

STIPULATIONS FOR CASE 26-ZN-2004

1.0 APPLICABILITY

1.1 Development Plan

Documents comprising the development plan for the property are on file in the planning and development services department. Included within this development plan are the following schedules that are attached to these stipulations and incorporated by this reference:

Schedule A-	Design Guidelines & Development Framework
Schedule B-	Permitted Land Uses
Schedule C-	PC District Development Standards
Schedule D-	Zoning/Properties map

REZONING OF THE PROPERTY.

The specific zoning district for the Property described in City of Scottsdale (the "City") Case No. 26-ZN-20042 (the "Property") is Planned Community (PC) District as depicted on the Zoning Map set forth at Schedule D. The Rezoning in accordance with the General Development Plan utilizes the uses of the Planned Regional Center (PRC), Commercial Office (C-O) and Industrial Park District (I-1) use list with restrictions to certain uses non-compatible with the Design Guidelines & Development Framework (see Schedule B – Permitted Land Uses).

In that the PRC District creates a development plan consistent with General Plan for mixed-use designation and allows for implementation of the Design Guidelines and Development Framework, per the Section 5.2102, C, the Rezoning intends to utilize the development standards of the PRC District. The development standards of the PRC shall be amended (collectively, the "Amended Development Standards") see Schedule C – PC District Development Standards. The Rezoning is intended to implement and facilitate the development of the Property depicted on the Zoning Map set forth at Schedule D.

1.2 **LAND USE/PROPERTY ALLOCATION**

For the purpose of this rezoning, the stipulations herein apply to all properties unless specifically designated by the property designations below:

- Property A (A-1 and A-2) shall be rezoned to PC for the Arizona State University Foundation (ASUF).
- Property B (B-1 and B-2) shall be rezoned to PC for the City of Scottsdale (COS)

2.0 General Development Plan

Master Development Plans

STIPULATIONS WITHIN SECTION 2.0 APPLY TO ALL PARCELS. PRIOR TO ANY FINAL DEVELOPMENT PLAN SUBMITTALS, THE DEVELOPER SHALL PROVIDE STAFF WITH A MASTER CONCEPT PLAN (MDCP) AND RELATED DETAILED PLANS. THESE PLANS SHALL INCLUDE, AT A MINIMUM, ALL ITEMS OUTLINED WITHIN SECTION 3, TO THE SATISFACTION OF THE DEPUTY CITY MANAGER OR DESIGNEE.

A. MASTER DESIGN CONCEPT PLAN

1. MASTER DESIGN CONCEPT PLAN. The Master Design Concept Plan shall incorporate elements of the *Design Guidelines & Development Framework* as well as the following:
 - a. Development through appropriate siting and orientation of buildings should recognize and preserve established major vistas.
 - b. Streetscapes shall provide continuity among adjacent uses through use of cohesive landscaping, decorative paving, street furniture, public art and integrated infrastructure elements.
 - c. Development shall integrate within the pedestrian network, alternative modes of transportation, including bicycles and bus access.
 - d. Design elements shall be included to reflect a human scale, such as shade structures, deep roof overhangs and recessed windows shall be incorporated.
 - e. Buildings shall be designed to highlight important building volumes and features, such as the building entries.
 - f. Interior spaces shall be extended into the outdoors both physically and visually.
 - g. Materials, colors, and textures associated with the region shall be utilized.
 - h. Landscaping shall complement the built environment and relate to the various uses.
 - i. Water features shall be safely placed in locations with high pedestrian activity.
 - j. Exterior building materials shall be responsive to climate, adjacent context, site orientation and building usage.
 - k. Commercial and retail uses along Scottsdale Road, McDowell Road and 74th Street shall be located at grade level to allow pedestrian interface.

2.1 Prior to the approval of the first phase, the developer shall prepare by a registered practitioner in Arizona the below listed plans and shall be subject to Deputy City Manager, or designee, approval before any further Development Review Board submittal, except where specifically addressed below. The ASUF shall be the governing body for all the items listed below contained within the Generalized Development Plan.

- A. Master Design Concept Plan
- B. Master Transportation Plan
- C. Master Drainage Plan
- D. Master Water Distribution Plan
- E. Master Wastewater Collection Plan

The Master Design Concept Plan shall include, but not be limited to;

- a. Open space design concepts for open space areas, including location, plant and landscape character, open space corridors, trails and bikeways, and integration of drainage plans.
- b. Overall streetscape concepts, which incorporate streetside and median landscape design concepts, plant and landscape materials, and perimeter and screen wall designs and locations.
- c. Typical outdoor lighting plan for streetlights and concepts and general specifications for parking lot lighting. Lighting levels shall be transitioned to provide the greatest intensity within the main pedestrian corridor, and a lower intensity along the perimeter of the site.
- d. General design and architectural themes assuring overall design compatibility of all buildings and structures.
- e. General signage/graphic concepts for development signs, including locations and typical design concepts.
- f. Responsible parties for the construction and maintenance of specified open space, paths and trails, walls, signs and drainage facilities.
- g. Multi-use trail design and use, including trail design standards and alignment, design and location of trail amenities, management and controls on trail use and implementation of plan recommendations through City ordinances and policies.
- h. Public art and public gathering areas.
- i. View shed analysis into the site as well as external views to Camelback Mountain, the McDowell Mountains and the Papago Buttes.

- m. Sun/Shadow analysis

B. MASTER TRANSPORTATION PLAN

1. **CIRCULATION PLAN.** A Circulation Plan shall be prepared by a registered engineer who is licensed in the State of Arizona. The Circulation Plan shall be in accordance with the City's design procedures and criteria, or as amended by General Development Plan. The Circulation Plan shall include at a minimum the following components:
 - a. Roadway plans showing existing and proposed on-site roadway network and any existing daily and peak hour traffic volumes.
 - b. Trip generation, distribution and assignment of proposed project trips to the roadway system.
 - c. On-site traffic control analysis, including, traffic signals, traffic calming, pedestrian crossing signals, etc.
 - d. Conceptual on-site intersection lane configurations related ingress and egress from the site.
 - e. Plans for phasing the improvements or plans for interim improvements necessary to accommodate the site development and ties into other planned construction improvements.
 - f. Proposed on-site street cross-sections and associated right-of-way design consistent with the approved on-site roadway plan.
2. **MASTER PARKING PLAN.** An on-site phased parking plan shall be prepared in accordance with Article IX of the Zoning Ordinance, which shall be subject to City staff approval. This plan shall indicate the location and number of all parking spaces with respect to each phase of development. The plan shall also provide details regarding any proposed parking restrictions or validation programs, as well as analyses to substantiate mixed-use sharing and any other considerations for reduced parking needs. With each Development Review Board application or phase, the developer shall update this plan.
3. **BICYCLE CIRCULATION PLAN.** An overall on-site bike circulation plan shall be submitted per phase. The developer shall provide the improvements identified in the accepted plan including, but not limited to, bicycle parking, sections of pathway, curb ramps at intersections, and signing. The Bicycle Circulation Plan shall include, at a minimum, the following components:
 - a. On-site street bikeways

- b. Appropriate Provisions for Bicycle Parking – At each phase, the number and locations will be determined in coordination with the Zoning Ordinance & the Transportation Department.
- 4. ON-SITE PEDESTRIAN CIRCULATION PLAN. The On-site Pedestrian Circulation Plan shall provide general locations and dimensions for and types of pedestrian amenities including, but not limited to, shaded walkways and seating. This plan shall provide for pedestrian connectivity within and adjacent facilities.
 - 5. ON-SITE TRANSIT AND TRIP REDUCTION PLAN. With each phase, an updated Transit and Trip Reduction Plan shall be prepared. The developer shall provide the improvements identified in the accepted plan, which may include, but shall not be limited to, proposed location(s) of potential transit nodes, bus stops, etc., that support on-site transit systems.

a. MASTER DRAINAGE PLAN

- i. FINAL DRAINAGE REPORT. With each phase, the developer shall update the on-site final drainage report and plan subject to City staff approval. The on-site final drainage report and plan shall conform to the *Design Standards and Policies Manual - Drainage Report Preparation*. In addition, the on-site final drainage report and plan shall:
 - 1. Include a complete description of requirements relating to project phasing.
 - 2. Identify the timing of and parties responsible for construction of all storm water management facilities.
 - 3. For each on-site drainage area, discuss the amount of storm water storage that will be provided (full storage, pre-versus-post storage, regional storage, etc.).
 - 4. Discuss who will be responsible, timing, etc. for drainage improvements.

b. MASTER WATER PLAN

- i. ON-SITE WATER REPORT. With each phase, the developer shall submit a final on-site water report and plan subject to Water Resources Department approval. The report and plan shall conform to the draft Water and Wastewater Report Guidelines available through the Water Resources Department. The final on-site water report shall include the following:

1. A complete description of water system requirements for each Phase.
2. A discussion of the timing of and parties responsible for construction of all water facilities.
3. The location and size of all necessary water system components, including distribution lines, pump stations and storage facilities needed to serve the development.
4. A flow and pressure analysis of the proposed distribution system that includes a simulation of the system operation for each pressure zone within the development using a computer model with average day demands, maximum day demands with estimated required fire flow and any requirements to meet the Insurance Service Office standards, maximum day demands with reservoir tanks closed, and peak hour demands.
5. Compliance with the adopted City's Integrated Water Master Plan.
6. A final design plan of each phase showing development sites and right-of-ways, contours and benchmarks, existing utilities and fire hydrants within 400 feet of the proposed development.

- ii. FINAL WATER REPORT APPROVAL. Before the submittal of any phased water design reports to the Plan Review and Permit Services Division, the developer shall obtain approval from the Water Resources Department of the final water report.

c. MASTER WASTEWATER COLLECTION PLAN

- i. ON-SITE WASTEWATER COLLECTION REPORT. With each phase, the developer shall submit a final on-site wastewater collection report and plan subject to Water Resources Department approval. The report and plan shall conform to the draft Water and Wastewater Report Guidelines available through the Water Resources Department. The final on-site wastewater report shall include the following:
 1. A complete description of the wastewater system requirements for each phase of the project.
 2. A discussion of the timing of and parties responsible for construction of all wastewater facilities.
 3. The final location, size, type and capacity of the necessary wastewater collection, transmission, and treatment system components needed to serve each phase, and a final analysis of the impact of the proposed development on the existing system with

wastewater demand generation factors based upon land use.

4. The calculations necessary to substantiate the selection of the size, type, and capacity of the wastewater transmission and treatment facilities.
5. Compliance with the adopted City's Wastewater System Master Plan for the respective area.
6. 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.

- ii. **ON-SITE WASTEWATER FINAL REPORT APPROVAL.** Before the submittal of any phased wastewater design reports to the Plan Review and Permit Services Division, the developer shall obtain approval from the Water Resources Department of the final water report.

e. DEVELOPMENT REVIEW BOARD STIPULATIONS

STIPULATIONS WITHIN SECTION 3.0 APPLY TO ALL PARCELS. PRIOR TO FINAL DEVELOPMENT PLAN SUBMITTALS, THE DEVELOPER SHALL PROVIDE STAFF WITH A MASTER CONCEPT PLAN (MDCP) AND RELATED DETAILED PLANS. THESE PLANS SHALL INCLUDE, AT A MINIMUM, ALL ITEMS OUTLINED WITHIN SECTION 3, TO THE SATISFACTION OF THE DEPUTY CITY MANAGER OR DESIGNEE.

1. **CONFORMANCE TO PC DISTRICT DEVELOPMENT STANDARDS.** Each phase of the development shall conform to the PC District Development Standards (Schedule C) , approved by the City Council may only be modified as described below:
 - a) Unless otherwise specifically stated herein, modifications, approved by the Planning & Development Services General Manager, shall not exceed a ten (10) percent and shall be limited to the following amended development standards:
 - (i) Front Yard Setbacks and open space for internal roads
 - (ii) Setback between buildings,
 - (iii) Building Lines
 - (iv) Encroachments
 - (v) Parking spaces
 - b) Changes up to 10% of the above referenced PC District Development Standards shall not apply within 50 feet of any residential zoning districts. Any change from 10-25% may be approved by the Development Review Board pursuant to Section 1.2 . Any modifications to the above standards above 25% shall be subject to subsequent to the rezoning processes in place at the time of application, including any applicable citizen review process and public hearings before the Planning Commission and City Council.

3.1. Property A Stipulations

- 1.) The following stipulations shall apply specifically to area designated in Schedule E, Zoning/Property Map, as Property A.
 - a. There shall be one and half (1 ½) acres of public gathering space on Property A-1, separate from the required open space requirements of Schedule D shall be placed on the site as designated in the On-site General Development Plan.
 - b. One Parking space per 300 square feet of gross floor area (GFA).
 - c. A landscape area of no less than 25 feet along the southern boundary. The Development Review Board may approve a 25% reduction for the purpose of parking.
 - d. A minimum of 60,000 square feet of open space shall be allocated to the frontages (from curb) along Scottsdale and McDowell Roads.
 - e. Scottsdale Road and McDowell Road landscape improvements need to be completed in the initial phase of development
 - f. Maximum building height shall be 60 feet (exclusive of rooftop mechanical screening) measured as defined in the City of Scottsdale Zoning Ordinance.
 - g. Building over 36 feet in height adjacent to residential zoning south of the site shall be setback a minimum of 50 feet. Buildings greater than 36 feet in height shall be set back not less than 2 feet for each foot of building height.
 - h. Building setbacks along Scottsdale Road and McDowell Road shall be 30 feet from property line.
 - i. Building setbacks along 74th Street shall be 25 feet from property line.
 - j. Sidewalks along Scottsdale Road, McDowell Road and 74th street shall be 10-foot minimum width and centered between two, 10-foot wide landscape buffers.
 - k. The required open space is a minimum of 20% of the net lot area.
 - l. Parking decks shall not exceed maximum building height of 60 feet.
 - m. Parking structures shall be screened to be unobtrusive from Scottsdale Road, McDowell Road, 74th Street and the main boulevards within the project.
 - n. On-street parking shall be either diagonal or parallel.
 - o. All above utility equipment shall be screened by either walls or other screening methods as approved by the Deputy City Manager.
 - p.

3.2 Property B Stipulations

- A. All stipulations for property A shall apply to Property B.

STIPULATIONS FOR CASE 26-ZN-2004

1.0 APPLICABILITY

1.1 Development Plan

Documents comprising the development plan for the property are on file in the planning and development services department. Included within this development plan are the following schedules that are attached to these stipulations and incorporated by this reference:

Schedule A-	Design Guidelines & Development Framework
Schedule B-	Permitted Land Uses
Schedule C-	PC District Development Standards
Schedule D-	Zoning/Properties map

REZONING OF THE PROPERTY.

The specific zoning district for the Property described in City of Scottsdale (the "City") Case No. 26-ZN-20042 (the "Property") is Planned Community (PC) District as depicted on the Zoning Map set forth at Schedule D. The Rezoning in accordance with the General Development Plan utilizes the uses of the Planned Regional Center (PRC), Commercial Office (C-O) and Industrial Park District (I-1) use list with restrictions to certain uses non-compatible with the Design Guidelines & Development Framework (see Schedule B – Permitted Land Uses).

In that the PRC District creates a development plan consistent with General Plan for mixed-use designation and allows for implementation of the Design Guidelines and Development Framework, per the Section 5.2102, C, the Rezoning intends to utilize the development standards of the PRC District. The development standards of the PRC shall be amended (collectively, the "Amended Development Standards") see Schedule C – PC District Development Standards. The Rezoning is intended to implement and facilitate the development of the Property depicted on the Zoning Map set forth at Schedule D.

1.2 **LAND USE/PROPERTY ALLOCATION**

For the purpose of this rezoning, the stipulations herein apply to all properties unless specifically designated by the property designations below:

- Property A (A-1 and A-2) shall be rezoned to PC for the Arizona State University Foundation (ASUF).
- Property B (B-1 and B-2) shall be rezoned to PC for the City of Scottsdale (COS)

2.0 General Development Plan

Master Development Plans

STIPULATIONS WITHIN SECTION 2.0 APPLY TO ALL PARCELS. PRIOR TO ANY FINAL DEVELOPMENT PLAN SUBMITTALS, THE DEVELOPER SHALL PROVIDE STAFF WITH A MASTER CONCEPT PLAN (MDCP) AND RELATED DETAILED PLANS. THESE PLANS SHALL INCLUDE, AT A MINIMUM, ALL ITEMS OUTLINED WITHIN SECTION 3, TO THE SATISFACTION OF THE DEPUTY CITY MANAGER OR DESIGNEE.

A. MASTER DESIGN CONCEPT PLAN

1. MASTER DESIGN CONCEPT PLAN. The Master Design Concept Plan shall incorporate elements of the *Design Guidelines & Development Framework* as well as the following:
 - a. Development through appropriate siting and orientation of buildings should recognize and preserve established major vistas.
 - b. Streetscapes shall provide continuity among adjacent uses through use of cohesive landscaping, decorative paving, street furniture, public art and integrated infrastructure elements.
 - c. Development shall integrate within the pedestrian network, alternative modes of transportation, including bicycles and bus access.
 - d. Design elements shall be included to reflect a human scale, such as shade structures, deep roof overhangs and recessed windows shall be incorporated.
 - e. Buildings shall be designed to highlight important building volumes and features, such as the building entries.
 - f. Interior spaces shall be extended into the outdoors both physically and visually.
 - g. Materials, colors, and textures associated with the region shall be utilized.
 - h. Landscaping shall complement the built environment and relate to the various uses.
 - i. Water features shall be safely placed in locations with high pedestrian activity.
 - j. Exterior building materials shall be responsive to climate, adjacent context, site orientation and building usage.
 - k. Commercial and retail uses along Scottsdale Road, McDowell Road and 74th Street shall be located at grade level to allow pedestrian interface.

2.1 Prior to the approval of the first phase, the developer shall prepare by a registered practitioner in Arizona the below listed plans and shall be subject to Deputy City Manager, or designee, approval before any further Development Review Board submittal, except where specifically addressed below. The ASUF shall be the governing body for all the items listed below contained within the Generalized Development Plan.

- A. Master Design Concept Plan
- B. Master Transportation Plan
- C. Master Drainage Plan
- D. Master Water Distribution Plan
- E. Master Wastewater Collection Plan

The Master Design Concept Plan shall include, but not be limited to;

- a. Open space design concepts for open space areas, including location, plant and landscape character, open space corridors, trails and bikeways, and integration of drainage plans.
- b. Overall streetscape concepts, which incorporate streetside and median landscape design concepts, plant and landscape materials, and perimeter and screen wall designs and locations.
- c. Typical outdoor lighting plan for streetlights and concepts and general specifications for parking lot lighting. Lighting levels shall be transitioned to provide the greatest intensity within the main pedestrian corridor, and a lower intensity along the perimeter of the site.
- d. General design and architectural themes assuring overall design compatibility of all buildings and structures.
- e. General signage/graphic concepts for development signs, including locations and typical design concepts.
- f. Responsible parties for the construction and maintenance of specified open space, paths and trails, walls, signs and drainage facilities.
- g. Multi-use trail design and use, including trail design standards and alignment, design and location of trail amenities, management and controls on trail use and implementation of plan recommendations through City ordinances and policies.
- h. Public art and public gathering areas.
- i. View shed analysis into the site as well as external views to Camelback Mountain, the McDowell Mountains and the Papago Buttes.

- m. Sun/Shadow analysis

B. MASTER TRANSPORTATION PLAN

1. **CIRCULATION PLAN.** A Circulation Plan shall be prepared by a registered engineer who is licensed in the State of Arizona. The Circulation Plan shall be in accordance with the City's design procedures and criteria, or as amended by General Development Plan. The Circulation Plan shall include at a minimum the following components:
 - a. Roadway plans showing existing and proposed on-site roadway network and any existing daily and peak hour traffic volumes.
 - b. Trip generation, distribution and assignment of proposed project trips to the roadway system.
 - c. On-site traffic control analysis, including, traffic signals, traffic calming, pedestrian crossing signals, etc.
 - d. Conceptual on-site intersection lane configurations related ingress and egress from the site.
 - e. Plans for phasing the improvements or plans for interim improvements necessary to accommodate the site development and ties into other planned construction improvements.
 - f. Proposed on-site street cross-sections and associated right-of-way design consistent with the approved on-site roadway plan.
2. **MASTER PARKING PLAN.** An on-site phased parking plan shall be prepared in accordance with Article IX of the Zoning Ordinance, which shall be subject to City staff approval. This plan shall indicate the location and number of all parking spaces with respect to each phase of development. The plan shall also provide details regarding any proposed parking restrictions or validation programs, as well as analyses to substantiate mixed-use sharing and any other considerations for reduced parking needs. With each Development Review Board application or phase, the developer shall update this plan.
3. **BICYCLE CIRCULATION PLAN.** An overall on-site bike circulation plan shall be submitted per phase. The developer shall provide the improvements identified in the accepted plan including, but not limited to, bicycle parking, sections of pathway, curb ramps at intersections, and signing. The Bicycle Circulation Plan shall include, at a minimum, the following components:
 - a. On-site street bikeways

- b. Appropriate Provisions for Bicycle Parking – At each phase, the number and locations will be determined in coordination with the Zoning Ordinance & the Transportation Department.
- 4. ON-SITE PEDESTRIAN CIRCULATION PLAN. The On-site Pedestrian Circulation Plan shall provide general locations and dimensions for and types of pedestrian amenities including, but not limited to, shaded walkways and seating. This plan shall provide for pedestrian connectivity within and adjacent facilities.
- 5. ON-SITE TRANSIT AND TRIP REDUCTION PLAN. With each phase, an updated Transit and Trip Reduction Plan shall be prepared. The developer shall provide the improvements identified in the accepted plan, which may include, but shall not be limited to, proposed location(s) of potential transit nodes, bus stops, etc., that support on-site transit systems.

a. MASTER DRAINAGE PLAN

- i. FINAL DRAINAGE REPORT. With each phase, the developer shall update the on-site final drainage report and plan subject to City staff approval. The on-site final drainage report and plan shall conform to the *Design Standards and Policies Manual - Drainage Report Preparation*. In addition, the on-site final drainage report and plan shall:
 - 1. Include a complete description of requirements relating to project phasing.
 - 2. Identify the timing of and parties responsible for construction of all storm water management facilities.
 - 3. For each on-site drainage area, discuss the amount of storm water storage that will be provided (full storage, pre-versus-post storage, regional storage, etc.).
 - 4. Discuss who will be responsible, timing, etc. for drainage improvements.

b. MASTER WATER PLAN

- i. ON-SITE WATER REPORT. With each phase, the developer shall submit a final on-site water report and plan subject to Water Resources Department approval. The report and plan shall conform to the draft Water and Wastewater Report Guidelines available through the Water Resources Department. The final on-site water report shall include the following:

1. A complete description of water system requirements for each Phase.
2. A discussion of the timing of and parties responsible for construction of all water facilities.
3. The location and size of all necessary water system components, including distribution lines, pump stations and storage facilities needed to serve the development.
4. A flow and pressure analysis of the proposed distribution system that includes a simulation of the system operation for each pressure zone within the development using a computer model with average day demands, maximum day demands with estimated required fire flow and any requirements to meet the Insurance Service Office standards, maximum day demands with reservoir tanks closed, and peak hour demands.
5. Compliance with the adopted City's Integrated Water Master Plan.
6. A final design plan of each phase showing development sites and right-of-ways, contours and benchmarks, existing utilities and fire hydrants within 400 feet of the proposed development.

- ii. FINAL WATER REPORT APPROVAL. Before the submittal of any phased water design reports to the Plan Review and Permit Services Division, the developer shall obtain approval from the Water Resources Department of the final water report.

c. MASTER WASTEWATER COLLECTION PLAN

- i. ON-SITE WASTEWATER COLLECTION REPORT. With each phase, the developer shall submit a final on-site wastewater collection report and plan subject to Water Resources Department approval. The report and plan shall conform to the draft Water and Wastewater Report Guidelines available through the Water Resources Department. The final on-site wastewater report shall include the following:
 1. A complete description of the wastewater system requirements for each phase of the project.
 2. A discussion of the timing of and parties responsible for construction of all wastewater facilities.
 3. The final location, size, type and capacity of the necessary wastewater collection, transmission, and treatment system components needed to serve each phase, and a final analysis of the impact of the proposed development on the existing system with

wastewater demand generation factors based upon land use.

4. The calculations necessary to substantiate the selection of the size, type, and capacity of the wastewater transmission and treatment facilities.
5. Compliance with the adopted City's Wastewater System Master Plan for the respective area.
6. 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.

- ii. **ON-SITE WASTEWATER FINAL REPORT APPROVAL.** Before the submittal of any phased wastewater design reports to the Plan Review and Permit Services Division, the developer shall obtain approval from the Water Resources Department of the final water report.

e. DEVELOPMENT REVIEW BOARD STIPULATIONS

STIPULATIONS WITHIN SECTION 3.0 APPLY TO ALL PARCELS. PRIOR TO FINAL DEVELOPMENT PLAN SUBMITTALS, THE DEVELOPER SHALL PROVIDE STAFF WITH A MASTER CONCEPT PLAN (MDCP) AND RELATED DETAILED PLANS. THESE PLANS SHALL INCLUDE, AT A MINIMUM, ALL ITEMS OUTLINED WITHIN SECTION 3, TO THE SATISFACTION OF THE DEPUTY CITY MANAGER OR DESIGNEE.

1. **CONFORMANCE TO PC DISTRICT DEVELOPMENT STANDARDS.** Each phase of the development shall conform to the PC District Development Standards (Schedule C) , approved by the City Council may only be modified as described below:
 - a) Unless otherwise specifically stated herein, modifications, approved by the Planning & and Development Services General Manager, shall not exceed a ten (10) percent and shall be limited to the following amended development standards:
 - (i) Front Yard Setbacks and open space for internal roads
 - (ii) Setback between buildings,
 - (iii) Building Lines
 - (iv) Encroachments
 - (v) Parking spaces
 - b) Changes up to 10% of the above referenced PC District Development Standards shall not apply within 50 feet of any residential zoning districts. Any change from 10-25% may be approved by the Development Review Board pursuant to Section 1.2 . Any modifications to the above standards above 25% shall be subject to subsequent to the rezoning processes in place at the time of application, including any applicable citizen review process and public hearings before the Planning Commission and City Council.

3.1. Property A Stipulations

- 1.) The following stipulations shall apply specifically to area designated in Schedule E, Zoning/Property Map, as Property A.
 - a. There shall be one and half (1 ½) acres of public gathering space on Property A-1, separate from the required open space requirements of Schedule D shall be placed on the site as designated in the On-site General Development Plan.
 - b. One Parking space per 300 square feet of gross floor area (GFA).
 - c. A landscape area of no less than 25 feet along the southern boundary. The Development Review Board may approve a 25% reduction for the purpose of parking.
 - d. A minimum of 60,000 square feet of open space shall be allocated to the frontages (from curb) along Scottsdale and McDowell Roads.
 - e. Scottsdale Road and McDowell Road landscape improvements need to be completed in the initial phase of development
 - f. Maximum building height shall be 60 feet (exclusive of rooftop mechanical screening) measured as defined in the City of Scottsdale Zoning Ordinance.
 - g. Building over 36 feet in height adjacent to residential zoning south of the site shall be setback a minimum of 50 feet. Buildings greater than 36 feet in height shall be set back not less than 2 feet for each foot of building height.
 - h. Building setbacks along Scottsdale Road and McDowell Road shall be 30 feet from property line.
 - i. Building setbacks along 74th Street shall be 25 feet from property line.
 - j. Sidewalks along Scottsdale Road, McDowell Road and 74th street shall be 10-foot minimum width and centered between two, 10-foot wide landscape buffers.
 - k. The required open space is a minimum of 20% of the net lot area.
 - l. Parking decks shall not exceed maximum building height of 60 feet.
 - m. Parking structures shall be screened to be unobtrusive from Scottsdale Road, McDowell Road, 74th Street and the main boulevards within the project.
 - n. On-street parking shall be either diagonal or parallel.
 - o. All above utility equipment shall be screened by either walls or other screening methods as approved by the Deputy City Manager.
 - p.

3.2 Property B Stipulations

- A. All stipulations for property A shall apply to Property B.

