

**STIPULATIONS FOR CASE 11-ZN-2002**PLANNING/ DEVELOPMENT

1. **CONFORMANCE TO SITE PLAN.** The Development Review Board shall review the site plan submitted by Phoenix Design Group and dated 8/05/01 and the site plan shall be in compliance with all the development standards of the C-3 (Highway Commercial Zoning District) of the Scottsdale Zoning Ordinance. All future development on this site, as permitted without a Conditional Use Permit, shall only require Development Review Board approval. Uses requiring a Conditional Use Permit shall return to the Planning Commission and City Council for approval.
2. **SCENIC CORRIDORS.** The scenic corridor width along Shea Boulevard, shall be a minimum of 80 feet, and an average of 100 feet measured from the back of curb of Shea Boulevard. Unless otherwise approved by the Development Review Board, the scenic corridor shall be left in a natural condition.
3. **SCENIC CORRIDOR DEDICATION BEFORE BUILDING PERMIT ISSUED.** The final plat or site plan shall show and dedicate an easement to the city, identifying the scenic corridor easement along Shea Boulevard.
4. **PEDESTRIAN ACCESS.** With the Development Review Board submittal, the developer shall submit a plan providing pedestrian access to the commercial and recreational areas on and adjacent to the site and be consistent with the approved Master Plans.
5. **FLOOR AREA RATIO.** The maximum floor area ratio shall not exceed .3 for the 6.6 acre site.

ENVIRONMENTAL DESIGN

1. **OUTDOOR LIGHTING.** The maximum height of any outdoor lighting source shall be 20 feet above natural grade at the base of the light standard, which shall comply with the outdoor lighting standards of the Scottsdale Zoning Ordinance.
2. **MAINTENANCE AND PRESERVATION-RECORDED AGREEMENT.** Before any building permit for the site is issued, the developer shall record an agreement, satisfactory to city staff, detailing the maintenance and preservation by the developer and its successors of all common areas, landscape buffers, natural areas, drainage easements and private access ways on the site and abutting rights-of-way. These designated areas shall not be accepted for maintenance or be accepted for ownership by the city without the approval of the City Council.

CIRCULATION

1. Prior to Development Review Board submittal, the applicant shall show verification that cross-access easement(s) are established with the property owner to the west and south. The cross-access easements shall be designed in conjunction with main driveways through the site to ensure efficient vehicular and pedestrian flow between properties. The cross-access easement(s) shall be verified through the approval of map of dedication and any required supplemental documentation in a form acceptable to city staff.
2. **ACCESS RESTRICTIONS.** Before issuance of any certificate of occupancy for the site, the developer shall construct the following access to the site. Access to the site shall conform to the following restrictions:
  - a. Shea Boulevard - There shall be a maximum of one site driveway from Shea Boulevard. This driveway shall align with Becker Lane across Shea Boulevard. The developer shall dedicate

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a one-foot wide vehicular non-access easement along Shea Boulevard except at the approved street entrance. ~~The site driveway from Shea Boulevard shall be right-in, right-out, left-in only. Left-outs onto Shea Boulevard from this driveway are prohibited.~~  
and out of

3. **MEDIAN RECONSTRUCTION.** Before issuance of any certificate of occupancy for the site, the developer shall reconstruct the existing median on Shea Boulevard, to provide left-turn access into the site and to provide left-turn access to Becker Lane, to the satisfaction of city staff, and shall relocate any existing landscaping that will be displaced, as determined by city staff.
4. **AUXILIARY LANE CONSTRUCTION.** Before issuance of any certificate of occupancy for the site, the developer shall construct a right-turn deceleration lane at the site entrance on Shea Boulevard, in conformance with the Design Standards and Policies Manual.
5. **EASEMENT REQUIREMENTS.** Before any final plan approval, the developer shall dedicate an ingress/egress easement over the site driveway on Shea Boulevard in a form acceptable to city staff. Before any final plan approval, the developer shall obtain an access easement from the adjacent eastern parcel in a form acceptable to city staff.

#### MASTER PLANS

1. **MASTER PLANS GENERALLY.** The developer shall have each Master Plan specified below prepared by a registered engineer licensed to practice in Arizona. Each Master Plan shall be subject to city staff approval before any further Development Review Board submittal.
  - a. Schedule A - Circulation Master Plan
  - b. Schedule B - Drainage Master Plan
  - c. Schedule C - Water Master Plan
  - d. Schedule D - Wastewater Master Plan

#### SCHEDULE A - CIRCULATION MASTER PLAN

1. With the development review board submittal, the developer shall submit a master circulation plan subject to transportation department approval. The master circulation plan shall conform to the design standards and policy manual. This plan shall indicate the location and design of site driveways, internal streets, pedestrian connections, parking lot access and bus facilities.
2. Prior to final improvement plans submittal to the project quality/ compliance division, the developer shall have obtained approval of the circulation master plan.

#### SCHEDULE B - DRAINAGE MASTER PLAN

1. **MASTER DRAINAGE REPORT.** With the Development Review Board submittal, the developer shall submit a master drainage report and plan subject to city staff approval. The master drainage report and plan shall conform to the Design Standards and Policies Manual - Drainage Report Preparation. In addition, the master drainage report and plan shall:
  - a. Include a complete description of requirements relating to project phasing.
  - b. Identify the timing of and parties responsible for construction of all storm water management facilities.

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