENT OR PHASE OF THE DEVELOPMENT INCLUDING ACCESS AND SERVICE REQUIREMENTS SHALL BE CONSTRUCTED IN FULL BY THE DEVELOPER, INCLUDING BUT NOT LIMITED TO WASHES, STORM DRAINS, DRAINAGE STRUCTURES, WATER SYSTEMS, SEWER SYSTEM, CURBS AND GUTTERS, PAVING SIDEWALKS, STREETLIGHTS, STREET SIGNS AND LANDSCAPING.

CIRCULATION

- 4-1. Dedication of the following half-street right-of-way shall be made within ~~6 months of the date of City Council approval~~

Bell 55'
Pima 55'

THE APPLICANT SHALL BE RESPONSIBLE FOR ALL BACK OF CURB IMPROVEMENTS, TO INCLUDE THE CONSTRUCTION OF A MINIMUM OF 5 FOOT WIDE SIDEWALK.

- 5 2. A 1' VNE (vehicular non-access easement) shall be provided along perimeter streets except at approved intersections. ~~Intersections shall be located 660' and 1320' west of Pima as shown on the submitted plan.~~ THE MAJOR ACCESS INTERSECTIONS SHALL ALIGN WITH THE EXISTING MEDIAN OPENINGS OR BE LOCATED A MINIMUM DISTANCE OF 660 FEET FROM THESE LOCATIONS. RIGHT-TURN ONLY ACCESS DRIVEWAYS MAY BE PROVIDED AT MINIMUM 330 FOOT DISTANCES FROM APPROVED MEDIAN OPENINGS, WITH LOCATIONS TO BE DETERMINED AT THE TIME OF DEVELOPMENT REVIEW BOARD SUBMITTAL.
- 6 3. The developer shall be responsible for 50% of the design and installation of a traffic signal, when warranted as determined by the city, at the major access and Bell Road. This stipulation shall not apply if a traffic signal is not warranted by the end of the 10th year from the date of approval. If the development is completed within a time period prior to the end of the 10th year and the applicant would want to terminate his responsibility for this stipulation, the applicant may deposit a fee for the remaining traffic signal requirements at a rate of \$75,000 30 per 100% participation. THIS PAYMENT SHALL NOT BE REQUIRED IF A TRAFFIC ANALYSIS IS PERFORMED AND APPROVED BY CITY STAFF THAT SHOWS THAT THIS INTERSECTION WILL NOT REQUIRE SIGNALIZATION AT THE TIME THAT THE PROPOSED DEVELOPMENT IS COMPLETED.
- 7 4. Security gates shall be located a minimum of 75' from the back-of-curb of the adjacent street. Turnaround space shall be provided at the outside of each gate.
- 8 5. Prior to any application for Development Review Board approval, a Traffic Impact Study ANALYSIS shall be approved by Project Review staff to determine the street classification, CROSS-SECTION, AND ALIGNMENT for the major access roadway.
- 9 ~~A 15' bikeway and landscape easement shall be provided along Bell Road.~~
106. Equestrian trails shall be provided in accordance with the General Plan.

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17. All surface drainageways shall be landscaped with arid plant materials, if any of the corridors are to handle a 100 year storm capacity of 750 CFS or more the design shall be approved by the Development Review Board.
18. All outdoor lighting east of the main access drive shall be designed with horizontal cut-off and directed downward. THE MAXIMUM HEIGHT OF ANY OUTDOOR LIGHTING SOURCE SHALL BE 16 FEET ABOVE NATURAL GRADE AT THE BASE OF LIGHT STANDARD EXCEPT FOR RECREATION USES, WHICH SHALL COMPLY WITH THE OUTDOOR LIGHTING STANDARDS OF SECTION 7.600 OF THE ZONING ORDINANCE. LOW LEVEL LIGHTING IS ENCOURAGED WHEREVER SUCH AN APPROACH IS FEASIBLE.

ENVIRONMENTAL DESIGN

1. ANY PROPOSED ALTERATION TO THE NATURAL STATE OF WATERCOURSES WITH A 100 YEAR FLOW OF 250 CFS OR GREATER OR PROPOSED IMPROVEMENTS WITHIN SUCH WATERCOURSES SHALL BE SUBJECT TO DEVELOPMENT REVIEW BOARD APPROVAL. ANY PROPOSED ALTERATION TO THE NATURAL STATE OF WATERCOURSES WITH A 100 YEAR FLOW OF 50 CFS BUT LESS THAN 250 CFS OR PROPOSED IMPROVEMENTS WITHIN SUCH WATERCOURSES SHALL BE SUBJECT TO PROJECT COORDINATION STAFF APPROVAL.
2. THE DEVELOPMENT REVIEW BOARD SHALL PAY PARTICULAR ATTENTION TO THE LANDSCAPE THEME OF THIS PROJECT AND PROVIDING CONSISTENCY WITH THE EXISTING THEME OF THE PERIMETER CENTER. NON-INDIGENOUS PLANT MATERIAL WHICH HAS THE POTENTIAL TO REACH A MATURE HEIGHT GREATER THAN 25 FEET SHALL NOT BE INTRODUCED ON THE SITE EXCEPT AS SPECIFICALLY APPROVED BY THE DEVELOPMENT REVIEW BOARD. A PLANT LIST SHALL BE APPROVED BY THE DEVELOPMENT REVIEW BOARD IN ACCORDANCE WITH THIS STIPULATION.
3. THE OWNER SHALL SECURE A NATIVE PLANT PERMIT AS DEFINED IN CHAPTER 46, ARTICLE V OF THE CITY CODE FOR EACH DEVELOPMENT SITE. THE PROJECT REVIEW STAFF WILL WORK WITH THE OWNER TO MINIMIZE THE EXTENT OF THE SURVEY REQUIRED WITHIN LARGE AREAS OF PROPOSED UNDISTURBED OPEN SPACE. CACTI WHICH ARE NOT PROTECTED BY THE NATIVE PLANT PROVISIONS, BUT WHICH ARE NECESSARY FOR ON-SITE REVEGETATION, ARE SUITABLE FOR TRANSPLANTING OR ARE NECESSARILY UPROOTED FOR ROAD BUILDING OR SIMILAR CONSTRUCTION SHALL BE STOCKPILED DURING CONSTRUCTION AND SHALL BE REPLANTED IN LANDSCAPED AREAS. WHERE EXCESS PLANT MATERIAL IS ANTICIPATED, THOSE PLANTS SHALL BE REPLANTED IN LANDSCAPED AREAS OR OFFERED TO THE PUBLIC AT NOT COST TO THE OWNER IN ACCORDANCE WITH STATE LAW AND PERMIT PROCEDURE OR MAY BE OFFERED AT SALE.

APPROVED

DATE

INITIALS

MISCELLANEOUS

1. ALL IMPROVEMENTS ASSOCIATED WITH THE DEVELOPMENT OR PHASE OF THE DEVELOPMENT INCLUDING ACCESS AND SERVICE REQUIREMENTS SHALL BE CONSTRUCTED IN FULL BY THE DEVELOPER. INCLUDING BUT NOT LIMITED TO WALKERS, STORM DRAINS, DRAINAGE STRUCTURES, WATER SYSTEMS, SEWER SYSTEM, CURBS AND GUTTERS, PAVING SIDEWALKS, STREETLIGHTS, STREET SIGNS AND LANDSCAPING.

CIRCULATION

- 4-1. Dedication of the following half-street right-of-way shall be made within ~~months of the date of City Council approval.~~

Bell 55'
Pine 55'

THE APPLICANT SHALL BE RESPONSIBLE FOR ALL BACK OF CURB IMPROVEMENTS, TO INCLUDE THE CONSTRUCTION OF A MINIMUM OF 5 FOOT WIDE SIDEWALK.

- 5 2. A 1' VNE (vehicular non-access easement) shall be provided along perimeter streets except at approved intersections. ~~Intersections shall be located 650' and 1350' west of Pine as shown on the submitted plan.~~ THE MAJOR ACCESS INTERSECTIONS SHALL ALIGN WITH THE EXISTING MEDIAN OPENINGS OR BE LOCATED A MINIMUM DISTANCE OF 350 FEET FROM THESE LOCATIONS. RIGHT-TURN ONLY ACCESS DRIVEWAYS MAY BE PROVIDED AT MINIMUM 350 FOOT DISTANCES FROM APPROVED MEDIAN OPENINGS, WITH LOCATIONS TO BE DETERMINED AT THE TIME OF DEVELOPMENT REVIEW BOARD SUBMITTAL.
- 6 3. The developer shall be responsible for 50% of the design and installation of a traffic signal, when warranted as determined by the city, at the major access and Bell Road. This stipulation shall not apply if a traffic signal is not warranted by the end of the 10th year from the date of approval. If the development is completed within a time period prior to the end of the 10th year and the applicant would want to terminate his responsibility for this stipulation, the applicant may deposit a fee for the remaining traffic signal requirements at a rate of \$75,000.00 per 100% participation. THIS PAYMENT SHALL NOT BE REQUIRED IF A TRAFFIC ANALYSIS IS PERFORMED AND APPROVED BY CITY STAFF THAT SHOWS THAT THIS INTERSECTION WILL NOT REQUIRE SIGNALIZATION AT THE TIME THAT THE PROPOSED DEVELOPMENT IS COMPLETED.
- 3 4. Secu. ty gates shall be located a minimum of 75' from the back-of-curb of the adjacent street. Turnaround space shall be provided at the outside of each gate.
- 6 5. Prior to any application for Development Review Board approval, a Traffic Impact Study ANALYSIS shall be approved by Project Review staff to determine the street classification, CROSS-SECTION, AND ALIGNMENT for the major access roadway.
- 6 A 15' driveway and landscape easement shall be provided along Bell Road.
206. Bicyclist trails shall be provided in accordance with the General Plan.

APPROVED

[Signature]
DATE: 1/14/85

WATER AND SEWER

11. ~~Prior to the adoption of zoning or an application for Development Review Board approval, the applicant shall provide and secure approval of a Master Grading and Drainage Plan and Report. The report shall be submitted by a registered civil engineer licensed to practice in Arizona, and it shall be prepared in accordance with the city's design procedures and criteria. The report shall include the following:~~

- A. ~~Maps portraying the water sheds which drain onto and through the property to be developed, indicating the estimated peak runoff rates from the 1, 10, 25 and 100 year return frequency storms at the points where the flows across the streets shown on the Street Master Plan, and at the points where flow will enter and leave drainage management structures. The report shall include the peak flow estimation sheets and graphs showing combined hydrographs.~~
- B. ~~A portrayal of the location, flow depth, and type of structure to be constructed at each location where the street shown on the Street Master Plan will cross a wash or man-made channel. Include the culvert size calculation sheets and calculations for flow depth estimates where flow will cross road cross-sections.~~
- C. ~~A portrayal of the locations and flow interception capacities of the structures intended to remove long-term runoff from the streets shown on the Street Master Plan. Include the interception and flow by calculations for the same.~~
- D. ~~A portrayal of the preliminary or conceptual design of all channels which are to be constructed or improved, showing planned improvements, including landscaping concepts, etc. Include channel design calculations.~~
- E. ~~A description of the phasing of the construction of the streets, storm drains, channels, and other facilities which will manage stormwater runoff and an explanation of the relationship of this phasing planned for construction of each part of the development.~~
- F. ~~An explanation of the measures to provide protection from property damage and excessive erosion or deposition of sediment by stormwater runoff during phased construction.~~
- G. ~~The identification of persons or agencies responsible for the construction of each facility which will manage stormwater runoff.~~
- H. ~~Portrayal of those areas where any significant erosion or fills will occur. Include proposed final contour lines.~~
- I. ~~A description of the locations (on-site or off-site) for the stockpiling or disposal of excavated material.~~

1. STORMWATER MANAGEMENT SHALL BE AS SPECIFIED IN THE APPROVED MASTER DRAINAGE REPORT FOR SCOTTSDALE PERIMETER CENTER. A SITE SPECIFIC DRAINAGE REPORT SHALL BE SUBMITTED AT THE TIME OF DEVELOPMENT REVIEW BOARD SUBMITTAL. THE REPORT SHALL INCLUDE CALCULATIONS AND EXHIBITS WHICH DEMONSTRATE COMPLIANCE WITH ORDINANCE AND MASTER PLAN REQUIREMENTS.

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WATER SEWER (Stipulations 1-6 apply to the remainder of the area specified in the original case 134-W-85).

13 2 The applicant shall provide an approved Master Wastewater Plan for the subject property. Said Master Plan shall be prepared by a registered, professional engineer in the State of Arizona.

- A Location and size of all water system components.
- B A timetable specifying the time and responsible party for construction of the necessary wastewater facilities.
- C Necessary calculations to substantiate line sizes.
- D Integration of the Master Wastewater Plan with the City's Wastewater Master Plan.

13 3 The applicant shall provide an approved Master Water Plan for the subject property including an required off-site lines, booster and storage facilities. Said Master Plan shall be prepared in accordance with the design procedures and criteria of the City of Scottsdale by a registered professional engineer licensed in the State of Arizona. The Master Water Plan shall include but not necessarily be limited to the following:

- A Location and size of all water system components.
- B Indication of the timing and responsible party for the constructing of water system.
- C A flow and pressure analysis which includes simulation using a computer model with a peak and fire-flow requirements.
- D Integration of Master Water Plan with the City's Master Water Plan.

14 4 The applicant understands and agrees that the granting of zoning does not and shall not commit the city to the extension, construction, or development of either water or sewer facilities (including, but not limited to lines, mains, booster, and storage facilities to, on, or near the applicant's development.

15 5 The applicant understands and acknowledges that he is responsible for construction and dedication of all water and sewer facilities necessary to serve this development. Sewer facilities shall conform to the Wastewater Master Plan approved for this area by the City of Scottsdale. Water facilities shall conform to the Scottsdale Water System Master Plan.

16 6 Building permits shall be subject to all fees and conditions in effect at the time of permit issuance. The applicant understands and agrees that constructing water and sewer facilities as provided herein shall not be in lieu of any water development fee, sewer development fee or development tax which is applicable at the time building permits are issued.

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