

CITY COUNCIL REPORT



Meeting Date: June 12, 2018
 General Plan Element: *Land Use*
 General Plan Goal: *Create a sense of community through land uses*

ACTION

Crossroads East

19-ZN-2002#6, 2-DA-2018 and 3-DA-2018

Request to consider the following:

1. Adopt Ordinance No. 4346 approving a Zoning District Map Amendment to revise the Crossroads East Planned Community (P-C) District Development Plan, including but not limited to, addition of the Planned Airpark Core (PCP) district to the list of P-C comparable zoning districts, amendments to the Land Use Budget, replacement of outdated comparable zoning districts with current comparable zoning districts, eliminating the comparable Planned Community Center (PCC) and Planned Convenience Center (PCoC) districts, increasing number of Planning Units and amendments to development standards for a +/- 1,000-acre site located east of Scottsdale Road on the north and south sides of the Loop 101 freeway.
2. Adopt Resolution No. 11145 declaring the "Crossroads East Development Plan" as a public record.
3. Adopt Resolution No. 11146 authorizing Development Agreement 2002-141-COS-A3.
4. Adopt Ordinance No. 4347 approving a Zoning District Map Amendment from Planned Community District (P-C) to Planned Community District, Planned Airpark Core (P-C PCP), including a Development Plan and amended development standards, for a +/- 136-acre site located at the southwest corner N. Hayden Road and E. Legacy Drive (aka Planning Unit V).
5. Adopt Resolution No. 11147 declaring the "Crossroads East - Planning Unit V Development Plan" as a public record.
6. Adopt Resolution No. 11148 authorizing Development Agreement 2018-062-COS.

Goal/Purpose of Request

The applicant seeks approval to update the Crossroads East PCD, which was last updated in 2011 (19-ZN-2002#2). Concurrently, the applicant seeks approval to rezone a +/- 136-acre parcel at the southwest corner of N. Hayden Road and E. Legacy Blvd. (Planning Unit V) from P-C to P-C PCP to allow for a potential mixed-use development consisting of office, commercial, travel accommodation and residential uses.

Key Items for Consideration

- Conformance with the 2001 General Plan goals and policies
- Conformance with the 2010 Greater Airpark Character Area Plan goals and policies; with the exception of potential I-1 zoning locations within AMU-R designations.
- Planned Community District Findings
- Addition of PCP zoning would introduce potential base building heights up to 84 feet and “bonus” building heights up to 134 feet (for the Crossroads PCD).
- Tallest buildings would be located along the freeway corridor
- Request would reduce the availability of Industrial Park (I-1) zoning in the Crossroads East Master Plan area by approximately 47%, which also equates to a total Airpark area reduction of 13%, and a city-wide reduction of 11% respectively
- Request would increase number of potential residential units in the Crossroads East Master Plan by 51% (4596 to 6,969)
- Development plan for Planning Unit V includes significant regional off-site infrastructure upgrades totaling +/- 3.6 million dollars in response to request for bonus FAR (0.85) and building height (115 feet).
- Per the Scottsdale Aviation Code, Planning Unit V is in the AC-1 Influence Area, thus aviation considerations such as rooftop aircraft warning lights on taller buildings, aviation easements, and real estate disclosures regarding proximity to the airport are required, and sound attenuation for noise-sensitive land uses are recommended
- Airport Advisory Commission (AAC) heard this case on 1/17/18 and recommended denial with a vote of 6-1 (including Planning Unit V request); citing concerns over the proposed increase in residential density and proposed building heights.
- Planning Commission heard this case on 5/9/18 and recommended approval with a vote of 4-2.

OWNER

Arizona State Land Department
602-542-2641

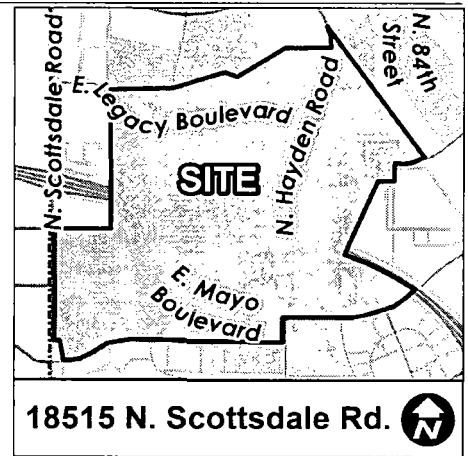
APPLICANT CONTACT

Mark Edelman
Arizona State Land
602-542-6331

LOCATION

Crossroads East Master Plan Area: East of N. Scottsdale Road with +/- 500 acres to the north of Loop 101 and +/- 500 acres to the south of Loop 101

Planning Unit V, 136-acre site: Southwest corner of N. Hayden Road and E. Legacy Blvd.



BACKGROUND

2001 General Plan

The Crossroads East Masterplan is designated by the 2001 General Plan as a Growth Area, with a Mixed-Use Neighborhoods land use designation, and for portions of the property east of North Hayden Road, north and south of Loop 101, the property is designated as Employment. The entire master plan area is also designated with the Regional Use Overlay.

Greater Airpark Character Area Plan (GACAP)

The Greater Airpark Character Area Plan (GACAP) designates the Crossroads East Masterplan as Airpark Mixed Use – Residential (AMU-R) and Employment (EMP).

Zoning

The Crossroads East Master Plan site is zoned Planned Community District (P-C). Case 19-ZN-2002, which established the master plan for the Crossroads East project, included a Land Use Budget Table that identified the allowable zoning districts for the entire 1,000-acre project; including maximum acreage and maximum residential densities for those districts that allow residential. A subsequent amendment processed under case 19-ZN-2002#2 added the Highway Commercial District (C-3) to the Land Use Budget Table and increased the total maximum number of multi-family dwelling units for the entire Crossroads East project from 3,443 to 4,378. Only three sites have been developed to date, totaling +/- 30 acres out of the overall +/- 1,000 acres. One is occupied by an auto dealership (10 acres, zoned P-C C-3) while the other two are occupied by mixed-use projects including multi-family residential (20 acres, zoned P-C PRC PSD).

Prior to development of any parcel in the Crossroads East project, the applicant must select a zoning district from the Land Use Budget Table. Once a comparable zoning district has been selected, the Arizona State Land Department (ASLD), which oversees the master plan for Crossroads East, must approve the location, acreage and, if residential is proposed, the allowable density and total number of units for the proposed zoning. The developer then coordinates with the City to adopt the P-C comparable zoning district for the site.

Context

Crossroads East is essentially divided into two halves by the Loop 101 Freeway. The site borders The COS Water Campus to the east, the Grayhawk master-planned community to the north, the City of Phoenix to the west and the Princess resort and surrounding residential to the south.

Other Related Policies, References:

- Scottsdale General Plan 2001
- 2010 Greater Airpark Character Area Plan
- Zoning Ordinance
- 19-ZN-2002: amendment to the Master Zoning Plan for Crossroads, including amended site development standards
- 19-ZN-2002#2: Amendment to Master Zoning Plan for Crossroads, including amended site development standards, and amendments to the stipulations from case 19-ZN-2002.
- Resolution No. 10656 and Development Agreement 2002-141-COS-A2: Amendment to original Development Agreement between ASLD and the City clarifying the process for future land owners and lessees to apply for zoning entitlements within the Crossroads master-plan boundary

APPLICANT'S PROPOSAL

The first aspect of the applicant's request is to update the Crossroads East PCD, which encompasses +/- 1,000 acres and has not been updated since 2011. No development is proposed as part of this request. The goal is to improve the marketability of land within the PCD and respond to current market trends. To that end, the following amendments are proposed:

- Add 237 acres of Planned Airpark Core (PCP) zoning to the Land Use Budget for Crossroads; which would introduce base building heights up to 84 feet and bonus building heights up to 134 feet
- Reduce the available acreage for Industrial Park (I-1) in the Land Use Budget from 447 acres to 210 acres (47% reduction)
- Increase overall number of potential residential units for Crossroads from 4,596 to 6,969 (51% increase)
- Increase number of Planning Units from 4 to 11 to streamline master-planning efforts
- Amend stipulations from the original zoning approval (19-ZN-2002#2)

The second aspect of the applicant's request is approval of a zoning district map amendment for a +/- 136-acre site within the Crossroads East master plan, located at the southwest corner of N. Hayden Road and E. Legacy Blvd. (Planning Unit V); which would include a Development Plan and amended development standards to accommodate potential mixed-use development. This development would consist of a mix of office, commercial, residential and travel accommodations to be developed in phases.

Development Information (Planning Unit V)

- Existing Use: Vacant
- Proposed Use: Mixed-use

- Parcel Size: +/- 136 acres (gross)
- Building Height Allowed: 60 feet (current base entitlement; PRC zoning)
- Building Height Proposed: 62-115 feet (PCP zoning; refer to height exhibit in Planning Unit V Development Plan)
- Floor Area Ratio Allowed: 0.8 (including residential = +/- 4,321,000 square feet)
- Floor Area Ratio Proposed: 0.85 (including residential = +/- 4,591,000 square feet)
- Open Space Required: 25% of net Development Plan area (+/- 1,350,000 square feet)
- Open Space Proposed: 25% of net Development Plan area for residential, 20% for non-residential
- Density Allowed: Per Development Plan
- Density Proposed: 9-12 dwelling units per acre

Bonus Development Standards

As part of this request, and as permitted by the PCP zoning district, the applicant is requesting bonus development standards for Planning Unit V; specifically, overall floor area ratio (FAR) for the entire 136-acre site (0.85) and building height (115 feet). Per the PCP district, as part of any request for bonus development standards, an applicant must demonstrate the community benefit associated with the requested standards. Several options are identified in the PCP district for applicants to demonstrate community benefit. In this case, the applicant has opted to provide regional off-site infrastructure improvements. Based on the formula provided in the PCP district, the community benefit for a bonus FAR of 0.85 and bonus building height of 115 feet is approximately \$3,000,000. For any off-site infrastructure improvements to qualify as a community benefit, the improvements must be “above and beyond” what is required to accommodate the proposed project. Below are the proposed off-site infrastructure improvements and their associated construction cost estimates as they relate to Planning Unit V. All construction cost estimates have been vetted by the City Engineer.

- Hayden Road traffic signal, deceleration lanes and road widening (from 4 to 6 lanes): **\$2,000,000**
- Regional drainage improvements (Powerline Channel): **\$1,300,000**

The total community benefit of the proposed off-site infrastructure improvements is estimated to be **\$3,300,000**. The above improvements are memorialized as part of the associated Development Agreement and the site has been stipulated to the conditions of that Development Agreement.

2001 GENERAL PLAN AND GREATER AIRPARK CHARACTER AREA PLAN IMPACT ANALYSIS (CROSSROADS EAST)

The Crossroads East Masterplan is designated by the 2001 General Plan as a Growth Area, with a Mixed-Use Neighborhoods land use designation, and for portions of the property east of North Hayden Road, and both north and south of Loop 101, the property is designated as General Plan Employment. The entire master plan area is also designated with a Regional Use Overlay.

The General Plan Land Use Element describes Mixed-Use Neighborhoods as *“areas with strong access to multiple modes of transportation and major regional access and services and have a focus on human scale development. These areas could accommodate higher density housing combined with complementary office or retail uses or mixed-use structures with residential above commercial or office.”*

The General Plan Land Use Element describes Employment as an area that *“permits a range of employment uses from light manufacturing to light industrial and office uses. Areas of employment should have access to adequate mobility systems and provide opportunities for business enterprises ... and where impacts on residential neighborhoods are limited and access is available to labor pools and transportation facilities.”*

The Regional Use Overlay provides flexibility for land uses when it can be demonstrated that new land uses are viable in serving a regional market. *“In determining whether proposed land uses are regional in nature, there is consideration for whether the use has a regional draw, implements current economic development policies, enhances the employment core and the city’s attractiveness to regional markets, benefits from good freeway access, and complements the established character for the area.”*

The General Plan also designates this location of the City as a Growth Area. General Plan, growth areas are areas of the community that are most appropriate for development focus to best accommodate future growth. In these “growth areas” the city can focus improvements that will support a planned concentration of a variety of land uses, integrated open space and multi-modal transportation.

The Greater Airpark Character Area Plan (GACAP) designates the Crossroads East Master Plan as Airpark Mixed Use – Residential (AMU-R) and Employment (EMP).

The GACAP defines AMU-R as areas that are *“appropriate for the greatest variety of land uses in the Greater Airpark. Appropriate uses may include a combination of personal and business services, employment, office, institutional, cultural amenities, retail, hotel, and higher density residential. Developments in AMU-R areas should be pedestrian-oriented, have access to multiple modes of transportation, and should be located outside of the Airport’s 55 DNL contour. Residential and other sensitive uses should be a lesser component of development and include adequate sound attenuation.”*

The GACAP defines EMP as an area that “includes an array of office, commercial, warehousing, and light industrial land uses that provide opportunities for business enterprises, as well as regional and local jobs. These areas should have access to regional multi-modal transportation systems, including access for truck traffic and transit facilities. Residential is not appropriate in employment areas.”

Overall, the applicant’s proposal appropriately responds to the 2001 General Plan and the Greater Airpark Character Area Plan apart from one zoning category, the Industrial Park (I-1) zoning category. The applicant proposes 210 acres of I-1 within the land use budget which matches in acreage, the areas designated by the GACAP as EMP. However, the development proposal does not identify where those I-1 acres are intended to be located, specifically. To date, I-1 is only located within GACAP EMP and AMU designated areas. Therefore, staff is requiring through Stipulation #AA, that when a comparable zoning category of Industrial Park (I-1) is located within the Crossroads East Mast Plan, it only be located in areas designated by the GACAP as EMP. Should a proposal for I-1 be made in areas designated by the GACAP as AMU-R, such a proposal will be accompanied by a non-major General Plan amendment to the Greater Airpark Plan to modify the AMU-R designation to either AMU or EMP.

The most significant changes suggested by the applicant’s request includes the addition of 2,400 dwelling units, representing a 51% increase to the previously approved maximum allowable dwelling units in the Crossroads East Master Plan. To achieve this increase, the applicant proposes a reduction to the Industrial Park (I-1) zoning of 237 acres. The Industrial Park (I-1) zoning category is intended to provide for light manufacturing, aeronautical, light industrial, office and supportive uses to sustain and enhance major employment opportunities. Citywide, there is currently 2,273 acres of I-1 zoned property; 84% of those properties exist within the Greater Airpark Character Area. This proposal will reduce the availability of I-1 properties by 11% citywide, 13% within the Greater Airpark area, and is a 47% decrease in the Crossroads Master Plan land use budget.

In March 2018, the City of Scottsdale completed, and City Council adopted (Resolution No. 11015), a Land Use Assumptions (LUA) Report that illustrates “projections of changes in land uses, densities, intensities and population over a period of at least ten years and pursuant to the General Plan of the municipality”. The study examined Scottsdale in three general geographic areas—south, central and north. The Central Sub-Area includes all lands within the City of Scottsdale between Indian Bend Road to Deer Valley Road, including the Crossroads East acreage.

According to the study, the Central Sub-Area is projected to develop approximately 3,038 dwelling units by 2027. The applicant’s amended land use budget proposes a maximum allowable dwelling unit count of 6,969 over the entire 1,000-acre site, which is well beyond the dwelling units projected for the Central Sub-Area. However, it is unlikely that all the residential units in the applicant’s proposed land use budget will be developed during the 10-year timeframe that the study encompasses.

Because the General Plan land use designations can accommodate more than one zoning district and thus allow for a considerable range of density and intensity, the potential impacts represented above are at best an estimate and should not be considered conclusive.

The full report can be found at:

<http://www.scottsdaleaz.gov/Asset72624.aspx>

ZONING DISTRICT MAP AMENDMENT IMPACT ANALYSIS (CROSSROADS)

Land Use

The most significant change proposed for the Land Use Budget is the addition of 2,400 additional dwelling units. This represents an approximately 51% increase over the current allotment and would apply only to the mixed-use districts. Additionally, the request includes a proposal to add 237 acres of Planned Airpark Core (PCP) zoning to the list of PCD comparable zoning districts. In order to accommodate this facet of the request, the allotted acreage for Industrial Park (I-1) zoning would have to be reduced accordingly.

The amended Development Plan would restrict commercial and mixed-use development to the area west of N. Hayden Road and south of E. Legacy Blvd., consistent with both the General Plan and the GACAP. Additionally, existing “Character Areas” (proposed to be changed to “Transition Areas”) will remain in place to provide land use and zoning restrictions requested by residential communities that border the Crossroads project (19-ZN-2002).

Airport Vicinity

The entire Crossroads PCD falls under the Airport Influence Area; as designated by the Part 150 Noise Compatibility Study. Most of the project falls under the AC-1 Influence Area (no land use restrictions) and a small portion (+/- 40 acres) near the southeast corner of the project falls under the AC-2 Influence Area (noise-sensitive uses require noise abatement and disclosure). This request would increase the number of potential residential units within 3 miles of the airport runway, while also introducing potential “bonus” building heights up to 134 feet within the same area (PCP zoning). Both requests have generated concern from the Airport Advisory Commission. However, many GACAP goals and policies support the proposed Development Plan (Goals LU 1, 5 and 7; and Policies LU 1.1, 1.3, 1.6, 5.1, 5.5 and 7.2); including the integration of mixed-use (with residential) in this area. Consequently, with regard to the proposed future development associated with the Crossroads East Master Plan, eventual property owners/developers will be required to provide disclosures of proximity to the Airport and dedicate Avigation Easements over project sites. Additionally, although noise attenuation is not mandatory, it will be highly recommended for noise sensitive land uses that are proposed to be developed in AC-1 areas.

PCD Findings

Per Section 5.2104 of the Zoning Ordinance, before approval or modified approval of an application for a proposed P-C District, the Planning Commission and City Council must find:

A. That the development proposed is in substantial harmony with the General Plan and can be coordinated with existing and planned development of surrounding areas.

- This proposal does not include any amendments to the General Plan or Greater Airpark Character Area Plan (GACAP) for the area. Most of the Crossroads PCD is designated as Mixed-Use Neighborhoods by the General Plan, and Airpark Mixed-Use – Residential (AMU-R) by the GACAP. The remaining area east of N. Hayden and north of E. Mayo Blvd is

designated as Employment. Future development is anticipated to be consistent with the existing land use designations. Existing "Transition Areas" designated by the original Development Plan (19-ZN-2002) will remain in place to provide restrictions on development intensity and building heights adjacent to residential properties along the PCD boundary. Future I-1 development will only be located in areas designated by the GACAP as Employment. Should a future developer wish to develop an I-1 project outside the Employment land use designation, a non-major General Plan amendment will be required to change the AMU-R designation to AMU or Employment.

B. The streets and thoroughfares proposed are suitable and adequate to serve the proposed uses and the anticipated traffic which will be generated thereby.

- A Transportation Master Plan (MP) was created as part of the original entitlement for Crossroads, and identified the alignments for all future major streets, i.e. Hayden Road, Legacy Blvd. etc. Since that time, N. Hayden Road has been completed and E. Legacy Drive has been completed from N. Scottsdale Road to N. Hayden Road. E. Legacy Drive will eventually extend east of N. Hayden Road; however, the alignment has not yet been set. Both streets are designated as Major Arterials and can support future development planned for Crossroads. Additionally, the N. Miller Road alignment has been finalized and when completed will provide an additional north/south connection between Grayhawk and the Princess Resort. As each new development proposal is presented to the City, staff analyzes the MP to determine if existing streets need to be extended, or if new local streets are needed to accommodate proposed development intensity. Additionally, per the stipulations of the original entitlement (19-ZN-2002), the first developer in any Planning Unit is required to provide infrastructure master planning for that Planning Unit. A Traffic Impact and Mitigation Analysis (TIMA) was also submitted and approved as part of the original entitlement. As each new development proposal is presented to the City, Transportation staff will analyze proposed development intensity to determine if a separate TIMA is needed on a case by case basis.

During previous public hearings, concerns were raised regarding the potential for traffic congestion as a result of the proposed update to the Crossroads PCD. Presently, there are a total of 10 north/south lanes serving Crossroads (6 lanes on N. Scottsdale Road and 4 lanes on N. Hayden Road). As part of this request, a new north/south connection is planned that will extend N. Miller Road from E. Princess Blvd. to the Grayhawk community. The first phase of this extension is proposed to be constructed with the Planning Unit V development, and the Miller Road Underpass at the Loop 101 freeway is scheduled to begin construction in 2020. Also proposed as part of the Planning Unit V development plan is the widening of N. Hayden Road from 4 lanes to 6 lanes. Lastly, E. Mayo Blvd. is proposed to be extended from N. Hayden Road to N. Perimeter Drive. With the above improvements, the number of north/south lanes will increase from 10 lanes to 20 lanes; essentially doubling the available capacity. Estimated timing for improvements is as follows:

- N. Miller Road: Loop 101 Underpass by 2021, completion of Miller Road from Princess Blvd. to Grayhawk TBD
- N. Hayden Road widening from Loop 101 to E. Legacy Blvd.: Potential completion by 2020
- Extension of E. Mayo Blvd. from N. Hayden Road to N. Perimeter Drive: No timetable available; will be determined as future development occurs east of N. Hayden Road

Also proposed as part of the Crossroads master plan is the extension of E. Legacy Blvd. from N. Hayden Road to N. Pima Road. When completed, this will eventually provide a critical east/west connection (consisting of 4 lanes) from N. Scottsdale Road to N. Pima Road.

C. The Planning Commission and City Council shall further find that the facts submitted with the application presented at the hearing establish beyond reasonable doubt that:

- 1. In the case of proposed residential development, that such development will constitute a residential environment of sustained desirability and stability; that it will be in harmony with the character of the surrounding area; and that the sites proposed for public facilities, such as schools, playgrounds, and parks are adequate to serve the anticipated population.**

This request only seeks to update the master plan for the entire Crossroads PCD. No development is proposed as part of this application.

- 2. In the case of proposed industrial or research uses, that such development will be appropriate in area, location and overall planning to the purpose intended; and that the design and development standards are such that an industrial environment of sustained desirability and stability will be created.**

This request only seeks to update the master plan for the entire Crossroads PCD. No development is proposed as part of this application.

- 3. In the case of proposed commercial, institutional, recreational and other non-residential uses, that such development will be appropriate in area, location and overall planning to the purpose intended; and that such development will be in harmony with the character of the surrounding area.**

This request only seeks to update the master plan for the entire Crossroads PCD. No development is proposed as part of this application.

Water/Sewer

Infrastructure MP's, including water and sewer, were also created as part of the original entitlement to identify demands for future development of Crossroads. Water and sewer infrastructure is currently in place within the N. Hayden Road and E. Legacy Drive rights of way. As each future development proposal is presented to the City, staff will analyze the existing MP to determine if existing lines need to be extended or upgraded to accommodate development intensity.

Additionally, per the stipulations of the original entitlement (19-ZN-2002), the first developer in any Planning Unit is required to provide infrastructure master planning for that Planning Unit.

School District Comments/Review

The Paradise Valley Unified School District has reviewed the applicant's request and determined that existing facilities are sufficient to serve the proposed increase in residential density. The applicant received a determination of adequate facilities in 2016. Since that time, 2,400 additional residential units have been added to the proposed Land Use Budget; requiring a second determination. A supplementary determination of adequate facilities from PVUSD has been received acknowledging the additional 2,400 units; however, it should be noted there is a stipulation in the original entitlement (19-ZN-2002) requiring a minimum 10-acre site within the Crossroads PCD boundary to be set aside for a new middle-school.

Community Involvement

Property owners within 750 feet of the Crossroads boundary, as well as those on the Interested Parties List, have been notified by mail of the applicant's request. A total of two Open Houses have been conducted. The first was held on 1/7/16 at the Scottsdale Airport from 4:30 to 6:30 PM. Per the applicant's report, there were no attendees other than the applicant team. After that Open House, the applicant put the project on hold for approximately 18 months to focus on another case in the Scottsdale area. As so much time had lapsed since the original Open House, a supplemental Open House was advertised and held on 7/11/17 at the Monterra building at Westworld from 4:30 to 6:00 PM. Per the applicant's report, there were 32 attendees at the supplementary Open House and 13 written comments were received. Comments centered around the following topics:

- Building heights
- The influx of multi-family residential; specifically apartments
- Limiting C-O to those areas indicated on the zoning maps
- Traffic
- Noise abatement

Refer to Attachment #14 for a summary of Community Outreach efforts.

Community Impact

- Tallest building heights to be limited to areas nearest the Loop 101 corridor; heights will gradually step down from there as development nears the surrounding residential
- Existing "Transition areas" that restrict land use and zoning adjacent to surrounding residential to be maintained
- A non-major General Plan amendment will be required for any future development that proposes to locate any comparable zoning not in compliance with the Greater Airpark Character Area Plan land use designations.

GENERAL PLAN AND GREATER AIRPARK CHARACTER AREA PLAN IMPACT ANALYSIS (PLANNING UNIT V)

- As part of the Crossroads East Master Plan, the subject site was entitled in 1990 to the Planned Community District (PCD) zoning category. The PCD enables the development of large tracts of land under unified ownership or control, or land development patterns which will maintain and enhance the physical, social and economic values of an area.
- Centrally located between the more intense mixed-use areas to the west and along the Loop 101, to less intense residential uses to the north and employment uses to the east, the applicant's development plan for the ±136-acre, Planning Unit V site, is bounded by Loop 101, Hayden Road, Legacy Boulevard and Miller Road and intended to be auctioned in one State Land sale. Planning Unit V is a primary component to the subsequent development of other planning units in the Crossroads East Master Plan that will influence the region with major employment uses and further develop the Greater Airpark commercial and business core. The applicant proposes the following within Planning Unit V:

LAND USE TYPE

LAND USE INTENSITY

RESIDENTIAL

1,200- 1,600 Dwelling Units

HOTEL

130 – 400 rooms

RETAIL & SERVICE USES

50,000 – 200,000 square feet

OFFICE & EMPLOYMENT

800,000 – 1,800,000 square feet

GENERAL PLAN

- Planning Unit V is designated by the 2001 General Plan as Mixed-Use Neighborhoods - Regional-Use Overlay.
- The General Plan Land Use Element describes Mixed-Use Neighborhoods – as *“areas with strong access to multiple modes of transportation and major regional access and services and have a focus on human scale development. These areas could accommodate higher density housing combined with complementary office or retail uses or mixed-use structures with residential above commercial or office.”* The Regional Use Overlay provides flexibility for land uses when it can be demonstrated that new land uses are viable in serving a regional market. *“In determining whether proposed land uses are regional in nature, there is consideration for whether the use has a regional draw, implements current economic development policies, enhances the employment core and the city’s attractiveness to regional markets, benefits from good freeway access, and complements the established character for the area.”*
- The Greater Airpark Character Area Plan (GACAP) designates Planning Unit V as Airpark Mixed Use – Residential (AMU-R). The Greater Airpark Character Area Plan (GAPCAP) defines AMU-R as areas that are *“appropriate for the greatest variety of land uses in the Greater Airpark.”*

Appropriate uses may include a combination of personal and business services, employment, office, institutional, cultural amenities, retail, hotel, and higher density residential. Developments in AMU-R areas should be pedestrian-oriented, have access to multiple modes of transportation, and should be located outside of the Airport's 55 DNL contour. Residential and other sensitive uses should be a lesser component of development and include adequate sound attenuation."

- The applicant's proposal for Planning Unit V conforms to the General Plan description of Mixed-Use Neighborhoods - Regional Use Overlay from a both a land use and transportation perspective as well as the Greater Airpark Character Plan designations of Airpark Mixed Use-Residential (AMU-R).

GREATER AIRPARK CHARACTER AREA PLAN

- The GACAP Conceptual Development Types Map designates Planning Unit V as predominately Type C-Higher Scale, and on the west end, portions of the property as Regional Core - Greatest Intensity. Type C represents medium- to higher-scale development, which supports pedestrian activity in the Greater Airpark. Type C is encouraged in areas with access to multiple modes of transportation, served by regional transportation networks (i.e. freeways or transit corridors), and where the scale will complement the area's character. The Regional Core designation denotes areas appropriate for the greatest development intensity in the Greater Airpark to support major regional land uses. Regional Core is only appropriate in Type C areas that are or will be served by high-capacity transit or a freeway. The realization of such development types will depend on the development standards associated with the zoning districts proposed. The applicant proposes the PCP zoning district with amended development standards for this 136-acre site. The amended development standards include an increase in the floor area ratio and maximum building height, and a reduction of open space for non-residential uses as a means to appropriately transition the site from the Loop 101 on the southern boundary where the greatest building height is proposed (115') to the northern boundary, where a maximum of 62' is proposed. These requested amendments will ultimately extend the Regional Core designation located on the western edge of the site, further east. However, the applicant's proposal conforms overall to the development types intended for this 136-acre parcel, under the Greater Airpark Plan.
- Within Planning Unit V the applicant proposes between 20-25% of the net parcel area to be developed as a variety of open spaces. Understanding that there are multiple land uses within Planning Unit V, development of the various parcels will likely provide different amounts of open space depending on the location and functions of the parcels. However, the applicant will be required to meet the open space requirements for the overall development area.
- The applicant has provided staff with very limited exhibits that attempt to outline open space areas based on their design principles for Parcel V. This includes narrative descriptions for major buffered setback open spaces along Hayden Road, and minor open spaces provided along Legacy Boulevard, Miller Road and the frontage road to Loop 101 with an illustrative graphic. These exhibits lack scale, proportionality, and appear to come into conflict with the applicant's

own design principles. For purposes of City Council consideration, staff would advise that minimum standards of open space be stipulated for approval in the specified roadway locations, while still allowing enough flexibility for the design of these open space areas through the Development Review Board process.

- The GACAP Character and Design chapter (Policies CD 1.1, 2.1, 2.5 and 2.6) identifies the convergence of two Signature Corridors at this site which creates a Landmark Intersection at the corner of East Legacy Boulevard and North Hayden Road. With Landmark Intersections, the GACAP encourages framing the intersection with distinct, landmark architecture, community landmarks and enhanced streetscape treatments, all of which should be incorporated into the site and architectural design of the 136-acre development.

ZONING DISTRICT MAP AMENDMENT IMPACT ANALYSIS (PLANNING UNIT V)

Land Use

The development plan proposed by the applicant aligns with the goals and policies of the General Plan and the Greater Airpark Character Area Plan (GACAP). During the Visioning process for the General Plan, several guiding principles were established, with a focus on “character and quality” of development. One objective is to “Support Economic Vitality”. The proposed project responds to this objective by providing a potential mix of retail, service, travel accommodations, employment uses, combined with high-density residential to create an economic base that will jump-start development in this area of the City. Additionally, the Land Use Element of the General Plan encourages “land uses that contribute to the building of community unity and cohesiveness” as well as “land use patterns that are compatible with and support a variety of mobility opportunities and service provisions”. It is anticipated future development on this site will ultimately result in an “urban neighborhood” environment that includes residential that will be located within walking distance of restaurants and other commercial uses; while also encouraging non-motorized access/circulation in a mixed use setting to reduce automobile trips. The project locates high-intensity land uses in an area that is conducive to alternative modes of transportation, such as bicycles, mass transit, and carpooling.

Airport Vicinity

Per the Aviation Code for Scottsdale, the applicant presented their proposal to the Federal Aviation Administration (FAA), specifically for review of the 115-foot building height proposed for the site, to determine if there are any conflicts. The FAA originally responded with a “Notice of Presumed Hazard” and recommended maximum building heights not exceed 46 feet on the site to avoid “adverse effect” on navigable airspace. Further analysis was requested by the applicant and, after the analysis and community outreach was completed, the FAA rescinded the Notice of Presumed Hazard, provided taller buildings are equipped with rooftop aircraft warning lights. Also, per the Aviation Code, the site is located within the AC-1 Airport Influence Area. As any future development within the project site is likely to include residential, the eventual property owner/developer will be required to provide disclosure of proximity to the Airport and dedicate an Avigation Easement over the project site. Noise attenuation is not mandatory but is recommended for noise sensitive uses in AC-1 areas.

PCD Findings

Per Section 5.2104 of the Zoning Ordinance, before approval or modified approval of an application for a proposed P-C District, the Planning Commission and City Council must find:

A. That the development proposed is in substantial harmony with the General Plan and can be coordinated with existing and planned development of surrounding areas.

- The Crossroad East master plan was previously approved through the zoning entitlement process and was determined to be in substantial harmony with the 2001 General Plan. The development plan is within the boundary of the existing Crossroads East PCD and proposes utilization of the PCP zoning district requested to be added to the Land Use Budget as part of the Crossroads East portion of this request. The project site is bounded on three sides by vacant land owned by the Arizona State Land Department. As such, careful consideration is being given to how this project will interact with future development to the north, east and west. The Development Plan includes full improvements to all perimeter streets, as well as an internal local street system that is anticipated to be designed to include wide sidewalks and plaza spaces to provide a strong pedestrian environment that connects the project to perimeter streets and future development on surrounding lands; while also providing an opportunity for future development on this site to interact with perimeter street frontages. This proposal does not include any amendments to the General Plan of GACAP for the area.

B. The streets and thoroughfares proposed are suitable and adequate to serve the proposed uses and the anticipated traffic which will be generated thereby.

- A Transportation Master Plan (MP) was created as part of the original entitlement for Crossroads, and identified the alignments for all future major streets, i.e. Hayden Road, Legacy Blvd. etc. Since that time, N. Hayden Road has been completed and E. Legacy Blvd. has been completed from N. Scottsdale Road to N. Hayden Road. E. Legacy Blvd. will eventually extend east of N. Hayden Road; however, the alignment has not yet been set. Both streets are designated as Major Arterials and can support future development planned for Crossroads as well as this site. This project site will have frontage on both major arterials (N. Hayden Road and E. Legacy Blvd.), with N. Hayden Road providing direct access to the Loop 101 freeway. A Traffic Impact and Mitigation Analysis (TIMA) was also submitted and approved as part of the original entitlement. As each new development proposal is presented to the City, Transportation staff will analyze proposed development intensity to determine if a separate TIMA is needed on a case by case basis.

C. The Planning Commission and City Council shall further find that the facts submitted with the application presented at the hearing establish beyond reasonable doubt that:

1. In the case of proposed residential development, that such development will constitute a residential environment of sustained desirability and stability; that it will be in harmony with the character of the surrounding area; and that the sites proposed for public facilities, such as schools, playgrounds, and parks are adequate to serve the anticipated population.

It is anticipated this project will be developed into a mixed-use project with between 1,200 and 1,600 multi-family residential units. Supportive commercial and service uses anticipated as part of future development on the site should lend to the long-term stability and desirability of the project. Additionally, the project's location adjacent to N. Hayden Road, in close proximity to Loop 101, and within two miles of the Greater Airpark area, could become a draw for employees working in and around the Airpark; increasing the project's desirability. As part of the Crossroads East master plan, sites for schools, parks and other community facilities have been designated and will come to fruition as the need arises. The Paradise Valley School District was notified during the entitlement process for the original Crossroads East master plan and voiced no concerns at that time to the overall potential number of dwelling units proposed.

- 2. In the case of proposed industrial or research uses, that such development will be appropriate in area, location and overall planning to the purpose intended; and that the design and development standards are such that an industrial environment of sustained desirability and stability will be created.**

No industrial or research uses are anticipated as part of this project site.

- 3. In the case of proposed commercial, institutional, recreational and other non-residential uses, that such development will be appropriate in area, location and overall planning to the purpose intended; and that such development will be in harmony with the character of the surrounding area.**

Development on the 136-acre site is anticipated to be mixed-use, with office, residential and travel accommodations supported by commercial retail and service uses. In addition to the 1,200 to 1,600 dwelling units, between 800,000 and 1,800,000 square feet of office and 50,000 and 200,000 square feet of commercial uses is anticipated to serve residents and guests of future hotels, resulting in a balance of uses that is appropriate for the area and consistent with the intent of the P-C district and the comparable PCP district.

Transportation

The project site has frontage on two major arterials, N. Hayden Road and E. Legacy Blvd.; with N. Hayden Road providing direct access to the Loop 101 freeway. As such, it is anticipated perimeter streets will be able to accommodate traffic generated by a future mixed-use development. The applicant seeks to secure zoning on the site in anticipation of a future auction. No TIMA or traffic analysis has been conducted for the 136-acre site to date; however, once a successful bidder is determined and staff receives more specifics in terms of projected land use, the developer will be required to provide infrastructure master planning as per the original entitlement stipulations (19-ZN-2002). Also refer to the PCD analysis for the Crossroads PCD (pages 9 and 10 of this report) for additional information.

Water/Sewer

Existing water and sewer infrastructure in both the Hayden Road and Legacy Blvd. rights of way are anticipated to be sufficient to serve future development for this site. As part of the original master-planning process, both streets, including underground utilities, were designed in anticipation of future development needs for the Crossroads PCD. Each future phase of this project site will be analyzed on a case by case basis to determine if additional design reports or infrastructure upgrades are needed, and the developer will be required to provide infrastructure master planning per the original entitlement stipulations.

School District Comments/Review

The applicant received a determination of adequate facilities as part of the overall request to update the Crossroads East master plan. This site was considered as part of the latest determination.

Open Space

As required by the proposed amended development standards for the PCP district, a minimum of 25% of the overall development plan area will be set aside as meaningful open space. This includes plaza spaces, landscape areas and on-site sidewalks. As each phase of development is submitted, staff will coordinate with the applicant to develop a cohesive open space network through the project that provides contiguous pedestrian connectivity and opportunities for shading and gathering.

Community Involvement

Property owners within 750 feet of the Crossroads boundary, as well as those on the Interested Parties List, have been notified by mail of the applicant's request. A total of two Open Houses have been conducted. The first was held on 1/7/16 at the Scottsdale Airport from 4:30 to 6:30 PM. Per the applicant's report, there were no attendees other than the applicant team. After that Open House, the applicant put the project on hold for approximately 18 months to focus on another case in the Scottsdale area. As so much time had lapsed since the original Open House, a supplemental Open House was advertised and held on 7/11/17 at the Monterra building at Westworld from 4:30 to 6:00 PM. Per the applicant's report, there were 32 attendees at the supplementary Open House and 13 written comments were received. Comments centered around the following topics:

- Building heights
- The influx of multi-family residential; specifically apartments
- Limiting C-O to those areas indicated on the zoning maps
- Traffic
- Noise abatement

Refer to Attachment #14 for a summary of Community Outreach efforts.

Policy Implications

- Introduces "bonus" building heights up 115 feet adjacent to the Loop 101 frontage

- Increases residential density within the Airport Influence Area

OTHER BOARDS & COMMISSIONS

Airport Advisory Commission (AAC)

The AAC considered this case at its 1/17/18 hearing and, after a discussion with the applicant and staff, recommended denial of both aspects of the application by a vote of 6-1. The primary concerns identified by Commissioners were the potential for taller buildings (up to 115 feet in height) and the proposed increase in residential units from 4,596 to 6,969 within the Airport Influence Area. The Commission also voted to send a letter to both Planning Commission and City Council explaining their reasoning for recommending denial (refer to Attachment #17).

Planning Commission

The Planning Commission considered this case at its 5/9/18 hearing. Presentations were provided by Current Planning staff, the applicant (ASLD) and the City's Economic Development Division. Several members of the public spoke during the hearing, with concerns including but not limited to, noise impacts on new residential in Crossroads related to overflying aircraft, traffic and maintenance of existing buffer zones between Crossroads and abutting communities (Grayhawk and Princess). There were also concerns expressed about the lack of time provided to review the details of the proposal, citing the scope and complexity of the request. This last point was echoed by more than one speaker and there was a request for the case to be continued to allow for additional study and public outreach.

After hearing public comment and posing questions to staff and the applicant, a motion was made by Commissioner Serena to continue the case, which failed by a vote of 2-4. A subsequent motion was made by Commissioner Smith to recommend approval to City Council, which passed by a vote of 4-2.

Staff's Recommendation to Planning Commission:

1. Staff recommended that the Planning Commission find that the PCD criteria have been met, determine that the proposed zoning district map amendment is consistent with and conforms to the adopted General Plan and Greater Airpark Character Area Plan, and make a recommendation to City Council for approval a zoning district map amendment to revise the Crossroads East Planned Community (P-C) District Development Plan, including but not limited to, addition of the Planned Airpark Core (PCP) district to the list of P-C comparable zoning districts, amendments to the Land Use Budget, replacement of outdated comparable zoning districts with current comparable zoning districts, eliminating the Planned Community Center (PCC) and Planned Convenience Center (PCoC) districts from the Land Use Budget, increasing number of Planning Units and amendments to development standards for a +/- 1,000-acre site located east of Scottsdale Road on the north and south sides of the Loop 101 freeway, and
2. Staff recommended that the Planning Commission find that the PCD criteria have been met, determine that the proposed zoning district map amendment is consistent with and conforms to

the adopted General Plan and Greater Airpark Character Area Plan, and make a recommendation to City Council for approval of a zoning district map amendment from Planned Community (P-C) District to Planned Community District, Planned Airpark Core (P-C PCP), including a Development Plan and amended development standards, for a +/- 136-acre site located at the southwest corner N. Hayden Road and E. Legacy Drive.

RECOMMENDATION

Recommended Approach:

1. Adopt Ordinance No. 4346 approving a Zoning District Map Amendment to revise the Crossroads East Planned Community (P-C) District Development Plan, including but not limited to, addition of the Planned Airpark Core (PCP) district to the list of P-C comparable zoning districts, amendments to the Land Use Budget, replacement of outdated comparable zoning districts with current comparable zoning districts, eliminating the comparable Planned Community Center (PCC) and Planned Convenience Center (PCoC) districts, increasing number of Planning Units and amendments to development standards for a +/- 1,000-acre site located east of Scottsdale Road on the north and south sides of the Loop 101 freeway.
2. Adopt Resolution No. 11145 declaring the "Crossroads East Development Plan" as a public record.
3. Adopt Resolution No. 11146 authorizing Development Agreement 2002-141-COS-A3.
4. Adopt Ordinance No. 4347 approving a Zoning District Map Amendment from Planned Community District (P-C) to Planned Community District, Planned Airpark Core (P-C PCP), including a Development Plan and amended development standards, for a +/- 136-acre site located at the southwest corner N. Hayden Road and E. Legacy Drive (aka Planning Unit V).
5. Adopt Resolution No. 11147 declaring the "Crossroads East - Planning Unit V Development Plan" as a public record.
6. Adopt Resolution No. 11148 authorizing Development Agreement 2018-062-COS.

RESPONSIBLE DEPARTMENT

Planning and Development Services

Current Planning Services

Long-Range Planning Services

STAFF CONTACT

Greg Bloemberg

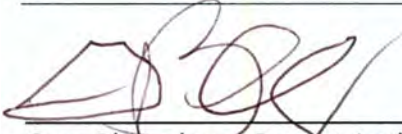
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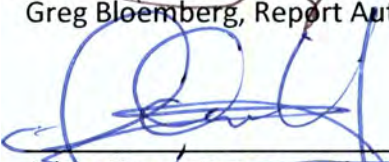
APPROVED BY



Greg Bloemberg, Report Author

5-24-18

Date



Adam Yaron, Report Author

5.29.18

Date



Erin Perrault, AICP, Long Range Planning Manager
480-312-7093 eperrault@scottsdaleaz.gov

05.29.2018

Date



Tim Curtis, AICP, Current Planning Director
480-312-4210, tcurtis@scottsdaleaz.gov

5/23/2018

Date



Randy Grant, Director
Planning and Development Services
480-312-2664, rgrant@scottsdaleaz.gov

5/29/18

Date

ATTACHMENTS

1. Context Aerial
- 1A. Aerial Close-Up
2. Ordinance No. 4346
 - Exhibit 1: Stipulations (Crossroads East; amended)
 - Exhibit 2: Zoning Map (Crossroads East)
3. Resolution No. 11145
 - Exhibit A: "Crossroads East Development Plan"
4. Resolution No. 11146
5. Contract No. 2002-141-COS-A3
6. Ordinance No. 4347
 - Exhibit 1: Stipulations (Planning Unit V)
 - Exhibit 2: Zoning Map (Planning Unit V)
7. Resolution No. 11147
 - Exhibit A: "Crossroads East - Planning Unit V Development Plan"
8. Resolution No. 11148
9. Contract No. 2018-062-COS
10. Additional Information (Planning Unit V)
11. General Plan Land Use Map (Crossroads East)
12. General Plan Land Use Map (Planning Unit V)
13. Current Zoning Map (Planning Unit V)
14. Citizen Involvement
15. City Notification Map
16. 1/17/18 Airport Advisory Commission Meeting Minutes
17. Letter from Airport Advisory Commission to Planning Commission and City Council
18. May 9th, 2018 Planning Commission meeting minutes
19. May 9th, 2018 Planning Commission meeting public comment and supplemental public comment received after Planning Commission



Crossroads East

19-ZN-2002#6



Crossroads East

19-ZN-2002#6

ORDINANCE NO. 4346

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, AMENDING ORDINANCE NO. 455, THE ZONING ORDINANCE OF THE CITY OF SCOTTSDALE, BY AND FOR THE PURPOSE OF CHANGING THE ZONING ON THE "DISTRICT MAP" TO ZONING APPROVED IN CASE NO. 19-ZN-2002#6 TO REVISE THE CROSSROADS EAST PLANNED COMMUNITY (P-C) DISTRICT DEVELOPMENT PLAN, INCLUDING BUT NOT LIMITED TO, ADDITION OF THE PLANNED AIRPARK CORE (PCP) DISTRICT TO THE LIST OF P-C COMPARABLE ZONING DISTRICTS, AMENDMENTS TO THE LAND USE BUDGET, REPLACEMENT OF OUTDATED COMPARABLE ZONING DISTRICTS WITH CURRENT COMPARABLE ZONING DISTRICTS, ELIMINATING THE COMPARABLE PLANNED CONVENIENCE CENTER (PCOC) DISTRICT AND THE PLANNED COMMUNITY CENTER (PCC) DISTRICT, INCREASING NUMBER OF PLANNING UNITS AND AMENDMENTS TO DEVELOPMENT STANDARDS FOR A +/- 1,000-ACRE SITE LOCATED EAST OF SCOTTSDALE ROAD ON THE NORTH AND SOUTH SIDES OF THE LOOP 101 FREEWAY.

WHEREAS, the Planning Commission held a hearing on May 9th, 2018;

WHEREAS, the City Council held a hearing on June 12th, 2018; and

WHEREAS, the City Council finds that the proposed development is in substantial harmony with the General Plan of the City of Scottsdale and will be coordinated with existing and planned development; and

WHEREAS, it is now necessary that the comprehensive zoning map of the City of Scottsdale ("District Map") be amended to conform with the decision of the Scottsdale City Council in Case No. 19-ZN-2002#6.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Scottsdale, as follows:

Section 1. That the "District Map" adopted as a part of the Zoning Ordinance of the City of Scottsdale, showing the zoning district boundaries, is amended by rezoning a 1,000 +/- acre property located east of Scottsdale Road on the north and south sides of the loop 101 freeway and marked as "Site" (the Property) on the map attached as Exhibit 2, incorporated herein by reference, by revising the Crossroads East Planned Community (P-C) District Development Plan, including but not limited to, addition of the Planned Airpark Core (PCP) district to the list of P-C comparable zoning districts, amending to the Land Use Budget, replacing outdated comparable zoning districts with current comparable zoning districts, eliminating the comparable Planned Convenience Center (PCoC) district and the Planned Community Center (PCC) district, increasing the number of Planning Units and amending development standards, and by adopting that certain document entitled "Crossroads East

Development Plan" declared as public record by Resolution No. 11145 which is incorporated into this ordinance by reference as if fully set forth herein.

Section 2. That the above rezoning approval is conditioned upon compliance with all stipulations attached hereto as Exhibit 1 and incorporated herein by reference.

PASSED AND ADOPTED by the Council of the City of Scottsdale this ____ day of _____, 2018.

ATTEST:

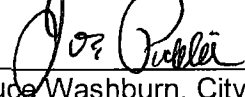
CITY OF SCOTTSDALE, an Arizona

Municipal Corporation

By: _____
Carolyn Jagger
City Clerk

By: _____
W.J. "Jim" Lane
Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By:  _____
Bruce Washburn, City Attorney
By: Joe Padilla, Deputy City Attorney

Stipulations for the Zoning Application:

Crossroads East

Case Number: 19-ZN-2002#26

These stipulations are in order to protect the public health, safety, welfare, and the City of Scottsdale.

SECTION 1.0 Applicability

- 1.1 Development Plan (**Exhibit A to Resolution No. 11145**)

SECTION 2.0 Master Plans

- 2.1 Land Use and Planning Units
- 2.2 Master Plans Generally
- 2.3 Master Environmental Design Concept Plan
- 2.4 Master Transportation Plans
- 2.5 Master Drainage Plan
- 2.6 Master Water Plan
- 2.7 Master Wastewater Plan

SECTION 3.0 Development Site Stipulations

- 3.1 Planning / Development
- 3.2 Circulation
- 3.3 Drainage and Flood Control
- 3.4 Water
- 3.5 Waste Water
- 3.6 Engineering
- 3.7 Other Requirements

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-	Character Areas Plan	<u>PLANNING UNITS</u>
Schedule B-	Land Use Budget	
Schedule C-	Amended Development Standards	
Schedule D-	Land Use and Planning Units Map	

2.0 MASTER PLANS

2.1 LAND USE AND PLANNING UNITS

Prior to any Development Review Board approval, the developer shall have City-

approved master plans for the corresponding planning unit per the Land Use and Planning Units graphic (Schedule D). Submittal of sub-unit master plans may be acceptable to Planning and Development Services General Manager (or equivalent).

2.2 MASTER PLANS GENERALLY

For each Planning Unit, the developer shall have each master plan specified below prepared by a registered practitioner in Arizona. Each of these master plans shall be subject to Planning and Development Services General Manager (or equivalent), or designee, approval before any further Development Review Board submittal, except where specifically addressed below.

- A. Master Environmental Design Concept Plan
- B. Master Transportation Plans
 - 1. Parking Plan
 - 2. Bicycle Circulation Plan
 - 3. Pedestrian and Trails Circulation Plan
 - 4. Transit and Trip Reduction Plan
 - 5. Intelligent Transportations Systems Applications Plan
- C. Master Drainage Plan
- D. Master Water Plan
- E. Master Wastewater Plan

2.3 MASTER ENVIRONMENTAL DESIGN CONCEPT PLAN

The Master Environmental Design Concept Plan shall address the following for each Planning Unit:

- 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. Native plant relocation program and revegetation guidelines for each parcel.
- C. Overall streetscape concepts, which incorporate streetside and median landscape design concepts, plant and landscape materials, and perimeter and screen wall designs and locations.
- D. Typical outdoor lighting plan for streetlights and concepts and general specifications for parking lot lighting.
- E. General design and architectural themes assuring overall design compatibility of all buildings and structures on the site.

- F. General signage/graphic concepts for development signs, including locations and typical design concepts.
- G. Responsible parties for the construction and maintenance of specified open space, paths and trails, walls, signs and drainage facilities.
- H. 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.

2.4 **MASTER TRANSPORTATION PLANS**

- A. **CIRCULATION PLAN.** A Circulation Plan for each Planning Unit 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 Circulation Plan shall include at a minimum the following components:
 - 1. Roadway plans showing existing and proposed regional and local roadway network and any existing daily and peak hour traffic volumes.
 - 2. Trip generation, distribution and assignment of proposed project trips to the roadway system.
 - 3. 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.
 - 4. Traffic signal warrant analysis at any locations where level of service drops below LOS D conditions and where a traffic signal is proposed.
 - 5. Conceptual intersection lane configurations based on total PM and AM peak hour volumes with the proposed development.
 - 6. 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.
 - 7. Proposed street cross sections and associated right-of-way dedications for any streets that do not conform to current City of Scottsdale standards.
 - 8. Determination of need and responsibility for construction of access ways east of Hayden Road.
- B. **PARKING PLAN.** With each Development Review Board submittal, the developer shall submit a Parking Plan for the site in conformance 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. This plan shall be updated with each Development Review Board application for the site.

- C. **BICYCLE CIRCULATION PLAN.** A Bicycle Circulation Plan shall be prepared in accordance with the City's design procedures and criteria. 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. These improvements shall conform to the details and standards found in Section 3.4 of the City of Scottsdale *Design Standards and Policies Manual* (1999), to the satisfaction of the Transportation Department. The Bicycle Circulation Plan shall include, at a minimum, the following components:
1. On-Street Bikeways
 2. Off-Street Bike Path Connections
 3. Bicycle Parking – The number and locations will be determined in coordination with the Zoning Ordinance & the Transportation Department. In general, bicycle parking racks shall be dispersed throughout the site in four ways:
 - a. Provide massed bike spaces in the parking garages for events. Locate close to attendant or entrance.
 - b. Provide bike spaces at employee entrances, dispersed throughout the entire site.
 - c. Provide bike rack spaces at all retail entrances, dispersed throughout the site. These locations must be visible and convenient to main entrances.
 - d. Provide bicycle parking at bus boarding areas. The bicycle parking at bus boarding areas shall be designed to conform to the following criteria:
 - (i) Easy access for bicycles from street – sufficient, visible curb cuts.
 - (ii) Plan for people loading/offloading bikes; allow room for mixing with pedestrians.
 - (iii) Provide bike rack parking – highly visible, under shade, easily accessible.
 - (iv) Provide secure, longer-term storage for bikes.
- D. **PEDESTRIAN AND TRAILS CIRCULATION PLAN.** The Pedestrian and Trails Circulation Plan shall provide locations and standard dimensions for pedestrian amenities including, but not limited to, shaded walkways, seating, and lighting, for all areas adjacent to and within the site.
- E. **TRANSIT AND TRIP REDUCTION PLAN.** A Transit and Trip Reduction Plan shall be prepared in accordance with the City's Transit Plan. The Developer shall provide the improvements identified in the accepted plan, which shall include, but not be limited to, proposed location(s) of potential corridor(s) for high-capacity transit, transit nodes, bus stops, pull-outs, etc., that support regional, circulator, and on-site shuttle transit systems.
- F. **INTELLIGENT TRANSPORTATIONS SYSTEMS APPLICATIONS PLAN.** An Intelligent Transportations Systems (ITS) Applications Plan shall be prepared

in accordance with the City's design procedures and criteria. This plan shall indicate the location and design of all on-site and off-site intelligent transportation system devices. The Developer shall provide the improvements identified in the accepted plan.

G. PLANNING UNIT INFRASTRUCTURE REQUIREMENTS

<u>Planning Unit #</u>	<u>Roadway</u>
I	Hayden Road – Complete Half Street
	Legacy Boulevard – Full Street
	Miller Road – Full Street
	101 Freeway Access Road (Hayden Road to west property line – Full Street
II	Hayden Road – Complete half Street (see Note 3.2.A (f))
	Legacy Boulevard – Full Street
III	Hayden Road – Complete Full Street (see Note 3.2.A (f))
	Union Hills (west of Hayden Road) – Full Street
	Union Hills (east of Hayden Road) – Complete the remaining street section
	78 th Street – Full Street
	Miller Road – Half Street
	Princess Boulevard – Complete Half Street
IV	Scottsdale Road – Full Street
	Union Hills – Full Street
	Miller Road – Half Street
	Princess Boulevard – Complete Half Street
I	<u>Miller Road – Half Street</u>
II	<u>Miller Road – Full Street (From midpoint of planning unit II, south to 101 freeway</u>
III	<u>Miller Road – Half Street</u>
	<u>Mayo Boulevard – Half Street</u>
	<u>Princess Boulevard – Complete Half Street</u>
IV	<u>Miller Road – Half Street</u>
	<u>Hayden Road – Complete Half Street (see Note 3.2.A(f))</u>
V	<u>Miller Road – Full Street (from Legacy Blvd. south to midpoint of Planning Unit V</u>
	<u>Hayden Road – Complete Half Street (see Note 3.2.A(f))</u>

VI	<u>Miller Road – Half Street</u> <u>Hayden Road – Complete Full Street (see Note 3.2.A(f))</u> <u>Mayo Boulevard – Half Street</u>
VII	<u>Miller Road – Half Street</u> <u>Mayo Boulevard – Half Street</u> <u>Princess Boulevard – From Miller to 78th st. -</u> <u>Complete Half Street</u> <u>- From 78th st. to Hayden - Full street</u> <u>78th Street – Full Street</u>
VIII	<u>Legacy Boulevard – Half Street</u> <u>Hayden Road – Complete Half Street (see Note 3.2.A(f))</u>
IX	<u>Legacy Boulevard – Half Street</u> <u>Hayden Road – Complete Half Street (see Note 3.2.A(f))</u>
X	<u>Hayden Road – Complete Full Street (see Note 3.2.A(f))</u> <u>Mayo Boulevard – Half Street</u> <u>Union Hills (east of Mayo Blvd) – Complete the remaining street section</u>
XI	<u>Hayden Road – Complete Full Street (see Note 3.2.A(f))</u> <u>Mayo Boulevard – Half Street</u> <u>Union Hills (east of Hayden Road) – Complete the remaining street section</u>

Notes:

Half-street construction shall require a minimum of twenty-four (24) feet of pavement and shall be designed to conform to the ultimate street cross section to the greatest extent possible.

Modifications to this schedule may be permitted by the approved Planning Unit Circulation Plans or by approval of the City's Transportation General Manager.

2.5 MASTER DRAINAGE PLAN

- A. 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. The Master Drainage Report shall refer to, and be consistent with, the drainage report entitled, "Core North/Core South Drainage Study,"

Ordinance 4346

Exhibit 1

Page 6 of 22

by Bob Ward, dated 9/25/2001. In addition, the master 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 stormwater storage that will be provided (full storage, pre-versus-post storage, regional storage, etc.).*
 4. *Discuss who will be responsible, timing, etc. for the following drainage improvements:*
 - a. *Powerline channel to 101 Storage Basin*
 - b. *Completion of the 101 Storage Basin*
 - c. *101 Storage Basin Outlet to TPC*
- B. MASTER DRAINAGE REPORT COPIES. Before master drainage report approval by the Stormwater Management Division, the developer shall, when requested by City staff, submit two (2) hard copies of the complete master drainage report.
- C. MASTER DRAINAGE REPORT APPROVAL. Before the improvement plan submittal to the Plan Review and Permit Services Division, the developer shall have obtained approval of the master drainage report.
- D. MASTER DRAINAGE PLAN. The master drainage plan shall include, but not be limited to, the following:
1. Maps showing watersheds draining onto and through the Planning Unit, with estimates of peak flows for 10, 50, and 100-year flood events at concentration points entering the Planning Unit
 2. Estimated peak flows and volumes of on-site runoff at concentration points exiting the Planning Unit for both developed and undeveloped conditions for the 10, 50, and 100-year flood events
 3. Maps showing current FEMA special flood hazard areas and flood insurance zones, including depths and velocities
 4. Location and estimated size of all proposed drainage facilities, including culverts, detention basins, channels, etc.
 5. A map that delineates the drainage area that will be served by each detention basin

2.6 MASTER WATER PLAN

- A. WATER MASTER REPORT. With the Development Review Board submittal, the developer shall submit a master 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 water master report shall include the following:

1. A complete description of water system requirements for each Planning Unit.
2. A discussion of the timing of and parties responsible for construction of all water facilities.
3. The conceptual location and size of all necessary water system components, including both on and off-site lines, pump stations and storage facilities 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.
4. A flow and pressure analysis of the proposed 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 preliminary plan of the Planning Unit 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.

B. **WATER MASTER REPORT APPROVAL.** Before the submittal of any water design reports to the Plan Review and Permit Services Division, the developer shall obtain approval from the Water Resources Department of the water master report.

2.7 MASTER WASTEWATER PLAN

- A. **MASTER WASTEWATER REPORT.** With the Development Review Board submittal, the developer shall submit a master 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. In addition, the wastewater master report shall:
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 conceptual location, size, type and capacity of the necessary wastewater collection, transmission, and treatment system components needed to serve the Planning Unit, and a preliminary 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.
- B. **WASTEWATER MASTER REPORT APPROVAL.** Before the submittal of any basis of design reports to the Plan Review and Permit Services Division, the developer shall obtain approval from the Water Resources Department of the wastewater master report.

3.0 DEVELOPMENT SITE STIPULATIONS

3.1 PLANNING / DEVELOPMENT

- A. **COMPARABLE ZONING.** This site shall be zoned to Planned Community (PC) District. The developer has proposed a development plan with uses and densities comparable to the following zoning districts:
1. Industrial Park (I-1) District,
 2. Commercial Office (C-O) District,
 3. Planned Regional Center (PRC) District,
 4. ~~Planned Convenience Center (PCoC) District,~~
 5. ~~Planned Community Center (PCC) District,~~
 6. Central Business (C-2) District,
 7. Highway Commercial (C-3) District,
 8. Multiple-Family Residential (R-5) District,
 9. **Planned Airpark Core (PCP) District**
 10. **Planned Airpark Core (PCP) District, Planning Unit V**
 11. **Planned Regional Center (PRC) District, BCB**
 12. **Planned Regional Center (PRC) District, JLB**

The City Manager, or designee, shall determine the comparable zoning category at the time of submittal of the Master Development Plan that indicates acreages, intensities, and locations of the requested zoning districts.

- AA. Any future request for a comparable zoning district not in compliance with the Greater Airpark Character Area Plan land use designations shall be accompanied by a request for a non-major General Plan amendment.**
- B. **CONFORMANCE TO AMENDED DEVELOPMENT STANDARDS.** Development shall conform to the amended development standards for each of the respective districts, as listed above (A.1 thru A.8), and attached herein, as Schedule C. Any change to the development standards 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.
- BB. At the time of DRB submittal, each respective Planning Unit should**

demonstrate substantial conformance to the Greater Airpark Character Area Plan and Scenic Corridor Guidelines, including but not limited to a focus on the siting, location and dimensions of frontage open space along the Signature Corridors of Legacy Boulevard and Hayden Road, the Loop 101 Freeway, Miller Road and identified landmark intersections.

Open space areas along these roadways should be pedestrian-oriented and should connect the overall pedestrian network. These open space areas should be activated through building and site design, placement of high-activity uses at the street level and integration of public art and other pedestrian amenities. Where Signature Corridors intersect to create landmark intersections, prominent buildings with landmark architecture, community landmarks and enhanced open space should be incorporated.

- C. **DEVELOPMENT STANDARDS.** Before any Development Review Board submittal within any area designated with the comparable zoning district of Planned Regional Center (PRC), the developer shall submit plans that demonstrate how the following amended development standards shall be applied:

1. Building Height(s)
2. Open Space
3. Setbacks and Buffers

These plans shall be subject to the satisfaction of the City Manager, or designee.

- D. **LAND USE BUDGET**

1. The State Land Commissioner, or designee, shall approve the developer's distribution request of the land use density and intensity before an application to the Development Review Board is submitted to the City. The developer shall provide a copy of the approved distribution request with the submittal to the Development Review Board.
2. Maximum land use density and intensity shall be consistent with the Land Use Budget attached as Schedule B.
3. With each Development Review Board submittal, the developer shall include a revised Land Use Budget Table indicating the parcels with the corresponding reductions and increases.

- E. ~~TRANSITIONAL CHARACTER AREAS. As shown on Schedule A, all non-residential uses within Character Areas B2, C1, C2, and D within three hundred (300) feet of the application boundary shall have a maximum height of thirty (30) feet. The Character Area B2 shall only allow uses consistent with the comparable Industrial Park (I-1) District.~~

- E. **TRANSITION AREAS. PER THE DEVELOPMENT PLAN, ALL NON-RESIDENTIAL USES WITHIN GRAYHAWK TRANSITION AREA 1, GRAYHAWK TRANSITION AREA 2, HAYDEN CORE TRANSITION AREA**

AND PRINCESS TRANSITION AREA WITHIN THREE HUNDRED (300) FEET OF THE APPLICATION BOUNDARY SHALL HAVE A MAXIMUM HEIGHT OF (30) FEET. THE HAYDEN CORE TRANSITION AREA SHALL ONLY ALLOW USES CONSISTENT WITH THE COMPARABLE INDUSTRIAL PARK (I-1) DISTRICT.

- F. ~~SCHOOL LOCATION. Before the sale, or lease, of land in Planning Unit I or Planning Unit II~~ **PLANNING UNITS I, II, IV, VIII, OR IX**, the State Land Department, in coordination with the Paradise Valley Unified School District, shall designate a minimum of ten (10) acres (net) for a parcel for a middle school site. The State Land Department, Paradise Valley Unified School District and City of Scottsdale Community Services Department shall work cooperatively in determining the specific location, size and access for this school, with the intent to achieve cooperative use of school and park lands in this area.
- G. **CIVIC USE LOCATION.** The developer shall designate a four (4) acre (net) site to be dedicated for civic use.
- H. **SCENIC CORRIDORS.** The scenic corridor width along Scottsdale Road shall be a minimum of fifty (50) feet, and an average of sixty (60) feet, measured from the outside edge of the street right-of-way. The scenic corridor easement shall be shown on the final plat, or site plan, and be dedicated to the City with final plan approval.
- I. **LANDSCAPE BUFFERS.** The developer shall provide a landscape buffer for any property along Hayden Road north of the Loop 101 Freeway. The landscape buffer shall be a minimum of thirty (30) feet, and an average of forty (40) feet, as measured from the right-of-way line.
- J. **ENVIRONMENTAL DESIGN**
1. **ALTERATIONS TO NATURAL WATERCOURSES.** Any proposed alteration to the natural state of watercourses with a 100-year peak flow rate estimated between 250 cfs and 749 cfs shall be subject to Development Review Board approval.
 2. **VISTA CORRIDOR WATERCOURSES.** All watercourses with a 100-year peak flow rate of 750 cfs or greater shall be designated as Vista Corridors.
 3. **VISTA CORRIDOR EASEMENTS.** Each Vista Corridor shall be established by a continuous scenic easement. The minimum width of the easement shall be one hundred (100) feet. Each Vista Corridor easement shall include, at a minimum, any existing low flow channels, all major vegetation, and the area between the tops of the banks of the watercourses. At the time of the Development Review Board submittal, the developer shall stake the boundaries of the Vista Corridor easement as determined by City staff. All Vista Corridors shall be left in a natural state. The final plat or site plan shall show and dedicate all Vista Corridor easements.
 4. **VISTA CORRIDOR EASEMENTS-DISTURBED AREAS.** If areas within any Vista Corridor are disturbed by development, before final site inspection, the developer shall reconstruct those areas to the satisfaction of City staff.
 5. **VISTA CORRIDOR EASEMENTS-ADJACENT WALLS.** Solid walls adjacent to Vista Corridor easements shall comply with the following standards:

- a. Walls shall not be constructed within the Vista Corridor easement.
 - b. Walls shall be located only within any approved construction envelopes.
 - c. Solid, opaque walls higher than three (3) feet shall be set back four (4) feet from the Vista Corridor easement for each one (1) foot of solid, opaque wall height above three (3) feet. No wall shall exceed six (6) feet in height.
- K. **DEVELOPMENT CONTINGENCIES.** The approved development program, including intensity, may be changed due to drainage issues, topography, and other site planning concerns which will need to be resolved at the time of preliminary plat or site plan approval.
- L. **DEVELOPMENT REVIEW BOARD.** The City Council directs the Development Review Board's attention to:
 - 1. A plan indicating the treatment of washes and wash crossings,
 - 2. Wall design,
 - 3. The type, height, design, and intensity of proposed lighting on the site, to ensure that it is compatible with the adjacent use,
 - 4. Scenic corridors and buffered parkways,
 - 5. Improvement plans for common open space, common buildings and/or walls, and amenities such as ramadas, landscape buffers on public and/or private property (back-of-curb to right-of-way or access easement line included).
 - 6. Major stormwater management systems,
 - 7. Vista Corridor watercourses (all watercourses with a 100 year flow of 750 cfs or greater),
 - 8. Alterations to natural watercourses (all watercourses with a 100 year flow of 250 cfs to 749 cfs),
 - 9. Walls adjacent to Vista Corridors and NAOS tracts and corridors,
 - 10. Signage,
 - 11. Master Environmental Design Concept Plans,
 - 12. Development within Planning Units I, II, IV, or V should be consistent with, and continue the pedestrian oriented design of, the adjacent property to the west (see case 20-ZN-2002).
- M. **NOTICE TO PROSPECTIVE BUYERS.** The developer shall give the following information in writing to all prospective buyers of lots on the site:
 - 1. The closest distance from the lot to the midpoint of the Scottsdale Airport runway.
 - 2. The City shall not maintain the development's private streets.
 - 3. The City shall not accept any common areas on the site for ownership or maintenance.
 - 4. Requirements for trip reduction measures as prepared by the master developer.

3.2 CIRCULATION

- A. **STREET CONSTRUCTION.** Before issuance of any certificate of occupancy for the site, the developer shall dedicate the following right-of-way and

construct the following street improvements, in conformance with the Design Standards and Policies Manual:

Street Name/Type	Dedications	Improvements	Notes
Scottsdale Road Major Arterial	75' half (65' existing)	Half street, 56' CL- BC, Figure 3.1-3	a, b, c, d, e
Hayden Road Major Arterial	75' half (65' existing)	Full street, 112' BC- BC, Figure 3.1-3	a, b, c, d, f
Union Hills Drive/Minor Arterial (east of Hayden Road)	45' half	Half street, 35' CL- BC, Figure 700-1	a, b, c, d
Union Hills Drive/Minor Arterial (west of Hayden Road)	110' full	Full street, 80' BC- BC, Figure 3.1-3	a, b, c, d
Miller Road/76 th Street Major Collector	90' full	Full street, 70' BC- BC, Figure 700-1	a, b, c, d
Princess Boulevard Major Collector	90' full	Full street, 70' BC- BC, Figure 700-1	a, b, c, d
Legacy Boulevard Major Collector	90' full	Full street, 70' BC- BC, Figure 700-1	a, b, c, d
78 th Street Major Collector	90' full	Full street, 70' BC- BC, Figure 700-1	a, b, c, d, g
101 Freeway Access Road (Hayden Road to west property line)	40' full	32' Pavement width	a, b, c, d, h
Internal Commercial Roads Local Commercial	60' full	Full street, 40' BC- BC, Fig. 3.1-7	b, c
Internal Residential Roads Local Residential	40' full	Full street, 23' min. BC-BC, Fig. 700-5	b, c

- a. Additional right-of-way may be required to protect the natural environment, to provide auxiliary lanes, or to serve the immediate area with a higher street standard as determined by City staff based upon updated traffic impact studies or through the master plan process.
- b. The indicated right-of-way shall be a dedicated tract that provides emergency and service vehicle access and the installation of public utilities where private streets are approved.
- c. Right-of-way dedications shall include appropriate easements for all applicable drainage ways trails, bike paths and natural area buffers. Statements identifying the responsibility for maintenance shall be included as part of the dedication.
- d. Cross sections of street improvements shall conform to the current City of Scottsdale standard street cross sections at the time of

development except as amended by the approved Master Transportation Plan or approved Planning Unit Circulation Plans. For locations where the proposed raised medians are wider than City standards, the developer shall enter into an agreement with the City to identify the maintenance responsibilities for the both the developer and City. Unless otherwise agreed to in these agreements, the developer shall be responsible for any landscape maintenance for the extra median width. The City shall not be responsible for any maintenance of medians on private streets.

- e. The ultimate full-street cross section consists of six lanes and a raised median. The applicant shall be responsible for half street improvements consisting of two lanes and the associated curb, gutter, sidewalk, and drainage structures as outlined in Circulation Stipulation B ("IN LIEU PAYMENTS") below.
- f. The developer shall be responsible for the construction of one additional lane in each direction, expanding the interim four-lane road to the ultimate six-lane road cross section. With the completion of the half-street, the developer will need to dedicate any additional right-of-way to achieve a 75-foot half-street. This construction shall include the construction of curb, gutter, sidewalk, and the extension of drainage structures as determined by city staff.
- g. 78th Street shall be the connection between Princess Boulevard and Union Hills Drive or extension Princess Boulevard that connects to Union Hills Drive.
- h. The design of the 101 Freeway Access Roads (Hayden Road to west property line) shall be subject to approval by the Arizona Department of Transportation (ADOT) where proposed within ADOT right-of-way.

- B. **IN LIEU PAYMENTS.** At the direction of City staff, before issuance of any building permit for any parcels in ~~Planning Unit IV~~ **PLANNING UNIT III OR II (SOUTH OF THE LOOP 101)**, the developer shall not construct the Scottsdale Road street improvements specified by the Notes in the stipulation above, but shall make an in lieu payment to the City. Before any final plan approval, the developer shall submit an engineer's estimate for plan preparation, design and construction costs of a major arterial half street, including two lanes of pavement with curb and gutter, half median improvements (curb, gutter and landscaping), and any required drainage structures. The in lieu payment shall be based on this estimate, plus five percent (5%) contingency cost and other incidental items, as determined by City staff.
- C. **TRAFFIC IMPACT STUDY.** Prior to any Development Review Board submittal, the developer shall submit a Circulation Plan for the corresponding Planning Unit. The developer shall submit a traffic impact study for the Planning Unit with the Circulation Plan, which shall be subject to City staff approval. The developer shall provide any street improvements and traffic impact mitigation as recommended by the approved traffic impact study for the site that are not addressed by the circulation stipulations in this report, as determined by City staff. The developer shall provide a revised traffic impact study for staff review and approval for any subsequent Development Review

Board submittals that represent proposals to increase the land use area or intensity with respect to the approved Planning Unit site plan and development program, as determined by the Transportation General Manager.

- D. **ACCESS RESTRICTIONS.** Before issuance of any certificate of occupancy for the site, the developer shall dedicate the necessary right-of-way, as determined by City staff, and construct the following access to the site. Access points to the site shall conform to the following restrictions (distances measured to the driveway or street centerlines) unless otherwise increased as approved by the Planning Unit Circulation Plans or the City's Transportation General Manager:
1. **Scottsdale Road** – Access to Scottsdale Road shall be limited to minimum intervals of 600 feet. A full median opening shall be located to align with Chauncey Lane to the west. Access and restricted median opening locations shall be coordinated with the existing intersections on the west side of Scottsdale Road. The developer shall dedicate a one-foot wide vehicular non-access easement on this street except at the approved street intersections or driveways locations.
 2. **Arterial Streets** - Access to streets classified as Arterials shall be limited to minimum intervals of 600 feet with full median openings located at minimum 1320-foot intervals unless otherwise approved in the Planning Unit Circulation Plan. Access and median opening locations shall be coordinated with the planned intersections on the adjacent parcels. The developer shall dedicate a one-foot wide vehicular non-access easement on these streets except at the approved street intersections or driveways locations.
 3. **Major Collectors** - Access to streets classified as Major Collectors shall be limited to minimum intervals of 300 feet with full median openings located at minimum 660-foot intervals unless otherwise approved in the Planning Unit Circulation Plan. Access and median opening locations shall be coordinated with the planned intersections on the adjacent parcels. The developer shall dedicate a one-foot wide vehicular non-access easement on these streets except at the approved street intersections or driveways locations.
 4. **Minor Collectors** - Access to streets classified as Minor Collectors shall be limited to minimum intervals of 300 feet unless otherwise approved in the Planning Unit Circulation Plan. Access shall be coordinated with the planned intersections on the adjacent parcels. The developer shall dedicate a one-foot wide vehicular non-access easement on these streets except at the approved street intersections or driveways locations.
 5. **Local Streets** - Access to streets classified as Local Collectors, Local Residential, and Local Commercial shall be limited to minimum intervals of 165 feet unless otherwise approved in the Planning Unit Circulation Plan. Shared driveways shall be utilized for commercial parcels with street frontage less than 330 feet.
 6. **Residential Access** – There shall be no direct residential access to arterial or collector streets.

7. 101 Freeway Access Roads - Access to streets classified as Freeway Access Roads shall be limited to minimum intervals of 300 feet unless otherwise approved in the Planning Unit Circulation Plan. Access locations shall be subject to the Arizona Department of Transportation (ADOT) approval where proposed within ADOT right-of-way. The developer shall dedicate a one-foot wide vehicular non-access easement on these streets except at the approved street intersections or driveways locations.
- E. STREET SYSTEM CONFIGURATION. The primary street system configuration within this development area shall be in substantial conformance with that shown on the development plan attached to these stipulations unless modified by the approved Master Transportation Plan or Planning Unit Circulation Plans. The street system substantial conformance determination shall be subject to interpretation and approval by the City's Transportation General Manager.
 - F. MILLER ROAD GRADE SEPARATED CROSSING. The developer shall participate with the City and adjacent State Land developers in the cost of a future Miller Road crossing of the 101 Freeway. The exact amount of the developer's participation and timing of payments or other contributions shall be set forth in a development agreement between the developer and the City, which shall be executed within 6 months of the City's approval of a ten percent design concept report for the crossing.
 - G. MEDIAN RECONSTRUCTION. Before issuance of any certificate of occupancy for the site, the developer shall be responsible for reconstructing any existing medians on arterials and major collectors with raised medians, to provide approved left-turn access into and out of the site as determined by the Planning Unit Circulation Plans. The median modifications shall be subject to the approval by City staff. The developer shall relocate any existing landscaping that will be displaced, as determined by City staff.
 - H. AUXILIARY LANE CONSTRUCTION. Before issuance of any certificate of occupancy for the site, the developer shall dedicate the necessary right-of-way, as determined by City staff, and construct right-turn deceleration lanes at all street intersections and site driveways located on arterial streets within the development area and on Scottsdale Road in conformance with the Design Standards and Policies Manual. Auxiliary lanes may be required on Major Collector streets based review of the Planning Unit traffic impact study and the policies contained in the Design Standards and Policies Manual.
 - I. TRAFFIC SIGNAL PARTICIPATION. Before issuance of any building permit for the site, the developer shall pay to the City the design and construction costs, with the responsibility of participation as outlined below, for the installation of a traffic signals at the following intersections:

<u>Intersection</u>	<u>Participation</u>
Scottsdale Road & Princess Boulevard	See Note 1
Scottsdale Road & Union Hills Drive	See Note 1
Hayden Road & Union Hills Drive	75%

Hayden Road & Legacy Boulevard	100%
Miller Road & Union Hills Drive	100%
Miller Road & Legacy Boulevard	100%
101 Freeway Access Road & Hayden Road	See Note 2

The developer shall be responsible for 100% of the costs associated with any additional internal intersections that require signalization as determined by the approved traffic impact studies or Planning Unit Circulation Plans. No traffic signal shall be activated without a traffic engineering study that demonstrates that the traffic signal is warranted per the guidelines contained in the Manual on Traffic Control Devices and is approved by the City's Transportation Department.

1. For the Union Hills and Princess Boulevard intersections on Scottsdale Road, the developer shall be responsible for any modifications to the existing traffic signals that are associated with adjacent street improvements. This responsibility includes additional traffic signal equipment, relocation of traffic signal poles, and new signal equipment based on an approved traffic signal plan or as directed by City staff.
2. For the 101 Freeway Access Road and Hayden Road intersections, the developer shall be responsible for any modifications to the existing traffic signals that are associated with the Freeway Access road construction. This responsibility includes additional traffic signal equipment, relocation of traffic signal poles, and new signal equipment based on an approved traffic signal plan or as directed by City staff. Any modifications to the existing traffic signals shall be subject to review and approval by the Arizona Department of Transportation.

J. **PRIVATE STREET CONSTRUCTION.** All private streets shall be constructed to full public street standards, except equivalent construction materials or wider cross-sections may be approved by City staff. In addition, all private streets shall conform to the following requirements:

1. 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. Before any lot is sold, the developer shall record a notice satisfactory to City staff indicating that the private streets shall not be maintained by the City.
2. Before issuance of any certificate of occupancy for the site, the developer shall post access points to private streets to identify that vehicles are entering a private street system.
3. Secured access shall be provided on private streets only. The developer shall locate security gates a minimum of 75 feet from the back of curb to the intersecting street. The developer shall provide a vehicular turn-around between the public street and the security gate.

K. ~~PEDESTRIAN EMPHASIS. Before issuance of any certificate of occupancy for Planning Unit I or II the developer shall design and install traffic calming devices for the following areas:~~

- ~~1. Within Planning Unit I, the developer shall design the Miller Road alignment to discourage the encroachment of site-generated traffic into the adjacent residential area to the north.~~
- ~~2. The internal commercial streets to enhance pedestrian circulation through the interior of the site.~~

~~The design and location of the traffic calming devices shall be submitted to the Transportation Department for approval. The traffic calming solution for 76th Street may include the realignment of Miller Road/76th Street to not intersect with the existing street north of Thompson Peak Parkway. The developer shall be responsible for coordinating and facilitating a public input process to determine the design and extent of the traffic calming at the direction of City staff.~~

K.L. **TRANSPORTATION MANAGEMENT ORGANIZATION (TMO).** The master developer shall establish a Transportation Management Organization (TMO) in order to provide and guide transportation programs and services for properties within the project. This organization shall have some form of assessment of the properties in order to achieve the programs and services as determined through a Transportation Demand Management Plan (TDMP).

Through the TDMP the TMO shall perform the following types of services and functions:

- Conduct an annual ridematching campaign among the tenants
- Furnish tenants with transportation information
- Create "commuter information centers"
- Create a preferential parking program for carpools and vanpools
- Stage annual events to promote transportation choices for residents and employees
- Conduct an annual travel survey of employees
- Sell mass transit tickets on-site
- Operate an on-site shuttle service
- Delivery schedules that avoid peak-hour traffic

Furthermore, the TMO shall be responsible for the design and location criteria, maintenance and use of the following transportation amenities:

- Carpool and vanpool designated parking spaces
- Secure bicycle storage facilities
- Shuttle stops and signs
- Informational kiosks and stations

The TMO shall provide an annual report to the City of Scottsdale regarding the status of the above-mentioned items (may be the same as required by Maricopa County). Failure to comply with this reporting requirement may

lead to a hold on building and tenant improvement permits until the report has been submitted.

~~L.~~ **M.** CITY CONTROL OF ACCESS. The City retains the right to modify or void access within City right-of-way. The City's responsibility to promote safe conditions for the traveling public takes precedence over the stipulations above.

3.3 DRAINAGE AND FLOOD CONTROL

- A. CONCEPTUAL DRAINAGE REPORT. With the Development Review Board submittal, the developer shall submit a conceptual drainage report and plan subject to City staff approval. The conceptual report and plan shall conform to the Design Standards and Policies Manual - Drainage Report Preparation. In addition, the conceptual drainage report and plan shall:
1. Identify all wash corridors entering and exiting the site, and calculate the peak discharge (100-yr, 6-hr storm event) for a pre- versus post-development discharge comparison of all washes that exit the property.
 2. Determine easement dimensions necessary to accommodate design discharges.
 3. Demonstrate how the storm water storage requirement is satisfied, indicating the location, volume and drainage area of all storage.
 4. Include flood zone information to establish the basis for determining finish floor elevations in conformance with the Scottsdale Revised Code.
 5. Include a complete description of requirements relating to project phasing.
- B. STORM WATER STORAGE REQUIREMENT. On-site storm water storage is required for the full 100-year, 2-hour storm event, unless City staff approves the developer's Request for Waiver. See Section 2 of the Design Standards and Policies Manual for waiver criteria.
1. If applicable, the developer shall submit to the Current Planning Services Division a Request for Waiver Review form, which shall:
 - a. 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.
 - b. Include an estimate for payment in-lieu of on-site storm water storage, subject to City staff approval.
 2. Before the improvement plan submittal to the Plan Review and Permit Services Division, the developer shall have obtained the waiver approval.

3.4 WATER

- A. BASIS OF DESIGN REPORT (WATER). After acceptance, by the Water Resources Department, of any required water master plan for the development, the developer shall submit to the Plan Review and Permit

Services Division a Water Basis of Design Report. The report shall conform to the draft Water and Wastewater Report Guidelines available from the Water Resources Department. Generally, the basis of design report and plan shall:

1. Identify the location, size, condition, and availability of existing water lines and water related facilities such as valves, service lines, fire hydrants, etc.
 2. Evaluate the project's water demands and their impact on the existing water system.
 3. Determine the need for any additional water lines and water related facilities to support the proposed development.
 4. Conform to the City's Integrated Water Master Plan.
 5. Identify the timing of and parties responsible for construction of all water facilities.
- B. APPROVED BASIS OF DESIGN REPORT. Before the improvement plan submittal to the Plan Review and Permit Services Division, the developer shall have obtained approval of the Water Basis of Design Report from the Water Resources Department.
- C. NEW WATER FACILITIES. Before the issuance of letters of acceptance by the Inspection Services Division, the developer shall construct all water lines and related facilities necessary to serve the site.
- D. WATERLINE EASEMENTS. Before the issuance of any building permit for the site, the developer 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 the site.

3.5 WASTEWATER

- A. BASIS OF DESIGN REPORT (WASTEWATER). After acceptance, by the Water Resources Department, of any required wastewater master plan for the development, the developer shall submit to the Plan Review and Permit Services Division a Wastewater Basis of Design Report. The report shall conform to the draft Water and Wastewater Report Guidelines available from the Water Resources Department. Generally, the basis of design report and plan shall:
1. Identify the location of, size, condition, and availability of existing sanitary sewer lines and wastewater-related facilities.
 2. Evaluate the project's wastewater demands and their impact on the existing wastewater system.
 3. Determine the need for any additional wastewater lines and related facilities to support the proposed development.
 4. Conform to the City's Wastewater System Master Plan.
 5. Identify the timing of and parties responsible for construction of all wastewater facilities.

- B. **APPROVED BASIS OF DESIGN REPORT.** Before the improvement plan submittal to the Plan Review and Permit Services Division, the developer shall have obtained approval of the Wastewater Basis of Design Report from the Water Resources Department
- C. **NEW WASTEWATER FACILITIES.** Before the issuance of letters of acceptance by the Inspection Services Division, the developer shall provide all sanitary sewer lines and wastewater-related facilities necessary to serve the site.
- D. **SANITARY SEWER EASEMENTS.** Before the issuance of any building permit for the site, the developer 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 the site.

3.6 ENGINEERING

- A. **RESPONSIBILITY FOR CONSTRUCTION OF INFRASTRUCTURE.** The developer shall be responsible for all improvements associated with the development or phase of the development and/or required for access or service to the development or phase of the development. Improvements shall include, but not be limited to washes, storm drains, drainage structures, water systems, sanitary sewer systems, curbs and gutters, paving, sidewalks, streetlights, street signs, and landscaping. The granting of zoning/use permit does not and shall not commit the City to provide any of these improvements.
- B. **FEES.** The construction of water and sewer facilities necessary to serve the site shall not be in-lieu of those fees that are applicable at the time building permits are granted. Fees shall include, but not be limited to the water development fee, water resources development fee, water recharge fee, sewer development fee or development tax, water replenishment district charge, pump tax, or any other water, sewer, or effluent fee.

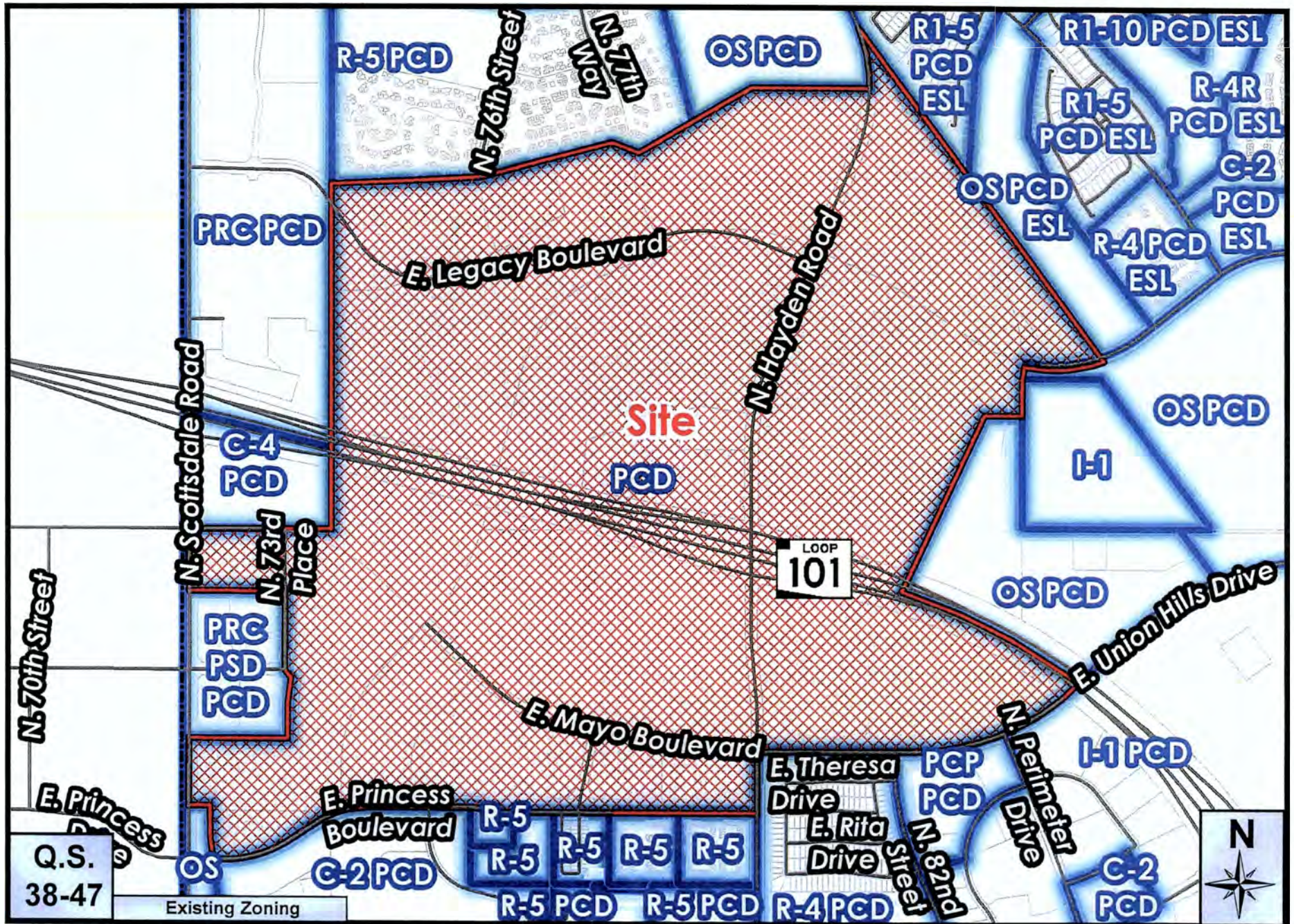
3.7 OTHER REQUIREMENTS

- A. **ENVIRONMENTAL PROTECTION AGENCY (EPA) REQUIREMENTS.** All construction activities that disturb five or more acres, or less than five acres if the site is a part of a greater common plan, shall obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Construction Activities. [NOI forms are available in the City of Scottsdale One Stop Shop, 7447 East Indian School Road, Suite 100. Contact Region 9 of the U.S. Environmental Protection Agency at 415-744-1500, and the Arizona Department of Environmental Quality at 602-207-4574 or at web site <http://www.epa.gov/region>.

The developer shall:

1. Submit a completed Notice of Intent (NOI) to the EPA.

2. With the improvement plan submittal to the Plan Review and Permit Services Division, the developer shall submit a copy of the NOI and a completed Storm Water Pollution Prevention Plan.
- B. SECTION 404 PERMITS. With the improvement plan submittal to the Plan Review and Permit Services Division, the developer's engineer must certify that it complies with, or is exempt from, Section 404 of the Clean Water Act of the United States. [Section 404 regulates the discharge of dredged or fill material into a wetland, lake, (including dry lakes), river, stream (including intermittent streams, ephemeral washes, and arroyos), or other waters of the United States.]
 - C. DUST CONTROL PERMITS. Before commencing grading on sites 1/10 acre or larger, the developer shall have obtained a Dust Control Permit (earth moving permit) from Maricopa County Division of Air Pollution Control. Call the county 602-506-6700 for fees and application information.
 - D. UTILITY CONFLICT COORDINATION. With the improvement plan submittal to the Plan Review and Permit Services Division, the developer shall submit a signed No Conflict form (not required for City-owned utilities) from every affected utility company.
 - E. ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY REQUIREMENTS (ADEQ). The developer shall be responsible for conformance with ADEQ regulations and requirements for submittals, approvals, and notifications. The developer shall demonstrate compliance with Engineering Bulletin #10 Guidelines for the Construction of Water Systems, and applicable chapters of the Arizona Administrative Code, Title 18, Environmental Quality. In addition:
 1. Before approval of final improvement plans by the Plan Review and Permit Services Division, the developer shall submit a cover sheet for the final improvement plans with a completed signature and date of approval from the Maricopa County Environmental Services Department (MCESD).
 2. Before commencing construction, the contractor or developer shall provide evidence to City staff that a Certificate of Approval to Construct and/or Provisional Verification of General Permit Conformance has been approved by MCESD.
 3. Before building permits are issued, the developer shall submit to the City a Certificate of Approval of Construction and/or Verification of General Permit Conformance signed by the MCESD and a copy of the as-built drawings.
 4. Before issuance of Letters of Acceptance by the City Inspection Services Division, the developer shall provide to the City a final set of as-built mylars of the improvements.



Crossroads East

Ordinance No. 4346
Exhibit 2
Page 1 of 1

19-ZN-2002#6



Community & Economic Development Division
Planning and Development Services

7447 East Indian School Road, Suite 105
Scottsdale, Arizona 85251

To: Honorable Mayor and City Council

From: Greg Bloemberg, Senior Planner

Date: June 5, 2018

Re: Case 19-ZN-2002#6 (Crossroads East), Item #23

Due to a clerical error, an amendment was required to Exhibit A of Resolution No. 11145 ("Crossroads East Development Plan"). Specifically, the following changes were made:

- Page 92 of 104 was amended to add letter "d" to No.3 "Frontage Open Spaces" to memorialize Miller Road frontage open space.
- Page 98 of 104 was amended to change the minimum frontage open space dimension from 9 feet to 10 feet

RESOLUTION NO. 11145

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK OF THE CITY OF SCOTTSDALE AND ENTITLED "CROSSROADS EAST DEVELOPMENT PLAN".

WHEREAS, State Law permits cities to declare documents a public record for the purpose of incorporation into city ordinances; and

WHEREAS, the City of Scottsdale wishes to incorporate by reference amendments to the Zoning Ordinance, Ordinance No. 455, by first declaring said amendments to be a public record.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. That certain document entitled "Crossroads East Development Plan", attached as Exhibit 'A', a paper and an electronic copy of which are on file in the office of the City Clerk, is hereby declared to be a public record. Said copies are ordered to remain on file with the City Clerk for public use and inspection.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this ____ day of _____, 2018.

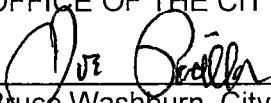
ATTEST:

CITY OF SCOTTSDALE, an
Arizona municipal corporation

By: _____
Carolyn Jagger, City Clerk

By: _____
W. J. "Jim" Lane, Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY



Bruce Washburn, City Attorney
By: Joe Padilla, Deputy City Attorney

Crossroads East Development Plan Amendment

~~346-PA-2002~~
19-ZN-2002-6

Prepared for
Arizona State Land Department
by
EPS Group Inc.

Submitted October 12, 2017
Revised March 22, 2018
Revised April 19, 2018
Revised April 26, 2018



**Arizona State
Land Department**
1616 W Adams Street Phoenix, AZ 85007

Crossroads East Development Plan

Amendment

~~346-PA-2002~~

19-ZN-2002-6

March 22, 2018

Revised April 19, 2018

Revised April 26, 2018

Prepared for:

Arizona State Land Department

1616 W Adams

Phoenix AZ 85007

Contact:

Mark Edelman, AICP

MEdelman@AzLand.gov

602.542.6331

Submitted to:

City of Scottsdale

Planning & Development Services

7447 E Indian School Road, Ste. 105

Scottsdale AZ 85251

Contact:

Greg Bloemberg

gbloemberg@ScottsdaleAZ.gov

480.312.4306

Prepared by:

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2045 S. Vineyard Avenue, Ste. 101

Mesa AZ 85210

Contact:

Jackie Guthrie, AICP

jackie.guthrie@epsgroupinc.com

480.503.2250

Resolution No. 11145

Exhibit A

Page 2 of 104

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I. Project Overview

A. General Overview of Arizona State Land Holdings

Arizona State Land Department (ASLD) owns a significant amount of land in all four quadrants of the interchange of the Loop 101 and Hayden Road. ASLD is the Trustee of the Arizona State Land Trust (the 'Trust') and as such, is the fiduciary for beneficiaries of the Trust, which includes public institutions (primarily for education) in Arizona. ASLD administers the Trust land under the direction of the State Land Commissioner.

State Trust land is often misunderstood in terms of both its character and management. Trust land is not public land. Trust land is different from public land such as parks or National Forests, in that Trust lands are managed by the Arizona State Land Department to generate revenue for K-12 schools and 13 additional institutional beneficiaries. The Trust accomplishes its mission through its sale and lease of Trust lands for grazing, agriculture, municipal, residential, commercial, mining, and open space purposes.

Crossroads East may be the most visible and important undeveloped Trust property in the Phoenix metropolitan area. Not only is Crossroads East conveniently located in proximity to key transportation routes, it is also located in an area that has, and is continuing to develop with high quality and high end residential, commercial, office, light industrial and tourism uses. The Trust land is critical in terms of its potential for economic development and job creation for the region.

ASLD, serving as the fiduciary for the Trust is required by the Arizona Constitution to receive maximum value for the sale or lease of Trust lands for the benefit of the Trust. Given this Constitutional mandate, it is incumbent upon ASLD to carefully plan these properties to maximize their ultimate value. Accordingly, the ASLD is in the process of re-evaluating the existing development plans for the Trust lands in this area to determine if such plans are appropriate to current market needs.

B. Historical Overview

There is a long history of zoning and development in the subject area, beginning with two zoning cases referred to as Core North and Core South approved in 1986 and 1990 respectively. Much of the original 3,500 acres has been zoned and developed.

Zoning History

Annexation from Maricopa County	1963	Ord. #169	3,592 acres	
Zoned R1-43	1963		3,592 acres	Consistent with County zoning
MPD Core South	1986	11-ZN-1986	1,292 acres	Rezoned to variety of zoning districts
Perimeter Center	1988	10-ZN-1988	261 acres	Rezone to I-1 PC District
MPD Core North	1990	46-ZN-1990	2,360 acres	Rezone to PC District
Crossroads East PCD	2002	19-ZN-2002 346-PA-2002	1,000 acres	Amended MDP and development standards
Crossroads East PCD Amendment 1	2011	19-ZN-2002#2 Ord #3969	1,000 acres	Amend MDP & PC Zoning District
Crossroads East PCD Amendment 2	2013	19-ZN-2002#3	12 acres	Amend PRC development standards
Crossroads East PCD Amendment 3	2015	19-ZN-2002#4	12.26 acres	Amend PRC development standards
Crossroads East PCD Amendment 4	2016	19-ZN-2002#5	10 acres	Amend PRC to add PSD

In 2011, the Arizona State Land Department requested an amendment to the Crossroads East Master Development Plan to meet current market demand, to add the Highway Commercial (C-3) District with the same development standards as Crossroads East C-2 and to change the 'cap' on maximum allowable residential units in the existing Multi-Family Residential (R-5) District to the same density as allowed in the R-5 district. In addition, stipulations were updated to add the C-3 zoning district to the list of allowable districts and infrastructure improvement information was updated. The amendment created an opportunity for auto sales and a greater variety of retail uses to be established. The change in residential density allowed multi-family to match existing multi-family in the surrounding area and the City of Scottsdale. Later

amendments in 2013, 2015, and 2016 were approved which rezoned a collective 34.26 acres to allow for developments which included a mixed-use center and reallocated allowable building heights, densities, open space requirements, and landscaping requirements in those particular areas.

C. General Overview of Request

This application is a request to amend the existing Planned Community District (PCD) zoning on ASLD property referred to as Crossroads East. Originally approved in 2002 and subsequently amended four times, this amendment will bring the PCD zoning up to date with current zoning code districts and revised transportation corridors and will amend the planning units and character areas to meet current market needs.

The site is approximately 1,000 acres in size and is generally located east of Scottsdale Road, both north and south of the Loop 101 Freeway. The Grayhawk community is located to the north, Princess Boulevard and Union Hills Drive to the south, Hayden Road intersects the property north to south. *See Vicinity Map on page 9.*

II. Purpose of Request

This amendment to the Crossroads East PCD is intended to serve several purposes. Specific amendments to the plan include:

1. Revise and map the circulation/street system to reflect the 2016 Transportation Master Plan. The revisions in the 2016 Transportation Master Plan were driven by ASLD and City of Scottsdale in an effort to improve traffic flow, protect existing residents and increase the viability of circulation for the state land parcels within Crossroads East. The following revisions have been made:
 - a. Miller Road alignment between Loop 101 and Princess Boulevard has been aligned in a more north-south alignment, connecting with the roundabout at E. Princess Boulevard;
 - b. Mayo Boulevard alignment has been moved further north to separate the roadway from existing residential southeast of Hayden Road and Union Hills Drive;
 - c. The eastern access to Mayo Boulevard now aligns with N. Perimeter Drive at Union Hills Drive;
 - d. 78th Street, a major collector, providing a connection between Mayo Boulevard and Princess Boulevard has been added between Miller Road and Hayden Road. *See Current Circulation Exhibit in Appendix A.*

2. Character Areas and the Character Areas Map have been deleted, in response to more detailed Planning Units and zoning. The Character Areas have been replaced with smaller Planning Units, which eliminates confusion between Character Areas and Planning Units and provides better clarity to adjoining properties.
3. Planning Units have increased from four (4) to eleven (11), providing smaller planning areas to meet the market demand for smaller properties and the boundaries defined to better detail the potential zoning and provide more clarity to adjoining properties. *See Planning Units Exhibit in Appendix A.*
4. Zoning standards for the Crossroads East Comparable Zoning Districts have been updated to match those currently found in the City of Scottsdale Zoning Ordinance for the respective districts and to address the needs of future developers for Planning Unit V.
5. A new zoning district, Planned Airpark Core Development (PCP) has been added as an additional district available for use in Crossroads East. The Planned Airpark Core Development District was developed by and adopted on December 9, 2013 Ord. No. 4120 by the City of Scottsdale and replaced Planned Commerce Park (PCP). The PCP is intended to promote, encourage, and accommodate innovatively designed and master-planned mixed-use developments within the Greater Airpark Character Area. Uses permitted will be in accordance to Table 5.4006.A of the Zoning Ordinance.
6. The Land Use Budget will be revised to eliminate the Planned Convenience Center (PCoC) and Planned Community Center (PCC) districts. The acreage from these two districts will be moved into the C-2/C-3 district and dwelling units added to the comparable mixed-use zoning districts. This revision increases the total number of dwelling units from 4,569 to 6,969 and decreases the industrial zoning to enhance the mixed-use designation and provide more significant benefits to local residents and employees.

A. Overview of PCD

This amendment to the PCD will provide added flexibility in the development of Crossroads East and more defined management of the development through an increased number of Planning Units and refined zoning.

1. Planning Units

The PCD was originally divided into four (4) Planning Units. This Amendment proposes eleven (11) Planning Units. A reduction in the size of the Planning Units is intended to meet the current market demand for smaller developable parcels and to provide the city and public with development areas that are of consistent character and quality. The revised planning units are defined by physical barriers such as roadways or project edges that border adjacent property. *See Planning Units Exhibit in Appendix A.*

2. Character Areas

Originally the PCD was divided into six (6) Character Areas. These Character Areas were intended to organize Crossroads East into planning areas where specific uses were allowed or prohibited. These, however, created confusion and complexity for end users and Crossroads East neighbors. Because of this, the Character Areas exhibit and reference has been deleted and are replaced by 11, smaller Planning Units as discussed above. Another layer of specific uses, density and intensity are provided with Planning Units. Refined zoning and clear graphics indicate where specific zoning may or may not be used, thereby eliminating confusion and providing clarity to adjoining properties.

3. Transitional Areas

In the 2002 PCD case, transitional areas were predicated on specific geographies. These four (4) transitional areas within Crossroads East maintain the height and use restrictions. As such, Stipulation 3.1 E Shall be refined as follows:

3.1 E Transition Areas. As shown on Schedule A, all non-residential uses within Grayhawk Transition Area 1, Grayhawk Transition Area 2, Hayden Core Transition Area and Princess Transition Area within three hundred (300) feet of the application boundary shall have a maximum height of (30) feet. The Hayden Core Transition Area shall only allow uses consistent with the comparable Industrial Park (I-1) District.

III. Location

Crossroads East straddles the Loop 101 and has excellent visibility from this freeway. The traffic interchanges at Hayden and Scottsdale Roads provide regional access to the site. Crossroads East also has planned access from the westbound Loop 101 Frontage Road between Hayden and Scottsdale Roads. Legacy Boulevard also provides access to Crossroads East from Scottsdale Road to Hayden Road, and is planned to continue to Pima Road in the future.

VICINITY MAP

Roads & Alignments

Existing Road

Proposed Road



ASDOT makes no warranties, implied or expressed, regarding information shown on this map.

Produced by Planning/JW 1/2018

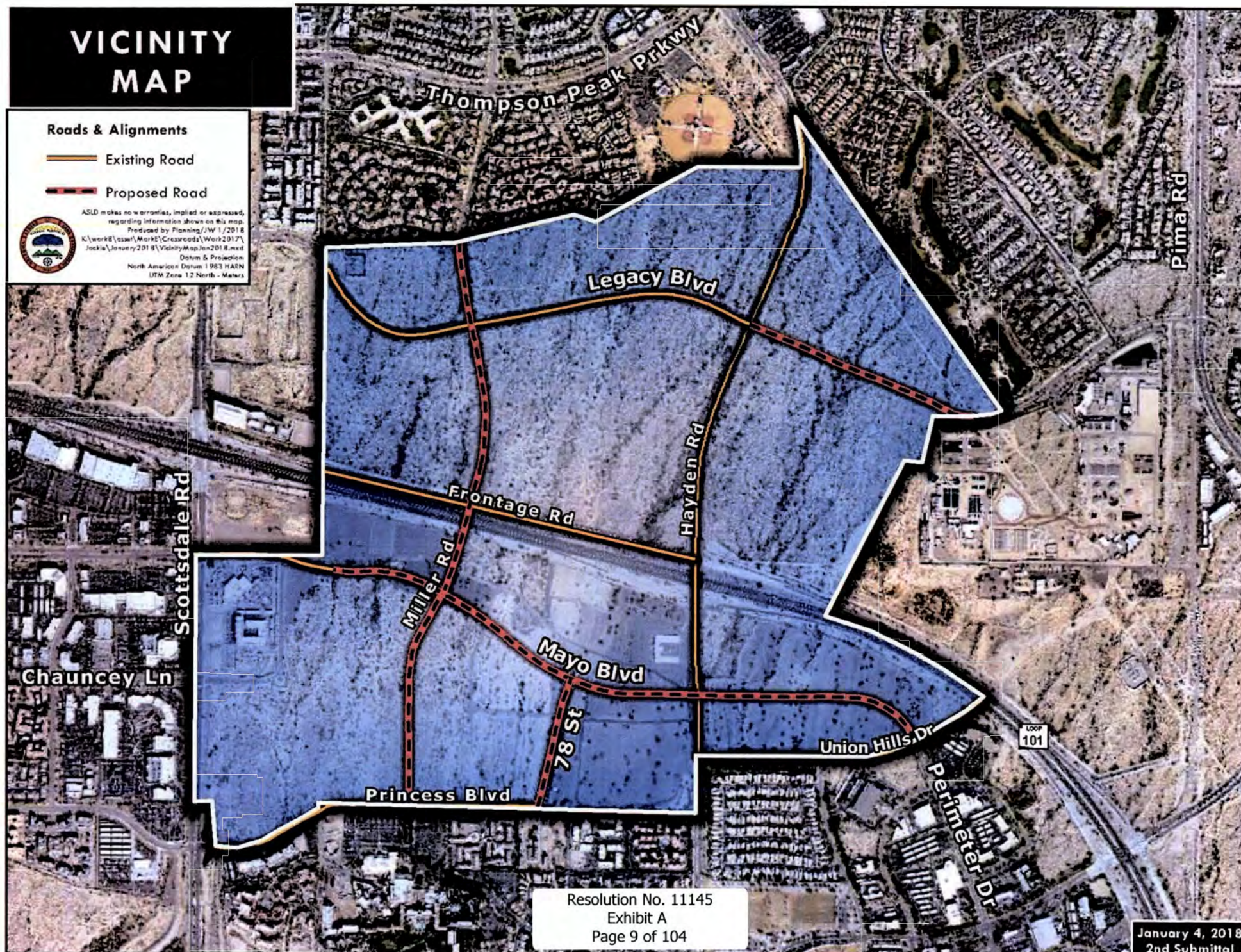
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Datum & Projection

North American Datum 1983 NAD83

UTM Zone 12 North - Meters



Property Characteristics

The majority of the site is characterized as flat terrain with a gentle slope to the south. The site is sparsely vegetated with typical desert flora and fauna found in the region. Significant portions of the site south of Loop 101 have been covered with asphalt millings for dust control and utilized for event parking by the City of Scottsdale and others for the past 20 years. Crossroads East is largely undeveloped. A car dealership is located at the southeast corner of Scottsdale Road and Mayo Boulevard. The property immediately south of the dealership has sold and is being developed as a retail and multi-family residential mixed-use project. The southeast corner of Scottsdale Road and Chauncey Road has also been sold and is currently being developed as a retail and multi-family residential mixed-use project. Two additional parcels are under application.

IV. Compatibility with Surrounding Properties

A. Surrounding Adjacent Land Uses, Ownership and Zoning

Crossroads East is surrounded by a variety of uses as well as undeveloped land, as reflected in the table below. To the north of the site is the Grayhawk master planned community, which is developed with a variety of residential and commercial uses. Land north of Loop 101 along the east side of Scottsdale Road has been planned for mixed use development and includes the former Henkel Consumer Goods building, called One Scottsdale PCD. The City of Scottsdale's Water Campus and solid waste transfer station are located east of the site north of Loop 101. Several corporate centers with office and employment uses as well as a variety of hotel and residential uses are located in Perimeter Center southeast of the site. Land to the southwest is developed with the Fairmont Scottsdale Princess Hotel and residential uses of varying densities, called the Princess PCD. West of Scottsdale Road, south of Loop 101, and in the City of Phoenix, are several automobile dealerships and commercial retail centers. West of Scottsdale Road, north of Loop 101 is vacant State Trust Land known as "Desert Ridge". The surrounding properties have various zoning designations and are located within the City of Scottsdale and the City of Phoenix.

Surrounding Properties

Property	Ownership	Jurisdiction	Existing Use	Existing Zoning
Crossroads East	ASLD Private Ownership	City of Scottsdale	Undeveloped Mixed-Use	PCD base zoning with I-1, R-5, C- O, PRC, PCC, PCoC, C-2/C-3
North of Subject Property	Private Ownership City of Scottsdale	City of Scottsdale	Residential – Condominium Grayhawk Master Planned Community Mixed-Use	R-5 PCD, OS PCD
East of Subject Property	ASLD Private Ownership City of Scottsdale	City of Scottsdale	Residential Scottsdale Water Campus Golf Course Undeveloped ASLD	R1-5 PCD ESL, OS PCD ESL, I-1, OS PCD
South of Subject Property	Private Ownership City of Scottsdale	City of Scottsdale	Residential - Condominium and Commercial - Offices Fairmont Princess Hotel	I-1 PCD, PCP PCD, R-4 PCD, R- 5, C2 PCD
West of Subject Property	Private Ownership	City of Scottsdale City of Phoenix Maricopa County	Commercial Automobile Dealerships Commercial Centers	C-4 PCD, PRC PRD, C-2 (Phoenix)

B. History of Uses in General Area

North Scottsdale has been developing since the late 1970s. Older uses further north, but in the sub-region, include Pinnacle Peak Country Club and surrounding residential areas along Pinnacle Peak Road between Scottsdale and Pima Roads. The 1980s saw increasing residential development in various forms including large lots, lot splits and smaller subdivisions. The Fairmont Scottsdale Princess Hotel and the TPC Golf Course were constructed in the 1980s along with single-family residential uses and higher density residential uses in the vicinity of the Fairmont Hotel located off of Princess Drive. In the 1990s, the area saw the Master Planned Communities of Grayhawk (originally part of Core North), DC Ranch and McDowell Mountain

Ranch develop to the north and east, along with new commercial and office uses in the Perimeter Center. Since the late 1990s, commercial projects have developed along Scottsdale Road north and south of Crossroads East, influenced in part by the completion of the Loop 101 in 2002.

Recent high quality developments include the Bell Lexus North Scottsdale auto dealership at the southeast corner of Mayo Boulevard and Scottsdale Road; Chauncey Lane Marketplace, a mixed use development at the southeast corner of Scottsdale Road and Chauncey Lane; the mixed use development at the northeast corner of Scottsdale Road and Chauncey Lane, the completion of Grayhawk master planned community; the expansion of the Fairmont Scottsdale Princess ball room; and the apartments at One Scottsdale, southwest of Scottsdale Road and Princess Drive.

V. Impact on School District

Crossroads East is located within the Paradise Valley School District. If required, a ten (10) acre (net) useable site will be provided for use by the School District at a location to be mutually determined by the ASLD and the School District.

Schools contribute significantly to the open space assets of the community. In accordance to the General Plan Land Use Element: Goal 7.4, Crossroads East will “sensitively integrate neighborhood services, schools, parks, and other civic amenities will be sensitively integrated into the local physical and natural environments by establishing reasonable buffers and preserving the integrity of the natural terrain and open space networks.” As stated in the General Plan Open Space & Recreation Element: Goal 6.1, future developers will “continue close cooperation with the school districts for joint planning, design, development and use of open space and recreational facilities next to schools.”

VI. Transportation

As approved in 2002, the transportation enhancements proposed by the plan were a major component of that request, not only for Crossroads East, but for surrounding properties, including State Trust Land west of Scottsdale Road. At that time, north-south access was limited to Scottsdale and Pima Roads, and the east-west routes were Thompson Peak Parkway through Grayhawk and DC Ranch, and Frank Lloyd Wright Boulevard south of the CAP Canal. Loop 101 functions as the primary regional east-west route in this area.

The 2002 plan and subsequent approvals anticipated traffic volumes in this area based on increased entitlements to this property and others in the region. With this understanding, the new Legacy Boulevard east-west alignment has been approved and the first phase has been

built from Scottsdale Road to Hayden Road, which helped alleviate increased traffic volumes and provided an east-west reliever route. Additionally, Hayden Road has been completed between Thompson Peak Parkway and Union Hills Drive, and both Scottsdale and Pima Roads have been widened with the goal to remove a significant portion of anticipated future traffic from residential communities in the area.

In the current 2017 amendment, Mayo Boulevard is located further north and away from the existing residential neighborhood south of Union Hills Drive. This alignment creates a connection between Scottsdale Road and Perimeter Drive, providing an east-west reliever south of the 101. *See Circulation Map in Appendix A.*

VII. Conformance with the General Plan

The proposed amendment to the PCD zoning is consistent with the City of Scottsdale General Plan 2001 Land Use designations for Crossroads East, allowing multiple uses including residential. *See Scottsdale General Plan 2001 on page 18.* The property is designated as Mixed-Use Neighborhoods and Employment with a Regional Use District overlay. The General Plan defines Mixed-Used Neighborhoods as:

...areas with strong access to multiple modes of transportation and major regional access and services, and have a focus on human scale development. These areas could accommodate higher density housing combined with complementary office or retail uses or mixed-use structures with residential above commercial or office.

The Regional Use District overlay is intended to provide “flexibility for land uses when it can demonstrate that new land uses are viable in serving a regional market. Regional uses include, but are not limited to, corporate office, region serving retail, major medical, education campus, community service facilities, tourism and destination attraction uses”. The city council has the ultimate determination in whether the proposed land uses are regional in nature and will consider whether the use has a regional draw, implements current economic development policies, enhances the employment core and the city’s attractiveness to regional markets, benefits from good freeway access, and complements the established character of the area.

A. Crossroads East Relevant General Plan Goals and Approaches:

Goal 1: Recognize Scottsdale’s role as a major regional economic and cultural center, featuring business, tourism, and cultural activities.

- Strengthen the identity of Scottsdale by encouraging land uses that contribute to the character of the community and sustain a viable economic base.

- Encourage land uses that preserve a high quality of life and define Scottsdale's sense of place within the region.

Goal 2: Coordinate land uses affecting regional networks (mobility, economic, and open space) with adjacent jurisdictions to maintain the integrity and efficiency of each network.

- Support the location of regional land uses, such as major employment centers along regional mobility networks.
- Relate regional transportation corridors to regional land use intensities.

Goal 3: Encourage the transition of land uses from more intense regional and citywide activity areas to less intense activity areas within local neighborhoods.

- Ensure that neighborhood edges transition to one another by considering appropriate land uses, development patterns, character elements and access to various mobility networks.
- Encourage the location of more intense mixed-use centers and regional employment cores along regional networks while incorporating appropriate transitions to adjoining land uses.
- Locate employment uses where impacts on residential neighborhoods are limited and access is available at citywide and regional levels.
- Guide growth to locations contiguous to existing development to provide city services in a cost effective and efficient manner.
- Encourage transitions between different land uses and intensities through the use of gradual land use changes, particularly where natural or manmade buffers are not available.

Goal 4: Maintain a balance of land uses that support a high quality of life, a diverse mixture of housing and leisure opportunities and the economic base needed to secure resources to support the community.

- Allow for a diversity of residential uses and supporting services that provide for the needs of the community.
- Support jobs/housing balance by integrating housing, employment, and supporting infrastructure in mixed-use centers located at appropriate locations.

- Maintain a citywide balance of land uses that support changes in community vision/dynamics (established by future community visioning processes) over time.

Goal 5: Develop land use patterns that are compatible with and support a variety of mobility opportunities/choices and service provisions.

- Integrate the pattern of land uses and mobility systems in ways that allow for shorter and fewer automobile trips and greater choices for mobility.
- Provide a balance of live, work, and play land uses and development intensities that enable convenient non-automotive trips (pedestrian and cycling and transit) where environmentally and physically feasible.
- Support the physical integration of residential uses with retail uses to provide opportunities for pedestrian oriented development.
- Encourage that land uses with the highest intensity be located in areas conducive to alternative modes of transportation.

Goal 6: Promote land use patterns that conserve resources, such as land, clean air, water, and energy, and serve all people, within the community.

- Encourage a variety of compatible mixed-use land uses throughout the city in appropriate locations allowing people to live, work, play and shop in the same general area.
- Concentrate future development in “growth areas” and other centers of activity, thereby discouraging sprawl, conserving energy, and promoting community identity.
- Protect and revitalize established areas/neighborhoods by promoting new development and the adaptive reuse of existing community resources that re-energize an area.

Goal 7: Sensitively integrate land uses into the surrounding physical and natural environments, the neighborhood setting, and the neighborhood itself.

- Incorporate appropriate land use transitions to help integrate into surrounding neighborhoods.
- Focus intense land uses along major transportation networks (such as the Pima Freeway and major arterial streets) and in urban centers (such as Downtown and the Airpark). Less intense land uses should be located within more environmentally sensitive lands.

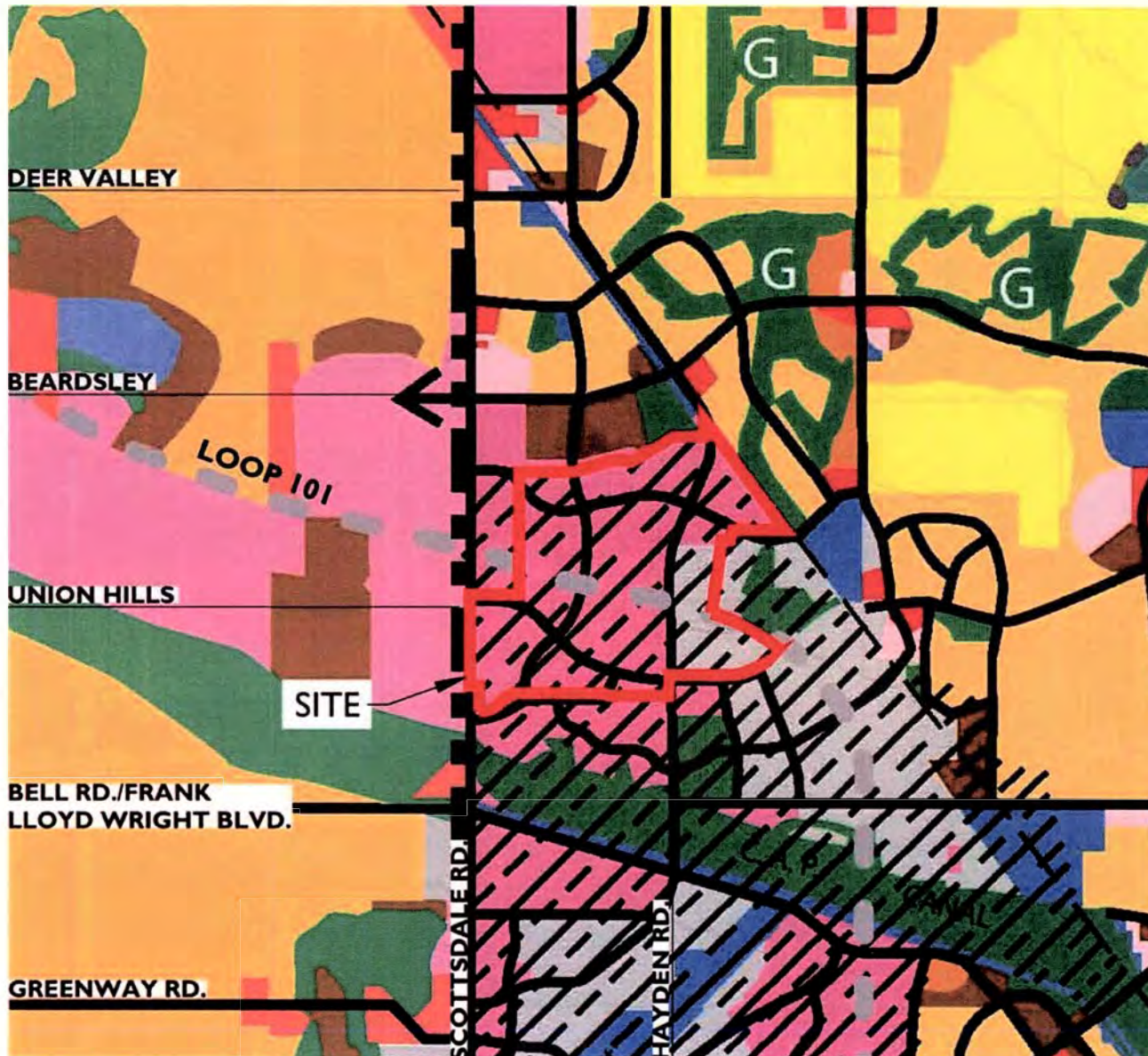
- Sensitively integrate neighborhood services, schools, parks, and other civic amenities into the local physical and natural environments by establishing reasonable buffers and preserving the integrity of the natural terrain and open space networks.

Goal 8: Encourage land uses that create a sense of community among those who work, live, and play within local neighborhoods.

- Develop and reinforce links (i.e. trails, paths, open space, transit, and streets) within and between residential, retail, employment, recreational and other public land uses.
- Promote development patterns and standards that are consistent with the surrounding uses and reinforce an area's character.

Goal 9: Provide a broad variety of land uses that create a high level of synergy within mixed-use neighborhoods.

- Incorporate a diverse range of residential and non-residential uses and densities within mixed-use neighborhoods.
- Promote residential uses that support the scale and function of retail, commercial and employment uses within these neighborhoods, including the use of mixed-use structures (retail or office on lower level and residential uses on upper levels).
- Encourage redevelopment that invigorates an area while also respecting the character of adjacent neighborhoods.



Conceptual Land Use Map

- Rural Neighborhoods
- Suburban Neighborhoods
- Urban Neighborhoods
- Mixed-Use Neighborhoods
- Resorts/Tourism
- Shea Corridor
- Mayo Support District
- Regional Use District
- McDowell Sonoran Preserve
- Recommended Study Boundary of the
- McDowell Sonoran Preserve
- City Boundary
- Commercial
- Office
- Employment
- Natural Open Space
- Developed Open Space (Parks)
- Developed Open Space (Golf Courses)
- Cultural/Institutional or Public Use



Resolution No. 11145
Exhibit A
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CROSSROADS EAST

Scottsdale General Plan 2001

JOB NO	17-182
SCALE	N/A
SHEET	1 OF 1

VIII. Conformance with the Greater Airpark Character Area Plan

Crossroads East is also located within the Greater Airpark Character Area Plan (GACAP) which designates these areas as Airport Mixed Use Residential (AMU-R) and Employment (EMP). *See Greater Airpark Character Area Land Use Map on page 23.* AMU-R areas provide the greatest variety of land uses including high density residential, services, office, employment, institutional, cultural amenities, retail and hotel. Employment areas include an array of office, commercial, warehousing and light industrial land uses that provide business opportunities, regional and local jobs.

A. Greater Airpark Character Area Transition Areas

The Greater Airpark Character Area Plan (GACAP) and its land designations were utilized in the guidance of planned unit zoning. Three of the planned units are entirely within the Employment (EMP) district and all others are in the Airpark Mixed Use-Residential (AMU-R) district. When considering the sensitive edges and transitional areas, Crossroads East reduces intensity of allowable zoning in order to adhere to the GACAP. This proposed amendment is directly in line with the GACAP Land Use Goal #4, Policy 4.6 which states, "Transitions between development types should incorporate a blending in context of each development type and integrate the characteristics between them through appropriate site and building design."

Transition Area	GACAP	General Plan 2001	Crossroads East Allowable Zoning
Grayhawk 1	AMU-R	Mixed Use - Neighborhoods	R-5 C-O
Grayhawk 2	AMU-R Powerline Corridor	Mixed Use - Neighborhoods	R-5 C-O I-1
Princess	AMU-R	Mixed Use - Neighborhoods	R-5
Hayden Core	EMP	Employment	I-1

B. Crossroads East Relevant Greater Airpark Character Area Plan Goals and Policies:

Goal 1: Maintain and expand the Greater Airpark's role as a national and international economic destination through appropriate land uses, development, and revitalization.

- Policy LU 1.1 Maintain and expand the diversity of land uses in the Greater Airpark.

- Policy LU 1.2 Support a mix of uses within the Greater Airpark that promote a sense of community and economic efficiency, such as clustering similar/supportive uses and incorporating residential intended for the area's workforce, where appropriate.
- Policy LU 1.3 Promote development intensities supportive of existing and future market needs.
- Policy LU 1.4 Encourage the redevelopment of underutilized land to more productive uses.
- Policy LU 1.5 Maintain and continue to foster dialogue between the City of Scottsdale and Arizona State Land Department to facilitate innovative use and development of State-owned land.

Goal 2: Promote the Greater Airpark as a national and international tourism destination through tourism-related land uses.

- Policy LU 2.2 Provide flexibility in land use regulations and other incentives to attract cultural institutions and local, national, and international events to locate in the Greater Airpark.

Goal 3: Sensitively transition land use, scale, and intensity at the Greater Airpark boundary in areas adjacent to lower-scale residential neighborhoods.

- Policy LU 3.1 The scale of existing residential development should be acknowledged and respected through a sensitive edge buffer, which may include transitional development standards, landscape buffers, and sensitive architectural design solutions.

Goal 4: Utilize development types to guide the physical and built form of the Greater Airpark.

- Policy LU 4.1 Encourage medium-scale Type A development in areas appropriate for transitions from Types B and C development to lower-scale areas in and adjacent to the Greater Airpark Character Area.
- Policy LU 4.3 Encourage higher-scale Type C development in areas with access to major transportation corridors and where lower-scale residential areas will be buffered from higher-scale development.
- Policy LU 4.4 Support transitions in scale between development types.

- Policy LU 4.6 Transitions between development types should incorporate a blending in context of each development type and integrate the characteristics between them through appropriate site and building design.
- Policy LU 4.7 Encourage greater visual variety between employment/commercial land uses and residential neighborhoods and avoid continuous building shapes and mass adjacent to residential neighborhoods.

Goal 5: Encourage Greater Airpark development flexibility.

- Policy LU 5.1 Update and provide greater flexibility in development regulations to achieve the goals of the Greater Airpark Character Area Plan and encourage revitalization in the area.
- Policy LU 5.5 Promote flexibility of land uses when it can be demonstrated that new land uses are viable in serving a regional market, such as corporate headquarters, tourism, and educational campuses.

Goal 6: Promote the Greater Airpark as a mixed-use economic and aviation-based employment center that is complementary to Downtown Scottsdale, the city's premier cultural, civic, and residential mixed-use core.

- Policy LU 6.1 Prioritize employment uses over residential uses in the Greater Airpark.

Goal 7: Develop an interconnected network of Signature Corridors to support the Greater Airpark as a place for meeting, creating, shopping, learning, as well as working.

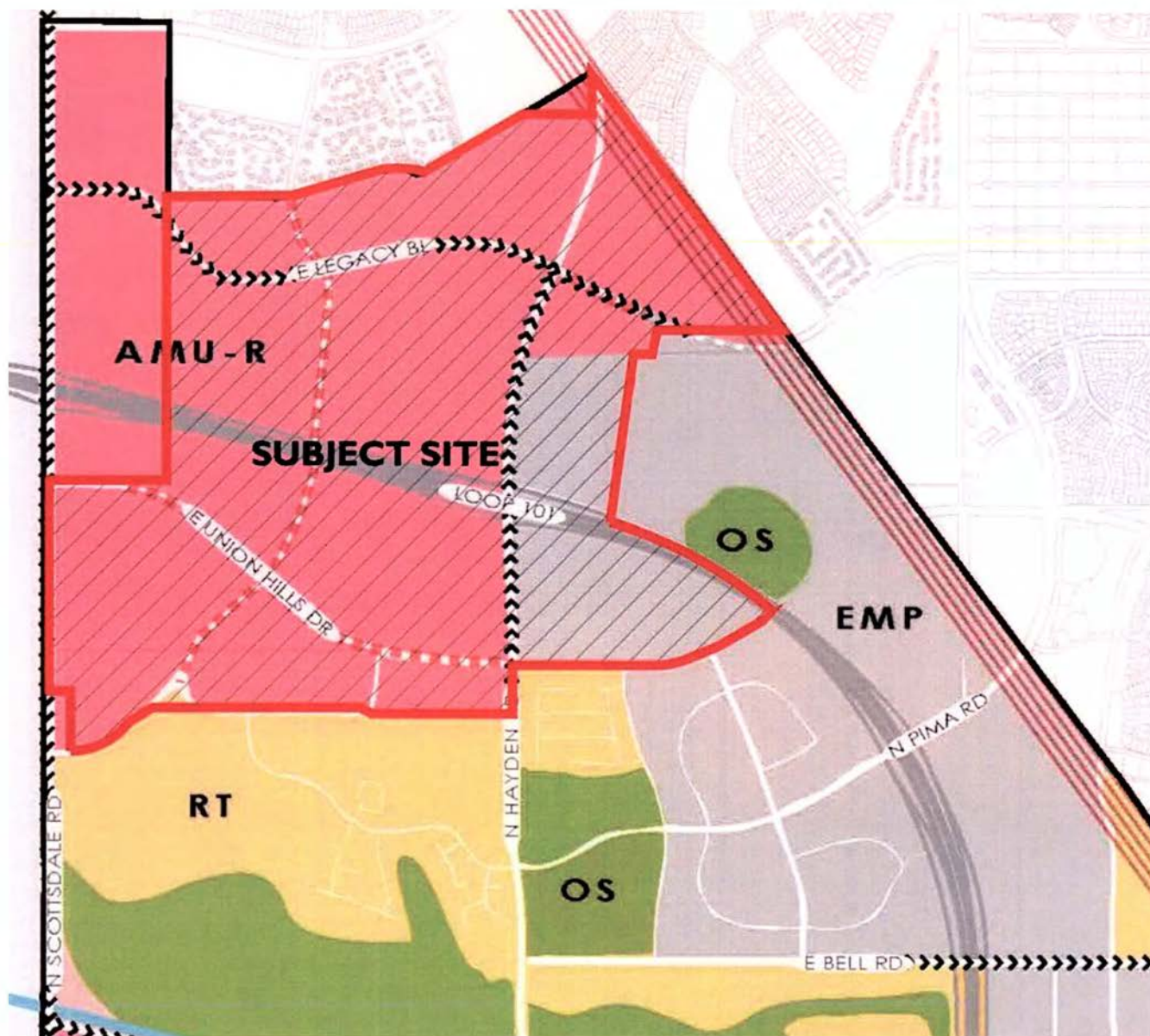
- Policy LU 7.1 Encourage growth along corridors with the greatest potential for activity, new development, revitalization, tourist attractions, and enhanced multi-modal connections.
- Policy LU 7.2 Promote a greater mix of uses along identified Signature Corridors, which complement and are compatible with each respective land use designation.

Goal 8: Create an interconnected network of meaningful open spaces within the Greater Airpark

- Goal LU 8.1 Recognize and promote the value of usable open space as part of the community's quality of life.

The proposed PCD zoning, uses, and the land use distribution in particular are consistent with the General Plan and GACAP. They also represent a refinement to the existing zoning, including

vision statements, values and goals contained within the Plans. Furthermore, the PCD zoning represents the very type of development encouraged in the General Plan and GACAP, which promotes unique character and development patterns. The PCD zoning is in concert with these principles and provide a balance of land uses that integrate residential, retail, office and other uses. This amendment is also consistent with policies intended to locate higher intensity uses at major transportation routes and to create circulation patterns that are sensitive to surrounding neighborhoods. The Crossroads East PCD remains consistent with the existing General Plan Land Use designations and represents a more thoughtful and market responsive plan. Visions and strategies of the General Plan are implemented and will help create a development that incorporates the quality and unique character of Scottsdale.



Legend

Land Use Plan:

- Airpark Mixed Use-Residential (AMU-R)
- Airpark Mixed Use (AMU)
- Regional Tourism (RT)
- Employment (EMP)
- Aviation (AV)
- Open Space (OS)
- AV or AMU
- Greater Airpark Boundary
- Signature Corridor
- Poweline Corridor
- Central Arizona Project



1 Mile



Resolution No. 11145

Exhibit A

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CROSSROADS EAST

Greater Airpark Character Area Plan

Land Use Map

JOB NO 17-182

SCALE N/A

SHEET 1 OF 1



2045 S. Vineyard Ave.
Ste. 101 Mesa, AZ 85210
T: 480.503.2250 | F: 480.503.2258
www.epsgroupinc.com

IX. Allowable Zoning/Amended Development Standards

Amended Development Standards for each zoning district allowed in the PCD have been provided in Appendix B.

The following zoning districts are included:

- Multi-Family Residential District (R-5)
- Central Business District (C-2) amended with select C-3 uses
-
- Commercial Office District (C-O)
- Industrial Park District (I-1)
- Planned Regional Center (PRC)
- Planned Airpark Core Development (PCP) (no amendments)
- Planned Airpark Core Development (PCP) (Amended for PU-5 only)

Future developers must comply with the zoning stipulations under section 3.1.C Development Standards. Before any Development Review Board submittal within any area designated with the comparable zoning district of Planned Regional Center (PRC), the developer shall submit plans that demonstrate how the following amended development standards shall be applied:

- Building Heights
- Open Space
- Setbacks and Buffers

X. Land Use Budget

In the 2002 PCD a Land Use Budget was established to control the maximum number of dwelling units and the maximum acreage of residential and non-residential uses that could be developed within the PCD. Rather than identify the specific use for each parcel or Planning Unit, knowing that the property would develop over a long period of time, and that market conditions would evolve, the land use budget allows for flexibility of uses between parcels. Future developers of the land will work with the ASLD, based on the proposed uses, to determine which underlying comparable zoning districts will apply. The Land Use Budget will then be revised to illustrate the density and intensity remaining on the balance of the planning units.

The Land Use Budget was included in the Development Agreement approved in November of 2002. The 2011 amendment increased the maximum number of residential units in Multi-Family Residential (R-5) to match the maximum density allowed in the base R-5 zoning district;

and added the Highway Commercial (C-3) land use category to allow auto sales and a greater variety of retail uses. In this PCD Amendment two acres of PCoC and 12 acres of PCC have been moved to the C-2/C-3 land use category, the PCoC and PCC categories have been deleted and 12 PCC dwelling units have been added to the PRC comparable zoning district.

This request increases the total number of dwelling units from 4,569 to 6,969 and decreases the industrial zoning. The addition of PCP zoning designation still provides for the continued opportunity for employment uses as permitted in that zone. The increase in permitted residential units in the Mixed-Use category provides the opportunity for higher density residential mixed with employment, commercial and office. In doing so the site maintains a true mixed-use quality, provides residents the opportunity to live closer to work, and helps reduce traffic and commuting times.

Land Use Budget

Category	Zoning	Gross Acreage by Zoning	Maximum Dwelling Units per Gross Acre (DU/AC)	Maximum Allowable Dwelling Units
Employment	I-1	447210	NP	NP
Employment	C-O	91	NP	NP
Mixed Use	PRC & PCP	170407	See Schedule C	17154163 ¹
Commercial	C-2/C-3 ^{1,2,3}	156170 ³⁴	NP	NP
Residential	R-5	122	23	2,806
TOTAL		1,000		45696,969

NP – Not Permitted

Notes:

¹Includes 48 dwelling units previously assigned to PCC zoning district (See Note 3)

²C2/C3 development standards are comparable to the C-2 zoning district amended development standards shown in Schedule C.

³C-3 comparable districts shall be placed at least 600 feet from any off-site (outside Crossroads East Boundary) residential, resort, hotel, timeshare or motel uses

⁴C-2/C-3 Zoning includes 14 acres previously zoned PCoC and PCC

Category	Zoning	Permitted Zoning Districts Within Planning Units										
		I	II	III	IV	V	VI	VII	VIII	IX	X	XI
Employment	I-1		●	●	●	●	●	●	●	●	●	●
Employment	C-O	●	●	●	●	●	●	●	●	●	●	●
Mixed Use	PRC & PCP		●	●		●	●	●		●		
Commercial	C-2/C-3		●	●	●	●	●	●	●	●	●	●
Residential	R-5	●	●	●	●	●	●	●	●			

XI. Planned Community District Findings

Before approval or modified approval of an application for a proposed PCD, the Planning Commission and City Council must find:

A. That the development proposed is in substantial harmony with the General Plan and can be coordinated with existing and planned development of surrounding areas.

The mixed-use Neighborhoods and Employment land use designations and the Regional Use Overlay support land uses serving the regional market. The current Crossroads East PCD is compatible with surrounding existing master planned developments. The amendments proposed do not change the existing approved zoning districts; however, they do amend the approved density and intensity of the PCD. This proposed amendment brings zoning standards current and provides smaller planning areas to better accommodate mixed-use planning, transition of uses, and enhancement of the regional market. The proposed increase in residential density supports housing development in the competitive market and populations needed to support the commercial development envisioned for Crossroads East. It is also consistent with the goals and objectives set forth in the General Plan Regional Use designation. *(See Consistent Goals on Page 14-17)*

The General Plan states that City Council qualifies these Regional Use Overlay districts based on regional draw, implementation of current economic development policies, enhancement of the employment core and the city's attractiveness to regional markets, benefits of good freeway access, and how it complements the established character for the area. A portion of Crossroads East falls within, and is in conformance with, one of Scottsdale's Regional Use Districts and meets a core Scottsdale value of building communities in which residents can live, work, and play.

B. That the streets and thoroughfares proposed are suitable and adequate to serve the proposed uses and the anticipated traffic which will be generated thereby.

The existing Crossroads East master development plan provides improvement standards and guidelines for streets governing future development. This proposed amendment reflects the 2016 Transportation Master Plan intended to improve traffic flow, protect existing residential neighborhoods and increase the viability of circulation for parcels within Crossroads East.

C. The Planning Commission and City Council shall further find that the facts submitted with the application and presented at the hearing establish beyond reasonable doubt that:

- 1. In case of proposed residential development, that such development will constitute a residential environment of sustained desirability and stability; that it will be in harmony with the character of the surrounding area; and that the sites proposed for public facilities, such as schools, playgrounds, and parks, are adequate to serve the anticipated population. The Planning Commission and City Council shall be presented written acknowledgement of this from the appropriate school district, the Scottsdale Parks and Recreation Commission and any other responsible agency.**

Parks and school sites were determined in the 2002 Crossroads East PCD rezoning. The Mixed-Use Neighborhoods land use designation supports high density residential development. The approved residential density is consistent with the land use designation by providing higher density residential use areas with strong access to multiple modes of transportation and major regional access. All future residential development for Crossroads East will be required to provide necessary infrastructure and facilities to serve those developments.

- 2. In case of proposed industrial or research uses, that such development will be appropriate in area, location and overall planning to the purpose intended; and that the design and development standards are such as to create an industrial environment of sustained desirability and stability.**

The current Crossroads East master development plan already permits industrial or research uses within certain Crossroads East Planning Unit areas. No new industrial or research uses have been proposed as a part of this amendment to the existing PCD for Crossroads East.

- 3. In the case of proposed commercial, institutional, recreational and other non-residential uses, that such development will be appropriate in area, location and overall planning to the purpose intended; and that such development will be in harmony with the character of the surrounding areas.**

The current Crossroads East master development plan already permits commercial, institutional, recreational and other non-residential uses within certain Crossroads East Planning Unit areas.

XII. Project Justification

The proposed request does not change the existing zoning, but rather will update the entitlements to create flexibility for future developments, which is appropriate for the following reasons:

- A. The request conforms to the City of Scottsdale General Plan and the Greater Airpark Character Area Plan.
- B. The approved/proposed uses are consistent and compatible with adjacent and surrounding uses.
- C. The updated planning units and refined zoning provide increased protections to adjacent properties through this amendment.
- D. The proposed amendment maintains appropriate flexibility for market refinements of the existing entitlements.
- E. The PCD maintains the opportunity for appropriate public-school needs for this area.

XIII. Summary

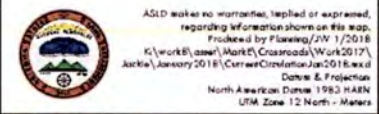
Recognizing that market and land pattern changes have occurred since the plan was last updated in 2016, this application provides for smaller land use units, incorporates transportation updates and reflects updates to the I-1 and C-O districts and PRC mixed use projects. The findings for this amendment also remain consistent with the plan approved in November 2002 and amended in October 2011. The General Plan and the Greater Airpark Character Area Plan reinforce the concept that this State Land site will ultimately become a vital part of Scottsdale's regional influence and the Greater Airpark commercial and business core. This area serves local, community and regional needs and will continue to evolve and grow as the surrounding region matures.

APPENDIX A

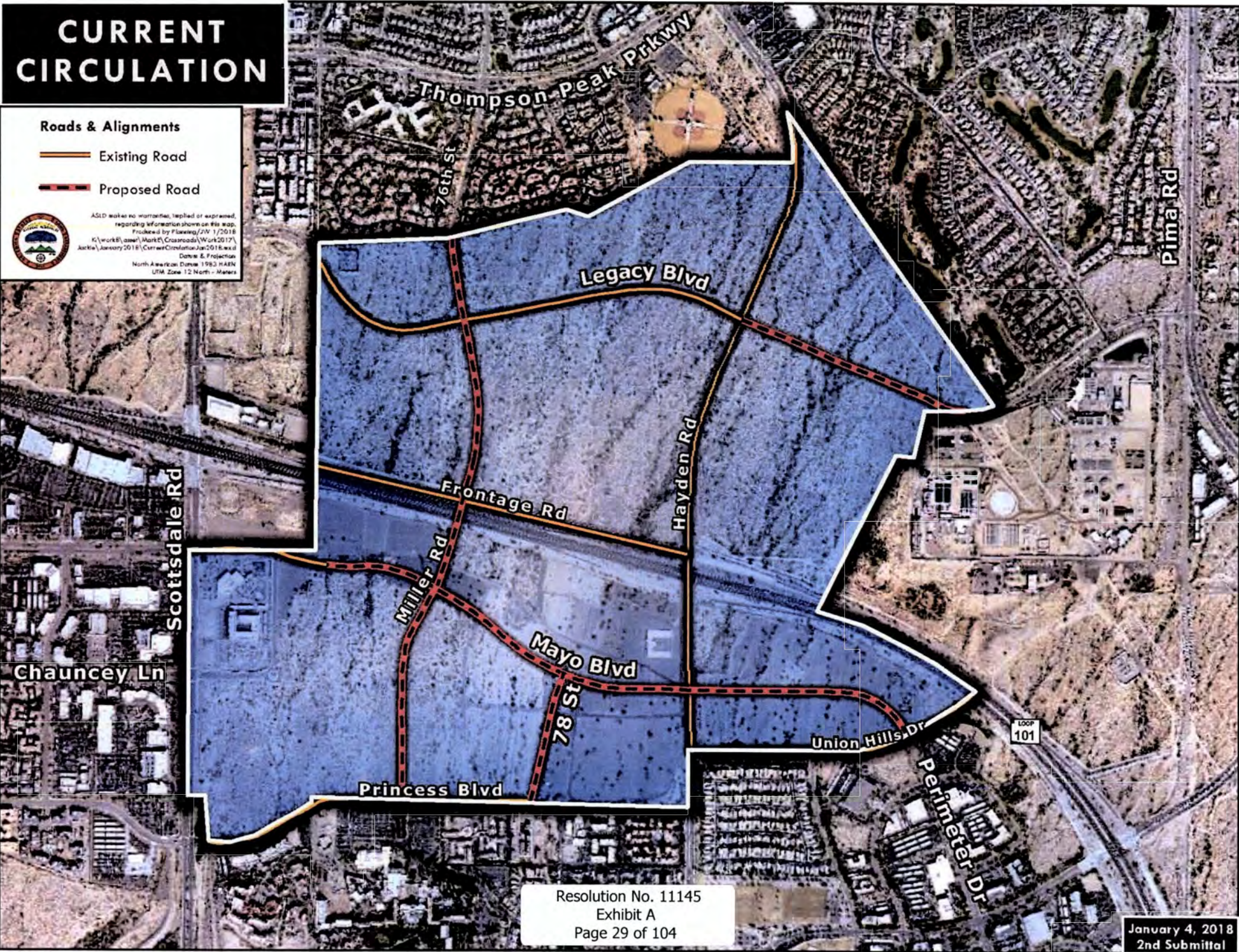
CROSSROADS EAST – CIRCULATION; PLANNING UNITS; REQUIRED, ALLOWED, AND PROHIBITED LAND USES

- Current Circulation
- Proposed Planning Units
- R-5
- C-2/C-3
- C-O
- I-1
- PRC & PCP

**CURRENT
CIRCULATION**



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UTM Zone 12 North - Meters



Resolution No. 11145
Exhibit A
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January 4, 2018
2nd Submittal

PROPOSED PLANNING UNITS

Roads & Alignments

Existing Road

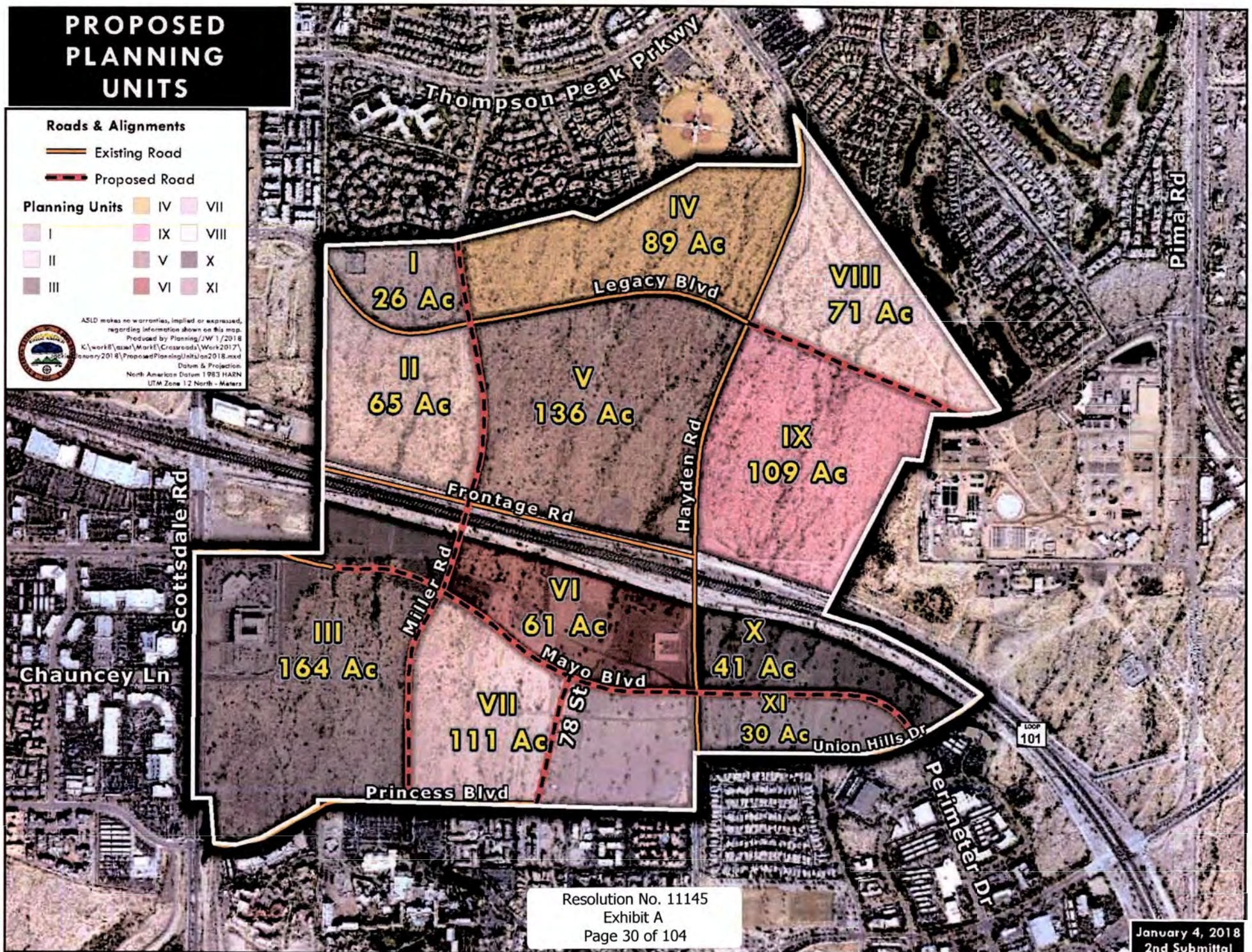
Proposed Road

Planning Units

I	IV	VII
II	IX	VIII
III	V	X
	VI	XI





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R-5

Roads & Alignments

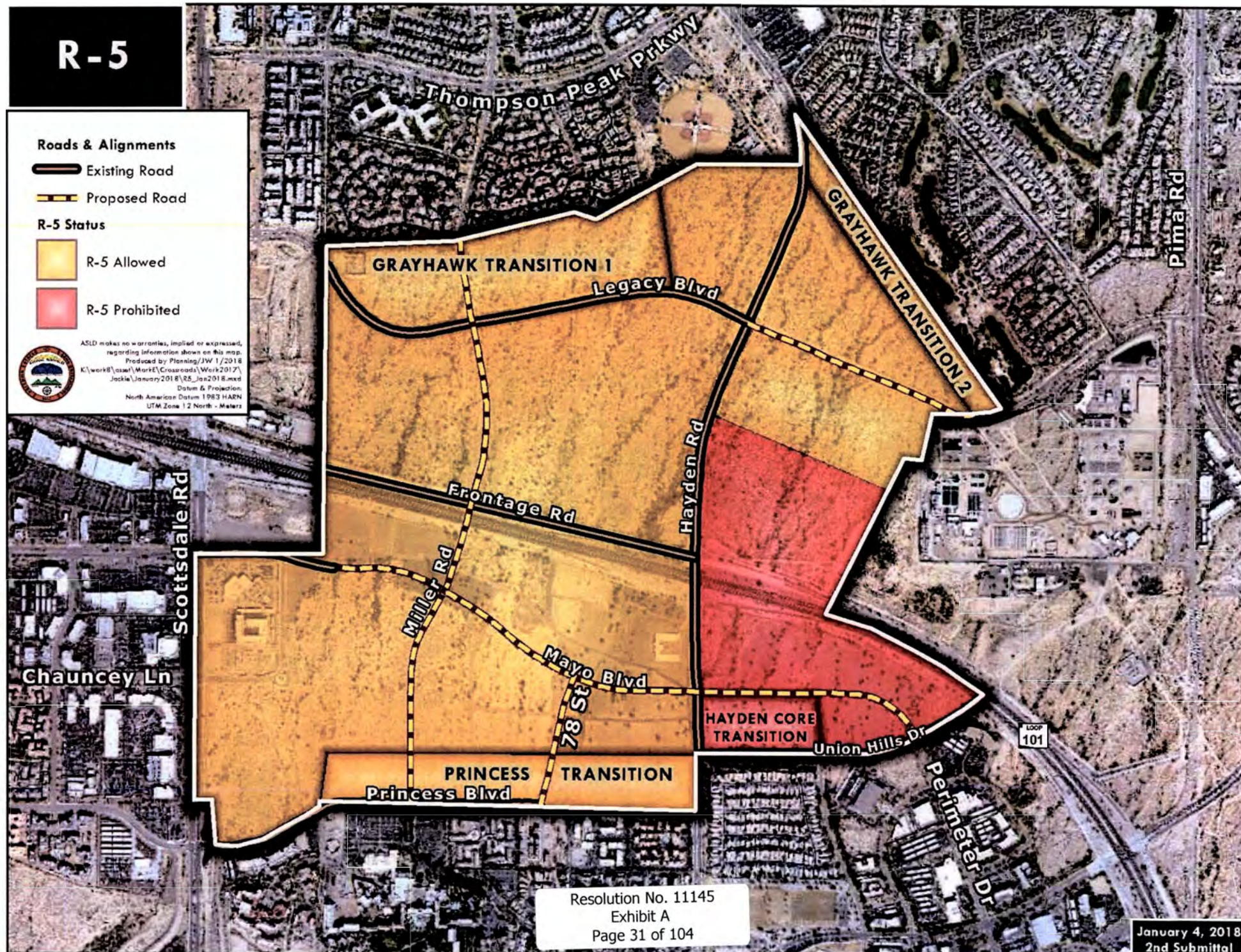
-  Existing Road
-  Proposed Road

R-5 Status

-  R-5 Allowed
-  R-5 Prohibited



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C-2/C-3

Roads & Alignments

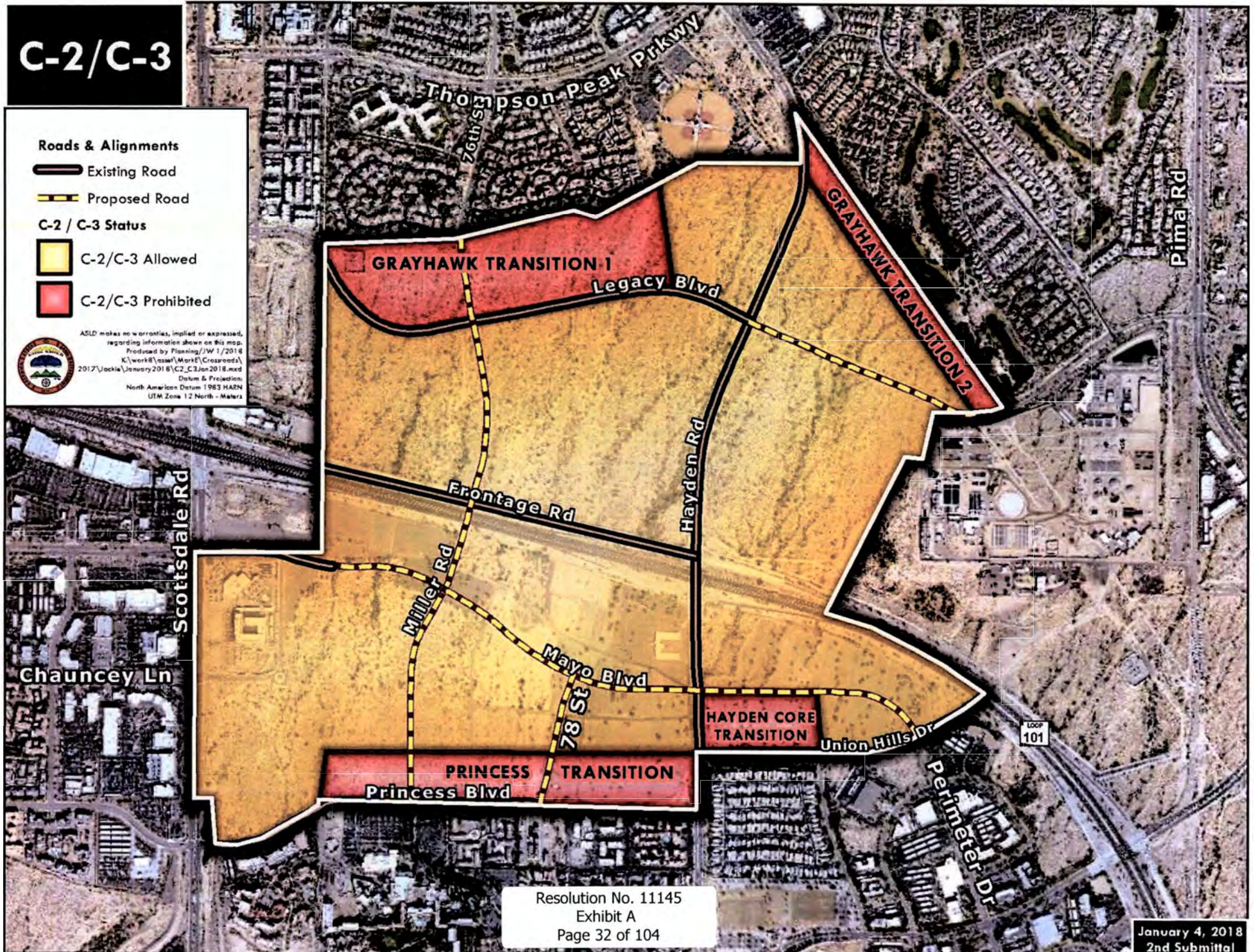
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- Proposed Road

C-2 / C-3 Status

- C-2/C-3 Allowed
- C-2/C-3 Prohibited



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C-O

Roads & Alignments

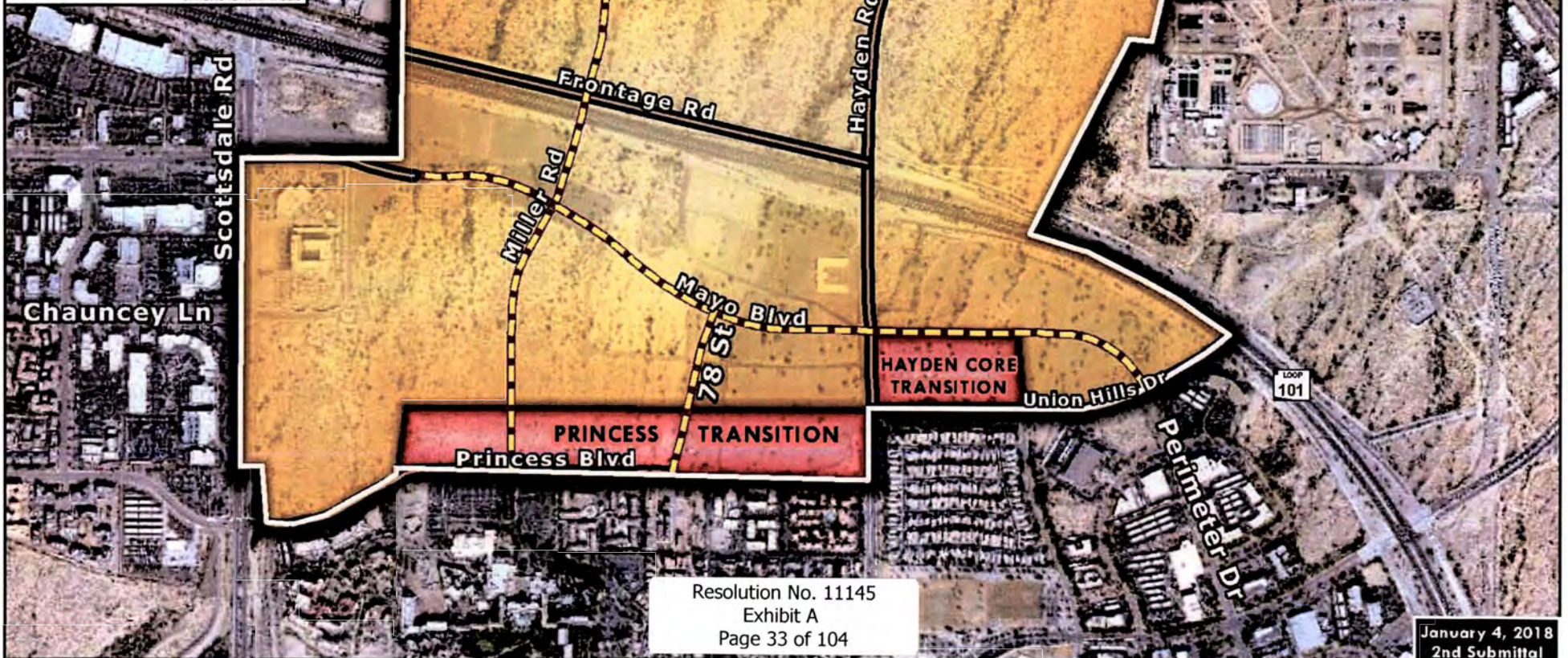
- Existing Road
- Proposed Road

C-O Status

- C-O Allowed
- C-O Prohibited



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I-1

Roads & Alignments

Existing Road

Proposed Road

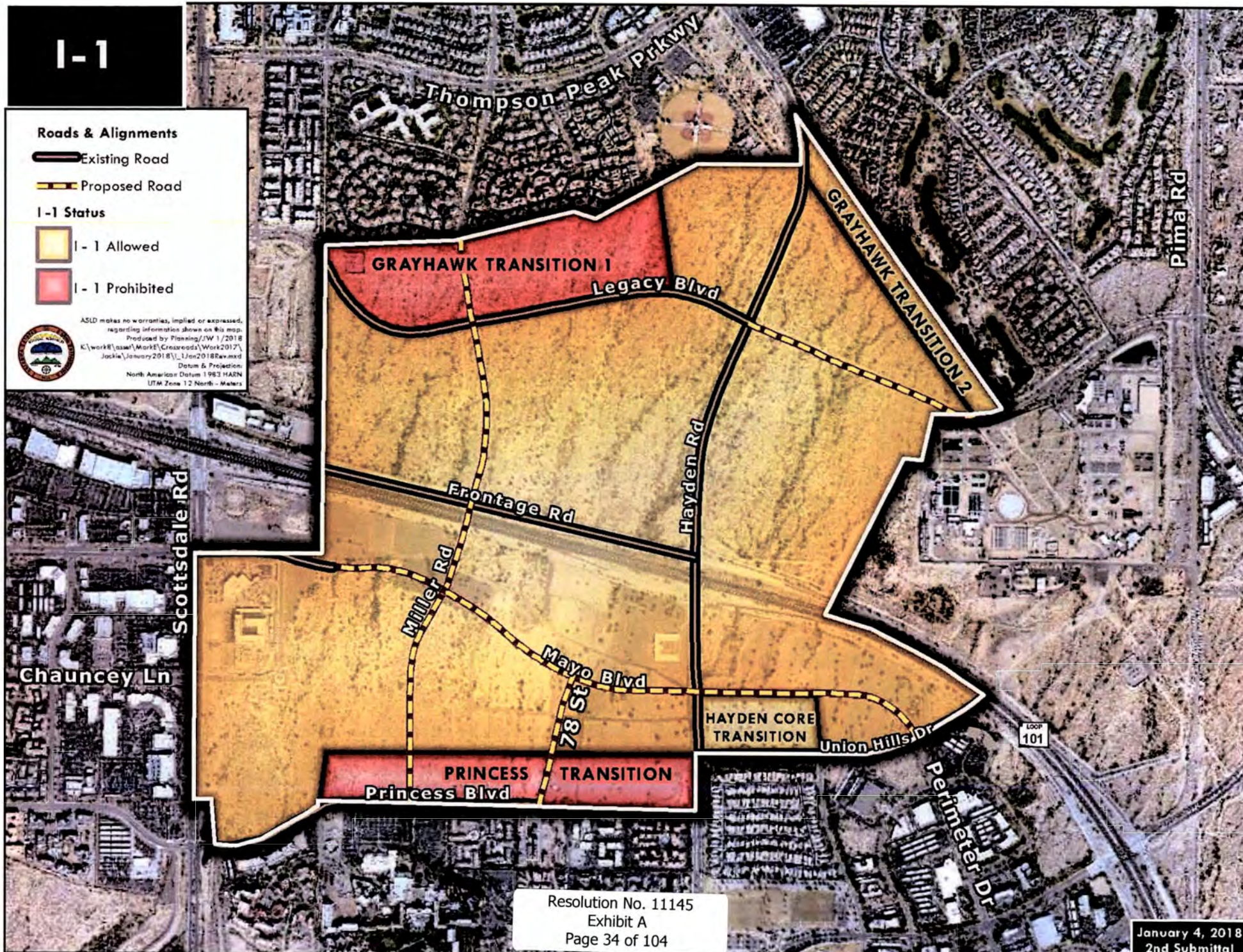
I-1 Status

I-1 Allowed

I-1 Prohibited



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UTM Zone 12 North - Meters



Resolution No. 11145

Exhibit A

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January 4, 2018
2nd Submittal

PRC & PCP

Roads & Alignments

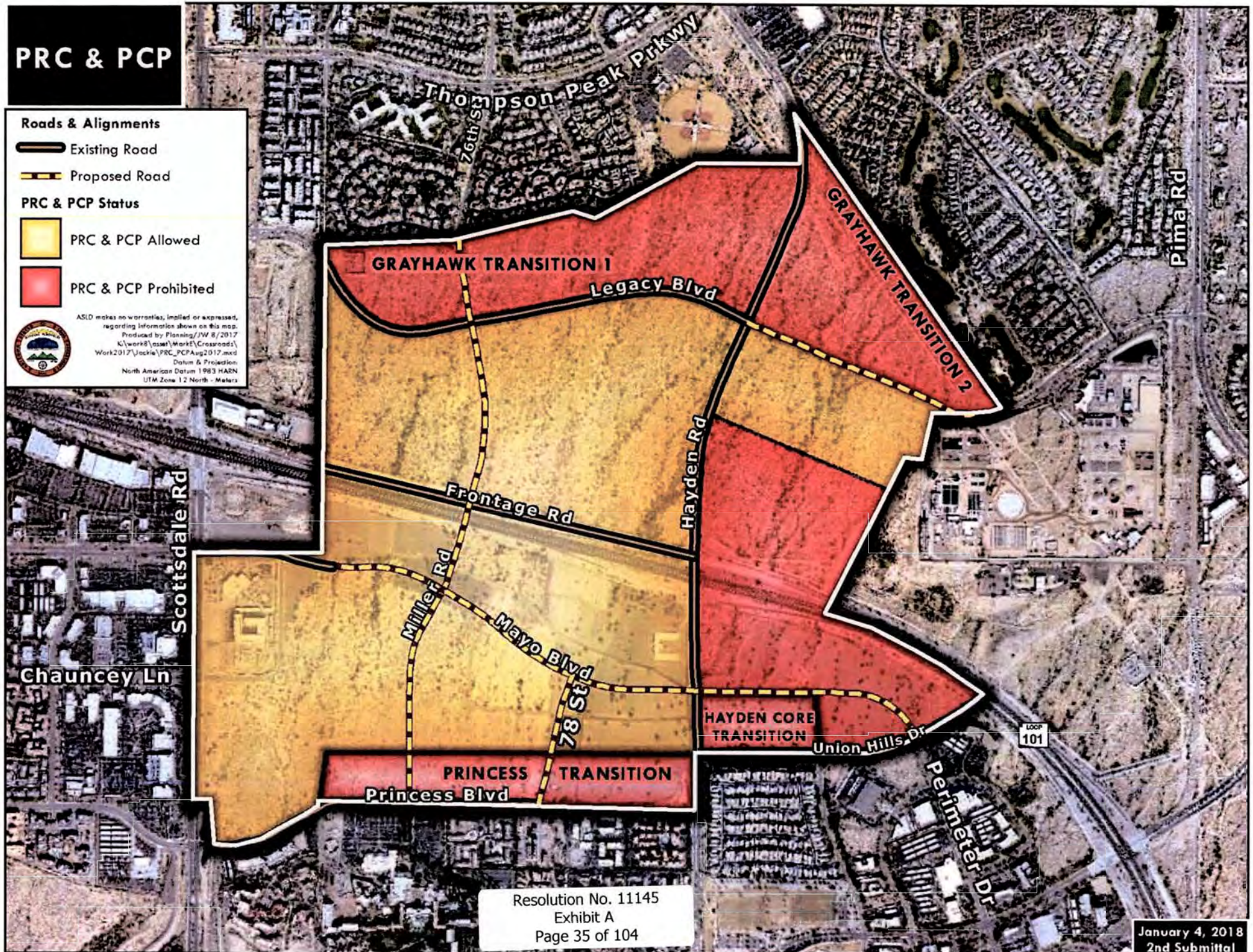
- Existing Road
- Proposed Road

PRC & PCP Status

- PRC & PCP Allowed
- PRC & PCP Prohibited



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 UTM Zone 12 North - Meters



APPENDIX B

CROSSROADS EAST - AMENDED DEVELOPMENT STANDARDS

- Multi-Family Residential District (R-5)
- Central Business District (C-2) (Amended with select C-3 uses)
- Commercial Office District (C-O)
- Industrial Park District (I-1)
- Planned Regional Center (PRC)
- Planned Airpark Core Development (PCP) (no amendments)
- Planned Airpark Core Development (PCP) (amended for PU-5 only)

Sec. 5.1000. - Multiple-family Residential (R-5).

Sec. 5.1001. - Purpose.

This district is intended to provide for development of multiple-family residential and allows a high density of population with a proportional increase in amenities as the density rises. The district is basically residential in character and promotes a high-quality environment through aesthetically oriented property development standards.

Sec. 5.1002. - Reserved.

Editor's note— Ord. No. 4164, § 1(Res. No. 9857, § 1, Exh. A, § 19), adopted Aug. 25, 2014, repealed § 5.1002 which pertained to approvals required and derived from Ord. No. 3225, § 1, adopted May 4, 1999.

Sec. 5.1003. - Use regulations.

A. *Permitted uses.*

1. Accessory buildings; swimming pool; home occupations; and other accessory uses. The landing and taking-off of aircraft is not a valid accessory use in residential districts and is prohibited.
2. Day care home.
3. Dwelling, single-family detached or attached, including Vacation rental or Short-term rental.
4. Dwelling, multi-family.
5. Municipal uses.
6. Wireless communications facilities; Types 1, 2 and 3 subject to the requirements of Sections 1.906, 3.100 and 7.200.
7. School: Public and charter, elementary and high.
8. Temporary buildings for uses incidental to construction work, to be removed upon completion or abandonment of construction work.
9. Temporary sales office buildings or model homes.
10. Churches and places of worship.

B. *Uses permitted by conditional use permit.*

1. Commercial and/or ham transmitting or receiving radio and television antennas in excess of seventy (70) feet.
2. Community buildings or recreational fields not publicly owned.
3. Convent.
4. Day care center.

5. Golf course, regulation or par-three, that is incidental to and located within the development.
6. Orphanage.
7. Plant nursery; provided, however, that all materials (other than plant materials) shall be screened from view by a solid fence or wall at least six (6) feet in height, and further that a completely enclosed building having a minimum floor area of five hundred (500) square feet shall be provided.
8. Private club, fraternity, sorority.
9. Private lake, semi-public lake, tennis courts.
10. Private school having no room regularly used for housing or sleeping overnight. Subject to Development Review Board approval and compliance with the following standards, as well as those otherwise required in the R-5 District.
 - a. Lot area: The minimum lot area shall be equal to that required for the district, except that no lot shall be less than forty-three thousand (43,000) square feet (net).
 - b. Floor area ratio: In no case shall the gross floor area of the structure(s) exceed an amount equal to 0.20 multiplied by the net lot area.
 - c. Noise: Outdoor speaker system or bells are not allowed if the school building is within one hundred (100) feet of a single-family dwelling or multifamily dwelling unit.
 - d. Required open space.
 - i. Minimum: 0.24 multiplied by the net lot area.
 - ii. For building heights over twenty (20) feet: the minimum open space requirement plus 0.004 multiplied by the net lot area for each foot of building height over twenty (20) feet.
 - iii. NAOS may be included in the required open space.
 - e. Parking: Parking shall be allowed in the front yard setbacks of the district for schools on streets classified in the Transportation Master Plan as minor collector or greater. There shall be a three-foot high landscaped berm or wall along the street frontage where parking occurs. On all other street classifications, parking shall be located behind the established front building line(s). A minimum of fifteen (15) percent of all parking areas shall be landscaped. A twenty-foot minimum landscaped setback shall be provided where parking is adjacent to residential districts shown on Table 4.100.A., or the residential portion of a Planned Community P-C or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.
 - f. Lighting: All pole mounted lighting shall be directed down and shielded and shall be a maximum of sixteen (16) feet in height. All lighting adjacent to residential districts shall be setback a minimum of thirty (30) feet from the property line. All lighting, other than

security, shall be turned off by 10:00 p.m., unless otherwise approved through a special event permit.

- g. Screening: There shall be a minimum six-foot high masonry wall and/or landscape screen, as approved by the Development Review Board, on the side and rear property lines adjacent to residential districts shown on Table 4.100.A., or the residential portion of a Planned Community P-C or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.
 - h. Access: All private schools shall have frontage on a street classified in the Transportation Master Plan as a minor collector or greater. Side street access to a local collector residential street is prohibited when the number of students allowed to attend the school is greater than two hundred fifty (250). A drop off area shall be provided that accommodates a minimum of five (5) cars at one (1) time.
 - i. Operations: No outdoor activities shall be permitted after 8:00 p.m. unless otherwise approved through a special event permit. No playground or outdoor activity area shall be located within fifty (50) feet of any single-family residential district shown on Table 4.100.A., or the single-family residential portion of a Planned Community P-C or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the single-family residential districts shown on Table 4.100.A., or within twenty-five (25) feet of any Two-family Residential R-2, Medium Density Residential R-3, Townhouse Residential R-4, Resort/Townhouse Residential R-4R, Multiple-family Residential R-5 or Manufactured Home M-H district. All playgrounds and outdoor activity areas shall be screened from any residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A., by a minimum six-foot high screen wall.
 - j. Building design: All buildings shall be designed to be compatible with the surrounding residential neighborhood. All building elevations shall be approved by the Development Review Board.
- 11. Public buildings other than hospitals.
 - 12. Public utility buildings, structures or appurtenances thereto for public service uses.
 - 13. Recreational uses.
 - 14. Residential health care facility.
 - 15. Travel accommodation.
 - 16. Wireless communications facilities; Type 4, subject to requirements of sections 1.400., 3.100., and 7.200.

(Ord. No. 2266, § 1, 11-21-89; Ord. No. 2394, § 1, 9-16-91; Ord. No. 2430, § 1, 1-21-92; Ord. No. 2858, § 1, 12-5-95; Ord. No. 3048, § 2, 10-7-97; Ord. No. 3034, § 1, 11-4-97; Ord. No. 3103, § 1, 1-6-98; Ord. No. 3225, § 1, 5-4-99; Ord. No. 3493, § 1, 3-4-03; Ord. No. 3697, § 1(Exh. 1), 9-26-06; Ord. No. 3899, § 1(Res.

No. 8342, Exh. A, §§ 5, 6), 8-30-10; Ord. No. 3920, § 1(Exh. § 27), 11-9-10; Ord. No. 4005, § 1(Res. No. 8947, Exh. A, § 56), 4-3-12; Ord. No. 4140, § 1(Res. No. 9643, Exh. A, § 3), 2-25-14; Ord. No. 4143, § 1(Res. No. 9678, Exh. A, § 83), 5-6-14; Ord. No. 4288, § 1(Res. No. 10650, § 1, Exh. A), 11-14-16)

Sec. 5.1004. - Property development standards.

The following property development standards shall apply to all land and buildings in the R-5 District.

A. *Minimum property size.*

1. Each parcel or lot within a MULTI-FAMILY development shall be a minimum net lot size of thirty-five thousand (35,000) square feet. EACH LOT WITHIN A SINGLE-FAMILY DETACHED DEVELOPMENT SHALL BE A MINIMUM NET LOT SIZE OF FIVE THOUSAND (5000) SQUARE FEET.
2. If an R-5 zoned parcel of land or a lot of record in separate ownership has an area of less than thirty-five thousand (35,000) square feet and has been lawfully established and recorded prior to the adoption of this requirement on October 2, 1979, such lot may be used for any purpose permitted in this section, subject to all other requirements of this ordinance.

B. *Required open space.*

1. Density based uses.
 - a. Minimum open space per Section 5.1004.D., distributed as follows:
 - i. Frontage open space minimum: 0.50 multiplied by the minimum open space per Section 5.1004.D., except as follows:
 - (1) Minimum: Twenty (20) square feet per one (1) linear foot of public street frontage.
 - (2) Not required to exceed more than fifty (50) square feet per one (1) linear foot of public street frontage.
 - ii. The remainder of the density based uses minimum open space per Section 5.1004.D., less the frontage open space, shall be common open space.
 - b. Private outdoor living space.
 - i. First story dwelling units, minimum: 0.10 multiplied by the gross floor area of the unit.
 - ii. Dwelling units above the first story, minimum: 0.05 multiplied by the gross floor area of the unit.
 - iii. The private outdoor living space shall be located beside the dwelling unit which it serves and shall be for the exclusive use of the unit occupant(s), but is not part of the unit's gross floor area.

2. Non-density based uses.

a. Minimum open space: 0.24 multiplied by the net lot area distributed as follows.

i. Frontage open space minimum: 0.50 multiplied by the minimum open space.

ii. The remainder of the non-density based uses minimum open space, less the frontage open space, shall be provided as common open space.

3. Parking areas and parking lot landscaping are not included in the required open space.

C. *Building height.*

1. No building shall exceed thirty-six (36) feet in height except as otherwise provided in article VII.

2. Building height shall not exceed one (1) story within fifty (50) feet of any R-1, R-2, R-3, R-4, R-4R or M-H district boundary line.

D. *Density requirements.* Compliance with the standards under columns 3 and 4 determine allowable density for dwelling and guest units.

ALLOWABLE DENSITY		STANDARDS	
1	2	3	4
Dwelling Units Per Acre (and corresponding gross land area per unit requirement)	Timeshare or Guest Units Per Acre (and corresponding gross land area per unit requirement)	Minimum Percentage of Net Lot Area to be maintained in Open Space	Minimum Percentage of the Tree Requirement to be provided in Mature Trees
17 (2562) or less	24 (1816) or less	22	40
18 (2422)	25.5 (1708)	25	50
19 (2292)	27 (1613)	28	60
20 (2180)	28.5 (1528)	31	70
21 (2074)	30 (1452)	34	80
22 (1980)	31.5 (1382)	37	90
23 (1890)	33 (1320)	40	100

E. *Building setback.*

1. Wherever an R-5 development abuts an R-1, R-2, R-3, R-4, R-4R or M-H district or an alley abutting any of those districts, a yard of not less than fifteen (15) feet shall be maintained.

2. Wherever an R-5 development abuts any district other than R-1, R-2, R-3, R-4, R-4R or M-H, or abuts an alley adjacent to such other district, a building may be constructed on the property line. However, if any yard is to be maintained, it shall be not less than ten (10) feet in depth. Larger yards may be required by the Development Review Board or City

Council if the existing or future development of the area around the site warrants such larger yards.

F. *Distance between buildings.*

1. There shall not be less than ten (10) feet between an accessory building and a main building or between two (2) main buildings, except that an accessory building with two (2) or more open sides, one (1) of which is adjacent to the main building, may be built to within six (6) feet of the main building.

G. *Walls, fences and required screening.*

1. Walls, fences and hedges not to exceed eight (8) feet in height shall be permitted on the property line or within the required yard areas, except within the required frontage open spaces, within which they may not exceed three (3) feet in height, or except as otherwise provided in article VII.
2. All parking areas adjacent to a public street shall be screened with a wall to a height of three (3) feet above the parking surface.
3. All mechanical structures and appurtenances shall be screened as approved by the Development Review Board.
4. All storage and refuse areas shall be screened as determined by Development Review [Board].

H. *Access.* All lots shall have frontage on and have vehicular access from a dedicated street, unless a secondary means of permanent vehicle access has been approved by the Development Review Board.

(Ord. No. 1840, § 1(5.1004), 10-15-85; Ord. No. 1922, § 1, 11-4-86; Ord. No. 2430, 1-21-92; Ord. No. 2509, § 1, 6-1-93; Ord. No. 2818, § 1, 10-17-95; Ord. No. 3225, § 1, 5-4-99; Ord. No. 4005, § 1(Res. No. 8947, Exh. A, §§ 57, 58), 4-3-12)

Sec. 5.1005. - Off-street parking.

The provisions of article IX shall apply.

Sec. 5.1006. - Signs.

The provisions of article VIII shall apply.

Sec. 5.1007. - Landscaping.

Unless otherwise provided, the provisions of Article X. apply.

(Ord. No. 4005, § 1(Res. No. 8947, Exh. A, § 59), 4-3-12)

Sec. 5.1400. - Central Business (C-2) AND HIGHWAY COMMERCIAL (C-3).

Editor's note— Ord. No. 4041, § 1(Res. No. 9208, § 1(Exh. A, § 1), adopted October 16, 2012, repealed §§ 5.1400—5.1407. Section 2 of said Exhibit A enacted provisions designated as new §§ 5.1400—5.1408. Prior to inclusion of said ordinance, said provisions pertained to similar subject matter. See also the Code Comparative Table.

Sec. 5.1401. - Purpose.

This district is intended to permit uses for recurring shopping and service needs for multiple neighborhoods. This district includes uses usually associated with office and retail shopping developments, typically located near residential neighborhoods.

(Ord. No. 4041, § 1(Res. No. 9208, § 1(Exh. A, § 2), 10-16-12)

Sec. 5.1402. - Reserved.

Editor's note— Ord. No. 4164, § 1(Res. No. 9857, § 1, Exh. A, § 23), adopted Aug. 25, 2014, repealed § 5.1402 which pertained to development review board approval and derived from Ord. No. 4041, § 1(Res. No. 9208, § 1, Exh. A § 2), adopted Oct. 16, 2012.

Sec. 5.1403. - Use regulations.

- A. The uses allowed in the C-2 District are shown in Table 5.1403.A. with additional limitations on uses as listed.
- B. Downtown Area and Downtown Overlay zoning.
 - 1. Drive-through and drive-in services are not permitted in the Downtown Area.
 - 2. The dwelling unit limitation of one dwelling unit for each business establishment does not apply to property zoned Downtown Overlay.

Table 5.1403.A. Use Table

Land Uses	Permitted (P) or Conditional Use (CU)
1. Adult uses	CU
2. Bar	CU
3. Big box	P (1), CU (1)
4. Bowling alley	P
5. Bus station, excluding overnight parking and storage of buses	CU
6. Carwash	CU
7. Civic and social organization	P (2)

8. Courier and messenger	P
9. Cultural institution	P (2)
10. Day care center with drop off or outdoor play area farther than 100 feet from a residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.	P (2)
11. Day care center with drop off or outdoor play area within 100 feet of a residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.	CU (2)
12. Dwelling units physically integrated with commercial establishments (limited to one dwelling unit for each business establishment)	P (2)
13. Educational service, elementary and secondary school	P (2) (3)
14. Educational service, other than elementary and secondary school	P
15. Financial institution, including drive-through and drive-in service	P
16. Funeral home and funeral services	CU
17. Furniture and home furnishing sales	P
18. Game center	CU
19. Gas station	CU
20. Gun shop	P
21. Health and fitness studio	P
22. Internalized community storage	P
23. Live entertainment	CU
24. Medical and diagnostic laboratory	P
25. Multimedia production without communication tower	P
26. Municipal use	P
27. Office	P
28. Pawnshop	P
29. Personal care service	P
30. Place of worship	P (2)
31. Plant nursery	P
32. Pool hall	CU
33. Residential health care facility	P (2) (4)
34. Restaurant, including drive-through but excluding drive-in	P
35. Retail	P

36. Seasonal art festival	CU
37. Teen dance center	CU
38. Theater	P (2)
39. Travel accommodation	P (2)
40. VEHICLE LEASING, RENTAL OR SALES WITH INDOOR OR OUTDOOR VEHICLE DISPLAY AND STORAGE LOCATED IN AN ENCLOSED BUILDING.	P (5)
41. VEHICLE LEASING, RENTAL OR SALES WITH OUTDOOR VEHICLE DISPLAY AND STORAGE LOCATED MORE THAN 150 FEET FROM A RESIDENTIAL DISTRICT SHOWN ON TABLE 4.100.A., OR THE RESIDENTIAL PORTION OF A PLANNED COMMUNITY P-C, OR ANY PORTION OF A PLANNED RESIDENTIAL DEVELOPMENT PRD WITH AN UNDERLYING ZONING DISTRICT COMPARABLE TO THE RESIDENTIAL DISTRICTS SHOWN ON TABLE 4.100.A., MEASURED FROM THE PROPERTY BOUNDARY TO THE ZONING DISTRICT LINE ALL WITHIN THE CITY LIMITS.	P (5)
42. VEHICLE LEASING, RENTAL OR SALES WITH OUTDOOR VEHICLE DISPLAY AND STORAGE LOCATED 150 FEET OR LESS FROM A RESIDENTIAL DISTRICT SHOWN ON TABLE 4.100.A., OR THE RESIDENTIAL PORTION OF A PLANNED COMMUNITY P-C, OR ANY PORTION OF A PLANNED RESIDENTIAL DEVELOPMENT PRD WITH AN UNDERLYING ZONING DISTRICT COMPARABLE TO THE RESIDENTIAL DISTRICTS SHOWN ON TABLE 4.100.A., MEASURED FROM THE PROPERTY BOUNDARY TO THE ZONING DISTRICT LINE ALL WITHIN THE CITY LIMITS.	CU
43. VEHICLE REPAIR, LOCATED 150 FEET FROM A RESIDENTIAL DISTRICT SHOWN ON TABLE 4.100.A., OR THE RESIDENTIAL PORTION OF A PLANNED COMMUNITY P-C, OR ANY PORTION OF A PLANNED RESIDENTIAL DEVELOPMENT PRD WITH AN UNDERLYING ZONING DISTRICT COMPARABLE TO THE RESIDENTIAL DISTRICTS SHOWN ON TABLE 4.100.A., MEASURED FROM THE PROPERTY BOUNDARY TO THE ZONING DISTRICT LINE ALL WITHIN CITY LIMITS.	P (6)
44. VEHICLE REPAIR, LOCATED 150 FEET OR LESS FROM A RESIDENTIAL DISTRICT SHOWN ON TABLE 4.100.A., OR THE RESIDENTIAL PORTION OF A PLANNED COMMUNITY P-C, OR ANY PORTION OF A PLANNED RESIDENTIAL DEVELOPMENT PRD WITH AN UNDERLYING ZONING DISTRICT COMPARABLE TO THE RESIDENTIAL DISTRICT SHOWN ON TABLE 4.100.A, MEASURED FROM THE PROPERTY BOUNDARY TO THE ZONING DISTRICT LINE ALL WITHIN THE CITY LIMITS.	CU
45 VEHICLE STORAGE FACILITY.	CU (7)
46. Veterinary and pet care service	P (8)
47. Wireless communications facility, Type 1, 2, and 3	P
48. Wireless communications facility, Type 4	CU

Use Limitations:

- (1) Big box retail sales are not allowed in the Environmentally Sensitive Lands Overlay District and are subject to a conditional use permit if:

- a. Primary access is from a local residential street, or
 - b. Residential property is located within 1,300 feet of the big box property line, except where the residential property is developed with nonresidential uses or separated from the big box by the Loop 101 Pima Freeway.
- (2) Uses are allowed except in the AC-3 area as described in the City's procedures for development near the Scottsdale Airport and Chapter 5 of the Scottsdale Revised Code, as amended.
- (3) Educational services, elementary and secondary school, are subject to the following standards:
- a. The facility shall be located not less than five hundred (500) feet from any adult use.
 - b. The net lot area for the facility shall be a minimum of forty-three thousand (43,000) square feet.
 - c. The facility shall not have outdoor speaker systems or bells.
 - d. A maximum of one-third ($1/3$) of the required parking may be shared parking with other uses located within six hundred (600) feet of the building front entrance.
 - e. Outdoor playgrounds and recreation areas shall be:
 - i. Located not less than fifty (50) feet from any residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A;
 - ii. Located within the rear or side yard; and
 - iii. Enclosed and screened by a six-foot wall or fence.
 - f. A drop-off area accommodating a minimum of five (5) vehicles shall be located along a sidewalk or landing area connected to the main entrance to the facility. This drop-off area shall not include internal site traffic aisles, parking spaces, or fire lanes.
 - g. Public trails or pedestrian connections shall link to the front door of the main building, subject to Development Review Board approval.
 - h. The circulation plan shall show minimal conflicts among the student drop-off area, any vehicle drop-off area, parking, access driveways, pedestrian and bicycle paths on site.
 - i. Facilities located in the AC-2 area, described in the City's procedures for development near the Scottsdale Airport and Chapter 5 of the Scottsdale Revised Code, as amended, shall be constructed with sound transmission requirements of the International Building Code (IBC).
- (4) Residential health care facilities.
- a. Specialized residential health care facilities.

- i. The number of beds shall not exceed eighty (80) per acre of gross lot area.
 - ii. Required open space.
 - (1) Minimum open space: 0.24 multiplied by the net lot area distributed as follows:
 - (a) Frontage open space minimum: 0.50 multiplied by the total open space, except as follows:
 - (i) Minimum: twenty (20) square feet per one (1) linear foot of public street frontage.
 - (ii) Not required to exceed fifty (50) square feet per one (1) linear foot of public street frontage.
 - (b) The remainder of the minimum open space, less the frontage open space, shall be provided as common open space.
 - iii. The site shall be designed, to the maximum extent feasible, so that on-site parking is oriented to the building(s) to provide convenient pedestrian access for residents, guests, and visitors.
- b. Minimal residential health care facilities.
- i. The gross lot area shall not be less than one (1) acre.
 - ii. The number of units shall not exceed forty (40) dwelling units per acre of gross lot area.
 - iii. Required open space.
 - (1) Minimum open space: 0.24 multiplied by the net lot area distributed as follows:
 - (a) Frontage open space minimum: 0.50 multiplied by the total open space, except as follows:
 - (i) Minimum: twenty (20) square feet per one (1) linear foot of public street frontage.
 - (ii) Not required to exceed fifty (50) square feet per one (1) linear foot of public street frontage.
 - (b) The remainder of the minimum open space, less the frontage open space, shall be provided as common open space.
 - iv. The site shall be designed, to the maximum extent feasible, so that on-site parking is oriented to the building(s) to provide convenient pedestrian access for residents, guests, and visitors.
- (5) (5) VEHICLE LEASING, RENTAL OR SALES WITH INDOOR VEHICLE DISPLAY AND STORAGE IS SUBJECT TO THE FOLLOWING:

- A. REQUIRED PARKING SHALL NOT BE USED FOR VEHICLE STORAGE AND DISPLAY.
 - B. NONE OF THE ABOVE CRITERIA SHALL PROHIBIT THE DEVELOPMENT REVIEW BOARD FROM CONSIDERING AN APPLICATION TO RECONSTRUCT OR REMODEL AN EXISTING VEHICLE LEASING, RENTAL OR SALES WITH INDOOR VEHICLE DISPLAY AND STORAGE FACILITY.
- (6) VEHICLE REPAIR IS SUBJECT TO THE FOLLOWING:
- A. ALL REPAIRS SHALL BE PERFORMED WITHIN AN ENCLOSED BUILDING.
 - B. VEHICLES MAY ONLY ENTER THE REAR OF THE BUILDING, EXCEPT VEHICLES MAY ENTER THE SIDE OF THE BUILDING IF THE LOT IS:
 - I. A CORNER LOT,
 - II. A LOT ABUTTING A RESIDENTIAL DISTRICT SHOWN ON TABLE 4.100.A.,
 - III. A LOT ABUTTING THE RESIDENTIAL PORTION OF A PLANNED COMMUNITY P-C, OR ANY PORTION OF A PLANNED RESIDENTIAL DEVELOPMENT PRD WITH AN UNDERLYING ZONING DISTRICT COMPARABLE TO THE RESIDENTIAL DISTRICTS SHOWN ON TABLE 4.100.A., OR
 - IV. SEPARATED BY AN ALLEY FROM ONE (1) OF THE DISTRICTS SET FORTH IN SUBSECTION II. OR III. ABOVE.
 - C. IF THE LOT MEETS ANY REQUIREMENT OF SUBSECTION B. ABOVE, AND SIDE ENTRY BAYS ARE PROPOSED, THE SIDE ENTRY REPAIR BAYS SHALL BE SCREENED FROM STREET VIEWS BY SOLID MASONRY WALLS, AND THE LANDSCAPE PLAN SHALL DEMONSTRATE TO THE DEVELOPMENT REVIEW BOARD'S SATISFACTION, THAT THE PROPOSED SCREENING DOES NOT IMPACT THE STREETScape BY EXPOSING REPAIR BAYS, UNASSEMBLED VEHICLES, VEHICLE REPAIR ACTIVITIES, OR VEHICLE PARTS.
 - D. ALL VEHICLES AWAITING REPAIR SHALL BE SCREENED FROM VIEW BY A MASONRY WALL OR LANDSCAPE SCREEN.
 - E. REQUIRED PARKING SHALL NOT BE USED FOR VEHICLE STORAGE.
 - F. NONE OF THE ABOVE CRITERIA SHALL PROHIBIT THE DEVELOPMENT REVIEW BOARD FROM CONSIDERING AN APPLICATION TO RECONSTRUCT OR REMODEL AN EXISTING VEHICLE REPAIR FACILITY.
- (7) VEHICLE STORAGE FACILITIES MAY INCLUDE AN APARTMENT/OFFICE FOR ON-SITE SUPERVISION BUT NO VEHICLE SHALL BE USED AS A DWELLING, EVEN TEMPORARILY.
- (8) Veterinary and pet care services are permitted if all facilities are within a soundproof building. However, outdoor activities are permitted if:
- a. An employee or pet owner shall accompany an animal at all times when the animal is outside the building.

- b. The property owner and operator maintain all outdoor areas in a clean and sanitary condition, including immediate and proper disposal of animal waste.
- c. The outdoor areas are set back at least one hundred (100) feet from any lot line abutting a residential district, or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A., measured from the property boundary to the zoning district line all within the City limits.
- d. There is no outdoor kennel boarding.

(Ord. No. 4041, § 1(Res. No. 9208, § 1(Exh. A, § 2), 10-16-12; Ord. No. 4117, § 1(Res. No. 9563, Exh. A, § 7), 11-19-13; Ord. No. 4143, § 1(Res. No. 9678, Exh. A, §§ 88, 89), 5-6-14)

Sec. 5.1404. - Property development standards.

The following property development standards shall apply to all land and buildings in the C-2 District:

- A. *Floor area ratio.* Maximum: 0.80.
- B. *Building height (excluding rooftop appurtenances).* Maximum: ~~36~~ 42 feet. WITHIN THREE HUNDRED 300 FEET OF THE PERIMETER OF THE GRAYHAWK TRANSITION AREA AS SHOWN ON THE C-2/C-3 EXHIBIT IN APPENDIX A, NO BUILDING SHALL EXCEED THIRTY (30) FEET IN HEIGHT.
- C. *Required open space.*
 - 1. Total open space.
 - a. Minimum: 0.10 multiplied by the net lot area.
 - b. For building heights over twelve (12) feet: the minimum open space requirement plus 0.004 multiplied by the net lot area for each foot of building height over twelve (12) feet, EXCEPT IN NO CASE SHALL THE OPEN SPACE REQUIREMENT EXCEED FIFTEEN (15) PERCENT OF THE NET LOT AREA.
 - 2. Total open space is distributed as follows:
 - a. Frontage open space minimum: 0.50 multiplied by the total open space requirement, IF PARKING IS LOCATED BETWEEN THE BUILDING AND STREET.
 - b. The remainder of the total open space, less the frontage open space, shall be common open space.
 - 3. Parking areas and parking lot landscaping are not included in the required open space.
 - 4. NAOS may be included in the required open space.
- D. *Yards.*
 - 1. Side and rear yards.

- a. Minimum fifty (50) feet, including any alley width, from a single-family residential district shown on Table 4.100.A., or the single-family residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the single-family residential districts shown on Table 4.100.A.
- b. Minimum twenty-five (25) feet, including any alley width, from a multiple-family residential district.

E. *Screening.*

- 1. All operations and storage shall be conducted within a completely enclosed building or within an area contained by a wall or fence as determined by Development Review Board approval.

(Ord. No. 4041, § 1(Res. No. 9208, § 1(Exh. A, § 2), 10-16-12)

Sec. 5.1405. - General provisions.

Unless otherwise provided, the provisions of Article VII. shall apply.

(Ord. No. 4041, § 1(Res. No. 9208, § 1(Exh. A, § 2), 10-16-12)

Sec. 5.1406. - Signs.

The provisions of Article VIII. shall apply.

(Ord. No. 4041, § 1(Res. No. 9208, § 1(Exh. A, § 2), 10-16-12)

Sec. 5.1407. - Off-street parking.

The provisions of Article IX. shall apply.

(Ord. No. 4041, § 1(Res. No. 9208, § 1(Exh. A, § 2), 10-16-12)

Sec. 5.1408. - Landscaping.

Unless otherwise provided, the provisions of Article X. shall apply.

(Ord. No. 4041, § 1(Res. No. 9208, § 1(Exh. A, § 2), 10-16-12)

Sec. 5.1800. - Industrial Park (I-1).

Editor's note— Ord. No. 4002, § 1(Res. No. 8967, Exh. A, § 3), adopted March 6, 2012, repealed §§ 5.1800—5.1806, which pertained to (I-1) INDUSTRIAL PARK DISTRICT. Section 4 of said resolution enacted provisions designated as §§ 5.1800—5.1808 to read as herein set out. See also the Code Comparative Table.

(Ord. No. 4002, § 1(Res. No. 8967, Exh. A, § 4), 3-6-12; Ord. No. 4005, § 1(Res. No. 8947, Exh. A, § 98), 4-3-12)

Sec. 5.1801. - Purpose.

The I-1 District is intended to provide for light manufacturing, aeronautical, light industrial, office and supportive uses to sustain and enhance major employment opportunities. The development standards are intended to provide development flexibility consistent with the sensitive design principles, and appropriate transition in areas adjacent to residential districts.

(Ord. No. 4002, § 1(Res. No. 8967, Exh. A, § 4), 3-6-12)

Sec. 5.1802. - Reserved.

Editor's note— Ord. No. 4164, § 1(Res. No. 9857, § 1, Exh. A, § 27), adopted Aug. 25, 2014, repealed § 5.1802 which pertained to development review board approval and derived from Ord. No. 4002, § 1(Res. No. 8967, Exh. A, § 4), adopted March 6, 2012.

Sec. 5.1803. - Use regulations.

The uses allowed in the I-1 District are shown in Table 5.1803 with additional limitations on certain uses listed below.

Table 5.1803. Land Use Table	
Land Uses	Permitted (P), or Conditional Use (CU)
1. Aeronautical use, except off-airport heliport or helipad	P (1)
2. Auction sales	CU
3. Courier and messenger	P
4. Data processing, hosting and related service	P
5. Day care center with drop off or outdoor play area farther than 100 feet from a residential district	P (2)
6. Day care center with drop off or outdoor play area within 100 feet of a residential district	CU (2)
7. Educational service other than elementary and secondary school	P
8. Educational service, elementary and secondary school	CU (2)(3)

9. Electronic shopping and mail-order service	P
10. Equipment and vehicle storage	P
11. Financial institution, excluding drive-through and drive-in service	P
12. Financial institution, including drive-through and drive-in service	CU (4)
13. Furniture and home furnishing sales	P
14. Health and fitness studio	P
15. Industrial launderer	P
16. Internalized community storage	P
17. Light manufacturing	P
18. Medical and diagnostic laboratory	P
19. Medical marijuana caregiver cultivation	CU
20. Medical marijuana use	CU
21. Multimedia production with communication tower equal to or less than 100 feet in height	P
22. Multimedia production with communication tower over 100 feet in height	CU
23. Municipal use	P
24. Off-airport heliport or helipad	CU
25. Office	P
26. Personal care service	P (4)
27. Place of worship	P (2)
28. Restaurant, excluding drive-through and drive-in service	P
29. Restaurant, including drive-through and drive-in service	CU (4)
30. Restoration service	P
31. Scenic and sightseeing transportation	P
32. Scientific research and development	P
33. Taxi and limousine service	P
34. Utility service yard	CU
35. Vehicle emissions testing facility	P
36. Vehicle storage not adjacent to residential districts	P
37. Vehicle storage adjacent to residential districts	CU
38. Wholesale, warehouse and distribution	P
39. Wireless communications facility, Type 1, 2, & 3	P
40. Wireless communications facility, Type 4	CU

Use Limitations:

- (1) Aeronautical uses are subject to Chapter 5 of the Scottsdale Revised Code.
- (2) Uses are allowed except in the AC-3 area as described in the City's procedures for development near the Scottsdale Airport and Chapter 5 of the Scottsdale Revised Code, as amended.
- (3) Educational service, elementary and secondary schools, are subject to a conditional use permit and shall meet the following standards:
 - a. The facility shall be located a minimum of five hundred (500) feet from any adult use.
 - b. The net lot area for the facility shall be a minimum of forty-three thousand (43,000) square feet.
 - c. The facility shall not have outside speaker systems or bells.
 - d. All lighting adjacent to residential districts shall be set back a minimum of thirty (30) feet from the property line.
 - e. A minimum twenty-four (24) feet setback shall be provided and landscaped where parking is adjacent to residential districts.
 - f. All outdoor playgrounds and recreation areas shall be located within the side or rear yard and shall be enclosed by a six-foot wall or fence.
 - g. A drop-off area accommodating a minimum of five (5) vehicles shall be located along a sidewalk or landing area connected to the main entrance to the facility.
 - h. Facilities located in the AC-2 area, described in the City's procedures for development near the Scottsdale Airport and Chapter 5 of the Scottsdale Revised Code, as amended, shall be constructed with sound attenuation measures to reduce outdoor to indoor noise by twenty-five (25) decibels. Compliance with the noise attenuation measures set forth in Appendix F to FAA Part 150 Noise Compatibility Study Section 4.00 is deemed compliance with this requirement.
- (4) Uses that are not accessory uses shall front on a major collector or higher street classification.

(Ord. No. 4002, § 1(Res. No. 8967, Exh. A, § 4), 3-6-12)

Sec. 5.1804. - Property development standards.

The following property development standards apply to all land and buildings in the I-1 District:

A. *Floor area ratio.*

1. Maximum: 0.80 multiplied by the net lot area.

B. *Required open space.*

1. Minimum: 0.10 multiplied by the net lot area.
2. For building heights over twelve (12) feet: the minimum required open space plus 0.003 multiplied by the net lot area, for each foot of building height over twelve (12) feet.
3. Reduction for on-lot taxilane safety area and aircraft staging area: the open space calculated in B.1. or B.2. above may be reduced by up to 0.50 multiplied by the required open space, for the amount of on-lot taxilane safety area and aircraft staging area provided.
4. Parking areas and parking lot landscaping are not included in the required open space.
5. NAOS may be included in the required open space.

C. *Building height.*

1. Maximum: Fifty-two (52) feet, except as otherwise provided below and in Article VII.
2. Maximum building height within three hundred (300) feet of a residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.: Thirty-six (36) feet. WITHIN THREE HUNDRED (300) FEET OF THE PERIMETER OF THE GRAYHAWK TRANSITION 2 AND HAYDEN CORE TRANSITION AREAS ~~B-2 and C-2 Character Areas~~ AS SHOWN ON THE I-1 EXHIBIT IN APPENDIX A ~~Character Areas Plan attached at Schedule A to Exhibit B~~, NO BUILDING SHALL EXCEED THIRTY (30) FEET IN HEIGHT.

D. *Yards.*

1. Front minimum: Twenty (20) feet.
2. Side and rear minimum: Thirty (30) feet from a residential district shown on Table 4.100.A., or the residential portion of a P-C, or any portion of a PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.
3. All outdoor activities, including storage, minimum: Fifty (50) feet from a residential district shown on Table 4.100.A., or the residential portion of a P-C, or any portion of a PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.

E. *Screening.*

1. All outdoor activities, mechanical equipment, outdoor storage and refuse areas shall be within an enclosed building, or screened by a solid wall at least six (6) feet in height or as otherwise approved by the Development Review Board.
2. No outdoor storage shall be visible from off-site.
3. Other requirements and exceptions are as specified in Article VII and Article X.

(Ord. No. 4002, § 1(Res. No. 8967, Exh. A, § 4), 3-6-12)

Sec. 5.1805. - General provisions.

Unless otherwise provided in this district, the provisions of Article VII shall apply.

(Ord. No. 4002, § 1(Res. No. 8967, Exh. A, § 4), 3-6-12)

Sec. 5.1806. - Signs.

The provisions of Article VIII shall apply.

(Ord. No. 4002, § 1(Res. No. 8967, Exh. A, § 4), 3-6-12)

Sec. 5.1807. - Off-street parking.

The provisions of Article IX shall apply.

(Ord. No. 4002, § 1(Res. No. 8967, Exh. A, § 4), 3-6-12)

Sec. 5.1808. - Landscaping.

Unless otherwise provided, the provisions of Article X. apply.

(Ord. No. 4002, § 1(Res. No. 8967, Exh. A, § 4), 3-6-12; Ord. No. 4005, § 1(Res. No. 8947, Exh. A, § 99), 4-3-12)

Sec. 5.2200. - Commercial Office (C-O).

(Ord. No. 4005, § 1(Res. No. 8947, Exh. A, § 109), 4-3-12; Ord. No. 4030, § 1(Exh. 1, §§ 1, 2), 6-19-12)

Editor's note— Ord. No. 4030, § 1(Exh. 1, § 1) adopted June 19, 2012, repealed former §§ 5.2201—5.2207 and enacted Exh. 1, § 2, enacted new provisions designated as §§ 5.2201—2.2208. See also the Code Comparative Table for a detailed analysis of inclusion.

Sec. 5.2201. - Purpose.

This district is intended to provide an environment desirable for and conducive to development of office and related uses adjacent to commercial areas. In addition, some specified uses are permitted with use limitations which promote their compatibility with office and residential uses. The development standards are intended to provide separation of office buildings from nearby residential areas, and provide a high quality setting for office uses.

(Ord. No. 4030, § 1(Exh. 1, § 2), 6-19-12, eff. 7-19-12)

Sec. 5.2202. - Reserved.

Editor's note— Ord. No. 4164, § 1(Res. No. 9857, § 1, Exh. A, § 31), adopted Aug. 25, 2014, repealed § 5.2202 which pertained to development review board approval and derived from Ord. No. 4030, § 1(Exh. 1, § 2), adopted June 19, 2012.

Sec. 5.2203. - Use regulations.

The uses allowed in the C-O District are shown in Table 5.2203.A. with additional limitations on certain uses listed below.

Table 5.2203.A. Use Table	
Land Use	Permitted (P) or Conditional Use (CU)
1. Animal and veterinary hospital	P(1)
2. Courier and messenger	P
3. Cultural institution, civic and social organization	P
4. Day care center with drop off or outdoor play area farther than 100 feet from a residential district	P (2)
5. Day care center with drop off or outdoor play area within 100 feet of a residential district	CU (2)
6. Educational service, elementary and secondary school	P (2)(3)
7. Educational service, other than elementary and secondary school	P

8. Financial institution, including drive-through and drive-in service	P
9. Funeral home and funeral services	CU(2)
10. Health and fitness studio	P
11. Hospital	CU (2)
12. Medical and diagnostic laboratory	P
13. Medical marijuana use, excluding medical marijuana cultivation	CU
14. Multimedia production excluding communication tower	P
15. Municipal use	P
16. Office	P
17. Place of worship	P (2)
18. Residential health care facility	P (2) (4)
19. Scientific research and development	CU
20. Wireless communications facility, Type 1, 2, and 3	P
21. Wireless communications facility, Type 4	CU

Use Limitations:

- (1) Animal and veterinary hospital.
 - i. Outdoor kennels are not allowed.
 - ii. An employee or pet owner shall accompany an animal at all times when the animal is outdoors.
 - iii. The property owner and operator shall maintain all outdoor areas in a clean and sanitary condition, including immediate and proper disposal of animal waste.
- (2) Uses are allowed except in the AC-3 area as described in the City's procedures for development near the Scottsdale Airport and Chapter 5 of the Scottsdale Revised Code, as amended.
- (3) Educational services, elementary and secondary school are subject to the following standards:
 - a. The facility shall be located a minimum of five hundred (500) feet from any adult use.
 - b. The net lot area for the facility shall be a minimum of forty-three thousand (43,000) square feet.
 - c. The facility shall not have outdoor speaker systems or bells.
 - d. All outdoor playgrounds and recreation areas shall be enclosed by a six-foot wall or fence and located a minimum of fifty (50) feet from any residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C or any portion of a

Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.

- e. A drop-off area accommodating a minimum of five (5) vehicles shall be located along a sidewalk or landing area connected to the main entrance to the facility. This area shall not include internal site traffic aisles, parking spaces, or fire lanes.
 - f. Public trails or pedestrian connections shall be incorporated into the site plan and subject to Development Review Board approval.
 - g. The circulation plan shall show minimal conflicts among the student drop-off area, any vehicle drop-off area, parking, access driveways, pedestrian and bicycle paths on site.
 - h. Facilities located in the AC-2 area, described in the City's procedures for development near the Scottsdale Airport and Chapter 5 of the Scottsdale Revised Code, as amended, shall be constructed with sound attenuation measures to reduce outdoor to indoor noise by twenty-five (25) decibels. Compliance with the noise attenuation measures set forth in Appendix F to FAA Part 150 Noise Compatibility Study Section 4.00 is deemed compliance with this requirement.
- (4) Residential health care facilities.
- i. Specialized residential health care facilities.
 - a. The number of beds shall not exceed eighty (80) per acre of gross lot area.
 - b. Required open space.
 - i. Minimum open space: 0.24 multiplied by the net lot area distributed as follows.
 - (1) Frontage open space minimum: 0.50 multiplied by the total open space, except as follows:
 - (A) Minimum: Twenty (20) square feet per one (1) linear foot of public street frontage.
 - (B) Not required to exceed fifty (50) square feet per one (1) linear foot of public street frontage.
 - (2) The remainder of the minimum open space, less the frontage open space, shall be provided as common open space.
 - c. The site shall be designed to provide convenient pedestrian access for residents, guests, and visitors.
 - ii. Minimal residential health care facilities.
 - a. The gross lot area shall not be less than one (1) acre.
 - b. The number of units shall not exceed forty (40) dwelling units per acre of gross lot area.

c. Required open space.

i. Minimum open space: 0.24 multiplied by the net lot area distributed as follows.

(1) Frontage open space minimum: 0.50 multiplied by the total open space, except as follows:

(A) Minimum: Twenty (20) square feet per one (1) linear foot of public street frontage.

(B) Not required to exceed fifty (50) square feet per one (1) linear foot of public street frontage.

(2) The remainder of the minimum open space, less the frontage open space, shall be provided as common open space.

d. The site shall be designed to provide convenient pedestrian access for residents, guests, and visitors.

(Ord. No. 4030, §1(Exh. 1, § 2), 6-19-12, eff. 7-19-12; Ord. No. 4143, § 1(Res. No. 9678, Exh. A, § 97), 5-6-14)

Sec. 5.2204. - Property development standards.

The following property development standards shall apply to all land and buildings in the C-O District:

A. *Floor area ratio.* Maximum: 0.80.

B. *Required open space.*

1. Total open space.

a. Minimum: 0.15 multiplied by the net lot area.

b. For building heights over twelve (12) feet: the minimum open space requirement plus 0.004 multiplied by the net lot area for each foot of building height over twelve (12) feet.

2. Total open space is distributed as follows:

a. Frontage open space minimum: 0.50 multiplied by the total open space requirement.

b. The remainder of the total open space, less the frontage open space, shall be common open space.

3. Parking areas and parking lot landscaping are not included in the required open space.

4. NAOS may be included in the required open space.

C. *Building height maximum (excluding rooftop appurtenances).*

1. Maximum: Forty-eight (48) feet.
2. For portions of buildings within one hundred (100) feet of any Single-family Residential R-1 District or any Two-family Residential R-2, Medium Density Residential R-3, Townhouse Residential R-4, Resort/Townhouse Residential R-4R, or Manufactured Home M-H district, shown on Table 4.100.A., or the portion of a Planned Community P-C or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to these residential districts, maximum: thirty-two (32) feet. WITHIN THREE HUNDRED (300) FEET OF THE PERIMETER OF THE GRAYHAWK TRANSITION 1 AND GRAYHAWK TRANSITION 2 ~~C-1 and C-2 Character~~ AREAS AS SHOWN ON THE C-O EXHIBIT ~~Character Areas Plan attached at Schedule A at Exhibit B,~~ IN APPENDIX A, NO BUILDER SHALL EXCEED THIRTY (30) FEET IN HEIGHT.

D. *Yards.*

1. Side and rear yards.
 - a. Minimum fifty (50) feet, including any alley width, from a single-family residential district shown on Table 4.100.A., or the single-family residential portion of a Planned Community P-C or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the single-family residential districts shown on Table 4.100.A.
 - b. Minimum twenty-five (25) feet, including any alley width, from any residential district other than a single-family residential district shown on Table 4.100.A., or portion of a Planned Community P-C with an underlying zoning district comparable to any residential district other than a single-family residential district shown on Table 4.100.A.

E. *Screening.*

1. Walls.
 - a. On the property line or within the required yards: Maximum eight (8) feet in height.
 - b. Within frontage open space: Maximum three (3) feet in height.
2. All outdoor operations, mechanical equipment and appurtenances, storage and refuse areas shall be within an enclosed building, or screened by a solid wall at least six (6) feet in height or as otherwise approved by the Development Review Board.

(Ord. No. 4030, § 1(Exh. 1, § 2), 6-19-12, eff. 7-19-12)

Sec. 5.2205. - General provisions.

The provisions of Article VII shall apply.

(Ord. No. 4030, § 1(Exh. 1, § 2), 6-19-12, eff. 7-19-12)

Sec. 5.2206. - Signs.

The provisions of Article VIII shall apply.

(Ord. No. 4030, § 1(Exh. 1, § 2), 6-19-12, eff. 7-19-12)

Sec. 5.2207. - Off-street parking.

The provisions of Article IX shall apply.

(Ord. No. 4030, § 1(Exh. 1, § 2), 6-19-12, eff. 7-19-12)

Sec. 5.2208. - Landscaping.

The provisions of Article X shall apply.

(Ord. No. 4030, § 1(Exh. 1, § 2), 6-19-12, eff. 7-19-12)

Sec. 5.2600. - Planned Regional Center (PRC).

(Ord. No. 4124, § 1(Res. No. 9599, Exh. A, § 2), 1-14-14)

Editor's note— Ord. No. 4124, § 1(Res. No. 9599, Exh. A, § 1), adopted Jan. 14, 2014, repealed §§ 5.2600—5.2608. Section 2 of said exhibit enacted provisions designated new §§ 5.2600—5.2612. Prior to inclusion of said ordinance, said provisions pertained to similar subject matter. See also the Code Comparative Table.

Sec. 5.2601. - Purpose.

This district is intended to provide for regional shopping, business, and residential uses within a planned center serving a broad region. The Planned Regional Center (PRC) development should be pedestrian oriented with complementary mixed uses that are carefully interrelated by site design.

(Ord. No. 4124, § 1(Res. No. 9599, Exh. A, § 2), 1-14-14)

Sec. 5.2602. - Development plan size requirement.

A. Minimum: Twenty-five (25) acres of gross lot area.

(Ord. No. 4124, § 1(Res. No. 9599, Exh. A, § 2), 1-14-14)

Sec. 5.2603. - Development Plan at time of rezoning.

A. The zoning district map amendment application shall be accompanied by a Development Plan as provided in Article VII.

(Ord. No. 4124, § 1(Res. No. 9599, Exh. A, § 2), 1-14-14; Ord. No. 4164, § 1(Res. No. 9856, § 1, Exh. A, § 35), 8-25-14)

Sec. 5.2604. - Conformance to approved plans.

A PRC District shall be developed in conformance with the approved Development Plan and Development Master Plans as provided in Article VII.

(Ord. No. 4124, § 1(Res. No. 9599, Exh. A, § 2), 1-14-14)

Sec. 5.2605. - Use regulations.

A. The uses allowed in the PRC District are shown in Table 5.2605.A. with additional limitations on uses as listed.

B. Drive-through and drive-in services are not permitted in the Downtown Area.

Table 5.2605.A. Use Table

Land Uses	Permitted (P) or Conditional Use (CU)
1. Aquarium, indoor	CU
2. Bar	CU
3. Big box	P (1), CU (1)
4. Carwash	CU
5. Civic and social organization	P (2)
6. Community buildings and recreational facilities not publicly owned	CU
7. Courier and messenger	P
8. Cultural institution	P (2)
9. Day care center	P (2)
10. Dwelling	P (2)
11. Educational service, elementary and secondary school	P (2) (3)
12. Educational service other than elementary and secondary school	P
13. Financial institution, including drive-through and drive-in service	P
14. Furniture and home furnishings sales	P
15. Game center	P
16. Gas station	CU
17. Health and fitness studio	P
18. Live entertainment	CU
19. Municipal use	P
20. Multimedia production without communication tower	P
21. Multimedia production with communication tower	CU
22. Office	P
23. Personal care service	P
24. Place of worship	P (2)
25. Planetarium	CU
26. Plant nursery	P
27. Pool hall	P

28. Repair and maintenance	P
29. Residential health care facility	P (2) (4)
30. Restaurant, including drive-through and drive-in	P
31. Retail	P
32. Seasonal art festival	CU
33. Teen dance center	CU
34. Theater	P
35. Travel accommodations	P (2)
36. Vehicle leasing, rental or sales with indoor vehicle display and storage located in an enclosed building	P (5)
37. Vehicle leasing, rental or sales with outdoor vehicle display and storage	CU
38. Vehicle repair	CU
39. Veterinary and pet care service	P (6)
40. Wireless communications facilities; Types 1, 2, and 3	P
41. Wireless communications facilities; Type 4	CU

Use Limitations:

- (1) Big box retail sales are not allowed in the Environmentally Sensitive Lands Overlay District and are subject to a Conditional Use Permit if:
 - a. Primary access is from a local residential street, or
 - b. Residential property is located within one thousand three hundred (1,300) feet of the big box property line, except where the residential property is developed with nonresidential uses or separated from the big box by the Loop 101 Pima Freeway.
- (2) Uses are allowed except in the AC-3 area as described in the City's procedures for development near the Scottsdale Airport and Chapter 5 of the Scottsdale Revised Code, as amended.
- (3) Educational services, elementary and secondary school, are subject to the following standards:
 - a. The facility shall be located not less than five hundred (500) feet from any adult use.
 - b. The net lot area for the facility shall be a minimum of forty-three thousand (43,000) square feet.
 - c. The facility shall not have outdoor speaker systems or bells.
 - d. A maximum of one-third (1/3) of the required parking may be shared parking with other uses located within six hundred (600) feet of the building front entrance.

- e. Outdoor playgrounds and recreation areas shall be:
 - i. Located not less than fifty (50) feet from any residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A;
 - ii. Located within the rear or side yard; and
 - iii. Enclosed and screened by a six-foot tall wall or fence.
 - f. A drop-off area accommodating a minimum of five (5) vehicles shall be located along a sidewalk or landing area connected to the main entrance to the facility. This area shall not include internal site traffic aisles, parking spaces, or fire lanes.
 - g. Public trails or pedestrian connections shall link to the front door of the main building, subject to Development Review Board approval.
 - h. The circulation plan shall show minimal conflicts among the student drop-off area, any vehicle drop-off area, parking, access driveways, pedestrian and bicycle paths on site.
 - i. Facilities located in the AC-2 area, described in the City's procedures for development near the Scottsdale Airport and Chapter 5 of the Scottsdale Revised Code, as amended, shall be constructed with sound transmission requirements of the International Building Code (IBC).
- (4) Residential health care facilities.
- a. Specialized residential health care facilities.
 - i. The number of beds shall not exceed eighty (80) per acre of gross lot area of the Development Plan.
 - b. Minimal residential health care facilities.
 - i. The number of units shall not exceed forty (40) dwelling units per acre of gross lot area of the Development Plan.
- (5) Vehicle leasing, rental or sales.
- a. Required parking shall not be used for vehicle storage.
- (6) Veterinary and pet care services are permitted if all facilities are within a soundproof building. However, outdoor activities are permitted if:
- a. An employee or pet owner shall accompany an animal at all times when the animal is outside the building.
 - b. The property owner and operator maintain all outdoor areas in a clean and sanitary condition, including immediate and proper disposal of animal waste.

- c. The outdoor areas are set back at least one hundred (100) feet from any lot line adjacent to a residential district shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A., measured from the property boundary to the zoning district line all within the City limits.
- d. There is no outdoor kennel boarding.

(Ord. No. 4124, § 1(Res. No. 9599, Exh. A, § 2), 1-14-14; Ord. No. 4143, § 1(Res. No. 9678, Exh. A, § 103), 5-6-14)

Sec. 5.2606. - Property development standards.

The following property development standards shall apply to all land and buildings in the PRC District.

A. *Density.*

- 1. Dwelling units (excluding residential health care facilities). Maximum: Twenty-one (21) units per acre of gross lot area of the Development Plan.

B. *Floor area ratio.*

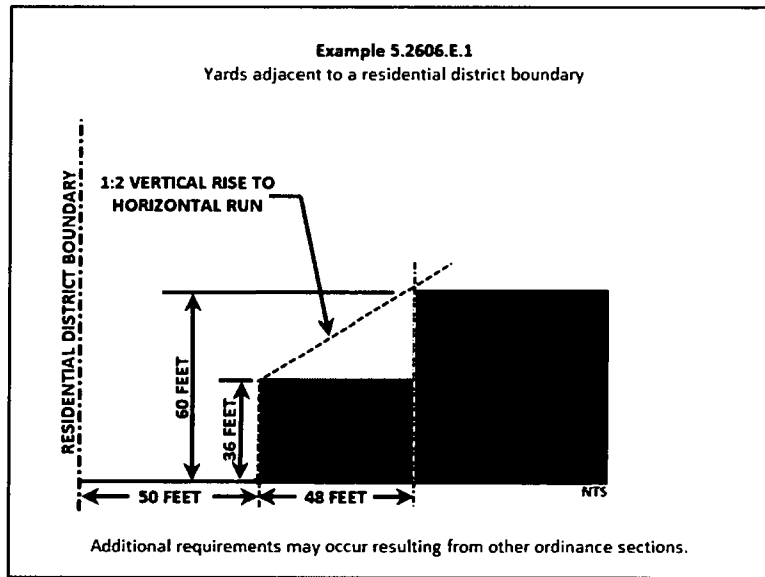
- 1. Nondensity based land uses. Maximum: 0.80 of the net lot area of the Development Plan.
- 2. Dwelling units. Maximum: Fifty (50) percent of the gross floor area of the Development Plan's nondensity based land uses.
- 3. RESIDENTIAL AND HOTEL USES EITHER VERTICALLY OR HORIZONTALLY INTEGRATED WITH COMMERCIAL RETAIL OR OFFICE BUILDINGS SHALL BE ALLOWED AND SHALL NOT BE INCLUDED IN COMPUTING THE TOTAL GROSS FLOOR AREA FOR COMMERCIAL RETAIL OR OFFICE USES.

C. *Building height (excluding rooftop appurtenances).* Maximum: Sixty (60) FEET AS MEASURED FROM THE FIRST FINISHED FLOOR ELEVATION EXCEPT AS OTHERWISE PROVIDED IN ARTICLE VII OR THIS SUBSECTION.

D. *Required open space.*

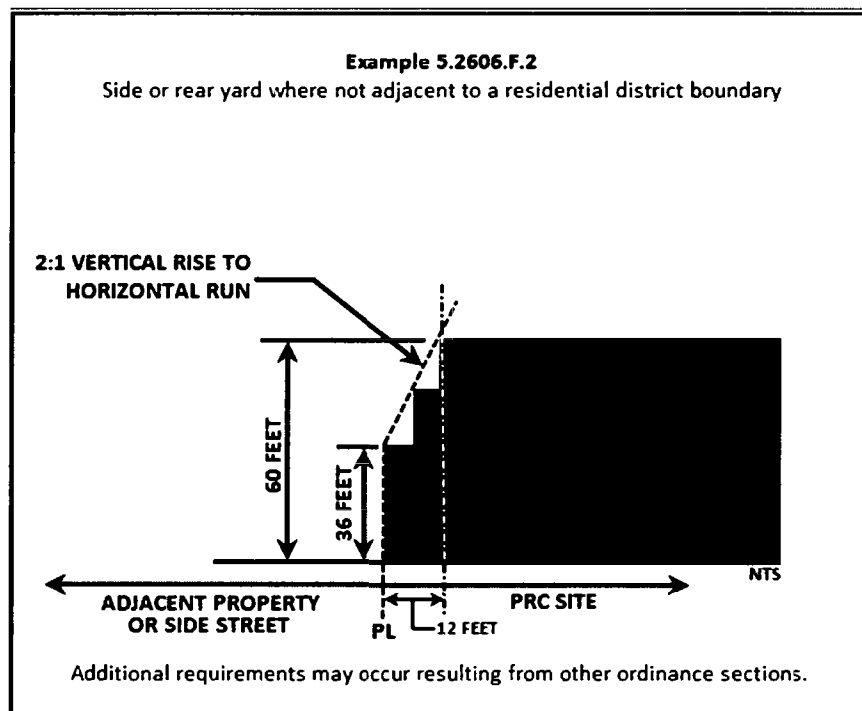
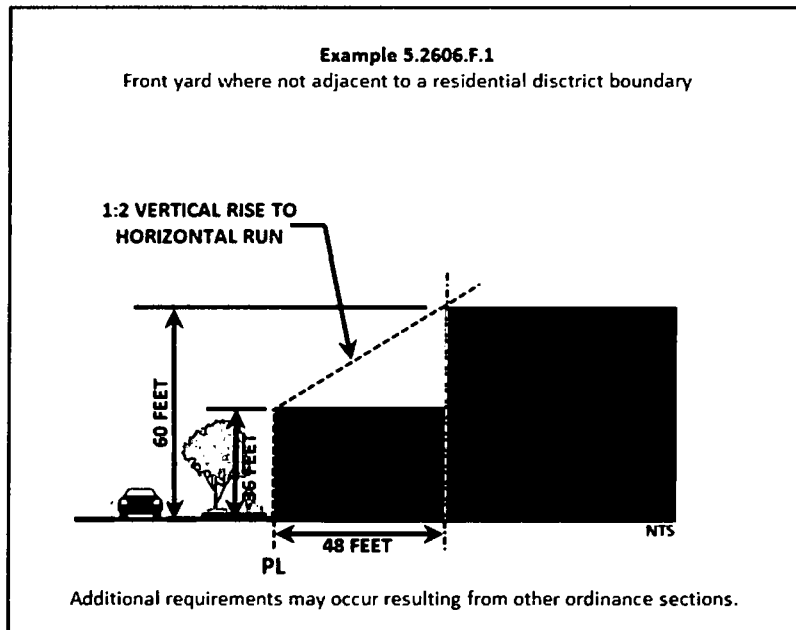
- 1. Open space.
 - a. Minimum 0.15 multiplied by the net lot area of THE PRC SITE WITHIN EACH PLANNING UNIT AND SHALL NOT BE REQUIRED TO EXCEED TWENTY (20) PERCENT OF THE NET LOT AREA OF THE PRC SITE WITHIN ANY ONE PLANNING UNIT. OPEN SPACE SHALL BE IN GENERAL CONFORMANCE WITH AN OPEN SPACE PLAN TO BE APPROVED AS PART OF THE MASTER PLAN APPROVAL PROCESS. ~~as set forth at Section 2.00 of the Stipulations attached as Exhibit B.~~
 - b. For building heights over twelve (12) feet: the minimum open space requirement plus 0.004 multiplied by the net lot area of the of the Development Plan for each foot of building height over twelve (12) feet.

- c. Not required to exceed 0.20 multiplied by the net lot area of the Development Plan.
- d. Open space is distributed as follows:
 - i. Frontage open space minimum: 0.25 multiplied by the required open space, except as follows:
 - (1) At least thirty (30) square feet per one (1) linear foot of public street frontage.
 - (2) Not required to exceed fifty (50) square feet per one (1) linear foot of public street frontage.
 - (3) This does not include the open space in Section 5.2608.C.1.d. required for amended development standards.
- 2. Courtyard minimum: 0.01 multiplied by the net lot area of the Development Plan.
 - a. The courtyard is in addition to open space.
 - b. A portion of the planned regional center shall be oriented toward and open onto a courtyard.
 - c. The courtyard shall be enclosed by buildings on at least three (3) sides.
 - d. The Development Review Board may waive the courtyard if the Board finds that a suitable alternative design is presented.
- 3. Parking areas and parking lot landscaping are not included in the required open space.
- 4. NAOS may be included in the required open space.
- E. *Setbacks and stepbacks adjacent to a residential district boundary.*
 - 1. Adjacent to a residential district boundary shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.:
 - a. Setback minimum: Fifty (50) feet measured from the residential district boundary.
 - b. Stepback plane: incline at a ratio of 1:2 beginning thirty-six (36) feet above grade at the minimum setback. See Example 5.2606.E.1.



F. *Stepbacks where not adjacent to a residential district boundary.*

1. Not adjacent to a residential district boundary shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A.:
 - a. *Front yard.*
 - i. The stepback at the perimeter of the Development Plan shall incline at a ratio of 1:2 beginning thirty-six (36) feet above the property line. See Example 5.2606.F.1.
 - b. *Side and Rear Yards.*
 - i. The stepback at the perimeter of the Development Plan shall incline at a ratio of 2:1 beginning thirty-six (36) feet above the property line. See Example 5.2606.F.2.



G. Screening.

1. All operations and storage shall be conducted within a completely enclosed building or within an area contained by a wall or fence as determined by Development Review Board approval.

(Ord. No. 4124, § 1(Res. No. 9599, Exh. A, § 2), 1-14-14)

Sec. 5.2607. - Freestanding ornamental monument height.

- A. *Purpose.* Building height may be amended to encourage creativity and enhancement of the built environment through the inclusion of a freestanding ornamental monument.
- B. *Maximum height:* subject to City Council approval.
- C. *Additional development standards and requirements.*
 - 1. The monument shall be accessible by pedestrians.
 - 2. The monument shall not include signs.
 - 3. The portion of the monument above sixty (60) feet in building height shall not include habitable space.
 - 4. The monument shall be integrated with the Development Plan components including but not limited to the Development Program, Conceptual Open Space Plan, Transitions Plan, Parking Plan, and Special Impacts Analysis (Lighting Program, View and Shading Analysis).
- D. *Process.*
 - 1. Before the first Planning Commission hearing on a freestanding ornamental monument height, the Development Review Board shall make a recommendation to the Planning Commission regarding the proposal based on the following criteria.
 - a. The height and location of the monument shall relate to the context and character of the site and surrounding area and not be intrusive.
 - b. The monument shall respond to Scottsdale's history and location within the Sonoran Desert environment.
 - c. The monument shall be designed as a focal point for the Development Plan project area.
 - d. The monument is a signature piece that serves as a community amenity by contributing to the experience of place, offering a visual amenity, exhibiting relationships to the community's cultural or historical heritage and environmental location, or that adds to the city's quality of life for residents and visitors.
 - 2. The Planning Commission shall consider the Development Review Board recommendation. The City Council shall consider the Development Review Board recommendation and Planning Commission recommendation.

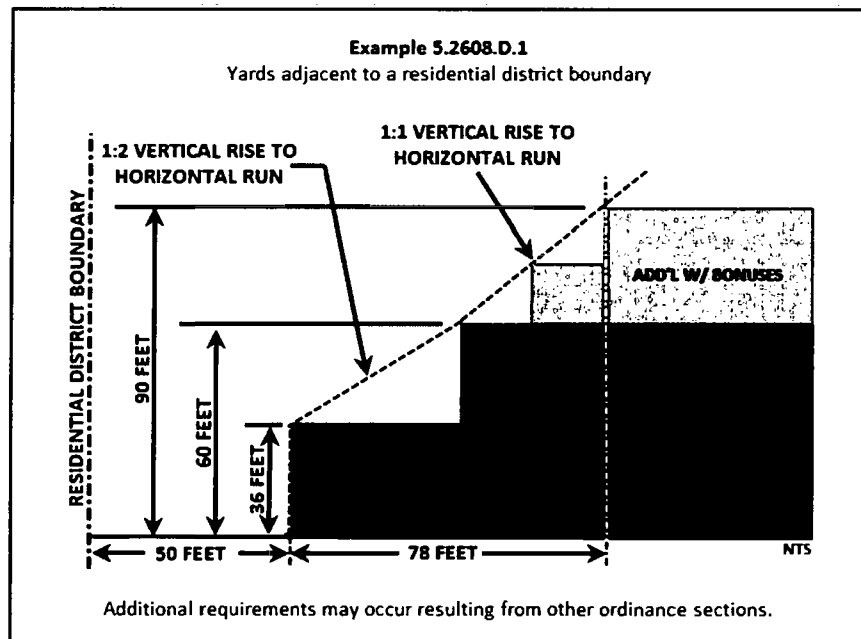
(Ord. No. 4124, § 1(Res. No. 9599, Exh. A, § 2), 1-14-14)

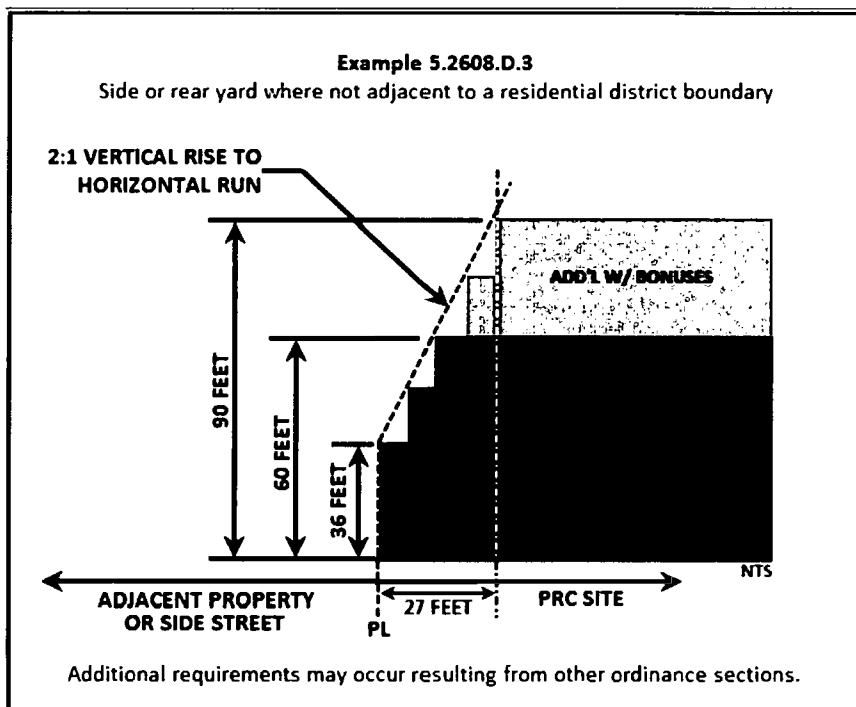
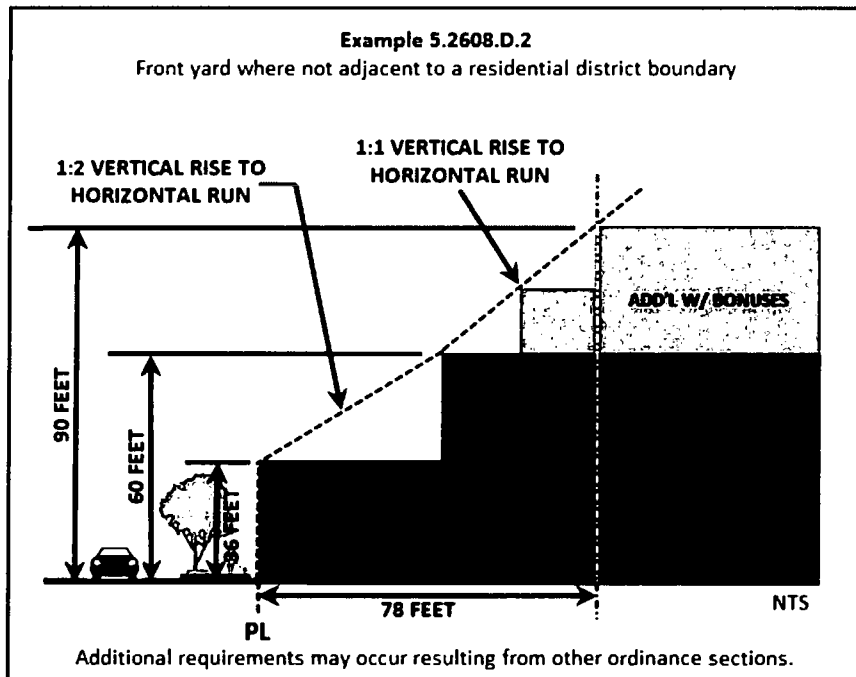
Sec. 5.2608. - Amended development standards for enhanced design - floor area ratio and building height.

- A. *Purpose.* The floor area ratio and building height development standards may be amended to encourage sensitivity to site conditions and provide flexibility in planning.

- B. *Applicability.* The Development Plan shall show the specific locations of the amended development standards.
- C. *Maximum amended development standards.*
 - 1. *Floor area ratio.*
 - a. Maximum: 1.0 of the net lot area of all lots within the Development Plan boundary.
 - b. A floor area ratio greater than 1.0 may be located on the portion of the Development Plan where the amended floor area ratio is located. However, the overall Development Plan shall not exceed a floor area ratio of 1.0.
 - 2. *Building height (including rooftop appurtenances).* Maximum: Ninety (90) feet.
- D. *Additional requirements.*
 - 1. The following requirements are applicable to the amended development standards where shown on the Development Plan:
 - a. Vertically integrated mixed-use development is required.
 - b. Non-density-based use distribution: five percent of the total gross floor area shall be non-density based uses located within the story at grade.
 - c. Density based uses or guest unit distribution. Minimum: Twenty (20) percent of the total gross floor area shall be density-based uses or guest units, or a combination of the two.
 - d. Open space.
 - i. Additional: Equal to or greater than 0.05 multiplied by the land area where the amended development standards are located on the Development Plan.
 - ii. Placement: The additional open space shall be placed in the same location as the amended development standards.
 - e. Building massing at the perimeter of the Development Plan.
 - i. Stepbacks adjacent to a residential district boundary.
 - (1) Portions of buildings that are adjacent to a residential district boundary shown on Table 4.100.A., or the residential portion of a Planned Community P-C, or any portion of a Planned Residential Development PRD with an underlying zoning district comparable to the residential districts shown on Table 4.100.A. Minimum: Building height of sixty (60) feet or less is as required in Section 5.2606.E. Building heights greater than sixty (60) feet, the minimum is as follows: 1:1 vertical rise to horizontal run, beginning at the point where the sixty (60) feet of building height can be located. See Example 5.2608.D.1.
 - ii. Stepbacks where not adjacent to a residential district boundary.

- (1) Front yard. Minimum: Building height of sixty (60) feet or less is as required in Section 5.2606.F.1.a. Building heights greater than sixty (60) feet, the minimum is as follows: 1:1 vertical rise to horizontal run, beginning at the point where the sixty (60) feet of building height can be located. See Example 5.2608.D.2.
- (2) Side and rear yards. Minimum: Building height of sixty (60) feet or less is as required in Section 5.2606.F.1.b. Building heights greater than sixty (60) feet, the minimum is as follows: 2:1 vertical rise to horizontal run, beginning at the point where the sixty (60) feet of building height can be located. See Example 5.2608.D.3.





- iii. Building facade length. Maximum: Two hundred (200) feet without an offset or recess in the building wall plane.
- iv. Building facade offset or recess. Minimum: Twenty (20) feet in depth projecting away from the street for a minimum distance equivalent to twenty (20) percent of the

building width, and angled between ninety (90) degrees and forty-five (45) degrees to the building wall plane.

f. Parking.

- i. Underground parking structures are required and shall be integrated into the building as determined by the Development Review Board.
- ii. Above-ground parking structures may be provided and shall be fully concealed from the public view through integration of the parking structure into the building and the use of architecturally integrated materials as determined by the Development Review Board.

2. Scottsdale's Green Building Program. The development shall be in compliance with Scottsdale's Green Building Program requirements.

E. Process.

1. Before the first Planning Commission hearing, the Development Review Board shall make a recommendation to the Planning Commission regarding the proposal based on the following criteria.
 - a. The location and massing design of the proposed increase in height relate to the context and character of the site and surrounding area and are not intrusive.
 - b. The development contributes to the future continuity of character area design concepts, corridor design guidelines, and other City design policies.
2. The Planning Commission shall consider the Development Review Board recommendation. The City Council shall consider the Development Review Board recommendation and Planning Commission recommendation.

(Ord. No. 4124, § 1(Res. No. 9599, Exh. A, § 2), 1-14-14; Ord. No. 4143, § 1(Res. No. 9678, Exh. A, § 104), 5-6-14)

Sec. 5.2609. - General provisions.

Unless otherwise provided, the provisions of Article VII shall apply.

(Ord. No. 4124, § 1(Res. No. 9599, Exh. A, § 2), 1-14-14)

Sec. 5.2610. - Signs.

The provisions of Article VIII shall apply except a master sign program shall be submitted with the development review application.

(Ord. No. 4124, § 1(Res. No. 9599, Exh. A, § 2), 1-14-14)

Sec. 5.2611. - Off-street parking.

The provisions of Article IX shall apply.

(Ord. No. 4124, § 1(Res. No. 9599, Exh. A, § 2), 1-14-14)

Sec. 5.2612. - Landscaping.

Unless otherwise provided, the provisions of Article X shall apply.

(Ord. No. 4124, § 1(Res. No. 9599, Exh. A, § 2), 1-14-14)

Sec. 5.4000. - Planned Airpark Core Development (PCP).

Footnotes:

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Ord. No. 4120, § 1(Res. No. 9585, Exh. A, § 1), adopted December 9, 2013, repealed former §§ 5.4000—5.4006 and enacted new provisions designated as §§ 5.4000—5.4012 to read as herein set out. Prior to inclusion of said ordinance, 5.4000 pertained to Planned Commerce Park (PCP). See also the Code Comparative Table.

Sec. 5.4001. - Purpose.

The purpose of the PCP District is to promote, encourage, and accommodate innovatively designed and master-planned mixed-use developments within the Greater Airpark Character Area. The PCP District should:

- A. Accommodate mixed-use commerce and employment centers.
- B. Provide a dynamic complement to employment cores with support retail, service, tourism, cultural, and residential uses.
- C. Promote an efficient and safe traffic circulation system through the inclusion of a mix of complementary uses and provisions for multiple modes of travel.
- D. Promote architectural excellence and creative design through development standards that create high quality character for structures, site plans, and streetscapes.
- E. Protect adjacent neighborhoods through strict development standards while encouraging innovative site planning and environmental sensitivity throughout the PCP District.
- F. Provide an open space framework of enhanced streetscapes, functional pedestrian spaces, enhanced view corridors and other public environmental amenities.
- G. Promote environmental stewardship and sustainability through the application of recognized and established environmentally responsible building techniques and desert appropriate design approaches.

(Ord. No. 4120, § 1(Res. No. 9585, Exh. A, § 1), 12-9-13)

Sec. 5.4002. - Applicability.

The PCP District is only applicable to properties within the Greater Airpark Character Area Plan.

(Ord. No. 4120, § 1(Res. No. 9585, Exh. A, § 1), 12-9-13)

Sec. 5.4003. - Application requirements.

- A. *Development Plan size requirement.* Minimum: 2 acres of gross lot area.
- B. *Zoning District Map Amendment Applications.* An application for PCP zoning shall be accompanied by a Development Plan as required in Article VII.

- C. *Development Master Plans.* Developments within the PCP District that are developed in more than one phase shall submit Development Master Plans, as required in Article VII.

(Ord. No. 4120, § 1(Res. No. 9585, Exh. A, § 1), 12-9-13)

Sec. 5.4004. - Reserved.

Editor's note— Ord. No. 4164, § 1(Res. No. 9857, § 1, Exh. A, § 39), adopted Aug. 25, 2014, repealed § 5.4004 which pertained to approvals required and derived from Ord. No. 4120, § 1(Res. No. 9585, Ex. A, § 1), adopted Dec. 9, 2013.

Sec. 5.4005 - Conformance to approved plans.

- A. A PCP District shall be developed in conformance with the approved Development Plan and other required Development Master Plans as provided in Article VII.

(Ord. No. 4120, § 1(Res. No. 9585, Exh. A, § 1), 12-9-13)

Sec. 5.4006. - Use Regulations.

- A. The uses allowed in the PCP District are shown in Table 5.4006.A. with additional limitations on uses as listed. The land uses that correspond for each of the land use designations in the Greater Airpark Character Area Plan are as set forth in the sub-districts below in Table 5.4006.A. The land use designations depicted on the Greater Airpark Future Land Use Plan Map are:

1. Airpark Mixed Use Residential (AMU-R)
2. Airpark Mixed Use (AMU)
3. Employment (EMP)
4. Aviation (AV), and
5. Regional Tourism (RT).

- B. Drive-through and drive-in services are not allowed in the PCP-AMU-R, PCP-AMU, PCP-AV and PCP-RT sub-districts.

Table 5.4006.A. Use Table					
Land Uses	Sub-Districts				
(P is a Permitted use.)	PCP-AMU-R	PCP-AMU	PCP-EMP	PCP-AV	PCP-RT
1. Aeronautical use				P (3)	
2. Bar	P	P			P
3. Civic and social organization	P (2)	P (2)	P (2)		P (2)
4. Cultural institution	P (2)	P (2)	P (2)		P (2)
5. Day care center	P (2, 6)	P (2, 6)			P (2, 6)
6. Dwelling	P (2, 4, 6)				P (2, 6)
7. Educational service, elementary and secondary school	P (2, 6)	P (2, 6)	P (1, 2, 6)		P (1, 2, 6)
8. Educational service, other than elementary and secondary school	P (2, 6)	P (2, 6)	P (2, 6)	P (1, 2, 6)	P (2, 6)
9. Financial institution	P	P	P (1)		P (1)
10. Health and fitness studio	P	P	P		P
11. Light manufacturing		P	P	P	
12. Live entertainment	P	P			P
13. Medical and diagnostic laboratory	P	P	P		
14. Medical recovery or therapy center	P (2, 4, 6)	P (2, 4, 6)	P (2, 6)		P (1, 2, 6)
15. Multimedia production without communication tower	P (4)	P	P		P
16. Municipal use	P	P	P	P	P
17. Office	P (4)	P (4)	P		P
18. Personal care service	P	P	P (1)		P
19. Place of worship	P (2, 6)	P (2, 6)	P (1, 2, 6)		P (1, 2, 6)
20. Recreation facility					P
21. Residential health care facility	P (2, 4, 5, 6)				P (1, 2, 5, 6)
22. Restaurant	P	P	P (1)		P
23. Retail	P	P			P

24. Scientific research and development		P (4)	P	P	
25. Sports arena		P (1, 2)	P (1, 2)		P (2)
26. Theater	P (2, 6)	P (2, 6)			P (2, 6)
27. Travel accommodations	P (2, 6)	P (2, 6)	P (1, 2, 6)		P (2, 6)
28. Vehicle leasing, rental, or sales	P (4)	P (1, 4)	P (1, 4)	P	P (4)
29. Veterinary and pet care service	P	P			P
30. Wholesale, warehousing and distribution			P	P	
31. Wireless communications facility, Type 1, 2, and 3.	P	P	P	P	P

Use Limitations:

- (1) Limited to a site with frontage on a major collector or arterial street.
- (2) Limited to areas outside of the AC-3 area as described in the City's procedures for development near the Scottsdale Airport and in the Scottsdale Revised Code, Chapter 5 - Aviation, as amended.
- (3) Limited to a site with frontage onto an airport taxilane or taxiway.
- (4) Limited to a maximum of 50 percent of the ground floor building area of the Development Plan.
- (5) Limited to a maximum density of 40 dwelling units per acre of gross lot area
- (6) Limited to a sound transmission class of not less than 50 (45 if field tested) as provided in the International Building Code (IBC), and subject to fair disclosure requirements to notify property owners and tenants within the Airport Influence Area.

(Ord. No. 4120, § 1(Res. No. 9585, Exh. A, § 1), 12-9-13; Ord. No. 4143, § 1(Res. No. 9678, Exh. A, § 121), 5-6-14)

Sec. 5.4007. - Development standards.

A. Floor area ratio. Maximum: 0.8 for the Development Plan.

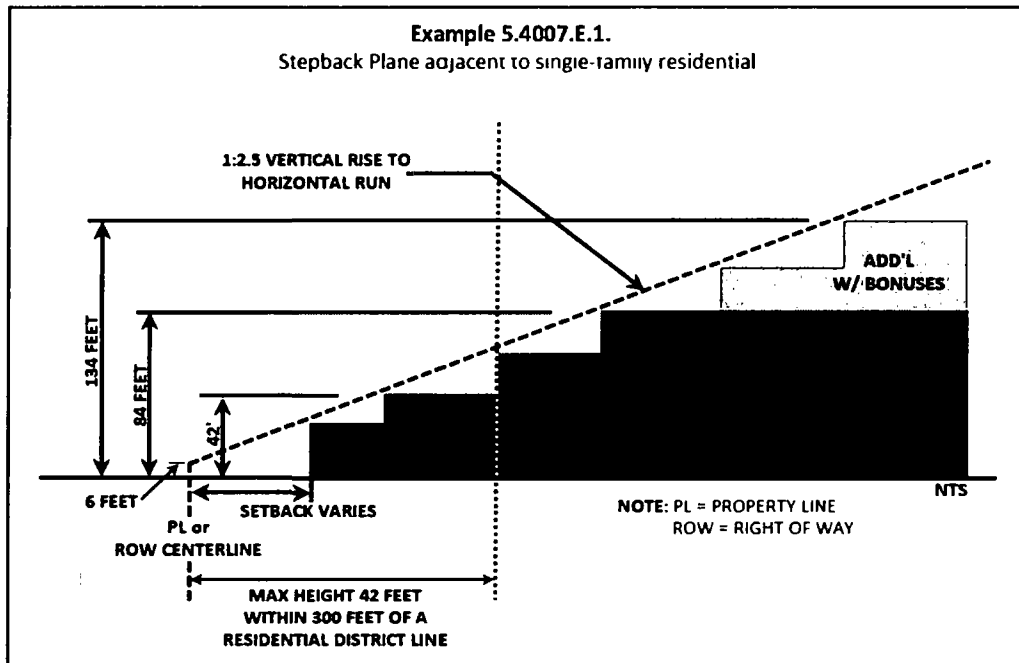
B. Building height (including all rooftop appurtenances).

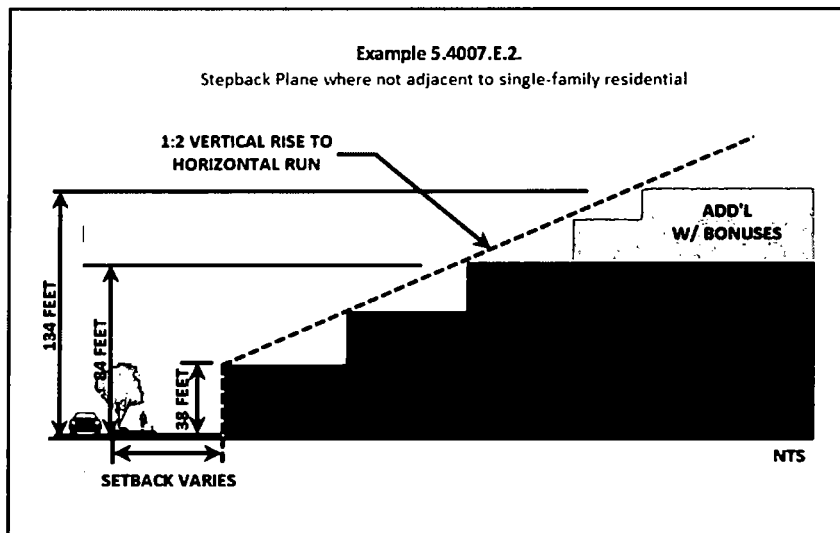
1. Maximum:

- a. 54 feet if the Development Plan area is between 2.00 and 5.00 acres,
- b. 62 feet if the Development Plan area is between 5.01 and 10.00 acres, and
- c. 84 feet if the Development Plan area is more than 10.00 acres, except as provided below.

2. Maximum near single family residential:
 - a. 42 feet within 300 feet of any single-family residential districts shown on Table 4.100.A., or the portion of a Planned Community (P-C) with an underlying zoning district comparable to the single-family residential districts shown on Table 4.100.A., or any Planned Residential Development (PRD) District.
 3. Rooftop appurtenances. These structures including the screening of them shall not cover more than 35 percent of the roof area of the building(s) in the Development Plan.
- C. Required open space.
1. Total open space.
 - a. Minimum: 25 percent of net lot area of the Development Plan.
 2. Parking areas and parking lot landscaping are not included in the required open space.
- D. Building setbacks.
1. Front setback.
 - a. Minimum: 25 feet along arterial and major collector streets.
 - b. Minimum: 30 feet along minor collector and local streets.
 2. Measuring setbacks along streets. All setbacks shall be measured from the curb line along streets.
 3. Signature intersections. At the intersection of two streets, when both streets are classified as a major collector or arterial, there shall be a building setback triangle. The two equal sides of the triangle shall be 70 feet, starting from the point of intersection of the extension of the property lines at the corner. Within the triangle at least 50 percent of the area shall be shaded by structural or landscape materials.
 4. Side and rear setbacks.
 - a. Abutting residential districts (as shown on Table 4.100.A., or the portion of a Planned Community (P-C) with an underlying zoning district comparable to the residential districts shown on Table 4.100.A., or a Planned Residential Development (PRD) District). (See Example 5.4007.E.1.)
 - i. Minimum: 60 feet from any single-family residential district, and
 - ii. Minimum: 30 feet from all other residential districts.
 - b. Abutting nonresidential districts. (See Example 5.4007.E.2)
 - i. Minimum: 15 feet.
- E. Stepback plane:

1. Abutting single family districts (as shown on Table 4.100.A., or the portion of a Planned Community (P-C) with an underlying zoning district comparable to the single-family residential districts shown on Table 4.100.A., or a Planned Residential Development (PRD) District).
 - a. Vertical to horizontal ratio: 1:2.5, beginning 6 feet above the PCP District boundary. (See Example 5.4007.E.1.)
2. Other locations.
 - a. Vertical to horizontal ratio: 1:2, beginning 38 feet above the setback line. (See Example 5.4007.E.2.)





- F. *Screening.* All operations and storage shall be conducted within a completely enclosed building or within an area contained by a wall or fence as determined by Development Review Board approval.

(Ord. No. 4120, § 1(Res. No. 9585, Exh. A, § 1), 12-9-13)

Sec. 5.4008. - Bonus development standards.

- A. *Qualifying sites.* Upon recommendation by the Planning Commission, the City Council may approve bonus development standards for additional building height and floor area on a Development Plan subject to the following criteria:

1. Minimum Development Plan area: 4.00 acres of gross lot area.
2. Limitations:
 - i. Bonus development standards cannot be applied to any portion of a PCP District Development Plan that is less than 300 feet from a single family district (as shown on Table 4.100.A., or the portion of a Planned Community (P-C) with an underlying zoning district comparable to the single-family residential districts shown on Table 4.100.A., or a Planned Residential Development (PRD) District).
 - ii. Bonus development standards cannot be applied to any portion of a PCP District Development Plan that is within the AC-3 area shown on Figure 1, Airport Influence Area, in the Scottsdale Revised Code, Chapter 5—Aviation, as amended.

- B. *Bonus development standards.* Subject to the maximum bonus development standards as provided below, the City Council may approve an increase of the floor area ratio (FAR) and/or an increase of the building height based upon the property owner providing any of the Special Improvements as identified below.

- C. *Maximum bonus development standards:*

1. Maximum FAR: 1.6.

2. Maximum building height:
 - i. Development Plan area of 4.00 to 5.00 acres of gross lot area: 92 feet.
 - ii. Development Plan area of 5.01 to 10.00 acres of gross lot area: 104 feet.
 - iii. Development Plan area of 10.01 to 15.99 acres of gross lot area: 116 feet.
 - iv. Development Plan area of 16.00 acres or more of gross lot area: 134 feet.
 - v. The total floor area(s) of any single floor above building heights greater than 92 feet shall not exceed 20% of the total ground floor building area of the Development Plan.
- D. *Bonus formulas.* The amount of increase in FAR or building height shall be determined by the cost and/or value of the Special Improvement(s) using the following:
 1. Floor Area Bonus Formula: $SQBA = [TCE \text{ divided by } (1.035^{(CY-2013)})] \text{ times } 0.1$
 2. Building Height Bonus Formula: $FBH = [TCE \text{ divided by } (1.035^{(CY-2013)})] \text{ times } 0.0001$
 3. Factors used in the formulas above:
 - i. SQBA = Square feet of gross floor area bonus.
 - ii. TCE = Total Construction Cost Estimate of the proposed Special Improvement
 - iii. CY = Current Year
 - iv. FBH = Feet of building height bonus.
 4. The TCE may be distributed in whole or in part to the SQBA or to the FBH, but the sum of the distribution shall never exceed the TCE.
 5. TCE limitations.
 - a. The TCE excludes all costs reimbursed in any way by the City or other persons, including grants, public paybacks, oversizing agreements, incentives or standard requirements.
 - b. The TCE excludes the cost of public improvements required for the development and standard right-of-way dedications.
 - c. The TCE for a bonus shall include the fair market value of any dedicated land or easement included in the land area where the Special Improvement is located. (See example in Section 6.1310.E.)
- E. *Allocation of bonuses:* The Development Plan shall show the allocation of bonus development standards (floor area and/or building height).
- F. *Special Improvements.* The following are Special Improvements that achieve public benefits and qualify a Development Plan for bonus development standards consideration. Specific limitations apply to each Special Improvement as indicated below. The TCE shall be prepared by a professional consultant and subject to the approval of the Zoning Administrator and City Engineer.

1. Exceptional right-of-way dedication.
 - i. The amount of right-of-way dedication that may qualify shall be any right-of-way dedication area that is greater than 35% of the gross lot area of the Development Plan.
 - ii. The TCE shall be the fair market value. This shall be determined by a minimum of two independent appraisals submitted by the property owner.
2. Major infrastructure improvements not included in the Development Plan.
 - i. These may include additions, new extensions or upsizing of streets, water systems, sewer systems, drainage systems, transit facilities, pedestrian facilities, trail facilities, bicycling facilities, streetscaping facilities or other such infrastructure improvements as approved by the Zoning Administrator and City Engineer.
 - ii. These improvements shall be located in or abutting the Greater Airpark Character Area.
 - iii. These improvements shall be consistent in type and scope with the City's approved infrastructure master plans, if applicable.
 - iv. In-lieu contributions may be accepted as approved by the Zoning Administrator and City Engineer.
3. Public parking areas within the Development Plan.
 - i. These parking areas shall serve the needs of a public facility or recurring municipal-sponsored public events.
 - ii. The public parking area shall be within an easement granted to the City.
 - iii. Minimum number of spaces provided to the City: 200.
 - iv. These parking spaces shall be in excess of those required for the Development Plan land uses.
 - v. Minimum available times of public access to the parking areas: 6:00 a.m. to 12:00 a.m.
 - vi. Lighting and signing of the parking areas as public access parking is required.
 - vii. These parking areas shall be maintained in good condition by the property owner.
4. Public gathering space or plaza improvements within the Development Plan.
 - i. Minimum area: 18,000 square feet or 5% of the net lot area of the Development Plan, whichever is greater.
 - ii. This area shall be accessible by and visible to the public from public rights-of-way. Public access shall be secured through the use of an easement.
5. Public art.
 - i. Public art shall be located in an area accessible by and visible to the public and exterior to any building.

- ii. Public art shall be placed within the Greater Airpark Character Area.
 - 6. Enhanced transit amenities within the Development Plan.
 - i. These shall be upgrades of the City standard for transit stops including additional seating, shade structures, pedestrian lighting, and other such enhancements.
 - ii. These shall be designed to be integrated with the architectural character of the adjacent buildings or of an approved streetscape character.
 - iii. These shall be maintained by the property owner.
 - 7. Pedestrian amenities within the Development Plan.
 - i. These may include sidewalk shade covers, benches and other forms of seating, sidewalk lighting, and other such improvements that enhance the public sidewalks for pedestrian use.
 - ii. These shall be maintained by the property owner.
 - 8. Solar energy collection systems within the Development Plan.
 - i. These shall either be screened from view off-site of the Development Plan or integrated into the architectural character of the buildings.
 - ii. The property owner shall maintain these in good working condition for a minimum of 15 years.
 - 9. Landscape water conservation systems within the Development Plan.
 - i. These may include rainwater harvesting, gray water re-use, air conditioning condensation recycling, roof gardens and other such systems that use non-domestic water for landscaping purposes.
 - 10. Electric vehicle charging stations.
 - i. Minimum number of stations: 5 stations or 5% of the total number of required spaces within the Development Plan, whichever is greater.
 - 11. Compliance with Scottsdale's Green Construction Code. Subject to the maximum development standards with bonuses, if the entire development of the property within the Development Plan complies with Scottsdale's Green Construction Code an FAR bonus of 0.1 times the gross lot area of the Development Plan or a building height bonus equivalent to 15 feet, as approved by the City Council, shall apply.
- F. *Special conditions.*
- 1. Building materials: Reflective materials, such as glass or polished metal located above a building height of 104 feet are limited to 60 percent of the building wall area located above a building height of 104 feet.

2. Open Space. Minimum: 28 percent of the net lot area of the Development Plan receiving a bonus.

G. *Application for bonus development standards.* Include a narrative:

1. Describing the bonus development standards sought, specifying the proposed floor area ratio and building height,
2. Identifying the Special Improvements to be provided, and
3. Providing the method and calculations for determining the TCE.

H. *Development Agreement required.* All proposals to provide Special Improvements are subject to City Council approval of a Development Agreement that specifies:

1. The Special Improvements to be provided and other conditions to be met by the property owner,
2. The means and timetable for achieving the Special Improvements and other conditions,
3. The applicable bonus development standards, and
4. The consequences of failure to provide the Special Improvements and meet other conditions.

(Ord. No. 4120, § 1(Res. No. 9585, Exh. A, § 1), 12-9-13)

Sec. 5.4009. - General Provisions.

Except as otherwise provided, the provisions of Article VII apply.

(Ord. No. 4120, § 1(Res. No. 9585, Exh. A, § 1), 12-9-13)

Sec 5.4010. - Sign Requirements.

The provisions of Article VIII apply. In lieu of using the PCP sign standards of Article VII, the property owner may choose to use signs allowed in the Planned Regional Center (PRC) District in the PCP District.

(Ord. No. 4120, § 1(Res. No. 9585, Exh. A, § 1), 12-9-13)

Sec. 5.4011. - Parking and Loading Requirements.

The provisions of Article IX apply.

(Ord. No. 4120, § 1(Res. No. 9585, Exh. A, § 1), 12-9-13)

Sec. 5.4012. - Landscaping Requirements.

The provisions of Article X apply.

(Ord. No. 4120, § 1(Res. No. 9585, Exh. A, § 1), 12-9-13)

PLANNED AIRPARK CORE DEVELOPMENT (PCP) FOR PLANNING UNIT V ONLY

SEC. 5.4000. - Planned Airpark Core Development (PCP).

Footnotes:

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- B. Provide a dynamic complement to employment cores with support retail, service, tourism, cultural, and residential uses.
- C. Promote an efficient and safe traffic circulation system through the inclusion of a mix of complementary uses and provisions for multiple modes of travel.
- D. Promote architectural excellence and creative design through development standards that create high quality character for structures, site plans, and streetscapes.
- E. Protect adjacent neighborhoods through strict development standards while encouraging innovative site planning and environmental sensitivity throughout the PCP District.
- F. Provide an open space framework of enhanced streetscapes, functional pedestrian spaces, enhanced view corridors and other public environmental amenities.
- G. Promote environmental stewardship and sustainability through the application of recognized and established environmentally responsible building techniques and desert appropriate design approaches.

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 - 2. Airpark Mixed Use (AMU)
 - 3. Employment (EMP)
 - 4. Aviation¹ (AV), and
 - 5. Regional Tourism (RT).
- B. Drive-through and drive-in services are not allowed in the PCP-AMU-R, PCP-AMU, PCP-AV and PCP-RT sub-districts.

Table 5.4006.A. Use Table					
Land Uses	Sub-Districts				
(P is a Permitted use.)	PCP-AMU-R	PCP-AMU	PCP-EMP	PCP-AV	PCP-RT
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2. Bar	P	P			P
3. Civic and social organization	P (2)	P (2)	P (2)		P (2)
4. Cultural institution	P (2)	P (2)	P (2)		P (2)
5. Day care center	P (2, 6)	P (2, 6)			P (2, 6)
6. Dwelling	P (2, 4, 6)				P (2, 6)
7. Educational service, elementary and secondary school	P (2, 6)	P (2, 6)	P (1, 2, 6)		P (1, 2, 6)
8. Educational service, other than elementary and secondary school	P (2, 6)	P (2, 6)	P (2, 6)	P (1, 2, 6)	P (2, 6)
9. Financial institution	P	P	P (1)		P (1)
10. Health and fitness studio	P	P	P		P
11. Light manufacturing		P	P	P	
12. Live entertainment	P	P			P
13. Medical and diagnostic laboratory	P	P	P		
14. Medical recovery or therapy center	P (2, 4, 6)	P (2, 4, 6)	P (2, 6)		P (1, 2, 6)
15. Multimedia production without communication tower	P (4)	P	P		P
16. Municipal use	P	P	P	P	P
17. Office	P (4)	P (4)	P		P
18. Personal care service	P	P	P (1)		P
19. Place of worship	P (2, 6)	P (2, 6)	P (1, 2, 6)		P (1, 2, 6)
20. Recreation facility					P
21. Residential health care facility	P (2, 4, 5, 6)				P (1, 2, 5, 6)
22. Restaurant	P	P	P (1)		P
23. Retail	P	P			P

24. Scientific research and development		P (4)	P	P	
25. Sports arena		P (1, 2)	P (1, 2)		P (2)
26. Theater	P (2, 6)	P (2, 6)			P (2, 6)
27. Travel accommodations	P (2, 6)	P (2, 6)	P (1, 2, 6)		P (2, 6)
28. Vehicle leasing, rental, or sales	P (4)	P (1, 4)	P (1, 4)	P	P (4)
29. Veterinary and pet care service	P	P			P
30. Wholesale, warehousing and distribution			P	P	
31. Wireless communications facility, Type 1, 2, and 3.	P	P	P	P	P

Use Limitations:

- (1) Limited to a site with frontage on a major collector or arterial street.
- (2) Limited to areas outside of the AC-3 area as described in the City's procedures for development near the Scottsdale Airport and in the Scottsdale Revised Code, Chapter 5 - Aviation, as amended.
- (3) Limited to a site with frontage onto an airport taxilane or taxiway.
- (4) Limited to a maximum of 50 percent of the ground floor building area of the Development Plan.
- (5) Limited to a maximum density of 40 dwelling units per acre of gross lot area
- (6) Limited to a sound transmission class of not less than 50 (45 if field tested) as provided in the International Building Code (IBC), and subject to fair disclosure requirements to notify property owners and tenants within the Airport Influence Area.

(Ord. No. 4120, § 1(Res. No. 9585, Exh. A, § 1), 12-9-13; Ord. No. 4143, § 1(Res. No. 9678, Exh. A, § 121), 5-6-14)

Sec. 5.4007 – Development Standards. **(NOTE: THE FOLLOWING AMENDED STANDARDS SHALL APPLY TO CROSSROADS EAST PLANNING UNIT V (IN THE AREA BOUNDED BY THE LOOP 101 FREEWAY, NORTH MILLER ROAD, EAST LEGACY BOULEVARD AND NORTH HAYDEN ROAD - THE DEVELOPMENT PLAN AREA).)**

A. Floor area ratio. Maximum: ~~0.8 for the Development Plan~~

1. **0.50 FOR ALL NON-RESIDENTIAL USES AND 0.95 FOR RESIDENTIAL USES WHERE THE DEVELOPMENT PLAN AREA IS WITHIN 250 FEET OF LEGACY BLVD. RIGHT-OF-WAY,**
2. **0.70 FOR ALL NON-RESIDENTIAL USES, 0.85 FOR TRAVEL ACCOMMODATION USES AND 1.10 FOR RESIDENTIAL USES WHERE THE DEVELOPMENT PLAN AREA IS MORE THAN 900 FEET FROM THE LOOP 101 FREEWAY RIGHT-OF-WAY AND EQUAL TO OR**

MORE THAN 250 FEET FROM LEGACY BLVD.,

- 3. 1.10 FOR ALL USES WHERE THE DEVELOPMENT PLAN AREA IS WITHIN 600 TO 900 FEET FROM THE LOOP 101 FREEWAY RIGHT-OF-WAY, AND**
 - 4. 1.15 FOR ALL USES WHERE THE DEVELOPMENT PLAN AREA IS WITHIN TO 600 FEET FROM THE LOOP 101 FREEWAY RIGHT-OF-WAY.**
 - 5. THE NET AREA FOR THE PURPOSES OF CALCULATING THE FLOOR AREA RATIO IN PLANNING UNIT V SHALL BE THE OVERALL PLANNING AREA EXCLUSIVE OF THE RIGHTS-OF-WAY FOR HAYDEN ROAD, LEGACY BOULEVARD, MILLER ROAD AND THE LOOP 101 FREEWAY.**
 - 6. WHERE A DEVELOPMENT PARCEL OCCURS WITHIN TWO OR MORE OF THE AREAS IDENTIFIED IN 5.4007.A.1, A.2, A.3 AND A.4 HEREIN, THE TOTAL GROSS FLOOR AREA ALLOWED WITHIN THE DEVELOPMENT PARCEL SHALL BE THE SUM OF THE FLOOR AREA CALCULATIONS FOR THE INDIVIDUAL PORTIONS WITHIN EACH OF THE AREAS AS IDENTIFIED.**
- B. Building height (including all rooftop appurtenances) AS MEASURED FROM THE FINISH FLOOR ELEVATION AND AS DETERMINED BY THE FLOODPLAIN ADMINISTRATOR TO COMPLY WITH THE PROVISIONS OF THE STORMWATER AND FLOODPLAIN MANAGEMENT ORDINANCE.**
- 1. Maximum:**
 - ~~a. 54 feet if the Development Plan area is between 2.00 and 5.00 acres,~~
 - a. 62 feet WHERE THE DEVELOPMENT PLAN AREA IS WITHIN 250 FEET OF LEGACY BLVD. RIGHT-OF-WAY, and**
 - ~~b. 62 feet if the Development Plan area is between 5.01 and 10.00 acres, and~~
 - b. 84 FEET WHERE THE DEVELOPMENT PLAN AREA IS MORE THAN 900 FEET FROM THE LOOP 101 FREEWAY RIGHT-OF-WAY AND EQUAL TO OR MORE THAN 250 FEET FROM LEGACY BLVD. RIGHT-OF-WAY,**
 - ~~c. 84 feet if the Development Plan area is more than 10.00 acres, except as provided below,~~
 - c. 98 FEET WHERE THE DEVELOPMENT PLAN AREA IS WITHIN 600 TO 900 FEET FROM THE LOOP 101 FREEWAY, AND**
 - d. 115 FEET WHERE THE DEVELOPMENT PLAN AREA IS WITHIN TO 600 FEET FROM THE LOOP 101 FREEWAY RIGHT-OF-WAY.**
 - 2. Maximum near single family residential:**
 - a. 42 feet within 300 feet of any single-family residential districts shown on Table 4.100.A, or the portion of a Planned Community (P-C) with an underlying zoning district comparable to the single-family residential districts shown on Table 4.100.A., or any Planned Residential Development (PRD) District.**

- b. Rooftop appurtenances. These structures including the screening of them shall not cover more than 35 percent of the roof area of the building(s) in the Development Plan.

C. Required open space.

1. Total open space.

- a. Minimum: 25 percent of net lot area of the Development Plan **FOR RESIDENTIAL USES AND 20 PERCENT FOR ALL NON-RESIDENTIAL USES.**

- i. **REQUIRED OPEN SPACE SHALL INCLUDE ALL ON-SITE LANDSCAPED AREAS EXCLUSIVE OF PARKING AREAS EXCEPT AS PROVIDED IN SECTION 5.4007.C.1.a.iii, ALL EXTERIOR PEDESTRIAN ACCESS SURFACES, PLAZA AND RELATED HARDSCAPE SURFACED AREAS, PATIOS, ROOF-TOP GARDENS, COMMON AREAS, RECREATIONAL AMENITIES, SIDEWALKS, TRAILS, RECREATION AREAS, LANDSCAPING, WATER FEATURES, SEATING AREAS, GAZEBOS, COMMON AREAS, AND COMMON OPEN SPACES RELATED TO DRAINAGE.**

- ii. **ALL AREAS NOT WITHIN THE FOOTPRINT OF A BUILDING OR WITHIN THE PAVED PORTION OF A PARKING AREA SHALL BE KEPT IN A NATURAL CONDITION, LANDSCAPED OR IMPROVED AS A PEDESTRIAN ACCESS AREA.**

- iii. **LANDSCAPE OR HARDSCAPE AREAS ADJACENT TO OR WITHIN SURFACE PARKING AREAS THAT ARE ABOVE THE MINIMUM 15 PERCENT REQUIREMENT FOR SURFACE PARKING AREAS SHALL BE COUNTED IN THE OPEN SPACE REQUIRED IN THIS SECTION.**

- iv. **THE ENTIRETY OF A VERTICAL MIXED-USE BUILDING WITH GROUND FLOOR NON-RESIDENTIAL USES AND UPPER FLOOR RESIDENTIAL USES SHALL BE DEEMED A NON-RESIDENTIAL BUILDING FOR THE PURPOSES OF THIS SECTION 5.4007.C.1.**

- 2. Parking areas and parking lot landscaping, **EXCEPT AS PROVIDED IN SECTIONS 5.4007.C.1.a.iii,** are not included in the required open space.

3. **FRONTAGE OPEN SPACES.**

- a. **AVERAGE 40 FEET AND MINIMUM OF 30 FEET ALONG HAYDEN ROAD.**
- b. **AVERAGE 20 FEET AND MINIMUM OF 15 FEET ALONG LEGACY BOULEVARD.**
- c. **MINIMUM 20 FEET ALONG THE LOOP 101 FREEWAY RIGHT-OF-WAY.**
- d. **AVERAGE 20 FEET AND MINIMUM OF 10 FEET, MEASURED FROM PROPERTY LINE, ALONG MILLER ROAD.**

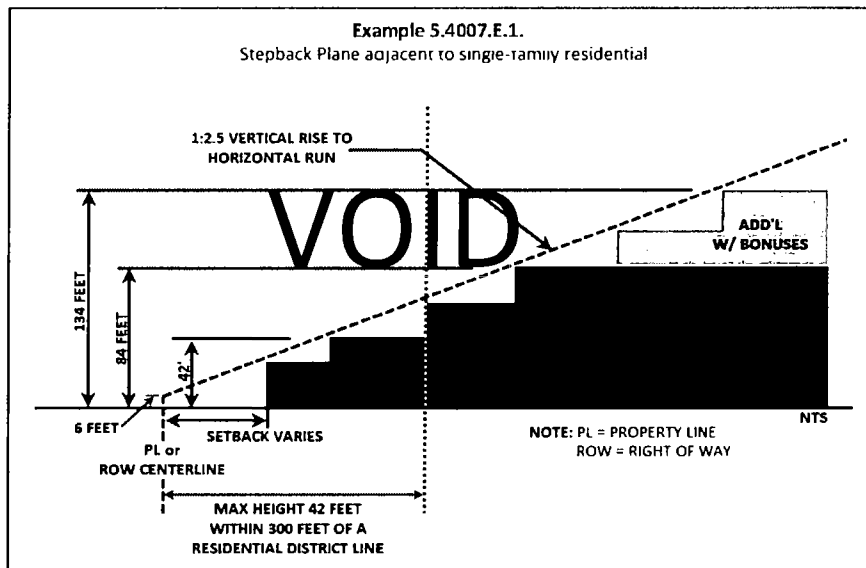
D. Building setbacks.

1. Front setback.

- a. Minimum: 25 feet along arterial and major collector streets.

- b. Minimum: ~~30~~**20** feet along minor collector and local streets.
- 2. Measuring setbacks along streets. All setbacks shall be measured from the curb line along streets.
- 3. Signature intersections. At the intersection of two streets, when both streets are classified as a major collector or arterial, there shall be a building setback triangle. The two equal sides of the triangle shall be 70 feet, starting from the point of the extension of the property lines at the corner. Within the triangle at least 50 percent of the area shall be shaded by structural or landscape materials.
- 4. **PEDESTRIAN INTERSECTIONS. AT THE INTERSECTION OF TWO STREETS, WHEN BOTH STREETS ARE CLASSIFIED AS A MINOR COLLECTOR OR LOCAL STREET, THERE SHALL BE A BUILDING SETBACK TRIANGLE. THE TWO EQUAL SIDES OF THE TRIANGLE SHALL BE 30 FEET, STARTING FROM THE POINT OF THE EXTENSION OF THE PROPERTY LINES AT THE CORNER. WITHIN THE TRIANGLE AT LEAST 50 PERCENT OF THE AREA SHALL BE SHADED BY STRUCTURAL OR LANDSCAPE MATERIALS.**
- 5. ~~4.~~Side and rear setbacks.
 - a. Abutting residential districts (as shown on Table 4.100.A., or the portion of a Planned Community (P-C) with an underlying zoning district comparable to the residential districts shown on Table 4.100.A., or a Planned Residential Development (PRD) District). (See Example 5.4007.E.1.)
 - i. Minimum: 60 feet from any single-family residential district, and
 - ii. Minimum: 30 feet from all other residential districts.
 - b. Abutting non-residential districts. (See Example 5.4007.4.2)
 - i. Minimum: 15 feet
- E. Stepback plane.
 - 1. Abutting single family districts (as sown on Table 4.100.A., or the portion of a Planned Community (P-C) with and underlying zoning district comparable to the single-family residential districts shown on Table 4.100.A., or a Planned Residential Development (PRD) District).
 - a. Vertical to horizontal ratio: 1:2.5, beginning 6 feet above the PCP District boundary. (See Example 5.4007.E.1.)
 - 2. Other locations.
 - a. Vertical to horizontal ratio: ~~1:2 beginning 38 feet above the setback line. (See Example 5.4007.E.2.)~~
 - i. **1:2 RATIO BEGINNING AT 64 FEET ABOVE 40 FEET FROM THE RIGHT-OF-WAY LINE FOR HAYDEN ROAD (SEE EXAMPLE SECTION A),**

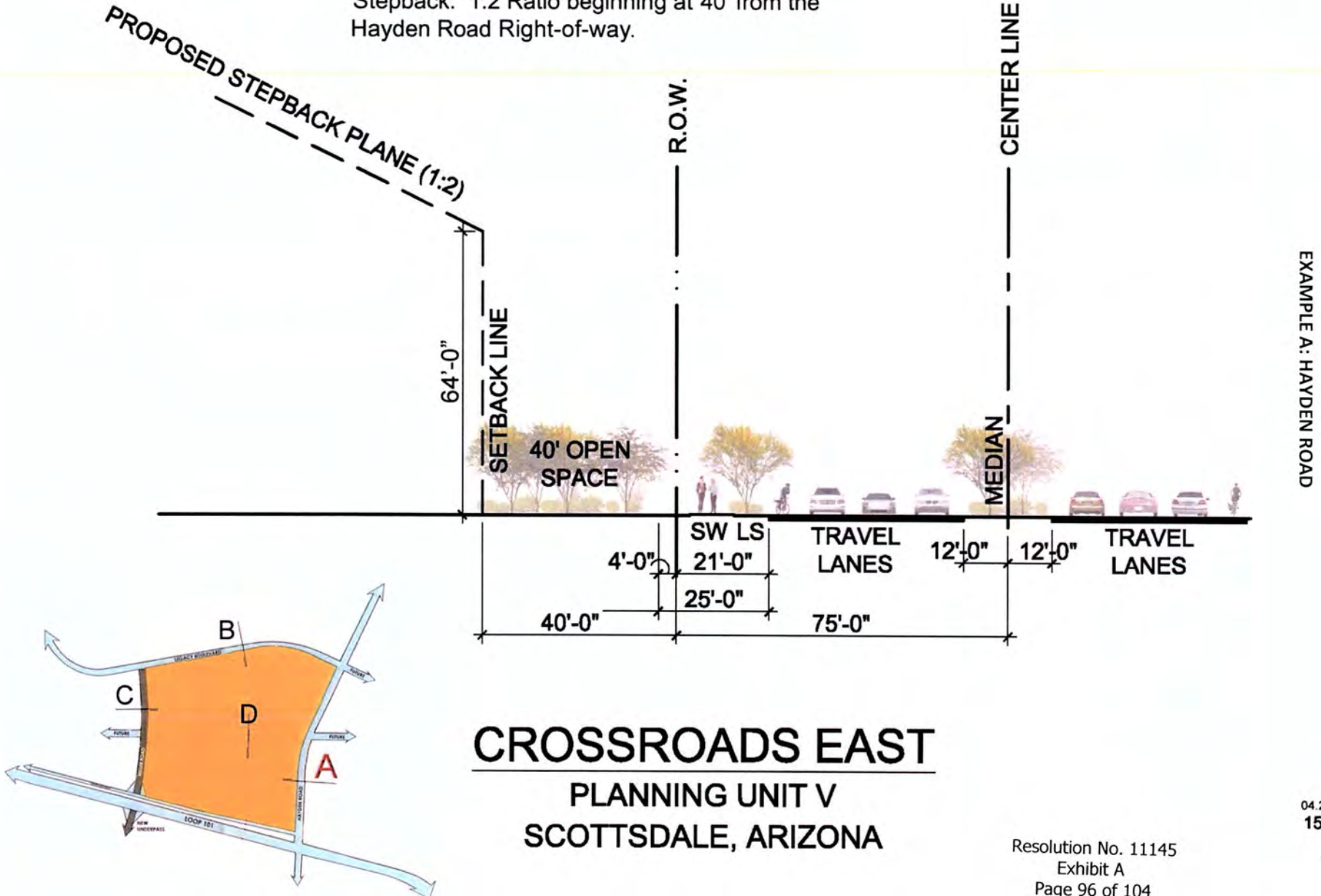
- ii. **1:1 ratio beginning at 38 feet above the setback LINE UP TO A HEIGHT OF 62 FEET AND THEN 1:2 ALONG LEGACY BOULEVARD (SEE EXAMPLE SECTION B),**
- iii. **1:1 ratio beginning 38 feet above the setback line ALONG MILLER ROAD (SEE EXAMPLE SECTION C),**
- iv. **NONE ALONG THE LOOP 101 FREEWAY RIGHT-OF-WAY FRONTAGE,**
- v. **2:1 ratio beginning 38 feet above the setback line UP TO A HEIGHT OF 64 FEET AND THEN 1:1 ALONG MINOR COLLECTOR AND LOCAL STREETS WITHIN 600 FEET OF THE FREEWAY RIGHT-OF-WAY (SEE EXAMPLE SECTION D), AND**
- vi. **2:1 ratio beginning 38 feet above the setback line UP TO A HEIGHT OF 64 FEET AND 1:2 ALONG MINOR COLLECTOR AND LOCAL STREETS MORE THAN 600 FEET FROM THE LOOP 101 FREEWAY RIGHT-OF-WAY.**



A: HAYDEN ROAD
LOOKING NORTH

PROPOSED SECTION

Stepback: 1:2 Ratio beginning at 40' from the Hayden Road Right-of-way.

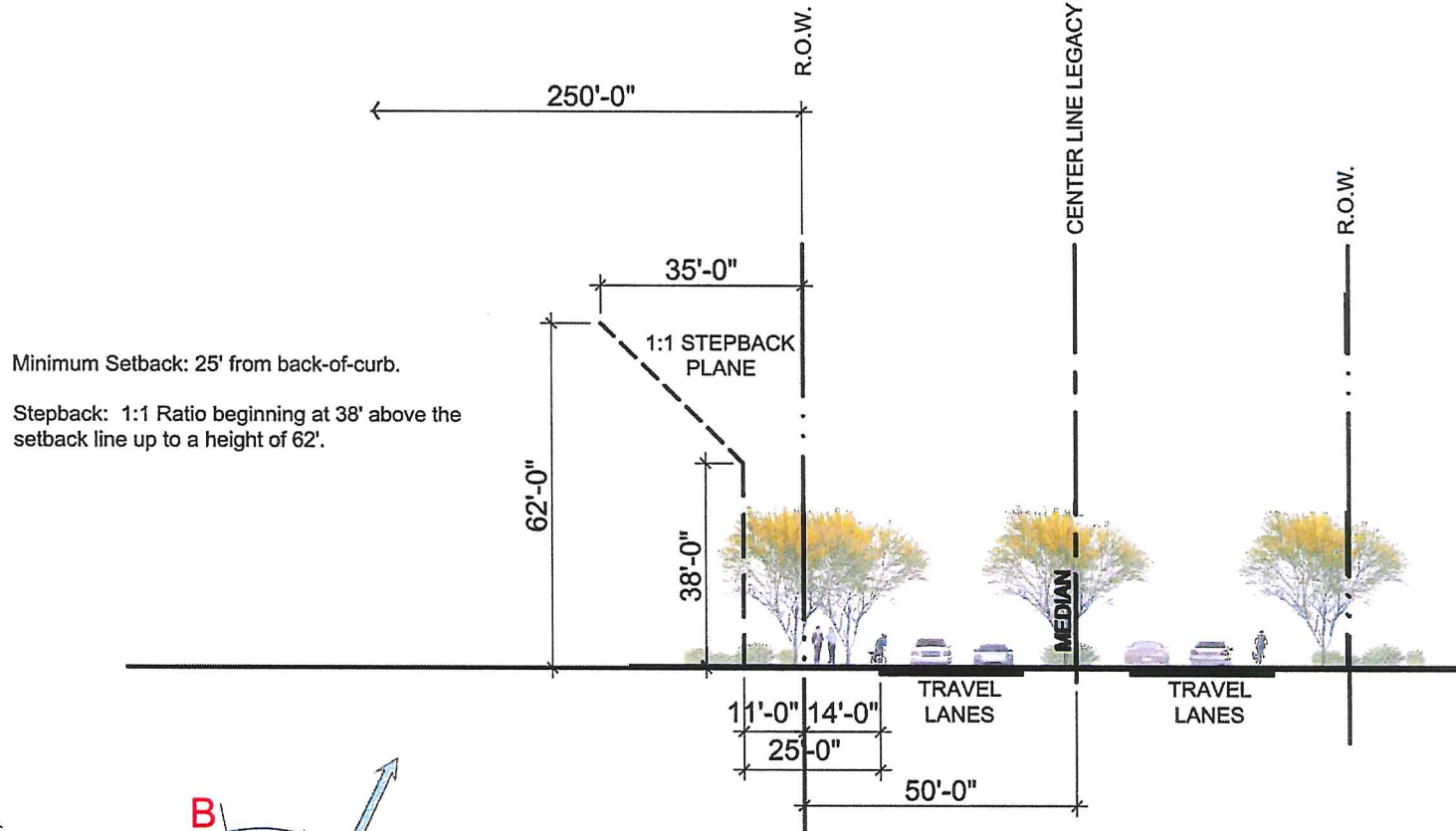


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B: LEGACY BLVD. LOOKING WEST

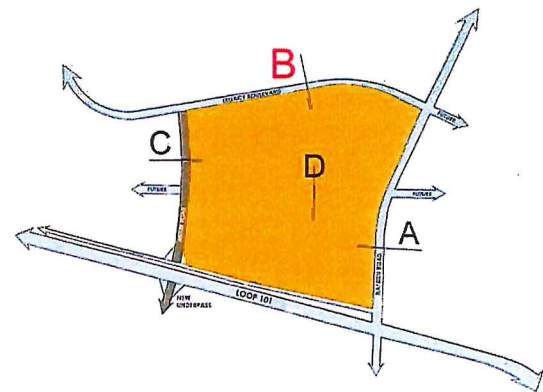
PROPOSED SECTION



EXAMPLE B: LEGACY BLVD.

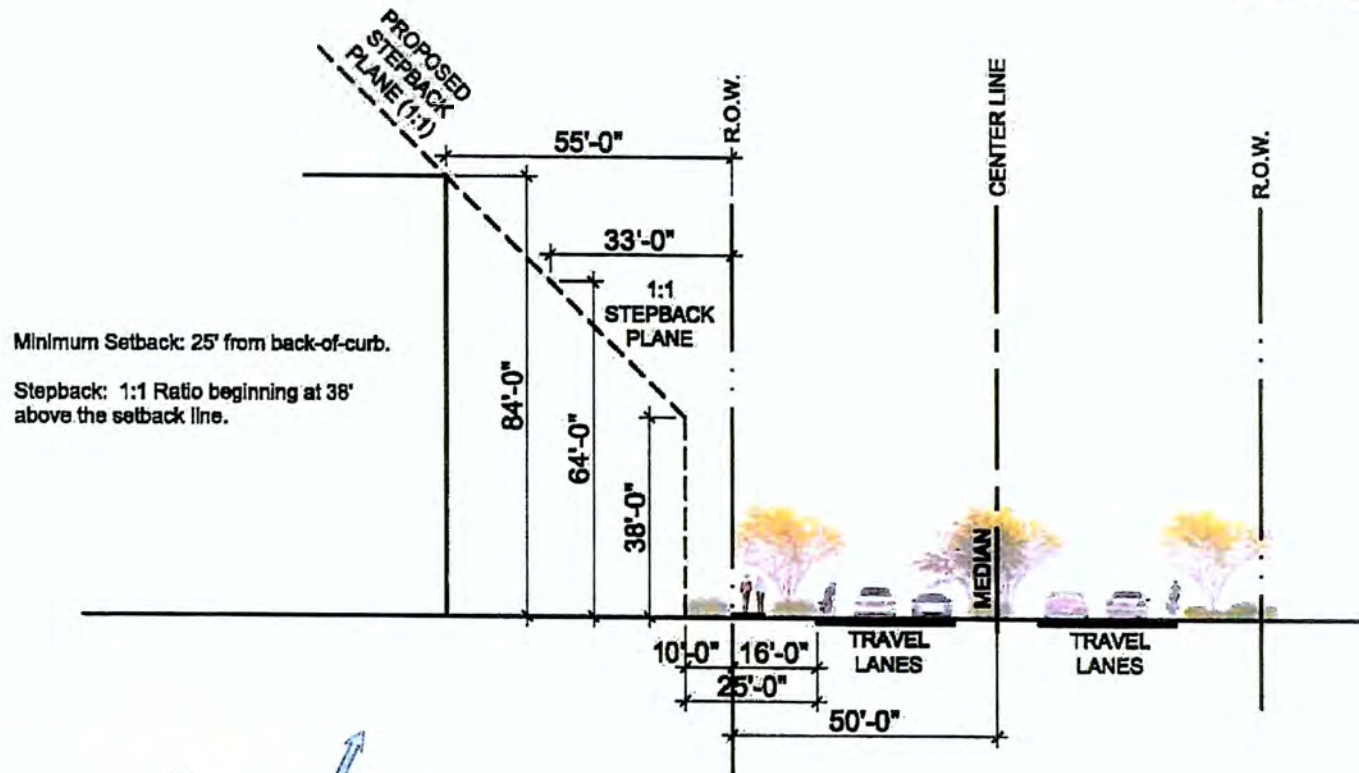
CROSSROADS EAST PLANNING UNIT V SCOTTSDALE, ARIZONA

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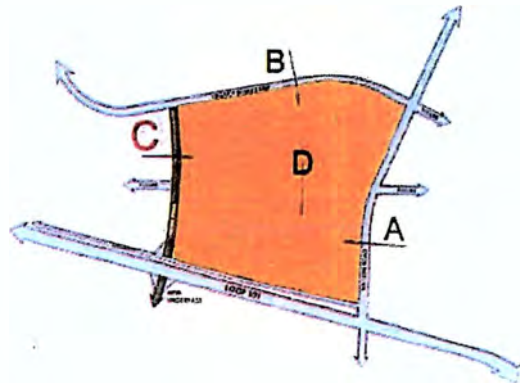


C: MILLER ROAD LOOKING SOUTH

PROPOSED SECTION



EXAMPLE C: MILLER ROAD



CROSSROADS EAST PLANNING UNIT V SCOTTSDALE, ARIZONA

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PROPOSED
SECTION



Stepback: 2:1 ratio beginning 38' above the setback line up to a height of 64' then 1:1 within 600' of the freeway right-of-way / 1:2 more than 600' from the freeway right-of-way.



CROSSROADS EAST
PLANNING UNIT V
SCOTTSDALE, ARIZONA

Resolution No. 11145
Exhibit A
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(Ord. No. 4120, § 1(Res. No. 9585, Exh. A, § 1), 12-9-13)

Sec. 5.4008. - Bonus development standards.

- A. *Qualifying sites.* Upon recommendation by the Planning Commission, the City Council may approve bonus development standards for additional building height and floor area on a Development Plan subject to the following criteria:
1. Minimum Development Plan area: 4.00 acres of gross lot area.
 2. Limitations:
 - i. Bonus development standards cannot be applied to any portion of a PCP District Development Plan that is less than 300 feet from a single family district (as shown on Table 4.100.A., or the portion of a Planned Community (P-C) with an underlying zoning district comparable to the single-family residential districts shown on Table 4.100.A., or a Planned Residential Development (PRD) District).
 - ii. Bonus development standards cannot be applied to any portion of a PCP District Development Plan that is within the AC-3 area shown on Figure 1, Airport Influence Area, in the Scottsdale Revised Code, Chapter 5—Aviation, as amended.
- B. *Bonus development standards.* Subject to the maximum bonus development standards as provided below, the City Council may approve an increase of the floor area ratio (FAR) and/or an increase of the building height based upon the property owner providing any of the Special Improvements as identified below.
- C. *Maximum bonus development standards:*
1. Maximum FAR: 1.6.
 2. Maximum building height:
 - i. Development Plan area of 4.00 to 5.00 acres of gross lot area: 92 feet.
 - ii. Development Plan area of 5.01 to 10.00 acres of gross lot area: 104 feet.
 - iii. Development Plan area of 10.01 to 15.99 acres of gross lot area: 116 feet.
 - iv. Development Plan area of 16.00 acres or more of gross lot area: 134 feet.
 - v. The total floor area(s) of any single floor above building heights greater than 92 feet shall not exceed 20% of the total ground floor building area of the Development Plan.
- D. *Bonus formulas.* The amount of increase in FAR or building height shall be determined by the cost and/or value of the Special Improvement(s) using the following:
1. Floor Area Bonus Formula: $SQBA = [TCE \text{ divided by } (1.035^{(CY-2013)})] \text{ times } 0.1$
 2. Building Height Bonus Formula: $FBH = [TCE \text{ divided by } (1.035^{(CY-2013)})] \text{ times } 0.0001$
 3. Factors used in the formulas above:

- i. SQBA = Square feet of gross floor area bonus.
 - ii. TCE = Total Construction Cost Estimate of the proposed Special Improvement
 - iii. CY = Current Year
 - iv. FBH = Feet of building height bonus.
- 4. The TCE may be distributed in whole or in part to the SQBA or to the FBH, but the sum of the distribution shall never exceed the TCE.
- 5. TCE limitations.
 - a. The TCE excludes all costs reimbursed in any way by the City or other persons, including grants, public paybacks, oversizing agreements, incentives or standard requirements.
 - b. The TCE excludes the cost of public improvements required for the development and standard right-of-way dedications.
 - c. The TCE for a bonus shall include the fair market value of any dedicated land or easement included in the land area where the Special Improvement is located. (See example in Section 6.1310.E.)
- E. *Allocation of bonuses:* The Development Plan shall show the allocation of bonus development standards (floor area and/or building height).
- F. *Special Improvements.* The following are Special Improvements that achieve public benefits and qualify a Development Plan for bonus development standards consideration. Specific limitations apply to each Special Improvement as indicated below. The TCE shall be prepared by a professional consultant and subject to the approval of the Zoning Administrator and City Engineer.
 - 1. Exceptional right-of-way dedication.
 - i. The amount of right-of-way dedication that may qualify shall be any right-of-way dedication area that is greater than 35% of the gross lot area of the Development Plan.
 - ii. The TCE shall be the fair market value. This shall be determined by a minimum of two independent appraisals submitted by the property owner.
 - 2. Major infrastructure improvements not included in the Development Plan.
 - i. These may include additions, new extensions or upsizing of streets, water systems, sewer systems, drainage systems, transit facilities, pedestrian facilities, trail facilities, bicycling facilities, streetscaping facilities or other such infrastructure improvements as approved by the Zoning Administrator and City Engineer.
 - ii. These improvements shall be located in or abutting the Greater Airpark Character Area.
 - iii. These improvements shall be consistent in type and scope with the City's approved infrastructure master plans, if applicable.

- iv. In-lieu contributions may be accepted as approved by the Zoning Administrator and City Engineer.
- 3. Public parking areas within the Development Plan.
 - i. These parking areas shall serve the needs of a public facility or recurring municipal-sponsored public events.
 - ii. The public parking area shall be within an easement granted to the City.
 - iii. Minimum number of spaces provided to the City: 200.
 - iv. These parking spaces shall be in excess of those required for the Development Plan land uses.
 - v. Minimum available times of public access to the parking areas: 6:00 a.m. to 12:00 a.m.
 - vi. Lighting and signing of the parking areas as public access parking is required.
 - vii. These parking areas shall be maintained in good condition by the property owner.
- 4. Public gathering space or plaza improvements within the Development Plan.
 - i. Minimum area: 18,000 square feet or 5% of the net lot area of the Development Plan, whichever is greater.
 - ii. This area shall be accessible by and visible to the public from public rights-of-way. Public access shall be secured through the use of an easement.
- 5. Public art.
 - i. Public art shall be located in an area accessible by and visible to the public and exterior to any building.
 - ii. Public art shall be placed within the Greater Airpark Character Area.
- 6. Enhanced transit amenities within the Development Plan.
 - i. These shall be upgrades of the City standard for transit stops including additional seating, shade structures, pedestrian lighting, and other such enhancements.
 - ii. These shall be designed to be integrated with the architectural character of the adjacent buildings or of an approved streetscape character.
 - iii. These shall be maintained by the property owner.
- 7. Pedestrian amenities within the Development Plan.
 - i. These may include sidewalk shade covers, benches and other forms of seating, sidewalk lighting, and other such improvements that enhance the public sidewalks for pedestrian use.
 - ii. These shall be maintained by the property owner.

8. Solar energy collection systems within the Development Plan.
 - i. These shall either be screened from view off-site of the Development Plan or integrated into the architectural character of the buildings.
 - ii. The property owner shall maintain these in good working condition for a minimum of 15 years.
9. Landscape water conservation systems within the Development Plan.
 - i. These may include rainwater harvesting, gray water re-use, air conditioning condensation recycling, roof gardens and other such systems that use non-domestic water for landscaping purposes.
10. Electric vehicle charging stations.
 - i. Minimum number of stations: 5 stations or 5% of the total number of required spaces within the Development Plan, whichever is greater.
11. Compliance with Scottsdale's Green Construction Code. Subject to the maximum development standards with bonuses, if the entire development of the property within the Development Plan complies with Scottsdale's Green Construction Code an FAR bonus of 0.1 times the gross lot area of the Development Plan or a building height bonus equivalent to 15 feet, as approved by the City Council, shall apply.

F. *Special conditions.*

1. Building materials: Reflective materials, such as glass or polished metal located above a building height of 104 feet are limited to 60 percent of the building wall area located above a building height of 104 feet.
2. Open Space. Minimum: 28 percent of the net lot area of the Development Plan receiving a bonus.

G. *Application for bonus development standards.* Include a narrative:

1. Describing the bonus development standards sought, specifying the proposed floor area ratio and building height,
2. Identifying the Special Improvements to be provided, and
3. Providing the method and calculations for determining the TCE.

H. *Development Agreement required.* All proposals to provide Special Improvements are subject to City Council approval of a Development Agreement that specifies:

1. The Special Improvements to be provided and other conditions to be met by the property owner,
2. The means and timetable for achieving the Special Improvements and other conditions,
3. The applicable bonus development standards, and

4. The consequences of failure to provide the Special Improvements and meet other conditions.
(Ord. No. 4120, § 1(Res. No. 9585, Exh. A, § 1), 12-9-13)

Sec. 5.4009. - General Provisions.

Except as otherwise provided, the provisions of Article VII apply.
(Ord. No. 4120, § 1(Res. No. 9585, Exh. A, § 1), 12-9-13)

Sec 5.4010. - Sign Requirements.

The provisions of Article VIII apply. In lieu of using the PCP sign standards of Article VII, the property owner may choose to use signs allowed in the Planned Regional Center (PRC) District in the PCP District.
(Ord. No. 4120, § 1(Res. No. 9585, Exh. A, § 1), 12-9-13)

Sec. 5.4011. - Parking and Loading Requirements.

The provisions of Article IX apply.
(Ord. No. 4120, § 1(Res. No. 9585, Exh. A, § 1), 12-9-13)

RESOLUTION NO. 11146

A RESOLUTION OF THE CITY OF SCOTTSDALE, ARIZONA, AUTHORIZING THE MAYOR TO EXECUTE DEVELOPMENT AGREEMENT NO. 2002-141-COS-A3 FOR PROPERTY GENERALLY LOCATED AT EAST OF SCOTTSDALE ROAD ON THE NORTH AND SOUTH SIDES OF THE LOOP 101 FREEWAY.

WHEREAS, A.R.S. § 9-500.05 authorizes the City to enter into development agreements with persons having an interest in real property located in the City; and

WHEREAS, it is in the best interest of the City to amend the existing Development Agreement between the City and the Arizona State Land Department, 2002-141-COS (the "Original Agreement"), as amended by the First Amendment to Development Agreement (C.O.S. Contract No. 2002-141-COS-A1) (the "First Amendment"), as amended by the Second Amendment to Development Agreement (C.O.S. Contract No. 2002-141-COS-A2) (the "Second Amendment"), and enter into the Third Amended and Restated Development Agreement No. 2002-141-COS-A3 for the purpose of amending the Land Use Budget for the Crossroads East Master Planned Development, and to provide clarification regarding the rights and obligations of ASLD Successors (as defined in therein) to seek zoning and development standard changes to their parcels; and

WHEREAS, this Development Agreement No. 2002-141-COS-A3 is consistent with the portions of the City's general plan applicable to the property on the date this Agreement is executed.

NOW, THEREFORE, LET IT BE RESOLVED, by the Council of the City of Scottsdale, as follows:

Section 1. That Mayor W.J. "Jim" Lane is authorized to execute Development Agreement No. 2002-141-COS-A3 after it has been executed by all other parties.

Section 2. That the City Clerk is hereby directed to record Development Agreement No. 2002-141-COS-A3 with the Maricopa County Recorder within ten (10) days of its execution by all parties.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Arizona, this ____ day of _____, 2018.

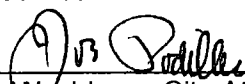
ATTEST:

CITY OF SCOTTSDALE, an Arizona
Municipal Corporation

By: _____
Carolyn Jagger
City Clerk

By: _____
W.J. "Jim" Lane
Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By:  _____
Bruce Washburn, City Attorney
By: Joe Padilla, Deputy City Attorney

WHEN RECORDED, MAIL TO:
Arizona State Land Department
1616 West Adams
Phoenix, AZ 85007

Contract No. 2002-141-COS-A3
Crossroads East
Resolution No. 11146

THIRD AMENDED AND RESTATED DEVELOPMENT AGREEMENT

THIS THIRD AMENDED AND RESTATED DEVELOPMENT AGREEMENT (the "Agreement") is entered into as of the ____ day of _____, 2018, between ARIZONA STATE LAND DEPARTMENT, through the State Land Commissioner ("ASLD"), and the CITY OF SCOTTSDALE, ARIZONA, a municipal corporation ("City"), collectively referred to as the Parties.

RECITALS

This Agreement is predicated upon the following facts:

A. Arizona Revised Statutes ("A.R.S.") § 9-500.05, authorizes the City to enter into a development agreement with a landowner or any other person having an interest in real property located in the City.

B. The Commissioner may enter into an agreement with the City to permit the construction, operation, and maintenance of infrastructure on the Property, and may provide for reimbursement to the City pursuant to A.R.S. §37-335.06.

C. The land subject to this Agreement is located within the incorporated boundaries of the City and legally described and depicted in the attached Exhibit A, ("the Property" or "Crossroads East"). The Property was previously owned in its entirety by the State of Arizona. The State of Arizona is the owner of a portion of the Property legally described and depicted in the attached Exhibit B (the "ASLD Property"). On May 15, 2012, ASLD auctioned for sale one parcel of the Property legally described and depicted in the attached Exhibit C (the "BCB Parcel"). On May 27, 2015, ASLD auctioned for sale another parcel of the Property legally described and depicted in the attached Exhibit D (the "JLB Parcel"). On February 13, 2018, ASLD auctioned for sale another parcel of the Property legally depicted and described in the attached Exhibit E (the "Princess Hayden Parcel").

D. The Property was subject to a development agreement (Agreement No. 2002-141-16531035v8

COS) dated November 19, 2002 and recorded November 22, 2002 at document No. 2002-1240137 of the public records of Maricopa County, Arizona (the "Original Agreement"). Prior to the Original Agreement, the Property comprised a portion of the remaining undeveloped parcels within the Core South Planned Community District approved by the City in Case No. 11-Z-86 and a portion of the remaining undeveloped parcels within the Core North Planned Community District approved by the City in Case No. 46-ZN-90 as administratively amended on June 16, 1992. The Original Agreement updated the approved zoning and stipulations for the Property to reflect then-current land use patterns in the region, provided flexibility in the implementation of the same, memorialized a proposed plan for the future development of the Property, and provided that ASLD's buyers would pay to City certain infrastructure payments with interest.

E. The Original Agreement was subsequently amended by the First Amendment to Development Agreement (C.O.S. Contract No. 2002-141-COS-A1) dated October 18, 2011 and recorded November 7, 2011 at document No. 20110923510 of the public records of Maricopa County, Arizona (the "First Amendment"). Due to changing economic conditions and the determination that an amendment would be mutually beneficial to the City and ASLD, the First Amendment provided a mechanism whereby the interest for infrastructure costs owed to the City would be reimbursed to ASLD and capped select future infrastructure costs. The First Amendment also updated the approved zoning for the Property to amend the Land Use Budget to add Highway Commercial (C-3), with amended development standards, and to remove the cap on the maximum allowable residential units from the comparable Multi-Family Residential (R-5) District.

F. The Original Agreement and the First Amendment were subsequently amended by the Second Amended and Restated Development Agreement (C.O.S. Contract No. 2002-141-COS-A2) dated January 17, 2017 and recorded February 21, 2017 at document No. 20170123362 of the public records of Maricopa County, Arizona (the "Second Amendment"). The Second Amendment amended the Development Plan for the Property by amending the Land Use Budget. Further, the Second Amendment provided clarification regarding the rights and obligations of ASLD Successors (as defined in paragraph 4 below and specifically including the patentees of the BCB Parcel and the JLB Parcel) to the Property to seek zoning and development standard changes to their parcels.

G. The Parties wish to further amend the Second Amendment to amend the existing Development Plan for the Property by amending the previously adopted Stipulations, Land Use Plan, Land Use Budget, Planning Unit Areas, and Amended Development Standards to conform to the modified zoning for the ASLD Property adopted by Ordinance No. 4346 (the "Modified Zoning"). Further, the Parties wish to reduce the amount that ASLD Successors are obligated to contribute toward a regional drainage solution.

H. This Agreement is intended to provide: (i) a framework for the implementation of the Development Plan, (ii) guiding principles for performance of the stipulations and development of the Property, and (iii) vesting of the entitlements on the Property.

I. This Agreement restates and amends the provisions of the Original Agreement, the First Amendment, and the Second Amendment and is intended to supersede all those Agreements.

J. The Parties hereto acknowledge and agree that this Agreement is consistent with the portions of the City's General Plan applicable to the Property.

AGREEMENTS

NOW, THEREFORE, the Parties agree as follows:

1. Recitals. The recitals set forth above are acknowledged by the Parties to be true and correct and are incorporated herein by reference.

2. Exhibits. The following documents are referred to in this Agreement and are attached to or reference to and incorporated into this Agreement:

<u>Exhibit Designation</u>	<u>Description</u>
A	Description of the Property, or Crossroads East
B	ASLD Property
C	BCB Parcel
D	JLB Parcel
E	Princess Hayden Parcel
F	Development Plan, reference to Case No. 19-ZN-2002#6 adopted as a public record by Resolution 11145 incorporated into Ordinance 4346
G	Stipulations
H	Interest Accrual
I	PUV Parcel

3. Interest of the Parties. ASLD hereby represents and warrants to the City that it is the sole fee title owner of the ASLD Property, legally described on Exhibit B, and that no other person or entity has any legal or equitable ownership interest in the same.

4. Assignment. The rights of the ASLD under this Agreement may be transferred or assigned, in whole or in part, by written instrument, to any current or future owner or lessee of all or any portion of the Property (hereinafter, an "ASLD Successor") with respect to such ASLD Successor's interest in the Property without further consent from the City. The rights transferred

or assigned to any ASLD Successor shall not include the right to agree or refuse an amendment to this Agreement.

5. Binding Effect of Agreement. The burdens of this Agreement bind, and the benefits of this Agreement inure to the Parties hereto and their successors in interest and assigns (including each ASLD Successor) pursuant to A.R.S. § 9-500.05(D), but, notwithstanding any other provisions of this Agreement, only as to those portions of the Property in which a successor or assign (including each ASLD Successor) has a fee title or leasehold interest.

6. Implementation. This Agreement is intended to facilitate the development proposal for the Property described in the Exhibits attached hereto and incorporated herein by reference. It is understood by the Parties that the information set forth in the Exhibits, including the Development Plan and Stipulations, is generalized. Additional study and analysis of the Property may be required before specific development projects are constructed. The Stipulations describe the master planning necessary for the entire Property, including master plans for environmental design, circulation, drainage, wastewater and water (collectively the "Master Plans"). The Master Plans will identify implementation methods for infrastructure improvements necessary for the development of the Property, such as circulation, drainage, and water and wastewater improvements.

7. Modified Zoning. The City has modified the approved zoning for the Property to allow the planning units within the Property to be developed with the zoning categories, requirements, and land use densities and intensities in accordance with the Development Plan and Stipulations adopted in Ordinance No. 4346 and referenced in Exhibits F and G. The new Development Plan amends and replaces the previously applicable Land Use Budget, Amended Development Standards, and Stipulations. To the extent the Modified Zoning limits or expands development otherwise permitted by the regulations for a particular zoning district classification as set forth in City Ordinance No. 455, as amended (the "Zoning Ordinance"), the Modified Zoning shall govern. In consideration of the expense and effort put forth by the ASLD in connection with preparing the Property for development, the Modified Zoning, including the land uses, densities, and intensities set forth in the Land Use Budget and the Amended Development Standards, shall be vested for the duration of this Agreement upon approval by the City of this Agreement.

8. Changes to the Zoning. For the duration of this Agreement, the City shall not initiate any changes or modifications to the Modified Zoning (a "Zoning Change") except at the request of the owner of the portion of the Property for which such Zoning Change is sought. Any such request for a Zoning Change will be processed in the manner then set forth in the Zoning Ordinance for amendments. If such a Zoning Change is inconsistent with the provisions of this Agreement, such Zoning Change shall not be processed until an application is filed by the ASLD to amend this Agreement and such Zoning Change shall not become effective until the effective date of such amendment to this Agreement to incorporate the Zoning Change(s). Nothing set forth

in this Paragraph shall be deemed to require the City to approve requested changes to this Agreement or zoning after the effective date of this Agreement.

8.1. Notwithstanding the above provisions of Paragraph 8, a Zoning Change shall not be deemed to be inconsistent with, and does not require an amendment to, this Agreement if an ASLD Successor seeks only to limit or expand the Amended Development Standards applicable solely to the ASLD Successor's property, and the proposed Zoning Change would not affect any other provision of this Agreement, including but not limited to the Land Use Budget or Planning Unit Areas. In such case, such Zoning Change shall be deemed: 1) only to apply to the property of the ASLD Successor requesting such change, 2) not to affect the Amended Development Standards incorporated into this Agreement and attached hereto as Exhibit F, 3) to require prior written approval by ASLD submitted as part of the application for rezoning to the City, and 4) not to require an amendment to this Agreement.

9. Improvements.

9.1. Purchase of Rights-of-Way and Construction of Infrastructure for Public Use. The Parties acknowledge that prior to development of the Property there is a need for improved transportation circulation on the Property. The Parties further acknowledge that there are regional as well as on-site transportation and transit benefits to be gained from constructing roadways prior to development of the Property and sizing these roadways to allow for mass transit opportunities. Exhibit H and the Stipulations, attached as Exhibit G to this Agreement and incorporated herein, identify those infrastructure improvements that were constructed as necessary to development of the Property. The City has made those infrastructure improvements on the Property for the purpose of constructing Legacy Boulevard (formerly Center Drive), from the western boundary of the Property to Hayden Road; Hayden Road through the Property; Mayo Boulevard (formerly Union Hills Drive) from Scottsdale Road to the 74th Street alignment; Scottsdale Road along the western boundary of the Property from Princess Drive to Mayo Boulevard; and a freeway access road from Hayden Road to the western boundary of the Property on the north side of the freeway, as specified in Exhibit H to this Agreement and incorporated herein (collectively, the "Existing Improvements"). For those Existing Improvements constructed or caused to be constructed by the City pursuant to this Paragraph 9.1 and for which the City has not yet obtained the requisite rights-of-way, the City may purchase any or all of the rights-of-way needed for the construction, maintenance and operation of each roadway comprising the Existing Improvements pursuant to procedures established by Arizona law and the regulations of ASLD. It is the desire and intention of ASLD in entering into this Agreement that the City will either purchase or require an ASLD successor to dedicate all rights-of-way necessary for the full completion of any corresponding roadway, including rights-of-way necessary for the placement of utilities, landscaping, pedestrian and bicycle access, and mass transit. ASLD and the City further agree that if the City makes a right-of-way application to ASLD for any portion of the Property upon which there are Existing Improvements, ASLD agrees to use best efforts, consistent with applicable law in: a) processing the application; b) approval of the appraisal of any portion of the Property (reflective of the valuation as a purchase, lease, or term sale) required for such Improvements; c) issuance of a right of entry to allow City construction of the improvements; and d) selling the transportation rights-of-way to the City without an auction pursuant to A.R.S. 37-

461.B. Notwithstanding the foregoing, ASLD shall have the final decision regarding the location of any such right(s) of way on the Property. The purchase price payable to ASLD for all rights-of-way to be purchased from ASLD shall be determined in accordance with Arizona law based upon an appraisal approved by ASLD.

9.2 Reimbursement. City shall be entitled to reimbursement from ASLD Successors as follows:

9.2.1 At the time of disposition, each ASLD Successor shall pay to the City its fair share, as determined by ASLD in its sole discretion, of the full cost of purchasing rights-of-way and constructing Existing Improvements, as required by the Stipulations (the "Reimbursement Amount") as follows:

(a) The Reimbursement Amount shall include the right of way acquisition costs, and all reasonable and customary construction costs, including design and engineering costs, as approved by ASLD following review of appropriate written documentation of such costs submitted to ASLD, but shall not include administrative fees and any costs or fees incurred by City to acquire a right-of-entry or similar license from ASLD.

(b) The Reimbursement Amount allocated to a parcel that has been leased or sold, as defined in the Stipulations and shown on Exhibit F, shall be based on an individualized assessment by ASLD at the time of the parcel's disposition and shall be on terms and conditions to be determined by ASLD.

9.2.2 ASLD agrees to include as part of any sale or lease of any portion of the Property notice to potential ASLD Successors that the ASLD Successor shall pay to City the Reimbursement Amount allocated by ASLD to that parcel for each roadway comprising the Existing Improvements constructed by City in satisfaction of the Stipulations to the Original and Amended Agreements. Such payment shall be made within thirty (30) days after a successful auction, unless the purchaser or lessee has made prior alternative arrangements with the City for payment or satisfaction of such obligations.

9.2.3 As a condition of receiving payment of the Reimbursement Amount pursuant to this Agreement, City shall provide ASLD with written certification that City has not received and is not entitled to receive reimbursement for the Existing Improvements from any other source. In the event all or any portion of the Reimbursement Amount is paid from any source other than City funds, including but not limited to development fees, federal funds, or any other agreement between City and a public or private entity specifically intended for construction of the Existing Improvements, City shall notify ASLD and the Reimbursement Amount shall be reduced accordingly.

9.2.4 Interest shall accrue on the Reimbursement Amount at an annual rate equal to City's cost of borrowing funds from the date of substantial completion of the Existing Improvements identified as the "Beginning Date of Interest Accrual" on Exhibit H until the earlier of the following: (1) as to any parcel ASLD disposes, interest on that parcel's fair share shall cease to accrue on the date the parcel is appraised for disposition purposes, or (2) ten years from the

Beginning Date of Interest Accrual as set forth in the attached Exhibit H. The accrued interest allocated to a parcel shall be based on an individualized assessment by ASLD in its sole discretion at the time of the parcel's disposition. At the time of disposition, an ASLD Successor shall pay the interest that has been assessed to the Parcel to the City within thirty (30) days after a successful auction. The City shall reimburse the interest to ASLD as follows:

9.2.5 A parcel shall qualify for reimbursement of interest to ASLD if ASLD sells or leases a parcel, and that parcel is brought to auction no later than December 31, 2031.

9.2.6 Reimbursement of interest to ASLD shall be administered as follows:

(a) At the time of a successful auction for the sale or long-term lease of a parcel, the ASLD Successor shall pay to City the interest amount that has been allocated by ASLD to the parcel and as provided by this Agreement. Then, the City no later than January 31 of each year shall, to the extent possible, report the amount of the general purpose portion, currently 1.0%, of the enumerated transaction privilege taxes, which are sales of tangible personal property, rental of tangible personal property, restaurant and bar, amusement, real property rental, and hotel taxes (the "Sales Taxes") paid to City on account of activity conducted by the users at the Property during the prior calendar year. No Sales Taxes paid under any other privilege tax classifications shall be used as a credit against interest such as construction contracting, speculative builder, utilities, nor use tax. Unless a taxpayer waives their right to confidentiality, it is expressly understood that City cannot make any payments based off of Sales Taxes until there are a minimum of four (4) taxpayers located anywhere on the Property so as not to identify any taxes paid with a specific taxpayer. After which, pursuant to 9.2.6(c) below, the City shall pay as reimbursement to ASLD the accumulated Sales Tax amount for each business from the time that the City began collecting Sales Taxes from such businesses. The amount of the interest reimbursement shall be equal to but not paid from Sales Taxes paid to the City by the users located on the parcels for the year.

(b) If a business is operating within the Scottsdale City limits and relocates to any parcel within the Property and the City was previously collecting Sales Tax from that business, then the amount of interest reimbursement shall be the difference between the average Sales Taxes paid by that business for the preceding five (5) years and the increase in Sales Tax that is generated as a result of the business operating on the parcel. Such reimbursement payment shall only begin after the relocated business has reported and paid Sales Taxes for twelve (12) consecutive months from the new location. A "Relocating Business" is one that (a) is transacting business in the City of Scottsdale at the time of the state land auction, (b) discontinues their business in whole or in part at an existing Scottsdale location subsequent to the state land auction and (c) opens a substantially similar business anywhere on the Property.

(c) Subject to the foregoing provisions (9.2.6(a) and 9.2.6(b)), no later than March 31 of each year, City shall pay to ASLD an amount equal to the total amount of Sales Taxes generated on the Property for the preceding year.

9.2.7 In no event shall City be required to pay to ASLD more than the amount of

interest originally paid to the City.

9.3. Approvals by Other Governmental Entities. The City shall construct or cause to be constructed any improvements on the Property to the standards of the City, the Army Corps of Engineers, or other applicable governmental entity. The City shall cooperate and consult with ASLD to obtain any necessary permits for such construction from the Army Corps of Engineers pursuant to Section 404 of the Clean Water Act. Prior to commencing construction on the Property, the City shall demonstrate to ASLD's satisfaction that a permit for such construction has been obtained from the Army Corps of Engineers pursuant to Section 404 of the Clean Water Act, or that such construction is exempt from Section 404 permit requirements.

10. Contribution Toward Future Regional Transportation Infrastructure. The Parties agree that each ASLD's Successor's participation in the design and construction of the Miller Road/Loop 101 underpass shall be capped at \$8,600 per gross acre on the 559.90 acres of Crossroads East, located between Scottsdale and Hayden Roads, (the "Loop 101 Underpass Reimbursement Amount"). ASLD agrees to include as part of any sale or lease of any portion of the ASLD Property between Scottsdale Road and Hayden Road notice to potential ASLD Successors that the ASLD Successor shall pay to City its proportionate share on a per acre basis of the Loop 101 Underpass Reimbursement Amount within thirty (30) days after a successful auction unless the ASLD Successor has made prior alternative arrangements with the City. City shall be responsible for collecting each parcel's proportionate share of the Loop 101 Underpass Reimbursement Amount from an ASLD Successor until the final cost of construction for the Miller Road/Loop 101 underpass has been fully paid. When the amounts collected or otherwise satisfied pursuant to this paragraph equal the final cost of construction for the Miller Road/Loop 101 underpass (even if the final cost of construction for the Miller Road/Loop 101 underpass is less than Loop 101 Underpass Reimbursement Amount), City shall notify ASLD that the Loop 101 Underpass Reimbursement Amount has been fully satisfied, at which time no further payment shall be required of any ASLD Successor and the Parties' obligations under this paragraph shall be discharged. The infrastructure design and construction amounts are not subject to the provisions of Paragraph 9.2.4.

11. Contribution Toward Future Drainage Infrastructure Costs. The Parties agree that each ASLD's Successor's contribution to any future regional or sub-regional drainage solution for the portions of the Property lying east of the defined drainage divide between the CAP Dike #2 and #3 Detention Basins shall be capped at \$11,000 per gross acre on the ±777.2 acres included in that area (the "Drainage Reimbursement Amount"). ASLD agrees to include as part of any sale or lease of any portion of the ASLD Property included in that area notice to potential ASLD Successors that the ASLD Successor shall pay to City its parcel's proportionate share on a per acre basis of the Drainage Reimbursement Amount within thirty (30) days after a successful auction unless the ASLD Successor has made prior alternative arrangements with the City. City shall be responsible for collecting each parcel's proportionate share of the Drainage Reimbursement Amount from all ASLD Successors until the final cost of construction for the regional or sub-regional solution has been fully paid. When the amounts collected or otherwise satisfied pursuant to this paragraph equal the final cost of construction for the regional or sub-regional drainage solution (even if the final cost of construction for the regional or sub-regional drainage solution is

less than the Drainage Reimbursement Amount), City shall notify ASLD that Drainage Reimbursement Amount has been fully satisfied, at which time no further payment shall be required of any ASLD Successor and the Parties' obligations under this paragraph shall be discharged. The infrastructure design and construction amounts are not subject to the provisions of Paragraph 9.2.4.

12. As a condition of receiving payment of any infrastructure costs pursuant to this Agreement, including without limitations payment for the Existing Improvements, Loop 101 Underpass Reimbursement Amount and Drainage Reimbursement Amount, City shall provide ASLD with written certification that City has not received and is not entitled to receive reimbursement for the infrastructure costs from any other source. In the event all or any portion of the infrastructure costs are paid from any other source other than ASLD's successors, City shall notify ASLD and the infrastructure costs shall be reduced accordingly.

13. Credits; Assignment of Development Fees. The Parties acknowledge that ASLD's Successors may be entitled to receive credits against and/or reimbursement for development, impact or other infrastructure fees imposed by the City. All or any portion of the credits and reimbursement an ASLD Successor is entitled to receive shall be assignable by the ASLD Successor to ASLD and thereafter by ASLD to any other ASLD Successor within the Property. No such assignment shall be deemed to have occurred unless expressly set forth in the ASLD notice of auction or otherwise expressly agreed in writing by ASLD and the applicable ASLD Successor. ASLD shall notify the City in writing if and when any such assignment has occurred and if and when ASLD assigns all or any part of the credit/reimbursement. ASLD shall identify the party assigning the credit/reimbursement to ASLD and the amount thereof and shall identify the party to which ASLD has assigned the credit/reimbursement and the amount thereof.

14. Guiding Principles. Because of the size and physical characteristics of the Property, the Parties recognize that planning and development activities for the Property will extend over many years. The Parties agree that they will act in good faith and with reasonableness in implementing, operating under, and exercising the rights, powers, privileges and benefits conferred or reserved by this Agreement or by law. The Parties agree to cooperate with one another and to take all actions reasonably necessary to implement this Agreement within a reasonable time after request by the other Party, including but not limited to the timely granting of approvals and processing of applications relating to the implementation of this Agreement.

15. Effective Date. This Agreement shall be effective upon execution by the Parties hereto and recordation in accordance with Section 16.9. In the event this Agreement is delayed in its effect for any reason, the Second Amendment shall remain in full force and effect until such time as this Agreement becomes effective. If the delay in effect is a result of a referendum, judicial challenge, or injunction, resulting in delay in the effect of this Agreement that extends for a period of more than one hundred twenty (120) days following its approval by the City Council, then this Agreement shall be terminable by ASLD upon written notice to the City in accordance with this Agreement at any time within an additional one hundred eighty (180) days. Upon termination, this Agreement shall be of no further force or effect, and the Second Amendment will remain in full

force and effect. Delay of the effect of this Agreement by judicial challenge or injunction filed by Parties acting independently of and not under the control of the City shall not be deemed a default hereunder by the City.

16. Amendments or Cancellation of the Agreement. This Agreement may be amended or canceled, in whole or in part and with respect to all or any portion of the ASLD Property, only with the mutual written consent of the City and the ASLD. Any ASLD Successor, and their successors and assigns, shall have no power or right to amend this Agreement. Any ASLD Successor, and their successors and assigns, shall have no power or right to object to any future amendment to or refusal to amend this Agreement with respect to ASLD Property or to parcels owned or leased by another ASLD Successor. Within ten (10) days after any such amendment or cancellation of this Agreement is fully executed by all Parties, the amendment or cancellation shall be recorded by the City in the Official Records of Maricopa County, Arizona.

17. Duration. If not sooner terminated in accordance with the provisions hereof, this Agreement shall automatically terminate and be of no further force or effect on December 31, 2043. The obligations of the City to reimburse to ASLD the interest that was paid to the City by an ASLD Successor shall survive the termination of this Agreement until the full amount of interest collected by the City has been reimbursed to ASLD. Termination or expiration of this Agreement shall have no effect on any zoning or other regulatory approvals granted by the City for the Property, specifically including those development rights existing under the approved Modified Zoning, which shall continue to be enforceable according to their terms. All other obligations under this Agreement, including the obligation of ASLD Successors to pay to the City the Reimbursement Amount and interest, shall terminate with this Agreement.

18. Relationship of the Parties. It is understood that the contractual relationship between the Parties is undertaken pursuant to the authorization contained in A.R.S. §§9-500.05 and 37-335.06, and nothing contained in this Agreement shall create any partnership, joint venture or agency relationship between the Parties. Except as provided in Paragraphs 4 and 5 hereof, no term or provision of this Agreement is intended to, or shall, be for the benefit of any person, firm, organization or corporation not a party hereto, and no such other person, firm, organization or corporation shall have any right or cause of action hereunder, whether as a third-party beneficiary or otherwise.

19. General Provisions.

19.1 Notices.

(a) Manner of Serving. All notices, filings, consents, approvals and other communications provided for herein or given in connection herewith ("Notices") shall be validly given, filed, made, delivered or served if in writing and delivered personally or sent by registered or certified United States Postal Service Mail, return receipt requested, postage prepaid to:

If to the City: The City of Scottsdale
3939 Drinkwater Boulevard
Scottsdale, Arizona 85251
Attn: Planning and Development Services Director

With a copy to: The City of Scottsdale
3939 Drinkwater Boulevard
Scottsdale, Arizona 85251
Attn: City Attorney

If to ASLD: Arizona State Land Department
1616 W. Adams
Phoenix, Arizona 85007
Attn: State Land Commissioner

With a copy to: Office of the Attorney General
1275 W. Washington,
Phoenix, Arizona 85007

Or to such other addresses as either party may from time to time designate in writing and deliver in a like manner. Any such change of address notice shall be given at least ten (10) days before the date on which the change is to become effective.

(b) Mailing Effective. Notices given by mail shall be deemed delivered seventy-two (72) hours following deposit in the U.S. Postal Service, in the manner set forth above.

19.2 Waiver. No delay in exercising any right or remedy shall constitute a waiver thereof and no waiver by the Parties of the breach of any provision of this Agreement shall be construed as a waiver of any preceding or succeeding breach of the same or any other provision of this Agreement. Nothing herein or in the Stipulations shall constitute or be deemed to be a waiver by ASLD of its respective rights to request future rezonings or changes in development standards for all or any portion(s) of the Property pursuant to City procedures and requirements existing at the time of the request. Nothing herein contained shall be deemed to be a waiver by the City of the right to act, by approval or denial, on such rezoning or change, to the extent such action would not otherwise be in breach of this Agreement. Further, nothing herein or in the Stipulations shall constitute or be deemed to be a waiver or relinquishment by the ASLD of its rights to continue nonconforming uses of all or any portion(s) of the Property that may exist on the date hereof or have existed as of the date of the Original Agreement, First Amendment, Second Amendment, or this Agreement, subject to legal principles applicable to such non-conforming uses.

19.3 Attorneys' Fees and Costs. If legal action by either party is brought because of a breach of this Agreement or to enforce a provision of this Agreement, the prevailing party is entitled to reasonable attorneys' fees and court costs.

19.4 Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

19.5 Headings. The description headings of the paragraphs of this Agreement are inserted for convenience only and shall not control or affect the meaning or construction of any of the provisions of this Agreement.

19.6 Entire Agreement. This Agreement constitutes the entire agreement between the Parties and shall not be changed or added to except in the manner provided in Paragraph 16. Upon taking effect, this Agreement supersedes the Original Agreement, the First Amendment, and the Second Amendment. All prior and contemporaneous agreements, representations and understandings of the Parties, oral or written, other than specifically incorporated herein by reference, are superseded by this Agreement.

19.7 Severability. If any provision of this Agreement is declared void or unenforceable, the provisions shall be severed from this Agreement, which shall otherwise remain in full force and effect, provided that the overall intent of the Parties is not materially vitiated by such severability.

19.8 Governing Law. This Agreement is entered into in Arizona and shall be construed and interpreted under the laws of the State of Arizona. The Parties agree that venue for any action commenced in connection with this Agreement shall be proper only in a court of competent jurisdiction located in Maricopa County, Arizona, and the Parties hereby waive any right to object to such venue.

19.9 Recordation. No later than ten (10) days after this Agreement has been executed by the City and the ASLD, it shall be recorded in its entirety, by the City, in the Official Records of Maricopa County, Arizona.

19.10 Default, Remedies. If either party to this Agreement breaches any provision of this Agreement, the non-defaulting party shall be entitled to all remedies available at both law and in equity including specific performance.

19.11 Authority. The Parties to this Agreement represent to each other that they have full power and authority to enter into this Agreement.

19.12 Third Party Beneficiaries. There are no third party beneficiaries to the Agreement.

19.13 Cancellation. This Agreement is subject to the cancellation provisions of A.R.S. §38-511.

19.14 Arbitration. In the event of a dispute between the Parties to this Agreement, it is agreed to use arbitration to resolve the dispute but only to the extent required by A.R.S. § 12-16531035v8

1518 and in no event shall arbitration be employed to resolve a dispute which is otherwise subject to administrative review by the Department or the City.

20. Effect of Crossroads East Planning Unit V Development Agreement. Concurrently herewith, ASLD and the City have entered into a separate development agreement entitled Crossroads East Planning Unit V Development Agreement (the "PUV Agreement") pertaining to the portion of the Property legally described in Exhibit I attached hereto (the "PUV Parcel"). The PUV Agreement shall be deemed to modify this Agreement solely with respect to the PUV Property and shall supersede and prevail over any inconsistent provisions of this Agreement with respect to the PUV Property.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the day and year first above written.

CITY:

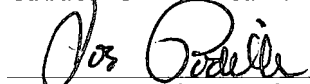
CITY OF SCOTTSDALE, ARIZONA, a municipal corporation

By: _____
W. J. "Jim" Lane, Mayor

ATTEST:

Carolyn Jagger, City Clerk

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY



Bruce Washburn, City Attorney
By: Joseph Padilla, Deputy City Attorney

ASLD:

ARIZONA STATE LAND DEPARTMENT
Through the State Land Commissioner

By: _____
Deputy State Land Commissioner

STATE OF ARIZONA)
) ss
County of Maricopa)

SUBSCRIBED AND SWORN to before me this _____ day of _____,
2018 by W. J. "Jim" Lane, Mayor of the City of Scottsdale, Arizona, a municipal corporation.

Notary Public

My Commission Expires:

STATE OF ARIZONA)
) ss
County of Maricopa)

SUBSCRIBED AND SWORN to before me this _____ day of _____,
2018 by _____, Deputy State Land Commissioner for the Arizona
State Land Department.

Notary Public

My Commission Expires:

EXHIBIT A

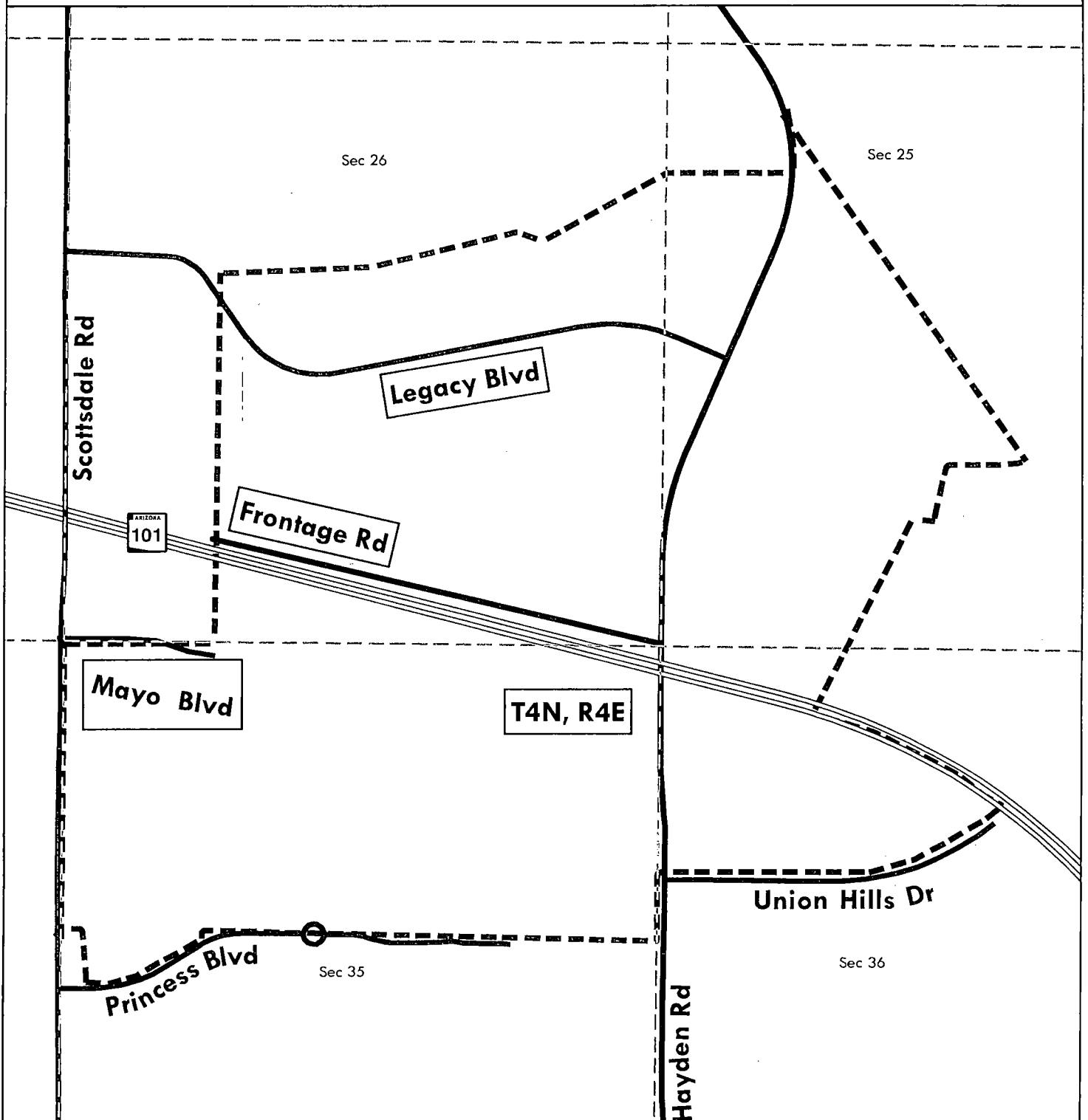
LEGAL DESCRIPTION OF "CROSSROADS EAST"


"Those portions of Section 25, 26, 35 and 36, Township 4 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona described as follows:

TRACTS 3A, 3B, 4, 10A, 11, 12, 13 AND 24 as shown on STATE PLAT NO. 16, CORE SOUTH, according to Book 324 of Maps, Page 50, records of Maricopa County, Arizona, and TRACTS 10C and 14A as shown on STATE PLAT NO 16-B, CORE SOUTH, according to Book 394, Page 42, records of Maricopa County, Arizona, and TRACTS "d", "g", "h", AND "i" as shown on STATE PLAT NO. 27 AMENDED, CORE NORTH, according to Book 352 of Maps, Page 28, records of Maricopa County, Arizona and TRACTS "1o", "1p", "2d", "e", and "f" as shown on STATE PLAT NO. 39, CORE NORTH, according to Book 416, Page 13, records of Maricopa County, Arizona, and TRACTS "j" and "k" as shown on STATE PLAT NO. 46, CORE NORTH, according to Book 460, Page 34, records of Maricopa County, Arizona."

CROSSROADS EAST

Exhibit A



 Crossroads East
PCD Boundary



1 inch = 1,200 feet

Exhibit A
Contract No. 2002-141-COS-A3
Page 2 of 2

ASLD makes no warranties,
implied or expressed,
regarding information shown on this map.
Produced by Planning/JW 11/2016
Datum & Projection:
North American Datum 1983 HARN
UTM Zone 12 North - Meters

EXHIBIT B

LEGAL DESCRIPTION OF ASLD Property

Those portions of Sections 25, 26, 35, and 36, Township 4 North, Range 4 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona described as follows:

TRACTS 3B, 4, 10A, 11, 12, 13 24, and a portion of TRACT 3A, (excepting Patent 53-115147, record no. 20120585295, and Patent 53-117739, record no. 2016417174, and excepting the "Princess Hayden Parcel" area also described in this Exhibit), as shown on STATE PLAT NO. 16, CORE SOUTH, according to Book 324 of Maps, Page 50 records of Maricopa County Arizona, and TRACTS 10C AND 14A as shown on STATE PLAT NO. 16-B, CORE SOUTH, according to Book 394 of Maps, Page 42, records of Maricopa County, Arizona, and TRACTS "h" and "i" as shown on STATE PLAT NO. 27 AMENDED, CORE NORTH, according to Book 352 of Maps, Page 28, records of Maricopa County, Arizona, and TRACTS "d" and "g" as shown on FIRST AMENDMENT TO STATE PLAT NO. 27 AMENDED, CORE NORTH, according to Book 395 of Maps, Page 21, records of Maricopa County, Arizona, and TRACTS "1o", "1p", "2d", "e" and "f" as shown on STATE PLAT NO. 39, CORE NORTH, according to Book 416 of Maps, Page 13, records of Maricopa County, Arizona, and TRACTS "j" and "k" as shown on STATE PLAT NO. 46, CORE NORTH, according to Book 406 of Maps, Page 34 records of Maricopa County, Arizona.

PRINCESS HAYDEN PARCEL (Exception to ASLD Property)

PARCEL 1:

PORTION 1

A PORTION OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 4 NORTH, RANGE 4 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND BRASS CAP FLUSH AT THE EAST QUARTER CORNER OF SAID SECTION 35, FROM WHICH A FOUND BRASS CAP FLUSH AT THE CENTER OF SAID SECTION 35 BEARS N89°57'57"W, A DISTANCE OF 2,641.61 FT.;

THENCE N89°57'57"W, ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 35, A DISTANCE OF 2,449.74 FT.;

THENCE N00°02'17"E, LEAVING SAID LINE, A DISTANCE OF 70.09 FT. TO THE POINT OF BEGINNING;

THENCE N00°02'17"E, A DISTANCE OF 573.74 FT.;

THENCE S89°58'20"E, A DISTANCE OF 731.39 FT.;

THENCE S12°28'07"E, A DISTANCE OF 195.25 FT. TO A POINT OF CURVE TO THE RIGHT;

THENCE SOUTHERLY ALONG SAID CURVE, HAVING A RADIUS OF 1,165.00 FT., THROUGH A CENTRAL ANGLE OF 12°28'07", A DISTANCE OF 253.53 FT.;

THENCE S00°00'00"E, A DISTANCE OF 146.77 FT.;

THENCE S45°01'01"W, A DISTANCE OF 28.28 FT.;

THENCE N89°57'57"W, A DISTANCE OF 179.70 FT. TO A POINT OF CURVE TO THE RIGHT;

THENCE WESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 816.00 FT., THROUGH A CENTRAL ANGLE OF 09°55'08", A DISTANCE OF 141.26 FT. TO A POINT OF REVERSE CURVE TO THE LEFT;

THENCE WESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 522.00 FT., THROUGH A CENTRAL ANGLE OF 09°55'08", A DISTANCE OF 90.37 FT.;

THENCE N89°57'57"W, A DISTANCE OF 259.37 FT. TO A POINT OF CURVE TO THE RIGHT;

THENCE WESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 395.00 FT., THROUGH A CENTRAL ANGLE OF 12°15'24", A DISTANCE OF 84.50 FT.;

THENCE N77°42'33"W, A DISTANCE OF 28.68 FT. TO THE POINT OF BEGINNING.

TOGETHER WITH;

PORTION 2

A PORTION OF TRACT 10C, TRACT 13 AND TRACT 24 OF STATE PLAT NO. 16-B CORE SOUTH, ACCORDING TO BOOK 394 OF MAPS, PAGE 42, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, AND A PORTION OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 4 NORTH, RANGE 4 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND BRASS CAP FLUSH AT THE EAST QUARTER CORNER OF SAID SECTION 35, FROM WHICH A FOUND BRASS CAP FLUSH AT THE CENTER OF SAID SECTION 35 BEARS N89°57'57"W, A DISTANCE OF 2,641.61 FT.;

THENCE N00°01'40"E, ALONG THE EAST LINE OF SAID SECTION 35, A DISTANCE OF 55.00 FT. TO THE POINT OF BEGINNING;

THENCE N89°57'57"W, LEAVING SAID EAST LINE, A DISTANCE OF 1,197.25 FT. TO A POINT OF CURVE TO THE LEFT;

THENCE WESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 880.00 FT., THROUGH A CENTRAL ANGLE OF 09°58'17", A DISTANCE OF 153.15 FT. TO A POINT OF REVERSE CURVE TO THE RIGHT;

THENCE WESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 775.00 FT., THROUGH A CENTRAL ANGLE OF 09°58'17", A DISTANCE OF 134.88 FT.;

THENCE N89°57'57"W, A DISTANCE OF 74.47 FT.;

THENCE N44°58'59"W, A DISTANCE OF 28.29 FT.;

THENCE N00°00'00"E, A DISTANCE OF 151.81 FT. TO A POINT OF CURVE TO THE LEFT;

THENCE NORTHERLY ALONG SAID CURVE, HAVING A RADIUS OF 1,235.00 FT., THROUGH A CENTRAL ANGLE OF 12°28'07", A DISTANCE OF 268.76 FT.;

THENCE N12°28'07"W, A DISTANCE OF 335.82 FT. TO A POINT OF CURVE TO THE RIGHT;

THENCE NORTHERLY ALONG SAID CURVE, HAVING A RADIUS OF 765.00 FT., THROUGH A CENTRAL ANGLE OF 40°44'32", A DISTANCE OF 543.98 FT.;

THENCE N28°16'25"E, A DISTANCE OF 45.75 FT.;

THENCE N65°11'45"E, A DISTANCE OF 29.58 FT.;

THENCE S84°49'48"E, A DISTANCE OF 125.36 FT. TO THE POINT OF A NON-TANGENT CURVE CONCAVE TO THE NORTH, WITH A CHORD BEARING OF S70°45'11"E, A CHORD DISTANCE OF 337.49 FT.;

THENCE EASTERLY ALONG SAID NON-TANGENT CURVE, HAVING A RADIUS OF 2,140.16 FT., THROUGH A CENTRAL ANGLE OF 09°02'41", A DISTANCE OF 337.85 FT.;

THENCE S00°01'36"W, A DISTANCE OF 610.35 FT.;

THENCE S89°58'20"E, A DISTANCE OF 1,115.29 FT. TO A POINT ON SAID EAST SECTION LINE;

THENCE S00°01'40"W, ALONG SAID EAST SECTION LINE, A DISTANCE OF 589.09 FT. TO THE POINT OF BEGINNING.

PARCEL 2:

A PORTION OF TRACT 10C, TRACT 13 AND TRACT 24 OF STATE PLAT NO. 16-B CORE SOUTH, ACCORDING TO BOOK 394 OF MAPS, PAGE 42, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, AND A PORTION OF THE NORTHEAST QUARTER OF SECTION 35, AND A PORTION OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 4 NORTH, RANGE 4 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND BRASS CAP FLUSH AT THE EAST QUARTER CORNER OF SAID SECTION 35, FROM WHICH A FOUND BRASS CAP FLUSH AT THE CENTER OF SAID SECTION 35 BEARS N89°57'57"W, A DISTANCE OF 2,641.61 FT.;

THENCE N00°01'40"E, ALONG THE EAST LINE OF SAID SECTION 35, A DISTANCE OF 55.00 FT. TO THE POINT OF BEGINNING;

THENCE CONTINUING N00°01'40"E, ALONG SAID LINE, A DISTANCE OF 589.09 FT.;

THENCE S89°58'20"E, LEAVING SAID SECTION LINE, A DISTANCE OF 40.00 FT.;

THENCE S00°01'40"W, A DISTANCE OF 644.10 FT.;

THENCE N89°57'57"W, A DISTANCE OF 2,489.74 FT.;

THENCE N00°02'17"E, A DISTANCE OF 70.09 FT.;

THENCE S77°42'33"E, A DISTANCE OF 28.68 FT. TO A POINT OF CURVE TO THE LEFT;

THENCE EASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 395.00 FT., THROUGH A CENTRAL ANGLE OF 12°15'24", A DISTANCE OF 84.50 FT.;

THENCE S89°57'57"E, A DISTANCE OF 259.37 FT. TO A POINT OF CURVE TO THE RIGHT;

THENCE EASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 522.00 FT., THROUGH A CENTRAL ANGLE OF 09°55'08", A DISTANCE OF 90.37 FT. TO A POINT OF REVERSE CURVE TO THE LEFT;

THENCE EASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 816.03 FT., THROUGH A CENTRAL ANGLE OF 09°55'07", A DISTANCE OF 141.26 FT.;

THENCE S89°57'57"E, A DISTANCE OF 179.70 FT.;

THENCE N45°01'01"E, A DISTANCE OF 28.28 FT.;

THENCE N00°00'00"E, A DISTANCE OF 146.77 FT. TO A POINT OF CURVE TO THE LEFT;

THENCE NORTHERLY ALONG SAID CURVE, HAVING A RADIUS OF 1,165.00 FT., THROUGH A CENTRAL ANGLE OF 12°28'07", A DISTANCE OF 253.53 FT.;

THENCE N12°28'07"W, A DISTANCE OF 195.25 FT.;

THENCE N77°31'53"E, A DISTANCE OF 35.00 FT.;

THENCE N12°28'07"W, A DISTANCE OF 140.57 FT. TO A POINT OF CURVE TO THE RIGHT;

THENCE NORTHERLY ALONG SAID CURVE, HAVING A RADIUS OF 800.00 FT., THROUGH A CENTRAL ANGLE OF 40°44'32", A DISTANCE OF 568.87 FT.;

THENCE N28°16'25"E, A DISTANCE OF 161.98 FT. TO THE POINT OF A NON-TANGENT CURVE CONCAVE TO THE NORTH, WITH A CHORD BEARING OF S68°30'03"E, A CHORD DISTANCE OF 493.12 FT.;

THENCE EASTERLY ALONG SAID NON-TANGENT CURVE, HAVING A RADIUS OF 2,090.16 FT., THROUGH A CENTRAL ANGLE OF 13°32'56", A DISTANCE OF 494.27 FT.;

THENCE S14°43'28"W, A DISTANCE OF 50.00 FT. TO THE POINT OF A NON-TANGENT CURVE CONCAVE TO THE NORTH, WITH A CHORD BEARING OF N70°45'11"W, A CHORD DISTANCE OF 337.49 FT.;

THENCE WESTERLY ALONG SAID NON-TANGENT CURVE, HAVING A RADIUS OF 2,140.16 FT., THROUGH A CENTRAL ANGLE OF 09°02'41", A DISTANCE OF 337.85 FT.;

THENCE N84°49'48"W, A DISTANCE OF 125.36 FT.;

THENCE S65°11'45"W, A DISTANCE OF 29.58 FT.;

THENCE S28°16'25"W, A DISTANCE OF 45.75 FT. TO A POINT OF CURVE TO THE LEFT;

THENCE SOUTHERLY ALONG SAID CURVE, HAVING A RADIUS OF 765.00 FT., THROUGH A CENTRAL ANGLE OF 40°44'32", A DISTANCE OF 543.98 FT.;

THENCE S12°28'07"E, A DISTANCE OF 335.82 FT. TO A POINT OF CURVE TO THE RIGHT;

THENCE SOUTHERLY ALONG SAID CURVE, HAVING A RADIUS OF 1,235.00 FT., THROUGH A CENTRAL ANGLE OF 12°28'07", A DISTANCE OF 268.76 FT.;

THENCE S00°00'00"E, A DISTANCE OF 151.81 FT.;

THENCE S44°58'59"E, A DISTANCE OF 28.29 FT.;

THENCE S89°57'57"E, A DISTANCE OF 74.47 FT. TO A POINT OF CURVE TO THE LEFT;

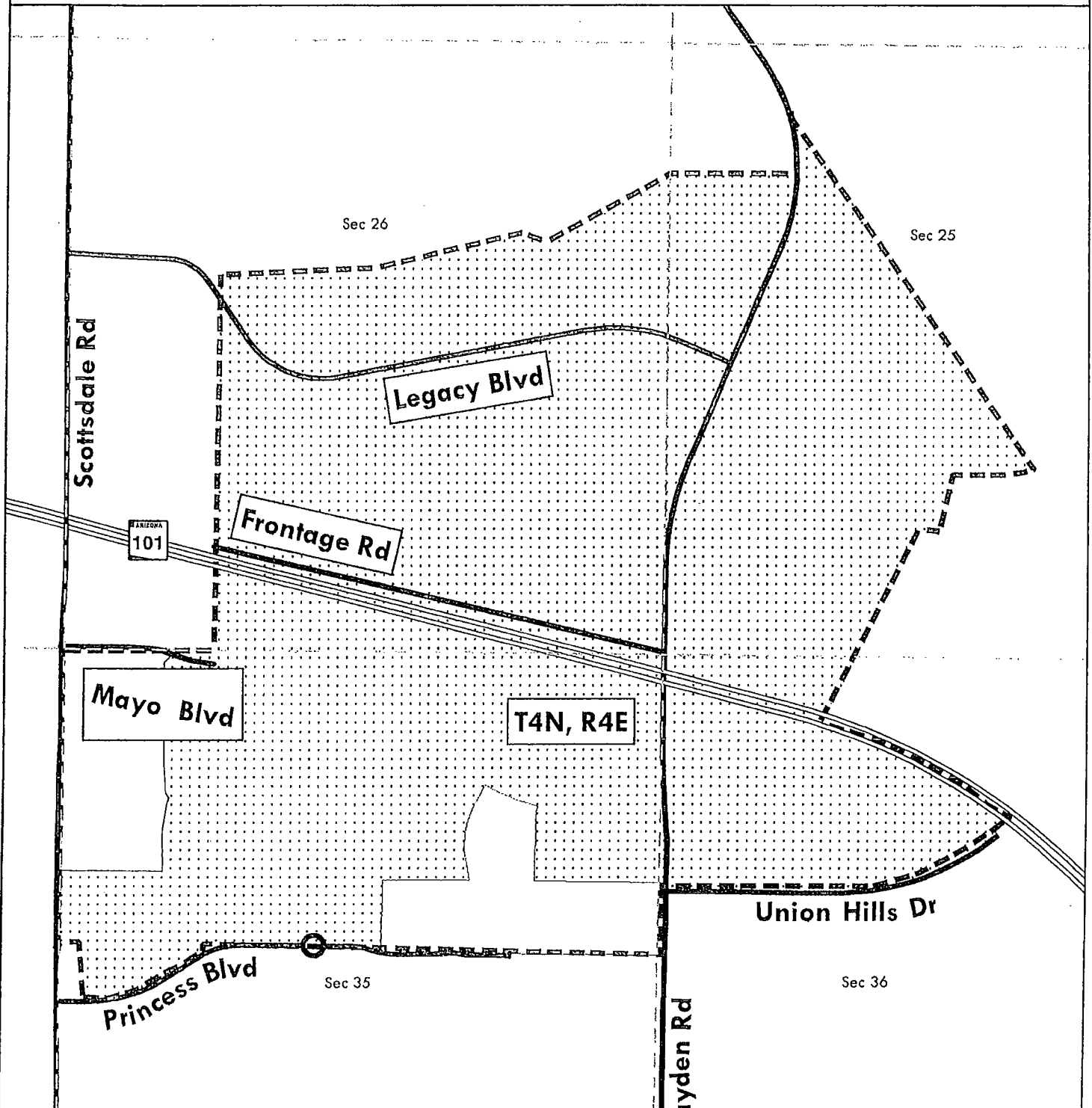
THENCE EASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 775.00 FT., THROUGH A CENTRAL ANGLE OF 09°58'17", A DISTANCE OF 134.88 FT. TO A POINT OF REVERSE CURVE TO THE RIGHT;



THENCE EASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 880.00 FT., THROUGH A CENTRAL ANGLE OF 09°58'17", A DISTANCE OF 153.15 FT.;

THENCE S89°57'57"E, A DISTANCE OF 1,197.25 FT. TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE WEST 40 FT. OF THE SOUTH 575.06 FT. OF SOUTHWEST NORTHWEST, SECTION 36.

ASLD PROPERTY



-  Crossroads East PCD Boundary
-  State Trust Land



NORTH
1 inch = 1,200 feet

Exhibit B
Contract No. 2002-141-COS-A3
Page 6 of 6

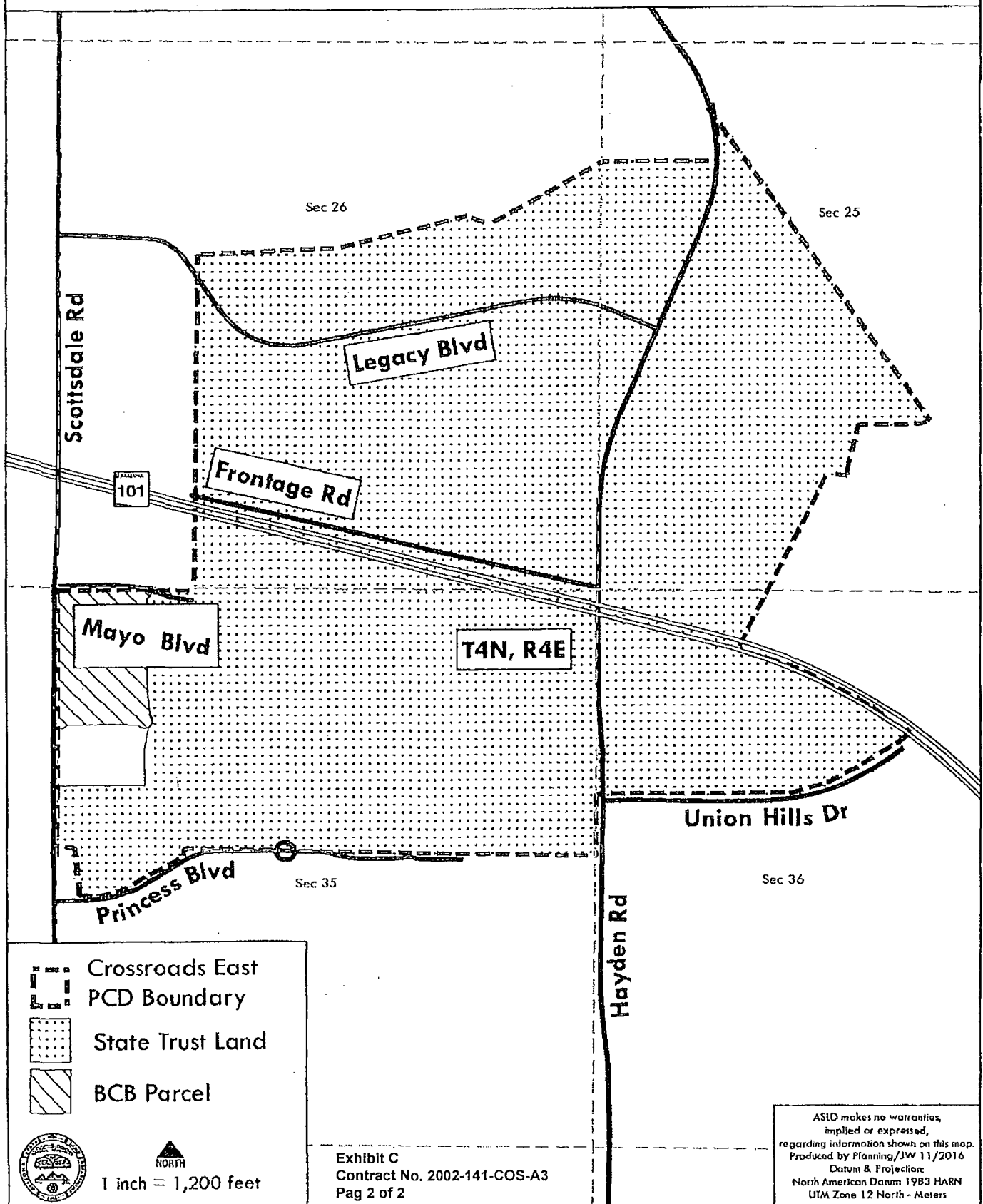
ASLD makes no warranties,
implied or expressed,
regarding information shown on this map.
Produced by GIS/JW 5/2018
Datum & Projection:
North American Datum 1983 HARN
UTM Zone 12 North - Meters

Legal Description of BCB Property

A PORTION OF TRACT 3A AS SHOWN ON STATE PLAT NO. 16 CORE SOUTH ACCORDING TO BOOK 324 OF MAPS, PAGE 50 AS RECORDED IN THE MARICOPA COUNTY RECORDERS OFFICE, MARICOPA COUNTY, ARIZONA, SITUATED IN THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 4 NORTH, RANGE 4 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 35, FROM WHICH THE WEST QUARTER CORNER OF SAID SECTION 35 BEARS S00°09'29"W, A DISTANCE OF 2,640.37 FEET;
THENCE S89°58'33"E, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 35, A DISTANCE OF 958.74 FEET;
THENCE S11°16'47"W, LEAVING SAID NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 35, A DISTANCE OF 91.38 FEET;
THENCE S55°07'15"W, A DISTANCE OF 27.89 FEET TO THE POINT OF CURVATURE OF A NON TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES S81°23'15"E, A RADIAL DISTANCE OF 300.00 FEET;
THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 08°27'16", A DISTANCE OF 44.27 FEET;
THENCE S00°09'29"W, A DISTANCE OF 912.36 FEET;
THENCE S13°31'39"E, A DISTANCE OF 217.03 FEET TO THE POINT OF CURVATURE OF A NON TANGENT CURVE TO THE RIGHT, OF WHICH THE RADIUS POINT LIES S60°05'13"W, A RADIAL DISTANCE OF 94.00 FEET;
THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 167°18'27", A DISTANCE OF 274.49 FEET;
THENCE N82°46'39"W, A DISTANCE OF 160.65 FEET;
THENCE S84°27'19"W, A DISTANCE OF 98.99 FEET;
THENCE S90°00'00"W, A DISTANCE OF 441.07 FEET;
THENCE S45°04'44"W, A DISTANCE OF 59.48 FEET;
THENCE N89°50'31"W, A DISTANCE OF 75.00 FEET;
THENCE N00°09'29"E, A DISTANCE OF 1,415.11 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.
CONTAINING 29.37 ACRES, MORE OR LESS.

BCB PARCEL



Legal Description of JLB Property

A PORTION OF TRACT 3A AS SHOWN ON STATE PLAT NO. 16 CORE SOUTH ACCORDING TO BOOK 324 OF MAPS, PAGE 50 AS RECORDED IN THE MARICOPA COUNTY RECORDERS OFFICE, MARICOPA COUNTY, ARIZONA, SITUATED IN THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 4 NORTH, RANGE 4 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SAID SECTION 35, FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 35 BEARS N00°09'29"E, A DISTANCE OF 2,640.37 FT.;

THENCE N00°09'29"E, ALONG THE WEST LINE OF SAID SECTION 35, A DISTANCE OF

680.12 FT. TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE N00°09'29"E, CONTINUING ALONG THE WEST LINE OF SAID SECTION 35, A DISTANCE OF 545.14 FT. TO A POINT ON THE SOUTH LINE OF THE MINOR SUBDIVISION PLAT FOR THE SEC OF SCOTTSDALE ROAD & UNION HILLS DRIVE, ACCORDING TO BOOK 1131 OF MAPS, PAGE 32, RECORDS OF MARICOPA COUNTY, ARIZONA;

THENCE S89°50'31"E, LEAVING SAID SECTION LINE, ALONG SAID SOUTH SUBDIVISION LINE, A DISTANCE OF 75.00 FT. TO A POINT ON THE EAST RIGHT OF WAY LINE OF SCOTTSDALE ROAD;

THENCE N45°04'44"E, LEAVING SAID EAST RIGHT OF WAY LINE, CONTINUING ALONG SAID SOUTH SUBDIVISION LINE, A DISTANCE OF 59.48 FT.;

THENCE N90°00'00"E, A DISTANCE OF 441.07 FT.;

THENCE N84°27'19"E, A DISTANCE OF 98.99 FT.;

THENCE S82°46'39"E, A DISTANCE OF 160.65 FT. TO THE POINT OF CURVE OF A NON

TANGENT CURVE TO THE LEFT, OF WHICH THE RADIUS POINT LIES N47°23'41"E, A RADIAL DISTANCE OF 94.00 FT.;

THENCE EASTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 84°56'31", A DISTANCE OF 139.36 FT.;

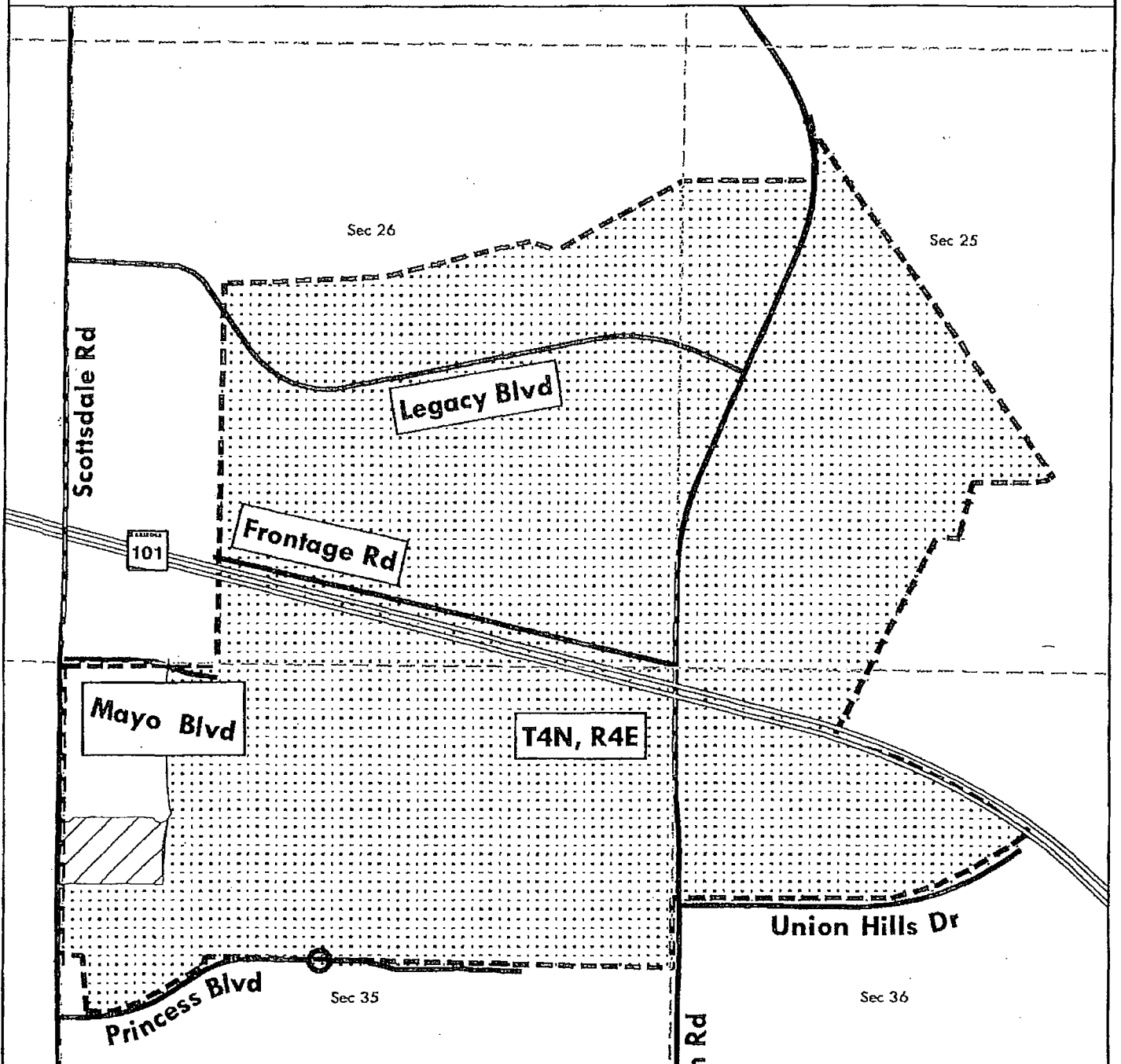
THENCE S07°09'14"W, LEAVING SAID SOUTH SUBDIVISION LINE, A DISTANCE OF 225.71 FT.;





THENCE S00°09'29"W, A DISTANCE OF 343.98 FT.;

THENCE N89°50'31"W, A DISTANCE OF 915.01 FT. TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.

CONTAINING 12.26 ACRES, MORE OR LESS.

JLB PARCEL



-  Crossroads East
-  PCD Boundary
-  State Trust Land
-  JLB Parcel



NORTH
1 inch = 1,200 feet

Exhibit D
Contract No. 2002-141-COS-A3
Page 2 of 2

ASLD makes no warranties,
implied or expressed,
regarding information shown on this map.
Produced by Planning/JW 11/2016
Datum & Projections:
North American Datum 1983 HARN
UTM Zone 12 North - Meters

**EXHIBIT E
PRINCESS HAYDEN PARCEL
LEGAL DESCRIPTION**

PARCEL 1:

PORTION 1

A PORTION OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 4 NORTH, RANGE 4 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND BRASS CAP FLUSH AT THE EAST QUARTER CORNER OF SAID SECTION 35, FROM WHICH A FOUND BRASS CAP FLUSH AT THE CENTER OF SAID SECTION 35 BEARS N89°57'57"W, A DISTANCE OF 2,641.61 FT.;

THENCE N89°57'57"W, ALONG THE EAST-WEST MID-SECTION LINE OF SAID SECTION 35, A DISTANCE OF 2,449.74 FT.;

THENCE N00°02'17"E, LEAVING SAID LINE, A DISTANCE OF 70.09 FT. TO THE POINT OF BEGINNING;

THENCE N00°02'17"E, A DISTANCE OF 573.74 FT.;

THENCE S89°58'20"E, A DISTANCE OF 731.39 FT.;

THENCE S12°28'07"E, A DISTANCE OF 195.25 FT. TO A POINT OF CURVE TO THE RIGHT;

THENCE SOUTHERLY ALONG SAID CURVE, HAVING A RADIUS OF 1,165.00 FT., THROUGH A CENTRAL ANGLE OF 12°28'07", A DISTANCE OF 253.53 FT.;

THENCE S00°00'00"E, A DISTANCE OF 146.77 FT.;

THENCE S45°01'01"W, A DISTANCE OF 28.28 FT.;

THENCE N89°57'57"W, A DISTANCE OF 179.70 FT. TO A POINT OF CURVE TO THE RIGHT;

THENCE WESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 816.00 FT., THROUGH A CENTRAL ANGLE OF 09°55'08", A DISTANCE OF 141.26 FT. TO A POINT OF REVERSE CURVE TO THE LEFT;

THENCE WESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 522.00 FT., THROUGH A CENTRAL ANGLE OF 09°55'08", A DISTANCE OF 90.37 FT.;

THENCE N89°57'57"W, A DISTANCE OF 259.37 FT. TO A POINT OF CURVE TO THE RIGHT;

THENCE WESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 395.00 FT., THROUGH A CENTRAL ANGLE OF 12°15'24", A DISTANCE OF 84.50 FT.;

THENCE N77°42'33"W, A DISTANCE OF 28.68 FT. TO THE POINT OF BEGINNING.

TOGETHER WITH;

PORTION 2

A PORTION OF TRACT 10C, TRACT 13 AND TRACT 24 OF STATE PLAT NO. 16-B CORE SOUTH, ACCORDING TO BOOK 394 OF MAPS, PAGE 42, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, AND A PORTION OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 4 NORTH, RANGE 4 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND BRASS CAP FLUSH AT THE EAST QUARTER CORNER OF SAID SECTION 35, FROM WHICH A FOUND BRASS CAP FLUSH AT THE CENTER OF SAID SECTION 35 BEARS N89°57'57"W, A DISTANCE OF 2,641.61 FT.;

THENCE N00°01'40"E, ALONG THE EAST LINE OF SAID SECTION 35, A DISTANCE OF 55.00 FT. TO THE POINT OF BEGINNING;

THENCE N89°57'57"W, LEAVING SAID EAST LINE, A DISTANCE OF 1,197.25 FT. TO A POINT OF CURVE TO THE LEFT;

THENCE WESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 880.00 FT., THROUGH A CENTRAL ANGLE OF 09°58'17", A DISTANCE OF 153.15 FT. TO A POINT OF REVERSE CURVE TO THE RIGHT;

THENCE WESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 775.00 FT., THROUGH A CENTRAL ANGLE OF 09°58'17", A DISTANCE OF 134.88 FT.;

THENCE N89°57'57"W, A DISTANCE OF 74.47 FT.;

THENCE N44°58'59"W, A DISTANCE OF 28.29 FT.;

THENCE N00°00'00"E, A DISTANCE OF 151.81 FT. TO A POINT OF CURVE TO THE LEFT;

THENCE NORTHERLY ALONG SAID CURVE, HAVING A RADIUS OF 1,235.00 FT., THROUGH A CENTRAL ANGLE OF 12°28'07", A DISTANCE OF 268.76 FT.;

THENCE N12°28'07"W, A DISTANCE OF 335.82 FT. TO A POINT OF CURVE TO THE RIGHT;

THENCE NORTHERLY ALONG SAID CURVE, HAVING A RADIUS OF 765.00 FT., THROUGH A CENTRAL ANGLE OF 40°44'32", A DISTANCE OF 543.98 FT.;

THENCE N28°16'25"E, A DISTANCE OF 45.75 FT.;

THENCE N65°11'45"E, A DISTANCE OF 29.58 FT.;

THENCE S84°49'48"E, A DISTANCE OF 125.36 FT. TO THE POINT OF A NON-TANGENT CURVE CONCAVE TO THE NORTH, WITH A CHORD BEARING OF S70°45'11"E, A CHORD DISTANCE OF 337.49 FT.;

THENCE EASTERLY ALONG SAID NON-TANGENT CURVE, HAVING A RADIUS OF 2,140.16 FT., THROUGH A CENTRAL ANGLE OF 09°02'41", A DISTANCE OF 337.85 FT.;

THENCE S00°01'36"W, A DISTANCE OF 610.35 FT.;

THENCE S89°58'20"E, A DISTANCE OF 1,115.29 FT. TO A POINT ON SAID EAST SECTION LINE;

THENCE S00°01'40"W, ALONG SAID EAST SECTION LINE, A DISTANCE OF 589.09 FT. TO THE POINT OF BEGINNING.

PARCEL 2:

A PORTION OF TRACT 10C, TRACT 13 AND TRACT 24 OF STATE PLAT NO. 16-B CORE SOUTH, ACCORDING TO BOOK 394 OF MAPS, PAGE 42, OFFICIAL RECORDS OF MARICOPA COUNTY, ARIZONA, AND A PORTION OF THE NORTHEAST QUARTER OF SECTION 35, AND A PORTION OF THE NORTHWEST QUARTER OF SECTION 36, TOWNSHIP 4 NORTH, RANGE 4 EAST, OF THE GILA AND SALT RIVER BASE AND MERIDIAN, MARICOPA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND BRASS CAP FLUSH AT THE EAST QUARTER CORNER OF SAID SECTION 35, FROM WHICH A FOUND BRASS CAP FLUSH AT THE CENTER OF SAID SECTION 35 BEARS N89°57'57"W, A DISTANCE OF 2,641.61 FT.;

THENCE N00°01'40"E, ALONG THE EAST LINE OF SAID SECTION 35, A DISTANCE OF 55.00 FT. TO THE POINT OF BEGINNING;

THENCE CONTINUING N00°01'40"E, ALONG SAID LINE, A DISTANCE OF 589.09 FT.;

THENCE S89°58'20"E, LEAVING SAID SECTION LINE, A DISTANCE OF 40.00 FT.;

THENCE S00°01'40"W, A DISTANCE OF 644.10 FT.;

THENCE N89°57'57"W, A DISTANCE OF 2,489.74 FT.;

THENCE N00°02'17"E, A DISTANCE OF 70.09 FT.;

THENCE S77°42'33"E, A DISTANCE OF 28.68 FT. TO A POINT OF CURVE TO THE LEFT;

THENCE EASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 395.00 FT., THROUGH A CENTRAL ANGLE OF 12°15'24", A DISTANCE OF 84.50 FT.;

THENCE S89°57'57"E, A DISTANCE OF 259.37 FT. TO A POINT OF CURVE TO THE RIGHT;

THENCE EASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 522.00 FT., THROUGH A CENTRAL ANGLE OF 09°55'08", A DISTANCE OF 90.37 FT. TO A POINT OF REVERSE CURVE TO THE LEFT;

THENCE EASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 816.03 FT., THROUGH A CENTRAL ANGLE OF 09°55'07", A DISTANCE OF 141.26 FT.;

THENCE S89°57'57"E, A DISTANCE OF 179.70 FT.;

THENCE N45°01'01"E, A DISTANCE OF 28.28 FT.;

THENCE N00°00'00"E, A DISTANCE OF 146.77 FT. TO A POINT OF CURVE TO THE LEFT;

THENCE NORTHERLY ALONG SAID CURVE, HAVING A RADIUS OF 1,165.00 FT., THROUGH A CENTRAL ANGLE OF 12°28'07", A DISTANCE OF 253.53 FT.;

THENCE N12°28'07"W, A DISTANCE OF 195.25 FT.;

THENCE N77°31'53"E, A DISTANCE OF 35.00 FT.;

THENCE N12°28'07"W, A DISTANCE OF 140.57 FT. TO A POINT OF CURVE TO THE RIGHT;

THENCE NORTHERLY ALONG SAID CURVE, HAVING A RADIUS OF 800.00 FT., THROUGH A CENTRAL ANGLE OF 40°44'32", A DISTANCE OF 568.87 FT.;

THENCE N28°16'25"E, A DISTANCE OF 161.98 FT. TO THE POINT OF A NON-TANGENT CURVE CONCAVE TO THE NORTH, WITH A CHORD BEARING OF S68°30'03"E, A CHORD DISTANCE OF 493.12 FT.;

THENCE EASTERLY ALONG SAID NON-TANGENT CURVE, HAVING A RADIUS OF 2,090.16 FT., THROUGH A CENTRAL ANGLE OF 13°32'56", A DISTANCE OF 494.27 FT.;

THENCE S14°43'28"W, A DISTANCE OF 50.00 FT. TO THE POINT OF A NON-TANGENT CURVE CONCAVE TO THE NORTH, WITH A CHORD BEARING OF N70°45'11"W, A CHORD DISTANCE OF 337.49 FT.;

THENCE WESTERLY ALONG SAID NON-TANGENT CURVE, HAVING A RADIUS OF 2,140.16 FT., THROUGH A CENTRAL ANGLE OF 09°02'41", A DISTANCE OF 337.85 FT.;

THENCE N84°49'48"W, A DISTANCE OF 125.36 FT.;

THENCE S65°11'45"W, A DISTANCE OF 29.58 FT.;

THENCE S28°16'25"W, A DISTANCE OF 45.75 FT. TO A POINT OF CURVE TO THE LEFT;

THENCE SOUTHERLY ALONG SAID CURVE, HAVING A RADIUS OF 765.00 FT., THROUGH A CENTRAL ANGLE OF 40°44'32", A DISTANCE OF 543.98 FT.;

THENCE S12°28'07"E, A DISTANCE OF 335.82 FT. TO A POINT OF CURVE TO THE RIGHT;

THENCE SOUTHERLY ALONG SAID CURVE, HAVING A RADIUS OF 1,235.00 FT., THROUGH A CENTRAL ANGLE OF 12°28'07", A DISTANCE OF 268.76 FT.;

THENCE S00°00'00"E, A DISTANCE OF 151.81 FT.;

THENCE S44°58'59"E, A DISTANCE OF 28.29 FT.;

THENCE S89°57'57"E, A DISTANCE OF 74.47 FT. TO A POINT OF CURVE TO THE LEFT;

THENCE EASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 775.00 FT., THROUGH A CENTRAL ANGLE OF 09°58'17", A DISTANCE OF 134.88 FT. TO A POINT OF REVERSE CURVE TO THE RIGHT;

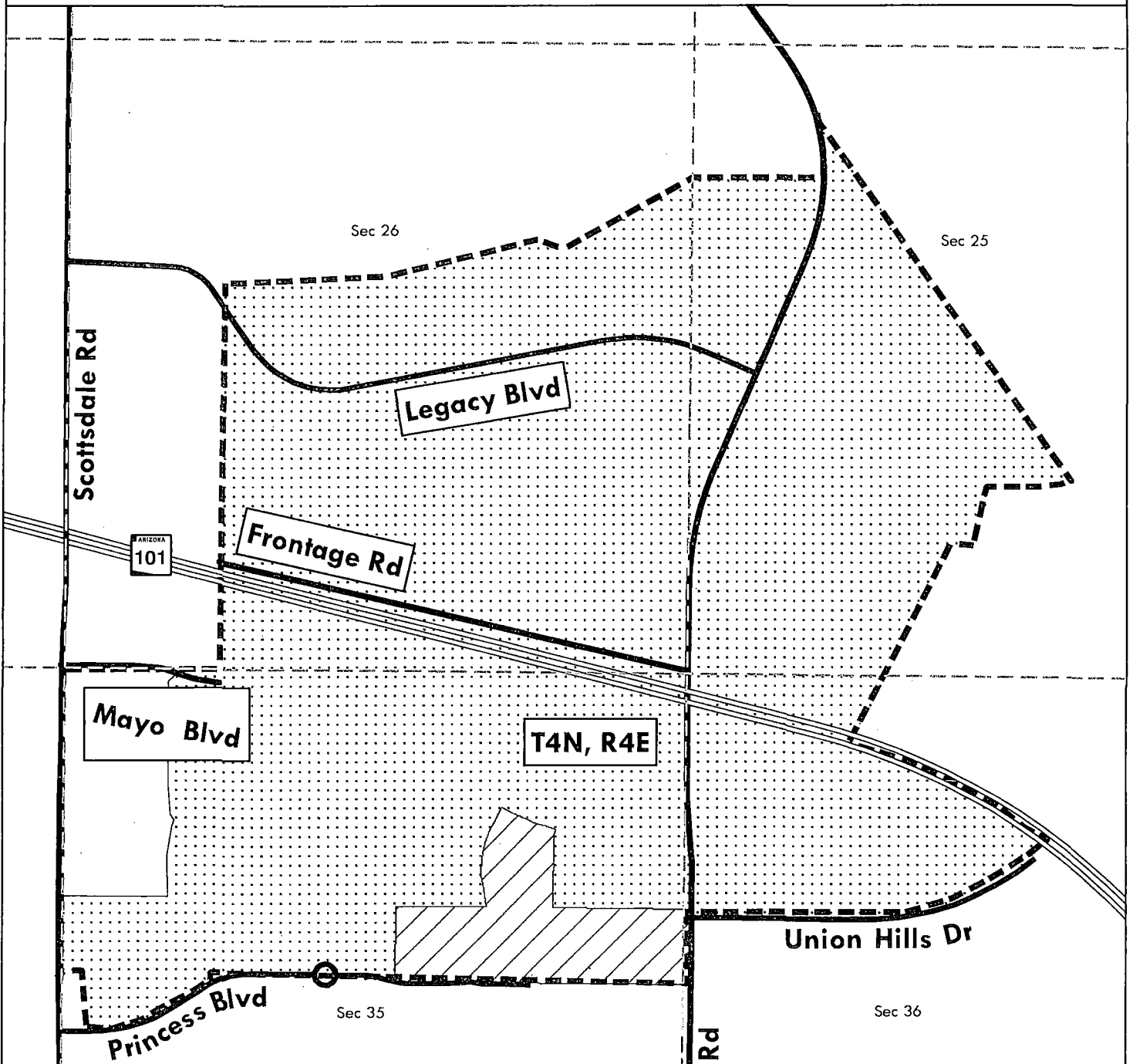
THENCE EASTERLY ALONG SAID CURVE, HAVING A RADIUS OF 880.00 FT., THROUGH A CENTRAL ANGLE OF 09°58'17", A DISTANCE OF 153.15 FT.;





THENCE S89°57'57"E, A DISTANCE OF 1,197.25 FT. TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE WEST 40 FT. OF THE SOUTH 575.06 FT. OF SOUTHWEST NORTHWEST, SECTION 36.

CONTAINING A TOTAL OF 46.34 ACRES, MORE OR LESS.

PRINCESS HAYDEN PROPERTY



 Crossroads East PCD Boundary
 State Trust Land
 Princess Hayden



 NORTH
 1 inch = 1,200 feet

Exhibit E
 Contract No. 2002-141-COS-A3
 Page 5 of 5

ASD makes no warranties,
 implied or expressed,
 regarding information shown on this map.
 Produced by GIS/JW 5/2018
 Datum & Projection:
 North American Datum 1983 HARN
 UTM Zone 12 North - Meters

EXHIBIT F

DEVELOPMENT PLAN

THE DEVELOPMENT PLAN IS LOCATED ON FILE IN THE OFFICE
OF
THE CITY CLERK OF THE CITY OF SCOTTSDALE
DECLARED AS A PUBLIC RECORD IN
RESOLUTION 11145

LOCATED AT
3939 N. DRINKWATER BLVD.
SCOTTSDALE, AZ 85251

Stipulations for the Zoning Application:

Crossroads East

Case Number: 19-ZN-2002#26

These stipulations are in order to protect the public health, safety, welfare, and the City of Scottsdale.

SECTION 1.0 Applicability

- 1.1 Development Plan (**Exhibit A to Attachment 2**)

SECTION 2.0 Master Plans

- 2.1 Land Use and Planning Units
- 2.2 Master Plans Generally
- 2.3 Master Environmental Design Concept Plan
- 2.4 Master Transportation Plans
- 2.5 Master Drainage Plan
- 2.6 Master Water Plan
- 2.7 Master Wastewater Plan

SECTION 3.0 Development Site Stipulations

- 3.1 Planning / Development
- 3.2 Circulation
- 3.3 Drainage and Flood Control
- 3.4 Water
- 3.5 Waste Water
- 3.6 Engineering
- 3.7 Other Requirements

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-	Character Areas Plan <u>PLANNING UNITS</u>
Schedule B-	Land Use Budget
Schedule C-	Amended Development Standards
Schedule D-	Land Use and Planning Units Map

2.0 MASTER PLANS

2.1 LAND USE AND PLANNING UNITS

Prior to any Development Review Board approval, the developer shall have City-approved master plans for the corresponding planning unit per the Land Use and

Planning Units graphic (Schedule D). Submittal of sub-unit master plans may be acceptable to Planning and Development Services General Manager (or equivalent).

2.2 MASTER PLANS GENERALLY

For each Planning Unit, the developer shall have each master plan specified below prepared by a registered practitioner in Arizona. Each of these master plans shall be subject to Planning and Development Services General Manager (or equivalent), or designee, approval before any further Development Review Board submittal, except where specifically addressed below.

- A. Master Environmental Design Concept Plan
- B. Master Transportation Plans
 - 1. Parking Plan
 - 2. Bicycle Circulation Plan
 - 3. Pedestrian and Trails Circulation Plan
 - 4. Transit and Trip Reduction Plan
 - 5. Intelligent Transportations Systems Applications Plan
- C. Master Drainage Plan
- D. Master Water Plan
- E. Master Wastewater Plan

2.3 MASTER ENVIRONMENTAL DESIGN CONCEPT PLAN

The Master Environmental Design Concept Plan shall address the following for each Planning Unit:

- 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. Native plant relocation program and revegetation guidelines for each parcel.
- C. Overall streetscape concepts, which incorporate streetside and median landscape design concepts, plant and landscape materials, and perimeter and screen wall designs and locations.
- D. Typical outdoor lighting plan for streetlights and concepts and general specifications for parking lot lighting.
- E. General design and architectural themes assuring overall design compatibility of all buildings and structures on the site.
- F. General signage/graphic concepts for development signs, including locations and typical design concepts.

- G. Responsible parties for the construction and maintenance of specified open space, paths and trails, walls, signs and drainage facilities.
- H. 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.

2.4 MASTER TRANSPORTATION PLANS

- A. CIRCULATION PLAN. A Circulation Plan for each Planning Unit 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 Circulation Plan shall include at a minimum the following components:
 - 1. Roadway plans showing existing and proposed regional and local roadway network and any existing daily and peak hour traffic volumes.
 - 2. Trip generation, distribution and assignment of proposed project trips to the roadway system.
 - 3. 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.
 - 4. Traffic signal warrant analysis at any locations where level of service drops below LOS D conditions and where a traffic signal is proposed.
 - 5. Conceptual intersection lane configurations based on total PM and AM peak hour volumes with the proposed development.
 - 6. 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.
 - 7. Proposed street cross sections and associated right-of-way dedications for any streets that do not conform to current City of Scottsdale standards.
 - 8. Determination of need and responsibility for construction of access ways east of Hayden Road.
- B. PARKING PLAN. With each Development Review Board submittal, the developer shall submit a Parking Plan for the site in conformance 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. This plan shall be updated with each Development Review Board application for the site.

- C. **BICYCLE CIRCULATION PLAN.** A Bicycle Circulation Plan shall be prepared in accordance with the City's design procedures and criteria. 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. These improvements shall conform to the details and standards found in Section 3.4 of the City of Scottsdale *Design Standards and Policies Manual* (1999), to the satisfaction of the Transportation Department. The Bicycle Circulation Plan shall include, at a minimum, the following components:
1. On-Street Bikeways
 2. Off-Street Bike Path Connections
 3. Bicycle Parking – The number and locations will be determined in coordination with the Zoning Ordinance & the Transportation Department. In general, bicycle parking racks shall be dispersed throughout the site in four ways:
 - a. Provide massed bike spaces in the parking garages for events. Locate close to attendant or entrance.
 - b. Provide bike spaces at employee entrances, dispersed throughout the entire site.
 - c. Provide bike rack spaces at all retail entrances, dispersed throughout the site. These locations must be visible and convenient to main entrances.
 - d. Provide bicycle parking at bus boarding areas. The bicycle parking at bus boarding areas shall be designed to conform to the following criteria:
 - (i) Easy access for bicycles from street – sufficient, visible curb cuts.
 - (ii) Plan for people loading/offloading bikes; allow room for mixing with pedestrians.
 - (iii) Provide bike rack parking – highly visible, under shade, easily accessible.
 - (iv) Provide secure, longer-term storage for bikes.
- D. **PEDESTRIAN AND TRAILS CIRCULATION PLAN.** The Pedestrian and Trails Circulation Plan shall provide locations and standard dimensions for pedestrian amenities including, but not limited to, shaded walkways, seating, and lighting, for all areas adjacent to and within the site.
- E. **TRANSIT AND TRIP REDUCTION PLAN.** A Transit and Trip Reduction Plan shall be prepared in accordance with the City's Transit Plan. The Developer shall provide the improvements identified in the accepted plan, which shall include, but not be limited to, proposed location(s) of potential corridor(s) for high-capacity transit, transit nodes, bus stops, pull-outs, etc., that support regional, circulator, and on-site shuttle transit systems.
- F. **INTELLIGENT TRANSPORTATIONS SYSTEMS APPLICATIONS PLAN.** An Intelligent Transportations Systems (ITS) Applications Plan shall be prepared in accordance with the City's design procedures and criteria. This plan shall indicate the location and design of all on-site and off-site intelligent

transportation system devices. The Developer shall provide the improvements identified in the accepted plan.

G. PLANNING UNIT INFRASTRUCTURE REQUIREMENTS

<u>Planning Unit #</u>	<u>Roadway</u>
I	Hayden Road – Complete Half Street
	Legacy Boulevard – Full Street
	Miller Road – Full Street
	101 Freeway Access Road (Hayden Road to west property line – Full Street
II	Hayden Road – Complete half Street (see Note 3.2.A (f))
	Legacy Boulevard – Full Street
III	Hayden Road – Complete Full Street (see Note 3.2.A (f))
	Union Hills (west of Hayden Road) – Full Street
	Union Hills (east of Hayden Road) – Complete the remaining street section
	78 th Street – Full Street
	Miller Road – Half Street
	Princess Boulevard – Complete Half Street
IV	Scottsdale Road – Full Street
	Union Hills – Full Street
	Miller Road – Half Street
	Princess Boulevard – Complete Half Street
I	<u>Miller Road – Half Street</u>
II	<u>Miller Road – Full Street (From midpoint of planning unit II, south to 101 freeway</u>
III	<u>Miller Road – Half Street</u>
	<u>Mayo Boulevard – Half Street</u>
	<u>Princess Boulevard – Complete Half Street</u>
IV	<u>Miller Road – Half Street</u>
	<u>Hayden Road – Complete Half Street (see Note 3.2.A(f))</u>
V	<u>Miller Road – Full Street (from Legacy Blvd. south to midpoint of Planning Unit V</u>
	<u>Hayden Road – Complete Half Street (see Note 3.2.A(f))</u>

VI	<u>Miller Road – Half Street</u> <u>Hayden Road – Complete Full Street (see Note 3.2.A(f))</u> <u>Mayo Boulevard – Half Street</u>
VII	<u>Miller Road – Half Street</u> <u>Mayo Boulevard – Half Street</u> <u>Princess Boulevard – From Miller to 78th st. -</u> <u>Complete Half Street</u> <u>- From 78th st. to Hayden - Full street</u> <u>78th Street – Full Street</u>
VIII	<u>Legacy Boulevard – Half Street</u> <u>Hayden Road – Complete Half Street (see Note 3.2.A(f))</u>
IX	<u>Legacy Boulevard – Half Street</u> <u>Hayden Road – Complete Half Street (see Note 3.2.A(f))</u>
X	<u>Hayden Road – Complete Full Street (see Note 3.2.A(f))</u> <u>Mayo Boulevard – Half Street</u> <u>Union Hills (east of Mayo Blvd) – Complete the remaining street section</u>
XI	<u>Hayden Road – Complete Full Street (see Note 3.2.A(f))</u> <u>Mayo Boulevard – Half Street</u> <u>Union Hills (east of Hayden Road) – Complete the remaining street section</u>

Notes:

Half-street construction shall require a minimum of twenty-four (24) feet of pavement and shall be designed to conform to the ultimate street cross section to the greatest extent possible.

Modifications to this schedule may be permitted by the approved Planning Unit Circulation Plans or by approval of the City's Transportation General Manager.

2.5 MASTER DRAINAGE PLAN

- A. 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*. The Master Drainage Report shall refer to, and be consistent with, the drainage report entitled, "Core North/Core South Drainage Study," by Bob Ward, dated 9/25/2001. In addition, the master 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 stormwater storage that will be provided (full storage, pre-versus-post storage, regional storage, etc.).*
 4. *Discuss who will be responsible, timing, etc. for the following drainage improvements:*
 - a. *Powerline channel to 101 Storage Basin*
 - b. *Completion of the 101 Storage Basin*
 - c. *101 Storage Basin Outlet to TPC*
- B. MASTER DRAINAGE REPORT COPIES. Before master drainage report approval by the Stormwater Management Division, the developer shall, when requested by City staff, submit two (2) hard copies of the complete master drainage report.
- C. MASTER DRAINAGE REPORT APPROVAL. Before the improvement plan submittal to the Plan Review and Permit Services Division, the developer shall have obtained approval of the master drainage report.
- D. MASTER DRAINAGE PLAN. The master drainage plan shall include, but not be limited to, the following:
1. Maps showing watersheds draining onto and through the Planning Unit, with estimates of peak flows for 10, 50, and 100-year flood events at concentration points entering the Planning Unit
 2. Estimated peak flows and volumes of on-site runoff at concentration points exiting the Planning Unit for both developed and undeveloped conditions for the 10, 50, and 100-year flood events
 3. Maps showing current FEMA special flood hazard areas and flood insurance zones, including depths and velocities
 4. Location and estimated size of all proposed drainage facilities, including culverts, detention basins, channels, etc.
 5. A map that delineates the drainage area that will be served by each detention basin

2.6 **MASTER WATER PLAN**

- A. WATER MASTER REPORT. With the Development Review Board submittal, the developer shall submit a master 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 water master report shall include the following:
1. A complete description of water system requirements for each Planning Unit.

2. A discussion of the timing of and parties responsible for construction of all water facilities.
 3. The conceptual location and size of all necessary water system components, including both on and off-site lines, pump stations and storage facilities 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.
 4. A flow and pressure analysis of the proposed 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 preliminary plan of the Planning Unit 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.
- B. WATER MASTER REPORT APPROVAL. Before the submittal of any water design reports to the Plan Review and Permit Services Division, the developer shall obtain approval from the Water Resources Department of the water master report.

2.7 MASTER WASTEWATER PLAN

- A. MASTER WASTEWATER REPORT. With the Development Review Board submittal, the developer shall submit a master 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. In addition, the wastewater master report shall:
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 conceptual location, size, type and capacity of the necessary wastewater collection, transmission, and treatment system components needed to serve the Planning Unit, and a preliminary 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.
- B. WASTEWATER MASTER REPORT APPROVAL. Before the submittal of any basis of design reports to the Plan Review and Permit Services Division, the developer shall obtain approval from the Water Resources Department of the wastewater master report.

3.0 DEVELOPMENT SITE STIPULATIONS

3.1 PLANNING / DEVELOPMENT

- A. COMPARABLE ZONING. This site shall be zoned to Planned Community (PC) District. The developer has proposed a development plan with uses and densities comparable to the following zoning districts:

1. Industrial Park (I-1) District,
2. Commercial Office (C-O) District,
3. Planned Regional Center (PRC) District,
4. ~~Planned Convenience Center (PCC) District,~~
5. ~~Planned Community Center (PCC) District,~~
6. Central Business (C-2) District,
7. Highway Commercial (C-3) District,
8. Multiple-Family Residential (R-5) District,
9. **Planned Airpark Core (PCP) District**
10. **Planned Airpark Core (PCP) District, Planning Unit V**
11. **Planned Regional Center (PRC) District, BCB**
12. **Planned Regional Center (PRC) District, JLB**

The City Manager, or designee, shall determine the comparable zoning category at the time of submittal of the Master Development Plan that indicates acreages, intensities, and locations of the requested zoning districts.

- AA. **Any future request for a comparable zoning district not in compliance with the Greater Airpark Character Area Plan land use designations shall be accompanied by a request for a non-major General Plan amendment.**
- B. CONFORMANCE TO AMENDED DEVELOPMENT STANDARDS. Development shall conform to the amended development standards for each of the respective districts, as listed above (A.1 thru A.8), and attached herein, as Schedule C. Any change to the development standards 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.
- BB. **At the time of DRB submittal, each respective Planning Unit should demonstrate substantial conformance to the Greater Airpark Character Area Plan and Scenic Corridor Guidelines, including but not limited to a**

focus on the siting, location and dimensions of frontage open space along the Signature Corridors of Legacy Boulevard and Hayden Road, the Loop 101 Freeway, Miller Road and identified landmark intersections.

Open space areas along these roadways should be pedestrian-oriented and should connect the overall pedestrian network. These open space areas should be activated through building and site design, placement of high-activity uses at the street level and integration of public art and other pedestrian amenities. Where Signature Corridors intersect to create landmark intersections, prominent buildings with landmark architecture, community landmarks and enhanced open space should be incorporated.

- C. DEVELOPMENT STANDARDS. Before any Development Review Board submittal within any area designated with the comparable zoning district of Planned Regional Center (PRC), the developer shall submit plans that demonstrate how the following amended development standards shall be applied:

1. Building Height(s)
2. Open Space
3. Setbacks and Buffers

These plans shall be subject to the satisfaction of the City Manager, or designee.

- D. LAND USE BUDGET

1. The State Land Commissioner, or designee, shall approve the developer's distribution request of the land use density and intensity before an application to the Development Review Board is submitted to the City. The developer shall provide a copy of the approved distribution request with the submittal to the Development Review Board.
2. Maximum land use density and intensity shall be consistent with the Land Use Budget attached as Schedule B.
3. With each Development Review Board submittal, the developer shall include a revised Land Use Budget Table indicating the parcels with the corresponding reductions and increases.

- E. ~~TRANSITIONAL CHARACTER AREAS. As shown on Schedule A, all non-residential uses within Character Areas B2, C1, C2, and D within three hundred (300) feet of the application boundary shall have a maximum height of thirty (30) feet. The Character Area B2 shall only allow uses consistent with the comparable Industrial Park (I-1) District.~~

- E. **TRANSITION AREAS. PER THE DEVELOPMENT PLAN, ALL NON-RESIDENTIAL USES WITHIN GRAYHAWK TRANSITION AREA 1, GRAYHAWK TRANSITION AREA 2, HAYDEN CORE TRANSITION AREA AND PRINCESS TRANSITION AREA WITHIN THREE HUNDRED (300) FEET OF THE APPLICATION BOUNDARY SHALL HAVE A MAXIMUM**

HEIGHT OF (30) FEET. THE HAYDEN CORE TRANSITION AREA SHALL ONLY ALLOW USES CONSISTENT WITH THE COMPARABLE INDUSTRIAL PARK (I-1) DISTRICT.

- F. ~~SCHOOL LOCATION. Before the sale, or lease, of land in Planning Unit I or Planning Unit II~~ **PLANNING UNITS I, II, IV, VIII, OR IX**, the State Land Department, in coordination with the Paradise Valley Unified School District, shall designate a minimum of ten (10) acres (net) for a parcel for a middle school site. The State Land Department, Paradise Valley Unified School District and City of Scottsdale Community Services Department shall work cooperatively in determining the specific location, size and access for this school, with the intent to achieve cooperative use of school and park lands in this area.
- G. **CIVIC USE LOCATION.** The developer shall designate a four (4) acre (net) site to be dedicated for civic use.
- H. **SCENIC CORRIDORS.** The scenic corridor width along Scottsdale Road shall be a minimum of fifty (50) feet, and an average of sixty (60) feet, measured from the outside edge of the street right-of-way. The scenic corridor easement shall be shown on the final plat, or site plan, and be dedicated to the City with final plan approval.
- I. **LANDSCAPE BUFFERS.** The developer shall provide a landscape buffer for any property along Hayden Road north of the Loop 101 Freeway. The landscape buffer shall be a minimum of thirty (30) feet, and an average of forty (40) feet, as measured from the right-of-way line.
- J. **ENVIRONMENTAL DESIGN**
1. **ALTERATIONS TO NATURAL WATERCOURSES.** Any proposed alteration to the natural state of watercourses with a 100-year peak flow rate estimated between 250 cfs and 749 cfs shall be subject to Development Review Board approval.
 2. **VISTA CORRIDOR WATERCOURSES.** All watercourses with a 100-year peak flow rate of 750 cfs or greater shall be designated as Vista Corridors.
 3. **VISTA CORRIDOR EASEMENTS.** Each Vista Corridor shall be established by a continuous scenic easement. The minimum width of the easement shall be one hundred (100) feet. Each Vista Corridor easement shall include, at a minimum, any existing low flow channels, all major vegetation, and the area between the tops of the banks of the watercourses. At the time of the Development Review Board submittal, the developer shall stake the boundaries of the Vista Corridor easement as determined by City staff. All Vista Corridors shall be left in a natural state. The final plat or site plan shall show and dedicate all Vista Corridor easements.
 4. **VISTA CORRIDOR EASEMENTS-DISTURBED AREAS.** If areas within any Vista Corridor are disturbed by development, before final site inspection, the developer shall reconstruct those areas to the satisfaction of City staff.
 5. **VISTA CORRIDOR EASEMENTS-ADJACENT WALLS.** Solid walls adjacent to Vista Corridor easements shall comply with the following standards:
 - a. Walls shall not be constructed within the Vista Corridor easement.

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Contract No. 2002-141-COS-A3

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- b. Walls shall be located only within any approved construction envelopes.
 - c. Solid, opaque walls higher than three (3) feet shall be set back four (4) feet from the Vista Corridor easement for each one (1) foot of solid, opaque wall height above three (3) feet. No wall shall exceed six (6) feet in height.
- K. DEVELOPMENT CONTINGENCIES. The approved development program, including intensity, may be changed due to drainage issues, topography, and other site planning concerns which will need to be resolved at the time of preliminary plat or site plan approval.
- L. DEVELOPMENT REVIEW BOARD. The City Council directs the Development Review Board's attention to:
 - 1. A plan indicating the treatment of washes and wash crossings,
 - 2. Wall design,
 - 3. The type, height, design, and intensity of proposed lighting on the site, to ensure that it is compatible with the adjacent use,
 - 4. Scenic corridors and buffered parkways,
 - 5. Improvement plans for common open space, common buildings and/or walls, and amenities such as ramadas, landscape buffers on public and/or private property (back-of-curb to right-of-way or access easement line included).
 - 6. Major stormwater management systems,
 - 7. Vista Corridor watercourses (all watercourses with a 100 year flow of 750 cfs or greater),
 - 8. Alterations to natural watercourses (all watercourses with a 100 year flow of 250 cfs to 749 cfs),
 - 9. Walls adjacent to Vista Corridors and NAOS tracts and corridors,
 - 10. Signage,
 - 11. Master Environmental Design Concept Plans,,
 - 12. Development within Planning Units I, II, IV, or V should be consistent with, and continue the pedestrian oriented design of, the adjacent property to the west (see case 20-ZN-2002).
- M. NOTICE TO PROSPECTIVE BUYERS. The developer shall give the following information in writing to all prospective buyers of lots on the site:
 - 1. The closest distance from the lot to the midpoint of the Scottsdale Airport runway.
 - 2. The City shall not maintain the development's private streets.
 - 3. The City shall not accept any common areas on the site for ownership or maintenance.
 - 4. Requirements for trip reduction measures as prepared by the master developer.

3.2 CIRCULATION

- A. STREET CONSTRUCTION. Before issuance of any certificate of occupancy for the site, the developer shall dedicate the following right-of-way and construct the following street improvements, in conformance with the Design Standards and Policies Manual:

Street Name/Type	Dedications	Improvements	Notes
Scottsdale Road Major Arterial	75' half (65' existing)	Half street, 56' CL- BC, Figure 3.1-3	a, b, c, d, e
Hayden Road Major Arterial	75' half (65' existing)	Full street, 112' BC- BC, Figure 3.1-3	a, b, c, d, f
Union Hills Drive/Minor Arterial (east of Hayden Road)	45' half	Half street, 35' CL- BC, Figure 700-1	a, b, c, d
Union Hills Drive/Minor Arterial (west of Hayden Road)	110' full	Full street, 80' BC- BC, Figure 3.1-3	a, b, c, d
Miller Road/76 th Street Major Collector	90' full	Full street, 70' BC- BC, Figure 700-1	a, b, c, d
Princess Boulevard Major Collector	90' full	Full street, 70' BC- BC, Figure 700-1	a, b, c, d
Legacy Boulevard Major Collector	90' full	Full street, 70' BC- BC, Figure 700-1	a, b, c, d
78 th Street Major Collector	90' full	Full street, 70' BC- BC, Figure 700-1	a, b, c, d, g
101 Freeway Access Road (Hayden Road to west property line)	40' full	32' Pavement width	a, b, c, d, h
Internal Commercial Roads Local Commercial	60' full	Full street, 40' BC- BC, Fig. 3.1-7	b, c
Internal Residential Roads Local Residential	40' full	Full street, 23' min. BC-BC, Fig. 700-5	b, c

- a. Additional right-of-way may be required to protect the natural environment, to provide auxiliary lanes, or to serve the immediate area with a higher street standard as determined by City staff based upon updated traffic impact studies or through the master plan process.
- b. The indicated right-of-way shall be a dedicated tract that provides emergency and service vehicle access and the installation of public utilities where private streets are approved.
- c. Right-of-way dedications shall include appropriate easements for all applicable drainage ways trails, bike paths and natural area buffers. Statements identifying the responsibility for maintenance shall be included as part of the dedication.
- d. Cross sections of street improvements shall conform to the current City of Scottsdale standard street cross sections at the time of development except as amended by the approved Master Transportation Plan or approved Planning Unit Circulation Plans.

For locations where the proposed raised medians are wider than City standards, the developer shall enter into an agreement with the City to identify the maintenance responsibilities for the both the developer and City. Unless otherwise agreed to in these agreements, the developer shall be responsible for any landscape maintenance for the extra median width. The City shall not be responsible for any maintenance of medians on private streets.

- e. The ultimate full-street cross section consists of six lanes and a raised median. The applicant shall be responsible for half street improvements consisting of two lanes and the associated curb, gutter, sidewalk, and drainage structures as outlined in Circulation Stipulation B ("IN LIEU PAYMENTS") below.
- f. The developer shall be responsible for the construction of one additional lane in each direction, expanding the interim four-lane road to the ultimate six-lane road cross section. With the completion of the half-street, the developer will need to dedicate any additional right-of-way to achieve a 75-foot half-street. This construction shall include the construction of curb, gutter, sidewalk, and the extension of drainage structures as determined by city staff.
- g. 78th Street shall be the connection between Princess Boulevard and Union Hills Drive or extension Princess Boulevard that connects to Union Hills Drive.
- h. The design of the 101 Freeway Access Roads (Hayden Road to west property line) shall be subject to approval by the Arizona Department of Transportation (ADOT) where proposed within ADOT right-of-way.

B. **IN LIEU PAYMENTS.** At the direction of City staff, before issuance of any building permit for any parcels in ~~Planning Unit IV~~ **PLANNING UNIT III OR II (SOUTH OF THE LOOP 101)**, the developer shall not construct the Scottsdale Road street improvements specified by the Notes in the stipulation above, but shall make an in lieu payment to the City. Before any final plan approval, the developer shall submit an engineer's estimate for plan preparation, design and construction costs of a major arterial half street, including two lanes of pavement with curb and gutter, half median improvements (curb, gutter and landscaping), and any required drainage structures. The in lieu payment shall be based on this estimate, plus five percent (5%) contingency cost and other incidental items, as determined by City staff.

C. **TRAFFIC IMPACT STUDY.** Prior to any Development Review Board submittal, the developer shall submit a Circulation Plan for the corresponding Planning Unit. The developer shall submit a traffic impact study for the Planning Unit with the Circulation Plan, which shall be subject to City staff approval. The developer shall provide any street improvements and traffic impact mitigation as recommended by the approved traffic impact study for the site that are not addressed by the circulation stipulations in this report, as determined by City staff. The developer shall provide a revised traffic impact study for staff review and approval for any subsequent Development Review Board submittals that represent proposals to increase the land use area or intensity with respect to the approved Planning Unit site plan and

development program, as determined by the Transportation General Manager.

D. **ACCESS RESTRICTIONS.** Before issuance of any certificate of occupancy for the site, the developer shall dedicate the necessary right-of-way, as determined by City staff, and construct the following access to the site. Access points to the site shall conform to the following restrictions (distances measured to the driveway or street centerlines) unless otherwise increased as approved by the Planning Unit Circulation Plans or the City's Transportation General Manager:

1. **Scottsdale Road** – Access to Scottsdale Road shall be limited to minimum intervals of 600 feet. A full median opening shall be located to align with Chauncey Lane to the west. Access and restricted median opening locations shall be coordinated with the existing intersections on the west side of Scottsdale Road. The developer shall dedicate a one-foot wide vehicular non-access easement on this street except at the approved street intersections or driveways locations.
2. **Arterial Streets** - Access to streets classified as Arterials shall be limited to minimum intervals of 600 feet with full median openings located at minimum 1320-foot intervals unless otherwise approved in the Planning Unit Circulation Plan. Access and median opening locations shall be coordinated with the planned intersections on the adjacent parcels. The developer shall dedicate a one-foot wide vehicular non-access easement on these streets except at the approved street intersections or driveways locations.
3. **Major Collectors** - Access to streets classified as Major Collectors shall be limited to minimum intervals of 300 feet with full median openings located at minimum 660-foot intervals unless otherwise approved in the Planning Unit Circulation Plan. Access and median opening locations shall be coordinated with the planned intersections on the adjacent parcels. The developer shall dedicate a one-foot wide vehicular non-access easement on these streets except at the approved street intersections or driveways locations.
4. **Minor Collectors** - Access to streets classified as Minor Collectors shall be limited to minimum intervals of 300 feet unless otherwise approved in the Planning Unit Circulation Plan. Access shall be coordinated with the planned intersections on the adjacent parcels. The developer shall dedicate a one-foot wide vehicular non-access easement on these streets except at the approved street intersections or driveways locations.
5. **Local Streets** - Access to streets classified as Local Collectors, Local Residential, and Local Commercial shall be limited to minimum intervals of 165 feet unless otherwise approved in the Planning Unit Circulation Plan. Shared driveways shall be utilized for commercial parcels with street frontage less than 330 feet.
6. **Residential Access** – There shall be no direct residential access to arterial or collector streets.
7. **101 Freeway Access Roads** - Access to streets classified as Freeway Access Roads shall be limited to minimum intervals of 300

Exhibit G

Contract No. 2002-141-COS-A3

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feet unless otherwise approved in the Planning Unit Circulation Plan. Access locations shall be subject to the Arizona Department of Transportation (ADOT) approval where proposed within ADOT right-of-way. The developer shall dedicate a one-foot wide vehicular non-access easement on these streets except at the approved street intersections or driveways locations.

- E. **STREET SYSTEM CONFIGURATION.** The primary street system configuration within this development area shall be in substantial conformance with that shown on the development plan attached to these stipulations unless modified by the approved Master Transportation Plan or Planning Unit Circulation Plans. The street system substantial conformance determination shall be subject to interpretation and approval by the City's Transportation General Manager.
- F. **MILLER ROAD GRADE SEPARATED CROSSING.** The developer shall participate with the City and adjacent State Land developers in the cost of a future Miller Road crossing of the 101 Freeway. The exact amount of the developer's participation and timing of payments or other contributions shall be set forth in a development agreement between the developer and the City, which shall be executed within 6 months of the City's approval of a ten percent design concept report for the crossing.
- G. **MEDIAN RECONSTRUCTION.** Before issuance of any certificate of occupancy for the site, the developer shall be responsible for reconstructing any existing medians on arterials and major collectors with raised medians, to provide approved left-turn access into and out of the site as determined by the Planning Unit Circulation Plans. The median modifications shall be subject to the approval by City staff. The developer shall relocate any existing landscaping that will be displaced, as determined by City staff.
- H. **AUXILIARY LANE CONSTRUCTION.** Before issuance of any certificate of occupancy for the site, the developer shall dedicate the necessary right-of-way, as determined by City staff, and construct right-turn deceleration lanes at all street intersections and site driveways located on arterial streets within the development area and on Scottsdale Road in conformance with the Design Standards and Policies Manual. Auxiliary lanes may be required on Major Collector streets based review of the Planning Unit traffic impact study and the policies contained in the Design Standards and Policies Manual.
- I. **TRAFFIC SIGNAL PARTICIPATION.** Before issuance of any building permit for the site, the developer shall pay to the City the design and construction costs, with the responsibility of participation as outlined below, for the installation of a traffic signals at the following intersections:

<u>Intersection</u>	<u>Participation</u>
Scottsdale Road & Princess Boulevard	See Note 1
Scottsdale Road & Union Hills Drive	See Note 1
Hayden Road & Union Hills Drive	75%
Hayden Road & Legacy Boulevard	100%
Miller Road & Union Hills Drive	100%

Miller Road & Legacy Boulevard	100%
101 Freeway Access Road & Hayden Road	See Note 2

The developer shall be responsible for 100% of the costs associated with any additional internal intersections that require signalization as determined by the approved traffic impact studies or Planning Unit Circulation Plans. No traffic signal shall be activated without a traffic engineering study that demonstrates that the traffic signal is warranted per the guidelines contained in the Manual on Traffic Control Devices and is approved by the City's Transportation Department.

1. For the Union Hills and Princess Boulevard intersections on Scottsdale Road, the developer shall be responsible for any modifications to the existing traffic signals that are associated with adjacent street improvements. This responsibility includes additional traffic signal equipment, relocation of traffic signal poles, and new signal equipment based on an approved traffic signal plan or as directed by City staff.
2. For the 101 Freeway Access Road and Hayden Road intersections, the developer shall be responsible for any modifications to the existing traffic signals that are associated with the Freeway Access road construction. This responsibility includes additional traffic signal equipment, relocation of traffic signal poles, and new signal equipment based on an approved traffic signal plan or as directed by City staff. Any modifications to the existing traffic signals shall be subject to review and approval by the Arizona Department of Transportation.

J. **PRIVATE STREET CONSTRUCTION.** All private streets shall be constructed to full public street standards, except equivalent construction materials or wider cross-sections may be approved by City staff. In addition, all private streets shall conform to the following requirements:

1. 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. Before any lot is sold, the developer shall record a notice satisfactory to City staff indicating that the private streets shall not be maintained by the City.
2. Before issuance of any certificate of occupancy for the site, the developer shall post access points to private streets to identify that vehicles are entering a private street system.
3. Secured access shall be provided on private streets only. The developer shall locate security gates a minimum of 75 feet from the back of curb to the intersecting street. The developer shall provide a vehicular turn-around between the public street and the security gate.

K. **PEDESTRIAN EMPHASIS.** Before issuance of any certificate of occupancy for Planning Unit I or II the developer shall design and install traffic calming devices for the following areas:

1. ~~Within Planning Unit I, the developer shall design the Miller Road alignment to discourage the encroachment of site-generated traffic into the adjacent residential area to the north.~~
2. ~~The internal commercial streets to enhance pedestrian circulation through the interior of the site.~~

~~The design and location of the traffic calming devices shall be submitted to the Transportation Department for approval. The traffic calming solution for 76th Street may include the realignment of Miller Road/76th Street to not intersect with the existing street north of Thompson Peak Parkway. The developer shall be responsible for coordinating and facilitating a public input process to determine the design and extent of the traffic calming at the direction of City staff.~~

K.L. TRANSPORTATION MANAGEMENT ORGANIZATION (TMO). The master developer shall establish a Transportation Management Organization (TMO) in order to provide and guide transportation programs and services for properties within the project. This organization shall have some form of assessment of the properties in order to achieve the programs and services as determined through a Transportation Demand Management Plan (TDMP).

Through the TDMP the TMO shall perform the following types of services and functions:

- Conduct an annual ridematching campaign among the tenants
- Furnish tenants with transportation information
- Create "commuter information centers"
- Create a preferential parking program for carpools and vanpools
- Stage annual events to promote transportation choices for residents and employees
- Conduct an annual travel survey of employees
- Sell mass transit tickets on-site
- Operate an on-site shuttle service
- Delivery schedules that avoid peak-hour traffic

Furthermore, the TMO shall be responsible for the design and location criteria, maintenance and use of the following transportation amenities:

- Carpool and vanpool designated parking spaces
- Secure bicycle storage facilities
- Shuttle stops and signs
- Informational kiosks and stations

The TMO shall provide an annual report to the City of Scottsdale regarding the status of the above-mentioned items (may be the same as required by Maricopa County). Failure to comply with this reporting requirement may lead to a hold on building and tenant improvement permits until the report has been submitted.

L. M. CITY CONTROL OF ACCESS. The City retains the right to modify or void access within City right-of-way. The City's responsibility to promote safe conditions for the traveling public takes precedence over the stipulations above.

3.3 DRAINAGE AND FLOOD CONTROL

A. CONCEPTUAL DRAINAGE REPORT. With the Development Review Board submittal, the developer shall submit a conceptual drainage report and plan subject to City staff approval. The conceptual report and plan shall conform to the Design Standards and Policies Manual - Drainage Report Preparation. In addition, the conceptual drainage report and plan shall:

1. Identify all wash corridors entering and exiting the site, and calculate the peak discharge (100-yr, 6-hr storm event) for a pre- versus post-development discharge comparison of all washes that exit the property.
2. Determine easement dimensions necessary to accommodate design discharges.
3. Demonstrate how the storm water storage requirement is satisfied, indicating the location, volume and drainage area of all storage.
4. Include flood zone information to establish the basis for determining finish floor elevations in conformance with the Scottsdale Revised Code.
5. Include a complete description of requirements relating to project phasing.

B. STORM WATER STORAGE REQUIREMENT. On-site storm water storage is required for the full 100-year, 2-hour storm event, unless City staff approves the developer's Request for Waiver. See Section 2 of the Design Standards and Policies Manual for waiver criteria.

1. If applicable, the developer shall submit to the Current Planning Services Division a Request for Waiver Review form, which shall:
 - a. 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.
 - b. Include an estimate for payment in-lieu of on-site storm water storage, subject to City staff approval.
2. Before the improvement plan submittal to the Plan Review and Permit Services Division, the developer shall have obtained the waiver approval.

3.4 WATER

A. BASIS OF DESIGN REPORT (WATER). After acceptance, by the Water Resources Department, of any required water master plan for the development, the developer shall submit to the Plan Review and Permit Services Division a Water Basis of Design Report. The report shall conform to the draft Water and Wastewater Report Guidelines available from the Water Resources Department. Generally, the basis of design report and

plan shall:

1. Identify the location, size, condition, and availability of existing water lines and water related facilities such as valves, service lines, fire hydrants, etc.
 2. Evaluate the project's water demands and their impact on the existing water system.
 3. Determine the need for any additional water lines and water related facilities to support the proposed development.
 4. Conform to the City's Integrated Water Master Plan.
 5. Identify the timing of and parties responsible for construction of all water facilities.
- B. APPROVED BASIS OF DESIGN REPORT. Before the improvement plan submittal to the Plan Review and Permit Services Division, the developer shall have obtained approval of the Water Basis of Design Report from the Water Resources Department.
- C. NEW WATER FACILITIES. Before the issuance of letters of acceptance by the Inspection Services Division, the developer shall construct all water lines and related facilities necessary to serve the site.
- D. WATERLINE EASEMENTS. Before the issuance of any building permit for the site, the developer 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 the site.

3.5 WASTEWATER

- A. BASIS OF DESIGN REPORT (WASTEWATER). After acceptance, by the Water Resources Department, of any required wastewater master plan for the development, the developer shall submit to the Plan Review and Permit Services Division a Wastewater Basis of Design Report. The report shall conform to the draft Water and Wastewater Report Guidelines available from the Water Resources Department. Generally, the basis of design report and plan shall:
1. Identify the location of, size, condition, and availability of existing sanitary sewer lines and wastewater-related facilities.
 2. Evaluate the project's wastewater demands and their impact on the existing wastewater system.
 3. Determine the need for any additional wastewater lines and related facilities to support the proposed development.
 4. Conform to the City's Wastewater System Master Plan.
 5. Identify the timing of and parties responsible for construction of all wastewater facilities.
- B. APPROVED BASIS OF DESIGN REPORT. Before the improvement plan submittal to the Plan Review and Permit Services Division, the developer shall have obtained approval of the Wastewater Basis of Design Report from the Water Resources Department

- C. NEW WASTEWATER FACILITIES. Before the issuance of letters of acceptance by the Inspection Services Division, the developer shall provide all sanitary sewer lines and wastewater-related facilities necessary to serve the site.
- D. SANITARY SEWER EASEMENTS. Before the issuance of any building permit for the site, the developer 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 the site.

3.6 **ENGINEERING**

- A. RESPONSIBILITY FOR CONSTRUCTION OF INFRASTRUCTURE. The developer shall be responsible for all improvements associated with the development or phase of the development and/or required for access or service to the development or phase of the development. Improvements shall include, but not be limited to washes, storm drains, drainage structures, water systems, sanitary sewer systems, curbs and gutters, paving, sidewalks, streetlights, street signs, and landscaping. The granting of zoning/use permit does not and shall not commit the City to provide any of these improvements.
- B. FEES. The construction of water and sewer facilities necessary to serve the site shall not be in-lieu of those fees that are applicable at the time building permits are granted. Fees shall include, but not be limited to the water development fee, water resources development fee, water recharge fee, sewer development fee or development tax, water replenishment district charge, pump tax, or any other water, sewer, or effluent fee.

3.7 **OTHER REQUIREMENTS**

- A. ENVIRONMENTAL PROTECTION AGENCY (EPA) REQUIREMENTS. All construction activities that disturb five or more acres, or less than five acres if the site is a part of a greater common plan, shall obtain coverage under the National Pollutant Discharge Elimination System (NPDES) General Permit for Construction Activities. [NOI forms are available in the City of Scottsdale One Stop Shop, 7447 East Indian School Road, Suite 100. Contact Region 9 of the U.S. Environmental Protection Agency at 415-744-1500, and the Arizona Department of Environmental Quality at 602-207-4574 or at web site <http://www.epa.gov/region>.

The developer shall:

1. Submit a completed Notice of Intent (NOI) to the EPA.
2. With the improvement plan submittal to the Plan Review and Permit Services Division, the developer shall submit a copy of the NOI and a completed Storm Water Pollution Prevention Plan.

- B. SECTION 404 PERMITS. With the improvement plan submittal to the Plan Review and Permit Services Division, the developer's engineer must certify that it complies with, or is exempt from, Section 404 of the Clean Water Act of the United States. [Section 404 regulates the discharge of dredged or fill material into a wetland, lake, (including dry lakes), river, stream (including intermittent streams, ephemeral washes, and arroyos), or other waters of the United States.]
- C. DUST CONTROL PERMITS. Before commencing grading on sites 1/10 acre or larger, the developer shall have obtained a Dust Control Permit (earth moving permit) from Maricopa County Division of Air Pollution Control. Call the county 602-506-6700 for fees and application information.
- D. UTILITY CONFLICT COORDINATION. With the improvement plan submittal to the Plan Review and Permit Services Division, the developer shall submit a signed No Conflict form (not required for City-owned utilities) from every affected utility company.
- E. ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY REQUIREMENTS (ADEQ). The developer shall be responsible for conformance with ADEQ regulations and requirements for submittals, approvals, and notifications. The developer shall demonstrate compliance with Engineering Bulletin #10 Guidelines for the Construction of Water Systems, and applicable chapters of the Arizona Administrative Code, Title 18, Environmental Quality. In addition:
1. Before approval of final improvement plans by the Plan Review and Permit Services Division, the developer shall submit a cover sheet for the final improvement plans with a completed signature and date of approval from the Maricopa County Environmental Services Department (MCESD).
 2. Before commencing construction, the contractor or developer shall provide evidence to City staff that a Certificate of Approval to Construct and/or Provisional Verification of General Permit Conformance has been approved by MCESD.
 3. Before building permits are issued, the developer shall submit to the City a Certificate of Approval of Construction and/or Verification of General Permit Conformance signed by the MCESD and a copy of the as-built drawings.
 4. Before issuance of Letters of Acceptance by the City Inspection Services Division, the developer shall provide to the City a final set of as-built mylars of the improvements.

Roadway Segment	Infrastructure Reimbursement	Beginning Date of Interest Accrual	Maximum / Final Interest Accrual (2)	Description
Scottsdale Rd - Princess Dr. to Union Hills Dr.	\$ 6,118,319.30	June 1, 2008	\$931,769	Paid in full, Auction #53-115147 -
Mayo Blvd. (formerly Union Hills Dr.) - Scottsdale Rd. to 74th St. Align.	\$ 1,734,800.16	April 1, 2005	\$737,290	Paid in full, Auction #53-115147
Legacy Blvd (formerly Center Dr.) - 74th St. Align to Hayden Rd.	\$ 4,702,842.96	April 1, 2009	\$1,998,708	Accrual cap occurs 4/1/2019.
North Freeway Frontage Rd - Hayden Rd. to 74 St. Align.	\$ 927,263.00	September 1, 2008	\$394,087	Accrual cap occurs 9/1/2018
Hayden Rd. - Pima Freeway (SR 101) to Powerline Align.	\$ 7,015,444.00	March 1, 2006	\$2,981,564	Interest accrual has been capped.
Hayden Rd. - Union Hills Dr. to Pima Freeway (SR 101)	\$ 1,275,535.96	December 1, 2002	\$542,103	Interest accrual has been capped. (1)

Water and Sewer Segment				
Legacy Blvd (formerly Center Dr.)	\$ 1,128,214.74	April 1, 2009	\$479,491	Accrual cap occurs 4/1/2019.
Hayden Road (S of SR 101)	\$ 256,770.02	November 1, 2003	\$109,127	Interest accrual has been capped.
Hayden Road (N of SR 101)	\$ 507,018.40	March 1, 2006	\$215,483	Interest accrual has been capped.

(1) Notice to Proceed date for construction contract is utilized where right-of-way was purchased prior to the start of construction.

(2) This calculation is the maximum or final interest accrual based on a date 10 years from the Beginning Date of Interest Accrual. Actual Accrual will be calculated as a part of the auction to which the segments are assigned.

EXHIBIT "I"
ALTA LEGAL DESCRIPTION

TRACT I AND PORTIONS OF TRACT H AS SHOWN ON "STATE PLAT NO. 27 AMENDED CORE NORTH," AN AMENDED PLAT RECORDED AT BOOK 352, PAGE 28, MARICOPA COUNTY RECORDS (M.C.R.) AND PORTIONS OF TRACT D AND TRACT G AS SHOWN ON "FIRST AMENDEMENT TO STATE PLAT NO. 27 AMENDED CORE NORTH," AN AMENDED PLAT RECORDED AT BOOK 395, PAGE 21, M.C.R. AND TRACT E AND PORTIONS OF TRACT F AND TRACT 10 AS SHOWN ON "STATE PLAT NO. 39 CORE NORTH," AN AMENDED PLAT RECORDED AT BOOK 416, PAGE 13, M.C.R. AND LOCATED IN THE EAST HALF OF SECTION 26 AND THE WEST HALF OF SECTION 25, TOWNSHIP 4 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER MERIDIAN, MARICOPA COUNTY, ARIZONA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 26, BEING MARKED BY A MARICOPA COUNTY BRASS CAP FLUSH, FROM WHICH THE SOUTH QUARTER CORNER OF SAID SECTION 26, BEING MARKED BY A BUREAU OF LAND MANAGEMENT BRASS CAP FLUSH, BEARS NORTH 89 DEGREES 58 MINUTES 34 SECONDS WEST, 2640.96 FEET;

THENCE NORTH 00 DEGREES 01 MINUTES 06 SECONDS WEST, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 26, 228.75 FEET TO THE NORTH LINE OF THE ADOT RIGHT-OF-WAY AS SHOWN ON RIGHT-OF-WAY PROJECT NO. RBM-600-1-703 AND THE **POINT OF BEGINNING**;

THENCE DEPARTING SAID EAST LINE, SOUTH 89 DEGREES 58 MINUTES 40 SECONDS WEST, ALONG SAID ADOT RIGHT-OF-WAY LINE, 100.00 FEET;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, SOUTH 00 DEGREES 01 SECONDS 06 MINUTES EAST, 99.99 FEET;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, SOUTH 45 DEGREES 00 MINUTES 00 SECONDS WEST, 31.95 FEET;

THENCE CONTINUING ALONG SAID RIGHT-OF-WAY LINE, NORTH 79 DEGREES 03 MINUTES 45 SECONDS WEST, 545.91 FEET;

THENCE DEPARTING SAID RIGHT OF WAY LINE, NORTH 09 DEGREES 01 MINUTES 50 SECONDS EAST, 29.32 FEET;

THENCE NORTH 79 DEGREES 02 MINUTES 48 SECONDS WEST, 634.97 FEET;

THENCE NORTH 10 DEGREES 44 MINUTES 37 SECONDS EAST, 29.92 FEET;

THENCE NORTH 78 DEGREES 29 MINUTES 29 SECONDS WEST, 140.07 FEET;

THENCE SOUTH 14 DEGREES 40 MINUTES 18 SECONDS WEST, 29.70 FEET;

THENCE NORTH 76 DEGREES 04 MINUTES 01 SECONDS WEST, 715.90 FEET;

THENCE NORTH 14 DEGREES 35 MINUTES 44 SECONDS EAST, 10.09 FEET;

THENCE NORTH 76 DEGREES 00 MINUTES 29 SECONDS WEST, 235.64 FEET TO THE CENTERLINE OF MILLER ROAD AS SHOWN ON THE MILLER ROAD RIGHT-OF-WAY PLANS BY THE CITY OF SCOTTSDALE AND THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE WESTERLY, FROM WHICH THE CENTER BEARS NORTH 78 DEGREES 47 MINUTES 10 SECONDS WEST, 3730.00 FEET;

THENCE ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 22 DEGREES 17 MINUTES 37 SECONDS, AN ARC LENGTH OF 1451.33 FEET;

THENCE NORTH 11 DEGREES 04 MINUTES 47 SECONDS WEST, 401.67 FEET TO THE INTERSECTION OF MILLER ROAD AND LEGACY BOULEVARD, MONUMENTED BY A BRASS CAP FLUSH;

THENCE DEPARTING MILLER ROAD CENTERLINE, NORTH 78 DEGREES 54 MINUTES 18 SECONDS EAST, 1687.37 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 1500.00 FEET;

THENCE ALONG SAID CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 33 DEGREES 55 MINUTES 42 SECONDS, AN ARC LENGTH OF 888.24 FEET;

THENCE SOUTH 67 DEGREES 10 MINUTES 00 SECONDS EAST, 465.97 FEET TO THE CENTERLINE OF HAYDEN ROAD AS SHOWN ON SAID AMENDED PLAT;

THENCE DEPARTING SAID LEGACY BOULEVARD CENTERLINE, SOUTH 22 DEGREES 50 MINUTES 12 SECONDS WEST, ALONG SAID CENTERLINE, 935.10 TO THE BEGINNING OF A TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 2300.00 FEET;

THENCE ALONG SAID CURVE TO THE LEFT, THROUGH A CENTRAL ANGLE OF 22 DEGREES 51 MINUTES 18 SECONDS, AN ARC LENGTH OF 917.46 FEET;

THENCE SOUTH 00 DEGREES 01 MINUTES 06 SECONDS EAST, 535.85 FEET TO THE **POINT OF BEGINNING.**

SAID PARCEL CONTAINS 5,834,833 SQUARE FEET, OR 133.9493 ACRES MORE OR LESS.

Exhibit "I"

Sec26

T4N, R4E

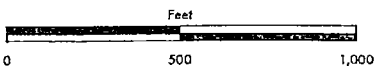
Sec25

Legacy Blvd

Planning Unit V

Hayden Rd

Loop 101



ORDINANCE NO. 4347

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, AMENDING ORDINANCE NO. 455, THE ZONING ORDINANCE OF THE CITY OF SCOTTSDALE, BY AND FOR THE PURPOSE OF CHANGING THE ZONING ON THE "DISTRICT MAP" TO ZONING APPROVED IN CASE NO. 19-ZN-2002#6 FROM PLANNED COMMUNITY (P-C) DISTRICT TO PLANNED COMMUNITY DISTRICT, PLANNED AIRPARK CORE (P-C PCP), ADOPTING A DEVELOPMENT PLAN AND AMENDING DEVELOPMENT STANDARDS, FOR A +/- 136-ACRE SITE LOCATED AT THE SOUTHWEST CORNER OF N. HAYDEN ROAD AND E. LEGACY BLVD.

WHEREAS, the Planning Commission held a hearing on May 9th, 2018;

WHEREAS, the City Council held a hearing on June 12th, 2018; and

WHEREAS, the City Council finds that the proposed development is in substantial harmony with the General Plan of the City of Scottsdale and will be coordinated with existing and planned development; and

WHEREAS, it is now necessary that the comprehensive zoning map of the City of Scottsdale ("District Map") be amended to conform with the decision of the Scottsdale City Council in Case No. 19-ZN-2002#6.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Scottsdale, as follows:

Section 1. That the "District Map" adopted as a part of the Zoning Ordinance of the City of Scottsdale, showing the zoning district boundaries, is amended by rezoning a +/- 136-acre property located at the southwest corner of N. Hayden Road and E. Legacy Blvd. and marked as "Site" (the Property) on the map attached as Exhibit 2, incorporated herein by reference, from Planned Community (P-C) District to Planned Community District, Planned Airpark Core (P-C PCP), and by adopting that certain document entitled "Crossroads East Development Plan" declared as public record by Resolution 11147 which is incorporated into this ordinance by reference as if fully set forth herein.

Section 2. That the above rezoning approval is conditioned upon compliance with all stipulations attached hereto as Exhibit 1 and incorporated herein by reference.

PASSED AND ADOPTED by the Council of the City of Scottsdale this ____ day of _____, 2018.

ATTEST:

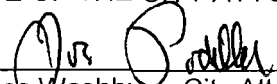
CITY OF SCOTTSDALE, an Arizona

Municipal Corporation

By: _____
Carolyn Jagger
City Clerk

By: _____
W.J. "Jim" Lane
Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By:  _____
Bruce Washburn, City Attorney
By: Joe Padilla, Deputy City Attorney

16584811v1

Ordinance No. 4347
Page 1 of 1

ATTACHMENT 6

**Stipulations for the Zoning Application:
Crossroads East (Planning Unit V)
Case Number: 19-ZN-2002#6**

These stipulations are in order to protect the public health, safety, welfare, and the City of Scottsdale.

GOVERNANCE

1. Except as amended below, the overall Crossroads East stipulations for case 19-ZN-2002#6 shall continue to apply. If there is a conflict between the Planning Unit V stipulations and the overall Crossroads East stipulations, The Planning Unit V stipulations shall prevail.

SITE DESIGN

2. CONFORMANCE TO DEVELOPMENT PLAN. Development shall conform to the Development Plan, entitled "Planning Unit V Development Plan," which is on file with the City Clerk and made a public record by Resolution No. 11147 and incorporated into these stipulations and ordinance by reference as if fully set forth herein. Any proposed significant change to the Development Plan, as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning Commission and City Council.
3. CONFORMANCE TO AMENDED DEVELOPMENT STANDARDS. Development shall conform with the amended development standards that are included as part of the Development Plan. Any change to the development standards shall be subject to additional public hearings before the Planning Commission and City Council.
4. CONFORMANCE TO DEVELOPMENT AGREEMENT. All on-site and off-site infrastructure improvements shall conform to the provisions of the Development Agreement, dated and attached as Attachment #9 to Resolution No. 11148. Any change to the development agreement shall be subject to City Council approval.
5. BUILDING HEIGHT LIMITATIONS. Building heights for the project shall be consistent with the Building Height Exhibit included as part of the Development Plan; whereby, building heights shall transition from a maximum of 115 feet within 600 feet of Loop 101 to a maximum of 62 feet at Legacy Boulevard. No building on the site shall exceed 115 feet in height, measured as provided in the applicable section of the Zoning Ordinance.
6. FLOOR AREA RATIO (FAR). FAR shall be as indicated in the Development Plan; however, the overall FAR for the entire development plan area shall not exceed 0.85 (including residential floor area). Although the overall FAR shall not exceed 0.85 aggregated over the entire development plan area, a proposed development project on any individual development parcel that is in compliance with Section 5.4007.a.1-6 of Attachment #2 (Planning Unit V PCP FAR Development Standards) and Attachment #9 (Maximum FAR Exhibit) of the Development Plan shall be considered in conformance with the Development Plan even though the FAR of that particular development parcel exceeds 0.85. The determination of net land area for the purpose of calculating FAR pursuant to Section 5.4007.A.5 of the Planning Unit V development standards shall be prepared by a registered engineer

licensed to practice in Arizona and provided by the Planning Unit V Developer (Master Developer) to the Zoning Administrator before the first Development Review Board approval. Such net land area multiplied by 0.85 shall be the overall floor area aggregated over the entire Development Plan area (the Maximum Allowed Planning Unit V Floor Area). At the time a parcel that is made up of less than the entirety of Planning Unit V is submitted for Development Review, the Master Developer or its designee shall report information to the Zoning Administrator demonstrating the then-current cumulative amounts within the entire Planning Unit V Development Plan area of (a) the building square footage that has been constructed plus (b) the additional building square footage that has been issued construction permits that remain valid and effective within the overall planning area at the time of such report (collectively, the Total Constructed and Permitted Square Footage). The Master Developer or its designee shall simultaneously report to the Zoning Administrator the difference between the Maximum Allowed Planning Unit V Floor Area and the then-existing Total Constructed and Permitted Square Footage.

7. OPEN SPACE. Frontage open space along perimeter streets shall be consistent with the amended development standards included as part of the Development Plan. Frontage open space with a minimum width of 10 feet and an average width of 20 feet shall be provided along the entire Miller Road frontage.
8. DEVELOPMENT REVIEW BOARD. The City Council directs the Development Review Board's attention to the following, which for Planning Unit V shall supersede Stipulation 3.1.L of the overall Crossroads East stipulations:
 - a. Transition of building heights as development extends away from the Loop 101 Freeway,
 - b. massing,
 - c. open space, particularly frontage open space adjacent to perimeter streets and active/passive open space areas throughout the project,
 - d. contiguous pedestrian connectivity throughout the project,
 - e. a plan indicating the treatment of washes and wash crossings,
 - f. wall design,
 - g. the type, height, design, and intensity of proposed lighting on the site, to ensure that it is compatible with the adjacent use,
 - h. improvement plans for common open space, common buildings and/or walls, and amenities such as ramadas, landscape buffers on public and/or private property (back-of-curb to right-of-way or access easement line included) and,
 - i. major storm water management systems

AIRPORT

9. FAA DETERMINATION. With each Development Review Board Application, the owner shall submit a copy of the FAA Determination letter on the FAA FORM 7460-1 for any proposed structures and/or appurtenances that penetrate the 100:1 slope. The elevation of the highest point of those structures, including the appurtenances, must be detailed in the FAA form 7460-1 submittal.

10. AIRCRAFT NOISE AND OVERFLIGHT DISCLOSURE. Prior to any permit issuance for the development project, the owner shall provide noise disclosure notice to occupants, potential residents, employees and/or students in a form acceptable to the Scottsdale Aviation Director.
11. AVIGATION EASEMENT. Prior to the issuance of any permit, the owner shall dedicate an Avigation Easement, in a form acceptable to the City Attorney, or designee. The easement may be dedicated over the entire site area, or on a case by case basis as each phase of development is submitted.
12. SOUND ATTENUATION MEASURES. The developer shall provide sound attenuation for noise sensitive uses as set forth in Appendix F to the FAA Part 150 Noise Compatibility Study, Section 4.00, unless otherwise approved by the Airport Director, or designee. The provided sound attenuation shall result in a minimum reduction in exterior to interior noise levels of 25 decibels.

DEDICATIONS

13. RIGHT-OF-WAY DEDICATIONS. Prior to issuance of the first building permit, the owner shall make the following fee simple right-of-way dedications to the City of Scottsdale:
 - a. MILLER ROAD. 50-foot half-street right of way, consistent with Major Collector street classification.
 - b. LEGACY BOULEVARD. 50-foot half-street right of way, consistent with Major Collector street classification.
 - c. HAYDEN ROAD. Dedicate an additional 10 feet on the west side of the existing Hayden Road right of way and assign an additional 10 feet of right of way on the east side of the existing Hayden Road right of way to create a 75-foot half-street (150-foot full-street) right of way, consistent with Major Arterial street classification.
 - d. INTERNAL STREETS. At the time of issuance of the first building permit, the owner shall dedicate the internal street connection from Hayden Road to Miller Road near the midpoint of the overall property; and shall dedicate the local street connecting the Loop 101 frontage road to the midpoint street.
14. PUBLIC NON-MOTORIZED ACCESS EASEMENT. A continuous Public Non-Motorized Access Easement shall be dedicated over any portion of the street sidewalk that extends beyond the right of way onto private property.

INFRASTRUCTURE

15. CONSTRUCTION COMPLETED. Prior to issuance of any Certificate of Occupancy or Certification of Shell Building, whichever is first, the owner shall complete all the infrastructure and improvements required by the Scottsdale Revised Code and these stipulations.
16. STANDARDS OF IMPROVEMENTS. All improvements (curb, gutter, sidewalk, curb ramps, driveways, pavement, concrete, water, wastewater, etc.) shall be constructed in accordance with the applicable City of Scottsdale Supplements to the Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction, Maricopa Association of Governments (MAG) Uniform Standard Specifications and Details for Public Works Construction, the Design Standards and Policies Manual (DSPM), and all other applicable city codes and policies.

17. CIRCULATION IMPROVEMENTS.

- a. **MILLER ROAD.** Prior to completion of the east/west connection to Miller Road, the developer shall submit and obtain approval of construction documents to construct the following Miller Road improvements:
 1. Construct full-street improvements (curb, gutter, sidewalk, pavement, etc.) in accordance with the Major Collector street designation, as specified in the DSPM, from Legacy Blvd. south to a point midway between Legacy Blvd, and the Loop 101 frontage road.
- b. **HAYDEN ROAD.** Prior to issuance of the first Certificate of Occupancy within Planning Unit V, the developer shall submit and obtain approval of construction documents to construct and shall be substantially underway with construction of the following improvements:
 1. Construct street-widening improvements (curb, gutter, sidewalk, pavement, deceleration lanes to provide westbound access into Planning Unit V, etc.) in accordance with the Major Arterial street designation, as specified in the DSPM, to widen Hayden Road from four lanes to six lanes between the north side of the Loop 101 and Legacy Boulevard.
 2. Construct a traffic signal at the intersection of the main internal east-west street and Hayden Road (located approximately midway between Legacy Boulevard and the 101 interchange). If the approved traffic analysis indicates that the traffic control device is warranted with the completion of the first phase of development, the developer will construct the traffic control device with the Hayden Road street-widening improvements. The design of the traffic control device shall assume that an east leg will be constructed in the future. If a traffic signal is constructed, City staff will activate the signal when it is determined to be warranted.

18. **REGIONAL DRAINAGE IMPROVEMENTS.** The developer shall be responsible for construction of the Powerline Drainage Channel, from Thompson Peak Parkway to Basin 53R, consistent with the provisions of the Development Agreement.

19. **FIRST FLUSH/WATER QUALITY REQUIREMENTS.** Developer shall be responsible for addressing the City's storm water quality control regulations.

20. **WATER AND WASTEWATER IMPROVEMENTS.** The owner shall provide all water and wastewater infrastructure improvements, including any new service lines, connection, fire-hydrants, and man-holes, necessary to serve the development.

21. **FIRE HYDRANT.** The owner shall provide fire hydrants and related water infrastructure adjacent to the parcel, in locations determined by the Fire Department Chief, or designee.

REPORTS AND STUDIES

22. **DRAINAGE REPORT.** With each Development Review Board submittal, the owner shall submit a Drainage report in accordance with the Design Standards and Policies Manual for the development project. In the drainage report, the owner shall address/demonstrate:

- a. Consistency with the TY Lin Crossroads East Drainage Concept Report dated July 2015

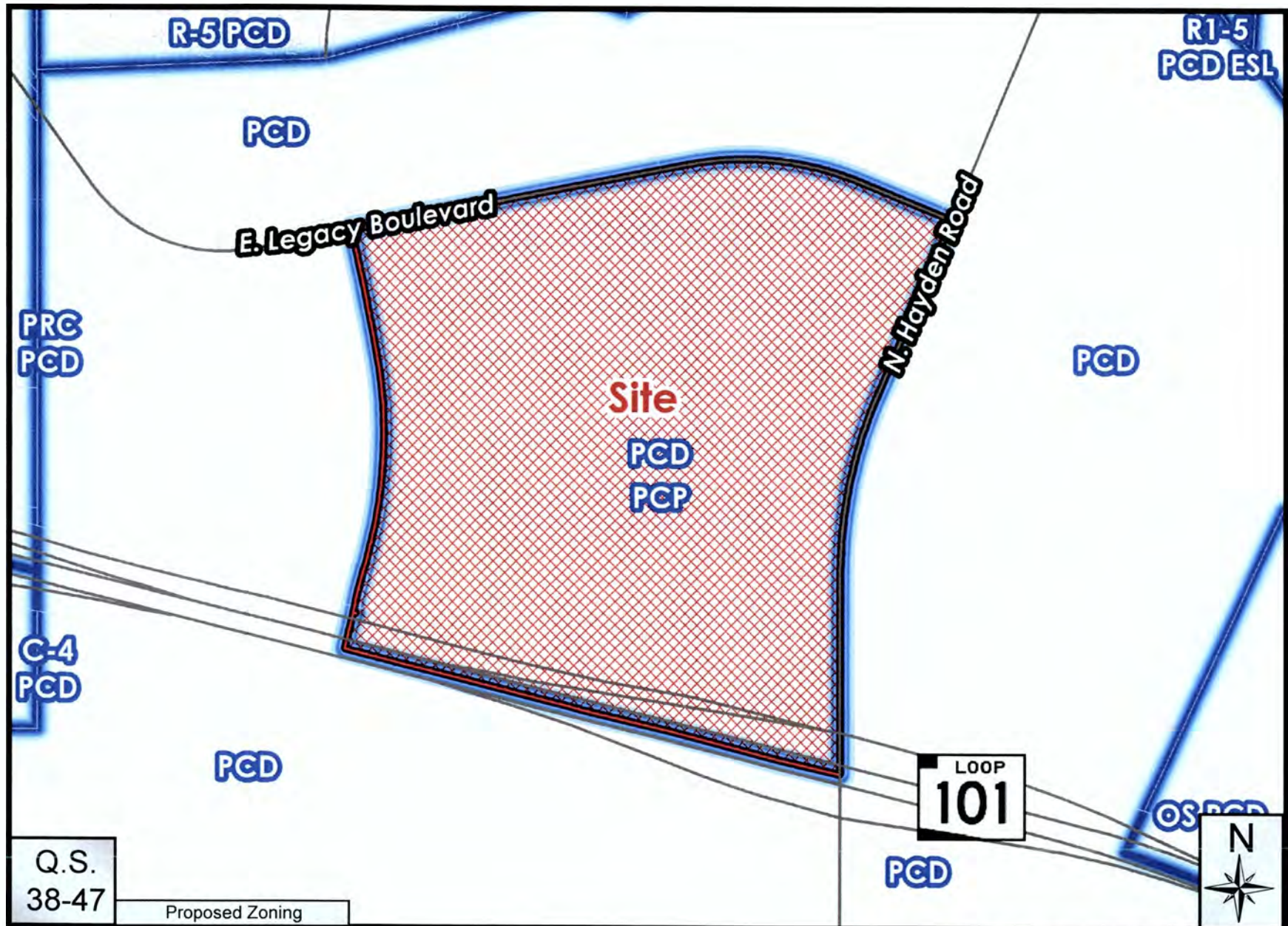
23. **BASIS OF DESIGN REPORT (WATER).** With each Development Review Board submittal, the owner shall submit a Final Basis of Design Report for Water for the development project in accordance with

the Design Standards and Policies Manual; unless otherwise indicated by the Water Resources Division.

24. BASIS OF DESIGN REPORT (WASTEWATER). With each Development Review Board submittal, the owner shall submit a Final Basis of Design Report for Wastewater for the development project in accordance with the Design Standards and Policies Manual; unless otherwise indicated by the Water Resources Division.

MASTER PLANS

25. MASTER INFRASTRUCTURE PLANS. The owner shall provide each Master Infrastructure Plan specified below, prepared by a registered engineer licensed to practice in Arizona, and in accordance with the Design Standards and Policies Manual. Each Master Infrastructure Plan shall be accepted by city staff before any Development Review Board approval, and shall include a complete description of project phasing, identifying the timing and parties responsible for construction.
- a. Master Transportation/Circulation Systems Plan
 - b. Master Drainage Systems Plan – Developer shall construct their portion of the connection to the regional drainage improvements, as specified in the TY Lin Crossroads East Drainage Concept Report dated July 2015. Developer may opt to construct interim improvements necessary to demonstrate compliance with the City’s Storm Water and Floodplain Management Ordinance and DSPM, which prohibit adverse impacts to other properties. In this case, developer shall be responsible for the future connection to the aforementioned regional drainage improvements, as soon as this connection proves feasible.
 - c. Master Water Systems Plan
 - d. Master Wastewater Systems Plan



Crossroads East – 130 Acres

Ordinance No. 4347
Exhibit 2
Page 1 of 1

19-ZN-2002#6

RESOLUTION NO. 11147

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE CITY CLERK OF THE CITY OF SCOTTSDALE AND ENTITLED "CROSSROADS EAST - PLANNING UNIT V DEVELOPMENT PLAN".

WHEREAS, State Law permits cities to declare documents a public record for the purpose of incorporation into city ordinances; and

WHEREAS, the City of Scottsdale wishes to incorporate by reference amendments to the Zoning Ordinance, Ordinance No. 455, by first declaring said amendments to be a public record.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. That certain document entitled "Crossroads East - Planning Unit V Development Plan", attached as Exhibit 'A', a paper and an electronic copy of which are on file in the office of the City Clerk, is hereby declared to be a public record. Said copies are ordered to remain on file with the City Clerk for public use and inspection.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this ____ day of _____, 2018.

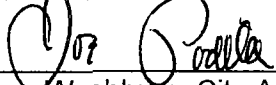
ATTEST:

CITY OF SCOTTSDALE, an
Arizona municipal corporation

By: _____
Carolyn Jagger, City Clerk

By: _____
W. J. "Jim" Lane, Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY



Bruce Washburn, City Attorney
By: Joe Padilla, Deputy City Attorney

Crossroads East - Planning Unit V Development Plan

~~346-PA-2002~~

19-ZN-2002-6

Prepared for
Arizona State Land Department
by
EPS Group Inc.

Submitted October 12, 2017

Revised March 22, 2018

Revised April 19, 2018

Revised April 26, 2018



Arizona State Land Department

1616 W Adams Street

Phoenix, AZ 85007

Crossroads East Planning Unit V Development Plan

Amendment

~~346-PA-2002~~

19-ZN-2002-6

Revised March 22, 2018

Revised April 19, 2018

Revised April 26, 2018

Prepared for:

Arizona State Land Department

1616 W Adams

Phoenix AZ 85007

Contact:

Mark Edelman, AICP

MEdelman@AzLand.gov

602.542.6331

Submitted to:

City of Scottsdale

Planning & Development Services

7447 E Indian School Road, Ste. 105

Scottsdale AZ 85251

Contact:

Greg Bloemberg

gbloemberg@ScottsdaleAZ.gov

480.312.4306

Prepared by:

EPS Group Inc.

2045 S. Vineyard Avenue, Ste. 101

Mesa AZ 85210

Contact:

Jackie Guthrie, AICP

jackie.guthrie@epsgroupinc.com

480.503.2250

Resolution No. 11147

Exhibit A

Page 2 of 41

I. Introduction

The proposed new Planning Unit V is a centrally located transition zone between the more intense mixed-use area to the west and along the freeway and the less intense residential uses to the north and employment uses to the east. This area is bounded by Loop 101, Hayden Road, Legacy Boulevard and Miller Road. Planning Unit V is Crossroads East's proposed location for major employment uses and to act as an extension of the activity center along the north side of the freeway.

This area will provide a mix of uses in a setting that encourages pedestrian activity and integrated open space corridors and streetscapes. To accommodate this plan, amended development standards for height and building setbacks are proposed within the Planned Airpark Core Development (PCP) comparative zoning district. These amendments support GACAP Policy 2.1.5, which states that the Hayden North Signature Corridor should consist of urban characteristics that celebrate transitions from the urban environment to the native desert and residential areas.

II. Development Plan

Per Sec. 7.820 of Zoning Ordinance, the following plans, reports and elements have been prepared and submitted as identified for the PCP zoning district. These are in addition to other plans and reports submitted for the Crossroads East Planned Community concurrently and in a number of previous submittals.

1. *Development Program (Land Use Profile) (See Attachment #1)*
2. *Development Program (Amended Development Standards) (See Attachment #2)*
3. *Site Plan (See Attachment #3)*
4. *Drainage Report*
 - A drainage strategy has been prepared that includes an analysis and recommendations for solving regional drainage impacts in the general area.
 - The results of this analysis and proposed solution for managing regional drainage considerations are embodied in a proposed development agreement.
5. *Transportation Analysis & Concepts (See Attachment #4)*
 - Note: Extensive transportation modeling and analysis has been conducted and reviewed by Transportation staff and has been accepted. The stipulations reflect this analysis and its findings.
6. *Conceptual Open Space Plan (See Attachment #5)*
7. *Transitions Plan:*
 - The Maximum Building Height Restrictions Plan (See Attachment #6)
 - The Conceptual Open Space Plan (See Attachment #5)
 - The Proposed Amended Development Standards (See Attachment #2)
 - The Conceptual Road Cross Sections (See Attachment #7)
 - The Maximum Floor Area Ratio Restrictions Plan (See Attachment #9)

8. Parking Plan

- The attached Design Principles (See Attachment #8) encourage parking areas to be structured where possible and oriented to not dominate the streetscapes.
- The amount of parking and type of parking will be determined at the time of specific development. The parking provided will comply with Scottsdale ordinance requirements and processes.
- Since this development area may be released in many sub-units for development over several transactions, it is not possible at this time to pinpoint the specific types and locations of parking areas.

9. Cultural Amenities Plan

- Based on the Scottsdale General Plan, there are no public cultural amenities (schools, park, etc.) planned for the area within Planning Unit V of the Crossroads East Planned Community.
- Each residential development shall provide recreational and community amenities as appropriate to serve the development.

10. Sensitive Design Concept Plan & Proposed Guidelines

- The proposed Design Principles address a number of goals and expectations that would establish a high-quality development, including open space, building design and parking. (See Attachment #8)
- The proposed Amended Development Standards include provisions for enhanced perimeter setbacks, signature intersections and interior pedestrian/intersection enhancements that add specificity to the design principles. (See Attachment #2)

11. Conceptual Signage Plan

- The master developer may seek to install entryway wall signs or entryway monument signs as provided in the Zoning Ordinance. The locations most likely for such signs would be at the intersections of Legacy and Hayden and Miller, Hayden and the Pima Freeway, and at the three main entry streets identified on the Conceptual Circulation Plan (particularly at the main entrance on Hayden Road which will be considered as a "Gateway Entry").
- The Master Sensitive Design Concepts and Plan, as stipulated, will include greater detail regarding signs as reflected in the greater level of detail that will become available.

12. Conceptual Phasing Plan

- As incorporated in a concurrent development agreement, there will be thresholds established that will relate, in the initial phases of development, the ratio of commercial to residential development within Crossroads East Planning Unit V.
- The development agreement incorporating the regional drainage solution will also include elements relating to phasing of development across the Planning Unit.
- In general, it is expected that the initial phase of on-site development shall occur in the southeast quadrant of the Planning Unit. All undeveloped portions shall be kept as best possible in an undisturbed and clean natural condition.

- As all or portions are released for development, the Development Master Plans shall provide concepts, analysis and details on how that portion shall both have adequate infrastructure to serve it as well as extend its portion of infrastructure in conformance with city master plans and the stipulations provided for the Crossroads East Planned Community.

13. Building Height Plan (See Attachment #6 and 6A)

- Building heights will step down from the south to the north in order to achieve a transition from the freeway frontage toward existing and proposed development to the north.

14. Floor Area Ratio (F.A.R.) (See Attachment #9)

III. Justification of Amended Development Standards

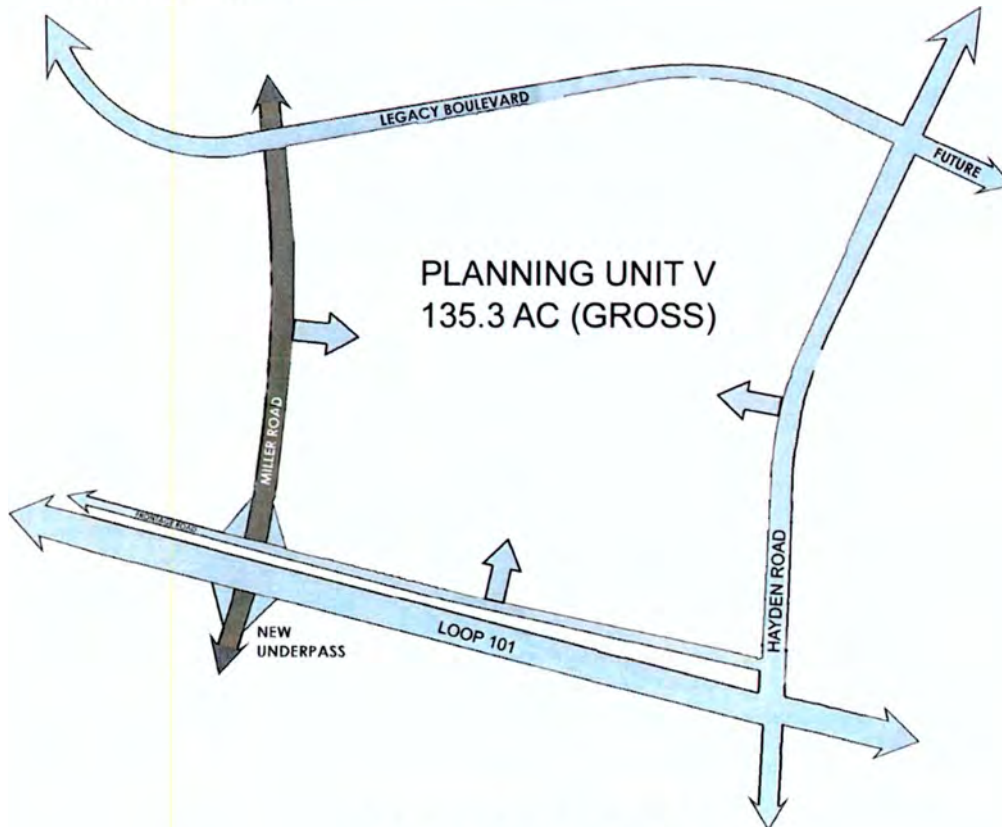
The proposed development of Crossroads East Planning Unit V will provide substantial infrastructure improvements, rights-of-way and easements that benefit the greater portion of Crossroads East as well as the surrounding region. The development of Planning Unit V will include off-site regional drainage rights-of-way both north and south of the Loop 101 Freeway, infrastructure in the form of full channel improvements for the power line channel from Hayden Road to the large basin, and rights-of-way for the power line channel and basin north of the freeway as well as future channels south of the freeway. The Powerline channel is a critical piece of regional infrastructure that will protect hundreds of acres of land as well as the freeway.

Additional significant improvements will include financial participation of the Miller Road underpass, the dedication of the full street rights-of-way for Miller Road from the Grayhawk development to Princess Drive, and design and construction of Miller Road from the Loop 101 underpass to Legacy Boulevard. Additional major street commitments will include increasing the capacity for Hayden Road from the freeway to Legacy Blvd. and the full street dedication of right-of-way for Legacy Blvd.

Other major improvements that the development of Planning Unit V is committing to are the design, construction and easements for major sewer line and pump station improvements east of Hayden Road and the oversizing of water and sewer lines across and around the development area. These improvements to the sewer and water facilities will provide much needed relief to the surrounding City infrastructure. Implicit in these are substantial investments in surveying, engineering and dedication instruments in order to achieve the commitments. Many of these will occur within a specified timeframe that assures the ability of development to proceed not only within the development area but also on nearby properties.

The overall investment in regional infrastructure by the developer of Planning Unit V will exceed \$3 million and the full value of commitments to the public infrastructure will greatly exceed that amount. The full effect will be that substantial lands and infrastructure systems will be expanded and opened up to ongoing improvement and benefit to the community.

Development Program (Land use profile)
Attachment #1



CROSSROADS EAST
PLANNING UNIT V
SCOTTSDALE, ARIZONA

Proposed Land Uses

Land Use Type (1)	Land Use Intensity (2)
Residential	1,200 – 1,600 dwelling units
Hotel	130 – 400 rooms
Retail & Service Uses	50,000 – 200,000 square feet
Office & Employment	800,000 – 1,800,000 square feet

(1) The uses allowed are those included in the PCP AMU-R in Table 5.4006.A.

- (2) The net area of the parcel excluding project rights-of-way for perimeter streets is approximately 124 acres.*
- (3) For the first 450,000 square feet of non-residential construction, the amount of residential construction allowed is one (1) dwelling unit for each thousand (1,000) square feet of non-residential building that has been issued building permits.*
- (4) The allowed Gross Floor Area (GFA) on a specific site will be controlled by varying Floor Area Ratio (FAR) limits for residential and non-residential uses on specific areas as identified in the Amended PCP Development Standards for Planning Unit V.*

Attachment #2

Sec. 5.4000. - Planned Airpark Core Development (PCP).^[9]

Footnotes:

--- (9) ---

Ord. No. 4120, § 1(Res. No. 9585, Exh. A, § 1), adopted December 9, 2013, repealed former §§ 5.4000—5.4006 and enacted new provisions designated as §§ 5.4000—5.4012 to read as herein set out. Prior to inclusion of said ordinance, 5.4000 pertained to Planned Commerce Park (PCP). See also the Code Comparative Table.

Sec. 5.4001. - Purpose.

The purpose of the PCP District is to promote, encourage, and accommodate innovatively designed and master-planned mixed-use developments within the Greater Airpark Character Area. The PCP District should:

- A. Accommodate mixed-use commerce and employment centers.
- B. Provide a dynamic complement to employment cores with support retail, service, tourism, cultural, and residential uses.
- C. Promote an efficient and safe traffic circulation system through the inclusion of a mix of complementary uses and provisions for multiple modes of travel.
- D. Promote architectural excellence and creative design through development standards that create high quality character for structures, site plans, and streetscapes.
- E. Protect adjacent neighborhoods through strict development standards while encouraging innovative site planning and environmental sensitivity throughout the PCP District.
- F. Provide an open space framework of enhanced streetscapes, functional pedestrian spaces, enhanced view corridors and other public environmental amenities.
- G. Promote environmental stewardship and sustainability through the application of recognized and established environmentally responsible building techniques and desert appropriate design approaches.

(Ord. No. 4120, § 1(Res. No. 9585, Exh. A, § 1), 12-9-13)

Sec. 5.4002. - Applicability.

The PCP District is only applicable to properties within the Greater Airpark Character Area Plan.

(Ord. No. 4120, § 1(Res. No. 9585, Exh. A, § 1), 12-9-13)

Sec. 5.4003. - Application requirements.

- A. *Development Plan size requirement.* Minimum: 2 acres of gross lot area.
- B. *Zoning District Map Amendment Applications.* An application for PCP zoning shall be accompanied by a Development Plan as required in Article VII.

- C. *Development Master Plans.* Developments within the PCP District that are developed in more than one phase shall submit Development Master Plans, as required in Article VII.

(Ord. No. 4120, § 1(Res. No. 9585, Exh. A, § 1), 12-9-13)

Sec. 5.4004. - Reserved.

Editor's note— Ord. No. 4164, § 1(Res. No. 9857, § 1, Exh. A, § 39), adopted Aug. 25, 2014, repealed § 5.4004 which pertained to approvals required and derived from Ord. No. 4120, § 1(Res. No. 9585, Ex. A, § 1), adopted Dec. 9, 2013.

Sec. 5.4005 - Conformance to approved plans.

- A. A PCP District shall be developed in conformance with the approved Development Plan and other required Development Master Plans as provided in Article VII.

(Ord. No. 4120, § 1(Res. No. 9585, Exh. A, § 1), 12-9-13)

Sec. 5.4006. - Use Regulations.

- A. The uses allowed in the PCP District are shown in Table 5.4006.A. with additional limitations on uses as listed. The land uses that correspond for each of the land use designations in the Greater Airpark Character Area Plan are as set forth in the sub-districts below in Table 5.4006.A. The land use designations depicted on the Greater Airpark Future Land Use Plan Map are:

1. Airpark Mixed Use Residential (AMU-R)
2. Airpark Mixed Use (AMU)
3. Employment (EMP)
4. Aviation (AV), and
5. Regional Tourism (RT).

- B. Drive-through and drive-in services are not allowed in the PCP-AMU-R, PCP-AMU, PCP-AV and PCP-RT sub-districts.

Table 5.4006.A. Use Table					
Land Uses	Sub-Districts				
(P is a Permitted use.)	PCP-AMU-R	PCP-AMU	PCP-EMP	PCP-AV	PCP-RT
1. Aeronautical use				P (3)	
2. Bar	P	P			P
3. Civic and social organization	P (2)	P (2)	P (2)		P (2)
4. Cultural institution	P (2)	P (2)	P (2)		P (2)
5. Day care center	P (2, 6)	P (2, 6)			P (2, 6)
6. Dwelling	P (2, 4, 6)				P (2, 6)
7. Educational service, elementary and secondary school	P (2, 6)	P (2, 6)	P (1, 2, 6)		P (1, 2, 6)
8. Educational service, other than elementary and secondary school	P (2, 6)	P (2, 6)	P (2, 6)	P (1, 2, 6)	P (2, 6)
9. Financial institution	P	P	P (1)		P (1)
10. Health and fitness studio	P	P	P		P
11. Light manufacturing		P	P	P	
12. Live entertainment	P	P			P
13. Medical and diagnostic laboratory	P	P	P		
14. Medical recovery or therapy center	P (2, 4, 6)	P (2, 4, 6)	P (2, 6)		P (1, 2, 6)
15. Multimedia production without communication tower	P (4)	P	P		P
16. Municipal use	P	P	P	P	P
17. Office	P (4)	P (4)	P		P
18. Personal care service	P	P	P (1)		P
19. Place of worship	P (2, 6)	P (2, 6)	P (1, 2, 6)		P (1, 2, 6)
20. Recreation facility					P
21. Residential health care facility	P (2, 4, 5, 6)				P (1, 2, 5, 6)
22. Restaurant	P	P	P (1)		P
23. Retail	P	P			P
24. Scientific research and development		P (4)	P	P	
25. Sports arena		P (1, 2)	P (1, 2)		P (2)
26. Theater	P (2, 6)	P (2, 6)			P (2, 6)

27. Travel accommodations	P (2, 6)	P (2, 6)	P (1, 2, 6)		P (2, 6)
28. Vehicle leasing, rental, or sales	P (4)	P (1, 4)	P (1, 4)	P	P (4)
29. Veterinary and pet care service	P	P			P
30. Wholesale, warehousing and distribution			P	P	
31. Wireless communications facility, Type 1, 2, and 3.	P	P	P	P	P

Use Limitations:

- (1) Limited to a site with frontage on a major collector or arterial street.
- (2) Limited to areas outside of the AC-3 area as described in the City's procedures for development near the Scottsdale Airport and in the Scottsdale Revised Code, Chapter 5 - Aviation, as amended.
- (3) Limited to a site with frontage onto an airport taxi lane or taxiway.
- (4) Limited to a maximum of 50 percent of the ground floor building area of the Development Plan.
- (5) Limited to a maximum density of 40 dwelling units per acre of gross lot area
- (6) Limited to a sound transmission class of not less than 50 (45 if field tested) as provided in the International Building Code (IBC), and subject to fair disclosure requirements to notify property owners and tenants within the Airport Influence Area.

(Ord. No. 4120, § 1(Res. No. 9585, Exh. A, § 1), 12-9-13; Ord. No. 4143, § 1(Res. No. 9678, Exh. A, § 121), 5-6-14)

Sec. 5.4007 – Development Standards. **(NOTE: THE FOLLOWING AMENDED STANDARDS SHALL APPLY TO CROSSROADS EAST PLANNING UNIT V (IN THE AREA BOUNDED BY THE LOOP 101 FREEWAY, NORTH MILLER ROAD, EAST LEGACY BOULEVARD AND NORTH HAYDEN ROAD - THE DEVELOPMENT PLAN AREA).)**

A. Floor area ratio. Maximum: ~~0.8 for the Development Plan~~

1. **0.50 FOR ALL NON-RESIDENTIAL USES AND 0.95 FOR RESIDENTIAL USES WHERE THE DEVELOPMENT PLAN AREA IS WITHIN 250 FEET OF LEGACY BLVD. RIGHT-OF-WAY,**
2. **0.70 FOR ALL NON-RESIDENTIAL USES, 0.85 FOR TRAVEL ACCOMMODATION USES AND 1.10 FOR RESIDENTIAL USES WHERE THE DEVELOPMENT PLAN AREA IS MORE THAN 900 FEET FROM THE LOOP 101 FREEWAY RIGHT-OF-WAY AND EQUAL TO OR MORE THAN 250 FEET FROM LEGACY BLVD.,**
3. **1.10 FOR ALL USES WHERE THE DEVELOPMENT PLAN AREA IS WITHIN 600 TO 900 FEET FROM THE LOOP 101 FREEWAY RIGHT-OF-WAY, AND**
4. **1.15 FOR ALL USES WHERE THE DEVELOPMENT PLAN AREA IS WITHIN TO 600 FEET FROM THE LOOP 101 FREEWAY RIGHT-OF-WAY.**

5. THE NET AREA FOR THE PURPOSES OF CALCULATING THE FLOOR AREA RATIO IN PLANNING UNIT V SHALL BE THE OVERALL PLANNING AREA EXCLUSIVE OF THE RIGHTS-OF-WAY FOR HAYDEN ROAD, LEGACY BOULEVARD, MILLER ROAD AND THE LOOP 101 FREEWAY.
 6. WHERE A DEVELOPMENT PARCEL OCCURS WITHIN TWO OR MORE OF THE AREAS IDENTIFIED IN 5.4007.A.1, A.2, A.3 AND A.4 HEREIN, THE TOTAL GROSS FLOOR AREA ALLOWED WITHIN THE DEVELOPMENT PARCEL SHALL BE THE SUM OF THE FLOOR AREA CALCULATIONS FOR THE INDIVIDUAL PORTIONS WITHIN EACH OF THE AREAS AS IDENTIFIED.
- B. Building height (including all rooftop appurtenances) AS MEASURED FROM THE FINISH FLOOR ELEVATION AND AS DETERMINED BY THE FLOODPLAIN ADMINISTRATOR TO COMPLY WITH THE PROVISIONS OF THE STORMWATER AND FLOODPLAIN MANAGEMENT ORDINANCE.
1. Maximum:
 - ~~a. 54 feet if the Development Plan area is between 2.00 and 5.00 acres,~~
 - a. 62 feet WHERE THE DEVELOPMENT PLAN AREA IS WITHIN 250 FEET OF LEGACY BLVD. RIGHT-OF-WAY, and
 - ~~b. 62 feet if the Development Plan area is between 5.01 and 10.00 acres, and~~
 - b. 84 FEET WHERE THE DEVELOPMENT PLAN AREA IS MORE THAN 900 FEET FROM THE LOOP 101 FREEWAY RIGHT-OF-WAY AND EQUAL TO OR MORE THAN 250 FEET FROM LEGACY BLVD. RIGHT-OF-WAY,
 - ~~c. 84 feet if the Development Plan area is more than 10.00 acres, except as provided below,~~
 - c. 98 FEET WHERE THE DEVELOPMENT PLAN AREA IS WITHIN 600 TO 900 FEET FROM THE LOOP 101 FREEWAY, AND
 - d. 115 FEET WHERE THE DEVELOPMENT PLAN AREA IS WITHIN TO 600 FEET FROM THE LOOP 101 FREEWAY RIGHT-OF-WAY.
 2. Maximum near single family residential:
 - a. 42 feet within 300 feet of any single-family residential districts shown on Table 4.100.A, or the portion of a Planned Community (P-C) with an underlying zoning district comparable to the single-family residential districts shown on Table 4.100.A., or any Planned Residential Development (PRD) District.
 - b. Rooftop appurtenances. These structures including the screening of them shall not cover more than 35 percent of the roof area of the building(s) in the Development Plan.
- C. Required open space.
1. Total open space.
 - a. Minimum: 25 percent of net lot area of the Development Plan **FOR RESIDENTIAL USES AND**

20 PERCENT FOR ALL NON-RESIDENTIAL USES.

- i. **REQUIRED OPEN SPACE SHALL INCLUDE ALL ON-SITE LANDSCAPED AREAS EXCLUSIVE OF PARKING AREAS EXCEPT AS PROVIDED IN SECTION 5.4007.C.1.a.iii, ALL EXTERIOR PEDESTRIAN ACCESS SURFACES, PLAZA AND RELATED HARDSCAPE SURFACED AREAS, PATIOS, ROOF-TOP GARDENS, COMMON AREAS, RECREATIONAL AMENITIES, SIDEWALKS, TRAILS, RECREATION AREAS, LANDSCAPING, WATER FEATURES, SEATING AREAS, GAZEBOS, COMMON AREAS, AND COMMON OPEN SPACES RELATED TO DRAINAGE.**
 - ii. **ALL AREAS NOT WITHIN THE FOOTPRINT OF A BUILDING OR WITHIN THE PAVED PORTION OF A PARKING AREA SHALL BE KEPT IN A NATURAL CONDITION, LANDSCAPED OR IMPROVED AS A PEDESTRIAN ACCESS AREA.**
 - iii. **LANDSCAPE OR HARDSCAPE AREAS ADJACENT TO OR WITHIN SURFACE PARKING AREAS THAT ARE ABOVE THE MINIMUM 15 PERCENT REQUIREMENT FOR SURFACE PARKING AREAS SHALL BE COUNTED IN THE OPEN SPACE REQUIRED IN THIS SECTION.**
 - iv. **THE ENTIRETY OF A VERTICAL MIXED-USE BUILDING WITH GROUND FLOOR NON-RESIDENTIAL USES AND UPPER FLOOR RESIDENTIAL USES SHALL BE DEEMED A NON-RESIDENTIAL BUILDING FOR THE PURPOSES OF THIS SECTION 5.4007.C.1.**
2. **Parking areas and parking lot landscaping, EXCEPT AS PROVIDED IN SECTIONS 5.4007.C.1.a.iii, are not Included in the required open space.**
3. **FRONTAGE OPEN SPACES.**
 - a. **AVERAGE 40 FEET AND MINIMUM OF 30 FEET, MEASURED FROM PROPERTY LINE ALONG HAYDEN ROAD.**
 - b. **AVERAGE 20 FEET AND MINIMUM OF 10 FEET, MEASURED FROM PROPERTY LINE ALONG LEGACY BOULEVARD.**
 - c. **MINIMUM 20 FEET ALONG THE LOOP 101 FREEWAY RIGHT-OF-WAY.**
 - d. **AVERAGE 20 FEET AND MINIMUM OF 10 FEET, MEASURED FROM PROPERTY LINE, ALONG MILLER ROAD**

D. Building setbacks.

1. **Front setback.**
 - a. **Minimum: 25 feet along arterial and major collector streets.**
 - b. **Minimum: ~~30~~ 20 feet along minor collector and local streets.**
2. **Measuring setbacks along streets. All setbacks shall be measured from the curb line along streets.**
3. **Signature intersections. At the intersection of two streets, when both streets are classified as**

a major collector or arterial, there shall be a building setback triangle. The two equal sides of the triangle shall be 70 feet, starting from the point of the extension of the property lines at the corner. Within the triangle at least 50 percent of the area shall be shaded by structural or landscape materials.

4. **PEDESTRIAN INTERSECTIONS. AT THE INTERSECTION OF TWO STREETS, WHEN BOTH STREETS ARE CLASSIFIED AS A MINOR COLLECTOR OR LOCAL STREET, THERE SHALL BE A BUILDING SETBACK TRIANGLE. THE TWO EQUAL SIDES OF THE TRIANGLE SHALL BE 30 FEET, STARTING FROM THE POINT OF THE EXTENSION OF THE PROPERTY LINES AT THE CORNER. WITHIN THE TRIANGLE AT LEAST 50 PERCENT OF THE AREA SHALL BE SHADED BY STRUCTURAL OR LANDSCAPE MATERIALS.**

5. ~~4.~~Side and rear setbacks.

a. Abutting residential districts (as shown on Table 4.100.A., or the portion of a Planned Community (P-C) with an underlying zoning district comparable to the residential districts shown on Table 4.100.A., or a Planned Residential Development (PRD) District). (See Example 5.4007.E.1.)

i. Minimum: 60 feet from any single-family residential district, and

ii. Minimum: 30 feet from all other residential districts.

b. Abutting non-residential districts. (See Example 5.4007.4.2)

i. Minimum: 15 feet

E. Stepback plane.

1. Abutting single family districts (as shown on Table 4.100.A., or the portion of a Planned Community (P-C) with an underlying zoning district comparable to the single-family residential districts shown on Table 4.100.A., or a Planned Residential Development (PRD) District).

a. Vertical to horizontal ratio: 1:2.5, beginning 6 feet above the PCP District boundary. (See Example 5.4007.E.1.)

2. Other locations.

a. Vertical to horizontal ratio: ~~1:2 beginning 38 feet above the setback line.~~ (See Example 5.4007.E.2.)

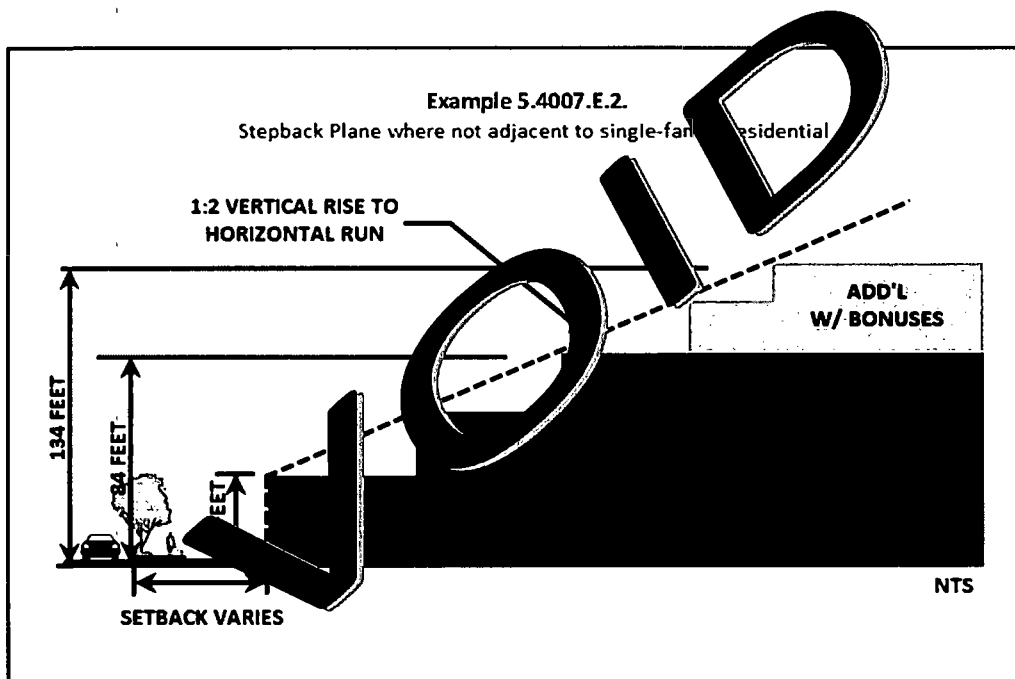
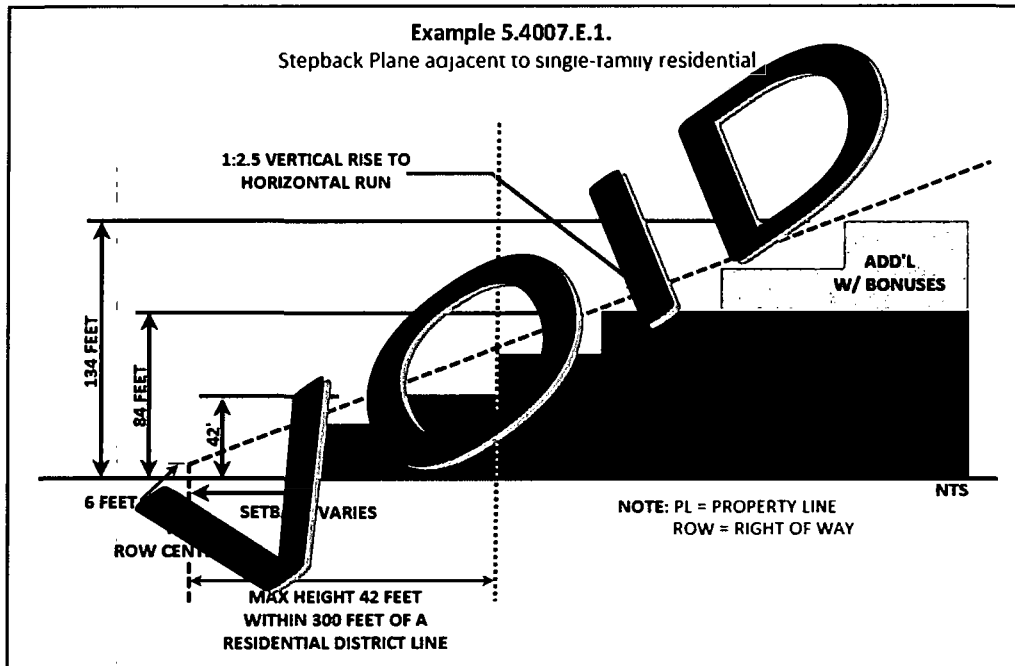
i. **1:2 RATIO BEGINNING AT 64 FEET ABOVE 40 FEET FROM THE RIGHT-OF-WAY LINE FOR HAYDEN ROAD (SEE EXAMPLE SECTION A),**

ii. **1:1 ratio beginning at 38 feet above the setback LINE UP TO A HEIGHT OF 62 FEET AND THEN 1:2 ALONG LEGACY BOULEVARD (SEE EXAMPLE SECTION B),**

iii. **1:1 ratio beginning 38 feet above the setback line ALONG MILLER ROAD (SEE EXAMPLE SECTION C),**

iv. **NONE ALONG THE LOOP 101 FREEWAY RIGHT-OF-WAY FRONTAGE,**

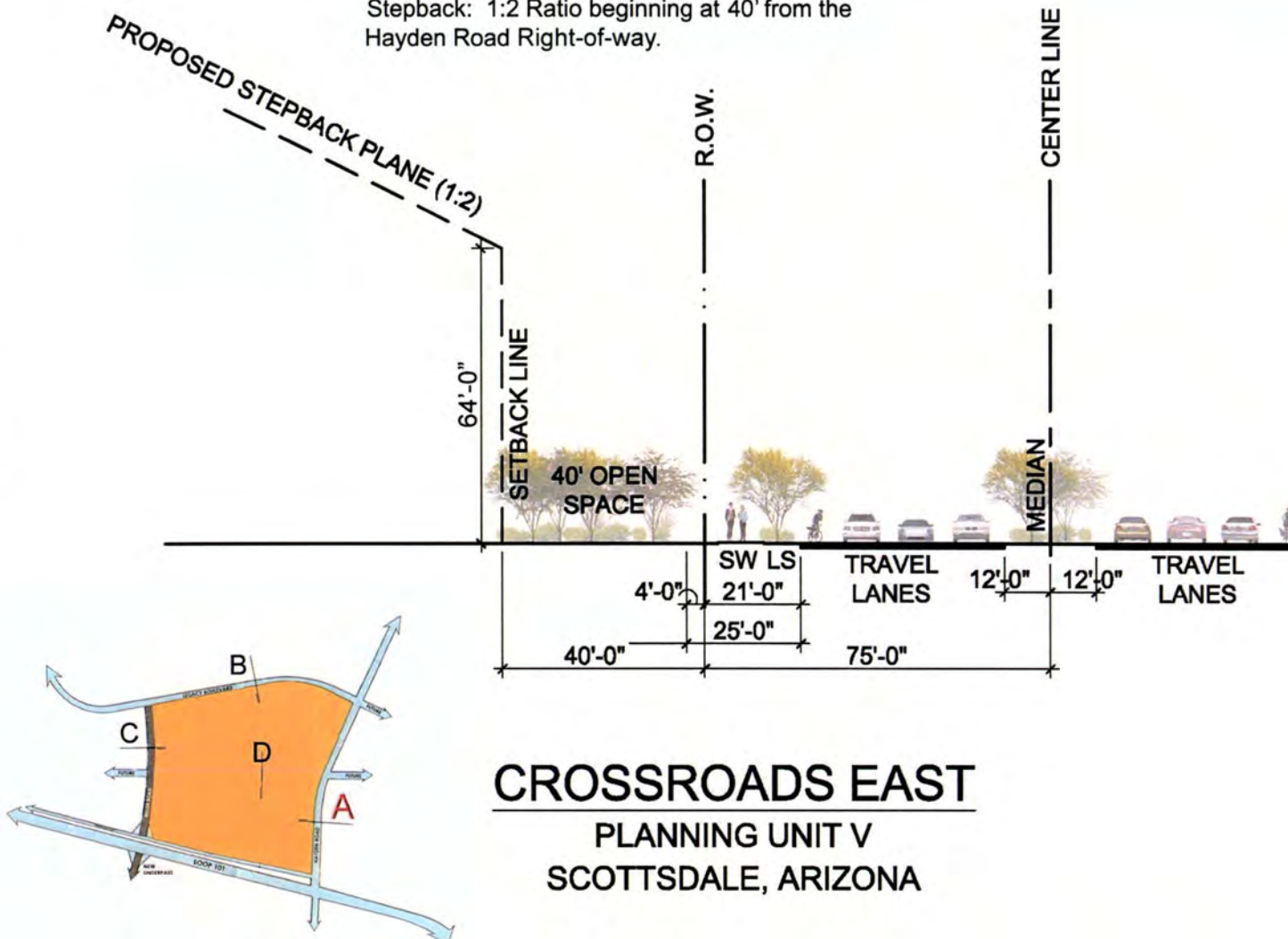
- v. **2:1** ratio beginning 38 feet above the setback line **UP TO A HEIGHT OF 64 FEET AND THEN 1:1** ALONG MINOR COLLECTOR AND LOCAL STREETS WITHIN 600 FEET OF THE FREEWAY RIGHT-OF-WAY (SEE EXAMPLE SECTION D), AND
- vi. **2:1** ratio beginning 38 feet above the setback line **UP TO A HEIGHT OF 64 FEET AND 1:2** ALONG MINOR COLLECTOR AND LOCAL STREETS MORE THAN 600 FEET FROM THE LOOP 101 FREEWAY RIGHT-OF-WAY.



F. *Screening.* All operations and storage shall be conducted within a completely enclosed building or within an area contained by a wall or fence as determined by Development Review Board approval.

PROPOSED
SECTION

PROPOSED STEPBACK PLANE (1:2)



EXAMPLE A: HAYDEN ROAD

Resolution No. 11147
Exhibit A
Page 16 of 41

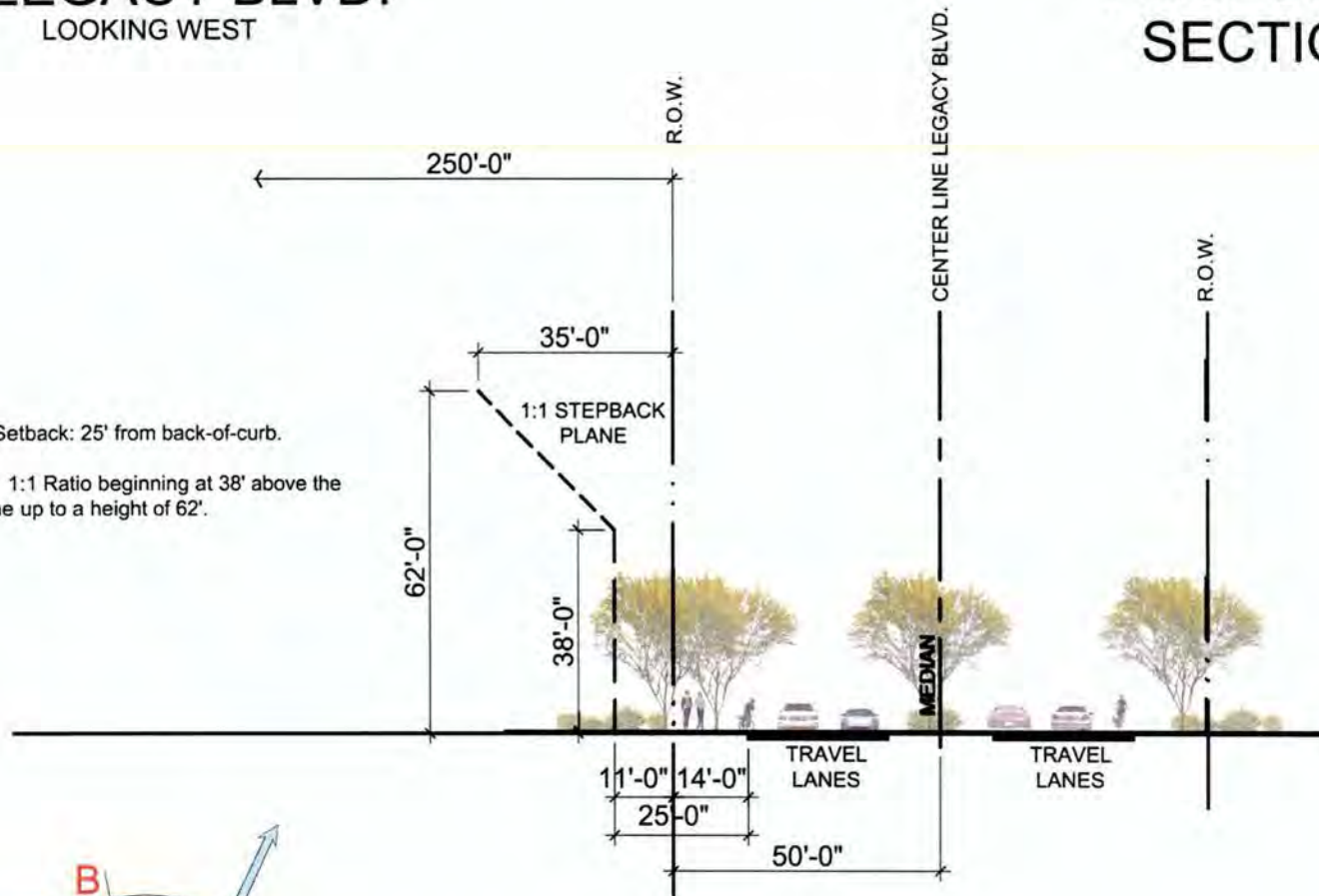
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B: LEGACY BLVD. LOOKING WEST

PROPOSED SECTION

Minimum Setback: 25' from back-of-curb.

Stepback: 1:1 Ratio beginning at 38' above the setback line up to a height of 62'.



EXAMPLE B: LEGACY BLVD.

CROSSROADS EAST PLANNING UNIT V SCOTTSDALE, ARIZONA

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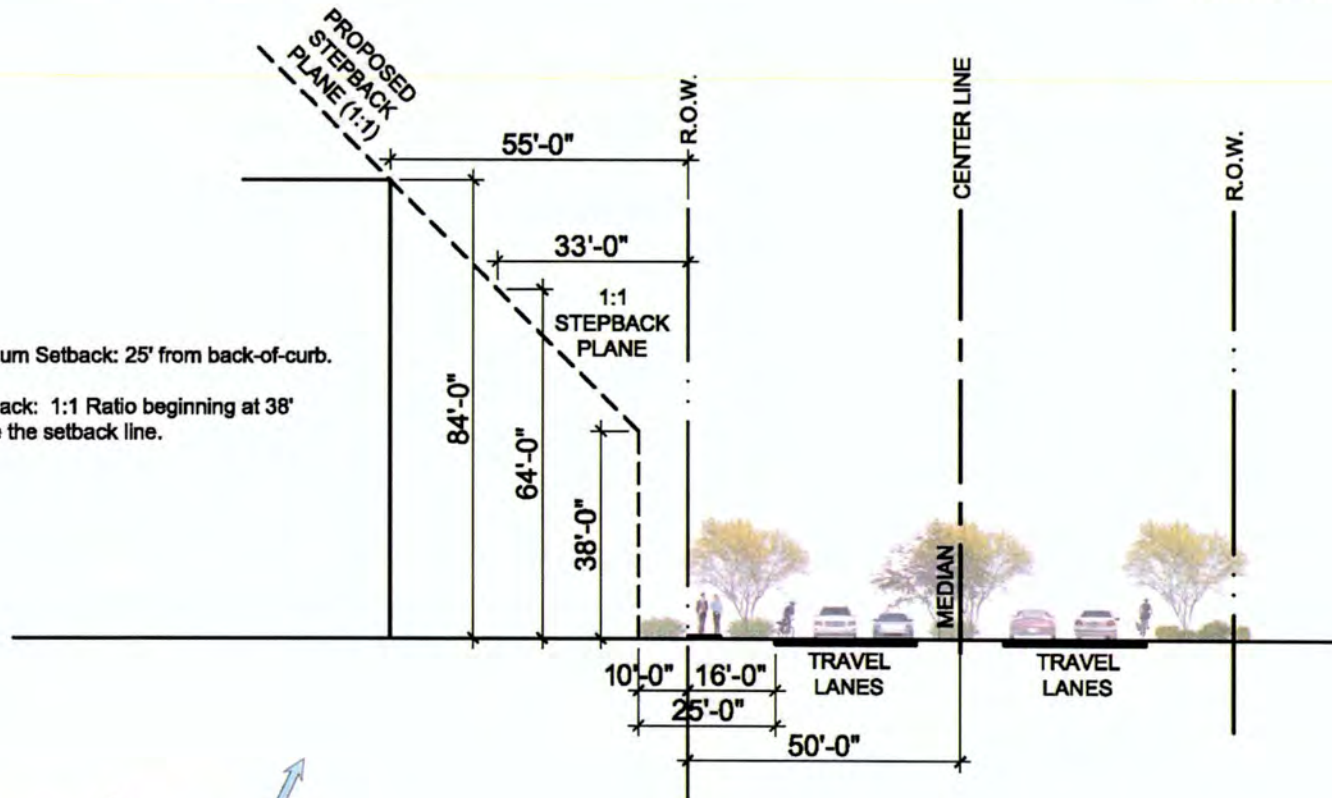


C: MILLER ROAD LOOKING SOUTH

PROPOSED SECTION

Minimum Setback: 25' from back-of-curb.

Stepback: 1:1 Ratio beginning at 38' above the setback line.



EXAMPLE C: MILLER ROAD

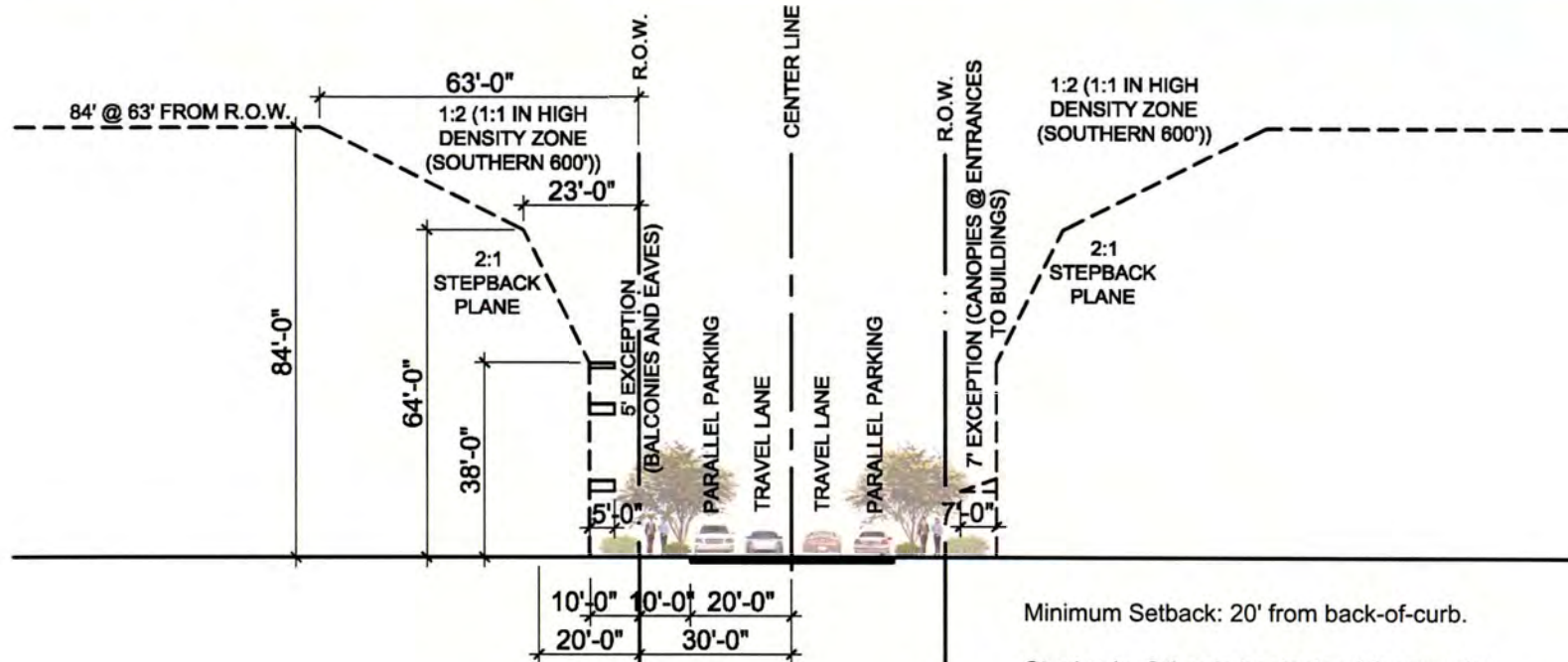


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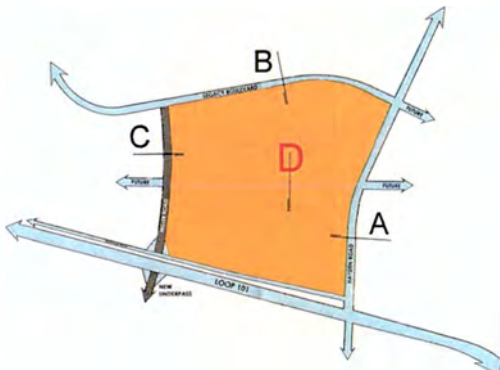
D: INTERNAL ROAD - LOCAL COMMERCIAL

PROPOSED SECTION



EXAMPLE D: LOCAL COMMERCIAL

Stepback: 2:1 ratio beginning 38' above the setback line up to a height of 64' then 1:1 within 600' of the freeway right-of-way / 1:2 more than 600' from the freeway right-of-way.



CROSSROADS EAST
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SCOTTSDALE, ARIZONA

04.24.18
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Sec. 5.4008. - Bonus development standards.

- A. *Qualifying sites.* Upon recommendation by the Planning Commission, the City Council may approve bonus development standards for additional building height and floor area on a Development Plan subject to the following criteria:
1. Minimum Development Plan area: 4.00 acres of gross lot area.
 2. Limitations:
 - i. Bonus development standards cannot be applied to any portion of a PCP District Development Plan that is less than 300 feet from a single-family district (as shown on Table 4.100.A., or the portion of a Planned Community (P-C) with an underlying zoning district comparable to the single-family residential districts shown on Table 4.100.A., or a Planned Residential Development (PRD) District).
 - ii. Bonus development standards cannot be applied to any portion of a PCP District Development Plan that is within the AC-3 area shown on Figure 1, Airport Influence Area, in the Scottsdale Revised Code, Chapter 5—Aviation, as amended.
- B. *Bonus development standards.* Subject to the maximum bonus development standards as provided below, the City Council may approve an increase of the floor area ratio (FAR) and/or an increase of the building height based upon the property owner providing any of the Special Improvements as identified below.
- C. *Maximum bonus development standards:*
1. Maximum FAR: 1.6.
 2. Maximum building height:
 - i. Development Plan area of 4.00 to 5.00 acres of gross lot area: 92 feet.
 - ii. Development Plan area of 5.01 to 10.00 acres of gross lot area: 104 feet.
 - iii. Development Plan area of 10.01 to 15.99 acres of gross lot area: 116 feet.
 - iv. Development Plan area of 16.00 acres or more of gross lot area: 134 feet.
 - v. The total floor area(s) of any single floor above building heights greater than 92 feet shall not exceed 20% of the total ground floor building area of the Development Plan.
- D. *Bonus formulas.* The amount of increase in FAR or building height shall be determined by the cost and/or value of the Special Improvement(s) using the following:
1. Floor Area Bonus Formula: $SQBA = [TCE \text{ divided by } (1.035^{(CY-2013)})] \text{ times } 0.1$
 2. Building Height Bonus Formula: $FBH = [TCE \text{ divided by } (1.035^{(CY-2013)})] \text{ times } 0.0001$
 3. Factors used in the formulas above:
 - i. $SQBA$ = Square feet of gross floor area bonus.

- ii. TCE = Total Construction Cost Estimate of the proposed Special Improvement
 - iii. CY = Current Year
 - iv. FBH = Feet of building height bonus.
4. The TCE may be distributed in whole or in part to the SQBA or to the FBH, but the sum of the distribution shall never exceed the TCE.
 5. TCE limitations.
 - a. The TCE excludes all costs reimbursed in any way by the City or other persons, including grants, public paybacks, oversizing agreements, incentives or standard requirements.
 - b. The TCE excludes the cost of public improvements required for the development and standard right-of-way dedications.
 - c. The TCE for a bonus shall include the fair market value of any dedicated land or easement included in the land area where the Special Improvement is located. (See example in Section 6.1310.E.)
- E. *Allocation of bonuses:* The Development Plan shall show the allocation of bonus development standards (floor area and/or building height).
- F. *Special Improvements.* The following are Special Improvements that achieve public benefits and qualify a Development Plan for bonus development standards consideration. Specific limitations apply to each Special Improvement as indicated below. The TCE shall be prepared by a professional consultant and subject to the approval of the Zoning Administrator and City Engineer.
1. Exceptional right-of-way dedication.
 - i. The amount of right-of-way dedication that may qualify shall be any right-of-way dedication area that is greater than 35% of the gross lot area of the Development Plan.
 - ii. The TCE shall be the fair market value. This shall be determined by a minimum of two independent appraisals submitted by the property owner.
 2. Major infrastructure improvements not included in the Development Plan.
 - i. These may include additions, new extensions or upsizing of streets, water systems, sewer systems, drainage systems, transit facilities, pedestrian facilities, trail facilities, bicycling facilities, streetscaping facilities or other such infrastructure improvements as approved by the Zoning Administrator and City Engineer.
 - ii. These improvements shall be located in or abutting the Greater Airpark Character Area.
 - iii. These improvements shall be consistent in type and scope with the City's approved infrastructure master plans, if applicable.
 - iv. In-lieu contributions may be accepted as approved by the Zoning Administrator and City Engineer.
 3. Public parking areas within the Development Plan.

- i. These parking areas shall serve the needs of a public facility or recurring municipal-sponsored public events.
 - ii. The public parking area shall be within an easement granted to the City.
 - iii. Minimum number of spaces provided to the City: 200.
 - iv. These parking spaces shall be in excess of those required for the Development Plan land uses.
 - v. Minimum available times of public access to the parking areas: 6:00 a.m. to 12:00 a.m.
 - vi. Lighting and signing of the parking areas as public access parking is required.
 - vii. These parking areas shall be maintained in good condition by the property owner.
4. Public gathering space or plaza improvements within the Development Plan.
 - i. Minimum area: 18,000 square feet or 5% of the net lot area of the Development Plan, whichever is greater.
 - ii. This area shall be accessible by and visible to the public from public rights-of-way. Public access shall be secured through the use of an easement.
5. Public art.
 - i. Public art shall be located in an area accessible by and visible to the public and exterior to any building.
 - ii. Public art shall be placed within the Greater Airpark Character Area.
6. Enhanced transit amenities within the Development Plan.
 - i. These shall be upgrades of the City standard for transit stops including additional seating, shade structures, pedestrian lighting, and other such enhancements.
 - ii. These shall be designed to be integrated with the architectural character of the adjacent buildings or of an approved streetscape character.
 - iii. These shall be maintained by the property owner.
7. Pedestrian amenities within the Development Plan.
 - i. These may include sidewalk shade covers, benches and other forms of seating, sidewalk lighting, and other such improvements that enhance the public sidewalks for pedestrian use.
 - ii. These shall be maintained by the property owner.
8. Solar energy collection systems within the Development Plan.
 - i. These shall either be screened from view off-site of the Development Plan or integrated into the architectural character of the buildings.

- ii. The property owner shall maintain these in good working condition for a minimum of 15 years.
- 9. Landscape water conservation systems within the Development Plan.
 - i. These may include rainwater harvesting, gray water re-use, air conditioning condensation recycling, roof gardens and other such systems that use non-domestic water for landscaping purposes.
- 10. Electric vehicle charging stations.
 - i. Minimum number of stations: 5 stations or 5% of the total number of required spaces within the Development Plan, whichever is greater.
- 11. Compliance with Scottsdale's Green Construction Code. Subject to the maximum development standards with bonuses, if the entire development of the property within the Development Plan complies with Scottsdale's Green Construction Code an FAR bonus of 0.1 times the gross lot area of the Development Plan or a building height bonus equivalent to 15 feet, as approved by the City Council, shall apply.

G. *Special conditions.*

- 1. Building materials: Reflective materials, such as glass or polished metal located above a building height of 104 feet are limited to 60 percent of the building wall area located above a building height of 104 feet.
- 2. Open Space. Minimum: 28 percent of the net lot area of the Development Plan receiving a bonus.

H. *Application for bonus development standards. Include a narrative:*

- 1. Describing the bonus development standards sought, specifying the proposed floor area ratio and building height,
- 2. Identifying the Special Improvements to be provided, and
- 3. Providing the method and calculations for determining the TCE.

I. *Development Agreement required.* All proposals to provide Special Improvements are subject to City Council approval of a Development Agreement that specifies:

- 1. The Special Improvements to be provided and other conditions to be met by the property owner,
- 2. The means and timetable for achieving the Special Improvements and other conditions,
- 3. The applicable bonus development standards, and
- 4. The consequences of failure to provide the Special Improvements and meet other conditions.

(Ord. No. 4120, § 1 (Res. No. 9585, Exh. A, § 1), 12-9-13)

Sec. 5.4009. - General Provisions.

Except as otherwise provided, the provisions of Article VII apply.

(Ord. No. 4120, § 1(Res. No. 9585, Exh. A, § 1), 12-9-13)

Sec 5.4010. - Sign Requirements.

The provisions of Article VIII apply. In lieu of using the PCP sign standards of Article VII, the property owner may choose to use signs allowed in the Planned Regional Center (PRC) District in the PCP District.

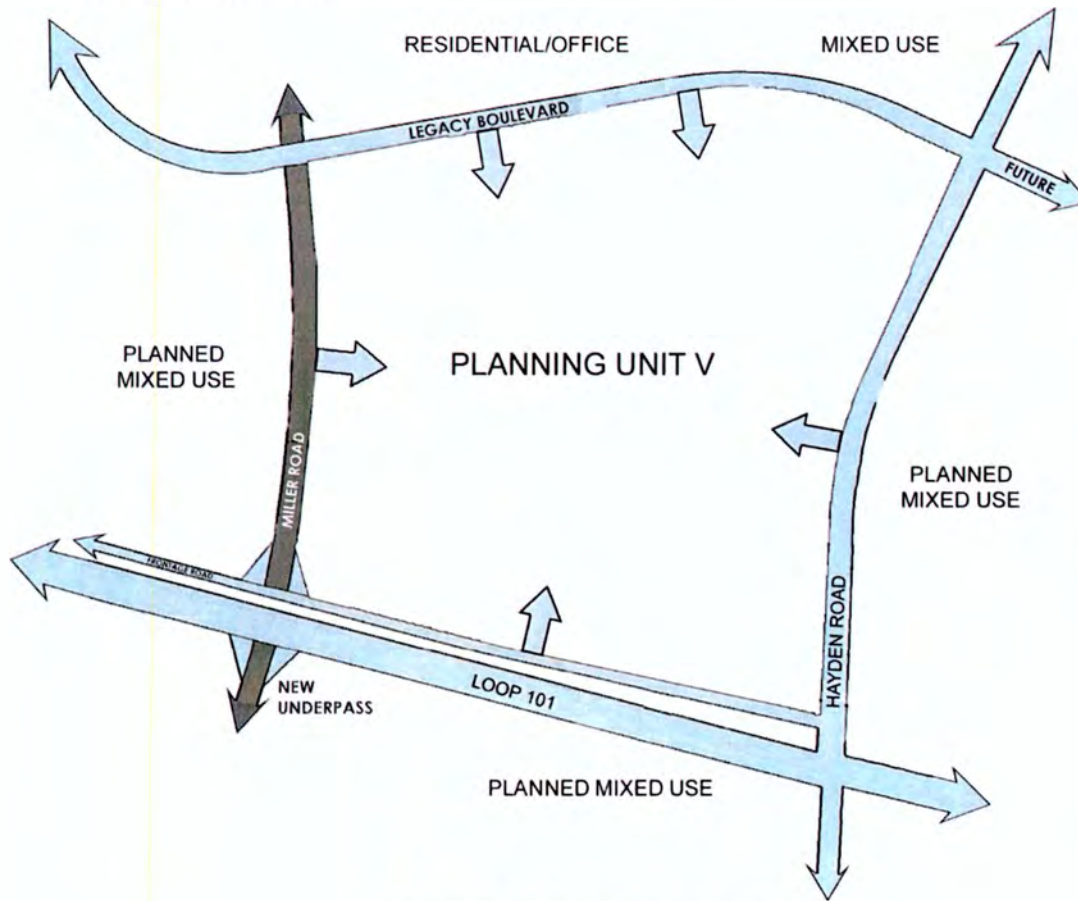
(Ord. No. 4120, § 1(Res. No. 9585, Exh. A, § 1), 12-9-13)

Sec. 5.4011. - Parking and Loading Requirements.

The provisions of Article IX apply.

(Ord. No. 4120, § 1(Res. No. 9585, Exh. A, § 1), 12-9-13)

Site Plan Attachment #3



CROSSROADS EAST PLANNING UNIT V SCOTTSDALE, ARIZONA

Conceptual Plan

The Conceptual Site Plan combines the Development Program Land Uses table with the Circulation Concepts Plan and Conceptual Open Space Plan and the following table:

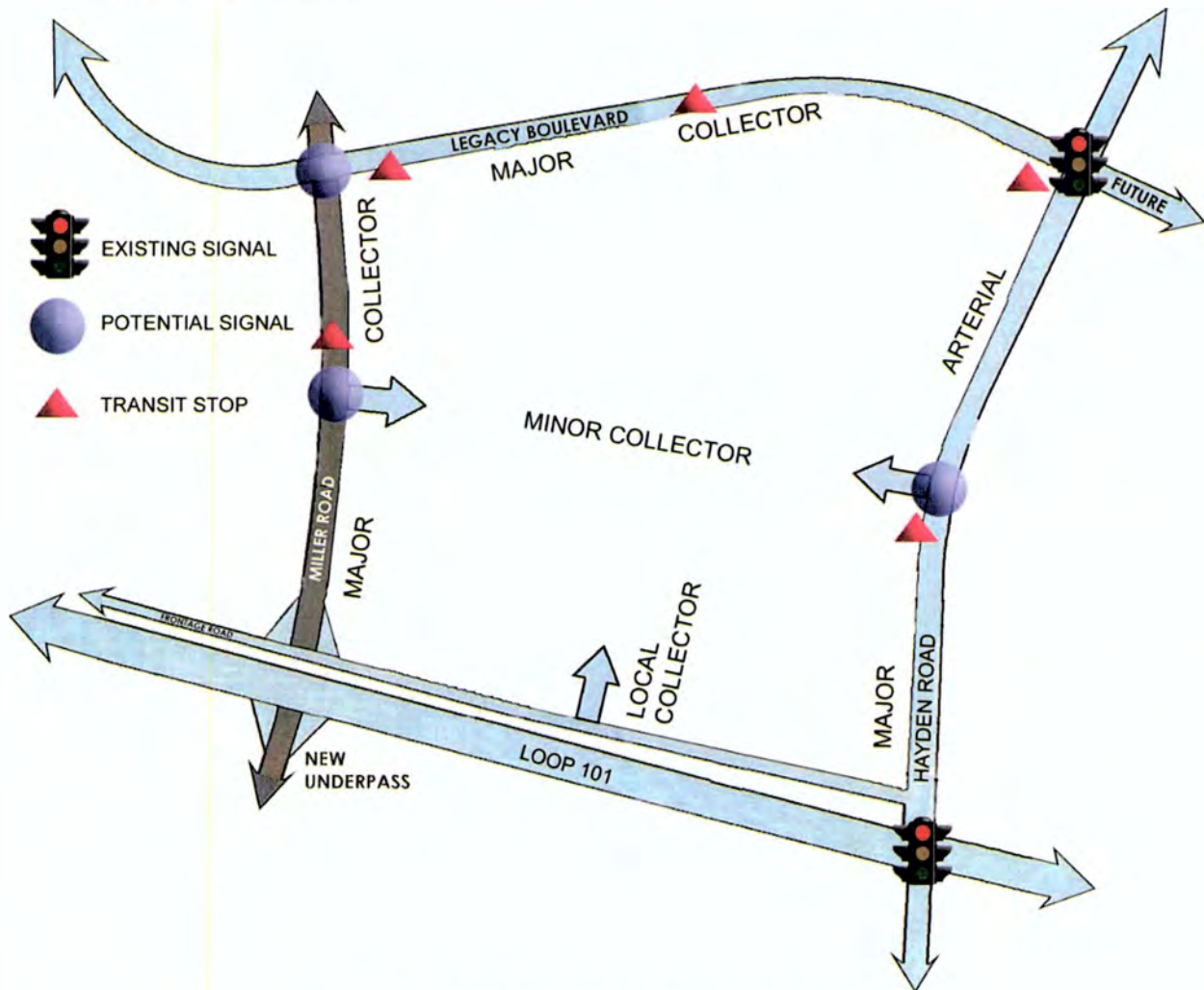
Primary Orientation of Uses

Land Use Type	Primary Orientation on the Development Site
Residential	Generally within the northern 2/3's of the development area.
Hotel	Generally near the eastern perimeters of the development area/possibly near the southern perimeter.
Retail & Service Uses	Generally near the eastern perimeter of the site.
Office & Employment	Generally within the southern half of the development site – some elements may be located near the eastern, northern and western frontages as well.

Associated Design Principles

- Design and locate buildings so they encourage pedestrian activity and interaction, screen utilitarian functions from common views and establish a high quality of design, construction and character. Minimize blank walls, entrances that are hidden and not connected to external walkways, solid unbroken walls separating adjoining properties and service areas oriented to streets or residential areas.
- Design and locate buildings in a manner that encourages pedestrian activity along streets and in common open spaces and provides human-scaled details and amenities at the ground level. Avoid building orientations and entrances that focus away from streets and common open spaces and gathering areas.
- Encourage parking structures that either minimize their appearance from public rights-of-way or provide screening of internal activities and incorporate the materials and details found in nearby occupied buildings.
- Minimize the visibility of surface parking areas through their placement and/or perimeter landscaping.
- Create an interconnected open space system that includes streetscapes, drainage facilities, pedestrian corridors, and common activity and meeting spaces and that reflects the desert Southwest setting and provides appropriate scale to building massing

Transportation / Circulation Concept Plan Attachment #4



CROSSROADS EAST PLANNING UNIT V SCOTTSDALE, ARIZONA

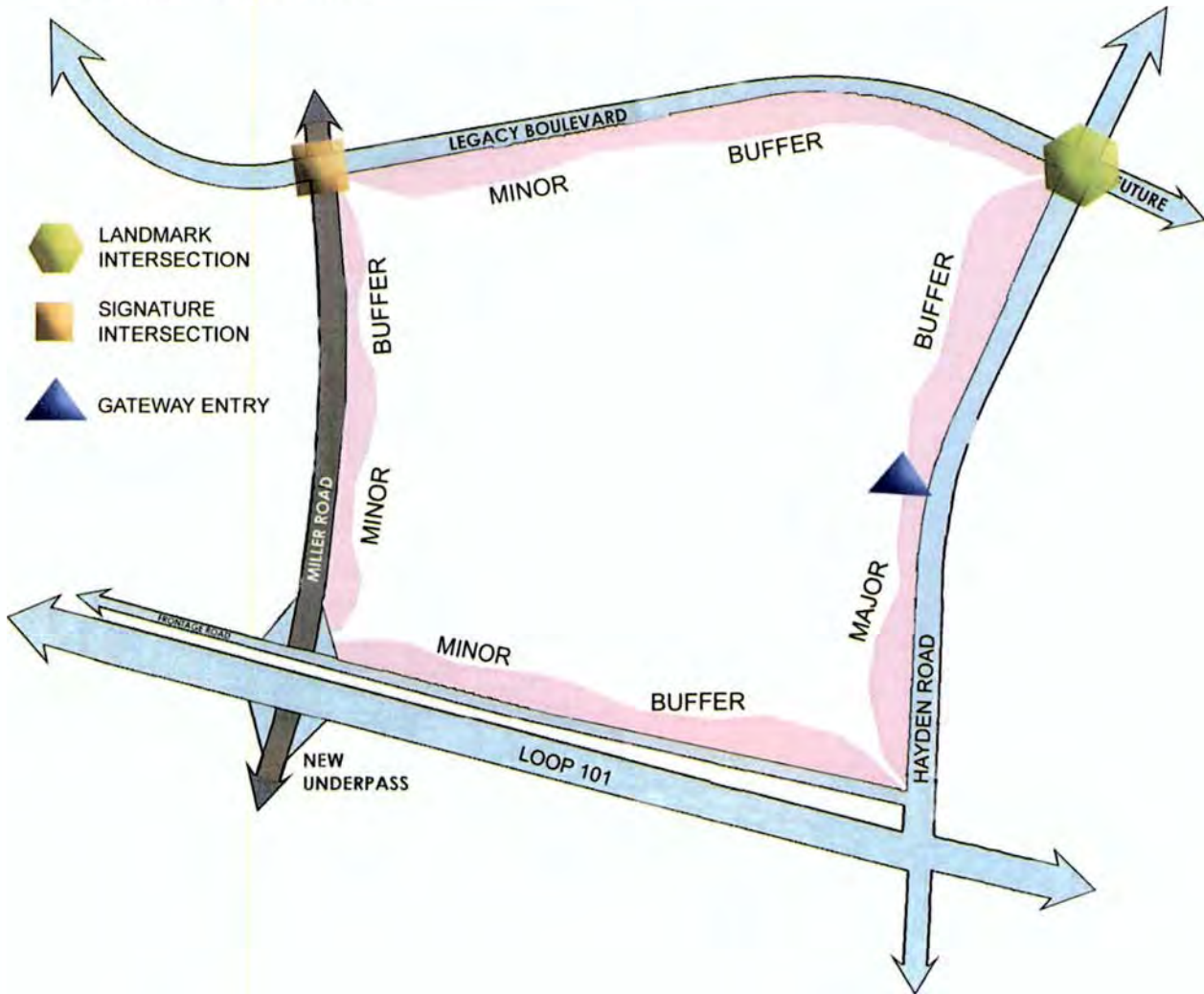
Circulation Concepts

The circulation networks that will serve this development area include:

1. Major Streets: Hayden Road as a Major Arterial; Legacy and Miller Roads as Major Collectors
2. Minor Streets: an east/west Minor Collector through the development area; a Local Collector serving as the direct entrance from the Pima Freeway Frontage Road; a network of interior Local Streets with limited connections to the perimeter streets
3. Bikeways: bike lanes on all arterial and collector streets; shared use on local streets
4. Transit Service: Transit stops anticipated along all perimeter streets as the general area builds out

Conceptual Open Space Plan

Attachment #5



CROSSROADS EAST
PLANNING UNIT V
SCOTTSDALE, ARIZONA

Proposed Open Spaces

1. The PCP required open space is estimated to be in the range of 21 to 28 acres (20-25% of projected net area). This will be provided as perimeter and street frontage open spaces, landscaping and pedestrian plazas adjacent to buildings, common amenity areas for residential uses and other common open spaces related to drainage, pedestrian circulation and other functions throughout the site. It is understood that various development parcels will likely provide different amounts of open space depending on the location and functions of the parcels, but the overall requirements will be met for the development area.
2. The minimum amount of open space any individual parcel will provide is 25% if the use is residential and 20% if the use is non-residential.

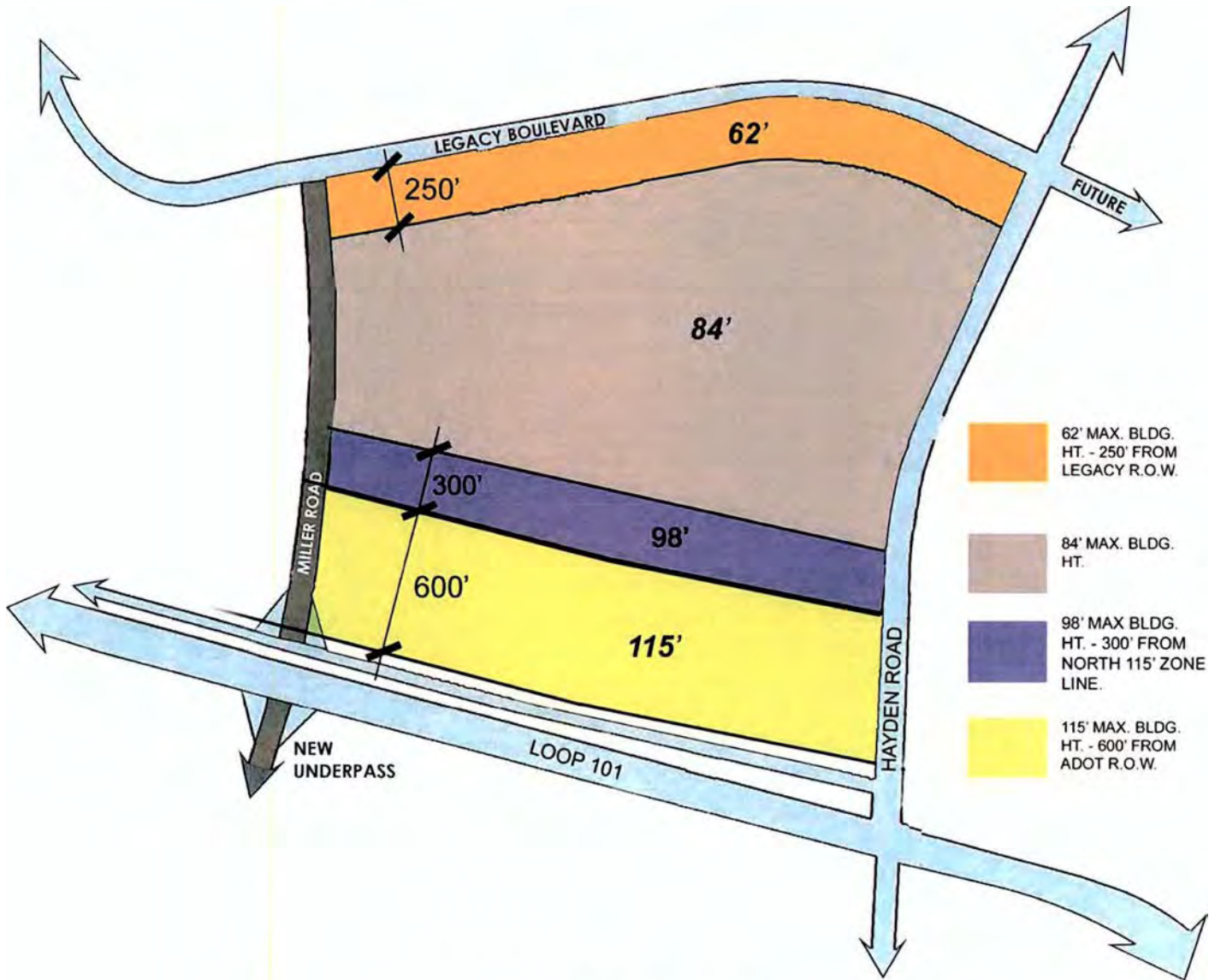
3. Along the perimeter of the development area, there shall be a major buffered setback/ open space along Hayden Road and minor ones provided along Legacy Blvd, Miller Road and the Frontage Road.
4. At the intersections of Legacy/Hayden and Legacy/Miller there will be Signature/Landmark open space treatments with enhanced pedestrian amenities.
5. The main entry to the interior of the Planning Unit from Hayden Road will be treated as a Gateway Entry.

Associated Design Principles

- Design and locate buildings in a manner that encourages pedestrian activity along streets and in common open spaces and provides human-scaled details and amenities at the ground level. Avoid building orientations and entrances that focus away from streets and common open spaces and gathering areas.
- Encourage a consistent streetscape across the entire development area that incorporates pedestrian amenities, such as shading, seating and lighting, and reflects the high quality of building design materials, construction and details.
- Create an interconnected open space system that includes streetscapes, drainage facilities, pedestrian corridors, and common activity and meeting spaces and that reflects the desert Southwest setting and provides appropriate scale to building massing.

Maximum Height

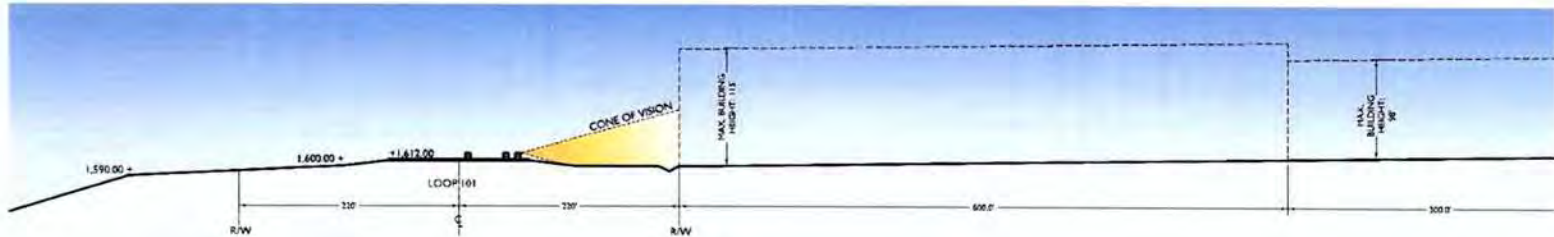
Attachment #6



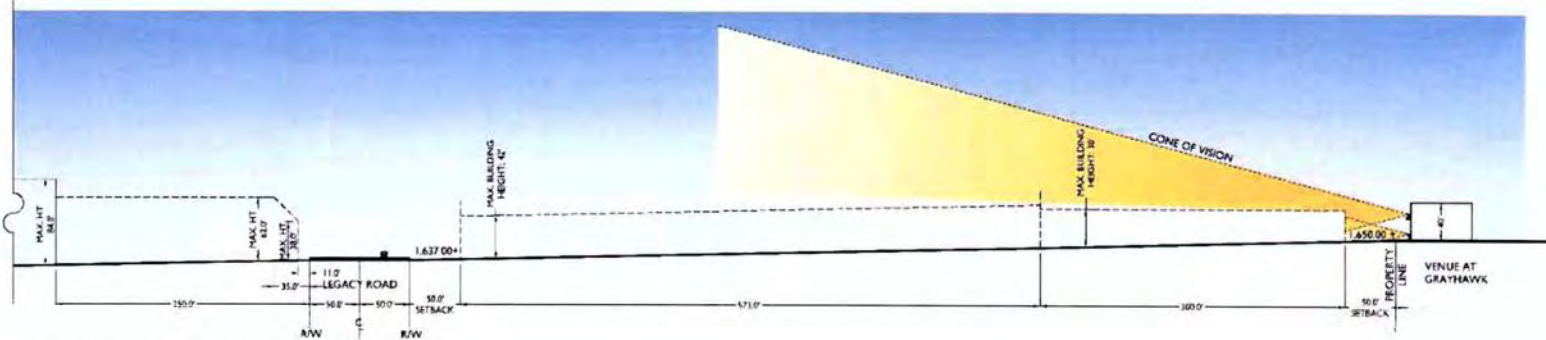
CROSSROADS EAST

PLANNING UNIT V
SCOTTSDALE, ARIZONA

KEY MAP



1 CROSS SECTION AA - VIEW FROM LOOP 101
Scale: 1" = 50'-0" (printed on 24" x 36")



2 CROSS SECTION BB - VIEW FROM GRAYHAWK
Scale: 1" = 50'-0" (printed on 24" x 36")

Attachment #6A



PLANNING UNIT V ROADWAY SECTIONS

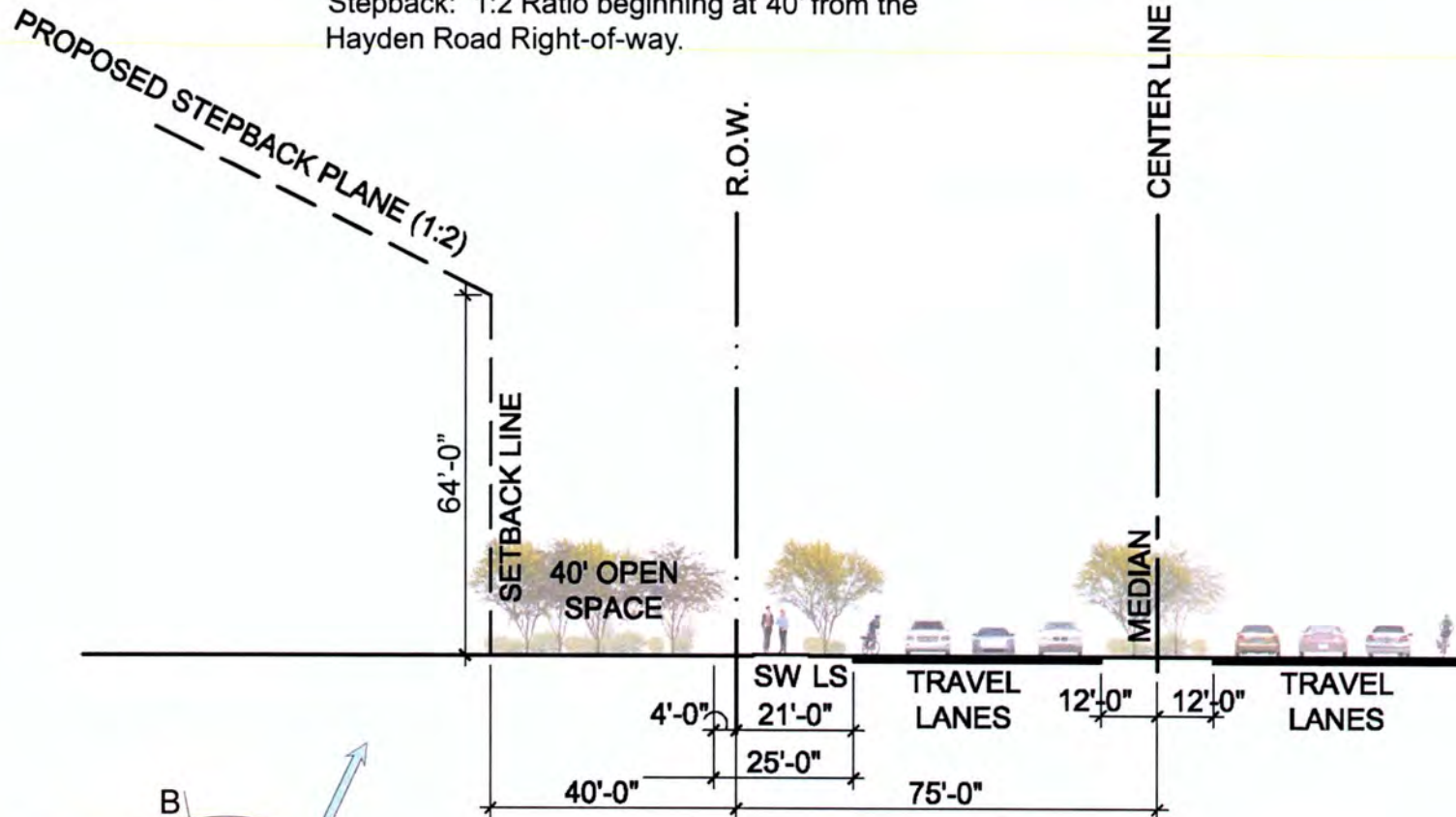
Attachment #7

A: HAYDEN ROAD

LOOKING NORTH

PROPOSED SECTION

Stepback: 1:2 Ratio beginning at 40' from the Hayden Road Right-of-way.



CROSSROADS EAST

PLANNING UNIT V

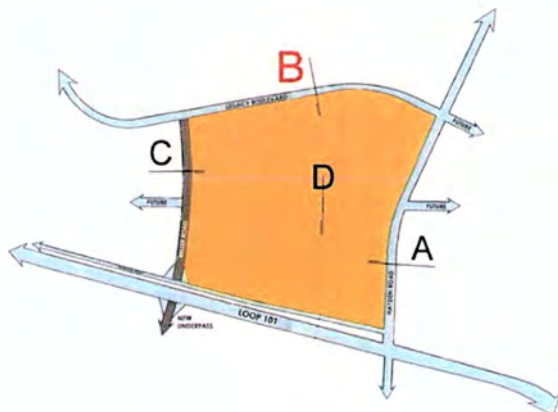
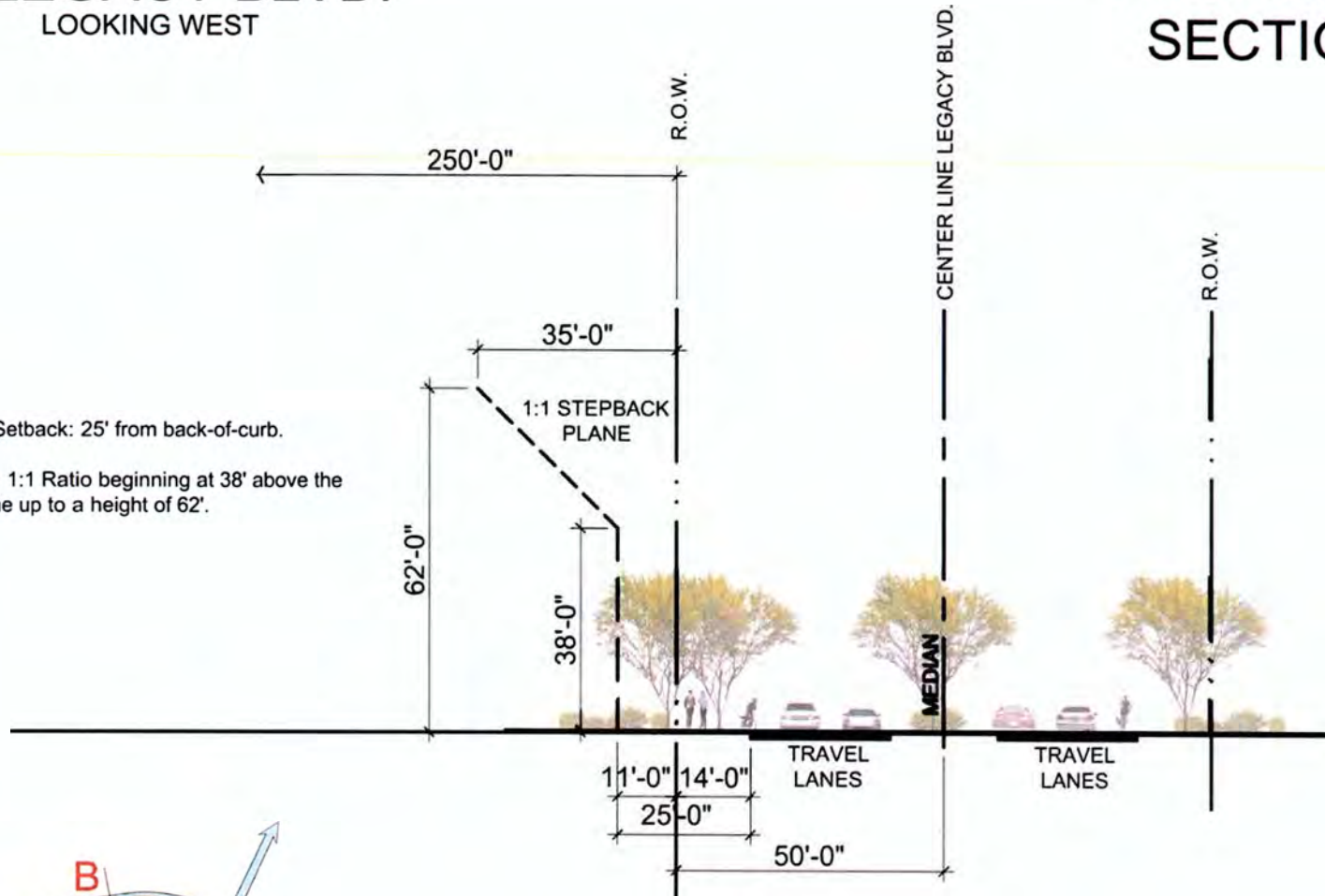
SCOTTSDALE, ARIZONA

B: LEGACY BLVD. LOOKING WEST

PROPOSED SECTION

Minimum Setback: 25' from back-of-curb.

Stepback: 1:1 Ratio beginning at 38' above the setback line up to a height of 62'.



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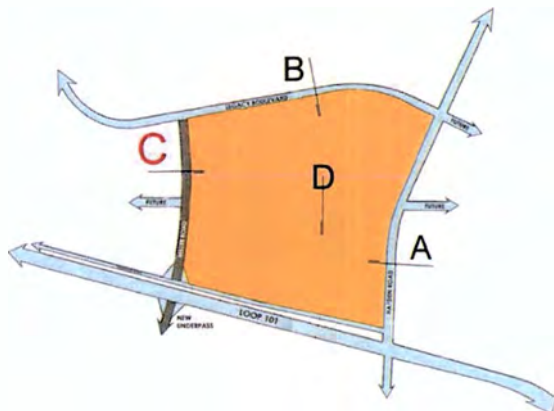
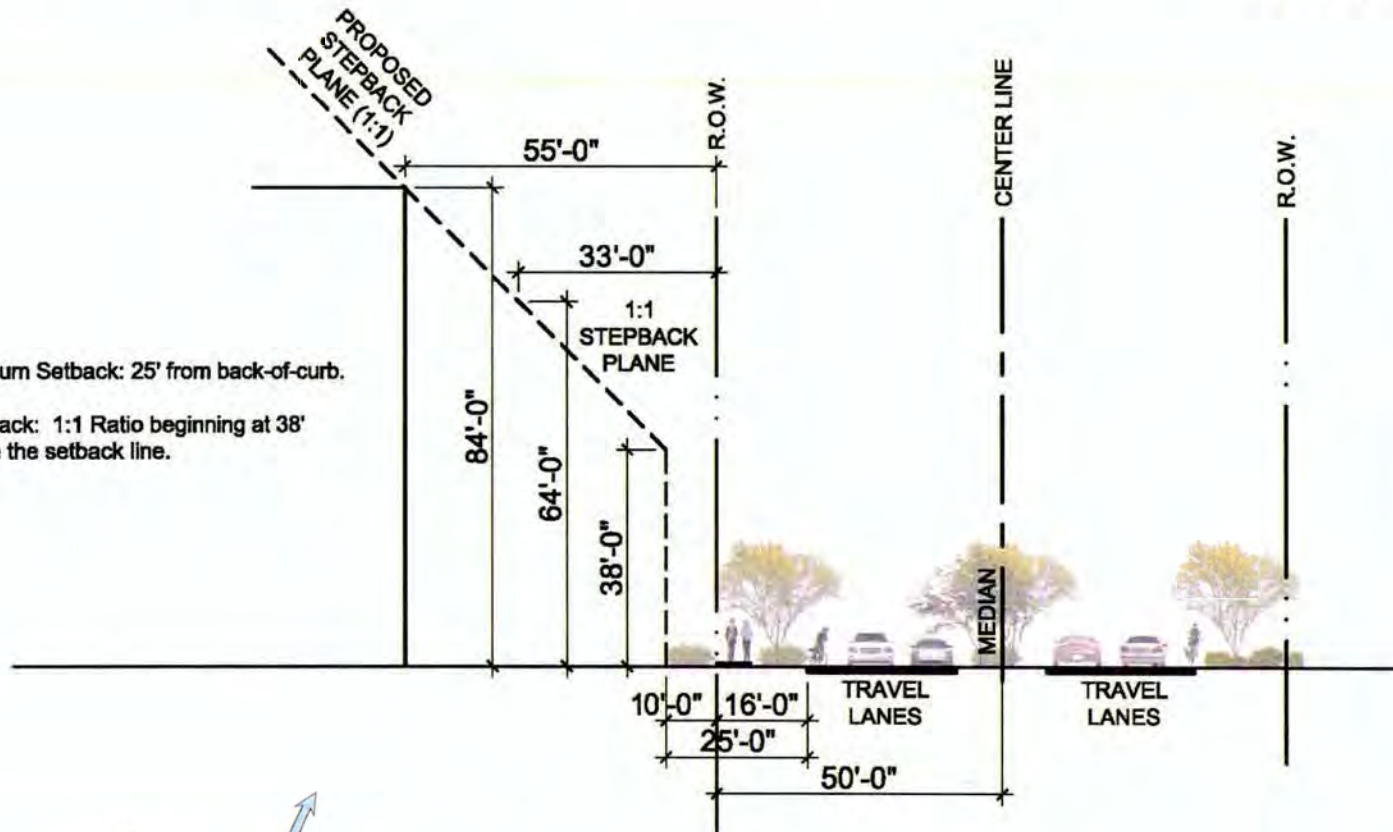
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C: MILLER ROAD LOOKING SOUTH

PROPOSED SECTION

Minimum Setback: 25' from back-of-curb.

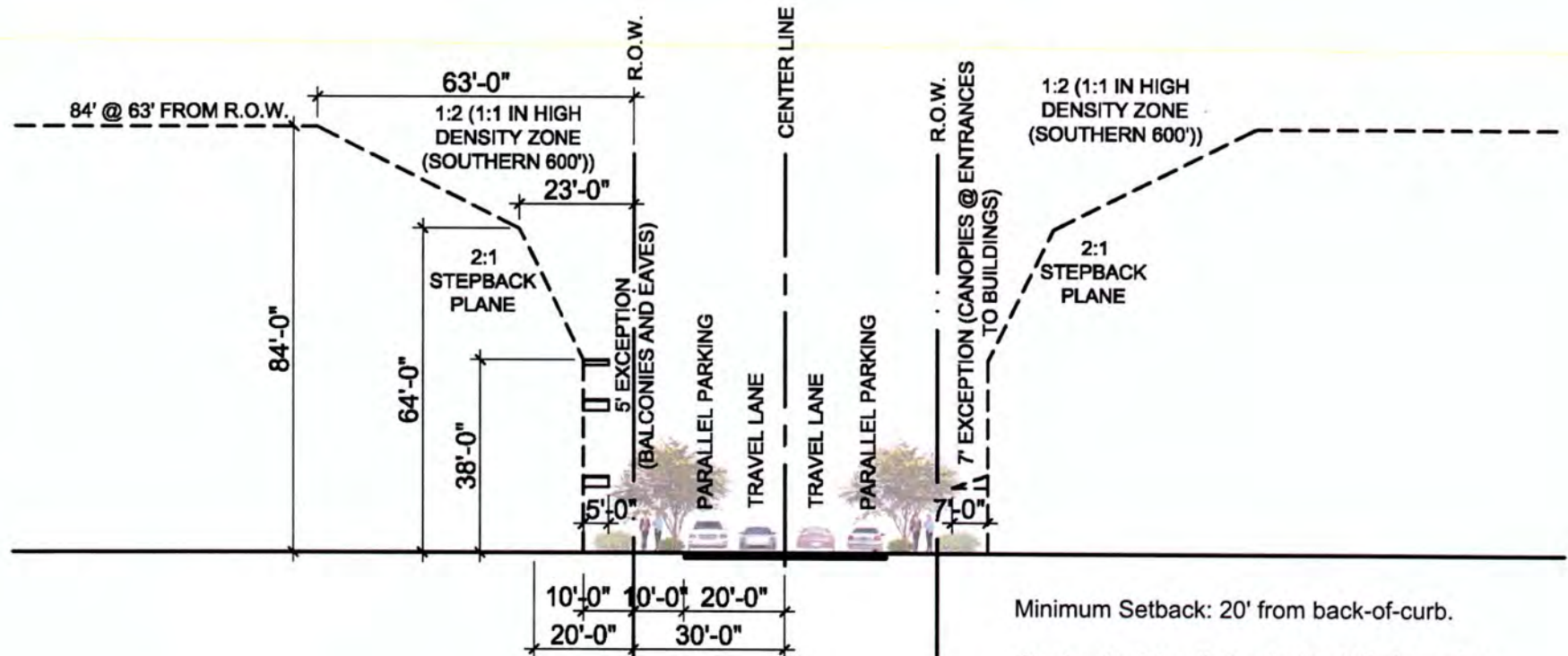
Stepback: 1:1 Ratio beginning at 38' above the setback line.



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D: INTERNAL ROAD - LOCAL COMMERCIAL

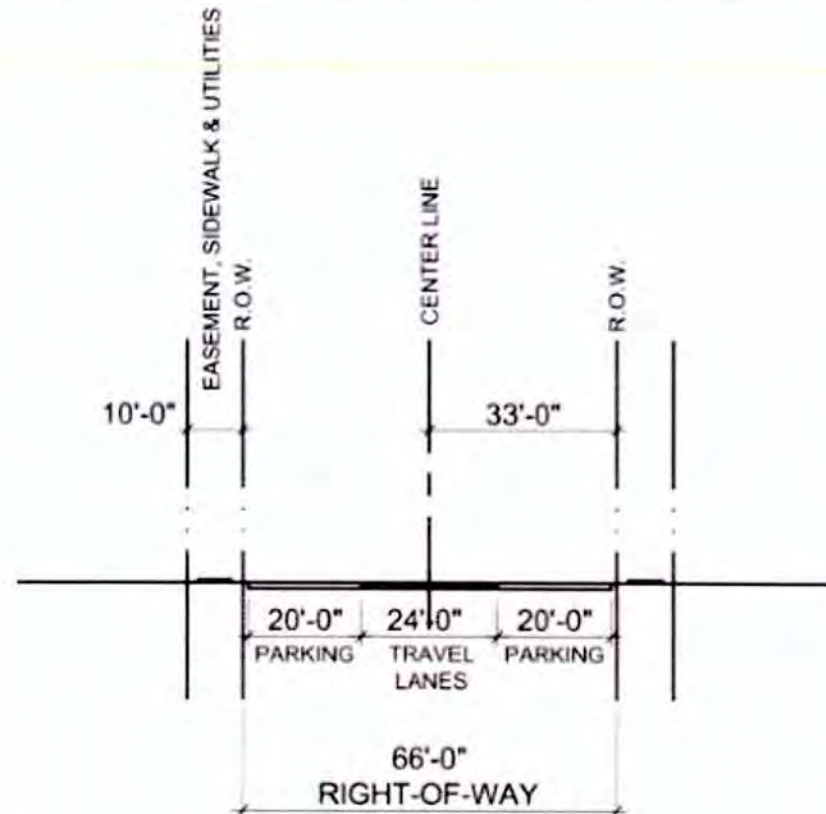
PROPOSED SECTION



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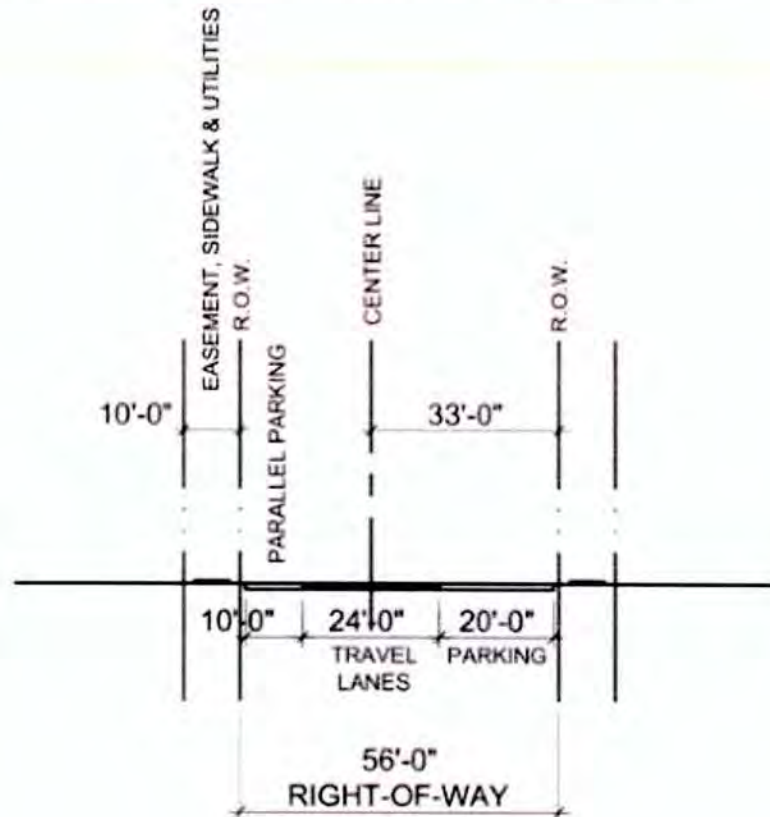
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E1: STREET CROSS SECTION - ANGLED PARKING 2 SIDES OF STREET



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SCOTTSDALE, ARIZONA

E2: STREET CROSS SECTION - ANGLED PARKING 1 SIDE OF STREET



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PLANNING UNIT V
SCOTTSDALE, ARIZONA

Attachment #8

Intent of these Principles

The design principles contained herein are intended to provide a vision and framework for the physical development of Planning Unit V in the Crossroads East master planned development. These are aspirational and inspirational and not to be taken as absolutes or detailed guidelines. These are to help all who are involved with future development of this area to move forward with a consistent mindset and sense of character for this development as it unfolds.

Vision of the Principles

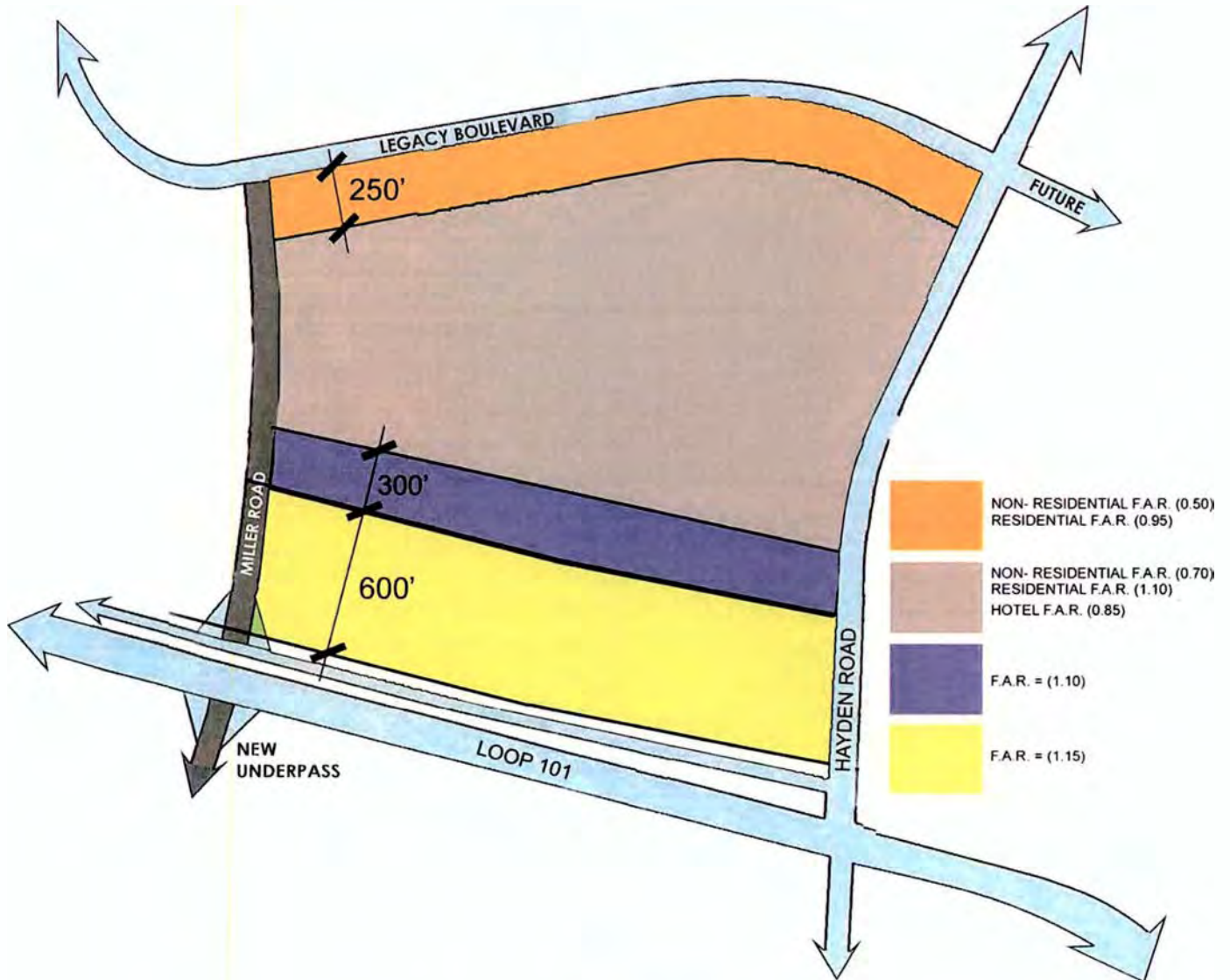
The vision for the development of this area is to provide a mix of uses and building types that in combination achieve a pedestrian oriented, high visual quality and durable neighborhood that reflects the climate, traditions and cultural heritage of the desert Southwest.

Principles

- Design and locate buildings so they encourage pedestrian activity and interaction, screen utilitarian functions from common views and establish a high quality of design, construction and character. Minimize blank walls, entrances that are hidden and not connected to external walkways, solid unbroken walls separating adjoining properties, and service areas oriented to streets or residential areas.
- Design flexibility should be encouraged in order to accommodate creative design solutions, meet the ever-changing needs of businesses in a dynamic economy and provide visual interest.
- Design and locate buildings in a manner that encourages pedestrian activity along streets and in common open spaces and provides human-scaled details and amenities at the ground level. Avoid building orientations and entrances that focus away from streets and common open spaces and gathering areas.
- Incorporate building and landscaping elements that achieve climate appropriate shading and protection for both external and internal users.
- Incorporate mechanical, structural and service elements of buildings into the overall design concept and visual quality of the buildings. Minimize the visibility of mechanical and service components of buildings from street views and from the views from adjacent parcels.

- Encourage parking structures that either minimize their appearance from public rights-of-way or provide screening of internal activities and incorporate the materials and details found in nearby occupied buildings.
- Encourage a consistent streetscape across the entire development area that incorporates pedestrian amenities, such as shading, seating and lighting, and reflects the high quality of building design materials, construction and details.
- Minimize the visibility of surface parking areas through their placement and/or perimeter landscaping.
- Create an interconnected open space system that includes streetscapes, drainage facilities, pedestrian corridors, and common activity and meeting spaces and that reflects the desert Southwest setting and provides appropriate scale to building massing.
- Establish a circulation network that encourages mobility options and accessibility

Maximum F.A.R.
Attachment #9



CROSSROADS EAST
PLANNING UNIT V
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